



New South Wales

Wingecarribee Local Environmental Plan 2010 (Amendment No 67)

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*.

DANIEL THOMPSON

As delegate for the Minister for Planning and Public Spaces

Wingecarribee Local Environmental Plan 2010 (Amendment No 67)

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1 Name of plan

This plan is *Wingecarribee Local Environmental Plan 2010 (Amendment No 67)*.

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 *Wingecarribee Local Environmental Plan 2010*—

- (a) Zone R2 Low Density Residential,
- (b) Zone R3 Medium Density Residential.

Schedule 1 Amendment of Wingecarribee Local Environmental Plan 2010

[1] Clauses 4.2E and 4.2F

Omit the clauses. Insert instead—

4.2E Erection of dual occupancies on land in Zone R2 or R3

- (1) The objective of this clause is to ensure development for the purposes of dual occupancies is compatible with the character of existing development in the surrounding area.
- (2) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (3) Development consent must not be granted to the erection of a dual occupancy unless the area of the lot on which the dual occupancy will be erected is at least 1,000m².

4.2F Subdivision of land for dual occupancies in Zone R2 or R3

- (1) The objectives of this clause are as follows—
 - (a) to ensure development for the purposes of dual occupancies is compatible with the character of existing development in the surrounding area,
 - (b) to provide opportunities for housing on smaller lots in suitable locations on land in Zone R2 Low Density Residential and Zone R3 Medium Density Residential,
 - (c) to protect the heritage significance of the historic village of Berrima.
- (2) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (3) Land on which a dual occupancy is, or will be, erected may be subdivided if the consent authority is satisfied—
 - (a) for land that is a corner lot—the lot has an area of at least 1,000m², or
 - (b) otherwise—the area of each lot resulting from the subdivision will be—
 - (i) at least 50% of the minimum lot size shown for the land on the Lot Size Map, and
 - (ii) at least 600m².
- (4) Development consent must not be granted to the subdivision of land under subclause (3) unless the consent authority is satisfied—
 - (a) there will be no more than 1 dwelling on each resulting lot, and
 - (b) each resulting lot will be serviced by a water reticulation system and sewage reticulation system.
- (5) Subdivision permitted under this clause must not occur before an occupation certificate is issued for each dwelling forming part of the dual occupancy.
- (6) Subclause (3)(a) does not apply to land in the Berrima Conservation Area as shown on the Heritage Map.

[2] Clause 7.2 Requirements for subdividing dual occupancies in Zones R2 and R3

Omit the clause.