



New South Wales

Kyogle Local Environmental Plan 2012 (Amendment No 5)

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*.

**MANFRED BOLDY, EXECUTIVE MANAGER—PLANNING AND ENVIRONMENT,
KYOGLÉ COUNCIL**
As delegate for the Minister for Planning

Kyogle Local Environmental Plan 2012 (Amendment No 5)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Kyogle Local Environmental Plan 2012 (Amendment No 5)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the land to which *Kyogle Local Environmental Plan 2012* applies.

Schedule 1 Amendment of Kyogle Local Environmental Plan 2012

[1] Schedule 3 Complying development

Omit the matter relating to **Single day events** from Part 1 of the Schedule. Insert instead:

Short-term temporary events

Note 1. In the case of Crown land or land vested in or under the control of a council, permission must be sought from the council or other authority responsible for managing the land concerned before any development is carried out on the land.

Note 2. Under section 68 of the *Local Government Act 1993*, certain activities require approval from the local council.

Note 3. The *Protection of the Environment Operations Act 1997* contains provisions regulating noise and pollution.

Note 4. The use of caravans, campervans and tents is regulated under the *Crown Lands Act 1989*, *Forestry Act 2012*, *National Parks and Wildlife Act 1974* and the *Local Government Act 1993*.

Note 5. Under the *Rural Fires Act 1997*, camping activities are a type of tourist accommodation, which is a special fire protection purpose under section 100B of that Act. That provision provides that the development of bush fire prone land for a special fire protection purpose is not complying development.

- (1) Does not apply to residential zones.
- (2) Must not exceed:
 - (a) if the event is to be held on days including both a Saturday and Sunday—3 consecutive days, or
 - (b) in all other cases—1 day.
- (3) Must not be an event that is, or is to be, held more regularly than biannually.
- (4) Must have an approved vehicular access point to a public road constructed to Council's design and construction specifications.
- (5) Must provide Council with an event management plan that addresses environmental and activity management issues in accordance with Council's requirements.

[2] Schedule 3, Part 2

Omit "**single day event**". Insert instead "**short-term temporary event**".

[3] Schedule 3, Part 2

Omit subclause (3) from the matter relating to "**Conditions applying to a complying development certificate for a single day event**".

Insert instead:

- (3) Signage must meet the standards specified for temporary event signs under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.