



# **Wollondilly Local Environmental Plan 1991 (Amendment No 43)**

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*. (P02/00258/S69)

ANDREW REFSHAUGE, M.P.,  
Minister for Planning

## 2002 No 871

Clause 1 Wollondilly Local Environmental Plan 1991 (Amendment No 43)

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### **Wollondilly Local Environmental Plan 1991 (Amendment No 43)**

under the

Environmental Planning and Assessment Act 1979

#### **1 Name of plan**

This plan is *Wollondilly Local Environmental Plan 1991 (Amendment No 43)*.

#### **2 Aims of plan**

This plan aims to amend *Wollondilly Local Environmental Plan 1991 (the 1991 plan)*:

- (a) to introduce new definitions into the 1991 plan relating to residential development (namely, *granny flat*, *multiple dwelling* and *reticulated sewerage scheme*) and to disapply the definition of *residential flat building* as adopted in the 1991 plan, and
- (b) to permit multiple dwellings within the residential zones under the 1991 plan only where a reticulated sewerage scheme is available, and
- (c) to provide for minimum allotment sizes for subdivision of residential land in areas which are not serviced by a reticulated sewerage scheme.

#### **3 Land to which plan applies**

This plan applies to all land within the local government area of Wollondilly under *Wollondilly Local Environmental Plan 1991*.

#### **4 Amendment of Wollondilly Local Environmental Plan 1991**

*Wollondilly Local Environmental Plan 1991* is amended as set out in Schedule 1.

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## Schedule 1 Amendments

(Clause 4)

**[1] Clause 2 Aims, objectives etc**

Insert after clause 2 (o):

, and

- (p) to provide for a diversity of well-located housing types within the local government area of Wollondilly.

**[2] Clause 6 Definitions**

Insert in alphabetical order in clause 6 (1):

*granny flat* means the smaller of two dwellings in the curtilage of a dwelling-house, being a dwelling the gross floor area of which is no greater than 60 square metres and where at least one of the dwellings is occupied by the owner of the allotment on which the dwellings stand.

*multiple dwelling* means two or more dwellings on an allotment of land, but does not include a dwelling-house that contains a granny flat.

*reticulated sewerage scheme* means a system of trunks, mains and sewerage pumping systems used to transport sewerage from premises to treatment plants.

**[3] Clause 6 (1), definition of “home activity”**

Omit “residential flat building”. Insert instead “multiple dwelling”.

**[4] Clause 6 (1), definition of “home occupation”**

Omit “multi unit housing”. Insert instead “a multiple dwelling”.

**[5] Clause 7 Adoption of Model Provisions 1980**Insert “, *residential flat building*” after “*map*”.**[6] Clause 10 Zone objectives and development control table**

Insert “granny flats;” in alphabetical order in item 4 of the matter relating to Zones Nos 1 (a), 1 (a1), 1 (a2), 1 (a3), 1 (b), 1 (c1) (i), 1 (c1) (ii), 1 (c1) (iii), 1 (c2), 4 (a), 4 (c), 7 (c) and 7 (d) in the Table to the clause.

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Schedule 1 Amendments

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### [7] Clause 10, Table

Omit “residential flat buildings;” wherever occurring in item 4 of the matter relating to Zones Nos 1 (a), 1 (a1), 1 (a2), 1 (a3), 1 (b), 1 (c1) (i), 1 (c1) (ii), 1 (c1) (iii), 1 (c2), 4 (a), 4 (c), 7 (c) and 7 (d).

Insert instead “multiple dwellings;”.

### [8] Clause 10, Table

Omit “dwellings (other than those” from item 4 of the matter relating to Zone No 3 (a).

Insert instead “dwellings or multiple dwellings (other than dwellings or multiple dwellings”.

### [9] Clause 12AAA

Insert after clause 12:

#### **12AAA Subdivision of land in Zones Nos 2 (a) and 2 (d)**

Land within Zone No 2 (a) or 2 (d) which is not serviced by a reticulated sewerage scheme must not be subdivided, unless each separate allotment so created will have an area of not less than 975 square metres.

### [10] Clause 14B

Insert after clause 14A:

#### **14B Multiple dwellings**

The council must not consent to the carrying out of development for the purpose of multiple dwellings unless each separate allotment is serviced by a reticulated sewerage scheme.

### [11] Clause 16 Advertising of certain applications

Omit “residential flat building” from clause 16 (1) (a).

Insert instead “multiple dwelling comprising 3 or more dwellings”.

**[12] Clause 45**

Insert in appropriate order:

**45 Development of unsewered land**

The council must not consent to the carrying out of development on unsewered land unless the applicant demonstrates that the land is capable of supporting the development having regard to the capability of the soil for effluent disposal and buffer distances to watercourses and drainage depressions.