

Yamba Quays – Key Planning Controls			
Project Name	Yamba Quays	Client	Clarence Property
Document Name	Town Planning Controls		
Local Council	Clarence Valley Council		
NDC Project Manager	Damian Chapelle		

The primary planning controls for future residential development upon residential lots in Yamba Quays are outlined within this document. To assist purchasers, this document provides a guide for the design of future residential development through identifying the key planning controls which apply to Yamba Quays.

Reference is made to the fact any future residential development requires the approval of Clarence Valley Council or a Private Certifier depending on the type of development. Compliance with these controls does not necessitate an approval.

Clarence Valley Local Environmental Plan Controls:

- Land Zoning: R2 – Low Density Residential.
- Permissible development: Attached Dwellings, Multi dwelling housing and residential flat buildings Prohibited, all other forms of Residential Accommodation permitted with consent (e.g. dwelling houses, dual occupancies etc)
- No minimum lot size specified (note: minimum lot size is typically determined by open space, landscaping requirements).
- Height of building is 9 metres

Clarence Valley Development Control Plan Controls:

- Minimum site area for dwellings is 400m² within which a building envelope of 10 x 15 metres is required behind the building line. Note: there is provision to have the lots less than 400m² subject to complying with DCP provisions;
- Minimum lot size for dual occupancies is 800m² (note: provisions in the DCP to have this reduced providing other requirements of the DCP are met);
- No minimum lot size for secondary dwellings (i.e. granny flats);
- Maximum height to top plate of building is 6.5 metres;
- Dwellings on internal lots (i.e. strata lots where served by battle axe or right of way) must not exceed a maximum building height to the top plate of 4 metres and 6.5 metres to the highest point on the roof (that is, single storey). This is to maintain amenity to adjacent dwelling and can be varied if it can be demonstrated that there is no loss of amenity;
- Front setback 6 metres;
- Side and rear setbacks – with maximum height of 6.5 metres is 900mm. with maximum height of 9 metres is 1.5 metres;
- Setback to canal – see attached Clarence Valley Council control provisions
- Minimum 45% of the site must be landscaped

- All dwellings must be provided with an area of private open space
 - An area of 50m². in one parcel, with a regular shape and a minimum dimension of 4.5 metres.
 - A level area, or if terraced, a minimum width of 4.5 metres.
 - Located with direct access to living areas of the dwelling.
 - Located behind the front setback line.
 - Located on the northern or eastern side of the dwelling.
- 1 covered car space per dwelling

Development of Water Recreation Structures

- For development of water recreation structures, reference should be made to the Clarence Valley Fact Sheet found at the below link.

<https://www.clarence.nsw.gov.au/page.asp?f=RES-OUL-24-17-80>

- With respect to the Yamba canals, the fact sheet identifies water recreation structures in the Yamba canal areas are exempt development under the CVLEP and do not require a DA if the exempt provisions can be met.
- A separate licence from Council is however required. A licence can be considered by lodging a 'Jetty Application - Application for licence to erect a boating structure'. Consultation with Clarence Valley Council should occur before any building works are commenced.

Should you have any questions concerning the standards listed within this document, please email Damian Chapelle of Newton Denny Chapelle on dchapelle@newtondennychapelle.com.au