



New South Wales

Kiama Local Environmental Plan 1996 (Amendment No 44)

under the

Environmental Planning and Assessment Act 1979

I, the Minister for Urban Affairs and Planning, make the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.
(W00/00103/S69)

ANDREW REFSHAUGE, M.P.,

Minister for Urban Affairs and Planning

2001 No 540

Clause 1 Kiama Local Environmental Plan 1996 (Amendment No 44)

Kiama Local Environmental Plan 1996 (Amendment No 44)

1 Name of plan

This plan is *Kiama Local Environmental Plan 1996 (Amendment No 44)*.

2 Aims of plan

This plan aims to allow development of certain land at Saddleback Mountain so as to enable the excision of a 4,000m² allotment from Lot 1 DP 770691, subject to:

- (a) the consolidation of Lots 1 and 2 DP 599625 into one allotment, and
- (b) the transfer of an existing dwelling entitlement from Lot 2 DP 599625 to the proposed 4,000m² allotment, and
- (c) the consolidation of the residue of Lot 1 DP 770691 and Lot 1 DP 205057 into one allotment.

3 Land to which plan applies

This plan applies to land situated in the area of Kiama, being Lots 1 and 2 DP 599625, Wilsons Road, and Lot 1 DP 205057 and Lot 1 DP 770691, Saddleback Mountain Road, Saddleback Mountain as shown edged heavy black on the map marked “Kiama Local Environmental Plan 1996 (Amendment No 44)” deposited in the office of the Council of the Municipality of Kiama.

4 Amendment of Kiama Local Environmental Plan 1996

Kiama Local Environmental Plan 1996 is amended in the manner set out in Schedule 1.

Schedule 1 Amendment

(Clause 4)

Schedule 4 Development for certain additional purposes

Insert at the end of Schedule 4:

Lots 1 and 2 DP 599625, Wilsons Road and 1 DP 205057 and Lot 1 DP 770691 Saddleback Mountain Road, Saddleback Mountain—the excision from Lot 1 DP 770691 of one allotment containing an area of approximately 4,000m² and the erection of a single dwelling-house on that allotment, subject to the following:

- (a) in determining whether to grant consent to the creation of the excised allotment, the Council must take into considering the following matters:
 - (i) the provision of vehicular access to the allotment to minimise new work, visual impact and unnecessary disturbance of the land,
 - (ii) the size, shape and slope of the allotment and the location of any dwelling-house to be erected on that allotment,
 - (iii) the suitability of the allotment for effluent disposal,
 - (iv) the provision of services to the allotment without unacceptable visual impact,
 - (v) the protection and enhancement of existing screening vegetation,
 - (vi) the need to provide an appropriate mitigation of bush fire risk without reducing the scenic integrity of the allotment,
- (b) Lot 1 DP 205057 and the residue of Lot 1 DP 770691 (that was not excised) must be consolidated into one allotment,
- (c) Lots 1 and 2 DP 599625 must be consolidated into one allotment,

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Schedule 1 Amendment

- (d) a person must not carry out development on the allotment created by the consolidation of Lots 1 and 2 DP 599625 for the purposes of the erection of a dwelling.

BY AUTHORITY