

ATTACHMENTS UNDER SEPARATE  
COVER

ORDINARY COUNCIL MEETING  
14 JULY 2015



**PORT STEPHENS**  
C O U N C I L



## INDEX

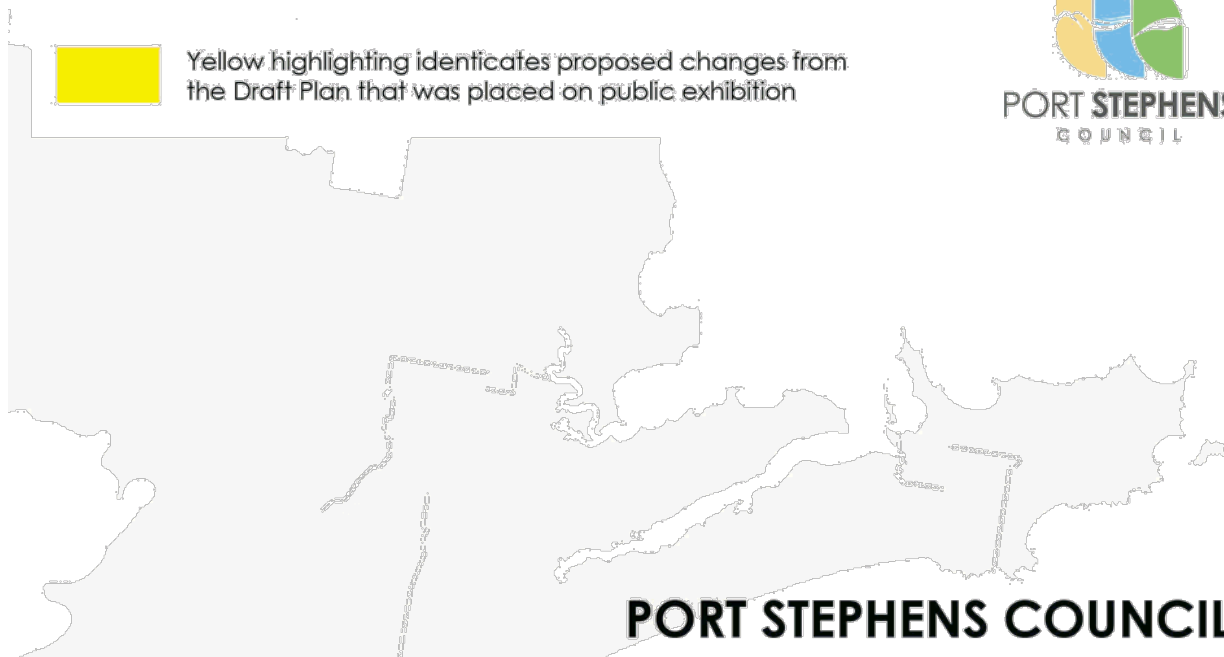
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Yellow highlighting identifies proposed changes from the Draft Plan that was placed on public exhibition

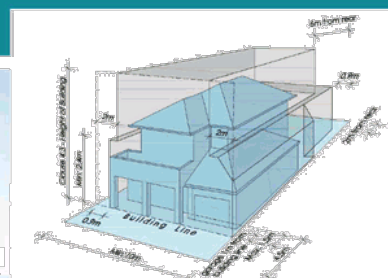
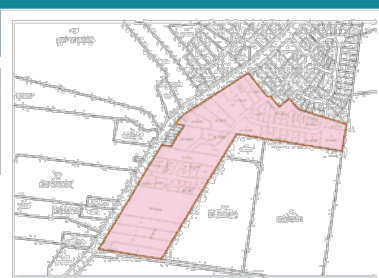
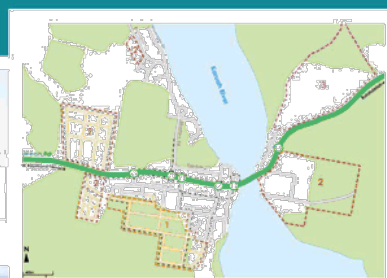


PORT STEPHENS  
COUNCIL



PORT STEPHENS COUNCIL

## DEVELOPMENT CONTROL PLAN 2014



14 July 2015

PORT STEPHENS COUNCIL  
strategic planning



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## QUICK START GUIDE

## Quick Start Guide

If the proposed **development type** is located on land identified by the Port Stephens Local Environmental Plan 2013 **land application map** or is **development** requiring **development consent** under the Port Stephens Local Environmental Plan 2013 then it is required to follow **the steps listed below**:

### Step 1

Refer to the Reference table at the start of **Section B – General Provisions**, **Section C – Development Type** and **Section D – Specific Areas** to determine which **Parts** within those sections apply to the proposed **development type**.

**B General Provisions**

The Parts listed below apply to all **land-use types** to which this Plan applies.

No	Part	This Part applies to development that:	Page
B1	Tree Management	<ul style="list-style-type: none"> <li>is to remove or prune trees or other vegetation within <b>urban areas</b></li> </ul>	6-15
B2	Natural Resources	<ul style="list-style-type: none"> <li>is located on land or within 500m land that contains items of <b>environmental significance</b>, such as threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors</li> <li>is seeking to use <b>biodiversity offsets</b></li> <li>is located on land containing <b>noxious weeds</b></li> <li>is located on land identified as <b>koala habitat</b></li> </ul>	16-18

**Notes:**

- Title of Section:** B General Provisions
- Title of Part:** B1 Tree Management
- This Part applies to development that is to remove or prune trees or other vegetation within an urban area. If the proposed trees or other vegetation is not located within an urban area or if the development does not involve the removal or pruning of trees or other vegetation then it need not reference this Part.
- Bold and italicised words are defined under E1 – Glossary

### Step 2

If a Part applies, then refer to the requirements listed under that Part. Where those requirements cannot be met, demonstrate compliance with the objectives.

**B1 Tree Management**

**This Part applies to development located within or defined as:**

**Application**

- This Part applies to **development** to remove or prune trees or other vegetation within **urban areas**. **Development** to remove or prune trees or other vegetation within **non-urban areas** is provided under the Native Vegetation Act 2003.

**Development Objectives (shaded in the colour of the Section)**

**Requirement**

B1.A	Urban Areas	<ul style="list-style-type: none"> <li>To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval</li> </ul>
B1.1		<ul style="list-style-type: none"> <li>Council approval is required to remove or prune trees or other vegetation listed under Column 1, except where those circumstances listed under Column 2 are satisfied</li> </ul>
<b>Column 1 – Approval Required</b>		<b>Column 2 – When approval is not required</b>
<ul style="list-style-type: none"> <li>NSW Christmas Bush - <i>Ceratopetalum gummiferum</i></li> </ul>		<ul style="list-style-type: none"> <li>Dead, if native fauna habitat does not exist</li> <li>Urgent removal on account of immediate failure when Council is provided with a Tree</li> </ul>

**Notes:**

- Title of Part:** B1 Tree Management
- This Part applies to development located within or defined as:**
- Development Objectives (shaded in the colour of the Section):**
- Requirement:**

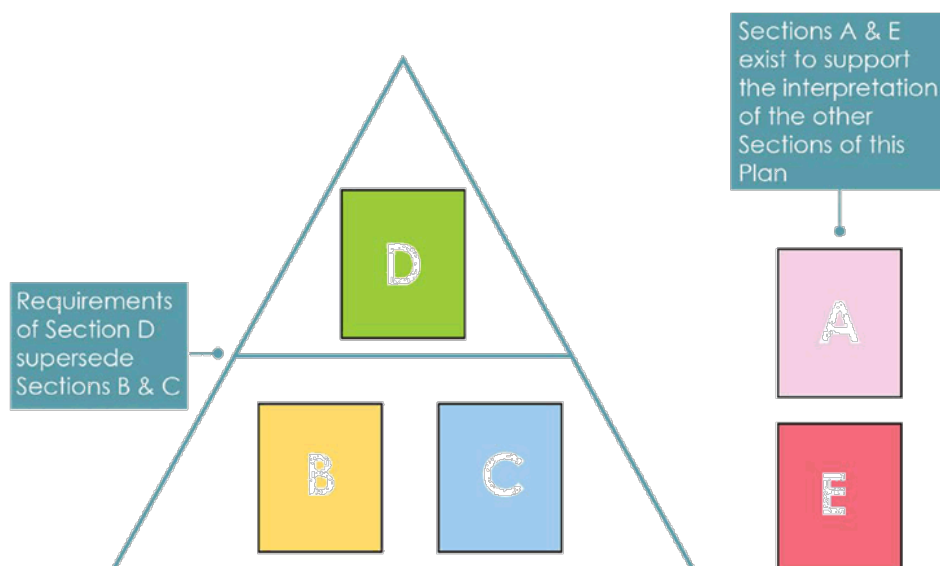
## QUICK START GUIDE

## Step 3

Address the relevant objectives and requirements within the *Statement of Environmental Effects (SEE)* that is provided by the applicant with the lodgement of the *development application*.

This Quick Start Guide is not a formal part of this Plan. The legislative interpretation of this Plan is provided under Section A – Introduction.

The following diagram seeks to quickly illustrate the Structure of this Plan. Most notably, the requirements and objectives listed under Section D – Specific Areas overrides those requirements and objectives listed under Section B – General Provisions and Section C – Development Types. While, Section A – Introduction and Section E – Schedules simply exist to support the interpretation of the other Parts.



## CHECKLISTS

## Checklists

The following reference tables, which are provided at the start of each Part, are replicated here to serve as checklists for applicants. Unlike the reference tables at the start of each Part, these check lists do not serve as a part of statutory Plan.

B General Provisions				
No	Part	This Part applies to development that:	Page	Tick
B1	Tree Management	<ul style="list-style-type: none"> <li>is to remove or prune trees or other vegetation within <i>urban areas</i></li> </ul>	B - 15	
B2	Natural Resources	<ul style="list-style-type: none"> <li>is located on land or is within 500m of land that contains items of <i>environmental significance</i>, such as threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors and has the potential to impact biodiversity</li> <li>is seeking to use <i>biodiversity offsets</i></li> <li>is located on land containing <i>noxious weeds</i></li> <li>is located on land identified as <i>koala habitat</i></li> </ul>	B - 20	
B3	Environmental Management	<ul style="list-style-type: none"> <li>is located on land identified as <i>bushfire prone land</i></li> <li>is located on land that contains <i>acid sulfate soils</i></li> <li>has the potential to be <i>contaminated land</i></li> <li>has the potential to produce <i>air pollution</i>, such as dust or odour</li> <li>has the potential to produce adverse <i>offensive noise</i></li> <li>is defined as or involves <i>earthworks</i></li> <li>will produce significant <i>waste</i></li> </ul>	B - 24	
B4	Drainage & Water Quality	<ul style="list-style-type: none"> <li>increases <i>non-permeable surfaces</i></li> <li>requires connection to <i>public drainage</i></li> <li>Is within 40m of <i>waterfront land</i></li> </ul>	B- 28	
B5	Flooding	<ul style="list-style-type: none"> <li>is situated within the <i>flood planning area</i> or at/or below the <i>flood planning level</i></li> </ul>	B -36	
B6	Essential Services	<ul style="list-style-type: none"> <li>is not connected to <i>essential services</i>, being water, electricity, sewerage, stormwater drainage and suitable vehicular access</li> </ul>	B - 40	
B7	Williamstown RAAF Base – Aircraft Noise & Safety	<ul style="list-style-type: none"> <li>is situated within the <i>aircraft noise planning area</i>, <i>bird strike zone</i>, <i>extraneous lighting</i> or the <i>Williamstown RAAF Base Obstacle Limitations or Operations Surface Map</i></li> </ul>	B - 41	
B8	Heritage	<ul style="list-style-type: none"> <li>is situated on land that contains a <i>heritage item</i> or within a <i>heritage conservation area</i></li> </ul>	B - 51	
B9	Road Network & Parking	<ul style="list-style-type: none"> <li>has the potential to impact on the existing road network or creates demand for <i>on-site parking</i></li> </ul>	B - 54	

## CHECKLISTS

B10	Social Impact	▪ is deemed to have a <i>significant social impact</i>	B - 62	
<b>C Development Types</b>				
No	Part	This Part applies to development that:	Page	Tick
C1	Subdivision	▪ is defined as <i>subdivision</i>	C- 64	
C2	Commercial	▪ is defined as <i>commercial premises</i>	C- 71	
C3	Industrial	▪ is defined as <i>industry</i> and/or <i>development</i> within the Zone B5 Business Development.	C- 77	
C4	Dwelling houses, Dual Occupancy & Ancillary Structures	▪ is defined as a <i>dwelling house</i> ▪ is defined as a <i>dual occupancy</i> ▪ is defined as an <i>ancillary structure</i> , which includes a <i>swimming pool</i> , shed, fence, retaining wall or shipping container	C- 80	
C5	Multi Dwelling Housing	▪ is defined as <i>multi dwelling housing</i> ▪ is defined as a <i>residential flat building</i> refers to the requirements of SEPP No 65 – Design Quality of Residential Flat Development	C- 87	
C6	Home Business or Home Industry	▪ is defined as <i>home business</i> or <i>home industry</i>	C- 91	
C7	Restricted or Sex Services Premises	▪ is defined as <i>restricted premises</i> ▪ is defined as <i>sex services premises</i>	C- 93	
C8	Signage	▪ is defined as <i>signage</i>	C- 96	
<b>D Specific Areas</b>				
No	Part	This Part applies to development that:	Page	Tick
D1	Heatherbrae Industrial	▪ situated within Heatherbrae Industrial	D- 99	
D2	Karuah	▪ situated within Karuah	D- 102	
D3	Lemon Tree Passage	▪ situated within Lemon Tree Passage	D- 106	
D4	Koala Bay - Tanilba Bay	▪ situated within Koala Bay –Tanilba Bay	D- 110	
D5	Nelson Bay Centre	▪ situated within Nelson Bay Centre	D- 113	
D6	Nelson Bay West	▪ situated within Nelson Bay West	D- 119	
D7	Seabreeze Estate – Nelson Bay	▪ situated within Seabreeze Estate – Nelson Bay	D- 123	
D8	Salamander Bay Shopping Centre – Nelson Bay	▪ identified as Salamander Bay Shopping Centre – Nelson Bay	D- 126	

## CHECKLISTS

D9	North Medowie - Medowie	▪ situated within North Medowie	D- 128	
D10	Pacific Dunes - Medowie	▪ situated within Pacific Dunes - Medowie	D- 133	
D11	Raymond Terrace Town Centre	▪ situated within Raymond Terrace Centre	D- 140	
D12	Richardson Road - Raymond Terrace	▪ situated within Richardson Rd – Raymond Terrace	D- 144	
D13	Rees James Road - Raymond Terrace	▪ situated within Rees James Rd – Raymond Terrace	D- 148	
D14	Kings Hill – Raymond Terrace	▪ situated within Kings Hill – Raymond Terrace	D- 151	
D15	Williamtown Defence and Airport Related Employment Zone (DAREZ)	▪ situated within Williamtown Defence and Airport Related Employment Zone (DAREZ)	D- 167	
<b>Schedules</b>				
<b>No</b>	<b>Part</b>		<b>Page</b>	<b>Tick</b>
E1	Glossary	▪ Defines terms used in this Plan	E- 173	
E2	Acronyms	▪ Expands acronyms used in this Plan	E- 196	
E3	Reference List - Endnotes	▪ Provides a Reference List for those documents referenced through this Plan	E- 198	



## A

## INTRODUCTION

## A Introduction

### A.1 Name of this Plan

The name of this Plan is the Port Stephens Development Control Plan 2014.

### A.2 Aim of this Plan

The aim of this Plan is to facilitate development in accordance with the Port Stephens Local Environmental Plan 2013 (PSLEP 2013).

### A.3 Commencement of this Plan

This Plan was adopted by Council on 14 July 2015 and commenced on #####.

### A.4 Land to which this Plan applies

This Plan applies to land to which the PSLEP 2013 applies. The PSLEP 2013 applies to all land identified on the *land application map*.

### A.5 Development to which this Plan applies

This Plan applies to all *development* requiring *development consent* under the PSLEP 2013 in accordance with Part 4 Development Assessment of the Environmental Planning & Assessment Act 1979 (EP&A Act).

In determining a *development application* Council is to provide consideration to this Plan under Section 79C of the EP&A Act.

This Plan does not apply to development that is:

- Identified as permissible without consent under Land Use Table of the PSLEP 2013
- Carried out under Part 5 Environmental assessment of the EP&A Act
- Assessed under the provisions of another *Environmental Planning Instrument (EPI)* that excludes the provisions of the PSLEP 2013

### A.6 Interpretation

Terms requiring definition are bold and italicised; they are defined under E1 Glossary (p. E-133).

A reference to any Australian Standard, legislation or supporting documentation includes a reference to any amendment or replacement as made.

### A.7 Structure of this Plan

This Plan is divided into sections, parts, objectives and requirements. The Sections are as follows:

## A

## INTRODUCTION

- Quick Start Guide, Table of Contents & Checklists
  - Provides tools to increase the useability of the Plan
- Section A - Introduction
  - Explains the purpose of this Plan and legislative requirements
- Section B - General Provisions
  - Provides development objectives and requirements that relate to the site in all locations in which development is proposed. This Section is to be referenced by all development applications.
- Section C - Development Types
  - Provides development objectives and requirements that relate to specific **development types**. Development will generally fall within one **or more** of these specified **development types**. The Requirements under this Section are to be read in conjunction with the General Provisions, which relate to all development applications.
- Section D - Specific Areas
  - Provides development objectives and requirements that relate to a specific locality in which development is proposed. The provisions of this Section provide specific location requirements that apply in conjunction with other sections and prevail to the extent of any inconsistency.
- Section E - Schedules
  - Provides important terms and references to assist in the accurate interpretation of the Plan, such as technical specifications

This structure seeks to facilitate permissible development and support alternative **merit-based** approaches to development that is permissible under the PSLEP 2013. This is consistent with the purpose and status of a development control plan under 74BA of the EP&A Act 1979 as follows:

- (1) *The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development which this Part applies and to the consent authority for any such development:*
  - a. *Giving effect to the aims of any environmental planning instrument that applies to the development*
  - b. *Facilitating development that is permissible under any instrument*
  - c. *Achieving the objectives of land zones under any such instrument*

*The provisions of a development control plan made for that purposes are not statutory requirements.*
- (2) *The other purpose of a development control plan is to make provisions of the kind referred to in section 74C(1)(b)-(e)*
- (3) *Subsection (1) does not affect any requirement under Division 4 of Part 4 in relation to complying development*

## A

## INTRODUCTION

**A.8 Explanation of Development Objectives and Requirements**

The relevant parts of this Plan contain development objectives and requirements. A development objective clearly states the intent of a development requirement.

Where the development requirement cannot be achieved, the applicant is provided with the opportunity to demonstrate through alternative merit-based solutions how the proposed development complies with the development objective. This approach seeks to encourage a merit-based approach to the evaluation of development applications, while ensuring appropriate consideration is provided to the intent of the development requirements.

**A.9 Relationship to Legislation, Plans & Policies**

This Plan must be read in conjunction with the PSLEP 2013. This Plan:

- Was prepared in accordance with 74C of the EP&A Act and Part 3 of the Environmental Planning and Assessment Regulation 2000
- Identifies further detail of Council's requirements for local development requiring development consent under PSLEP 2013
- Is consistent with the provisions of the PSLEP 2013 and other applicable Environmental Planning Instruments (EPI), however, in the event of any inconsistency, the requirements of the EPI will prevail in accordance with Clause 36 Inconsistency between instruments of the Environmental Planning & Assessment Act 1979 (EPA&A Act)
- Replaces the whole of the Port Stephens Development Control Plan 2013 (PSDCP 2013)
- Is to be applied in conjunction with other Council development guidelines, policy, specifications and technical manuals, where cited

**A.10 Savings and Transitional Provisions**

PSDCP 2013 continues to apply to 78A Development Applications, s96 Modifications of consent and s82A Review of Determination of the Environmental Planning and Assessment Act 1979 that were lodged prior, but not determined, on the date of the commencement of this Plan (A.3, p. A-7)

To the extent of any inconsistency between this Plan and the former PSDCP2013 a development application lodged within 3 months from the date of commencement of this Plan under A-8 (p. ##) may either use the provisions of this Plan or the former PSDCP2013. For the purpose of s74C (3) of the Act the provisions of the former PSDCP2013 apply for the transitional period of 3 months.

**A.11 Monitoring and Review**

Clause 73 of the EP&A Act requires councils to keep their local environmental plans and development controls plans under regular and periodic review for the purpose of ensuring that the objects of this Act are – having regard to such changing circumstances as may be relevant – achieved to the maximum extent possible.

Port Stephens Council will aim to regularly review this Plan.

## A

## INTRODUCTION

**A.12 Development Notification**

Development that is required to be notified by Figure AA: Notification Requirements for Development Applications (p. A-10) will be notified by Council by providing the following information:

**1. No Notification Required****2. Notification**

- Written notice to immediately adjoining landowners
  - At the discretion of Council, written notice may also be additionally provided to those landowners not immediately adjoining

**3. Notification and Advertisement**

- Notification requirements as required by 2. Notification (above), and
- Newspaper notice in the Port Stephens Examiner

Note: Information relating to all developments being notified or advertised (in accordance with 2 and 3 above) will be available on Council's website through the DA tracker.

**Figure AA: Notification Requirements for Development Applications**

Development	1	2	3	Development	1	2	3
Airstrip				Registered clubs			
Airport transport facilities				Research stations			
Agriculture				Boarding houses			
Amusement centres				Dual occupancies			
Animal boarding or training establishments				Dwelling houses – single storey			
Boat building and repair facilities				Dwelling houses – double storey			
Boat launching ramps				Group homes			
Boat sheds				Hostels			
Camping grounds				Multi dwelling housing			
Caravan parks				Residential flat buildings			
Car parks				Secondary dwellings			
Cemetery				Seniors housing			
Charter & tourism boating facilities				Shop-top housing			
Child care centres				Respite day care centres			
Commercial premises				Restricted premises			

## A

## INTRODUCTION

Development	1	2	3	Development	1	2	3
Correctional centres				Roads			
Community facilities				Rural industries			
Crematorium				Sewerage systems			
Depots				Sex services premises			
Eco-tourist facilities				Advertising structure			
Educational establishments				Building identification sign			
Electricity generating works				Storage premises			
Emergency services facilities				Subdivision 4 lots or less			
Environmental facilities				Subdivision 5 to 10 lots			
Environmental protection works				Subdivision 11 or more lots			
Entertainment facilities				Subdivision with public road			
Exhibition homes				Strata subdivision			
Exhibition villages				Transport depots			
Extractive industries				Tourist and visitor accommodation			
Farm buildings				Truck depots			
Flood mitigation works				Veterinary premises			
Freight transport facilities				Wholesale supplies			
Forestry				Vehicle body repair workshops			
Function centres				Vehicle repair stations			
Health service facilities				Warehouse or distribution centres			
Heavy industrial storage establishments				Water recreation structure			
Helipad				Water or resource management facilities			
Home-based childcare				Water supply systems			
Home business				Wharf or boating facilities			
Industrial retail outlets				Places of public worship			
Industrial training facilities				Port facilities			
Heavy industry				Public administration building			
Light industry				Recreation areas			

## A

## INTRODUCTION

Development	1	2	3	Development	1	2	3
General industry				Recreation facilities (indoor)			
Information and education facilities				Recreation facilities (major)			
Jetties				Recreation facilities (outdoor)			
Mairnas							
Mortuaries							
Mooring pens							
Mooring pens							
Passenger transport facilities							

**Note:** Despite Figure AA development may be advertised and/or notified at the discretion of Council where it is considered appropriate (depending on the nature of the proposal). Where Council is of the opinion that the proposed development is minor in nature and its location, size, height, bulk and proposed use will not adversely affect the amenity of the adjoining land, advertising and/or notification of the development may not be required. Conversely, where Council is of the opinion the development may have an impact, Council may choose to notify or advertise.

Additional advertising and notification requirements are required for Designated Development, Nominated Integrated and Advertised Development as detailed in the EP&A Act 1979. In addition to the above, developments that involve significant works to heritage items and Council projects above \$100,000 in value or that are likely to be of significant community interest will also be advertised and/or notified.



## B

## GENERAL PROVISIONS

## B General Provisions

The Parts listed below apply to all *land-use types* to which this Plan applies.

B General Provisions			
No	Part	This Part applies to development that:	Page
B1	Tree Management	<ul style="list-style-type: none"> <li>is to remove or prune trees or other vegetation within <i>urban areas</i></li> </ul>	B- 15
B2	Natural Resources	<ul style="list-style-type: none"> <li>is located on land or is within 500m of land that contains items of <i>environmental significance</i>, such as, threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors and has the potential to impact biodiversity</li> <li>is seeking to use <i>biodiversity offsets</i></li> <li>is located on land containing <i>noxious weeds</i></li> <li>is located on land identified as <i>koala habitat</i></li> </ul>	B- 20
B3	Environmental Management	<ul style="list-style-type: none"> <li>is located on land identified as <i>bushfire prone land</i></li> <li>is located on land that contains <i>acid sulfate soils</i></li> <li>has the potential to be <i>contaminated land</i></li> <li>has the potential to produce <i>air pollution</i>, such as dust or odour</li> <li>has the potential to produce adverse <i>offensive noise</i></li> <li>is defined as or involves <i>earthworks</i></li> <li>will produce significant <i>waste</i></li> </ul>	B- 24
B4	Drainage & Water Quality	<ul style="list-style-type: none"> <li>increases <i>non-permeable surfaces</i></li> <li>requires connection to <i>public drainage</i></li> <li>involves a <i>controlled activity</i> within 40m of <i>waterfront land</i></li> </ul>	B- 28
B5	Flooding	<ul style="list-style-type: none"> <li>is situated within the <i>flood planning area</i> or at/or below the <i>flood planning level</i></li> </ul>	B- 36
B6	Essential Services	<ul style="list-style-type: none"> <li>is not connected to <i>essential services</i>, being water, electricity, sewerage, stormwater drainage and suitable vehicular access</li> </ul>	B- 41
B7	Williamstown RAAF Base - Aircraft Noise & Safety	<ul style="list-style-type: none"> <li>is situated within the <i>aircraft noise planning area</i>, <i>bird strike zone</i>, <i>extraneous lighting area</i> or the <i>Williamstown RAAF Base Obstacle Limitations or Operations Surface Map</i></li> </ul>	B- 42
B8	Heritage	<ul style="list-style-type: none"> <li>is situated on land that contains a <i>heritage item</i> or within a <i>heritage conservation area</i></li> </ul>	B- 52
B9	Road Network & Parking	<ul style="list-style-type: none"> <li>has the potential to impact on the existing road network or creates demand for <i>on-site parking</i></li> </ul>	B- 55
B10	Social Impact	<ul style="list-style-type: none"> <li>is deemed to have a <i>significant social impact</i></li> </ul>	B- 63



**B1**

## TREE MANAGEMENT

**B1** Tree Management**Application**

- This Part applies to **development** to remove or prune trees or other vegetation within **urban areas** as identified by Figure BB (p. B- 19). **Development** to remove or prune trees or other vegetation within **non-urban areas** is provided under the Native Vegetation Act 2003

**Objective**

- |      |                    |   |
|------|--------------------|---|
| B1.A | <b>Urban Areas</b> | ▪ To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval |
|------|--------------------|---|

**Requirement**

- |      |   |
|------|---|
| B1.1 | ▪ Council approval is required to remove or prune trees or other vegetation listed under Column 1, except where those circumstances listed under Column 2 are satisfied |
|------|---|

Column 1 – Approval Required	Column 2 – When approval is not required
<ul style="list-style-type: none"> <li>▪ NSW Christmas Bush - <i>Ceratopetalum gummiferum</i></li> <li>▪ Cabbage Tree Palm – <i>Livistona australis</i></li> <li>▪ species listed under the <i>TSC Act 1995</i></li> <li>▪ trees or vegetation listed under the <i>register of significant trees</i><sup>3</sup></li> <li>▪ trees or vegetation positioned on land containing a <i>heritage item</i> or within a <i>heritage conservation area</i></li> </ul>	<ul style="list-style-type: none"> <li>▪ Dead, if native fauna habitat does not exist</li> <li>▪ Urgent removal on account of immediate failure when Council is provided with a Tree Removal Notification post-event, onus of proof is on the landholder, photos should be taken <b>before and after removal</b></li> </ul>
<ul style="list-style-type: none"> <li>▪ trees or other vegetation where height exceeds 3m or <b>circumference breast height</b> exceeds 300mm</li> </ul>	<ul style="list-style-type: none"> <li>▪ within 5m of the wall of an approved structure measured from the wall to the trunk of the tree</li> <li>▪ in accordance with a <b>construction/subdivision certificate</b></li> <li>▪ a tree grown for fruit or nut production</li> <li>▪ vegetation cleaning work authorised under the Rural Fires Act 1997 – <b>e.g. covered by the 10/50 Vegetation Cleaning Code of Practice</b></li> <li>▪ maintenance of less than 12 months growth or 10% of foliage in accordance with AS4373-2007</li> <li>▪ declared as an <b>exotic species</b></li> <li>▪ within parks, easements or reserves when work is undertaken by a <b>responsible authority</b></li> </ul>

## B1

## TREE MANAGEMENT

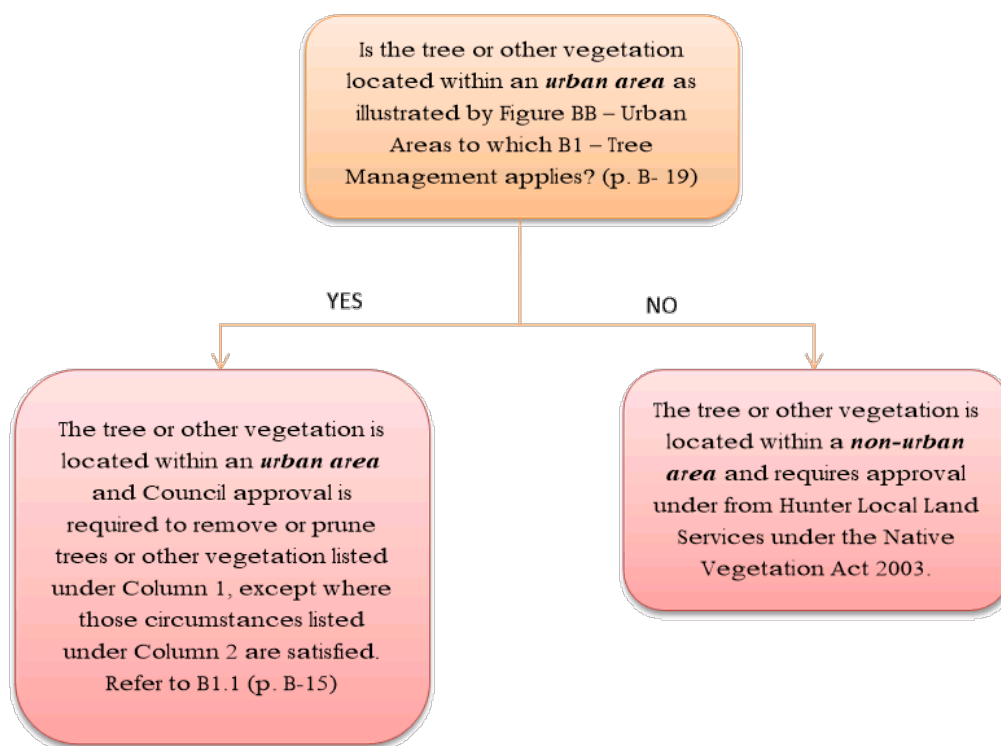
		<ul style="list-style-type: none"> <li>Dead, if native fauna habitat does not exist</li> <li>Urgent removal on account of immediate failure when Council is provided with a <b>tree removal notification</b> post-event, onus of proof is on the landholder, photos should be taken before and after removal</li> </ul>
<b>Objective</b>		
B1.B	<b>Heads of Consideration</b>	<ul style="list-style-type: none"> <li>To ensure adequate consideration is provided to the relevant matters for the removal of trees or vegetation</li> </ul>
<b>Requirement</b>		
B1.2		<ul style="list-style-type: none"> <li>Council approval to remove or prune trees or other vegetation has regard for: <ul style="list-style-type: none"> <li>damage to an existing structure or utility service substantiated by a qualified person</li> <li>interfering with a solar photovoltaic/hot water system</li> <li>interfering with the amenity of a <i>habitable room</i></li> <li>threatened by a <i>development consent</i></li> <li>consistency with a <i>flora, fauna or conservation strategy</i></li> <li>the tree is interfering, or likely to interfere, with the provision of a public utility or road/driveway construction, provided the impact on the trees has been considered in the design phase</li> <li>impact on threatened species, populations or ecological communities and their habitats</li> <li>retention value under the <i>tree technical specification</i><sup>1</sup></li> <li>other relevant circumstances</li> </ul> </li> </ul>
<b>Objective</b>		
B1.C	<b>Supporting Information</b>	<ul style="list-style-type: none"> <li>To ensure adequate information is provided to determine the application for the removal of trees or vegetation</li> </ul>
<b>Requirements</b>		
B1.3		<ul style="list-style-type: none"> <li>An <b>arborist report</b> consistent with <i>tree technical specification</i><sup>1</sup> is required: <ul style="list-style-type: none"> <li>for a tree or other vegetation listed under <i>register of significant trees</i><sup>3</sup></li> <li>to assess the impact on existing trees as part of a Development Application as per AS 4970-2009</li> <li>to support reassessment of applications for tree removal on a technical basis</li> <li>to support the release of a tree bond</li> </ul> </li> </ul>
B1.4		<ul style="list-style-type: none"> <li>A tree bond consistent with the <i>tree technical specification</i><sup>1</sup> is imposed where Council deems a public tree is at risk</li> </ul>
B1.5		<ul style="list-style-type: none"> <li>A request to remove 20 or more trees requires a <i>vegetation management plan</i> consistent with <i>vegetation technical specification</i><sup>2</sup></li> </ul> <p><b>Note:</b> B4.4 (p. B-30) requires an application to remove 20 or more trees to be provided to Hunter Water by the assessing officer for a period of 14 days</p>
B1.6		<ul style="list-style-type: none"> <li><b>Compensatory planting</b> consistent with the <i>tree technical specification</i><sup>1</sup> may be required when council approval to remove trees is provided</li> </ul>
B1.7		<ul style="list-style-type: none"> <li>A <i>hollow tree assessment</i> is required to remove hollow bearing trees</li> </ul>

## B1

### TREE MANAGEMENT

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>• Two replacement hollows are provided for each hollow tree identified by the <i>hollow tree assessment</i></li><li>• Salvaged hollows are preferred over nest boxes, which are consistent with the <i>nest box technical specification</i><sup>5</sup></li></ul> |
|--|---|

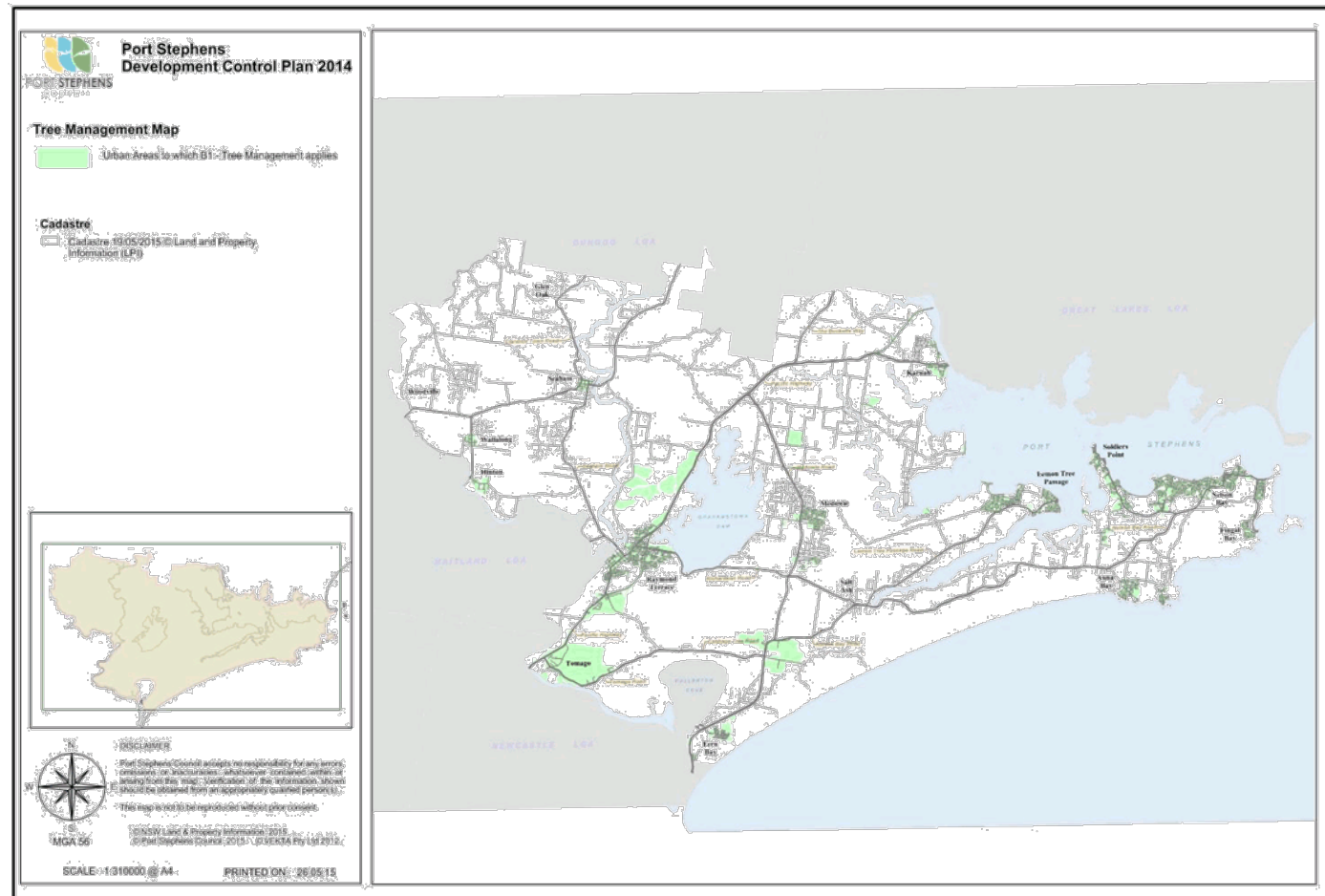
**Note:** B2.1 (p. B-20) requires a hollow tree assessment and replacement or salvaged hollows if a *Flora and Fauna Survey* Report proposes their removal

**B1****TREE MANAGEMENT****Figure BA:** Explanation of Requirement B1 – When approval is required (p. B-15)

# B1

## TREE MANAGEMENT

**Figure BB:**  
Urban Areas  
to which B1  
Tree  
Management  
applies



B-19

## B2

## NATURAL RESOURCES

## B2 Natural Resources

## Application

- This part applies to *development* that:
  - is located on land or is within 500m of land that contains items of *environmental significance*, such as threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors and has the potential to impact biodiversity
  - is seeking to use *biodiversity offsets*
  - is located on land containing *noxious weeds*
  - is located on or is in proximity to land that contains *koala habitat*

## Objective

- |      |                            |   |
|------|----------------------------|---|
| B2.A | Environmental Significance | ▪ To ensure adequate consideration is provided to the protection and conservation of items of <i>environmental significance</i> |
|------|----------------------------|---|

## Requirement

- |      |  |
|------|--|
| B2.1 | <ul style="list-style-type: none"> <li>▪ <i>Development</i> located on land or is within 500m of land that contains items of <i>environmental significance</i>, such as threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors and has the potential to impact biodiversity provides:           <ul style="list-style-type: none"> <li>• A <i>Flora and Fauna Survey</i> to inform the <i>7-Part Test of Significance</i>,               <ul style="list-style-type: none"> <li>○ The <i>Flora and Fauna Survey</i> is in accordance with:                   <ul style="list-style-type: none"> <li>✓ NSW Department of Environment and Conservation. 2004, 'Threatened Species Survey and Assessment: Guidelines for development and activities'<sup>8</sup></li> <li>✓ Hunter &amp; Central Coast Regional Environmental Management Systems. 2002, 'Lower Hunter &amp; Central Coast Regional Fauna &amp; Flora Guidelines'<sup>9</sup> <ul style="list-style-type: none"> <li>➢ If <i>development</i> poses a <i>significant effect</i> under 5A of the EP&amp;A Act or if <i>development</i> is on land which is, or is part of, critical habitat then a <i>Species Impact Statement (SIS)</i> is required</li> <li>➢ If <i>development</i> does not pose a <i>significant effect</i> under 5A of the EP&amp;A Act, but proposes unavoidable vegetation impacts then a <i>Vegetation Management Plan (VPA)</i> that is consistent with the <i>vegetation management technical specification</i><sup>2</sup> is required</li> </ul> </li> </ul> </li> </ul> </li> </ul> </li> </ul> <p><b>Note:</b> Under s111 of the EP&amp;A Act 1979 the determining authority has a duty to consider the environmental impact of proposed activities</p> <ul style="list-style-type: none"> <li>○ If the <i>Flora and Fauna Survey</i> proposes the removal of hollow bearing trees then a <i>hollow tree assessment</i> is required:           <ul style="list-style-type: none"> <li>✓ Two replacement hollows are provided for each hollow tree identified by the <i>hollow tree assessment</i></li> <li>✓ Salvaged hollows are preferred over nest boxes that are consistent with the <i>nest box technical specification</i><sup>5</sup></li> </ul> </li> </ul> <p><b>Note:</b> This is consistent with B1.7 (p. B-17) that requires a <i>hollow tree</i></p> |
|------|--|

## B2

## NATURAL RESOURCES

		<p><i>assessment</i> to remove hollow bearing trees on land to which B1 applies</p> <ul style="list-style-type: none"> <li>A proposed buffer on the land subject to the <i>development</i> is <i>provided</i> to items of <i>environmental significance</i>. The width of the buffer is recommended by the <i>Flora and Fauna Survey Report</i> based and is based on taking into account the following parameters: <ul style="list-style-type: none"> <li>The condition of the item of <i>environmental significance</i></li> <li>Proposed methods of mitigating adverse impact</li> <li>Possible external effects, such as weed encroachment or domestic animals and their potential to cause impact <ul style="list-style-type: none"> <li>Where the vegetation of buffers are proposed the vegetation is established along the relevant boundaries prior to the issuing of the relevant <i>subdivision</i> or <i>occupation certificate</i></li> </ul> </li> </ul> </li> </ul> <p>Note: C4.19 (p. C-83) nominates a suitable buffer for <i>residential accommodation</i> adjoining land used for agricultural purposes</p>
<b>Objective</b>		
B2.B	<b>Biodiversity Offsets</b>	<ul style="list-style-type: none"> <li>To provide further guidance for the use of <i>biodiversity offsets</i> within the Port Stephens Local Government Area</li> </ul>
<b>Requirement</b>		
B2.2		<ul style="list-style-type: none"> <li>If <i>biodiversity offsets</i> are employed as a suitable compensatory measure under the <i>TSC Act</i> then they are: <ul style="list-style-type: none"> <li>calculated in accordance with the <i>bio-metric terrestrial biodiversity assessment tool</i></li> <li>consistent with the <i>vegetation management technical specification</i><sup>2</sup></li> <li>in a secure tenure ownership</li> <li>located on land to which this Plan applies</li> </ul> </li> </ul>
<b>Objective</b>		
B2.C	<b>Noxious Weeds</b>	<ul style="list-style-type: none"> <li>To reduce the negative impact of <i>noxious weeds</i> on the economy, community and environment by eliminating or restricting their geographical spread</li> </ul>
<b>Requirement</b>		
B2.3		<ul style="list-style-type: none"> <li><i>Development</i> situated on land that contains <i>noxious weeds</i>, as identified by a s64 Certificate under the Noxious Weeds Act 1993 will seek to prevent, eliminate or restrict the spread of <i>noxious weeds</i> in accordance with <i>Noxious Weeds Technical Specification</i><sup>6</sup></li> </ul>
<b>Objective</b>		
B2.D	<b>Koalas</b>	<ul style="list-style-type: none"> <li>To encourage the proper conservation and management of areas of natural vegetation that provide <i>koala habitat</i> to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline</li> </ul>
<b>Requirement</b>		
B2.4		<ul style="list-style-type: none"> <li><i>Development</i> located on or in proximity to land identified as <i>koala habitat</i> complies with the Port Stephens Comprehensive Koala Plan of Management<sup>10</sup> through consideration to the performance criteria, being: <ul style="list-style-type: none"> <li>Minimising the removal or degradation of native vegetation within <i>preferred koala habit</i> or <i>supplementary habitat</i></li> </ul> </li> </ul>

B-21



## B2

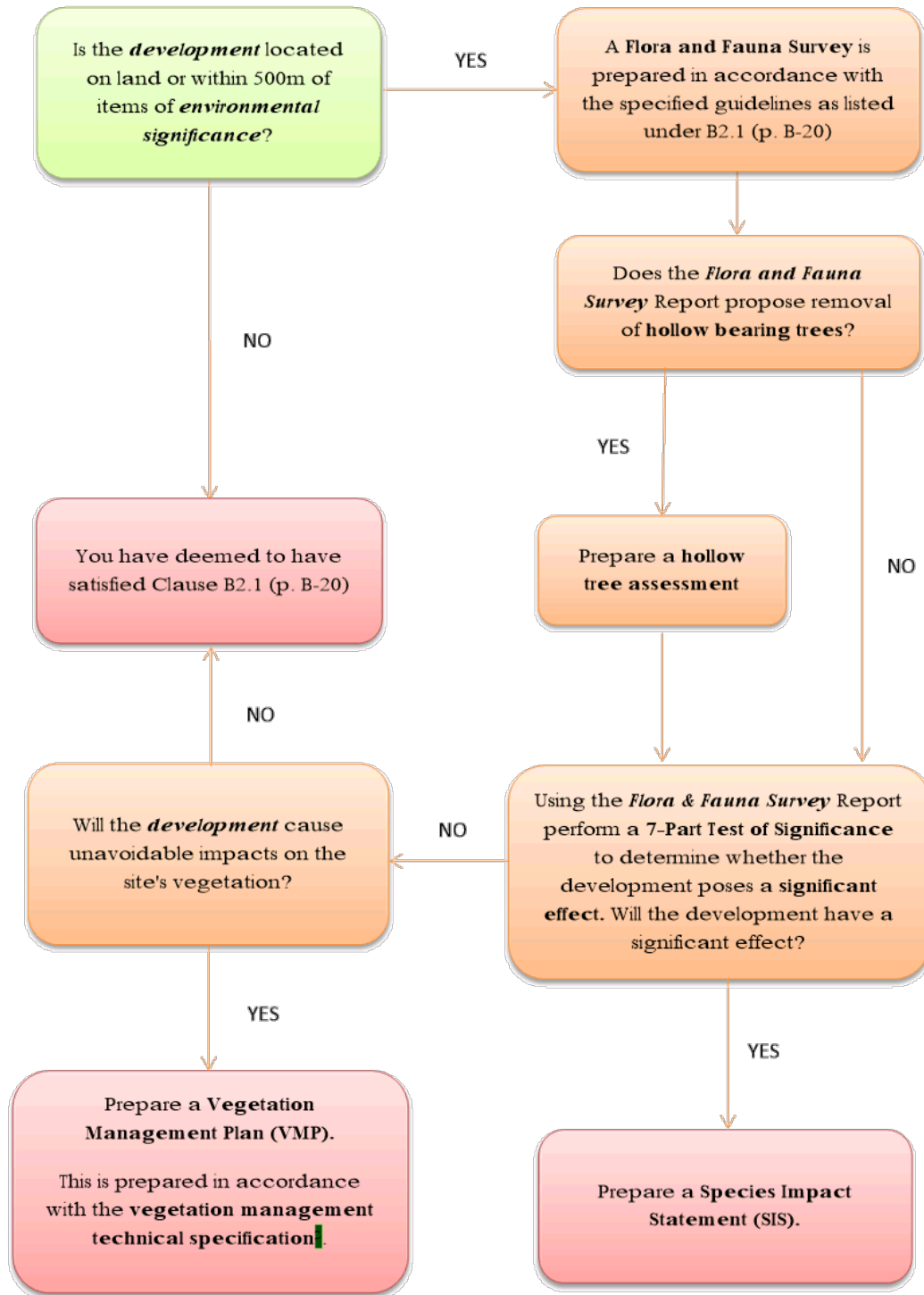
## NATURAL RESOURCES

	<ul style="list-style-type: none"> <li>• Maximising the retention and minimising degradation of native vegetation within <i>supplementary habitat</i>, habitat buffers and habitat linking areas</li> <li>• Minimising removal of any individual preferred koala feed trees</li> <li>• Where appropriate, restore and rehabilitate <i>koala habitat</i>/buffers and linking areas <ul style="list-style-type: none"> <li>◦ Removal of <i>koala habitat</i> is off-set by a net gain of <i>koala habitat</i> on-site or adjacent</li> </ul> </li> <li>• Make provision for long-term management of both existing and restored <i>koala habitat</i></li> <li>• Not compromise the safe movement of koalas, through: <ul style="list-style-type: none"> <li>◦ Maximisation of tree retention</li> <li>◦ Minimising barriers for movement, such as fences</li> </ul> </li> <li>• Restrict <i>development</i> to defined building envelopes</li> <li>• Minimising the threat to koalas from dogs, motor vehicles and swimming pools <ul style="list-style-type: none"> <li>◦ <i>Development</i> demonstrates consideration to the performance criteria within the <i>Statement of Environmental Effects (SEE)</i> by providing the following: <ul style="list-style-type: none"> <li>✓ Assessment of koala habit in accordance with Appendix 6 – Guidelines for Koala Habitat Assessment of the Port Stephens Comprehensive Koala Plan of Management<sup>10</sup></li> <li>✓ <i>Site Analysis Plan</i> indicates vegetation to be disturbed, cleared or retained</li> <li>✓ Illustration of the <i>Asset Protection Zone (APZ)</i></li> <li>✓ Proposed measures for the safe movement of koalas, such as <i>fencing or traffic control measures</i></li> <li>✓ Details of any programs to monitor koala populations</li> </ul> </li> </ul> </li> </ul> <p><b>Note:</b> The Port Stephens Comprehensive Koala Plan of Management<sup>10</sup> applies through the application of the SEPP No.44 – Koala Habitat Protection</p>
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## B3

## ENVIRONMENTAL MANAGEMENT

Figure BC: Flora &amp; Fauna Survey Flow-Chart



B-23

## B3

## ENVIRONMENTAL MANAGEMENT

**B3 Environmental Management**

Application		
<ul style="list-style-type: none"><li>This part applies to development that:<ul style="list-style-type: none"><li>is located on land identified as <i>bushfire prone land</i></li><li>is located on land <b>that contains</b> <i>acid sulfate soils</i></li><li>has the potential to be <i>contaminated land</i></li><li>has the potential to produce <i>air pollution</i>, such as dust or odour</li><li>has the potential to produce adverse <i>offensive noise</i></li><li>involves <i>earthworks</i></li><li>will produce significant <i>waste</i></li></ul></li></ul>		
Objective		
B3.A	Bushfire Prone Land	<ul style="list-style-type: none"><li>To prevent and mitigate for the impact of bushfire on <i>development</i> by ensuring bushfire protection measures are integrated into the design and siting</li></ul>
Requirement		
B3.1	<ul style="list-style-type: none"><li><i>Integrated development</i> located on <i>bushfire prone land</i> is to be referred to the Rural Fire Service<ul style="list-style-type: none"><li><i>Development</i> requiring referral to the Rural Fire Service will demonstrate in the <i>Statement of Environmental Effects (SEE)</i> how <i>bushfire protection measures</i> have informed the <i>site analysis plan</i></li></ul></li></ul>	
Objective		
B3.B	Acid Sulfate Soils	<ul style="list-style-type: none"><li>To ensure that <i>development</i> does not disturb, expose or drain <i>acid sulfate soils</i> and cause environmental damage</li></ul>
Requirement		
B3.2	<ul style="list-style-type: none"><li><i>Development</i> located on <i>Acid Sulfate Soils (ASS)</i> as identified on the Acid Sulfate Maps of the PSLEP2013 adheres to PSLEP2013 Clause 7.1 by taking one of the following three paths:<ol style="list-style-type: none"><li>Accept that ASS is present and prepare a <i>development application</i> and an <i>ASS management plan</i> as set out in the <i>NSW ASS Manual</i><sup>10</sup>, or</li><li>Provide a framework for the on-going management and monitoring of the impacts throughout the development, in your <i>ASS management plan</i>. There is no set formula for managing ASS and each case must depend on the particular circumstance. Please refer to the <i>NSW ASS Manual</i><sup>10</sup> for details; or</li><li>Undertake a preliminary assessment as set out in the <i>NSW ASS Manual</i><sup>10</sup>, to determine whether ASS is present and whether the proposed works are likely to disturb or oxidise these soils or lower the water table</li></ol></li><li>If ASS is present, Council must consider the following matters before consent is granted:<ul style="list-style-type: none"><li>The adequacy of the <i>ASS management plan</i> prepared for the proposed development in accordance with the <i>NSW</i></li></ul></li></ul>	

B-24

## B3

## ENVIRONMENTAL MANAGEMENT

		<p><i>ASS Assessment Guidelines</i></p> <ul style="list-style-type: none"> <li>o The likelihood of the proposed <i>development</i> resulting in the discharge of acid water</li> </ul>
<b>Objective</b>		
B3.C	<b>Contaminated Land</b>	<ul style="list-style-type: none"> <li>▪ To reduce the potential risk from contaminated land by ensuring <i>development</i> provides consideration to SEPP No. 55 – Contaminated Land</li> </ul>
<b>Requirement</b>		
B3.3		<ul style="list-style-type: none"> <li>▪ <i>Development</i> must satisfy State Environmental Planning Policy No.55 – Remediation of Land by demonstrating that the land to which the proposed <i>development</i> applies is not contaminated and if the land is contaminated <i>than it is required</i> to undertake remediation <i>in accordance with the procedures outlined within that SEPP</i></li> </ul>
<b>Objective</b>		
B3.D	<b>Air Quality</b>	<ul style="list-style-type: none"> <li>▪ To ensure air quality is not negatively impacted on by dust and odour in recognition of the associated human health impacts</li> </ul>
<b>Requirement</b>		
B3.4		<ul style="list-style-type: none"> <li>▪ An <i>air quality report</i> is required where <i>development</i> has potential to <i>adversely impact</i> surrounding areas in terms of air quality <ul style="list-style-type: none"> <li>• An <i>air quality report</i> is to be generally provided for the following <i>development types</i>: <ul style="list-style-type: none"> <li>o Rural industries</li> <li>o <b>Heavy Industry</b></li> <li>o Sewerage systems</li> <li>o Waste or resource management facilities</li> <li>o Extractive industry</li> <li>o other <i>development types</i> identified by Council</li> </ul> </li> <li>✓ The <i>air quality report</i> is to: <ul style="list-style-type: none"> <li>➢ Address construction, operation and occupational impacts</li> <li>➢ Identify emissions and measures to mitigate against impact on any nearby residences, especially on <i>sensitive receivers</i></li> <li>➢ Prepared in accordance with the NSW Department of Environment and Conservation, 2001. 'Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales'<sup>39</sup></li> </ul> </li> </ul> </li> </ul>
<b>Objective</b>		
B3.E	<b>Noise</b>	<ul style="list-style-type: none"> <li>▪ To identify potentially offensive noise to ensure it is managed within the relevant legislative requirements</li> </ul>
<b>Requirement</b>		
B3.5		<ul style="list-style-type: none"> <li>▪ An acoustic/vibration report is required for <i>development</i> that has the potential to produce <i>offensive noise</i>, meaning, <ul style="list-style-type: none"> <li>• That, by reason of its level, nature, character or quality or the time at which it is made, or any other circumstances:</li> </ul> </li> </ul>

## B3

## ENVIRONMENTAL MANAGEMENT

		<ul style="list-style-type: none"> <li>○ Is harmful to (or is likely to be harmful) to a person who is outside the premises from which it is emitted, or</li> <li>○ Interferes unreasonable with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted</li> <li>• That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations, such as: <ul style="list-style-type: none"> <li>○ Environmental Protection Authority. 2000, 'NSW Industrial Noise Policy'<sup>14</sup></li> </ul> </li> </ul>
<b>Objective</b>		
<b>B3.F</b>	<b>Earthworks</b>	<ul style="list-style-type: none"> <li>▪ To facilitate <i>earthworks</i> so as to minimise potential environmental impacts, such as erosion or the release of sulphuric acids as identified by the PSLEP 2013</li> </ul>
<b>Requirement</b>		
<b>B3.6</b>		<ul style="list-style-type: none"> <li>▪ PSLEP2013 Clause 7.2 seeks to ensure that <i>development consent</i> for <i>earthworks</i> will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land <ul style="list-style-type: none"> <li>• <i>Earthworks</i> that: <ul style="list-style-type: none"> <li>○ cannot satisfy SEPP (Exempt and Complying Development Codes) 2008, Subdivision 15 Earthworks, retaining walls and structural support Clause 2.30 Development Standards, or</li> </ul> </li> </ul> <p><b>Note:</b> SEPP (Exempt and Complying Development Codes) 2008 generally classifies cut or fill of <b>less</b> than 600mm below or above ground level (existing) to be defined as <b>exempt development</b>.</p> <ul style="list-style-type: none"> <li>○ is not ancillary to <i>development</i> that is permitted with consent under this Plan or to <i>development</i> for which <i>development consent</i> has been given, is to address the following matters of consideration under PSLEP2013 Clause 7.2 <ul style="list-style-type: none"> <li>✓ the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development</li> <li>✓ the effect of the <i>development</i> on the likely future uses or redevelopment of the land</li> <li>✓ the quality of the <i>fill</i> or the soil to be excavated, or both</li> <li>✓ the effect of the <i>development</i> on the existing and likely amenity of adjoining properties</li> <li>✓ the source of any <i>fill</i> material and the destination of any excavated material</li> <li>✓ the likelihood of disturbing relics</li> </ul> </li> </ul> <p><b>Note:</b> B8.5 (p. B-53) requires due diligence in regard to aboriginal heritage</p> <ul style="list-style-type: none"> <li>✓ the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area</li> <li>✓ any appropriate measures proposed to avoid, minimise or mitigate the impacts of the <i>development</i> <ul style="list-style-type: none"> <li>✓ <i>Development</i> may need to provide a <i>cut and fill plan</i> in order to adequately address the above matters when: <ul style="list-style-type: none"> <li>➤ <i>Cut</i> exceeds 2m in depth</li> <li>➤ <i>Fill</i> has a total area of 100m<sup>2</sup> or more</li> </ul> </li> </ul> </li> </ul> </li></ul>

B-26

## B3

## ENVIRONMENTAL MANAGEMENT

		➤ Is within 40m of the top bank of a riparian corridor as defined under the Water Management Act 2000
B3.7	▪ Fill must consist of <i>Virgin Excavated Natural Material (VENM)</i> or <i>Excavated Natural Material (ENM)</i> as defined under the Protection of Environment Operations Act 1997	
Objective		
B3.G	Waste	▪ To ensure <i>waste</i> is minimised and disposed in an appropriate manner
Requirement		
B3.8	▪ A <i>waste management plan</i> is required for <i>development</i> involving on-site <i>construction works</i> that details the following: <ul style="list-style-type: none"><li>• Volume and type of waste</li><li>• Storage and treatment of waste</li><li>• Disposal of residual material</li></ul>	

## B4

## DRAINAGE AND WATER QUALITY

## B4 Drainage and Water Quality

## Application

- This part applies to development that:
  - increases *non-permeable surfaces*
  - requires connection to *public drainage*
  - involves a *controlled activity* within 40m of *waterfront land*

## Objective

- |      |                          |  |
|------|--------------------------|--|
| B4.A | Stormwater Drainage Plan | <ul style="list-style-type: none"> <li>▪ To ensure a stormwater drainage plan is submitted when <i>development</i> increases <i>non-permeable surfaces</i> and will place significant additional flows into <i>public drainage</i></li> <li>▪ To ensure the stormwater drainage plan details a legal and physical point of discharge to minimise impacts on <i>water balance</i>, <i>surface water</i> and <i>groundwater</i> flow regimes and flooding</li> <li>▪ To implement sustainable mitigation systems that can be maintained using resources available to the maintainer</li> </ul> |
|------|--------------------------|--|

## Requirement

- |      |   |
|------|---|
| B4.1 | <ul style="list-style-type: none"> <li>▪ <i>Development</i> that increases <i>non-permeable surfaces</i> and will place significant additional flows into <i>public drainage</i> is to provide a stormwater drainage plan and description of the proposed drainage system within the <i>Statement of Environmental Effects (SEE)</i> <ul style="list-style-type: none"> <li>• The stormwater drainage plan includes:               <ul style="list-style-type: none"> <li>○ catchment boundaries</li> <li>○ existing surface conditions</li> <li>○ proposed surface contours</li> <li>○ proposed building flood or floor levels</li> <li>○ location and levels of discharge points</li> <li>○ overland flow paths and flood liable areas</li> <li>○ location of drainage pits and lines</li> <li>○ location and area of <i>on-site detention easements</i></li> <li>○ calculations for any proposed stormwater system</li> <li>○ methods of draining the land</li> <li>○ water quality measures identified by <i>Small Scale Stormwater Water Quality Model (SSSQM)</i> or water quality modelling, such as <i>MUSIC Modelling</i></li> </ul> </li> </ul> </li> </ul> <p>Note: C1.H (p. C-69) also provides drainage requirements for <i>development</i> relating to <i>subdivision</i></p> |
|------|---|

## Objective

- |      |                   |  |
|------|-------------------|--|
| B4.B | On-site Detention | <ul style="list-style-type: none"> <li>▪ To regulate the impacts on the capacity of the <i>public drainage</i> system</li> </ul> |
|------|-------------------|--|

## Requirement

- |      |   |
|------|---|
| B4.2 | <ul style="list-style-type: none"> <li>▪ <i>On-site detention</i> is required where:           <ul style="list-style-type: none"> <li>• <i>non-permeable surfaces</i> exceed the total percentage of <i>site area</i> listed under Figure BD (p. B-31)</li> </ul> </li> </ul> |
|------|---|



## B4

## DRAINAGE AND WATER QUALITY

	<ul style="list-style-type: none"> <li>it is identified under Part C- Specific Areas</li> <li>the stormwater catchment is identified to have stormwater issues <ul style="list-style-type: none"> <li><b>On-site detention</b> is to be: <ul style="list-style-type: none"> <li>sized so that post-development flows equal pre-development flows up to the <b>1% Annual Exceedance Probability (AEP)</b> design flood level</li> <li>provided by either underground chambers, surface storage or a combination of the two <b>and are generally</b> positioned: <ul style="list-style-type: none"> <li>✓ under grassed areas for any <b>cellular system</b></li> <li>✓ under hardstand areas such as driveways for any concrete tank structures</li> </ul> </li> </ul> </li> </ul> </li> <li>The following details of the <b>on-site detention</b> concept design are to be provided in the <b>stormwater drainage plan</b>: <ul style="list-style-type: none"> <li>location and type of detention system</li> <li>demonstrated volume for maximum <b>AEP</b></li> <li>pipes, pits, overland flow and discharge point</li> <li>surface grates and maintenance access points</li> <li>orifice type, location and screening facility</li> <li>slope/gradient of the land</li> <li>post-development flows <b>for the site</b> equal to pre-development flows <b>for the site</b></li> </ul> </li> </ul> <p><b>Note:</b> B4.3 (p. B-29) states that <b>on-site detention</b> will not be required for <b>single dwellings</b> and <b>dual occupancy development</b> if the water quality requirements under Figure BE (p. B-31) have been satisfied</p>		
<b>Objective</b>			
B4.C	<table border="1"> <tr> <td data-bbox="408 1153 582 1518"><b>Water Quality</b></td><td data-bbox="582 1153 1264 1518"> <ul style="list-style-type: none"> <li>To ensure <b>development</b> does not impact on water quality through the use of water quality through use of water quality modelling, such as <b>MUSIC Modelling</b> and subsequent <b>WSUD</b> measures</li> <li>To safeguard the environment by improving the quality of stormwater run-off</li> <li>To ensure water quality is protected and maintained during the construction phase through the conditioning of appropriate measures</li> <li>To provide further guidance to PSLEP 2013 Clauses 7.8, 7.9 and 7.10 relating to water quality for <b>development</b> in drinking water catchments</li> </ul> </td></tr> </table>	<b>Water Quality</b>	<ul style="list-style-type: none"> <li>To ensure <b>development</b> does not impact on water quality through the use of water quality through use of water quality modelling, such as <b>MUSIC Modelling</b> and subsequent <b>WSUD</b> measures</li> <li>To safeguard the environment by improving the quality of stormwater run-off</li> <li>To ensure water quality is protected and maintained during the construction phase through the conditioning of appropriate measures</li> <li>To provide further guidance to PSLEP 2013 Clauses 7.8, 7.9 and 7.10 relating to water quality for <b>development</b> in drinking water catchments</li> </ul>
<b>Water Quality</b>	<ul style="list-style-type: none"> <li>To ensure <b>development</b> does not impact on water quality through the use of water quality through use of water quality modelling, such as <b>MUSIC Modelling</b> and subsequent <b>WSUD</b> measures</li> <li>To safeguard the environment by improving the quality of stormwater run-off</li> <li>To ensure water quality is protected and maintained during the construction phase through the conditioning of appropriate measures</li> <li>To provide further guidance to PSLEP 2013 Clauses 7.8, 7.9 and 7.10 relating to water quality for <b>development</b> in drinking water catchments</li> </ul>		
<b>Requirement</b>			
B4.3	<ul style="list-style-type: none"> <li><b>Development</b> is to provide water quality measures in accordance with Table BE: Water Quality Table (p. B-31), unless: <ul style="list-style-type: none"> <li>a <b>WSUD Strategy</b> has previously been prepared in accordance with this requirement, which in that case, <b>WSUD</b> measures in accordance with that <b>WSUD Strategy</b> are to be implemented</li> </ul> </li> </ul> <p><b>Note:</b> Refer to Part D – Specific Areas for any <b>WSUD Strategy</b> previously prepared under this requirement</p> <ul style="list-style-type: none"> <li>The <b>WSUD Strategy</b> includes the following: <ul style="list-style-type: none"> <li>Background Information</li> <li>Site Context</li> </ul> </li> </ul>		

## B4

## DRAINAGE AND WATER QUALITY

		<ul style="list-style-type: none"> <li>o Proposed development</li> <li>o WSUD objectives</li> <li>o Best planning practices</li> <li>o Integrated Water Cycle Management</li> <li>o Stormwater management</li> <li>o Costs</li> <li>o Operation and Maintenance Plan</li> <li>o Modelling</li> <li>o MUSIC model is provided in digital form</li> <li>o Compliance with AS3500:2003 – Plumbing and Drainage</li> </ul> <ul style="list-style-type: none"> <li>• <i>Stormwater Quality Improvement Devices (SQUIDS)</i> are designed to be taken off-line from minor and major drainage systems</li> <li>• <i>Development</i> submits the evidence of how the water quality targets have been achieved (e.g. SSSQM Certificate)</li> <li>• <i>On-site detention</i> may not be required for <i>single dwellings</i> and <i>dual occupancy development</i> if the water quality requirements under Figure BE (p. B-31) for sites less than 2,500m<sup>2</sup> have been satisfied</li> <li>• Erosion and sediment measures are provided during the construction phase in accordance with the issued <i>conditions of consent</i></li> </ul> <p><b>Note:</b> Under this Requirement, a <i>new lot</i> is a lot created through <i>subdivision</i> since the commencement of this Plan as specified under A.3 (p.A-8)</p>
B4.4		<ul style="list-style-type: none"> <li>• When the following types of development are located within a <i>drinking water catchment</i>, Hunter Water is notified and provided with a period of 21 days to provide a submission. After a period of 21 days, no response is deemed as a non-objection. Those development types include: <ul style="list-style-type: none"> <li>• Major subdivision for 4 or more lots</li> <li>• Agriculture</li> <li>• Industry</li> <li>• Commercial premises</li> <li>• Multi-dwelling housing</li> <li>• Sewage reticulation system</li> <li>• Extractive industry</li> <li>• Request to remove 20 or more trees</li> </ul> </li> </ul> <p><b>Note:</b> B1.5 (p. B-17) requires a vegetation management plan when a proposal to remove 20 or more trees is submitted to Council</p> <p><b>Note:</b> Section 51 of the Hunter Water Act 1991 requires Council to provide Hunter Water with 21 days to provide a submission</p>
<b>Objective</b>		
B4.D	Riparian Corridors	<ul style="list-style-type: none"> <li>• To protect and retain <i>riparian corridors</i> as localities of environmental importance</li> </ul>
<b>Requirement</b>		
B4.5		<ul style="list-style-type: none"> <li>• <i>Development</i> involving a <i>controlled activity</i> within <i>waterfront land</i> (within 40m from the highest bank of the river, lake or estuary) adheres to the NSW Water Management Act 2000</li> <li>• <i>Development</i> provides the following <i>buffers</i> to <i>riparian corridors</i> that are generally consistent with the recommendations of the NSW Office of Water. 2012, 'Guidelines for riparian corridors on waterfront land'<sup>42</sup>: <ul style="list-style-type: none"> <li>o 50m buffer from 3<sup>rd</sup> order water courses or above with a 40m vegetated riparian zone and 10m vegetated buffer</li> <li>o 30m buffer from 1<sup>st</sup>-2<sup>nd</sup> order water courses with a 20m vegetated riparian zone and 10m vegetated buffer</li> </ul> </li> </ul>

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## DRAINAGE AND WATER QUALITY

	<ul style="list-style-type: none"> <li><b>Riparian corridors</b> are dedicated as public open space when Council agrees to take ownership of that land</li> </ul> <p><b>Note:</b> Council can advise on the location and order of <b>waterfront land</b></p>
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Figure BD: Non-Permeable Surface Table

Land-Use Zone	Maximum Non-Permeable (%)
E4, R5, RU1, RU2 & RU3	Refer to Minimum Lot Size (below)
E1, E2, E3, IN4, RE1, RE2, SP1, SP2, W1 & W2	<b>merit-based approach</b>
R1, R2 & RU5	60
R3	75
B5, B7, IN1 & IN2	90
B1, B2, B3 & B4	100
Minimum Lot Size	Maximum Non-Permeable (%)
5000sqm >	7.5
2000 to 5000sqm	30
900 to 2000sqm	40
900sqm or less	60

Figure BE: Water Quality Table

Type of Development or Site Area	Water Quality Targets		Tool used to achieve target
	New Lots created through subdivision within the Drinking Water Catchment	Existing lots within the Drinking Water Catchment and all other development outside of a Drinking Water Catchment	
Minor Alterations and/or additions for all sites, which are less than 250m <sup>2</sup>	No water quality measures are required.	No water quality measures are required.	-
Sites between 50m <sup>2</sup> and 50,000m <sup>2</sup> , if residential or commercial and only if it drains to a maximum of two outlets	Before water is released into <b>public drainage</b> , <b>Neutral or Beneficial Effect (NorBE)</b> on water quality is to be achieved.	Before water is released into <b>public drainage</b> the following targets are to be achieved: <ul style="list-style-type: none"> <li>Total nitrogen retention post-development load: 45%</li> <li>Total phosphorus retention post-development load: 60%</li> <li>Total suspended solids post-development load: 90%</li> <li>Gross pollutants post-development load: 90%</li> </ul>	<b>Small Scale Stormwater Water Quality Model (SSSQM)</b> or deemed to comply provisions under Figure ## (p. ##)
Sites equal to or greater than 2,500m <sup>2</sup> that drains to more	Before water is released into <b>public drainage</b> , <b>Neutral or</b>	Before water is released into <b>public drainage</b> the following targets are to be achieved: <ul style="list-style-type: none"> <li>Total nitrogen retention post-</li> </ul>	Water Quality Modelling, such as <b>MUSIC Modelling</b>

## B4

## DRAINAGE AND WATER QUALITY

than two outlets or large scale development with a demonstrable impact on water quality	<i>Beneficial Effect (NorBE)</i> on water quality is to be achieved.	development load: 45% • Total phosphorus retention post-development load: 60% • Total suspended solids post-development load: 90% • Gross pollutants post-development load: 90%	
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Figure BF: Deemed to Comply Provisions – Raingarden &amp; Water Tanks

The following deemed to comply provisions apply where:					
<ul style="list-style-type: none"> <li>Minimum of 75% of the roof area is directed to the rainwater tank</li> <li>Water from the rainwater tank is used outdoors, in the toilet and laundry</li> <li>Rainwater tank overflow is directed to the Raingarden</li> </ul>					
		Clay Soil – Raingarden		Sandy Soil – Raingarden	
Lot (m <sup>2</sup> )	Roof (m <sup>2</sup> )	Tank (kL)	Raingarden (m <sup>2</sup> )	Tank (kL)	Infiltration Area (m <sup>2</sup> )
400	150	2	4	2	7
400	200	2	5	2	8
400	150	3	4	3	6
400	200	3	4	3	7
		Clay Soil – Raingarden		Sandy Soil – Raingarden	
Lot (m <sup>2</sup> )	Roof (m <sup>2</sup> )	Tank (kL)	Raingarden (m <sup>2</sup> )	Tank (kL)	Infiltration Area (m <sup>2</sup> )
400	150	5	4	5	6
400	200	5	4	5	7
400	150	10	3	10	5
400	200	10	3	10	6
500	150	2	5	2	8
500	200	2	5	2	9
500	250	2	6	2	10
500	150	3	4	3	7
500	200	3	5	3	8
500	250	3	5	3	9
500	150	5	4	5	7
500	200	5	4	5	8
500	250	5	5	5	8
500	150	10	4	10	6
500	200	10	4	10	7
500	250	10	4	10	7
600	150	2	6	2	9
600	200	2	6	2	10
600	250	2	6	2	10

## B4

## DRAINAGE AND WATER QUALITY

600	300	2	8	2	12
600	150	3	5	3	8
600	200	3	5	3	9
600	250	3	6	3	10
600	300	3	6	3	11
600	150	5	5	5	8
600	200	5	5	5	9
600	250	5	5	5	9
600	300	5	6	5	10
600	150	10	4	10	7
600	200	10	4	10	8
600	250	10	5	10	8
600	300	10	5	10	9
800	200	2	8	2	12
800	250	2	8	2	12
800	300	2	8	2	13
800	400	2	10	2	16
		Clay Soil - Raingarden		Sandy Soil - Raingarden	
Lot (m <sup>2</sup> )	Roof (m <sup>2</sup> )	Tank (kL)	Raingarden (m <sup>2</sup> )	Lot (m <sup>2</sup> )	Roof (m <sup>2</sup> )
800	500	2	12	2	18
800	200	3	6	3	11
800	250	3	8	3	12
800	300	3	8	3	13
800	400	3	8	3	15
800	500	3	10	3	17
800	200	5	6	5	11
800	250	5	6	5	11
800	300	5	8	5	12
800	400	5	8	5	14
800	500	5	10	5	16
800	200	10	6	10	10
800	250	10	6	10	10
800	300	10	6	10	11
800	400	10	8	10	13
800	500	10	8	10	15
1000	200	2	8	2	13
1000	250	2	8	2	14
1000	300	2	10	2	15

## B4

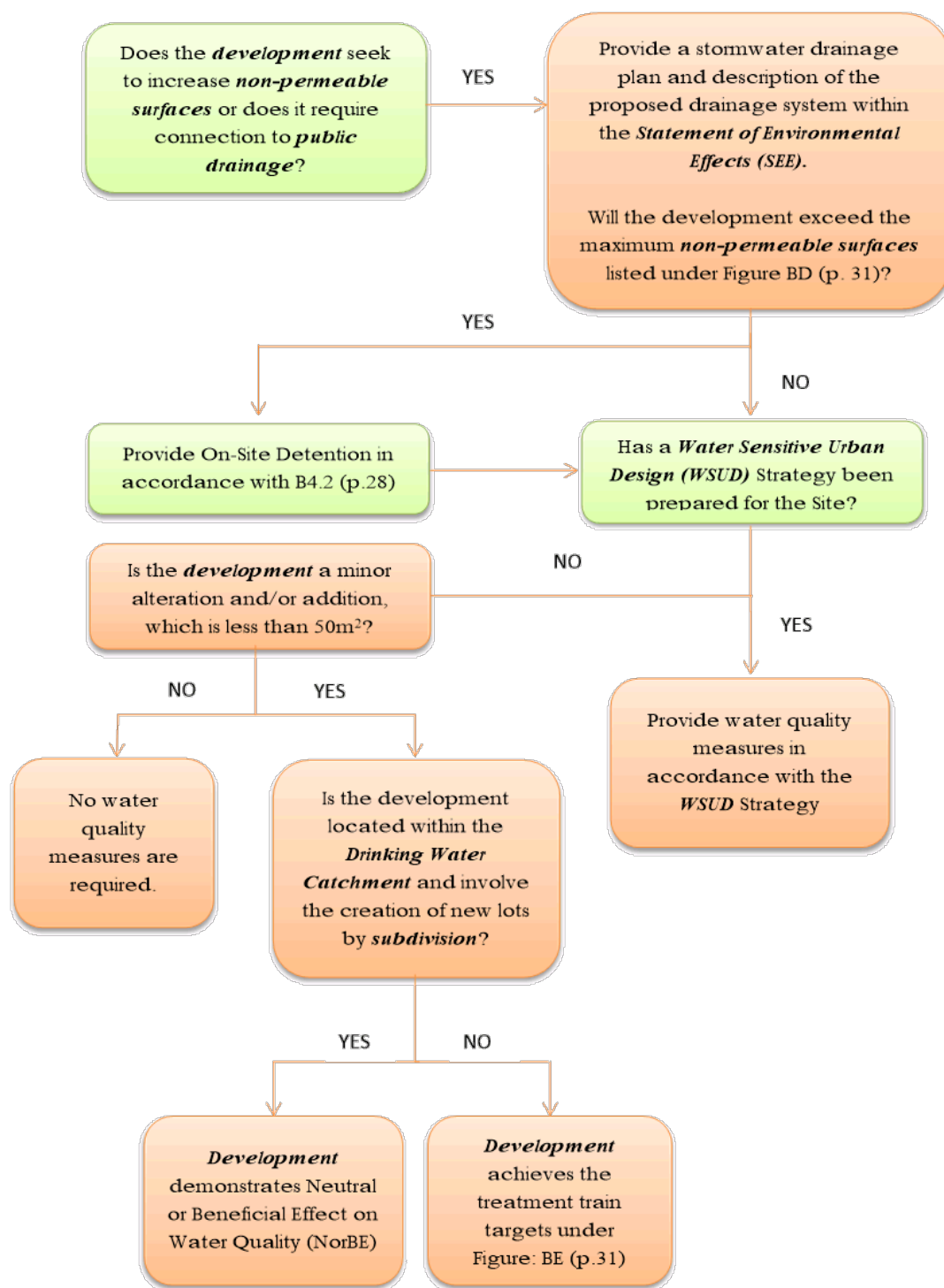
## DRAINAGE AND WATER QUALITY

1000	400	2	10	2	18
1000	500	2	12	2	20
1000	200	3	8	3	13
1000	250	3	8	3	14
1000	300	3	8	3	15
1000	400	3	10	3	17
1000	500	3	12	3	19
1000	200	5	8	5	12
1000	250	5	8	5	13
1000	300	5	8	5	14
1000	400	5	10	5	16
1000	500	5	10	5	18
1000	200	10	8	10	12
1000	250	10	8	10	12
1000	300	10	8	10	13
1000	400	10	8	10	15
1000	500	10	10	10	17

## B4

## DRAINAGE AND WATER QUALITY

Figure BG: Drainage and Water Quality – Flow Chart



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**B5**

## FLOODING

**B5 Flooding****Application**

- This Part applies to development to which Clause 7.3 of the LEP applies being land that is situated within the *flood planning area* or at/or below the *Flood Planning Level (FPL)*

**Objectives**

B5.A	<b>Flood Planning</b>	<ul style="list-style-type: none"> <li>To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property.</li> <li>To recognise flood prone land as a valuable resource that should not be sterilised by unnecessarily precluding its development.</li> <li>That flood risk is considered as early as possible in the planning and development process, is based on the best available flood information and is a flexible, locally-specific, ment-based approach.</li> <li>To ensure that the use and development of flood prone land has risk consequences that are acceptable to the community, takes into account the full spectrum of flood risks and recognises the social, economic and environmental values of flood prone land.</li> <li>To implement the principles of the NSW Government 2005, 'Floodplain Development Manual' into new development and satisfy the provisions of PSLEP2013 Clause 7.3.</li> </ul>
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**Requirements**

B5.1	<b>Flood Hazard</b>	<ul style="list-style-type: none"> <li><i>Development</i> provides consideration to <i>flood hazard</i>, which includes consideration of the following:             <ul style="list-style-type: none"> <li>Depth of inundation</li> <li>Flow velocity</li> <li>Warning time</li> <li>Evacuation requirements</li> <li>Access restrictions during flood</li> </ul> </li> <li><i>Development</i> is compatible with the <i>flood hazard</i> categories illustrated by Figure BH (p. B-40) and as defined in the relevant <i>flood study</i> or <i>floodplain risk management plan</i> <ul style="list-style-type: none"> <li>Where <i>flood hazard</i> has not been defined by a <i>flood report</i> or <i>floodplain risk management plan</i>, the applicant may be required to undertake a <i>flood report</i> to define <i>flood hazard</i>. The <i>flood report</i> is consistent with the principles of the <i>Floodplain Development Manual</i> and the current version of <i>Australian Rainfall and Runoff</i></li> <li>To determine the flood hazard for a specific property contact Council's Flood Engineer by emailing</li> </ul> </li> </ul>
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## B5

## FLOODING

		<p><a href="mailto:floodrequests@portstephens.nsw.gov.au">floodrequests@portstephens.nsw.gov.au</a>.</p> <p><b>Note:</b> Clause 7.3 of the PSLEP2013 states that <b>development consent</b> must not be granted on land identified as the <b>flood planning area</b> or at or below the <b>Flood Planning Level (FPL)</b> unless Council is satisfied that development is compatible with the flood hazard of the land.</p> <p>Where inconsistencies between the subject site and flood hazard mapping occur, a ment assessment of flood risk and any necessary mitigation measures will apply. In these instances the applicant is required to provide a survey plan showing the sites natural ground levels. All contours and/or spot levels need to refer to AHD or an assumed reduced level (RCL) Benchmark.</p>
B5.2	All Hazard Categories	<ul style="list-style-type: none"> <li>▪ <i>New residential development on land which becomes an island during a flood event must provide flood refuge</i> <ul style="list-style-type: none"> <li>• <b>Flood refuge</b> incorporates convenient access to flood free ground, which: <ul style="list-style-type: none"> <li>○ Is a route that is fail safe, plainly evident and self-directing</li> <li>○ Situated above the PMF</li> <li>○ Cater for the number of persons that could reasonably be expected to be on-site</li> <li>○ Provide emergency lighting</li> <li>○ Be constructed to withstand hydraulic loading due to flood events up to the <b>PMF</b></li> </ul> </li> </ul> </li> <li>▪ Where the proposed development facilitates ongoing flood adaptation (e.g. where the design facilitates building raising in the future, such as pier and beam housing design) then Council will allow a reduced <b>Flood Planning Horizon</b> level 50 years from the date of application.</li> <li>▪ <b>Development</b> considers the following: <ul style="list-style-type: none"> <li>• A <b>habitable room</b> is accompanied by a Certificate from a Chartered Professional Structural Engineer based on the information provided by a Chartered professional Hydraulic Engineer, which certifies the following: <ul style="list-style-type: none"> <li>○ <b>Development</b> is capable of withstanding the effects of flooding, including immersion, structural stability, buoyancy and impact from debris up to and including the <b>Probable Maximum Flood (PMF)</b> Event</li> <li>○ <b>Development</b> will not adversely affect the flow of floodwaters</li> </ul> </li> <li>• A <b>non-habitable room</b> demonstrates the following: <ul style="list-style-type: none"> <li>○ Electrical fixtures, such as power points, light fittings and switches are located above the <b>FPL</b>, or if possible above the <b>PMF</b></li> <li>○ Provides an area where goods can be stored above the <b>PMF</b></li> <li>○ Fill should not substantially impede the flow of floodwater, and must not contribute to</li> </ul> </li> </ul> </li> </ul>

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## B5

## FLOODING

		<p>flooding or ponding of water on other properties</p> <ul style="list-style-type: none"> <li>• A garage or carport demonstrates the following: <ul style="list-style-type: none"> <li>◦ Electrical fixtures, such as power points, light fittings and switches are located above the FPL, or if possible above the PMF</li> <li>◦ Finished floor height 0.5m above the 5% AEP</li> </ul> </li> </ul>
B5.3	Minimal Risk – Flood Prone Land that is above the FPL	<ul style="list-style-type: none"> <li>• <b>Development</b> located within <b>Minimal Risk 1</b> considers the location of critical emergency response and recovery facilities, such as evacuation centres and the appropriateness of vulnerable development types, such as aged care and child care facilities</li> </ul>
B5.4	Low Hazard 1 – Floodway	<ul style="list-style-type: none"> <li>• <b>Development</b> located within <b>Low Hazard 1 – Floodway</b> adheres to the following: <ul style="list-style-type: none"> <li>• Use of <b>fill</b> is not supported</li> <li>• Minor alterations that will not significantly alter the flow pattern of waters, such as roads, parking, below ground structures &amp; landscaping will be considered</li> <li>• Fences are to be of an permeable 'open type' pattern that does not restrict the flow of flood waters</li> </ul> </li> </ul>
B5.5	Low Hazard 2 – Storage	<ul style="list-style-type: none"> <li>• <b>Development</b> located within <b>Low Hazard 2 – Storage</b> adheres to the following: <ul style="list-style-type: none"> <li>• Fill is not supported unless accompanied by a <b>flood report</b></li> <li>• Any other <b>development</b> is supported by a <b>flood risk management report</b></li> </ul> </li> </ul>
B5.6	Low Hazard 3 – Fringe	<ul style="list-style-type: none"> <li>• <b>Development</b> located within <b>Low Hazard 3 – Fringe</b> considers the location of critical emergency response and recovery facilities, such as evacuation centres and the appropriateness of vulnerable development types, such as aged care and child care facilities</li> </ul>
B5.7	High Hazard Categories	<ul style="list-style-type: none"> <li>• <b>Development</b> located within a <b>high hazard category</b> demonstrates the following: <ul style="list-style-type: none"> <li>• <b>Development</b> does not become an isolated island during a flood event. A <b>flood refuge</b> is required where isolation is likely to occur unless at least 40m of the PMF event <ul style="list-style-type: none"> <li>◦ <b>Flood refuge</b> incorporates convenient access to flood free ground, which: <ul style="list-style-type: none"> <li>✓ Is a route that is fail safe, plainly evident and self-directing</li> <li>✓ Situated above the PMF</li> <li>✓ Caters for the number of persons that could reasonably be expected to be on-site</li> <li>✓ Provides emergency lighting</li> <li>✓ Be constructed to withstand hydraulic loading due to flood events up to the <b>PMF</b></li> </ul> </li> </ul> </li> </ul> </li> </ul>
B5.8	High Hazard 1 – Floodway	<ul style="list-style-type: none"> <li>• <b>Development</b> located within <b>High Hazard 1 – Floodway</b> adheres to the following:</li> </ul>

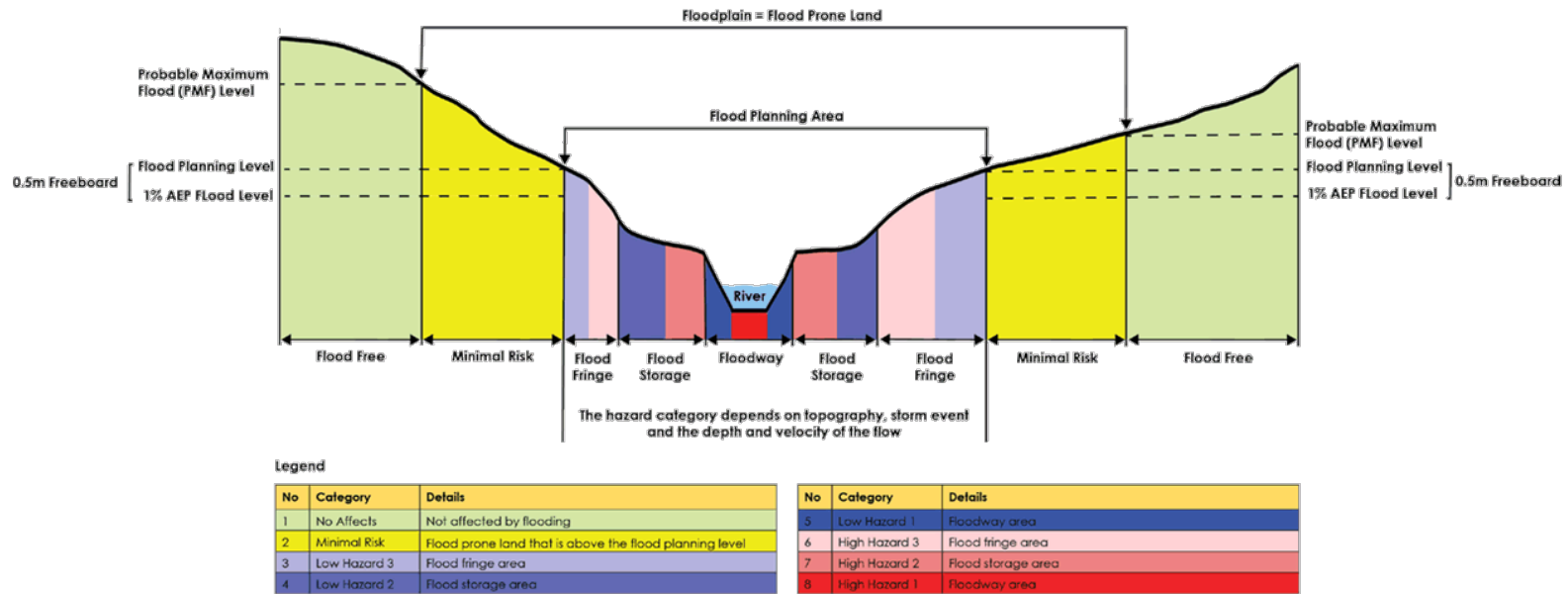
**B5****FLOODING**

		<ul style="list-style-type: none"> <li>New buildings or structures and fill are not supported unless accompanied by a <b>report</b></li> </ul> <p><b>Note:</b> Development within a floodway is not encouraged. An application may only be considered where it demonstrated to have specific community needs/benefits, which does not relate to the provision of housing</p>
B5.9	High Hazard 2 - Storage	<ul style="list-style-type: none"> <li><b>Development</b> located within <b>High Hazard 2 – Storage</b> adheres to the following: <ul style="list-style-type: none"> <li>New residential and fill are not supported unless accompanied by a <b>flood report</b> and an <b>flood emergency response plan</b></li> <li>Alterations and/or additions are considered when it is demonstrated that flood waters will not be displaced onto adjoining properties</li> </ul> </li> </ul> <p><b>Note:</b> Land but where a flood study has not been carried out to determine the flood hazard will be treated as being located within High Hazard 2 – Storage.</p>
B5.10	High Hazard 3 - Fringe	<ul style="list-style-type: none"> <li><b>Development</b> located within <b>High Hazard 3 – Fringe</b> and below the <b>FPL</b> provides a <b>flood emergency response plan</b></li> </ul>

## B5

## FLOODING

Figure BH: Flood Hazard Categories, Cross-Section



**Note:** Land but where a flood study has not been carried out to determine the flood hazard will be treated as being located within High Hazard 2 – Storage.

**B6****ESSENTIAL SERVICES****B6 Essential Services****Application**

- This Part applies to *development* not connected to *essential services* being, water, electricity, sewerage, stormwater drainage and suitable vehicular access

**Objectives**

- |      |                    |   |
|------|--------------------|---|
| B6.A | Essential Services | <ul style="list-style-type: none"> <li>▪ To facilitate <i>development</i> by ensuring it is accompanied by the <i>essential services</i> of water, electricity, sewerage and suitable vehicular access</li> </ul> |
|------|--------------------|---|

**Requirements**

- |      |   |
|------|---|
| B6.1 | <ul style="list-style-type: none"> <li>▪ PSLEP 2013 Clause 7.6 states that <i>development consent</i> must not be granted by Council unless adequate arrangements have been made for:               <ul style="list-style-type: none"> <li>• the supply of water                   <ul style="list-style-type: none"> <li>○ <i>Development</i> must make adequate arrangements for the supply of water either through reticulated services or on-site supply and storage</li> </ul> </li> <li>• the supply of electricity</li> <li>• the disposal and management of sewage                   <ul style="list-style-type: none"> <li>○ <i>Development</i> without access to reticulated sewer demonstrates that the proposal for the disposal and management of sewage is consistent with the Port Stephens On-site Sewage Development Assessment Framework<sup>13</sup></li> <li>○ <i>Subdivision</i> without access to reticulated sewer contains a minimum 4,000m<sup>2</sup> of <i>usable land</i> per lot for the purpose of sustaining an <b>On-Site Sewage Management System (OSMS)</b> in accordance with the On-Site Development Assessment Framework contained within the Port Stephens Council. 2004, 'On-Site Sewage Management Policy'<sup>16 &amp; 17</sup> <ul style="list-style-type: none"> <li>✓ Subdivision that cannot demonstrate 4,000m<sup>2</sup> of <i>usable land</i> for the purpose of sustaining an <i>OSMS</i> must provide connection to a <i>sewerage reticulation system</i> or demonstrate through more site specific investigations how the proposal provides a long-term sustainable wastewater management solution in accordance with the Port Stephens On-site Sewage Development Assessment Framework<sup>13</sup></li> </ul> </li> </ul> </li> <li>• stormwater drainage or on-site conservation</li> <li>• suitable vehicular access</li> </ul> </li> </ul> |
|------|---|

## B7

## WILLIAMTOWN RAAF BASE - AIRCRAFT NOISE &amp; SAFETY

**B7 Williamtown RAAF Base – Aircraft Noise & Safety**

Application		
<ul style="list-style-type: none"> <li>This Part applies to <i>development</i> that is situated within the <i>aircraft noise planning area</i>, <i>bird strike zone</i>, <i>extraneous lighting area</i> or the <i>Williamtown RAAF Base Obstacle Limitations or Operations Surface Map</i></li> </ul>		
Requirements		
B7.A	Site Acceptability	<ul style="list-style-type: none"> <li>To ensure <i>development</i> satisfies the requirements of PSLEP 2013 Clause 7.5</li> <li>To ensure appropriate consideration is given to land burdened by aircraft noise</li> </ul>
B7.1	<ul style="list-style-type: none"> <li>When <i>development</i> is located within the <i>aircraft noise planning area</i>, which is identified by Figure BL (p. B-47) it is classified into one of the following classifications through referencing Figure BI (p. B-44) <ul style="list-style-type: none"> <li>Acceptable – no design measures required to reduce aircraft noise, or</li> <li>Conditionally acceptable – design measures required, or <ul style="list-style-type: none"> <li>An <i>acoustic report</i> is required for the following: <ul style="list-style-type: none"> <li>✓ to support <i>development</i> that is classified as conditionally acceptable</li> <li>✓ to support <i>subdivision</i> of land and subsequent permissible <i>development types</i> by referencing Figure BI (p. B-44) and Figure BJ (p. B-44)</li> </ul> </li> </ul> </li> <li>Unacceptable – <i>development</i> is generally unacceptable. However, the following will be considered on a <i>merit-based approach</i>: <ul style="list-style-type: none"> <li><i>Development</i> on a vacant pre-existing lot within the ANEF 25-30 noise contours that satisfies AS2021-2015 Acoustics – Aircraft noise intrusion – Building siting and construction indoor noise requirements<sup>20</sup></li> <li>Replacement of a pre-existing dwelling in any of the ANEF noise contours satisfies the AS2021-2015 Acoustics – Aircraft noise intrusion – Building siting and construction indoor noise requirements<sup>20</sup></li> <li><i>Development</i> on land zoned B7 Business Park and adjacent to the Williamtown (Newcastle) Airport</li> </ul> </li> </ul> <p><b>Note:</b> Part D14 - DAREZ (p. D-167) provides site specific requirements for land zoned B7 Business Park and adjacent to the Williamtown Airport</p> </li></ul>	
B7.B	Indoor Noise	<ul style="list-style-type: none"> <li>To ensure acceptable levels of indoor noise in accordance with the relevant Australian Standards</li> </ul>
B7.2	<ul style="list-style-type: none"> <li><i>Development</i> must satisfy the maximum internal sound levels specified in Figure BJ (p. B-44) by providing an <i>acoustic report</i></li> </ul>	
B7.3	<ul style="list-style-type: none"> <li>Noise attenuation levels that comply with Figure BJ (p. B-44) are not considered to be reasonable or practicable for a <i>dwelling</i> when seeking to achieve noise reduction greater than: <ul style="list-style-type: none"> <li>35Db(A) for sleeping areas</li> </ul> </li> </ul>	

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## B7

## WILLIAMTOWN RAAF BASE - AIRCRAFT NOISE &amp; SAFETY

		<ul style="list-style-type: none"> <li>30Db(A) for habitable spaces</li> </ul>
B7.C	Alterations & Additions	<ul style="list-style-type: none"> <li>To facilitate alterations and additions of existing development within the <i>aircraft noise planning area</i></li> </ul>
B7.4		<ul style="list-style-type: none"> <li>Additions and/or alterations less than 40% of <i>gross floor area</i> of an existing building must be constructed to the same indoor sound levels as the existing building <ul style="list-style-type: none"> <li>Additions and/or alterations greater than 40% <i>gross floor area</i> of an existing building requires noise attenuation measures consistent to meet the indoor noise levels listed in Figure BJ (p. B-44)</li> </ul> </li> </ul>
B7.D	Bird Strike	<ul style="list-style-type: none"> <li>To ensure that the operational needs of the Williamtown RAAF Base are considered</li> </ul>
B7.5		<ul style="list-style-type: none"> <li>When <i>development</i> is located within the <i>bird strike zone</i>, which is identified by Figure BM (p. B-48), Council provides the Department of Defence is provided with a period of 14 days to provide a submission. <ul style="list-style-type: none"> <li>Group A – The following <i>development types</i> are avoided within 13km from airport runways <ul style="list-style-type: none"> <li>Putrescible waste disposal sites</li> </ul> </li> <li>Group B – The following <i>development types</i> are avoided within 3km of an airport runway or provide measures that prevent food sources attracting wildlife within 8km of an airport runway <ul style="list-style-type: none"> <li>Commercial fish processing</li> <li>Artificial water bodies</li> <li>Bird sanctuaries and fauna reserves</li> <li>Sewer treatment facilities</li> <li>Aquaculture</li> <li>Turf farming</li> <li>Animal farming that attracts birds/bats</li> <li>Fruit farming</li> <li>Fruit processing plants</li> </ul> </li> <li>Group C – The following <i>development types</i> within 3km of an airport runway should include measures to manage waste disposal <ul style="list-style-type: none"> <li>Race tracks</li> <li>Sports grounds</li> <li>Fair grounds</li> <li>Outdoor theatres</li> <li>Dine-in restaurants</li> </ul> </li> </ul> </li> </ul>
B7.E	Referral Requirements	<ul style="list-style-type: none"> <li>To ensure that the operational needs of the Williamtown RAAF Base are considered</li> </ul>
B7.6		<ul style="list-style-type: none"> <li>When <i>development</i> deemed to be <i>noise sensitive development</i> is located within the <i>aircraft noise planning area</i>, which is identified by Figure BL (p. B-47), the Commonwealth Department of Defence is notified and given a period of 14 days to provide a submission <ul style="list-style-type: none"> <li>After a period of 14 days, no response is deemed as no objection</li> </ul> </li> <li><b>Note:</b> Figure AA: Notification Requirements (p. A-11) details general notification requirements to be administered by Council Officers</li> <li><i>Development</i> that seeks to penetrate the RAAF Base Williamtown Limitation or Operations Surface or Procedures for Air Navigation Systems Operations Surface as identified by Figure BN (p. B-49) is referred to the Commonwealth Department of Defence for comment <ul style="list-style-type: none"> <li><i>Development</i> that does not seek to penetrate these surfaces <b>has</b></li> </ul> </li> </ul>

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## B7

## WILLIAMTOWN RAAF BASE - AIRCRAFT NOISE &amp; SAFETY

	<p>compiled with the Commonwealth Department of Defence requirements of PSLEP 2013 Clause 7.4 Airspace Operations</p> <p><b>Note:</b> PSLEP 2013 Clause 7.4 requires the consent authority to be provided with the Commonwealth's consideration of the Limitation or Operations Surface</p> <p>▪ <b>Development</b> located within the extraneous lighting boundaries as identified by Figure BO (p. B-50) and Figure BP (p. B-51) is referred to the Commonwealth Department of Defence for comment. After a period of 14 days, no response is deemed as no objection</p> <p><b>Note:</b> Figure AA: Notification Requirements (p. A-11) details general notification requirements to be administered by Council Officers</p>
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Figure BI: Building Site Acceptability based on ANEF Zone

Development Type	Acceptable	Conditionally Acceptable	Unacceptable
	ANEF Zone		
▪ residential accommodation ▪ caravan parks	<20	20 – 25	25>
▪ tourist & visitor accommodation	<25	25 – 30	30>
▪ educational establishments	<20	20 – 25	25>
▪ respite day care centres ▪ health services facilities	<20	20 – 25	25>
▪ places of public worship ▪ entertainment facility ▪ information and education facility	<20	20 – 30	30>
▪ commercial premises	<25	25 – 35	35>
▪ general industry ▪ light industry heavy industry	<30	30 – 40	40>
▪ heavy industry	Acceptable in any ANEF Zone		

Figure BJ: Indoor Design Sound Levels

Development type	Indoor Design Average Maximum Sound Level <i>Db (A)</i>
residential accommodation & caravan parks	
▪ sleeping areas & dedicated lounges	50
▪ habitable room other than sleeping areas & dedicated lounges	55
▪ bathrooms, toilets & laundries	60
tourist and visitor accommodation	

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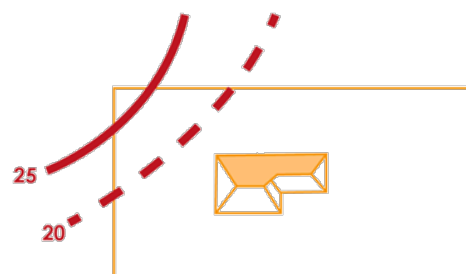
**B7****WILLIAMTOWN RAAF BASE - AIRCRAFT NOISE & SAFETY**

▪ relaxing & sleeping	55
▪ social activities	70
▪ service activities	75
educational establishments	
▪ libraries & study areas	50
▪ teaching & assembly areas	55
▪ workshop areas & gymnasias	75
respite day care centres & health facilities	
▪ wards, theatres, treatment & consulting rooms	50
▪ laboratories	65
▪ service areas	75
public buildings	
▪ places of public worship	50
▪ entertainment facility	40
▪ information & education facility	50
commercial buildings, offices & retail premises	
▪ private offices & conference rooms	55
▪ drafting & open offices	65
▪ typing & data processing	70
▪ shops, supermarkets & showrooms	75
industrial	
▪ inspection, analysis & precision work	75
▪ light machinery, assembly & bench work	80
▪ heavy machinery, warehouse & maintenance	85

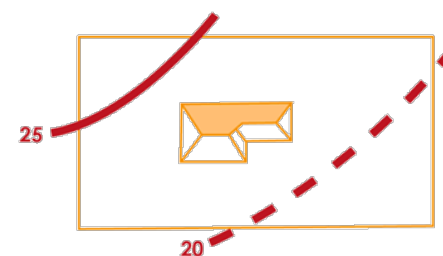
B7

WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE & SAFETY

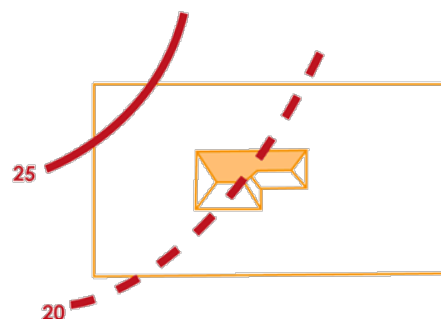
Figure BK: Illustration of Building Site Acceptability based on ANEF Zone



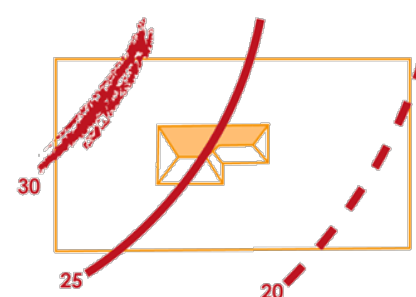
Acceptable - No design measures are required to reduce aircraft noise



Conditionally Acceptable - Design measures are required to reduce aircraft noise



Conditionally Acceptable - Design measures are required to reduce aircraft noise



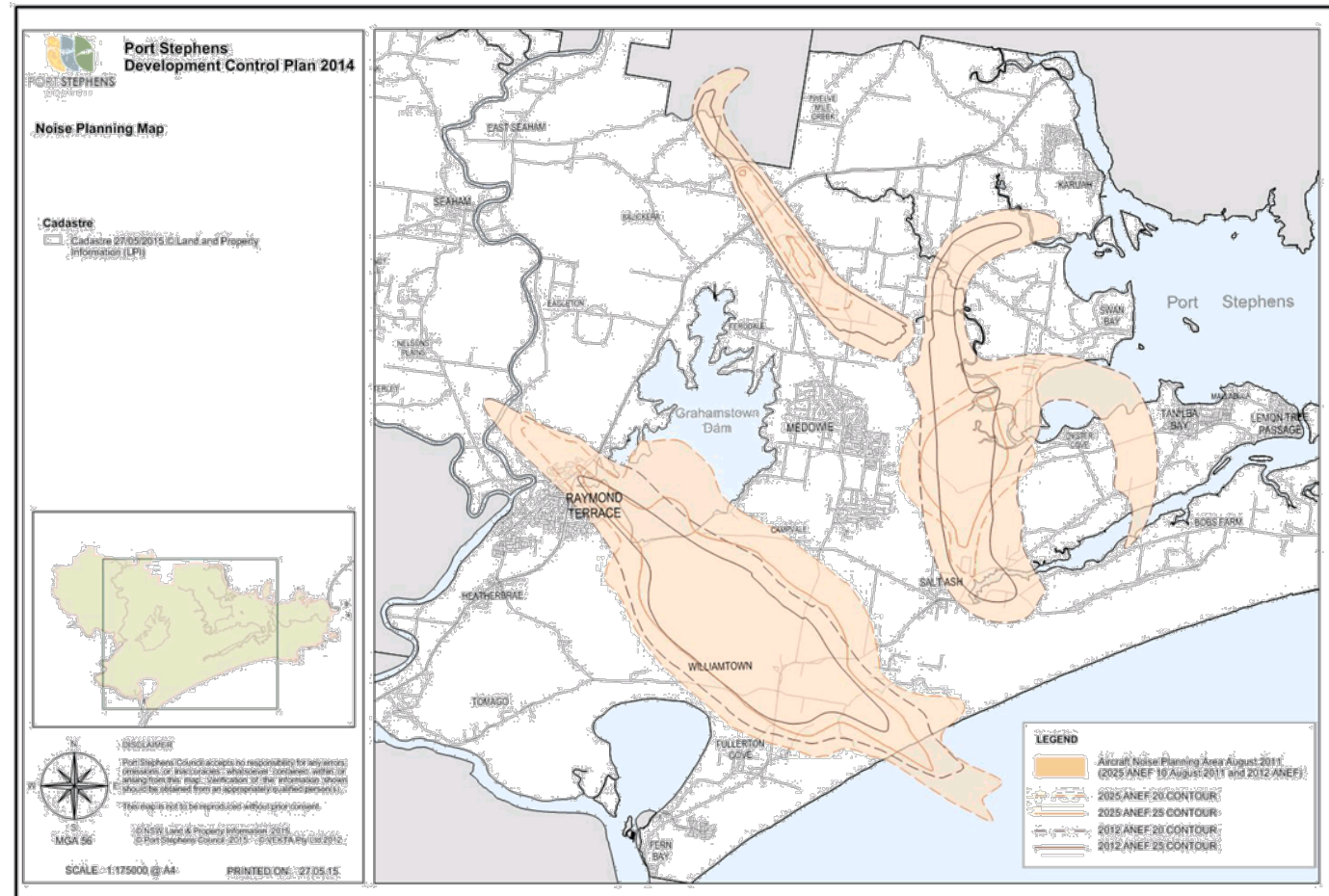
Where the contour line is placed over part of a building the higher contour will be applied

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WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE & SAFETY

**Figure BL:**  
Aircraft Noise  
Planning  
Map

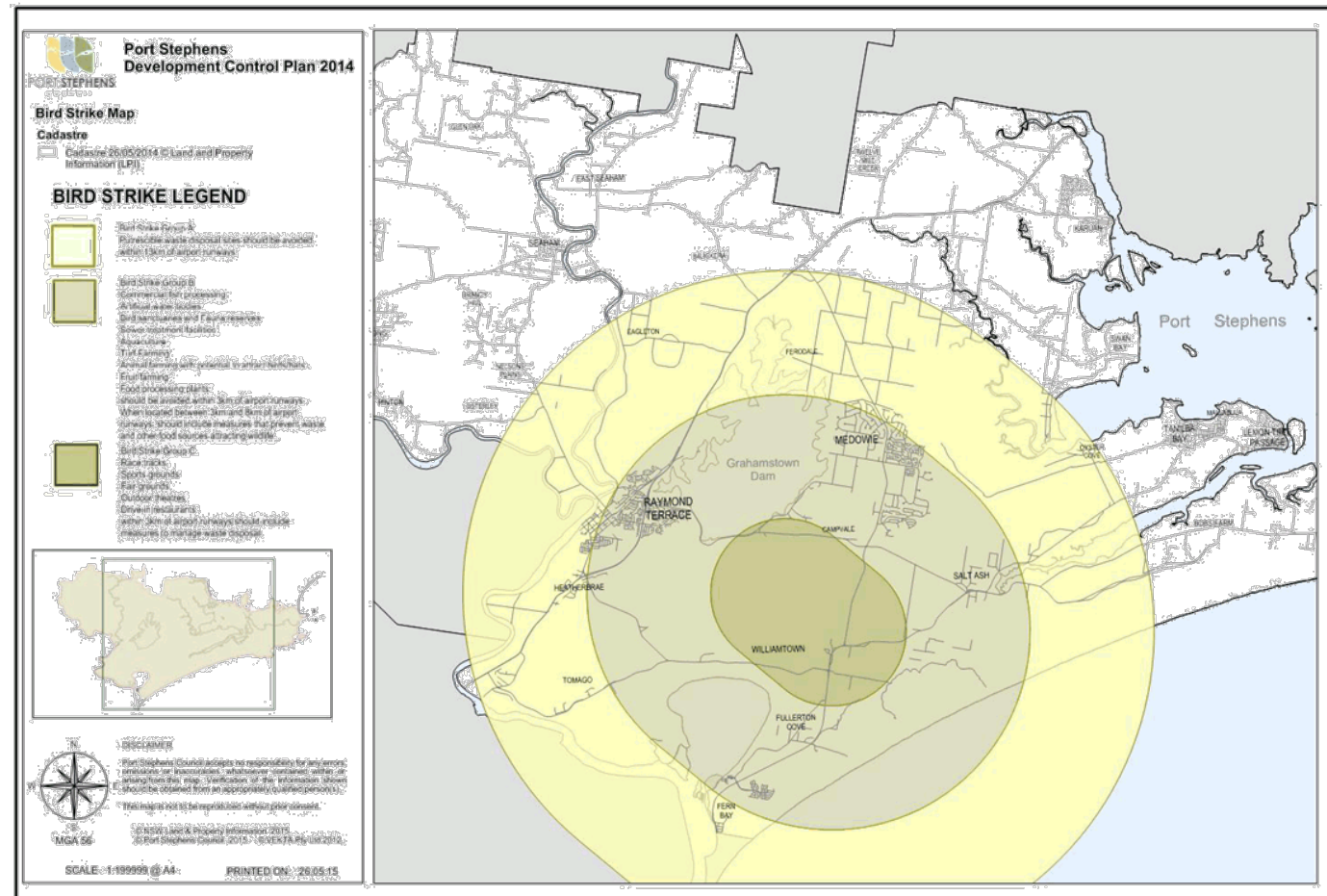


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## WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE &amp; SAFETY

Figure BM:  
Bird Strike  
Zone



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## WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE & SAFETY

## PORT STEPHENS COUNCIL



## WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE & SAFETY

**Port Stephens Development Control Plan 2014**

**Extraneous Lighting (CASA)**

- Zone 'A' 0 cd
- Zone 'B' 50 cd
- Zone 'C' 150 cd
- Zone 'D' 450 cd

6 km radius Controlled Light Installation Area.

Maximum intensity of light source measured at 3 degrees above horizontal.

**Cadastre:**

Cadastre 2014/2015 Land and Property Information LPIs

The map shows the coastal area of Port Stephens, New South Wales, Australia. It includes various suburbs such as Raymond Terrace, Gorriville, Willamtown, Fullerton Cove, and Port Stephens itself. A large red circle indicates the 6 km radius Controlled Light Installation Area centered on Raymond Terrace. Within this area, different colored zones are designated for extraneous lighting control: Zone A (white), Zone B (light yellow), Zone C (yellow), and Zone D (orange). The map also shows the coastline, major roads, and water bodies like Lake Macquarie and the Pacific Ocean.

## PORT STEPHENS COUNCIL

## WILLIAMTOWN RAAF BASE – AIRCRAFT NOISE & SAFETY

**Port Stephens Development Control Plan 2014**

**Extraneous Lighting (DOD)**

- No light above the horizontal is permitted.
- Restrictions on the amount of upward light emitted to comply with the criteria outlined in paragraphs 703b, 704b and 705b of Part 5, Chapter 7 of Australian Defence Force Publication 602 (ADF-P-602).

**Cadastral**

- Cadastral (25/05/2015) (Lands and Property Information (LPI))

**Scale:** 1:100,000 @ A4

**Printed on:** 26/05/15

## PORT STEPHENS COUNCIL

## B8

## HERITAGE

## B8 Heritage

## Application

- This Part applies to development that is situated on land that contains a *heritage item* or within a *heritage conservation area*

## Objectives

- |      |                        |  |
|------|------------------------|--|
| B8.A | <b>Heritage Impact</b> | ▪ To ensure satisfactory consideration of the objectives for PSLEP2013 Clause 5.10 |
|------|------------------------|--|

## Requirements

- |      |  |
|------|--|
| B8.1 | <ul style="list-style-type: none"> <li>▪ <i>Development</i> under PSLEP2013 Clause 5.10 that is likely to impact on the heritage significance of a <i>heritage item</i> provides a <i>heritage impact statement</i> with the <i>development application</i> that is consistent with the Office of Environment &amp; Heritage, N/A, 'Statements of Heritage Impact'<sup>19</sup> <ul style="list-style-type: none"> <li>• The <i>heritage impact statement</i> demonstrates how the proposed <i>development</i> conserves and mitigates for the protection of the identified heritage significance, based on the following principles: <ul style="list-style-type: none"> <li>○ <i>development</i> is consistent with the statement of heritage significance for that item</li> <li>○ <i>development</i> protects the setting of the <i>heritage item</i></li> <li>○ development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements</li> <li>○ <i>development</i> avoids <i>facadism</i> by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials</li> <li>○ <i>development</i> removes alterations and additions that are unsympathetic to the heritage significance of the <i>heritage item</i></li> <li>○ reinstates missing building elements and details</li> <li>○ uses materials, finishes and colours that are appropriate to the architecture and stylistic period of the <i>heritage item</i></li> <li>○ reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the <i>heritage item</i></li> <li>○ maintains and repairs building elements in order to retain the <i>heritage item</i> in a serviceable condition commensurate with the statement of heritage significance</li> <li>○ Reference to the Heritage Act 1977 is required where highly significant archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation</li> </ul> </li> <li>• The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Office of Environment and Heritage Consultants Directory.</li> </ul> </li> </ul> |
|------|--|

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## B8

## HERITAGE

B8.2	▪ <i>Development</i> under PSLEP 2013 Clause 5.10 that is likely to impact on the heritage significance of a <i>heritage conservation area</i> is to demonstrate how it is complementary to the statement of heritage significance for the <i>heritage conservation area</i> within the <i>Statement of Environmental Effects(SEE)</i>	
Objectives		
B8.B	Minor Nature – Maintenance	▪ To ensure that maintenance or repairs do not distract from the heritage significance of an existing item
Requirements		
B8.3	▪ A <i>development application</i> is required under PSLEP 2013 Clause 5.10(2), if the proposed <i>development</i> does not, in the opinion of Council satisfy the requirements of PSLEP 2013 Clause 5.10(3) <ul style="list-style-type: none"><li>• The following types of <i>development</i> are considered to be works of a minor nature or maintenance which would not adversely affect the heritage significance of the <i>heritage item</i> or property within a <i>heritage conservation area</i> for the purposes of Clause 5.10(3)<ul style="list-style-type: none"><li>○ Maintenance or repairs, including painting of a <i>heritage item</i> or item located in the <i>heritage conservation area</i> that is consistent with the <i>statement of heritage significance</i> of the existing building or the heritage character of surrounding areas<ul style="list-style-type: none"><li>❖ Prior to undertaking these works the applicant is to complete the PSC. 2014, 'Notification – Heritage Minor Works or Maintenance'<sup>24</sup></li></ul></li></ul></li></ul> <p>Note: SEPP (Exempt and Complying Development Codes) 2008 – Subdivision 25A Maintenance of buildings in draft heritage conservation areas allows for <i>development</i> to be defined as <b>exempt development</b></p>	
Objectives		
B8.C	Demolition	▪ To ensure evidence is provided for the demolition of a building of heritage significance
Requirements		
B8.4	▪ <i>Development</i> that proposes the partial or total demolition of a <i>heritage item</i> or item within a <i>heritage conservation area</i> for reasons of structural integrity is supported by a <i>structural engineering assessment</i> . An archival record may be required by the relevant Heritage Branch Guidelines	
Objectives		
B8.D	Aboriginal Heritage	▪ To ensure due diligence is followed before carrying out <i>development</i> that may harm Aboriginal objects
Requirements		
B8.5	▪ Where <i>development</i> involves significant <i>cut</i> , being greater than 2m under B3.7 (pp. B-27) the <i>Statement of Environmental Effects (SEE)</i> addresses the following matters: <ul style="list-style-type: none"><li>• A statement indicating the results of the Australian Heritage Information Management System (<i>AHIMS</i>) database search and any other sources of information</li><li>• A statement indicating whether there are landscape features that indicate the presence of Aboriginal objects</li><li>• A statement indicating whether the proposed <i>development</i> is likely</li></ul>	

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## B8

## HERITAGE

	<p>to harm Aboriginal objects</p> <ul style="list-style-type: none"> <li>• A statement indicating whether an <i>Aboriginal Heritage Impact Permit (AHIP)</i> is required. When required: <ul style="list-style-type: none"> <li>○ Prepare an Aboriginal cultural heritage assessment to assess the impact of the proposed <i>development</i> on Aboriginal cultural heritage consistent with the Office of Environment &amp; Heritage. N/A, 'Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW'<sup>25</sup></li> </ul> </li> </ul> <p><b>Note:</b> s90 of the National Parks and Wildlife Act 1974 requires an <i>AHIP</i> where harm to an Aboriginal object or Aboriginal place cannot be avoided. An AHIP can be issued under Part 6 of the National Parks and Wildlife Act 1974</p>
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**B9**

## ROAD NETWORK &amp; PARKING

**B9 Road Network & Parking**

Application		
<ul style="list-style-type: none"><li>This Part applies to <i>development</i> with the potential to impact on the existing road network or create demand for <i>on-site parking</i>. This Part lists general requirements more specific requirements relating to development types may be provided under Section C Development Types</li></ul>		
Objectives		
B9.A	Traffic Impacts	<ul style="list-style-type: none"><li>To ensure that the impacts of traffic generating development are considered and that the existing level of service of the road network is maintained</li></ul>
Requirements		
B9.1	<ul style="list-style-type: none"><li>The <i>Statement of Environmental Effects (SEE)</i> details:<ul style="list-style-type: none"><li>Car parking location, number and dimensions</li><li>Access arrangements</li><li>Street features, such as trees, footpaths and pipes</li><li>Pedestrian impacts and access for disabled persons</li><li>A <i>Traffic Impact Assessment (TIA)</i> is required for:<ul style="list-style-type: none"><li><i>Development</i> for 20 or more dwellings</li><li><i>Development</i> defined as <i>traffic generating development</i></li><li><i>Development</i> deemed in Council's opinion to impact on the existing road network</li></ul></li><li>A <i>construction management plan</i> is provided prior to the issuing of a <i>subdivision certificate</i> when <i>development</i> will impact on traffic movements during the construction phase</li></ul></li></ul>	
Objectives		
B9.B	On-Site Parking Provisions	<ul style="list-style-type: none"><li>To ensure <i>development</i> provides adequate on-site parking, loading and servicing spaces</li><li>To ensure that vehicle access is in a safe location and has minimal impacts on existing transit movements</li><li>To ensure driveways have adequate sight distances for traffic and pedestrians on footpaths</li></ul>
Requirements		
B9.2	<ul style="list-style-type: none"><li>All <i>development</i> that has the potential to create demand for <i>on-site parking</i> provides parking in accordance with Figure BQ (p. B-59)<ul style="list-style-type: none"><li>Where these parking requirements cannot be provided on-site in accordance with Figure BQ (p. B-59), Council may consider alternative off-site arrangements for parking demand, such as:<ul style="list-style-type: none"><li>Parking provision on another site in proximity</li><li>A <i>planning agreement</i> for contribution to common public parking areas in Raymond Terrace or Nelson Bay, if available</li></ul></li><li>A reduction in the number of spaces required in accordance with Figure BQ (p. B-59) may be considered when supported by a <i>Traffic Impact Assessment (TIA)</i> in the following circumstances:</li></ul></li></ul>	

B-55

## B9

## ROAD NETWORK &amp; PARKING

	<ul style="list-style-type: none"><li>○ Parking has a negative visual impact on heritage</li><li>○ The current land-use has been approved with a parking shortfall and the proposed parking concession does not exceed the current shortfall for the approved use calculated in accordance with Figure BQ (p. B-59)</li><li>○ Peak demand between commercial and residential development types is shared</li><li>○ An upgraded public transit facility, such as a bus stop is provided in proximity to the site</li></ul>	
B9.3	▪ All internal driveways and parking areas of public car parks are concrete pavement or gravel sealed with bitumen or asphalt	
B9.4	▪ Walking routes through large car parks will be delineated by markings, grade separation and pedestrian crossings in accordance with AS2890	
B9.5	▪ Parking for people with a disability is designed and constructed: <ul style="list-style-type: none"><li>• in accordance with AS2890 and AS1428</li><li>• to be located as close to wheelchair accessible entrances/lifts and linked by an accessible/ continuous path</li></ul>	
B9.6	▪ <b>On-site parking</b> is located behind the <b>building line or setback</b> by 1.0m <i>Note: C4.16 (p. C-83) requires a minimum garage setback of 1m behind building line or setback</i>	
Objectives		
B9.C	On-Site Parking Access	<ul style="list-style-type: none"><li>▪ To ensure that vehicle access is located in a safe location, where it least impacts on existing transit movements</li><li>▪ To ensure driveway exits maximise intersection sight distances for traffic and pedestrians on footpaths</li></ul>
Requirements		
B9.7	<ul style="list-style-type: none"><li>▪ The entry, exit and driveway separation widths of access points from a site to a street frontage is provided in accordance with these steps:<ol style="list-style-type: none"><li>1. Determine the class of parking, either being A, B or C</li><li>2. Determine the ingress/egress category by identifying whether that class is located on either an <b>arterial</b> or <b>local street</b> and by referencing the number of parking spaces that are required, which is determined by B9.2 (p. B-55)</li><li>3. Determine entry, exit and driveway separation widths by using the ingress/egress category</li></ol></li></ul>	
Step 1.		
Class	Examples of Uses	Required Door Opening
A	All-day parking – resident, employee, commuter parking and universities	Front door, first stop
B	Medium-term parking – long-term city and town centre parking, sports facilities, entertainment centres, hotels, motels and airport visitors	Front door, second stop
C	Short-term parking – town Centre parking, shopping centres	Rear door, full-opening

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## B9

## ROAD NETWORK &amp; PARKING

	department stores, supermarkets, hospitals and medical centres					
Step 2.						
Street Hierarchy		Number of Parking Spaces				
		<25	25-100	101-300	301-600	>600
Class		Ingress/Egress Category				
A	Arterial	1	2	3	4	5
	Local	1	1	2	3	4
B	Arterial	2	2	3	4	5
	Local	1	2	3	4	5
C	Arterial	2	3	4	4	5
	Local	1	2	3	4	4
Step 3.						
Ingress/Egress Category	Entry Width		Exit Width		Driveway Separation	
1	Single Maximum: 3m Double Maximum: 4m		Combined		-	
2	6- 9m		Combined		-	
3	6m		4-6m		1-3m	
4	6-8m		6-8m		1-3m	
5	Direct connection from a dedicated public road via controlled intersection					
<ul style="list-style-type: none"><li>Ingress/Egress dimensions are <b>may need to be</b> increased to 6.5m for the first 6m inside the property boundary when:<ul style="list-style-type: none"><li>Ingress/Egress exceeds 30m in length<ul style="list-style-type: none"><li>Ingress/Egress exceeding 30m in length provides passing bays at 30m intervals</li></ul></li><li>Sight distance in accordance with Figure BS (p. B-62) cannot reasonably be achieved</li><li>Provides direct access to an <i>arterial</i> road</li></ul></li></ul>						
B9.8	<ul style="list-style-type: none"><li>Ingress and egress to parking areas is:<ul style="list-style-type: none"><li>not located in proximity to intersections or where queuing and sight distances are restricted</li><li>not located opposite other <i>traffic generating developments</i>, unless separated by a median strip</li><li>not located within the sections of kerb illustrated by Figure BR (p. B-62)</li><li>to provide a minimum of 0.5m from the <i>side boundary</i> at the <i>front property line</i> and minimum 0.5m clearance from the edge of existing street furniture</li><li>intersect with the road between 70 to 90 degrees</li><li>to provide a <i>driveway cross-fall</i> for the first 3 metres, which is to</li></ul></li></ul>					

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## B9

## ROAD NETWORK &amp; PARKING

<div>match the longitudinal gradient of the kerb/road pavement</div> <ul style="list-style-type: none"><li>to ensure vehicles can enter and leave in a forward direction</li><li>to provide the minimum sight distances required by Figure BS (p. B-62) in accordance with the following table:</li></ul>				
Road Speed km/h	Large Car Park MSD		Residential MSD	
	Safe Intersection Side Distance (SISD)	Stop Site Distance		
	40	65	40	30
	50	90	55	40
	60	115	75	55
	70	140	90	70
	80	170	115	95
	90	200	140	-
	100	235	165	
Objectives				
B9.D	Visitor Parking & Loading Facilities	<ul style="list-style-type: none"><li>To ensure visitor parking is conveniently located and easily identifiable</li><li>To ensure loading facilities do not negatively impact on the road network and are visually concealed</li></ul>		
Requirements				
B9.9	<ul style="list-style-type: none"><li>Visitor parking is clearly marked, signposted and located in proximity to the main building of the <i>development</i></li></ul>			
B9.10	<ul style="list-style-type: none"><li>Service areas, car parking and loading bays are provided:<ul style="list-style-type: none"><li>At the basement or ground level at rear</li><li>Away from pedestrian public spaces</li><li>Away from residential areas</li><li>Separately to staff and customer parking</li></ul></li></ul>			
B9.11	<ul style="list-style-type: none"><li>Parking layouts provide direct pedestrian paths to building entries and street frontage and is screened from the street</li></ul>			
Objectives				
B9.E	Access to Public Transport for 20 or more dwellings	<ul style="list-style-type: none"><li>To encourage more active lifestyles and <i>ecologically sustainable development</i> by providing convenient and accessible public transport options</li></ul>		
Requirements				
B9.12	<ul style="list-style-type: none"><li>A <i>development application</i> for 20 or more dwellings shall demonstrate that bus stops and shelters are:<ul style="list-style-type: none"><li>Existing and fully accessible to current standards within a 400m walking catchment or bus stops within a 400m catchment <b>are able</b> upgraded</li><li>Located as close as possible to the common destination, being the <i>development</i> site, and are connected to the entry of the <i>development</i> by a continuous accessible footpath</li></ul></li><li>Council may require the provision of taxi, private vehicle and</li></ul>			

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## B9

## ROAD NETWORK &amp; PARKING

	bus/coach drop off/set down areas for significant scale developments, such as <i>educational establishments</i> or <i>commercial premises</i> <ul style="list-style-type: none"> <li>Ensure clear crossing points adjacent to public transport stops that are designed for pedestrian <i>desire lines</i> <ul style="list-style-type: none"> <li>Development unable to demonstrate the above is required to liaise with the public transport providers and Transport for NSW to meet the requirements</li> </ul> </li> </ul>
--	--

Figure BQ: On-Site Parking Requirements

Development Type	Parking Requirements	Accessible Parking
<b>Residential Accommodation</b>		
boarding houses, secondary dwellings, supported accommodation and group homes	<ul style="list-style-type: none"> <li>Refer to State Environmental Planning Policy (Affordable Housing) 2009</li> <li>1 car space per 20 rooms</li> </ul>	Refer to SEPP(Affordable Housing) 2009
dwelling house, dual occupancy and semi-detached dwellings	<ul style="list-style-type: none"> <li>1 car space for one and two bedroom dwellings</li> <li>2 car spaces for three &gt; bedroom dwellings</li> </ul>	No requirement
residential flat buildings, attached dwellings, multi-unit housing and shop-top housing	<ul style="list-style-type: none"> <li>1 car space for one and two bedroom dwellings</li> <li>2 car spaces for three &gt; bedroom dwellings</li> <li>1 visitor space for every three dwellings</li> </ul>	No requirement
home business or home industry	<ul style="list-style-type: none"> <li>1 car space, plus 1 car space for each employee</li> </ul>	No requirement
hostels	<ul style="list-style-type: none"> <li>1 car space per 10 beds</li> <li>1 car space for every 2 employees</li> <li>1 parking space for services and deliveries</li> </ul>	No requirement
seniors housing	<ul style="list-style-type: none"> <li>Refer to State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> </ul>	
<b>Tourist and Visitor Accommodation</b>		
backpackers accommodation	<ul style="list-style-type: none"> <li>1 car space per 10 beds or 1 space per 5 rooms</li> <li>1 car space per 2 employees</li> </ul>	1 space per 20 parking spaces
hotel or motel accommodation, and eco-tourist facilities	<ul style="list-style-type: none"> <li>1 car space for each accommodation unit</li> <li>1 car space per 2 employees</li> <li>1 bike space per 20 accommodation units</li> </ul>	1 space per 20 parking spaces
serviced apartments	<ul style="list-style-type: none"> <li>Refer to PSLEP 2013 7.13 Serviced apartments</li> </ul>	
camping ground and caravan park	<ul style="list-style-type: none"> <li>1 car space per site</li> <li>1 visitor space for every 10 sites</li> </ul>	No requirement
bed and breakfast	<ul style="list-style-type: none"> <li>1 car space per guest room</li> </ul>	No requirement

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## B9

## ROAD NETWORK &amp; PARKING

establishment and farm stay		
<b>Commercial Premises</b>		
office premises and business premises	<ul style="list-style-type: none"> <li>1 car space per 40m<sup>2</sup> floor area</li> <li>1 bike space per 200m<sup>2</sup> floor area</li> </ul>	1 car space per 30 parking spaces
bulky goods	<ul style="list-style-type: none"> <li>1 car space per 55m<sup>2</sup> floor area</li> <li>1 bike space per 20 employees</li> </ul>	1 car space per 30 parking spaces
food and drink premises, including restaurants, cafes and take-away drink premises	<ul style="list-style-type: none"> <li>1 car space per 25m<sup>2</sup> floor area within commercial premises</li> <li>15 car spaces per 100m<sup>2</sup> floor area or 1 car space per 3 seats outside of commercial premises</li> <li>Minimum queuing area of 5 cars for drive-thru</li> <li>1 bike space per 200m<sup>2</sup></li> </ul>	1 car space per 30 parking spaces
pub and registered clubs	<ul style="list-style-type: none"> <li>1 car space per 7m<sup>2</sup> of floor area within commercial centres</li> <li>1 car space per 10m<sup>2</sup> courtyard / beer garden within commercial centres</li> <li>1 car space per 3.5m<sup>2</sup> of floor area outside of commercial centres</li> <li>1 bike space per 25m<sup>2</sup> bar area</li> <li>1 bike space per 100m<sup>2</sup> courtyard/ beer garden</li> <li>1 bike space per 20 accommodation rooms</li> </ul>	1 car space per 20 parking spaces
garden centre and plant nursery	<ul style="list-style-type: none"> <li>1 car space per 130m<sup>2</sup> nursery area</li> </ul>	1 car space
shop	<ul style="list-style-type: none"> <li>1 car space per 20m<sup>2</sup> floor area</li> </ul>	1 car space per 30 car spaces
roadside stall	<ul style="list-style-type: none"> <li>4 car spaces</li> </ul>	No requirement
motor showroom and vehicle sales or hire premises	<ul style="list-style-type: none"> <li>0.75 car spaces per 100m<sup>2</sup> vehicle display area</li> <li>1 bike space per 20 employees</li> </ul>	1 car space per 30 car spaces
hardware building supplies and industrial retail outlets	<ul style="list-style-type: none"> <li>1 car space per 55m<sup>2</sup> floor area</li> </ul>	No requirement
rural supplies, timber yards, landscaping material supplies and wholesale supplies	<ul style="list-style-type: none"> <li>1 bike space per 20 employees</li> </ul>	No requirement
market	<ul style="list-style-type: none"> <li>2.5 car spaces per stall</li> </ul>	No requirement
service station	<ul style="list-style-type: none"> <li>4 car spaces per work bay</li> <li>1 car space per 20m<sup>2</sup> floor area</li> </ul>	1 car space

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## B9

## ROAD NETWORK &amp; PARKING

	<ul style="list-style-type: none"> <li>1 bike space per 15 employees</li> </ul>	
sex services premises	<ul style="list-style-type: none"> <li>2 car spaces per room used for prostitution</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>
entertainment facilities and function centres	<ul style="list-style-type: none"> <li>A traffic impact study is required</li> <li>1 bike space per 20 employees</li> <li>1 bike space per 20 visitors</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>
veterinary premises and health consulting rooms	<ul style="list-style-type: none"> <li>3 car spaces per practitioner</li> <li>1 car space per 2 employees not a practitioner</li> <li>2 bike space per 10 practitioners and other employees not practitioners</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 10 car spaces</li> </ul>
<b>Industry</b>		
home industry and light industry	<ul style="list-style-type: none"> <li>1 car space per 100m<sup>2</sup></li> <li>1 car space for each employee</li> <li>1 bike space per 20 employees</li> </ul>	<ul style="list-style-type: none"> <li>No requirement</li> </ul>
rural industries	<ul style="list-style-type: none"> <li><i>Merit-based approach</i></li> </ul>	<ul style="list-style-type: none"> <li>No requirement</li> </ul>
heavy industrial storage establishments, heavy industry and general industry	<ul style="list-style-type: none"> <li>1 car space per 100m<sup>2</sup> floor area or 4 space per work bay</li> <li>1 bike space per 20 employees</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 30 car spaces</li> </ul>
vehicle body repair workshops and vehicle repair stations	<ul style="list-style-type: none"> <li>4 car spaces per work bay</li> </ul>	<ul style="list-style-type: none"> <li>No requirement</li> </ul>
warehouse or distribution centres, storage premises and depots	<ul style="list-style-type: none"> <li>1 car space per 200m<sup>2</sup></li> <li>1 bike space per 20 employees</li> </ul>	<ul style="list-style-type: none"> <li>1 car space</li> </ul>
<b>Infrastructure</b>		
passenger transport facility	<ul style="list-style-type: none"> <li><i>Merit-based approach</i></li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>
educational establishment	<ul style="list-style-type: none"> <li>1 car space per employee</li> <li>1 car space per 8 senior high school students</li> <li>2 bike spaces per 20 employees and students</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>
medical centres	<ul style="list-style-type: none"> <li>1 car space per 25m<sup>2</sup> floor area</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 10 car spaces</li> </ul>
child care centre	<ul style="list-style-type: none"> <li>1 car space for every 4 childcare places</li> </ul>	<ul style="list-style-type: none"> <li>1 car space</li> </ul>
place of public worship	<ul style="list-style-type: none"> <li><i>Merit-based approach</i></li> <li>2 bike spaces per 20 employees and visitors</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>
bowling green	<ul style="list-style-type: none"> <li>30 car spaces for first bowling green, then 15 for each additional bowling green</li> <li>1 bike space per 15 employees</li> </ul>	<ul style="list-style-type: none"> <li>1 car space per 20 car spaces</li> </ul>

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## B9

## ROAD NETWORK &amp; PARKING

bowling alley	<ul style="list-style-type: none"> <li>3 car spaces per bowling alley</li> <li>1 bike space per 15 employees</li> </ul>	
squash/tennis courts	<ul style="list-style-type: none"> <li>3 car spaces per tennis court</li> <li>1 bike space per 15 employees</li> </ul>	
gymnasium	<ul style="list-style-type: none"> <li>5 car space per 100m<sup>2</sup></li> <li>1 bike space per 15 employees</li> </ul>	
indoor soccer/cricket/netball	<ul style="list-style-type: none"> <li>15 car spaces per pitch/court</li> <li>1 bike space per 15 employees</li> </ul>	
marina	<ul style="list-style-type: none"> <li>0.6 spaces per wet berth</li> <li>0.2. spaces per dry storage berth</li> <li>0.2 spaces per swing mooring</li> <li>0.5 spaces per marina employee</li> <li>1 bike space per 15 employees</li> </ul>	No requirement
charter and tourism boating facilities	<ul style="list-style-type: none"> <li>4.5 car spaces per 100m<sup>2</sup> floor area or 1 space per 10 passengers</li> </ul>	1 car spaces per 20 car spaces
community facilities	<ul style="list-style-type: none"> <li><i>Merit-based approach</i></li> </ul>	1 car space per 20

Figure BR: Ingress/Egress is not supported in identified locations

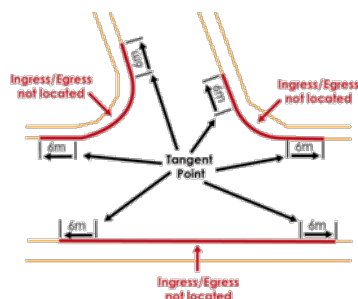
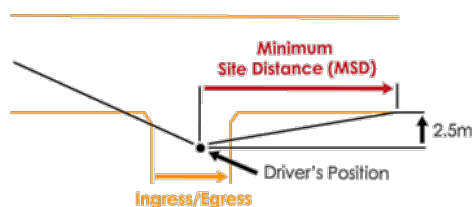


Figure BS: Illustration of Ingress and Egress Minimum Site Distances



**B10**

## SOCIAL IMPACT

**B10****Social Impact****Application**

- This Part applies to *development* deemed to have a *significant social impact*

**Objectives****B10.A****Social Impact**

- To promote community well-being and quality of life
- To achieve intergeneration equity
- To ensure social impacts are measured and effective mitigation strategies implemented
- To implement the Port Stephens Council. 2013, 'Social Impact Policy'<sup>27</sup>

**Requirements****B10.1**

- A *social impact assessment* is required for *development* with the potential to have a *significant social impact*, which may include:

- |                            |                                     |
|----------------------------|-------------------------------------|
| ○ sex services premises    | ○ hostels                           |
| ○ restricted premises      | ○ entertainment facilities          |
| ○ caravans parks           | ○ tourist and visitor accommodation |
| ○ backpacker accommodation | ○ pubs                              |
| ○ boarding houses          | ○ registered clubs                  |
|                            | ○ <b>major subdivisions</b>         |

*Note:* All *development types* are defined under the PSLEP 2013 with the exception of *major subdivisions*, which is defined under this Plan



## C

## DEVELOPMENT TYPES

## C Development Types

The Parts listed below apply to all *land-use types* to which this Plan applies.

C Development Types			
No	Part	This Part applies to development that:	Page
C1	Subdivision	<ul style="list-style-type: none"> <li>is defined as <i>subdivision</i></li> </ul>	C- 65
C2	Commercial	<ul style="list-style-type: none"> <li>is defined as <i>commercial premises</i></li> </ul>	C- 72
C3	Industrial	<ul style="list-style-type: none"> <li>is defined as <i>industry</i> and/or <i>development</i> within the Zone B5 Business Development.</li> </ul>	C- 78
C4	Dwelling houses, Dual Occupancy & Ancillary Development	<ul style="list-style-type: none"> <li>is defined as a <i>dwelling house</i></li> <li>is defined as a <i>dual occupancy</i></li> <li>is defined as a <i>ancillary structure</i>, which includes a <i>swimming pool</i>, shed, fence, retaining wall or shipping container</li> </ul>	C- 81
C5	Multi Dwelling Housing	<ul style="list-style-type: none"> <li>is defined as <i>multi dwelling housing</i></li> <li>is defined as a <i>residential flat building</i> refers to the requirements of SEPP No 65 – Design Quality of Residential Flat Development</li> </ul>	C- 88
C6	Home Business or Home Industry	<ul style="list-style-type: none"> <li>is defined as <i>home business</i> or <i>home industry</i></li> </ul>	C- 92
C7	Restricted or Sex Services Premises	<ul style="list-style-type: none"> <li>is defined as <i>restricted premises</i></li> <li>is defined as <i>sex services premises</i></li> </ul>	C- 94
C8	Signage	<ul style="list-style-type: none"> <li>is defined as <i>signage</i></li> </ul>	C- 97

## C1

## SUBDIVISION

## C1 Subdivision

## Application

- This Part applies to development that is defined as *subdivision*

## Objectives

C1.A	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure <i>subdivision</i> layout is informed by an analysis of its setting, including topography, landscape, aspect and surrounding development</li> </ul>
------	------------------------	--

## Requirements

C1.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>subdivision</i> adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C1.2	Defining Subdivision	<ul style="list-style-type: none"> <li><i>Subdivision</i> is either <i>minor</i> or <i>major subdivision</i> <ul style="list-style-type: none"> <li><i>Minor subdivisions</i> include: <ul style="list-style-type: none"> <li>Strata <i>subdivisions</i></li> <li>Boundary adjustments</li> <li>Torrens title and community title subdivision; where only inter allotment drainage lines and driveways are required</li> </ul> </li> <li><i>Major subdivisions</i> include: <ul style="list-style-type: none"> <li>Where new roads are proposed</li> <li>Existing roads or intersections require significant upgrading</li> <li><i>Public drainage</i> is constructed</li> </ul> </li> </ul> </li> </ul>
C1.3	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for minor <i>subdivision</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i></li> <li><i>Site Analysis &amp; Site Analysis Plan</i></li> </ul> </li> <li>A <i>development application</i> for major <i>subdivision</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i></li> <li><i>Site Analysis Plan</i></li> <li><i>Landscape Plan</i> for <i>subdivision</i>, which includes: <ul style="list-style-type: none"> <li>Details of the proposed landscaping of the public domain, including streets and open space</li> <li>A schedule of the species and the planting locations</li> <li>Technical details of the planting and initial maintenance regime</li> <li>An assessment of the ongoing</li> </ul> </li> </ul> </li> </ul>

## C1

## SUBDIVISION

		<p>maintenance requirements</p> <ul style="list-style-type: none"> <li>o Landscape treatments, including paving and street furniture</li> <li>o Rehabilitation and revegetation areas</li> </ul> <ul style="list-style-type: none"> <li>• <i>Slope Analysis</i> for sites 15 degrees or over</li> <li>• <i>Preliminary Transport Plan</i> where multiple roads are proposed</li> <li>• Concept Utility Plans</li> <li>• Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan</li> </ul>												
<b>Objectives</b>														
C1.B	Subdivision Certificate	<ul style="list-style-type: none"> <li>▪ To provide a consistent approach in the way a <i>subdivision certificate</i> is released</li> </ul>												
<b>Requirements</b>														
C1.4	Subdivision Certificate	<ul style="list-style-type: none"> <li>▪ <i>Subdivision certificates</i> are released once the following has been submitted to Council: <ul style="list-style-type: none"> <li>• Plan for Subdivision</li> <li>• Payment of s94 contributions</li> <li>• S50 Certificate from Hunter Water</li> </ul> </li> </ul>												
<b>Objectives</b>														
C1.C	Block & Street Layout	<ul style="list-style-type: none"> <li>▪ To ensure <i>local streets</i> are well-connected to the street network with obvious pedestrian and cycle links to higher order streets</li> <li>▪ To ensure priority is provided to residents' needs when designing <i>local streets</i> to encourage usability</li> <li>▪ To ensure pathways follow <i>desire lines</i></li> </ul>												
<b>Requirements</b>														
C1.5	Block Dimensions	<ul style="list-style-type: none"> <li>▪ A block seeks to achieve the following dimensions: <table border="1"> <thead> <tr> <th>Zone</th><th>Maximum depth</th><th>Maximum length</th></tr> </thead> <tbody> <tr> <td>Residential</td><td>80m</td><td>160m</td></tr> <tr> <td>Commercial</td><td>50m</td><td>80m</td></tr> <tr> <td>Industrial</td><td>120m</td><td>200m</td></tr> </tbody> </table> </li> </ul>	Zone	Maximum depth	Maximum length	Residential	80m	160m	Commercial	50m	80m	Industrial	120m	200m
Zone	Maximum depth	Maximum length												
Residential	80m	160m												
Commercial	50m	80m												
Industrial	120m	200m												
C1.6	Technical Specifications	<ul style="list-style-type: none"> <li>▪ Street layout compiles with the road network specifications in <i>infrastructure specification – design</i><sup>11</sup></li> </ul>												
C1.7	Street Layout Attributes	<ul style="list-style-type: none"> <li>▪ The street layout addresses the following: <ul style="list-style-type: none"> <li>• All street components are integrated, such as kerbing, pavement type, width, street tree planting, footpaths, on road cycleway, dual use paths, lighting and seating are provided as specified in <i>infrastructure specific – design</i><sup>11</sup></li> <li>• Road widths accommodate the necessary movements of service and emergency vehicles</li> <li>• Driveways and footpaths are provided at</li> </ul> </li> </ul>												

C-66

## C1

## SUBDIVISION

		<p><i>subdivision</i> as a part of the <i>subdivision</i> works</p> <ul style="list-style-type: none"> <li>• Footpaths and <i>dual-use paths</i> follow <i>desire lines</i></li> <li>• Street layout is interconnected to provide a grid-like structure</li> <li>• Street layout is informed by street connections for future <i>subdivisions</i> on adjacent lands</li> <li>• Street layout enables each lot to front a street and for corner lots to face both streets</li> <li>• Street layout <b>seeks</b> to provide a perimeter road between residential dwellings and; <ul style="list-style-type: none"> <li>◦ <i>bushfire prone land</i></li> <li>◦ open space defined as a district park, neighbourhood park or local park under C1.15 (p. C-68)</li> </ul> </li> <li>• Street layout ensures public access to public open space is maintained and encouraged</li> <li>• Street layout responds to the topographical features of the site, such as: <ul style="list-style-type: none"> <li>◦ where land slopes at a grade of 6% or more the predominant street alignment is perpendicular to the contours</li> <li>◦ straight or gently curved to frame <i>vistas</i></li> </ul> </li> </ul>
<b>C1.8</b>	Cul-de-sacs	<ul style="list-style-type: none"> <li>▪ Cul-de-sacs are generally only supported where: <ul style="list-style-type: none"> <li>• Street layout does not permit a through street</li> <li>• Connectivity to an adjoining street is not required</li> <li>• Maximum length of 75m</li> <li>• Access to a maximum of 10 dwellings</li> <li>• Clear line of sight from the nearest intersection</li> </ul> </li> </ul>
<b>C1.9</b>	Street Tree Requirements	<ul style="list-style-type: none"> <li>▪ Street trees are required as a component of the road reserve for the following: <ul style="list-style-type: none"> <li>• residential subdivisions</li> <li>• commercial subdivisions</li> <li>• industrial subdivision creating 10 or more lots <ul style="list-style-type: none"> <li>◦ Street trees are provided in accordance with the <i>Tree Technical Specification</i><sup>1</sup> <ul style="list-style-type: none"> <li>✓ Attachment 1 – Tree Planting Guidelines of the <i>Tree Technical Specification</i><sup>1</sup> provides guidance to the application of Attachment 2 to determine the total number of trees to be provided</li> </ul> </li> </ul> </li> </ul> </li> </ul>
<b>Objectives</b>		
<b>C1.D</b>	Lot Size & Dimensions	<ul style="list-style-type: none"> <li>▪ To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provisions of necessary services and other requirements</li> </ul>
<b>Requirements</b>		

C-67

## C1

## SUBDIVISION

C1.10	Lot Size	▪ <i>Subdivision</i> adheres with PSLEP2013 Part 4
C1.11	Rectangular Footprint	▪ A residential lot is capable of supporting a rectangular building footprint of 15m x 8m or 10m x 12m as illustrated by Figure CA(p. C-70)
C1.12	Battleaxe Lots	▪ All lots provide direct street frontage <ul style="list-style-type: none"> <li>• Battle-axe lots are only considered when there is no practical way to provide direct street frontage</li> <li>• Right of carriageway is constructed prior to the issuing of a <i>subdivision certificate</i> and is provided in accordance with Figure CB (p. C-71)               <ul style="list-style-type: none"> <li>◦ Alternative solutions are to be considered for lots created prior to the PSLEP 2013, but only where safety is not impeded</li> </ul> </li> </ul>
C1.13	Splay Corners	▪ <i>Splay corners</i> are provided for corner lots and must be a minimum of: <ul style="list-style-type: none"> <li>• 4m x 4m for residential zones</li> <li>• 8m x 8m for commercial and industrial zones</li> <li>• 6m x 6m or <i>merit-based approach</i> for other zones</li> </ul>
<b>Objectives</b>		
C1.E	<i>Solar Access</i>	▪ To maximise <i>solar access</i> for residential dwellings
<b>Requirements</b>		
C1.14	Solar Access	▪ Residential <i>subdivision</i> addresses the following guidelines for <i>solar access</i> . Any inconsistency clearly justifies how alternative energy efficiency is achieved <ul style="list-style-type: none"> <li>• Where possible, lots should be oriented to provide one axis within 30 degrees east and 20 west of true solar north</li> <li>• Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling</li> <li>• Topography and landform should inform the <i>subdivision</i> layout in order to maximise <i>solar access</i> opportunities</li> </ul>
<b>Objectives</b>		
C1.F	Public Open Space	▪ To provide a hierarchy of <i>public open space</i> in accordance with public open space hierarchy <ul style="list-style-type: none"> <li>▪ To provide parks that are <i>multi-functional</i></li> <li>▪ To ensure parks achieve <i>centrality</i> by being located near transport <i>nodes</i>, public buildings, waterfronts, libraries or places of public worship</li> <li>▪ To ensure <i>public open space</i> meets the demands of the local community to encourage usability and critical mass</li> </ul>
<b>Requirements</b>		
C1.15	Open Space	▪ Council may require the provision of <i>public open</i>

C-68

## C1

## SUBDIVISION

	Hierarchy	<i>space</i> in accordance with the following:			
		Category	Area	Catchment	
		A	Regional Park	merit-based approach	1 per 400 residents aged 5-39
		B	Suburban Park	1-2ha	500 -800m
		C	Local Park	0.5ha	150-400m
		D	Comidor open space	merit-based approach	-
C1.16	Open Space Reduction	<ul style="list-style-type: none"><li>▪ The quantity of <i>public open space</i> can be reduced if:<ul style="list-style-type: none"><li>• accessibility is improved through such measures as providing extended connections to the wider pedestrian network</li><li>• value of open space is improved through such measures as an increased amount and/or quality of park equipment</li></ul></li></ul>			
C1.17	Open Space Attributes	<ul style="list-style-type: none"><li>▪ A <i>local park</i> provided under C1.15 (above):<ul style="list-style-type: none"><li>• demonstrates <i>centrality</i> by being located near transport <i>nodes</i>, public buildings, waterfronts, libraries or places of public worship</li><li>• is bounded by a <i>local street</i></li><li>• is faced by lots zoned residential or commercial</li><li>• provides advanced evergreen shade trees</li><li>• provides multiple entry and exit points</li><li>• creates links between public and private areas</li><li>• integrates remnant vegetation</li><li>• provides seating</li><li>• primary purpose is open space and is not secondary to detention or retention for drainage</li></ul></li><li>▪ <i>Regional Parks</i> in addition to the facilities included in a small local park also include a children's playground</li><li>▪ <i>Suburban Parks</i> provide facilities in consultation with Council</li><li>▪ Coridor open spaces are <i>drainage reserves</i> classified as <i>operational land</i> under the Local Government Act 1993</li></ul>			
Objectives					
C1.G	Infrastructure	<ul style="list-style-type: none"><li>▪ To ensure detailed consideration is provided to the provision of integrated and quality <i>public infrastructure</i></li></ul>			
Requirements					
C1.18	Technical Specifications	<ul style="list-style-type: none"><li>▪ Infrastructure in accordance with the <i>infrastructure specification – design</i><sup>11</sup> is identified on the Concept Utility Plans or more detailed Preliminary Engineering Plans</li></ul>			

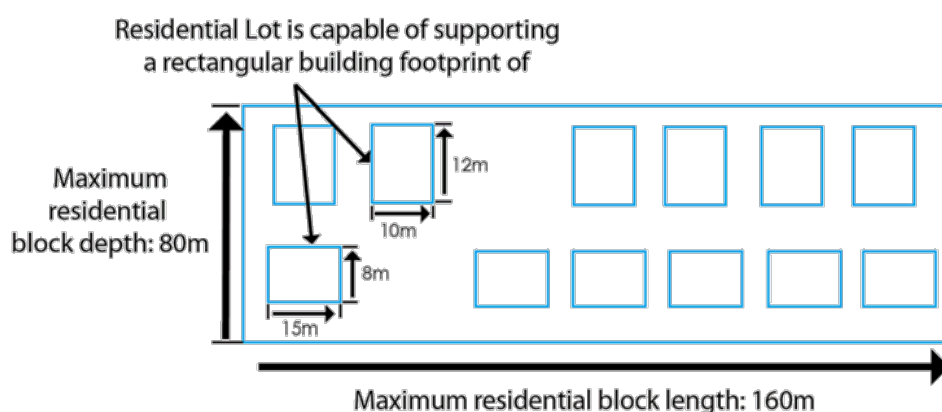
C-69

## C1

## SUBDIVISION

C1.19	Public Infrastructure	<ul style="list-style-type: none"> <li>Subdivision provides <b>public infrastructure</b> within the adjoining road or public land, including kerb/gutter, stormwater drainage, footpaths, street lighting, street trees and bus shelters, <b>excluding</b> <ul style="list-style-type: none"> <li>Public utilities, such as water and electricity are kept within private lot boundaries and are not located within the <b>road reserve</b></li> </ul> </li> </ul>
C1.20	Lifecycle & Maintenance	<ul style="list-style-type: none"> <li>Lifecycle and maintenance costs are a key determinant when considering alternative methods, products and manufacturers to those specification in the <b>infrastructure specification – design</b><sup>11</sup> <ul style="list-style-type: none"> <li>Council will request life cycle costing and maintenance manual details for infrastructure to assist in ongoing maintenance</li> </ul> </li> </ul>
<b>Objectives</b>		
C1.H	Public Scale Drainage	<ul style="list-style-type: none"> <li>To ensure further guidance is provided for <b>subdivision</b> that is consistent with B4 Drainage and Water Quality</li> </ul>
<b>Requirements</b>		
C1.21	Inter-allotment Drainage	<ul style="list-style-type: none"> <li>Each lot must be able to be gravity drained through the drainage system to <b>public drainage</b> <ul style="list-style-type: none"> <li>Inter-allotment drainage may be required for <b>subdivision</b> where a lot does not drain directly to the road kerb</li> </ul> </li> </ul>
C1.22	Drainage Reserves	<ul style="list-style-type: none"> <li>An <b>overland flow path</b> is provided for the <b>1% Annual Exceedance Probability(AEP)</b> storm event and is a <b>drainage reserve</b> dedicated to Council as <b>operational land</b></li> </ul>

Figure CA: Residential Block Dimensions &amp; Rectangular Building Footprint



C-70



## C1

## SUBDIVISION

Figure CB: Battle-Axe Requirements

	Entry Width	Max Length	Misc	Torrens
▪ Dwelling house ▪ Dual Occupancy	3.6m	30m	Max 2 dwellings	Max 3
▪ Multi-dwelling housing ▪ Residential flat building	6m	50m	-	-
▪ Business ▪ Industrial	10m	-	-	Max 3
▪ Rural less than 2 lots	6.5m	200m	-	Max 3
▪ Rural greater than 3 lots	10m	200m	-	Max 3

C2

COMMERCIAL

**C2 Commercial****Application**

- This Part applies to *development* defined as *commercial premises*
  - This Part also provides additional requirements for *bulky goods premises*

**Objectives**

- |             |                               |   |
|-------------|-------------------------------|---|
| <b>C2.A</b> | <b>Lodgement Requirements</b> | <ul style="list-style-type: none"> <li>▪ To ensure that <i>commercial premises</i> is informed by an analysis of its setting</li> </ul> |
|-------------|-------------------------------|---|

**Requirements**

- |             |                        |  |
|-------------|------------------------|--|
| <b>C2.1</b> | PSDCP 2014 Reference   | <ul style="list-style-type: none"> <li>▪ A <i>development application</i> for <i>commercial premises</i> adheres to the other relevant parts of this Plan:               <ul style="list-style-type: none"> <li>• Part B General Provisions</li> <li>• Part D Specific Areas</li> </ul> </li> </ul>  |
| <b>C2.2</b> | Lodgement Requirements | <ul style="list-style-type: none"> <li>▪ A <i>development application</i> for <i>commercial premises</i> is accompanied by the following:               <ul style="list-style-type: none"> <li>• <i>Statement of Environmental Effects (SEE)</i></li> <li>• <i>Site Analysis Plan</i></li> <li>• Floor Plan</li> <li>• Street Elevation Plan</li> <li>• Section Plan</li> <li>• <i>Landscape Plan</i> <ul style="list-style-type: none"> <li>○ Is provided in accordance with Chapter 4 - Standards for Commercial Development of the <i>Landscape Technical Specification</i><sup>4</sup></li> </ul> </li> <li>• <i>Shadow diagram</i> if <i>development</i> is proposed to be greater than 8m in height               <ul style="list-style-type: none"> <li>○ Shadow diagrams consider shadowing created by the dwelling and fencing</li> </ul> </li> <li>• Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan</li> </ul> </li> </ul> |

**Objectives**

- |             |                                |  |
|-------------|--------------------------------|--|
| <b>C2.B</b> | <b>Subdivision Certificate</b> | <ul style="list-style-type: none"> <li>▪ To provide a consistent approach in the way a <i>subdivision certificate</i> is released for <i>dual occupancy development</i></li> </ul> |
|-------------|--------------------------------|--|

**Requirements**

- |             |                                |   |
|-------------|--------------------------------|---|
| <b>C2.3</b> | <b>Subdivision Certificate</b> | <ul style="list-style-type: none"> <li>▪ <i>Dual occupancy subdivision certificates</i> are released once the following has been submitted to Council:               <ul style="list-style-type: none"> <li>• <b>Plan for Subdivision</b></li> <li>• Payment of s94 contributions</li> <li>• S50 Certificate from Hunter Water</li> </ul> </li> </ul> |
|-------------|--------------------------------|---|

C-72

## C2

## COMMERCIAL

Objectives		
C2.C	Height	<ul style="list-style-type: none"> <li>To ensure <i>development</i> is of an appropriate height that minimises privacy loss and over-shadowing</li> <li>To ensure that floor to ceiling height allows for flexible uses over time</li> </ul>
Requirements		
C2.4	Building Height	<ul style="list-style-type: none"> <li><i>Building height</i> is provided in accordance with PSLEP2013 Clauses 4.3 and 5.6</li> </ul>
C2.5	Floor to Ceiling Height	<ul style="list-style-type: none"> <li>Minimum ground floor to ceiling height for all <i>development types</i> within a commercial zone is 3.5m</li> <li>Minimum first floor and above floor to ceiling height for <i>commercial premises</i> is 3.0m</li> <li>Minimum first floor and above floor to ceiling height for <i>residential accommodation</i> is 2.7m</li> <li><i>Ground level (finished)</i> must be between 100-500mm above adjacent footpath levels</li> </ul>
Objectives		
C2.D	Site Coverage	<ul style="list-style-type: none"> <li>To ensure <i>development</i> provides an appropriate bulk and scale for the desired character of that zone</li> </ul>
Requirements		
C2.6	Site Coverage	<ul style="list-style-type: none"> <li>Site Coverage adheres to maximum <i>non-permeable surface</i> area described under Figure BD (p. B-31)</li> </ul>
Objectives		
C2.E	Site Frontage and Setbacks	<ul style="list-style-type: none"> <li>To ensure <i>development</i> provides continuity and consistency to the <i>public domain</i></li> </ul>
Requirements		
C2.8	Site Frontage for buildings higher than 10.5m	<ul style="list-style-type: none"> <li>Minimum 20m site frontage where <i>development</i> is proposed to be more than 10.5m in height</li> </ul>
C2.9	Front Setback & Façade Articulation	<ul style="list-style-type: none"> <li><i>Development</i> is built to the <i>front property line</i> for the ground and first floor</li> <li>Minimum front setback of 3m from the <i>front property line</i> for the second floor and above</li> <li>Minimum front setback of 3.5m from the <i>front property line</i> for <i>mixed use development</i> for second floor and above <ul style="list-style-type: none"> <li>Parts of a building may give variation in setback to provide design articulation</li> </ul> </li> </ul>
C2.10	Side Setback	<ul style="list-style-type: none"> <li><i>Development</i> should be built to the <i>side boundary</i> to maximise continuous <i>activate street frontage</i>, except where side access is provided</li> </ul>
C2.11	Rear Setback	<ul style="list-style-type: none"> <li><i>Commercial premises</i> adjacent to a residential lot or public reserve is to provide a minimum rear setback of 5m, plus 0.5m for each metre exceeding 8m</li> </ul>

C-73

## C2

## COMMERCIAL

		<ul style="list-style-type: none"> <li>Rear setback is built for purpose as informed by the <i>Site Analysis Plan</i> required under C2.2 (p. C-72)</li> </ul>
C2.12	Longitudinal gradient	<ul style="list-style-type: none"> <li>Where there is a level of change in excess of 500mm at the <i>front property boundary</i> the floor plate and rooflines of <i>development</i> steps with the longitudinal grade of street</li> </ul>
<b>Objectives</b>		
C2.E	Building Form and Massing	<ul style="list-style-type: none"> <li>To ensure <i>development</i> reinforces, compliments and enhances the visual character of the street</li> </ul>
<b>Requirements</b>		
C2.13	Amenity	<ul style="list-style-type: none"> <li>Building mass does not result in unreasonable loss of amenity to adjacent properties or the public domain</li> </ul>
C2.14	Proportions	<ul style="list-style-type: none"> <li>Building proportion is complimentary to the form, proportions and massing of existing building patterns</li> </ul>
<b>Objectives</b>		
C2.F	Facades	<ul style="list-style-type: none"> <li>To ensure street activation and passive surveillance through <b>active street frontage</b></li> <li>To facilitate <i>development</i> that is safe and secure for pedestrians and contributes to public domain safety by incorporating principles of <i>Crime Prevention through Environmental Design (CPTED)</i>, such as: <ul style="list-style-type: none"> <li>• Territorial Re-enforcement</li> <li>• Surveillance</li> <li>• Access Control</li> <li>• Space/Activity Management</li> </ul> </li> <li>To ensure the bulk of large floor plate <i>development</i> is concealed by a sleeve of smaller buildings fronting the street</li> </ul>
<b>Requirements</b>		
C2.15	Materials	<ul style="list-style-type: none"> <li>Building facades use materials, colours and architectural elements to reduce bulk and scale that are complimentary to existing built-form and natural setting</li> </ul>
C2.16	Active Street Frontage	<ul style="list-style-type: none"> <li><i>Development</i> provides continuity of an <b>active street frontage</b> for localities where <i>business premises</i> or <i>retail premises</i> predominately face the street and have direct pedestrian access from the street as identified in Part D- Specific Areas</li> <li>An <b>active street frontage</b> provides the following: <ul style="list-style-type: none"> <li>• Maximum unarticulated wall is 2m in length</li> <li>• Minimum 50% of ground floor front is windows, which does not include <i>false windows</i></li> </ul> </li> </ul> <p><i>Note:</i> C1.7 (p. C-66) requires that the street layout enable each lot to front a street or corner lots to face both streets</p> <ul style="list-style-type: none"> <li>A big box development may achieve an <b>active street frontage</b> by providing a sleeve of smaller</li> </ul>

C-74

## C2

## COMMERCIAL

		<p>buildings that conceal its bulk to the street frontage</p> <p><b>Note:</b> C2.K (p. C-76) provides additional requirements for <i>bulky goods premises</i></p> <ul style="list-style-type: none"> <li>▪ Development incorporates <i>Crime Prevention through Environmental Design principles (CPTED)</i> by providing passive surveillance to public spaces through building design and orientation</li> </ul>
C2.17	Public Footpath	<ul style="list-style-type: none"> <li>▪ <i>Development</i> provides paving to the public footpath for the entire length of the <i>development</i> street frontage</li> </ul>
<b>Objectives</b>		
C2.G	Awnings	<ul style="list-style-type: none"> <li>▪ To ensure continuous awnings along pathways to provide shelter where most pedestrian activity occurs</li> <li>▪ To ensure awning design is integrated with the building façade to integrate with adjoining buildings</li> </ul>
<b>Requirements</b>		
C2.18	Awnings	<ul style="list-style-type: none"> <li>▪ Awnings must be provided over pedestrian pathways <ul style="list-style-type: none"> <li>• New awnings must maintain the same dimensions, alignment and materials of existing awnings along the street</li> <li>• A continuous or stepped solid box awning should be provided for the full extent of the building frontage with awnings 3m in width or setback 750mm from the curb, whichever is less</li> <li>• Under awning height will be between 3.2m and 3.6m</li> <li>• Awnings on sloping sites should be a <i>cantilevered</i> steel box section that steps with street slope</li> <li>• Awnings are varied when there is a need to highlight the location of a major building entrance</li> </ul> </li> </ul>
<b>Objectives</b>		
C2.H	Building Entries	<ul style="list-style-type: none"> <li>▪ To provide clear direction to access points</li> </ul>
<b>Requirements</b>		
C2.19	Access Points	<ul style="list-style-type: none"> <li>▪ Provide a recognisable entry from the primary street <ul style="list-style-type: none"> <li>• Entries on corner sites address both streets by providing a sprayed entry on that corner</li> <li>• A separate and secure access point that provides a clear sense of building address is provided for the residential component of <i>mixed-use development</i></li> </ul> </li> </ul>
C2.20	Entry Structures	<ul style="list-style-type: none"> <li>▪ Entry structures, such as access ramps are located within the site behind the property boundary so as not to obstruct pedestrian footpaths in public spaces</li> </ul>

C-75

## C2

## COMMERCIAL

Objectives		
C2.I	Building Facilities and Services	<ul style="list-style-type: none"> <li>To appropriately locate building facilities and services that do not negatively impact on the <i>public domain</i></li> </ul>
Requirements		
C2.21	Location of Building Facilities and Services	<ul style="list-style-type: none"> <li>Plant, equipment, storage areas, communication structures and servicing areas are located at the rear of a building and not be visible from streets, parks and other public spaces, except for service lanes</li> </ul>
Objectives		
C2.J	Public Art & Toilets	<ul style="list-style-type: none"> <li>To ensure that features of the <i>public domain</i> contribute to identity, character, safety, amenity and accessibility</li> </ul>
Requirements		
C2.22	Commercial valued over \$2 million	<ul style="list-style-type: none"> <li><b>Commercial development</b> of a significant scale and that provides frontage to the <i>public domain</i> incorporate public art in accordance with the conditions of consent</li> <li><b>Commercial development</b> of a significant scale provide toilets that are accessible to the public</li> </ul>
Objectives		
C2.K	Bulky Goods Premises	<ul style="list-style-type: none"> <li>Establish requirements for <i>bulky goods premises</i></li> <li>Ensure the design of <i>bulky goods</i> contributes positively to the streetscape &amp; public domain through quality architecture, materials &amp; finishes</li> </ul>
Requirements		
C2.23	Bulky Goods Premises Principles	<ul style="list-style-type: none"> <li><b>Bulky goods premises</b> are to be designed to: <ul style="list-style-type: none"> <li>Incorporate detail and architectural interest</li> <li>Avoid creating ambiguous external spaces with poor pedestrian amenity and security</li> <li>Provides a clearly identifiable and dedicated pedestrian access to the building and across the site from the primary street frontage</li> <li>Pick-up areas are provided next to the entrance to reduce unnecessary movement of heavy objects across the site</li> </ul> </li> </ul>

## COMMERCIAL

The diagram shows a cross-section of a building facade and a street. A blue line represents the 'Property Boundary'. A vertical line indicates the 'Underawning Height between 3.2m - 3.6m'. A horizontal line represents the 'Carriageway'. A red rectangle represents the 'Maximum awning width of 3m or setback 750mm from curb'. The width of the awning is labeled 'Max: 3m'. The setback from the curb is labeled 'Max: 750mm'.

0.5m rear setback for each metre exceeding 8m

Minimum Floor to Ceiling Height of 2.7m

Minimum Floor to Ceiling Height of 2.7m

Minimum Floor to Ceiling Height of 3.0m

Minimum Floor to Ceiling Height of 3.5m

3.5m

Design Articulation

5m rear setback when adjacent to residential lot or public reserve

Property Boundary

Floor level 100-500m above adjacent footpath

PSLEP 2013 Clause 4.3 Height of buildings

PSLEP 2013 Clause 5.6 Architectural Roof Features

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C3

INDUSTRIAL

## C3 Industrial

## Application

- This Part applies to *development* defined as *industry* and/or *development* within the Zone B5 Business Development.

## Objectives

## C3.A Lodgement Requirements

- To ensure industry *development* is informed by an analysis of its setting

## Requirements

## C3.1 PSDCP 2014 Reference

- A *development application* for *industry* adheres to the other relevant parts of this Plan:
  - Part B General Provisions
  - Part D Specific Areas

## C3.2 Lodgement Requirements

- A *development application* for *industry* is accompanied by the following:
  - *Statement of Environmental Effects (SEE)*
  - *Site Analysis & Site Plan*
  - Floor Plan
  - Street elevation plan
  - Section Plan
  - *Landscape Plan*
    - Landscape Plan is provided in accordance with Chapter 5 - Standards for Industrial Subdivision of the *Landscape Technical Specification*<sup>4</sup>
  - *Waste Management Plan*

*Note:* B3.8 (p. B-27) details what is to be included within a *Waste Management Plan*

  - Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan

## Objectives

## C3.B Subdivision Certificate

- To provide a consistent approach in the way of how a *subdivision certificate* is released for *dual occupancy development*

## Requirements

## C3.3 Subdivision Certificate

- *Dual occupancy subdivision certificates* are released once the following has been submitted to Council:
  - *Plan for Subdivision*
  - Payment of s94 contributions
  - S50 Certificate from Hunter Water

## Objectives

C-78

## C3

## INDUSTRIAL

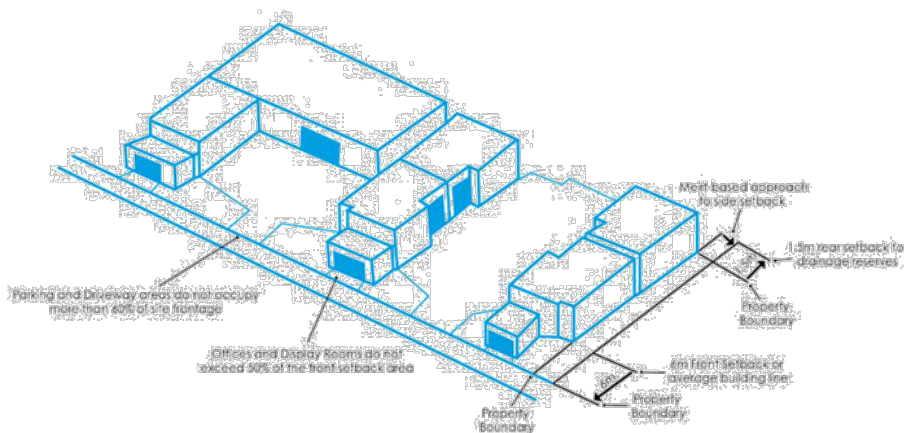
C3.C	Height	<ul style="list-style-type: none"> <li>To ensure the height of buildings is appropriate for the context and character of the area</li> <li>To ensure building heights reflect the hierarchy of centres and land use structure</li> </ul>
<b>Requirements</b>		
C3.4	Building Height	<ul style="list-style-type: none"> <li><b>Development</b> must not exceed a height of 15m</li> </ul> <p><b>Note:</b> PSLEP 2013 Clause 4.3 Height of buildings overrides this requirement, if a height is specified</p>
<b>Objectives</b>		
C3.5	Site Coverage	<ul style="list-style-type: none"> <li>To ensure <b>development</b> provides an appropriate bulk and scale for the desired character of that zone</li> </ul>
<b>Requirements</b>		
C3.6	Site Coverage	<ul style="list-style-type: none"> <li>Site Coverage adheres to maximum non-permeable surface area described under Figure BB (p. B-27)</li> </ul>
<b>Objectives</b>		
C3.D	Building Siting and Design	<ul style="list-style-type: none"> <li>To ensure <b>development</b> is situated within an appropriate building envelope</li> </ul>
<b>Requirements</b>		
C3.5	Front Setback	<ul style="list-style-type: none"> <li>Maximum front setback of 6m from the front property boundary or the existing <b>average building line</b></li> <li>Single storey offices and display rooms within the front setback must: <ul style="list-style-type: none"> <li>not exceed 50% of the front setback area</li> <li>ensure sightlines are maintained for pedestrian and vehicle movement</li> </ul> </li> </ul>
C3.6	Side Setback	<ul style="list-style-type: none"> <li>No minimum side setback</li> </ul>
C3.7	Rear Setback	<ul style="list-style-type: none"> <li><b>Merit-based approach</b> to rear setback with a 1.5m buffer zone provided to <b>drainage reserves</b></li> </ul>
<b>Objectives</b>		
C3.E	Fencing	<ul style="list-style-type: none"> <li>To avoid the dominance of fences on the streetscape and similar hostile design, and to soften the built environment in industrial areas</li> </ul>
<b>Requirements</b>		
C3.8	Fencing Materials	<ul style="list-style-type: none"> <li>Fencing forward of the six metre setback must not exceed a height of 1.2m. It is constructed of masonry or dark coloured picket/pool style fencing in combination with vegetation</li> </ul>
C3.9	Security Fencing	<ul style="list-style-type: none"> <li>Security gates and other fencing may be utilised behind the five six metre setback, provided that it does not exceed a height of two metres</li> </ul>
<b>Objectives</b>		
C3.F	Facades and Articulation	<ul style="list-style-type: none"> <li>To ensure facades consist of appropriate materials and colours that contribute to streetscape amenity</li> </ul>

## C3

## INDUSTRIAL

		<ul style="list-style-type: none"> <li>To ensure weather protection is provided at building entrances</li> </ul>
<b>Requirements</b>		
C3.10	Colours and Materials	<ul style="list-style-type: none"> <li>Building colours and materials are sympathetic to the natural environment and existing site context</li> </ul>
C3.11	Awnings	<ul style="list-style-type: none"> <li>Weather protection awnings are provided for building entrances</li> </ul>
C3.12	Building Access	<ul style="list-style-type: none"> <li>The building access point provides a clear sense of building address for residents and their visitors</li> </ul>
C3.13	Building Frontage	<ul style="list-style-type: none"> <li>Offices, showrooms and customer service areas are located towards the front of the <i>development</i></li> <li>Parking and driveway areas do not occupy more than 60% of the site frontage</li> <li>Buildings face the street and provide clear entry points</li> </ul>
C3.14	Blank Walls	<ul style="list-style-type: none"> <li>Blank walls are minimised by incorporating an opening or change in the wall's articulation. This should include a combination of change in materials, setback variation, architectural details or landscaping</li> </ul>
C3.15	Screening	<ul style="list-style-type: none"> <li>Screening of poorly designed buildings with vegetation is not an acceptable streetscape treatment. A combination of quality building design and landscaping is to be used to provide a positive contribution to the streetscape</li> </ul>

Figure CE: Illustration of Industrial Building Principles



## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

C4 Dwelling House, Dual Occupancy or  
Ancillary Structures

Application		
<ul style="list-style-type: none"> <li>This Part applies to development that is defined as a <i>dwelling house</i>, <i>dual occupancy</i> or <i>ancillary structure</i>, which includes a <i>swimming pool</i>, shed, fencing, retaining wall or shipping container</li> </ul>		
Objectives		
C4.A	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure a <i>dwelling house</i> or <i>dual occupancy</i> is informed by an analysis of its setting</li> </ul>
Requirements		
C4.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>dwelling house</i>, <i>dual occupancy</i> or ancillary structure adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C4.2	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for a <i>dwelling house</i> or <i>dual occupancy</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i></li> <li><i>Site Analysis &amp; Site Plan</i></li> <li>Floor Plan</li> <li>Street elevation plan</li> <li>Section Plan</li> <li><i>Landscape Concept Plan</i> in accordance with the <i>Landscape Technical Specification</i><sup>4</sup> is provided for the following: <ul style="list-style-type: none"> <li>All <i>dual occupancy</i> dwellings</li> <li>A <i>dwelling house</i>, only when the assessing officer believes it is warranted for sites: <ul style="list-style-type: none"> <li>✓ with slope of land is greater than 18 degrees, or</li> <li>✓ when measured from the <i>dwelling</i> within 50m of the following: <ul style="list-style-type: none"> <li>❖ SEPP 14 Wetland</li> <li>❖ <i>Preferred koala habitat</i></li> <li>❖ Species and communities listed within the <i>TSC Act</i></li> </ul> </li> </ul> </li> </ul> </li> <li><i>BASIX Certificate</i> <ul style="list-style-type: none"> <li>A <i>BASIX Certificate</i> is to be provided in accordance with SEPP(Building and Sustainability Index) 2004 for a <i>single dwelling</i> or <i>dual occupancy</i></li> </ul> </li> <li><i>Shadow diagram</i> if <i>development</i> is proposed to be greater than 8m in height</li> </ul> </li> </ul>

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## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

		<ul style="list-style-type: none"> <li>Shadow diagrams consider shadowing created by the dwelling and fencing</li> <li>Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan</li> </ul>
C4.3	Subdivision Certificate	<ul style="list-style-type: none"> <li>To provide a consistent approach to when a subdivision certificate is released for dual occupancy development</li> </ul>
C4.4	Subdivision Certificate	<ul style="list-style-type: none"> <li>Dual occupancy subdivision certificates are released once the following has been submitted to Council: <ul style="list-style-type: none"> <li>Plan for Subdivision</li> <li>Payment of s94 contributions</li> <li>\$50 Certificate from Hunter Water</li> </ul> </li> </ul>
<b>Objectives</b>		
C4.B	Site Dimensions	<ul style="list-style-type: none"> <li>To achieve planned residential density in certain zones</li> <li>To ensure non-permeable surfaces are provided in accordance with the capacity of infrastructure</li> </ul>
<b>Requirements</b>		
C4.5	Minimum Site Area	<ul style="list-style-type: none"> <li>Minimum site area is provided in accordance with PSLEP 2013 Clause 4.1B Minimum site area for dual occupancy, multi-dwelling housing and residential flat buildings</li> </ul>
C4.6	Non-permeable surfaces	<p>Note: B4.2 (p. B-31) requires on-site detention where non-permeable surfaces exceed the total percentage of site area listed under Figure BD (p. B-31)</p>
<b>Objectives</b>		
C4.C	Site Coverage	<ul style="list-style-type: none"> <li>To ensure development provides an appropriate bulk and scale for the desired character of that zone</li> </ul>
<b>Requirements</b>		
C4.7	Site Coverage	<ul style="list-style-type: none"> <li>Site Coverage adheres to maximum non-permeable surface area described under Figure BD (p. B-31)</li> </ul>
<b>Objectives</b>		
C4.D	Siting	<ul style="list-style-type: none"> <li>To seek to preserve the character and agricultural purpose of a rural area</li> </ul>
<b>Requirements</b>		
C4.8	Dual occupancy in rural or environment zones	<ul style="list-style-type: none"> <li>Siting of a dual occupancy in a rural or environment protection zones adheres to PSLEP2013 Clause 7.15 Dual occupancies on land in certain rural or environment protection zones</li> </ul>
<b>Objectives</b>		
C4.E	Height	<ul style="list-style-type: none"> <li>To ensure the height of buildings is appropriate for the context and character of the area</li> <li>To ensure building height reflects the hierarchy of</li> </ul>

## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

		centres and land use structure
<b>Requirements</b>		
<b>C4.9</b>	Building Height	<ul style="list-style-type: none"> <li>▪ <b>Building height</b> is provided in accordance with PSLEP2013 Clause 4.3 Height of buildings and Clause 5.6 Architectural roof features <ul style="list-style-type: none"> <li>• Maximum height limit of 8m or a <b>merit-based approach</b> is taken where no height limit is specified under PSLEP2013 Clause 4.3</li> <li>• The <b>Building Code of Australia (BCA)</b> generally requires a minimum floor to ceiling height of 2.4m</li> </ul> </li> </ul> <p><b>Note:</b> C2.5 (p. C-73) requires a minimum first floor and above ceiling height for residential accommodation in a commercial zone of 2.7m</p>
<b>Objectives</b>		
<b>C4.F</b>	Setbacks	<ul style="list-style-type: none"> <li>▪ To ensure <b>development</b> provides continuity and consistency to the public domain</li> </ul>
<b>Requirements</b>		
<b>C4.10</b>	Front Setback	<ul style="list-style-type: none"> <li>▪ Minimum front setback of 4.5m for a <b>greenfield</b> site within a residential or RU5 Rural Village zone</li> <li>▪ Average setback of existing properties or minimum front setback of 4.5m for an <b>infill</b> site, whichever is less, within a residential or RU5 Rural Village zone</li> <li>▪ Minimum front setback of 10m for rural, environmental or R5 Rural Residential zones <ul style="list-style-type: none"> <li>• Maximum 1.5m encroachment of front setback for architectural features, such as an entry porch or deck</li> </ul> </li> </ul>
<b>C4.11</b>	Secondary Setback (Corner Lots)	<ul style="list-style-type: none"> <li>▪ Minimum <b>secondary setback</b> of 2m</li> <li>▪ Minimum <b>secondary setback</b> of 10m for rural or environmental zones <ul style="list-style-type: none"> <li>• Maximum 1m encroachment to <b>secondary setback</b> for architectural features, such as an entry porch or deck</li> </ul> </li> </ul>
<b>C4.12</b>	Side Setback – ground floor	<ul style="list-style-type: none"> <li>▪ Minimum ground floor side setback of 0.9m</li> <li>▪ Minimum ground floor side setback of 5m rural and environmental zones</li> </ul>
<b>C4.13</b>	Side Setback – upper storey	<ul style="list-style-type: none"> <li>▪ Minimum upper storey side setback of 2m</li> <li>▪ Minimum upper storey side setback of 5m for rural and environmental zones</li> </ul>
<b>C4.14</b>	Rear Setback – ground floor	<ul style="list-style-type: none"> <li>▪ Minimum ground floor rear setback of 2m</li> <li>▪ Minimum ground floor rear setback of 5m for rural and environmental zones</li> </ul>
<b>C4.15</b>	Rear Setback – upper storey	<ul style="list-style-type: none"> <li>▪ Minimum upper storey rear setback of 6m</li> <li>▪ Minimum upper storey rear setback of 5m for rural and environmental zones</li> </ul>



## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

C4.16	Garage Setback	<ul style="list-style-type: none"> <li>Minimum of 1m behind <b>building line or setback</b></li> </ul>
C4.17	Public Reserve & Waterfront Setback	<ul style="list-style-type: none"> <li>Minimum setback of 3m from the reserve boundary</li> <li>Minimum of 4.5m from the waterfront reserve</li> <li>Minimum of 1m from <b>waterfront land</b> from the <b>access boundary</b></li> </ul>
C4.18	Battle-axe Handle	<ul style="list-style-type: none"> <li>1m setback is required for a battle-axe handle, access corridor or <b>easement</b> that is required for access</li> </ul> <p><b>Note:</b> C1.12 (p. C-68) details when battle-axe lots are provided</p>
C4.19	Adjoining agricultural buffers	<ul style="list-style-type: none"> <li>An agricultural <b>buffer</b> of 150m or greater should be provided between a rural dwelling house, <b>secondary dwelling</b> or <b>ancillary development</b> for habitable purposes to adjoining land in separate ownership that is used or capable of being used for agricultural purposes <ul style="list-style-type: none"> <li>Where the 150m <b>buffer</b> or greater cannot be achieved the planting of a 30m wide native vegetation strip is to be provided between the proposed <b>development</b> building envelope and the adjacent agricultural land</li> </ul> </li> </ul> <p><b>Note:</b> B2.1 (p. B-20) requires a suitable <b>buffer</b> on the land which is the subject of <b>development</b> to items of <b>environmental significance</b></p>
<b>Objectives</b>		
C4.G	Streetscape and Privacy	<ul style="list-style-type: none"> <li>To ensure <b>development</b> activates the streetscape to provide passive surveillance and privacy.</li> </ul>
<b>Requirements</b>		
C4.20	Passive Surveillance	<ul style="list-style-type: none"> <li><b>Development</b> is to address the street by having at least one <b>habitable room</b>, such as a living area is to front the street and/or adjoining public spaces <ul style="list-style-type: none"> <li><b>Development</b> on corner lots is to address both street frontages by having <b>habitable rooms</b> face both streets</li> </ul> </li> </ul>
C4.21	Streetscape Character	<ul style="list-style-type: none"> <li>To be sympathetic to the existing landscape character and built-form with regard to design, bulk, scale, form, materials and roof configuration</li> </ul>
C4.22	Privacy and Two-Storey Development	<ul style="list-style-type: none"> <li>Two storey <b>development</b> is to include a balcony or deck facing the street on the upper floor at least 1.5m deep across 25% of the <b>dwelling</b> frontage <ul style="list-style-type: none"> <li>Balconies are to be located to minimise overlooking of adjoining properties <ul style="list-style-type: none"> <li><b>Privacy screens</b> are required for balconies and patios, which result in unreasonable privacy impacts to properties</li> </ul> </li> </ul> </li> <li><b>Privacy screens</b>, high-light windows or opaque glass is to be used for windows of <b>habitable rooms</b> (other than bedrooms) which overlook adjoining properties</li> </ul>



## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

Objectives		
C4.H	Private Open Space	<ul style="list-style-type: none"><li>To ensure <i>private open space</i> with <i>solar access</i> is provided to allow opportunity for passive and active outdoor recreation</li></ul>
Requirements		
C4.23	Private Open Space Dimensions	<ul style="list-style-type: none"><li>Minimum of 50m<sup>2</sup> of ground floor <i>private open space</i> comprising a minimum of 35m<sup>2</sup> that is usable, which includes:<ul style="list-style-type: none"><li>Minimum dimension of 4m x 4m</li><li>Is accessible from living areas</li><li>Is not located within a front setback</li><li>Seeks to incorporate a northerly aspect</li></ul></li><li>Where <i>development</i> cannot provide <i>private open space</i> on the ground floor, provisions shall be made for a balcony of not less than 20m<sup>2</sup> with a minimum width of 3m for the use as <i>private open space</i></li></ul>
C4.24	Solar Access	<ul style="list-style-type: none"><li>Minimum of 2hrs sunlight to the principle <i>private open space</i> area between the hours of 9am-3pm midwinter</li></ul>
C4.25		<ul style="list-style-type: none"><li>Minimum of 30% of <i>private open space</i> of adjoining dwellings must remain unaffected by any shadow for a minimum of 3 hours between 9am-3pm midwinter</li></ul>
Objectives		
C4.I	Car Parking and Garages	<ul style="list-style-type: none"><li>To ensure car parking caters for anticipated vehicle movements to and from the development and does not negatively impact on building articulation</li></ul>
Requirements		
C4.26	On-Site Parking Provisions	<ul style="list-style-type: none"><li>B9.2 (p. B-55) requires that all <i>development</i> that has the potential to create demand for <i>on-site parking</i> provides parking in accordance with Figure BQ (p. B-59)</li></ul>
C4.27	Driveway Width	<ul style="list-style-type: none"><li>A driveway should have a minimum width of 3.6m</li></ul> <p><b>Note:</b> B9.7 (p. B-56) requires ingress/egress widths to provide the listed dimensions</p>
C4.28	Garage Dimensions	<ul style="list-style-type: none"><li>Maximum garage door width of 6m for residential lots or 50% of the building frontage, whichever is less<ul style="list-style-type: none"><li>Maximum garage width of 9m for lots exceeding 1,500m<sup>2</sup></li></ul></li></ul>
Objectives		
C4.J	Site Facilities and Services	<ul style="list-style-type: none"><li>To ensure <i>development</i> provides appropriate facilities and services in the most appropriate site location</li></ul>
Requirements		
C4.29	Waste Storage	<ul style="list-style-type: none"><li>An adequately screened <i>waste storage and recycling area</i> are to be provided behind the <i>building line</i></li></ul>
C4.30	Clothes	<ul style="list-style-type: none"><li>A suitable open-air area for clothes drying is to be</li></ul>

## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

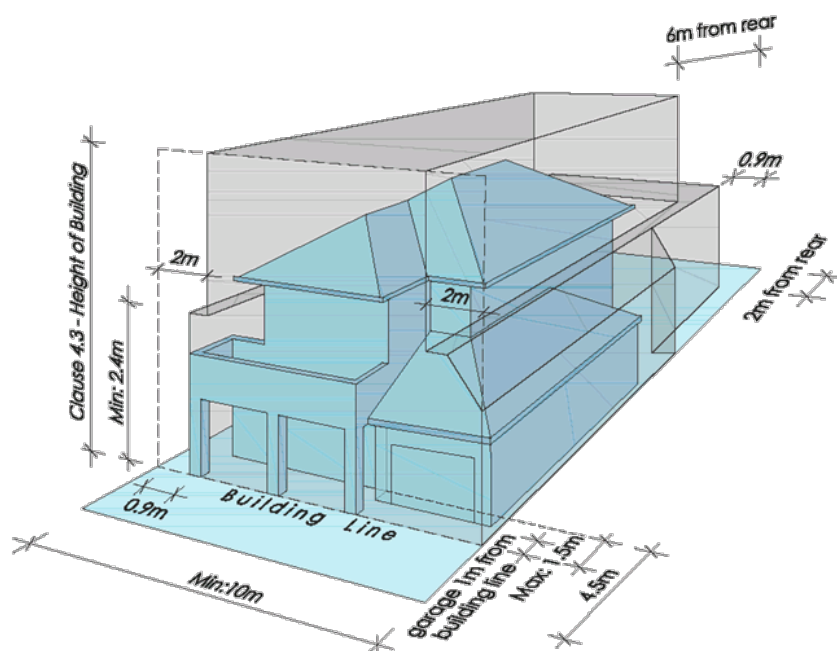
	Drying	provided for each <i>dwelling</i> behind the <i>building line</i>
<b>Objectives</b>		
<b>C4.K</b>	<b>Ancillary</b>	<ul style="list-style-type: none"> <li>To provide further guidance to ancillary types of development to ensure <b>consistent</b> and <b>desired amenity</b></li> </ul>
<b>Requirements</b>		
<b>C4.31</b>	Sheds (Residential)	<ul style="list-style-type: none"> <li><b>Development</b> in a residential zone adheres to: <ul style="list-style-type: none"> <li>Maximum <b>gross floor area</b> of 72m<sup>2</sup></li> <li>Minimum side and rear setback of 0.9m</li> </ul> </li> </ul> <p><b>Note:</b> SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, feneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 20m<sup>2</sup> in a residential zone to be <b>exempt development</b></p> <ul style="list-style-type: none"> <li>Except for R5 Large Lot Residential, which adheres to: <ul style="list-style-type: none"> <li>Maximum floor area is <b>merit-based</b></li> <li>Minimum front setback of 10m</li> <li>Minimum side and rear setback of 5m</li> </ul> </li> </ul> <p><b>Note:</b> SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, feneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 50m<sup>2</sup> in a RU1, RU2, RU3, RU4, RU6 or R5 zone to be <b>exempt development</b></p>
<b>C4.32</b>	Sheds (Rural)	<ul style="list-style-type: none"> <li><b>Development</b> in a rural zone adheres to: <ul style="list-style-type: none"> <li>Minimum side and rear setback of 10m</li> <li>Minimum setback of 5m from a building</li> </ul> </li> </ul> <p><b>Note:</b> SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, feneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 50m<sup>2</sup> in a RU1, RU2, RU3, RU4, RU6 or R5 zone to be <b>exempt development</b></p>
<b>C4.33</b>	Swimming Pools	<ul style="list-style-type: none"> <li>The water edge must be setback at least 1m from the side and rear boundaries</li> </ul>
<b>C4.34</b>		<ul style="list-style-type: none"> <li>Maximum decking height of 1.4m in height if the pool is located more than 600mm above the ground level</li> </ul>
<b>C4.35</b>	Front Fences	<ul style="list-style-type: none"> <li>Maximum height of 1.2m and is not of solid infill construction</li> <li>Maximum height of 1.5m along main roads and secondary street frontages</li> </ul>
<b>C4.36</b>		<ul style="list-style-type: none"> <li>Compatible with street facilities, such as mailboxes and allow <b>easy</b> access to public utilities</li> </ul>
<b>C4.37</b>	Side and Rear Fences	<ul style="list-style-type: none"> <li>Maximum height of 1.8m</li> </ul>
<b>C4.38</b>		<ul style="list-style-type: none"> <li>Side fences must not encroach on the front setback area of any dwelling</li> </ul>

## C4

## DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

C4.39		▪ Solid sheet fencing is not be used
C4.40		▪ Fences within the root zone of an existing tree must be constructed of light weight suspended panels supported by posts with pier footings
C4.41	Retaining Walls	▪ Maximum height of 1m
C4.42		▪ Masonry construction within 0.9m of the property boundary when greater than 0.6m in height
C4.43		▪ Retaining walls are wholly contained within the site

Figure CF: Dwelling House Building Envelope



## C5

## MULTI DWELLING HOUSING

## C5 Multi Dwelling Housing

Application	
<ul style="list-style-type: none"> <li>This Part applies to <i>development</i> that is defined as <i>multi dwelling housing</i> <ul style="list-style-type: none"> <li><i>Development</i> defined as a <i>residential flat building</i> refers to SEPP No 65 – Design Quality of Residential Flat Development</li> </ul> </li> </ul>	

Objectives		
C5.A	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure <i>multi dwelling housing</i> is informed by an analysis of its setting</li> </ul>
Requirements		
C5.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>multi dwelling housing</i> adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C5.2	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>multi dwelling housing</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i></li> <li><i>Site Analysis &amp; Site Plan</i></li> <li>Floor Plan</li> <li>Street elevation plan</li> <li>Section Plan</li> <li><i>Landscape Plan</i> <ul style="list-style-type: none"> <li>Landscape Plan is provided in accordance with Chapter 6 – Standards for Multi Dwelling Housing of the <i>Landscape Technical Specification</i><sup>4</sup></li> </ul> </li> <li><i>BASIX Certificate</i> <ul style="list-style-type: none"> <li>A <i>BASIX Certificate</i> is to be provided in accordance with SEPP(Building and Sustainability Index) 2004</li> </ul> </li> <li><i>Shadow diagram</i> if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> <li>Shadow diagrams consider the shadow created by fencing</li> </ul> </li> <li><i>Waste Management Plan</i></li> <li>Other information agreed during pre-lodgement meeting or as outlined in other Parts of this Plan</li> </ul> </li> </ul>
Objectives		
C5.B	Subdivision Certificate	<ul style="list-style-type: none"> <li>To provide a consistent approach in the way of how a <i>subdivision certificate</i> is released for <i>dual occupancy development</i></li> </ul>
Requirements		

## C5

## MULTI DWELLING HOUSING

C5.3	Subdivision Certificate	<ul style="list-style-type: none"> <li>▪ <i>Dual occupancy subdivision certificates</i> are released once the following has been submitted to Council: <ul style="list-style-type: none"> <li>• Plan for Subdivision</li> <li>• Payment of s94 contributions</li> <li>• S50 Certificate from Hunter Water</li> </ul> </li> </ul>
<b>Objectives</b>		
C5.C	Site Dimensions	<ul style="list-style-type: none"> <li>▪ To ensure <i>development</i> is of an appropriate scale</li> <li>▪ To ensure <i>development</i> does not result in excess shadowing of neighbouring buildings</li> </ul>
<b>Requirements</b>		
C5.4	Minimum site area	<ul style="list-style-type: none"> <li>▪ <i>Minimum site area</i> is provided in accordance with PSLEP 2013 Clause 4.1B Minimum site area for <i>dual occupancy, multi-dwelling housing and residential flat buildings</i></li> </ul>
C5.5	Non-permeable surfaces	<p><b>Note:</b> B4.2 (p. B-28) requires <i>on-site detention</i> where <i>non-permeable surfaces</i> exceed the total percentage of <i>site area</i> listed under Figure BD (p. B-31)</p>
<b>Objectives</b>		
C5.D	Height	<ul style="list-style-type: none"> <li>▪ To ensure <i>building height</i> is appropriate for the context and character of the area</li> <li>▪ To ensure <i>building heights</i> reflect the hierarchy of centres and land use structure</li> </ul>
<b>Requirements</b>		
C5.6	Building Height	<ul style="list-style-type: none"> <li>▪ <i>Building height</i> is provided in accordance with PSLEP2013 Clause 4.3 Height of buildings and Clause 5.6 Architectural roof features</li> </ul>
C5.7	Floor to Ceiling Height	<ul style="list-style-type: none"> <li>▪ Minimum floor to ceiling heights of 2.4m</li> </ul>
<b>Objectives</b>		
C5.E	Site Coverage	<ul style="list-style-type: none"> <li>▪ To ensure <i>development</i> provides an appropriate bulk and scale for the desired character of that zone</li> </ul>
<b>Requirements</b>		
C5.8	Site Coverage	<ul style="list-style-type: none"> <li>▪ Site Coverage adheres to maximum non-permeable surface area described under Figure BD (p. B-31)</li> </ul>
<b>Objectives</b>		
C5.F	Setbacks	<ul style="list-style-type: none"> <li>▪ To ensure <i>development</i> provides continuity and consistency to the public domain</li> </ul>
<b>Requirements</b>		
C5.9	Front Setback	<ul style="list-style-type: none"> <li>▪ Minimum front setback of 4.5m from the <i>front property line</i> or the existing <i>average building line</i> for 80% of the building facade <ul style="list-style-type: none"> <li>• The remaining 20% of the façade may allow a 1.5m encroachment provided the encroachment</li> </ul> </li> </ul>

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## C5

## MULTI DWELLING HOUSING

		contains <i>habitable rooms</i> , terraces, balconies or bay windows <ul style="list-style-type: none"> <li>o <i>Podium</i> structures and basement car parks are not to be within the front setback area</li> </ul>
C5.10	Secondary Setback (Corner Lots)	<ul style="list-style-type: none"> <li>Minimum <i>secondary setback</i> of 3m, except for an open veranda, porch or deck which must be setback a minimum of 2m</li> </ul>
C5.11	Side Setbacks	<ul style="list-style-type: none"> <li>900mm from the <i>side boundary</i> for the ground floor</li> <li>2m from the <i>side boundary</i> for the first floor</li> </ul>
C5.12	Rear Setbacks	<ul style="list-style-type: none"> <li>Minimum 2m for the <i>ground level (finished)</i></li> <li>Minimum 6m for the upper levels</li> <li><i>Podium</i> structures and basement car parks are not to be placed in the rear setback area</li> </ul>
<b>Objectives</b>		
C5.G	Streetscape and Privacy	<ul style="list-style-type: none"> <li>To ensure <i>development</i> activates streetscape to provide passive surveillance and privacy</li> </ul>
<b>Requirements</b>		
C5.13	Access	<ul style="list-style-type: none"> <li><i>Development</i> provides a direct and legible pedestrian access from the street to the front entry of each ground floor dwelling and main building entry</li> </ul>
C5.14	Openings	<ul style="list-style-type: none"> <li>The front door entrance of each <i>dwelling</i> must be sheltered and be located forward of the designated car parking space</li> </ul>
C5.15		<ul style="list-style-type: none"> <li>Windows and walls are located to avoid noise sources from adjacent lots and streets</li> </ul>
C5.16		<ul style="list-style-type: none"> <li><i>Windows on the second floor</i> considers impacts on the privacy or amenity of neighbouring buildings</li> </ul>
C5.17	Colour Schemes	<ul style="list-style-type: none"> <li>Building colours should adopt a colour scheme to express building massing, articulation and detailed façade elements</li> </ul>
<b>Objectives</b>		
C5.H	Car Parking and Garages	<ul style="list-style-type: none"> <li>To ensure car parking caters for anticipated vehicle movements to and from the <i>development</i> and does not negatively impact on building articulation</li> </ul>
<b>Requirements</b>		
C5.18	<i>On-Site Parking Provisions</i>	<ul style="list-style-type: none"> <li>B9.2 (p. B-55) requires that all <i>development</i> that has the potential to create demand for <i>on-site parking</i> provides parking in accordance with Figure BR (p. B-62)</li> </ul>
C5.19	Driveway Width	<ul style="list-style-type: none"> <li>A driveway should have a minimum width of 3.6m</li> </ul> <p><b>Note:</b> B9.7 (p. B-56) requires ingress/egress widths to provide the listed dimensions</p>
<b>Objectives</b>		
C5.I	Private Open Space	<ul style="list-style-type: none"> <li>To ensure <i>private open space</i> with <i>solar access</i> is provided to allow the opportunity for passive and</li> </ul>

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## C5

## MULTI DWELLING HOUSING

		active outdoor recreation
<b>Requirements</b>		
<b>C5.20</b>	<b>Private Open Space</b> Dimensions	<ul style="list-style-type: none"> <li>Minimum of 50m<sup>2</sup> of ground floor <i>private open space</i> comprising a minimum of 35m<sup>2</sup> that is usable, which includes: <ul style="list-style-type: none"> <li>Minimum dimension of 4m x 4m</li> <li>Is accessible from living areas</li> <li>Is not located within a front setback</li> <li>Has a northerly aspect</li> </ul> </li> <li>Where <i>development</i> cannot provide <i>private open space</i> on the ground floor, provisions shall be made for a balcony of not less than 20m<sup>2</sup> with a minimum width of 3m for the use as <i>private open space</i></li> </ul>
<b>C5.21</b>	<b>Solar Access</b>	Minimum of 2hrs sunlight to the principle <i>private open space</i> area between the hours of 9am-3pm midwinter
<b>C5.22</b>		Minimum of 50% of <i>private open space</i> of adjoining dwellings is not affected by any shadow for a minimum of 3 hours between 9am-3pm midwinter
<b>Objectives</b>		
<b>C5.J</b>	<b>Site facilities and services</b>	To ensure <i>development</i> provides appropriate facilities and services in the most appropriate site location
<b>Requirements</b>		
<b>C5.23</b>	<b>Equipment</b>	Equipment such as water tanks, pool pumps and air conditioners are to be located and shielded to minimise the impact of noise on adjoining dwellings
<b>C5.24</b>	<b>Waste Storage</b>	An adequately screened <i>waste storage and recycling area</i> are to be provided behind the <i>building line or setback</i>
<b>C5.25</b>	<b>Mail boxes</b>	Mail boxes are adjacent to the major entrance
<b>C5.26</b>	<b>Street Numbers</b>	Street/Unit numbers are identifiable from the street
<b>C5.27</b>	<b>Clothes Drying</b>	A suitable open-air area for clothes drying is to be provided for each dwelling behind the <i>building line or setback</i>



## C6

## HOME BUSINESS OR HOME INDUSTRY

## C6 Home Business or Home Industry

Application	
<ul style="list-style-type: none"> <li>This Part applies to <i>development</i> that is defined as <i>home business</i> or <i>home industry</i></li> </ul>	

Objectives		
C6.A	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure <i>home business</i> or <i>home industry</i> is informed by an analysis of its setting</li> </ul>
Requirements		
C6.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>home business</i> or <i>home industry</i> adheres to the other relevant parts of this Plan:               <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C6.2	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>home business</i> or <i>home industry</i> is accompanied by the following:               <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects</i> that includes the following additional details:                   <ul style="list-style-type: none"> <li>Nature of the proposed use</li> <li>Hours of operation</li> <li>Number of staff</li> <li>Number of customers to visit the premises</li> <li>Disabled access and facilities</li> <li>Parking availability</li> <li>Delivery details and expected vehicles</li> <li>Fire safety measures</li> <li>Advertising signs</li> <li>Impacts on adjoining properties</li> </ul> </li> <li>Floor plan</li> </ul> </li> </ul>
Objectives		
C6.B	Operational Requirements	<ul style="list-style-type: none"> <li>To ensure operating hours do not negatively impact on residential amenity</li> </ul>
Requirements		
C6.3	Hours of Operation	<ul style="list-style-type: none"> <li>Hours of operation <i>merit-based</i> or considered:               <ul style="list-style-type: none"> <li>Monday to Friday, 8.00am to 6.00pm</li> <li>Saturday, 9.00am to 12.00pm</li> <li>Sunday or Public Holidays, not allowed to operate                   <ul style="list-style-type: none"> <li>Hours of operation may be further restricted depending on the location and nature of the development</li> </ul> </li> </ul> </li> </ul>
C6.4	Goods Storage	<ul style="list-style-type: none"> <li>Storage of goods or equipment must be contained within the confines of the building</li> </ul>

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## C6

## HOME BUSINESS OR HOME INDUSTRY

Objectives		
C6.C	Vehicle Repair and Trucking Operations	<ul style="list-style-type: none"> <li>To ensure adequate consideration is given to the impacts of vehicle repair operations on neighbourhood amenity</li> </ul>
Requirements		
C6.5	Vehicles and Trailers	Maximum of two vehicles or trucks
C6.6		Only one trailer per truck is permitted
C6.7	Vehicle Storage	Vehicle storage areas are located behind the building line

## C7

## RESTRICTED OR SEX SERVICES PREMISES

## C7 Restricted or Sex Services Premises

Application	
<ul style="list-style-type: none"> <li>This Part applies to development that is defined as <i>restricted premises</i> and <i>sex services premises</i></li> </ul>	

Objectives – Restricted Premises		
C7.A	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure <i>restricted premises</i> is informed by an analysis of its setting</li> </ul>
Requirements – Restricted Premises		
C7.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>restricted premises</i> adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C7.2	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>restricted premises</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i></li> <li><i>Site Analysis &amp; Site Plan</i></li> <li>Floor plan</li> <li>Street elevation plan</li> <li>Section plan</li> <li><i>Landscape Plan</i> <ul style="list-style-type: none"> <li>Landscape Plan is provided in accordance with the <i>Landscape Technical Specification</i><sup>4</sup></li> </ul> </li> <li><i>Construction Management Plan</i></li> <li><i>Shadow diagram</i> if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> <li>Shadow diagrams consider the shadow created by fencing</li> </ul> </li> <li><i>Waste Management Plan</i></li> </ul> <p><i>Note:</i> B3.8 (p. B-27) details what is to be included within a <i>Waste Management Plan</i></p> </li> </ul>
Objectives – Restricted Premises		
C7.B	Building Entries	<ul style="list-style-type: none"> <li>To provide clear direction to access points and ensure they are appropriately located</li> </ul>
Requirements – Restricted Premises		
C7.3	Building Entries	<ul style="list-style-type: none"> <li>The building entrance should be located 400m from: <ul style="list-style-type: none"> <li><i>Dwelling</i> on residential land</li> <li>Child care centre, community facility, education establishment, hospital or place of public worship,</li> <li>Another <i>restricted premises</i></li> </ul> </li> </ul>
C7.4		<ul style="list-style-type: none"> <li>Building Entrance must be discrete and unobtrusive</li> </ul>

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## C7

## RESTRICTED OR SEX SERVICES PREMISES

Objectives – Restricted Premises		
C7.C	Signage	<ul style="list-style-type: none"> <li>To ensure <i>signage</i> provides identification to a premises in a manner that is discrete and complimentary to the streetscape</li> </ul>
Requirements – Restricted Premises		
C7.5	Offensive Content	<ul style="list-style-type: none"> <li>The business identification sign is to be devoid of sexually explicit images, language or objects</li> </ul>

Objectives – Sex Services Premises		
C7.D	Lodgement Requirements	<ul style="list-style-type: none"> <li>To ensure <i>sex services premises</i> is informed by an analysis of its setting</li> </ul>
Requirements – Sex Services Premises		
C7.6	PSDCP 2014 Reference	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>sex services premises</i> adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> <li>Part B General Provisions</li> <li>Part D Specific Areas</li> </ul> </li> </ul>
C7.7	Lodgement Requirements	<ul style="list-style-type: none"> <li>A <i>development application</i> for <i>sex services premises</i> is accompanied by the following: <ul style="list-style-type: none"> <li><i>Statement of Environmental Effects (SEE)</i> that includes the following additional details: <ul style="list-style-type: none"> <li>Offensive Noise</li> <li>Ventilation and Lighting</li> <li>Bars and Food Preparation Areas</li> <li>Spa Bars</li> <li>Sanitary Facilities</li> <li>Contaminated Waste</li> </ul> </li> <li><i>Notification Plans</i></li> <li><i>Site Analysis &amp; Site Plan</i></li> <li>Floor plan</li> <li>Street elevation plan</li> <li><i>Landscape Plan</i> <ul style="list-style-type: none"> <li><i>Landscape Plan</i> is in accordance with the <i>Landscape Technical Specification</i><sup>4</sup></li> </ul> </li> <li><i>Shadow diagram</i> if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> <li>Shadow diagrams consider the shadow created by fencing</li> </ul> </li> </ul> </li> </ul>

Objectives – Sex Services Premises		
C7.E	Design of Premises	<ul style="list-style-type: none"> <li>To provide clear direction to access points and ensure they are most appropriately located</li> <li>To ensure the privacy and comfort of patrons</li> <li>To protect children from risk of harm</li> <li>To maximise the safety and security of staff, clients and the general public by upholding principles of Crime Prevention through Environmental Design</li> </ul>

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## C7

## RESTRICTED OR SEX SERVICES PREMISES

(CPTED)		
Requirements – Restricted Premises		
C7.8	Location	<ul style="list-style-type: none"> <li>The building entrance is a minimum of 150m from a dwelling situated within a residential zone</li> <li>The building entrance is a minimum of 200m from a child care centre, community facility or RE1 Public Recreation</li> <li>Premises must be designed so that there is only one entrance to the premises which is to be located at the front of the building</li> </ul> <p>Note: PSLEP 2013 Clause 7.12 provides higher order guidance as to the location of sex services premises</p>
C7.9	Duress Alarm	<ul style="list-style-type: none"> <li>All premises are to have either an intercom or a duress alarm in each working room that is used for sexual activity. Alarms are to connect back to a central base (such as reception) that is to be monitored at all times</li> </ul>
C7.10	Reception Area	<ul style="list-style-type: none"> <li>The premises is to be provided with an adequate reception area/waiting room with a minimum area of 20m<sup>2</sup> to prevent clients from loitering outside</li> </ul>
C7.11	Maximum Rooms	<ul style="list-style-type: none"> <li>No more than 5 rooms are to be provided in which acts of prostitution are to take place</li> </ul>
C7.12	Staff Facilities	<ul style="list-style-type: none"> <li>Staff facilities must include a communal lounge or rest area and a bathroom for staff use only</li> </ul>
C7.13	Toilet and Bathroom Facilities	<ul style="list-style-type: none"> <li>Toilet and bathroom facilities must be provided within the premises and not be shared with any other premises within the building</li> </ul>
C7.14	Noise	<ul style="list-style-type: none"> <li>Sex services premises must be designed to minimise noise transmission, measures include: <ul style="list-style-type: none"> <li>Grouping room uses according to the noise level generated</li> <li>Using storage or circulation zones within the premises to buffer noise from adjacent apartments, mechanical equipment or corridors and lobby areas</li> <li>Incorporating appropriate noise shielding or attenuation techniques into the design of the building where appropriate</li> </ul> </li> </ul>
Objectives – Sex Services Premises		
C7.F	Signage	<ul style="list-style-type: none"> <li>To ensure signage provides identification to a premises in a manner that is complimentary to streetscape</li> </ul>
Requirements – Restricted Premises		
C7.15	Offensive Content	<ul style="list-style-type: none"> <li>A business identification sign is to be devoid of sexually explicit images, language or objects</li> </ul>