



Minor Commercial Developments

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The following template is to be used for minor developments, including: home business, commercial and industrial business. Additional specialist assessments, reports and plans may be required to be submitted, where indicated.

PART A

PROPERTY DETAILS

Unit/Street Numbers	Street Name	Suburb	Postcode	Lot Number	DP/SP

PART B

PROPOSED DEVELOPMENT AND SITE PARTICULARS

Proposed development

Describe the development, including details such as whether new buildings are proposed, whether the development will use whole or part of the building(s)/property, physical features of the building, nature/general use of the buildings, materials and colour scheme, signage, etc).

Subject site and adjoining properties

Describe the subject site including details including the total site area in m², and physical features, such as slope, vegetation, existing services and existing structures. Also describe the use and development on adjoining properties.

Site history

Detail the existing and historic uses of the site, including existing structures and activities

Note: Where potentially contaminating activities have occurred, a contamination assessment should be provided in support of your application.

Operational and management details

Please note the following if the proposed development includes a home or commercial business, including: staff numbers, client numbers, hours of operation, car parking spaces, types of vehicles, deliveries, waste management, etc.

State Environmental Planning Policies (SEPPs)

List any State Environmental Planning Policies (SEPPs) applicable to your proposed development and provide details demonstrating compliance with the associated provisions of the relevant SEPP(s).

Note: The regularly applicable SEPP(s) have been included in the table below, amend where necessary.

Applicable SEPP	Comments
State Environmental Planning Policy (Coastal Management) 2018	
State Environmental Planning Policy No 55 – Remediation of Land <u>Note:</u> Provide details of any potential contaminating activities that have previously occurred on the site.	
State Environmental Planning Policy No 44 – Koala Habitat Protection <u>Note:</u> Provide details of any koala feed trees to be removed. If removal is required an Ecological Assessment Report shall be submitted with your application.	
<p>[INSERT ADDITIONAL SEPPs HERE]</p>	

SEPP No 64 – Advertising and Signage

Part 3 – Advertisements

Note: Part 3 of the SEPP applies to advertising unless it is for the following: business identification signage, building identification signage or vehicle signage.

Schedule 1 – Assessment Criteria

1. Character of the area

Is the proposal consistent with the existing character and theme of advertising in the area?

2. Special Areas

Does the proposal detract from the visual amenity or visual quality of surrounding areas?

3. Views and Vistas

Does the proposal obscure important views? Does the signage respect viewing rights of other advertisers?

4. Streetscape, setting or landscape

Does the signage contribute to the visual landscape of the area, being proportionate in scale and form to the existing streetscape, setting or landscape?

5. Site and building

Is the proposal compatible with existing buildings on and surrounding the site, whilst respecting the existing important features of these buildings? Does the proposal show innovation and imagination in its relationship to the building or site.

6. Associated devices

Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?

<p>7. Illumination Would illumination result in unacceptable glare, affect safety of pedestrians, vehicles or aircraft, detract from the amenity of surrounding residential or accommodation? Will the illumination be subject to a curfew, and be able to be adjusted where necessary?</p>	
<p>8. Safety Would the proposal reduce safety for any public road, pedestrians or bicyclists? Or obscure sightlines from public areas?</p>	

Port Stephens Local Environmental Plan

List the provisions of the Port Stephens Local Environmental Plan (LEP) applicable to your proposed development and provide details demonstrating compliance.

Note: The regularly applicable LEP provisions have been included in the table below, amend where necessary to ensure all relevant provisions applicable to the proposed development have been addressed.

Applicable LEP provision	Comments
<p>2.1 Land use zones <u>Note:</u> Detailed assessment against the zone objectives is required.</p>	
<p>4.1 Minimum lot size <u>Note:</u> This clause applies to application for the subdivision of land or boundary realignment.</p>	
<p>4.3 Height of Buildings <u>Note:</u> If the structure is two storeys or greater, or has the potential to overshadow neighbouring properties, shadow diagrams will need to be submitted.</p>	
<p>4.6 Exceptions to development standards</p>	<p><u>Note:</u> The standard Clause 4.6 variation request form must be completed and submitted with the proposed development application.</p>
<p>5.4 Controls relating to miscellaneous permissible uses <u>Note:</u> Clause 5.4 provides provisions relating to home business and industry, bed & breakfast accommodation, industrial retail outlets, farm stay accommodation, kiosks, neighbourhood shops and supermarkets, roadside stalls, Artisan food and drink industry.</p>	

<p>7.1 Acid sulfate soils <u>Note:</u> Provide details of acid sulfate soil class and details of any proposed excavation.</p>	
<p>7.2 Earthworks <u>Note:</u> A detailed cut and fill plan must be submitted with the proposed development application</p>	
<p>7.3 Flood planning <u>Note:</u> Is your land categorised as flood prone land? If yes, consult Council's Flooding Engineer to discuss development proposal, prior to submitting development application.</p>	
<p>7.6 Essential services <u>Note:</u> Adequate supply of water, electricity, sewage management, stormwater drainage and suitable vehicle access must be available.</p>	
<p>7.14 Maximum gross floor area for retail premises in Zone B4</p>	
<p>[INSERT ADDITIONAL CLAUSES HERE]</p>	

Other relevant legislation

List the other relevant legislation applicable to your proposed development (i.e. Rural Fires Act 1997, Water Management Act 2000 etc.) and provide an assessment against the relevant requirements.

Note: The regularly applicable provisions have been included in the table below, amend where necessary.

<p>Bushfire – Rural Fires Act 1997 <u>Note:</u> Is your land categorised as bushfire prone land? If yes, the development will need to be accompanied by a bushfire report demonstrating compliance with the Planning for Bushfire Protection 2006.</p>	
<p>[INSERT ADDITIONAL PROVISIONS HERE]</p>	

Port Stephens Development Control Plan (DCP)

List the provisions of the Port Stephens Development Control Plan (DCP) applicable to your proposed development and provide details demonstrating compliance. Should an objective or requirement not be met, justification and an alternative solution should be provided.

Chapter B – General provisions	
<u>Note:</u> The regularly applicable controls have been included in the table below, amend where necessary.	
Provision	Compliance and comment
B1 – Tree Management <u>Note:</u> Vegetation to be removed must be identified on the submitted plans (i.e. site plan, landscape plan, vegetation removal plan).	
B2 – Natural Resources <u>Note:</u> If the land is identified as containing critical habitat, threatened species, populations or ecological communities, an Ecological Assessment Report shall be submitted with your application.	
B3 – Environmental Management <u>Note:</u> Earthworks, acid sulfate soils and pollution must be addressed.	
B4 – Drainage and Water Quality <u>Note:</u> A stormwater drainage plan must be submitted with your application.	
B5 – Flood Prone Land <u>Note:</u> If your land is flood prone, a flood certificate should be obtained from Council and submitted with your development application.	
B9 – Car parking <u>Note:</u> Provide details of how many on-site car parking spaces will be provided. Provide details demonstrating adequate vehicle manoeuvring.	
[INSERT ADDITIONAL PROVISIONS HERE]	

Chapter C – Development types

Note: The regularly applicable controls have been included in the table below, amend where necessary.

Provision	Compliance and comment
C1 – Subdivision	
C2 – Commercial	Building Height:
	Site frontage and setbacks:
	Building Form and massing:
	Facades, awnings and building entries:
	Facilities and services:
	Landscaping:
C3 – Industrial	Building Height:
	Building siting and design:
	Shipping Container Stacks:

	Fencing:
	Facades and articulation:
	Landscaping:
C8 – Signage	

Chapter D – Specific areas	
Provision	Compliance and comment
[INSERT CHAPTER HERE]	

YOUR PRIVACY

Port Stephens Council is committed to protecting your privacy. We take reasonable steps to comply with relevant legislation and Council policy.

Purpose: The purpose of this form is address the documentation and lodgement requirements of the Environmental Planning and Assessment Act 1979 and Regulations 2000.

Intended recipients: Council employees, contractors and other third parties where appropriate.

Supply: Required to be provided for any development application under the Environmental Planning and Assessment Act 1979 and Regulations 2000.

Consequence of Non Provision: Council may not take action on the development application or reject the application.

Storage and security: This document will be placed on the relevant file and/or saved in Council's records management system in accordance with Council policy and relevant legislation.

Access: Please contact Council on 02 4988 0255 to enquire how you can access information.