



New South Wales

Campbelltown (Urban Area) Local Environmental Plan 2002

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. (P00/00428/PC)

ANDREW REFSHAUGE, M.P.,

Minister for Planning

2002 No 104

Campbelltown (Urban Area) Local Environmental Plan 2002

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Campbelltown (Urban Area) Local Environmental Plan 2002

Part 1 Preliminary

1 Name of plan

This plan is *Campbelltown (Urban Area) Local Environmental Plan 2002*.

2 Aims and objectives

(1) The aims of this plan are:

- (a) to provide controls on development for the urban area of the City of Campbelltown in a local environmental plan which consolidates and simplifies existing controls applying in that area, and
- (b) to establish a broad framework of controls and allow the opportunity for more detailed provisions relating to specific types of development or specific areas to be provided by development control plans, and
- (c) to promote the objectives of the Act and, in particular, to maintain and enhance the amenity of the urban area of the City of Campbelltown.

(2) The objectives of this plan are:

- (a) to modify existing controls on development where necessary to gain uniformity in controls across the urban area of the City of Campbelltown, and
- (b) to protect areas from inappropriate development, and
- (c) to maintain and improve the opportunities for appropriate commercial and industrial development in those parts of the urban area of the City of Campbelltown identified as suitable for those purposes, and
- (d) to maintain and improve opportunities for the community living in the City of Campbelltown to enjoy an appropriate range of social, cultural and recreational facilities, and

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- (e) to ensure that environmentally sensitive areas are identified and protected, and
- (f) to encourage a variety of forms of higher density housing in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
- (g) to ensure that heritage items are identified and protected, and
- (h) to encourage the provision of a safe and efficient system for movement between the various parts of the urban area of the City of Campbelltown and to other places, particularly through the use of public transport, and encouraging cycling and walking, and
- (i) to ensure that all development satisfies the principles of ecologically sustainable development, energy conservation and efficiency, and that the cumulative impact of development in sub-catchments is considered, and
- (j) to conserve the environmental heritage of the urban area of the City of Campbelltown, and
- (k) to retain the cultural significance of the urban area of the City of Campbelltown, and
- (l) to conserve existing significant fabric, settings, relics and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (m) to ensure that any development does not adversely affect the heritage significance of heritage items and heritage conservation areas and their settings, and
- (n) to ensure that archaeological sites and places of Aboriginal significance are conserved, and
- (o) to allow for the protection of buildings, works, relics, trees, places and archaeological sites which have heritage significance but which are not identified as heritage items by an environmental planning instrument, and
- (p) to ensure that the heritage conservation areas throughout the urban area of the City of Campbelltown retain their heritage significance.

3 Land to which plan applies

This plan applies to land within the City of Campbelltown as shown distinctly coloured, except for land marked “deferred matter”, on the map.

4 Relationship to other environmental planning instruments

- (1) This plan repeals the following deemed environmental planning instruments and local environmental plans:

County of Cumberland Planning Scheme Ordinance (but only to the extent that it applied to land to which this plan applied immediately before the commencement of this plan)

Interim Development Order No 7—City of Campbelltown

Interim Development Order No 9—City of Campbelltown

Interim Development Order No 19—City of Campbelltown

Interim Development Order No 21—City of Campbelltown

Interim Development Order No 23—City of Campbelltown

Interim Development Order No 24—City of Campbelltown

Interim Development Order No 25—City of Campbelltown

Interim Development Order No 26—City of Campbelltown

Interim Development Order No 27—City of Campbelltown

Interim Development Order No 29—City of Campbelltown

Campbelltown Local Environmental Plan No 2

Campbelltown Local Environmental Plan No 47

Campbelltown Local Environmental Plan No 62

- (2) If this plan applies to land, no other deemed environmental planning instrument or other local environmental plan in force at the commencement of this plan applies to the land, except:

Campbelltown Local Environmental Plan No 209—Exempt Development in Urban Areas

Campbelltown Local Environmental Plan No 209—Exempt Development

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Campbelltown Local Environmental Plan No 214—Complying Development

Campbelltown Local Environmental Plan 2001—Exempt and Complying Development

- (3) Despite subclause (2), environmental planning instruments (including, where appropriate, State environmental planning policies, regional environmental plans and deemed environmental planning instruments) as in force immediately before the appointed day continue to apply to a development application if:
 - (a) the application was made but had not been finally determined before that day, and
 - (b) the development that is the subject of the application is prohibited by other provisions of this plan but could, with development consent, have been carried out in accordance with those instruments as so in force.
- (4) *Interim Development Order No 22—City of Campbelltown* is amended by inserting at the end of clause 1A the following subclause:
 - (2) This Order does not apply to land to which *Campbelltown (Urban Area) Local Environmental Plan 2002* applies.

5 Interpretation

- (1) Some terms used in this plan have a particular meaning, which is set out in the Dictionary in Schedule 3.
- (2) In this plan:
 - (a) a reference to a building or place used for a purpose includes a reference to a building or place intended to be used for the purpose, and
 - (b) a reference to a map is a reference to a map deposited in the office of the Council.
- (3) In Part 2:
 - (a) a reference to ***dwelling***s is a reference to all types of dwellings other than any types of dwellings specifically excluded in the immediately following phrase in parenthesis beginning with the words “other than”, and

- (b) a reference to *industries* is a reference to all types of industries other than:
 - (i) extractive industries, and
 - (ii) any types of industries specifically excluded in the immediately following phrase in parenthesis beginning with the words “other than”, and
 - (c) a reference to a *storage establishment* is a reference to all types of storage establishments, including hazardous or offensive storage establishments.
- (4) The list of contents and notes in this plan are not part of this plan.

6 Consent authority

The Council is the consent authority for the purposes of this plan, subject to the Act.

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Clause 7 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

Part 2 Land use

Division 1 General zoning controls

7 Zone 1 (a)—Rural A Zone

(1) **What land is within Zone 1 (a)?**

Land is within Zone 1 (a) if it is shown coloured buff on the map.

(2) **What is the zone objective and what effect does it have?**

The objective of this zone is to identify land that constraints make unsuitable for urban use so that it can be put to long-term agricultural use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

(3) **What development may be carried out without consent?**

Development must not be carried out on land within this zone without consent.

(4) **What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

agriculture; bushfire hazard reduction; drainage; dual occupancies (attached); dwelling houses; forestry; mines; utility installations.

(5) **What development is prohibited?**

Development which is not included in subclause (4) is prohibited on land within this zone.

8 Zone 1 (d)—Rural Future Urban Zone

(1) **What land is within Zone 1 (d)?**

Land is within Zone 1 (d) if it is shown coloured buff and lettered “1 (d)” on the map.

- (2) **What is the zone objective and what effect does it have?**
The objective of this zone is to identify and protect land held in reserve for future urban use.
- Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.
- (3) **What development may be carried out without consent?**
Development must not be carried out on land within this zone without consent.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- agriculture; bushfire hazard reduction; drainage; forestry; mines; utility installations.
- (5) **What development is prohibited?**
Development which is not included in subclause (4) is prohibited on land within this zone.

9 Zone 2 (b)—Residential B Zone

- (1) **What land is within Zone 2 (b)?**
Land is within Zone 2 (b) if it is shown coloured pink on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to make general provision for land to be used for housing and associated purposes, and
 - (b) to permit the development of a range of housing types, and
 - (c) to encourage a variety of forms of housing that are higher in density than traditional dwelling houses, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
 - (d) to allow the carrying out of a reasonable range of activities from dwellings, where such activities are not likely to adversely affect the amenity of the locality, and

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Part 2 Land use

Division 1 General zoning controls

- (e) to allow development which:
 - (i) is compatible with residential use, and
 - (ii) is capable of visual integration with the surrounding buildings, and
 - (iii) serves the needs of the surrounding population without conflicting with the residential intent of the zone, and
 - (iv) does not place demands on services beyond the level reasonably required for residential use.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.
- (4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; extractive industries; helipads; heliports; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; public buildings; recreation establishments; recreation facilities; refreshment rooms; research establishments; residential flat buildings; retail plant nurseries; retail plant propagation nurseries; roadside stalls; service stations; shops; storage establishments; towing services; transport terminals; veterinary establishments; warehouses; wholesale plant nurseries.

10 Zone 3 (a)—General Business Zone

(1) **What land is within Zone 3 (a)?**

Land is within Zone 3 (a) if it is shown coloured mid blue on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide space for a wide range of retail and commercial needs to serve the district of Ingleburn, and
- (b) to encourage employment and business activities in order to promote the economic well-being of the community, and
- (c) to accommodate a range of cultural, entertainment and like facilities for the benefit of the community, and
- (d) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities, and
- (e) to permit limited industrial uses compatible with the proper operation of a commercial centre serving a district.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

brothels; bus depots; caravan parks; helipads; heliports; industrial machinery showrooms; junk yards; motor vehicle body repair workshops; storage establishments; towing services; warehouses.

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Clause 11 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

11 Zone 3 (c)—Neighbourhood Business Zone

(1) **What land is within Zone 3 (c)?**

Land is within Zone 3 (c) if it is shown coloured dark blue on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives are:

- (a) to provide conveniently located land for a range of shops, commercial premises and professional services that are of a domestic scale, compatible with residential development, and which serve the needs of the local community, and
- (b) to accommodate a restricted range of facilities required in the local community but which are not appropriate on land within Zone 2 (b).

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

animal boarding or training establishments; auction premises; brothels; bus depots; caravan parks; clubs; computer processing centres; exhibition homes; extractive industries; hazardous storage establishments; helipads; heliports; hospitals; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; recreation establishments; sawmills; storage establishments; towing services; transport terminals; warehouses; wholesale plant nurseries.

12 Zone 4 (a)—General Industry Zone

(1) **What land is within Zone 4 (a)?**

Land is within Zone 4 (a) if it is shown coloured mauve on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to encourage activities that will contribute to the economic and employment growth of the City of Campbelltown, and
- (b) to allow a range of industrial, storage and allied activities, together with ancillary uses, the opportunity to locate within the City of Campbelltown, and
- (c) to encourage a high standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and
- (d) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development, and
- (e) to ensure development will not be carried out unless the consent authority is satisfied that the processes to be carried on, the transportation to be involved, or the plant, machinery or materials to be used, do not interfere unreasonably with the amenity of the area.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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Clause 12 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

boarding-houses; bulky goods retailing; caravan parks; commercial premises (other than those associated with, or ancillary to, any other permissible development and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; liquor stores; offensive industries; offensive storage establishments; places of assembly; religious establishments (other than those in existing industrial buildings); retail plant nurseries; roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones).

13 Zone 4 (b)—Industry B Zone

(1) **What land is within Zone 4 (b)?**

Land is within Zone 4 (b) if it is shown coloured mauve with red edging and lettered “4 (b)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to encourage activity that will contribute to economic and employment growth in the City of Campbelltown, and
- (b) to encourage a high standard of development which is aesthetically pleasing, functional and relates sympathetically to nearby and adjoining development, and
- (c) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development or primarily intended to provide a professional facility to serve people employed or occupied in land uses permitted in the industrial zones, and
- (d) to permit the display and sale by retail of bulky goods only if such activities cannot appropriately be located in, or would not adversely affect the viability of development in, the business or comprehensive centre zones, and

- (e) to ensure development will not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; forestry; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
commercial premises used by accountants or tax agents; any other development which is not included in subclause (3) or (5).
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
boarding-houses; caravan parks; commercial premises (other than those used by accountants or tax agents and those associated with and ancillary to any other development not included in this subclause and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; junk yards; offensive industries; offensive storage establishments; religious establishments (other than those in existing industrial buildings); roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones).

14 Zone 4 (c)—Industry C Zone

- (1) **What land is within Zone 4 (c)?**
Land is within Zone 4 (c) if it is shown coloured mauve with red edging and lettered “4 (c)” on the map.

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Clause 14 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to encourage activity that will contribute to economic and employment growth in the City of Campbelltown, and
- (b) to encourage a high standard of development which is aesthetically pleasing, functional, and relates sympathetically to nearby and adjoining development, and
- (c) to protect the viability of the commercial centres in the City of Campbelltown by limiting commercial activities to those associated with permitted industrial, storage and allied development, and
- (d) to permit the display and sale by retail of bulky goods only if such activities cannot appropriately be located in, or would not adversely affect the viability of development in, the comprehensive centre zones, and
- (e) to ensure development shall not be carried out if the processes to be carried on, the transportation to be involved or the plant, machinery or materials to be used interfere unreasonably with the amenity of the area, and
- (f) to ensure that development does not unreasonably affect the amenity of existing dwellings on land in the zone.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

boarding-houses; caravan parks; commercial premises (other than those associated with and ancillary to any other development not included in this subclause and located on the same site as that development); dwellings (other than conjoint dwellings); exhibition homes; extractive industries; hazardous industries; hazardous storage establishments; hospitals; institutions; junk yards; liquor stores; motor vehicle body repair workshops; offensive industries; offensive storage establishments; places of assembly; religious establishments (other than those in existing industrial buildings); roadside stalls; shops (other than those primarily intended to serve people employed or occupied in land uses permitted in the industrial zones); towing services.

15 Zone 5 (a)—Special Uses A Zone

(1) **What land is within Zone 5 (a)?**

Land is within Zone 5 (a) if it is shown coloured yellow with red edging and red lettering on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide land for special uses which would otherwise be prohibited by the zoning of the surrounding area, and
- (b) to identify land used or required for railway purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would achieve the objective of this zone stated in paragraph (a).

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

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Clause 15 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- the land use indicated by lettering on the map and any land use normally associated with and ancillary to that use; bushfire hazard reduction; forestry; roads; underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

16 Zone 5 (b)—Special Uses Arterial Roads Zone

- (1) **What land is within Zone 5 (b)?**
Land is within Zone 5 (b) if it is shown coloured light grey on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land required for existing or proposed arterial roads (including the widening of existing roads), and
 - (b) to control vehicular access to and from roads in the zone so as not to inhibit the free flow of traffic on arterial roads, and
 - (c) to allow for the development of such land prior to its acquisition for road purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
- drainage; roads; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); underground mining.

- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

17 Zone 5 (c)—Special Uses Sub-Arterial Roads Zone

- (1) **What land is within Zone 5 (c)?**
Land is within Zone 5 (c) if it is shown coloured mid grey on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land required for existing or proposed sub-arterial roads (including the widening of existing roads), and
 - (b) to control vehicular access to and from roads in the zone so as not to inhibit the free flow of traffic on sub-arterial roads, and
 - (c) to allow for the development of such land prior to its acquisition for road purposes.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; roads; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*);
underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

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Clause 18 Campbelltown (Urban Area) Local Environmental Plan 2002

Part 2 Land use

Division 1 General zoning controls

18 Zone 5 (d)—Special Uses Local Roads Zone

(1) **What land is within Zone 5 (d)?**

Land is within Zone 5 (d) if it is shown coloured dark grey on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify land required for proposed local roads (including the widening of existing roads), and
- (b) to allow for the development of such land prior to its acquisition or dedication for use for roads.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; roads; utility installations.

(4) **What development may be carried out only with consent?**

Development may be carried out on land within this zone only with consent for the purpose of:

bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); underground mining.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

19 Zone 5 (e)—Special Uses Public Purposes Corridor Zone

(1) **What land is within Zone 5 (e)?**

Land is within Zone 5 (e) if it is shown coloured yellow and red and lettered “5 (e)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to reserve land through which major linear elements of regional infrastructure may be constructed across the urban area of the City of Campbelltown, and

- (b) to assist in structuring the urban area of the City of Campbelltown, specifically, by physically separating the suburbs of Ingleburn and Minto, and
- (c) to bring a rural landscape into part of the urban area of the City of Campbelltown, and
- (d) to provide recreational and environmental education opportunities for the local community until the land is required for some element of regional infrastructure, and
- (e) subject to paragraph (d), to provide opportunities for land uses which can be removed, at no cost to the public sector, from any land required for any element of regional infrastructure which is to pass through the corridor and which is compatible with other development in or adjoining the corridor.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; utility installations.
- (4) **What development may be carried out only with consent?**
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; child care centres; clubs; commercial premises; computer processing centres; dwellings; helipads; heliports; hotels; industrial machinery showrooms; industries; institutions; intensive horticulture; intensive livestock keeping; junk yards; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; religious establishments;

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research establishments; roadside stalls; service stations; shops; towing services; transport terminals; veterinary clinics; veterinary establishments; warehouses.

20 Zone 6 (a)—Local Open Space Zone

(1) **What land is within Zone 6 (a)?**

Land is within Zone 6 (a) if it is shown coloured light green on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to ensure there is provision of adequate open space to meet the existing and future needs of residents and to provide opportunities to enhance the environmental quality of the City of Campbelltown, and
- (b) to identify land which is owned, or proposed to be owned, by the Council and to provide for the acquisition or dedication of this land for open space or public recreational purposes, and
- (c) to identify land which is owned by the Crown and is under the care, control and management of the Council as public open space, and
- (d) to protect and preserve areas of urban bushland which are considered valuable because of their natural heritage significance or recreational, educational, aesthetic or scientific values, and
- (e) to provide opportunities for recreation and the provision of community facilities on publicly owned land.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

21 Zone 6 (b)—Regional Open Space Zone

- (1) **What land is within Zone 6 (b)?**
Land is within Zone 6 (b) if it is shown coloured mid green on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify land which has been acquired for, or is to be acquired for, regional open space, and
 - (b) to preserve and manage regional open space for conservation and recreational purposes for the benefit of the Sydney region.
- Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.
- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
- drainage; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
- bushfire fighting establishments; bushfire hazard reduction (otherwise than in accordance with a bush fire management plan prepared under the *Rural Fires Act 1997*); car parking; community facilities; recreation areas; recreation facilities; roads; underground mining.

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- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

22 Zone 6 (c)—Private Open Space Zone

- (1) **What land is within Zone 6 (c)?**
Land is within Zone 6 (c) if it is shown coloured dark green on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to identify areas where private recreation facilities are or may be developed, and
 - (b) to allow a limited range of other activities which will not detract significantly from the character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would promote one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; utility installations.
- (4) **What development may be carried out only with consent?**
Development may be carried out on land within this zone only with consent for the purpose of:
clubs (including any land use ordinarily incidental or ancillary to clubs); recreation areas; recreation establishments; recreation facilities; refreshment rooms; roads; underground mining.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is not included in subclause (3) or (4).

23 Zone 7 (d1)—Environmental Protection 100 hectares Minimum Zone

(1) **What land is within Zone 7 (d1)?**

Land is within Zone 7 (d1) if it is shown coloured orange on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to set aside certain land as a protected rural environment, and
- (b) to ensure that the land will retain a rural environment providing visual contrast to the urban area of the City of Campbelltown, and
- (c) to ensure that the inhabitants of the City of Campbelltown will continue to have views of, and access to, a rural environment, and
- (d) to maintain a stock of land that is capable of being developed for the purpose of providing recreation establishments and other land uses of the kind that require large areas of open space, and
- (e) to preserve existing farming and agricultural research activities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; forestry; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; child care centres; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery

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showrooms; industries (other than rural industries); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; refreshment rooms (other than those within existing dwellings); recreation facilities (other than those carried out in the open); retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

24 **Zone 7 (d4)—Environmental Protection 2 hectares Minimum Zone**

(1) **What land is within Zone 7 (d4)?**

Land is within Zone 7 (d4) if it is shown coloured orange with red edging and lettered “7 (d4)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to identify and protect land and watercourses forming part of the Georges River catchment area, and
- (b) to conserve the rural character of the area by maintaining a minimum area of 2 hectares for lots used for rural living, and
- (c) to protect environmentally important land and watercourses possessing scenic, aesthetic, ecological or conservation value, and
- (d) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality and character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

- (4) **What development may be carried out only with consent?**
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
- amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

25 Zone 7 (d5)—Environmental Protection 1 hectare Minimum Zone

- (1) **What land is within Zone 7 (d5)?**
Land is within Zone 7 (d5) if it is shown coloured orange with red edging and lettered “7 (d5)” on the map.
- (2) **What are the zone objectives and what effect do they have?**
The objectives of this zone are:
- (a) to conserve the rural-residential character of the land by maintaining a minimum area of 1 hectare for lots used for rural-residential living, and
 - (b) to protect environmentally important land and watercourses possessing scenic, aesthetic, ecological or conservation value, and

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- (c) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality and character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

- (3) **What development may be carried out without consent?**
Development may be carried out on land within this zone without consent for the purpose of:
drainage; utility installations.
- (4) **What development may be carried out only with consent?**
Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.
- (5) **What development is prohibited?**
Development is prohibited on land within this zone if it is for the purpose of:
amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

26 Zone 7 (d6)—Environmental Protection 0.4 hectare Minimum Zone**(1) What land is within Zone 7 (d6)?**

Land is within Zone 7 (d6) if it is shown coloured orange with red edging and lettered “7 (d6)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to permit intensive rural-residential living on land which can be provided with sewage reticulation (but, because of scenic quality or for other reasons, has not been zoned residential) by allowing a minimum lot size of 0.4 hectare, and
- (b) to allow some diversity of development, but only where it is unlikely to have a detrimental effect on the quality or character of the locality or the amenity of any existing or proposed development in the locality.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; animal boarding or training establishments; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; clubs; commercial premises; computer processing centres; dwellings (other than dwelling houses and dual occupancies (attached)); educational establishments; exhibition homes; extractive industries; heliports; hospitals; hotels; industrial machinery showrooms; industries (other than those carried on in craft studios); institutions; intensive horticulture; intensive livestock keeping; junk yards; landscape supply establishments; liquor stores; motels; motor

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showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; places of assembly; plant hire; professional consulting rooms; public buildings; recreation establishments; recreation facilities; refreshment rooms; religious establishments; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; transport terminals; veterinary establishments; warehouses.

27 Zone 9—Community Uses Zone

(1) **What land is within Zone 9?**

Land is within Zone 9 if it is shown coloured brown on the map.

(2) **What is the zone objective and what effect does it have?**

The objective of this zone is to provide conveniently located land for a range of facilities that are of a domestic scale, compatible with residential development and serve the community.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with the objective of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

amusement centres; auction premises; boarding-houses; brothels; bulky goods retailing; bus depots; caravan parks; commercial premises; computer processing centres; dwellings (other than conjoint dwellings); extractive industries; helipads; heliports; hospitals; hotels; industrial machinery showrooms; industries; junk yards; landscape supply establishments; liquor stores; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; refreshment

rooms; research establishments; retail plant nurseries; roadside stalls; service stations; shops; storage establishments; towing services; transport terminals; veterinary establishments; warehouses; wholesale plant nurseries.

28 Zone 10 (a)—Regional Comprehensive Centre Zone

(1) What land is within Zone 10 (a)?

Land is within Zone 10 (a) if it is shown coloured light blue and lettered “10 (a)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to provide land for the City of Campbelltown and the Macarthur region’s largest centre of commerce, and
- (b) to encourage employment and economic growth, and
- (c) to accommodate tertiary education and hospital facilities for the City of Campbelltown and the Macarthur region, and
- (d) to accommodate a wide range of cultural, entertainment and like facilities, and
- (e) to permit limited industrial uses that are compatible with the proper operation of a major regional centre, and
- (f) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

brothels; caravan parks; heliports; junk yards; motor vehicle body repair workshops; plant hire; storage establishments; towing services; warehouses.

29 Zone 10 (b)—District Comprehensive Centre Zone

(1) **What land is within Zone 10 (b)?**

Land is within Zone 10 (b) if it is shown coloured light blue and lettered “10 (b)” on the map.

(2) **What are the zone objectives and what effect do they have?**

The objectives of this zone are:

- (a) to provide space for a wide range of retail, commercial and like needs to serve the districts within the City of Campbelltown, and
- (b) to encourage employment and business activities in order to promote the economic well-being of the community, and
- (c) to accommodate a range of cultural, entertainment and like facilities for the benefit of the community, and
- (d) to permit limited industrial uses that are compatible with the proper operation of a commercial centre serving a district, and
- (e) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) **What development may be carried out without consent?**

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) **What development may be carried out only with consent?**

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

(5) What development is prohibited?

Development is prohibited on land within this zone if it is for the purpose of:

brothels; bus depots; caravan parks; helipads; heliports; hotels; industrial machinery showrooms; junk yards; motor vehicle body repair workshops; storage establishments; towing services; warehouses.

30 Zone 10 (c)—Local Comprehensive Centre Zone**(1) What land is within Zone 10 (c)?**

Land is within Zone 10 (c) if it is shown coloured light blue and lettered “10 (c)” on the map.

(2) What are the zone objectives and what effect do they have?

The objectives of this zone are:

- (a) to provide conveniently located land for a range of shops, commercial premises and professional services that are of a domestic scale and compatible with residential development in order to serve the needs of local neighbourhoods, and
- (b) to provide opportunities for local employment, and
- (c) to accommodate a range of activities required in the locality, but which are not appropriate on land in Zone 2 (b), and
- (d) to encourage a variety of forms of higher density housing, including accommodation for older people and people with disabilities, in locations which are accessible to public transport, employment, retail, commercial and service facilities.

Except as otherwise provided by this plan, consent must not be granted for development on land within this zone unless the consent authority is of the opinion that carrying out the proposed development would be consistent with one or more of the objectives of this zone.

(3) What development may be carried out without consent?

Development may be carried out on land within this zone without consent for the purpose of:

drainage; utility installations.

(4) What development may be carried out only with consent?

Development which is not included in subclause (3) or (5) may be carried out with consent on land within this zone.

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(5) **What development is prohibited?**

Development is prohibited on land within this zone if it is for the purpose of:

auction premises; brothels; bus depots; caravan parks; clubs; computer processing centres; helipads; heliports; hotels; industrial machinery showrooms; industries; junk yards; motels; motor showrooms; motor vehicle body repair workshops; motor vehicle repair stations; motor vehicle spare parts and accessories outlets; plant hire; recreation establishments; research establishments; storage establishments; towing services; transport terminals; warehouses.

Division 2 Outdoor advertising controls

31 Controls for outdoor advertising

(1) **What are the objectives of this clause and what effect do they have?**

The objectives of this clause are to ensure that outdoor advertising:

- (a) conveys advertisers' messages and images while complementing and conforming to both the development on which it is displayed and the character of the surrounding locality, and
- (b) does not adversely affect the locality in which it is located in terms of appearance, size, illumination, over-shadowing or in any other way, and
- (c) does not lead to visual clutter through the proliferation of signs.

Consent must not be granted to the erection of an advertisement unless the consent authority is of the opinion that erection of the advertisement would be consistent with the objectives of this clause.

(2) **What outdoor advertisements do not require consent?**

The following advertisements may be erected without consent:

- (a) advertisements within a site which are not visible from outside that site (other than advertisements on a heritage item or on the site of a heritage item),
- (b) business identification signs (other than advertisements on a heritage item or the site of a heritage item),
- (c) real estate signs,
- (d) temporary signs,

- (e) directional signs,
 - (f) public notices displayed by a public authority giving information or directions about the services provided,
 - (g) signs behind the glass line of a shop window,
 - (h) advertisements on motor vehicles used for the conveyance of goods or passengers,
 - (i) advertisements on the playing surface or on the inside of a fence around the playing surface of a sporting facility displaying information about sponsors or products of sponsors of teams or organisations using the sporting facility.
- (3) **What outdoor advertisements may be erected only with consent?**
The following advertisements may be erected only with consent:
- (a) subject to subclause (4), advertisements directing the travelling public to tourist facilities and places of scientific, historic or scenic interest,
 - (b) advertisements that are not included in subclause (2) or (5).
- (4) **What controls apply to advertisements relating to tourist facilities and places of scientific, historic or scenic interest?**
Consent must not be granted to the erection of an advertisement on any land for the specific purpose of directing the travelling public to tourist facilities and places of scientific, historic or scenic interest unless the consent authority is satisfied that:
- (a) the advertisement relates to a specific building or place, and
 - (b) the principal purpose of the advertisement is to direct the travelling public to that building or place, and
 - (c) the dimensions and overall size of the advertisement are not larger than would reasonably be required to so direct the travelling public.
- (5) **What outdoor advertisements are prohibited?**
Outdoor advertisements are prohibited on land within Zone 1 (a), 1 (d), 6 (a), 6 (b), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) other than:
- (a) those allowed without consent by subclause (2) or only with consent by subclause (3) (a), and
 - (b) advertisements about sponsors or products of sponsors of teams or organisations using a sporting facility, if the advertisement is located within Zone 6 (a) or 6 (b).

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Part 3 Special provisions

Division 1 General

Part 3 Special provisions

Division 1 General

32 Subdivision generally

- (1) Land to which this plan applies may be subdivided only with development consent.
- (2) Consent must not be granted to the subdivision of land traversed by a zone boundary unless the boundaries of lots so created correspond generally with the boundaries between the zones as shown on the map.
- (3) Where the subdivision of land would result in the opening of a new road, the road must accord with any pattern of proposed roads indicated on the map unless the consent authority is satisfied that the road will provide adequate access to adjoining land and fulfils the objectives of the road pattern indicated on the map.

33 Subdivision in rural and environmental protection zones

- (1) Consent must not be granted to the subdivision of land in a zone specified in the following Table unless the area of any lot created is equal to or greater than that shown opposite that zone in that Table.

Table

Zone	Lot
1 (a)	40 hectares
1 (d)	40 hectares
7 (d1)	100 hectares
7 (d4)	2 hectares
7 (d5)	1 hectare
7 (d6)	0.4 hectare

- (2) Despite subclause (1), consent may be granted to the subdivision of land in any of the zones specified in the Table so as to create lots with areas less than those set out in that Table if:

- (a) the consent authority is satisfied that the purpose of the subdivision is to create a lot or lots to be used for the purpose of a public utility undertaking or public reserve, or
 - (b) the lot or existing holding of which that land forms part is partly within a zone specified in that Table and partly within another zone and none of the land within the zone specified in the Table will be in a lot that includes land in any other zone after the subdivision is carried out.
- (3) For the purposes of subclause (2), an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for that zone or the part of that zone within which the existing holding is located.

34 Dual occupancies in certain zones

- (1) If two dwellings are situated on the same lot within Zone 2 (b):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
 - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than 350 square metres.
- (2) If two dwellings are situated on the same lot or an existing holding within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6):
- (a) the separate occupation of the lots illustrated by a proposed strata plan relating to the dwellings is prohibited, and
 - (b) subdivision of the land under the *Conveyancing Act 1919* or the *Community Land Development Act 1989* is prohibited,
- unless the area of each lot that will be the subject of a separate title for a dwelling when the plan is registered is not less than the area for a lot in the zone shown in the Table in clause 33.

35 Erection of dwelling houses or dual occupancies in certain zones

- (1) Consent must not be granted to the erection of a dwelling house or a dual occupancy (attached) on land within Zone 1 (a), 7 (d1), 7 (d4), 7 (d5) or 7 (d6) unless:

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Division 1 General

- (a) the area of the lot on which it is to be erected is equal to or greater than the area shown opposite that zone in the Table in clause 33, and
 - (b) only one dwelling house or one dual occupancy (attached) is to be erected on the lot.
- (2) Despite subclause (1), consent may be granted to the erection of one dwelling house or one dual occupancy (attached) on land within Zone 7 (d4) if:
- (a) that land constituted the whole of an existing holding, or
 - (b) the land is a lot created pursuant to clause 33 (2), but not a lot to be used for the purpose of a public utility undertaking or public reserve.
- (3) For the purposes of this clause, an *existing holding* is the aggregation of all adjacent or adjoining lots or portions held in the same ownership at the relevant date shown in italics on the map for the part of that zone within which the existing holding is located.

36 Agriculture, animal boarding or training establishments, intensive horticulture and intensive livestock keeping

The consent authority, when determining an application for consent to develop land for agriculture, intensive horticulture, intensive livestock keeping or animal boarding or training establishments must take into consideration the following matters:

- (a) the need to protect the quality of downstream watercourses,
- (b) the need to conserve native vegetation,
- (c) the need to protect environmentally sensitive land, such as riparian land, land containing an endangered species, population or ecological community or a vulnerable species within the meaning of the *Threatened Species Conservation Act 1995*,
- (d) the need to protect the amenity of the area from noise, spray drift, odour or any other potentially offensive consequences,
- (e) the need to limit the impact of development on flood liable land,

- (f) the cumulative impact of the use applied for and the use of the land for the keeping of livestock or the growing of produce intended solely for personal consumption or enjoyment by the owner or occupier of a dwelling on the land.

37 Setbacks within industrial areas

Consent must not be granted to development, other than the use of land for landscaping, for access roads and for off street parking, on any land within Zone 4 (a) or 4 (b) which is within:

- (a) 30 metres of the main southern railway line, the South Western Freeway, Ben Lomond Road between Pembroke Road and the Main Southern Railway Line, Campbelltown Road, Henderson Road, Pembroke Road, Rose Payten Drive or Williamson Road, or
- (b) 15 metres of Airds Road (but in respect of Lot 2 DP 605327, the 15 metres is to be measured from the alignment of Airds Road as existing prior to the dedication of the road widening shown on DP 605327), Badgally Road, Ben Lomond Road between Campbelltown Road and the Main Southern Railway Line, Blaxland Road between Campbelltown Road and Rose Street, the south eastern side of Blaxland Road between Rose Street and Lot 5 DP 538258, Blaxland Road between Lot 5 DP 538258 and Narellan Road, Devon Road, Grange Road, Plough Inn Road between Campbelltown Road and Hollylea Road, Sussex Street or Swaffham Road, or
- (c) 8 metres of the north western side of Blaxland Road between Rose Street and Lot 5 DP 538258, or
- (d) 10 metres from any other road.

38 Development near certain zone boundaries

- (1) This clause applies to land that is within 50 metres of a boundary between any two of Zones 2 (b), 5 (a), 6 (a), 7 (d1) and 10 (c).
- (2) Subject to subclause (3), a subdivision of land to which this clause applies to facilitate the conversion of the land from a greenfield or rural state to urban and its subsequent development in accordance with the pattern of the subdivision may, with development consent, be carried out for any purpose for which development may be carried out in the adjoining zone on the other side of the boundary.

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Part 3 Special provisions

Division 1 General

- (3) Consent must not be granted to the carrying out of development referred to in subclause (2) unless the consent authority is of the opinion that carrying out the proposed development is desirable due to planning, design, ownership, servicing or similar requirements relating to the optimum development of the land being converted to an urban use.

39 Earthworks and preservation of trees

- (1) Land within the City of Campbelltown must not be cleared, filled or excavated otherwise than in accordance with a consent or an approval granted by the consent authority for any purpose, including:
- (a) the construction of a dam, and
 - (b) the removal of trees or other vegetation, and
 - (c) the removal of sand, soil or bush rock.
- (2) Consent must not be granted to the filling of land unless the consent authority is satisfied that:
- (a) the landfill is required for the reasonable economic use of the land or for the provision of any utility service, and
 - (b) appropriate measures are proposed to ensure that there will be no adverse impact on any waterway or private or public property, and
 - (c) the landfill will not adversely affect flow characteristics, flood behaviour or water quality or promote erosion, and
 - (d) the landfill contains only virgin excavated natural material (such as clay, gravel, sand, soil or rock) that:
 - (i) is not mixed with any other type of waste, and
 - (ii) has been excavated from areas of land that are not contaminated with human-made chemicals as a result of industrial, commercial, mining or agricultural activities, and
 - (iii) does not contain sulphidic ores or soils, and
 - (e) in the case of proposals to fill any swamp or wetland, the ecological and nutrient trapping values of the site have been assessed.
- (3) A tree must not be cut down, lopped, ringbarked, injured or destroyed without development consent.

- (4) Subclause (3) does not apply to or in respect of:
 - (a) the pruning of any tree for the purpose of its regeneration or ornamental shaping, or
 - (b) the pruning or removal of any tree in accordance with an approval granted by the Council.
- (5) Nothing in this plan prevents the granting of consent for the removal of any tree that:
 - (a) needs to be removed for the purpose of creating a fire protection zone to protect a dwelling house erected in accordance with a consent granted before the appointed day, or
 - (b) is, in the opinion of the consent authority, a danger to any such dwelling house.

40 Suspension of covenants, agreements and similar instruments

- (1) Subject to this plan, if any agreement, covenant or other similar instrument prohibits development allowed by this plan, then it will not apply to that development, to the extent necessary to allow that development.
- (2) Nothing in subclause (1) affects the rights or interests of any public authority under any registered instrument.
- (3) In accordance with section 28 of the Act, the Governor approved of subclauses (1) and (2) before this plan was made.

41 Demolition

A structure which may only be erected with development consent must not be demolished without development consent.

42 Restrictions on access to or from roads within Zones 5 (b) and 5 (c)

- (1) A road or other means of access to an existing public road must not be opened without development consent.
- (2) Subject to subclause (3), development must not be carried out on land adjoining a road within Zone 5 (b) unless all vehicular access to the land from that road is by way of another road which is not in Zone 5 (b).

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Part 3 Special provisions

Division 1 General

- (3) Where, except for this clause, development may be carried out on land adjoining a road within Zone 5 (b), the consent authority may allow permanent vehicular access to and from the development by that road if:
- (a) in the opinion of the consent authority, alternative access to the development is neither practicable nor provided by another existing road or a proposed road identified in a development control plan, and
 - (b) the concurrence of the Roads and Traffic Authority has been sought and provided, and
 - (c) the matters raised in subclause (4) (a) and (b) have been considered by the Roads and Traffic Authority in deciding whether to grant that concurrence.
- (4) Before granting a development application which makes provision for vehicular access to or from a road within Zone 5 (b) or 5 (c) the consent authority must take into consideration:
- (a) the treatment of the access and its location, and
 - (b) the effect of opening the access on traffic flow and traffic safety on the road within Zone 5 (b) or 5 (c), and
 - (c) any representations made by the Roads and Traffic Authority.

Division 2 Conservation of heritage items

43 Objectives

The objectives of this plan in relation to heritage are:

- (a) to conserve the environmental heritage of the City of Campbelltown, and
- (b) to conserve the heritage significance of existing significant fabric, relics, settings and views associated with the heritage significance of heritage items and heritage conservation areas, and
- (c) to ensure that archaeological sites and places of Aboriginal heritage significance are conserved, and
- (d) to allow for the protection of places which have the potential to have heritage significance but are not identified as heritage items, and

- (e) to ensure that the heritage conservation areas throughout the City of Campbelltown retain their heritage significance.

44 Protection of heritage items and heritage conservation areas

(1) When is consent required?

The following development may be carried out only with development consent:

- (a) demolishing or moving a heritage item or a building, work, relic, tree or place within a heritage conservation area,
- (b) altering a heritage item or a building, work, relic, tree or place within a heritage conservation area by making structural or non-structural changes to its exterior, such as to its detail, fabric, finish or appearance,
- (c) altering a heritage item by making structural changes to its interior,
- (d) disturbing or excavating a place of Aboriginal heritage significance or an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (e) moving the whole or a part of a heritage item,
- (f) erecting a building on, or subdividing, land on which a heritage item is located or which is within a heritage conservation area.

(2) What exceptions are there?

Development consent is not required by this clause if:

- (a) in the opinion of the consent authority:
 - (i) the proposed development is of a minor nature or consists of maintenance of the heritage item or of a building, work, archaeological site, tree or place within a heritage conservation area, and
 - (ii) the proposed development would not adversely affect the significance of the heritage item or heritage conservation area, and

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Part 3 Special provisions

Division 2 Conservation of heritage items

- (b) the proponent has notified the consent authority in writing of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development will comply with this subclause and that development consent is not otherwise required by this plan.
- (3) Development consent is not required by this clause for the following development in a cemetery or burial ground if there will be no disturbance to human remains, to relics in the form of grave goods or to a place of Aboriginal heritage significance:
 - (a) the creation of a new grave or monument,
 - (b) an excavation or disturbance of land for the purpose of carrying out conservation or repair of monuments or grave markers.
- (4) **What must be included in assessing a development application?**

Before granting a consent required by this clause, the consent authority must assess the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.
- (5) **What extra documentation is needed?**

The assessment must include consideration of a *heritage impact statement* that addresses at least the following issues (but is not to be limited to assessment of those issues, if the heritage significance concerned involves other issues). The consent authority may also decline to grant such a consent until it has considered a *conservation management plan*, if it considers the development proposed should be assessed with regard to such a plan.
- (6) The minimum number of issues that must be addressed by the heritage impact statement are:
 - (a) for development that would affect a *heritage item*:
 - (i) the heritage significance of the item as part of the environmental heritage of the City of Campbelltown, and
 - (ii) the impact that the proposed development will have on the heritage significance of the item and its setting, including any landscape or horticultural features, and
 - (iii) the measures proposed to conserve the heritage significance of the item and its setting, and

- (iv) whether any archaeological site or potential archaeological site would be adversely affected by the proposed development, and
 - (v) the extent to which the carrying out of the proposed development would affect the form of any historic subdivision, and
- (b) for development that would be carried out in a *heritage conservation area*:
- (i) the heritage significance of the heritage conservation area and the contribution which any building, work, relic, tree or place affected by the proposed development makes to this heritage significance, and
 - (ii) the impact that the proposed development would have on the heritage significance of the heritage conservation area, and
 - (iii) the compatibility of any proposed development with nearby original buildings and the character of the heritage conservation area, taking into account the size, form, scale, orientation, setbacks, materials and detailing of the proposed development, and
 - (iv) the measures proposed to conserve the significance of the heritage conservation area and its setting, and
 - (v) whether any landscape or horticultural features would be affected by the proposed development, and
 - (vi) whether any archaeological site or potential archaeological site would be affected by the proposed development, and
 - (vii) the extent to which the carrying out of the proposed development in accordance with the consent would affect any historic subdivision pattern, and
 - (viii) the issues raised by any submission received in relation to the proposed development in response to the notification or advertising of the application.

45 Advertised development

The following development is identified as advertised development:

- (a) the demolition of a heritage item or a building, work, tree or place in a heritage conservation area,
- (b) the carrying out of any development allowed by clause 50.

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Part 3 Special provisions

Division 2 Conservation of heritage items

46 Notice of demolition to the Heritage Council

Before granting consent for the demolition of a heritage item identified in Schedule 1 as being of State significance, the consent authority must notify the Heritage Council about the application and take into consideration any comments received in response within 28 days after the notice is sent.

47 Development affecting places or sites of known or potential Aboriginal heritage significance

Before granting consent for development that is likely to have an impact on a place of Aboriginal heritage significance or a potential place of Aboriginal heritage significance, or that will be carried out on an archaeological site of a relic that has Aboriginal heritage significance, the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development would affect the conservation of the place or site and any relic known or reasonably likely to be located at the place or site, and
- (b) except where the proposed development is integrated development, notify the local Aboriginal communities (in such way as it thinks appropriate) and the Director-General of National Parks and Wildlife of its intention to do so and take into consideration any comments received in response within 28 days after the relevant notice is sent.

48 Development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance

- (1) Before granting consent for development that will be carried out on an archaeological site or a potential archaeological site of a relic that has non-Aboriginal heritage significance (whether or not it is, or has the potential to be, also the site of a relic of Aboriginal heritage significance), the consent authority must:

- (a) consider a heritage impact statement explaining how the proposed development will affect the conservation of the site and any relic known or reasonably likely to be located at the site, and
- (b) notify the Heritage Council of its intention to do so and take into consideration any comments received in response within 28 days after the notice is sent.

- (2) This clause does not apply if the proposed development:
 - (a) does not involve disturbance of below-ground deposits and the consent authority is of the opinion that the heritage significance of any above-ground relics would not be adversely affected by the proposed development, or
 - (b) is integrated development.

49 Development in the vicinity of a heritage item

- (1) Before granting consent to development in the vicinity of a heritage item, the consent authority must assess the impact of the proposed development on the heritage significance of the heritage item and of any heritage conservation area within which it is situated.
- (2) This clause extends to development:
 - (a) that may have an impact on the setting of a heritage item, for example, by affecting a significant view to or from the item or by overshadowing, or
 - (b) that may undermine or otherwise cause physical damage to a heritage item, or
 - (c) that will otherwise have any adverse impact on the heritage significance of a heritage item or of any heritage conservation area within which it is situated.
- (3) The consent authority may refuse to grant any such consent unless it has considered a heritage impact statement that will help it assess the impact of the proposed development on the heritage significance, visual curtilage and setting of the heritage item.
- (4) The heritage impact statement should include details of the size, shape and scale of, setbacks for, and the materials to be used in, any proposed buildings or works and details of any modification that would reduce the impact of the proposed development on the heritage significance of the heritage item.

50 Conservation incentives

The consent authority may grant consent to the use for any purpose of a building that is a heritage item, or of the land on which such a building is erected, even though the use would otherwise not be allowed by this plan, if:

- (a) it is satisfied that the retention of the heritage item depends on the granting of consent, and

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Division 2 Conservation of heritage items

- (b) the proposed use is in accordance with a conservation management plan which has been endorsed by the consent authority, and
- (c) the granting of consent to the proposed use would ensure that all necessary conservation work identified in the conservation management plan is carried out, and
- (d) the proposed use would not adversely affect the heritage significance of the heritage item or its setting, and
- (e) the proposed use would not adversely affect the amenity of the surrounding area otherwise than to an insignificant extent.

51 Development in heritage conservation areas

- (1) Before granting consent for the erection of a building within a heritage conservation area, the consent authority must be satisfied that the features of the proposed building will be compatible with the heritage significance of the heritage conservation area, having regard to the form of, and materials used in, buildings that contribute to the heritage significance of the heritage conservation area.
- (2) In satisfying itself about those features, the consent authority must have regard to at least the following (but is not to be limited to having regard to those features):
 - (a) the pitch and form of the roof (if any),
 - (b) the style, size, proportion and position of the openings for windows or doors (if any),
 - (c) the colour, texture, style, size and type of finish of the materials to be used on the exterior of the building.
- (3) Consent must not be granted to development on a site within the Queen Street Historic Precinct—Heritage Conservation Area unless the proposed development is consistent with the provisions of *Development Control Plan No 27—Queen Street Historic Precinct*.

Division 3 Miscellaneous provisions

52 Acquisition of certain land

- (1) The owner of any land within Zone 5 (a), 5 (b), 5 (c), 5 (d), 5 (e), 6 (a) or 6 (b) may, by notice in writing, require:

- (a) in the case of land within Zone 5 (a), the public authority which has responsibility for the land use for the purpose of which the land is zoned, and
- (b) in the case of land within Zone 5 (b):
 - (i) where that land is included in the five-year works program of the Roads and Traffic Authority current at the time of receipt of the notice, the Roads and Traffic Authority, or
 - (ii) in any other case, the corporation, and
- (c) in the case of land within Zone 5 (c), 5 (d) or 6 (a), the Council,
- (d) in the case of land within Zone 5 (e) or 6 (b), the corporation, as the public authority having responsibility for acquisition of the land, to acquire the land.
- (2) On receipt of a notice referred to in subclause (1), the public authority concerned must acquire the land.
- (3) Until the land referred to in subclause (1) is acquired by the public authority concerned, development may be carried out for any purpose on that land with development consent.
- (4) Consent must not be granted to the carrying out of development on land to be acquired by a public authority other than the consent authority without the concurrence of the other public authority.
- (5) In determining whether to grant concurrence required by subclause (4), the public authority concerned must take into consideration:
 - (a) the effect of the proposed development on acquisition costs, and
 - (b) the imminence of acquisition, and
 - (c) the cost of reinstating the land for the purpose for which the land is zoned, and
 - (d) in the case of land within Zone 5 (b), the need to carry out development on the land for the purpose of classified roads or proposed classified roads, within the meaning of the *Roads Act 1993*.
- (6) In granting a consent referred in subclause (4), the consent authority may impose conditions requiring:
 - (a) the removal of the building or work for which it has granted consent, and

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Division 3 Miscellaneous provisions

- (b) the reinstatement of the land or removal of any waste materials or refuse, and
 - (c) compliance with any condition requested by the other public authority in granting its concurrence.
- (7) Nothing in this clause requires the public authority concerned to acquire land during the currency of a consent obtained under subclause (3).
- (8) Nothing in this clause requires the Council to acquire land within Zone 5 (a), 5 (c), 5 (d) or 6 (a) where such land may be required to be provided, without cost to the Council, as a condition of consent for development of land in the same ownership.

53 Development within Zone 5 (e)

- (1) When determining any application for consent for development of land within Zone 5 (e), the consent authority must consider whether or not the proposed development would conflict with:
- (a) the purposes for which the zone was created and for which the land within it is to be acquired, and
 - (b) any existing development outside the zone or land in the vicinity, and
 - (c) the maintenance and improvement of the quality of the landscape in the zone, and
 - (d) any plan of management adopted by the Director-General of the Department of Urban Affairs and Planning and the Council.
- (2) Consent must not be granted to any development of land within Zone 5 (e) unless the consent authority is satisfied that, if any development being carried out needs to be altered or terminated (or any structure erected as a consequence of the consent needs to be altered or removed) in order to make way for the construction of a major infrastructure project, the development will be altered or terminated (or the structure will be altered or removed) on the giving of appropriate notice by the corporation.
- (3) For the purposes of this clause, *major infrastructure project* means a high voltage power line, a road or any other public utility installation which traverses the length or part of the length of the corridor of land within Zone 5 (e).

54 Development within Zone 6 (a)

Consent must not be granted to the carrying out of development on land within Zone 6 (a), being land owned or controlled or proposed to be owned or controlled by the Council, unless the consent authority has considered:

- (a) the need for the proposed development of the land, and
- (b) the impact of the proposed development on the existing or likely future use of the land, and
- (c) the need to retain the land for its existing or likely future use.

55 Community use of school facilities or sites

- (1) Where land to which this plan applies is used for the purposes of a school, the site and facilities of the school may, with development consent, be used for the purpose of religious establishments, meeting rooms, public halls, public libraries, entertainment, sport or recreation or for any other community purpose, whether or not any such use is a commercial use of the land.
- (2) Nothing in this clause requires development consent to be granted for the carrying out of development on any land if that development could, but for this clause, be carried out on that land without development consent.

56 Development on closed roads and pathways

- (1) This clause applies to public roads other than those within Zone 5 (b), 5 (c) or 5 (d).
- (2) Development must not be carried out without development consent on a public road or pathway, or any part of a road or pathway, that is lawfully closed.
- (3) Such a consent must not be granted if it would allow development that may not be carried out (either with or without consent) on land adjoining that road or pathway.

57 Development of railway sidings

Nothing in this plan prohibits the construction and use of any railway siding designed to serve land within Zone 4 (a).

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Part 3 Special provisions

Division 3 Miscellaneous provisions

58 Development by the Crown and public authorities

Nothing in this plan restricts or prohibits or enables the consent authority to restrict or prohibit:

- (a) the carrying out of any development by the Council or the Roads and Traffic Authority required in connection with the construction, reconstruction, improvement, maintenance or repair of any road, except the widening, realignment or relocation of any road, or
- (b) the carrying out or causing to be carried out by the Council engaged in flood mitigation works or by the Department of Land and Water Conservation of any work for the purposes of soil conservation, irrigation, afforestation, reafforestation, flood mitigation, water conservation or river improvement in pursuance of the provisions of the *Water Management Act 2000* or the *Farm Water Supplies Act 1946*, except:
 - (i) the erection of buildings, the installation or erection of plant or other structures or erections or the reconstruction or alteration of buildings so as materially to affect their design or external appearance, or
 - (ii) the formation or alteration of any means of access to a road, or
- (c) the use of existing buildings of the Crown by the Crown.

59 Development for certain additional purposes

- (1) Nothing in this plan prevents development from being carried out, with development consent, on land referred to in Schedule 2 if it is specified in relation to the land in that Schedule, subject to such conditions, if any, as are so specified.
- (2) Development on land referred to in Schedule 2 remains subject to such other provisions of this plan as are not inconsistent with subclause (1) or with a consent granted for that development.

Schedule 1 Heritage items and heritage conservation areas

(Schedule 3)

Part 1 Heritage items

Abington Crescent

Glen Alpine—Site of original house
Lot 756 DP 787316, Heritage Park, Glen Alpine
Significance: Local

Allman Street

Water Supply Reservoir, Cattle Tank and Silt Traps
R28561 and R28562, Hurley Park, Campbelltown
Significance: State

Appin Road

Denfield
Lot 11 DP 812910 and Lot 122 DP 813654, St Helens Park
Permanent Conservation Order No 540
Significance: State

Silos
Public road
Appin Road reservation
Bradbury
Significance: Regional

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Badgally Road

Blairmount

Lot 102 DP 708401, Blairmount

Significance: Local

Glenroy

Lot 2 DP 703539, Claymore

Significance: Local

Hillcrest

Lot 2 DP 1017017, Claymore

Significance: Local

Belltrees Close

Glen Alpine—second house of that name

12 Belltrees Close, Lot 443 DP 746821, Glen Alpine

Significance: Local

Blaxland Road

Blair Athol group comprising:

Blair Athol

23 Blair Athol Drive, Lot 359 DP 870579, Blair Athol

The Kia

21 Blair Athol Drive, Lot 357 DP 870579, Blair Athol

The Kraal

29 Blair Athol Drive, Lot 401 DP 870579, Blair Athol

Significance: Local

Broughton Street

Presbyterian Cemetery

Part Lot 1 DP 596379, Campbelltown

Significance: Local

St Elmo

94 Broughton Street, Lot 3 DP 221454, Campbelltown

Significance: Local

Campbelltown Road

Denham Court group
Lot 392 DP 564854, Denham Court
Permanent Conservation Order No 212
Significance: State

Milestones
Various locations along Campbelltown Road, on road reserve
Significance: State

Robin Hood Farm
Lot 201 DP 255306, Campbelltown Road, Ingleburn
Significance: State

Condamine Street

House
2 Condamine Street, Lot 1 DP 917059, Campbelltown
Significance: Local

Cordeaux Street

St John the Evangelist Church (new)
Lot 1 DP 227905, Campbelltown
Significance: Local

St Peters Anglican Church group
Lots 50 and 52 DP 811930, Campbelltown
Significance: State

Dove Place

Boronia
6 Dove Place, Lot 18 DP 247802, Ingleburn
Significance: Local

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Eagleview Road

Eagleview House
107 Eagleview Road, Lot 105 DP 260047, Minto
Significance: Local

Eschol Park Drive

Eschol Park
14 Eschol Park Drive, Lot 22 DP 545718, Eschol Park
Significance: Local

Fern Avenue

Raith
Lot 2 DP 871149, Bradbury
Significance: Local

Fitzroy Crescent

Warby's Dams 1 and 2 on Leumeah Creek
Lot 35 DP 31214 and Lot 7 DP 232798, Leumeah
Significance: Regional

George Street

St Johns Church group
Lots 1 and 2 DP 246268, Campbelltown
Permanent Conservation Order No 193
Significance: State

Guernsey Avenue

Campbellfield or *Redfern's Cottage*
Part of Lot 2 DP 1025136
Significance: Local

Hansens Road

Kiera-villa
20 Hansens Road, Lot E DP 162716, Minto Heights
Significance: Local

Hollylea Road

Hollylea and former *Plough Inn*
185 Airs Road, Lot 232 DP 713035, Leumeah
Permanent Conservation Order No 343
Significance: State

Hurley Street

Campbelltown Railway Station
SRA Land, Campbelltown
Significance: Local

Lindesay Street

Warby's Dams 3 and 4 on Leumeah Creek
Lot 48 DP 213178, Leumeah
Significance: Regional

Lithgow Street

Glenalvon and Water Trough
4 Lithgow Street, Lot 1 DP 34658, Campbelltown
Permanent Conservation Order No 4
Significance: State

House
64 Lithgow Street, Lot B DP 415425, Campbelltown
Significance: Local

Richmond Villa
12 Lithgow Street, Lot 3 DP 827691, Campbelltown
Significance: Local

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St Davids Presbyterian Church and former Manse
32 and 40 Lithgow Street, Lots 11 and 12 DP 806710, Campbelltown
Significance: Local

Macquarie Road

The Pines
13 Macquarie Road, Lot 1 DP 449394, Ingleburn
Significance: Local

Mercedes Road

Stone Cottage
26 Mercedes Road, Lots 55–68 Section 2 DP 2189, Ingleburn
Significance: Local

Mississippi Crescent

Epping Forest
Lot 34 DP 262269, Kearns
State Heritage Order No 1298
Significance: State

Moonstone Place

Mount St Joseph
13A Moonstone Place, Lot 4372 DP 261630, Eagle Vale
Significance: Local

Narellan Road

Stations of the Cross
Lot 1 DP 247902, Campbelltown
Significance: Regional

Old Menangle Road

Emily Cottage
Lot 61 DP 997095, Campbelltown
Significance: Local

Quondong
Lots A and B DP 156043, Campbelltown
Significance: State

Oxford Road

Ingleburn Community Hall
Lot 8 Section 8 DP 2913, Ingleburn
Significance: Local

Ingleburn Horse Trough
situated in Oxford Road, Ingleburn, adjacent to Lot 4 DP 10494
14 Oxford Road, Ingleburn
Significance: Local

Ingleburn Primary School
Lot 1 DP 122332, Ingleburn
Significance: Local

Woodcrest
111 Oxford Road, Lot 426 DP 259167, Ingleburn
Significance: Local

Oxley Street

Caversham
26 Oxley Street, Lot 1 DP 743185, Campbelltown
Significance: Local

House—*MYOB*
24 Oxley Street, Lot 1 DP 555265 and Lot 26 DP 220014,
Campbelltown
Significance: Local

Wesleyan Chapel (now part of Uniting Church), Lot 1 DP 770123,
Campbelltown
Significance: Local

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Schedule 1 Heritage items and heritage conservation areas

Parkholme Circuit

Englorie Park House

2 Parkholme Circuit, Lot 48 and Part Lot 50 DP 845826, Englorie Park

Significance: Local

Queen Street

Airds Cottage (formerly Farrier's Arms) and Water Trough

318 Queen Street, Part Portion 67 and Part Portion 74 Parish of St Peter, Campbelltown

Significance: Local

Campbelltown Community Centre (formerly Fieldhouse's Produce Store and Campbelltown News Building)

317 Queen Street, Part Portion 74 Parish of St Peter, DP 77929, Campbelltown

Significance: Local

Campbelltown Court House

95 Queen Street, Part of Lot 1 DP 772068, Campbelltown

Significance: State

Commercial Bank of Sydney (former)

263 Queen Street, Lot 1 DP 123556, Campbelltown

Permanent Conservation Order No 499

Significance: State

Dredges Cottage

303 Queen Street, Lot 111 DP 705804, Campbelltown

Permanent Conservation Order No 640

Significance: State

Fisher's Ghost Restaurant

316 Queen Street, Lot 33 DP 131201, Campbelltown

Significance: Local

Gold Wheel Restaurant

38 Queen Street, Lot 1 DP 742064, Campbelltown

Significance: Local

Post Office—Campbelltown (former)
261 Queen Street, Lot 2 DP 628679, Campbelltown
Permanent Conservation Order No 265
Significance: State

Queen Street Group comprising:

McGuanne House, 286 Queen Street, Campbelltown, Lot 4
DP 827641

Old Railway Hotel, 288 Queen Street, Campbelltown, Lot 3
DP 827641

William Bursill's Shop, 292–294 Queen Street, Campbelltown, Lot 2
DP 827641

The Coaching House, 298 Queen Street, Campbelltown, Lot 1
DP 827641

Permanent Conservation Order No 7
Significance: State

Town Hall and former Fire Station
297 Queen Street, Lot 103 DP 621563, Campbelltown
Significance: Local

Warby's Stables and Barn
12–14 Queen Street, Part Lot 1 DP 216516 and Part Lot B DP 449236,
Campbelltown
Permanent Conservation Order No 497
Significance: State

Water Trough
Within Civic Centre, corner Broughton Street, Lot 301 DP 715353,
Campbelltown
Significance: Local

Roy Watts Road

Hurlstone Agricultural High School—Original School Building, 1926
Lot 1 DP 175962, Glenfield
Significance: Local

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Schedule 1 Heritage items and heritage conservation areas

St Helens Park Drive

St Helens Park House and Dam
Lot 60 DP 739072, Part of Lot 2 DP 791082 and Part of Lot 4
DP 865319, St Helens Park
Permanent Conservation Order No 406
Significance: State

St Johns Road

Methodist/Congregational Cemetery
Lot 13 DP 631041, Pioneer Park, Campbelltown
Significance: Local

Shiel Place

St Andrews
11 Shiel Place, Lot 1200 DP 749489, St Andrews
Significance: Local

Sturt Street

House
8 Sturt Street, Lot 3 DP 218620, Campbelltown
Significance: Local

House
10 Sturt Street, Lot 1 DP 743626, Campbelltown
Significance: Local

House
14 Sturt Street, Lot 3 DP 103059, Campbelltown
Significance: Local

Waminda Avenue

Cransley
104 Waminda Avenue, Lot 21 DP 573760, Campbelltown
Significance: Local

Warby Street

House
60 Warby Street, Lot 32 DP 7496, Campbelltown
Significance: Local

Waterhouse Place

Briar Cottage
Lot 43 DP 261258, Airds
Significance: Local

Part 2 Heritage conservation areas

Queen Street Heritage Conservation Area, including:

McGuanne House, 286 Queen Street, Campbelltown, Lot 4
DP 827641

Old Railway Hotel, 288 Queen Street, Campbelltown, Lot 3
DP 827641

William Bursill's Shop, 292–294 Queen Street, Campbelltown, Lot 2
DP 827641

The Coaching House, 298 Queen Street, Campbelltown, Lot 1
DP 827641

296 Queen Street, Campbelltown, Lot 5 DP 827641

300 Queen Street, Campbelltown, Lot 2 DP 270118

3 Allman Street, Campbelltown, Lot 1 DP 51446

5 Allman Street, Campbelltown, Lot 1 DP 727966

Bradbury Avenue, Campbelltown, Lot 1 DP 270118

2 Bradbury Avenue, Campbelltown, Lot 3 DP 270118

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Schedule 2 Additional development

Schedule 2 Additional development

(Clause 59)

- 1 Development for the purpose of a religious establishment:
Lot 101 DP 613169, 43 Acacia Avenue, Ruse,
Part Lot 49 DP 192304, 78 Amundsen Street, Leumeah,
Lot 1 DP 788381, 201 Eagleview Road, Minto,
Lot 7, DP 601056, Johnson Road, Campbelltown.
- 2 Development for the purpose of a service station/convenience store:
Lot 112 DP 1025751, Appin Road, corner of Appin Road with
northern end of Kellerman Drive, St Helens Park,
Lot 1 DP 826740, 6 Rudd Road, Leumeah,
Lot 1021 DP 734331, 37 Woodhouse Drive, Ambarvale.
- 3 Development for the purpose of a service station:
Lot 4 DP 21481, 2 Atchison Road, Macquarie Fields,
Lot 4001 DP 593698, 95 Ballantrae Drive, St Andrews,
Lot 617 DP 535812, 74 Campbellfield Avenue, Bradbury,
Lots A and B DP 390839, 68 Cumberland Road, Ingleburn,
Lot 1 DP 552083, 72 Cumberland Road, Ingleburn,
Lots 73 and 74, DP 22711, 104 Lindesay Street, Campbelltown,
Lot 1 DP 810648, 73 Pembroke Road, Minto,
Lot 100 DP 575001, 310 St Johns Road, Bradbury,
Lot 63 DP 262162, 72 Stranraer Drive, St Andrews.
- 4 Development for the purpose of local markets (being a building or
place used by a community or sporting group for the purpose of a
market):
Lot 31 and part of Lot 32, DP 557150, Fields Road, Macquarie Fields
(as shown edged heavy black on the map marked "Campbelltown
Local Environmental Plan No 113"),

Lot 201 DP 785774, Hurley Street, Campbelltown,

Lot 1 DP 827700, Lot 2 DP 827688 and Lot 3 DP 827691,
Moore-Oxley Bypass, Campbelltown,

Part of Lot 2, DP 537620, Riverside Drive, Airs (as shown edged
heavy black on the map marked "Campbelltown Local Environmental
Plan No 109").

5 Development for the purpose of a hotel:

Lot 98 DP 260349, 2 Hurricane Drive, Raby,

Lots 21 and 22 DP 612073, Junction Road, Ruse,

Lot 1 DP 582823, 6 Minto Road, Minto,

Lot 20 DP 868290, 543 Pembroke Road, Leumeah,

Lot 745 DP 255810, 48 Riverside Drive, Airs,

Lot 612 DP 542535, 96 The Parkway, Bradbury,

Lot 1023 DP 777831, Woodhouse Drive, Ambarvale.

6 Development for the purpose of a periodic detention centre:

Lot 46 DP 32311, Kialba Road, Campbelltown.

7 Development for the purpose of a commercial building:

Lot 1 DP 218620, Sturt Street, Campbelltown.

8 Development for the purpose of a motor vehicle repair station:

Lot 75 DP 32086, Hoddle Avenue (corner Bradbury Avenue),
Campbelltown,

Lots 1 and 2 DP 523727, Waminda Avenue (corner of Valley Road),
Campbelltown.

9 Development for the purpose of a service station, motor vehicle repair
station and the ancillary sale of motor vehicles:

Lot D DP 399714, 21 Cumberland Road, Ingleburn.

Schedule 3 Dictionary

(Clause 5)

Aboriginal place means:

- (a) any site which has the physical remains of pre-European occupation by, or is of contemporary significance to, Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and carved trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. These sites include natural features such as creeks or mountains of cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

advertisement means the display of symbols, messages or other devices for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display includes the erection of a structure or the carrying out of a work.

advertising structure means a structure used or to be used principally for the display of an advertisement.

agriculture means the use of land for horticulture and livestock keeping and breeding but does not include intensive horticulture, intensive livestock keeping or the use of land for an animal boarding or training establishment.

alter, in relation to a heritage item, means:

- (a) the making of structural changes to the outside of the heritage item, or
- (b) the making of non-structural changes to the detail, fabric, finish or appearance of the outside of the heritage item, not including changes resulting from the maintenance of the existing detail, fabric, finish or appearance of the outside of the heritage item.

amusement centre means a building used for playing electrical or mechanical amusement devices.

animal boarding or training establishment means a building or place used for commercial boarding, breeding, keeping, maintaining, receiving or training of dogs, cats, horses or birds.

appointed day means the day on which this plan takes effect.

archaeological site means the site of one or more relics.

arterial road means:

- (a) a road shown coloured light grey on the map, or
- (b) a classified road as declared under the *Roads Act 1993*.

auction premises means a building or place used for the sale by auction of goods which are displayed on the premises.

bed and breakfast means short-term paid accommodation, which may include meals, provided in a dwelling house, or in ancillary buildings within the curtilage of the dwelling house, by the permanent residents of the dwelling house.

boarding-house includes a house let in lodgings or a hostel, but does not include a motel.

brothel means premises habitually used for the purposes of prostitution, whether or not by only one prostitute.

bulky goods retailing means use of a building or place for the sale by retail of items which:

- (a) are of such a size, shape or range as to require:
 - (i) a large area for handling, storage and display, and
 - (ii) direct vehicular access for customers' vehicles to and from the site on which the goods are sold for the purpose of loading and unloading of the goods onto and from vehicles, or
- (b) are, in the opinion of the Council, of such a kind:
 - (i) as are required to be displayed in premises not easily accommodated in traditional commercial centres, and
 - (ii) as a person using them is unlikely to purchase frequently, including consumer durables (such as refrigerators, washing machines and stoves) and home improvement and hardware supplies.

bus depot means a building or place used for the servicing, repair and garaging of buses and other vehicles used for the purpose of a bus transport undertaking.

bushfire fighting establishment means a building appurtenant to the operation of a rural fire brigade formed under section 15 of the *Rural Fires Act 1997*.

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bushfire hazard reduction means a reduction or modification (by controlled burning, or by mechanical or manual means) of material that constitutes a bushfire hazard.

bushland means land on which there is vegetation which is either a remainder of the natural vegetation of the land or, if altered, is still representative of the structure and flora of the natural vegetation.

business identification sign means an advertisement which in respect of any place or premises to which it is fixed contains all or any of the following:

- (a) a reference to the identity or description of the place or premises,
- (b) a reference to the identity or description of any person residing or carrying on an occupation at the place or premises,
- (c) particulars of any occupation carried on at the place or premises,
- (d) such directions or cautions as are usual or necessary relating to the place or premises or any occupation carried on there,
- (e) particulars or notifications required or permitted to be displayed by or under any Commonwealth or State Act,
- (f) particulars relating to the goods, commodities or services dealt with or provided at the place or premises,
- (g) particulars of any activities held or to be held at the place or premises,
- (h) a reference to an affiliation with a trade, professional or other association relevant to the business conducted at the place or premises.

caravan park means land used as a site for moveable dwellings, including tents and caravans or other vehicles used for temporary or permanent accommodation.

child care centre means a building or place used to provide a centre based child care service within the meaning of the *Centre Based and Mobile Child Care Services Regulation (No 2) 1996*.

club means a building used by persons associated, or by a body incorporated, for social, literary, political, sporting, athletic or other lawful purposes, whether of the same or a different kind, and whether or not the whole or part of the building is the premises of a club registered under the *Registered Clubs Act 1976*.

commercial premises means a building or place used as an office or for other business or commercial purposes, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule or a building or place used for a land use elsewhere specifically defined in this Schedule.

communication facility means a building, structure, work or place used primarily for transmitting or receiving signals for the purposes of communication and includes radio masts and towers, but does not include a satellite dish.

community facility means a building or place owned or controlled by the Council and used for the purpose of providing facilities comprising or relating to any one or more of the following:

- (a) a public library,
- (b) public health services,
- (c) rest rooms,
- (d) meeting rooms,
- (e) indoor recreation,
- (f) child care centre,
- (g) neighbourhood hall,
- (h) a refreshment room,

or used for any other like purpose.

computer processing centre includes a building or place used for the purpose of administration and receiving, storing, processing and transmitting electronic and telephonic data, for a network of off-site consumer services.

conjoint dwelling means a dwelling that is:

- (a) physically attached to a shop, commercial premises, industrial building or building used primarily for other non-residential purposes, or
- (b) situated on the same land as a shop, commercial premises, industrial building or other non-residential building,

and occupied by a person or persons who are employed in the shop, commercial premises, industrial building or building used primarily for other non-residential purposes or by the business occupying those premises.

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conservation management plan means a document prepared in accordance with the requirements of the NSW Heritage Office that establishes the heritage significance of an item, place or heritage conservation area and identifies conservation policies and management mechanisms that are appropriate to enable that significance to be retained.

convenience store means a building or place, with a floor space not exceeding 250 square metres, that is used for the sale of groceries and other small items and that is ancillary to and operated in conjunction with a service station.

corporation means the corporation constituted under section 8 (1) of the Act.

Council means the Council of the City of Campbelltown.

demolish a heritage item, or a building, work, archaeological site, tree or place within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item or the building, work, archaeological site, tree or place.

directional sign means an advertisement affixed to a place or premises which contains only a notice regarding directions that apply within that place or premises.

drainage means works to control and convey stormwater flow.

dual occupancy means two dwellings on the same lot.

dual occupancy (attached) means a dual occupancy comprising two attached dwellings on the same lot.

dwelling means a room or suite of rooms occupied or used, or so constructed or adapted as to be capable of being occupied or used, as a separate domicile.

dwelling house means a building containing one, but not more than one, dwelling.

earthworks means the addition or removal of any solid material on, to or from land or any other work which will substantially alter the existing ground level or character of the surface of land.

educational establishment means a building used as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used wholly or principally as an institution or child care centre.

exhibition home means an unoccupied dwelling house used for display purposes.

extractive industry means:

- (a) the winning of extractive material, or
- (b) an industry or undertaking, not being a mine, which depends for its operations on the winning of extractive material from the land on which it is carried on.

extractive material means sand, gravel, clay, turf, soil, rock, stone or any similar substance.

fire protection zone means an area around a dwelling house which includes the following:

- (a) a fuel-free zone adjacent to the dwelling house,
- (b) access for vehicles around the dwelling house,
- (c) a fuel-reduced zone outside the vehicle access area.

forestry includes arboriculture, silviculture, forest protection, the cutting, dressing and preparation (otherwise than in a sawmill) of wood and other forest products and the establishment of roads required for the removal of wood and forest products or for forest protection.

hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

hazardous storage establishment means an establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:

- (a) to human health, life or property, or
- (b) to the biophysical environment.

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health care professional means a person who provides professional health services to members of the public, and includes:

- (a) a podiatrist registered under the *Podiatrists Act 1989*, and
- (b) a chiropractor or osteopath or a chiropractor and osteopath, registered under the *Chiropractors and Osteopaths Act 1991*, and
- (c) a physiotherapist registered under the *Physiotherapists Registration Act 1945*, and
- (d) an optometrist registered under the *Optometrists Act 1930*, and
- (e) any other person professionally registered, pursuant to an Act, to dispense health care.

helipad means an area or place not open to public use which is set apart for the taking off and landing of helicopters.

heliport means an area or place open to public use for use by helicopters, whether or not it also includes terminal buildings and facilities for the parking, servicing and repair of helicopters.

heritage conservation area means an area of land shown edged with a heavy black broken line on the map and includes buildings, works, relics, trees or places situated on or within that land. Heritage conservation areas are also listed in Part 2 of Schedule 1.

Heritage Council means the Heritage Council of New South Wales constituted under the *Heritage Act 1977*.

heritage impact statement means a document consisting of a statement demonstrating the heritage significance of a heritage item or heritage conservation area, or of a building, work, archaeological site, tree or place within a heritage conservation area, an assessment of the impact that proposed development will have on that significance and proposals for measures to minimise that impact.

heritage item means:

- (a) a building, work, archaeological site or place specified in an inventory of heritage items that is available at the office of the Council and the site of which is described in Part 1 of Schedule 1 and shown edged heavy black on the map, or
- (b) a place specified in an inventory of heritage items available at the office of the Council and described in the inventory as a place of Aboriginal heritage significance.

heritage significance means historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

home activity means a use that is carried on by the permanent residents of a dwelling in the dwelling, or in a building with a floor area not greater than 30 square metres that is erected on the same lot as the dwelling, but which does not involve:

- (a) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil or otherwise, or
- (b) employment of persons other than permanent residents of the dwelling, or
- (c) the display of goods or materials in a window or otherwise, or
- (d) the display of any advertisement or advertising structure other than an advertisement displayed on an advertising structure indicating the name and occupation of the residents, or
- (e) exposure to view from any adjacent premises or from any public place of any unsightly matter, or
- (f) the provision of any essential service main of a greater capacity than that available in the locality.

hospital means a building or place used for the purpose of providing professional health services (including preventative care, diagnosis, medical or surgical treatment and counselling) to people admitted as inpatients, whether or not outpatients are also cared for or treated there and may include:

- (a) a nursing home, and
- (b) ancillary facilities for accommodation of staff and visitors, and
- (c) associated educational or research facilities.

hotel means any premises specified in a hotelier's licence granted under the *Liquor Act 1982* and includes a tavern.

industrial machinery showroom means a building or place used for the display for sale, lease or hire of motor vehicles (other than cars or motor cycles) and associated machinery used in primary or secondary industry.

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industry means the manufacturing, assembling, altering, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, processing or adapting of any goods or articles for commercial purposes.

institution means:

- (a) a building used wholly or principally as a home or other establishment for developmentally disabled persons, or
- (b) a hospital within the meaning of the *Mental Health Act 1990*, or
- (c) a penal or reformatory establishment.

integrated housing development means development which includes subdivision and which results in:

- (a) there being two or more dwellings, each on a separate lot, and
- (b) the average area of all of those separate lots with dwellings being 350 square metres or greater.

intensive horticulture means the use of land to grow a commercial crop of plants, trees or fungi, whether under cover or in the open using any of the following:

- (a) hydroponics,
- (b) sprinkler systems,
- (c) artificial housing,
- (d) crop protection structures,
- (e) market gardening,
- (f) orcharding,
- (g) the growing of field flowers,

but does not include the growing of produce solely for personal consumption or enjoyment by an owner or occupier of a dwelling on the land on which they are grown.

intensive livestock keeping means the use of land for keeping and nurturing cattle, sheep, goats, poultry or other livestock by predominantly supplementary feeding methods and, without limiting the generality of the foregoing, includes the use of land for:

- (a) feed lots,
- (b) piggeries,
- (c) poultry farms,

(d) the farming of fish (including crustaceans),

but does not include the use of land for an animal boarding or training establishment or the use of land for the keeping of livestock intended solely for personal consumption or enjoyment by an owner or occupier of a dwelling on the land.

junk yard means a building or place used for the collection, storage, abandonment or sale of scrap metals, waste paper, rags, bottles or other scrap materials or goods or used for the collecting, dismantling, storing, salvaging or abandonment of automobiles or other vehicles or machinery or for the sale of parts of them.

landscape supply establishment means a building or place used for both the storage and sale of a range of materials used for landscaping purposes.

liquor store means a building or place specified in a licence to sell liquor granted under the *Liquor Act 1982*, but does not include a hotel.

local market means a place used for a market by or for a community group or merchants' association.

maintenance means the ongoing protective care of a heritage item or a building, work, archaeological site, tree or place within a heritage conservation area. It does not include alterations, such as carrying out extensions or additions, or the introduction of new materials or technology.

mine means any place, open cut, shaft, tunnel, pit, drive, level or other excavation, drift, gutter, lead, vein, lode or reef on, in or by which any operation is carried on for or in connection with the purpose of obtaining any metal or mineral by any mode or method, and includes any place on which any product of the mine is stacked, stored, crushed or otherwise treated, but does not include a quarry.

motel means a building or buildings used for the short-term accommodation of travellers, whether or not the building or buildings are also used for the provision of meals to those travellers or the general public.

motor showroom means a building or place used for the display or sale of motor vehicles, caravans or boats, whether or not accessories for motor vehicles, caravans or boats are also sold or displayed there.

motor vehicle body repair workshop means a building or place used for the repair of motor vehicles or agricultural machinery involving body building, panel beating or spray painting.

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motor vehicle repair station means a building or place used for:

- (a) the selling or fitting of accessories to, or
- (b) the repair, other than body building, panel beating or spray painting, of,

motor vehicles or agricultural machinery.

motor vehicle spare parts and accessories outlet means a building or place used for the storage, display and sale of motor vehicle spare parts and accessories, which has more than 50 per cent of its floor space used as:

- (a) fitting bays, or
- (b) spare parts storage to which the public is not admitted, or
- (c) fitting bays and spare parts storage to which the public is not admitted.

multi dwelling housing means development involving the erection of three or more dwellings on a site, each with separate access from the ground floor.

offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

offensive storage establishment means an establishment where goods, materials or products are stored which, when in operation and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the establishment from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.

place of Aboriginal heritage significance means:

- (a) a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It can (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- (b) a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

place of assembly means a public hall, theatre, cinema, music hall, concert hall, dance hall, open-air theatre, drive-in theatre, music bowl or any other building of a like character used as such and whether used for the purposes of gain or not, but does not include a religious establishment, an institution or a school.

plant hire means a building or place used for the purpose of hire of builders' and handypersons' tools, plant and equipment and the service and maintenance of such machinery.

potential archaeological site means a site which, in the opinion of the consent authority, has the potential to be an archaeological site.

potential place of Aboriginal heritage significance means a place:

- (a) that is specified in an inventory of heritage items available at the office of the Council and described in the inventory as a potential place of Aboriginal heritage significance, or
- (b) that, in the opinion of the consent authority, has the potential to have Aboriginal heritage significance, even if it is not so specified.

potentially hazardous industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:

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- (a) to human health, life or property, or
- (b) to the biophysical environment,

and includes a hazardous industry and a hazardous storage establishment.

potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

professional consulting rooms means a room or a number of rooms forming either the whole or part of a dwelling or attached to or within the curtilage of a dwelling house and used by not more than three legally qualified medical practitioners, or by not more than three dentists within the meaning of the *Dentists Act 1989*, or by not more than three health care professionals, who practise there the profession of medicine, dentistry or health care, respectively, and, if more than one, practise in partnership, and who employ not more than three employees in connection with that practice.

public building means a building used as offices or for administration or other like purposes by the Crown, a statutory body, the Council or an organisation established for public purposes.

public utility undertaking means any undertaking carried on in pursuance of any Commonwealth or State Act for the purpose of:

- (a) railway, road, water or air transport, wharf or river undertakings, or
- (b) the provision of sewerage or drainage services, or
- (c) the supply of water, hydraulic power, electricity or gas, or
- (d) telecommunication facilities,

and a reference to a person carrying on a public utility undertaking includes a reference to a council, county council, government department, corporation, firm or authority carrying on the undertaking.

real estate sign means an advertisement in respect of a place or premises to which it is affixed which contains only a notice that the place or premises is for sale or letting, together with particulars of the sale or letting, and is not displayed for more than 14 days after letting or completion of the sale of the premises or place to which the sign relates.

recreation area means:

- (a) a children's playground, or
- (b) an area used for sporting activities or sporting facilities, or
- (c) an area used to provide facilities for recreational activities which promote the physical, cultural or intellectual welfare of persons within the community, being facilities provided by:
 - (i) the Council, or
 - (ii) a body of persons associated together for the purpose of promoting the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation establishment means a health farm, religious retreat house, rest home, youth camp and the like, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

recreation facility means a building or place used for sporting, recreation or leisure activities whether or not operated for the purpose of gain, but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

refreshment room means a building or place used principally to provide food for people to consume in that building or place, and includes a reception centre or a function facility.

relic means:

- (a) any deposit, object or material evidence (which may consist of human remains) that is more than 50 years old relating to the use or settlement, not being Aboriginal habitation, of the City of Campbelltown and that is a fixture or is wholly or partly within the ground, or
- (b) any deposit, object or material evidence (which may consist of human remains) of any age relating to Aboriginal habitation of the City of Campbelltown.

religious establishment means a building or place used primarily for the purpose of religious worship, instruction or training, whether or not it is also used for ancillary purposes such as counselling, recreation or social events, and includes any building or place formerly described or granted consent as a place of public worship.

renovation, in relation to a building or work, means:

- (a) the making of structural changes to the inside or outside of the building or work,
- (b) the making of non-structural changes to the fabric or appearance of the outside of the building or work, including changes that involve the repair or the painting, plastering or other decoration of the outside of the building or work.

research establishment means a laboratory or other place where scientific or technological development or research is carried out.

residential flat building means a building containing two or more dwellings which achieve access from shared foyers, halls or stairways.

retail plant nursery means a building or place used for both:

- (a) the growing and retail selling of plants, and
- (b) the retail selling of plant and garden accessories.

retail plant propagation nursery means a building or place used for the purpose of growing plants and the retail sale of plants, but not for the retail sale of plant or garden accessories.

road means a public thoroughfare used for the passage of vehicles, pedestrians or animals.

roadside stall means a building or place, not exceeding 20 square metres in floor space or area, respectively, where only primary products produced on the property on which the building or place is situated are exposed or offered for sale or sold by retail.

rural industry means handling, treating, processing or packaging primary products, and includes the servicing in a workshop of plant and equipment used for rural purposes in the locality.

service station means a building or place used for the fuelling of motor vehicles, the sale by retail of petrol, oil and other petroleum products, the ancillary sale of a limited range of food items for the convenience of patrons, and also used for any one or more of the following:

- (a) the sale by retail of spare parts and accessories for motor vehicles,

- (b) the washing and greasing of motor vehicles,
- (c) the installation of accessories for motor vehicles,
- (d) the repairing and servicing of motor vehicles involving the use of hand tools (other than repairing and servicing which involves top overhaul of motors, body building, panel beating, spray painting, or suspension, transmission or chassis restoration).

shop means a building or place used for the selling, whether by retail or auction, or hiring of or displaying for the purpose of the selling or hiring of items (whether goods or materials), but (in Part 2) does not include a building or place elsewhere specifically defined in this Schedule.

storage establishment means a building or place used principally for the storage of goods, materials or products and includes facilities for the loading and unloading of vehicles carrying those goods, materials or products, but (in Part 2) does not include a road transport terminal.

temporary sign means an advertisement of a temporary nature:

- (a) which announces any local event of a religious, educational, cultural, political, social or recreational character or relates to any temporary matter in connection with such an event, and
- (b) which does not include advertising of a commercial nature other than the name or names of the event's sponsor,

that is not displayed earlier than 28 days before the day on which the event is to take place and is removed within 14 days after the event.

the Act means the *Environmental Planning and Assessment Act 1979*.

the City of Campbelltown means all land within the Campbelltown City local government area.

the Council means the Council of the City of Campbelltown.

the map means the map marked "Campbelltown (Urban Area) Local Environmental Plan 2002", as amended by the maps (or sheets of maps) marked as follows:

towing service means a building or place from which a business involving the towing or carriage of motor vehicles is conducted, whether or not the towing or carrying, or the towed or carried vehicles, are parked, stored or serviced in that building or at that place.

transport terminal means any building or place used for the assembly and dispersal of passengers or goods.

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Schedule 3

Dictionary

tree means a perennial plant with a self-supporting woody stem which has a spread of more than 3 metres or a height of more than 3 metres.

utility installation means a building or work used by a public utility undertaking, but does not include a building designed wholly or principally as administrative or business premises or as a showroom.

veterinary clinic means a room or a number of rooms forming part of, attached to or within the curtilage of a dwelling house and used by not more than one legally qualified veterinarian who resides in the dwelling house and practises in it the profession of veterinarian and employs not more than one employee in connection with that practice.

veterinary establishment means a building or place used for the medical or surgical treatment of animals.

warehouse means a building or place used for the storing, handling and subsequent distribution of goods, materials or merchandise, but (in Part 2) does not include a shop or other building or place elsewhere specifically defined in this Schedule.

waterway means any river, creek, watercourse or drainage line or part of any river, creek, watercourse or drainage line to which this plan applies.

wholesale plant nursery means a building or place used for both the growing and wholesaling of plants.

zone means a classification of land shown on the map by distinctive colouring, edging or lettering.

BY AUTHORITY
