

Campbelltown Local Environmental Plan No 112—Macquarie Field House (1991 EPI 22)

[1991-22]



New South Wales

Status Information

Currency of version

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Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Authorisation

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Part 1 Preliminary

1 Name of plan

This plan may be cited as *Campbelltown Local Environmental Plan No 112—Macquarie Field House*.

2 Aims, objectives etc

- (1) The aim of this plan is to replace the present zonings of the land to which it applies in order to permit that land to be used as the site for an integrated development incorporating a hotel, convention centres, facilities for executive and staff development, certain types of accommodation and business activities and recreational facilities.
- (2) The objectives of this plan are:
 - (a) to control the uses to which the land to which this plan applies may be put,
 - (b) to conserve the environmental heritage of the land to which this plan applies,
 - (c) to protect and enhance the role of the land to which this plan applies in providing a clearly perceived break between urban development in the City of Campbelltown and that in the City of Liverpool by preserving the visual character and landscape quality of that land,
 - (d) to protect and enhance the role of the land to which this plan applies in providing a rural backdrop to the residential areas of Glenfield, Macquarie Fields and Ingleburn,
 - (e) to protect the quality and nature of the view from the South Western Freeway where it passes through the land to which this plan applies,
 - (f) to protect that part of the major urban drainage system for the City of Campbelltown situated on the land to which this plan applies,

- (g) to control, by means of a development control plan, the siting, height, bulk, scale and density of any buildings to be erected on the land to which this plan applies to achieve the objectives stated in paragraphs (c), (d), (e) and (f), and
- (h) to guide, by means of a development control plan, the future landscaping of the land to which this plan applies to achieve the objectives stated in paragraphs (c), (d), (e) and (f).

3 Land to which plan applies

- (1) This plan applies to land situated in the City of Campbelltown and located between the main southern railway line and Campbelltown Road in the vicinity of the Glenfield and Macquarie Fields railway stations, as shown edged heavy black on the map marked “*Campbelltown Local Environmental Plan No 112—Macquarie Field House*” deposited on the offices of the Council of the City of Campbelltown.
- (2) This plan does not apply to land within Lot 100 or 101, DP 1060693, Campbelltown Road, Glenfield.

4 Relationship to other environmental planning instruments

- (1) This plan amends *Interim Development Order No 21—City of Campbelltown* by inserting after clause 1 the following clause:

1A Excluded land

This Order does not apply to the land to which [Campbelltown Local Environmental Plan No 112—Macquarie Field House](#) applies.

- (2) This plan amends *Interim Development Order No 22—City of Campbelltown* by inserting after clause 1 the following clause:

1A Excluded land

This Order does not apply to the land to which [Campbelltown Local Environmental Plan No 112—Macquarie Field House](#) applies.

5 Definitions

- (1) In this plan:

alteration, in relation to a heritage item, means:

- (a) the making of structural changes to the outside of the item, or
- (b) the making of non-structural changes to the detail, fabric, finish or appearance of the outside of the item, but does not include the maintenance of the existing

detail, fabric, finish or appearance of the outside of the item.

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

council means the Council of the City of Campbelltown.

demolition, in relation to a heritage item, means the damaging, defacing, destruction, pulling down or removal of the item, in whole or in part.

dwelling-house means a building containing one, but not more than one, dwelling on a neighbourhood lot, precinct development lot or community development lot which is linked in a neighbourhood, precinct or community scheme to development for permissible purposes other than dwellings.

executive lodge means a dwelling-house, part of which may be used for the purpose of conducting training programmes, seminars, conferences, business meetings and like business activities, provided:

- (a) the use of the building for the purpose of a dwelling-house remains at all times the dominant purpose for which it is used,
- (b) at least one person residing in the dwelling-house takes an active part in any training programme, seminar, conference, business meeting or like business activity conducted in the building, and
- (c) no person resides in the dwelling-house for a continuous period in excess of 6 months without obtaining the prior approval of the consent authority.

heritage item means Macquarie Field House and any other building, and any work, relic, tree or place, of heritage significance to the City of Campbelltown situated on the land located off Campbelltown Road, Glenfield, and shown by alternate broken and unbroken hatching on the map.

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

intensive animal or horticultural husbandry means a building or place used for the purposes of:

- (a) pig breeding,
- (b) boarding, training or keeping animals,
- (c) lot-feeding cattle,
- (d) commercial poultry farming (whether for the production of chicken meat or eggs),
- (e) greenhouses,

- (f) mushroom growing, or
- (g) any similar activity that is likely to involve the erection of large buildings or the creation of large quantities of waste products.

land required for drainage purposes means land shown shaded grey on the map.

recreation area means:

- (a) a children’s playground,
- (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) a public authority, or
 - (ii) a body of persons associated for the purposes of promoting the physical, cultural or intellectual welfare of persons within the community,

but does not include a racecourse or a showground.

recreation facility means:

- (a) a gymnasium,
- (b) an indoor swimming pool,
- (c) a squash court, or
- (d) any other building of a like character used for indoor recreation, whether used for the purpose of gain or not,

but does not include a place of assembly.

relic means any deposit, object or material evidence, terrestrial or underwater, relating to the use or settlement of the area of the land to which this plan applies which is 50 or more years old.

the map means the map marked “*Campbelltown Local Environmental Plan No 112—Macquarie Field House*” deposited in the office of the council.

training lodge means a building used for the purpose of a boarding-house which also has facilities for the conduct of training programmes, seminars, conferences, business meetings and like business activities, provided:

- (a) the use of the building as a boarding-house remains at all times the dominant purpose for which it is used, and

(b) occupants of the boarding-house take an active part in any training programme, seminar, conference, business meeting or like business activity conducted in the building.

(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.

6 Adoption of model provisions

The *Environmental Planning and Assessment Model Provisions 1980*, except for:

(a) the definitions of **dwelling-house**, **map** and **recreation facility** in clause 4 (1), and

(b) clauses 8, 15, 17, 18, 23, 28, 30, 32 and 33,

are adopted for the purposes of this plan.

7 Consent authority

The council is the consent authority for the purposes of this plan.

Part 2 Restrictions on the use of land

8 Development consent

Except as otherwise provided in this plan, in respect of the land to which this plan applies:

(a) there are no purposes for which development may be carried out without development consent,

(b) the purposes for which development may be carried out with development consent are:

- agriculture (other than intensive animal or horticultural husbandry),
- buildings required to accommodate activities ancillary to other permissible purposes,
- clubs,
- dwelling-houses used in conjunction with development for other permissible purposes,
- drainage,
- educational establishments,

- executive lodges,
- hotels,
- motels,
- places of assembly,
- planting of trees or shrubs for reforestation, silviculture or landscaping,
- recreation areas,
- recreation facilities,
- refreshment rooms,
- residential flat buildings used in conjunction with development for other permissible purposes,
- roads,
- shops where the gross floor area of each shop is less than 50 square metres,
- training lodges, and
- utility installations other than gas holders and generating works, and

(c) development for any other purpose is prohibited.

9 Land forming part of the South Western Freeway

Despite clause 8, the land known as:

(a) Lot 33, DP 240335, and

(b) Lot 10, DP 240944,

being part of the land on which the South Western Freeway is constructed, may be used only:

(c) for the purposes permitted on the land by the [State Roads Act 1986](#), or

(d) with the consent of the council (and the consent required by section 60 of the [State Roads Act 1986](#)) for the provision of access between such parts of the land to which this plan applies as are situated on opposite sides of the Freeway.

Part 3 Special provisions

10 Subdivision

A person must not subdivide land to which this plan applies except with the consent of the

council.

11 (Repealed)

12 Land required for drainage purposes

- (1) A person must not carry out development on land to which this plan applies, being land required for drainage purposes, except with the consent of the council.
- (2) The council or any person authorised by the council for the specific purpose may, at any time, enter upon land to which this plan applies, being land required for drainage purposes, for the purposes of planning, inspecting, maintaining, repairing or constructing works or proposed works used, or intended to be used, for drainage or flood control purposes.

13 Bushfire hazard

The council must not grant consent to the carrying out of development on the land to which this plan applies unless the proposed development incorporates measures, satisfactory to the council, to protect any buildings or works comprised in the development from bushfires.

14 Provision of water supply and sewerage

The council is to require, as a condition of its consent to the carrying out of development on land to which this plan applies, that arrangements satisfactory to it have been made with the Water Board by the owner of the land for the amplification and reticulation of water and sewerage services to the land.

15 Provision of electricity supply

The council is to require, as a condition of its consent to the carrying out of development on land to which this plan applies, that arrangements satisfactory to it have been made with Prospect Electricity by the owner of the land for the amplification and reticulation of electricity supply to the land.

16 Heritage items

- (1) A person shall not in respect of a building, work, relic, tree or place that is a heritage item:
 - (a) demolish or alter the building or work,
 - (b) damage or move the relic,
 - (c) excavate for the purpose of exposing the relic,
 - (d) damage or despoil the place or tree,
 - (e) erect a building on or subdivide land on which the building, work or relic is

situated or that comprises the place, or

(f) damage any tree on land on which the building, work or relic is situated or on the land which comprises the place,

except with the consent of the council.

- (2) The council must not grant consent to a development application required by subclause (1) unless it has taken into consideration the extent to which the carrying out of the proposed development would affect the heritage significance of the item and any stylistic or horticultural features of its setting.
- (3) The council may require that a conservation plan accompany a development application referred to in this clause to enable the consent authority fully to consider the heritage significance of the item and the impact of the proposed development on the significance of the item and its setting.

17 Development in the vicinity of heritage items

The council must not grant consent to an application to carry out development on land in the vicinity of a heritage item unless the council has made an assessment of the effect the carrying out of that development would have on the heritage significance of the item and its setting.

18 Heritage advertisements and notifications

- (1) Except as provided by this clause, the provisions of sections 84, 85, 86, 87 (1) and 90 of the Act apply to and in respect of the demolition of a heritage item in the same way as those provisions apply to and in respect of designated development.
- (2) The council must not grant consent to an application to demolish a heritage item unless:
 - (a) the council has notified the Heritage Council of its intention to grant consent, and
 - (b) the Heritage Council has no objection to the granting of that consent.
- (3) The Heritage Council is to be taken as having no objection unless it notifies the council of its objection not later than 28 days after receiving notice of the council's resolution that it intends to grant consent.

19 Advertising structures

A person must not erect an advertising structure on land to which this plan applies, except with the consent of the council.

20 Tree preservation

- (1) A person must not ringbark, cut down, top, lop or wilfully destroy any tree without the

consent of the council.

- (2) In granting a consent required by this clause, the council may impose such conditions as it thinks fit.