Status information

Currency of version
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Provisions in force
The provisions displayed in this version of the legislation have all commenced. See Historical Notes

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 5 April 2012.
Part 1 Preliminary

1.1 Name of Plan

This Plan is *Camden Local Environmental Plan 2010*.

1.1AA Commencement

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

1.2 Aims of Plan

(1) This Plan aims to make local environmental planning provisions for land in Camden in accordance with the relevant standard environmental planning instrument under section 33A of the Act.

(2) The particular aims of this Plan are as follows:

(a) to ensure Camden retains its valued traditional qualities, character and scenic landscapes while providing for sustainable urban growth,

(b) to ensure that new communities are planned and developed in an orderly, integrated and sustainable manner and contribute to the social, environmental and economic sustainability of Camden,

(c) to ensure natural assets within Camden are protected and enhanced,

(d) to minimise the impact on existing and future communities of natural hazards such as bush fires and flooding,

(e) to ensure that appropriate housing opportunities are provided for all existing and future residents of Camden at all stages of their lives,

(f) to ensure that the economic, employment and educational needs of all existing and future residents of Camden are appropriately planned for,

(g) to ensure the agricultural production potential of rural land, and prevent the fragmentation of agricultural holdings,

(h) to ensure that the recreation, cultural and social needs of all existing and future residents of Camden are appropriately planned for,

(i) to protect and restore the environmental values of land, including waterways and riparian land, as part of the natural systems,

(j) to conserve and enhance the built and landscape heritage of Camden.
1.3 **Land to which Plan applies**

This Plan applies to the land identified on the Land Application Map.

1.4 **Definitions**

The Dictionary at the end of this Plan defines words and expressions for the purposes of this Plan.

1.5 **Notes**

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

1.6 **Consent authority**

The consent authority for the purposes of this Plan is (subject to the Act) the Council.

1.7 **Maps**

(1) A reference in this Plan to a named map adopted by this Plan is a reference to a map by that name:

   (a) approved by the Minister when the map is adopted, and

   (b) as amended or replaced from time to time by maps declared by environmental planning instruments to amend or replace that map, and approved by the Minister when the instruments are made.

(2) Any 2 or more named maps may be combined into a single map. In that case, a reference in this Plan to any such named map is a reference to the relevant part or aspect of the single map.

(3) Any such maps are to be kept and made available for public access in accordance with arrangements approved by the Minister.

(4) For the purposes of this Plan, a map may be in, and may be kept and made available in, electronic or paper form, or both.

**Note.** The maps adopted by this Plan are to be made available on the official NSW legislation website in connection with this Plan. Requirements relating to the maps are set out in the documents entitled *Standard technical requirements for LEP maps* and *Standard requirements for LEP GIS data* which are available on the website of the Department of Planning and Infrastructure.

1.8 **Repeal of planning instruments applying to land**

(1) All local environmental plans and deemed environmental planning instruments applying only to the land to which this Plan applies are repealed.

**Note.** The following local environmental plans are repealed under this provision:
(2) All local environmental plans and deemed environmental planning instruments applying to the land to which this Plan applies and to other land cease to apply to the land to which this Plan applies.

1.8A Savings provision relating to development applications

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

Note. However, under Division 4B of Part 3 of the Act, a development application may be made for consent to carry out development that may only be carried out if the environmental planning instrument applying to the relevant development is appropriately amended or if a new instrument, including an appropriate principal environmental planning instrument, is made, and the consent authority may consider the application. The Division requires public notice of the development application and the draft environmental planning instrument allowing the development at the same time, or as closely together as is practicable.

1.9 Application of SEPPs

(1) This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.

(2) The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies:

- State Environmental Planning Policy No 1—Development Standards
- State Environmental Planning Policy No 4—Development Without Consent and Miscellaneous Exempt and Complying Development (clause 6 and Parts 3 and 4)
- State Environmental Planning Policy No 60—Exempt and Complying Development

1.9A Suspension of covenants, agreements and instruments

(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

(2) This clause does not apply:
(a) to a covenant imposed by the Council or that the Council requires to be imposed, or
(b) to any prescribed instrument within the meaning of section 183A of the Crown Lands Act 1989, or
(c) to any conservation agreement within the meaning of the National Parks and Wildlife Act 1974, or
(d) to any Trust agreement within the meaning of the Nature Conservation Trust Act 2001, or
(e) to any property vegetation plan within the meaning of the Native Vegetation Act 2003, or
(f) to any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995, or
(g) to any planning agreement within the meaning of Division 6 of Part 4 of the Act.

(3) This clause does not affect the rights or interests of any public authority under any registered instrument.

(4) Under section 28 of the Act, the Governor, before the making of this clause, approved of subclauses (1)–(3).

Part 2 Permitted or prohibited development

2.1 Land use zones

The land use zones under this Plan are as follows:

Rural Zones

RU1 Primary Production

RU2 Rural Landscape

RU4 Primary Production Small Lots

Residential Zones

R1 General Residential

R2 Low Density Residential

R3 Medium Density Residential

R5 Large Lot Residential

Business Zones

B1 Neighbourhood Centre

B2 Local Centre

B4 Mixed Use

B5 Business Development
Industrial Zones
IN1 General Industrial
IN2 Light Industrial

Special Purpose Zones
SP1 Special Activities
SP2 Infrastructure

Recreation Zones
RE1 Public Recreation
RE2 Private Recreation

Environment Protection Zones
E1 National Parks and Nature Reserves
E2 Environmental Conservation
E4 Environmental Living

2.2 Zoning of land to which Plan applies

For the purposes of this Plan, land is within the zones shown on the Land Zoning Map.

2.3 Zone objectives and Land Use Table

(1) The Land Use Table at the end of this Part specifies for each zone:
   (a) the objectives for development, and
   (b) development that may be carried out without development consent, and
   (c) development that may be carried out only with development consent, and
   (d) development that is prohibited.

(2) The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

(3) In the Land Use Table at the end of this Part:
   (a) a reference to a type of building or other thing is a reference to development for the purposes of that type of building or other thing, and
   (b) a reference to a type of building or other thing does not include (despite any definition in this Plan) a reference to a type of building or other thing referred to separately in the Land Use Table in relation to the same zone.

(4) This clause is subject to the other provisions of this Plan.

Notes.
1 Schedule 1 sets out additional permitted uses for particular land.
2 Schedule 2 sets out exempt development (which is generally exempt from both Parts 4 and 5 of the Act). Development in the land use table that may be carried out without consent is nevertheless subject to the environmental assessment and approval requirements of Part 5 of the Act or, if applicable, Part 3A of the Act.

3 Schedule 3 sets out complying development (for which a complying development certificate may be issued as an alternative to obtaining development consent).

4 Clause 2.6 requires consent for subdivision of land.

5 Part 5 contains other provisions which require consent for particular development.

2.4 Unzoned land

(1) Development may be carried out on unzoned land only with development consent.

(2) Before granting development consent, the consent authority:

   (a) must consider whether the development will impact on adjoining zoned land and, if so, consider the objectives for development in the zones of the adjoining land, and

   (b) must be satisfied that the development is appropriate and is compatible with permissible land uses in any such adjoining land.

2.5 Additional permitted uses for particular land

(1) Development on particular land that is described or referred to in Schedule 1 may be carried out:

   (a) with development consent, or

   (b) if the Schedule so provides—without development consent,

   in accordance with the conditions (if any) specified in that Schedule in relation to that development.

(2) This clause has effect despite anything to the contrary in the Land Use Table or other provision of this Plan.

2.6 Subdivision—consent requirements

(1) Land to which this Plan applies may be subdivided, but only with development consent.

   Notes.

   1 If a subdivision is specified as exempt development in an applicable environmental planning instrument, such as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, the Act enables it to be carried out without development consent.

   2 Part 6 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 provides that the strata subdivision of a building in certain circumstances is complying development.

(2) Development consent must not be granted for the subdivision of land on which a secondary dwelling is situated if the subdivision would result in the principal dwelling and the secondary dwelling being situated on separate lots, unless the resulting lots are not less than the minimum size shown on the Lot Size Map in relation to that land.

   Note. The definition of secondary dwelling in the Dictionary requires the dwelling to be on the same lot of land as the principal dwelling.

2.7 Demolition requires development consent

The demolition of a building or work may be carried out only with development consent.

Note. If the demolition of a building or work is identified in an applicable environmental planning instrument, such
as this Plan or State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, as exempt development, the Act enables it to be carried out without development consent.

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 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 any period of 12 months.

(3) Development consent must not be granted unless the consent authority is satisfied that:

(a) the temporary use will not prejudice the subsequent carrying out of development on the land in accordance with this Plan and any other applicable environmental planning instrument, and

(b) the temporary use will not adversely impact on any adjoining land or the amenity of the neighbourhood, and

(c) the temporary use and location of any 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).

Land Use Table

Note. A type of development referred to in the Land Use Table is a reference to that type of development only to the extent it is not regulated by an applicable State environmental planning policy. The following State environmental planning policies in particular may be relevant to development on land to which this Plan applies:
Zone RU1  Primary Production

1 Objectives of zone

• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

• To encourage diversity in primary industry enterprises and systems appropriate for the area.

• To minimise the fragmentation and alienation of resource lands.

• To minimise conflict between land uses within this zone and land uses within adjoining zones.

• To permit non-agricultural uses which support the primary production purposes of the zone.

• To maintain the rural landscape character of the land.

2 Permitted without consent

Extensive agriculture; Forestry; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Environmental protection works; Extractive industries; Farm buildings; Farm stay accommodation; Garden centres; Home industries; Intensive livestock agriculture; Intensive plant agriculture; Open cut mining; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers’ dwellings; Secondary dwellings; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Car parks; Commercial premises; Correctional centres; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Heliports; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Wharf or
boating facilities; Wholesale supplies

**Zone RU2  Rural Landscape**

1 **Objectives of zone**

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.
- To protect and enhance areas of scenic value by minimising development and providing visual contrast to nearby urban development.
- To maintain the visual amenity of prominent ridgelines.
- To permit non-agricultural uses which support the primary production purposes of the zone.

2 **Permitted without consent**

Extensive agriculture; Home occupations

3 **Permitted with consent**

Agricultural produce industries; Aquaculture; Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Environmental protection works; Farm buildings; Farm stay accommodation; Home industries; Intensive plant agriculture; Roads; Rural workers’ dwellings; Secondary dwellings; Any other development not specified in item 2 or 4

4 **Prohibited**

Agriculture; Air transport facilities; Amusement centres; Camping grounds; Car parks; Caravan parks; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Extractive industries; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Mortuaries; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Wharf or boating facilities; Wholesale supplies

**Zone RU4  Primary Production Small Lots**

1 **Objectives of zone**

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
2 Permitted without consent

   Home occupations

3 Permitted with consent

   Aquaculture; Bed and breakfast accommodation; Cellar door premises; Dual occupancies (attached); Dwelling houses; Extensive agriculture; Farm buildings; Farm stay accommodation; Garden centres; Home industries; Intensive plant agriculture; Landscaping material supplies; Plant nurseries; Roads; Roadside stalls; Rural workers’ dwellings; Secondary dwellings; Stock and sale yards

4 Prohibited

   Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Camping grounds; Car parks; Caravan parks; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Entertainment facilities; Exhibition homes; Extractive industries; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industries; Information and education facilities; Mortuaries; Port facilities; Recreation facilities (indoor); Recreation facilities (major); Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone R1 General Residential

1 Objectives of zone

   • To provide for the housing needs of the community.
   • To provide for a variety of housing types and densities.
   • To enable other land uses that provide facilities or services to meet the day to day needs of residents.
   • To allow for educational, recreational, community and religious activities that support the wellbeing of the community.
   • To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

   Home occupations

3 Permitted with consent

   Attached dwellings; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Dwelling houses; Exhibition homes; Group homes; Home industries; Hostels; Kiosks; Multi dwelling housing; Neighbourhood shops; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings; Seniors housing; Shop top housing; Any other development not specified in item 2 or 4
4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industries; Mortuaries; Public administration buildings; Recreation facilities (major); Research stations; Restricted premises; Rural industries; Rural workers’ dwellings; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone R2  Low Density Residential

1 Objectives of zone

• To provide for the housing needs of the community within a low density residential environment.

• To enable other land uses that provide facilities or services to meet the day to day needs of residents.

• To allow for educational, recreational, community and religious activities that support the wellbeing of the community.

• To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Dual occupancies; Dwelling houses; Group homes; Home industries; Medical centres; Places of public worship; Roads; Seniors housing; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Information and education facilities; Mortuaries; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies
Zone R3  Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To encourage redevelopment of land for medium density housing in locations close to main activity centres within the Camden local government area.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.

2 Permitted without consent

Home occupations

3 Permitted with consent

Attached dwellings; Backpackers’ accommodation; Bed and breakfast accommodation; Boarding houses; Child care centres; Community facilities; Group homes; Home industries; Multi dwelling housing; Neighbourhood shops; Places of public worship; Respite day care centres; Roads; Seniors housing; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industries; Information and education facilities; Mortuaries; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers’ dwellings; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone R5  Large Lot Residential

1 Objectives of zone

- To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
- To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future.
- To ensure that development in the area does not unreasonably increase the demand for public
services or public facilities.

- To minimise conflict between land uses within this zone and land uses within adjoining zones.

2 Permitted without consent

Extensive agriculture; Home occupations

3 Permitted with consent

Bed and breakfast accommodation; Boarding houses; Dual occupancies (attached); Dwelling houses; Home industries; Roads; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Exhibition homes; Extractive industries; Freight transport facilities; Function centres; Heavy industrial storage establishments; Home occupations (sex services); Industries; Information and education facilities; Mortuaries; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Wharf or boating facilities; Wholesale supplies

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

- To encourage mixed use developments to present an active frontage to the street by locating business, retail and community uses at ground level.

- To minimise conflict between land uses within the zone and land uses within adjoining zones.

- To enable other land uses that are complementary to and do not detract from the viability of retail, business and community uses within the zone.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Business premises; Child care centres; Community facilities; Garden centres; Medical centres; Neighbourhood shops; Respite day care centres; Restaurants or cafes; Roads; Shop top housing; Shops; Take away food and drink premises; Any other development not specified in item 2 or 4
4 Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition facilities; Exhibition homes; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Mortuaries; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Retail premises; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Zone B2 Local Centre

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To ensure that mixed use developments present an active frontage to the street by locating business, retail and community uses at ground level.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.

2 Permitted without consent

Nil

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Mortuaries;
Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Zone B4  Mixed Use

1 Objectives of zone

• To provide a mixture of compatible land uses.

• To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

• To minimise conflict between land uses within the zone and land uses within adjoining zones.

• To encourage development that supports or complements the primary office and retail functions of the local centre zone.

2 Permitted without consent

Nil

3 Permitted with consent

Backpackers’ accommodation; Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Medical centres; Multi dwelling housing; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Serviced apartments; Shop top housing; Stock and sale yards; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Mortuaries; Recreation areas; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Zone B5  Business Development

1 Objectives of zone

• To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.

• To encourage development that supports or complements the primary office and retail functions of
the local centre zone.

- To enable other land uses that are complementary to and do not detract from the viability of retail, business and warehouse uses within the zone.

2 Permitted without consent

Nil

3 Permitted with consent

Bulky goods premises; Child care centres; Garden centres; Hardware and building supplies; Landscaping material supplies; Light industries; Passenger transport facilities; Respite day care centres; Roads; Self-storage units; Stock and sale yards; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cellar door premises; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Industries; Mortuaries; Recreation areas; Recreation facilities (major); Research stations; Residential accommodation; Roadside stalls; Rural industries; Sewerage systems; Sex services premises; Storage premises; Transport depots; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities

Zone IN1  General Industrial

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To enable non-industrial land uses that are compatible with and do not detract from the surrounding industrial and warehouse land uses.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; General industries; Helipads; Heliports; Industrial training
facilities; Light industries; Neighbourhood shops; Roads; Sawmill or log processing works; Take away food and drink premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Entertainment facilities; Extractive industries; Forestry; Function centres; Hazardous storage establishments; Health services facilities; Industries; Information and education facilities; Mortuaries; Offensive storage establishments; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities; Wholesale supplies

Zone IN2  Light Industrial

1 Objectives of zone

• To provide a wide range of light industrial, warehouse and related land uses.

• To encourage employment opportunities and to support the viability of centres.

• To minimise any adverse effect of industry on other land uses.

• To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.

• To support and protect industrial land for industrial uses.

• To enable non-industrial land uses that are compatible with and do not detract from the surrounding industrial and warehouse land uses.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Helipads; Heliports; Industrial training facilities; Light industries; Neighbourhood shops; Roads; Sawmill or log processing works; Take away food and drink premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4

4 Prohibited

Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Eco-tourist facilities; Educational establishments; Electricity generating works; Entertainment facilities; Extractive industries; Forestry; Function centres; Hazardous storage establishments; Health services facilities; Industries; Information and education facilities; Mortuaries; Offensive storage establishments; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations;
Zone SP1  Special Activities

1 Objectives of zone

• To provide for special land uses that are not provided for in other zones.

• To provide for sites with special natural characteristics that are not provided for in other zones.

• To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.

2 Permitted without consent

Extensive agriculture

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Community facilities; Recreation areas

4 Prohibited

Any development not specified in item 2 or 3

Zone SP2  Infrastructure

1 Objectives of zone

• To provide for infrastructure and related uses.

• To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Nil

3 Permitted with consent

The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose; Community facilities; Environmental protection works; Flood mitigation works; Recreation areas; Roads

4 Prohibited

Any development not specified in item 2 or 3

Zone RE1  Public Recreation

1 Objectives of zone

• To enable land to be used for public open space or recreational purposes.
• To provide a range of recreational settings and activities and compatible land uses.
• To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent
Nil

3 Permitted with consent
Boat launching ramps; Camping grounds; Caravan parks; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Forestry; Jetties; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Roads; Signage; Water recycling facilities; Water supply systems

4 Prohibited
Any development not specified in item 2 or 3

Zone RE2 Private Recreation

1 Objectives of zone
• To enable land to be used for private open space or recreational purposes.
• To provide a range of recreational settings and activities and compatible land uses.
• To protect and enhance the natural environment for recreational purposes.

2 Permitted without consent
Nil

3 Permitted with consent
Camping grounds; Caravan parks; Community facilities; Environmental facilities; Environmental protection works; Flood mitigation works; Function centres; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Roads; Signage; Water recycling facilities; Water supply systems

4 Prohibited
Any development not specified in item 2 or 3

Zone E1 National Parks and Nature Reserves

1 Objectives of zone
• To enable the management and appropriate use of land that is reserved under the National Parks and Wildlife Act 1974 or that is acquired under Part 11 of that Act.
• To enable uses authorised under the National Parks and Wildlife Act 1974.
• To identify land that is to be reserved under the National Parks and Wildlife Act 1974 and to protect the environmental significance of that land.
2 **Permitted without consent**

Uses authorised under the *National Parks and Wildlife Act 1974*

3 **Permitted with consent**

Nil

4 **Prohibited**

Any development not specified in item 2 or 3

**Zone E2  Environmental Conservation**

1 **Objectives of zone**

• To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.

• To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

• To protect and enhance the ecology, hydrology and scenic views of waterways, riparian land, groundwater resources and dependent ecosystems.

2 **Permitted without consent**

Nil

3 **Permitted with consent**

Environmental protection works; Flood mitigation works; Recreation areas; Roads; Water reticulation systems

4 **Prohibited**

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

**Zone E4  Environmental Living**

1 **Objectives of zone**

• To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.

• To ensure that residential development does not have an adverse effect on those values.

2 **Permitted without consent**

Home occupations

3 **Permitted with consent**

Dwelling houses; Environmental facilities; Environmental protection works; Flood mitigation works;
Home industries; Recreation areas; Roads; Sewerage systems; Water recycling facilities; Water supply systems

4 Prohibited

Industries; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

Part 3 Exempt and complying development

3.1 Exempt development

Note. Under section 76 of the Act, exempt development may be carried out without the need for development consent under Part 4 of the Act or for assessment under Part 5 of the Act.

The section states that exempt development:

(a) must be of minimal environmental impact, and

(b) cannot be carried out in critical habitat of an endangered species, population or ecological community (identified under the Threatened Species Conservation Act 1995 or the Fisheries Management Act 1994), and

(c) cannot be carried out in a wilderness area (identified under the Wilderness Act 1987).

(1) The objective of this clause is to identify development of minimal environmental impact as exempt development.

(2) Development specified in Schedule 2 that meets the standards for the development contained in that Schedule and that complies with the requirements of this Part is exempt development.

(3) To be exempt development, the development:

(a) must meet the relevant deemed-to-satisfy provisions of the Building Code of Australia or, if there are no such relevant provisions, must be structurally adequate, and

(b) must not, if it relates to an existing building, cause the building to contravene the Building Code of Australia, and

(c) must not be designated development, and

(d) must not be carried out on land that comprises, or on which there is, an item that is listed on the State Heritage Register under the Heritage Act 1977 or that is subject to an interim heritage order under the Heritage Act 1977.

(4) Development that relates to an existing building that is classified under the Building Code of Australia as class 1b or class 2–9 is exempt development only if:

(a) the building has a current fire safety certificate or fire safety statement, or

(b) no fire safety measures are currently implemented, required or proposed for the building.

(5) To be exempt development, the development must:

(a) be installed in accordance with the manufacturer’s specifications, if applicable, and

(b) not involve the removal or pruning of a tree or other vegetation that requires a permit or
development consent for removal or pruning, unless that removal or pruning is undertaken in accordance with a permit or development consent.

**Note.** A permit for the removal or pruning of a tree or other vegetation may be granted under this Plan. A development consent for the removal of native vegetation may be granted where relevant under the *Native Vegetation Act 2003*.

(6) A heading to an item in Schedule 2 is part of that Schedule.

### 3.2 Complying development

**Note.** Under section 76A of the Act, development consent for the carrying out of complying development may be obtained by the issue of a complying development certificate.

The section states that development cannot be complying development if:

- (a) it is on land that is critical habitat of an endangered species, population or ecological community (identified under the *Threatened Species Conservation Act 1995* or the *Fisheries Management Act 1994*), or
- (b) it is on land within a wilderness area (identified under the *Wilderness Act 1987*), or
- (c) the development is designated development, or
- (d) the development is on land that comprises, or on which there is, an item of environmental heritage (that is listed on the State Heritage Register or in Schedule 5 to this Plan or that is subject to an interim heritage order under the *Heritage Act 1977*), or
- (e) the development requires concurrence (except a concurrence of the Director-General of the Department of Environment, Climate Change and Water in respect of development that is likely to significantly affect a threatened species, population, or ecological community, or its habitat (identified under the *Threatened Species Conservation Act 1995*)), or
- (f) the development is on land identified as an environmentally sensitive area.

(1) The objective of this clause is to identify development as complying development.

(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:

- (a) the development standards specified in relation to that development, and
- (b) the requirements of this Part,

is complying development.

**Note.** See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.

(3) To be complying development, the development must:

- (a) be permissible, with development consent, in the zone in which it is carried out, and
- (b) meet the relevant deemed-to-satisfy provisions of the *Building Code of Australia*, and
- (c) have an approval, if required by the *Local Government Act 1993*, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.

(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.
(5) A heading to an item in Schedule 3 is part of that Schedule.

### 3.3 Environmentally sensitive areas excluded

(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.

(2) For the purposes of this clause:

*environmentally sensitive area for exempt or complying development* means any of the following:

(a) the coastal waters of the State,

(b) a coastal lake,

(c) land to which *State Environmental Planning Policy No 14—Coastal Wetlands* or *State Environmental Planning Policy No 26—Littoral Rainforests* applies,

(d) land reserved as an aquatic reserve under the *Fisheries Management Act 1994* or as a marine park under the *Marine Parks Act 1997*,

(e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World Heritage Convention,

(f) land within 100 metres of land to which paragraph (c), (d) or (e) applies,

(g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance,

(h) land reserved under the *National Parks and Wildlife Act 1974* or land acquired under Part 11 of that Act,

(i) land reserved or dedicated under the *Crown Lands Act 1989* for the preservation of flora, fauna, geological formations or for other environmental protection purposes,

(j) land identified as being critical habitat under the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994*.

### Part 4 Principal development standards

### 4.1 Minimum subdivision lot size

(1) The objectives of this clause are as follows:

(a) to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,

(b) to ensure that lot sizes and dimensions are able to accommodate development consistent with relevant development controls,

(c) to ensure that lot sizes and dimensions allow dwellings to be sited to protect natural or cultural features, including heritage items, and retain special features such as trees and views,
(d) to provide for a range of residential lot sizes and types,

(e) to ensure that the density of development is consistent with the existing and proposed future road and utility infrastructure in the locality.

(2) This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.

(3) The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.

(4) This clause does not apply in relation to the subdivision of individual lots in a strata plan or community title scheme.

4.1AA Minimum subdivision lot size for community title schemes

[Not adopted]

4.1A Exceptions to minimum lot sizes for certain residential development use

(1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.

(2) This clause applies to land in Area 2 at Elderslie and Area 3 at Spring Farm, as shown edged heavy blue on the Lot Size Map.

(3) Despite clause 4.1, development consent may be granted to the subdivision of a lot on land to which this clause applies on which development for any of the following purposes is proposed to be carried out if the area of each resulting lot is equal to or greater than the area specified for that purpose:

   (a) attached dwelling—180 square metres,

   (b) (Repealed)

   (c) semi-detached dwelling on land in Area 2 at Elderslie or Area 3 at Spring Farm—200 square metres.

4.1B Exception to minimum lot sizes for certain land at Lakeside Urban Release Area

(1) This clause applies to land in Zone E2 Environmental Conservation and Zone RE2 Private Recreation in the urban release area shown as “Lakeside” on the Urban Release Area Map.

(2) Clause 4.1 does not apply in relation to the subdivision of any land to which this clause applies.

(3) Development consent must not be granted for the subdivision of land to which this clause applies unless the Council is satisfied that the proposed subdivision facilitates the development of land in Zone R1 General Residential in the urban release area shown as “Lakeside” on the Urban Release Area Map.

4.2 Rural subdivision

(1) The objective of this clause is to provide flexibility in the application of standards for subdivision in rural zones to allow land owners a greater chance to achieve the objectives for
development in the relevant zone.

(2) This clause applies to the following rural zones:

(a) Zone RU1 Primary Production,
(b) Zone RU2 Rural Landscape,
(c) Zone RU4 Primary Production Small Lots,
(d) Zone RU6 Transition.

**Note.** When this Plan was made it did not include Zone RU6 Transition.

(3) Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

(4) However, such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

(5) A dwelling cannot be erected on such a lot.

**Note.** A dwelling includes a rural worker’s dwelling (see definition of that term in the Dictionary).

### 4.2A Erection of dwelling houses on land in certain rural and environmental protection zones

(1) The objectives of this clause are as follows:

(a) to minimise unplanned rural residential development,
(b) to enable the replacement of lawfully erected dwelling houses in rural and environmental protection zones.

(2) This clause applies to land in the following zones:

(a) Zone RU1 Primary Production,
(b) Zone RU2 Rural Landscape,
(c) Zone RU4 Primary Production Small Lots,
(d) Zone E4 Environmental Living.

(3) Development consent must not be granted for the erection of a dwelling house on a lot in a zone to which this clause applies, and on which no dwelling house has been erected, unless the lot is:

(a) a lot that is at least the minimum lot size specified for that lot by the Lot Size Map, or
(b) a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or
(c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that
commencement.

**Note.** A dwelling cannot be erected on a lot created under clause 9 of *State Environmental Planning Policy (Rural Lands) 2008* or clause 4.2.

(4) Despite any other provision of this clause, development consent may be granted for the erection of a dwelling house on land in a zone to which this clause applies if:

(a) there is a lawfully erected dwelling house on the land and the dwelling house to be erected is intended only to replace the existing dwelling house, or

(b) the land would have been a lot referred to in subclause (2) had it not been affected by:

   (i) a minor realignment of its boundaries that did not create an additional lot, or

   (ii) a subdivision creating or widening a public road or public reserve or for another public purpose.

4.3 **Height of buildings**

(1) The objectives of this clause are as follows:

(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development,

(c) to minimise the adverse impact of development on heritage conservation areas and heritage items.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the *Height of Buildings Map*.

4.3A **Height of residential flat buildings on certain land at Narellan**

(1) Despite clause 4.3, development consent may be granted to a building having a height of up to 15.5 metres on land marked “Area 1” on the *Height of Buildings Map* if:

(a) all the land in Area 1 has been amalgamated into a single lot, and

(b) the lot is proposed to be developed for the purposes of residential flat buildings.

(2) Despite clause 4.3, development consent may be granted to a building having a height of up to 12.5 metres on land shown edged heavy blue and marked “Area 2” on the *Height of Buildings Map* if:

(a) all the land in Area 2 has been amalgamated into a single lot, and

(b) the lot is proposed to be developed for the purposes of residential flat buildings.

4.3B **Height of buildings exhibiting design excellence at certain sites at Narellan and Spring Farm**

(1) Despite clause 4.3, development consent may be granted to a building having a height of up to
12.5 metres on land at Narellan that is shown edged heavy red on the Height of Buildings Map if the consent authority is satisfied that:

(a) the building exhibits design excellence, and

(b) the floor space ratio of all buildings on the site is not greater than 1.5:1.

(2) Despite clause 4.3, development consent may be granted to a building having a height of up to 12.5 metres on land at Spring Farm that is shown edged heavy red on the Height of Buildings Map if the consent authority is satisfied that the building exhibits design excellence.

(3) In considering whether a building exhibits design excellence, the consent authority must have regard to the following matters:

(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,

(b) whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain,

(c) whether the proposed development detrimentally impacts on view corridors.

### 4.3C Height of buildings at former Anglican School site at Narellan

(1) This clause applies to the former Anglican school site at Narellan, as shown edged heavy green on the Height of Buildings Map, being Part Lot 2, DP 1121907, Richardson Road Narellan.

(2) Despite clause 4.3, development consent may be granted to a building having a height of up to 12.5 metres on the land to which this clause applies if the consent authority is satisfied that the building has regard for the slope of the site and is designed to minimise its bulk and scale.

### 4.4 Floor space ratio

(1) The objectives of this clause are as follows:

(a) to ensure that buildings are compatible with the bulk and scale of the existing and desired future character of the locality,

(b) to minimise the adverse impact of development on heritage conservation areas and heritage items.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

### 4.5 Calculation of floor space ratio and site area

(1) **Objectives** The objectives of this clause are as follows:

(a) to define *floor space ratio*,

(b) to set out rules for the calculation of the site area of development for the purpose of applying permitted floor space ratios, including rules to:

(i) prevent the inclusion in the site area of an area that has no significant development being carried out on it, and
(ii) prevent the inclusion in the site area of an area that has already been included as part of a site area to maximise floor space area in another building, and

(iii) require community land and public places to be dealt with separately.

(2) **Definition of “floor space ratio”** The floor space ratio of buildings on a site is the ratio of the gross floor area of all buildings within the site to the site area.

(3) **Site area** In determining the site area of proposed development for the purpose of applying a floor space ratio, the site area is taken to be:

(a) if the proposed development is to be carried out on only one lot, the area of that lot, or

(b) if the proposed development is to be carried out on 2 or more lots, the area of any lot on which the development is proposed to be carried out that has at least one common boundary with another lot on which the development is being carried out.

In addition, subclauses (4)–(7) apply to the calculation of site area for the purposes of applying a floor space ratio to proposed development.

(4) **Exclusions from site area** The following land must be excluded from the site area:

(a) land on which the proposed development is prohibited, whether under this Plan or any other law,

(b) community land or a public place (except as provided by subclause (7)).

(5) **Strata subdivisions** The area of a lot that is wholly or partly on top of another or others in a strata subdivision is to be included in the calculation of the site area only to the extent that it does not overlap with another lot already included in the site area calculation.

(6) **Only significant development to be included** The site area for proposed development must not include a lot additional to a lot or lots on which the development is being carried out unless the proposed development includes significant development on that additional lot.

(7) **Certain public land to be separately considered** For the purpose of applying a floor space ratio to any proposed development on, above or below community land or a public place, the site area must only include an area that is on, above or below that community land or public place, and is occupied or physically affected by the proposed development, and may not include any other area on which the proposed development is to be carried out.

(8) **Existing buildings** The gross floor area of any existing or proposed buildings within the vertical projection (above or below ground) of the boundaries of a site is to be included in the calculation of the total floor space for the purposes of applying a floor space ratio, whether or not the proposed development relates to all of the buildings.

(9) **Covenants to prevent “double dipping”** When development consent is granted to development on a site comprised of 2 or more lots, a condition of the consent may require a covenant to be registered that prevents the creation of floor area on a lot (the restricted lot) if the consent authority is satisfied that an equivalent quantity of floor area will be created on another lot only because the site included the restricted lot.

(10) **Covenants affect consolidated sites** If:
(a) a covenant of the kind referred to in subclause (9) applies to any land (*affected land*), and

(b) proposed development relates to the affected land and other land that together comprise the site of the proposed development,

the maximum amount of floor area allowed on the other land by the floor space ratio fixed for the site by this Plan is reduced by the quantity of floor space area the covenant prevents being created on the affected land.

(11) **Definition** In this clause, *public place* has the same meaning as it has in the *Local Government Act 1993*.

### 4.6 Exceptions to development standards

(1) The objectives of this clause are as follows:

(a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,

(b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and

(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

(4) Development consent must not be granted for development that contravenes a development standard unless:

(a) the consent authority is satisfied that:

   (i) the applicant’s written request has adequately addressed the matters required to be demonstrated by subclause (3), and

   (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and

(b) the concurrence of the Director-General has been obtained.

(5) In deciding whether to grant concurrence, the Director-General must consider:

(a) whether contravention of the development standard raises any matter of significance for
State or regional environmental planning, and

(b) the public benefit of maintaining the development standard, and

(c) any other matters required to be taken into consideration by the Director-General before granting concurrence.

(6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:

(a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or

(b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include Zone RU3 Forestry, Zone RU6 Transition or Zone E3 Environmental Management.

(7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant’s written request referred to in subclause (3).

(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

(a) a development standard for complying development,

(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,

(c) clause 5.4,

(ca) clauses 6.1, 6.2 and 6.3.

Part 5 Miscellaneous provisions

5.1 Relevant acquisition authority

(1) The objective of this clause is to identify, for the purposes of section 27 of the Act, the authority of the State that will be the relevant authority to acquire land reserved for certain public purposes if the land is required to be acquired under Division 3 of Part 2 of the Land Acquisition (Just Terms Compensation) Act 1991 (the owner-initiated acquisition provisions).

Note. If the landholder will suffer hardship if there is any delay in the land being acquired by the relevant authority, section 23 of the Land Acquisition (Just Terms Compensation) Act 1991 requires the authority to acquire the land.

(2) The authority of the State that will be the relevant authority to acquire land, if the land is
required to be acquired under the owner-initiated acquisition provisions, is the authority of the State specified below in relation to the land shown on the Land Reservation Acquisition Map (or, if an authority of the State is not specified in relation to land required to be so acquired, the authority designated or determined under those provisions).

<table>
<thead>
<tr>
<th>Type of land shown on Map</th>
<th>Authority of the State</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone RE1 Public Recreation and marked “Local open space”</td>
<td>Council</td>
</tr>
<tr>
<td>Zone RE1 Public Recreation and marked “Regional open space”</td>
<td>The corporation constituted under section 8 of the Act</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure and marked “Classified road”</td>
<td>Roads and Maritime Services</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure and marked “Local Road Future Classified road”</td>
<td>Council</td>
</tr>
<tr>
<td>Zone SP2 Infrastructure and marked “Future Classified road widening”</td>
<td>Roads and Traffic Authority</td>
</tr>
<tr>
<td>Zone E1 National Parks and Nature Reserves and marked “National Park”</td>
<td>Minister administering the National Parks and Wildlife Act 1974</td>
</tr>
</tbody>
</table>

**Note.** If land, other than land specified in the Table to subclause (2), is required to be acquired under the owner-initiated acquisition provisions, the Minister for Planning is required to take action to enable the designation of the acquiring authority under this clause. Pending the designation of the acquiring authority for that land, the acquiring authority is to be the authority determined by order of the Minister for Planning (see section 21 of the Land Acquisition (Just Terms Compensation) Act 1991).

(3) Development on land acquired by an authority of the State under the owner-initiated acquisition provisions may, before it is used for the purpose for which it is reserved, be carried out, with development consent, for any purpose.

### 5.2 Classification and reclassification of public land

(1) The objective of this clause is to enable the Council to classify or reclassify public land as “operational land” or “community land” in accordance with Part 2 of Chapter 6 of the Local Government Act 1993.

**Note.** Under the Local Government Act 1993, “public land” is generally land vested in or under the control of a council (other than roads, Crown reserves and commons). The classification or reclassification of public land may also be made by a resolution of the Council under section 31, 32 or 33 of the Local Government Act 1993. Section 30 of that Act enables this Plan to discharge trusts on which public reserves are held if the land is reclassified under this Plan as operational land.

(2) The public land described in Part 1 or Part 2 of Schedule 4 is classified, or reclassified, as operational land for the purposes of the Local Government Act 1993.

(3) The public land described in Part 3 of Schedule 4 is classified, or reclassified, as community land for the purposes of the Local Government Act 1993.

(4) The public land described in Part 1 of Schedule 4:

   (a) does not cease to be a public reserve to the extent (if any) that it is a public reserve, and
(b) continues to be affected by any trusts, estates, interests, dedications, conditions, restrictions
or covenants that affected the land before its classification, or reclassification, as
operational land.

(5) The public land described in Part 2 of Schedule 4, to the extent (if any) that it is a public reserve,
ceases to be a public reserve when the description of the land is inserted into that Part and is
discharged from all trusts, estates, interests, dedications, conditions, restrictions and covenants
affecting the land or any part of the land, except:

(a) those (if any) specified for the land in Column 3 of Part 2 of Schedule 4, and

(b) any reservations that except land out of the Crown grant relating to the land, and

(c) reservations of minerals (within the meaning of the Crown Lands Act 1989).

Note. In accordance with section 30 (2) of the Local Government Act 1993, the approval of the Governor
to subclause (5) applying to the public land concerned is required before the description of the land is inserted in
Part 2 of Schedule 4.

5.3 Development near zone boundaries

(1) The objective of this clause is to provide flexibility where the investigation of a site and its
surroundings reveals that a use allowed on the other side of a zone boundary would enable a
more logical and appropriate development of the site and be compatible with the planning
objectives and land uses for the adjoining zone.

(2) This clause applies to so much of any land that is within the relevant distance of a boundary
between any 2 zones. The relevant distance is 50 metres.

(3) This clause does not apply to:

(a) land in Zone RE1 Public Recreation, Zone E1 National Parks and Nature Reserves, Zone E2
Environmental Conservation, Zone E3 Environmental Management or Zone W1 Natural
Waterways, or

(b) land within the coastal zone, or

(c) land proposed to be developed for the purpose of sex services or restricted premises.

Note. When this Plan was made it did not include Zone E3 Environmental Management or Zone W1 Natural
Waterways.

(4) Despite the provisions of this Plan relating to the purposes for which development may be
carried out, development consent may be granted to development of land to which this clause
applies for any purpose that may be carried out in the adjoining zone, but only if the consent
authority is satisfied that:

(a) the development is not inconsistent with the objectives for development in both zones, and

(b) the carrying out of the development is desirable due to compatible land use planning,
infrastructure capacity and other planning principles relating to the efficient and timely
development of land.

(5) This clause does not prescribe a development standard that may be varied under this Plan.
5.4 Controls relating to miscellaneous permissible uses

(1) **Bed and breakfast accommodation** If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

   **Note.** Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the *Building Code of Australia*.

(2) **Home businesses** If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.

(3) **Home industries** If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.

(4) **Industrial retail outlets** If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed:

   (a) 67% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or

   (b) 400 square metres,

   whichever is the lesser.

(5) **Farm stay accommodation** If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 3 bedrooms.

(6) **Kiosks** If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 50 square metres.

(7) **Neighbourhood shops** If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.

(8) **Roadside stalls** If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 20 square metres.

(9) **Secondary dwellings** If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater:

   (a) 60 square metres,

   (b) 25% of the total floor area of the principal dwelling.

5.5 Development within the coastal zone

[Not applicable]
5.6 Architectural roof features

1. The objectives of this clause are as follows:
   a. to provide flexibility in building height limits where architectural roof features result in minor encroachments.

2. Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.

3. Development consent must not be granted to any such development unless the consent authority is satisfied that:
   a. the architectural roof feature:
      i. comprises a decorative element on the uppermost portion of a building, and
      ii. is not an advertising structure, and
      iii. does not include floor space area and is not reasonably capable of modification to include floor space area, and
      iv. will cause minimal overshadowing, and
   b. any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

5.7 Development below mean high water mark

[Not applicable]

5.8 Conversion of fire alarms

1. This clause applies to a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider.

2. The following development may be carried out, but only with development consent:
   a. converting a fire alarm system from connection with the alarm monitoring system of Fire and Rescue NSW to connection with the alarm monitoring system of a private service provider,
   b. converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with the alarm monitoring system of another private service provider,
   c. converting a fire alarm system from connection with the alarm monitoring system of a private service provider to connection with a different alarm monitoring system of the same private service provider.

3. Development to which subclause (2) applies is complying development if it consists only of:
   a. internal alterations to a building, or
(b) internal alterations to a building together with the mounting of an antenna, and any support structure, on an external wall or roof of a building so as to occupy a space of not more than 450mm × 100mm × 100mm.

(4) A complying development certificate for any such complying development is subject to a condition that any building work may only be carried out between 7.00 am and 6.00 pm on Monday to Friday and between 7.00 am and 5.00 pm on Saturday, and must not be carried out on a Sunday or a public holiday.

(5) In this clause:

private service provider means a person or body that has entered into an agreement that is in force with Fire and Rescue NSW to monitor fire alarm systems.

5.9 Preservation of trees or vegetation

(1) The objective of this clause is to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation.

(2) This clause applies to species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council.

Note. A development control plan may prescribe the trees or other vegetation to which this clause applies by reference to species, size, location or other manner.

(3) A person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any tree or other vegetation to which any such development control plan applies without the authority conferred by:

(a) development consent, or

(b) a permit granted by the Council.

(4) The refusal by the Council to grant a permit to a person who has duly applied for the grant of the permit is taken for the purposes of the Act to be a refusal by the Council to grant consent for the carrying out of the activity for which a permit was sought.

(5) This clause does not apply to a tree or other vegetation that the Council is satisfied is dying or dead and is not required as the habitat of native fauna.

(6) This clause does not apply to a tree or other vegetation that the Council is satisfied is a risk to human life or property.

(7) A permit under this clause cannot allow any ringbarking, cutting down, topping, lopping, removal, injuring or destruction of a tree or other vegetation:

(a) that is or forms part of a heritage item or that is within a heritage conservation area, or

(b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,

unless the Council is satisfied that the proposed activity:

(c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object,
Aboriginal place of heritage significance or heritage conservation area, and

(d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

Note. As a consequence of this subclause, the activities concerned will require development consent. The heritage provisions of clause 5.10 will be applicable to any such consent.

(8) This clause does not apply to or in respect of:

(a) the clearing of native vegetation:

(i) that is authorised by a development consent or property vegetation plan under the Native Vegetation Act 2003, or

(ii) that is otherwise permitted under Division 2 or 3 of Part 3 of that Act, or

(b) the clearing of vegetation on State protected land (within the meaning of clause 4 of Schedule 3 to the Native Vegetation Act 2003) that is authorised by a development consent under the provisions of the Native Vegetation Conservation Act 1997 as continued in force by that clause, or

(c) trees or other vegetation within a State forest, or land reserved from sale as a timber or forest reserve under the Forestry Act 1916, or

(d) action required or authorised to be done by or under the Electricity Supply Act 1995, the Roads Act 1993 or the Surveying and Spatial Information Act 2002, or

(e) plants declared to be noxious weeds under the Noxious Weeds Act 1993.

Note. Permissibility may be a matter that is determined by or under any of these Acts.

(9) [Not adopted]

5.9AA Trees or vegetation not prescribed by development control plan

(1) This clause applies to any tree or other vegetation that is not of a species or kind prescribed for the purposes of clause 5.9 by a development control plan made by the Council.

(2) The ringbarking, cutting down, topping, lopping, removal, injuring or destruction of any tree or other vegetation to which this clause applies is permitted without development consent.

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the Heritage Map as well as being described in Schedule 5.

(1) Objectives The objectives of this clause are as follows:

(a) to conserve the environmental heritage of Camden,

(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,

(c) to conserve archaeological sites,
(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) **Requirement for consent** Development consent is required for any of the following:

(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):

   (i) a heritage item,

   (ii) an Aboriginal object,

   (iii) a building, work, relic or tree within a heritage conservation area,

(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,

(c) disturbing or excavating 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,

(d) disturbing or excavating an Aboriginal place of heritage significance,

(e) erecting a building on land:

   (i) on which a heritage item is located or that is within a heritage conservation area, or

   (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,

(f) subdividing land:

   (i) on which a heritage item is located or that is within a heritage conservation area, or

   (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) **When consent not required** However, development consent under this clause is not required if:

(a) the applicant has notified the consent authority 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:

   (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and

   (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or

(b) the development is in a cemetery or burial ground and the proposed development:

   (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or

(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or

(d) the development is exempt development.

(4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) **Heritage assessment** The consent authority may, before granting consent to any development:

(a) on land on which a heritage item is located, or

(b) on land that is within a heritage conservation area, or

(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),

require a heritage management document to be prepared that assesses 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.

(6) **Heritage conservation management plans** The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) **Archaeological sites** The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the *Heritage Act 1977* applies):

(a) notify the Heritage Council of its intention to grant consent, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) **Aboriginal places of heritage significance** The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and

(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.
(9) **Demolition of nominated State heritage items** The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

(a) notify the Heritage Council about the application, and

(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) **Conservation incentives** The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and

(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and

(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and

(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and

(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

5.11 **Bush fire hazard reduction**

Bush fire hazard reduction work authorised by the *Rural Fires Act 1997* may be carried out on any land without development consent.

**Note.** The *Rural Fires Act 1997* also makes provision relating to the carrying out of development on bush fire prone land.

5.12 **Infrastructure development and use of existing buildings of the Crown**

(1) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent, or that is exempt development, under *State Environmental Planning Policy (Infrastructure) 2007*.

(2) This Plan does not restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

5.13 **Eco-tourist facilities**

[Not adopted]
Part 6 Urban release areas

6.1 Arrangements for designated State public infrastructure

(1) The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes.

(2) Development consent must not be granted for the subdivision of land in an urban release area:

(a) if the subdivision would create a lot smaller than the minimum lot size permitted on the land immediately before the land became, or became part of, an urban release area, or

(b) in the case of land in Zone R1 General Residential in the urban release area shown as “Lakeside” on the Urban Release Area Map—if the subdivision would create a lot with an area of less than 40 hectares,

unless the Director-General has certified in writing to the consent authority that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that lot.

(3) Subclause (2) does not apply to:

(a) any lot identified in the certificate as a residue lot, or

(b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or

(c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or

(d) a subdivision for the purpose only of rectifying an encroachment on any existing lot, or

(e) any land in Zone RU1 Primary Production, SP2 Infrastructure, RE1 Public Recreation, RE2 Private Recreation, E1 National Parks and Nature Reserves, E2 Environmental Conservation or E4 Environmental Living.

(4) This clause does not apply to land in an urban release area if all or any part of the land is in a special contributions area (as defined by section 93C of the Act).

6.2 Public utility infrastructure

(1) Development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

(2) This clause does not apply to development for the purpose of providing, extending, augmenting, maintaining or repairing any public utility infrastructure.
6.3 Development control plan

(1) The objective of this clause is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan that includes specific controls has been prepared for the land.

(2) Development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land.

(3) The development control plan must provide for all of the following:

(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,

(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,

(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,

(d) a network of passive and active recreational areas,

(e) stormwater and water quality management controls,

(f) amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,

(g) detailed urban design controls for significant development sites,

(h) measures to encourage higher density living around transport, open space and service nodes,

(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses,

(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

(4) Subclause (2) does not apply to any of the following development:

(a) a subdivision for the purpose of a realignment of boundaries that does not create additional lots,

(b) a subdivision of land if any of the lots proposed to be created is to be reserved or dedicated for public open space, public roads or any other public or environmental protection purpose,

(c) a subdivision of land in a zone in which the erection of structures is prohibited,

(d) proposed development on land that is of a minor nature only, if the consent authority is of the opinion that the carrying out of the proposed development would be consistent with the
objectives of the zone in which the land is situated.

6.4 Relationship between Part and remainder of Plan

A provision of this Part prevails over any other provision of this Plan to the extent of any inconsistency.

6.5 Matters to be specifically considered for residential development at Spring Farm

(1) Before granting consent for the subdivision of the urban release area shown as “Spring Farm” on the Urban Release Area Map, the consent authority must consider whether:

(a) remnant vegetation and bush corridors will be protected, enhanced and managed, and

(b) adverse odour impacts from the Macarthur Resource Recovery Park will be mitigated.

(2) In this clause:

Macarthur Resource Recovery Park means the land shown as “Macarthur Resource Recovery Park” on the Urban Release Area Map.

Part 7 Additional local provisions

7.1 Flood planning

(1) The objectives of this clause are as follows:

(a) to minimise the flood risk to life and property associated with the use of land,

(b) to allow development on land that is compatible with the land’s flood hazard, taking into account projected changes as a result of climate change,

(c) to avoid significant adverse impacts on flood behaviour and the environment.

(2) This clause applies to land at or below the flood planning level.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

(a) is compatible with the flood hazard of the land, and

(b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and

(c) incorporates appropriate measures to manage risk to life from flood, and

(d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and

(e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

(4) A word or expression used in this clause has the same meaning as it has in the NSW Government’s Floodplain Development Manual published in 2005, unless it is otherwise defined
(5) In this clause:

*flood planning level* means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.6 metre freeboard.

### 7.2 Airspace operations

(1) Development consent must not be granted to development if the consent authority is satisfied that the proposed development will penetrate the Obstacle Limitation Surface as shown on the *Obstacle Limitation Surface Map*.

(2) Before granting development consent to development on land shown on the *Obstacle Limitation Surface Map* for which an obstacle limitation surface is identified the consent authority must give written notice of the proposed development to the relevant Commonwealth body and take into account any comments received from that body within 28 days after the notice is given.

(3) Before granting development consent to development on land shown on the *Procedures for Air Navigation Services—Aircraft Operations Map* for which a PANS-OPS surface is identified the consent authority must take into account whether the proposed development may compromise the effective and on-going operation of Camden Airport.

(4) In this clause:

*Obstacle Limitation Surface Map* means the *Obstacle Limitation Surface Map* for the Camden Airport prepared by the operators of Camden Airport and approved by the relevant Commonwealth body or relevant Commonwealth Minister.

*Procedures for Air Navigation Services—Aircraft Operations Map* means the *Procedures for Air Navigation Services—Aircraft Operations Map* for the Camden Airport prepared by the operators of Camden Airport and approved by the relevant Commonwealth body or relevant Commonwealth Minister.

*relevant Commonwealth body* means the body that is responsible for development decisions relating to the Camden Airport under Commonwealth legislation.

*relevant Commonwealth Minister* means the Minister responsible for development decisions relating to the Camden Airport under Commonwealth legislation.

### 7.3 Development in areas subject to airport noise

(1) The objectives of this clause are as follows:

(a) to prevent certain noise sensitive developments from being located near the Camden Airport and its flight paths,

(b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,

(c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impact on the ongoing, safe and efficient operation of that airport.
(2) The consent authority must not grant development consent for the purposes of caravan parks, child care centres, education establishments, hospitals or residential accommodation if the development will be in ANEF contour 25 or higher.

(3) Before granting consent to development for the following purposes on land in the vicinity of Camden Airport, the consent authority must consider whether the development will meet AS 2021—2000, *Acoustics—Aircraft noise intrusion—Building siting and construction* with respect to interior noise levels:

(a) if the development will be in ANEF contour 20 to 25—caravan parks, child care centres, educational establishments, hospitals and residential accommodation,

(b) if the development will be in ANEF contour 25 or higher—business premises, community facilities, light industry, places of public worship or retail premises.

(4) In this clause:

*ANEF contour* means a noise exposure contour shown as an ANEF contour on the Noise Exposure Forecast Contour Map for the Camden Airport prepared by the Department of the Commonwealth responsible for airports.

### 7.4 Earthworks

(1) The objectives of this clause are as follows:

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

(b) to allow earthworks of a minor nature without separate development consent.

(2) Development consent is required for earthworks unless:

(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or

(b) the work is ancillary to other development for which development consent has been given.

(3) Before granting development consent for earthworks, the consent authority must consider the following matters:

(a) the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,

(b) the effect of the proposed development on the likely future use or redevelopment of the land,

(c) the quality of the fill or the soil to be excavated, or both,

(d) the effect of the proposed development on the existing and likely amenity of adjoining properties,

(e) the source of any fill material and the destination of any excavated material,
(f) the likelihood of disturbing relics,

(g) the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.

Note. The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

7.5 Child care centres

(1) The objectives of this clause are as follows:

(a) to ensure that child care centres do not unreasonably impact on the amenity of adjoining residential development,

(b) to ensure that child care centres do not adversely affect traffic and pedestrian safety due to increased traffic congestion.

(2) Before granting development consent to the erection of a child care centre on land in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R5 Large Lot Residential the consent authority must consider whether the land:

(a) has an area of not less than 1,200 square metres, and

(b) has a boundary that adjoins an existing or proposed classified road.

7.6 Sex services premises

(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.

(2) Development consent must not be granted to development for the purposes of sex services premises if the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:

(a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or

(b) used for the purposes of a child care centre, a community facility, a school or a place of public worship.

(3) In deciding whether to grant consent to development for the purposes of sex services premises, the consent authority must consider the impact the proposed development would have on any place likely to be regularly frequented by children.

7.7 Restricted premises

(1) Development consent must not be granted to development for the purposes of restricted premises if the premises will be located on land that abuts, or is separated only by a road from land:

(a) in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone RE1 Public Recreation, or

(b) used for the purposes of a community facility, school or place of public worship.
In deciding whether to grant consent to development for the purposes of restricted premises, the consent authority must consider:

(a) the impact of the proposed development on places of high pedestrian activity, and

(b) the impact of the proposed development on land frequented by children for care, recreational or cultural purposes, and

(c) whether the appearance of the restricted premises is sufficiently discreet.

7.8 Road widening of Camden Valley Way, Catherine Field (Camden Lakeside)

(1) This clause applies to the following land in Part Lot 1, DP 816841:

(a) land within 16 metres of the boundary of Lot 3, DP 746767,

(b) land within 255 metres of the boundary of Lot 3, DP 746767, that is also within 31 metres from the boundary of Raby Road.

(2) Before granting consent to the carrying out of development on land to which this clause applies, the consent authority must:

(a) notify the Roads and Traffic Authority of its intention to grant consent, and

(b) take into consideration any response received from the Roads and Traffic Authority within 28 days after the notice is sent.

Schedule 1 Additional permitted uses

1 Use of certain land at Bringelly

(1) This clause applies to land at Bringelly, as shown edged heavy blue on sheets 015 and 016 of the Additional Permitted Uses Map.

(2) Development for the purposes of dual occupancies (detached) is permitted with development consent if:

(a) the development is on a lot that has an area of not less than 2 hectares, and

(b) no more than 2 dwellings will be situated on the lot, and

(c) the consent authority is satisfied that adequate provision has been made for on-site sewage disposal.

(3) For the purposes of subclause (2) (a), if the area of a lot has been reduced because of compulsory acquisition for the purposes of road widening, the area of the lot is taken to include the area of that part of the lot that was compulsorily acquired.

2 Use of certain land at Broughton Street, Camden

(1) This clause applies to land at Broughton Street, Camden, being Lot 1, DP 935306, Lot 2, DP 569255, Lot B, DP 346394, Lot C, DP 961800, Lot B, DP 376402, Lot 2, DP 303944, Lot B, DP 384639, Lot B, DP 330181, Lot 2, DP 788313, Lot C, DP 927740, Lot 102, DP 612207, Lots 3
and 4, DP 369966, Lot B, DP 373128, Lot 4, DP 712968, Lots 20 and 21, DP 846959 and Lots 1 and 2, DP 554494.

(2) Development for the purposes of information and education facilities, light industries (but limited to light industries that produce arts and crafts), restaurants and retail premises (but limited to retail premises that sell arts and crafts) is permitted with development consent.

3 Use of certain land at Camden Lakeside

(1) This clause applies to land zoned RE2 Private Recreation at Camden Lakeside, as shown edged heavy blue on sheet 016 of the Additional Permitted Uses Map.

(2) Development for the purposes of a sewage treatment plant is permitted with development consent if the sewage treatment plant is only to be used in conjunction with development at Camden Lakeside.

4 Use of certain land at Camden Valley Way, Catherine Field

(1) This clause applies to land at Camden Valley Way, Catherine Field, being Lots 1 and 2, DP 746767 (the Lakeside Golf Course).

(2) Development for the purposes of hotel or motel accommodation (limited to a hotel) is permitted with development consent.

5 Use of certain land at 46 Camden Valley Way, Elderslie

(1) This clause applies to land at 46 Camden Valley Way, Elderslie, being Lot 101, DP 786856.

(2) Development for the purposes of information and education facilities is permitted with development consent.

6 Use of certain land at 23 Harrington Street, Elderslie

(1) This clause applies to land at 23 Harrington Street, Elderslie, being Lot 2, DP 1008301.

(2) Development for the purposes of function centres, landscaping material supplies, plant nurseries, restaurants or cafes and serviced apartments with or without strata subdivision is permitted with development consent.

7 Use of certain land at Camden Valley Way and Macarthur Road, Elderslie

(1) This clause applies to land at Camden Valley Way and Macarthur Road, Elderslie, being Lots 1–7, Part Lots 59–64 and Part Lot 66, DP 979345.

(2) Development for the purposes of a shop is permitted with development consent, but only if the shop is for the purpose of the sale of fruit and vegetables and the development is carried out in the existing shed on the subject land.

8 Use of certain land at 90 Werombi Road, Grasmere

(1) This clause applies to land at 90 Werombi Road, Grasmere, being Lot 10, DP 845472 (Carrington).

(2) Development for the purposes of residential flat buildings and seniors housing is permitted with
development consent.

9 Use of certain land at Harrington Park

(1) This clause applies to land at Harrington Park, as shown edged heavy blue on sheet 012 of the Additional Permitted Uses Map.

(2) Development for the purposes of animal boarding or training establishments (limited to horse stables and development ancillary to horse stables) is permitted with development consent.

10 Use of certain land at Crear Hill, Harrington Park

(1) This clause applies to land at Crear Hill, Harrington Park, as shown edged heavy blue on sheet 007 of the Additional Permitted Uses Map.

(2) Development for the purposes of a restaurant or cafe is permitted with development consent.

11 Use of certain land at Waterfront Way, Harrington Park

(1) This clause applies to land at Waterfront Way, Harrington Park, being Lot 46, DP 1115480.

(2) Development for the purposes of a restaurant or cafe is permitted with development consent.

12 Use of certain land at Stewart Street and Sharman Close, Harrington Park

(1) This clause applies to land at Stewart Street and Sharman Close, Harrington Park, being Lot 1, DP 47000, Lot 501 and 502, DP 1100573, Lot 8, DP 610420, Lots 1–5, DP 23420, Lot 1, DP 248564, Lot 1, DP 329195, Lot 1, DP 740423, Lot 2, DP 740422, Lots 3–5, 7 and 11, DP 977597, Lot 1, DP 195620, Lot 21, DP 581783, Lot A, DP 367357, Lot 1, DP 770497, Lot 1, DP 198736, Lot 15, DP 1072388, Lot 16, DP 1094115 and Lot 89, DP 870079.

(2) Development for the purposes of function centres, restaurants or cafes, and retail premises (but limited to retail premises that sell arts and crafts) is permitted with development consent.

13 Use of certain land at Camden Valley Way, Kirkham

(1) This clause applies to land at Camden Valley Way, Kirkham, being Lot 10, DP 1103895.

(2) Development for the purposes of multi dwelling housing and strata or community title subdivision is permitted with development consent on land that is within Zone R2 Low Density Residential.

(3) The consent authority may consent to the subdivision of land that is within Zone R5 Large Lot Residential, if:

(a) no more than 6 separate lots are to be created for the purpose of a single dwelling house on each lot, and

(b) a separate lot is created for the existing worker’s cottage (being building 15 in the Yamba Cottage Site Conservation Management Plan dated November 2008 (the Site Plan) held in the offices of the Council, and

(c) a separate lot is created for the Yamba cottage, barn, and roadside stall and packing shed (being buildings 1, 6 and 8, respectively, in the Site Plan), and
(d) the area of each separate lot to be created is not less than 0.1 hectare, and

(e) the consent authority has taken into account the extent to which the subdivision is consistent with the Site Plan.

14 Use of certain land at Macquarie Grove Road, Kirkham

(1) This clause applies to land at Macquarie Grove Road, Kirkham, being Lot 3, DP 882365 (The Lanes).

(2) Development for the purposes of 55 dwelling houses is permitted with development consent if:

(a) there is no more than one dwelling house for each 0.4 hectares of the site, and

(b) the curtilage of each dwelling house is no less than 1,000 square metres and no more than 2,000 square metres, and

(c) each dwelling house has a separate title under the Strata Schemes (Freehold Development) Act 1973, Strata Schemes (Leasehold Development) Act 1986 or the Community Land Development Act 1989, and

(d) each dwelling house is provided with connection to a Sydney Water Corporation sewer.

15 Use of certain land at Ingleburn Road, Leppington

(1) This clause applies to land at Ingleburn Road, Leppington, being Lot 34b, DP 8979.

(2) Development for the purposes of a liquid fuel depot is permitted with development consent.

16 Use of certain land at St Andrews Road, Leppington

(1) This clause applies to land at St Andrews Road, Leppington, being Lot 72, DP 706546.

(2) Development for the purposes of industries (limited to industries manufacturing and storing fireworks) and an associated dwelling house is permitted with development consent.

17 Use of certain land at 1 Mount Annan Drive, Mount Annan

(1) This clause applies to land at 1 Mount Annan Drive, Mount Annan, being Part Lot 132, DP 825469.

(2) Development for the purposes of food and drink premises, horticulture, information and education facilities, landscaping material supplies, markets, office premises and plant nurseries is permitted with development consent if the development is associated with the Macarthur Centre for Sustainable Living.

18 Use of certain land at Narellan

(1) This clause applies to land zoned IN2 Light Industrial at Narellan, as shown edged heavy blue on sheet 012 of the Additional Permitted Uses Map.

(2) Development for the purposes of bulky goods premises is permitted with development consent.
19 **Use of certain land at the corner of Camden Valley Way and The Northern Road, Narellan**

(1) This clause applies to land at the corner of Camden Valley Way and The Northern Road, Narellan, being Lot 50, DP 1119720, Lots 2–5, DP 1090266, Lot 2, DP 847690, Lot 41, DP 1105578, Lot 71, DP 806800, Lot 2, DP 779732, Lot 2, DP 735948, Part Lot 4, DP 217026, Lot 1, DP 795656, Lot 61, DP 1036014, Lot 8, DP 744960, and Lot 1, DP 782191.

(2) Development for the purposes of retail premises is permitted with development consent if:

(a) the gross floor area of all retail premises on the land is not more than 11,300 square metres, and

(b) the development is to be designed to address both The Northern Road and Camden Valley Way frontages reinforcing their main street function and character.

20 **Use of certain land at Porrende Street, Narellan**

(1) This clause applies to land at Porrende Street, Narellan, being Lots 218 and 219, DP 1048551.

(2) Development for the purposes of hotel or motel accommodation, a registered club and an ancillary recreation facility is permitted with development consent.

21 **Use of certain land at Doncaster Avenue, Narellan**

(1) This clause applies to land at Doncaster Avenue, Narellan, being Lots 63–70, DP 25582.

(2) Development for the purposes of a car park and building to be used for the purposes of business premises and office premises is permitted with development consent if:

(a) the car park is decked and to the rear of the building, and

(b) the building has frontage to Doncaster Avenue, and

(c) the building has a maximum depth of 15 metres.

22 **Use of certain land at Smeaton Grange Road, Smeaton Grange**

(1) This clause applies to land at Smeaton Grange Road, Smeaton Grange, being Lot 51, DP 1077229.

(2) Development for the purposes of educational establishments is permitted with development consent.

23 **Use of certain land at Old Hume Highway, South Camden**

(1) This clause applies to land at Old Hume Highway, South Camden, being Lot 3, DP 628551.

(2) Development for the purposes of function centres, hotel or motel accommodation and restaurants or cafes is permitted with development consent.

24 **Use of certain land at Spring Farm**

(1) This clause applies to land zoned E2 Environmental Conservation at Spring Farm, as shown edged heavy blue on sheets 011 and 014 of the Additional Permitted Uses Map.
(2) Development for the purposes of recreation facilities (outdoor) is permitted with development consent.

25 **Use of certain land at Richardson Road, Spring Farm**

(1) This clause applies to zoned B1 Neighbourhood Centre at Spring Farm, as shown edged heavy blue on sheet 013 of the Additional Permitted Uses Map.

(2) Development for the purposes of attached dwellings, dual occupancies, dwelling houses, exhibition homes, exhibition villages, multi dwelling housing and recreation areas (indoor) is permitted with development consent.

26 **Use of certain land at Mount Annan**

(1) This clause applies to land at Annanvale Circuit, Holdsworth Drive and Waterworth Drive, Mount Annan, being Lot 206, DP 1070297 and Lots 1 and 5, DP 1129436.

(2) Development for the purposes of multi dwelling housing is permitted with development consent.

**Schedule 2 Exempt development**

(Clauses 3.1)

**Note 1.** State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies exempt development under that Policy. The Policy has State-wide application. This Schedule contains additional exempt development not specified in that Policy.

**Note 2.** Exempt development may be carried out without the need for development consent under the Act. Such development is not exempt from any approval, licence, permit or authority that is required under any other Act and adjoining owners’ property rights and the common law still apply.

**Signage—general requirements**

(1) Must be non-moving.

(2) Must be at least 600mm from the kerb of any public road.

(3) Must be at least 2.6m above any public footpath.

(4) Must relate to the lawful use of the building or place (except for temporary signs).

(5) Must be within the boundary of the property to which it applies, unless in a business zone.

(6) Must reflect the character and style of any building to which it is attached.

(7) Must not be detrimental to the character and functioning of the building.

(8) Must not be on walls facing or adjoining residential premises.

(9) Must not be an “A” frame sign.

(10) Must have the consent of the owner of the property on which the sign is located.

(11) Must not be erected on an item of environmental heritage, unless replacing an existing sign that has lawful approval, with a sign of the same or lesser size in the same location.
(12) Must not be for a brothel.

**Signage—business identification signs for businesses in business zones**

(1) **Underawning sign** Sign attached to the underside of an awning other than a facia or return end:
   (a) must meet the general requirements for signage,
   (b) 1 sign per ground floor premises with street frontage,
   (c) maximum length—2.5m,
   (d) maximum height—0.5m,
   (e) must not be flashing.

(2) **Flush wall sign** Sign attached to the wall of a building (other than the transom of a doorway or display window) and not projecting more than 300mm:
   (a) must meet the general requirements for signage,
   (b) maximum area—2.5m$^2$,
   (c) must not be flashing.

(3) **Top hamper sign** Sign attached to the transom of a doorway or display window of a building:
   (a) must meet the general requirements for signage,
   (b) maximum area—2.5m$^2$,
   (c) must not be flashing.

(4) **Fascia signs** Sign attached to the fascia or return of the awning:
   (a) must meet the general requirements for signage,
   (b) 1 sign per premises,
   (c) must not project above or below the fascia or return end of the awning to which it is attached,
   (d) must not be flashing,
   (e) maximum area—3m$^2$.

**Signage—business identification signs for businesses in industrial zones**

(1) Must meet the general requirements for signage.

(2) 1 pole or pylon sign per premises (including any directory board for multiple occupancies).

(3) Maximum height—5m.

(4) Must be within 5m of any public entry point to the premises.
(5) Must not obstruct the sight line of vehicle or pedestrian traffic.

(6) For multiple occupancy premises, 1 additional business identification sign is permitted at the entrance to each occupied unit, maximum dimensions—1.2m².

(7) For single occupancy premises, 1 additional business identification sign is permitted, maximum area 10m².

**Signage—business identification signs in residential zones**

(1) Must meet the general requirements for signage.

(2) 1 sign per premises.

(3) Maximum area—0.7m².

(4) If a pole or pylon sign, maximum height—2m.

(5) Must not be illuminated or flashing.

**Signage—business identification signs in rural zones**

(1) Must meet the general requirements for signage.

(2) 1 sign per premises.

(3) Maximum area—0.7m² (except if a pole or pylon sign).

(4) If a pole or pylon sign, maximum area—2m² and maximum height—2m.

(5) Must not be illuminated or flashing.

**Signage—real estate signs (advertising land development)**

(1) Must meet the general requirements for signage.

(2) Maximum area—6m².

**Signage—real estate signs (advertising premises or land for sale or rent) in business or industrial zones**

(1) Must meet the general requirements for signage.

(2) Maximum area—4.5m².

(3) Must be within the boundary of the advertised property.

(4) Must not be flashing.

(5) Must be removed within 14 days after the premises or land is sold or let.

**Signage—real estate signs (advertising premises or land for sale or rent) in residential or rural zones**

(1) Must meet the general requirements for signage.
(2) Maximum area—2.5m².

(3) Must not be flashing.

(4) Must be removed within 14 days after the premises or land is sold or let.

**Signage—signs behind the glass line of a shop window in Zone B1, B3, B4 or IN2**

(1) Must meet the general requirements for signage.

(2) Must not occupy more than 20% of the area of the window.

(3) Must not be flashing.

**Signage—sponsorship**

(1) Must be only for a club, community group, sporting group or similar organisation where the advertising sign or structure is for a special event, function or activity which is sponsored by an organisation external to the club.

(2) Must be in keeping with the theme and character of the sign to a maximum of 20% of its total area.

(3) Must be secondary to the main purpose of the advertising.

**Signage—temporary signs for religious, cultural, political, social, community or recreational events**

(1) Must meet the general requirements for signage.

(2) 1 per street frontage.

(3) If in a residential or rural zone, maximum area—1.5m² and maximum height—1.5m.

(4) If in a commercial or industrial zone, maximum area—3.5m² and maximum height—2m.

(5) If in a public recreation area, maximum area—4.5m² and maximum height—2m.

(6) Must not include commercial advertising apart from the name of the event sponsor.

(7) Must not be displayed earlier than 28 days before, or later than 14 days after, the event.

(8) Must not be used in relation to recurring events.

(9) Must not be flashing.

**Signage—in a site, but not visible from outside of that site**

Must meet the general requirements for signage.

**Schedule 3 Complying development**

*(Clause 3.2)*

*Note. State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 specifies complying development and the complying development conditions for that development under that Policy. The Policy has State-wide application. This*
Schedule contains additional complying development not specified in that Policy.

**Part 1 Types of development**

(When this Plan was made this Part was blank)

**Part 2 Complying development certificate conditions**

**Note.** Complying development must comply with the requirements of the Act, the regulations under the Act and this Plan.

**General conditions**

Any development specified in Part 1 is subject to the same conditions set out in Division 3 of Part 3 of *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

**Schedule 4 Classification and reclassification of public land**

**(Clause 5.2)**

**Part 1 Land classified, or reclassified, as operational land—no interests changed**

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**Part 2 Land classified, or reclassified, as operational land—interests changed**

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**Schedule 5 Environmental heritage**

**(Clause 5.10)**

**Part 1 Heritage items**

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<td>Camden</td>
<td>Milestones and Mileposts Old Hume Highway</td>
<td>Streetscape elements</td>
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<td>View Street Worker’s Cottages 5–13 View Street</td>
<td>Lot 17, DP 1068640; Lot 16, DP 735998; Lot 15, DP 742232, Part Lot 14, DP 193308; Lot 13, DP 827061</td>
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<td>Camden</td>
<td>View Street Worker’s cottages 6–20 View Street</td>
<td>Lot 2, DP 797645; Lot 1, DP 995935; Lot 1, DP 1009303; Lot 11, DP 1064302; Lot 14, DP 1105471</td>
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<td>Camden South</td>
<td>“Belgenny Farm”</td>
<td>(including colonial homestead, weatherboard cottage, octagonal shed, granary and grounds)</td>
<td>100 Elizabeth Macarthur Avenue</td>
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<td>Camden South</td>
<td>House (former Camden Park gate lodge)</td>
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<td>“Gledswood”</td>
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<td>900 Camden Valley Way</td>
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<td>Catherine Field</td>
<td>“Raby”</td>
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<td>“Mayfield”</td>
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<td>380 Cawdor Road</td>
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<td>Cobbitty</td>
<td>Cobbitty Public School</td>
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<td>Cobbitty Road</td>
<td>Lot 1</td>
<td>DP 782264; Lot 5, DP 24271; Lots A and B, DP 379110</td>
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<td>Cobbitty</td>
<td>“Riverview”</td>
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<td>Cobbitty</td>
<td>St Paul’s Church complex (including church, church hall, Heber Chapel, school master’s house and cemetery)</td>
<td>330–344 Cobbitty Road</td>
<td>Lot 101, DP 738007; Lot 3, DP 72243; Lot 1, DP 81585</td>
<td>Local I91</td>
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<td>Cobbitty</td>
<td>St Paul’s Rectory (including circular drive, stone fence and timber gate)</td>
<td>335 Cobbitty Road</td>
<td>Lot 1, DP 562336</td>
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<td>Cobbitty</td>
<td>“Pomare Grove” (Teen Ranch)</td>
<td>352–356 Cobbitty Road</td>
<td>Lot 1, DP 202814; Lot 2, DP 235180</td>
<td>Local I93</td>
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<td>Cobbitty</td>
<td>“Chalker’s Cool Room”</td>
<td>357 Cobbitty Road</td>
<td>Lot 220, DP 746933</td>
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<td>Cobbitty</td>
<td>Sandstone and timber barn (part Matavai farm complex)</td>
<td>315 Cut Hill Road</td>
<td>Lot 22, DP 841364</td>
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<td>101 Macquarie Grove Road</td>
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<td>Cobbitty</td>
<td>“Macquarie Grove”</td>
<td>107 Macquarie Grove Road</td>
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<td>Cobbitty</td>
<td>Camden Airport (including airfield, airport, hangers, cottages, outbuildings and grounds)</td>
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<td>Lot 7, DP 791307</td>
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<td>Cobbitty</td>
<td>“Wivenhoe” (including house and gardens, outbuildings, stables, servants quarters and coach house)</td>
<td>229 Macquarie Grove Road</td>
<td>Part Lot 1, DP 217570</td>
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<td>Elderslie</td>
<td>“Bruchhauser House”</td>
<td>23 Bruchhauser Crescent</td>
<td>Lot 25, DP 240332</td>
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<td>Elderslie</td>
<td>Tramway</td>
<td>Camden Valley Way</td>
<td>Remnants of former Camden to Campbelltown railway line stations and infrastructure</td>
<td>Local I102</td>
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<td>Elderslie</td>
<td>“John Oxley”</td>
<td>46 Camden Valley Way</td>
<td>Lot 101, DP 786856</td>
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<td>Elderslie</td>
<td>“Rheinberger’s Hill”</td>
<td>168 Camden Valley Way</td>
<td>Lot 162, DP 1087243</td>
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<td>Elderslie</td>
<td>“Yamba”</td>
<td>181 Camden Valley Way</td>
<td>Lot 10, DP 11038895</td>
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Elderslie  House  43 Hilder Street  Lot 3, DP 558686  Local  I106
Elderslie  House  49 Hilder Street  Lot 1, DP 558686  Local  I107
Elderslie  “Hilsyde”  56 Hilder Street  Lot 1, DP 1142209  Local  I108
Elderslie  House  141 Lodges Road  Lot 21, DP 1062112  Local  I109
Elderslie  St Mark’s Church  33A Luker Street  Lot 1, DP 921962  Local  I110
Elderslie  “Nesbitt Home”  43 Macarthur Road  Lot 7, DP 22515  Local  I111
Elderslie  House  67 Macarthur Road  Lot B, DP 411663  Local  I112
Elderslie  “Elderslie”  71 Macarthur Road  Lot 201, DP 1079595  Local  I113
Elderslie  Cottage  72 Macarthur Road  Lot 2, DP 83695  Local  I114
Elderslie  “Belvedere”  40 River Road  Lot 2, DP 606159  Local  I115
Grasmere  “Macquarie House”  56a Ferguson Road  Lot 2, DP 311234  Local  I116
Grasmere  WW II Transmitter Bunker  12 Werombi Road  Lot 5, DP 221387  Local  I117
Grasmere  Carrington Hospital (including “Grasmere” cottage, gardener’s cottage and Masonic cottage)  90 Werombi Road  Lot 10, DP 845472  Local  I118
Harrington Park  “Harrington Park” (including colonial homestead, garden studio, grounds and outbuildings)  1 Hickson Circuit  Lot 4, DP 1132348  State  I119
Harrington Park  Cottage  2 Sharman Close  Lot 1, DP 740423  Local  I120
Harrington Park  Cottage “Sharman’s Slab Cottage”  11 Stewart Street  Lots 501 and 502, DP 1100573  Local  I121
Kenny Hill  Upper canal in Canal Reserve  Upper Canal, Sydney water supply system  State  I122
Kirkham  Kirkham Stables (including setting)  130 Kirkham Lane  Lot 5, DP 882365  State  I123
Kirkham  “Camelot” (including mansion, gardener’s lodge, stable, gardens, grounds and trees)  151 Kirkham Lane  Lot 32, DP 785487  State  I124
Kirkham  House “Caernarvon”  180 Macquarie Grove Road  Lot 12, DP 865606  Local  I125
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<td>Narellan</td>
<td>Former milk receiving depot</td>
<td>259 Camden Valley Way Lot 3, DP 773741</td>
<td>Local</td>
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<td>Narellan</td>
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<td>267 Camden Valley Way Lot 101, DP 739343</td>
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<td>Narellan</td>
<td>Shop</td>
<td>269 Camden Valley Way Lot 1021, DP 1021756</td>
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<td>Narellan</td>
<td>Narellan Hotel</td>
<td>279 Camden Valley Way Lot A, DP 393370</td>
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<td>Narellan</td>
<td>Narellan Public School (including 1877 administration building and school building, and the significant setting around these buildings including the historic plantings, but excluding all other buildings and grounds)</td>
<td>290 Camden Valley Way Lot 1, DP 808100</td>
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<td>Narellan</td>
<td>“Ben Linden”</td>
<td>311 Camden Valley Way Part Lot A, DP 419829</td>
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<td>“Burton Arms Inn”</td>
<td>332 Camden Valley Way Lot 1, DP 868394</td>
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<td>Narellan</td>
<td>“Studley Park” (including mansion and grounds)</td>
<td>52 Lodges Road Lot 1, DP 859872</td>
<td>State</td>
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<td>Narellan</td>
<td>St Thomas’ Cemetery</td>
<td>6 Richardson Road Lot 4, DP 737284</td>
<td>Local</td>
<td>I134</td>
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<td>Narellan</td>
<td>“Orielton” (including homestead, grounds and outbuildings including stables, stockyards and silos)</td>
<td>179 The Northern Road Lot 101, DP 1003658</td>
<td>State</td>
<td>I135</td>
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<td>Narellan</td>
<td>St Thomas’ Church Chapel Group (including church school)</td>
<td>1A Wilson Crescent Lot 1, DP 882155</td>
<td>Local</td>
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<td>Oran Park</td>
<td>“Oran Park” (including homestead, grounds, outbuildings, old cottage, silo,</td>
<td>931 Cobbitty Rd</td>
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<td>stable building, carriage house, drive and circular carriage drive)</td>
<td>Lot 27, DP 213330</td>
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<td>Rossmore</td>
<td>Rossmore Public School (including 3 timber weatherboard school buildings,</td>
<td>629 Bringelly Rd</td>
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<td>but excluding all other buildings and grounds)</td>
<td>Lot 2, DP 222510</td>
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<td>Rossmore</td>
<td>“Allenby”</td>
<td>661 Bringelly Rd</td>
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<td>Smeaton Grange</td>
<td>“Smeaton Grange” (including homestead, cottage, stables, outbuildings,</td>
<td>1 Sedgwick St</td>
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<td>grounds and landscape)</td>
<td>Lot 51, DP 1077229</td>
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<td>Spring Farm</td>
<td>House and curtilage</td>
<td>176 Macarthur Rd</td>
<td>Local</td>
<td>I141</td>
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<td></td>
<td></td>
<td>Lot 4, DP 542867</td>
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<tr>
<td>Spring Farm</td>
<td>House and curtilage</td>
<td>196 Macarthur Rd</td>
<td>Local</td>
<td>I142</td>
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<tr>
<td></td>
<td>Hitching posts</td>
<td>John St in front</td>
<td>Local</td>
<td>I143</td>
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<td></td>
<td>of Macaria</td>
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<tr>
<td>Smeaton Grange</td>
<td>Milestones and Mileposts</td>
<td>Argyle St,</td>
<td>Streetscape</td>
<td>I144</td>
</tr>
<tr>
<td></td>
<td>Smeaton Grange</td>
<td>Camden Cawdor Rd</td>
<td>elements</td>
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<td></td>
<td>Mural and Wishing Well</td>
<td>Corner Broughton</td>
<td>Streetscape</td>
<td>I145</td>
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<td></td>
<td>Street and Menangle Road, Camden</td>
<td>St</td>
<td>elements</td>
<td></td>
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<td></td>
<td>Sandstone curbs and gutters</td>
<td>Within road</td>
<td>Streetscape</td>
<td>I146</td>
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<tr>
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<td>reservation</td>
<td>reservation</td>
<td>elements</td>
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<td></td>
<td>Tramway</td>
<td>Narellan Rd and</td>
<td>Remnants</td>
<td>I147</td>
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<td></td>
<td>of former Camden to Campbelltown</td>
<td>Camden Valley Way, Narellan</td>
<td>of former</td>
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<td></td>
<td>Railway line stations and infrastructure</td>
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Camden Local Environmental Plan 2010 [NSW]
Part 2 Heritage conservation areas

<table>
<thead>
<tr>
<th>Name</th>
<th>Address/location</th>
<th>Significance</th>
<th>Area reference</th>
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<tr>
<td>Camden Town Centre Conservation Area</td>
<td>As shown with red hatching on the Heritage Map in the vicinity of Camden</td>
<td>Local</td>
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<tr>
<td>Struggletown Conservation Area</td>
<td>As shown with red hatching on the Heritage Map in the vicinity of Narellan</td>
<td>Local</td>
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</tbody>
</table>

Dictionary

*Aboriginal object* means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

*Aboriginal place of heritage significance* means an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

(a) the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (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.

*Note.* The term may include (but is not limited to) places that are declared under section 84 of the National Parks and Wildlife Act 1974 to be Aboriginal places for the purposes of that Act.

*Acid sulfate soils* means naturally occurring sediments and soils containing iron sulfides (principally pyrite) or their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation).

*Acid Sulfate Soils Manual* means the manual by that name published by the Acid Sulfate Soils Management Advisory Committee and made publicly available.

*Additional Permitted Uses Map* means the Camden Local Environmental Plan 2010 Additional Permitted Uses Map.

*advertisement* has the same meaning as in the Act.

*Note.* The term is defined as a sign, notice, device or representation in the nature of an advertisement visible from any public place or public reserve or from any navigable water.

*advertising structure* has the same meaning as in the Act.
Note. The term is defined as a structure used or to be used principally for the display of an advertisement. Advertising structures are a type of signage—see the definition of that term in this Dictionary.

**affordable housing** has the same meaning as in the Act.

Note. The term is defined as housing for very low income households, low income households or moderate income households, being such households as are prescribed by the regulations or as are provided for in an environmental planning instrument.

**agricultural produce industry** means a building or place used for the handling, treating, processing or packing, for commercial purposes, of produce from agriculture (including dairy products, seeds, fruit, vegetables or other plant material), and includes wineries, flour mills, cotton seed oil plants, cotton gins, feed mills, cheese and butter factories, and juicing or canning plants, but does not include a livestock processing industry.

Note. Agricultural produce industries are a type of rural industry—see the definition of that term in this Dictionary.

**agriculture** means any of the following:

(a) aquaculture,

(b) extensive agriculture,

(c) intensive livestock agriculture,

(d) intensive plant agriculture.

Note. Part 6 of the Plantations and Reafforestation Act 1999 provides that exempt farm forestry within the meaning of that Act is not subject to the Environmental Planning and Assessment Act 1979.

**air transport facility** means an airport or a heliport that is not part of an airport, and includes associated communication and air traffic control facilities or structures.

**airport** means a place that is used for the landing, taking off, parking, maintenance or repair of aeroplanes, and includes associated buildings, installations, facilities and movement areas and any heliport that is part of the airport.

Note. Airports are a type of air transport facility—see the definition of that term in this Dictionary.

**airstrip** means a single runway for the landing, taking off or parking of aeroplanes for private aviation only, but does not include an airport, heliport or helipad.

**amusement centre** means a building or place (not being part of a pub or registered club) used principally for playing:

(a) billiards, pool or other like games, or

(b) electronic or mechanical amusement devices, such as pinball machines, computer or video games and the like.

**animal boarding or training establishment** means a building or place used for the breeding, boarding, training, keeping or caring of animals for commercial purposes (other than for the agistment of horses), and includes any associated riding school or ancillary veterinary hospital.

**aquaculture** has the same meaning as in the Fisheries Management Act 1994.

Note. Aquaculture is a type of agriculture—see the definition of that term in this Dictionary.

**archaeological site** means a place that contains one or more relics.
attached dwelling means a building containing 3 or more dwellings, where:

(a) each dwelling is attached to another dwelling by a common wall, and

(b) each of the dwellings is on its own lot of land, and

(c) none of the dwellings is located above any part of another dwelling.

Note.
Attached dwellings are a type of residential accommodation—see the definition of that term in this Dictionary.

attic means any habitable space, but not a separate dwelling, contained wholly within a roof above the ceiling line of the storey immediately below, except for minor elements such as dormer windows and the like.

backpackers’ accommodation means a building or place that:

(a) provides temporary or short-term accommodation on a commercial basis, and

(b) has shared facilities, such as a communal bathroom, kitchen or laundry, and

(c) provides accommodation on a bed or dormitory-style basis (rather than by room).

Note.
Backpackers’ accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

basement means the space of a building where the floor level of that space is predominantly below ground level (existing) and where the floor level of the storey immediately above is less than 1 metre above ground level (existing).

bed and breakfast accommodation means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

(a) meals are provided for guests only, and

(b) cooking facilities for the preparation of meals are not provided within guests’ rooms, and

(c) dormitory-style accommodation is not provided.

Note. See clause 5.4 for controls relating to the number of bedrooms for bed and breakfast accommodation.

Bed and breakfast accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

bee keeping means a building or place used for the keeping and breeding of bees for commercial purposes.

Note.
Bee keeping is a type of extensive agriculture—see the definition of that term in this Dictionary.

biodiversity means biological diversity.

biological diversity has the same meaning as in the Threatened Species Conservation Act 1995.

Note.
The term is defined as follows:

biological diversity means the diversity of life and is made up of the following 3 components:
(a) genetic diversity—the variety of genes (or units of heredity) in any population,

(b) species diversity—the variety of species,

(c) ecosystem diversity—the variety of communities or ecosystems.

**biosolids treatment facility** means a building or place used as a facility for the treatment of biosolids from a sewage treatment plant or from a water recycling facility.

**Note.**

Biosolids treatment facilities are a type of **sewerage system**—see the definition of that term in this Dictionary.

**boarding house** means a building that:

(a) is wholly or partly let in lodgings, and

(b) provides lodgers with a principal place of residence for 3 months or more, and

(c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and

(d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,

but does not include backpackers’ accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment.

**Note.**

Boarding houses are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**boat building and repair facility** means any facility (including a building or other structure) used primarily for the construction, maintenance or repair of boats, whether or not including the storage, sale or hire of boats, but does not include a marina or boat shed.

**boat launching ramp** means a structure designed primarily for the launching of trailer borne recreational vessels, and includes associated car parking facilities.

**boat shed** means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

**brothel** has the same meaning as in the Act.

**Note.**

This definition is relevant to the definitions of **home occupation (sex services)** and **sex services premises** in this Dictionary.

**building** has the same meaning as in the Act.

**Note.** The term is defined to include part of a building and any structure or part of a structure, but not including a manufactured home, a moveable dwelling or associated structure (or part of a manufactured home, moveable dwelling or associated structure).

**building height** (or **height of building**) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

**building identification sign** means a sign that identifies or names a building and that may include the name of a building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services.
Note.

Building identification signs are a type of **signage**—see the definition of that term in this Dictionary.

**building line** or **setback** means the horizontal distance between the property boundary or other stated boundary (measured at 90 degrees from the boundary) and:

(a) a building wall, or

(b) the outside face of any balcony, deck or the like, or

(c) the supporting posts of a carport or verandah roof,

whichever distance is the shortest.

**bulky goods premises** means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

(a) a large area for handling, display or storage, and

(b) direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,

and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

Note.

Bulky goods premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**bush fire hazard reduction work** has the same meaning as in the **Rural Fires Act 1997**.

Note.

The term is defined as follows:

**bush fire hazard reduction work** means:

(a) the establishment or maintenance of fire breaks on land, and

(b) the controlled application of appropriate fire regimes or other means for the reduction or modification of available fuels within a predetermined area to mitigate against the spread of a bush fire,

but does not include construction of a track, trail or road.

**bush fire prone land** has the same meaning as in the Act.

Note. The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 146 (2) of the Act.

**bush fire risk management plan** means a plan prepared under Division 4 of Part 3 of the **Rural Fires Act 1997** for the purpose referred to in section 54 of that Act.

**business identification sign** means a sign:

(a) that indicates:

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and
(b) that may include the address of the premises or place and a logo or other symbol that identifies the business, but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

Note.

Business identification signs are a type of *signage*—see the definition of that term in this Dictionary.

*business premises* means a building or place at or on which:

(a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or

(b) a service is provided directly to members of the public on a regular basis, and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note.

Business premises are a type of *commercial premises*—see the definition of that term in this Dictionary.

camping ground means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

canal estate development means development that incorporates wholly or in part a constructed canal, or other waterway or waterbody, that is inundated by or drains to a natural waterway or natural waterbody by surface water or groundwater movement (not being works of drainage, or for the supply or treatment of water, that are constructed by or with the authority of a person or body responsible for those functions and that are limited to the minimal reasonable size and capacity to meet a demonstrated need for the works), and that either:

(a) includes the construction of dwellings (which may include tourist and visitor accommodation) of a kind other than, or in addition to:

   (i) dwellings that are permitted on rural land, and

   (ii) dwellings that are used for caretaker or staff purposes, or

(b) requires the use of a sufficient depth of fill material to raise the level of all or part of that land on which the dwellings are (or are proposed to be) located in order to comply with requirements relating to residential development on flood prone land.

car park means a building or place primarily used for the purpose of parking motor vehicles, including any manoeuvring space and access thereto, whether operated for gain or not.

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

catchment action plan has the same meaning as in the Catchment Management Authorities Act 2003.

Note. The term is defined as a catchment action plan of an authority that has been approved by the Minister under Part 4 of the Catchment Management Authorities Act 2003.

cellar door premises means a building or place that is used to sell wine by retail and that is situated on land on which there is a commercial vineyard, and where most of the wine offered for sale is produced in a winery situated
on that land or is produced predominantly from grapes grown in the surrounding area.

Note.

Cellar door premises are a type of retail premises—see the definition of that term in this Dictionary.

cemetery means a building or place used primarily for the interment of deceased persons or pets or their ashes, whether or not it contains an associated building for conducting memorial services.

charter and tourism boating facility means any facility (including a building or other structure) used for charter boating or tourism boating purposes, being a facility that is used only by the operators of the facility and that has a direct structural connection between the foreshore and the waterway, but does not include a marina.

child care centre means a building or place used for the supervision and care of children that:

(a) provides long day care, pre-school care, occasional child care or out-of-school-hours care, and

(b) does not provide overnight accommodation for children other than those related to the owner or operator of the centre,

but does not include:

(c) a building or place used for home-based child care, or

(d) an out-of-home care service provided by an agency or organisation accredited by the Children’s Guardian, or

(e) a baby-sitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or

(f) a service provided for fewer than 5 children (disregarding any children who are related to the person providing the service) at the premises at which at least one of the children resides, being a service that is not advertised, or

(g) a regular child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium), by or on behalf of the person conducting the facility, to care for children while the children’s parents are using the facility, or

(h) a service that is concerned primarily with the provision of:

(i) lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or

(ii) private tutoring, or

(i) a school, or

(j) a service provided at exempt premises (within the meaning of Chapter 12 of the Children and Young Persons (Care and Protection) Act 1998), such as hospitals, but only if the service is established, registered or licensed as part of the institution operating on those premises.

classified road has the same meaning as in the Roads Act 1993.

Note.

The term is defined as follows:

classified road means any of the following:
(a) a main road,
(b) a highway,
(c) a freeway,
(d) a controlled access road,
(e) a secondary road,
(f) a tourist road,
(g) a tollway,
(h) a transitway,
(i) a State work.

(See Roads Act 1993 for meanings of these terms.)

clearing native vegetation has the same meaning as in the Native Vegetation Act 2003.

Note.
The term is defined as follows:
clearing native vegetation means any one or more of the following:
(a) cutting down, felling, thinning, logging or removing native vegetation,
(b) killing, destroying, poisoning, ringbarking, uprooting or burning native vegetation.

(See Division 3 of Part 3 of the Native Vegetation Act 2003 for the exclusion of routine agricultural management and other farming activities from constituting the clearing of native vegetation if the landholder can establish that any clearing was carried out for the purpose of those activities.)

costal foreshore means land with frontage to a beach, estuary, coastal lake, headland, cliff or rock platform.

costal hazard has the same meaning as in the Coastal Protection Act 1979.

costal lake means a body of water specified in Schedule 1 to State Environmental Planning Policy No 71—Coastal Protection.

costal protection works has the same meaning as in the Coastal Protection Act 1979.

costal waters of the State—see section 58 of the Interpretation Act 1987.

costal zone has the same meaning as in the Coastal Protection Act 1979.

Note.
The term is defined as follows:
costal zone means:
(a) the area within the coastal waters of the State as defined in Part 10 of the Interpretation Act 1987 (including any land within those waters), and
(b) the area of land and the waters that lie between the western boundary of the coastal zone (as shown on the maps outlining the coastal zone) and the landward boundary of the coastal waters of the State, and
(c) the seabed (if any) and the subsoil beneath, and the airspace above, the areas referred to in paragraphs (a) and (b).

The coastal zone consists of the area between the western boundary of the coastal zone shown on the maps outlining the coastal zone and the outermost boundary of the coastal waters of the State. The coastal waters of the State extend, generally, to 3 nautical
miles from the coastline of the State.

**commercial premises** means any of the following:

(a) business premises,

(b) office premises,

(c) retail premises.

**community facility** means a building or place:

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

**community land** has the same meaning as in the *Local Government Act 1993*.

**correctional centre** means:

(a) any premises declared to be a correctional centre by a proclamation in force under section 225 of the *Crimes (Administration of Sentences) Act 1999*, including any juvenile correctional centre or periodic detention centre, and

(b) any premises declared to be a detention centre by an order in force under section 5 (1) of the *Children (Detention Centres) Act 1987*,

but does not include any police station or court cell complex in which a person is held in custody in accordance with any Act.

**Council** means the Camden Council.

**crematorium** means a building in which deceased persons or pets are cremated, whether or not it contains an associated building for conducting memorial services.

**Crown reserve** means:

(a) a reserve within the meaning of Part 5 of the *Crown Lands Act 1989*, or

(b) a common within the meaning of the *Commons Management Act 1989*, or

(c) lands within the meaning of the *Trustees of Schools of Arts Enabling Act 1902*,

but does not include land that forms any part of a reserve under Part 5 of the *Crown Lands Act 1989* provided for accommodation.

**curtilage**, in relation to a heritage item or conservation area, means the area of land (including land covered by water) surrounding a heritage item, a heritage conservation area, or building, work or place within a heritage conservation area, that contributes to its heritage significance.

**dairy (pasture-based)** means a dairy that is conducted on a commercial basis where the only restriction facilities present are milking sheds and holding yards and where cattle are constrained for no more than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief).

**Note.**
Dairies (pasture-based) are a type of *extensive agriculture*—see the definition of that term in this Dictionary.

**dairy (restricted)** means a dairy that is conducted on a commercial basis where restriction facilities (in addition to milking sheds and holding yards) are present and where cattle have access to grazing for less than 10 hours in any 24 hour period (excluding during any period of drought or similar emergency relief). It may comprise the whole or part of a restriction facility.

**Note.**
Dairies (restricted) are a type of *intensive livestock agriculture*—see the definition of that term in this Dictionary.

**demolish**, in relation to a heritage item or an Aboriginal object, or a building, work, relic or tree within a heritage conservation area, means wholly or partly destroy, dismantle or deface the heritage item, Aboriginal object or building, work, relic or tree.

**depot** means a building or place used for the storage (but not sale or hire) of plant, machinery or other goods (that support the operations of an existing undertaking) when not required for use, but does not include a farm building.

**designated State public infrastructure** means public facilities or services that are provided or financed by the State (or if provided or financed by the private sector, to the extent of any financial or in-kind contribution by the State) of the following kinds:

(a) State and regional roads,

(b) bus interchanges and bus lanes,

(c) land required for regional open space,

(d) land required for social infrastructure and facilities (such as land for schools, hospitals, emergency services and justice purposes).

**drainage** means any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

**dual occupancy** means a dual occupancy (attached) or a dual occupancy (detached).

**Note.**
Dual occupancies are a type of *residential accommodation*—see the definition of that term in this Dictionary.

**dual occupancy (attached)** means 2 dwellings on one lot of land that are attached to each other, but does not include a secondary dwelling.

**Note.**
Dual occupancies (attached) are a type of *dual occupancy*—see the definition of that term in this Dictionary.

**dual occupancy (detached)** means 2 detached dwellings on one lot of land, but does not include a secondary dwelling.

**Note.**
Dual occupancies (detached) are a type of *dual occupancy*—see the definition of that term in this Dictionary.

**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 only one dwelling.

**Note.**
Dwelling houses are a type of *residential accommodation*—see the definition of that term in this Dictionary.

*earthworks* means excavation or filling.

*ecologically sustainable development* has the same meaning as in the Act.

*eco-tourist facility* means a building or place that:

(a) provides temporary or short-term accommodation to visitors on a commercial basis, and

(b) is located in or adjacent to an area with special ecological or cultural features, and

(c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

**Note.** See clause 5.13 for requirements in relation to the granting of development consent for eco-tourist facilities.

Eco-tourist facilities are not a type of *tourist and visitor accommodation*—see the definition of that term in this Dictionary.

*educational establishment* means a building or place used for education (including teaching), being:

(a) a school, or

(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

*electricity generating works* means a building or place used for the purpose of making or generating electricity.

*emergency services facility* means a building or place (including a helipad) used in connection with the provision of emergency services by an emergency services organisation.

*emergency services organisation* means any of the following:

(a) Ambulance Service of New South Wales,

(b) Fire and Rescue NSW,

(c) NSW Rural Fire Service,

(d) NSW Police Force,

(e) State Emergency Service,

(f) New South Wales Volunteer Rescue Association Incorporated,

(g) New South Wales Mines Rescue Brigade established under the *Coal Industry Act 2001*,

(h) an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

*entertainment facility* means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.

*environmental facility* means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

*environmental protection works* means works associated with the rehabilitation of land towards its natural state or
any work to protect land from environmental degradation, and includes bush regeneration works, wetland protection works, erosion protection works, dune restoration works and the like, but does not include coastal protection works.

**estuary** has the same meaning as in the *Water Management Act 2000*.

**Note.**
The term is defined as follows:

**estuary** means:

(a) any part of a river whose level is periodically or intermittently affected by coastal tides, or

(b) any lake or other partially enclosed body of water that is periodically or intermittently open to the sea, or

(c) anything declared by the regulations (under the *Water Management Act 2000*) to be an estuary,

but does not include anything declared by the regulations (under the *Water Management Act 2000*) not to be an estuary.

**excavation** means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of the land.

**exhibition home** means a dwelling built for the purposes of the public exhibition and marketing of new dwellings, whether or not it is intended to be sold as a private dwelling after its use for those purposes is completed, and includes any associated sales or home finance office or place used for displays.

**exhibition village** means 2 or more exhibition homes and associated buildings and places used for house and land sales, site offices, advisory services, car parking, food and drink sales and other associated purposes.

**extensive agriculture** means any of the following:

(a) the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes,

(b) the grazing of livestock for commercial purposes,

(c) bee keeping,

(d) a dairy (pasture-based).

**Note.**
Extensive agriculture is a type of **agriculture**—see the definition of that term in this Dictionary.

**extractive industry** means the winning or removal of extractive materials (otherwise than from a mine) by methods such as excavating, dredging, tunnelling or quarrying, including the storing, stockpiling or processing of extractive materials by methods such as recycling, washing, crushing, sawing or separating, but does not include turf farming.

**Note.**
Extractive industries are not a type of **industry**—see the definition of that term in this Dictionary.

**extractive material** means sand, soil, gravel, rock or similar substances that are not minerals within the meaning of the *Mining Act 1992*.

**farm building** means a structure the use of which is ancillary to an agricultural use of the landholding on which it is situated and includes a hay shed, stock holding yard, machinery shed, shearing shed, silo, storage tank, outbuilding or the like, but does not include a dwelling.

**farm stay accommodation** means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.
Note. See clause 5.4 for controls relating to the number of bedrooms.

Farm stay accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

_feedlot_ means a confined or restricted area that is operated on a commercial basis to rear and fatten cattle, sheep or other animals, fed (wholly or substantially) on prepared and manufactured feed, for the purpose of meat production or fibre products, but does not include a poultry farm, dairy or piggery.

Note.

Feedlots are a type of intensive livestock agriculture—see the definition of that term in this Dictionary.

__fill_ means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

(a) the depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or

(b) the use of land as a waste disposal facility.

__filming_ means recording images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the internet or by other means), but does not include:

(a) still photography, or

(b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, celebration or event, or

(c) recording images as a visitor or tourist for non-commercial purposes, or

(d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

__fish_ has the same meaning as in the Fisheries Management Act 1994.

Note.

The term is defined as follows:

**Definition of “fish”**

(1)

_Fish_ means marine, estuarine or freshwater fish or other aquatic animal life at any stage of their life history (whether alive or dead).

(2)

_Fish_ includes:

(a) oysters and other aquatic molluscs, and

(b) crustaceans, and

(c) echinoderms, and

(d) beachworms and other aquatic polychaetes.

(3)

_Fish_ also includes any part of a fish.

(4)
However, fish does not include whales, mammals, reptiles, birds, amphibians or other things excluded from the definition by the regulations under the Fisheries Management Act 1994.

**Flood mitigation work** means work designed and constructed for the express purpose of mitigating flood impacts. It involves changing the characteristics of flood behaviour to alter the level, location, volume, speed or timing of flood waters to mitigate flood impacts. Types of works may include excavation, construction or enlargement of any fill, wall, or levee that will alter riverine flood behaviour, local overland flooding, or tidal action so as to mitigate flood impacts.

**Floor space ratio**—see clause 4.5.

**Floor Space Ratio Map** means the Camden Local Environmental Plan 2010 Floor Space Ratio Map.

**Food and drink premises** means premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises, and includes any of the following:

(a) a restaurant or cafe,

(b) take away food and drink premises,

(c) a pub.

Note. Food and drink premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**Forestry** has the same meaning as **forestry operations** in the Forestry and National Park Estate Act 1998.

Note. The term is defined as follows:

**Forestry operations** means:

(a) logging operations, namely, the cutting and removal of timber from land for the purpose of timber production, or

(b) forest products operations, namely, the harvesting of products of trees, shrubs and other vegetation (other than timber) that are of economic value, or

(c) on-going forest management operations, namely, activities relating to the management of land for timber production such as thinning, bush fire hazard reduction, bee-keeping, grazing and other silvicultural activities, or

(d) ancillary road construction, namely, the provision of roads and fire trails, and the maintenance of existing railways, to enable or assist in the above operations.

**Freight transport facility** means a facility used principally for the bulk handling of goods for transport by road, rail, air or sea, including any facility for the loading and unloading of vehicles, aircraft, vessels or containers used to transport those goods and for the parking, holding, servicing or repair of those vehicles, aircraft or vessels or for the engines or carriages involved.

**Function centre** means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.

**Funeral home** means premises that are used to arrange, conduct and cater for funerals and memorial services, whether or not the premises include facilities for the short-term storage, dressing and viewing of bodies of deceased persons.

Note. Funeral homes are a type of **business premises**—see the definition of that term in this Dictionary.

**Garden centre** means a building or place the principal purpose of which is the retail sale of plants and landscaping
and gardening supplies and equipment. It may, if ancillary to the principal purpose for which the building or place is used, include a restaurant or cafe and the sale of any the following:

(a) outdoor furniture and furnishings, barbecues, shading and awnings, pools, spas and associated supplies, and items associated with the construction and maintenance of outdoor areas,

(b) pets and pet supplies,

(c) fresh produce.

Note. Garden centres are a type of retail premises—see the definition of that term in this Dictionary.

general industry means a building or place (other than a heavy industry or light industry) that is used to carry out an industrial activity.

Note. General industries are a type of industry—see the definition of that term in this Dictionary.

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

(a) the area of a mezzanine, and

(b) habitable rooms in a basement or an attic, and

(c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

(d) any area for common vertical circulation, such as lifts and stairs, and

(e) any basement:

   (i) storage, and

   (ii) vehicular access, loading areas, garbage and services, and

(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

(g) car parking to meet any requirements of the consent authority (including access to that car parking), and

(h) any space used for the loading or unloading of goods (including access to it), and

(i) terraces and balconies with outer walls less than 1.4 metres high, and

(j) voids above a floor at the level of a storey or storey above.

ground level (existing) means the existing level of a site at any point.

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development.

ground level (mean) means, for any site on which a building is situated or proposed, one half of the sum of the highest and lowest levels at ground level (finished) of the outer surface of the external walls of the building.
*group home* means a permanent group home or a transitional group home.

**Note.**

Group homes are a type of *residential accommodation*—see the definition of that term in this Dictionary.

*group home (permanent)* or *permanent group home* means a dwelling:

(a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

(b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

**Note.**

Permanent group homes are a type of *group home*—see the definition of that term in this Dictionary.

*group home (transitional)* or *transitional group home* means a dwelling:

(a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and

(b) that is used to provide temporary accommodation for the relief or rehabilitation of people with a disability or for drug or alcohol rehabilitation purposes, or that is used to provide half-way accommodation for persons formerly living in institutions or temporary accommodation comprising refuges for men, women or young people,

but does not include development to which *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* applies.

**Note.**

Transitional group homes are a type of *group home*—see the definition of that term in this Dictionary.

*hardware and building supplies* means a building or place the principal purpose of which is the sale or hire of goods or materials, such as household fixtures, timber, tools, paint, wallpaper, plumbing supplies and the like, that are used in the construction and maintenance of buildings and adjacent outdoor areas.

**Note.**

Hardware and building supplies are a type of *retail premises*—see the definition of that term in this Dictionary.

*hazardous industry* means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), pose a significant risk in the locality:

(a) to human health, life or property, or

(b) to the biophysical environment.

**Note.**

Hazardous industries are a type of *heavy industry*—see the definition of that term in this Dictionary.

*hazardous storage establishment* means a building or place that is used for the storage of goods, materials or products and that would, 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 building or place from existing or likely future development on other land in the locality), pose a significant risk in the locality:

(a) to human health, life or property, or

(b) to the biophysical environment.

Note.
Hazardous storage establishments are a type of heavy industrial storage establishment—see the definition of that term in this Dictionary.

headland includes a promontory extending from the general line of the coastline into a large body of water, such as a sea, coastal lake or bay.

health care professional means any person registered under an Act for the purpose of providing health care.

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

Note.
Health consulting rooms are a type of health services facility—see the definition of that term in this Dictionary.

health services facility means a building or place used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes any of the following:

(a) a medical centre,

(b) community health service facilities,

(c) health consulting rooms,

(d) patient transport facilities, including helipads and ambulance facilities,

(e) hospital.

heavy industrial storage establishment means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and that requires separation from other development because of the nature of the processes involved, or the goods, materials, plant or machinery stored, and includes any of the following:

(a) a hazardous storage establishment,

(b) a liquid fuel depot,

(c) an offensive storage establishment.

heavy industry means a building or place used to carry out an industrial activity that requires separation from other development because of the nature of the processes involved, or the materials used, stored or produced, and includes:

(a) hazardous industry, or

(b) offensive industry.

It may also involve the use of a hazardous storage establishment or offensive storage establishment.

Note.
Heavy industries are a type of industry—see the definition of that term in this Dictionary.
**Height of Buildings Map** means the Camden Local Environmental Plan 2010 Height of Buildings Map.

**helipad** means a place not open to the public used for the taking off and landing of helicopters.

**heliport** means a place open to the public that is used for the taking off and landing of helicopters, whether or not it includes:

(a) a terminal building, or

(b) facilities for the parking, storage or repair of helicopters.

**Note.**

Heliports are a type of air transport facility—see the definition of that term in this Dictionary.

**heritage conservation area** means an area of land of heritage significance:

(a) shown on the Heritage Map as a heritage conservation area, and

(b) the location and nature of which is described in Schedule 5,

and includes any heritage items situated on or within that area.

**heritage conservation management plan** means a document prepared in accordance with guidelines prepared by the Division of the Government Service responsible to the Minister administering the Heritage Act 1977 that documents 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.

**heritage impact statement** means a document consisting of:

(a) a statement demonstrating the heritage significance of a heritage item or heritage conservation area, and

(b) an assessment of the impact that proposed development will have on that significance, and

(c) proposals for measures to minimise that impact.

**heritage item** means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5.

**Note.** An inventory of heritage items is also available at the office of the Council.

**heritage management document** means:

(a) a heritage conservation management plan, or

(b) a heritage impact statement, or

(c) any other document that provides guidelines for the ongoing management and conservation of a heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.

**Heritage Map** means the Camden Local Environmental Plan 2010 Heritage Map.

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

**high technology industry** means a building or place predominantly used to carry out an industrial activity that involves any of the following:

(a) electronic or micro-electronic systems, goods or components,
(b) information technology (such as computer software or hardware),
(c) instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,
(d) biological, pharmaceutical, medical or paramedical systems, goods or components,
(e) film, television or multi-media technologies, including any post production systems, goods or components,
(f) telecommunications systems, goods or components,
(g) sustainable energy technologies,
(h) any other goods, systems or components intended for use in a science or technology related field,

but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

Note.
High technology industries are a type of light industry—see the definition of that term in this Dictionary.

highway service centre means a building or place used to provide refreshments and vehicle services to highway users. It may include any one or more of the following:
(a) a restaurant or cafe,
(b) take away food and drink premises,
(c) service stations and facilities for emergency vehicle towing and repairs,
(d) parking for vehicles,
(e) rest areas and public amenities.

home-based child care means a dwelling used by a resident of the dwelling for the supervision and care of one or more children and that satisfies the following conditions:
(a) the service is licensed within the meaning of the Children and Young Persons (Care and Protection) Act 1998,
(b) the number of children (including children related to the carer or licensee) does not at any one time exceed 7 children under the age of 12 years, including no more than 5 who do not ordinarily attend school.

home business means a business that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:
(a) the employment of more than 2 persons other than those residents, or
(b) 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, traffic generation or otherwise,
or
(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter, or
(d) the exhibition of any signage (other than a business identification sign), or
(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,
but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Note. See clause 5.4 for controls relating to the floor area used for a home business.

**home industry** means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following:

(a) the employment of more than 2 persons other than those residents,

(b) 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, traffic generation or otherwise,

(c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,

(d) the exhibition of any signage (other than a business identification sign),

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

Note. See clause 5.4 for controls relating to the floor area used for a home industry.

Home industries are a type of **light industry**—see the definition of that term in this Dictionary.

**home occupation** means an occupation that is carried on in a dwelling, or in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve:

(a) the employment of persons other than those residents, or

(b) 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, traffic generation or otherwise, or

(c) the display of goods, whether in a window or otherwise, or

(d) the exhibition of any signage (other than a business identification sign), or

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

**home occupation (sex services)** means the provision of sex services in a dwelling that is a brothel, or in a building that is a brothel and is ancillary to such a dwelling, by no more than 2 permanent residents of the dwelling and that does not involve:

(a) the employment of persons other than those residents, or

(b) interference with the amenity of the neighbourhood by reason of the emission of noise, traffic generation or otherwise, or

(c) the exhibition of any signage, or

(d) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail,

but does not include a home business or sex services premises.

**horticulture** means the cultivation of fruits, vegetables, mushrooms, nuts, cut flowers and foliage and nursery products for commercial purposes, but does not include a plant nursery, turf farming or viticulture.
Horticulture is a type of intensive plant agriculture—see the definition of that term in this Dictionary.

**hospital** means a building or place used for the purpose of providing professional health care services (such as preventative or convalescent care, diagnosis, medical or surgical treatment, psychiatric care or care for people with disabilities, or counselling services provided by health care professionals) to people admitted as in-patients (whether or not out-patients are also cared for or treated there), and includes ancillary facilities for (or that consist of) any of the following:

(a) day surgery, day procedures or health consulting rooms,
(b) accommodation for nurses or other health care workers,
(c) accommodation for persons receiving health care or for their visitors,
(d) shops, kiosks, restaurants or cafes or take-away food and drink premises,
(e) patient transport facilities, including helipads, ambulance facilities and car parking,
(f) educational purposes or any other health-related use,
(g) research purposes (whether or not carried out by hospital staff or health care workers or for commercial purposes),
(h) chapels,
(i) hospices,
(j) mortuaries.

**Note.**

Hospitals are a type of health services facility—see the definition of that term in this Dictionary.

**hostel** means premises that are generally staffed by social workers or support providers and at which:

(a) residential accommodation is provided in dormitories, or on a single or shared basis, or by a combination of them, and
(b) cooking, dining, laundering, cleaning and other facilities are provided on a shared basis.

**Note.**

Hostels are a type of residential accommodation—see the definition of that term in this Dictionary.

**hotel or motel accommodation** means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that:

(a) comprises rooms or self-contained suites, and
(b) may provide meals to guests or the general public and facilities for the parking of guests’ vehicles,

but does not include backpackers’ accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

**Note.**

Hotel or motel accommodation is a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.

**industrial activity** means the manufacturing, production, assembling, altering, formulating, repairing, renovating,
ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing
of, or the research and development of, any goods, substances, food, products or articles for commercial purposes,
and includes any storage or transportation associated with any such activity.

*industrial retail outlet* means a building or place that:

(a) is used in conjunction with an industry or rural industry, and

(b) is situated on the land on which the industry or rural industry is located, and

(c) is used for the display or sale (whether by retail or wholesale) of only those goods that have been manufactured
on the land on which the industry or rural industry is located,

but does not include a warehouse or distribution centre.

**Note.** See clause 5.4 for controls relating to the retail floor area of an industrial retail outlet.

*industrial training facility* means a building or place used in connection with vocational training in an activity
(such as forklift or truck driving, welding or carpentry) that is associated with an industry, rural industry, extractive
industry or mining, but does not include an educational establishment, business premises or retail premises.

*industry* means any of the following:

(a) general industry,

(b) heavy industry,

(c) light industry,

but does not include:

(d) rural industry, or

(e) extractive industry, or

(f) mining.

*information and education facility* means a building or place used for providing information or education to
visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information
centre and the like.

*intensive livestock agriculture* means the keeping or breeding, for commercial purposes, of cattle, poultry, pigs,
goats, horses or other livestock that are fed wholly or substantially on externally-sourced feed, and includes any of
the following:

(a) dairies (restricted),

(b) feedlots,

(c) piggeries,

(d) poultry farms,

but does not include extensive agriculture, aquaculture or the operation of facilities for drought or similar
emergency relief.

**Note.**

Intensive livestock agriculture is a type of *agriculture*—see the definition of that term in this Dictionary.
intensive plant agriculture means any of the following:

(a) the cultivation of irrigated crops for commercial purposes (other than irrigated pasture or fodder crops),

(b) horticulture,

(c) turf farming,

(d) viticulture.

Note. Intensive plant agriculture is a type of agriculture—see the definition of that term in this Dictionary.

jetty means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

kiosk means premises that are used for the purposes of selling food, light refreshments and other small convenience items such as newspapers, films and the like.

Note. See clause 5.4 for controls relating to the gross floor area of a kiosk.

Kiosks are a type of retail premises—see the definition of that term in this Dictionary.

Land Application Map means the Camden Local Environmental Plan 2010 Land Application Map.

Land Reservation Acquisition Map means the Camden Local Environmental Plan 2010 Land Reservation Acquisition Map.

Land Zoning Map means the Camden Local Environmental Plan 2010 Land Zoning Map.

landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

landscaping material supplies means a building or place used for the storage and sale of landscaping supplies such as soil, gravel, potting mix, mulch, sand, railway sleepers, screenings, rock and the like.

Note. Landscaping material supplies are a type of retail premises—see the definition of that term in this Dictionary.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

(a) high technology industry,

(b) home industry.

Note. Light industries are a type of industry—see the definition of that term in this Dictionary.

liquid fuel depot means premises used for the bulk storage of petrol, oil, petroleum or other inflammable liquid for wholesale distribution and at which no retail trade is conducted.

Note. Liquid fuel depots are a type of heavy industrial storage establishment—see the definition of that term in this Dictionary.

livestock processing industry means a building or place used for the commercial production of products derived from the slaughter of animals (including poultry) or the processing of skins or wool of animals, derived principally
from surrounding districts, and includes abattoirs, knackeries, tanneries, woolscourts and rendering plants.

**Note.**

Livestock processing industries are a type of *rural industry*—see the definition of that term in this Dictionary.

**Lot Size Map** means the Camden Local Environmental Plan 2010 Lot Size Map.

**maintenance**, in relation to a heritage item, Aboriginal object or Aboriginal place of heritage significance, or a building, work, archaeological site, tree or place within a heritage conservation area, means ongoing protective care, but does not include the removal or disturbance of existing fabric, alterations (such as carrying out extensions or additions) or the introduction of new materials or technology.

**marina** means a permanent boat storage facility (whether located wholly on land, wholly on a waterway or partly on land and partly on a waterway), and includes any of the following associated facilities:

(a) any facility for the construction, repair, maintenance, storage, sale or hire of boats,

(b) any facility for providing fuelling, sewage pump-out or other services for boats,

(c) any facility for launching or landing boats, such as slipways or hoists,

(d) any car parking or commercial, tourist or recreational or club facility that is ancillary to the boat storage facility,

(e) any berthing or mooring facilities.

**market** means an open-air area, or an existing building, that is used for the purpose of selling, exposing or offering goods, merchandise or materials for sale by independent stall holders, and includes temporary structures and existing permanent structures used for that purpose on an intermittent or occasional basis.

**Note.**

Markets are a type of *retail premises*—see the definition of that term in this Dictionary.

**mean high water mark** means the position where the plane of the mean high water level of all ordinary local high tides intersects the foreshore, being 1.44m above the zero of Fort Denison Tide Gauge and 0.515m Australian Height Datum.

**medical centre** means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

**Note.**

Medical centres are a type of *health services facility*—see the definition of that term in this Dictionary.

**mezzanine** means an intermediate floor within a room.

**mine** means any place (including any excavation) where an operation is carried on for mining of any mineral by any method and any place on which any mining related work is carried out, but does not include a place used only for extractive industry.

**mine subsidence district** means a mine subsidence district proclaimed under section 15 of the *Mine Subsidence Compensation Act 1961*.

**mining** means mining carried out under the *Mining Act 1992* or the recovery of minerals under the *Offshore Minerals Act 1999*, and includes:
(a) the construction, operation and decommissioning of associated works, and

(b) the rehabilitation of land affected by mining.

Note.
Mining is not a type of industry—see the definition of that term in this Dictionary.

mixed use development means a building or place comprising 2 or more different land uses.

mooring means a detached or freestanding apparatus located on or in a waterway and that is capable of securing a vessel, but does not include a mooring pen.

mooring pen means an arrangement of freestanding piles or other restraining devices designed or used for the purpose of berthing a vessel.

mortuary means premises that are used, or intended to be used, for the receiving, preparation, embalming and storage of bodies of deceased persons pending their interment or cremation.

moveable dwelling has the same meaning as in the Local Government Act 1993.

Note.
The term is defined as follows:
moveable dwelling means:
(a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or
(b) a manufactured home, or
(c) any conveyance, structure or thing of a class or description prescribed by the regulations (under the Local Government Act 1993) for the purposes of this definition.

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building.

Note.
Multi dwelling housing is a type of residential accommodation—see the definition of that term in this Dictionary.

native fauna means any animal-life that is indigenous to New South Wales or is known to periodically or occasionally migrate to New South Wales, whether vertebrate (including fish) or invertebrate and in any stage of biological development, but does not include humans.

native flora means any plant-life that is indigenous to New South Wales, whether vascular or non-vascular and in any stage of biological development, and includes fungi and lichens, and marine vegetation within the meaning of Part 7A of the Fisheries Management Act 1994.

native vegetation has the same meaning as in the Native Vegetation Act 2003.

Note.
The term is defined as follows:
Meaning of “native vegetation”

(1)
Native vegetation means any of the following types of indigenous vegetation:
(a) trees (including any sapling or shrub, or any scrub),
(b) understorey plants,
(c) groundcover (being any type of herbaceous vegetation),
(d) plants occurring in a wetland.

(2) Vegetation is indigenous if it is of a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement.

(3) Native vegetation does not include any mangroves, seagrasses or any other type of marine vegetation to which section 205 of the Fisheries Management Act 1994 applies.

Navigable waterway means any waterway that is from time to time capable of navigation and is open to or used by the public for navigation, but does not include flood waters that have temporarily flowed over the established bank of a watercourse.

Neighbourhood shop means premises used for the purposes of selling general merchandise such as foodstuffs, personal care products, newspapers and the like to provide for the day-to-day needs of people who live or work in the local area, and may include ancillary services such as a post office, bank or dry cleaning, but does not include restricted premises.

Note. See clause 5.4 for controls relating to the retail floor area of neighbourhood shops.

Neighbourhood shops are a type of shop—see the definition of that term in this Dictionary.

Nominated State heritage item means a heritage item that:
(a) has been identified as an item of State significance in a publicly exhibited heritage study adopted by the Council, and
(b) the Council has, by notice in writing to the Heritage Council, nominated as an item of potential State significance.

Non-potable water means water that does not meet the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.

NSW Coastal Policy means the publication titled NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast, published by the Government.

Offensive industry means a building or place used to carry out an industrial activity that would, when carried out and when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the activity from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.

Note. Offensive industries are a type of heavy industry—see the definition of that term in this Dictionary.

Offensive storage establishment means a building or place that is used for the storage of goods, materials or products and that would, when all measures proposed to reduce or minimise its impact on the locality have been employed (including, for example, measures to isolate the building or place from existing or likely future development on other land in the locality), emit a polluting discharge (including, for example, noise) in a manner that would have a significant adverse impact in the locality or on existing or likely future development on other land in the locality.
Note.

Offensive storage establishments are a type of heavy industrial storage establishment—see the definition of that term in this Dictionary.

office premises means a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note.

Office premises are a type of commercial premises—see the definition of that term in this Dictionary.

open cut mining means mining carried out on, and by excavating, the earth’s surface, but does not include underground mining.

operational land has the same meaning as in the Local Government Act 1993.

parking space means a space dedicated for the parking of a motor vehicle, including any manoeuvring space and access to it, but does not include a car park.

passenger transport facility means a building or place used for the assembly or dispersal of passengers by any form of transport, including facilities required for parking, manoeuvring, storage or routine servicing of any vehicle that uses the building or place.

place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.

plant nursery means a building or place the principal purpose of which is the retail sale of plants that are grown or propagated on site or on an adjacent site. It may include the on-site sale of any such plants by wholesale and, if ancillary to the principal purpose for which the building or place is used, the sale of landscape and gardening supplies and equipment and the storage of these items.

Note.

Plant nurseries are a type of retail premises—see the definition of that term in this Dictionary.

port facilities means any of the following facilities at or in the vicinity of a designated port within the meaning of section 47 of the Ports and Maritime Administration Act 1995:

(a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,

(b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,

(c) wharves for commercial fishing operations,

(d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,

(e) sea walls or training walls,

(f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

potable water means water that meets the standards or values for drinking water recommended from time to time by the National Health and Medical Research Council.
private open space means an area external to a building (including an area of land, terrace, balcony or deck) that is used for private outdoor purposes ancillary to the use of the building.

property vegetation plan has the same meaning as in the *Native Vegetation Act 2003*.

Note.
The term is defined as follows:

property vegetation plan means a property vegetation plan that has been approved under Part 4 of the *Native Vegetation Act 2003*.

pub means licensed premises under the *Liquor Act 2007* the principal purpose of which is the retail sale of liquor for consumption on the premises, whether or not the premises include hotel or motel accommodation and whether or not food is sold or entertainment is provided on the premises.

Note.
Pubs are a type of food and drink premises—see the definition of that term in this Dictionary.

public administration building means a building used as offices or for administrative or other like purposes by the Crown, a statutory body, a council or an organisation established for public purposes, and includes a courthouse or a police station.

public authority has the same meaning as in the Act.

public land has the same meaning as in the *Local Government Act 1993*.

Note.
The term is defined as follows:

public land means any land (including a public reserve) vested in or under the control of the council, but does not include:

(a) a public road, or

(b) land to which the *Crown Lands Act 1989* applies, or

(c) a common, or

(d) land subject to the *Trustees of Schools of Arts Enabling Act 1902*, or

(e) a regional park under the *National Parks and Wildlife Act 1974*.

public reserve has the same meaning as in the *Local Government Act 1993*.

public utility infrastructure, in relation to an urban release area, includes infrastructure for any of the following:

(a) the supply of water,

(b) the supply of electricity,

(c) the disposal and management of sewage.

public utility undertaking means any of the following undertakings carried on or permitted to be carried on by or by authority of any Government Department or under the authority of or in pursuance of any Commonwealth or State Act:

(a) railway, road transport, water transport, air transport, wharf or river undertakings,

(b) undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,
and a reference to a person carrying on a public utility undertaking includes a reference to a council, electricity supply authority, Government Department, corporation, firm or authority carrying on the undertaking.

*rainwater tank* means a tank designed for the storage of rainwater gathered on the land on which the tank is situated.

*recreation area* means a place used for outdoor recreation that is normally open to the public, and includes:

(a) a children’s playground, or

(b) an area used for community sporting activities, or

(c) a public park, reserve or garden or the like,

and any ancillary buildings, but does not include a recreation facility (indoor), recreation facility (major) or recreation facility (outdoor).

*recreation facility (indoor)* means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.

*recreation facility (major)* means a building or place used for large-scale sporting or recreation activities that are attended by large numbers of people whether regularly or periodically, and includes theme parks, sports stadiums, showgrounds, racecourses and motor racing tracks.

*recreation facility (outdoor)* means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

*Reduced Level (RL)* means height above the Australian Height Datum, being the datum surface approximating mean sea level that was adopted by the National Mapping Council of Australia in May 1971.

*registered club* means a club that holds a club licence under the *Liquor Act 2007*.

*relic* has the same meaning as in the *Heritage Act 1977*.

**Note.**

The term is defined as follows:

*relic* means any deposit, artefact, object or material evidence that:

(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and

(b) is of State or local heritage significance.

*research station* means a building or place operated by a public authority for the principal purpose of agricultural, environmental, fisheries, forestry, minerals or soil conservation research, and includes any associated facility for education, training, administration or accommodation.

*residential accommodation* means a building or place used predominantly as a place of residence, and includes any of the following:

(a) attached dwellings,
(b) boarding houses,
(c) dual occupancies,
(d) dwelling houses,
(e) group homes,
(f) hostels,
(g) multi dwelling housing,
(h) residential flat buildings,
(i) rural workers’ dwellings,
(j) secondary dwellings,
(k) semi-detached dwellings,
(l) seniors housing,
(m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

**residential care facility** means accommodation for seniors or people with a disability that includes:
(a) meals and cleaning services, and
(b) personal care or nursing care, or both, and
(c) appropriate staffing, furniture, furnishings and equipment for the provision of that accommodation and care,

but does not include a dwelling, hostel, hospital or psychiatric facility.

**Note.**
Residential care facilities are a type of **seniors housing**—see the definition of that term in this Dictionary.

**residential flat building** means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing.

**Note.**
Residential flat buildings are a type of **residential accommodation**—see the definition of that term in this Dictionary.

**resource recovery facility** means a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.

**Note.**
Resource recovery facilities are a type of **waste or resource management facility**—see the definition of that term in this Dictionary.

**respite day care centre** means a building or place that is used for the care of seniors or people who have a disability and that does not provide overnight accommodation for people other than those related to the owner or operator of the centre.
**restaurant or cafe** means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, takeaway meals and drinks or entertainment are also provided.

**Note.**
Restaurants or cafes are a type of **food and drink premises**—see the definition of that term in this Dictionary.

**restricted premises** means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises.

**restriction facilities** means facilities where animals are constrained for management purposes, including milking sheds, pads, feed stalls, holding yards and paddocks where the number of livestock exceeds the ability of vegetation to recover from the effects of grazing in a normal growing season, but does not include facilities for drought or similar emergency relief.

**retail premises** means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following;

(a) bulky goods premises,
(b) cellar door premises,
(c) food and drink premises,
(d) garden centres,
(e) hardware and building supplies,
(f) kiosks,
(g) landscaping material supplies,
(h) markets,
(i) plant nurseries,
(j) roadside stalls,
(k) rural supplies,
(l) shops,
(m) timber yards,
(n) vehicle sales or hire premises,

but does not include highway service centres, service stations, industrial retail outlets or restricted premises.

**Note.**
Retail premises are a type of **commercial premises**—see the definition of that term in this Dictionary.

**road** means a public road or a private road within the meaning of the *Roads Act 1993*, and includes a classified road.

**roadside stall** means a place or temporary structure used for the retail sale of agricultural produce or hand crafted...
goods (or both) produced from the property on which the stall is situated or from an adjacent property.

Note. See clause 5.4 for controls relating to the gross floor area of roadside stalls.

Roadside stalls are a type of retail premises—see the definition of that term in this Dictionary.

rural industry means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following:

(a) agricultural produce industries,

(b) livestock processing industries,

(c) composting facilities and works (including the production of mushroom substrate),

(d) sawmill or log processing works,

(e) stock and sale yards,

(f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

Note. Rural industries are not a type of industry—see the definition of that term in this Dictionary.

rural supplies means a building or place used for the display, sale or hire of stockfeeds, grains, seed, fertilizers, veterinary supplies and other goods or materials used in farming and primary industry production.

Note. Rural supplies are a type of retail premises—see the definition of that term in this Dictionary.

rural worker’s dwelling means a building or place that is additional to a dwelling house on the same lot and that is used predominantly as a place of residence by persons employed, whether on a long-term or short-term basis, for the purpose of agriculture or a rural industry on that land.

Note. Rural workers’ dwellings are a type of residential accommodation—see the definition of that term in this Dictionary.

sawmill or log processing works means a building or place used for handling, cutting, chipping, pulping or otherwise processing logs, baulks, branches or stumps, principally derived from surrounding districts, into timber or other products derived from wood.

Note. Sawmill or log processing works are a type of rural industry—see the definition of that term in this Dictionary.

school means a government school or non-government school within the meaning of the Education Act 1990.

Note. Schools are a type of educational establishment—see the definition of that term in this Dictionary.

secondary dwelling means a self-contained dwelling that:

(a) is established in conjunction with another dwelling (the principal dwelling), and

(b) is on the same lot of land as the principal dwelling, and

(c) is located within, or is attached to, or is separate from, the principal dwelling.

Note. See clause 5.4 for controls relating to the total floor area of secondary dwellings.
Secondary dwellings are a type of residential accommodation—see the definition of that term in this Dictionary.

**self-storage units** means premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials).

**Note.**
Self-storage units are a type of storage premises—see the definition of that term in this Dictionary.

**semi-detached dwelling** means a dwelling that is on its own lot of land and is attached to only one other dwelling.

**Note.**
Semi-detached dwellings are a type of residential accommodation—see the definition of that term in this Dictionary.

**seniors housing** means a building or place that is:

(a) a residential care facility, or

(b) a hostel within the meaning of clause 12 of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004*, or

(c) a group of self-contained dwellings, or

(d) a combination of any of the buildings or places referred to in paragraphs (a)–(c),

and that is, or is intended to be, used permanently for:

(e) seniors or people who have a disability, or

(f) people who live in the same household with seniors or people who have a disability, or

(g) staff employed to assist in the administration of the building or place or in the provision of services to persons living in the building or place,

but does not include a hospital.

**Note.**
Seniors housing is a type of residential accommodation—see the definition of that term in this Dictionary.

**service station** means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following:

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

(b) the cleaning of motor vehicles,

(c) installation of accessories,

(d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),

(e) the ancillary retail selling or hiring of general merchandise or services or both.

**serviced apartment** means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.

**Note.**
Serviced apartments are a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.
sewage reticulation system means a building or place used for the collection and transfer of sewage to a sewage treatment plant or water recycling facility for treatment, or transfer of the treated waste for use or disposal, including associated:

(a) pipelines and tunnels, and
(b) pumping stations, and
(c) dosing facilities, and
(d) odour control works, and
(e) sewage overflow structures, and
(f) vent stacks.

Note.
Sewage reticulation systems are a type of sewerage system—see the definition of that term in this Dictionary.

sewage treatment plant means a building or place used for the treatment and disposal of sewage, whether or not the facility supplies recycled water for use as an alternative water supply.

Note.
Sewage treatment plants are a type of sewerage system—see the definition of that term in this Dictionary.

sewerage system means any of the following:
(a) biosolids treatment facility,
(b) sewage reticulation system,
(c) sewage treatment plant,
(d) water recycling facility,
(e) a building or place or place that is a combination of any of the things referred to in paragraphs (a)–(d).

sex services means sexual acts or sexual services in exchange for payment.

sex services premises means a brothel, but does not include home occupation (sex services).

shop means premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises.

Note.
Shops are a type of retail premises—see the definition of that term in this Dictionary.

shop top housing means one or more dwellings located above ground floor retail premises or business premises.

Note.
Shop top housing is a type of residential accommodation—see the definition of that term in this Dictionary.

signage means any sign, notice, device, representation or advertisement that advertises or promotes any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage, and includes any of the following:
(a) an advertising structure,
(b) a building identification sign,
(c) a business identification sign,
but does not include a traffic sign or traffic control facilities.

**site area** means the area of any land on which development is or is to be carried out. The land may include the whole or part of one lot, or more than one lot if they are contiguous to each other, but does not include the area of any land on which development is not permitted to be carried out under this Plan.

**Note.** The effect of this definition is varied by clause 4.5 for the purpose of the determination of permitted floor space area for proposed development.

**site coverage** means the proportion of a site area covered by buildings. However, the following are not included for the purpose of calculating site coverage:

(a) any basement,
(b) any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
(c) any eaves,
(d) unenclosed balconies, decks, pergolas and the like.

**spa pool** has the same meaning as in the *Swimming Pools Act 1992*.

**Note.** The term is defined to include any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

**stock and sale yard** means a building or place that is used on a commercial basis for the purpose of offering livestock or poultry for sale and that may be used for the short-term storage and watering of stock.

**Note.**

Stock and sale yards are a type of rural industry—see the definition of that term in this Dictionary.

**storage premises** means a building or place used for the storage of goods, materials, plant or machinery for commercial purposes and where the storage is not ancillary to any industry, business premises or retail premises on the same parcel of land, and includes self-storage units, but does not include a heavy industrial storage establishment or a warehouse or distribution centre.

**storey** means a space within a building that is situated between one floor level and the floor level next above, or if there is no floor above, the ceiling or roof above, but does not include:

(a) a space that contains only a lift shaft, stairway or meter room, or
(b) a mezzanine, or
(c) an attic.

**swimming pool** has the same meaning as in the *Swimming Pools Act 1992*.

**Note.**

The term is defined as follows:

**swimming pool** means an excavation, structure or vessel:
(a) that is capable of being filled with water to a depth of 300 millimetres or more, and

(b) that is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity,

and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations made under the Swimming Pools Act 1992 not to be a swimming pool for the purposes of that Act.

take away food and drink premises means premises that are predominantly used for the preparation and retail sale of food or drink (or both) for immediate consumption away from the premises.

Note.
Take away food and drink premises are a type of food and drink premises—see the definition of that term in this Dictionary.

telecommunications facility means:

(a) any part of the infrastructure of a telecommunications network, or

(b) any line, cable, optical fibre, fibre access node, interconnect point equipment, apparatus, tower, mast, antenna, dish, tunnel, duct, hole, pit, pole or other structure in connection with a telecommunications network, or

(c) any other thing used in or in connection with a telecommunications network.

telecommunications network means a system, or series of systems, that carries, or is capable of carrying, communications by means of guided or unguided electromagnetic energy, or both.

temporary structure has the same meaning as in the Act.

Note.
The term is defined as follows:

temporary structure includes a booth, tent or other temporary enclosure (whether or not part of the booth, tent or enclosure is permanent), and also includes a mobile structure.

the Act means the Environmental Planning and Assessment Act 1979.

timber yard means a building or place the principal purpose of which is the sale of sawn, dressed or treated timber, wood fibre boards or similar timber products. It may include the cutting of such timber, boards or products to order and the sale of hardware, paint, tools and materials used in conjunction with the use and treatment of timber.

Note.
Timber yards are a type of retail premises—see the definition of that term in this Dictionary.

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

(a) backpackers’ accommodation,

(b) bed and breakfast accommodation,

(c) farm stay accommodation,

(d) hotel or motel accommodation,

(e) serviced apartments,

but does not include:

(f) camping grounds, or
(g) caravan parks, or

(h) eco-tourist facilities.

**transport depot** means a building or place used for the parking or servicing of motor powered or motor drawn vehicles used in connection with a business, industry, shop or passenger or freight transport undertaking.

**truck depot** means a building or place used for the servicing and parking of trucks, earthmoving machinery and the like.

**turf farming** means the commercial cultivation of turf for sale and the removal of turf for that purpose.

**Note.**

Turf farming is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

**underground mining** means:

(a) mining carried out beneath the earth’s surface, including bord and pillar mining, longwall mining, top-level caving, sub-level caving and auger mining, and

(b) shafts, drill holes, gas and water drainage works, surface rehabilitation works and access pits associated with that mining (whether carried out on or beneath the earth’s surface),

but does not include open cut mining.

**urban release area** means an area of land shown coloured and lettered “Urban Release Area” on the **Urban Release Area Map**.

**Urban Release Area Map** means the Camden Local Environmental Plan 2010 Urban Release Area Map.

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

**vehicle repair station** means a building or place used for the purpose of carrying out repairs to, or the selling and fitting of accessories to, vehicles or agricultural machinery, but does not include a vehicle body repair workshop or vehicle sales or hire premises.

**vehicle sales or hire premises** means a building or place used for the display, sale or hire of motor vehicles, caravans, boats, trailers, agricultural machinery and the like, whether or not accessories are sold or displayed there.

**Note.**

Vehicle sales or hire premises are a type of **retail premises**—see the definition of that term in this Dictionary.

**veterinary hospital** means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.

**viticulture** means the cultivation of grapes for use in the commercial production of fresh or dried fruit or wine.

**Note.**

Viticulture is a type of **intensive plant agriculture**—see the definition of that term in this Dictionary.

**warehouse or distribution centre** means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made.

**waste disposal facility** means a building or place used for the disposal of waste by landfill, incineration or other means, including such works or activities as recycling, resource recovery and other resource management activities, energy generation from gases, leachate management, odour control and the winning of extractive material to
generate a void for disposal of waste or to cover waste after its disposal.

Note.
Waste disposal facilities are a type of waste or resource management facility—see the definition of that term in this Dictionary.

waste or resource management facility means any of the following:
(a) a resource recovery facility,
(b) a waste disposal facility,
(c) a waste or resource transfer station,
(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

waste or resource transfer station means a building or place used for the collection and transfer of waste material or resources, including the receipt, sorting, compacting, temporary storage and distribution of waste or resources and the loading or unloading of waste or resources onto or from road or rail transport.

Note.
Waste or resource transfer stations are a type of waste or resource management facility—see the definition of that term in this Dictionary.

water recreation structure means a structure used primarily for recreational purposes that has a direct structural connection between the shore and the waterway, and may include a pier, wharf, jetty or boat launching ramp.

water recycling facility means a building or place used for the treatment of sewage effluent, stormwater or waste water for use as an alternative supply to mains water, groundwater or river water (including, in particular, sewer mining works), whether the facility stands alone or is associated with other development, and includes associated:
(a) retention structures, and
(b) treatment works, and
(c) irrigation schemes.

Note.
Water recycling facilities are a type of sewerage system—see the definition of that term in this Dictionary.

water reticulation system means a building or place used for the transport of water, including pipes, tunnels, canals, pumping stations, related electricity infrastructure, dosing facilities and water supply reservoirs.

Note.
Water reticulation systems are a type of water supply system—see the definition of that term in this Dictionary.

water storage facility means a dam, weir or reservoir for the collection and storage of water, and includes associated monitoring or gauging equipment.

Note.
Water storage facilities are a type of water supply system—see the definition of that term in this Dictionary.

water supply system means any of the following:
(a) a water reticulation system,
(b) a water storage facility,
(c) a water treatment facility,

(d) a building or place that is a combination of any of the things referred to in paragraphs (a)–(c).

**Water treatment facility** means a building or place used for the treatment of water (such as a desalination plant or a recycled or reclaimed water plant) whether the water produced is potable or not, and includes residuals treatment, storage and disposal facilities, but does not include a water recycling facility.

**Note.**

Water treatment facilities are a type of **water supply system**—see the definition of that term in this Dictionary.

**Waterbody** means a waterbody (artificial) or waterbody (natural).

**Waterbody (artificial) or artificial waterbody** means an artificial body of water, including any constructed waterway, canal, inlet, bay, channel, dam, pond, lake or artificial wetland, but does not include a dry detention basin or other stormwater management construction that is only intended to hold water intermittently.

**Waterbody (natural) or natural waterbody** means a natural body of water, whether perennial or intermittent, fresh, brackish or saline, the course of which may have been artificially modified or diverted onto a new course, and includes a river, creek, stream, lake, lagoon, natural wetland, estuary, bay, inlet or tidal waters (including the sea).

**Watercourse** means any river, creek, stream or chain of ponds, whether artificially modified or not, in which water usually flows, either continuously or intermittently, in a defined bed or channel, but does not include a waterbody (artificial).

**Waterway** means the whole or any part of a watercourse, wetland, waterbody (artificial) or waterbody (natural).

**Wetland** means:

(a) natural wetland, including marshes, mangroves, backwaters, billabongs, swamps, sedgelands, wet meadows or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with fresh, brackish or salt water, and where the inundation determines the type and productivity of the soils and the plant and animal communities, or

(b) artificial wetland, including marshes, swamps, wet meadows, sedgelands or wet heathlands that form a shallow waterbody (up to 2 metres in depth) when inundated cyclically, intermittently or permanently with water, and are constructed and vegetated with wetland plant communities.

**Wharf or boating facilities** means a wharf (or any of the following facilities associated with a wharf or boating) that are not port facilities:

(a) facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,

(b) facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,

(c) wharves for commercial fishing operations,

(d) refuelling, launching, berthing, mooring, storage or maintenance facilities for any vessel,

(e) sea walls or training walls,

(f) administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

**Wholesale supplies** means a building or place used for the display, sale or hire of goods or materials by wholesale
only to businesses that have an Australian Business Number registered under the *A New Tax System (Australian Business Number) Act 1999* of the Commonwealth.

**Historical notes**

The following abbreviations are used in the Historical notes:

<table>
<thead>
<tr>
<th>Am</th>
<th>amended</th>
<th>LW</th>
<th>legislation website</th>
<th>Sch</th>
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**Table of amending instruments**

*Cammen Local Environmental Plan 2010 (514)*. LW 3.9.2010. Date of commencement, on publication on LW, cl 1.1AA. This Plan has been amended as follows:

**2010**


**2011**

(102)  *Standard Instrument (Local Environmental Plans) Amendment Order 2011*. LW 25.2.2011. Date of commencement, on publication on LW, cl 2. The amendments made by Sch 2 have effect 4 months after that commencement. See cl 9 (1) of the *Standard Instrument (Local Environmental Plans) Order 2006* (155).

(200)  *Camden Local Environmental Plan 2010 (Amendment No 2)*. LW 21.4.2011. Date of commencement, on publication on LW, cl 2.


(373)  *Camden Local Environmental Plan 2010 (Amendment No 4)*. LW 22.7.2011. Date of commencement, on publication on LW, cl 2.


**2012**

(115)  *Camden Local Environmental Plan 2010 (Amendment No 10)*. LW 23.3.2012. Date of commencement, on publication on LW, cl 2.

(142)  *Camden Local Environmental Plan 2010 (Amendment No 1)*. LW 5.4.2012. Date of commencement, on publication on LW, cl 2.

**Table of amendments**

No reference is made to certain amendments made consequential on the amendment of the *Standard Instrument (Local Environmental Plans) Order 2006*.

CI 1.9A  Am 2011 (363), Sch 5 [1].

Land Use Table  Am 2011 (363), Sch 5 [2]–[23].

CI 4.1AA  Ins 2011 (363), Sch 5 [24].
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<td>Am 2012 (142), Sch 1 [1] [2].</td>
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Maps Am 2011 (200), cl 4; 2011 (373), cl 4; 2012 (115), cl 4; 2012 (142), cl 4.