



Ann Prendergast
General Manager
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Our ref: 13/18070

Attention: David Matthews

Dear Ms Prendergast

Wingecarribee Local Environmental Plan 2010 (Amendment No 30)

I refer to Council's submission under the *Environmental Planning and Assessment Act 1979* ('EP&A Act'), requesting the Minister make *Wingecarribee Local Environmental Plan 2010 (Amendment No 30)* in relation to 16 Una Street, Bowral.

I am pleased to advise that as the Minister's delegate, I have made the LEP under section 59(2) and section 73A(1)(a) of the EP&A Act. Under section 34(5) it will take effect when published on the NSW Legislation website.

Should you have any questions regarding this matter, I have arranged for Meredith McIntyre, of the Department's Southern Region Office to assist you. Meredith may be contacted on telephone number (02) 6229 7912.

Yours sincerely

Brett Whitworth
General Manager
Southern Region

13 February 2015



Section 73A EP&A Act submission

Part A. Council to complete

Subject: Wingecarribee Local Environmental Plan 2010

Background:

Wingecarribee Shire Council resolved on 24 April 2013 to amend the Wingecarribee Local Environmental Plan 2010 under section 56 of the *Environmental Planning and Assessment Act 1979*.

The draft amending plan is attached.

The land to which this amendment applies is...16 Una Street, Bowral – Lot 42 DP911852

Why there is a need for the amendment:

Council exhibited the draft LEP map correctly, showing the subject land being rezoned from RE1 Public Recreation to R2 Low Density Residential. However, due to a request for changes to notations from the Department's mapping team when the maps were being finalised, an error was made on the subject map that inadvertently showed the subject land as R3 Medium Density Residential instead of R2 Low Density Residential.

Council's resolution was to rezone the land to R2 Low Density Residential and now seeks to correct the error made to the map.

What the amendment does:

The amendment will rectify the mapping error created under Wingecarribee Local Environmental Plan 2010 (Amendment No 25) to LZN_007F to change the zoning of Lot 42 DP911852 from R3 Medium Density Residential to R2 Low Density Residential, as per Council's resolution.

Why the amending plan is suitable to be made in accordance with section 73A:

The amendment corrects an obvious error in the ^{principal} instrument consisting of a misdescription on a map. The error was made after public exhibition and reporting to Council, but prior to the LEP being made.

The council requests that the Minister agree to make draft WLEP 2010 Amendment No 30

Signed:

Date: 15 January 2015

Name: David Matthews

Position: Acting Group Manager Strategic and Assets

On behalf of: Wingecarribee Shire Council



Section 73A EP&A Act submission

Part B. Department of Planning use only

Date of referral to LEP Review Panel:

N/A - GM as delegate of the Minister

Department position:

The draft LEP amendment has been considered by the Department and it is satisfied that the amendment can be considered as a minor amendment under section 73A(1)(a).

Parliamentary Counsel opinion:

The Parliamentary Counsel has provided an opinion indicating that the plan may legally be made (tagged 'PC').

Recommendation:

It is recommended that the General Manager, as the Minister's delegate:

- (a) under sections 59 (2) and section 73A of the *Environmental Planning and Assessment Act 1979* make *Wingecarribee Local Environmental Plan 2010 (Amendment 30)* tagged '**LEP**'
- (b) advise council of the delegate of the Minister's decision.

Date:

13 February 2015

Signed:

Name: Brett Whitworth
General Manager
Southern Region

As delegate of the
Minister for Planning



New South Wales

Wingecarribee Local Environmental Plan 2010 (Amendment No 30)

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.

Minister for Planning

A handwritten signature in blue ink, reading "Brett Whitehead".

**Delegate of the
Minister for Planning**

13 February 2015

Wingecarribee Local Environmental Plan 2010 (Amendment No 30)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Wingecarribee Local Environmental Plan 2010 (Amendment No 30)*.

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 Lot 42, DP 911852, 16 Una Street, Bowral.

4 Maps

The maps adopted by *Wingecarribee Local Environmental Plan 2010* are amended or replaced, as the case requires, by the maps approved by the Minister on the making of this Plan.

**Wingecarribee Local Environmental Plan
2010 (Amendment No 30)**

Wingecarribee Shire Council
Elizabeth Street
Moss Vale NSW 2577

Map Cover Sheet

The following map sheets are revoked:

Map Sheet	Map Identification Number
Land Zoning Map LZN_007F	8350_COM_LZN_007F_020_20140923

The following map sheets are adopted:

Map Sheet	Map Identification Number
Land Zoning Map LZN_007F	8350_COM_LZN_007F_020_20150113

Certified

Group Manager
Strategic and Assets

[Date]

Minister for Planning

[Date]


Delegate of the
Minister for Planning

13 February 2015

Land Zoning Map - Sheet LZN_007F

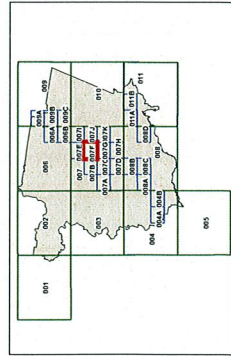
Zone

- B1** Neighbourhood Centre
- B2** Local Centre
- B3** Mixed Use
- B4** Business Development
- B5** Business Park
- B6** National Parks and Nature Reserves
- E1** Environmental Conservation
- E2** Environmental Management
- E3** Environmental Living
- IN1** General Industrial
- IN2** Light Industrial
- IN3** Heavy Industrial
- R1** Low Density Residential
- R2** Medium Density Residential
- R3** Large Lot Residential
- RE1** Public Recreation
- RE2** Private Recreation
- RU1** Primary Production
- RU2** Rural Landscape
- RU3** Forestry
- RU4** Primary Production Small Lots
- SP1** Special Activities
- SP2** Infrastructure
- SP3** Tourist

Legend

Cadastre

Cadastre 07/11/14 © Land and Property Information (LPI)



Scale 1:20,000 @ A3

Revision: N/A
(C2004) Zone 66

Map identification number

B350_COM_LZN_007F_000_20150113

