



New South Wales

Wollondilly Local Environmental Plan 2011 (Amendment No 38)

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*.

BRETT WHITWORTH

As delegate for the Minister for Planning and Public Spaces

Wollondilly Local Environmental Plan 2011 (Amendment No 38)

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1 Name of Plan

This Plan is *Wollondilly Local Environmental Plan 2011 (Amendment No 38)*.

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 the following land—

- (a) Lot 1, DP 1218358, 55 Macquariedale Road, Appin,
- (b) part of Lot 2035, DP 1198686, 112 Heritage Drive, Appin,
- (c) Lot 3, DP 1218358, 65 Appin Road, Appin,
- (d) Lot 2, DP 529457, 61 Appin Road, Appin,
- (e) Lots 8, 9, 10, 11, and 18–21, DP 270989, Thomas Street, Appin,
- (f) Lots 2–7 and Lots 22–24, DP 270989, Sykes Avenue, Appin,
- (g) Lot 1, 12–17 and 25–27, DP 270989, Koolahs Street, Appin.

4 Maps

The maps adopted by *Wollondilly Local Environmental Plan 2011* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Wollondilly Local Environmental Plan 2011

Clause 7.8

Insert after clause 7.7—

7.8 Concurrence of Planning Secretary

- (1) This clause applies to development that results in an increase in the number of dwellings on the following land—
 - (a) Lot 1, DP 1218358, 55 Macquariedale Road, Appin,
 - (b) part of Lot 2035, DP 1198686, 112 Heritage Drive, Appin,
 - (c) Lot 3, DP 1218358, 65 Appin Road, Appin,
 - (d) Lot 2, DP 529457, 61 Appin Road, Appin,
 - (e) Lots 8, 9, 10, 11, and 18–21, DP 270989, Thomas Street, Appin,
 - (f) Lots 2–7 and Lots 22–24, DP 270989, Sykes Avenue, Appin,
 - (g) Lot 1, 12–17 and 25–27, DP 270989, Koolahs Street, Appin.
- (2) Development consent to development to which this clause applies must not be granted unless the consent authority has—
 - (a) obtained the concurrence of the Planning Secretary, and
 - (b) taken into consideration any guidelines made by the Planning Secretary relating to the amenity and design of any development on the land.
- (3) In deciding whether to grant concurrence, the Planning Secretary must consider the following—
 - (a) any potential adverse impact of the proposed development on any threatened species, population or ecological community,
 - (b) the cumulative impact of the development with other development that has, or is likely to be, carried out on the land and in surrounding areas on any threatened species, population or ecological community,
 - (c) the steps taken to address those impacts, including whether the development includes measures to offset the loss of biodiversity values.