

# Minor Commercial Developments

## Statement of Environmental Effects template

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The Statement of Environmental Effects 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. Council's Development Application Supporting Handbook (DASH) sets out the information that is required to accompany a development application.

### 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, and if 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 the total site area in m<sup>2</sup>. Provide details of 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 Preliminary Site Investigation should be provided in support of your application.

### Operational and management details

Note if the following 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
<b>SEPP (Resilience and Hazards) 2021 Chapter 2 Coastal Management</b>	
<b>SEPP (Resilience and Hazards) 2021 Chapter 4 Remediation of land</b> <u>Note:</u> Provide details of any potential contaminating activities that have previously occurred on the site.	
<b>SEPP (Biodiversity and Conservation) 2021</b> <u>Note:</u> Provide details of the site's ecological values (koala feed trees, threatened species habitat, important habitat features, e.g. hollow bearing trees). If removal is required, an Ecological Impact Assessment is to be submitted with your application.	
[INSERT ADDITIONAL SEPPs HERE]	

SEPP (Industry and Employment) 2021	Comments
<b>Chapter 3 Advertising and Signage</b>	
<b>Schedule 5 – Assessment Criteria</b>	<b>Comments</b>
<b>1. Character of the area</b> Is the proposal consistent with the existing character and theme of advertising in the area?	
<b>2. Special Areas</b> Does the proposal detract from the visual amenity or visual quality of surrounding areas?	
<b>3. Views and Vistas</b> Does the proposal obscure important views? Does the signage respect viewing rights of other advertisers?	
<b>4. Streetscape, setting or landscape</b> Does the signage contribute to the visual landscape of the area, being proportionate in scale and form to the existing streetscape, setting or landscape?	
<b>5. Site and building</b> 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?	
<b>6. Associated devices</b> 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?	

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

## 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
<b>2.1 Land use zones</b> <u>Note:</u> Detailed assessment against the zone objectives is required.	
<b>4.1 Minimum lot size</b> <u>Note:</u> This clause applies to application for the subdivision of land or boundary realignment.	
<b>4.3 Height of Buildings</b> <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.	
<b>4.6 Exceptions to development standards</b> <u>Note:</u> A Clause 4.6 variation request letter must be completed and submitted with the proposed development application.	
<b>5.4 Controls relating to miscellaneous permissible uses</b> <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.	

<b>7.1 Acid sulfate soils</b> <u>Note:</u> Provide details of acid sulfate soil class and details of any proposed excavation.	
<b>7.2 Earthworks</b> <u>Note:</u> A detailed cut and fill plan must be submitted with the proposed development application	
<b>7.6 Essential services</b> <u>Note:</u> Adequate supply of water, electricity, sewage management, stormwater drainage and suitable vehicle access must be available.	
<b>7.14 Maximum gross floor area for retail premises in Zone MU1</b>	
<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).

<b>Bushfire – Rural Fires Act 1997</b> <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 2019.	
<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
<b>B2 – Natural Environment</b> <u>Note:</u> If the land is identified as containing critical habitat, threatened species, populations or ecological communities, an Ecological Impact Assessment is to be submitted with your application.	
<b>B3 – Stormwater Management</b> <u>Note:</u> A stormwater drainage plan must be submitted with your application.	
<b>B4- Flooding</b> <u>Note:</u> Refer to <u>Council's online mapping portal</u> to determine if your land is flood prone, and obtain a flood certificate from Council for more information on your site.	
<b>B5- Road Network and Parking</b> <u>Note:</u> Provide details of how many on-site car parking spaces will be provided. Provide further information demonstrating adequate vehicle manoeuvring.	
<b>B6 – Aircraft Noise and Safety</b> <u>Note:</u> Development needs to take aircraft noise and safety into consideration. Refer to Council's online mapping portal to identify the location of your site.	
<b>B7 – Heritage</b> <u>Note:</u> Refer to 'Heritage Reports' and 'Aboriginal Heritage Assessment' if your site is within a heritage conservation area or identified as containing a heritage item.	

## Chapter C – Development types

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

Provision	Compliance and comment
<b>C1 – Subdivision</b>	
<b>C2 – Commercial</b>	Building height:
	Site frontage and setbacks:
	Building Form and massing:
	Facades, awnings and building entries:
	Facilities and services:
	Landscaping:
<b>C3 – Industrial</b>	Building Height:
	Building siting and design:



	Shipping Container Stacks:
	Fencing:
	Facades and articulation:
	Landscaping:
<b>C7 – Signage</b>	

### Chapter D – Specific areas

Note: Only required if your site falls within one of the specific areas referred to in Chapter D of the Port Stephens DCP.

Provision	Compliance and comment
[INSERT CHAPTER HERE]	

**Other comments (where applicable):**

## YOUR PRIVACY

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

**Purpose:** The purpose of this form is to address the documentation and lodgement requirements of the Environmental Planning and Assessment Act 1979 and Regulations 2021.

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

**Supply:** This document is required to be provided with any development application under the Environmental Planning and Assessment Act 1979 and Regulations 2021.

**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:** Only the intended recipients will have access to your personal information. If you are seeking to access your personal information from Council, please contact the Privacy Officer on 4988 0255.