



## DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES REPORT

11<sup>th</sup> September 2007

<b>DSDS9</b>	<b>REVIEW OF DEVELOPMENT CONTROL PLAN 30 EXEMPT AND COMPLYING DEVELOPMENT FILE: 526 MGD</b>	<b>{Folio No. * }</b>
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### SUMMARY:

Reporting that draft amendments to Development Control Plan 30 Exempt and Complying Development within the Kempsey Shire has been exhibited with no submissions received.

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### Background

At its meeting of 10<sup>th</sup> July 2007 Council resolved to place draft Development Control Plan 30 Exempt and Complying Development on public exhibition for a period of 28 days, incorporating a number of amendments.

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| Advertising on approved public shelter, seating or street furniture | <ul style="list-style-type: none"> <li>- Council to approve the message and colours</li> <li>- Sign not to protrude from the structure</li> <li>- Lettering on the sign must be professionally sign written and clearly written in contrasting colours</li> <li>- Colours must complement the surroundings and setting of the sign</li> <li>- One sign per structure</li> </ul>   |
| Sponsorship advertising at public sporting facilities               | <ul style="list-style-type: none"> <li>- Council to approve the message and colours</li> <li>- Sign not to protrude from the structure</li> <li>- Maximum size of 1.0m Height by 2.0m length</li> <li>- Advertising messages should not offend sensitive land users (church, schools, day care centres etc)</li> <li>- No illumination</li> <li>- All signs must be visible from the sporting fields</li> <li>- Lettering on the sign must be professionally sign written and clearly written in contrasting colours</li> <li>- Colours must complement the surroundings and setting of the sign</li> <li>- Signage to be maintained at sponsors expense</li> </ul> |

To provide information to the public and consider matters of concern, an information night was held on Monday 13<sup>th</sup> August 2007. The information

evening was attended by 3 Councillor's. No members of the public attended.

Concerns raised during the information night have been investigated and considered.

1. **Advertising Alcohol & Tobacco products** - alcohol and tobacco has legislative controls on advertising - Public Health Act 1991, Public Health (Tobacco) Regulation 1999 and the Alcoholic Beverages Advertising Code.
2. **Potential hazards from Advertising Structures placed in floodways** - the placing of signage in floodways and flood prone areas in line with Kempsey shire Council's Flood Risk Management Policy.

The following changes were proposed for inclusion as exempt development.

## **Public Exhibition**

The draft Development Control Plan was exhibited in accordance with the requirements of the Environmental Planning and Assessment Regulation with no submissions having been received.

### ***REPORT IMPLICATIONS:***

- ***Environmental***

***Complying and Exempt Development cannot be carried out in environmental sensitive areas.***

- ***Social***

***Promote the variety of recreational facilities and activities to the residents of the shire***

- ***Economic (Financial)***

***Opportunity for local sporting clubs to raise income.***

- ***Policy or Statutory***

***Environmental Planning and Assessment Act 1979 details the process to amend Development Control Plans.***

***The Exempt and Complying Development Control Plan is given effect through Clause 57 of Kempsey Local Environmental Plan 1987. It is necessary to amend the Kempsey Local Environmental Plan to refer to the date of adoption of the amendments to the Development Control Plan.***

- ***Director's Review***

***The recent amendments by the New South Wales Planning Department have opened the way for Community Sporting Groups to***

*increase their revenue through sponsored signage, as well as allowing signage on Public structures.*

*Kempsey Shire Council should adopt the changes and encourage Sporting bodies to take advantage of the financial opportunity available to them. This is in line with Goal 2 strategy 3 of the Community Strategic Plan.*

**RECOMMENDATION:**

**That Council adopt the modification to Development Control Plan 30 Exempt and Complying Development, the subject of this report effective from the date of public notification.**

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**R B Pitt**  
**DIRECTOR SUSTAINABLE DEVELOPMENT SERVICES**