

Campbelltown Local Environmental Plan No 32 (1983 EPI 34)

[1983-34]



New South Wales

Status Information

Currency of version

Repealed version for 8 December 2000 to 10 March 2016 (accessed 25 December 2024 at 14:05)

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**

This plan was repealed by cl 1.8 (1) of the [Campbelltown Local Environmental Plan 2015 \(754\)](#) (LW 11.12.2015) with effect from 11.3.2016.

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 11 March 2016

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Campbelltown Local Environmental Plan No 32 (1983 EPI 34)



New South Wales

1 Name of plan

This plan may be cited as *Campbelltown Local Environmental Plan No 32*.

2 Aims, objectives etc

This plan aims, in relation to the land to which this plan applies:

- (a) to ensure the protection of the natural bushland, particularly that which is located in and on the slopes of valleys,
- (b) to protect the creeks from pollution,
- (c) to prevent the premature and indiscriminate subdivision of the area,
- (d) to permit the erection of dwellings in a bushland setting while at the same time providing for reasonable safety in the event of bushfire, and
- (e) to control and permit only that development which the consent authority considers to be in sympathy with the intrinsic qualities of the subject land.

3 Land to which plan applies

This plan applies to the land shown edged heavy black on the map.

4 Relationship to other environmental planning instruments

This plan amends *Campbelltown Local Environmental Plan No 1* in the manner set out in clause 5.

5 Amendment of *Campbelltown Local Environmental Plan No 1*

Campbelltown Local Environmental Plan No 1 is amended by inserting after clause 2 the following clause:

2A This plan does not apply to the land to which *Campbelltown Local Environmental*

Plan No 32 applies.

6 Interpretation

- (1) In this plan, except in so far as the context or subject matter otherwise indicates or requires:

appointed day means the day upon which this plan is published in the Gazette.

bush fire control means fire mitigation or suppression works, the construction and maintenance of fire trails and the erection of structures and buildings appurtenant to the operations of bush fire brigades formed or organised by the council under section 19 of the *Bush Fire Brigades Act 1949*.

Council means the Council of the City of Campbelltown.

dual occupancy building means a building containing 2 dwellings to which the provisions of the *Strata Titles Act 1973* do not apply.

home industry has the meaning ascribed to it in clause 4 (1) of the *Environmental Planning and Assessment Model Provisions 1980*, except for the purposes of the Table to clause 8 the words “residential flat building” wherever occurring in that definition shall be deemed to be omitted and the words “dual occupancy building” shall be deemed to be inserted instead.

home occupation has the meaning ascribed to it in clause 4 (1) of the *Environmental Planning and Assessment Model Provisions 1980*, except for the purposes of the Table to clause 8, the words “residential flat building” in that definition shall be deemed to be omitted and the words “dual occupancy building” shall be deemed to be inserted instead.

homesite area means an area of land suitable, in the opinion of the council, for the erection of a dwelling-house or dual occupancy building, not being land having, or being land within 30 metres of land having, a slope greater than 1 in 6.

man-riding shaft means a shaft from surface to seam with attendant facilities, buildings, structures and amenities for the purpose of the providing access for personnel and equipment to and from a coal mine.

stable means a building or place used, or designed for use, for the purpose of the receiving, maintaining, boarding or keeping of more than 1 horse.

the map means the map marked “*Campbelltown Local Environmental Plan No 32*” deposited in the office of the council.

ventilation shaft means a shaft from surface to seam with attendant facilities, buildings and structures for the purpose of providing mechanical ventilation to and from a coal mine.

zone means land referred to in Column 1 of the Table to clause 8 and shown on the map by distinctive edging or in some other distinctive manner as referred to in that Column for the purpose of indicating the restrictions imposed by this plan on the development of land.

- (2) The *Environmental Planning and Assessment Model Provisions 1980*, except the definitions of **agriculture**, **home industry**, **home occupation** and **map** in clause 4 (1) thereof and clauses 5 (3), 9, 10, 12, 15, 17, 23, 24, 26 and 32 thereof, are adopted for the purposes of this plan.

7 Consent authority

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

8 Carrying out of development

Subject to this plan, the purposes:

- (a) for which development may be carried out only with the consent of the council, and
- (b) for which development is prohibited,

on land within each of the zones specified in Column 1 of the Table to this clause are respectively shown opposite thereto in Columns 2 and 3 of that Table.

Table

Column 1	Column 2	Column 3
Zone and colour or other indication on the map	Purposes for which development may be carried out only with the consent of the Council	Purposes for which development is prohibited
6 OPEN SPACE (a) Local Open Space. Light green with dark green edging and lettered 6 (a).	Bush fire control, children's playgrounds, forestry, gardens, parks, picnic grounds and public reserves, and buildings or uses associated with those purposes which are under the care, control and management of the Council; drainage; man-riding shafts; roads; utility installations (other than gas holders or generating works); ventilation shafts.	Any purpose (other than those included in Column 2).
7 ENVIRONMENTAL PROTECTION: (1) Environmental Protection (Plateau). Orange and lettered 7 (I).	Agriculture; bush fire control; drainage; dwelling-houses; home industries; home occupations; man-riding shafts; roads; stables; ventilation shafts.	Any purpose (other than those included in Column 2).

9 Subdivision

- (1) A person may subdivide land to which this plan applies but only with the consent of the council.
- (2) The council may consent to the subdivision of land within Zone No 7 (I) only where each separate allotment of land created by the subdivision:
 - (a) has an area of not less than 4 hectares, and
 - (b) includes a homesite area.
- (3) Where land to which this plan applies is subdivided in stages, the council shall not grant consent as referred to in subclause (1) to a second or subsequent plan of subdivision of the land to which this plan applies unless so much of the land as is fully within Zone No 6 (a) and is included in that second or subsequent plan of subdivision is dedicated, free of cost, to the Council as a public reserve.

10 Dwelling-houses within Zone No 7 (I)

A person shall not erect a dwelling-house on land within Zone No 7 (I) unless the allotment of land on which the dwelling-house is to be erected:

- (a) has an area of not less than 4 hectares, and
- (b) is a homesite area.

11 (Repealed)

12 Electricity

The council may refuse consent to the carrying out of any development on any land unless arrangements satisfactory to it are made by the owner of the land to which the development application relates for the provision of electricity reticulation to that land and for the installation of such lamp standards as are approved by the council in relation to such reticulation.

13 Local environmental plant protection

The council, as a condition of its consent to the carrying out of any development, may impose a requirement that the site be rehabilitated and planted with appropriate native vegetation and maintained to the satisfaction of the council.

14 Local environmental land protection

- (1) A person shall not carry out development involving the removal of soil or bush stones from land within Zone No 6 (a) or 7 (I).
- (2) The council may require as a condition of its consent to the carrying out of development on any land the subject of this plan that soil conservation works of a

standard acceptable to the Soil Conservation Service of New South Wales be carried out to minimise soil erosion and sedimentation problems on that land, adjoining land and land in the locality.

15 Water for domestic purposes

The council, as a condition of its consent to the carrying out of any development, may impose a requirement that the applicant install water storage facilities for domestic purposes.

16 Tree preservation

A person shall not ringbark, cut down, top, lop or wilfully destroy any tree without the consent of the council.

17 Payment towards provision or improvement of amenities or services

As a consequence of the carrying out of development in accordance with this plan (as in force at the time the development is carried out), this plan identifies a likely increased demand for public amenities and public services as specified in Schedule 1 and stipulates that dedication or a contribution, or both, under section 94 (1) of the Act may be required as a condition of any consent to that development.

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

(1) In this Plan:

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.

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.

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) feedlots,

(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.

(2) The Council in determining an application for consent required for any of the uses defined in this clause shall 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 proposed use and the use of the land for the keeping of livestock or the growing of produce intended solely for personal consumption or enjoyment by an owner or occupier of a dwelling on the land.

Schedule 1

(Clause 17)

Bush fire control
Drainage
Open space

Roads