



New South Wales

Tumut Local Environmental Plan 1990 (Amendment No 35)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*. (Q08/00005)

FRANK SARTOR, M.P.,
Minister for Planning

2008 No 67

Clause 1 Tumut Local Environmental Plan 1990 (Amendment No 35)

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under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Tumut Local Environmental Plan 1990 (Amendment No 35)*.

2 Aims of plan

This plan aims to amend *Tumut Local Environmental Plan 1990 (the 1990 plan)* to transpose the provisions of clauses 17 and 18 of the 1990 plan so that the provisions relating to each of the clause headings are contained within the appropriate clause.

3 Land to which plan applies

This plan applies to all land in Zones Nos 2 (a) (the Residential (Low Density) Zone), 2 (b) (the Residential (Medium Density) Zone) and 2 (v) (the Residential (Village or Township) Zone) under *Tumut Local Environmental Plan 1990*.

4 Amendment of Tumut Local Environmental Plan 1990

Tumut Local Environmental Plan 1990 is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Clauses 17 and 18

Omit the clauses. Insert instead:

17 Dwelling-houses and dwellings in Zone No 2 (a), 2 (b) or 2 (v)

- (1) This clause applies to land within Zone No 2 (a), 2 (b) or 2 (v).
- (2) A person must not erect a dwelling-house, dwelling, cluster housing or dual occupancy on land to which this clause applies unless it complies with the following residential densities:
 - (a) in respect of land within Zone No 2 (a)—not more than one dwelling or attached dual occupancy per 600 square metres,
 - (b) in respect of land within Zone No 2 (b) or 2 (v):
 - (i) not more than one small dwelling per 225 square metres, and
 - (ii) not more than one medium dwelling per 325 square metres, and
 - (iii) not more than one large dwelling per 440 square metres.
- (3) A person must not erect a building, being a dwelling-house, dwelling, cluster housing or an attached dual occupancy, on land to which this clause applies unless the floor space ratio of the building is not greater than 0.3:1 for a single storey building and 0.5:1 for a 2 storey building.

18 Other development in Zone No 2 (a), 2 (b) or 2 (v)

- (1) This clause applies to land within Zone No 2 (a), 2 (b) or 2 (v).
- (2) The Council may consent to the carrying out of development of land to which this clause applies for the purposes of a building (other than a dwelling-house, dwelling, cluster housing or a dual occupancy) only if:
 - (a) the floor space ratio of the building will be not greater than 0.5:1, and
 - (b) the Council has taken into account the effect of the development on surrounding land uses.

BY AUTHORITY