



New South Wales

# **Campbelltown Local Environmental Plan 2015 (Amendment No 2)**

under the

**Environmental Planning and Assessment Act 1979**

The Greater Sydney Commission makes the following local environmental plan under the *Environmental Planning and Assessment Act 1979*.

**MARCUS RAY**

As delegate for the Greater Sydney Commission

## **Campbelltown Local Environmental Plan 2015 (Amendment No 2)**

under the

Environmental Planning and Assessment Act 1979

### **1 Name of Plan**

This Plan is *Campbelltown Local Environmental Plan 2015 (Amendment No 2)*.

### **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 Part Lots 1 and 2 and Lot 3, DP 121887 and Lot 61, DP 752042, Appin Road, Gilead.

### **4 Maps**

The maps adopted by *Campbelltown Local Environmental Plan 2015* are amended or replaced, as the case requires, by the maps approved by the Greater Sydney Commission on the making of this Plan.

## **Schedule 1      Amendment of Campbelltown Local Environmental Plan 2015**

### **[1]    Clause 4.1 Minimum subdivision lot size**

Insert after clause 4.1 (4B):

- (4C) Despite subclause (3), development consent may be granted for the subdivision of land within Lot 61, DP 752042, Appin Road, Gilead, into lots that do not meet the minimum size shown on the Lot Size Map if:
  - (a) each lot has a minimum lot size of not less than 375m<sup>2</sup>, and
  - (b) no more than 65 lots have a lot size of less than 450m<sup>2</sup>, and
  - (c) no more than 3 contiguous lots sharing a street frontage have a lot size of less than 450m<sup>2</sup>, and
  - (d) each lot is located not more than 200m from a bus route, community centre or open space area.

### **[2]    Clause 4.1E**

Insert after clause 4.1D:

#### **4.1E    Exception to minimum lot sizes for certain land in Mount Gilead Urban Release Area**

- (1) This clause applies to that part of Lot 3, DP 121887, Appin Road, Gilead that is in Zone RU2 Rural Landscape.
- (2) Despite clause 4.1, development consent may be granted to the subdivision of land to which this clause applies to create lots with a size less than the minimum lot size shown on the Lot Size Map in relation to the land if the consent authority is satisfied that the subdivision is for the purpose of facilitating the development of land that is:
  - (a) in Zone R2 Low Density Residential, and
  - (b) identified as “Mount Gilead Urban Release Area” on the Urban Release Area Map.

### **[3]    Clause 7.20**

Insert after clause 7.19:

#### **7.20    Terrestrial biodiversity**

- (1) The objective of this clause is to maintain terrestrial biodiversity by:
  - (a) protecting native fauna and flora, and
  - (b) protecting the ecological processes necessary for their continued existence, and
  - (c) encouraging the conservation and recovery of native fauna and flora and their habitats, and
  - (d) maximising connectivity and minimising habitat fragmentation.
- (2) This clause applies to land identified as “Areas of Biodiversity Significance” or “Biodiversity-Habitat Corridor” on the Terrestrial Biodiversity Map.
- (3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must consider:

- (a) whether the development is likely to have:
    - (i) any adverse impact on the condition, ecological value and significance of the fauna and flora on the land, and
    - (ii) any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna, and
    - (iii) any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and
    - (iv) any adverse impact on the habitat elements providing connectivity on the land, and
  - (b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.
- (4) Development consent must not be granted to development on land to which this clause applies unless the consent authority:
- (a) has taken into account the objectives of this clause, and
  - (b) is satisfied that the development is sited, designed, constructed and managed to avoid adverse impacts on native biodiversity or, if an adverse impact cannot be avoided:
    - (i) the development minimises disturbance and adverse impacts to remnant vegetation communities, threatened species populations and their habitats, and
    - (ii) measures have been considered to maintain native vegetation and habitat parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors, and
    - (iii) the development includes measures to offset the loss of biodiversity values.

**[4] Dictionary**

Insert in alphabetical order:

***Terrestrial Biodiversity Map*** means the Campbelltown Local Environmental Plan 2015 Terrestrial Biodiversity Map.