

# Part A: Administrative Provisions



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## **A1 Administrative Provisions**

### **A1.1 What is the Name of this DCP?**

This DCP is known as the Camden Development Control Plan 2011 (DCP)

### **A1.2 What date did the DCP commence?**

This DCP was made under Section 74C of the Environmental Planning and Assessment Act 1979 and Part 3 of the Environmental Planning and Assessment Regulation 2000. The DCP was adopted by Council on 8 February 2011. The DCP came into force 16 February 2011.

### **A1.3 Where does this DCP apply?**

This DCP applies to all land within the Camden Local Government Area (LGA). In addition to this DCP, Growth Centre precincts gazetted under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 are subject to the Growth Centre specific DCPs which contain additional provisions.

### **A1.4 What does the DCP seek to achieve?**

The objectives of this DCP are to ensure that:

1. Camden LGA retains its valued heritage qualities and scenic landscapes whilst providing for sustainable urban growth.
2. New communities are planned and developed in an orderly, integrated and sustainable manner.
3. Stresses from development on the natural environment are minimised and overall improvements to the natural systems in Camden LGA are achieved.
4. New developments are integrated with existing and planned transport systems and promote sustainable transport behaviour in Camden LGA.
5. Appropriate housing opportunities are provided for all existing and future residents of Camden LGA at all stages of their life cycle.
6. New developments deliver upon the desired future character of the places in Camden LGA.
7. New development is designed and located to ensure the health, safety and security of people and property in Camden LGA.
8. Identified and potential Aboriginal and European heritage places are conserved and respected.
9. The economic, employment and education needs of all existing and future residents of Camden LGA are appropriately planned for.
10. The recreation and social needs of existing and future residents are appropriately planned for.
11. New developments are planned and constructed to contribute to the social, environmental and economic sustainability of Camden LGA.

### **A1.5 Relationship between this DCP and Camden LEP 2010 and other DCPs, Policies and Documents**

This DCP must be read in conjunction with any environmental planning instrument (EPI) that applies to the land. An environmental planning instrument includes a State Environmental Planning Policy (SEPP), deemed SEPP or a Local Environmental Plan (LEP). In general, Camden LEP 2010 (LEP 2010) will be the only EPI which applies, however a number of SEPPs or deemed SEPPs may still apply to particular sites or developments.

The provisions contained in this DCP supplements the provisions of LEP 2010. If there is any inconsistency between this DCP and the LEP, the LEP will prevail.

### **A1.6 Relationship between this DCP and Camden Council Engineering Specifications?**

This DCP must be read in conjunction with Council's Engineering Specifications.

## A1.7 How is the DCP structured?

The DCP consists of four parts:

**Part A – Administrative Provisions** sets out the administrative and operational provisions of the DCP.

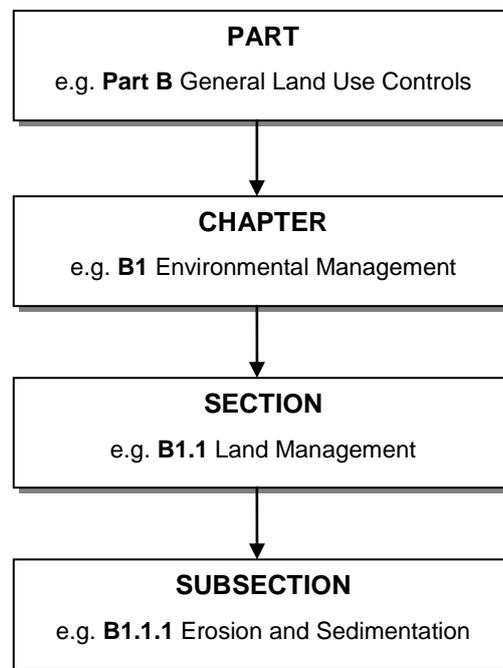
**Part B – Controls Applying to all Land Uses** sets out the controls that apply to all development types in the Camden LGA. Part B contains the objectives and controls that underpin the orderly and sustainable development of the Camden LGA. Accordingly, this part of the DCP must be consulted in the first instance.

**Part C – Residential Subdivision** sets out controls that apply the development applications which involve the subdividing of land in the Camden LGA. Part C specifically contains controls for subdivision in R5 zones, established residential zones and new release areas.

**Part D - Controls Applying to Specific Land Uses/Activities** sets out controls that only apply to particular land uses or localities within the Camden LGA. This part sets out detailed site-specific and development-type-specific controls.

**Note:** Where relevant, all parts of the DCP must be read collectively and the objectives and controls satisfied. However if there is any inconsistency between the relevant Part B, C and D; the Part C and Part D controls take precedence to the extent of the inconsistency.

Each part follows the order illustrated in figure A1:



**Figure A1 Camden DCP Hierarchal Structure**

There are cross-references throughout this DCP which use the applicable reference (i.e. Part, Chapter, Section or Subsection) of figure A1. This ensures a user-friendly document in which all controls are acknowledged for each particular development application. It also prevents the repetition of controls, thus creating a more streamlined DCP.

Each subsection contains subheadings. The subheadings must be read and conformed with in order to ensure the proposed development is compliant. Generally the subheadings are as follows:

**Background** – contains information that is essential to understanding the subsection.

**Objectives** – state what is to be achieved and covers the range of desired outcomes to achieve a goal.

**Controls** – contain standards in order to achieve the objectives.

**Further Information** – provide supplementary references which also need compliance e.g. Camden Council's Engineering Specifications.

### **A1.8 Where do I find the Relevant Controls?**

The Table of Contents located at the beginning of the DCP and at the beginning of each part provides a list of all matters covered by the DCP. In addition, a Development Control Matrix is provided as Appendix A. The Development Control Matrix is a tool to cross-reference the specific parts of the DCP which apply to certain development types.

### **A1.9 Can the controls (requirements of the DCP) be varied?**

Council may grant consent to a proposal that does not comply with all the relevant controls, providing the objectives of the controls are achieved. Each application will be considered on its merits. Consent may be refused despite compliance with set standards.

Justification for variations to the DCP must be made in writing and must clearly demonstrate the grounds for varying the requirements of the DCP (i.e. how the proposed development meets the relevant objectives of the DCP) and achieves a good outcome.

### **A1.10 Who approves Development under this DCP (Consent Authority)?**

Camden Council is the consent authority under this DCP.

### **A1.11 Does the entire DCP apply from the Date of Commencement (Transitional Provisions)?**

The entire DCP applies from the date of commencement. However, development applications lodged prior to the commencement date may be assessed under the provisions of the Camden DCP 2006.

### **A1.12 What are the standard application requirements?**

Each development application submitted to Council must include all information outlined in the relevant Development Application Checklist. Specific Development Application Checklists apply to certain types of development. The Development Application Checklists may be downloaded from Council's website or hard copies may be obtained from one of Council's Customer Service Counters.

**Note:** *If a development is "Integrated Development" as detailed in Section 91 of the EP&A Act, approvals may be required from one or more authorities. These may include:*

- *NSW Heritage Branch*
- *Mine Subsidence Board*
- *National Parks and Wildlife Service*
- *Roads and Traffic Authority*
- *Rural Fire Service*

*Throughout this DCP specific submission requirements may be detailed with the controls relating to specific land uses or specific sites in Camden.*

## A2 Notification and Advertising Requirements

### Introduction

Council will give notice in accordance with A2.2 of this DCP to owners of land adjoining or opposite the land to which any development application relates. As a guiding principle, Council will limit neighbour notification to those adjoining properties affected by a proposal (A2.13 Notification Area).

Modifications to development applications under section 96(2) of the Act will be notified in the same manner as the original development application.

Notwithstanding the requirements of this DCP Council officers may where it is deemed necessary expand notification requirements and timeframes if, in the opinion of Council it would be in the public interest to do so.

### A2.1 Notification and Advertising

**Notification** is where Council writes to those people identified as requiring notification, advising of the submission of a development application. Notification is for a minimum period of 14 days.

**Advertising** is where Council, in addition to writing to those people required to be notified, places an advertisement in a local newspaper advising of the submission of a development application. Advertising is for a minimum period of 14 days unless otherwise specified by legislation or Environmental Planning Instruments in the case of Nominated Integrated, Designated and Advertised Developments.

**NOTE**

**A fee is payable at the time of lodgement of a development application for both notification and advertising. The fee charged is in accordance with Council's adopted Fees and Charges at the time of lodgement.**

### A2.2 Notification of applications

1. Council will notify:
  - a) Major industrial and commercial developments that are generally **not** in keeping with the established scale and character of surrounding development
  - b) Childcare centres
  - c) Multi-dwelling housing and residential flat buildings
  - d) Two storey dwellings (excluding complying development and dwellings in rural zones with significant separation distance in the opinion of Council to neighbouring properties)
  - e) First floor additions to existing dwellings
  - f) Subdivision of land (excluding Strata title subdivisions and boundary adjustments and creation of residue lots)
  - g) Major bulk earthworks and landforming operations
  - h) New road construction (excluding minor roadworks/upgrades)
  - i) Telecommunication facilities

- j) Applications for the removal of trees which are likely to impact on local amenity
- k) Modifications to existing educational establishments and hospitals
- l) Development where, in the opinion of Council, it would be in the public interest to notify the application.

### **A2.3 Advertising of applications**

1. Council will advertise
  - a) New Educational establishments and hospitals
  - b) Any development that is classed as either Nominated Integrated, Designated or Advertised Development in accordance with any legislation, Environmental Planning Instrument or DCP
  - c) Development where, in the opinion of Council, it would be in the public interest to advertise the application

### **A2.4 Nominated Integrated Development**

1. Nominated Integrated Development is development that requires an approval from an external authority under the following legislation:
  - (a) the Heritage Act (1977)
  - (b) the Protection of the Environment Operations Act(1997)
  - (c) the Water Management Act (2000)
2. All Nominated Integrated Developments must be advertised for a minimum period of 30 days.

Designated Development is certain types of significant development e.g. concrete batching plants, large breweries/distilleries; listed in Schedule 3 of the Environmental Planning and Assessment Regulations.

1. All Designated Developments must be advertised for a minimum period of 30 days and in accordance with the special advertisement procedures listed in the Environmental Planning and Assessment Regulations.

### **A2.6 Re notification/advertisement**

1. Where a Development Application has been amended by the proponent prior to determination , the responsible Council officer will renotify or advertise the application if:
  - a. In the opinion of Council it is considered that there is an overall increase in the impact of the development.

Where there is a reduction in impacts or no impact as a result of the changes the application does not need to be renotified/advertised.

### **A2.7 Neighbour notified development**

The form of notice for neighbour notified development will include:

- a) a description of the proposed development;
- b) the address of the development site;
- c) the name of the applicant to carry out the work;
- d) advice that the plans may be inspected on Councils website, and electronically at Councils offices during business hours free of charge; and
- e) the closing date for written submissions

## **A2.8 Advertised development**

The form of notice for advertised development will include the requirements under the Environmental Planning and Assessment Act 1979.

## **A2.9. Protocol for neighbour notification and advertising**

For neighbour notified and advertised development, the following procedures will apply:

- a) the owners of land adjoining or opposite a proposed development including properties separated by only a walkway, driveway or laneway will be notified as shown in A2.13 Examples 1-6 and the following approach will be taken:
  - i. where the proposed development affects the entire site, owners of properties marked shaded in grey will be notified as shown in Examples 1-3;
  - ii. where the proposed development affects only the rear of the site (such as rear yard garage, swimming pool, rear dwelling additions/ alterations), owners at the sides and rear will be notified as shown in Example 4. Owners on the opposite side of the roadway will not be notified. Similar notification will occur where development is proposed at the front of a premises Example 5;
- b) A sign will be placed on the development site indicating the details of the proposed development.
- c) the plans of the proposed development will be available for inspection, online at [www.camden.nsw.gov.au](http://www.camden.nsw.gov.au);
- d) submissions to Council must be in writing and be received by Council on or before the last day of notification;
- e) all written submissions will be considered by Council as part of the assessment of the application;
- f) Council will give notice of the determination of an application to each person who makes a written submission. For a petition, the instigator will be advised. The notice of determination will specifically address their matters of concern and give reasons for the determination; and
- g) where a development application is referred to a Council meeting, every effort will be made to advise applicants and submitters of the date of the meeting.

## **A2.10 Notification of community groups**

Council will consider notifying community groups of development applications for development in their area.

## A2.11 Notification of Owner's Corporations

A notice to an association for a community, precinct or neighbourhood parcel within the meaning of the Community Land Development Act; or to an Owner's Corporation for a parcel within the meaning of the Strata Schemes Management Act; is taken to be a notice to the owner of each lot within the parcel concerned.

## A2.12 Notification period over Christmas/New Year

For applications notified or advertised within 14 days of December 25<sup>th</sup> (before and after) the notification/advertising period will be extended a further 14 days.

Please contact Council for further information regarding extended notification periods.

## A2.13 Notification Area

The notification areas will generally comply with the following diagrams unless Council officers identify the requirement for extended notification based on individual applications.

Example 1



Example 2



Example 3



Example 4



Example 5



Example 6

