



New South Wales

# **Kiama Local Environmental Plan 2011 (Amendment No 13)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**MARK LYNDON, MANAGER STRATEGIC PLANNING, KIAMA MUNICIPAL COUNCIL**  
As delegate for the local plan-making authority

## **Kiama Local Environmental Plan 2011 (Amendment No 13)**

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Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Kiama Local Environmental Plan 2011 (Amendment No 13)*.

### **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 land in the following zones under *Kiama Local Environmental Plan 2011*:

- (a) Zone RU1 Primary Production,
- (b) Zone RU2 Rural Landscape,
- (c) Zone E3 Environmental Management.

## **Schedule 1      Amendment of Kiama Local Environmental Plan 2011**

**[1] Land Use Table**

Insert “Bed and breakfast accommodation;” in alphabetical order in item 3 of the matter relating to Zone RU1 Primary Production.

**[2] Land Use Table, Zone RU2**

Insert “Eco-tourist facilities;” in alphabetical order in item 3.

**[3] Land Use Table, Zone E3**

Insert “Eco-tourist facilities;” in alphabetical order in item 3.

**[4] 5.13 Eco-tourist facilities**

Omit the clause. Insert instead:

**5.13 Eco-tourist facilities**

- (1) The objectives of this clause are as follows:
  - (a) to maintain the environmental and cultural values of land on which development for the purposes of eco-tourist facilities is carried out,
  - (b) to provide for sensitively designed and managed eco-tourist facilities that have minimal impact on the environment both on and off-site.
- (2) This clause applies if development for the purposes of an eco-tourist facility is permitted with development consent under this Plan.
- (3) The consent authority must not grant consent under this Plan to carry out development for the purposes of an eco-tourist facility unless the consent authority is satisfied that:
  - (a) there is a demonstrated connection between the development and the ecological, environmental and cultural values of the site or area, and
  - (b) the development will be located, constructed, managed and maintained so as to minimise any impact on, and to conserve, the natural environment, and
  - (c) the development will enhance an appreciation of the environmental and cultural values of the site or area, and
  - (d) the development will promote positive environmental outcomes and any impact on watercourses, soil quality, heritage and native flora and fauna will be minimal, and
  - (e) the site will be maintained (or regenerated where necessary) to ensure the continued protection of natural resources and enhancement of the natural environment, and
  - (f) waste generation during construction and operation will be avoided and that any waste will be appropriately removed, and
  - (g) the development will be located to avoid visibility above ridgelines and against escarpments and from watercourses and that any visual intrusion will be minimised through the choice of design, colours, materials and landscaping with local native flora, and
  - (h) any infrastructure services to the site will be provided without significant modification to the environment, and

- (i) any power and water to the site will, where possible, be provided through the use of passive heating and cooling, renewable energy sources and water efficient design, and
- (j) the development will not adversely affect the agricultural productivity of adjoining land, and
- (k) the following matters are addressed or provided for in a management strategy for minimising any impact on the natural environment:
  - (i) measures to remove any threat of serious or irreversible environmental damage,
  - (ii) the maintenance (or regeneration where necessary) of habitats,
  - (iii) efficient and minimal energy and water use and waste output,
  - (iv) mechanisms for monitoring and reviewing the effect of the development on the natural environment,
  - (v) maintaining improvements on an on-going basis in accordance with relevant ISO 14000 standards relating to management and quality control.