



New South Wales

Wollondilly Local Environmental Plan 2011 (Amendment No 44)

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*.

CATHERINE VAN LAEREN

As delegate for the Minister for Planning and Public Spaces

Wollondilly Local Environmental Plan 2011 (Amendment No 44)

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Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Wollondilly Local Environmental Plan 2011 (Amendment No 44)*.

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 to which *Wollondilly Local Environmental Plan 2011* applies.

Schedule 1 Amendment of Wollondilly Local Environmental Plan 2011

[1] Land Use Table

Insert at the end of Zones RU1, RU2, RU4 and C4, item 1, wherever occurring—

- To provide for tourist land uses in connection with environmental, scenic or agricultural uses of land.

[2] Land Use Table, Zone RU1, item 3

Omit “Bed and breakfast accommodation;” and “Farm stay accommodation;”.

Insert in appropriate order, with punctuation as appropriate—

Boat launching ramps
Camping grounds
Charter and tourism boating facilities
Helipads
Recreation facilities (indoor)
Recreation facilities (major)
Recreation facilities (outdoor)
Restaurants or cafes
Tourist and visitor accommodation
Wharf or boating facilities

[3] Land Use Table, Zone RU2, item 3

Omit “Bed and breakfast accommodation;” and “Farm stay accommodation;”.

Insert in appropriate order, with punctuation as appropriate—

Boat launching ramps
Camping grounds
Charter and tourism boating facilities
Helipads
Neighbourhood shops
Restaurants or cafes
Tourist and visitor accommodation

[4] Land Use Table, Zone RU4, item 3

Omit “Bed and breakfast accommodation;” and “Farm stay accommodation;”.

Insert in appropriate order, with punctuation as appropriate—

Boat launching ramps
Charter and tourism boating facilities
Recreation facilities (indoor)
Recreation facilities (outdoor)
Restaurants or cafes
Tourist and visitor accommodation

[5] Land Use Table, Zone R5, item 3

Insert “Roadside stalls;” after “Roads;”.

[6] Land Use Table, Zone RE1, item 3

Insert in appropriate order, with punctuation as appropriate—

Boat launching ramps

Charter and tourism boating facilities
Wharf or boating facilities

[7] Land Use Table, Zone RE2, item 3

Insert in appropriate order, with punctuation as appropriate—

Boat launching ramps
Charter and tourism boating facilities
Wharf or boating facilities

[8] Land Use Table, Zone C2, item 3

Insert “Water recreation structures;” in appropriate order.

[9] Land Use Table, Zone C3, item 1

Insert at the end of the item—

- To provide for tourist land uses in connection with environmental uses of land.

[10] Land Use Table, Zone C3, item 3

Insert “Camping grounds;” and “Roadside stalls;” in appropriate order.

[11] Land Use Table, Zone C4, item 3

Insert “Camping grounds;” and “Restaurants or cafes;” in appropriate order.

[12] Clause 5.4 Controls relating to miscellaneous permissible uses

Omit “3” from clause 5.4(1). Insert instead “5”.

[13] Clause 5.4(5)

Omit “5”. Insert instead “12”.

[14] Part 7 Additional local provisions

Insert at the end of the part, with appropriate clause numbering—

Temporary use of land for visitor economy purposes

- (1) The objective of this clause is to enable the temporary use of land for visitor economy purposes that do not adversely impact on—
 - (a) agricultural land uses, or
 - (b) scenic or environmental values of land.
- (2) This clause applies to land in one or more of the following zones—
 - (a) a rural, residential, mixed use, special purpose or recreation zone,
 - (b) an employment zone,
 - (c) Zone C1 National Parks and Nature Reserves,
 - (d) Zone C4 Environmental Living.
- (3) Development consent may be granted for development for the purposes of a visitor economy use for a maximum period of 52 days, whether or not consecutive days, in a period of 12 months.
- (4) Development consent must not be granted unless the consent authority is satisfied of the following—
 - (a) no permanent structures will be erected on the land,

- (b) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use,
 - (c) adequate vehicular access to and from a road will be provided for the use,
 - (d) the use will be complementary to the rural and environmental attributes of the land and surrounding land,
 - (e) the use will not have a significant adverse impact on agricultural land uses or the scenic or environmental values of the land,
 - (f) the development will not involve the removal or pruning of trees or vegetation that would require a permit or approval.
- (5) This clause prevails over another provision of this plan to the extent of an inconsistency.
- (6) In this clause—
visitor economy use means the following—
- (a) camping grounds,
 - (b) food and drink premises,
 - (c) information and education facilities,
 - (d) markets,
 - (e) recreation facilities (indoor),
 - (f) recreation facilities (major),
 - (g) recreation facilities (outdoor).

Rural and nature-based tourism development

- (1) The objective of this clause is to ensure tourist facilities in rural and natural areas—
- (a) are small scale, and
 - (b) do not adversely impact on the agricultural production, scenic or environmental values of the land.
- (2) This clause applies to land in the following zones—
- (a) Zone RU1 Primary Production,
 - (b) Zone RU2 Rural Landscape,
 - (c) Zone RU4 Primary Production Small Lots,
 - (d) Zone C2 Environmental Conservation,
 - (e) Zone C3 Environmental Management,
 - (f) Zone C4 Environmental Living.
- (3) Development consent must not be granted to development for the purposes of tourist facilities unless the consent authority is satisfied of the following—
- (a) the facility will have adequate vehicular access by road, other than a classified road,
 - (b) the facility will be complementary to the rural and environmental attributes of the land and surrounding land,
 - (c) the facility will not have a significant adverse impact on agricultural production, the scenic amenity of the area or significant features of the natural environment,

- (d) the development will not result in the clearing of native vegetation,
 - (e) for development involving bed and breakfast accommodation—the development will not result in more than 1 bed and breakfast accommodation on the land,
 - (f) the tourist facility will be managed and operated by the owner of the land or by a site manager who resides on the land,
 - (g) the development will not involve the erection of a new dwelling for the use of employees in connection with the tourist facility.
- (4) In this clause—
tourist facility means the following—
- (a) camping grounds,
 - (b) caravan parks,
 - (c) eco-tourist facilities,
 - (d) information and education facilities,
 - (e) restaurants or cafes,
 - (f) tourist and visitor accommodation,
 - (g) other development for the purposes of providing services or facilities to visitors to the area.

[15] Schedule 2 Exempt development

Omit **Roadside stalls in Zone RU1 Primary Production, Zone RU2 Rural Landscape and Zone RU4 Primary Production Small Lots**, heading.

Insert instead “**Roadside stalls in Zones RU1, RU2, RU4 and R5**”.