**DD&E 3 - Planning Proposal - Tumut Shire Growth Strategy 2013 - 2033**

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| PURPOSE OF REPORT: | Council authorisation of the final draft Growth Strategy and Planning Proposal and consideration of minor amendments. |

113 Resolved that;

1. **That Council amend the Tumut Shire Growth Strategy to incorporate the following changes and that the amended Strategy be submitted to the Director General of Planning for endorsement:**

a) Batlow - The Yellowin Road investigation area to be zoned R5 Large Lot Residential with a minimum 2ha lot size and Tumut Shire Development Control Plan 2011 to be amended to exclude slump areas from development.

b) Batlow - The Batlow central area to be zoned B4 Mixed Use with no minimum lot size.

c) Tumut - The Tumut South East Release area to be zoned R2 Low Density Residential, R3 Medium Density Residential and E3 Environmental Management. The residential zones to have the 600 m2 and 225 m2 minimum lot sizes respectively and the E3 zone to retain the current 30 ha and 150 ha lot sizes. The entire area is to be designated an Urban Land Release Area. The E3 Land Use Table is to ensure that existing agricultural uses remain permissible.

d) Tumut - The northern side of Merivale Street, between Capper Street and Fitzroy Street be rezoned to B2 Local Centre.

**2. That the Planning Proposal submitted to the Office of Planning and Infrastructure to give effect to the Tumut Shire Growth Strategy include the following consequential amendments:**

**a) Insertion of Land Use Tables for zones SP1, B4 and E3 as follows:**

*Zone SP1 Special Activities*

*1. Objectives of zone*

* + - * *To provide for special land uses that are not provided for in other zones.*
      * *To provide for sites with special natural characteristics that are not provided for in other zones.*
      * *To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.*

*2. Permitted without consent*

*Nil.*

*3. Permitted with consent*

*The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose*

*4. Prohibited*

*Any other development not specified in item 3.*

*Zone B4 Mixed Use*

*1. Objectives of zone*

*• To provide a mixture of compatible land uses.*

*• To integrate suitable business, office, residential, retail and*

*other development in accessible locations so as to maximise*

*public transport patronage and encourage walking and cycling.*

*2. Permitted without consent*

*Roads.*

*3. Permitted with consent*

*Camping grounds; Caravan parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; General Industry; Health services facility; Home based child care; Information and education facilities; Light Industry; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential accommodation; Respite day care centres; Restricted premises; Service stations; Tourist and visitor accommodation; wholesale supplies*

*4. Prohibited*

*Heavy industry; any other development not specified in item 2 or 3*

*Zone E3 Environmental Management*

*1. Objectives of zone*

*• To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.*

*• To provide for a limited range of development that does not have an adverse effect on those values.*

*2. Permitted without consent*

*Agriculture; Environmental protection works; Home occupations; Roads*

*3 . Permitted with consent*

*Dwelling houses; Home industries, Kiosks, Cellar door premises; roadside stalls*

*4. Prohibited*

*Industries; Multi dwelling housing; Residential flat buildings; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3*

**b) Insertion of a new "Part 7 - Urban Release Areas" into Tumut LEP 2012 in the Standard Instrument format as follows:**

*7.1 Arrangements for designated State public infrastructure*

*Urban Release Area Map means the Tumut Local Environmental Plan 2012 Urban Release Area Map.*

*(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.*

*(2A) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director- General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot. (2B) Development consent must not be granted for the subdivision of land in an urban release area unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that land.*

*(3) Subclause (2) does not apply to:*

*(a) any lot identified in the certificate as a residue lot, or*

*(b) any lot created by a subdivision previously consented to in accordance with this clause, or*

*(c) any lot that is proposed in the development application to be reserved or* *dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or*

*(d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.*

*(4) This clause does not apply to land in an urban release area if all or any part of the land is in a special contributions area (as defined by section 93C of the Act).*

*7.2 Public utility infrastructure*

*(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.*

*(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.*

*7.3 Development control plan*

*(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.*

*(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.*

*(3) The development control plan must provide for all of the following:*

*(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,*

*(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,*

*(c) an overall landscaping strategy for the protection and enhancement of* *riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,*

*(d) a network of passive and active recreational areas,*

*(e) stormwater and water quality management controls,*

*(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,*

*(g) detailed urban design controls for significant development sites,*

*(h) measures to encourage higher density living around transport, open space and service nodes,*

*(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,*

*(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.*

*(4) Subclause (2) does not apply to any of the following development:*

*(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,*

*(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,*

*(c) a subdivision of land in a zone in which the erection of structures is prohibited,*

*(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.*

**c) Insertion of an item 2 into Schedule 1 of Tumut LEP 2012 as follows:**

*“Erection of ancillary dwellings in the Sturt Close Industrial Area,*

1. *This clause applies to land identified as “Sturt Close Industrial Area” on the Sturt Close Industrial Area map.*
2. *Development for the purposes of a dwelling house is permitted with development consent if the development is ancillary to an industry on the same land.”*

**3. That the amended Growth Strategy and Planning Proposal be submitted to the Planning and Infrastructure Agency.**

**4. Council hold a workshop on the 2014 Planning Proposal following public exhibition**.

Cr S Bulger/Cr P Cross

**For:** Mayor Trina Thomson,Cr J Hayes, Cr S Stevenson, Cr G Pritchard, Cr S Bulger and Cr P Cross

**Against:** Nil