



New South Wales

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)

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*. (SRW0000356/PC)

FRANK SARTOR, M.P.,
Minister for Planning

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)

under the

Environmental Planning and Assessment Act 1979

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)*.

2 Aims of plan

The aims of this plan are as follows:

- (a) to rezone certain land at John Therry High School, Demetrius Road, Rosemeadow from Zone 5 (a)—Special Uses A Zone (for use as a school/church) to Zone 2 (b)—Residential B Zone under *Campbelltown (Urban Area) Local Environmental Plan 2002 (the 2002 plan)*,
- (b) to rezone certain land at John Therry High School, Demetrius Road, Rosemeadow from Zone 5 (a)—Special Uses A Zone (for use as a school/church) to Zone 6 (c)—Private Open Space Zone under the 2002 plan,
- (c) to rezone certain land at Sebastian Avenue and Roderigo Close, Rosemeadow from Zone 7 (d6)—Environmental Protection 0.4 hectare Minimum Zone to Zone 2 (b)—Residential B Zone under the 2002 plan,
- (d) to rezone certain land at Anthony Drive, Rosemeadow from Zone 6 (a)—Local Open Space Zone to part Zone 5 (a)—Special Uses A Zone (for use as a school) and part Zone 2 (b)—Residential B Zone under the 2002 plan,
- (e) to reclassify certain land at Anthony Drive, Rosemeadow from community land to operational land within the meaning of the *Local Government Act 1993*,
- (f) to require satisfactory arrangements to be made for the provision of designated State public infrastructure and public utility infrastructure before the subdivision of land, but only if the land is developed intensively for urban purposes.

3 Land to which plan applies

- (1) In respect of the aim set out in clause 2 (a), this plan applies to part of Lot 2, DP 706701 and part of Lot 21, DP 733505, Demetrius Road, Rosemeadow, as shown distinctively coloured on Sheet 1 of the map marked “Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)” deposited in the office of Campbelltown City Council.
- (2) In respect of the aim set out in clause 2 (b), this plan applies to part of Lot 2, DP 706701 and part of Lot 21, DP733505, Demetrius Road, Rosemeadow, as shown distinctively coloured on Sheet 1 of that map.
- (3) In respect of the aim set out in clause 2 (c), this plan applies to Lots 1 and 2, DP 864648, Lots 3125, 3127 and 3128, DP 787788, Lots 3130 and 3131, DP 861044 and Lots 31 and 32, DP 1036302, Sebastian Avenue, Rosemeadow, and Lots 1 and 2, DP 882152, Roderigo Close, Rosemeadow, as shown distinctively coloured on Sheet 1 of that map.
- (4) In respect of the aim set out in clause 2 (d), this plan applies to Lot 4035, DP 790757, Anthony Drive, Rosemeadow, as shown distinctively coloured on Sheet 1 of that map.
- (5) In respect of the aim referred to in clause 2 (e), this plan applies to Lot 4035, DP 790757, Anthony Drive, Rosemeadow, as shown edged heavy black on Sheet 2 of that map.
- (6) In respect of the aim referred to in clause 2 (f), this plan applies to all land to which *Campbelltown (Urban Area) Local Environmental Plan 2002* applies that is within an urban release area.

4 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Campbelltown (Urban Area) Local Environmental Plan 2002 is amended as set out in Schedule 1.

**5 Amendment of Campbelltown Local Environmental Plan 1995—
Classification of Public Land**

Campbelltown Local Environmental Plan 1995—Classification of Public Land is amended as set out in Schedule 2.

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Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)

Schedule 1 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

Schedule 1 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

(Clause 4)

[1] Part 3, Division 1A

Insert after Part 3 Division 1:

Division 1A Urban release areas

42D Aims of Division

This Division aims:

- (a) to allow for future urban development and the conservation of ecological and riparian corridors and areas of visual significance on land in urban release areas, and
- (b) to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of such land to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes, and
- (c) to ensure that development on such land occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan including specific controls has been prepared for the land.

42E Interpretation

In this Division:

designated State public infrastructure means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

- (a) State and regional roads,
- (b) bus interchanges and bus lanes,
- (c) rail infrastructure and land,
- (d) land required for regional open space,
- (e) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

public utility infrastructure includes infrastructure for any of the following purposes:

- (a) the supply of water,

- (b) the supply of electricity,
 - (c) the disposal and management of sewage.
- urban release area** means the land shown edged heavy black and hatched on the following maps:

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)—Sheet 3

42F Relationship between Division and remainder of plan

A provision of this Division prevails over any other provision of this plan, other than a provision of Division 2A of Part 3, to the extent of any inconsistency.

42G Application of Division

This Division applies to land in an urban release area, but does not apply:

- (a) to any such land if the whole or any part of it is in a special contributions area (as defined by section 93C of the Act), or
- (b) to any land to which Division 2A of Part 3 of this plan applies.

42H Arrangements for designated State public infrastructure

- (1) Development consent must not be granted for the subdivision of land in an urban release area if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.
- (2) Subclause (1) does not apply to:
 - (a) any lot identified in the certificate as a residue lot, or
 - (b) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utilities, educational facilities, or any other public purpose, or
 - (c) a subdivision for the purpose only of rectifying an encroachment on any existing allotment.
- (3) *State Environmental Planning Policy No 1—Development Standards* does not apply to development for the purposes of subdivision on land to which this clause applies.

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Schedule 1 Amendment of Campbelltown (Urban Area) Local Environmental Plan 2002

42I Public utility infrastructure

- (1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when required.
- (2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure referred to in this clause.

42J Development control plan

- (1) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (2) has been prepared for the land.
- (2) The development control plan must provide for all of the following:
 - (a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
 - (b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
 - (c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
 - (d) a network of passive and active recreational areas,
 - (e) stormwater and water quality management controls,
 - (f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination,
 - (g) detailed urban design controls for significant development sites,
 - (h) measures to encourage higher density living around transport, open space and service nodes,
 - (i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,

- (j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.
- (3) Subclause (1) does not apply to any of the following development:
 - (a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,
 - (b) a subdivision of land if the lot that is proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,
 - (c) a subdivision of land within a zone in which the erection of structures is prohibited,
 - (d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the objectives of the zone in which the land is situated.

[2] Schedule 3 Dictionary

Insert in appropriate order in the definition of *the map*:

Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)—Sheets 1–3

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Campbelltown (Urban Area) Local Environmental Plan 2002 (Amendment No 15)

Schedule 2

Amendment of Campbelltown Local Environmental Plan 1995—
Classification of Public Land

**Schedule 2 Amendment of Campbelltown Local
Environmental Plan 1995—Classification
of Public Land**

(Clause 5)

**Schedule Classification and reclassification of public land as
operational**

Insert in alphabetical order of locality in Part 2 of the Schedule:

Rosemeadow

Anthony Drive

Lot 4035, DP 790757, Anthony Drive,
Rosemeadow, as shown edged heavy black on
Sheet 2 of the map marked “Campbelltown (Urban
Area) Local Environmental Plan 2002 (Amendment
No 15)” deposited in the office of Campbelltown
City Council.

BY AUTHORITY
