



# **DEVELOPMENT CONTROL PLAN 2015**

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**Above:**  
Photomontage from the *Capture Coolamon* photographic competition.  
(2013)

## **PART A: INTRODUCTION & GENERAL INFORMATION**

### **1. What is Development?**

In accordance with the *Environmental Planning & Assessment Act 1979 (EP&A Act)* development can be defined as anything that involves the use of land, the subdivision of land, the erection of a building, the carrying out of a work, the demolition of a building or work, and/or any other act, matter or thing referred to in section 26 of the Act that is controlled by an Environmental Planning Instrument.

In many cases a Development Application will need to be lodged with Council prior to undertaking any of the abovementioned development types. Generally, development will fall into three categories – Exempt, Complying and Local Development.

Exempt Development does not require Consent, however must still meet pre-determined development standard.

Complying Development requires the consent of either Council or an Accredited Certifying Authority. Proposals lodged as Complying Development also need to meet pre-determined development standards, whilst a Complying Development Consent must be issued by Council or the Certifying Authority within 10 days.

The specific development standards for Exempt and Complying Development are set out within State Environmental Planning Policies (or SEPP's), and include but are not limited to, the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008 (or Codes SEPP)* and the *State Environmental Planning Policy (Infrastructure) 2007 (or Infrastructure SEPP)*.

In the Coolamon Shire, development that does not meet the criteria of Exempt or Complying Development will more than likely be Local Development. Local Development requires the Consent of Council, upon which the proposal is assessed on its merits prior to a determination being made. Accordingly, this plan predominantly deals with Local Development.

Additional categories of development do exist, primarily Integrated, Designated or State Significant Development. These categories are most often aligned with large and significant development proposals to which more in depth assessments are required. Integrated Development is development that requires additional approvals from State Government departments. Designated Development is set out in Schedule 3 *Environmental Planning & Assessment Regulation 2000 (EP&A Regulation)* and requires an Environmental Impact Assessment, whilst State Significant Development is dealt with by the Planning Minister of NSW. State Significant Development is set out in *State Environmental Planning Policy (State and Regional Development) 2011*

### **2. The Coolamon Shire Development Control Plan**

A Development Control Plan (or DCP) is a source of information covering issues of legislative, administrative and technical aspects of development.

This DCP is known as ***Coolamon Shire Development Control Plan 2015*** pursuant to Division 6 *EP&A Act*, and subsequently applies to the whole of the Coolamon Shire Local Government Area.

The DCP supplements the provisions of the *Coolamon Local Environmental Plan 2011 (the LEP)* by providing additional detail. The DCP should be read in conjunction with the LEP.

A Development Application must conform to the requirements of the LEP, including the zones that are prescribed and uses that can be undertaken in those zones. The LEP will prevail where there is an inconsistency with the DCP.

The DCP and the LEP are in addition to the provisions and requirement of any State Environmental Planning Policy (SEPP), Regional Strategies, contributions plans and other local environmental strategies.



**Figure 2.1:** Relationship of DCP to other plans

### 3. DCP Objectives

The overall objectives of the **Coolamon Shire Development Control Plan 2015** are to:-

- Support the *Coolamon LEP 2011* and associated strategic plans by providing detailed advice and guidance to owners and developers;
- Enhance the role of Coolamon Shire in the overall economic framework of the region;
- Encourage development which will strengthen the economic base of the Shire whilst retaining and protecting valued environmental and heritage assets;
- Recognise and enhance the role of Coolamon as the primary centre of the Shire for business, retail, commerce and community infrastructure; and
- Enhance the roles of the towns of Ganmain and Ardlethan, and the villages of Marrar, Matong and Beckom.

### 4. Commencement of the DCP

This plan was exhibited for public comment in accordance with the *EP&A Act* and *EP&A Regulation*. Council adopted this plan on the 25<sup>th</sup> June 2015.

Subsequent amendments to the plan are listed below in Part A (Section 8.3).

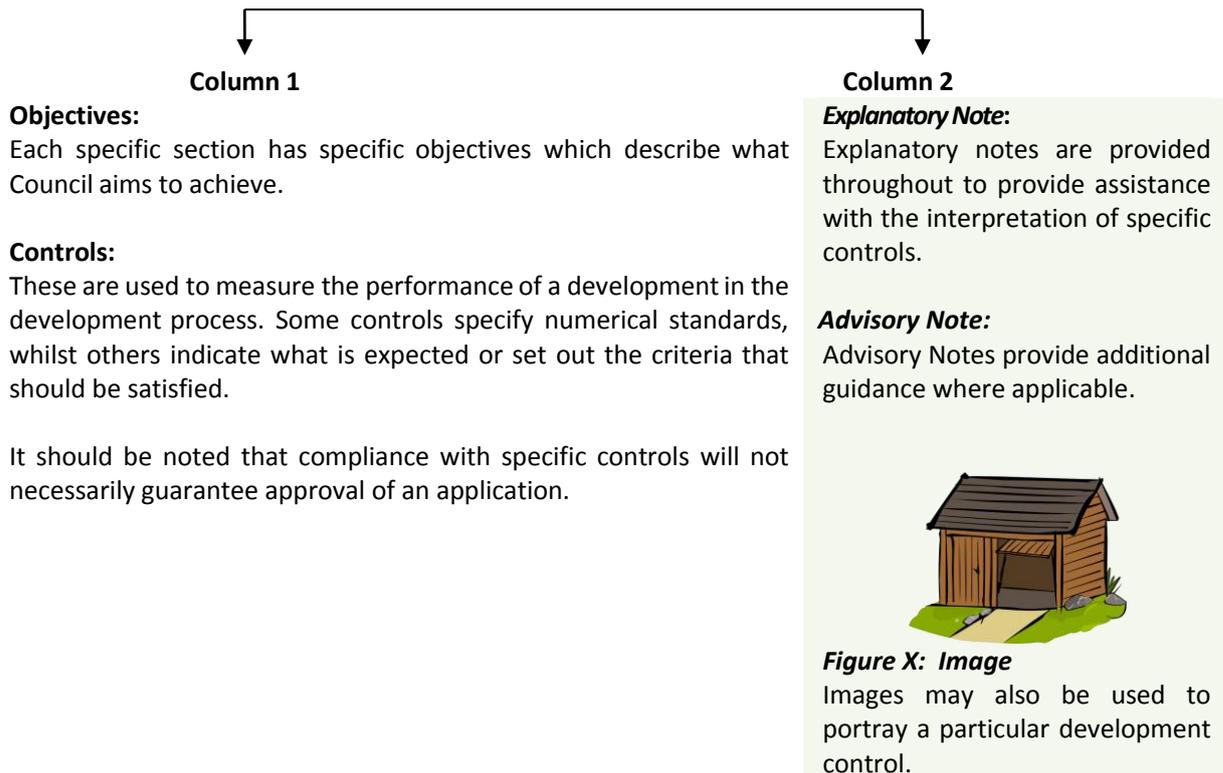
This plan came into force as of the **13<sup>th</sup> July 2015** (being the date specified in the public notice given in the Temora Independent newspaper in accordance with Clause 21 *EP&A Regulation*).

### 5. How to use the DCP

The Development Control Plan (DCP) is designed to assist with various types of issues that may relate to a development proposal.

Parts B-E contains separate controls to address specific development issues within the Shire. Each Part forms only a single component of the overall DCP and should not be read in isolation.

The following is an example of the DCP layout. Columns may include one or all of the following:-



## 6. Lodging a Development Application

### 6.1 Pre-lodgement meetings

Applicants are encouraged to seek advice from Council staff prior to lodging a development application. Meetings can be arranged by contacting Council via the details provided below.

### 6.2 Standard requirements

The *EP&A Regulation* requires the submission of specific documentation with all development applications. These are required by law. Missing or incomplete documentation can delay the processing of development applications.

In summary, these requirements may include but are not limited to:

- i. The completion of a development application form;
- ii. Architectural plans, consisting of a site plan, floor plan, elevations and a sectional plan;
- iii. Structural plans (certified by a suitably qualified professional where required);
- iv. A statement of environmental effects;

Due to the unique characteristics of each and every development proposal, the requirements required for inclusion within a development application will vary from site to site. A list of specific requirements can be found in Schedule 1 Part 1 of the *EP&A Regulation*.

### 6.3 Guide to submitting a Development Application with Council

A guide to assist in the submission of a development application with Council is available on request from Council staff, or alternatively available on Council's website ([www.coolamon.nsw.gov.au](http://www.coolamon.nsw.gov.au)).

**7. Further Information**

Further information relating to the DCP, or any general planning, development or environmental related enquiries can be obtained during office hours by contacting Council staff via the details below:

**SHIRE OFFICES**

55 Cowabbie Street (Cnr Stinson Street)  
COOLAMON NSW 2701

Office Hours: 8.30am to 5.00pm  
Monday to Friday  
(excl. public holidays)

Please address all correspondence to:

**TELEPHONE & FACSIMILE**

T: 02 6930 1800  
F: 02 6927 3168

**ELECTRONIC**

W: [www.coolamon.nsw.gov.au](http://www.coolamon.nsw.gov.au)  
E: [council@coolamon.nsw.gov.au](mailto:council@coolamon.nsw.gov.au)

The General Manager  
PO Box 101  
**COOLAMON NSW 2701**

**8. Variations & Amendments****8.1 Objectives**

The objectives of this section are to:

- Identify the process for amending the DCP and providing for public participation.
- Provide an update on amendments to the *Coolamon Shire Development Control Plan 2015*.
- Enable Council to vary a control in exceptional circumstances.

**8.2 Variations to a DCP control**

Council may give consent to an application that seeks to vary a development control. In these circumstances, Council must be satisfied that the proposal has merit, the variation can be justified, the objectives can still be achieved and that the completed development will be of equal or greater quality than the original control intended.

When circumstances warrant, Council may consent to an application which departs, to a minor extent, from the provisions of this DCP. In such cases, a written submission must be lodged with the development applications, outlining the variation, providing reasons why the variation is necessary or desirable, and setting out how the objectives of the particular provision are satisfied by the proposal.

Some of the relevant factors in determining whether a departure from this DCP is warranted include:

- Whether there will be any detrimental impact on the amenity of the existing and future residents
- Whether there will be any detrimental impact on the amenity of the area
- The nature and size of the departure
- The degree of compliance with other relevant requirements
- The circumstances in the case including whether the particular provision is unreasonable and/or unnecessary
- Priorities identified in a site analysis of being more important than what is being departed from
- Whether non-compliance will prejudice the objectives of the zone and the aims of this DCP

**8.3 Amendments to the *Coolamon Shire Development Control Plan 2015***

Where Council resolves to prepare an amendment to the *Coolamon Shire Development Control Plan 2015* these must be exhibited for a minimum period of 28 days. Public notice must be given both upon Council's website and in the local newspaper, the Temora Independent. This notice is to indicate the details of the places, times and dates for the inspection of the draft amendments, and the period during which submissions may be made.

Copies of the draft amendments will be made available during the exhibition period free of charge.

**Table 8.1 DCP Commencement & Amendment History**

Purpose of Amendment	Part/Section Amended	Date Amendment Effective - [Public Notice under Clause 21 EP&A Regulation 2000
Adoption by Council (Commencement)	Whole	13/7/2015

**9. Disclaimer**

Council provides the information contained in this DCP in good faith. In some cases this DCP only provides a summary of legislative provisions and technical codes. This DCP also includes information that does not strictly meet the requirements of Division 6 *EP&A Act*.

This DCP is for use by Council and the public. The DCP is aimed to allow participation by the public in the development of Council policy.

The information contained in this document is a guide to only some of the provisions that relate to development. Compliance with the requirements of this DCP will not necessarily mean that a development will be approved.

Always seek independent advice in relation to property purchases or investment decisions. This information should not be relied upon in reaching a decision to purchase a property.



**Above:**  
Sunrise at the Coolamon railway yards. (2013)