



PORT STEPHENS
COUNCIL

Port Stephens Development Control Plan 2025



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C

Development Types

C1 Subdivision

Application

This chapter applies to development that is defined as subdivision.

Chapter Summary

- This chapter sets out controls to inform the design of new subdivisions for residential, commercial and industrial development.

NOTE: Infrastructure must comply with Council's Infrastructure Specifications.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C1.A Lot size and dimensions

The LEP provides information about minimum lot sizes for subdivision that apply in Port Stephens.

Objective

To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.

Controls

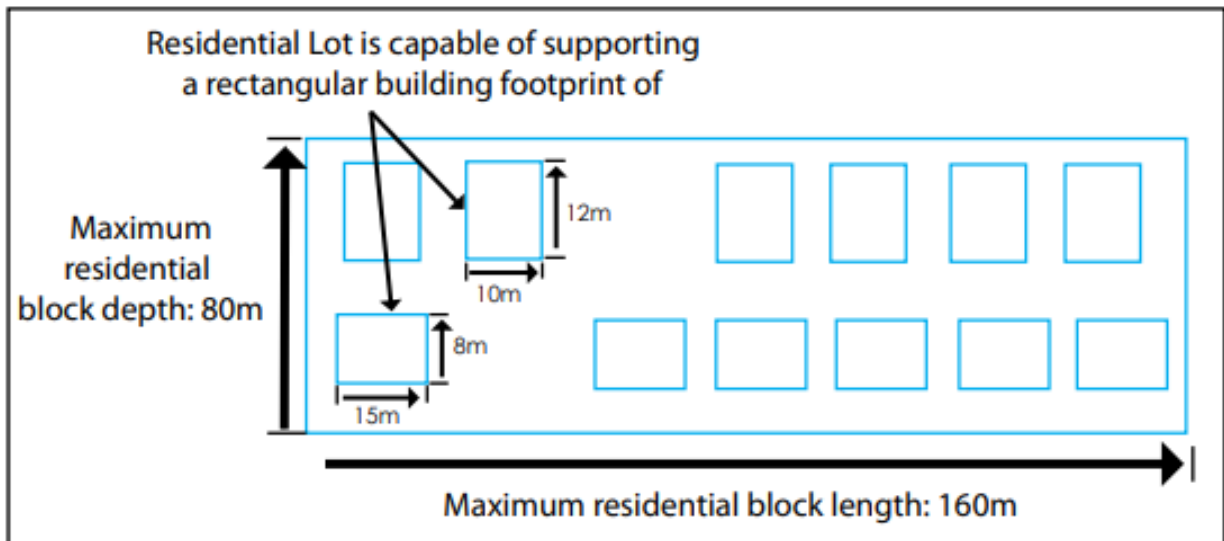
C1.1 Residential subdivision block layouts should be capable of supporting lots that can fit a rectangular building footprint of 15m x 8m or 10m x 12m, as illustrated by Figure 30: Residential block dimensions and rectangular building footprint, below.

C1.2 Splay corners are provided for corner lots and must be a minimum of:

- 4m x 4m for residential zones
- 8m x 8m for commercial and industrial zones
- 6m x 6m or merit-based approach for other zones

C1.3 All lots in the subdivision must have direct street frontage. Battle-axe lots are only considered when there is no practical way to provide direct street frontage.

Figure 30: Residential block dimensions and rectangular building footprint



C1.4 Where subdivision requires an access handle, the following access handle requirements apply:

- Dwelling house and dual occupancy (residential zone):
 - Minimum entry width of 3.6m; and
 - Maximum length of 30m; and
 - Maximum of 3 Torrens Title lots.
- Multi dwelling housing and residential flat buildings:
 - Minimum entry width of 6m; and
 - Maximum length of 50m.
- Commercial and industrial developments:
 - Minimum entry width of 10m; and
 - Maximum of 3 Torrens Title lots.
- Rural subdivision:
 - Minimum entry width of 6.5m for a 2-lot subdivision; or
 - Minimum entry width of 10m for a 3-lot subdivision.

Where subdivisions require an access handle and/or right of carriageway, it must be constructed prior to the issuing of a subdivision certificate.

C1.B Block and street layout

Objectives

- To ensure local streets are well-connected to the street network with obvious pedestrian and cycle links to higher order streets.
- To ensure priority is provided to residents' needs when designing local streets to encourage usability.
- To ensure pathways follow desire lines.

Controls

C1.5 Block dimensions should be:

- Residential development (refer to Figure 30, above):
 - a maximum depth of 80m
 - a maximum length of 160m
- Commercial development:
 - A maximum depth of 50m
 - A maximum length of 80m
- Industrial development:
 - A maximum depth of 120m
 - A maximum length of 200m

C1.6 The street layout should:

- Comply with the road network specifications and integrate all components of the required infrastructure in Council's Infrastructure Specification.
- Provide a perimeter road between residential dwellings and:
 - bushfire prone land,
 - public open space defined as a regional park, district park or local park.
- Respond to the topographical features of the site, such as:
 - where land slopes at a grade of 6% or more, the predominant street alignment is perpendicular to the contours
 - be gently curved or straight to frame vistas.
- Be interconnected to provide a grid-like structure.
- Be informed by street connections for future subdivisions on adjacent properties.
- Enable each lot to front a street, and for corner lots to front both streets.
- Have footpaths and shared paths that follow desire lines.
- Ensure public access to public open space is maintained and encouraged.
- Include road widths that accommodate the movements of service and emergency vehicles.

C1.7 Development should be designed to have consideration for the Port Stephens Pathways Plan.

C1.8 Cul-de-sacs will only be supported when the existing street layout does not permit a through street or connectivity to an adjoining street is not required.

Where cul-de-sacs are proposed, each cul-de-sac must meet the following requirements:

- Have a maximum length of 75m; and
- Provides access to no more than 10 allotments; and
- Have a clear line of sight from the nearest intersection.

C1.C Infrastructure

Objective

To ensure detailed consideration is provided for the provision of integrated and quality public infrastructure.

Controls

C1.9 Subdivisions must provide public infrastructure within the adjoining road or public land, including kerb/gutter, stormwater drainage, footpaths, street lighting, street trees and bus stops.

C1.10 Public utilities, such as water and electricity, are kept within private lot boundaries and are not located within the road reserve.

Note:

- Infrastructure should comply with the Port Stephens Council Infrastructure Specification. The DASH provides detailed information on requirements.
- Lifecycle and maintenance costs are a key determinant when considering alternative methods, products and manufacturers in Council's Infrastructure Specification.

C1.D Street trees

Objective

To ensure street tree planting is of an appropriate species and undertaken in accordance with Council's Biodiversity Technical Specification.

Controls

C1.11 Street trees are required to be planted in the road reserve for:

- residential subdivisions
- commercial subdivisions
- industrial subdivisions creating 10 or more lots.

Note: Council's Biodiversity Technical Specification provides guidance on the number of trees to be provided.

Avoidance of street tree removal during development is preferred, however, where street trees are required to be removed to facilitate new development, they must be replaced in a practical location, in accordance with Council's Biodiversity Technical Specification.

C1.E Solar access

Objective

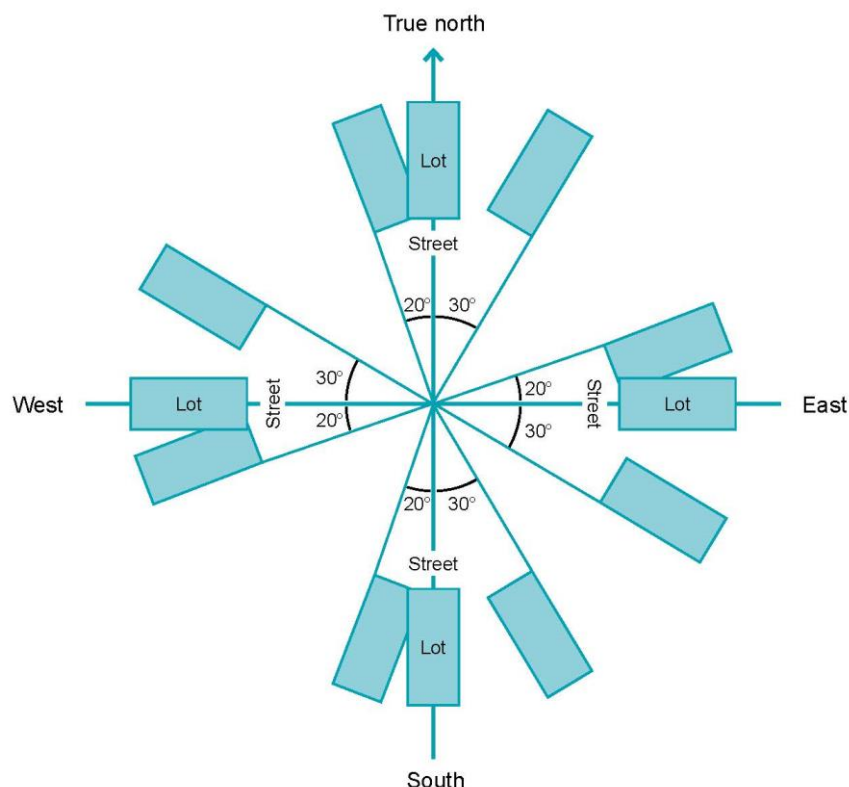
To maximise solar access for residential lots.

Controls

C1.12 Subdivision layout should be informed by topography and landform to maximize solar access.

C1.13 Lots should be oriented, where possible, to provide one axis within 30 degrees east and 20 degrees west of true solar north, as shown in Figure 31.

Figure 31: Lot orientation for solar access



C1.14 Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side.

C1.F Public open space

Objectives

- To ensure public open space is provided to support the growing local community.
- To provide public open space that is multi-functional and encourages usability.
- To ensure parks are centrally located near transport nodes, public buildings, waterfronts, libraries or places of public worship.

Controls

C1. 15 Public open space for the purpose of a local park, district park or regional park must:

- be of regular shape (rectangle/square) to maximise recreation opportunities;

Note: Long narrow open spaces are not acceptable unless used for linkages.

- be generally flat and centrally located near transport nodes, public buildings, waterfronts, libraries or places of public worship to maximise accessibility for all members of the public;
- provide for safe and convenient access by being located on pedestrian and cycle routes;
- clearly demonstrate that it is a public space and be bounded by a street and faced by lots zoned or used for residential or commercial purposes;
- be designed with consideration to crime prevention through environmental design (CPTED) principles; and
- include access for services (e.g. garbage collection, maintenance, water, sewerage and electricity).

Note:

- The requirement to provide public open space is determined through a merit-based assessment that considers existing facilities, population and proximity to facilities.
- Land that may be deemed unsuitable as public open space for the purposes of a local park, district park or regional park includes:
 - contaminated land;
 - land primarily used for stormwater management or drainage control purposes;
 - land containing sites or items of cultural significance; or
 - land identified as an asset protection zone (APZ).

C2 Commercial

Application

This chapter applies to commercial development.

Chapter Summary

- This chapter provides controls for commercial development to ensure it complements existing development, contributes to an active street frontage and has a positive impact on the public domain.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C2.A Building form and massing

Objectives

- To ensure that floor to ceiling height allows for flexible uses over time.
- To ensure development reinforces, complements and enhances the visual character of the street.

Controls

C2.1 Minimum ground floor to ceiling height for all new development within an employment zone is 3.5m.

C2.2 Minimum first floor and above floor to ceiling height for commercial premises is 3m.

C2.3 Minimum first floor and above floor to ceiling height for residential accommodation is 2.7m.

C2.4 Ground level (finished) must be between 100-500mm above adjacent footpath levels.

C2.B Site frontage and setbacks

Objective

To ensure development provides a consistent frontage to the public domain.

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

Controls

C2.5 A minimum 20m site frontage is required where development is proposed to be more than 10.5m in height.

C2.6 Development within established areas is to have a front setback built to the existing average building line of the adjoining properties.

C2.7 Development adjoining vacant properties is to have a minimum 3m front setback.

C2.8 Specialised retail premises, and other large format retail such as supermarkets, are to have a minimum 5m front setback or be in line with the existing average building line.

C2.9 Development is to have a minimum 3.5m front setback for the second floor and above.

C2.10 Side setbacks are to be consistent with the adjoining properties. Where there is an existing 0m side setback, development should be built to the side boundary to maximise continuous active street frontage, except where side access is provided.

C2.11 Development adjacent to a lot that is zoned or used for residential purposes or a public reserve is to provide a minimum rear setback of 5m, plus an additional 0.5m for each metre of the height of the building that exceeds 8m.

C2.12 Rear setback is to be assessed using a merit-based approach where the development does not adjoin a residential zone or land used for residential purposes.

C2.C Streetscape

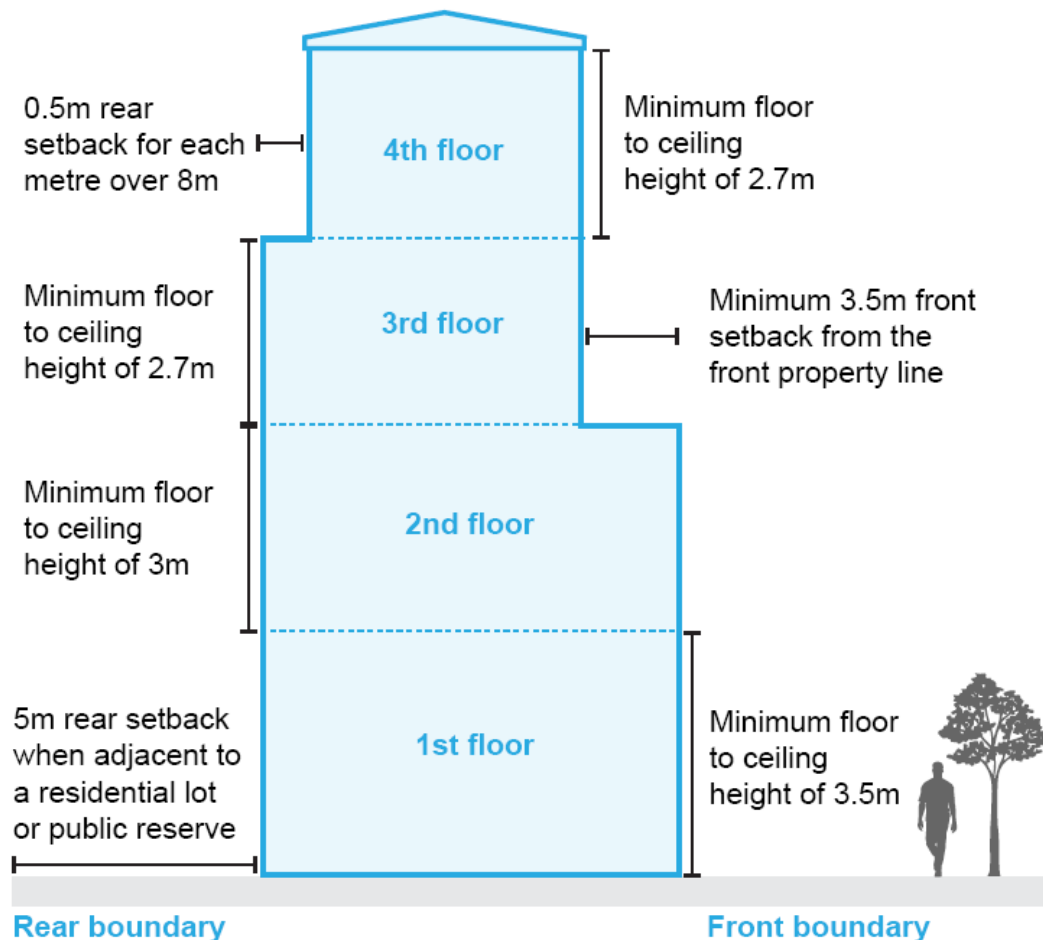
Objectives

- To ensure street activation and passive surveillance through active street frontages.
- To provide clear access and direction to entry points.
- To ensure continuous awnings along footpaths to provide shelter where most pedestrian activity occurs.
- To ensure awning design is integrated with the building facade and integrated with adjoining buildings.

Controls

C2.13 Building facades use materials, colours and architectural elements to reduce bulk and scale and that are complementary to existing built-form and natural setting.

Figure 32: Commercial building envelope



C2.14 Development provides a continuous active street frontage for localities where business premises or retail premises predominately face the street and have direct pedestrian access from the street, which may be identified in Section D Specific Areas.

C2.15 An active street frontage provides the following:

- Maximum unarticulated wall is 2m in length.
- Minimum 50% of ground floor front is windows, which does not include false windows.

C2.16 A big box development may achieve an active street frontage by providing a sleeve of smaller buildings that conceal its bulk to the street frontage.

C2.17 Blank walls are minimised by incorporating an opening or change in façade articulation. This could include a combination of a change in materials, setback variation, architectural details or landscaping.

C2.18 Development incorporates CPTED principles by providing passive surveillance to public spaces through building design and orientation.

C2.19 Development provides paving to the public footpath for the entire length of the development street frontage.

C2.20 Provide a recognisable entry from the primary street.

C2.21 Entries on corner sites address both streets by providing a splayed entry on that corner.

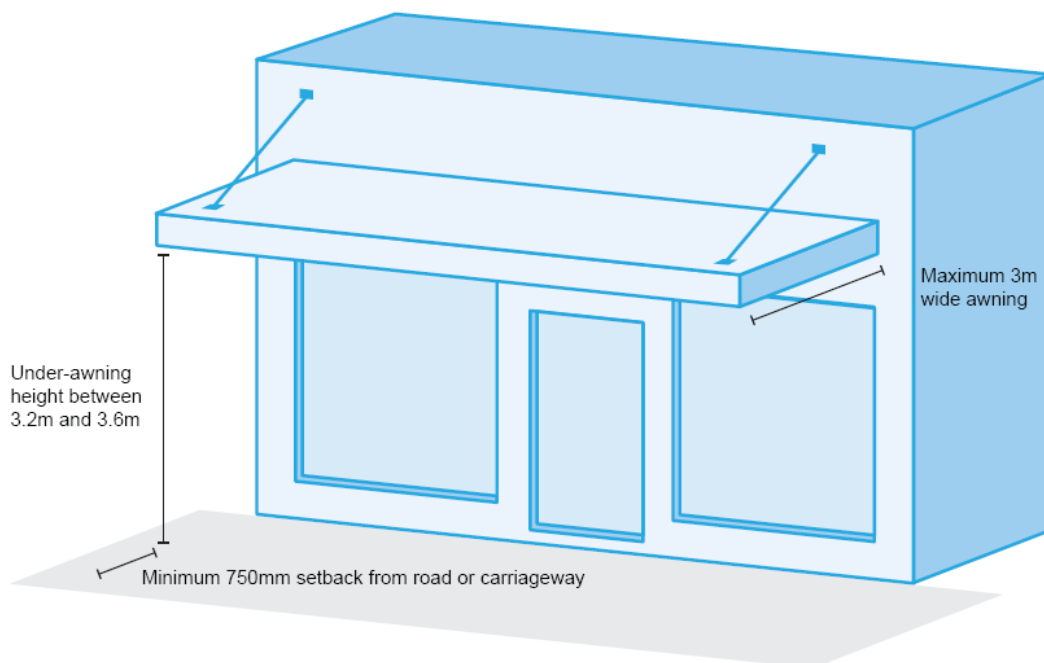
C2.22 A separate and secure access point that provides a clear sense of building address is provided for the residential component of mixed-use development.

C2.23 Entry structures, such as access ramps, are located within the site behind the property boundary so as not to obstruct pedestrian footpaths in the public domain.

C2.24 Awnings must be provided over pedestrian pathways.

C2.25 New awnings must maintain the same dimensions, alignment and materials of existing awnings along the street.

Figure 33: Commercial awning dimensions



C2.26 A continuous or stepped solid box awning should be provided for the full extent of the building frontage with awnings no more than 3m in width and setback 750mm from the curb, as shown in Figure 33, above.

C2.27 Under awning height will be between 3.2m and 3.6m.

C2.28 Awnings on sloping sites should be a cantilevered steel box section that steps with the street slope.

C2.29 Awnings are varied when there is a need to highlight the location of a major building entrance.

Waste and pollution management

The development is to minimise land use conflict and incorporate appropriate environmental mitigation measures to manage waste and minimise air, water and noise pollution. See the DASH for the information an application would need to include in relation to waste, air, water and noise pollution.

C2.D Building facilities and services

Objective

To appropriately locate building facilities and services so that they do not adversely impact on the public domain.

Controls

C2.30 Plant, equipment, storage areas, communication structures and servicing areas are located at the rear of a building and not visible from the street, parks and other public spaces, except for service lanes.

C2.31 Commercial development with a capital investment value over \$5 million will provide toilets that are accessible to the public.

C2.E Landscaping

Objectives

- To enhance the appearance and amenity of development through the retention and/or planting of large and medium sized trees.
- To encourage landscaping between buildings for screening.
- To ensure landscaped areas are consolidated and maintainable spaces.

- To improve the aesthetics of commercial areas, especially major commercial road corridors, through landscape works and co-ordination of architectural and signage elements.
- To reduce hydrocarbon emissions by providing shading for parked vehicles.
- To reduce energy consumption through microclimate regulation.
- To reduce air borne pollution by reducing the heat island effect.
- To intercept stormwater to reduce stormwater runoff.

Controls

C2.32 Landscaping is provided as follows:

- 10% of the site area consisting of deep soil planting; and
- 30% shading over car park areas.

Note: The canopy coverage of specimen trees can be used to calculate deep soil landscaping.

C2.33 Landscaping is in accordance with the following:

- Landscape works incorporate adequate screening from the street and adjacent neighbours.
- Corner lots provide landscaping to both street frontages.
- Tree and landscape planting will be of a scale and extent that reflects the scale of the proposed development.
- Structural soil and/or structural cells should be used to reduce competition between specimen trees and infrastructure.
- Street trees are to be within the footpath, verge or in the parking lane and be consistent with Council's Biodiversity Technical Specification.

C2.34 The rear setback area is to be a deep soil landscape planting area where the development adjoins a residential zone or land used for residential purposes.

C2.35 Landscape species are to be selected in accordance with Council's Landscape Technical Specification.

C2.F Public art

Objectives

- To ensure that features of the public domain contribute to the identity, character, safety, amenity and accessibility of the place.

- To enhance the sense of place through the provision of public art.
- To promote the inclusion and integration of public art that makes a positive contribution to the public domain.

Control

C2.36 Commercial development with a capital investment value over \$5 million that provides frontage to the public domain will incorporate public art in accordance with the Port Stephens Council Public Art Policy and Guidelines for the approval and installation of public art in Port Stephens.

Public art could include, but is not limited to murals, light installations, pavement art, etc.

C2.G Shipping container stacks

Objective

To ensure development that proposes the use of shipping containers does not impact upon the amenity of the area.

Controls

C2.37 The scale and height of shipping container stacks will have regard to the scale and height of nearby buildings.

C2.38 Shipping container stacks will be located at the rear of the site where possible, unless the rear of the site abuts a sensitive use.

C3 Industrial

Application

This chapter applies to development defined as industry and development within the E3 Productivity Support and E4 General Industrial zones.

Chapter Summary

- This chapter provides controls for industrial development to ensure it is safe, functional and environmentally responsible.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C3.A Building height and siting

Objectives

- To ensure the height of buildings is appropriate for the context and character of the area.
- To ensure building heights reflect the hierarchy of centres and land use structure.
- To ensure development is situated within an appropriate building envelope.

Controls

C3.1 Maximum height limit of 15m or a merit-based approach is taken where no height limit is specified under the LEP clause 4.3.

C3.2 Development is to be setback 5m from the front property line or in line with the existing average building line.

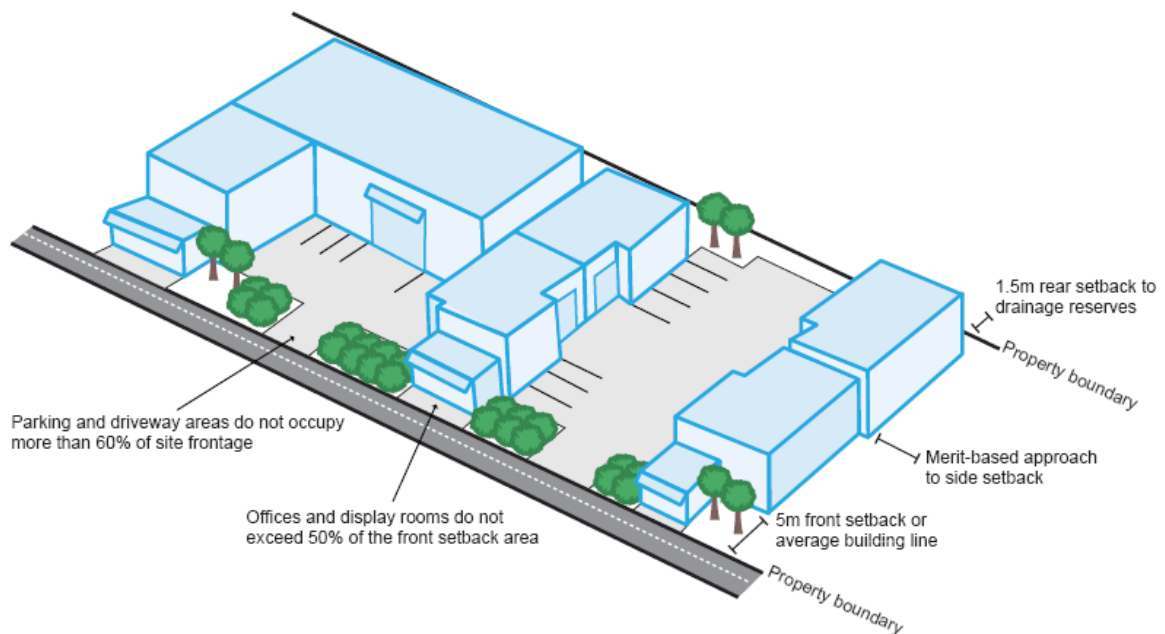
C3.3 Single storey offices and display rooms within the front setback must:

- not exceed 50% of the front setback area; and
- ensure sightlines are maintained for pedestrian and vehicle movement.

C3.4 Development adjacent to a lot that is zoned or used for residential purposes or a public reserve is to provide a minimum rear setback of 5m, plus an additional 0.5m for each metre of the height of the building that exceeds 8m.

C3.5 A 1.5m buffer from drainage reserves must be provided.

Figure 34: Industrial building principles



C3.B Streetscape

Objectives

- To promote enhanced amenity by requiring landscaping, and building design that contributes positively to the streetscape.
- To ensure weather protection is provided at building entrances.
- To reduce adverse impacts on surrounding land uses and residential amenity.

Controls

C3.6 Building colours and materials are sympathetic to the natural environment and existing site context.

C3.7 Weather protection awnings are provided for building entrances.

C3.8 The building access point provides a clear sense of building address for residents and their visitors.

C3.9 Offices, showrooms and customer service areas are located towards the front of the development.

C3.10 Parking and driveway areas do not occupy more than 60% of the site frontage.

C3.11 Buildings face the street and provide clear entry points.

C3.12 Blank walls are minimised by incorporating an opening or change in façade articulation. This could include a combination of a change in materials, setback variation, architectural details or landscaping.

C3.13 Development is to provide a positive contribution to the streetscape through building design and landscaping.

C3.14 Fencing forward of the building line is to be a maximum 1.8m high.

The development is to minimise land use conflict and operate under appropriate environmental mitigation measures to manage waste and minimise air, water and noise pollution. See the DASH for the information an application would need to include in relation to waste, air, water and noise pollution.

C3.C Landscaping

Objectives

- To enhance the appearance and amenity of developments through the retention and/or planting of large and medium sized trees.
- To encourage landscaping between buildings for screening.
- To ensure landscaped areas are consolidated and maintainable spaces that contribute to the open space structure of the area.
- To minimise the visual impact and noise pollution generated by development on nearby residential areas and road corridors.
- To use land efficiently and minimise disturbance to the local natural environment.
- To integrate existing landscape features and/or architecture into development.
- To reduce energy consumption through microclimate regulation.
- To reduce air borne pollution by reducing the heat island effect.
- To intercept stormwater to reduce stormwater runoff.

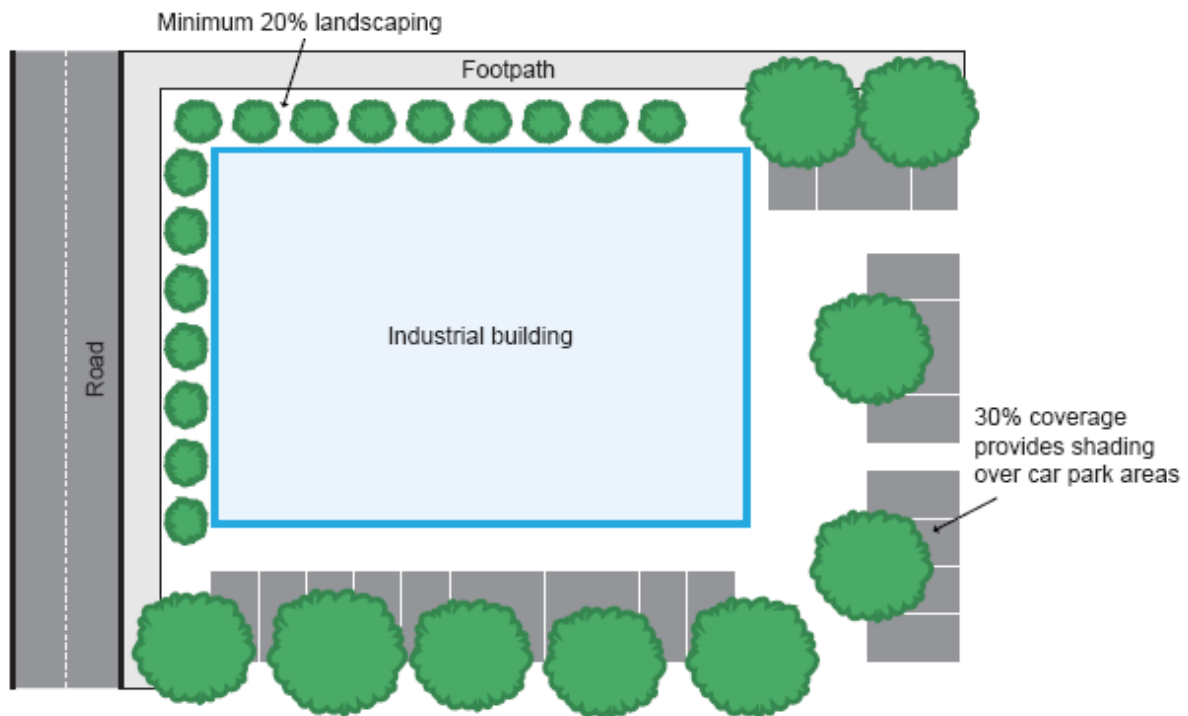
Controls

C3.15 Landscaping is provided as the following:

- 20% of the site area, of which
- 30% comprises of deep soil planting for shading over car park areas.

The canopy coverage of specimen trees can be used to calculate deep soil landscaping.

Figure 35: Landscape requirements for industrial development



C3.16 Landscaping is provided in accordance with the following:

- Landscaping should be provided in the front setback and incorporate adequate screening from the street and adjacent neighbours;
- Corner lots provide landscaping to both street frontages;
- Landscape planting must provide adequate shading to the eastern and western elevations of poorly insulated buildings.
- Tree and landscape planting shall be of a scale and extent that reflects the scale of the proposed buildings and pavement areas.
- Remnant trees are retained and protected where possible.
- Structural soil and/or structural cells should be used to reduce competition between specimen trees and infrastructure and give trees access to nutrient soil.
- Street trees are to be within the footpath, verge or in the parking lane and be consistent with Council's Biodiversity Technical Specification.

C3.17 Landscape species are to be selected in accordance with Council's Landscape Technical Specification.

C3.D Shipping container stacks

Objective

To ensure development that proposes the use of shipping containers does not impact upon the amenity of the area.

Controls

C3.18 The scale and height of shipping container stacks shall have regard to the scale and height of nearby buildings.

C3.19 Shipping container stacks shall be located at the rear of the site where possible, unless the rear of the site abuts a sensitive use.

C4 Residential Development

Application

This chapter applies to the following forms of residential and ancillary development:

- Attached dwellings
- Boarding houses
- Co-living housing
- Dual occupancies
- Dwelling houses
- Group homes
- Hostels
- Multi-dwelling housing
- Rural workers' dwellings
- Secondary dwellings
- Semi-detached dwellings
- Ancillary development, including carports, sheds retaining walls and swimming pools.

Development defined as residential flat building should refer to the *State Environmental Planning Policy (Housing) 2021* and the Apartment Design Guide.

Chapter Summary

This chapter provides general controls that apply to all residential development and ancillary development, excluding residential flat buildings:

C4.A Residential Development - General applies mostly to residential land zoned R2 Low Density Residential and R3 Medium Density Residential.

C4.B Residential Development – Housing on large lots applies to land zoned R5 Large Lot Residential, RU1 Primary Production or RU2 Rural Landscape, and for sites in any other zone greater than 1000m². These controls should be reviewed along with sub-chapter C4.A Residential Development - General.

C4.C Residential Development – Multi-dwelling housing applies to a maximum of 8-dwelling development proposals. These controls should be reviewed along with sub-chapter C4.A Residential Development - General.

Subject to the location of the site and the proposed development, this chapter should also be reviewed together with any relevant site-specific chapters in this DCP.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C4.A Residential Development - General

C4.A1 Building heights

Objectives

- To ensure the height of buildings is appropriate for the context and character of the area.
- To ensure building height reflects the hierarchy of centres and land uses.

Control

C4.1 A maximum height limit of 9m is permitted where no height limit is specified under the *Port Stephens Local Environmental Plan*.

C4.A2 Building setbacks

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for articulation in front facades.
- To ensure development is appropriately setback from the public domain.

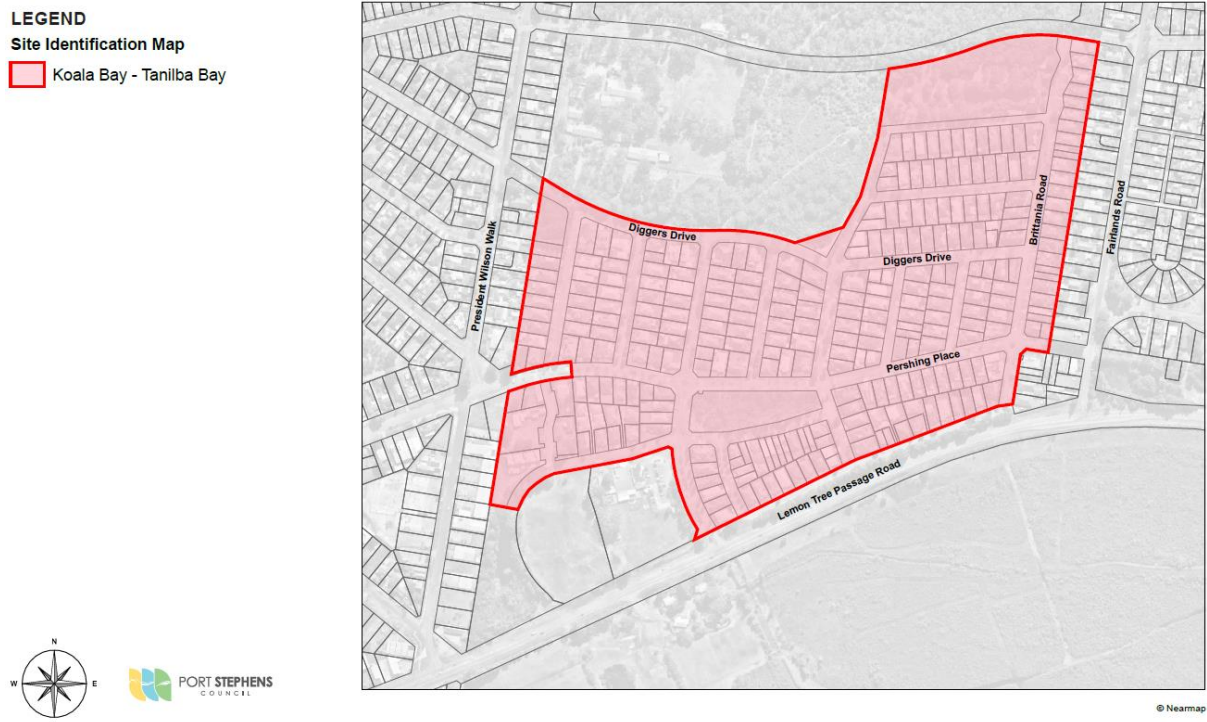
Controls

Development is to be setback in accordance with the following:

C4.2 Front setbacks:

- A minimum of 4.5m or the existing average building line of the adjoining properties (whichever is less).
Exception: Development in the Koala Bay – Tanilba Bay area (applies to land as shown in Figure 36, below) is to provide a minimum front setback of 6m to allow for Koala movement.
- Architectural features such as an entry porch or deck may encroach on the front setback by up to 1.5m.

Figure 36: Koala Bay – Tanilba Bay land application map



C4.3 Side setbacks:

- Single-storey: 0.9m (up to 4.5m)
- Two-storey: 1.5m (above 4.5m)
- Three-storey (or above): 3m

C4.4 Secondary setbacks:

- A minimum of 3m from the secondary property boundary.
- Architectural features, such as an entry porch or deck, may encroach on the side setback up to 1m.

C4.5 Rear setbacks:

- Single-storey: 2m (up to 4.5m)
- Second-storey: 4m (above 4.5m)
- Three-storey (or above): 6m

C4.6 Setbacks from public land, including waterfront land

- Single-storey: 3m (up to 4.5m)
- Two-storey: 5.5m (above 4.5m)
- Three-storey (or above): 8m

C4.7 A secondary dwelling may be set back a minimum of 0.9m from the rear property boundary.

C4.8 On battle-axe sites, a minimum setback of 0.9m must be provided from a battle-axe lot handle, access corridor or access easement.

Exception: Development on battle-axe sites with rear lane access may be built to the rear of the property boundary.

C4.9 Garages must be setback a minimum of 5.5m from the front boundary or located 1m behind the building line, whichever is greater.

C4.A3 Streetscape and privacy

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To ensure development provides passive surveillance and adequate visual privacy.

Controls

C4.10 Development is to address the street by having at least one habitable room, face the primary street.

C4.11 Development on corner lots is to address both street frontages by having habitable rooms face both streets.

C4.12 Dwellings should provide direct and legible pedestrian access from the street to the front entry.

C4.13 Balconies and windows are designed/located to minimise overlooking adjoining properties.

C4.14 Privacy screens, high-light windows or opaque glass is to be used for windows of habitable rooms (other than bedrooms) that overlook adjoining properties.

C4.15 Privacy screens are required for balconies and patios which result in unreasonable privacy impacts on adjoining properties.

C4.A4 Site coverage and landscaping

This control does not apply to housing on land zoned R5 Large Lot Residential, RU1 Primary Production and RU2 Rural Landscape.

Objectives

- To provide landscape planting that improves visual amenity, privacy, outlook, views and recreational opportunities for residents and occupants within a

development.

- To provide landscaping that complements the nature and scale of the development and contributes to the desired streetscape character.
- To mitigate the impacts of climate change and urban heat effect using landscaped areas and deep soil planting.

Control

C4.16 Landscaping is to be provided as the following:

- 25% of the site area should be 'soft' landscaping, excluding all hardstand areas.
- 5% of the site area should be suitable for deep soil planting.

C4.A5 Private open space

Objectives

- To ensure that dwellings are provided with functional, well located areas of private open space.
- To ensure that private open space is integrated with, and is directly accessible from, the living areas of a dwelling.

Controls

C4.17 A minimum area of 24m² of ground floor private open space for each dwelling:

- has minimum dimensions of 4m x 4m;
- has direct access from internal living areas;
- is not located in the front setback.

C4.18 Where development cannot provide private open space on the ground floor, provision should be made for a balcony of not less than 16m² with a minimum depth of 2.5m for use as private open space.

C4.19 Private open space must have a minimum of three hours direct sunlight between the hours of 9 am – 3 pm at midwinter (21 June).

C4.20 Direct sunlight must reach 50% of the principal area of private open space of any adjacent dwelling for at least three hours between 9 am and 3 pm at midwinter (21 June).

C4.A6 Natural ventilation

Objectives

- To ensure all habitable rooms are naturally ventilated.

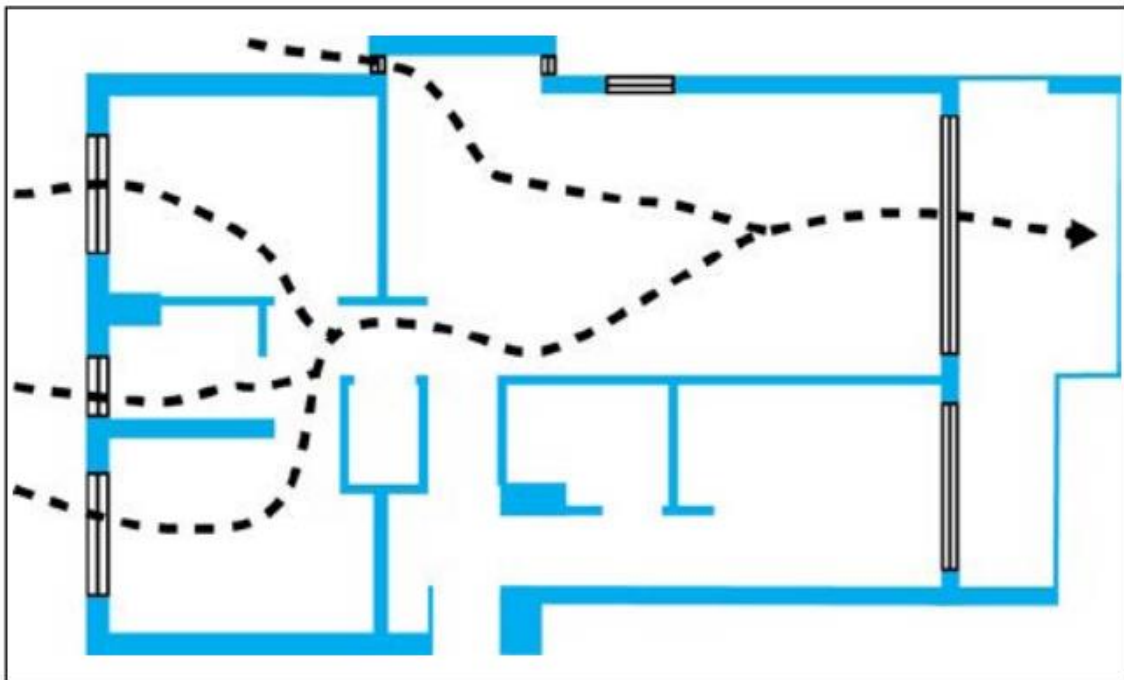
- To ensure a comfortable indoor environment is created for residents.

Controls

C4.21 Doors and windows maximise natural ventilation opportunities by using the following design solutions (see Figure 37):

- Windows are adjustable with large openable areas;
- Window types such as awnings and louvres, are varied to provide both safety and flexibility; and
- Windows such as vertical louvres and casement windows and externally opening doors can be reconfigured to capture cross-ventilation to assist cooling.

Figure 37: Cross ventilation



C4.A7 Garages and driveways

Objective

To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact visual amenity.

Controls

C4.22 A driveway must have a minimum width of 3m.

C4.23 Garage doors have a maximum width of 6m for residential lots or 50% of the building frontage, whichever is less.

C4.24 Carports have:

- a minimum side and rear setback of 0.9m; and
- a maximum height of 3.6m, or if attached to a single-storey dwelling, be no higher than the roof gutter line; and
- at least two open sides and not less than one third of its perimeter open; and
- a design that is integrated with the existing dwelling; and
- an opening not exceeding 6m or 50% of the building frontage, whichever is less, if the carport fronts the street.

C4.25 Carports are preferred within the side or rear setbacks, but may be considered in the front setback where:

- the design is integrated with, and sympathetic to, the existing dwelling; and
- it is compatible with the existing streetscape.

Where the controls above cannot be achieved, the application must provide justification for varying the development standards.

C4.A8 Site facilities

Objective

To ensure development provides appropriate facilities and services in the most appropriate site location.

Controls

C4.26 An adequately screened waste storage and recycling area is to be provided.

C4.27 A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line with a northerly aspect.

C4.A9 Ancillary development

Objectives

- To ensure ancillary developments do not adversely impact the amenity of the surrounding area.
- To ensure ancillary developments are consistent with the surrounding area in terms of height, bulk and scale.

Controls

C4.28 Sheds in a residential zone (except R5 Large Lot Residential) should:

- have a maximum floor area of:
 - 45m², if the lot has an area of less than 450m²; or
 - 60m², if the lot has an area of at least 450m² but less than 900m²; or
 - 100m², if the lot has an area of at least 900m²; and
- have a maximum height of 3.6m (from existing ground level); and
- have minimum side and rear setback of 0.9m; and
- be located a minimum of 1m behind the building line or setback.

C4.29 Front fences, including any fencing forward of the building line, should:

- have a maximum height of 1.2m; and
- not be of solid construction; and
- be compatible with street facilities, such as mailboxes, and allow easy access to public utilities.

Front fences and fences on secondary frontages that face main roads may have a maximum height of 1.5m.

C4.30 Side and rear fences should:

- have a maximum height of 1.8m from existing ground level; and
- be constructed from fencing materials that reflect the context and character of the area; and
- if located within the root zone of an existing tree, be constructed of lightweight suspended panels supported by posts with pier footings, and
- not encroach on the front setback area of any dwelling (side fences).

C4.31 Swimming pools must:

- be setback behind the existing building line, (exceptions may apply for swimming pools on secondary road frontages), and
- have the water edge setback at least 1m from the side and rear boundaries, and
- not be more than 600mm above ground level (existing).
- have a maximum decking height of 1.4m above ground level (existing), and
- have a maximum coping width of 300mm wide if more than 600mm above ground level (existing).
- In the Koala Bay – Tanilba Bay area, swimming pools are to provide a 50mm diameter rope or greater is affixed or left dangling at least one metre in the water body; or the water body is battered to no less than 1:20 to enable Koala exit.

C4.32 Water features and ponds must:

- not have a water depth of more than 300mm.
- be protected by at least one of the following, if any water depth is greater than 300mm:
 - covered with a bolted or anchored grate that is capable of supporting a weight of 150kg.
 - surrounded by a child resistant barrier complying with Australian Standard 1926.1 (Swimming pool safety).

C4.33 Retaining walls must:

- be located wholly within the property boundary, including the retaining walls, footings and associated drainage works.
- be designed in a manner that maintains amenity and privacy for residents of the subject dwelling and adjoining dwellings.
- have a maximum height of 1m (if necessary to exceed 1m, tiered retaining walls have a maximum height of 1m per tier and a minimum 900mm separation between tiers).
- be of masonry construction if located within 900mm of the property boundary and greater than 600mm in height.

Where retaining walls for fill purposes are located within 1m of a side or rear boundary, they must be limited to a maximum height of 600mm.

C4.B Residential Development – Housing on large lots

This sub-chapter applies to a dwelling or dual occupancy only and is applicable on land zoned R5 Large Lot Residential, RU1 Primary Production, RU2 Rural Landscape, as well as to sites in any other zone that are greater than 1000m².

These requirements prevail over any others set out in **C4.A Residential Development - General**.

C4.B1 Building setbacks

Unless otherwise noted, setbacks for development are measured from the subject property boundary.

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for

articulation in front facades.

- To recognise the need for larger setbacks in rural and large lot areas.

Controls

C4.34 Front setbacks should be in accordance with the following:

- A minimum of 10m or the existing average building line of the adjoining properties (whichever is less).
- Architectural features, such as an entry porch or deck may encroach on the front setback by up to 1.5m.

C4.35 Side setbacks should be a minimum of 5m.

C4.36 Secondary setbacks should be in accordance with the following:

- A minimum of 10m from the secondary property boundary.
- Architectural features, such as an entry porch or deck may encroach on the side setback up to 1m.
- Rear setbacks should be a minimum of 5m.

C4.37 A secondary dwelling must comply with all nominated building setbacks.

C4.38 Garages must be setback a minimum of 10m and not forward of the building line.

C4.B2 Garages and driveways

Objective

To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact on building articulation.

Control

C4.39 Garages to have a maximum width of 9m.

C4.B3 Sheds and shipping containers

Objectives

- Ensure that sheds are appropriately sized and located on residential land.
- Provide for the provision of shipping containers in rural areas.

Controls

C4.40 Sheds in R5 Large Lot Residential should:

- have a maximum gross floor area of:
 - 120m², if the lot has an area less than 4000m²; or
 - 200m², if the lot has an area of at least 4000m²; and

- have a maximum eave height of 4.8m (from existing ground level); and
- comply with all relevant building setbacks and be located behind the building line.

C4.41 Shipping containers should:

- be sited behind existing buildings; and
- not be located in front of the established or proposed building line; and
- be screened from view from any adjoining property; and
- be placed at ground level only and not be stacked on top of another shipping container; and
- not exceed more than 2 per dwelling if ancillary to residential development.

C4.C Residential Development – Multi-dwelling housing

In addition to the controls outlined in **C4.A Residential Development - General**, the following controls also apply to multi-dwelling housing and attached dwellings. To the extent of any inconsistencies between C4.A and this, the following controls prevail.

For large scale multi-dwelling housing proposals (in excess of 8 dwellings) Council may require the application to meet requirements outlined in the Low-Rise Housing Diversity Design Guide.

C4.C1 Building setbacks

Objective

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To reduce the visual bulk of buildings from the street and provide for articulation in front facades.
- To alleviate impacts on amenity including privacy, solar access, acoustic control and natural ventilation.

Controls

C4.42 The front setback should not be used for at-grade parking.

C4.43 Podium structures and/or basement car parking are not be located within the setback areas.

C4.44 Multi-dwelling housing, or an attached dwelling, may be built to a side boundary if all of the following is achieved:

- The maximum wall height is 6m.

- There will be no impact on privacy, private open space or solar access for adjoining properties unless the adjoining properties have approval, or /are proposed for, multi-dwelling housing or an attached dwelling.
- Wall openings comply with the fire resistance levels of the BCA.
- The wall height and length match a similarly constructed wall on the adjoining site.

C4.45 Driveways must be setback 0.9m from any side boundary to provide for landscaping.

C4.C2 Streetscape and building design

Objectives

- To ensure development contributes to the streetscape and does not detract from the amenity of the area.
- To ensure development activates the streetscape to provide passive surveillance and privacy.

Controls

C4.46 The front door entrance of each dwelling must be sheltered and located forward of the designated car parking space.

C4.47 Development on a corner lot has one or more dwellings facing each street frontage.

C4.48 Unbroken roof ridgelines should not exceed 10m in length and blank walls without a window should not exceed 5m in length.

C4.49 The facade of each dwelling within a building should be identifiable as such to indicate that the building consists of separate dwellings. Subtle changes provide individuality between the proposed dwellings while seeking to maintain the pattern continuity of the overall building.

C4.C3 Garages and driveways

Objectives

- To ensure car parking caters for anticipated vehicle movements to and from the development and does not adversely impact visual amenity.
- To ensure that vehicular access points and parking is safe and convenient for residents, visitors and service providers

Controls

C4.50 Where a common driveway is to be provided it is to have a minimum width of 3.6m.

C4.51 Where a common driveway is not provided, and individual driveways connect to the street, garages must be setback a minimum of 5.5m from the street or located 1m behind the building line, whichever is greater.

C4.52 Visual impact of long driveways should be minimised through changing alignments and landscaping.

C4.53 Traffic calming devices, such as changes in paving material or textures, should be used where appropriate.

C4.54 Pedestrian and vehicle access should be separated and distinguishable. Design solutions may include:

- changes in surface materials;
- level changes;
- the use of landscaping for separation.

C4.C4 Site facilities

Objective

To ensure facilities and services are appropriately located.

Controls

C4.55 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.

C4.56 Waste storage and recycling areas are to be provided behind the building line or setback of a dwelling and adequately screened.

C4.57 Mail boxes are adjacent to the major entrance.

C4.58 Street/unit numbers are identifiable from the street.

C4.59 A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line or setback with a northerly aspect.

C5 Home Business or Home Industry

Application

This chapter applies to development that is defined as home business or home industry.

Chapter Summary

- This chapter provides controls for home industry businesses to ensure consideration of the community.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C5.A Residential amenity

Objective

To ensure home businesses or home industries do not adversely impact on neighbouring residents or the amenity of the area.

Controls

C5.1 Hours of operation are merit-based or in accordance with:

- Monday to Friday: 8am-6pm
- Saturday: 9am-12pm
- Sunday or public holidays: not allowed to operate

The hours of operation may be further restricted depending on the location and nature of the development.

C5.2 The home business or home industry must not cause nuisance or offence by way of dust, noise, vibration, smell, waste or traffic generation.

C5.3 Storage of goods or equipment must be within the confines of the building.

C5.4 A maximum of two vehicles or trucks associated with the operation of the home business or home industry may be kept on the site at any one time, and only one trailer per truck is permitted.

C5.5 Vehicle storage areas are located behind the building line.

C6 Restricted or Sex Services Premises

Application

This chapter applies to development that is defined as a restricted premises or sex services premises.

Chapter Summary

- This chapter provides controls for restricted premises and sex services premises to ensure they are safe and appropriately located.
- Restricted premises includes adult stores.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

C6.A Building entries - restricted premises

Objective

To provide clear direction for building entries and to ensure they are located appropriately.

Controls

C6.1 The building entrance should be located 400m from:

- a dwelling on land zoned residential; and
- a child care centre, community facility, education establishment, hospital or place of public worship.

C6.2 Building entries must be discrete and unobtrusive.

C6.B Design of premises - sex services

Objectives

- To provide clear direction for building entries and to ensure they are located appropriately.
- To ensure the privacy and comfort of patrons.
- To protect children from risk of harm.
- To maximise the safety and security of staff, clients and the general public by upholding principles of CPTED.

Controls

C6.3 The building entrance should be:

- located 150m from a dwelling on land zoned residential;
- located 200m from a child care centre, community facility, educational establishment or recreational area; and
- designed so that there is only one public entrance to the premises located at the front of the building.

C6.4 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.

C6.5 The premises is to have an adequate reception area/waiting room with a minimum area of 20m², to prevent clients from loitering outside.

C6.6 No more than five rooms are to be provided in which acts of prostitution are to take place.

C6.7 Staff facilities must include a communal lounge or rest area and a bathroom for staff use only.

C6.8 Toilet and bathroom facilities must be provided within the premises and not be shared with any other premises within the building.

C6.9 Sex services premises must be designed to minimise noise transmission.

C6.C Signage

Objective

To ensure signage provides identification for the premises in a manner that is discrete and complementary to the streetscape.

Control

C6.10 The business identification sign is to be devoid of sexually explicit images, language or objects.

C7 Signage

Application

This chapter applies to development defined as business identification and advertising signage that is located on private property.

This chapter should be read in conjunction with Chapter 3 Advertising and Signage of *State Environmental Planning Policy (Industry and Employment) 2021*.

Chapter Summary

- This chapter provides controls for signage located on private land in rural, residential, commercial and industrial zones, including size and design considerations for signage that cannot otherwise be installed under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- Signage must relate to a business located on the property.
- Signage types not listed are generally not supported.

The DASH sets out the information that is required to accompany a development application to address the relevant objectives and controls of this chapter.

Council's signage policy, Information and Direction Signs in Road Reserves, covers signage on roads and in reserves under Council's care and control.

Signs on the State managed road network are the responsibility of Transport for New South Wales.

C7.A Rural zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.1 The content of the sign is limited to business identification.

C7.2 Approved businesses associated with a rural property can have one business identification sign, or two where the property has dual-road frontage. Signage is in accordance with the following:

- The maximum display area is no greater than 3m².
- The maximum height is 2m above ground level.
- Internal illumination is by means of external recessed or concealed spotlighting.
- Mechanical or electronic moving images or displays, including portable LED signs, video/tv screens, projected laser advertising and other intermittently illuminated or sequenced lighting signs, need to demonstrate that they are appropriate for the particular site and circumstances
- Signage is securely attached to a fence, building or post-supports and does not constitute a danger to any person or vehicles.

Figure 38: Signage types



C7.B Residential zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.3 The content of the sign is limited to business identification.

C7.4 Approved businesses associated with the property can have one business identification sign, or two where the property has dual road frontage. Signage is in accordance with the following:

- Maximum display area of 2m².
- Maximum height of 2m above ground level.
- Is not illuminated.
- Is securely attached to a fence, building or post-supports and it does not constitute a danger to any person or vehicles.

C7.C Commercial and industrial zones

Objectives

- To enable approved or registered businesses to be identified clearly.
- To ensure that signage is compatible with the existing or desired future character of an area.
- To facilitate the positive contribution that signage makes to the local economy.

Controls

C7.5 The content of the sign is limited to business identification.

C7.6 The design, size and scale of signage complements the existing or desired future character of the area. For example, bright fluorescent colours may not be supported in centres with heritage or other important aesthetic values.

C7.7 Signage is simple, clear and concise, and provides essential information only.

C7.8 Illuminated signage:

- Is compatible with surrounding land uses and does not cause distraction or nuisance to neighbouring properties, residential areas or traffic.
- Illumination is restricted to the hours between 7am and 10pm, or close of business (whichever is the lesser).

- Illumination sources (including cabling) are concealed or integrated within the sign.
- Is generally not supported in connection with heritage items.
- Mechanical or electronic moving images or displays, including portable LED signs, video/tv screens, projected laser advertising and other intermittently illuminated or sequenced lighting signs, need to demonstrate that they are appropriate for the particular site and circumstances.

C7.9 Signage that is attached to the wall of a building:

- Projects less than 300mm from the wall.
- Does not extend over windows or other openings or obscure significant architectural elements of the building.
- One wall sign, may be erected per facade of a building, per business.
- The maximum display area of the sign shall be:
 - 10% of a façade area measuring 200m² or more; or
 - Maximum 20m² of a façade measuring 100m² - 200m²; or
 - 20% of a façade area measuring 100m² or less.

C7.10 Signage that projects horizontally from the wall of the building to which it is attached, shall:

- have a maximum display area of 2m²;
- have a maximum projection of 2.5m from the edge of the building;
- be located at least 2.6m above natural ground level;
- be at least 600mm from the vertical projection of any kerb alignment;
- not project above the top of the wall to which it is attached;
- be spaced at least 3m from nearby signage to provide adequate visibility for other signs;
- be maximum of one sign per street frontage;
- be securely fixed and maintained in a structurally adequate and safe manner.

C7.11 Signage erected on a pole or pylon independent of any building or other structure:

- Signs shall not project beyond the boundary of a property;
- One sign per property frontage;
- Where two signs are proposed the second sign shall have the same setback and be of uniform design and spacing;
- Maximum signage area and maximum height shall not exceed:
 - 3m² and 2m high in rural areas
 - 8m² and 8m high in business areas
 - 10m² and 8m high in industrial areas

- Notwithstanding the above, the height of the structure shall not protrude above the dominant skyline (including any buildings, structures or tree canopies) when viewed from ground level within a visual catchment of 1 kilometre.

C7.12 Signage within any window of a building:

- may be internally illuminated;
- may occupy no more than 20% or 6m² (whichever is the lesser) of the glazed surface of the window in which it is displayed.

Portable signs are signs that can be readily moved and includes A-frame signs, portable flags, trailers and the like.

- A [Temporary Structure Application Form](#) must be submitted to Council with the required supporting documentation to ensure safety requirements are met and regulate the impact on pedestrians and road-users in order to keep businesses and their patrons safe.
- Signage displayed on trailers is not to be parked on any footpath, road related area, or road, whether attached to a vehicle or not, when the primary purpose for the placement of the trailer is for promotion or advertising.



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