



New South Wales

Camden Local Environmental Plan Amendment (Sydney Region Growth Centres—South West Growth Centre) 2021

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

ADRIAN HOHENZOLLERN

As delegate for the Minister for Planning and Public Spaces

Camden Local Environmental Plan Amendment (Sydney Region Growth Centres—South West Growth Centre) 2021

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1 Name of Plan

This Plan is *Camden Local Environmental Plan Amendment (Sydney Region Growth Centres—South West Growth Centre) 2021*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to—

- (a) land to which the *Oran Park and Turner Road Precinct Plan 2007* applies, as referred to in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, Appendix 1, and
- (b) land to which the *Camden Growth Centres Precinct Plan 2013* applies, as referred to in *State Environmental Planning Policy (Sydney Region Growth Centres) 2006*, Appendix 9.

4 Maps

The maps adopted by *State Environmental Planning Policy (Sydney Region Growth Centres) 2006* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of State Environmental Planning Policy (Sydney Region Growth Centres) 2006

[1] Appendix 1 Oran Park and Turner Road Precinct Plan

Insert after clause 1.2(b)—

(b1) to provide for recreational opportunities, and

[2] Appendix 1, clause 1.2(e1)

Insert after clause 1.2(e)—

(e1) to promote pedestrian and vehicle connectivity, and

[3] Appendix 1, clause 1.5

Insert after clause 1.4—

1.5 Notes

Notes in this Precinct Plan are provided for guidance and do not form part of this Plan.

[4] Appendix 1, clause 1.8(2), note

Insert after clause 1.8(2)—

Note— *Camden Local Environmental Plan 2010* ceases to apply to the land to which this Precinct Plan applies.

[5] Appendix 1, clause 1.9(3)

Omit “Subject to section 74(1) of the Act, in the event of an inconsistency between this Precinct Plan and”.

Insert instead “If there is an inconsistency between this Precinct Plan and another provision of this or”.

[6] Appendix 1, clause 2.6(1), note

Omit the note. Insert instead—

Notes—

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, for example this Precinct Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
- 2 *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 6 provides that the strata subdivision of a building in certain circumstances is **complying development**.

[7] Appendix 1, clause 2.6(3)

Omit the subclause.

[8] Appendix 1, clause 2.8

Insert after clause 2.6A—

2.8 Temporary use of land

- (1) The objective of this clause is to provide for the temporary use of land if the use does not compromise future development of the land, or have detrimental economic, social, amenity or environmental effects on the land.

- (2) Despite any other provision of this Precinct Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 52 days, whether or not consecutive days, in a period of 12 months.
- (3) Development consent must not be granted unless the consent authority is satisfied—
 - (a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Precinct Plan and other applicable environmental planning instruments, and
 - (b) the temporary use will not adversely impact on adjoining land or the amenity of the neighbourhood, and
 - (c) the temporary use and location of structures related to the use will not adversely impact on environmental attributes or features of the land, or increase the risk of natural hazards that may affect the land, and
 - (d) at the end of the temporary use period the land will, as far as is practicable, be restored to the condition in which it was before the commencement of the use.
- (4) Despite subclause (2), the temporary use of a dwelling as a sales office for a new release area or a new housing estate may exceed the maximum number of days specified in that subclause.
- (5) Subclause (3)(d) does not apply to the temporary use of a dwelling as a sales office mentioned in subclause (4).
- (6) This clause does not prescribe a development standard that may be varied under this Precinct Plan.

[9] Appendix 1, clause 4.1(4)

Omit the subclause. Insert instead—

- (4) This clause does not apply to the subdivision of land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by subdivision under the *Community Land Development Act 1989*.

[10] Appendix 1, clause 4.3(4) and (5)

Omit “finished ground level” wherever occurring. Insert instead “ground level (existing)”.

[11] Appendix 1, clause 4.3(5)

Omit “to Badgally Road, Camden Valley Way, the Northern Road or East West Road (as shown in the Oran Park Precinct Development Control Plan or the Turner Road Precinct Development Control Plan), or to land within Zone RE1 Public Recreation or Zone RE2 Private Recreation.”.

Insert instead—

to—

- (a) the following land as shown in the Oran Park Precinct Development Control Plan or the Turner Road Precinct Development Control Plan—
 - (i) Gregory Hills Drive,
 - (ii) Camden Valley Way,
 - (iii) The Northern Road,
 - (iv) Dick Johnson Drive, or

- (b) land within Zone RE1 Public Recreation or Zone RE2 Private Recreation.

[12] Appendix 1, clause 5.4(1), note

Insert after clause 5.4(1)—

Note— Development providing for a certain number of guests or rooms may involve a change in the class of building under the *Building Code of Australia*.

[13] Appendix 1, clause 6.7

Insert after clause 6.6—

6.7 Studio dwellings

- (1) Development consent must not be granted to development for the purposes of studio dwellings unless the consent authority is satisfied—
 - (a) the garage above which the studio dwelling will be erected is located at the rear of the lot, and
 - (b) there will be direct access to the studio dwelling from a street or lane.
- (2) In deciding whether to grant development consent, the consent authority must consider the visual impact of the studio dwelling on the surrounding streetscape.

[14] Appendix 9 Camden Growth Centres Precinct Plan

Insert after clause 1.2(g)—

- (h) to minimise the impact on existing and future communities of the full range of risks posed by natural hazards such as bushfires and flooding.

[15] Appendix 9, clause 2.6, note

Omit the note. Insert instead—

Notes—

- 1 If a subdivision is specified as **exempt development** in an applicable environmental planning instrument, for example this Precinct Plan or *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, the Act enables it to be carried out without development consent.
- 2 *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, Part 6 provides that the strata subdivision of a building in certain circumstances is **complying development**.

[16] Appendix 9, clause 4.1(4)

Omit the subclause. Insert instead—

- (4) This clause does not apply to the subdivision of land—
 - (a) by the registration of a strata plan or strata plan of subdivision under the *Strata Schemes Development Act 2015*, or
 - (b) by subdivision under the *Community Land Development Act 1989*.

[17] Appendix 9, clause 4.1AF(1)(a)

Omit “equal to or greater”. Insert instead “but not less”.

[18] Appendix 9, clause 4.1B

Omit the clause. Insert instead—

4.1B Residential density

- (1) The objectives of this clause are—
 - (a) to establish density requirements for residential development, and
 - (b) to ensure residential development makes efficient use of land and infrastructure and contributes to the availability of new housing, and
 - (c) to ensure the scale of residential development is compatible with the character of the precinct and adjoining land.
- (2) The consent authority must not grant development consent to residential development on land for which a dwelling density range is shown on the Residential Density Map if the development will result in the density of dwellings on the land being—
 - (a) less than the minimum density specified by the dwelling density range, or
 - (b) more than the maximum density specified by the dwelling density range.
- (3) The consent authority must not grant development consent for the subdivision of land for which a dwelling density range is shown on the Residential Density Map if the subdivision would result in the dwelling density on a resultant lot being greater than the maximum dwelling density specified for the land by the dwelling density range.
- (4) Subclause (3) does not prevent a subdivision that provides for individual dwellings to be on separate lots if the consent authority is satisfied the subdivision does not also involve the creation of additional dwelling entitlements.
- (5) This clause has effect despite anything to the contrary in another provision of this Precinct Plan.
- (6) In this clause—

density means the ratio of the number of dwellings to the area of the land to be occupied by the residential development, including internal streets and half the width of the roads adjoining the development that provide vehicular access to the development, but excluding land that is not zoned for residential purposes.

[19] Appendix 9, clause 4.6(8)(b1)

Insert after clause 4.6(8)(b)—

- (b1) clause 4.1B,

[20] Appendix 9, clause 5.1(2), table

Omit “NSW Department of Education and Communities”.

Insert instead “Department of Education”.

[21] Appendix 9, clause 5.1(2), table

Omit “NSW Department of Health”. Insert instead “Ministry of Health”.

[22] Appendix 9, clause 6.8

Insert after clause 6.7—

6.8 Studio dwellings

- (1) Development consent must not be granted to development for the purposes of studio dwellings unless the consent authority is satisfied—
 - (a) the garage above which the studio dwelling will be erected is located at the rear of the lot, and
 - (b) there will be direct access to the studio dwelling from a street or lane.
- (2) In deciding whether to grant development consent, the consent authority must consider the visual impact of the studio dwelling on the surrounding streetscape.