

**ENVIRONMENT AND PLANNING**

**ITEM 7.31 Development Control Plan Housekeeping Amendments**

<b>Item Reference Number</b>	2024.408	
<b>Meeting</b>	Council	20 February 2025
<b>Directorate</b>	Strategic Planning	
<b>Prepared by</b>	Jasmine Oakes, Strategic Planner	
<b>Reviewed by</b>	Adam Cameron, Director Environment & Planning	
<b>Attachments</b>	1. Proposed DCP Housekeeping Amendments - February 2025	

**SUMMARY**

Council's Development Control Plans (DCPs) provide detailed planning and design guidelines to support the objectives and controls in the *Clarence Valley Local Environmental Plan 2011*. Council currently has five (5) DCPs that guide development to meet specific standards and encourage well designed, safe and high-quality development that positively contributes to the Clarence Valley.

The purpose of the proposed Housekeeping Amendment to the DCPs is to make:

- updates due to changes to legislation and correct minor errors
- targeted improvements to achieve better planning outcomes or more streamlined development assessment processes.

This report seeks a Council resolution to progress the proposed draft DCP amendments and place them on public exhibition for a period of 28 days, in accordance with the Community Participation Plan.

**Proposed Amendments**

The table below details the proposed amendments to be made to the DCPs, being thirteen (13) amendments relating to updates/corrections and seventeen (17) amendments relating to changes to improve clarity and certainty. **Attachment 1** to this report provides a description and intended outcome of each of these proposed DCP amendments.

**Corrections**

<b>Proposed Changes</b>	<b>DCP</b>
1. Contaminated land requirements	All DCPs
2. Dual occupancies in the R5 zone	Residential Zones DCP
3. Correct map references	Residential Zones DCP
4. Palmers Island controls	Residential Zones DCP
5. Angourie Village controls	Residential Zones DCP
6. Part W reference	Residential Zones DCP
7. Private open space reference	Environmental Protection and other Zones DCP
9. Wording correction	Rural and Business Zones DCPs
10. Update Policy and Regulations references	All DCPs

11. Delete SEPP 65 Principles	Residential and Environmental Protection and other Zones DCPs
12. Update Business, Industrial and Environmental Zones name changes	Business, Industrial and Environmental Protection and other Zones DCPs
13. NSW Coastal Design Guidelines	Residential and Environmental Protection and other Zones DCPs

### Changes to Improve Clarity and Certainty

Proposed Changes	DCP
14. Update Sustainable Water Controls	All DCPs
15. Minimum building envelope to enable consideration of clearing for subdivision applications	Residential, Rural and Environmental Protection and Other Zones DCPs
16. Determination of suitable road access and landowner consent for right of way	Residential, Rural and Environmental Protection and Other Zones DCPs
17. Objectives for high fences and walls	Residential Zones and Environmental Protection and Other Zones DCPs
18. A11 Amendment	All DCPs
19. Remove top plate height	Business Zones DCP
20. General servicing provisions	Business Zones DCP
21. Dual occupancies in rural zones	Rural Zones DCP
22. Shadow controls	Residential and Environmental Protection and other Zones DCPs
23. Pressure sewer setbacks	All DCPs
24. Filling in the floodplain	Residential Zones DCP
25. Setback to sheds in the R5 zones	Residential Zones DCP
26. Private open space for serviced apartments	Environmental Protection and other Zones DCPs
27. Awnings	Business Zones DCP
28. Native vegetation management	Residential and Environmental Protection and other Zones DCPs
29. Primary and secondary frontage definitions	All DCPs
30. The use of grasscrete and planter boxes as landscaped area	Residential and Environmental Protection and other Zones DCPs

Subject to confirmation by Council resolution to publicly exhibit the proposed DCP amendments, the five (5) draft DCPs will be prepared in accordance with Attachment 1 and be placed on public exhibition as a package.

### OFFICER RECOMMENDATION

That Council:

1. place the amendments to the five (5) Development Control Plans for the matters described in Attachment 1 on public exhibition for a period of 28 days.
2. finalise and adopt the Development Control Plan amendments as publicly exhibited, subject to no submissions being received that result in any substantial changes or that require further consideration of Council.

3. note that if submissions are received that raise objections that require further consideration of Council, this matter will be reported to Council meeting after submissions close.

**COUNCIL RESOLUTION - 2024.408**

**Cr Clancy/Cr Whaites**

**That Council:**

1. place the amendments to the five (5) Development Control Plans for the matters described in Attachment 1 on public exhibition for a period of 28 days.
2. finalise and adopt the Development Control Plan amendments as publicly exhibited, subject to no submissions being received that result in any substantial changes or that require further consideration of Council.
3. note that if submissions are received that raise objections that require further consideration of Council, this matter will be reported to Council meeting after submissions close.

**Voting recorded as follows**

**For: Cr Whaites, Cr Yager, Cr Novak, Cr Clancy, Cr Toms, Cr Cairns, Cr Johnstone, Cr Smith, Cr Causley**

**Against: None**

**CARRIED**