

TABLED DOCUMENT

ITEM NO. 3

- 1) EXCERPT FROM DRAFT DEVELOPMENT CONTROL PLAN
2014 (AMENDMENT NO.8)

ORDINARY COUNCIL MEETING
9 JULY 2019



PORT STEPHENS
C O U N C I L

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"> is to remove or prune trees or other vegetation within non-rural areas 	B-15
B2	Natural Resources	<ul style="list-style-type: none"> 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; or is seeking to use biodiversity offsets; or is located on land containing noxious weeds; or is located on land identified as koala habitat 	B-20
B3	Environmental Management	<ul style="list-style-type: none"> is located on land that contains acid sulfate soils; or has the potential to produce air pollution (such as dust or odour); or has the potential to produce adverse offensive noise; or is defined as or involves earthworks 	B-24
B4	Drainage and Water Quality	<ul style="list-style-type: none"> increases impervious surfaces; or requires connection to public drainage; or involves a controlled activity within 40m of waterfront land 	B-26
B5	Flooding	<ul style="list-style-type: none"> is situated within the flood planning area or at/or below the flood planning level 	B-34
B6	Essential Services	<ul style="list-style-type: none"> is not connected to essential services, being water, electricity, sewerage, stormwater drainage and suitable vehicular access 	B-38
B7	Williamstown RAAF Base - Aircraft Noise and Safety	<ul style="list-style-type: none"> is situated within the 2025 ANEF aircraft noise planning area, bird strike zone, extraneous lighting area or the Williamstown RAAF Base Obstacle Limitations or Operations Surface Map and Height Trigger Map 	B-39
B8	Heritage	<ul style="list-style-type: none"> is situated on land that contains a heritage item or within a heritage conservation area 	B-49
B9	Road Network and Parking	<ul style="list-style-type: none"> has the potential to impact on the existing road network or creates demand for on-site parking 	B-51
B10	Social Impact	<ul style="list-style-type: none"> is deemed to have a significant social impact 	B-60

B7 Williamtown RAAF Base – Aircraft Noise and Safety

Application	
This Part applies to development that is situated within the 2025 ANEF aircraft noise planning area, bird strike zone, extraneous lighting area or the Williamtown RAAF Base Obstacle Limitations or Operations Surface Map and Height Trigger Map	
Objectives	
B7.A	<p>Site Acceptability</p> <ul style="list-style-type: none"> To ensure development satisfies the requirements of PSLEP 2013 clause 7.5 To ensure appropriate consideration is given to land burdened by aircraft noise
Requirements	
B7.1	<p>When development is located within the 2025 ANEF Aircraft Noise Planning Area (ANPA), which is identified by Figure BM (p. B-44) it is classified into one of the following classifications through referencing Figure BJ (p. B-41)</p> <ul style="list-style-type: none"> Acceptable – no design measures required to reduce aircraft noise, or Conditionally acceptable – design measures required, or <ul style="list-style-type: none"> An acoustic report is required for the following: <ul style="list-style-type: none"> to support development that is classified as conditionally acceptable to support subdivision of land and subsequent permissible development types by referencing Figure BJ (p. B-41) and Figure BK (p. B-42) Unacceptable – development is generally unacceptable. However, details submitted with a development application that demonstrate the following will be considered on a merit-based approach: <ul style="list-style-type: none"> Development on a vacant pre-existing lot within the ANEF 25-30 noise contours that satisfies AS 2021 – Acoustics – Aircraft noise intrusion – Building siting and construction indoor noise requirements²⁰ Replacement of a pre-existing dwelling in any of the ANEF noise contours satisfies the AS 2021 – Acoustics – Aircraft noise intrusion – Building siting and construction indoor noise requirements²⁰ Development on land zoned B7 Business Park and adjacent to the Williamtown (Newcastle) Airport <p>Note: Part D15 - DAREZ provides site specific requirements for land zoned B7 Business Park and adjacent to the Williamtown Airport</p>
Objective	
B7.B	<p>Indoor Noise</p> <p>To ensure acceptable levels of indoor noise in accordance with the relevant Australian Standards</p>
Requirements	
B7.2	Development must satisfy the maximum internal sound levels specified in Figure BK (p. B-42) by providing an acoustic report
B7.3	Noise attenuation levels that comply with Figure BK (p. B-42) are not considered to be reasonable or practicable for a dwelling when seeking to achieve noise reduction greater than:

	<ul style="list-style-type: none"> • 35 dB(A) for sleeping areas • 30 dB(A) for habitable spaces
Objective	
B7.C	Alterations & Additions To facilitate alterations and additions of existing development within the 2025 ANEF ANPA
Requirements	
B7.4	Additions and/or alterations less than 40% of gross floor area of an existing building must be constructed to the same indoor sound levels as the existing building
B7.5	Additions and/or alterations greater than 40% gross floor area of an existing building requires noise attenuation measures consistent to meet the indoor noise levels listed in Figure BK (p. B-42)
Objective	
B7.D	Bird Strike To ensure that the operational needs of the Williamtown RAAF Base are considered
Requirement	
B7.6	<p>When development is located within the bird strike zone, which is identified by Figure BN (p. B-45), the Department of Defence is notified and provided with a period of 14 days to provide a submission. After a period of 14 days, no response is deemed as a non-objection.</p> <ul style="list-style-type: none"> • Group A – The following development types are avoided within 13km from airport runways <ul style="list-style-type: none"> - Putrescible waste disposal sites • Group B – The following development types 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"> - Commercial fish processing - Artificial water bodies - Bird sanctuaries and fauna reserves - Sewer treatment facilities - Aquaculture - Turf farming - Animal farming that attracts birds/bats - Fruit farming - Fruit processing plants • Group C – The following development types within 3km of an airport runway should include measures to manage waste disposal <ul style="list-style-type: none"> - Race tracks - Sports grounds - Fair grounds - Outdoor theatres - Dine-in restaurants
Objective	
B7.7	Referral Requirements To ensure that the operational needs of the Williamtown RAAF Base are considered
Requirements	

B7.8	<p>When development deemed to be noise sensitive development is located within the 2025 ANEF ANPA, which is identified by Figure BM (p. B-44), the Department of Defence is notified and provided with a period of 14 days to provide a submission. After a period of 14 days, no response is deemed as a non-objection.</p> <p>Note: Figure AA: Notification Requirements (p. A-12) details general notification requirements to be administered by Council Officers</p>
B7.9	<p>When development seeks to penetrate the RAAF Base Williamtown Obstacle Limitations or Operations Surface or Procedures for Air Navigation Systems Operations Surface as identified by Figure BO (p. B-46) the Department of Defence is notified and provided with an opportunity for comment.</p> <p>Note: Development that does not seek to penetrate these surfaces has complied with the Commonwealth Department of Defence requirements of PSLEP 2013 clause 7.4 Airspace Operations</p> <p>Note: PSLEP 2013 clause 7.4 requires the consent authority to be provided with the Commonwealth's consideration of the Limitation or Operations Surface</p>
B7.10	<p>When development is proposed within the extraneous lighting boundaries as identified by Figure BP (p. B-47) and Figure BQ (p. B-48) the Department of Defence is notified and provided with a period of 14 days to provide a submission. After a period of 14 days, no response is deemed as a non-objection.</p> <p>Note: Figure AA: Notification Requirements (p. A-12) details general notification requirements to be administered by Council Officers</p>

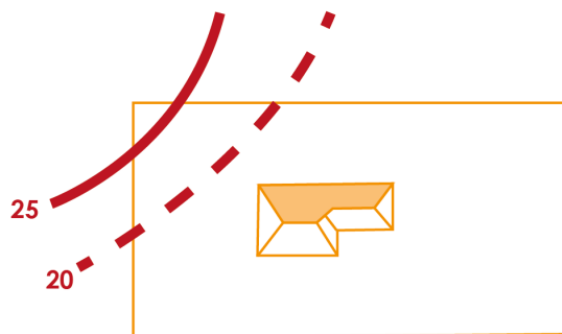
Figure BJ: Building Site Acceptability based on **ANEF** Zone

Development Type	Acceptable	Conditionally Acceptable	Unacceptable
	ANEF Zone		
<ul style="list-style-type: none"> residential accommodation caravan parks 	<20	20 – 25	25>
<ul style="list-style-type: none"> tourist & visitor accommodation 	<25	25 – 30	30>
<ul style="list-style-type: none"> educational establishments 	<20	20 – 25	25>
<ul style="list-style-type: none"> respite day care centres health services facilities 	<20	20 – 25	25>
<ul style="list-style-type: none"> places of public worship entertainment facility information and education facility 	<20	20 – 30	30>
<ul style="list-style-type: none"> commercial premises 	<25	25 – 35	35>
<ul style="list-style-type: none"> general industry light industry 	<30	30 – 40	40>
<ul style="list-style-type: none"> heavy industry 	Acceptable in any ANEF Zone		

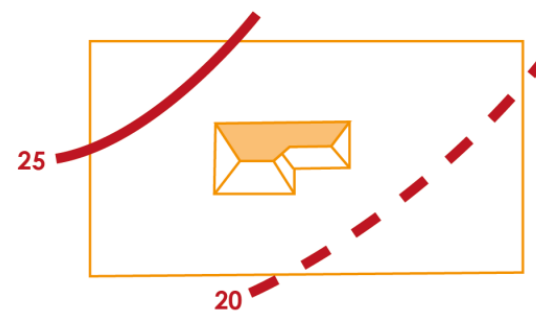
Figure BK: Indoor Design Sound Levels

<i>Development type</i>	Indoor Design Average Maximum Sound Level dB(A)
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	
• 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

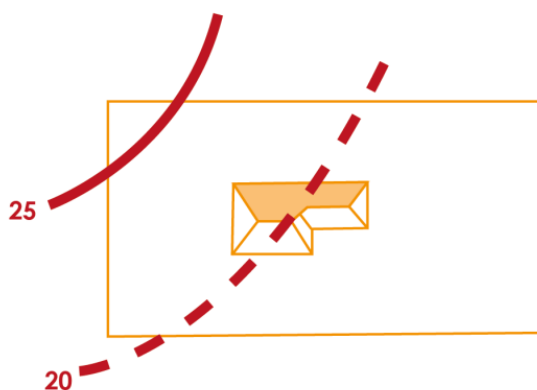
Figure BL: Illustration of Building Site Acceptability based on **ANEF** Zone



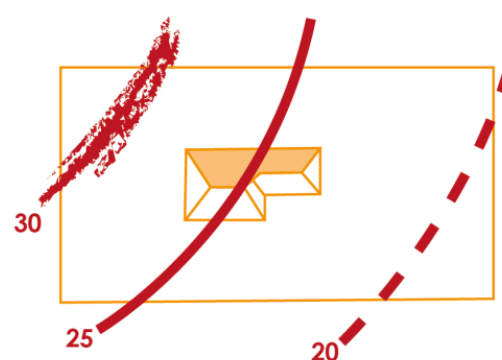
Acceptable - No design measures are required to reduce aircraft noise



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

Figure BM:
2025 ANEF
shown on the
RAAF Base
Williamtown &
Salt Ash
Weapons Range
2025
Australian
Noise
Exposure
Forecast Map

**[NOTE: THIS IS THE
MAP PROPOSED TO
BE INSERTED INTO
THE DCP]**

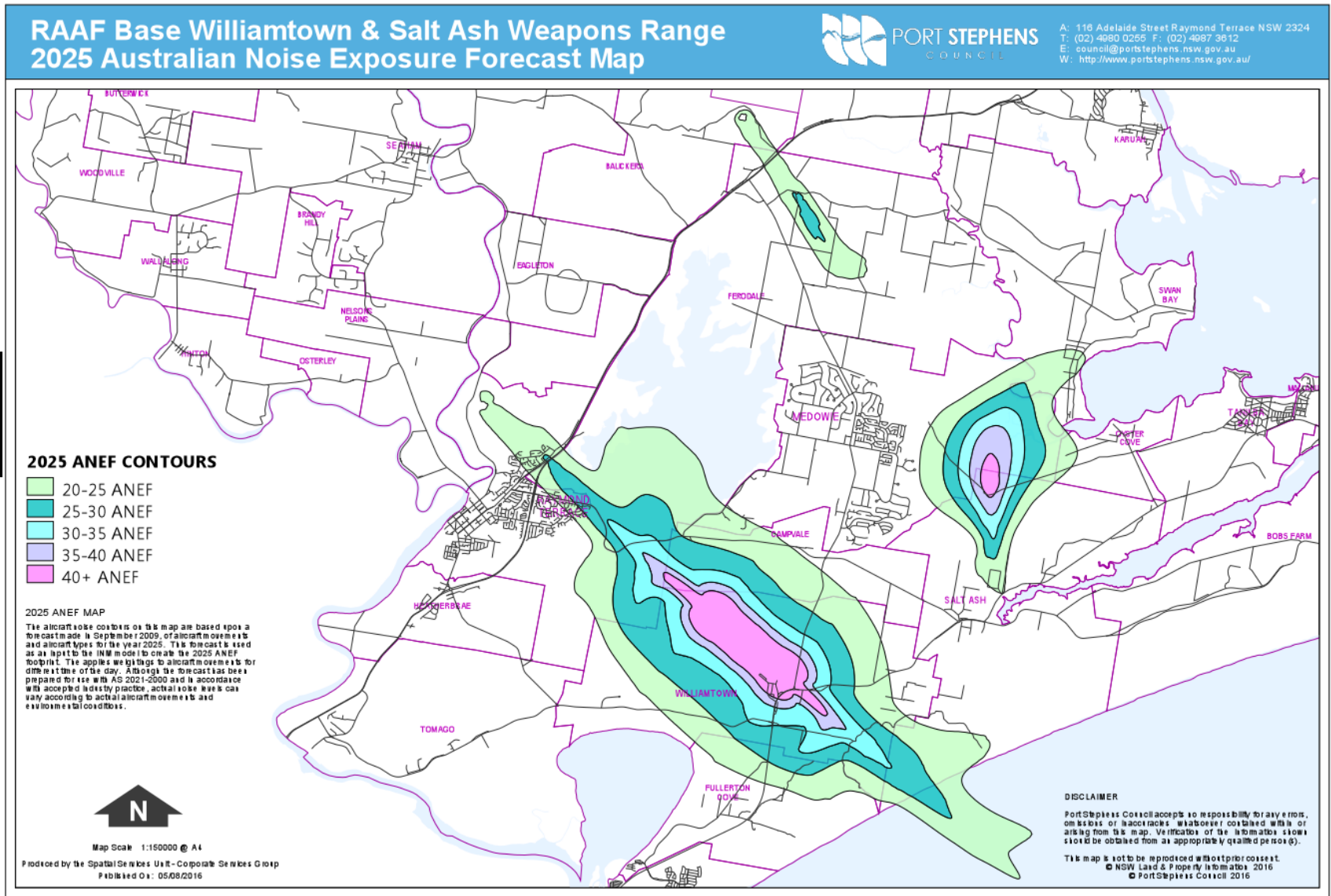


Figure BM:
Aircraft Noise
Planning Map

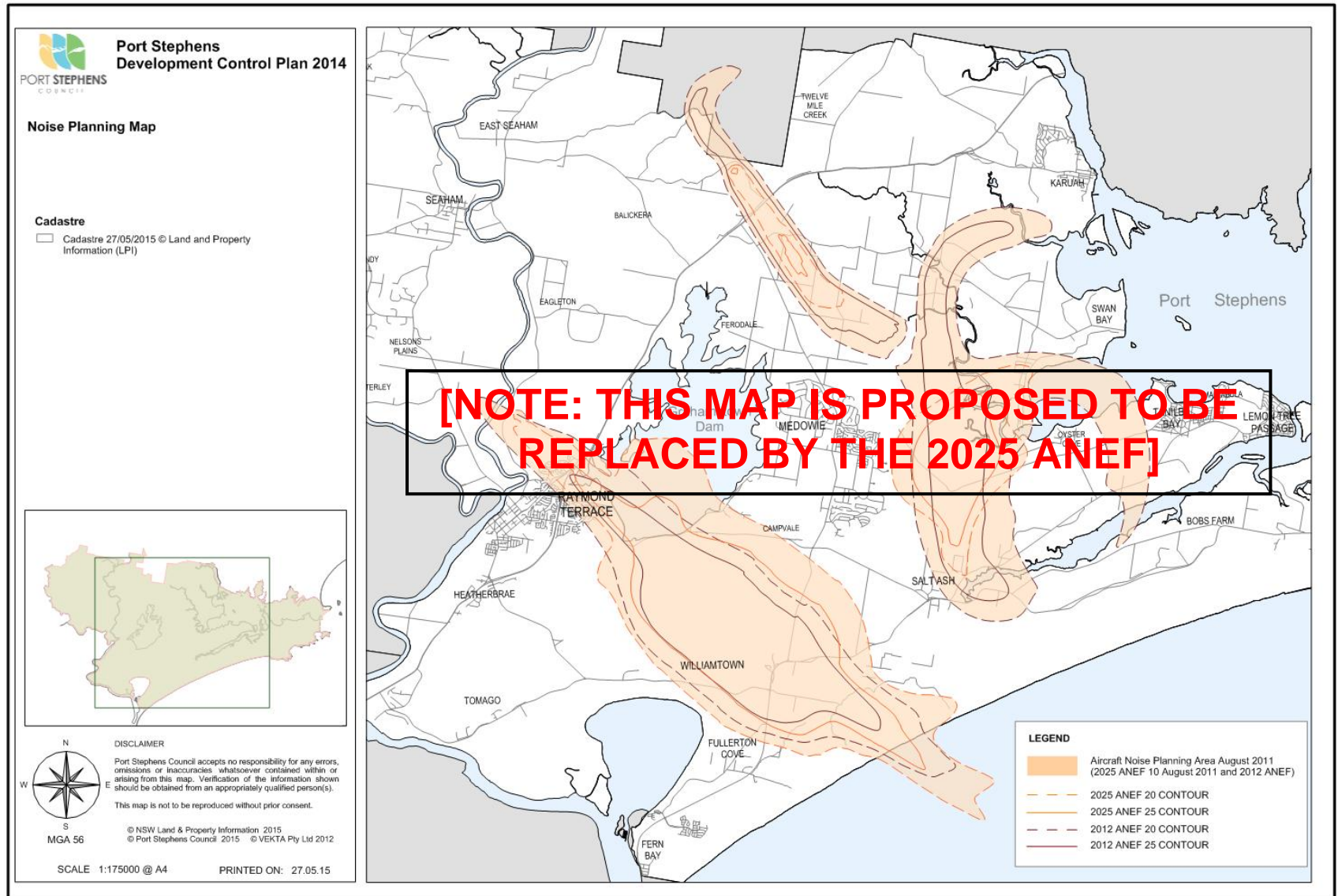


Figure BN:
Bird Strike
Zone

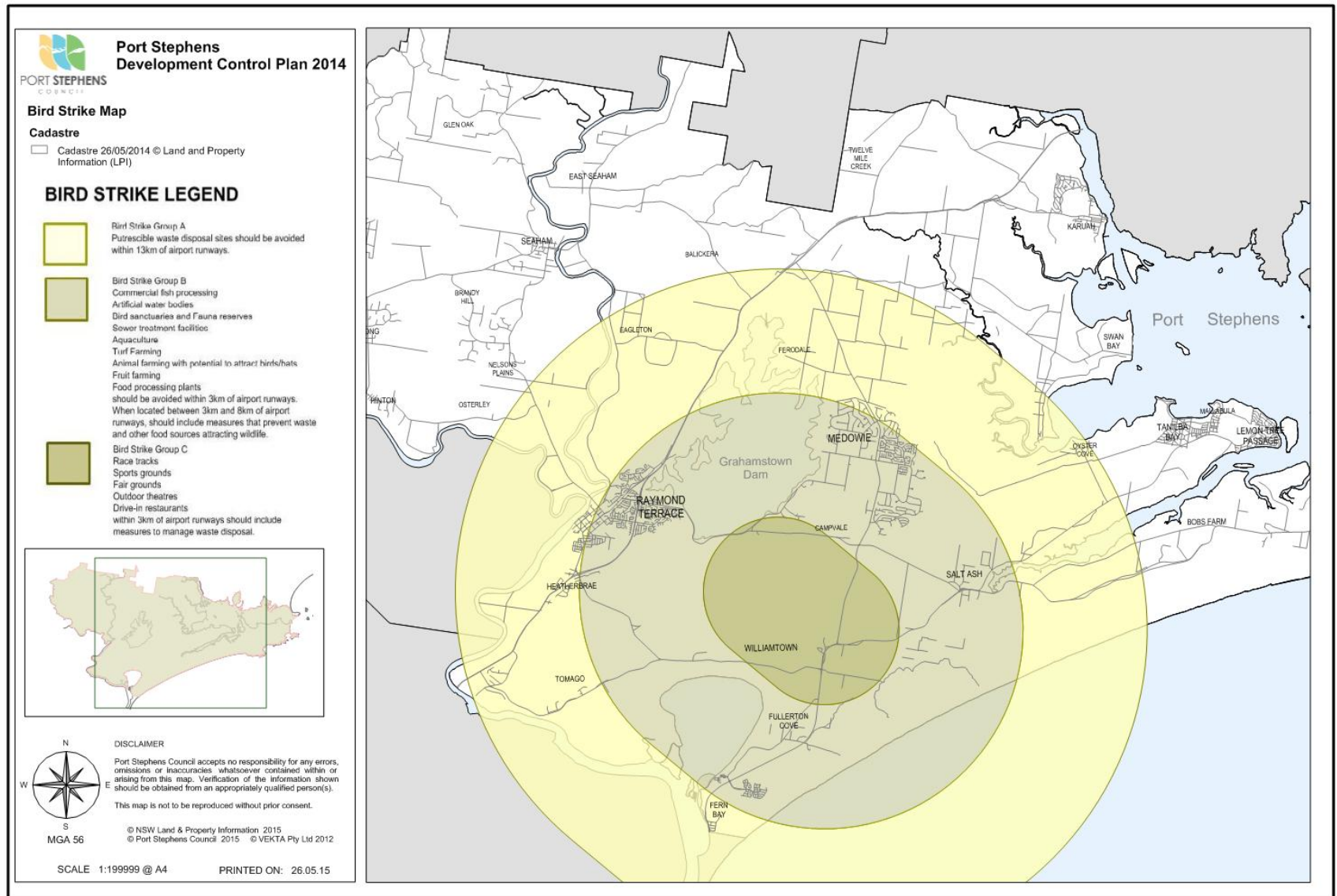


Figure B0:
RAAF Base
Williamtown
Obstacle
Limitation or
Operations
Surface Map
and Height
Trigger Map

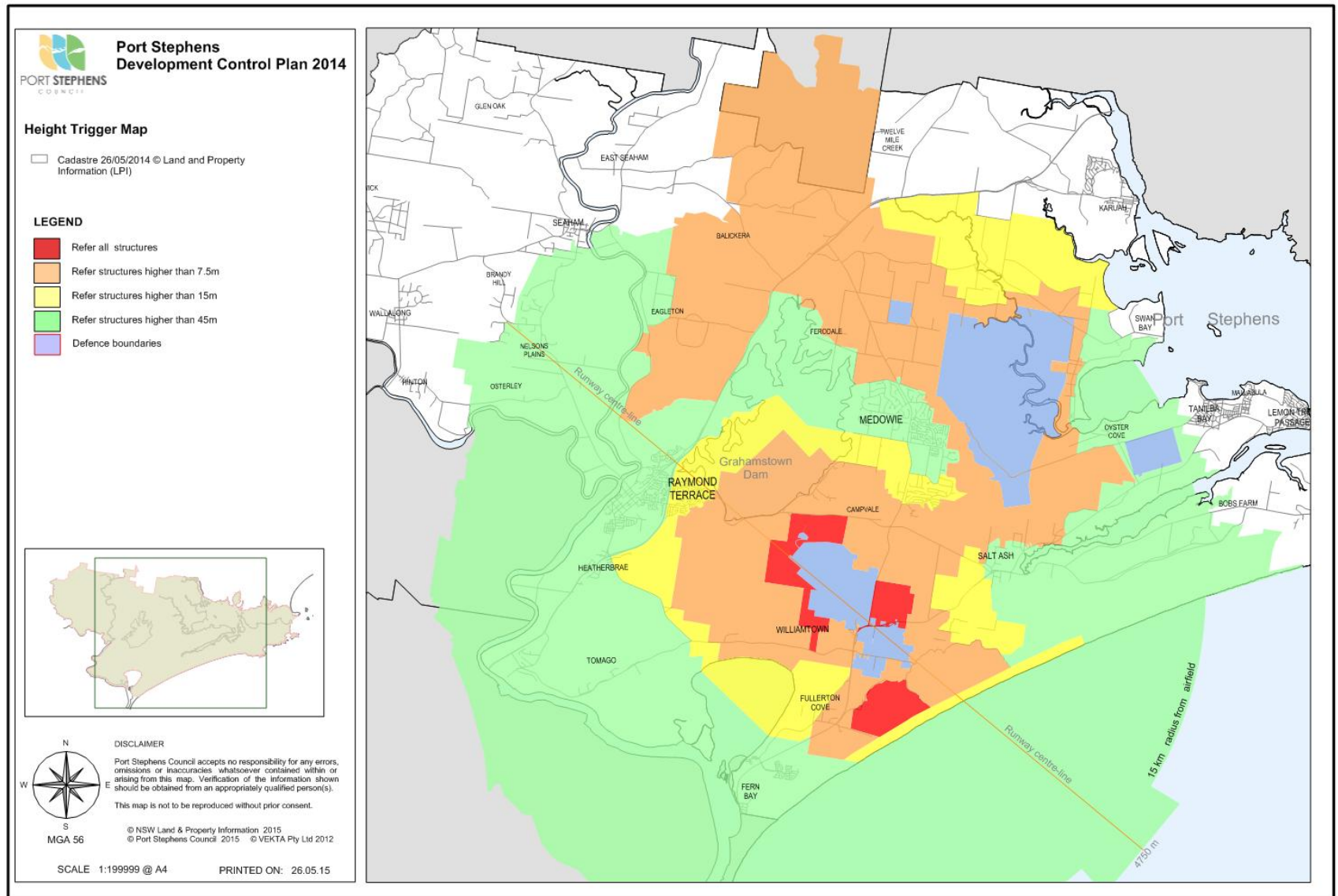


Figure BP:
Extraneous
Lighting Map 1

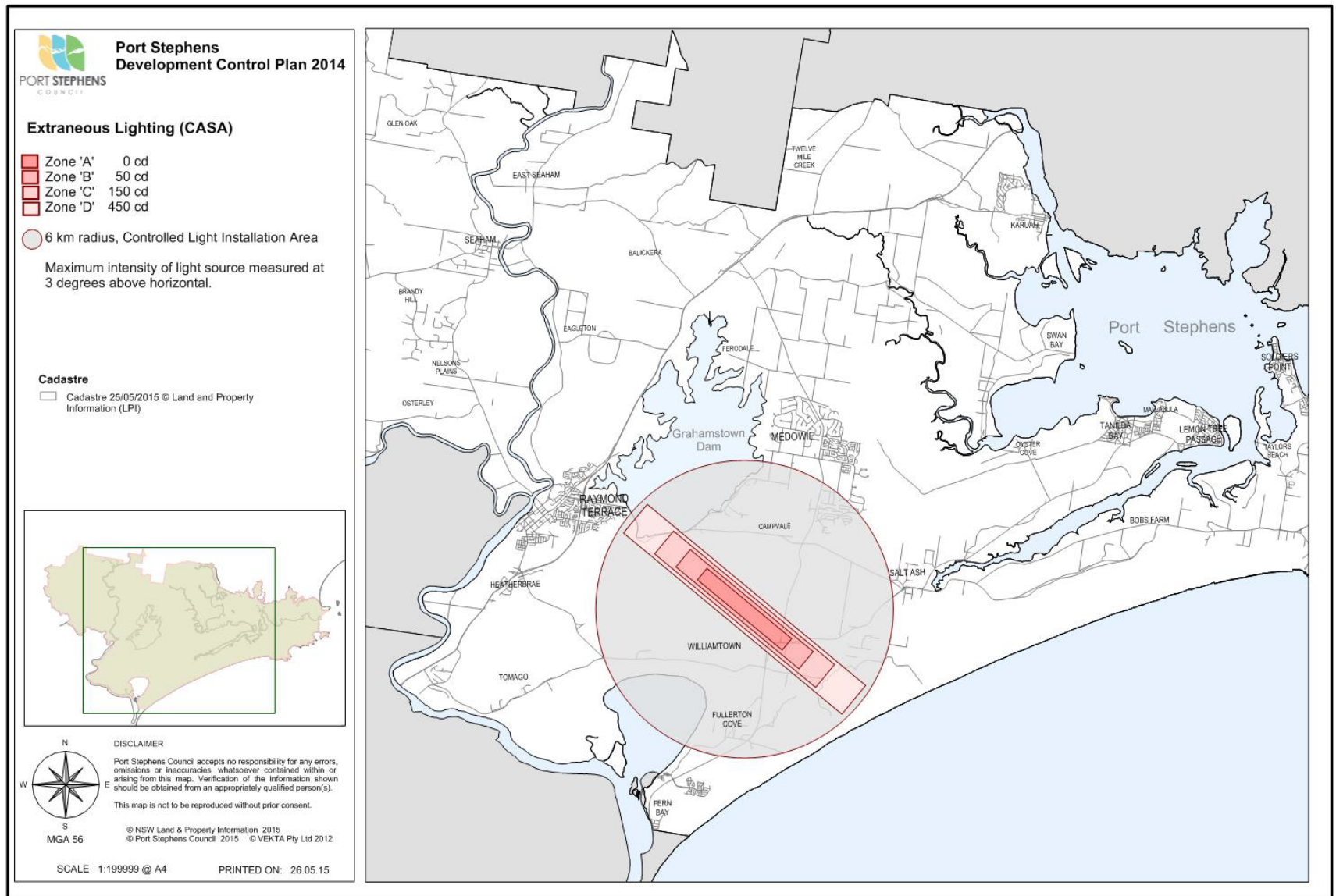
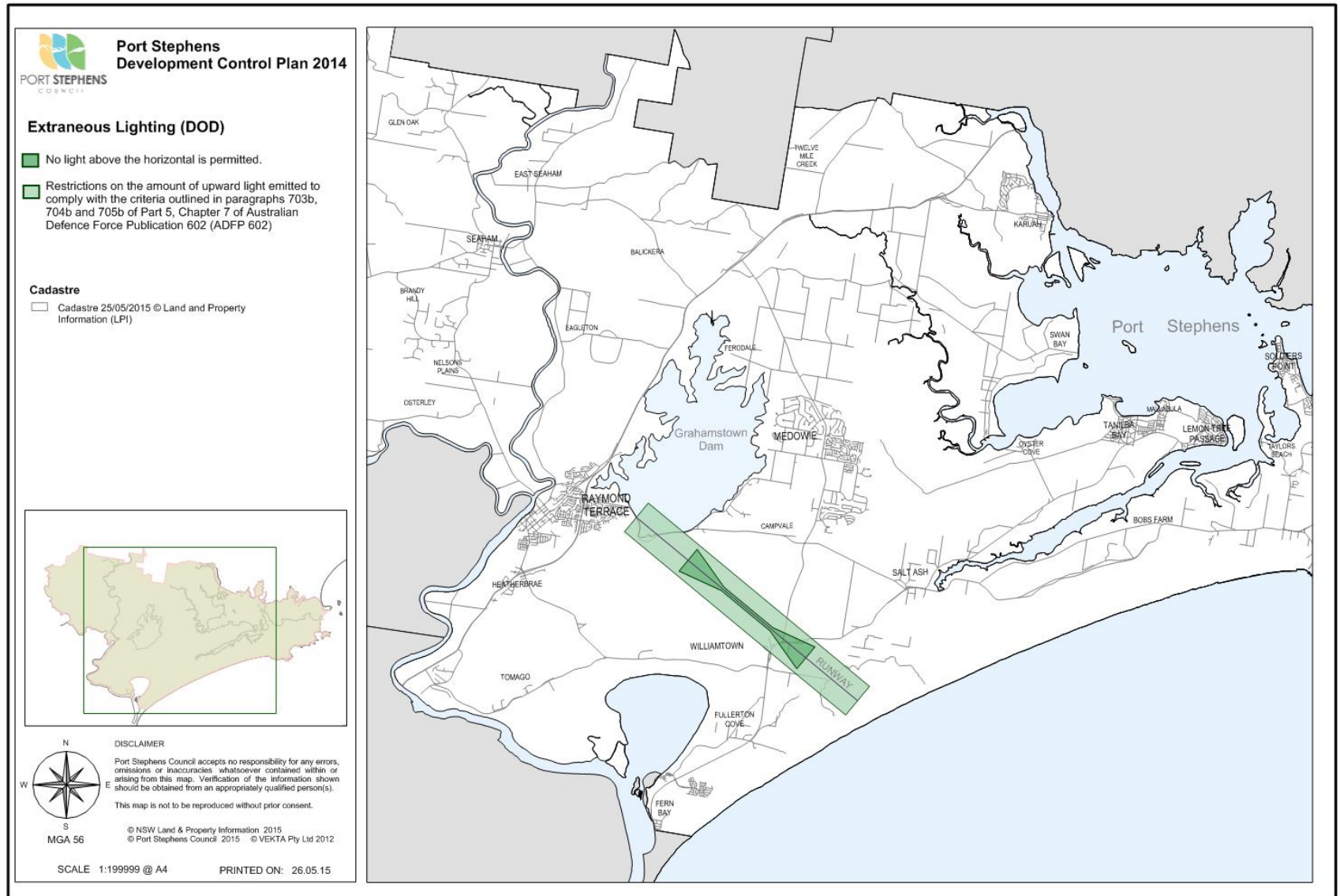


Figure BQ:
Extraneous
Lighting Map



E1 Glossary

1% Annual Exceedance Probability (AEP) means the 1% flood, since its **Annual Exceedance Probability** is 1%, or as having a return period of 100 years. This term is also commonly referred to as the 100-year flood

1st, 2nd & 3rd order water courses means a watercourse order as classified under the Strahler System of ordering watercourses. They can be determined by the width of the Core Riparian Zone (**CRZ**) as follows:

Water course description	CRZ width
Any first order watercourse where there is a defined channel where water flows intermittently	10m
Any permanently flowing first order watercourse or any second order watercourse where there is a defined channel where water flows intermittently or permanently	20m
Any third order or greater watercourse and where there is a defined channel where water flows intermittently or permanently. Includes estuaries, wetland and any parts of rivers influenced by tidal waters	20-40m

2025 ANEF means the area of land subject to aircraft noise related **development** controls. It comprises all properties that are wholly or partly within the **ANEF 20** contour on the RAAF Base Williamtown & Salt Ash Weapons Range 2025 Australian Noise Exposure Forecast Map and includes land that is within **ANEF** contours of 20 and greater.

Aboriginal Heritage Impact Permit (AHIP) means the statutory instrument that the NSW Office of Environment and Heritage issues under section 90 of the *National Parks and Wildlife Act 1974* to manage harm or potential harm to Aboriginal objects and places

arborist report means a technical report prepared by a **qualified arborist** that adequately assesses the health of a tree or other vegetation

access audit means an audit to establish how well a building performs in relation to access and ease of use by a wide range of potential users, including people with physical mobility and sensory impairments

access boundary means the boundary from which formal access to the site is achieved

Acid Sulfate Soils (ASS) means naturally occurring sediments and soils containing iron sulfides (principally pyrite) and their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulfuric acid (for example, by drainage or excavation)

Note: **acid sulfate soils** has the same meaning under the **PSLEP 2013**

acid sulfate soil management plan means a management plan prepared in accordance with the **NSW ASS Manual**

acoustic report means a report carried out to detail the noise or vibration intrusion related to aircraft, railway, restaurants, childcare centres, industrial buildings and the like

active street frontage means a building for which all premises on the ground floor:

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.

No	Part	This Part applies to development that:	Page	Tick
Section B General Provisions				
B1	Tree Management	<ul style="list-style-type: none"> is to remove or prune trees or other vegetation within non-rural areas 	B-15	
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B10	Social Impact	<ul style="list-style-type: none"> is deemed to have a significant social impact 	B-60	
Section C Development Types				
C1	Subdivision	<ul style="list-style-type: none"> is defined as subdivision 	C-62	
C2	Commercial	<ul style="list-style-type: none"> is defined as commercial premises 	C-67	