

Camden Development Control Plan 2019



camden
council

Specific Land Use Controls

6

Contents

SPECIFIC LAND USE CONTROLS	6-1
6.1 Introduction	6-1
6.2 Rural Land Uses	6-2
6.2.1 Landscape Setting and Land Use Conflict	6-3
6.2.2 Rural Accommodations, Dwellings, Secondary Dwellings and Outbuildings	6-4
6.2.3 Secondary Dwellings	6-6
6.2.4 Farm Buildings	6-7
6.2.5 Agricultural Development	6-8
6.2.6 Non-Agricultural Development	6-9
6.2.7 Keeping of Trucks	6-9
6.2.8 Support Infrastructure	6-10
6.3 Specific Land Uses Controls	6-14
6.3.1 Child Care Facility (Child Care Centres)	6-14
6.3.2 Restricted Premises	6-17
6.3.3 Sex Service Premises	6-17
6.3.4 Exhibition Homes and Villages	6-19
6.3.5 Home Business and Home Industry	6-22
6.3.6 Domestic Solid Fuel Burning Appliances (Wood Fired Heaters)	6-24

Tables

Table 6-1: Setbacks	8
Table 6-2: Spillway size	11
Table 6-3: Setbacks for Child Care Facilities	15

SPECIFIC LAND USE CONTROLS

6.1 Introduction

This Part applies to land zoned for rural or industrial uses. This plan also applies to site specific uses such as:

- Child Care Centres
- Restricted Premises
- Sex Service Premises
- Exhibition Homes and Villages
- Home Business & Home Industry
- Domestic Solid Fuel Burning Appliances (Wood Fired Heaters)

6.2 Rural Land Uses

Background

Camden's rural areas play an important role – not only from an agricultural production perspective, but also through the provision of diverse rural landscapes. Increasing urbanisation has placed added pressure on the rural lands. Accordingly, Council seeks to ensure that development undertaken in the rural areas maintains the production potential of agriculture, conserves the scenic and cultural landscapes, and protects and enhances the natural environment.

What are Rural Land Areas?

The rural land areas that are covered by this section of the DCP include the RU1 (Primary Production), RU2 (Rural Landscape), RU4 (Rural Small Holdings) and other zones where rural land uses may occur including the E2 (Environmental Management) and E4 (Environmental Living) Zones.

Objectives

- a. Provide controls for rural dwellings, outbuildings and farm buildings which ensure the buildings are appropriately sited, designed and constructed in the rural context of the site;
- b. Ensure that the use of rural land for primary production purposes occurs in an orderly manner, minimising impacts upon the natural environment and surrounding land uses;
- c. Provide controls for non-agricultural developments in rural zones to ensure they are compatible with the use of the surrounding land for primary production and rural living;
- d. Ensure that support infrastructure in rural zones are appropriately sited and constructed; and
- e. Maintain the scenic rural landscapes which characterise the rural zoned land in the Camden LGA.

Further Information

Camden Rural Land Strategy 2017 Camden Scenic and Cultural Landscapes Study, February 1998 Lambcon Associates. Buffer Zones to Reduce Land Use Conflict with Agriculture, November 2018, Department of Primary Industries.

6.2.1 Landscape Setting and Land Use Conflict

Landscape Setting

Objectives

- a. Conserve significant natural features of the site and contribute to effective management of biodiversity;
- b. Conserve trees and other vegetation of ecological, heritage, aesthetic and cultural significance and
- c. Enhance the existing streetscape and promote a scale and density of planting that softens the visual impact of buildings and other infrastructure.

Controls

1. Natural features of the site, such as trees and other vegetation, rock outcrops, cliffs, ledges, Indigenous species and vegetation communities should be retained where appropriate; and must be enhanced with a revegetation strategy for the site.
2. Landscaping is to enhance the visual setting and accentuate the design qualities of the built form. Landscaping solutions are to be used to create a screening effect for visually obtrusive land uses or building elements.
3. Landscaping should encourage the development of a tree canopy to soften the built environment and to encourage the continuity of the landscape pattern.

Land Use Conflicts

Objectives

- a. Minimise rural land use conflict through a number of strategies including provision of land use buffers, land use regulation and encouragement of best practice in rural land practices; and
- b. Preserve rural resources by ensuring that land is not effectively sterilised by being developed or encroached upon by urban or other incompatible uses.

Controls

1. Proposed development must demonstrate consideration of existing rural operations and surrounding land uses and impacts on the proposed development.
2. Buffers or other measures must be implemented to ensure that residences or other sensitive receiving environments are not adversely affected by noise, odour, chemicals, or the like.
3. Where there is potential for the proposed rural industry / agricultural use to generate noise and/or odour impacts, a noise and/or odour impact assessment must be carried out by a suitably experienced and qualified person(s) and provided with the development application.

6.2.2 Rural Accommodations, Dwellings, Secondary Dwellings and Outbuildings

Background

Rural Dwellings

Residential development in rural zones takes many forms, including dwellings which complement the use of the land for primary production purposes, and rural-residential living on smaller rural lots. Residential development has the potential to create conflict with other land uses in rural zones if buildings are inappropriately sited and designed. All development should take into account the inherent rural character of a locality and be responsive to that character and the local landscape qualities.

Outbuildings

Outbuildings are associated with rural dwellings and are an integral part of rural life and activities. Outbuildings should be designed and sited to complement rural character. Inappropriate uses and activities are not permitted.

Objectives

- a. Ensure that development does not detract from the rural landscape, scenic quality, heritage value, nature conservation significance or agricultural productivity of rural areas;
- b. Provide separation between residential uses and noise generating sources;
- c. Provide buffers between residential buildings and land uses to minimise the potential for land use conflict and additional pressure on agriculture or other rural activities;
- d. Ensure that external finishes used have minimal detrimental impact on the visual amenity of an area; and
- e. Encourage consideration of all the rural components of development such as fencing, outbuildings, driveways and landscaping in the design of the proposed development.

Controls

- 1. Buildings in all rural zones must provide a minimum front setback of 20 metres.
- 2. Buildings in all rural zones must provide a minimum side and rear setback of 5 metres.
- 3. Controls 1 and 2 apply unless existing land uses and operations impact on the proposed development, therefore larger setbacks may be required to buffer new dwellings.

4. Dwellings must be located to minimise the removal of existing vegetation.
5. Buildings should be visually unobtrusive in the overall landscape.
6. Buildings should complement the characteristics of the landform.
7. Cut and fill must be kept to a minimum.
8. The roofline of buildings should reflect the land profile within the vicinity of the development.
9. All outbuildings must be ancillary to an approved use on the land on which it is situated.
10. External wall cladding to outbuildings must be of masonry, metal sheet or other approved material compatible with authorised existing development on the site and the character of the immediate environment.
11. Roof cladding to outbuildings must be of tiles, metal sheet or other approved material compatible with authorised existing development on the site and the character of the immediate environment.
12. The colours of roof and wall cladding must be generally low reflective neutral/earth tones, compatible with authorised existing development on the site and environmentally sensitive, to minimise any possible adverse impact on the amenity of the area.
13. All outbuildings must be provided with appropriate complementary landscaping to minimise the environmental impact on adjoining premises and the area generally.
14. Land zoned E4 Environmental Living with a minimum lot size of 1500m² or less, may use the minimum setbacks for outbuildings within Part 4 of this DCP.
15. The maximum floor area for rural outbuildings not used for the purposes of agriculture is 100m².
16. On unsewered sites, effluent and household waste water is to be disposed in accordance with Council's Sewage Management Strategy.
17. Access driveways are to be of trafficable width to allow for passing vehicles, manoeuvring and turning space, and bush fire access including emergency and service vehicles.
18. Attached Dual Occupancy development, where permitted by an Environmental Planning Instrument, the dwellings must be physically attached under the same roofline and have the general appearance of a dwelling-house when viewed from the primary street frontage. Structures such as carports with skillion roofs, pergolas, covered awnings and the like are not acceptable as a mode of attachment.

19. Detached Dual Occupancy and Secondary Dwelling development, where permitted by an Environmental Planning Instrument, the architectural treatment and building materials of both dwellings in the development must be compatible. Mirror reversed or replica dwelling design is not acceptable form of development.
20. Handle widths to battleaxe lots in rural areas are to be a minimum of 6 metres with a maximum length of 100 metres. A handle may serve two lots, provided there are reciprocal rights of way. An all weather pavement surface constructed to Council's standards is to be provided within each handle.

6.2.3 Secondary Dwellings

Objectives

- a. To enable the development of a diversity of dwelling types; and
- b. To contribute to the availability of affordable housing on rural lots.

Controls

1. Secondary dwellings must comply with the controls outlined above - except where the controls in this clause differ, in which case the controls below prevail.
2. Secondary dwellings must be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale.
3. Windows and private open spaces of secondary dwellings must not overlook the private open space of any adjacent dwellings.
4. No additional car parking or private open space area is required for secondary dwellings; however, provisions must be made for clothes drying facilities in a location with adequate solar access.
5. Any secondary dwelling must be setback behind the front building alignment of the principal dwelling.
6. The front entrance of a secondary dwelling may be located behind the primary street façade.

6.2.4 Farm Buildings

Background

As the nature of agricultural activities changes there has been an increase in the number and size of farm buildings and a corresponding increase in their impacts on the surrounding area. For this reason, it is necessary to provide controls for all developments involving farm buildings.

Unless specifically stated, controls for farm buildings apply to all buildings associated with any permissible use of rural land, whether or not that use is considered an agricultural use. In some cases, there are additional controls for particular buildings, such as greenhouses and poultry farms. Controls for greenhouses and poultry farms are included in the relevant land use sections below and should be applied instead of these controls for farm buildings.

Objectives

- a. Protect the scenic, historic and cultural value of the Camden LGA's natural and built environment; and
- b. Maintain the existing streetscape and rural aesthetic of the area.

Controls

1. All farm buildings must be ancillary to an existing agricultural use being undertaken on the land on which it is situated.
2. Farm buildings should be constructed using materials, colours and finishes that complement the principal dwelling, including low reflective, neutral/earth tones which blend in with the natural landscape.
3. Farm buildings should be sited so as not to be visually prominent when viewed from the road.
4. Farm buildings should be constructed in a cluster to minimise the amount of land occupied by development.
5. The minimum setback from any road is 20 metres.
6. The minimum side and rear boundary setback is 5 metres.
7. Cut and fill must be kept to a minimum and slope should not exceed 15%.
8. Farm buildings should feature pitched roofs.
9. Farm buildings must be designed and located to comply with Council's Flood Risk Management Policy.

Note: Farm buildings may be exempt under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*

6.2.5 Agricultural Development

Objectives

- a. Ensure that intensive plant agriculture is compatible with the rural environment;
- b. Minimise any adverse impact of intensive plant agriculture on surrounding properties; and
- c. Minimise the environmental impact of intensive plant agriculture on surrounding areas and watercourses.

Controls

1. The minimum lot size required to undertake intensive plant agriculture is 2 hectares.
2. The following setbacks apply to all buildings and structures associated with intensive plant agriculture:

Table 6-1: Setbacks

Front boundary	20m
Side and rear boundary	5m
Watercourses	40m

3. Only new and durable materials must be used in the construction of greenhouses/igloos/market gardens.
4. A suitable landscape screening or buffer must be established between any boundary and greenhouses/igloos/market gardens to effectively mitigate the visual impact and land use conflict from the development.
5. The landscape screening or buffers must be established through planting trees or shrubs (minimum 1.5m in height when mature), this should occur when any structures are erected.
6. On unsewered sites, development must be in accordance with Council's Sewage Management Strategy.
7. A Water Cycle Management Plan (WCMP) detailing how water will be sourced, stored, used, treated and recycled for the agricultural operation must be provided with any development application. The WCMP must demonstrate that the operation will not significantly impact on the total water cycle beyond the boundaries of the site.
8. Where the proposed use of the site is odour generating, an Odour Impact Assessment will be required.

6.2.6 Non-Agricultural Development

Rural Industry

Objectives

- a. Ensure that rural industries are compatible with the rural environment; and
- b. Minimise any adverse impact of rural industries on surrounding lands.

Controls

1. The minimum lot size required for rural industries is 10 hectares.
2. Buildings and outside storage areas are to be sited at least 20m from a public street and from any boundary where there is a dwelling on an adjoining property. These setbacks may need to be increased in order to address potential environmental or amenity impacts of the proposed development.
3. Rural industries must maintain the rural landscape, materials, colours and building form should be recessive in the landscape with low reflective, neutral/earth tones.
4. Outdoor storage yards are to be screened from roadways and neighbouring dwellings.
5. Council may limit the hours of operation of a rural industry where there is a likelihood of adverse impact on the amenity of the surrounding area.
6. No hazardous materials must be stored below 1% AEP flood level plus freeboard.
7. Where an industry has the potential to generate offensive odour beyond the boundaries of the site, an odour assessment must be undertaken in accordance with DECCW's "[Technical framework: Assessment and Management of Odour from Stationary Sources in NSW](#)" and be submitted with the application.
8. On unsewered sites, development must be in accordance with Council's Sewage Management Strategy.

6.2.7 Keeping of Trucks

Objectives

- a. Allow the storage of trucks, plant or similar vehicles owned and operated by the occupier of a property;
- b. Limit the interference of vehicle movements on the amenity of the neighbourhood; and
- c. Minimise visual impact of garaging and servicing equipment.

Controls

1. The maximum number of trucks, plant or similar equipment to be stored on a property (not associated with an authorised use occurring on that property), within a rural zone is two.

Note: If more than two vehicles are intended to be stored on the site, the use of the site may be defined as a “Truck Depot” under the Dictionary section of CLEP 2010, which will require the lodgement of a development application to seek consent for the use of the land for this purpose. Given the potential impacts on adjoining property owners, consideration should be given to locating truck depots on land within an industrial zone.

2. Loading Bays or parking for trucks are to be located in an area that is not visible from the street.
3. An Acoustic Report undertaken by a suitable acoustic consultant in accordance with the Department of Transport and Planning, Industry and Environment (Department of Premier and Cabinet) measurement methodology may be required to accompany the development application.
4. The vehicles should be stored where they are not visible from any public place. In this regard, screening of the truck and plant parking area may be required.
5. Goods, freight and the like are not to be stored on site.

6.2.8 Support Infrastructure

Earth Dams (Artificial Waterbody)

Objectives

- a. Ensure dams are stable, have minimal environmental impact and do not adversely affect surrounding properties, either by ponding water back onto upstream properties or by concentrating the flow of water to any downstream properties; and
- b. Ensure riparian right of the water users are not affected by the construction of a dam.

Note: Building and maintenance of dams may be subject to licence from the Department of Primary Industries Water. However, there are three categories of dams, listed below, which do not require licence for building and maintenance from the Department;

- Farm dams up to one mega litre on properties which were subdivided prior to 1 January 1999.
- Harvestable right dams (see definition above)
- Farm dams built before 1999 used for stock and domestic purposes.

The location of a dam, size and licence requirement can be obtained from the Department of Primary Industries Water. Large dams (more than 0.5ha surface area) located in or within 40m of a natural water body, wetland or an environmental sensitive area, or in a high waterable or acid sulphate, sodic or saline soils will be considered as Designated Development and need additional considerations.

Earth dams that are or will be classified as 'prescribed dams' in accordance with the NSW Dams Safety Committee's requirements, should only be constructed subject to obtaining development consent from Council.

Controls

1. Dams should not be sited near roads, utility installations or neighbouring dwellings due to potential adverse impacts of seepage and bywash/spillway overflow and potential breaks of the embankment.
2. If a dam is to be built near a boundary, any water which bypasses the dam or spillage discharges should flow from the property in the same place it did before the dam was built.
3. Dam spillways must be designed to handle storm flows and freeboard sufficient to prevent overtopping in a 1:100 year (1% Annual Exceedance Probability) storm when a by-wash is provided.
4. No dams must not be constructed within 15 metres (to top water level) of a public road. The toe of the embankment batter or top water level must not be closer than 3 metres of a private property.
5. The width of the dam crest must be a minimum of 3 metres for dams having up to a 3 metre high dam wall. Crests should increase in width 0.5 metres for every metre above a 3 metre high dam.
6. A minimum 1 metre freeboard is required over the top water level. This should increase by 10% for every metre over a 3 metre high wall. Deviations to this may be accepted depending on the particular hydrologic, operational or dam circumstances and the accuracy of engineering design, in accordance with NSW Dam Safety Committee's Guidelines for earth dams.
7. The height of the outlet in relation to the dam governs the top water level if pipes are excluded. The outlet must be level and at least six (6) metres wide. The width of the outlet should not be less than the inlet width.
8. Natural vegetation below the spillway outlet and on the inflow areas must not be disturbed by machinery, vehicles or livestock.
9. The spillway size must be as follows:

Table 6-2: Spillway size

Catchment Area (ha)	Outlet length(m)	Channel Width(m)
less than 20	7	3
20-40	12	6
greater than 40	Subject to detailed design	

10. An earth bywash is required on all dams in order to pass surplus run-off around the dam which would otherwise pass over the embankment. The bywash should be generally 6 metres in width.

11. The width of the outlet from the bywash is not to be less than the inlet width. The bywash must not direct flows onto the downstream batter toe. The bywash cut batter is not to exceed a maximum steepness of 1.5:1.
12. If the bywash is required to be vegetated, then the bywash is to be excavated 75mm below the top water level and backfilled with compacted topsoil and planted with a suitable holding grass such as kikuyu or couch. No trees and shrubs are to be planted in the bywash area.

Note: In some instances, Council may require a pipe spillway through the embankment to act as an outlet. This is especially applicable where spring flows or small flows of long duration are known to occur. Rock baskets and geotextile fabric may be required to prevent erosion where velocities are high. Outlet and/or spillway pipes in earth basins must be encased in concrete.

13. The pipe spillway invert is to be at least 100mm below the level of the bywash.
14. The bywash or spillway water from a dam should not have an adverse impacts on neighbouring properties. Dams are to be sited so that excess water is contained on the property on which they are located before meeting with a natural watercourse downstream.

Note: Continuous trickle flows kill vegetation, keeps the soil wet and encourages spillway erosion. A small diameter sewer class pipe or stronger (usually 150mm. but varied according to flow rate) can be built into the wall during construction to accommodate trickle flows. The pipe is normally installed with a fall in gradient between its inlet and outlet, with the outlet 300mm, below the flood spillway.

The trickle pipe is to be extended beyond the toe of the batter of the embankment to prevent any potential instability problem to the embankment.

15. Three metres should be considered the minimum depth of a dam, as evaporation in many areas will lower water level by approximately 1.5 metres during dry periods. Batter slopes should be retained at 1:3, therefore the depth will be dependent upon surface area measurements in small dams.
16. The material used to construct an embankment should be sufficiently impervious to keep seepage low and to be stable. A soil with 25% clay content is ideal to form an impervious barrier.
17. The following soil types should not be used for dam construction or batters:
 - a. sand
 - b. gravels
 - c. organic soils
 - d. peat
18. The slope of upstream embankment batters should conform with the ratio of 3(horizontal):1(vertical) and downstream embankment batters no steeper than 2.5(horizontal):1(vertical).
19. All dams must have a cut-off trench to be constructed along the entire embankment length a minimum depth of 300mm. Impervious material from the excavation must be placed into the trench and compacted forming a watertight barrier preventing seepage past the structure.

Backfilling of Earth Dams

1. A dam fill plan must be prepared by a suitably qualified person and should indicate the extent of filling, original and final contours, and depth of filling in maximum 0.5m increments. The dam fill plan must accompany a report prepared by a suitably qualified engineer, detailing the type of fill material used, the compaction levels achieved, and classification in accordance with the provisions of AS 1289, Methods of testing soils for engineering purposes Soil strength and consolidation tests.

6.3 Specific Land Uses Controls

6.3.1 Child Care Facility (Child Care Centres)

Background

Centre Based Child Care Facilities are managed under the [State Environmental Planning Policy \(Transport and Infrastructure\) 2021](#) and the [Child Care Planning Guideline](#), the CLEP 2010 and the below controls.

The definition of a child care facility is stated in the *State Environmental Planning Policy (Transport and Infrastructure) 2021*. It is strongly recommended that applicants arrange a pre-DA meeting with Council prior to submitting a development application to ensure that all prerequisite documentation has been prepared.

Regulatory Authority means the Regulatory Authority for New South Wales under the [Children \(Education and Care Services\) National Law \(NSW\)](#) (as declared by section 9 of the [Children \(Education and Care Services National Law Application\) Act 2010](#)).

Objectives

- a. Ensure child care centres are compatible with neighbouring land uses and are appropriately integrated into existing or new residential environments;
- b. Ensure child care centres are well designed with a high standard of outdoor play areas, landscaping and are integrated in appropriate locations to meet community needs;
- c. Minimise adverse impacts on the environment and amenity of residential areas and other land uses. In particular, noise and traffic generation from the development and operation of child care centres; and
- d. To ensure the location and design of waste storage facilities, and the on-going management of waste associated with the centre, minimises undue impacts on amenity (e.g. visually, by emission of odour, or causing noise nuisance).

Note

If a development application does not meet the minimum indoor or outdoor space requirements of the [Education and Care Services National Regulations](#), Council must, within 7 days of receiving the development application forward a copy to the Regulatory Authority and notify them in writing of the basis on which the Authority's concurrence is required and of the date it received the development application.

Council must forward a copy of its determination of the development application to the Regulatory Authority within 7 days after making the determination.

Controls

Setbacks in Residential zones

Table 6-3: Setbacks for Child Care Facilities

Front setback (min)	Consistent with the existing character
Secondary street setback (min)	4m
Side setback (min)	1.2m
Side setback to access doors from children's internal space (min)	4m
Rear setback (min)	4m ground floor and 8m second floor

Access and Car parking

1. The car parking requirements are to comply with the controls set out in this DCP.
2. All required car parking must be provided off-street.

Hours of Operation

1. Council may consider longer hours of operation including Saturday mornings if it can be demonstrated that no adverse impact on neighbouring properties will result from an earlier starting and/or a later closing time.

Dual Use of the Centre (in association with a dwelling)

1. Any dwelling component must have separate access at the front. No entry is permitted by way of access through any part of the child care centre.
2. Separate toilet, laundry and kitchen facilities must be provided for each use.
3. Children in care must not be able to access any part of the dwelling and its private open space area.
4. A separate outdoor principal private open space area must be provided for the dwelling in accordance with this DCP.
5. The provision of parking spaces for the residents must be in addition to the parking requirements of the child care centre.

Kitchen fit-out

1. If the child care centre requires a commercial kitchen, it must be demonstrated, that the kitchen has been designed to comply with the Food Act and Regulations incorporating the Food Standards Code and Council's Food Premises Code.

On-site Sewage Management

1. Where a child care centre is proposed in an unsewered area, a commercial on-site sewage management facility will be required to be installed. Council will not approve the child care centre unless it can be demonstrated to the satisfaction of Council that effluent will be disposed of in an appropriate manner.
2. An application under section 68 of the Local Government Act is to be submitted to Council and approved, prior to approval of the development application for the Childcare Centre. The application must be in accordance with Council's Sewage Management Strategy.
3. Sewage systems and the disposal area will be required to be fenced, to ensure that they are childproof and to limit exposure (physical contact).

Waste Management

1. A waste management plan is to be submitted for the proposed demolition, construction and ongoing use of the child care centre,
2. Adequate provision must be made for the storage and collection of all waste receptacles.
3. The waste and recycling storage area must be designed to be visually and physically integrated into the design of the development, and not stored within the front setback to avoid visual clutter. Waste facilities are not to be sited within the areas required for car parking, vehicular and pedestrian access, landscaping and outdoor play areas.
4. In cases where the waste storage area is likely to be visible from the street, design elements such as fencing, landscaping and roof treatments may be used to screen the waste and recycling storage area so as not to detract from the aesthetics of the streetscape.
5. Consideration is to be given to frequency and times of collection to minimise impacts of waste vehicle noise on neighbouring properties.

Water Supply

1. A child care centre must have access to a potable water supply.

Signage

1. Any signage must comply with Part 2.15 of this DCP.

6.3.2 Restricted Premises

Objectives

- a. Ensure that the amenity and safety of a particular area is not overly compromised by the implementation of a restricted premise.

Note: CLEP 2010 contains the definition of a restricted premises and clause 7.7 provides requirements regarding the location of restricted premises.

Controls

1. Development for the purpose of restricted premises must be designed to minimise any impact on the surrounding area with regards to the appearance of the building or premises, the appearance and content of signage and advertising, and the location and intensity of external lighting.
2. Development applications seeking consent for restricted premises must include:
 - a. A description of all materials, articles, compounds, preparations and the like to be offered for sale.
 - b. The size, form or shape, illumination and position, colour and content of any proposed business identification sign, street number, advertisement or promotional device to be erected or displayed.
 - c. Details of the existing and proposed external lighting.
 - d. A specified operator, which must be named on the application.

Note: For Restricted Premises, Council may include as a condition of consent a trial period for 12 months.

Further Information - Additional controls applying to restricted premises are located within the following legislation:

Pt 16 s 578(E)(2) of the [Crimes Act 1990](#).

Section 49, No.63 of the [Classification \(Publications, Films and Computer Games\) Enforcement Act 1995](#).

6.3.3 Sex Service Premises

Objectives

- a. Provide appropriate planning controls relating to the use of a building or place as a sex service premise;

- b. Ensure that sex service premises do not adversely affect the amenity of land used for educational, recreational, residential, service industrial, business, cultural or community purposes; and
- c. Ensure that sex service premises will not have adverse impacts on the community.

Controls

Note: The land use table and Schedule 1 Additional Permitted Uses in CLEP 2010 provides statutory land use controls for sex services premises in the Camden LGA.

1. Development for the purpose of a sex service premise must not be carried out if the building or place is adjacent to any property used, or partly used for residential purposes.
2. Sex services premises must not be located near, or within view from a place of public worship, child care centre, hospital, community facility, school, public open space, residential development or any place regularly frequented by children for educational, recreational or cultural activities.
3. The operation of the sex services premise must not affect the amenity of the surrounding neighbourhood because of its size, operating hours, number of employees or clients.
4. The entrance to and exit from a sex services premise is not to be within view of any place regularly frequented by children.
5. A suitable waiting area is to be provided in the sex services premise to prevent clients loitering outside the building.
6. The operator of a sex services premise must ensure proper conduct of patrons exiting the building.
7. Sex workers must not display themselves in windows or doorways of the sex services premise or outside such buildings.
8. The NSW Department of Health should be contacted in regards to relevant health standards for the operation of a sex service premise.
9. Advertising signs and structures are to be discreet and inoffensive. No signs may display words or images, which are in the opinion of the Council, sexually explicit, lewd or otherwise offensive.
10. Any sign should not exceed 0.3m x 0.6m in size (or other dimensions, but of equivalent surface area), and identifies only the name of the person who conducts the business or the registered name of the business.
11. All buildings used as a sex services premise must be fitted with the necessary services and facilities which are currently required for Class 5 buildings (an office building used for professional or commercial purposes) under the Building Code of Australia.
12. The development application must specify the name and residential address of the person responsible for operating the sex services premise. If development consent is granted, a condition of any consent will require written notification to Council of a change of name or address of the nominated operator.
13. In determining a development application for sex services premises, Council consider:

- a. whether or not the operation of the sex service premise is likely to cause disturbance in the area when taking into account other sex service premises operating in the area or other land uses within the area involving similar hours of operation;
- b. the design and external appearance of the building and any associated structure and their impact on the character of the surrounding built environment;
- c. the content, illumination, size and shape or any advertisement and distinctive external lighting;
- d. the operation of the sex service premise is likely to cause a disturbance in the area because of its size, operating hours, number of employees or clients.

Note: For Sex Service Premises, Council may include as a condition of consent a trial period for 12 months.

6.3.4 Exhibition Homes and Villages

Background

Exhibition homes and exhibition villages are a way for homebuilders to display finished dwellings within a residential environment. During their use as exhibition homes & exhibition villages there is a potential for significant traffic generation, particularly on weekends. The exhibition homes can eventually be sold for use as dwellings and become part of the residential environment.

Objectives

- a. Ensure that exhibition homes and exhibition villages operate with minimal impact on the surrounding residential area;
- b. Ensure that exhibition homes and exhibition villages operate for a limited time after which they cease to operate; and
- c. Ensure that exhibition homes and exhibition villages revert to a conventional residential environment.

Controls

Subdivision, Frontage and Lot Sizes

- 1. Any subdivision of land must be in accordance with the requirements for dwellings in CLEP 2010.
- 2. Any proposed street with an exhibition village may be held as one lot within the development until the cessation of the operation of the exhibition village. Public road dedication must be completed prior to use as a separate dwelling.

Site Location

1. Exhibition homes/ exhibition villages should be located:
 - a. close to classified roads or sub classified roads.
 - b. where vehicular access is from a collector street.
 - c. on streets with widths that permit adequate safe manoeuvrability of vehicles and lines of sight for pedestrians, cyclists and vehicles.
 - d. where traffic control devices do not impede vehicular access to and from the site.
2. Exhibition homes/ exhibition villages must not be permitted:
 - a. where access is from a street with a carriageway width of less than 6.5m.
 - b. on streets which are cul-de-sacs.

Car Parking

1. Car parking for exhibition homes must be provided off street. However, on-street car parking may be considered where there are no privately occupied dwellings opposite or adjoining the individual exhibition homes.
2. Internal streets may be closed out of hours of operation only where the streets are not yet dedicated as public roads.

Amenities and Environmental Impact

1. During the operation of an exhibition home/ exhibition village additional measures to maintain the privacy of adjoining residential development may be required.
2. The hours of operation must be limited to 7am to 7pm each day.
3. Buildings used for such uses as providing home finance, display of materials or take-away food and the like must cease to operate when the exhibition home/ exhibition village ceases.
4. Temporary buildings used for providing home finance, display of materials or take-away food must be removed and the site made good.
5. When the use of the dwelling ceases to be an exhibition home, any garage that has been used as a sales office is to be reinstated as a functioning garage with an appropriate garage door and associated driveway, prior to the occupation of the dwelling for residential purposes.

6. When the exhibition village/home ceases to operate, all signs and structures etc. associated with the exhibition home/village must be removed to ensure the site has a residential appearance.
7. Security lighting must be provided in such a way to minimise any adverse impact on adjoining residential areas.
8. The operation of the exhibition village (including the use of designated off-street car parks) must not cause offensive noise or affect the acoustic amenity of adjoining residents.

Waste Management

1. Waste disposal facilities must be provided for development. These must be located adjacent to the driveway entrance to the site.
2. Any structure involving waste disposal facilities must be located as follows:
 - a. setback one metre from the front boundary to the street.
 - b. landscaped between the structure and the front boundary and adjoining areas to minimise the impact on the streetscape.
 - c. not be located adjacent to an adjoining residential property.

Letterboxes and Numbering

1. Letterboxes must be located along the front boundary and be clearly visible and accessible from the street.
2. The street number of a site must be visible from the street and made of a reflective material to allow visitors and emergency vehicles to easily identify the site.

Frontage Works and Damage to Council Assets

1. Where a footpath, road shoulder or new or enlarged access driveway is required to be provided this must be provided at no cost to Council.
2. Council must be notified of any works that may threaten Council assets. Council must give approval for any works involving Council infrastructure.
3. Where there are no existing street trees in front of the site and contributions have not been collected for street tree planting, it may be a condition of consent that street trees be provided in the footpath area immediately in front of the site.

Acoustic Amenity

1. Dwellings located near future sources of noise are to incorporate appropriate noise attenuation measures when designed and constructed, to ensure that future residents are afforded an appropriate level of amenity.

Signage

1. Any signage must comply with Part 2.15 of this DCP.

6.3.5 Home Business and Home Industry

Objectives

- a. To allow for occupations or suitable low scale business activities to be conducted from houses or ancillary buildings in residential and rural areas, where the scale of the business does not interfere with the amenity of neighbouring properties.

Note: CLEP 2010 contains the definition of home business and home industry and clause 5.4 provides requirements regarding these uses.

Controls

1. Council must not consent to an application for the purpose of a home business, unless it is demonstrated that the home business:
 - a. does not involve the employment of more than two persons other than those residents;
 - b. does not take up floor space of more than 50m² in the dwelling or ancillary building. The use of land (for storage purposes, etc.) external to a dwelling or an outbuilding for home business purposes will not be permitted;
 - c. does not interfere with the amenity of the locality because of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste, water, waste products, grit or oil or otherwise;
 - d. does not involve exposure to view from any adjacent premises or from any public space of any unsightly matter, goods or products;
 - e. does not give rise to traffic levels out of keeping with those of the surrounding locality;
 - f. maintains existing parking spaces for residential use on site and business car parking be provided off street in accordance with this DCP;
2. A home business must operate within the hours specified below, unless it can be demonstrated to Council's satisfaction that operation outside of these hours will not have an unacceptable impact on the amenity of adjoining dwellings or the neighbourhood;
 - a. 8.30am to 5.30pm, Monday to Friday;

- b. 8.30am to 5pm Saturdays;
 - c. Sundays or public holidays (closed).
3. Deliveries and loading/unloading activities can only occur during the approved hours of operation;
 4. All signage must comply with this DCP. If signage is to be associated with the home business, it must:
 - a. not exceed a maximum area of 0.72m²;
 - b. be attached to the dwelling-house, letter box, front gate or the like;
 - c. only indicate the name and occupation of the resident;
 - d. not detract from the residential character of amenity of the area; and
 - e. will only involve retailing of products which are ancillary to the home business and will not adversely impact on the amenity of the locality in terms of traffic generation and pedestrian movement.
 5. Development Applications for skin preparation, must comply with the Skin Penetration Guidelines (Public Health Regulations 2000) and Skin Penetration Code of Best Practice. Applications for the food manufacturing, must demonstrate compliance with the Food Act and Regulations incorporating the Food Standards Code and Camden Council's Food Premises Code. Any application must submit plans and supporting documentation that demonstrate compliance with these policies.
 6. A Statement of Environmental Effects must be submitted for all types of home business applications, they must outline the overall operation of the proposal.

Note: A home business does not include bed and breakfast accommodation, home occupation (sex services) or sex services premises.

Trial Period

1. In the event that Council grants development consent for a home business, Council may include (as a condition of consent), a condition which limits the duration of the consent to a maximum 12 month period, after which a further development application is required to continue the use beyond that date. Council, in determining any further application, will have regard to the operation of the use within the preceding 12 month period.

6.3.6 Domestic Solid Fuel Burning Appliances (Wood Fired Heaters)

Objectives

- a. To allow for Domestic Solid Fuel Burning Appliances (Wood Fired Heaters) that are installed appropriately and will not have an adverse impact on air quality or the amenity of the surrounding residential neighbourhood.

Controls

1. Must be installed in accordance with the Building Code of Australia and the relevant Australian Standards (includes 4 grams per kilogram of fuel burnt)

Note: Heaters with a 1gram per kilogram emissions rate or less and an efficiency rating of 65% or greater are preferred as they have a lower impact on air quality.

-End of Part-

 70 Central Ave,
Oran Park NSW 2570

 mail@camden.nsw.gov.au

 PO Box 183, Camden 2570

 camden.nsw.gov.au

 4654 7777

 www.facebook.com/camdencouncil

 ABN: 31 117 341 764



camden
council