



New South Wales

Wingecarribee Local Environmental Plan 1989 (Amendment No 91)

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*. (W96/00238)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

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Clause 1 Wingecarribee Local Environmental Plan 1989 (Amendment No 91)

Wingecarribee Local Environmental Plan 1989 (Amendment No 91)

1 Name of plan

This plan is *Wingecarribee Local Environmental Plan 1989 (Amendment No 91)*.

2 Aims of plan

This plan aims:

- (a) to rezone the land to which it applies to part Residential “A1” and part Open Space (Existing Recreation) under *Wingecarribee Local Environmental Plan 1989*, and
- (b) to include provisions in that plan:
 - (i) restricting the erection of any buildings on part of the land to which this plan applies, and
 - (ii) requiring the Council of the Shire of Wingecarribee to take certain matters into account when determining a development application relating to that part of the land.

3 Land to which plan applies

This plan applies to part Lot 458, DP 45785, part Lot 2, DP 46942, part Lot 273, DP 751262 and part road reserve, Apple Street, Berrima, as shown edged heavy black on the map marked “Wingecarribee Local Environmental Plan 1989 (Amendment No 91)” deposited in the office of Wingecarribee Shire Council.

4 Amendment of Wingecarribee Local Environmental Plan 1989

Wingecarribee Local Environmental Plan 1989 is amended as set out in Schedule 1.

Schedule 1 Amendments

(Clause 4)

[1] Clause 5 Definitions

Insert in appropriate order at the end of the definition of *the map* in clause 5 (1):

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[2] Clause 58A

Insert after clause 58:

58A Special provisions—certain land in Apple Street, Berrima

- (1) This clause applies to part Lot 458, DP 45785, part Lot 2, DP 46942 and part road reserve, Apple Street, Berrima as shown edged heavy black on the map marked “Wingecarribee Local Environmental Plan 1989 (Amendment No 91)” and zoned Residential “A1”.
- (2) The Council shall not grant consent to the erection of any building on the land to which this clause applies unless the Council is satisfied that:
 - (a) the building will not exceed 1 storey in height; and
 - (b) the building will not be erected on or to the south of the natural ridgeline which transects the land.
- (3) In determining an application for consent for any development on the land to which this clause applies, the Council must take into account whether adequate provision has been made:
 - (a) for the disposal of all effluent water by means of connection to the Council’s reticulated sewerage system, and
 - (b) for stormwater and floodwater runoff arising from the development to be disposed of without any risk of contamination to the Wingecarribee River, and

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Schedule 1 Amendments

- (c) for the protection of groundwater in the locality from degradation and contamination in such a way as to ensure that there is no overall adverse impact on groundwater quality.

BY AUTHORITY