

Canterbury Local Environmental Plan No 140 (1993 EPI 404)

[1993-404]



New South Wales

Status Information

Currency of version

Repealed version for 20 August 1993 to 31 December 2012 (accessed 23 December 2024 at 8:49)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

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

Notes—

- **Repeal**

The plan was repealed by cl 1.8 (1) of the [Canterbury Local Environmental Plan 2012 \(673\)](#) (LW 21.12.2012) with effect from 1.1.2013.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 1 January 2013

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Contents

1 Name of plan	3
2 Aims, objectives etc.....	3
3 Land to which this plan applies	3
4 Relationship to other environmental planning instruments.....	3
5 Definitions	3
6 Consent authority for the plan.....	3
7 Zone indicated on the map.....	3
8 Zone objectives	4
9 When development consent is required	4
10 Permissible development.....	4
11 Prohibited development	5
Table 1 Development table.....	5
Dictionary	5

Canterbury Local Environmental Plan No 140 (1993 EPI 404)



New South Wales

1 Name of plan

This plan may be cited as *Canterbury Local Environmental Plan No 140*.

2 Aims, objectives etc

This plan aims to control development of certain land within the Area of Canterbury by zoning this land so as to permit the most appropriate use of the land.

3 Land to which this plan applies

This plan applies to the land situated in the Area of Canterbury known as 456-462 Canterbury Road, Campsie, and 2 Viking Street, Campsie, being lots 5-8 and 11, DP 11479 and shown edged heavy black on the map marked "*Canterbury Local Environmental Plan No 140*" deposited in the office of Canterbury Council.

4 Relationship to other environmental planning instruments

(1) This plan repeals:

- (a) *Canterbury Local Environmental Plan No 50*, and
- (b) *Canterbury Local Environmental Plan No 103*.

(2) The *Canterbury Planning Scheme Ordinance* does not apply to the land to which this plan applies.

5 Definitions

Some of the terms used in this plan are defined in the Dictionary at the end of the plan.

6 Consent authority for the plan

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

7 Zone indicated on the map

For the purposes of this plan, land to which this plan applies is within the zone specified

below if the land is shown on the map in the manner specified below in relation to the zone:

Zone No 3 (f) (Peripheral Business)	Peripheral Business Zone: coloured light blue with red edging and lettered "3 (f)"
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8 Zone objectives

The objectives of Zone No 3 (f) are:

- (a) to recognise the special character and function of main road frontages within the Area of Canterbury, and
- (b) to allow low density retail, display, commercial and office development which does not:
 - significantly compete with or detract from existing retail centres within the Area, or
 - generate significant traffic, and
- (c) to allow uses which are compatible with main road frontage without adversely affecting the amenity of properties in the vicinity, and
- (d) to enable a flexible yet comprehensive approach to redevelopment in areas that may be physically and economically in need of renewal, and
- (e) to provide employment opportunities, and
- (f) to allow interim use of properties without affecting the potential for long term comprehensive redevelopment, and
- (g) to enable the Council to prepare development control plans for the purpose of providing additional details, controls and guidelines.

9 When development consent is required

- (1) All development of land in Zone No 3 (f) requires the consent of the Council.
- (2) The Council is not to grant consent to the carrying out of development unless it is satisfied that the proposed development is compatible with the objectives of the zone.

10 Permissible development

- (1) The following development may be carried out in Zone No 3 (f):
 - (a) identified development,
 - (b) development for the purposes of a building, place, work or land use listed in Table 1.
- (2) Land within Zone No 3 (f) may be subdivided.

11 Prohibited development

All other development is prohibited in Zone No 3 (f).

Table 1 Development table

	Zone 3 (f)
Advertising Structure	o
Bulky Goods Salesroom	o
Business Premises	o
Child Care Centre	o
Community Facility	o
Dwelling(s) attached to Peripheral Business Premises or Office Premises	o
Entertainment Facility	o
Light Industry	o
Motel	o
Office Premises	o
Peripheral Business	o
Public Building	o
Public Parking	o
Recreation Facility	o
Restaurant	o
Retail Plant Nursery	o
Service Station	o
Utility Undertaking	o
Vehicle Sales Centre	o
Warehouse and Distribution Centre	o

Dictionary

advertisement means a display, by use of a symbol, sign or other device for promotional purposes or for conveying information, instructions, directions or the like, whether or not the display involves the erection of a structure or the carrying out of a work.

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

bulky goods salesroom means a building or place used for the sale of goods (other than food and

clothing) which are of such a size and shape as to require:

- (a) a large area for handling, storage or display, and
- (b) easy and direct vehicular access to enable the goods to be collected by customers after sale.

business premises means a building or place in or at which there is carried on an occupation, profession, light industry or trade which provides a service directly or regularly to the public, but does not include a building or place elsewhere defined in this dictionary.

child care centre means a building or place used for the purposes of supervising or caring for children which:

- (a) caters for 5 or more under school age children, whether or not those children are related to the owner or operator of the building or place, and
- (b) may include an educational function, and
- (c) may be operated for the purpose of gain,

but does not include a building or place providing residential care for those children.

community facility means a building or place, owned or controlled by a public authority or a body of persons, which provides for the physical, social, cultural or intellectual development or welfare of the local community, but does not include a building or place elsewhere defined in this dictionary.

Council means Canterbury Council.

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

entertainment facility means a building or place used for the purpose of entertainment, exhibitions or displays, and includes a theatre, cinema, music hall, concert hall, open air theatre, drive-in theatre and the like.

identified development means development which is compatible with its locality, that is not described as being allowed in a zone in Table 1 and which in the opinion of the Council, is suitable due to the circumstances of the site and is identified in a development control plan.

light industry means:

- (a) a manufacturing process within the meaning of the *Factories, Shops and Industries Act 1962*, or
- (b) the breaking up or dismantling of any goods or an article for trade or sale or gain or as ancillary to any business,

in which the processes carried on, the transportation involved or the machinery or materials used, do not interfere unreasonably with the amenity of the neighbourhood.

motel means premises, not being a hotel, used for the temporary or short-term accommodation of travellers.

office premises means a building or place used for an administrative, clerical, technical, or

professional purpose but does not include a building or place elsewhere defined in this dictionary.

peripheral business means the display or retail sale of goods (including bulky goods, but not including food or clothing) that satisfy a regional or specialised demand rather than a local demand.

public building means a building or place used as a business or office by a public authority or an organisation established for public purposes.

public parking means land owned or operated (or both) by the Council and used for the parking of motor vehicles.

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

restaurant means a building or place, the principal purpose of which is the provision of food to people for consumption on the premises.

retail plant nursery means a building or place used for growing plants and selling plants by retail, whether or not landscape supplies (including earth products) or other landscape and horticultural products are also sold.

service station means a building or place used for the fuelling of motor vehicles, involving the sale by retail of petrol, oil or other petroleum products, whether or not the building or place is also used for one or more of the following purposes:

- (a) the hiring of trailers,
- (b) the retail selling or the installing of spare parts and accessories for motor vehicles,
- (c) the washing and greasing of motor vehicles,
- (d) the repairing or servicing of motor vehicles (other than body building, panel beating or spray painting),
- (e) the retail selling or hiring of small consumer goods.

the Act means the [Environmental Planning and Assessment Act 1979](#).

the map means the map held in the office of the Council, certified by the General Manager of the Council and marked "*Canterbury Local Environmental Plan No 140*".

utility installation means a building or work used for a utility undertaking.

utility undertaking means any undertaking carried on or by an authority or any Government department, or in pursuance of any Commonwealth or State Act, for the purpose of:

- (a) railway, road, water or air transport, or 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) telecommunications facilities, or

(e) communications facilities.

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

warehouse and distribution centre means a building or place (other than a building or place used for retail sales) used for the principal purpose of storing or handling items (whether goods or materials) which have been produced or manufactured for distribution to other premises.