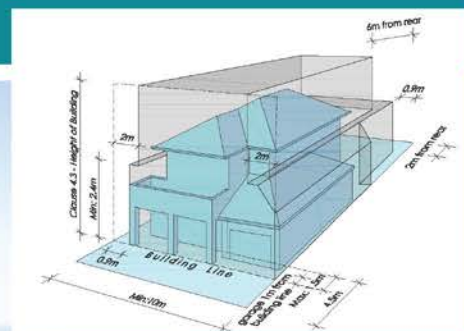
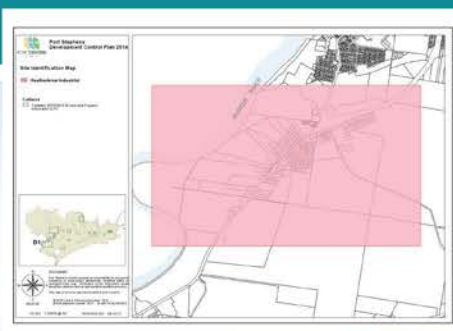


PORT STEPHENS COUNCIL

DEVELOPMENT CONTROL PLAN 2014



10 December 2015
Amendment No.2

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Quick Start Guide

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

Step 1

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

Title of Section → 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 urban areas 	B- 15
B2	Natural Resources	<ul style="list-style-type: none"> is located on land or within 500m land that contains items of environmental significance, such as threatened species or communities, listed migratory species, wildlife corridors, wetlands or riparian corridors is seeking to use biodiversity offsets is located on land containing noxious weeds is located on land identified as koala habitat 	B- 18

Title of Part → (points to B1 Tree Management)

This Part applies to development that is to remove or prune trees or other vegetation within an urban area. If the proposed trees or other vegetation is not located within an urban area or if the development does not involve the removal or pruning of trees or other vegetation then it need not reference this Part

Bold and italicised words are defined under E1 - Glossary

Step 2

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

Title of Part → B1 Tree Management

This Part applies to development located within or defined as

Development Objectives (shaded in the colour of the Section)

Development Requirements

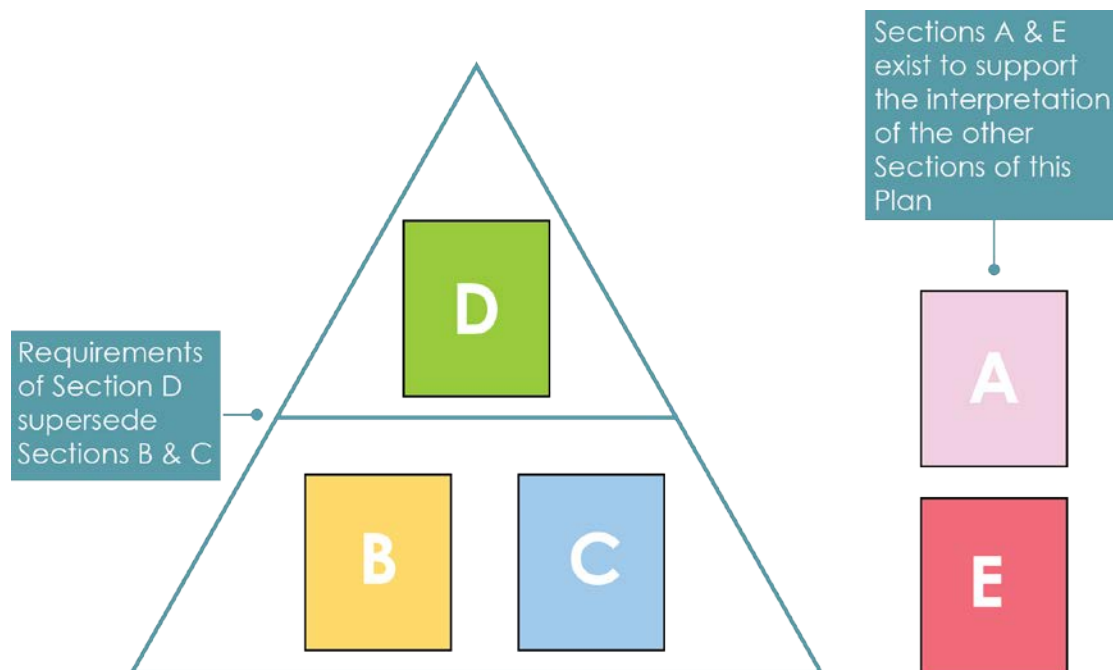
Application		
<ul style="list-style-type: none"> This Part applies to development to remove or prune trees or other vegetation within urban areas. Development to remove or prune trees or other vegetation within non-urban areas is provided under the Native Vegetation Act 2003. 		
Objective		
B1.A	Urban Areas	<ul style="list-style-type: none"> To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval
Requirement		
B1.1	<ul style="list-style-type: none"> Council approval is required to remove or prune trees or other vegetation listed under Column 1, except where those circumstances listed under Column 2 are satisfied 	
Column 1 – Approval Required		Column 2 – When approval is not required
<ul style="list-style-type: none"> NSW Christmas Bush - <i>Ceratopetalum gummiferum</i> 		<ul style="list-style-type: none"> Dead, if native fauna habitat does not exist Urgent removal on account of immediate failure when Council is provided with a Tree

Step 3

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

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

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



Checklists

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

B General Provisions				
No	Part	This Part applies to development that:	Page	Tick
B1	Tree Management	<ul style="list-style-type: none"> is to remove or prune trees or other vegetation within urban 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 	B - 20	
		<ul style="list-style-type: none"> is seeking to use biodiversity offsets 		
		<ul style="list-style-type: none"> is located on land containing noxious weeds 		
		<ul style="list-style-type: none"> is located on land identified as koala habitat 		
B3	Environmental Management	<ul style="list-style-type: none"> is located on land identified as bushfire prone land 	B - 24	
		<ul style="list-style-type: none"> is located on land that contains acid sulfate soils 		
		<ul style="list-style-type: none"> has the potential to be contaminated land 		
		<ul style="list-style-type: none"> has the potential to produce air pollution, such as dust or odour 		
		<ul style="list-style-type: none"> has the potential to produce adverse offensive noise 		
		<ul style="list-style-type: none"> is defined as or involves earthworks 		
		<ul style="list-style-type: none"> will produce significant waste 		
B4	Drainage & Water Quality	<ul style="list-style-type: none"> increases non-permeable surfaces 	B- 28	
		<ul style="list-style-type: none"> requires connection to public drainage 		
		<ul style="list-style-type: none"> Is within 40m of waterfront land 		
B5	Flooding	<ul style="list-style-type: none"> is situated within the flood planning area or at/or below the flood planning level 	B -36	
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 - 40	
B7	Williamstown RAAF Base – Aircraft Noise & Safety	<ul style="list-style-type: none"> is situated within the aircraft noise planning area, bird strike zone, extraneous lighting or the Williamstown RAAF Base Obstacle Limitations or Operations Surface Map 	B - 41	
B8	Heritage	<ul style="list-style-type: none"> is situated on land that contains a heritage item or within a heritage conservation area 	B - 52	
B9	Road Network & 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 - 55	

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B10	Social Impact	▪ is deemed to have a significant social impact	B - 63	
C Development Types				
No	Part	This Part applies to development that:	Page	Tick
C1	Subdivision	▪ is defined as subdivision	C- 65	
C2	Commercial	▪ is defined as commercial premises	C- 72	
C3	Industrial	▪ is defined as industry and/or development within the Zone B5 Business Development.	C- 78	
C4	Dwelling houses, Dual Occupancy & Ancillary Structures	<ul style="list-style-type: none"> ▪ is defined as a dwelling house ▪ is defined as a dual occupancy ▪ is defined as an ancillary structure, which includes a swimming pool, shed, fence, retaining wall or shipping container 	C- 81	
C5	Multi Dwelling Housing	<ul style="list-style-type: none"> ▪ is defined as multi dwelling housing ▪ is defined as a residential flat building refers to the requirements of SEPP No 65 – Design Quality of Residential Flat Development 	C- 88	
C6	Home Business or Home Industry	▪ is defined as home business or home industry	C- 92	
C7	Restricted or Sex Services Premises	<ul style="list-style-type: none"> ▪ is defined as restricted premises ▪ is defined as sex services premises 	C- 94	
C8	Signage	▪ is defined as signage	C- 97	
D Specific Areas				
No	Part	This Part applies to development that:	Page	Tick
D1	Heatherbrae Industrial	▪ situated within Heatherbrae Industrial	D- 100	
D2	Karuah	▪ situated within Karuah	D- 104	
D3	Lemon Tree Passage	▪ situated within Lemon Tree Passage	D- 108	
D4	Koala Bay - Tanilba Bay	▪ situated within Koala Bay –Tanilba Bay	D- 112	
D5	Nelson Bay Centre	▪ situated within Nelson Bay Centre	D- 115	
D6	Nelson Bay West	▪ situated within Nelson Bay West	D- 121	
D7	Seabreeze Estate – Nelson Bay	▪ situated within Seabreeze Estate – Nelson Bay	D- 125	
D8	Salamander Bay Shopping Centre – Nelson Bay	▪ identified as Salamander Bay Shopping Centre – Nelson Bay	D- 128	

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D9	North Medowie - Medowie	▪ situated within North Medowie	D- 130	
D10	Pacific Dunes - Medowie	▪ situated within Pacific Dunes - Medowie	D- 135	
D11	Raymond Terrace Town Centre	▪ situated within Raymond Terrace Centre	D- 142	
D12	Richardson Road – Raymond Terrace	▪ situated within Richardson Rd – Raymond Terrace	D- 149	
D13	Rees James Road – Raymond Terrace	▪ situated within Rees James Rd – Raymond Terrace	D- 153	
D14	Kings Hill – Raymond Terrace	▪ situated within Kings Hill – Raymond Terrace	D- 151	
D15	Williamstown Defence and Airport Related Employment Zone (DAREZ)	▪ situated within Williamstown Defence and Airport Related Employment Zone (DAREZ)	D- 166	
Schedules				
No	Part		Page	Tick
E1	Glossary	▪ Defines terms used in this Plan	E- 172	
E2	Acronyms	▪ Expands acronyms used in this Plan	E- 195	
E3	Reference List - Endnotes	▪ Provides a Reference List for those documents referenced through this Plan	E- 197	

A Introduction

A.1 Name of this Plan

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

A.2 Aim of this Plan

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

A.3 Commencement of this Plan

This Plan was adopted by Council on 14 July 2015 and commenced on 6 August 2015. The following amendments have occurred since this Plan commenced:

Date	Amendment
3 September 2015	Plan amended to give effect to Council's resolution of 25 August 2015. Changes limited to Part B1 – Tree Management (pp. B-15 to B-19)
10 December 2015	Plan amended to give effect to Council's resolution of 24 November 2015. Changes limited to D1 – Heatherbrae (D-100 to D-103) and D9 – Raymond Terrace Town Centre (D-142 to D-146).

A.4 Land to which this Plan applies

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

A.5 Development to which this Plan applies

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

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

This Plan does not apply to development that is:

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

A.6 Interpretation

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

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

A.7 Structure of this Plan

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

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

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

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

- b. *Facilitating development that is permissible under any instrument*
- c. *Achieving the objectives of land zones under any such instrument*

The provisions of a development control plan made for that purposes are not statutory requirements.

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

A.8 Explanation of Development Objectives and Requirements

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

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

A.9 Relationship to Legislation, Plans & Policies

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

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

A.10 Savings and Transitional Provisions

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

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

A.11 Monitoring and Review

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

Port Stephens Council will aim to regularly review this Plan.

A.12 Development Notification

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

1. No Notification Required

2. Notification

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

3. Notification and Advertisement

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

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

Figure AA: Notification Requirements for Development Applications

Development	1	2	3	Development	1	2	3
Airstrip				Registered clubs			
Airport transport facilities				Research stations			
Agriculture				Boarding houses			
Amusement centres				Dual occupancies			
Animal boarding or training establishments				Dwelling houses – single storey			
Boat building and repair facilities				Dwelling houses – double storey			

Boat launching ramps				Group homes			
Boat sheds				Hostels			
Camping grounds				Multi dwelling housing			
Caravan parks				Residential flat buildings			
Car parks				Secondary dwellings			
Cemetery				Seniors housing			
Charter & tourism boating facilities				Shop-top housing			
Child care centres				Respite day care centres			
Commercial premises				Restricted premises			
Development	1	2	3	Development	1	2	3
Correctional centres				Roads			
Community facilities				Rural industries			
Crematorium				Sewerage systems			
Depots				Sex services premises			
Eco-tourist facilities				Advertising structure			
Educational establishments				Building identification sign			
Electricity generating works				Storage premises			
Emergency services facilities				Subdivision 4 lots or less			
Environmental facilities				Subdivision 5 to 10 lots			
Environmental protection works				Subdivision 11 or more lots			
Entertainment facilities				Subdivision with public road			
Exhibition homes				Strata subdivision			
Exhibition villages				Transport depots			
Extractive industries				Tourist and visitor accommodation			
Farm buildings				Truck depots			
Flood mitigation works				Veterinary premises			
Freight transport facilities				Wholesale supplies			
Forestry				Vehicle body repair workshops			
Function centres				Vehicle repair stations			
Health service facilities				Warehouse or distribution centres			

Heavy industrial storage establishments				Water recreation structure			
Helipad				Water or resource management facilities			
Home-based childcare				Water supply systems			
Home business				Wharf or boating facilities			
Industrial retail outlets				Places of public worship			
Industrial training facilities				Port facilities			
Heavy industry				Public administration building			
Light industry				Recreation areas			
Development	1	2	3	Development	1	2	3
General industry				Recreation facilities (indoor)			
Information and education facilities				Recreation facilities (major)			
Jetties				Recreation facilities (outdoor)			
Marinas							
Mortuaries							
Moorings							
Mooring pens							
Passenger transport facilities							

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

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

B General Provisions

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 urban 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 is seeking to use biodiversity offsets is located on land containing noxious weeds is located on land identified as koala habitat 	B- 20
B3	Environmental Management	<ul style="list-style-type: none"> is located on land identified as bushfire prone land is located on land that contains acid sulfate soils has the potential to be contaminated land has the potential to produce air pollution, such as dust or odour has the potential to produce adverse offensive noise is defined as or involves earthworks will produce significant waste 	B- 24
B4	Drainage & Water Quality	<ul style="list-style-type: none"> increases non-permeable surfaces requires connection to public drainage involves a controlled activity within 40m of waterfront land 	B- 28
B5	Flooding	<ul style="list-style-type: none"> is situated within the flood planning area or at/or below the flood planning level 	B- 36
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- 41
B7	Williamstown RAAF Base - Aircraft Noise & Safety	<ul style="list-style-type: none"> is situated within the aircraft noise planning area, bird strike zone, extraneous lighting area or the Williamstown RAAF Base Obstacle Limitations or Operations Surface Map 	B- 42
B8	Heritage	<ul style="list-style-type: none"> is situated on land that contains a heritage item or within a heritage conservation area 	B- 52
B9	Road Network & 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- 55
B10	Social Impact	<ul style="list-style-type: none"> is deemed to have a significant social impact 	B- 63

B1 Tree Management

Application		
<ul style="list-style-type: none">This Part applies to development to remove or prune trees or other vegetation within urban areas. Development to remove or prune trees or other vegetation within non-urban areas is provided under the Native Vegetation Act 2003		
Objective		
B1.A	Urban Areas	<ul style="list-style-type: none">To give effect to PSLEP 2013 clauses 5.9 and 5.9AA by listing those trees or other vegetation that require approval
Requirement		
B1.1	<ul style="list-style-type: none">Council approval is required to remove or prune trees or other vegetation listed under Column 1, except where those circumstances listed under Column 2 are satisfied	
Column 1 – Approval Required		Column 2 – When approval is not required
<ul style="list-style-type: none">NSW Christmas Bush - <i>Ceratopetalum gummiferum</i>		<ul style="list-style-type: none">Dead, if native fauna habitat does not existUrgent removal on account of immediate failure when Council is provided with a tree removal notification post-event, onus of proof is on the landholder, photos should be taken before and after removal
<ul style="list-style-type: none">Cabbage Tree Palm – <i>Livistona australis</i>		
<ul style="list-style-type: none">species listed under the TSC Act 1995		
<ul style="list-style-type: none">trees or vegetation listed under the register of significant trees³		
<ul style="list-style-type: none">trees or vegetation positioned on land containing a heritage item or within a heritage conservation area		<ul style="list-style-type: none">within 5m of the wall of an approved structure measured from the wall to the trunk of the treein accordance with a construction/subdivision certificatea tree grown for fruit or nut productionvegetation clearing work authorised under the Rural Fires Act 1997 – e.g. covered by the 10/50 Vegetation Clearing Code of Practicemaintenance of less than 12 months growth or 10% of foliage in accordance with AS4373-2007declared as an exotic specieswithin parks, easements or reserves when work is undertaken by a responsible authorityDead, if native fauna habitat does not exist
<ul style="list-style-type: none">trees or other vegetation where height exceeds 3m or circumference breast height exceeds 300mm		

	<ul style="list-style-type: none"> ▪ Urgent removal on account of immediate failure. This is only when Council is provided with a tree removal notification post-event, onus of proof is on the landholder, photos should be taken before and after removal ▪ In response to the Natural Disaster Declaration for storms and flooding occurring from 20 April 2015 for a period of 12 months following the date of commencement of this amendment the following circumstance applies: <ul style="list-style-type: none"> ○ removal on the grounds that it is not an immediate threat, but poses a direct threat to human life or property. This is only when Council is provided with a tree removal notification post-event within 10 working days of removal – onus of proof is on the landholder, photos should be taken before and after removal <p>Note: Refer to A.3 (p. A-8) for the date this amendment commenced.</p> <p>Landowners are encouraged to seek the advice of a qualified arborist in determining the direct threat of the tree.</p>
<p>Note: Applicants for tree clearing and removals will also need to consider the provisions of other legislation including but not limited to the following:</p> <ul style="list-style-type: none"> ▪ Environment Protection and Biodiversity Conservation Act 1999 (Cth) – protect and manage nationally and internationally important flora, fauna, ecological communities and heritage places. Contact the Commonwealth Department of the Environment. ▪ National Parks and Wildlife Act 1974 (NSW) – fauna habitat, protected plants. Contact the National Parks and Wildlife Service at the NSW Office of Environment and Heritage (OEH). ▪ Threatened Species Conservation Act 1995 (NSW) – ecological communities, critical habitat, endangered and vulnerable species, key threatening processes, recovery plans. Contact NSW OEH. ▪ Native Vegetation Act 2003 (NSW) – clearing of native vegetation, regional vegetation management plans, property agreements. Contact NSW OEH. ▪ Fisheries Management Act 1994 (NSW) – prohibits cutting of mangroves. Contact the NSW Department of Industry and Investment. ▪ Water Management Act 2000 (NSW) – A controlled activity approval under the WMA is required for certain types of development and activities that are carried out in or near a river, lake or estuary (e.g. for the removal of material or vegetation). Contact NSW Department of Primary Industries (DPI). ▪ Rural Fires Act 1997 (NSW) - '10/50 Vegetation Clearing Code of Practice for NSW', and authorised removal of fire hazards. Contact the NSW Rural Fire Service. ▪ Heritage Act 1977 (NSW) – sites under conservation orders, relics, etc. Contact NSW OEH. ▪ Noxious Weeds Act 1993 (NSW) – clearing of noxious weeds. Contact DPI. 	
Objective	

B1.B	Heads of Consideration	<ul style="list-style-type: none"> To ensure adequate consideration is provided to the relevant matters for the removal of trees or vegetation
Requirement		
B1.2		<ul style="list-style-type: none"> Council approval to remove or prune trees or other vegetation has regard for: <ul style="list-style-type: none"> damage to an existing structure or utility service substantiated by a qualified person interfering with a solar photovoltaic/hot water system interfering with the amenity of a habitable room threatened by a development consent consistency with a flora, fauna or conservation strategy the tree is interfering, or likely to interfere, with the provision of a public utility or road/driveway construction, provided the impact on the trees has been considered in the design phase impact on threatened species, populations or ecological communities and their habitats retention value under the tree technical specification¹ other relevant circumstances
Objective		
B1.C	Supporting Information	<ul style="list-style-type: none"> To ensure adequate information is provided to determine the application for the removal of trees or vegetation
Requirements		
B1.3		<ul style="list-style-type: none"> An arborist report consistent with tree technical specification¹ is required: <ul style="list-style-type: none"> for a tree or other vegetation listed under register of significant trees³ to assess the impact on existing trees as part of a Development Application as per AS 4970-2009 to support reassessment of applications for tree removal on a technical basis to support the release of a tree bond
B1.4		<ul style="list-style-type: none"> A tree bond consistent with the tree technical specification¹ is imposed where Council deems a public tree is at risk
B1.5		<ul style="list-style-type: none"> A request to remove 20 or more trees requires a vegetation management plan consistent with vegetation technical specification² <p>Note: B4.4 (p. B-30) requires an application to remove 20 or more trees to be provided to Hunter Water by the assessing officer for a period of 14 days</p>
B1.6		<ul style="list-style-type: none"> Compensatory planting consistent with the tree technical specification¹ may be required when council approval to remove trees is provided
B1.7		<ul style="list-style-type: none"> A hollow tree assessment is required to remove hollow bearing trees <ul style="list-style-type: none"> Two replacement hollows are provided for each hollow tree identified by the hollow tree assessment Salvaged hollows are preferred over nest boxes, which are consistent with the nest box technical specification⁵ <p>Note: B2.1 (p. B-30) requires a hollow tree assessment and replacement or salvaged hollows if a Flora and Fauna Survey Report proposes their removal</p>

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

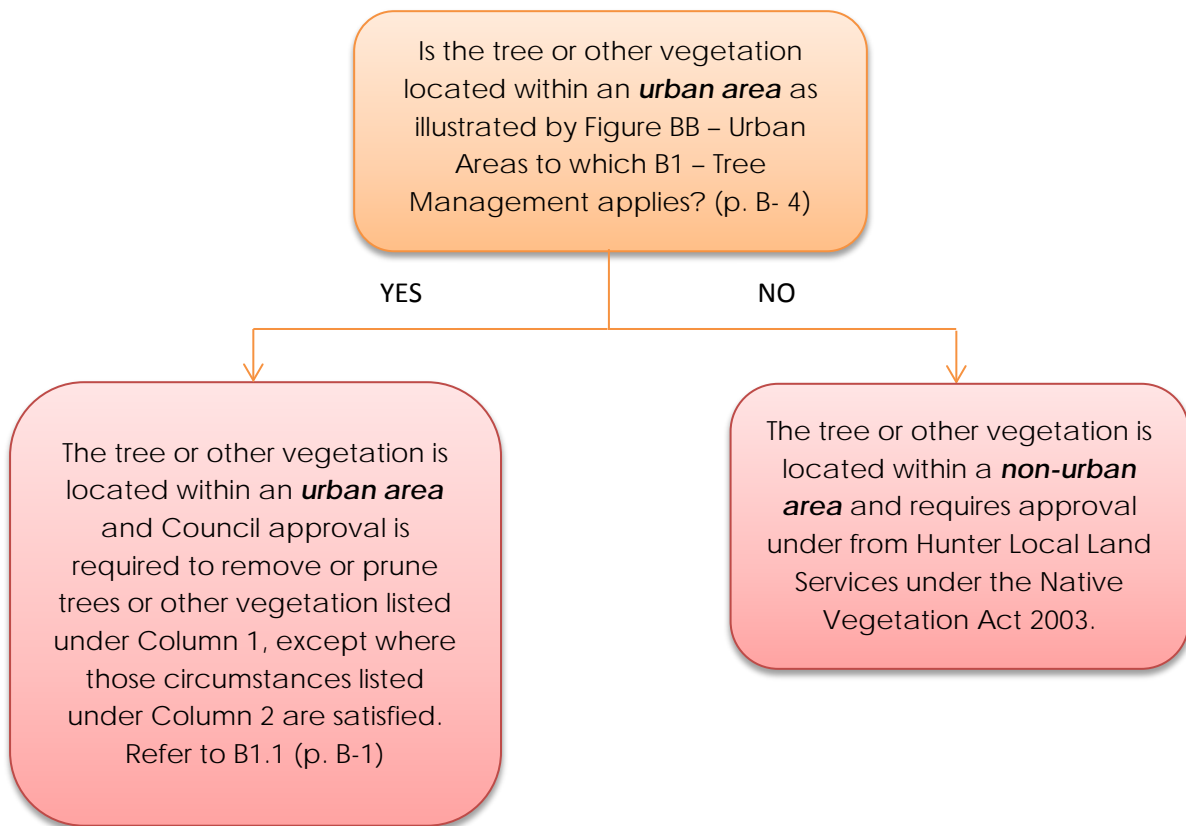
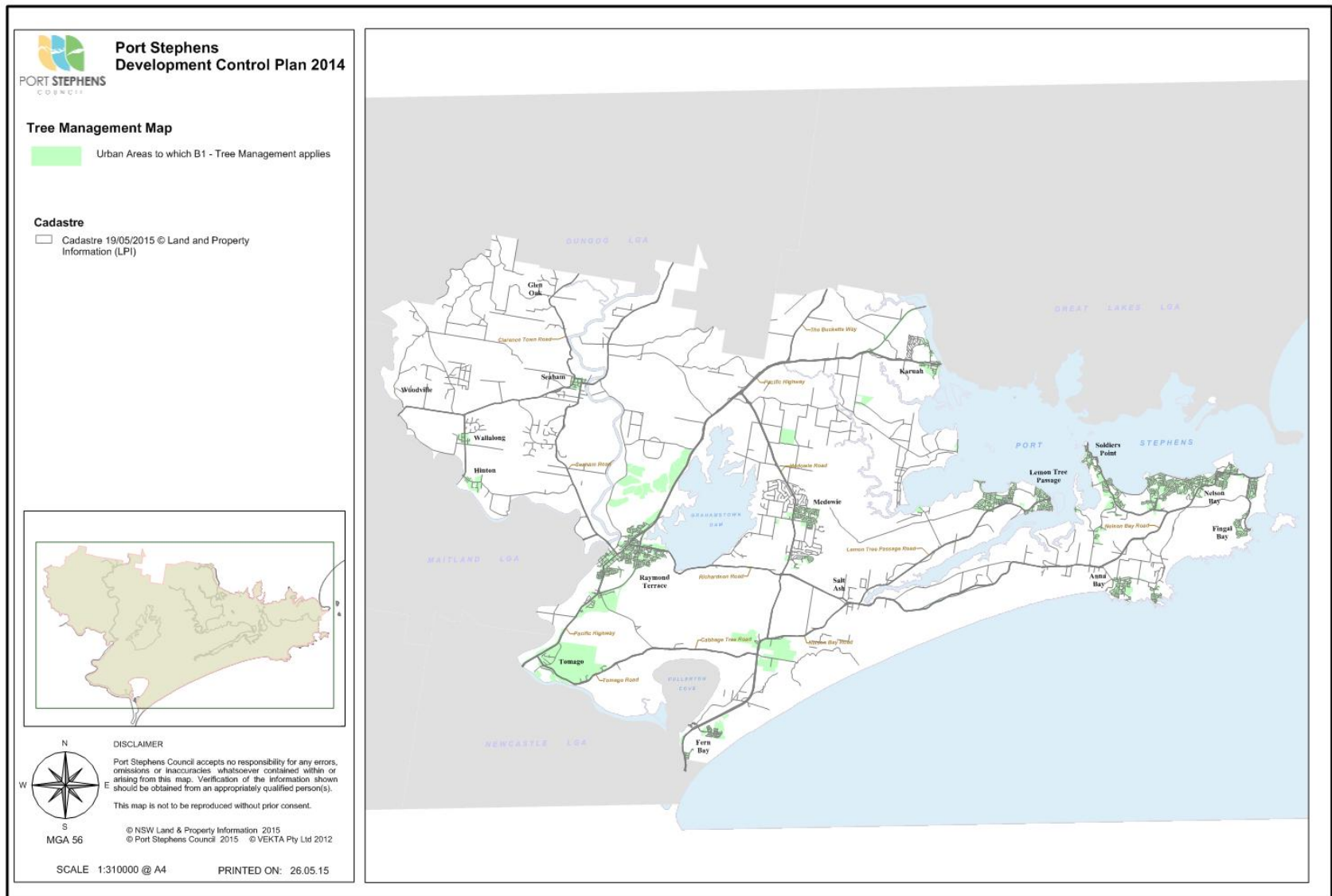


Figure BB:
Urban Areas
to which B1 –
Tree
Management
applies



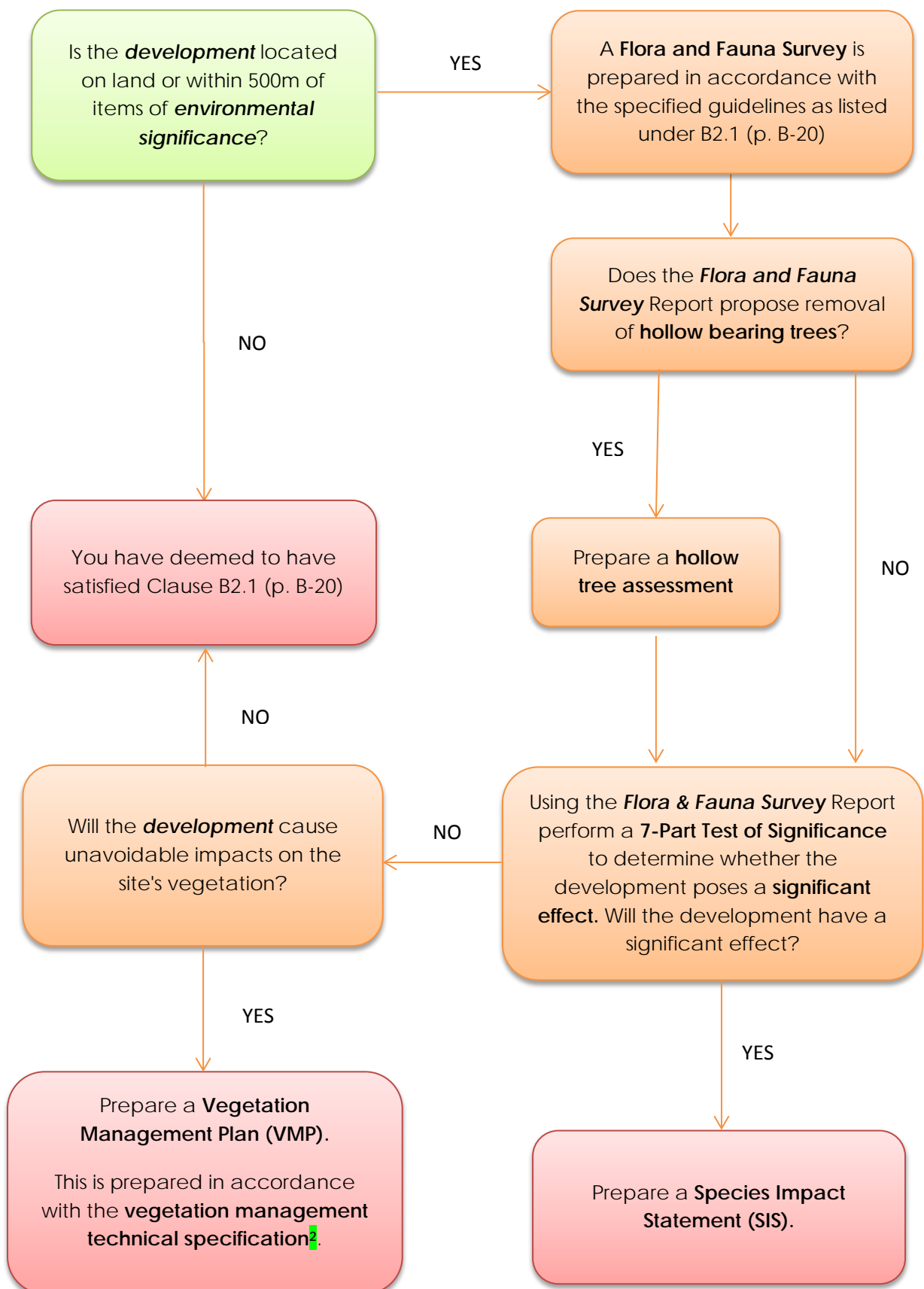
B2 Natural Resources

Application		
<ul style="list-style-type: none"> This part applies to development that: <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 is seeking to use biodiversity offsets is located on land containing noxious weeds is located on or is in proximity to land that contains koala habitat 		
Objective		
B2.A	Environmental Significance	<ul style="list-style-type: none"> To ensure adequate consideration is provided to the protection and conservation of items of environmental significance
Requirement		
B2.1	<ul style="list-style-type: none"> Development 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 provides: <ul style="list-style-type: none"> A Flora and Fauna Survey to inform the 7-Part Test of Significance, <ul style="list-style-type: none"> The Flora and Fauna Survey is in accordance with: <ul style="list-style-type: none"> ✓ NSW Department of Environment and Conservation. 2004, 'Threatened Species Survey and Assessment: Guidelines for development and activities'⁸ ✓ Hunter & Central Coast Regional Environmental Management Systems. 2002, 'Lower Hunter & Central Coast Regional Fauna & Flora Guidelines'⁹ <ul style="list-style-type: none"> ➤ If development poses a significant effect under 5A of the EP&A Act or if development is on land which is, or is part of, critical habitat then a Species Impact Statement (SIS) is required ➤ If development does not pose a significant effect under 5A of the EP&A Act, but proposes unavoidable vegetation impacts then a Vegetation Management Plan (VPA) that is consistent with the vegetation management technical specification² is required <p>Note: Under s111 of the EP&A Act 1979 the determining authority has a duty to consider the environmental impact of proposed activities</p> <ul style="list-style-type: none"> If the Flora and Fauna Survey proposes the removal of hollow bearing trees then a hollow tree assessment is required: <ul style="list-style-type: none"> ✓ Two replacement hollows are provided for each hollow tree identified by the hollow tree assessment ✓ Salvaged hollows are preferred over nest boxes that are consistent with the nest box technical specification⁵ <p>Note: This is consistent with B1.7 (p. B-17) that requires a hollow tree</p> 	

	<p>assessment to remove hollow bearing trees on land to which B1 applies</p> <ul style="list-style-type: none">• A proposed buffer on the land subject to the development is provided to items of environmental significance. The width of the buffer is recommended by the Flora and Fauna Survey Report based and is based on taking into account the following parameters:<ul style="list-style-type: none">◦ The condition of the item of environmental significance◦ Proposed methods of mitigating adverse impact◦ Possible external effects, such as weed encroachment or domestic animals and their potential to cause impact<ul style="list-style-type: none">✓ Where the vegetation of buffers are proposed the vegetation is established along the relevant boundaries prior to the issuing of the relevant subdivision or occupation certificate <p>Note: C4.19 (p. C-83) nominates a suitable buffer for residential accommodation adjoining land used for agricultural purposes</p>	
Objective		
B2.B	Biodiversity Offsets	<ul style="list-style-type: none">▪ To provide further guidance for the use of biodiversity offsets within the Port Stephens Local Government Area
Requirement		
B2.2	<ul style="list-style-type: none">▪ If biodiversity offsets are employed as a suitable compensatory measure under the TSC Act then they are:<ul style="list-style-type: none">• calculated in accordance with the bio-metric terrestrial biodiversity assessment tool• consistent with the vegetation management technical specification²• in a secure tenure ownership• located on land to which this Plan applies	
Objective		
B2.C	Noxious Weeds	<ul style="list-style-type: none">▪ To reduce the negative impact of noxious weeds on the economy, community and environment by eliminating or restricting their geographical spread
Requirement		
B2.3	<ul style="list-style-type: none">▪ Development situated on land that contains noxious weeds, as identified by a s64 Certificate under the Noxious Weeds Act 1993 will seek to prevent, eliminate or restrict the spread of noxious weeds in accordance with Noxious Weeds Technical Specification⁶	
Objective		
B2.D	Koalas	<ul style="list-style-type: none">▪ To encourage the proper conservation and management of areas of natural vegetation that provide koala habitat to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline
Requirement		
B2.4	<ul style="list-style-type: none">▪ Development located on or in proximity to land identified as koala habitat complies with the Port Stephens Comprehensive Koala Plan of Management¹⁰ through consideration to the performance criteria, being:<ul style="list-style-type: none">• Minimising the removal or degradation of native vegetation within preferred koala habit or supplementary habitat	

	<ul style="list-style-type: none"> • Maximising the retention and minimising degradation of native vegetation within supplementary habitat, habitat buffers and habitat linking areas • Minimising removal of any individual preferred koala feed trees • Where appropriate, restore and rehabilitate koala habitat/buffers and linking areas <ul style="list-style-type: none"> ◦ Removal of koala habitat is off-set by a net gain of koala habitat on-site or adjacent • Make provision for long-term management of both existing and restored koala habitat • Not compromise the safe movement of koalas, through: <ul style="list-style-type: none"> ◦ Maximisation of tree retention ◦ Minimising barriers for movement, such as fences • Restrict development to defined building envelopes • Minimising the threat to koalas from dogs, motor vehicles and swimming pools <ul style="list-style-type: none"> ◦ Development demonstrates consideration to the performance criteria within the Statement of Environmental Effects (SEE) by providing the following: <ul style="list-style-type: none"> ✓ Assessment of koala habit in accordance with Appendix 6 – Guidelines for Koala Habitat Assessment of the Port Stephens Comprehensive Koala Plan of Management¹⁰ ✓ Site Analysis Plan indicates vegetation to be disturbed, cleared or retained ✓ Illustration of the Asset Protection Zone (APZ) ✓ Proposed measures for the safe movement of koalas, such as fencing or traffic control measures ✓ Details of any programs to monitor koala populations <p>Note: The Port Stephens Comprehensive Koala Plan of Management¹⁰ applies through the application of the SEPP No.44 – Koala Habitat Protection</p>
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Figure BC: Flora & Fauna Survey Flow-Chart



B3 Environmental Management

Application		
<ul style="list-style-type: none">▪ This part applies to development that:<ul style="list-style-type: none">• is located on land identified as bushfire prone land• is located on land that contains acid sulfate soils• has the potential to be contaminated land• has the potential to produce air pollution, such as dust or odour• has the potential to produce adverse offensive noise• involves earthworks• will produce significant waste		
Objective		
B3.A	Bushfire Prone Land	<ul style="list-style-type: none">▪ To prevent and mitigate for the impact of bushfire on development by ensuring bushfire protection measures are integrated into the design and siting
Requirement		
B3.1	<ul style="list-style-type: none">▪ Integrated development located on bushfire prone land is to be referred to the Rural Fire Service<ul style="list-style-type: none">• Development requiring referral to the Rural Fire Service will demonstrate in the Statement of Environmental Effects (SEE) how bushfire protection measures have informed the site analysis plan	
Objective		
B3.B	Acid Sulfate Soils	<ul style="list-style-type: none">▪ To ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage
Requirement		
B3.2	<ul style="list-style-type: none">▪ Development located on Acid Sulfate Soils (ASS) as identified on the Acid Sulfate Maps of the PSLEP2013 adheres to PSLEP2013 Clause 7.1 by taking one of the following three paths:<ol style="list-style-type: none">1. Accept that ASS is present and prepare a development application and an ASS management plan as set out in the NSW ASS Manual⁴⁰; or2. Provide a framework for the on-going management and monitoring of the impacts throughout the development, in your ASS management plan. There is no set formula for managing ASS and each case must depend on the particular circumstance. Please refer to the NSW ASS Manual⁴⁰ for details; or3. Undertake a preliminary assessment as set out in the NSW ASS Manual⁴⁰, to determine whether ASS is present and whether the proposed works are likely to disturb or oxidise these soils or lower the water table• If ASS is present, Council must consider the following matters before consent is granted:<ul style="list-style-type: none">○ The adequacy of the ASS management plan prepared for the proposed development in accordance with the NSW	

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

		<ul style="list-style-type: none"> ○ Is harmful to (or is likely to be harmful) to a person who is outside the premises from which it is emitted, or ○ Interferes unreasonable with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted • That is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations, such as: <ul style="list-style-type: none"> ○ Environmental Protection Authority. 2000, 'NSW Industrial Noise Policy'¹⁴
Objective		
B3.F	Earthworks	<ul style="list-style-type: none"> ▪ To facilitate earthworks so as to minimise potential environmental impacts, such as erosion or the release of sulphuric acids as identified by the PSLEP 2013
Requirement		
B3.6		<ul style="list-style-type: none"> ▪ PSLEP2013 Clause 7.2 seeks to ensure that development consent for earthworks will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land • Earthworks that: <ul style="list-style-type: none"> ○ cannot satisfy SEPP (Exempt and Complying Development Codes) 2008, Subdivision 15 Earthworks, retaining walls and structural support Clause 2.30 Development Standards, or <p>Note: SEPP (Exempt and Complying Development Codes) 2008 generally classifies cut or fill of less than 600mm below or above ground level (existing) to be defined as exempt development.</p> <ul style="list-style-type: none"> ○ is not ancillary to development that is permitted with consent under this Plan or to development for which development consent has been given, is to address the following matters of consideration under PSLEP2013 Clause 7.2 <ul style="list-style-type: none"> ✓ the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development ✓ the effect of the development on the likely future uses or redevelopment of the land ✓ the quality of the fill or the soil to be excavated, or both ✓ the effect of the development on the existing and likely amenity of adjoining properties ✓ the source of any fill material and the destination of any excavated material ✓ the likelihood of disturbing relics <p>Note: B8.5 (p. B-53) requires due diligence in regard to aboriginal heritage</p> <ul style="list-style-type: none"> ✓ the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area ✓ any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development <ul style="list-style-type: none"> ✓ Development may need to provide a cut and fill plan in order to adequately address the above matters when: <ul style="list-style-type: none"> ➤ Cut exceeds 2m in depth ➤ Fill has a total area of 100m² or more

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

B4 Drainage and Water Quality

Application		
<ul style="list-style-type: none">This part applies to development that:<ul style="list-style-type: none">increases non-permeable surfacesrequires connection to public drainageinvolves a controlled activity within 40m of waterfront land		
Objective		
B4.A	Stormwater Drainage Plan	<ul style="list-style-type: none">To ensure a stormwater drainage plan is submitted when development increases non-permeable surfaces and will place significant additional flows into public drainageTo ensure the stormwater drainage plan details a legal and physical point of discharge to minimise impacts on water balance, surface water and groundwater flow regimes and floodingTo implement sustainable mitigation systems that can be maintained using resources available to the maintainer
Requirement		
B4.1	<ul style="list-style-type: none">Development that increases non-permeable surfaces and will place significant additional flows into public drainage is to provide a stormwater drainage plan and description of the proposed drainage system within the Statement of Environmental Effects (SEE)<ul style="list-style-type: none">The stormwater drainage plan includes:<ul style="list-style-type: none">catchment boundariesexisting surface conditionsproposed surface contoursproposed building flood or floor levelslocation and levels of discharge pointsoverland flow paths and flood liable areaslocation of drainage pits and lineslocation and area of on-site detention easementscalculations for any proposed stormwater systemmethods of draining the landwater quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling <p>Note: C1.H (p. C-69) also provides drainage requirements for development relating to subdivision</p>	
Objective		
B4.B	On-site Detention	<ul style="list-style-type: none">To regulate the impacts on the capacity of the public drainage system
Requirement		
B4.2	<ul style="list-style-type: none">On-site detention is required where:<ul style="list-style-type: none">non-permeable surfaces exceed the total percentage of site area listed under Figure BD (p. B-31)	

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

	<ul style="list-style-type: none">o Proposed developmento WSUD objectiveso Best planning practiceso Integrated Water Cycle Managemento Stormwater managemento Costso Operation and Maintenance Plano Modellingo MUSIC model is provided in digital formo Compliance with AS3500:2003 – Plumbing and Drainage <ul style="list-style-type: none">• Stormwater Quality Improvement Devices (SQUIDS) are designed to be taken off-line from minor and major drainage systems• Development submits the evidence of how the water quality targets have been achieved (e.g. SSSQM Certificate)• On-site detention may not be required for single dwellings and dual occupancy development if the water quality requirements under Figure BE (p. B-31) for sites less than 2,500m² have been satisfied• Erosion and sediment measures are provided during the construction phase in accordance with the issued conditions of consent <p>Note: Under this Requirement, a new lot is a lot created through subdivision since the commencement of this Plan as specified under A.3 (p.A-8)</p>		
B4.4	<ul style="list-style-type: none">▪ When the following types of development are located within a drinking water catchment, Hunter Water is notified and provided with a period of 21 days to provide a submission. After a period of 21 days, no response is deemed as a non-objection. Those development types include:<ul style="list-style-type: none">• Major subdivision for 4 or more lots• Agriculture• Industry• Commercial premises• Multi-dwelling housing• Sewage reticulation system• Extractive industry• Request to remove 20 or more trees <p>Note: B1.5 (p. B-17) requires a vegetation management plan when a proposal to remove 20 or more trees is submitted to Council</p> <p>Note: Section 51 of the Hunter Water Act 1991 requires Council to provide Hunter Water with 21 days to provide a submission</p>		
Objective			
B4.D	<table><tr><td>Riparian Corridors</td><td><ul style="list-style-type: none">▪ To protect and retain riparian corridors as localities of environmental importance</td></tr></table>	Riparian Corridors	<ul style="list-style-type: none">▪ To protect and retain riparian corridors as localities of environmental importance
Riparian Corridors	<ul style="list-style-type: none">▪ To protect and retain riparian corridors as localities of environmental importance		
Requirement			
B4.5	<ul style="list-style-type: none">▪ Development involving a controlled activity within waterfront land (within 40m from the highest bank of the river, lake or estuary) adheres to the NSW Water Management Act 2000• Development provides the following buffers to riparian corridors that are generally consistent with the recommendations of the NSW Office of Water. 2012, 'Guidelines for riparian corridors on waterfront land'⁴²:<ul style="list-style-type: none">o 50m buffer from 3rd order water courses or above with a 40m vegetated riparian zone and 10m vegetated buffero 30m buffer from 1st-2nd order water courses with a 20m vegetated riparian zone and 10m vegetated buffer		

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

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

Figure BE: Water Quality Table

Type of Development or Site Area	Water Quality Targets		Tool used to achieve target
	New Lots created through subdivision within the Drinking Water Catchment	Existing lots within the Drinking Water Catchment and all other development outside of a Drinking Water Catchment	
Minor Alterations and/or additions for all sites, which are less than 250m ²	No water quality measures are required.	No water quality measures are required.	-
Sites between 50m ² and 50,000m ² , if residential or commercial and only if it drains to a maximum of two outlets	Before water is released into public drainage , Neutral or Beneficial Effect (NorBE) on water quality is to be achieved.	Before water is released into public drainage the following targets are to be achieved: <ul style="list-style-type: none"> Total nitrogen retention post-development load: 45% Total phosphorus retention post-development load: 60% Total suspended solids post-development load: 90% Gross pollutants post-development load: 90% 	Small Scale Stormwater Water Quality Model (SSSQM) or deemed to comply provisions under Figure BF (p. B-32)
Sites equal to or greater than 2,500m ² that drains to more	Before water is released into public drainage , Neutral or	Before water is released into public drainage the following targets are to be achieved: <ul style="list-style-type: none"> Total nitrogen retention post- 	Water Quality Modelling, such as MUSIC Modelling

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

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

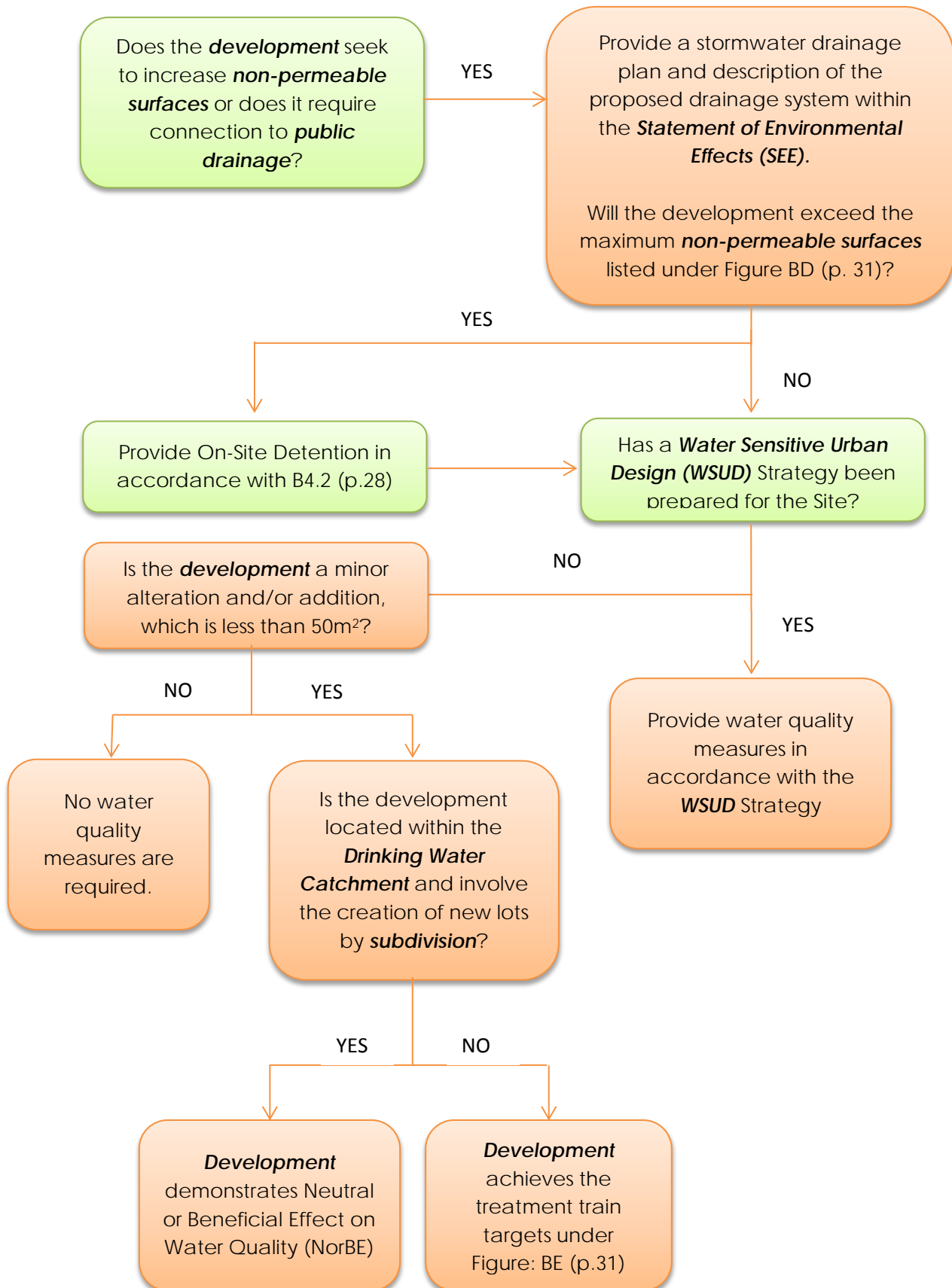
B4

DRAINAGE AND WATER QUALITY

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

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

Figure BG: Drainage and Water Quality – Flow Chart



B5 Flooding

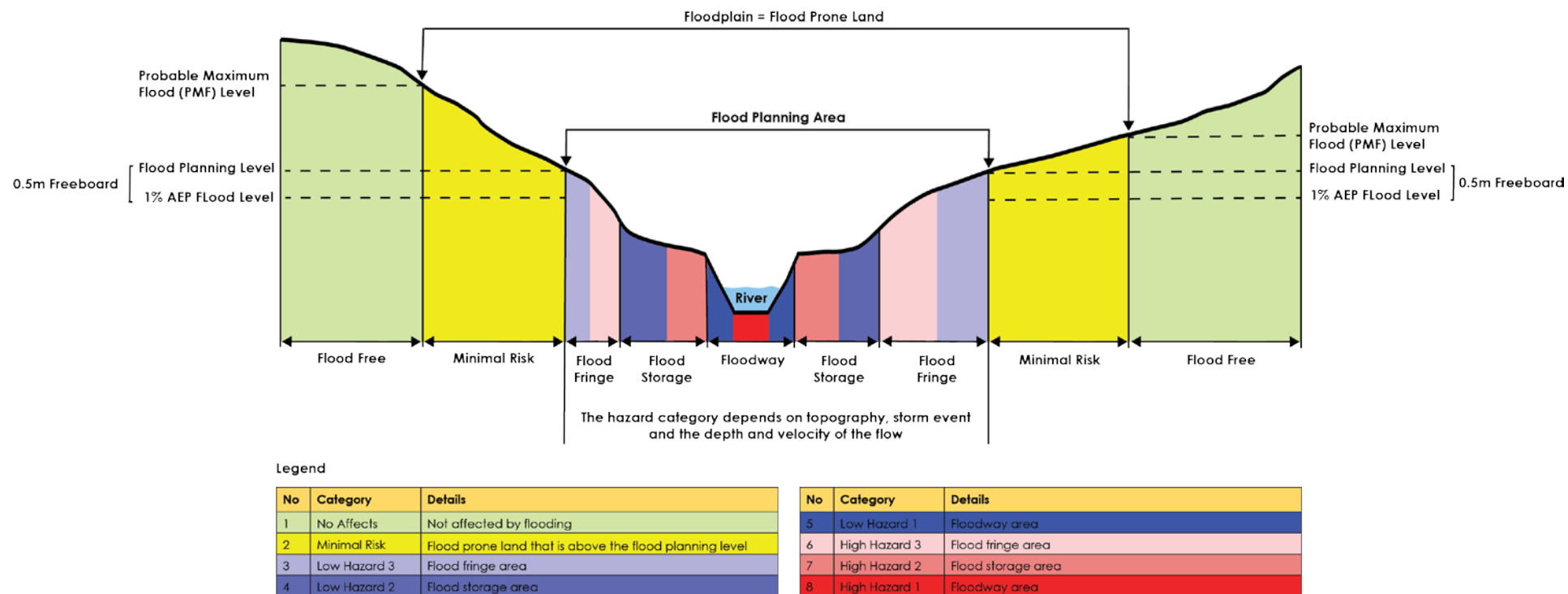
Application		
<ul style="list-style-type: none"> This Part applies to development to which Clause 7.3 of the LEP applies being land that is situated within the flood planning area or at/or below the Flood Planning Level (FPL) 		
Objectives		
B5.A	Flood Planning	<ul style="list-style-type: none"> To reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone property. To recognise flood prone land as a valuable resource that should not be sterilised by unnecessarily precluding its development. That flood risk is considered as early as possible in the planning and development process, is based on the best available flood information and is a flexible, locally-specific, merit-based approach. To ensure that the use and development of flood prone land has risk consequences that are acceptable to the community, takes into account the full spectrum of flood risks and recognises the social, economic and environmental values of flood prone land. To implement the principles of the NSW Government 2005, 'Floodplain Development Manual' into new development and satisfy the provisions of PSLEP2013 Clause 7.3.
Requirements		
B5.1	Flood Hazard	<ul style="list-style-type: none"> Development provides consideration to flood hazard, which includes consideration of the following: <ul style="list-style-type: none"> Depth of inundation Flow velocity Warning time Evacuation requirements Access restrictions during flood Development is compatible with the flood hazard categories illustrated by Figure BH (p. B-40) and as defined in the relevant flood study or floodplain risk management plan <ul style="list-style-type: none"> Where flood hazard has not been defined by a flood report or floodplain risk management plan, the applicant may be required to undertake a flood report to define flood hazard. The flood report is consistent with the principles of the Floodplain Development Manual and the current version of Australian Rainfall and Runoff To determine the flood hazard for a specific property contact Council's Flood Engineer by emailing

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

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

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

Figure BH: Flood Hazard Categories, Cross-Section



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

B6 Essential Services

Application

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

Objectives

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

Requirements

- | | |
|------|---|
| B6.1 | <ul style="list-style-type: none"> ▪ PSLEP 2013 Clause 7.6 states that development consent must not be granted by Council unless adequate arrangements have been made for: <ul style="list-style-type: none"> • the supply of water <ul style="list-style-type: none"> ○ Development must make adequate arrangements for the supply of water either through reticulated services or on-site supply and storage • the supply of electricity • the disposal and management of sewage <ul style="list-style-type: none"> ○ Development without access to reticulated sewer demonstrates that the proposal for the disposal and management of sewage is consistent with the Port Stephens On-site Sewage Development Assessment Framework¹³ ○ Subdivision without access to reticulated sewer contains a minimum 4,000m² of usable land per lot for the purpose of sustaining an On-Site Sewage Management System (OSMS) in accordance with the On-Site Development Assessment Framework contained within the Port Stephens Council. 2004, 'On-Site Sewage Management Policy'^{16 & 17} <ul style="list-style-type: none"> ✓ Subdivision that cannot demonstrate 4,000m² of usable land for the purpose of sustaining an OSMS must provide connection to a sewerage reticulation system or demonstrate through more site specific investigations how the proposal provides a long-term sustainable wastewater management solution in accordance with the Port Stephens On-site Sewage Development Assessment Framework¹³ • stormwater drainage or on-site conservation • suitable vehicular access |
|------|---|

B7 Williamtown RAAF Base – Aircraft Noise & Safety

Application		
<ul style="list-style-type: none"> This Part applies to development that is situated within the aircraft noise planning area, bird strike zone, extraneous lighting area or the Williamtown RAAF Base Obstacle Limitations or Operations Surface Map 		
Requirements		
B7.A	Site Acceptability	<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
B7.1	<ul style="list-style-type: none"> When development is located within the aircraft noise planning area, which is identified by Figure BL (p. B-47) it is classified into one of the following classifications through referencing Figure BI (p. B-44) <ul style="list-style-type: none"> 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 BI (p. B-44) and Figure BJ (p. B-44) Unacceptable – development is generally unacceptable. However, 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 AS2021-2015 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 AS2021-2015 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 D14 - DAREZ (p. D-167) provides site specific requirements for land zoned B7 Business Park and adjacent to the Williamtown Airport</p> 	
B7.B	Indoor Noise	<ul style="list-style-type: none"> To ensure acceptable levels of indoor noise in accordance with the relevant Australian Standards
B7.2	<ul style="list-style-type: none"> Development must satisfy the maximum internal sound levels specified in Figure BJ (p. B-44) by providing an acoustic report 	
B7.3	<ul style="list-style-type: none"> Noise attenuation levels that comply with Figure BJ (p. B-44) 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"> 35Db(A) for sleeping areas 	

	<ul style="list-style-type: none"> 30Db(A) for habitable spaces 	
B7.C	Alterations & Additions	<ul style="list-style-type: none"> To facilitate alterations and additions of existing development within the aircraft noise planning area
B7.4	<ul style="list-style-type: none"> 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 <ul style="list-style-type: none"> 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 BJ (p. B-44) 	
B7.D	Bird Strike	<ul style="list-style-type: none"> To ensure that the operational needs of the Williamtown RAAF Base are considered
B7.5	<ul style="list-style-type: none"> When development is located within the bird strike zone, which is identified by Figure BM (p. B-48), Council provides the Department of Defence is provided with a period of 14 days to provide a submission. <ul style="list-style-type: none"> 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 	
B7.E	Referral Requirements	<ul style="list-style-type: none"> To ensure that the operational needs of the Williamtown RAAF Base are considered
B7.6	<ul style="list-style-type: none"> When development deemed to be noise sensitive development is located within the aircraft noise planning area, which is identified by Figure BL (p. B-47), the Commonwealth Department of Defence is notified and given a period of 14 days to provide a submission <ul style="list-style-type: none"> After a period of 14 days, no response is deemed as no objection <p>Note: Figure AA: Notification Requirements (p. A-11) details general notification requirements to be administered by Council Officers</p> Development that seeks to penetrate the RAAF Base Williamtown Limitation or Operations Surface or Procedures for Air Navigation Systems Operations Surface as identified by Figure BN (p. B-49) is referred to the Commonwealth Department of Defence for comment <ul style="list-style-type: none"> Development that does not seek to penetrate these surfaces has 	

	<p>compiled 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> <ul style="list-style-type: none"> ▪ Development located within the extraneous lighting boundaries as identified by Figure BO (p. B-50) and Figure BP (p. B-51) is referred to the Commonwealth Department of Defence for comment. After a period of 14 days, no response is deemed as no objection <p>Note: Figure AA: Notification Requirements (p. A-11) details general notification requirements to be administered by Council Officers</p>
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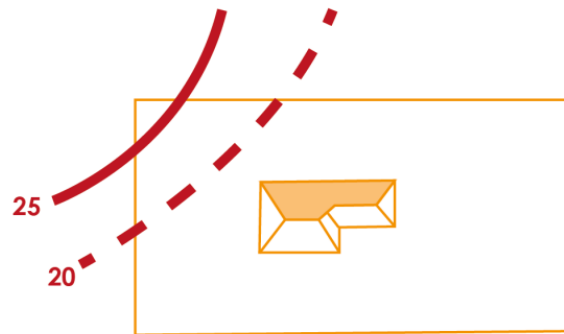
Figure BI: Building Site Acceptability based on ANEF Zone

Development Type	Acceptable	Conditionally Acceptable	Unacceptable
	ANEF Zone		
<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 heavy industry 	<30	30 – 40	40>
<ul style="list-style-type: none"> ▪ heavy industry 	Acceptable in any ANEF Zone		

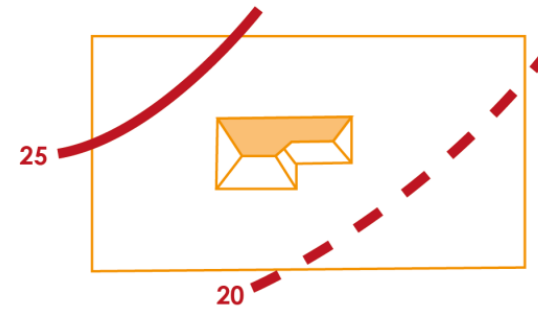
Figure BJ: Indoor Design Sound Levels

Development type	Indoor Design Average Maximum Sound Level Db (A)
residential accommodation & caravan parks	
<ul style="list-style-type: none"> ▪ sleeping areas & dedicated lounges 	50
<ul style="list-style-type: none"> ▪ habitable room other than sleeping areas & dedicated lounges 	55
<ul style="list-style-type: none"> ▪ bathrooms, toilets & laundries 	60
tourist and visitor accommodation	

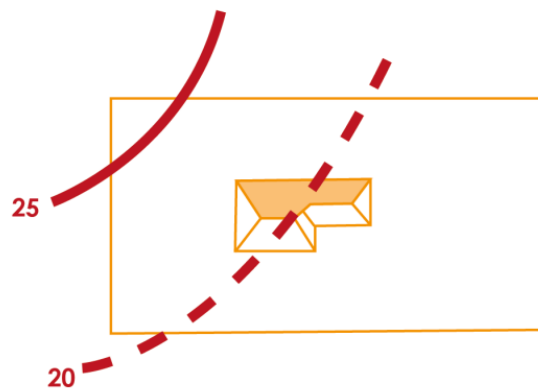
▪ relaxing & sleeping	55
▪ social activities	70
▪ service activities	75
educational establishments	
▪ libraries & study areas	50
▪ teaching & assembly areas	55
▪ workshop areas & gymnasias	75
respite day care centres & health facilities	
▪ wards, theatres, treatment & consulting rooms	50
▪ laboratories	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 BK: Illustration of Building Site Acceptability based on ANEF Zone

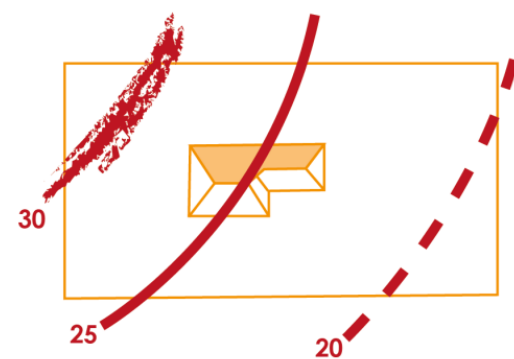
Acceptable - No design measures are required to reduce aircraft noise



Conditionally Acceptable - Design measures are required to reduce aircraft noise



Conditionally Acceptable - Design measures are required to reduce aircraft noise



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

Figure BL:
Aircraft Noise
Planning
Map

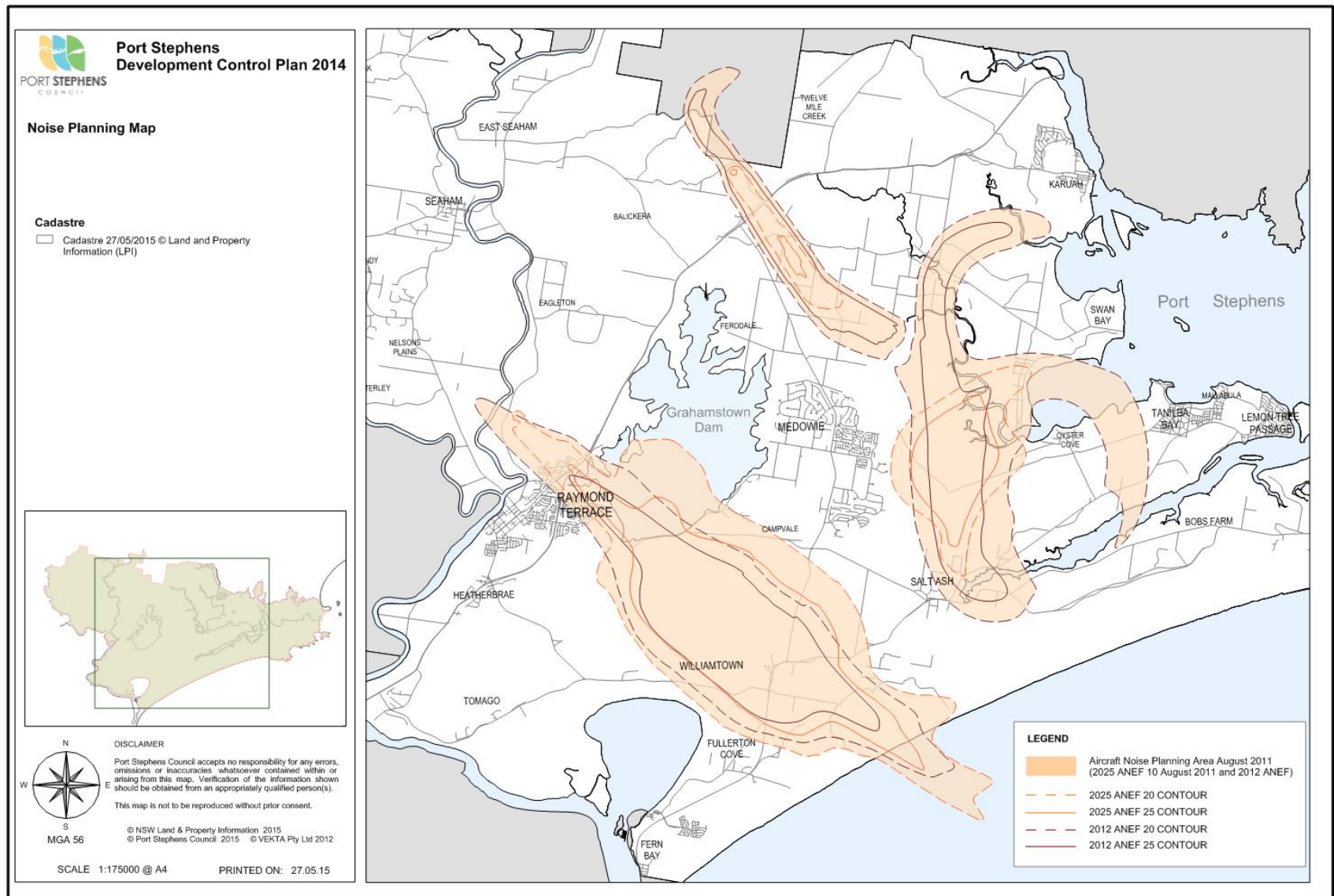


Figure BM:
Bird Strike
Zone

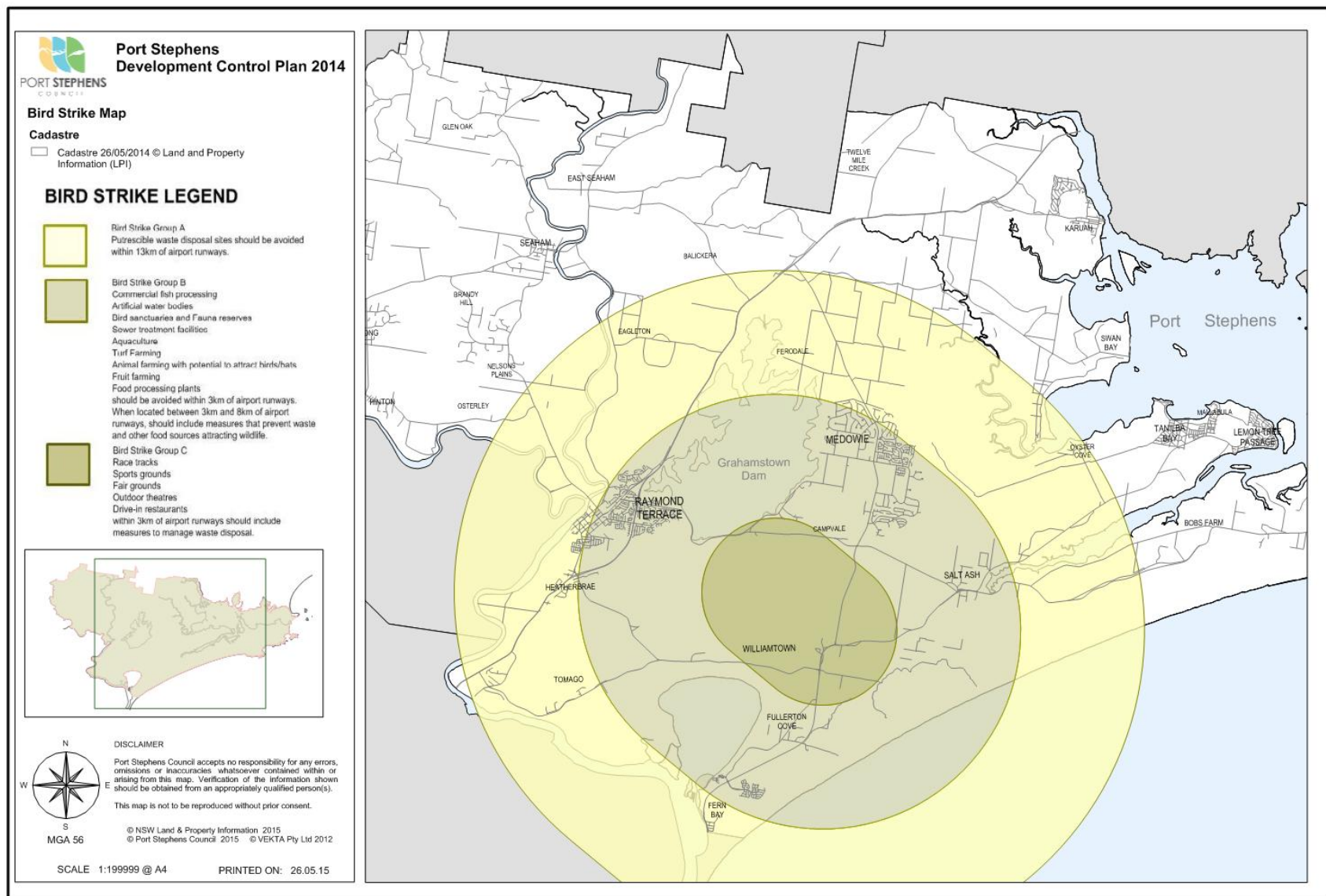


Figure BN:
RAAF Base
Williamtown
Limitation or
Operations
Surface Map

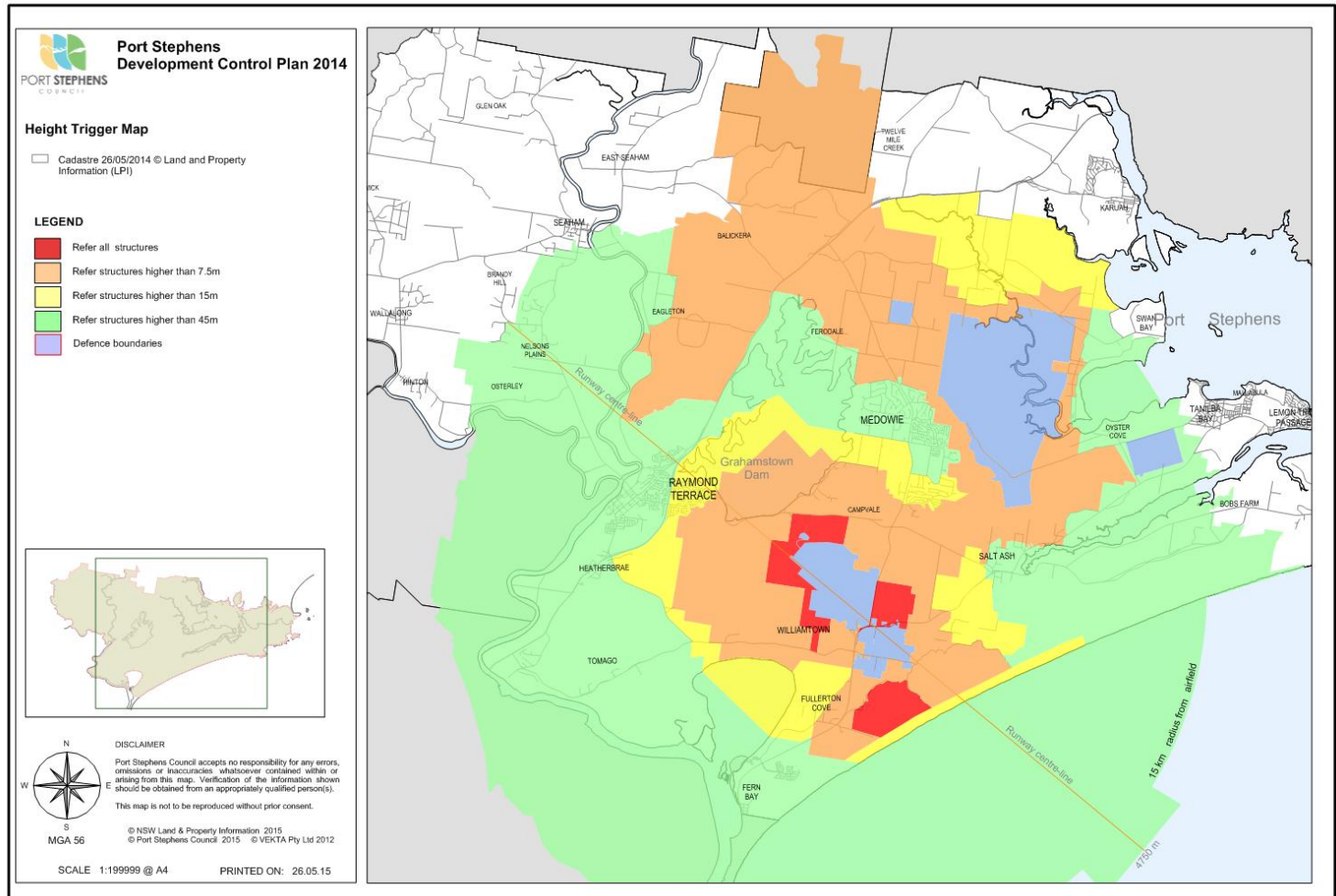


Figure BO:
Extraneous
Lighting Map 1

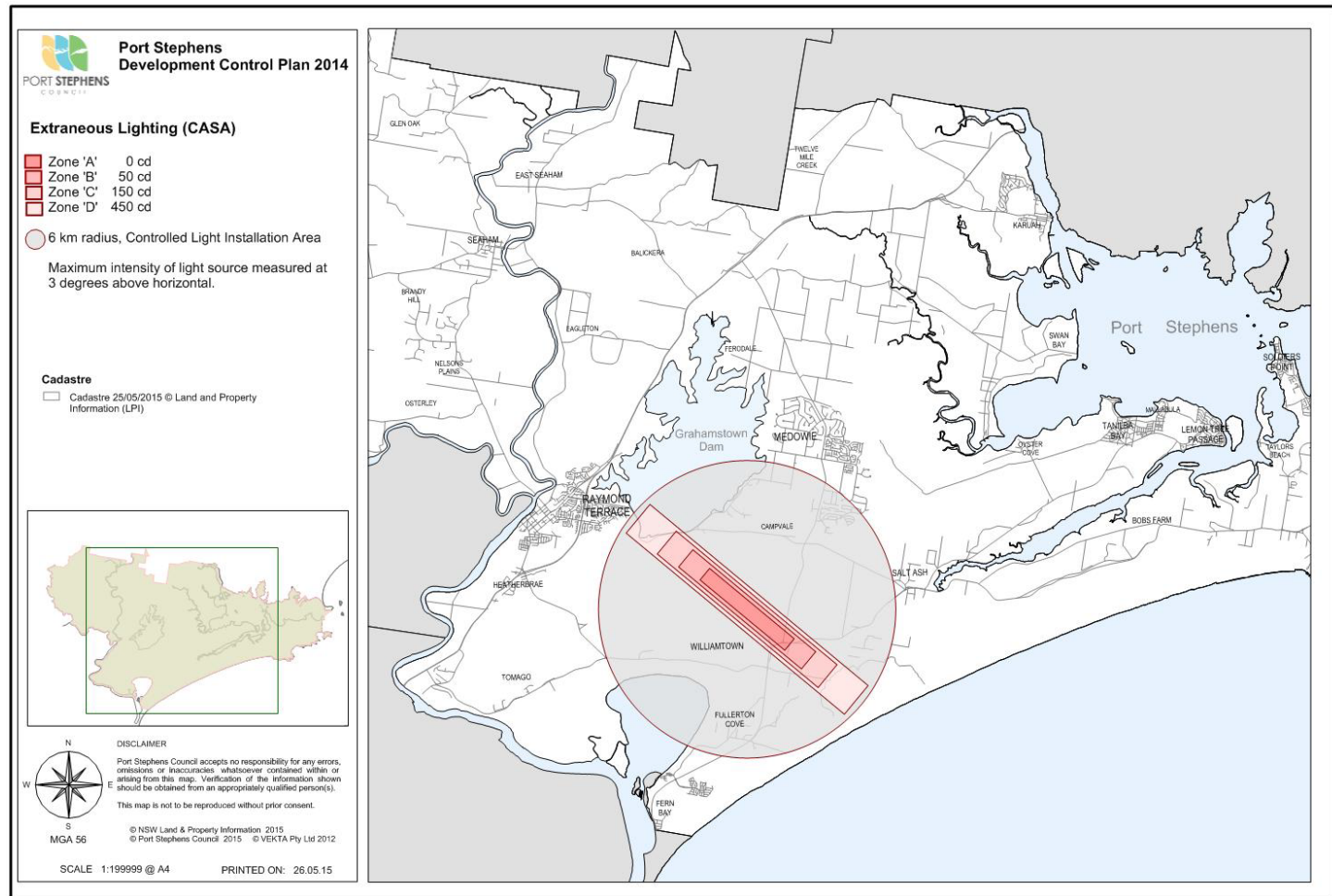
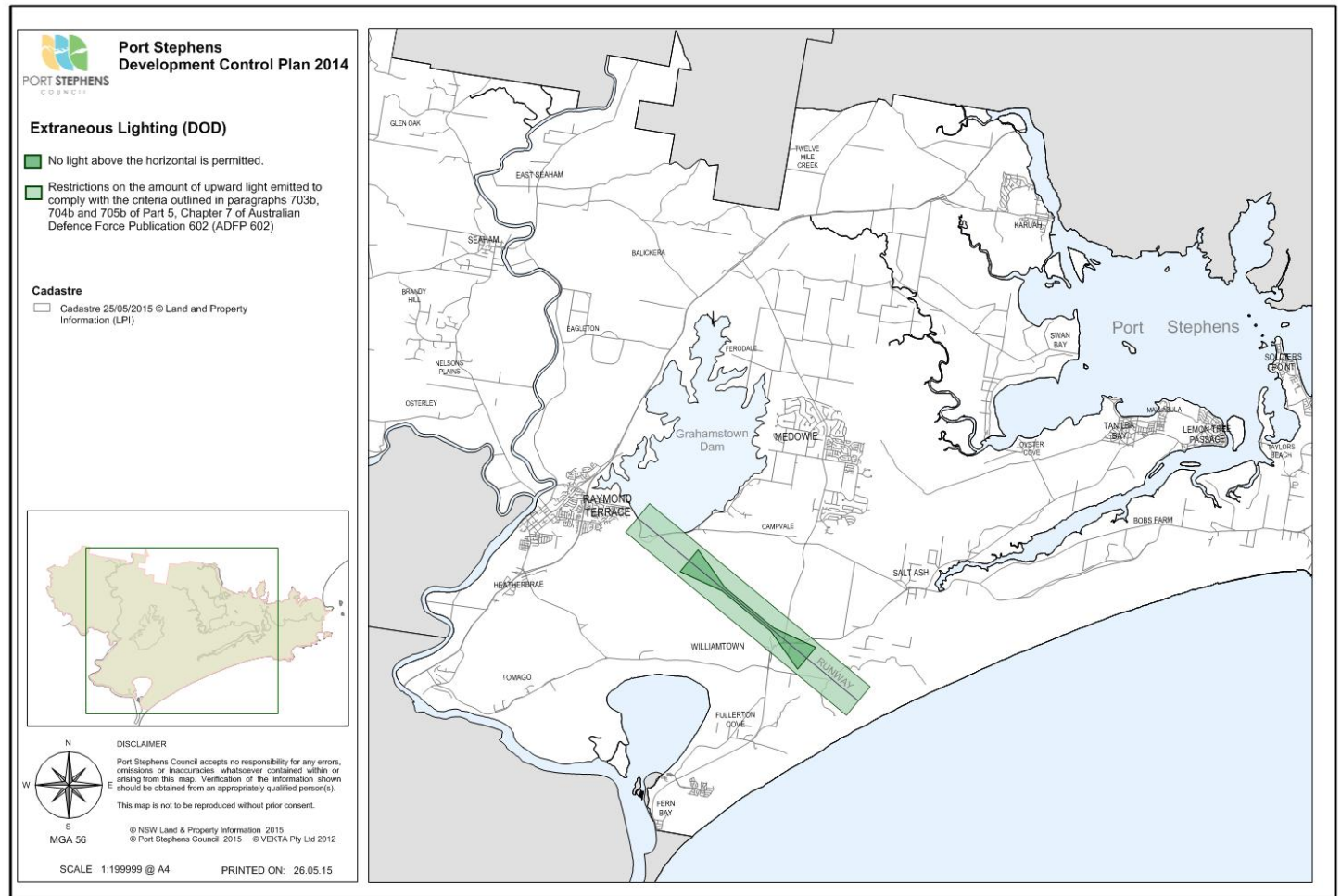


Figure BP:
Extraneous
Lighting Map 2



B8 Heritage

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

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

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

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

	<ul style="list-style-type: none">○ Parking has a negative visual impact on heritage○ The current land-use has been approved with a parking shortfall and the proposed parking concession does not exceed the current shortfall for the approved use calculated in accordance with Figure BQ (p. B-59)○ Peak demand between commercial and residential development types is shared○ An upgraded public transit facility, such as a bus stop is provided in proximity to the site		
B9.3	<ul style="list-style-type: none">▪ All internal driveways and parking areas of public car parks are concrete pavement or gravel sealed with bitumen or asphalt		
B9.4	<ul style="list-style-type: none">▪ Walking routes through large car parks will be delineated by markings, grade separation and pedestrian crossings in accordance with AS2890		
B9.5	<ul style="list-style-type: none">▪ Parking for people with a disability is designed and constructed:<ul style="list-style-type: none">• in accordance with AS2890 and AS1428• to be located as close to wheelchair accessible entrances/lifts and linked by an accessible/ continuous path		
B9.6	<ul style="list-style-type: none">▪ On-site parking is located behind the building line or setback by 1.0m Note: C4.16 (p. C-83) requires a minimum garage setback of 1m behind building line or setback		
Objectives			
B9.C	<table><tr><td>On-Site Parking Access</td><td><ul style="list-style-type: none">▪ To ensure that vehicle access is located in a safe location, where it least impacts on existing transit movements▪ To ensure driveway exits maximise intersection sight distances for traffic and pedestrians on footpaths</td></tr></table>	On-Site Parking Access	<ul style="list-style-type: none">▪ To ensure that vehicle access is located in a safe location, where it least impacts on existing transit movements▪ To ensure driveway exits maximise intersection sight distances for traffic and pedestrians on footpaths
On-Site Parking Access	<ul style="list-style-type: none">▪ To ensure that vehicle access is located in a safe location, where it least impacts on existing transit movements▪ To ensure driveway exits maximise intersection sight distances for traffic and pedestrians on footpaths		
Requirements			
B9.7	<ul style="list-style-type: none">▪ The entry, exit and driveway separation widths of access points from a site to a street frontage is provided in accordance with these steps:<ol style="list-style-type: none">1. Determine the class of parking, either being A, B or C2. Determine the ingress/egress category by identifying whether that class is located on either an arterial or local street and by referencing the number of parking spaces that are required, which is determined by B9.2 (p. B-55)3. Determine entry, exit and driveway separation widths by using the ingress/egress category		
	Step 1.		
	Class	Examples of Uses	Required Door Opening
	A	All-day parking – resident, employee, commuter parking and universities	Front door, first stop
	B	Medium-term parking – long-term city and town centre parking, sports facilities, entertainment centres, hotels, motels and airport visitors	Front door, second stop
	C	Short-term parking – town Centre parking, shopping centres,	Rear door, full-opening

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

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

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

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

establishment and farm stay		
Commercial Premises		
office premises and business premises	<ul style="list-style-type: none"> 1 car space per 40m² floor area 1 bike space per 200m² floor area 	<ul style="list-style-type: none"> 1 car space per 30 parking spaces
bulky goods	<ul style="list-style-type: none"> 1 car space per 55m² floor area 1 bike space per 20 employees 	<ul style="list-style-type: none"> 1 car space per 30 parking spaces
food and drink premises, including restaurants, cafes and take-away drink premises	<ul style="list-style-type: none"> 1 car space per 25m² floor area within commercial premises 15 car spaces per 100m² floor area or 1 car space per 3 seats outside of commercial premises Minimum queuing area of 5 cars for drive-thru 1 bike space per 200m² 	<ul style="list-style-type: none"> 1 car space per 30 parking spaces
pub and registered clubs	<ul style="list-style-type: none"> 1 car space per 7m² of floor area within commercial centres 1 car space per 10m² courtyard / beer garden within commercial centres 1 car space per 3.5m² of floor area outside of commercial centres 1 bike space per 25m² bar area 1 bike space per 100m² courtyard/ beer garden 1 bike space per 20 accommodation rooms 	<ul style="list-style-type: none"> 1 car space per 20 parking spaces
garden centre and plant nursery	<ul style="list-style-type: none"> 1 car space per 130m² nursery area 	<ul style="list-style-type: none"> 1 car space
shop	<ul style="list-style-type: none"> 1 car space per 20m² floor area 	<ul style="list-style-type: none"> 1 car space per 30 car spaces
roadside stall	<ul style="list-style-type: none"> 4 car spaces 	<ul style="list-style-type: none"> No requirement
motor showroom and vehicle sales or hire premises	<ul style="list-style-type: none"> 0.75 car spaces per 100m² vehicle display area 1 bike space per 20 employees 	<ul style="list-style-type: none"> 1 car space per 30 car spaces
hardware building supplies and industrial retail outlets	<ul style="list-style-type: none"> 1 car space per 55m² floor area 	<ul style="list-style-type: none"> No requirement
rural supplies, timber yards, landscaping material supplies and wholesale supplies	<ul style="list-style-type: none"> 1 bike space per 20 employees 	<ul style="list-style-type: none"> No requirement
market	<ul style="list-style-type: none"> 2.5 car spaces per stall 	<ul style="list-style-type: none"> No requirement
service station	<ul style="list-style-type: none"> 4 car spaces per work bay 1 car space per 20m² floor area 	<ul style="list-style-type: none"> 1 car space

	<ul style="list-style-type: none"> 1 bike space per 15 employees 	
sex services premises	<ul style="list-style-type: none"> 2 car spaces per room used for prostitution 	<ul style="list-style-type: none"> 1 car space per 20 car spaces
entertainment facilities and function centres	<ul style="list-style-type: none"> A traffic impact study is required 1 bike space per 20 employees 1 bike space per 20 visitors 	<ul style="list-style-type: none"> 1 car space per 20 car spaces
veterinary premises and health consulting rooms	<ul style="list-style-type: none"> 3 car spaces per practitioner 1 car space per 2 employees not a practitioner 2 bike space per 10 practitioners and other employees not practitioners 	<ul style="list-style-type: none"> 1 car space per 10 car spaces
Industry		
home industry and light industry	<ul style="list-style-type: none"> 1 car space per 100m² 1 car space for each employee 1 bike space per 20 employees 	<ul style="list-style-type: none"> No requirement
rural industries	<ul style="list-style-type: none"> Merit-based approach 	<ul style="list-style-type: none"> No requirement
heavy industrial storage establishments, heavy industry and general industry	<ul style="list-style-type: none"> 1 car space per 100m² floor area or 4 space per work bay 1 bike space per 20 employees 	<ul style="list-style-type: none"> 1 car space per 30 car spaces
vehicle body repair workshops and vehicle repair stations	<ul style="list-style-type: none"> 4 car spaces per work bay 	<ul style="list-style-type: none"> No requirement
warehouse or distribution centres, storage premises and depots	<ul style="list-style-type: none"> 1 car space per 200m² 1 bike space per 20 employees 	<ul style="list-style-type: none"> 1 car space
Infrastructure		
passenger transport facility	<ul style="list-style-type: none"> Merit-based approach 	<ul style="list-style-type: none"> 1 car space per 20 car spaces
educational establishment	<ul style="list-style-type: none"> 1 car space per employee 1 car space per 8 senior high school students 2 bike spaces per 20 employees and students 	<ul style="list-style-type: none"> 1 car space per 20 car spaces
medical centres	<ul style="list-style-type: none"> 1 car space per 25m² floor area 	<ul style="list-style-type: none"> 1 car space per 10 car spaces
child care centre	<ul style="list-style-type: none"> 1 car space for every 4 childcare places 	<ul style="list-style-type: none"> 1 car space
place of public worship	<ul style="list-style-type: none"> Merit-based approach 2 bike spaces per 20 employees and visitors 	<ul style="list-style-type: none"> 1 car space per 20 car spaces
bowling green	<ul style="list-style-type: none"> 30 car spaces for first bowling green, then 15 for each additional bowling green 1 bike space per 15 employees 	<ul style="list-style-type: none"> 1 car space per 20 car spaces

bowling alley	<ul style="list-style-type: none"> 3 car spaces per bowling alley 1 bike space per 15 employees 	
squash/tennis courts	<ul style="list-style-type: none"> 3 car spaces per tennis court 1 bike space per 15 employees 	
gymnasium	<ul style="list-style-type: none"> 5 car space per 100m² 1 bike space per 15 employees 	
indoor soccer/cricket/netball	<ul style="list-style-type: none"> 15 car spaces per pitch/court 1 bike space per 15 employees 	
marina	<ul style="list-style-type: none"> 0.6 spaces per wet berth 0.2. spaces per dry storage berth 0.2 spaces per swing mooring 0.5 spaces per marina employee 1 bike space per 15 employees 	<ul style="list-style-type: none"> No requirement
charter and tourism boating facilities	<ul style="list-style-type: none"> 4.5 car spaces per 100m² floor area or 1 space per 10 passengers 	<ul style="list-style-type: none"> 1 car spaces per 20 car spaces
community facilities	<ul style="list-style-type: none"> Merit-based approach 	<ul style="list-style-type: none"> 1 car space per 20

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

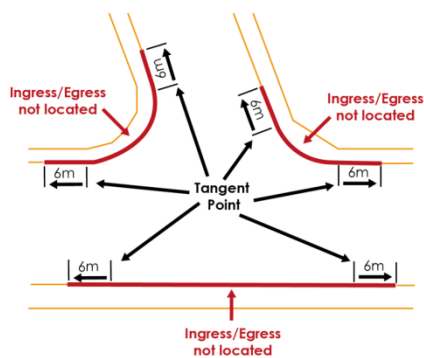
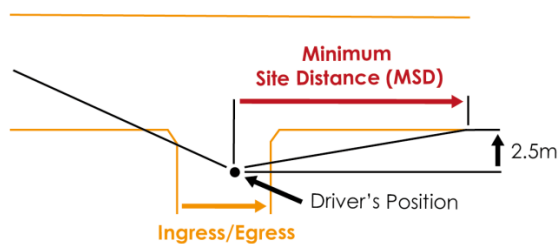


Figure BS: Illustration of Ingress and Egress Minimum Site Distances



B10 Social Impact

Application		
<ul style="list-style-type: none"> This Part applies to development deemed to have a significant social impact 		
Objectives		
B10.A	Social Impact	<ul style="list-style-type: none"> To promote community well-being and quality of life To achieve intergeneration equity To ensure social impacts are measured and effective mitigation strategies implemented To implement the Port Stephens Council. 2013, 'Social Impact Policy'²⁷
Requirements		
B10.1	<ul style="list-style-type: none"> A social impact assessment is required for development with the potential to have a significant social impact, which may include: <ul style="list-style-type: none"> sex services premises restricted premises caravans parks backpacker accommodation boarding houses hostels entertainment facilities tourist and visitor accommodation pubs registered clubs major subdivisions <p>Note: All development types are defined under the PSLEP 2013 with the exception of major subdivisions, which is defined under this Plan</p>	

C Development Types

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

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

C1 Subdivision

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

		<ul style="list-style-type: none">○ maintenance requirements<ul style="list-style-type: none">○ Landscape treatments, including paving and street furniture○ Rehabilitation and revegetation areas● Slope Analysis for sites 15 degrees or over● Preliminary Transport Plan where multiple roads are proposed● Concept Utility Plans● Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan		
Objectives				
C1.B	Subdivision Certificate	<ul style="list-style-type: none">▪ To provide a consistent approach in the way a subdivision certificate is released		
Requirements				
C1.4	Subdivision Certificate	<ul style="list-style-type: none">▪ Subdivision certificates are released once the following has been submitted to Council:<ul style="list-style-type: none">● Plan for Subdivision● Payment of s94 contributions● S50 Certificate from Hunter Water		
Objectives				
C1.C	Block & Street Layout	<ul style="list-style-type: none">▪ 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		
Requirements				
C1.5	Block Dimensions	<ul style="list-style-type: none">▪ A block seeks to achieve the following dimensions:		
		Zone	Maximum depth	Maximum length
		Residential	80m	160m
		Commercial	50m	80m
		Industrial	120m	200m
C1.6	Technical Specifications	<ul style="list-style-type: none">▪ Street layout compiles with the road network specifications in infrastructure specification – design¹¹		
C1.7	Street Layout Attributes	<ul style="list-style-type: none">▪ The street layout addresses the following:<ul style="list-style-type: none">● All street components are integrated, such as kerbing, pavement type, width, street tree planting, footpaths, on road cycleway, dual use paths, lighting and seating are provided as specified in infrastructure specific –design¹¹● Road widths accommodate the necessary movements of service and emergency vehicles● Driveways and footpaths are provided at		

		<p>subdivision as a part of the subdivision works</p> <ul style="list-style-type: none"> • Footpaths and dual-use paths follow desire lines • Street layout is interconnected to provide a grid-like structure • Street layout is informed by street connections for future subdivisions on adjacent lands • Street layout enables each lot to front a street and for corner lots to face both streets • Street layout seeks to provide a perimeter road between residential dwellings and; <ul style="list-style-type: none"> ◦ bushfire prone land ◦ open space defined as a district park, neighbourhood park or local park under C1.15 (p. C-68) • Street layout ensures public access to public open space is maintained and encouraged • Street layout responds to the topographical features of the site, such as: <ul style="list-style-type: none"> ◦ where land slopes at a grade of 6% or more the predominant street alignment is perpendicular to the contours ◦ straight or gently curved to frame vistas
C1.8	Cul-de-sacs	<ul style="list-style-type: none"> ▪ Cul-de-sacs are generally only supported where: <ul style="list-style-type: none"> • Street layout does not permit a through street • Connectivity to an adjoining street is not required • Maximum length of 75m • Access to a maximum of 10 dwellings • Clear line of sight from the nearest intersection
C1.9	Street Tree Requirements	<ul style="list-style-type: none"> ▪ Street trees are required as a component of the road reserve for the following: <ul style="list-style-type: none"> • residential subdivisions • commercial subdivisions • industrial subdivision creating 10 or more lots <ul style="list-style-type: none"> ◦ Street trees are provided in accordance with the Tree Technical Specification¹ <ul style="list-style-type: none"> ✓ Attachment 1 – Tree Planting Guidelines of the Tree Technical Specification¹ provides guidance to the application of Attachment 2 to determine the total number of trees to be provided
Objectives		
C1.D	Lot Size & Dimensions	<ul style="list-style-type: none"> ▪ To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provisions of necessary services and other requirements
Requirements		

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

	Hierarchy	space in accordance with the following:			
			Category	Area	Catchment
		A	Regional Park	merit-based approach	1 per 400 residents aged 5-39
		B	Suburban Park	1-2ha	500 -800m
		C	Local Park	0.5ha	150-400m
		D	Corridor open space	merit-based approach	-
C1.16	Open Space Reduction	<ul style="list-style-type: none">▪ The quantity of public open space can be reduced if:<ul style="list-style-type: none">• accessibility is improved through such measures as providing extended connections to the wider pedestrian network• value of open space is improved through such measures as an increased amount and/or quality of park equipment			
C1.17	Open Space Attributes	<ul style="list-style-type: none">▪ A local park provided under C1.15 (above):<ul style="list-style-type: none">• demonstrates centrality by being located near transport nodes, public buildings, waterfronts, libraries or places of public worship• is bounded by a local street• is faced by lots zoned residential or commercial• provides advanced evergreen shade trees• provides multiple entry and exit points• creates links between public and private areas• integrates remnant vegetation• provides seating• primary purpose is open space and is not secondary to detention or retention for drainage▪ Regional Parks in addition to the facilities included in a small local park also include a children's playground▪ Suburban Parks provide facilities in consultation with Council▪ Corridor open spaces are drainage reserves classified as operational land under the Local Government Act 1993			
Objectives					
C1.G	Infrastructure	<ul style="list-style-type: none">▪ To ensure detailed consideration is provided to the provision of integrated and quality public infrastructure			
Requirements					
C1.18	Technical Specifications	<ul style="list-style-type: none">▪ Infrastructure in accordance with the infrastructure specification – design¹¹ is identified on the Concept Utility Plans or more detailed Preliminary Engineering Plans			

C1.19	Public Infrastructure	<ul style="list-style-type: none"> ▪ Subdivision provides public infrastructure within the adjoining road or public land, including kerb/gutter, stormwater drainage, footpaths, street lighting, street trees and bus shelters, excluding: <ul style="list-style-type: none"> • Public utilities, such as water and electricity are kept within private lot boundaries and are not located within the road reserve
C1.20	Lifecycle & Maintenance	<ul style="list-style-type: none"> ▪ Lifecycle and maintenance costs are a key determinant when considering alternative methods, products and manufacturers to those specification in the infrastructure specification – design¹¹ <ul style="list-style-type: none"> • Council will request life cycle costing and maintenance manual details for infrastructure to assist in ongoing maintenance
Objectives		
C1.H	Public Scale Drainage	<ul style="list-style-type: none"> ▪ To ensure further guidance is provided for subdivision that is consistent with B4 Drainage and Water Quality
Requirements		
C1.21	Inter-allotment Drainage	<ul style="list-style-type: none"> ▪ Each lot must be able to be gravity drained through the drainage system to public drainage <ul style="list-style-type: none"> • Inter-allotment drainage may be required for subdivision where a lot does not drain directly to the road kerb
C1.22	Drainage Reserves	<ul style="list-style-type: none"> ▪ An overland flow path is provided for the 1% Annual Exceedance Probability(AEP) storm event and is a drainage reserve dedicated to Council as operational land

Figure CA: Residential Block Dimensions & Rectangular Building Footprint

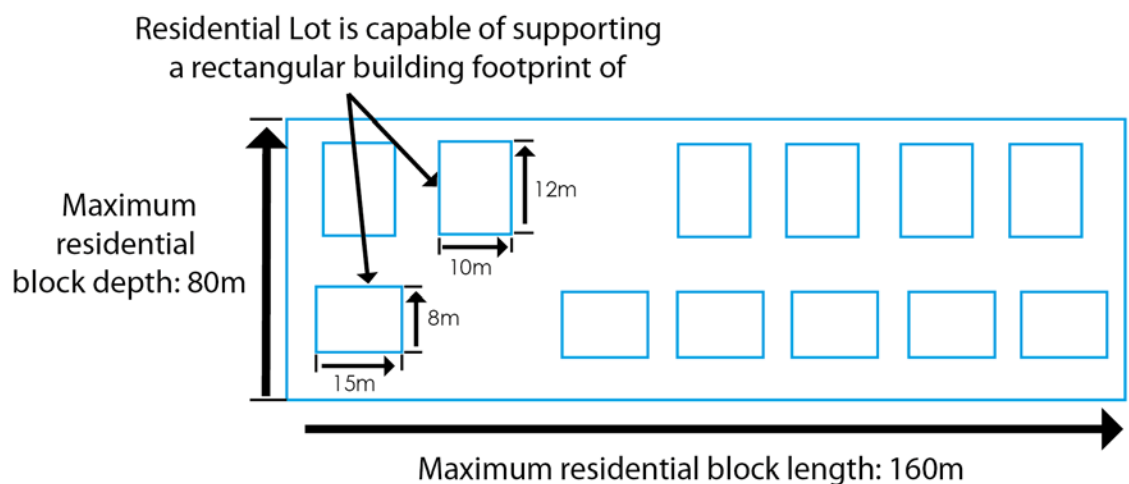


Figure CB: Battle-Axe Requirements

	Entry Width	Max Length	Misc	Torrens
<ul style="list-style-type: none">▪ Dwelling house▪ Dual Occupancy	3.6m	30m	Max 2 dwellings	Max 3
<ul style="list-style-type: none">▪ Multi-dwelling housing▪ Residential flat building	6m	50m	-	-
<ul style="list-style-type: none">▪ Business▪ Industrial	10m	-	-	Max 3
<ul style="list-style-type: none">▪ Rural less than 2 lots	6.5m	200m	-	Max 3
<ul style="list-style-type: none">▪ Rural greater than 3 lots	10m	200m	-	Max 3

C2 Commercial

Application		
<ul style="list-style-type: none"> This Part applies to development defined as commercial premises <ul style="list-style-type: none"> This Part also provides additional requirements for bulky goods premises 		
Objectives		
C2.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure that commercial premises is informed by an analysis of its setting
Requirements		
C2.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for commercial premises adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C2.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for commercial premises is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) Site Analysis Plan Floor Plan Street Elevation Plan Section Plan Landscape Plan <ul style="list-style-type: none"> Is provided in accordance with Chapter 4 - Standards for Commercial Development of the Landscape Technical Specification⁴ Shadow diagram if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> Shadow diagrams consider shadowing created by the dwelling and fencing Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan
Objectives		
C2.B	Subdivision Certificate	<ul style="list-style-type: none"> To provide a consistent approach in the way a subdivision certificate is released for dual occupancy development
Requirements		
C2.3	Subdivision Certificate	<ul style="list-style-type: none"> Dual occupancy subdivision certificates are released once the following has been submitted to Council: <ul style="list-style-type: none"> Plan for Subdivision Payment of s94 contributions S50 Certificate from Hunter Water

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

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

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

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

Figure CC: Illustration of Commercial Awning Dimensions

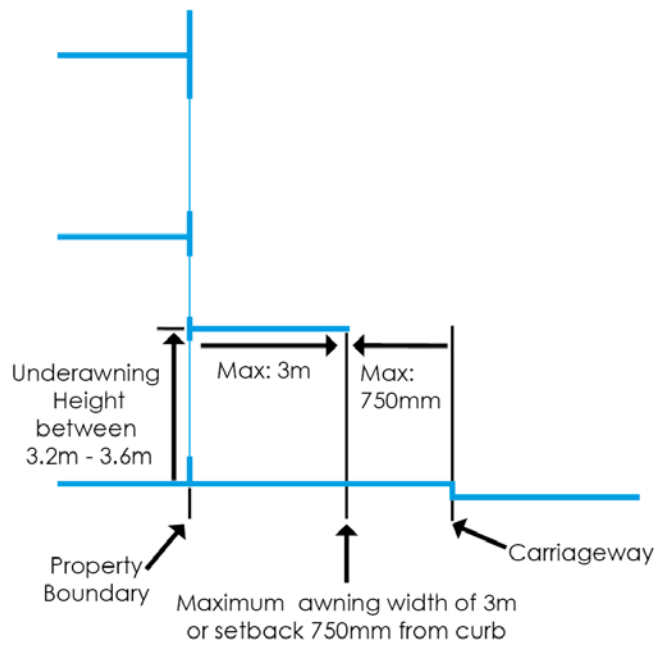
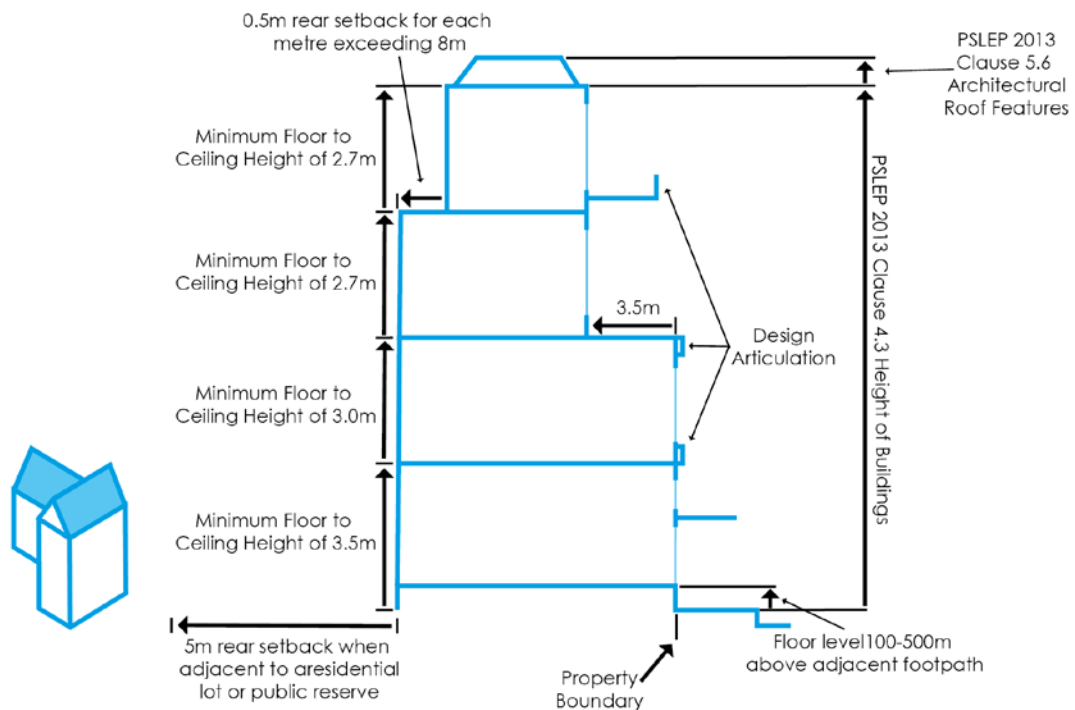


Figure CD: Illustration of Commercial Building Envelope



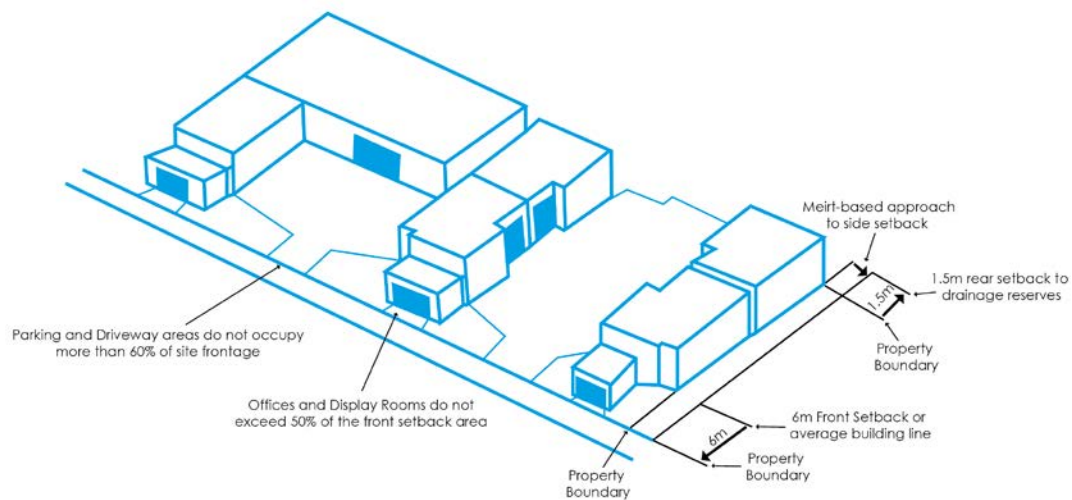
C3 Industrial

Application		
<ul style="list-style-type: none"> This Part applies to development defined as industry and/or development within the Zone B5 Business Development. 		
Objectives		
C3.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure industry development is informed by an analysis of its setting
Requirements		
C3.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for industry adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C3.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for industry is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) Site Analysis & Site Plan Floor Plan Street elevation plan Section Plan Landscape Plan <ul style="list-style-type: none"> Landscape Plan is provided in accordance with Chapter 5 - Standards for Industrial Subdivision of the Landscape Technical Specification⁴ Waste Management Plan <p>Note: B3.8 (p. B-27) details what is to be included within a Waste Management Plan</p> <ul style="list-style-type: none"> Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan
Objectives		
C3.B	Subdivision Certificate	<ul style="list-style-type: none"> To provide a consistent approach in the way of how a subdivision certificate is released for dual occupancy development
Requirements		
C3.3	Subdivision Certificate	<ul style="list-style-type: none"> Dual occupancy subdivision certificates are released once the following has been submitted to Council: <ul style="list-style-type: none"> Plan for Subdivision Payment of s94 contributions S50 Certificate from Hunter Water
Objectives		

C3.C	Height	<ul style="list-style-type: none"> 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
Requirements		
C3.4	Building Height	<ul style="list-style-type: none"> Development must not exceed a height of 15m <p>Note: PSLEP 2013 Clause 4.3 Height of buildings overrides this requirement, if a height is specified</p>
Objectives		
C3.D	Site Coverage	<ul style="list-style-type: none"> To ensure development provides an appropriate bulk and scale for the desired character of that zone
Requirements		
C3.5	Site Coverage	<ul style="list-style-type: none"> Site Coverage adheres to maximum non-permeable surface area described under Figure BB (p. B-27)
Objectives		
C3.E	Building Siting and Design	<ul style="list-style-type: none"> To ensure development is situated within an appropriate building envelope
Requirements		
C3.6	Front Setback	<ul style="list-style-type: none"> Maximum front setback of 6m from the front property boundary or the existing average building line Single storey offices and display rooms within the front setback must: <ul style="list-style-type: none"> not exceed 50% of the front setback area ensure sightlines are maintained for pedestrian and vehicle movement
C3.7	Side Setback	<ul style="list-style-type: none"> No minimum side setback
C3.8	Rear Setback	<ul style="list-style-type: none"> Merit-based approach to rear setback with a 1.5m buffer zone provided to drainage reserves
Objectives		
C3.F	Fencing	<ul style="list-style-type: none"> To avoid the dominance of fences on the streetscape and similar hostile design, and to soften the built environment in industrial areas
Requirements		
C3.9	Fencing Materials	<ul style="list-style-type: none"> Fencing forward of the six metre setback must not exceed a height of 1.2m. It is constructed of masonry or dark coloured picket/pool style fencing in combination with vegetation
C3.10	Security Fencing	<ul style="list-style-type: none"> Security gates and other fencing may be utilised behind the five six metre setback, provided that it does not exceed a height of two metres
Objectives		
C3.G	Facades and Articulation	<ul style="list-style-type: none"> To ensure facades consist of appropriate materials and colours that contribute to streetscape amenity

		<ul style="list-style-type: none"> To ensure weather protection is provided at building entrances
Requirements		
C3.11	Colours and Materials	<ul style="list-style-type: none"> Building colours and materials are sympathetic to the natural environment and existing site context
C3.12	Awnings	<ul style="list-style-type: none"> Weather protection awnings are provided for building entrances
C3.13	Building Access	<ul style="list-style-type: none"> The building access point provides a clear sense of building address for residents and their visitors
C3.14	Building Frontage	<ul style="list-style-type: none"> Offices, showrooms and customer service areas are located towards the front of the development Parking and driveway areas do not occupy more than 60% of the site frontage Buildings face the street and provide clear entry points
C3.15	Blank Walls	<ul style="list-style-type: none"> Blank walls are minimised by incorporating an opening or change in the wall's articulation. This should include a combination of change in materials, setback variation, architectural details or landscaping
C3.16	Screening	<ul style="list-style-type: none"> Screening of poorly designed buildings with vegetation is not an acceptable streetscape treatment. A combination of quality building design and landscaping is to be used to provide a positive contribution to the streetscape

Figure CE: Illustration of Industrial Building Principles



C4 Dwelling House, Dual Occupancy or Ancillary Structures

Application		
<ul style="list-style-type: none"> This Part applies to development that is defined as a dwelling house, dual occupancy or ancillary structure, which includes a swimming pool, shed, fencing, retaining wall or shipping container 		
Objectives		
C4.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure a dwelling house or dual occupancy is informed by an analysis of its setting
Requirements		
C4.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for dwelling house, dual occupancy or ancillary structure adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C4.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for a dwelling house or dual occupancy is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) Site Analysis & Site Plan Floor Plan Street elevation plan Section Plan Landscape Concept Plan in accordance with the Landscape Technical Specification⁴ is provided for the following: <ul style="list-style-type: none"> All dual occupancy dwellings A dwelling house, only when the assessing officer believes it is warranted for sites: <ul style="list-style-type: none"> ✓ with slope of land is greater than 18 degrees, or ✓ when measured from the dwelling within 50m of the following: <ul style="list-style-type: none"> ❖ SEPP 14 Wetland ❖ Preferred koala habitat ❖ Species and communities listed within the TSC Act BASIX Certificate <ul style="list-style-type: none"> A BASIX Certificate is to be provided in accordance with SEPP (Building and Sustainability Index) 2004 for a single dwelling or dual occupancy Shadow diagram if development is proposed to be greater than 8m in height

		<ul style="list-style-type: none"> Shadow diagrams consider shadowing created by the dwelling and fencing Other information as agreed during the pre-lodgement meeting or other matters outlined in other Parts of this Plan
C4.3	Subdivision Certificate	<ul style="list-style-type: none"> To provide a consistent approach to when a subdivision certificate is released for dual occupancy development
C4.4	Subdivision Certificate	<ul style="list-style-type: none"> Dual occupancy subdivision certificates are released once the following has been submitted to Council: <ul style="list-style-type: none"> Plan for Subdivision Payment of s94 contributions S50 Certificate from Hunter Water
Objectives		
C4.B	Site Dimensions	<ul style="list-style-type: none"> To achieve planned residential density in certain zones To ensure non-permeable surfaces are provided in accordance with the capacity of infrastructure
Requirements		
C4.5	Minimum Site Area	<ul style="list-style-type: none"> Minimum site area is provided in accordance with PSLEP 2013 Clause 4.1B Minimum site area for dual occupancy, multi-dwelling housing and residential flat buildings
C4.6	Non-permeable surfaces	<p>Note: B4.2 (p. B-31) requires on-site detention where non-permeable surfaces exceed the total percentage of site area listed under Figure BD (p. B-31)</p>
Objectives		
C4.C	Site Coverage	<ul style="list-style-type: none"> To ensure development provides an appropriate bulk and scale for the desired character of that zone
Requirements		
C4.7	Site Coverage	<ul style="list-style-type: none"> Site Coverage adheres to maximum non-permeable surface area described under Figure BD (p. B-31)
Objectives		
C4.D	Siting	<ul style="list-style-type: none"> To seek to preserve the character and agricultural purpose of a rural area
Requirements		
C4.8	Dual occupancy in rural or environment zones	<ul style="list-style-type: none"> Siting of a dual occupancy in a rural or environment protection zones adheres to PSLEP2013 Clause 7.15 Dual occupancies on land in certain rural or environment protection zones
Objectives		
C4.E	Height	<ul style="list-style-type: none"> 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 use structure
Requirements		
C4.9	Building Height	<ul style="list-style-type: none"> ▪ Building height is provided in accordance with PSLEP2013 Clause 4.3 Height of buildings and Clause 5.6 Architectural roof features <ul style="list-style-type: none"> • Maximum height limit of 8m or a merit-based approach is taken where no height limit is specified under PSLEP2013 Clause 4.3 • The Building Code of Australia (BCA) generally requires a minimum floor to ceiling height of 2.4m <p>Note: C2.5 (p. C-73) requires a minimum first floor and above ceiling height for residential accommodation in a commercial zone of 2.7m</p>
Objectives		
C4.F	Setbacks	<ul style="list-style-type: none"> ▪ To ensure development provides continuity and consistency to the public domain
Requirements		
C4.10	Front Setback	<ul style="list-style-type: none"> ▪ Minimum front setback of 4.5m for a greenfield site within a residential or RU5 Rural Village zone ▪ Average setback of existing properties or minimum front setback of 4.5m for an infill site, whichever is less, within a residential or RU5 Rural Village zone ▪ Minimum front setback of 10m for rural, environmental or R5 Rural Residential zones <ul style="list-style-type: none"> • Maximum 1.5m encroachment of front setback for architectural features, such as an entry porch or deck
C4.11	Secondary Setback (Corner Lots)	<ul style="list-style-type: none"> ▪ Minimum secondary setback of 2m ▪ Minimum secondary setback of 10m for rural or environmental zones <ul style="list-style-type: none"> • Maximum 1m encroachment to secondary setback for architectural features, such as an entry porch or deck
C4.12	Side Setback – ground floor	<ul style="list-style-type: none"> ▪ Minimum ground floor side setback of 0.9m ▪ Minimum ground floor side setback of 5m rural and environmental zones
C4.13	Side Setback – upper storey	<ul style="list-style-type: none"> ▪ Minimum upper storey side setback of 2m ▪ Minimum upper storey side setback of 5m for rural and environmental zones
C4.14	Rear Setback – ground floor	<ul style="list-style-type: none"> ▪ Minimum ground floor rear setback of 2m ▪ Minimum ground floor rear setback of 5m for rural and environmental zones
C4.15	Rear Setback – upper storey	<ul style="list-style-type: none"> ▪ Minimum upper storey rear setback of 6m ▪ Minimum upper storey rear setback of 5m for rural and environmental zones

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

Objectives		
C4.H	Private Open Space	<ul style="list-style-type: none">To ensure private open space with solar access is provided to allow opportunity for passive and active outdoor recreation
Requirements		
C4.23	Private Open Space Dimensions	<ul style="list-style-type: none">Minimum of 50m² of ground floor private open space comprising a minimum of 35m² that is usable, which includes:<ul style="list-style-type: none">Minimum dimension of 4m x 4mIs accessible from living areasIs not located within a front setbackSeeks to incorporate a northerly aspectWhere development cannot provide private open space on the ground floor, provisions shall be made for a balcony of not less than 20m² with a minimum width of 3m for the use as private open space
C4.24	Solar Access	<ul style="list-style-type: none">Minimum of 2hrs sunlight to the principle private open space area between the hours of 9am-3pm midwinter
C4.25		<ul style="list-style-type: none">Minimum of 30% of private open space of adjoining dwellings must remain unaffected by any shadow for a minimum of 3 hours between 9am-3pm midwinter
Objectives		
C4.I	Car Parking and Garages	<ul style="list-style-type: none">To ensure car parking caters for anticipated vehicle movements to and from the development and does not negatively impact on building articulation
Requirements		
C4.26	On-Site Parking Provisions	<ul style="list-style-type: none">B9.2 (p. B-55) requires that all development that has the potential to create demand for on-site parking provides parking in accordance with Figure BQ (p. B-59)
C4.27	Driveway Width	<ul style="list-style-type: none">A driveway should have a minimum width of 3.6m <p>Note: B9.7 (p. B-56) requires ingress/egress widths to provide the listed dimensions</p>
C4.28	Garage Dimensions	<ul style="list-style-type: none">Maximum garage door width of 6m for residential lots or 50% of the building frontage, whichever is less<ul style="list-style-type: none">Maximum garage width of 9m for lots exceeding 1,500m²
Objectives		
C4.J	Site Facilities and Services	<ul style="list-style-type: none">To ensure development provides appropriate facilities and services in the most appropriate site location
Requirements		
C4.29	Waste Storage	<ul style="list-style-type: none">An adequately screened waste storage and recycling area are to be provided behind the building line
C4.30	Clothes	<ul style="list-style-type: none">A suitable open-air area for clothes drying is to be

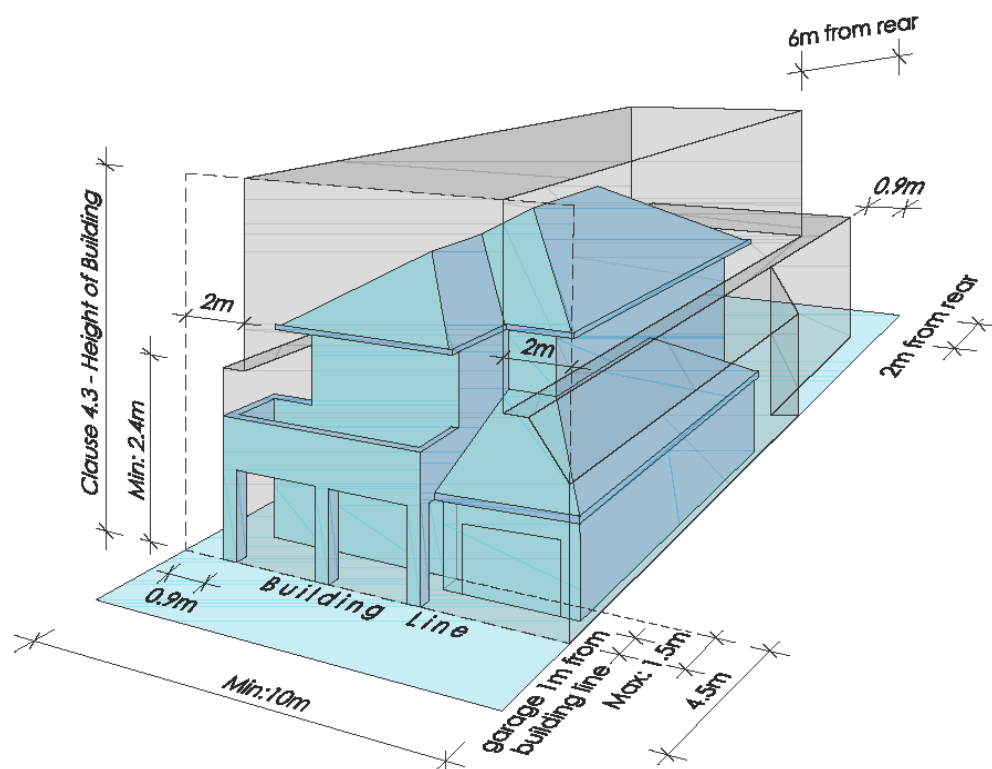
	Drying	provided for each dwelling behind the building line
Objectives		
C4.K	Ancillary	<ul style="list-style-type: none"> To provide further guidance to ancillary types of development to ensure consistent and desired amenity
Requirements		
C4.31	Sheds (Residential)	<ul style="list-style-type: none"> Development in a residential zone adheres to: <ul style="list-style-type: none"> Maximum gross floor area of 72m² Minimum side and rear setback of 0.9m <p>Note: SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, ferneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 20m² in a residential zone to be exempt development</p> <ul style="list-style-type: none"> Except for R5 Large Lot Residential, which adheres to: <ul style="list-style-type: none"> Maximum floor area is merit-based Minimum front setback of 10m Minimum side and rear setback of 5m <p>Note: SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, ferneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 50m² in a RU1, RU2, RU3, RU4, RU6 or R5 zone to be exempt development</p>
C4.32	Sheds (Rural)	<ul style="list-style-type: none"> Development in a rural zone adheres to: <ul style="list-style-type: none"> Minimum side and rear setback of 10m Minimum setback of 5m from a building <p>Note: SEPP (Exempt and Complying Development Codes) 2008, Subdivision 9 Cabanas, cubby house, ferneries, garden sheds, gazebos and greenhouses generally classifies a shed to a maximum floor area of 50m² in a RU1, RU2, RU3, RU4, RU6 or R5 zone to be exempt development</p>
C4.33	Swimming Pools	<ul style="list-style-type: none"> The water edge must be setback at least 1m from the side and rear boundaries
C4.34		<ul style="list-style-type: none"> Maximum decking height of 1.4m in height if the pool is located more than 600mm above the ground level
C4.35	Front Fences	<ul style="list-style-type: none"> Maximum height of 1.2m and is not of solid infill construction Maximum height of 1.5m along main roads and secondary street frontages
C4.36		<ul style="list-style-type: none"> Compatible with street facilities, such as mailboxes and allow easy access to public utilities
C4.37	Side and Rear Fences	<ul style="list-style-type: none"> Maximum height of 1.8m
C4.38		<ul style="list-style-type: none"> Side fences must not encroach on the front setback area of any dwelling

C4

DWELLING HOUSE, DUAL OCCUPANCY OR ANCILLARY STRUCTURES

C4.39		<ul style="list-style-type: none"> ▪ Solid sheet fencing is not be used
C4.40		<ul style="list-style-type: none"> ▪ Fences within the root zone of an existing tree must be constructed of light weight suspended panels supported by posts with pier footings
C4.41	Retaining Walls	<ul style="list-style-type: none"> ▪ Maximum height of 1m
C4.42		<ul style="list-style-type: none"> ▪ Masonry construction within 0.9m of the property boundary when greater than 0.6m in height
C4.43		<ul style="list-style-type: none"> ▪ Retaining walls are wholly contained within the site

Figure CF: Dwelling House Building Envelope



C5 Multi Dwelling Housing

Application		
<ul style="list-style-type: none"> This Part applies to development that is defined as multi dwelling housing <ul style="list-style-type: none"> Development defined as a residential flat building refers to SEPP No 65 – Design Quality of Residential Flat Development 		
Objectives		
C5.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure multi dwelling housing is informed by an analysis of its setting
Requirements		
C5.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for multi dwelling housing adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C5.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for multi dwelling housing is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) Site Analysis & Site Plan Floor Plan Street elevation plan Section Plan Landscape Plan <ul style="list-style-type: none"> Landscape Plan is provided in accordance with Chapter 6 – Standards for Multi Dwelling Housing of the Landscape Technical Specification⁴ BASIX Certificate <ul style="list-style-type: none"> A BASIX Certificate is to be provided in accordance with SEPP (Building and Sustainability Index) 2004 Shadow diagram if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> Shadow diagrams consider the shadow created by fencing Waste Management Plan Other information agreed during pre-lodgement meeting or as outlined in other Parts of this Plan
Objectives		
C5.B	Subdivision Certificate	<ul style="list-style-type: none"> To provide a consistent approach in the way of how a subdivision certificate is released for dual occupancy development
Requirements		

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

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

		active outdoor recreation
Requirements		
C5.20	Private Open Space Dimensions	<ul style="list-style-type: none">▪ Minimum of 50m² of ground floor private open space comprising a minimum of 35m² that is usable, which includes:<ul style="list-style-type: none">• Minimum dimension of 4m x 4m• Is accessible from living areas• Is not located within a front setback• Has a northerly aspect▪ Where development cannot provide private open space on the ground floor, provisions shall be made for a balcony of not less than 20m² with a minimum width of 3m for the use as private open space
C5.21	Solar Access	<ul style="list-style-type: none">▪ Minimum of 2hrs sunlight to the principle private open space area between the hours of 9am-3pm midwinter
C5.22		<ul style="list-style-type: none">▪ Minimum of 50% of private open space of adjoining dwellings is not affected by any shadow for a minimum of 3 hours between 9am-3pm midwinter
Objectives		
C5.J	Site facilities and services	<ul style="list-style-type: none">▪ To ensure development provides appropriate facilities and services in the most appropriate site location
Requirements		
C5.23	Equipment	<ul style="list-style-type: none">▪ 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
C5.24	Waste Storage	<ul style="list-style-type: none">▪ An adequately screened waste storage and recycling area are to be provided behind the building line or setback
C5.25	Mail boxes	<ul style="list-style-type: none">▪ Mail boxes are adjacent to the major entrance
C5.26	Street Numbers	<ul style="list-style-type: none">▪ Street/Unit numbers are identifiable from the street
C5.27	Clothes Drying	<ul style="list-style-type: none">▪ A suitable open-air area for clothes drying is to be provided for each dwelling behind the building line or setback

C6 Home Business or Home Industry

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

Objectives		
C6.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure home business or home industry is informed by an analysis of its setting

Requirements		
C6.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for home business or home industry adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C6.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for home business or home industry is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects that includes the following additional details: <ul style="list-style-type: none"> Nature of the proposed use Hours of operation Number of staff Number of customers to visit the premises Disabled access and facilities Parking availability Delivery details and expected vehicles Fire safety measures Advertising signs Impacts on adjoining properties Floor plan

Objectives		
C6.B	Operational Requirements	<ul style="list-style-type: none"> To ensure operating hours do not negatively impact on residential amenity

Requirements		
C6.3	Hours of Operation	<ul style="list-style-type: none"> Hours of operation merit-based or considered: <ul style="list-style-type: none"> Monday to Friday, 8.00am to 6.00pm Saturday, 9.00am to 12.00pm Sunday or Public Holidays, not allowed to operate <ul style="list-style-type: none"> Hours of operation may be further restricted depending on the location and nature of the development
C6.4	Goods Storage	<ul style="list-style-type: none"> Storage of goods or equipment must be contained within the confines of the building

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

C7 Restricted or Sex Services Premises

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

Objectives – Restricted Premises		
C7.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure restricted premises is informed by an analysis of its setting
Requirements – Restricted Premises		
C7.1	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for restricted premises adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C7.2	Lodgement Requirements	<ul style="list-style-type: none"> A development application for restricted premises is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) Site Analysis & Site Plan Floor plan Street elevation plan Section plan Landscape Plan <ul style="list-style-type: none"> Landscape Plan is provided in accordance with the Landscape Technical Specification⁴ Construction Management Plan Shadow diagram if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> Shadow diagrams consider the shadow created by fencing Waste Management Plan <p>Note: B3.8 (p. B-27) details what is to be included within a Waste Management Plan</p>
Objectives – Restricted Premises		
C7.B	Building Entries	<ul style="list-style-type: none"> To provide clear direction to access points and ensure they are appropriately located
Requirements – Restricted Premises		
C7.3	Building Entries	<ul style="list-style-type: none"> The building entrance should be located 400m from: <ul style="list-style-type: none"> Dwelling on residential land Child care centre, community facility, education establishment, hospital or place of public worship, Another restricted premises
C7.4		<ul style="list-style-type: none"> Building Entrance must be discrete and unobtrusive

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

Objectives – Sex Services Premises		
C7.D	Lodgement Requirements	<ul style="list-style-type: none"> To ensure sex services premises is informed by an analysis of its setting
Requirements – Sex Services Premises		
C7.6	PSDCP 2014 Reference	<ul style="list-style-type: none"> A development application for sex services premises adheres to the other relevant parts of this Plan: <ul style="list-style-type: none"> Part B General Provisions Part D Specific Areas
C7.7	Lodgement Requirements	<ul style="list-style-type: none"> A development application for sex services premises is accompanied by the following: <ul style="list-style-type: none"> Statement of Environmental Effects (SEE) that includes the following additional details: <ul style="list-style-type: none"> Offensive Noise Ventilation and Lighting Bars and Food Preparation Areas Spa Bars Sanitary Facilities Contaminated Waste Notification Plans Site Analysis & Site Plan Floor plan Street elevation plan Landscape Plan <ul style="list-style-type: none"> Landscape Plan is in accordance with the Landscape Technical Specification⁴ Shadow diagram if development is proposed to be greater than 8m in height <ul style="list-style-type: none"> Shadow diagrams consider the shadow created by fencing
Objectives – Sex Services Premises		
C7.E	Design of Premises	<ul style="list-style-type: none"> To provide clear direction to access points and ensure they are most appropriately located 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 Crime Prevention through Environmental Design

		(CPTED)
Requirements – Restricted Premises		
C7.8	Location	<ul style="list-style-type: none"> The building entrance is a minimum of 150m from a dwelling situated within a residential zone The building entrance is a minimum of 200m from a child care centre, community facility or RE1 Public Recreation Premises must be designed so that there is only one entrance to the premises which is to be located at the front of the building <p>Note: PSLEP 2013 Clause 7.12 provides higher order guidance as to the location of sex services premises</p>
C7.9	Duress Alarm	<ul style="list-style-type: none"> 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
C7.10	Reception Area	<ul style="list-style-type: none"> The premises is to be provided with an adequate reception area/waiting room with a minimum area of 20m² to prevent clients from loitering outside
C7.11	Maximum Rooms	<ul style="list-style-type: none"> No more than 5 rooms are to be provided in which acts of prostitution are to take place
C7.12	Staff Facilities	<ul style="list-style-type: none"> Staff facilities must include a communal lounge or rest area and a bathroom for staff use only
C7.13	Toilet and Bathroom Facilities	<ul style="list-style-type: none"> Toilet and bathroom facilities must be provided within the premises and not be shared with any other premises within the building
C7.14	Noise	<ul style="list-style-type: none"> Sex services premises must be designed to minimise noise transmission, measures include: <ul style="list-style-type: none"> Grouping room uses according to the noise level generated Using storage or circulation zones within the premises to buffer noise from adjacent apartments, mechanical equipment or corridors and lobby areas Incorporating appropriate noise shielding or attenuation techniques into the design of the building where appropriate
Objectives – Sex Services Premises		
C7.F	Signage	<ul style="list-style-type: none"> To ensure signage provides identification to a premises in a manner that is complimentary to streetscape
Requirements – Restricted Premises		
C7.15	Offensive Content	<ul style="list-style-type: none"> A business identification sign is to be devoid of sexually explicit images, language or objects

C8 Signage

Application		
<ul style="list-style-type: none"> This Part applies to development that is defined as signage 		
Objectives – Restricted Premises		
C8.A	General	<ul style="list-style-type: none"> To ensure signage is complimentary to its surroundings
Requirements – Restricted Premises		
C8.1	PSLEP 2013	<ul style="list-style-type: none"> PSLEP 2013 Schedule 2 Exempt Development details what signage is defined as exempt development
C8.2	Integration	<ul style="list-style-type: none"> Signage is integrated with the building facade
C8.3	Types of Signage	<ul style="list-style-type: none"> The following types of signage are generally not supported: <ul style="list-style-type: none"> Flashing signs <ul style="list-style-type: none"> Flashing signs may be permitted in the road reserve if the text is a road safety message Roof signs Vehicular signs where the primary use of the vehicle is for advertising. Above awning signs Anchored balloons or airborne signs Inflatable signs Hoarding signs

D Specific Areas

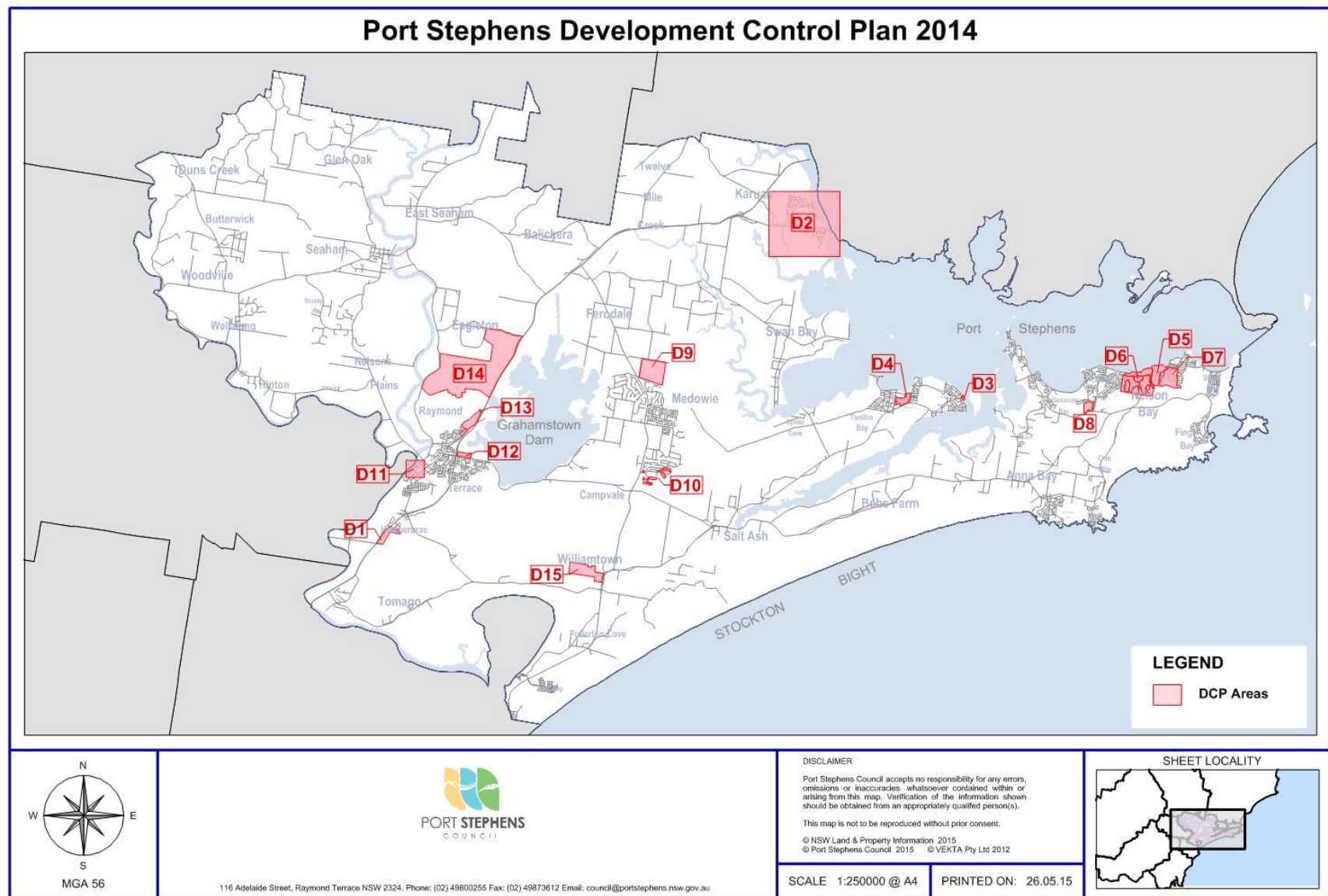
The Parts listed in the table below apply to development proposed within the relevant Land Application Map (p. D-99).

D Specific Areas			
No	Part	This Part applies to development that:	Page
D1	Heatherbrae Industrial	▪ situated within Heatherbrae Industrial	D- 100
D2	Karuah	▪ situated within Karuah	D- 104
D3	Lemon Tree Passage	▪ situated within Lemon Tree Passage	D- 108
D4	Koala Bay - Tanilba Bay	▪ situated within Koala Bay –Tanilba Bay	D- 112
D5	Nelson Bay Centre	▪ situated within Nelson Bay Centre	D- 115
D6	Nelson Bay West	▪ situated within Nelson Bay West	D- 121
D7	Seabreeze Estate – Nelson Bay	▪ situated within Seabreeze Estate – Nelson Bay	D- 125
D8	Salamander Bay Shopping Centre – Nelson Bay	▪ situated within Salamander Bay – Nelson Bay	D- 128
D9	North Medowie - Medowie	▪ situated within North Medowie	D- 130
D10	Pacific Dunes - Medowie	▪ situated within Pacific Dunes - Medowie	D- 135
D11	Raymond Terrace Centre	▪ situated within Raymond Terrace Centre	D- 142
D12	Richardson Rd – Raymond Terrace	▪ situated within Richardson Rd – Raymond Terrace	D- 149
D13	Rees James Rd – Raymond Terrace	▪ situated within Rees James Rd – Raymond Terrace	D- 153
D14	Kings Hill – Raymond Terrace	▪ situated within Kings Hill – Raymond Terrace	D- 151
D15	William Defence and Airport Related Employment Zone	▪ situated within Williamtown Defence and Airport Related Employment Zone (DAREZ)	D- 166

D

SPECIFIC AREAS

Figure DA:
D Specific
Areas -
Land
Application
Map



D1 Heatherbrae

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Heatherbrae 		
Objectives		
D1.A	Setback	<ul style="list-style-type: none"> To ensure development has regard to the Pacific Hwy
Requirements		
D1.1	Pacific Highway Setback & Landscaping	<ul style="list-style-type: none"> Provide a minimum 10m front setback from the Pacific Highway road reserve Provide 5m landscaping from the building line or setback and define this as a 'restriction to user' under clause 88D of the Conveyancing Act 1919 <p>Note: C3.6 (p. C-79) requires a front setback of 6m from the front property boundary or the existing average building line for development defined as industrial</p>
Objectives		
D1.B	Street Trees	<ul style="list-style-type: none"> To ensure suitable street trees are appropriately sited
Requirements		
D1.2	Street Trees	<ul style="list-style-type: none"> Development continues the row of Hills Figs on the western side and replicates the row of Hill Figs on the eastern side of the Pacific Highway, Heatherbrae <p>Note: C1.9(p.C-67) requires street trees as a component of the road reserve at subdivision</p>
Objectives		
D1.C	Street Layout	<ul style="list-style-type: none"> To ensure a permeable and connected street network with safe access from the Pacific Hwy
Requirements		
D1.3	Street Layout	<ul style="list-style-type: none"> Street layout adheres with Figure DC (p. D-103) <ul style="list-style-type: none"> Giggins Road connects to Griffin Street Extension of Camfield Drive Access to the Pacific Highway is restricted to those two intersections identified on Figure DC (p. D-103) Internal intersections contain concrete mediums with either a give-way or stop treatment <p>Note: C1.6 (p. C-C-66) ensures the street layout adheres to the infrastructure specific –design¹¹</p>
Objectives		
D1.D	Drainage	<ul style="list-style-type: none"> To mitigate for negative impacts on water quality
Requirements		
D1.4	Water Quality Control	<ul style="list-style-type: none"> Water quality measures comply with the Hunter Water (Special Areas) Regulation 2003 given the area's

D1

HEATHERBRAE

	Measures	location within the Tomago Sandbeds Catchment. Note: B4.4 (p. B-26) requires water quality measures to provide further guidance to PSLEP 2013 Clause 7.8, 7.9 and 7.10 relating to water quality
Objectives		
D1.E	Airport Operational Requirements	<ul style="list-style-type: none"> To ensure that the operational needs of the Williamtown RAAF Base are provided consideration in the development of lands in proximity to the Airport
Requirements		
D1.5	General Requirements	Note: Heatherbrae is located within the Williamtown RAAF Base obstacle limitations or operations surface map. B7 (p. B-42) provides requirements relating to the Williamtown RAAF Base obstacle limitations or operations surface map
Objectives		
D1.F	Gateway Signage	<ul style="list-style-type: none"> To ensure the location of gateway signage is appropriately sited to signify an entry point
Requirements		
D1.6	Gateway Signage	<ul style="list-style-type: none"> Gateway signage is provided in the locations identified on Figure DC (p. D-4)

Figure DB:
Heatherbrae
Land
Application
Map

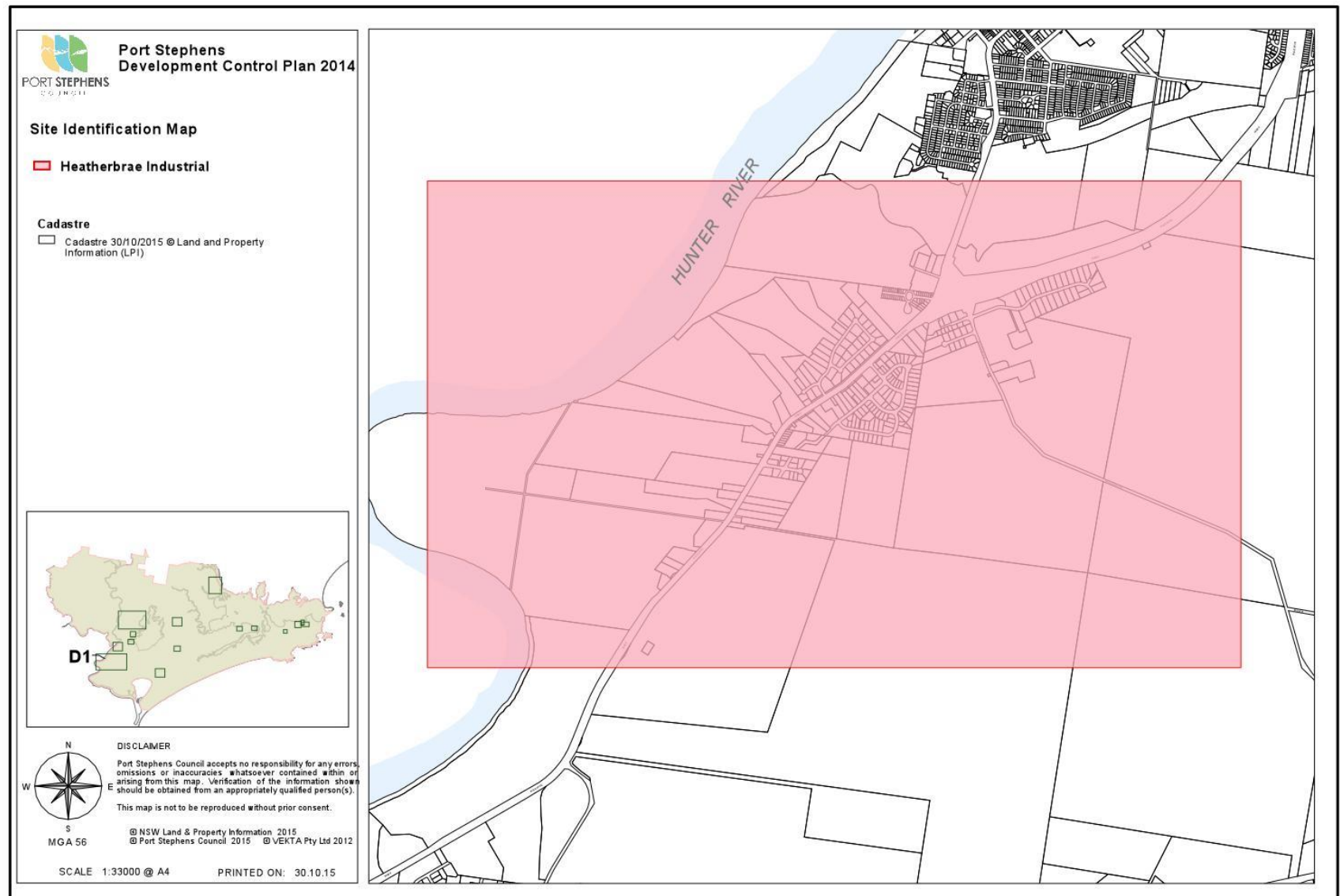
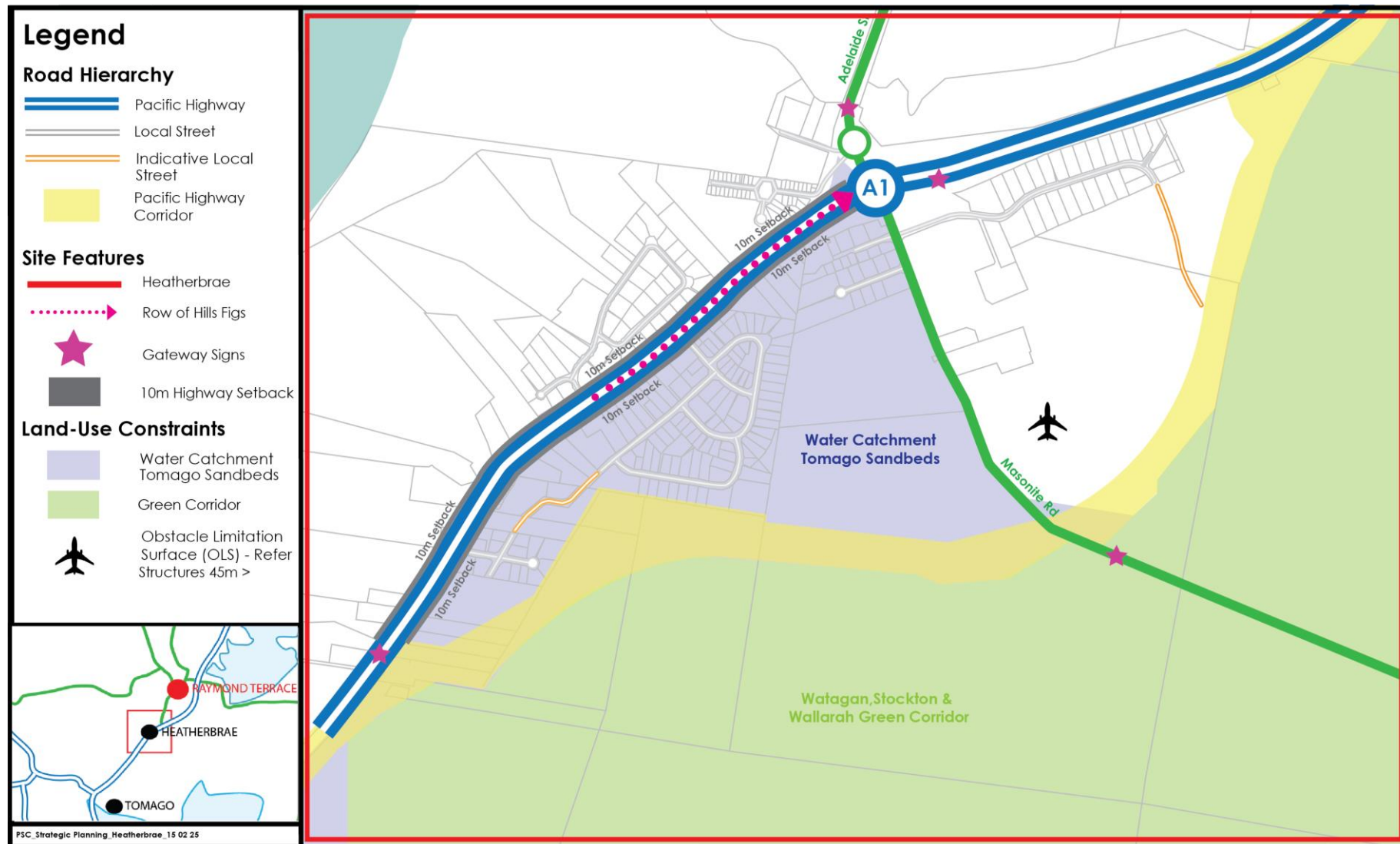


Figure DC: Heatherbrae Locality Controls Map



D2 Karuah

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Karuah 		
Objectives		
D2.A	Staging	<ul style="list-style-type: none"> To ensure the Karuah Growth Strategy informs subdivision through adherence to the staging plan
Requirements		
D2.1	Staging	<ul style="list-style-type: none"> Staging of residential subdivision is consistent with Figure DE (p. D-106) <p>Note: PSLEP2013 Clause 6.3(3)(a) requires a staging plan</p>
Objectives		
D2.B	Street Layout	<ul style="list-style-type: none"> To ensure development contributes to the existing compact and interconnected street pattern
Requirements		
D2.2	Street Layout	<ul style="list-style-type: none"> The street layout is consistent with Figure DE (p. D-106) <ul style="list-style-type: none"> Where proposed streets are not outlined on Figure DE (p. D-106) they should have a minimum of one connection to the existing township Dual-use paths are consistent with Figure DE (p. D-106) Street design considers the parking and manoeuvring of long vehicles, such as boats and caravans <p>Note: C1.7 (p. C-66) requires the street network to be interconnected to provide a grid-like structure</p> <ul style="list-style-type: none"> Intersections to Tarean Road are informed by Traffic Impact Assessment (TIA) with consideration provided to Tarean Road as a local road managed by Council <p>Note: B9.2 (p. B-55) requires development deemed in Council's opinion to impact on the existing road network to provide a TIA</p>
Objectives		
D2.C	Commercial	<ul style="list-style-type: none"> To ensure commercial development is in-keeping with the existing scale and character of Karuah
Requirements		
D2.3	Public Domain	<ul style="list-style-type: none"> Public domain works are consistent with the Karuah Commercial Centre Landscape Plan²² <p>Note: C2.2 (p. C-72) requires a landscape plan to be provided with a development application for commercial premises</p>
D2.4	Building Articulation	<ul style="list-style-type: none"> Facades should be articulated with timber and masonry finishes <p>Note: C2.15 (p. C-74) requires building facades to use</p>

		materials, colours and architectural elements to reduce bulk and scale that are complimentary to existing built-form and natural setting
D2.5	Awnings	<ul style="list-style-type: none"> Awnings are provided for commercial development identified as primary commercial on Figure DE (p. D-106) Awnings are not required for commercial development identified as secondary commercial on Figure DE (p. D-90) <p>Note: C2.18 (p. C-75) requires awnings to be provided over pedestrian pathways for commercial development</p>
Objectives		
D2.D	Biodiversity Management	<ul style="list-style-type: none"> To ensure a suitable buffer is provided on land subject to the development to decrease impacts to areas of environmental significance
Requirements		
D2.6	Boundary Impacts	<ul style="list-style-type: none"> A suitable buffer of between 50-100m is to be provided between development and areas of environmental significance The suitable buffer provides consideration to land identified for bio-banking, which is located within the Stockton to Watagans Green Corridor and legally described as: <ul style="list-style-type: none"> Lot 55 & 85 DP 753196 Lot 2 DP 573068 Lot 1 & 2 DP 552739 Lot 1 & 2 DP 1167919 <p>Note: B2.1 (p. B-20) requires development in proximity to items of environmental significance to provide a suitable buffer on the land subject to the development</p>
Objectives		
D2.E	Infrastructure Provision	<ul style="list-style-type: none"> To ensure development is supported by essential services being water, electricity, sewerage, stormwater drainage and road access
Requirements		
D2.8	Stormwater Drainage	<ul style="list-style-type: none"> Development provides consideration to localised constraints on public drainage <p>Note: B4.1 (p. B-28) requires development that increases non-permeable surfaces to provide a stormwater drainage plan</p>
D2.9	Water Quality	<ul style="list-style-type: none"> Water quality management takes into consideration development impacts both during construction and occupancy on neighbouring SEPP No.14 wetlands <p>Note: B4.C & B4.D (pp. B-29 to B-30) requires development to provide water quality measures and buffers to riparian corridors</p>

D2

KARUAH

Figure DD:
Karuah
Land
Application
Map

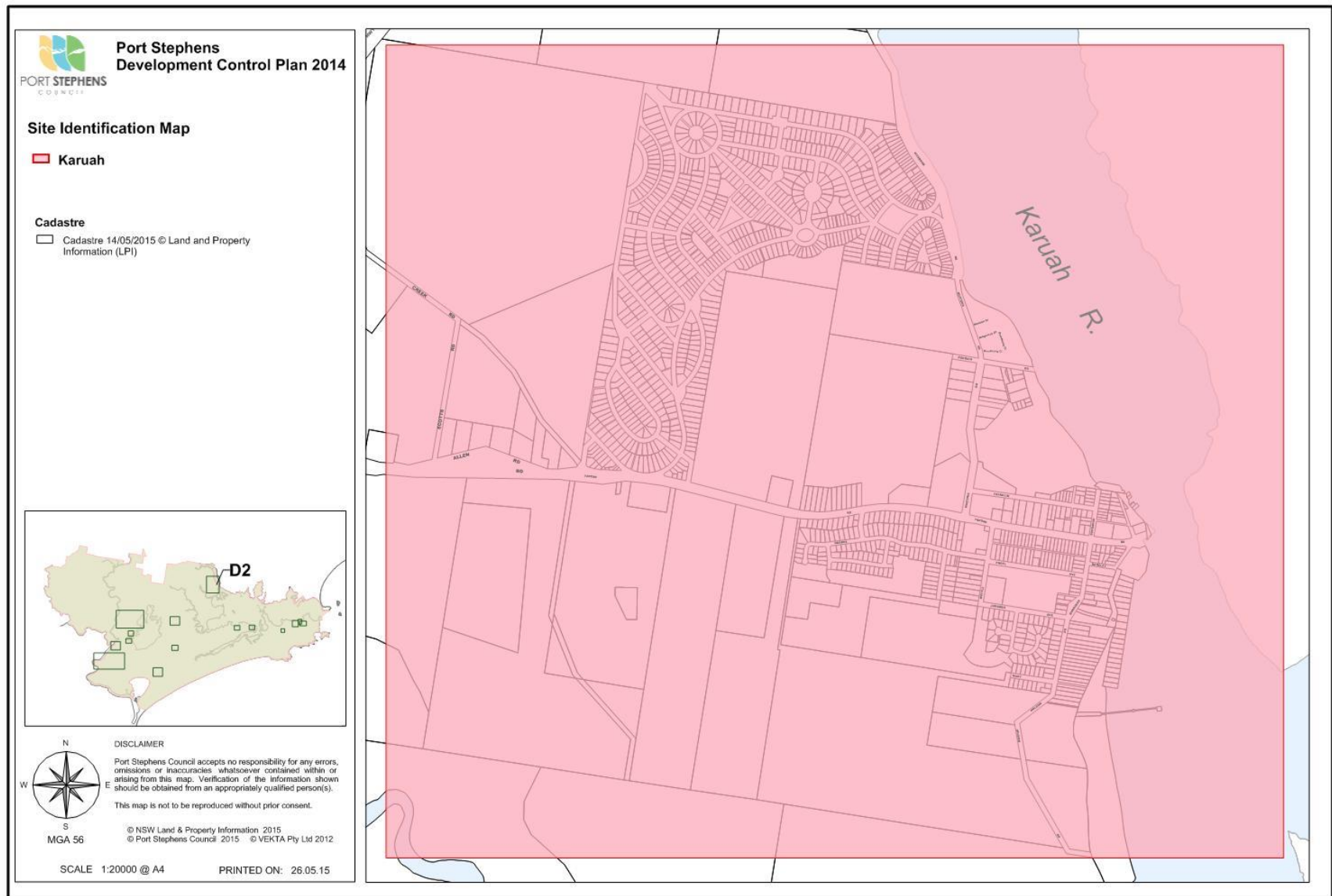
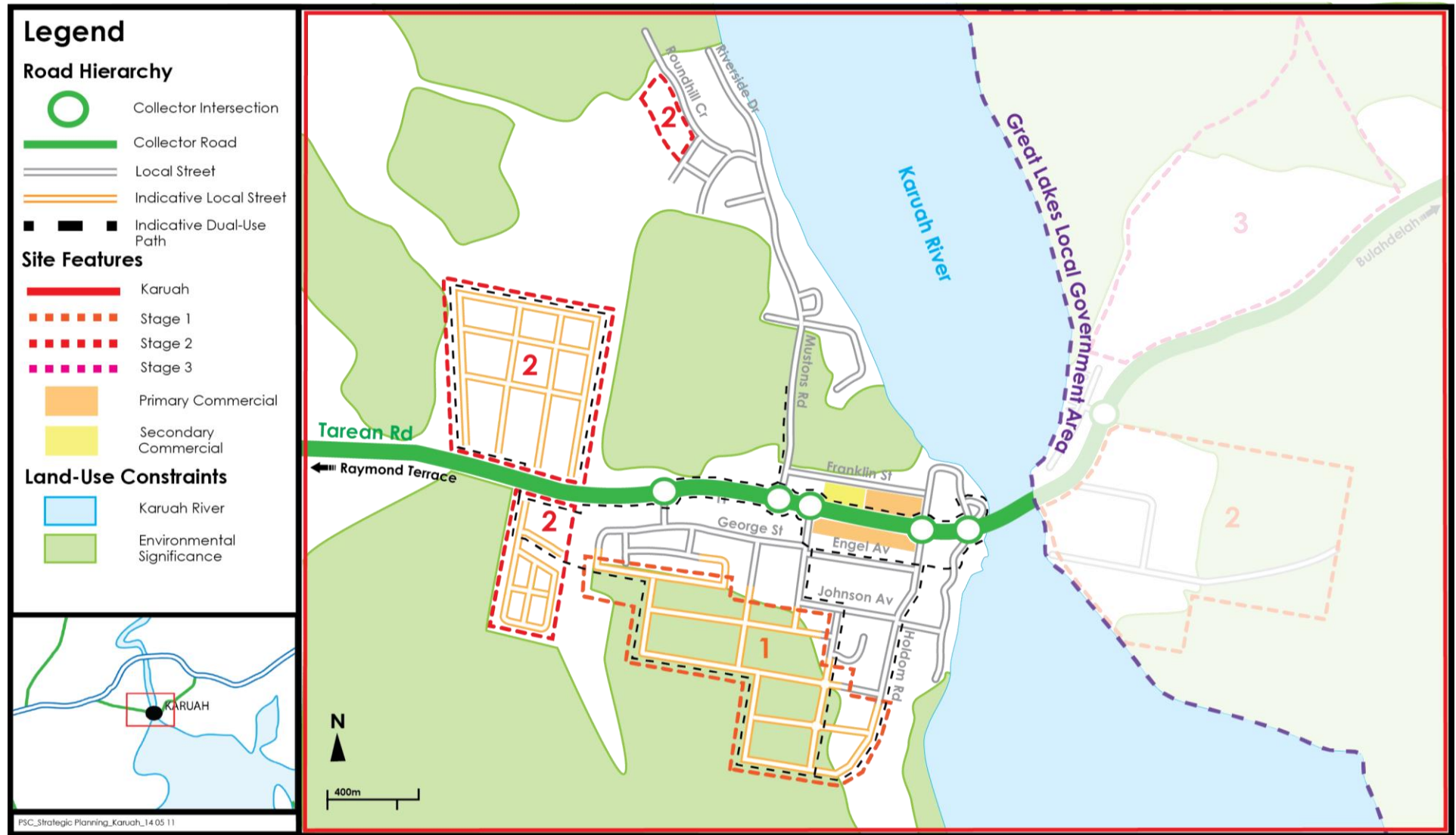


Figure DE: Karuah Locality Controls Map



D3 Lemon Tree Passage

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Lemon Tree Passage 		
Objectives		
D3.A	Waterfront Precinct	<ul style="list-style-type: none"> To ensure that development retains and supports waterfront commercial uses and the integration of facilities for maritime activities
Requirements		
D3.1	Public Access & Boardwalks	<ul style="list-style-type: none"> Development seeks to provide an 6m wide public access for identified laneways as identified on Figure DG (p. D-110) Allow for a 3m boardwalk along the waterfront as identified on Figure DG (p. D-110) <p>Note: These requirements are reflective of NSW Coastal Planning Guideline and SEPP 71 – Coastal Protection to maintain access to Foreshore and to public open space</p>
D3.2	Pavilion Buildings	<ul style="list-style-type: none"> Pavilion type buildings identified on Figure DG (p. D-110) should display the following design characteristics to limit bulk and scale: <ul style="list-style-type: none"> Minimum roof pitch of 22° Maximum 10m boardwalk frontage Gross floor area of 100sqm <p>Note: C2.15 (p. C-74) requires building facades to use materials, colours and architectural elements to reduce bulk and scale that are complimentary to existing built-form and natural setting</p>
Objectives		
D3.B	Mixed-Use Precinct	<ul style="list-style-type: none"> To ensure development compliments the commercial main street of Cook Parade
Requirements		
D3.3	Road Dedication	<ul style="list-style-type: none"> Development provides a 8m wide road dedication for rear access as identified on Figure DG (p. D-110) <p>Note: C1.6 (p. C-66) requires streets to comply with Infrastructure Specification – Design¹¹</p>
D3.4	Building Depth	<ul style="list-style-type: none"> Minimum building depth of 15m along Cook and Meredith Parades Minimum building depth of 5m along Shearman Avenue <p>Note: C2.E (p. C-73) requires no minimum depth</p>
D3.5	Floor Level	<ul style="list-style-type: none"> Floor level must be a maximum of 300mm above the adjacent footpath <p>Note: C2.5 (p. C-73) requires ground level (finished) to</p>

		be between 100-500mm above adjacent footpath
D3.6	Site Frontage	<ul style="list-style-type: none"> Maximum site frontage of 6m along Cook Parade <p>Note: C2.8(p. C-73) requires a minimum 20m site frontage where development is proposed to be more than 10.5m in height</p>
D3.7	Mezzanine and Abutting Laneway	<ul style="list-style-type: none"> A mezzanine area abutting the rear laneway provides: <ul style="list-style-type: none"> Minimum floor level of 2.5m Australian Height Datum (AHD) <p>Note: B5.1 (p. B-36) requires development to be compatible with the flood hazard of the land</p> <ul style="list-style-type: none"> Development is within 5m of the road reserve <p>Note: C2.11 (p. C-73) requires a rear setback to be built for purpose as informed by the Site Analysis and Plan required under C2.8 (p. C-61)</p> <ul style="list-style-type: none"> Minimum 2.4m ground floor to ceiling height <p>Note: C2.2 (p. C-72) requires the minimum ground floor to ceiling height for all development types within a commercial zone to be 3.5m</p>
D3.8	Roof Pitch	<ul style="list-style-type: none"> Minimum roof pitch of 22° <p>Note: C2.14 (p. C-74) requires that building proportion is complimentary to the form, proportions and massing of existing building patterns</p>

Figure DF:
Lemon Tree
Passage
Land
Application
Map

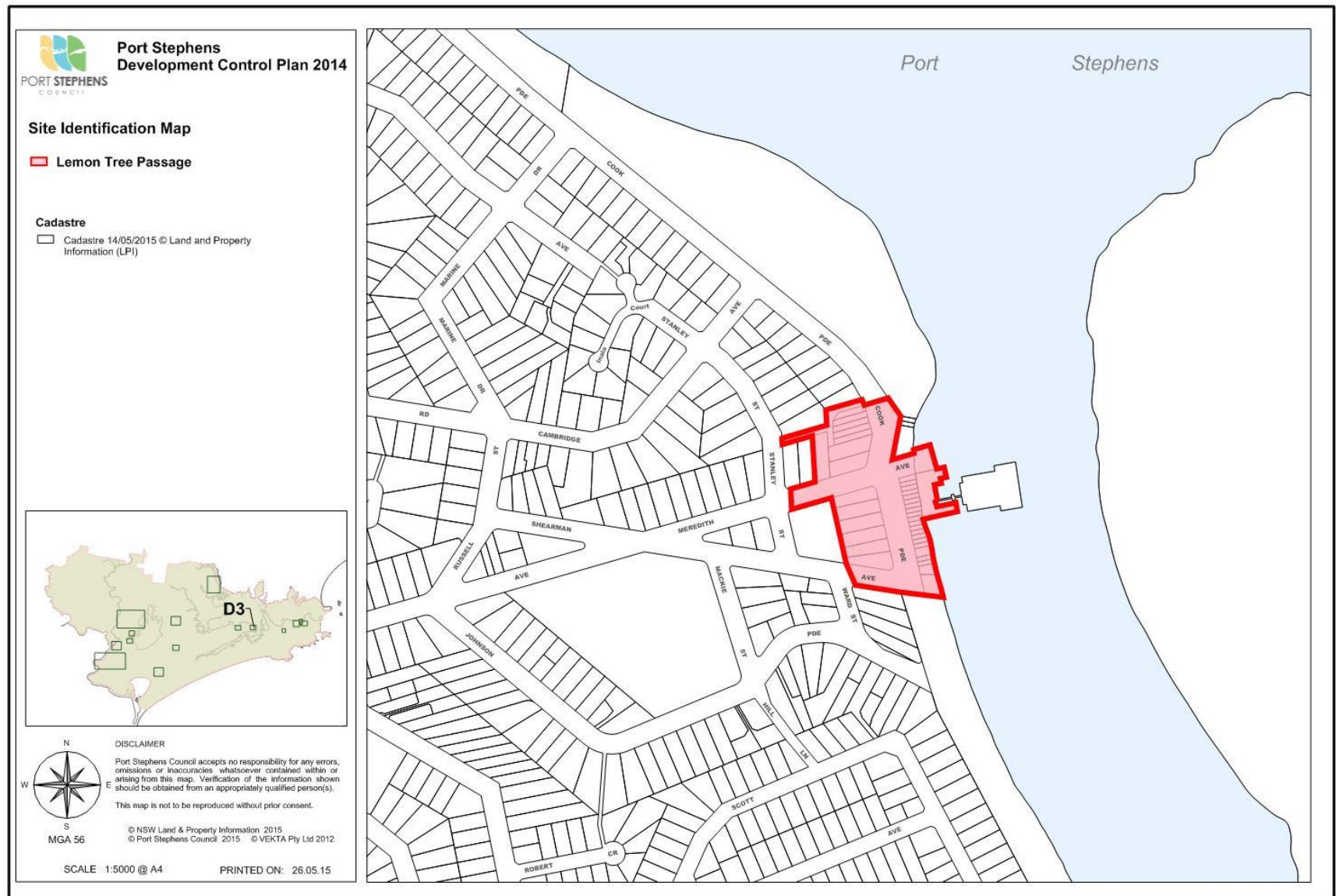
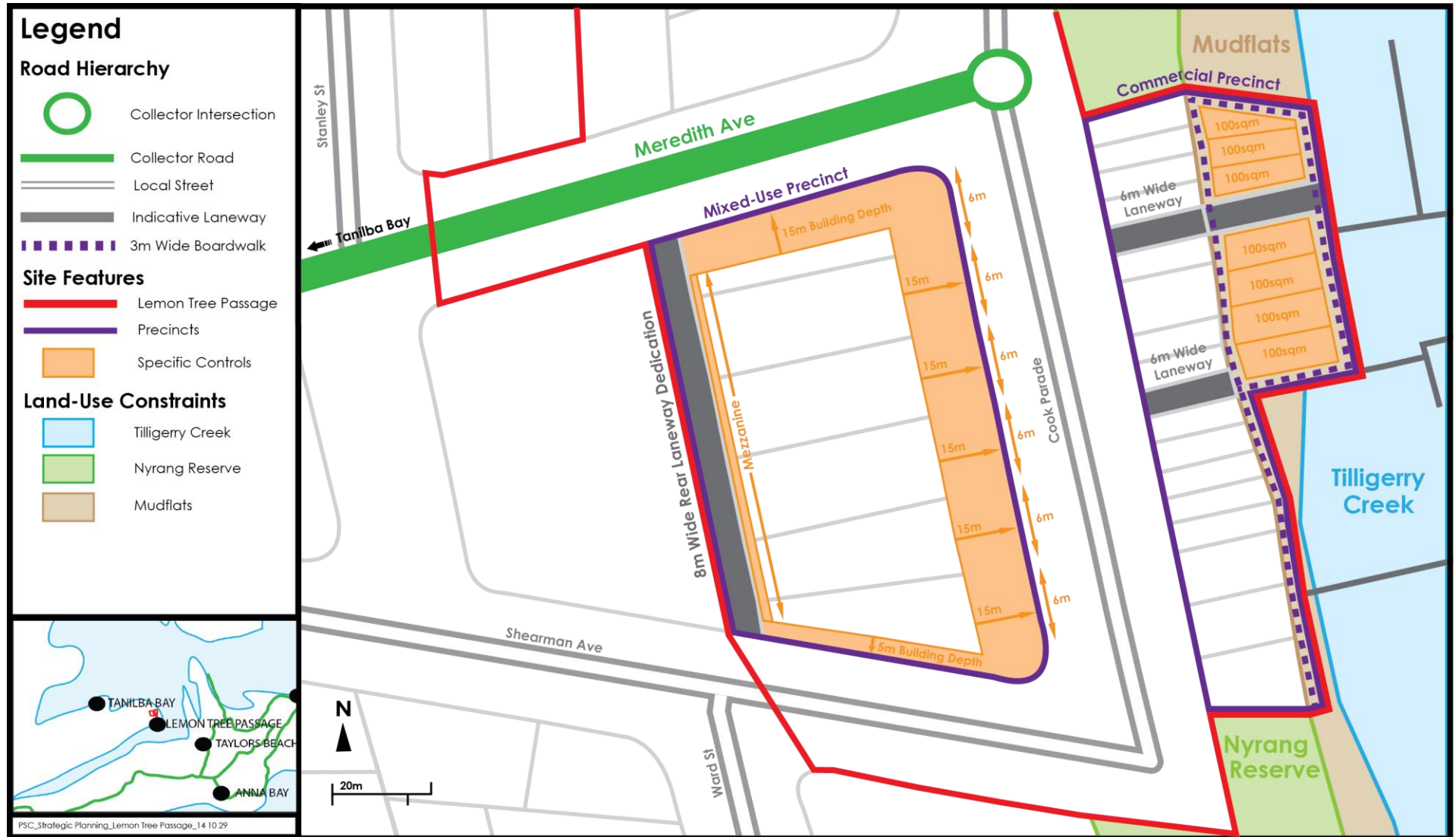


Figure DG: Lemon Tree Passage Locality Controls Map

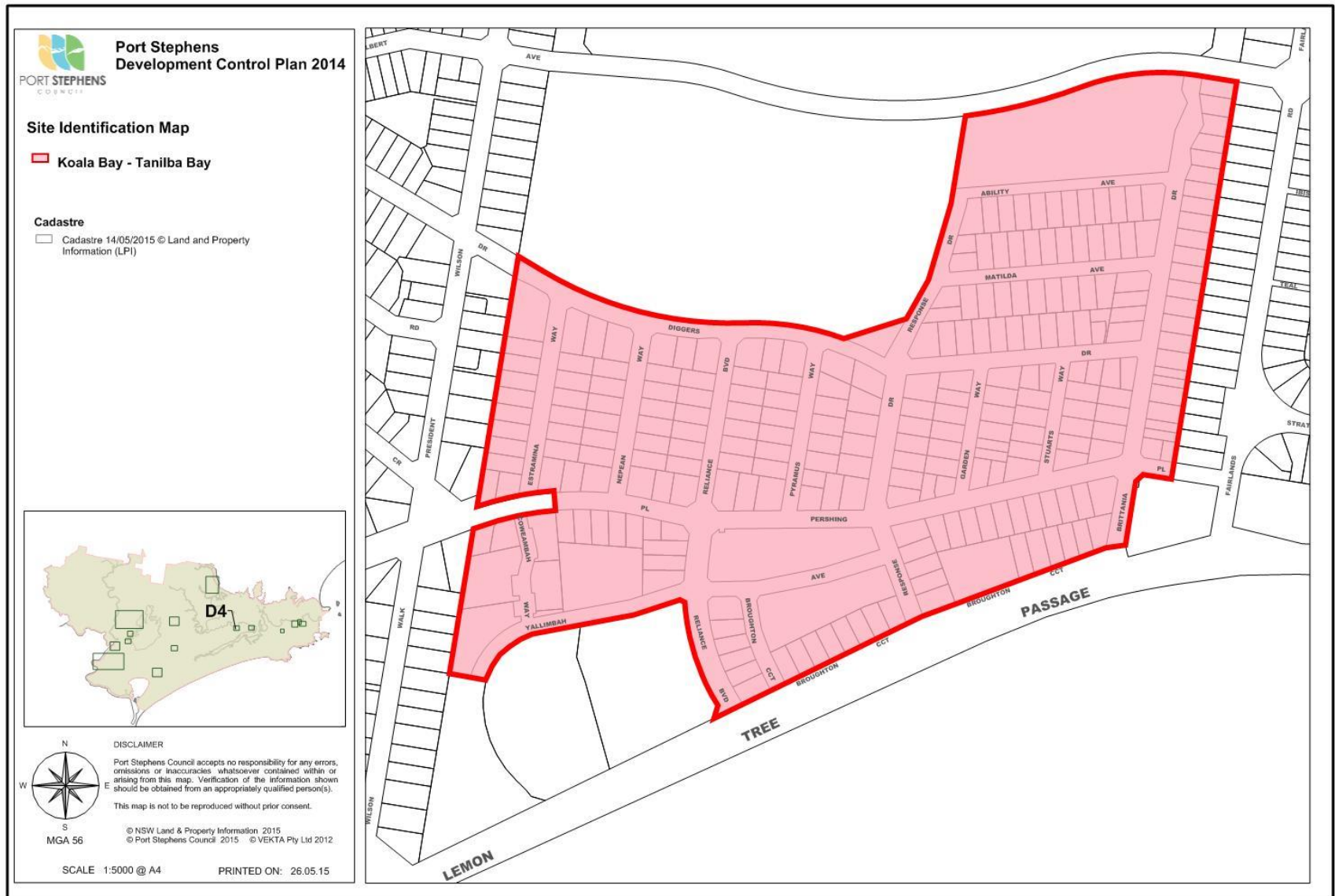


D4 Koala Bay – Tanilba Bay

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Koala Bay – Tanilba Bay 		
Objectives		
D4.A	Setbacks	<ul style="list-style-type: none"> To ensure development provides continuity and consistency to the public domain
Requirements		
D4.1	Front Setback	<ul style="list-style-type: none"> Minimum front setback of 6m <p>Note: C4.10 (p. C-83) requires a minimum front setback of 4.5m for a greenfield site</p>
Objectives		
D4.B	Biodiversity Management	<ul style="list-style-type: none"> To encourage the proper conservation and management of areas of natural vegetation that provide koala habitat To ensure landscaping is informed by setting
Requirements		
D4.2	Landscaping	<ul style="list-style-type: none"> A development application is accompanied by a Landscape Plan, which provides consideration to: <ul style="list-style-type: none"> Development not adjoining Lemon Tree Passage Road incorporates SEPP 44 Trees in the front and rear yards Front and rear yards are turfed and planted predominately with local native species, shrubs and trees <p>Note: C4.2 (p. C-81) requires that a Landscape Plan be provided in accordance with the Landscape Technical Specification⁴</p>
D4.3	Covenants	<ul style="list-style-type: none"> To assist in the conservation of koalas a Section 88B covenant prohibits dogs <p>Note: B2.4 (p. B-21) requires consideration to the Port Stephens Comprehensive Koala Plan of Management¹⁰ performance criteria</p>
D4.4	Swimming Pools	<ul style="list-style-type: none"> 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 <p>Note: C4.33 (p. C-86) discusses requirements for swimming pools and B2.4 (p. B-21) requires development that is located in koala habitat to consider the Port Stephens Comprehensive Koala Plan of Management¹⁰</p>
D4.5	Fencing	<ul style="list-style-type: none"> Fences should avoid restricting wildlife movements by: <ul style="list-style-type: none"> Native vegetation hedges instead of fence, or

		<ul style="list-style-type: none"> • Maintain 30cm gap under the fence, or • Any style fencing with a post and bridge system over the fence at 10-20 metre intervals, or • Post and rail with a minimum gap of 300mm between rails, <p>Note: C4.37 (p. C-86) requires that side fencing not exceed 1.8m in height and not be of a solid appearance</p>
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Figure DH:
Koala Bay –
Tanilba Bay
Land
Application
Map



D5 Nelson Bay Centre

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Nelson Bay Centre 		
Objectives		
D5.A	General Precinct Provisions	<ul style="list-style-type: none"> To provide general provisions that apply to all precincts identified in the Nelson Bay Centre To maintain and enhance important views and ensure development integrates within the natural topography To ensure development contributes to the existing compact and interconnected street pattern To ensure buildings reinforce the natural amphitheatre landform of the Nelson Bay Town Centre
Requirements		
D5.1	Significant Vistas	<ul style="list-style-type: none"> Development preserves the important vistas identified by Figure DJ (p. D-119) Note: C1.7 (p. C-66) requires street layout to respond to the topographical features of the site
D5.2	Street Layout	<ul style="list-style-type: none"> The street layout is consistent with Figure DJ (p. D-119) Note: C1.7 (p. C-66) requires the street network to be interconnected to provide a grid-like structure
D5.3	Roof Design	<ul style="list-style-type: none"> Development is to ensure that roof tops do not negatively impact on the public domain when: <ul style="list-style-type: none"> Viewed from buildings at higher elevations When approaching the town centre Viewed from the street Note: C2.4 (p. C-73) requires building height to be in accordance with PSLEP2013 Clause 4.3 and 5.6
D5.4	NSW Coastal Planning Guidelines	<ul style="list-style-type: none"> Building materials are reflective of existing buildings with reference made to the NSW Coastal Planning Guidelines¹² Note: C2.15 (p. C-74) requires building facades to use materials, colours and architectural elements to reduce bulk and scale
Objectives		
D5.B	Desired Character - Village Precinct	<ul style="list-style-type: none"> To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide development within the Village Precinct as identified by Figure DJ (p. D-119) To ensure street activation and passive surveillance through activated street fronts To facilitate development that is safe and secure for pedestrians and contributes to public domain safety by incorporating principles of Crime Prevention through

		<p>Environmental Design (CPTED), such as:</p> <ul style="list-style-type: none"> • Territorial Re-enforcement • Surveillance • Access Control • Space/Activity Management
Requirements		
D5.5	Desired Character – Village Precinct	<ul style="list-style-type: none"> ▪ Development within the Village Precinct as identified on Figure DJ (p. D-119) has regard for the following desired character statements: <ul style="list-style-type: none"> • Magnus Street is a pedestrian focused main street and acts as a focal point for the town centre • Development is fine grained and intensive retail and commercial that presents street activation <ul style="list-style-type: none"> ◦ Development provides continuity of an activated street frontage for localities where business or retail premises predominately face the street and have direct pedestrian access from the street <p>Note: C2.16 (p. C-74) requires street activation for those localities identified in Part D – Specific Areas (p. D-98)</p> <ul style="list-style-type: none"> • Development retains and enhances the existing character and function of Stockton and Magnus Streets as the main shopping streets in the town centre • Tall buildings have setbacks above the street and are designed to ensure that they do not visually dominate at the street level <ul style="list-style-type: none"> ◦ Facades should be detailed to promote clearly defined ground floor, first floor and second floor elements to manage the proportion of building height ◦ Articulation of the ground floor should maintain the rhythm of the traditional main street shop fronts <p>Note: C2.9 (p. C-73) requires a minimum front setback of 3m from the front property line for the second floor</p>
Objectives		
D5.C	Desired Character – Town Living and Commercial	<ul style="list-style-type: none"> ▪ To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide development within the Village Precinct as identified by Figure DJ (p. D-119) ▪ To encourage a diversity of residential accommodation types to provide critical mass to support the role of the village precinct
Requirements		
D5.6	Desired Character – Town Living and	<ul style="list-style-type: none"> ▪ Development within the Town Living and Commercial Precinct as identified on Figure DJ (p. D-119) has regard for the following desired character statements: <ul style="list-style-type: none"> • A wide range of uses including residential, retail

	Commercial	<p>and business development will occur in the precinct. This will attract a range of housing types including residential flat buildings, multi dwelling housing and shop top housing</p> <ul style="list-style-type: none"> The precinct is appropriate for larger scale developments, with large footprints, that may not be suitable for the Village Precinct The mix of uses may encourage residential living with live-work opportunities and boutique commercial office space Development will have regard for adjacent precincts that provide a change in scale Mature street plantings are to assist in enclosing the street for pedestrians and reducing the scale of large style buildings located in this area <p>Note: C1.9 (p. C-67) requires that street trees be provided in accordance with the Tree Technical Specification¹</p>
Objectives		
D5.D	Desired Character – Tourism and Leisure	<ul style="list-style-type: none"> To provide character statements that were identified through the Nelson Bay Town Centre and Foreshore Strategy to guide development within the Village Precinct as identified by Figure DJ (p. D-119) To facilitate tourism and leisure precinct that provides consideration to the roles of adjoining precincts
Requirements		
D5.7	Desired Character – Tourism and Leisure	<ul style="list-style-type: none"> Development within the Tourism and Leisure Precinct as identified on Figure DJ (p. D-119)has regard for the following desired character statements: <ul style="list-style-type: none"> Development fronting Apex Park is to provide activate street fronts, facilitate access to adjoining precincts and contribute linking the Town Centre through Apex Park to the Foreshore <p>Note: C2.16 (p. C-74) requires street activation for those localities identified in Part D – Specific Areas (p. D-98)</p> <ul style="list-style-type: none"> Development for a hotel and conference centre would be appropriate in this location
Objectives		
D5.E	Desired Character – Foreshore	<ul style="list-style-type: none"> To provide character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide development within the Village Precinct as identified by Figure DJ (p. D-119) To encourage development to address the waterfront and to provides an attractive safe pedestrian environment To encourage the establishment of a destination development that will integrate with established and future pedestrian circulation patterns
Requirements		
D5.8	Desired	<ul style="list-style-type: none"> Development within the Foreshore Precinct as identified

	Character – Foreshore	<p>on Figure DJ (p. D-119)has regard for the following desired character statements:</p> <ul style="list-style-type: none"> • Development provides legibility, which reinforces the visual and cultural importance of the waterfront <ul style="list-style-type: none"> ◦ Development incorporates public art, which can act as landmarks <p>Note: C2.22(p. C-76) requires commercial development of a significant scale and that provides frontage to the public domain to incorporate public art in accordance with the relevant s94 Contribution Plan</p> <ul style="list-style-type: none"> • Water and marine related activities are complimentary to commercial and leisure related uses • Accessible area that attracts a range of users
Objectives		
D5.F	Desired Character – Green Link	<ul style="list-style-type: none"> ▪ To provide a range of character statements identified through the Nelson Bay Town Centre and Foreshore Strategy to guide development within the Village Precinct as identified by Figure DJ (p. D-119) ▪ To encourage the establishment of a destination development that will integrate with established and future pedestrian circulation patterns
Requirements		
D5.9	Desired Character – Green Link	<ul style="list-style-type: none"> ▪ Development within the Green Link Precinct as identified on Figure DJ (p. D-119)has regard for the following desired character statements: <ul style="list-style-type: none"> • The Green Link at Nelson Bay's central meeting place is reinforced by connecting paths and as a future location of cyclist end of trip facilities • A transition area that facilitates movement between the Town Centre and Foreshore • This green space is appropriate for passive and small scale active recreation uses

Figure D1:
Nelson Bay
Centre Land
Application
Map

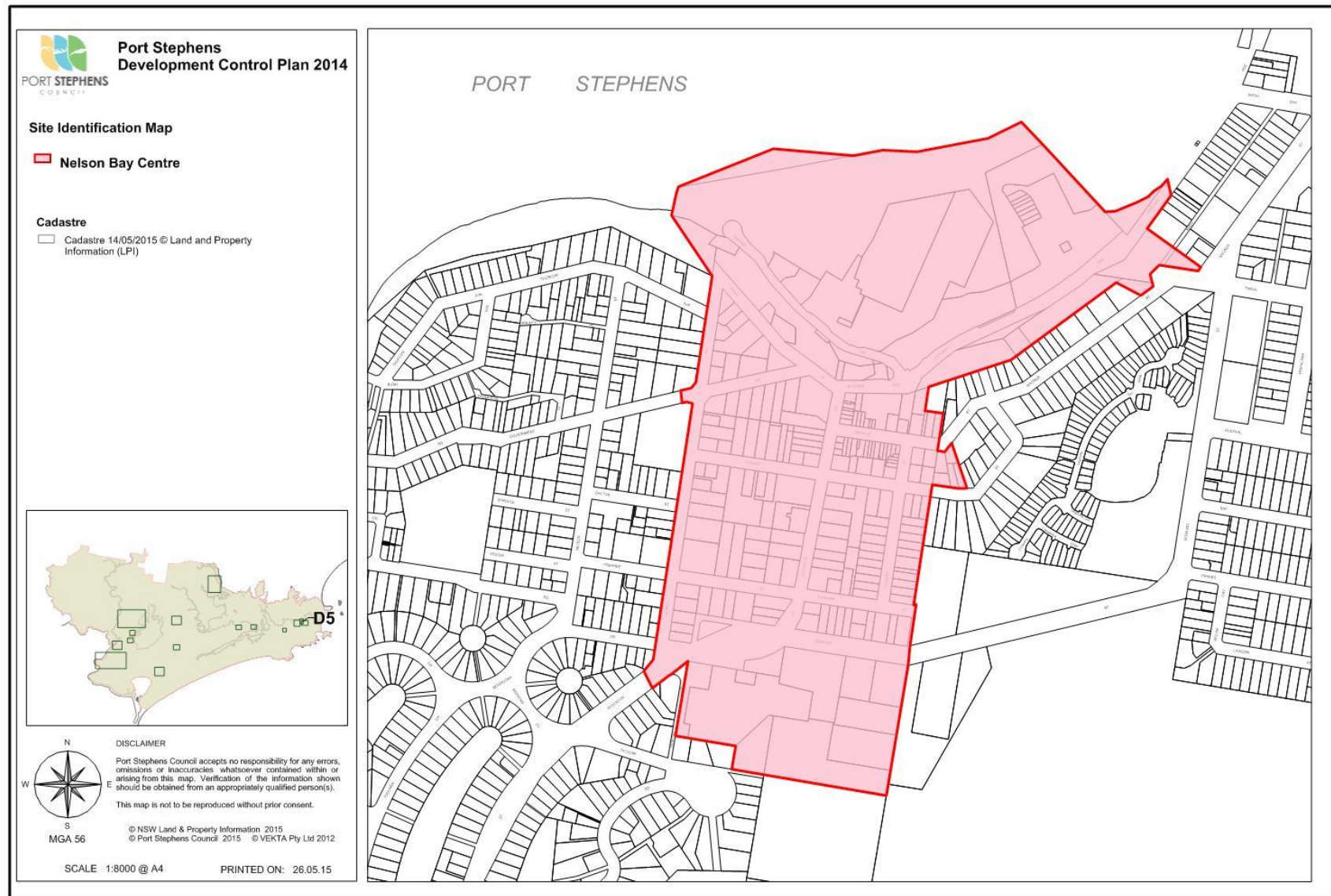
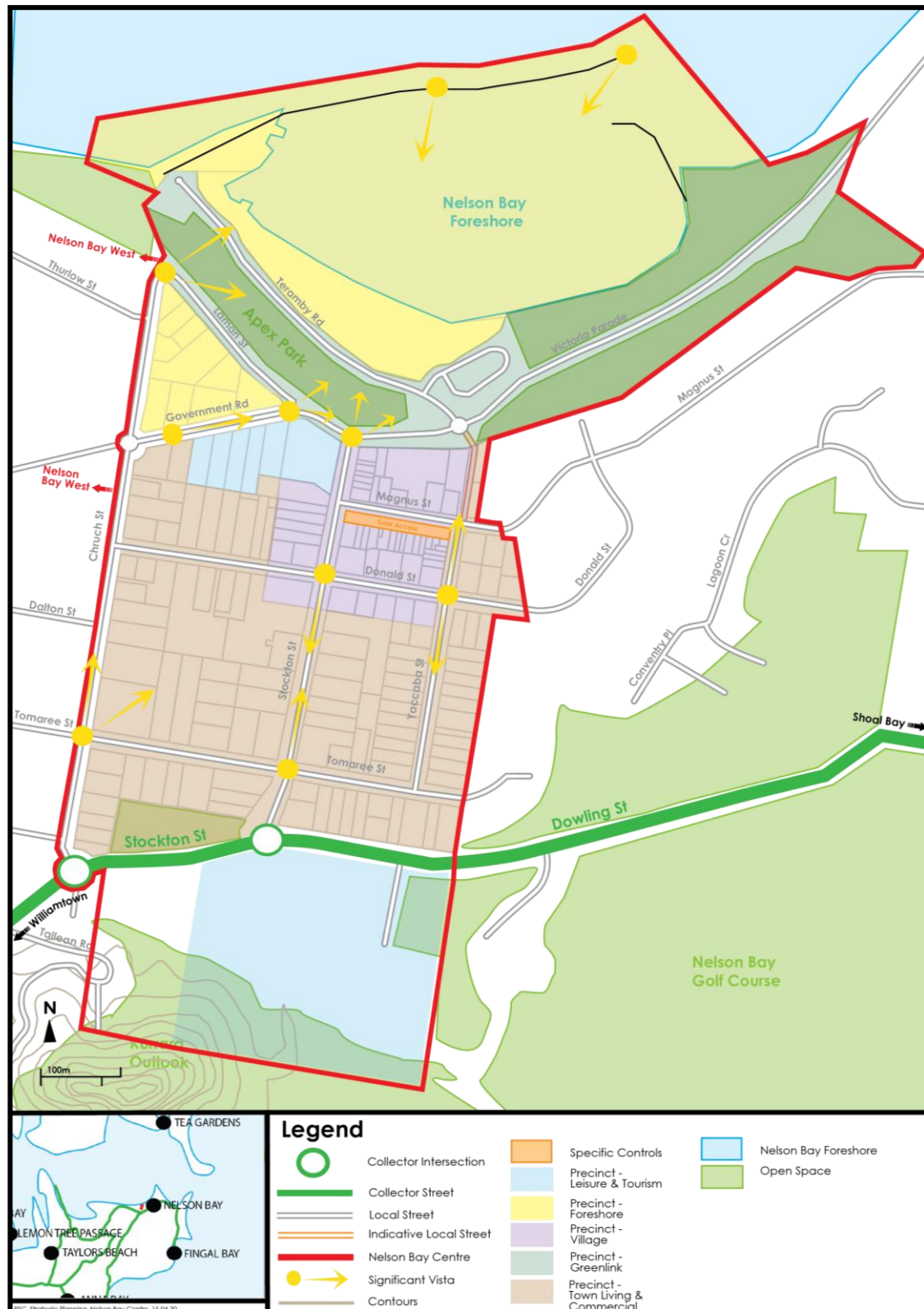


Figure DJ: Nelson Bay Centre Locality Controls Map



D6 Nelson Bay West

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Nelson Bay West 		
Objectives		
D6.A	Setbacks	<ul style="list-style-type: none"> To ensure development provides continuity and consistency to the public domain
Requirements		
D6.1	Front Setback	<ul style="list-style-type: none"> Minimum front setback of 6m <p>Note: C4.10 (p. C-83) requires a minimum front setback of 4.5m for a greenfield site</p>
D6.2	Secondary Setbacks (Corner Lots)	<ul style="list-style-type: none"> Minimum secondary setback of 3m <p>Note: C4.11 (p. C-83) requires a minimum secondary setback of 2m</p>
D6.3	Side Setback	<ul style="list-style-type: none"> Minimum side setback of 2m for Town Centre Edge, Foreshore, Wahgunyah Neighbourhood and Lower Slopes Minimum side setback of 3m for Upper Slopes and Hill Tops <p>Note: C4.12 (p. C-83) requires a minimum ground floor side setback of 0.9m</p>
Objectives		
D6.B	On-site Detention	<ul style="list-style-type: none"> To regulate the impacts on the capacity of the public drainage system
Requirements		
D6.4	Non-Permeable Surfaces	<ul style="list-style-type: none"> On-site detention is required where non-permeable surfaces exceed the listed percentage of site area: <ul style="list-style-type: none"> Town Centre Edge – 75% Foreshore – 60% Wahgunyah – 65% Lower Slopes – 65% Upper Slopes and Hilltops – 50% <p>Note: B4.2 (p. B-28) requires on-site detention where non-permeable surfaces exceed the total percentage of site area as listed under Figure BD (p. B-31)</p>
Objectives		
D6.C	Landscaping	<ul style="list-style-type: none"> To ensure landscaping is within context through the appropriate selection of species and site coverage
Requirements		
D6.5	Landscape Coverage	<ul style="list-style-type: none"> A Landscape Plan within Nelson Bay West achieves the following site area percentage coverage targets:

		Location	Landscape Area	Endemic Species	Native Vegetation
		Town Centre Edge	25%	10%	N/A
		Foreshore	40%	20%	N/A
		Wahgunyah	34%	20%	N/A
		Lower Slopes	34%	20%	N/A
		Upper Slopes	50%	35%	70%
		Hill Tops	50%	35%	90%
		Note: C4.2 (p. C-81) requires that a Landscape Plan be provided in accordance with the Landscape Technical Specification ⁴			

Figure DK:
Nelson Bay
West Land
Application
Map

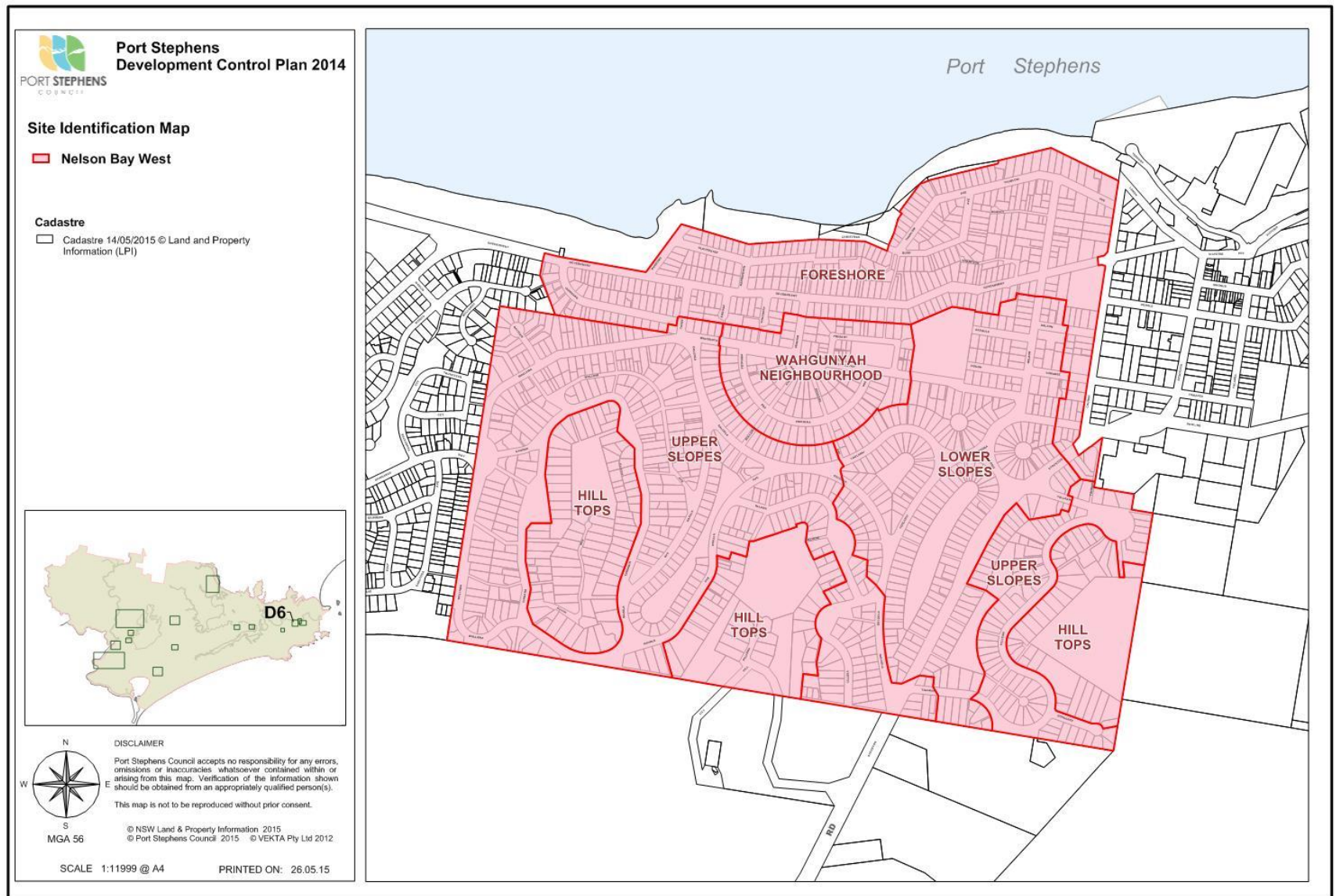
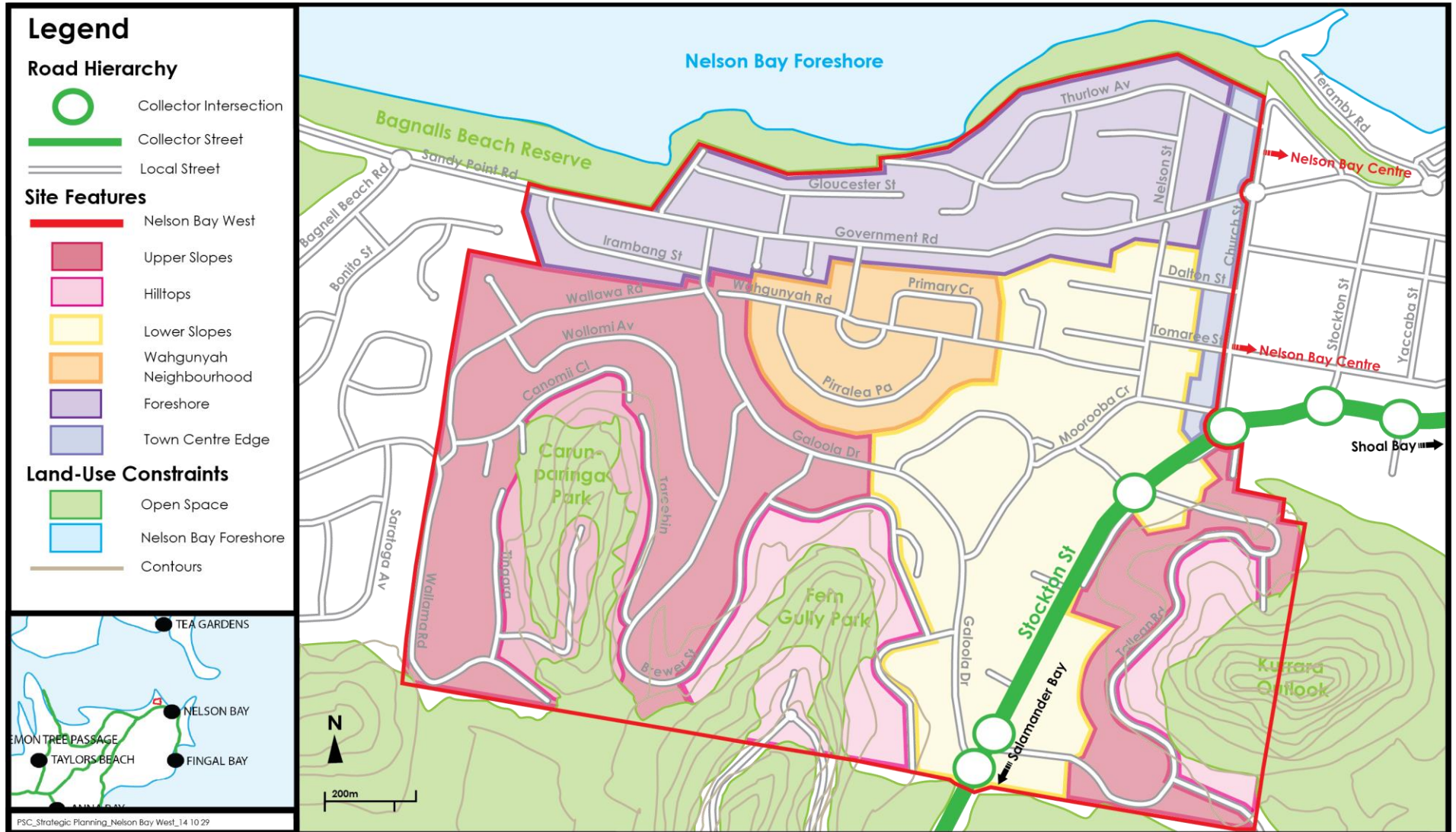


Figure DL: Nelson Bay West Locality Controls Map



D7 Seabreeze Estate – Nelson Bay

Application

- This Part applies to the land identified as Seabreeze Estate – Nelson Bay

Objectives

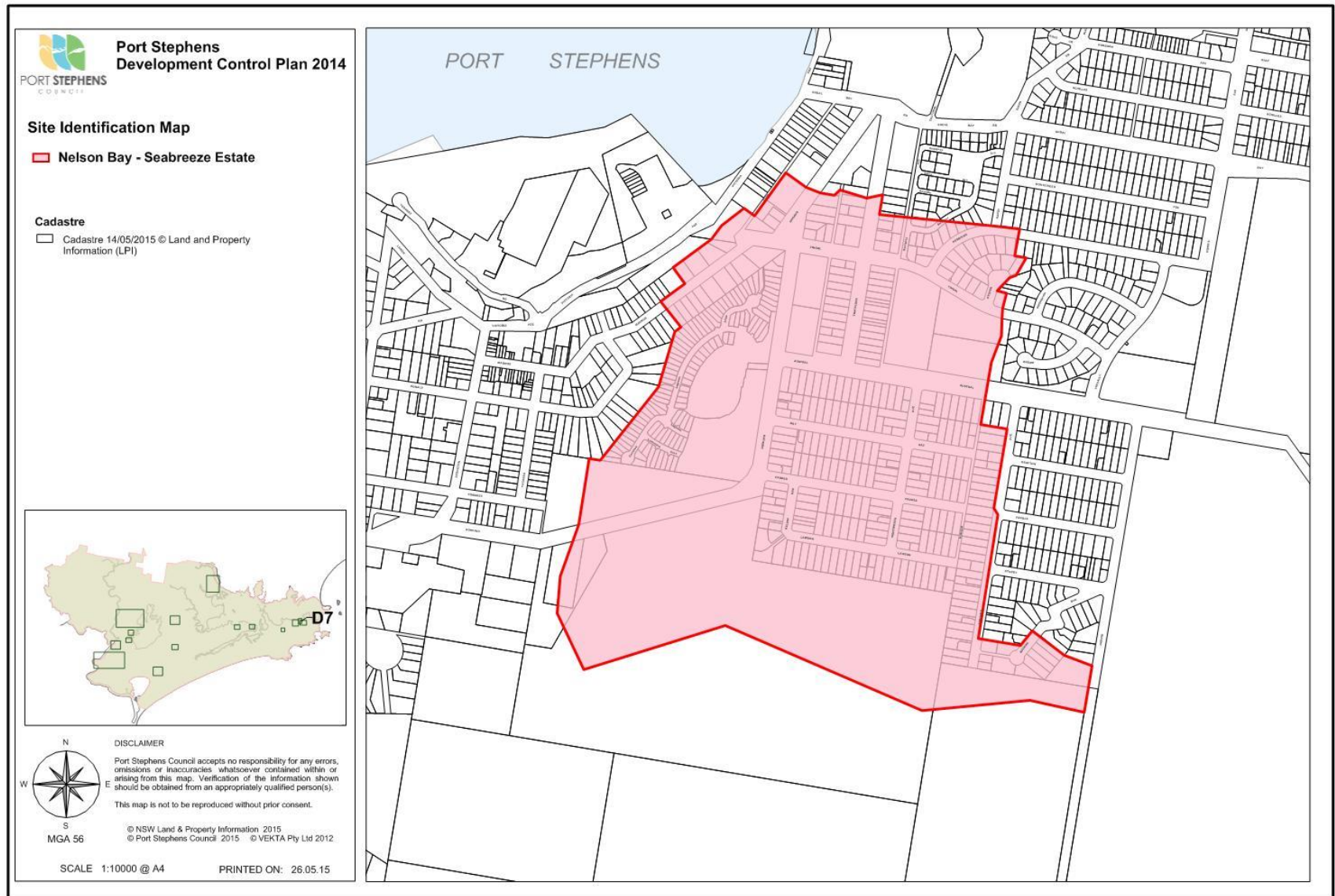
D7.A	Drainage and Water Quality	<ul style="list-style-type: none"> ▪ To ensure stormwater works that are required for the implementation of stormwater management within Seabreeze Estate and the groundwater catchment draining to Melaleuca Estate can be managed ▪ To recognise that rainwater tanks will lead to a reduction in the amount of roof run-off discharging to public drainage ▪ To reduce stormwater entering Melaleuca Estate and mitigate for potential loss in water quality ▪ To reduce the need for portable water to irrigate
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Requirements

D7.1	Water Tanks	<ul style="list-style-type: none"> ▪ Minimum water tank storage volume of 5,000L per unit <ul style="list-style-type: none"> • Water tanks are to be configured to allow use of the water for non-potable purposes • Over-flow should be directed to on-site infiltration system <p>Note: C4.2 (p. C-81) requires a BASIX Certificate to be provided with the Development Application for a dwelling house or dual occupancy</p>
D7.2	Increase in non-permeable surfaces by more than 10% or 50m ²	<ul style="list-style-type: none"> ▪ Development that increases non-permeable surfaces by more than 10% or 50m² is to provide on-site infiltration <ul style="list-style-type: none"> • On-site infiltration is designed to cater to 100 year Average Recurrence Interval (ARI) with durations up to 72 hours considered to calculate capacity • The stormwater drainage plan demonstrates the following details regarding on-site infiltration: <p>Note: B4.1 (p. B-28) requires a stormwater drainage plan when development increases non-permeable surfaces and will place additional flows into public drainage</p> <ul style="list-style-type: none"> ○ location and type of infiltration system ○ demonstrated volume of maximum AEP ○ pipes, pits, overland flow and discharge points which discharge to either one of the following: <ul style="list-style-type: none"> ✓ on-site detention system where soil conditions are not suitable for infiltration ✓ discharge into underground infiltration systems where the soils are

		<p>suitable to infiltrate</p> <ul style="list-style-type: none"> ✓ directly onto the ground surface, if adjacent properties are not affected ○ surface grates and maintenance access points ○ orifice type, location and screening facility ○ slope/gradient of the land ✓ On-site detention is required where it can be demonstrated that soil conditions are not suitable for on-site infiltration <p>Note: B4.2(p. B-28) requires on-site detention when development proposes to increase non-permeable surfaces</p>
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Figure DM:
Seabreeze
Estate –
Nelson Bay
Land
Application
Map

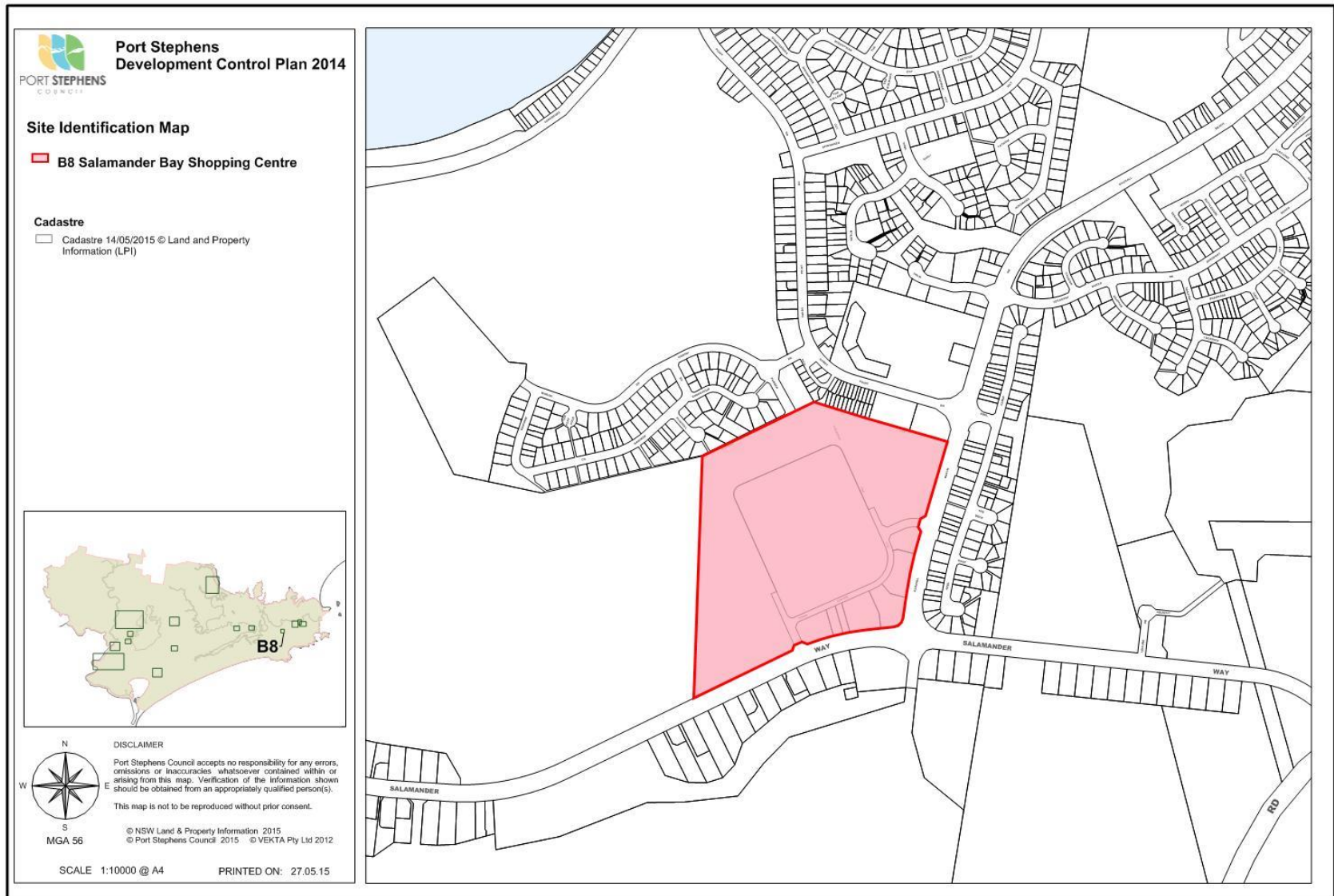


D8 Salamander Bay Shopping Centre – Nelson Bay

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Salamander Bay Shopping Centre 		

Objectives		
D7.A	Planning Principles	<ul style="list-style-type: none"> To provide planning principles that provide further guidance to the development of the Salamander Bay Shopping Centre Precinct
Requirements		
D7.1	Identity Hub	<ul style="list-style-type: none"> To create a sense of identity for a unified community and commercial precinct
D7.2	Integration	<ul style="list-style-type: none"> To ensure future development is sympathetically integrated with the existing surrounds and appropriately activates the precinct
D7.3	Connectivity	<ul style="list-style-type: none"> To ensure an integrated pedestrian and vehicular network promotes improved connectivity between developments within the precinct, and reaffirms the precinct as a hub
D7.4	Access Points	<ul style="list-style-type: none"> To ensure appropriate intersections are considered to accommodate for the expansion of the precinct
D7.5	Friendly	<ul style="list-style-type: none"> To ensure future development respects neighbours and users of the precinct
D7.6	Environment	<ul style="list-style-type: none"> To ensure future development protects the ecological systems within and adjacent to the precinct
D7.7	Safety	<ul style="list-style-type: none"> To ensure future development is designed with the safety of neighbours and users in mind
D7.8	Community	<ul style="list-style-type: none"> To ensure future development supports and is consistent with community activities
D7.9	Aesthetics	<ul style="list-style-type: none"> To ensure diverse aesthetic forms are appropriately developed with the human scale in mind and integrated with in a holistic aesthetic framework for the hub
D7.10	Economic Development	<ul style="list-style-type: none"> To ensure future development offers economic advantages to the community in the immediate and long term

Figure DN:
Salamander
Bay Land
Application
Map



D9 North Medowie – Medowie

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as North Medowie 		
Objectives		
D6.A	Street Layout	<ul style="list-style-type: none"> To provide a legible, efficient and permeable road structure that facilitates efficient connectivity for both pedestrians and vehicles
Requirements		
D6.1	General	<ul style="list-style-type: none"> Streets are generally in accordance with Figure DP (p. D-133) <p>Note: C1.6 (p. C-66) requires streets to comply with <i>Infrastructure Specification – Design</i>¹¹</p>
D6.2	Boundary Road	<ul style="list-style-type: none"> Boundary Road is a collector street, which accommodates: <ul style="list-style-type: none"> Upgrade of intersection with Medowie Road in accordance with the Medowie Local Area Contributions Plan – Traffic and Transport On-Road Cycling <p>Note: C1.6 (p. C-66) requires streets to comply with <i>Infrastructure Specification – Design</i>¹¹</p>
Objectives		
D6.B	Setbacks	<ul style="list-style-type: none"> To ensure development provides continuity and consistency to the public domain
Requirements		
D6.3	Front Setback	<ul style="list-style-type: none"> Minimum front setback of 9m, except for: <ul style="list-style-type: none"> A large lot residential dwelling fronting Boundary Road provides a minimum front setback of 10m <p>Note: C4.10 (p. C-83) requires a minimum front setback of 10m for rural, environmental or R5 Rural Residential zones</p>
D6.4	Side Setback	<ul style="list-style-type: none"> Minimum side setback of 1.5m, except for: <ul style="list-style-type: none"> A large lot residential dwelling fronting Boundary Road provides a minimum side setback of 2m <p>Note: C4.12 (p. C-83) requires a minimum ground floor side setback of 5m for rural or environmental zones</p>
D6.5	Rear Setback	<ul style="list-style-type: none"> Minimum rear setback of 5m <p>Note: C4.14 (p. C-83) requires a minimum ground rear setback of 5m for rural or environmental zones</p>
Objectives		
D6.C	Natural	<ul style="list-style-type: none"> To mitigate for habitat loss resulting from the

Resources		intensification of land-use
Requirements		
D6.6	Asset Protection Zone	<ul style="list-style-type: none"> ▪ Site Analysis Plans illustrate an appropriate Asset Protection Zone (APZ) <p>Note: B3.1 (p. B-24) requires development requiring referral to the Rural Fire Service will demonstrate in the Statement of Environmental Effects (SEE) how bushfire protection measures have informed the Site Analysis Plan</p>
D6.7	Vegetation	<ul style="list-style-type: none"> ▪ A Vegetation Management Plan (VMP) is consistent with the vegetation technical specification² in accordance with the following: <ul style="list-style-type: none"> • Bushland Residential Precinct <ul style="list-style-type: none"> ◦ Provide management corridors within the front setback, which incorporate: <ul style="list-style-type: none"> ✓ Retention of Hollow Bearing and SEPP 44 Trees ✓ Trees have lower limbs removed up to 2m from ground level • Parkland Residential & Large Lot Residential <ul style="list-style-type: none"> ◦ Retain Hollow Bearing and SEPP 44 Trees when located within 1.5m of a side boundary or 5m of a rear boundary • Koala Feed Trees Precinct <ul style="list-style-type: none"> ◦ Retain Hollow Bearing and SEPP 44 Trees • Conserved Forest Precinct <ul style="list-style-type: none"> ◦ Retain all vegetation <p>Note: B1.7 (p. B-17) requires a hollow tree assessment to be provided when removing hollow bearing trees</p>
D6.8	Fencing	<ul style="list-style-type: none"> ▪ Fences should avoid restricting wildlife movements by providing fencing in accordance with the Department of Environment and Heritage Protection. 2012, 'Koala-sensitive Design Guideline, such as: <ul style="list-style-type: none"> • Planting native vegetation hedges instead of fencing, or • Maintaining 30cm gap under solid fencing, or • Using a post and bridge system over the fence at 10-20 metre intervals, or • Post and rail with a minimum gap of 300mm between rails, or • Fencing incorporates existing trees, or • Avoiding the use of barbed wire, • Colorbond fences are not supported, <p>Note: C4.37 (p. C-86) requires that side fencing not exceed 1.8m in height and not be of a solid appearance</p>
Objectives		
D6.D	Drainage and Water Quality	<ul style="list-style-type: none"> ▪ To effectively manage stormwater to ensure downstream impacts are minimised

Requirements		
D6.9	Detention Basin	<ul style="list-style-type: none">▪ Detention basin identified on Figure DP (p. D-133) is constructed prior to the first occupation certificate <p>Note: B4.2 (P. B-28) requires on-site detention where identified prior to subdivision under Part C – Specific Areas</p>

Figure D0:
North
Medowie
Land
Application
Map

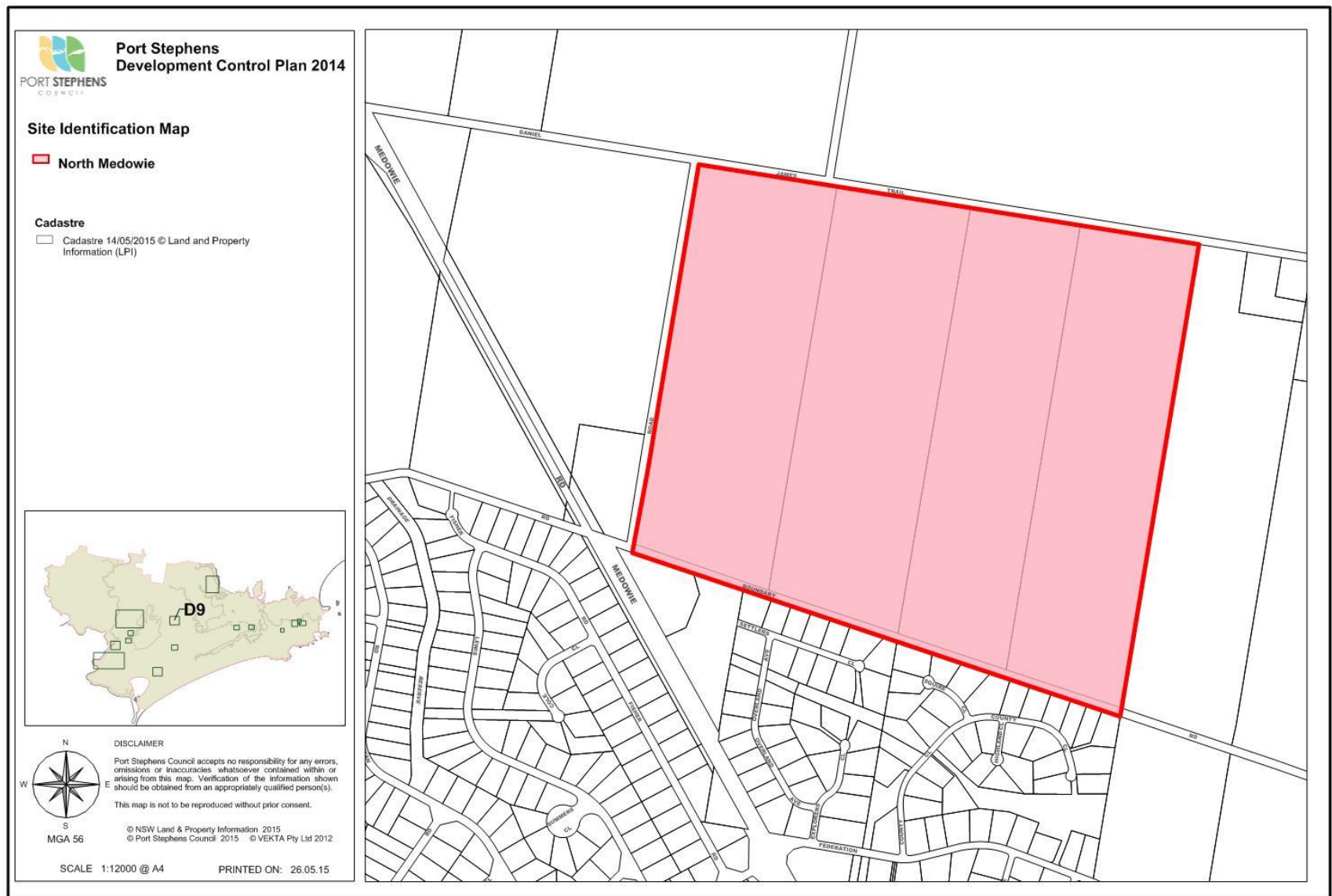
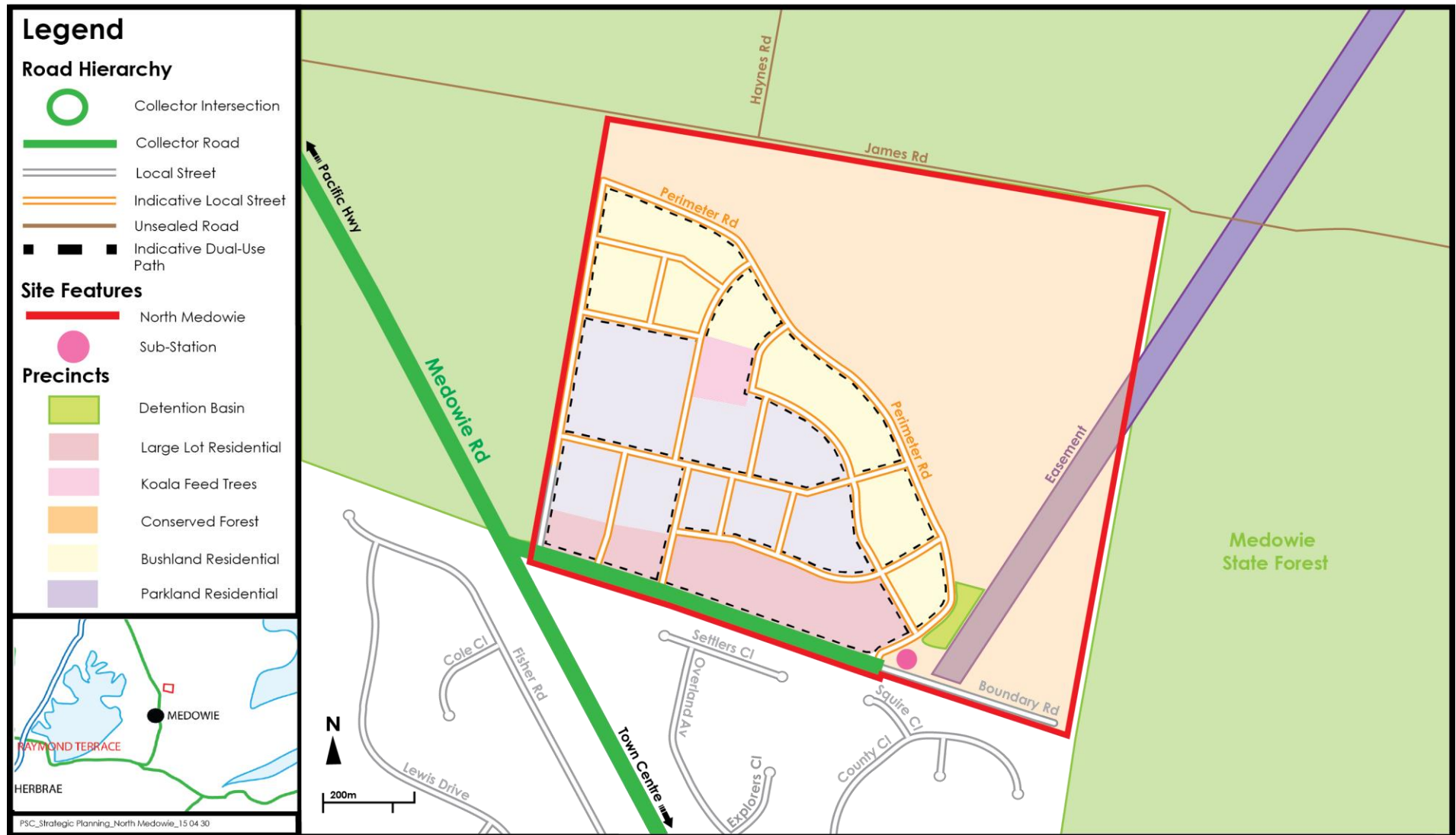


Figure DP: North Medowie Locality Controls Map



D10 Pacific Dunes – Medowie

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Pacific Dunes - Medowie 		
Objectives		
D10.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure development is informed by an analysis of its setting To provide for development that is dominated by native planting that complements the existing vegetation of the area and enhances natural attributes
Requirements		
D10.1	Landscape Plan	<ul style="list-style-type: none"> A development application is accompanied by a Landscape Plan, which provides consideration to: <ul style="list-style-type: none"> Native trees, shrubs, groundcovers, mulched and planted areas within the front and rear vegetated zones in accordance with the Precinct Design Guidelines³⁷ <p>Note: C4.2 (p. C-81) requires that a Landscape Plan be provided in accordance with the Landscape Technical Specification⁴</p>
Objectives		
D10.B	Flooding	<ul style="list-style-type: none"> To satisfy the provisions of PSLEP Clause 7.3 relating to flooding, such as minimising the flood risk to life and property associated with the use of land To provide for resident safety and amenity by ensuring that minimum floor levels are set above the flood planning level
Requirements		
D10.2	Flood Planning Level	<ul style="list-style-type: none"> The habitable floor level of any dwelling is constructed 500mm above the 1% Annual Exceedance Probability (AEP) of 9.5m as contained within the Pacific Dunes Flood Assessment Report³⁸ <p>Note: B5.1 (p. B-36) provides consideration to how flood hazard is to be considered</p>
Objectives		
D10.C	Setbacks	<ul style="list-style-type: none"> To ensure development provides continuity and consistency to the public domain To provide a consistent setback to encourage street activation
Requirements		
D10.3	Setbacks – Country Club	<ul style="list-style-type: none"> Minimum front setback of 4.5m <p>Note: C4.10 (p. C-83) requires a minimum front setback of</p>

	Precinct	<p>4.5m for a greenfield site</p> <ul style="list-style-type: none"> Minimum front setback of 5.5m for garages <p>Note: C4.10 (p. C-83) requires a minimum front setback for garages of 1m behind the building line or setback</p> <ul style="list-style-type: none"> Minimum rear setback of 4.5m <p>Note: C4.14 (p. C-83) requires a minimum ground rear setback of 2m</p> <ul style="list-style-type: none"> Minimum side setback of 1.0m or no minimum side setback garages <p>Note: C4.16 (p. C-84) requires a garage to be a minimum of 1m behind building line or setback</p>
D10.4	Setbacks – Lakes, Links, Portmarnock Precincts	<ul style="list-style-type: none"> Minimum front setback of 6.0m <p>Note: C4.10 (p. C-83) requires a minimum front setback of 4.5m for a greenfield site</p> <ul style="list-style-type: none"> Minimum front setback of 7.0m for garages <p>Note: C4.16 (p. C-84) requires a minimum front setback for garages of 1m behind the building line or setback</p> <ul style="list-style-type: none"> Minimum rear setback of 4.5m <p>Note: C4.14 (p. C-83) requires a minimum ground rear setback of 2m</p> <ul style="list-style-type: none"> Minimum side setback of 1.2m for the Links Minimum side setback of 1.0m for the Lakes and Portmarnock Precincts Minimum side setback of 1.0m or no minimum side setback for garages in Portmarnock Precinct <p>Note: C4.12 (p. C-83) requires a minimum ground floor side setback of 0.9m</p>
D10.5	Setbacks – Hillside and The Greens Precincts	<ul style="list-style-type: none"> Minimum front setback of 9m for Hillside Minimum front setback of 6.0m for The Greens <p>Note: C4.10 (p. C-83) requires a minimum front setback of 4.5m for a greenfield site</p> <ul style="list-style-type: none"> Minimum front setback of 10m for garages in Hillside Minimum front setback of 7m for garages in The Greens <p>Note: C4.16 (p. C-84) requires a garage to be a minimum of 1m behind building line or setback</p> <ul style="list-style-type: none"> Minimum rear setback of 5m in Hillside Minimum rear setback of 4.5m in The Greens <p>Note: C4.14 (p. C-83) requires a minimum ground rear setback of 2m</p> <ul style="list-style-type: none"> Minimum side setback of 1.2m, except for 0.9m for The Ridge <p>Note: C4.12 (p. C-83) requires a minimum ground floor side setback of 0.9m</p>
D10.6	Secondary Setbacks (Corner Lots)	<ul style="list-style-type: none"> Minimum secondary setback of 1.2m <p>Note: C4.11 (p. C-83) requires a minimum secondary setback of 2m</p>

Objectives		
D10.D	Site Dimensions	<ul style="list-style-type: none"> To achieve planning residential density in certain zones To ensure non-permeable surfaces are provided in accordance with the capacity of infrastructure
Requirements		
D10.7	Minimum Site Area	<ul style="list-style-type: none"> Minimum site area is provided in accordance with PSLEP 2013 Clause 4.1B Minimum site area for dual occupancy, multi-dwelling housing and residential flat buildings
D10.8	Non-permeable surfaces	<p>Note: B4.2 (p. B-28) requires on-site detention where non-permeable surfaces exceed the total percentage of site area listed under Figure BD (p. B-31)</p>
Objectives		
D10.E	Building Height	<ul style="list-style-type: none"> To ensure the height of a building is appropriate for the context and character of the area To ensure building heights reflect the hierarchy of centres and land use structure
Requirements		
D10.9	Building Height	<p>Note: C4.9 (p. C-83) requires that height be provided in accordance with PSLEP2013 Clause 4.3 Height of buildings and Clause 5.6 Architectural roof features</p>
Objectives		
D10.F	Building Character	<ul style="list-style-type: none"> To ensure Pacific Dunes Estate will be developed with a consistent character with a visual coherence of built form through consistent requirements for building envelope, materials and streetscape
Requirements		
D10.10	Garages	<ul style="list-style-type: none"> Garages are designed to be unobtrusive through the following design requirements: <ul style="list-style-type: none"> Maximum 5m garage door width <p>Note: C4.28 (p. C-85) requires a maximum garage door width of 6m upon residential lots or 50% of the building frontage, whichever is lesser</p> <ul style="list-style-type: none"> Garage door is panel lift finished in colorbond or timber of plain profile <p>Note: C4.13 (p. C-83) requires a minimum 1m behind building line or setback</p>
D10.11	Driveway Width	<ul style="list-style-type: none"> A driveway should have a maximum width of 3.5m and be of a grey exposed aggregate in charcoal coloured concrete, except for: <ul style="list-style-type: none"> Maximum width of 5.0m in the Country Club Precinct <p>Note: C4.27 (p. C-85) requires a driveway to have a maximum width of 4m</p>

D10.12	Articulation	<ul style="list-style-type: none"> ▪ Residential accommodation seeks to incorporate the following design elements: <ul style="list-style-type: none"> • Entry features • Pergolas, balconies and verandahs <p>Note: C4.21 (p. C-84) requires that development be sympathetic to the existing landscape character and built-form with regard to design, bulk, scale, form, materials and roof configuration</p> <ul style="list-style-type: none"> • Windows from habitable rooms that face the street and golf course <p>Note: C4.20 (p. C-84) requires that development is to address the street by having at least one habitable room, such as a living area to front the street and/or adjoining public spaces</p> <ul style="list-style-type: none"> • Secondary frontage to address both streets and golf course <p>Note: C4.20 (p. C-84) requires development on corner lots to address both street frontages by having habitable rooms face both streets</p> <ul style="list-style-type: none"> • Verandahs and pergolas with low window sills of less than 1200mm <p>Note: No general requirement</p>
D10.13	Roofing	<ul style="list-style-type: none"> ▪ Roofing displays the following features: <ul style="list-style-type: none"> ▪ Roofs are hipped or gabled ▪ Colorbond custom orb or flat-profile tile ▪ Minimum 450mm eave overhangs ▪ Minimum pitch of 22 degrees ▪ Roof mounted hardware, such as satellite dishes and antennae are to be mounted in locations least visible from the street and golf course <p>Note: No general requirement</p>
D10.14	Colours & Materials	<ul style="list-style-type: none"> ▪ Colours and materials are sympathetic to existing development through the following features: <ul style="list-style-type: none"> ▪ Rendered or bagged brickwork ▪ Feature colours enhance building articulation ▪ Selections are in accordance with the Precinct Design Guidelines³⁷ <p>Note: C4.21 (p. C-84) requires development to be sympathetic to the existing character and built-form</p>
Objectives		
D10.G	Fencing & Retaining Walls	<ul style="list-style-type: none"> ▪ To ensure consistency and urban amenity outcomes ▪ To provide for a consistent character throughout the development that allows the soft landscaping elements to dominate
Requirements		
D10.15	Front Fences	<ul style="list-style-type: none"> ▪ No fencing to front or secondary (corner lot) setbacks

D10

PACIFIC DUNES - MEDOWIE

D10.16	Side & Rear Fences	<ul style="list-style-type: none"> Side and rear fencing is lapped and capped timber fencing to a maximum height of 1.8m <ul style="list-style-type: none"> Maximum 1.0m behind the front facade <p>Note: C4.37 (p. C-86) requires side and rear fences to be a maximum height of 2.1m</p> <p>Note: C4.39 (p. C-87) requires solid fencing not be used</p>
D10.17	Golf Course Fences	<ul style="list-style-type: none"> Golf course fencing is to be 1.2m high palisade fencing in accordance with the Precinct Design Guidelines
D10.18	Retaining Walls	<ul style="list-style-type: none"> Retaining walls visible from the public domain is: <ul style="list-style-type: none"> Masonry construction, or Rendered or bagged and painted dark grey or a colour to match the residence <p>Note: C4.42 (p. C-87) requires retaining walls to be of a masonry construction within 0.9m of the property boundary when greater than 0.6m in height</p>
D10.19	Letterboxes	<ul style="list-style-type: none"> A letterbox is rendered masonry to the detail provided in the Precinct Design Guidelines³⁷ <p>Note: C4.21 (p. C-84) requires development to be sympathetic to the existing landscape character and built-form with regard to design, bulk, scale form, materials and roof configuration</p>
Objectives		
D10.H	Street Layout	<ul style="list-style-type: none"> To ensure local streets are well-connected to the street network with obvious pedestrian and cycle links to higher order streets
Requirements		
D10.20	Street Layout	<ul style="list-style-type: none"> Road layout and dual-use paths are consistent with Figure DR (p. D-140) <p>Note: C1.6 (p. C-66) requires streets to comply with Infrastructure Specification – Design¹¹</p>

Figure DQ:
Pacific
Dunes -
Meadowie
Land
Application
Map

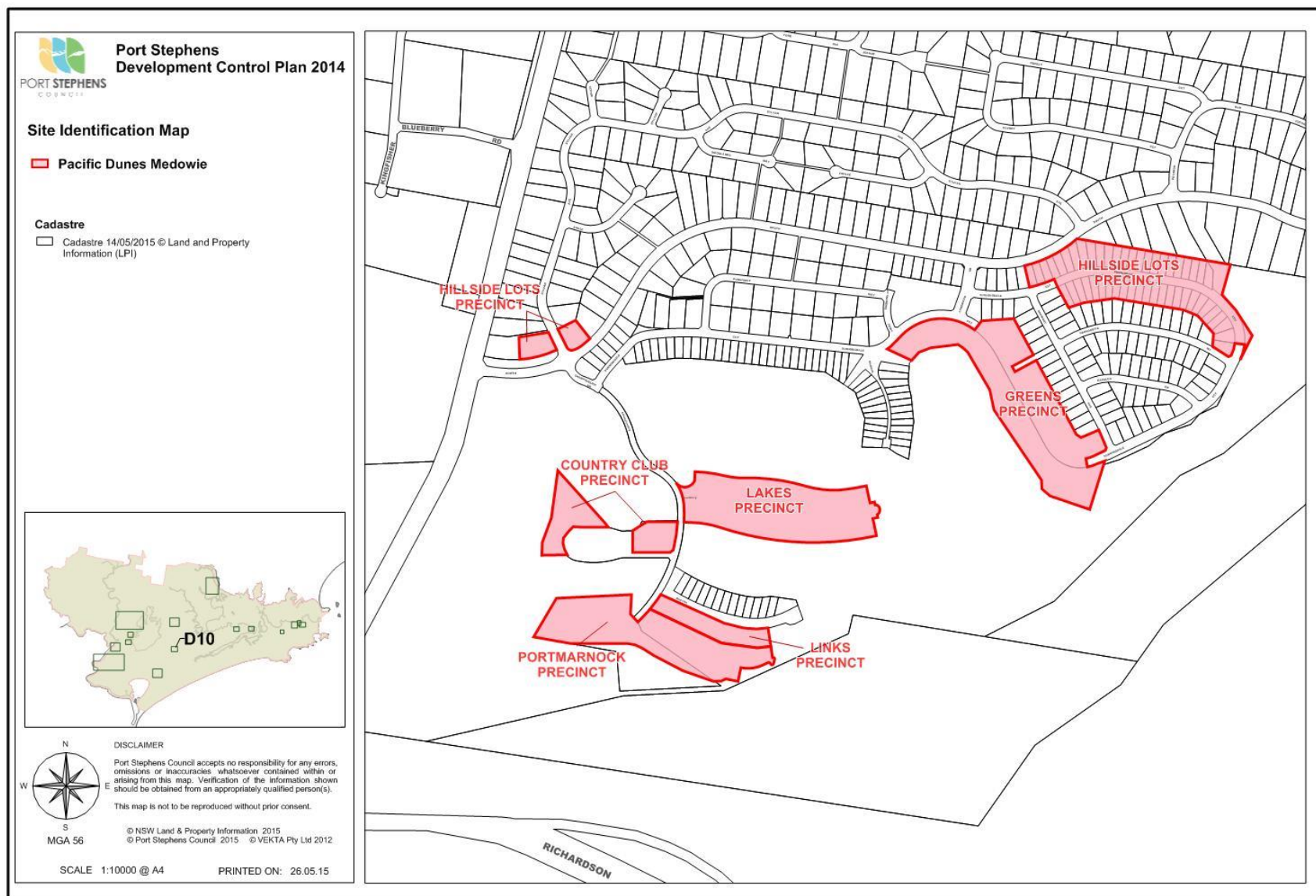
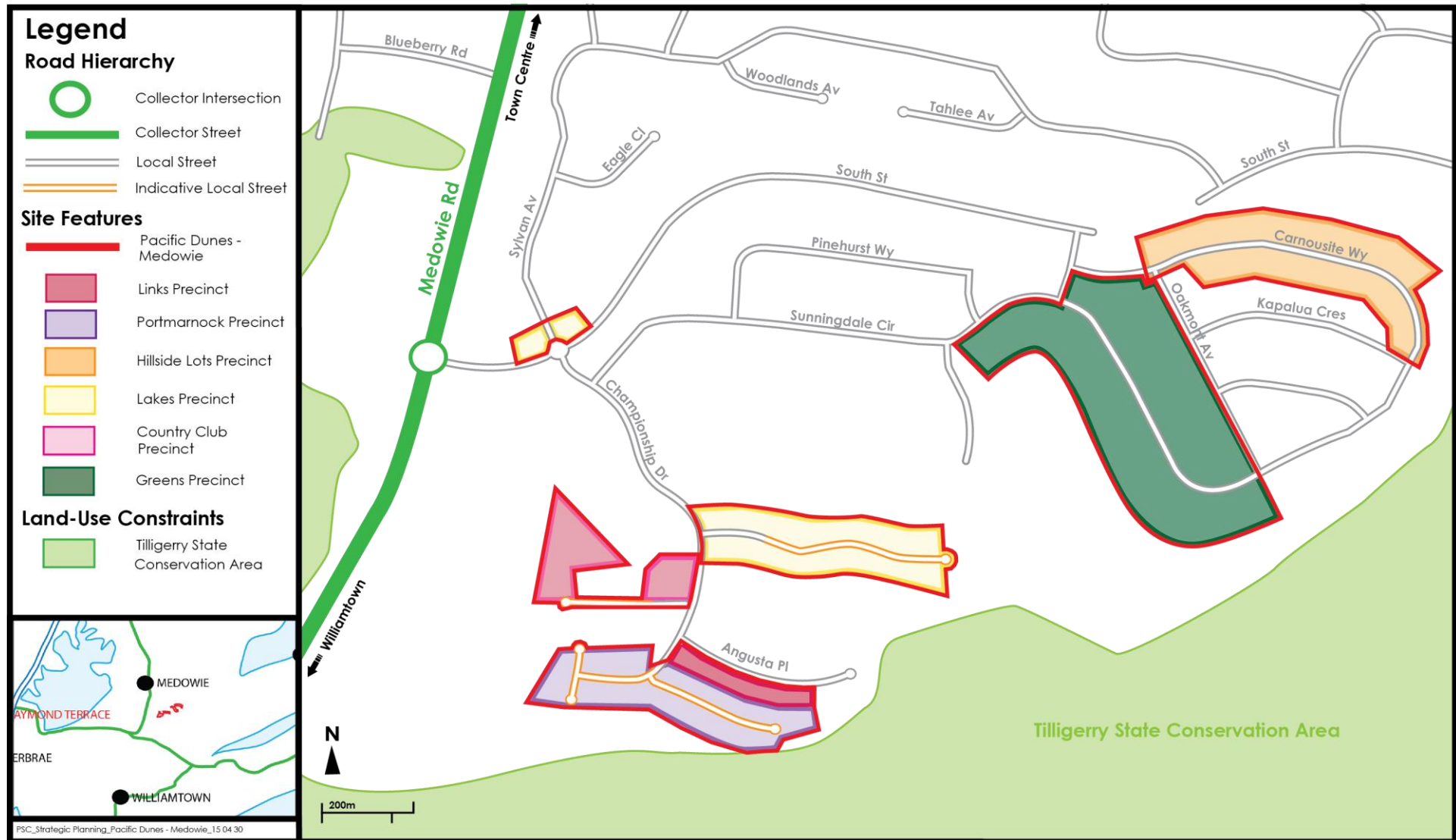


Figure DR: Pacific Dunes - Medowie Locality Controls Map



D11 Raymond Terrace Town Centre

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Raymond Terrace Town Centre 		
Objectives		
D11.A	Residential Setbacks	<ul style="list-style-type: none"> To provide a consistent setback to encourage street activation
Requirements		
D11.1	Garage Setback	<ul style="list-style-type: none"> A garage in a residential zone and within the heritage conservation area is to provide a minimum front setback of 2m for that garage <p>Note: C4.16 (p. C-84) requires a minimum garage setback of 1m behind the building line or setback</p>
Objectives		
D11.B	Facades	<ul style="list-style-type: none"> To provide activate street activation
Requirements		
D11.2	Pedestrian Corridors	<ul style="list-style-type: none"> Pedestrian corridors, such as those within the town centre provide a direct line of sight from entry to exit <p>Note: C2.F (p. C-74) requires development to be safe and secure for pedestrians and contributes to the public domain safely by incorporating principles of Crime Prevention through Environmental Design (CPTED)</p>
Objectives		
D11.C	Solar Access	<ul style="list-style-type: none"> To ensure solar access to the public domain
Requirements		
D11.3	William Street	<ul style="list-style-type: none"> Development does not impede solar access to the southern side and northern sides of William Street from 11am-4pm, Australian Eastern Standard Time <p>Note: C1.14(p. C-68) seeks to ensure subdivision provides consideration to solar access</p>
Objectives		
D11.D	King Street	<ul style="list-style-type: none"> To provide development that is in-keeping with the existing heritage character of King Street To ensure development is consistent with the identified Masterplan for the King Street Precinct To provide incentives for the retention and redevelopment of King Street heritage listed items, such as reduced parking requirements
Requirements		
D11.4	King Street Heritage	<ul style="list-style-type: none"> Development that provides a frontage to King St will be in accordance with the King Street Masterplan,

	Character	which is included as Figure DS (p. D-148)
D11.5	King Street Heritage Character	<ul style="list-style-type: none"> ▪ Development that provides frontage to King St is in accordance with the following key design principles: <ul style="list-style-type: none"> • Establish precinct character through: <ul style="list-style-type: none"> ○ Retention/Reinstatement of identified heritage/character items ○ A cohesive riverfront built edge which reflects the area's river port origins ○ Public domain elements, such as street trees, landscape, signage, lighting and street furniture are consistent with the proposed Streetscape Design Guideline • Creation of a public urban riverfront park in the open space fronting Barrier Lane and King Street incorporating the Marriage Trees and edged by the Bond Store and the Masonic Lodge <p>Note: The Raymond Terrace & Heatherbrae Strategy identifies this site as suitable for passive open space/urban plaza within the town centre</p> <ul style="list-style-type: none"> • Creation of an accessible riverfront boardwalk that is 1 metre below the flood planning level (approximately at 4.3 AHD) stretching between William and Bourke Streets. The boardwalk is to be located above the levee and all development should consider this aspect as an integral part of their river frontages • Reinforce the existing views and introduce new vistas and pedestrian connections to the river • Minimise vehicular entry points along King Street to maintain integrity of streetscape. Consider development incentives of integrated solutions such as common entry/egress points • Retention of existing post verandahs and cantilevered awnings and these features are to be integrated into new additions where possible • Incorporation of light weight construction materials consistent with existing buildings <p>Note: B8.2 (p. B-53) requires works on a heritage item or item located in the heritage conservation area consistent with the statement of heritage significance of the existing building or the heritage character of the area</p>
D11.6	King Street Parking Requirements	<ul style="list-style-type: none"> ▪ Development within the King Street Precinct as identified by Figure DS (p. D-148) receives a 100% reduction in the total parking required by B9.2 (p. B-55) <ul style="list-style-type: none"> • This reduction is off-set by a 75% increase in bike parking as required by B9.2 (p. B-55) • On-site car parking is to be screened from King Street frontage and not provided above the Flood Planning Level (FPL)

		Note: B9.2 (p. B-55) requires that all development that has the potential to create demand for on-site parking provides parking in accordance with Figure BN(p. B-60)
D11.7	Colours	<ul style="list-style-type: none"> ▪ Finishes are earth colours or light tones ▪ Roofs are to be light grey/galvanised
D11.8	Materials	<ul style="list-style-type: none"> ▪ Development is to be of timber wharf style construction for boardwalk along the riverfront
Objectives		
D11.E	Street Layout	<ul style="list-style-type: none"> ▪ Development contributes to existing compact and interconnected street patterns
Requirements		
D11.9	Street Layout	<ul style="list-style-type: none"> ▪ Development of riverside lots on the northern side of King St provides waterfront access ▪ Bourke St is extended from Adelaide St to Port Stephens St to continue the grid-like network <ul style="list-style-type: none"> • This requires the reconfiguration of the Bourke to Adelaide Street intersection to a signalised intersection to allow full turning movements, including right turn from Adelaide St ▪ Carmichael St is extended from the existing cul-de-sac to Bourke St <p>Note: C1.7 (p. C-66) requires the street layout to be interconnected to provide a grid-like structure</p>
Objectives		
D11.F	Pedestrian and Cycling	<ul style="list-style-type: none"> ▪ To provide interconnected and accessible pedestrian and cycle paths to encourage walkability ▪ To ensure pedestrian and cycle paths are provided in accordance with the technical specifications for durability and safety
Requirements		
D11.10	Pedestrian and Cycle Paths	<ul style="list-style-type: none"> ▪ Pedestrian and Cycle Paths are provided in accordance with the Draft Raymond Terrace Pedestrian and Cycling Strategy <p>Note: B9 (p. B-55) requires engineering works to be provided in accordance with the Infrastructure Specification – Design¹</p>
Objectives		
D11.G	Street Trees	<ul style="list-style-type: none"> ▪ To ensure suitable street trees are appropriately sited
Requirements		
D11.11	Street Trees	<ul style="list-style-type: none"> ▪ Development along Jacaranda Avenue protects and enhances Jacaranda Palms ▪ Development along the Southern road reserve of Adelaide Street protects and enhances Poplars ▪ Development from Swan Street to Kangaroo Street provides pear trees in the verge of the road reserve

		<p>and consistent planting in the central median</p> <ul style="list-style-type: none"> ▪ Development along Port Stephens Street provides Phoenix Palms and protects within the median strip ▪ Development enhances and is designed to complement the King Street Marriage Trees ▪ Development provides street trees in accordance with the Adelaide St, Port Stephens St and William St Master plans, which are actions of the Raymond Terrace and Heatherbrae Strategy 2015-2031 <p>Note: C1.9 (p. C-67) requires street trees as a component of the road reserve at subdivision</p>
Objectives		
D11.H	Open Space	<ul style="list-style-type: none"> ▪ To ensure an appropriate site is identified, acquired and protected for the purpose of a Town Park
Requirements		
D11.12	Town Park	<ul style="list-style-type: none"> ▪ One of the three sites identified by the Draft Raymond Terrace and Heatherbrae Strategy is identified for acquisition to be developed as a Town Park <ul style="list-style-type: none"> • This park considers the relocation of the skate park that is currently positioned at 112 Adelaide Street, Raymond Terrace, Lot 1, DP 1156304 to this Town Park as an alternative to Boomerang Park <p>Note: C1.17 (p. C-69) requires a small local park under C1.16 (p. C-69) to provide:</p> <ul style="list-style-type: none"> • Demonstrates centrality by being located near transport nodes, public buildings, waterfronts, libraries or places of public worship • Is bounded by a local street • Is faced by lots zoned residential or commercial • Provides advanced evergreen shade trees • Provides multiple entry and exit points • Creates links between public and private areas • Integrates remnant vegetation • Provides seating
Objectives		
D11.I	Flood Hazard	<ul style="list-style-type: none"> ▪ To ensure that development within the flood planning area does not contribute to the flood hazard ▪ To satisfy the provisions of PSLEP 2013 Clause 7.3 relating to flooding, such as minimising the flood risk to life and property, which are associated with the use of land
Requirements		
D11.13	Flood Hazard	<ul style="list-style-type: none"> ▪ Development is to be constructed to 5.3m AHD <p>Note: B5.1 (p. B-36) requires development to be compatible with the flood hazard of the land</p>
Objectives		

D11

RAYMOND TERRACE TOWN CENTRE

D11.J	Drainage and Water Quality	<ul style="list-style-type: none">▪ To effectively manage stormwater to ensure downstream impacts are minimised
Requirements		
D11.14	Detention Basin	<ul style="list-style-type: none">▪ Land indicatively drawn on Figure DS (p. D-148) is reserved for the purpose of a retention basin

Figure DR:
Raymond
Terrace
Centre
Land
Application
Map

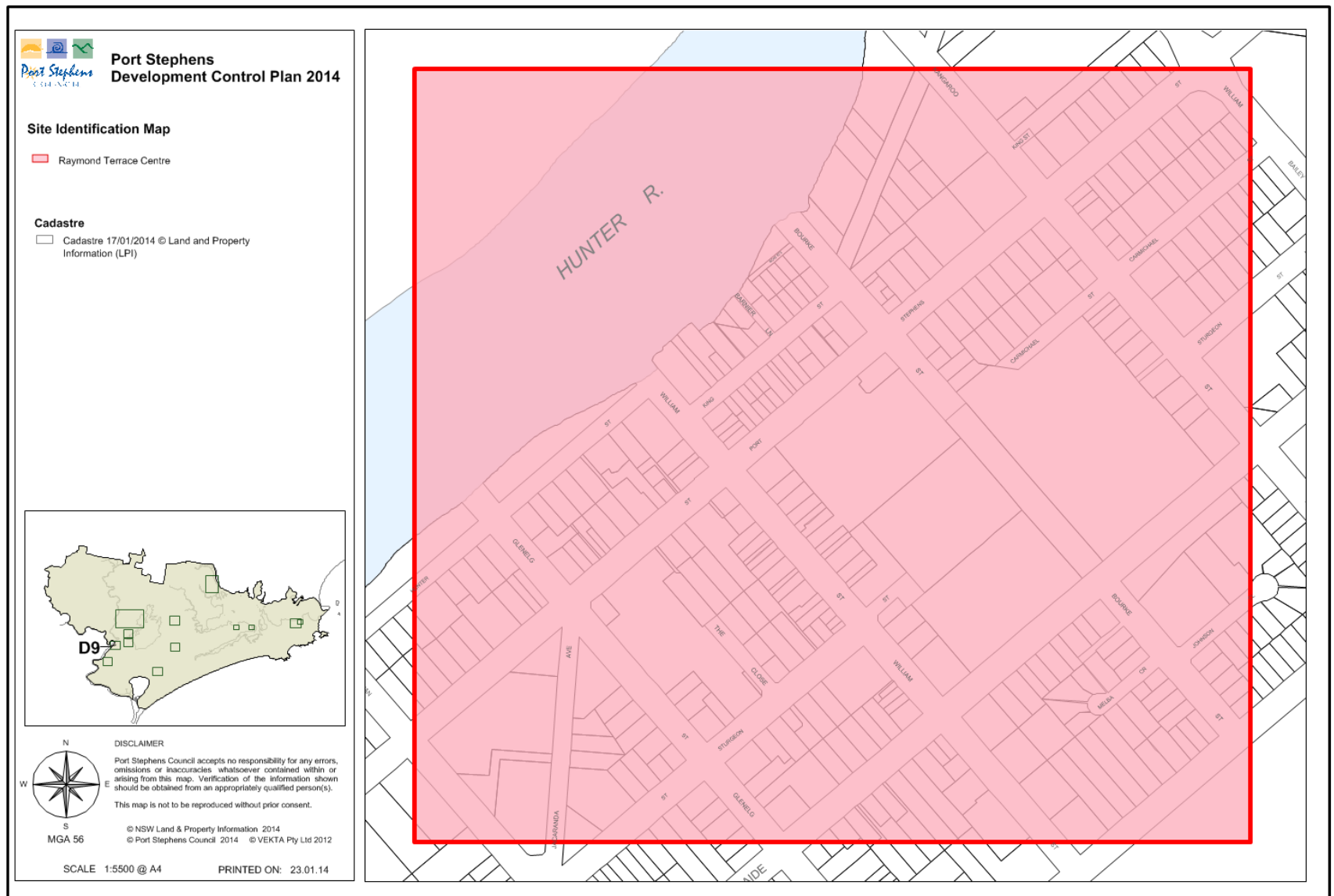
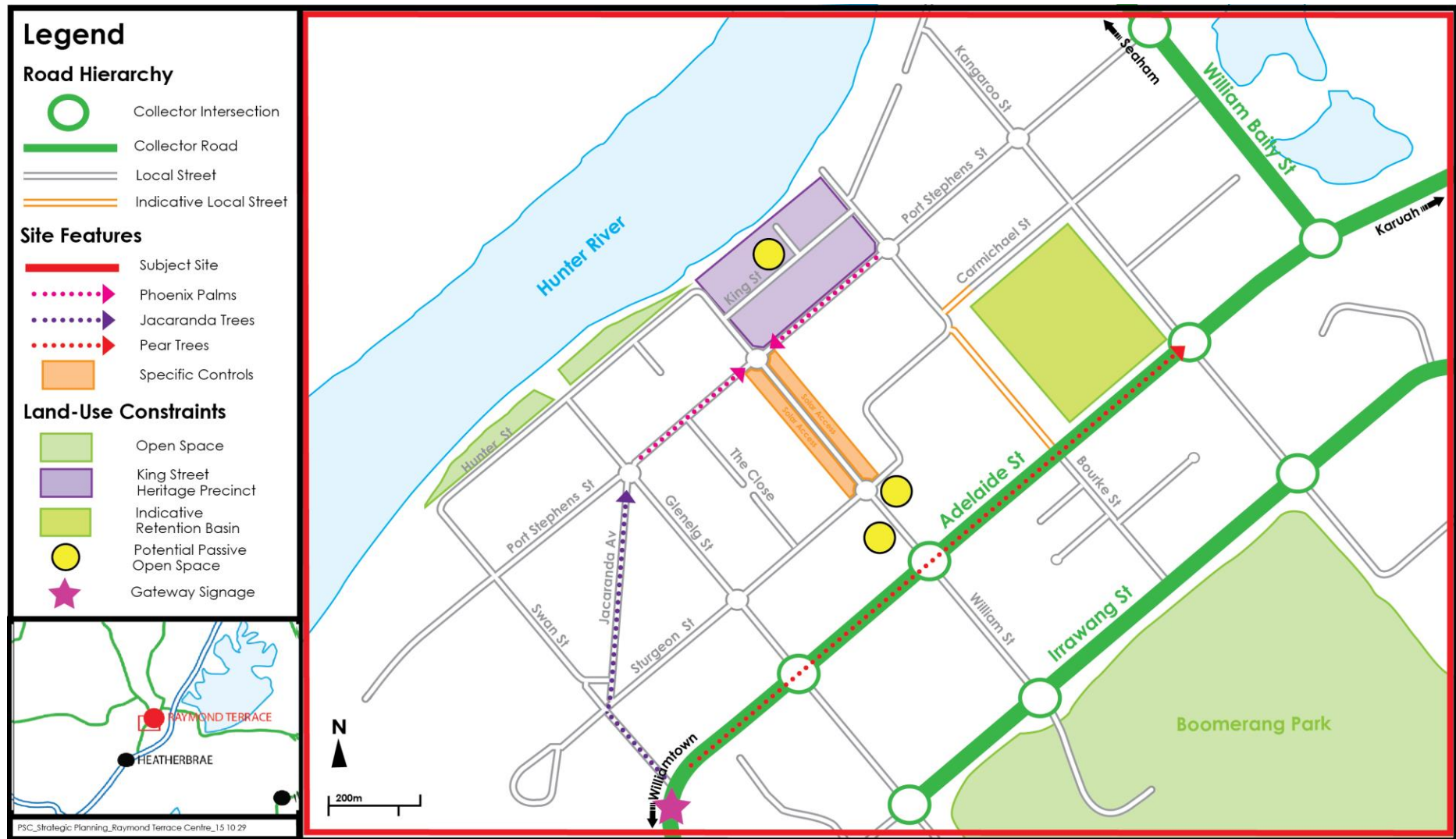


Figure DS: Raymond Terrace Locality Controls Map



D12 Richardson Rd – Raymond Terrace

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Richardson Rd – Raymond Terrace 		
Objectives		
D12.A	Staging	<ul style="list-style-type: none"> To ensure that the staging of subdivision is informed by site analysis and infrastructure provision
Requirements		
D12.1	Stage 1	<ul style="list-style-type: none"> Stage 1 is completed prior to Stage 2 commencing
D12.2	Stage 2	<ul style="list-style-type: none"> Stage 2 can occur prior to Stage 1, if: <ul style="list-style-type: none"> Continuous road construction is provided to the intersection of Benjamin Lee Drive and Richardson Road Stormwater and sewerage connection to public infrastructure is provided <p>Note: PSLEP2013 Clause 6.3(3)(a) requires a staging plan</p>
Objectives		
D12.B	Street Layout	<ul style="list-style-type: none"> To ensure the street layout limits access to Pacific Hwy
Requirements		
D12.3	Street Layout	<ul style="list-style-type: none"> Street layout is consistent with Figure DV (p. D-148)
D12.4	5m Road Dedication	<ul style="list-style-type: none"> Lots abutting Richardson Rd dedicate 5m to the road reserve when access is provided at Stage 1
D12.5	Stage 2	<ul style="list-style-type: none"> Stage 2 provides the following: <ul style="list-style-type: none"> 4m sealed pavement with shoulders, under road pipeline crossings and the roadside table drains on the northern side of the road centreline for Halloran Way Passing bays at 200m spacing Upgrade Halloran Way as required <p>Note: C1.6 (p. C-66) requires streets to comply with Infrastructure Specification – Design¹¹</p>
Objectives		
D12.C	Essential Services	<ul style="list-style-type: none"> To ensure sewerage is provided To ensure drainage is informed by site analysis
Requirements		
D12.6	Sewerage	<ul style="list-style-type: none"> Sewerage is not required at Stage 1 Provide drainage reserves in accordance with Figure DU (p. D-126) and the Halloran Way Reports¹⁹ <p>Note: B6.1 (p. B-41) requires consideration is be provided to essential services</p>

D12

RICHARDSON RD – RAYMOND TERRACE

Objectives		
D1.C	Aircraft Noise	<ul style="list-style-type: none">▪ To ensure development satisfies the requirements of PSLEP2013 Clause 7.5▪ To ensure appropriate consideration is given to land burdened by aircraft noise
Requirements		
D12.3	Aircraft Noise	Note: Richardson Road is located within the 20-25 ANEF contour. B7.1 (p. B-42) details what is to be considered when development is located within the aircraft noise planning area , which includes the 20-25 ANEF contours.

Figure DU:
Richardson Rd –
Raymond Terrace Land
Application
Map

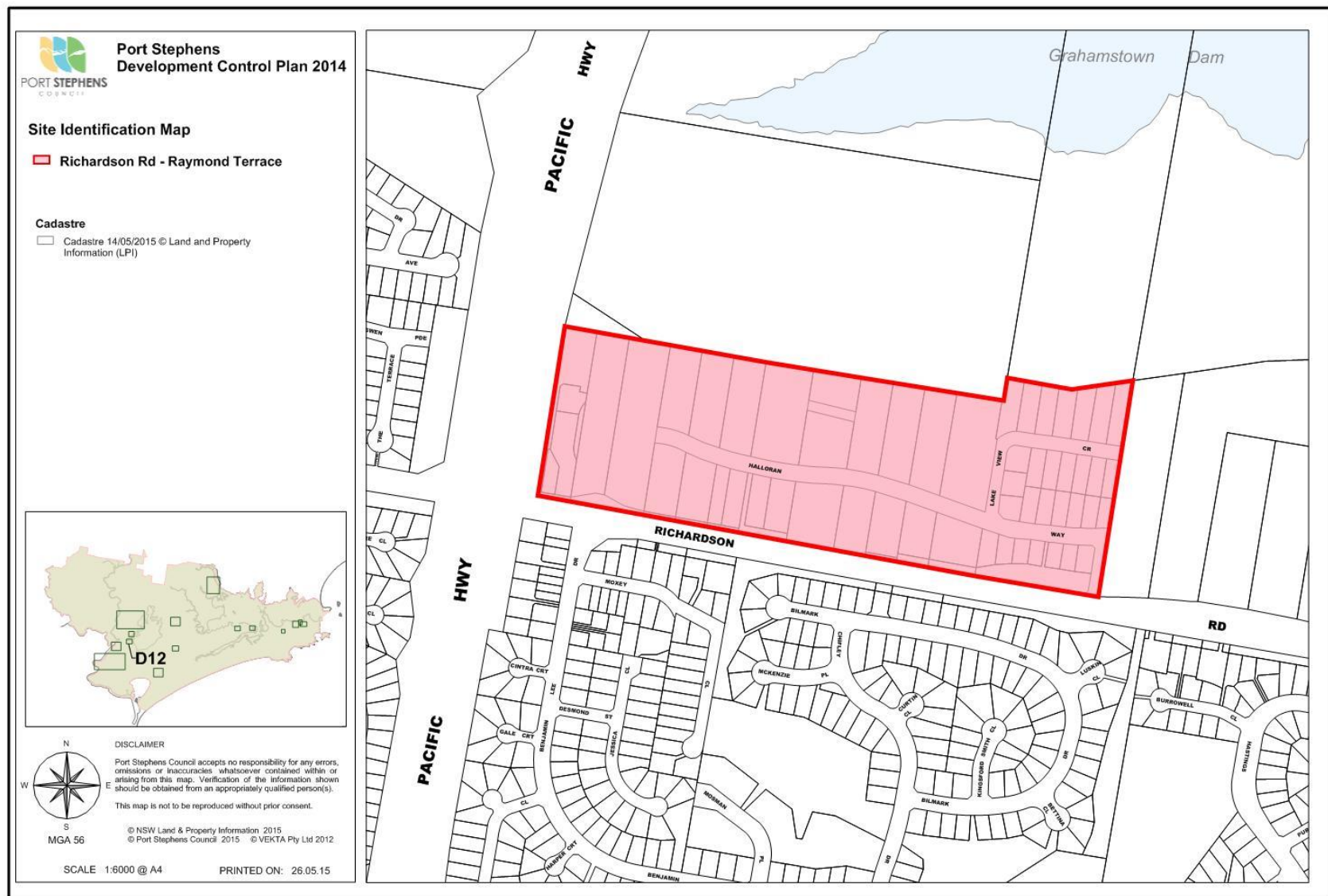
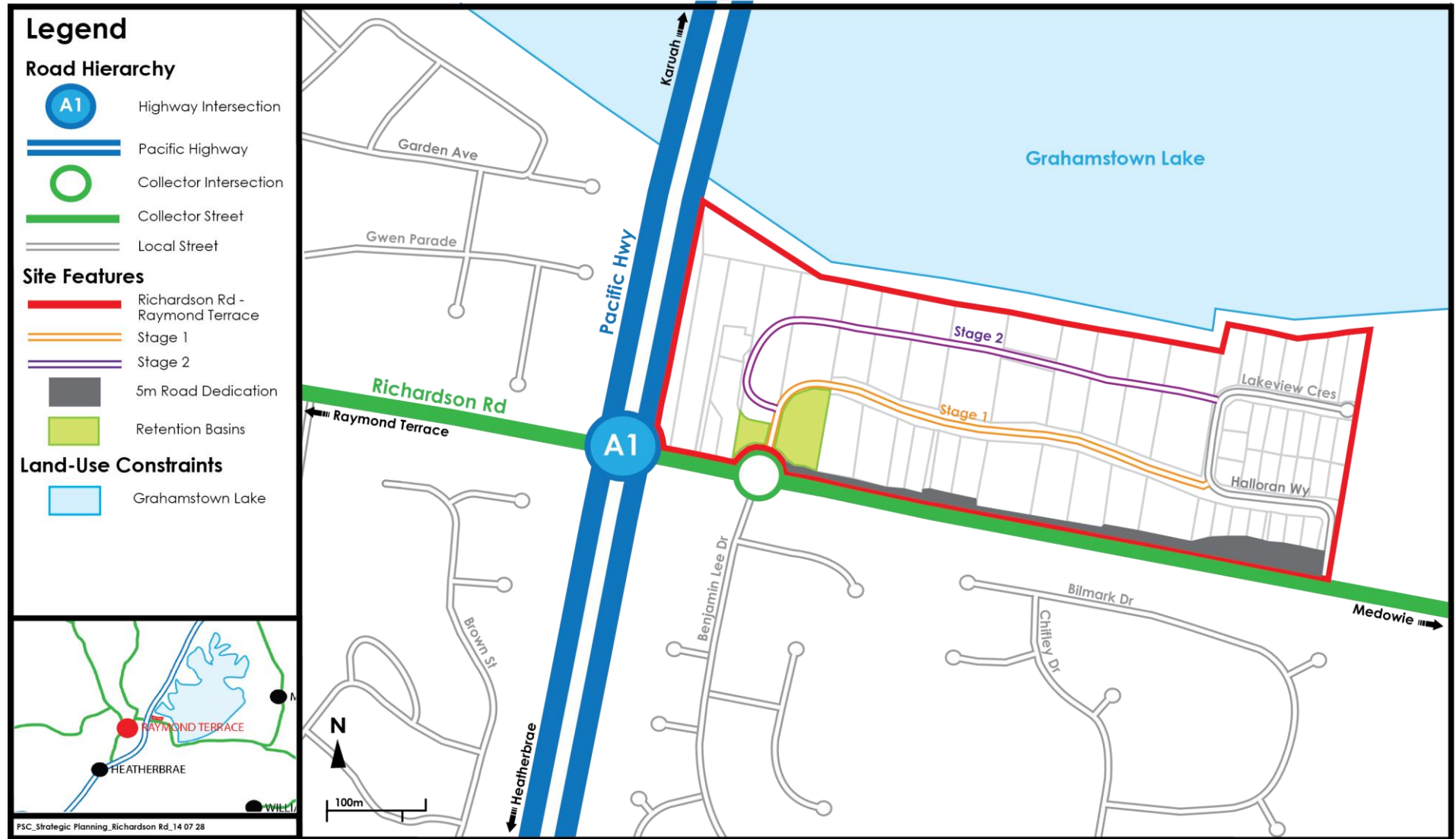


Figure DV: Richardson Rd – Raymond Terrace Locality Controls Map



D13 Rees James Rd – Raymond Terrace

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Rees James Rd – Raymond Terrace 		
Objectives		
D13.A	Street Layout	<ul style="list-style-type: none"> To ensure streets comply with the indicative street layout
Requirements		
D13.1	Street Layout	<ul style="list-style-type: none"> The street layout is consistent with Figure DW (p. D-129) Street layout variations are permitted where an access point is provided to Rees James or Dawson Road <p>Note: C1.6 (p. C-66) requires the street network to be interconnected to provide a grid-like structure</p>
Objectives		
D13.B	Lot Layout	<ul style="list-style-type: none"> To ensure street activation is provided through building orientation to Rees James Rd
Requirements		
D13.2	Adjoining James Rees Road	<ul style="list-style-type: none"> Development adjoining James Rees Road must be orientated towards and have a primary entrance that is visible and accessible from Rees James Road <p>Note: B9 (p. B-55) provides consideration to site access</p>
Objectives		
D13.C	Aircraft Noise	<ul style="list-style-type: none"> To ensure development satisfies the requirements of PSLEP2013 Clause 7.5 To ensure appropriate consideration is given to land burdened by aircraft noise
Requirements		
D13.3	Aircraft Noise	<p>Note: Rees James Road is located within the 20-25 and 25-30 ANEF contours. B7.1 (p. B- 42) details what is to be considered when development is located within the aircraft noise planning area, which includes the 20-25 ANEF contours.</p>

Figure DW:
Rees James
Rd –
Raymond
Terrace
Land
Application
Map

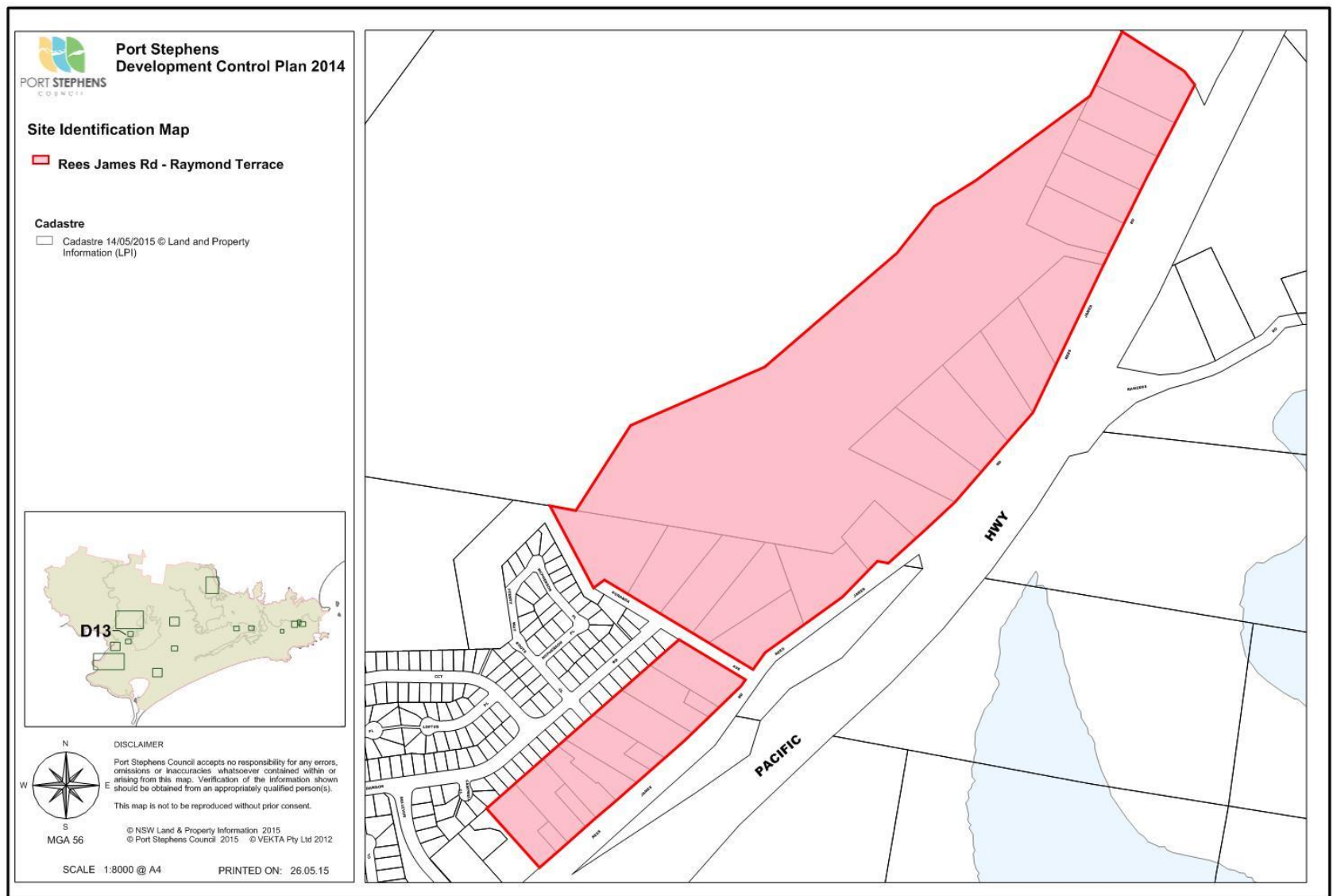
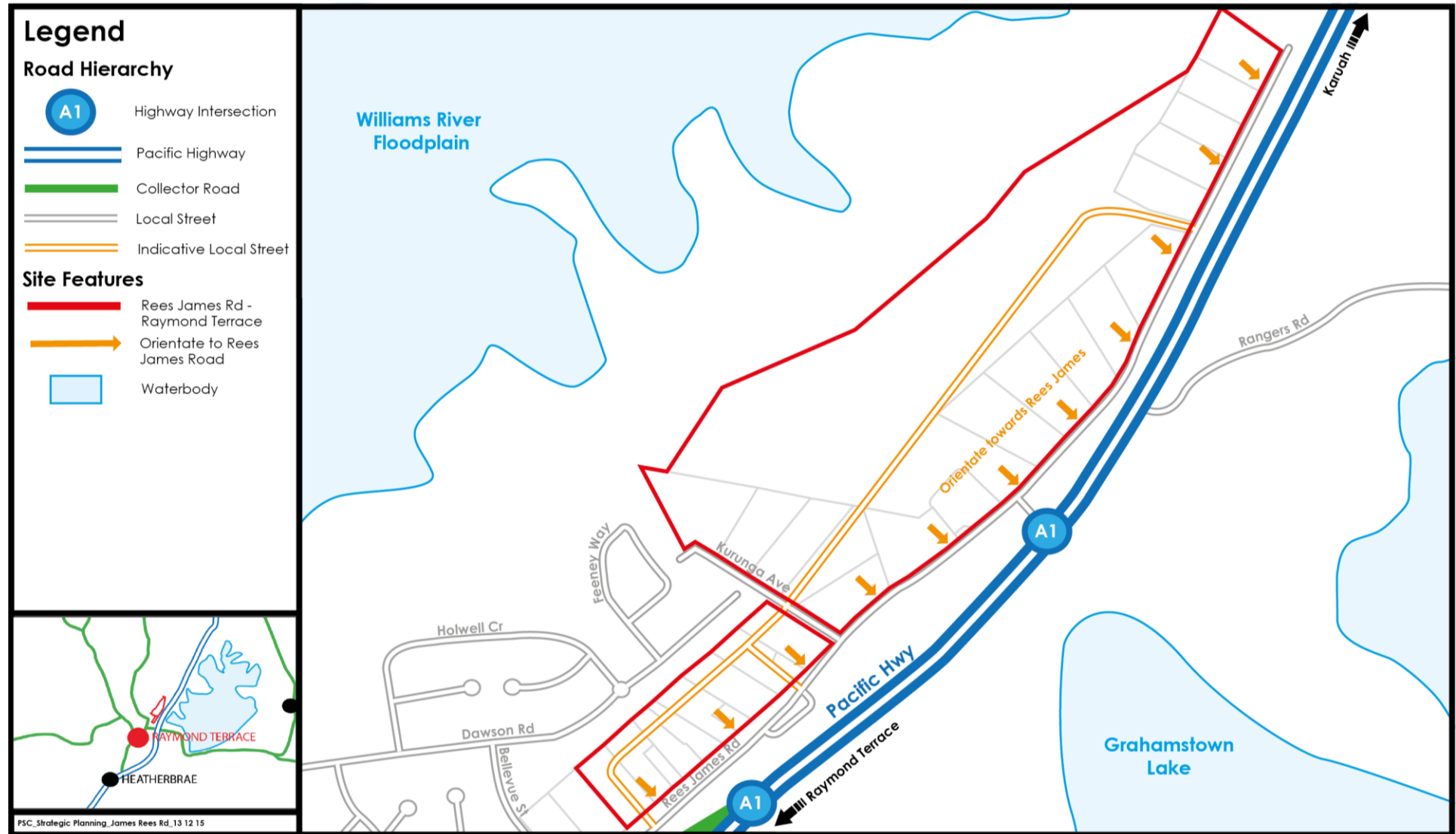


Figure DR: Rees James Rd – Raymond Terrace Locality Controls Map



D14 Kings Hill – Raymond Terrace

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as Kings Hill – Raymond Terrace <ul style="list-style-type: none"> Kings Hill is an identified urban release area under Part 6 of PSLEP2013. The purpose of Part 6 is to ensure that development occurs in a logical and cost-effective manner, in accordance with a staging plan and only after a development control plan (DCP) that specifies specific controls for the land has been prepared Clause 6.3 of PSLEP2013 sets out the matters that must be provided for in the DCP. This part specifies the additional information required to meet those requirements The Locality Controls Map at Figure DAB (p. D-164) in this Part sets out the broad development pattern for Kings Hill. Individual development precincts are identified on this plan and on the Precinct Areas Map in PSLEP2013 This part specifies the additional information requirements to be included in a detailed Precinct Plan to be prepared for each Precinct Precinct Plans will: <ol style="list-style-type: none"> be included as future amendments to this DCP; or be provided as a staged development application for each development precinct. Subsequent development applications in each precinct will be consistent with the Precinct Plan or supported by a revised Precinct Plan demonstrating consistency with the requirements of clause 6.3 and of this part Figure DZ (p. D-162) describes how the requirements of Clause 6.3 of PSLEP2013 will be met 		
Objectives		
D14.A	Structure Planning and Precinct Planning	<ul style="list-style-type: none"> To ensure consideration is provided to the relationship between residential, commercial, mixed use, open space, biodiversity and important infrastructure, such as the Pacific Highway and Grahamstown Dam To ensure development occurs in a logical and coordinated manner To ensure development is efficient and results in cost effective infrastructure and adequate access to services by residents To ensure the Town Centre facilitates a sense of place and community while complementing the economic and community function of the existing higher order Regional Centre of Raymond Terrace To ensure a hierarchy of centres within the Kings Hill urban release area with a high quality of design, a high amenity public domain and excellent connectivity to the adjacent residential areas
Requirements		
D14.1	Residential Precinct	<ul style="list-style-type: none"> A Precinct Plan is prepared to accompany the first stage of a development application in any of the

	Plans	<p>development precincts identified on the PSLEP2013 Precinct Areas Map</p> <ul style="list-style-type: none"> ▪ Development is generally consistent with the Locality Controls Map at Figure DAB (p. D-164) ▪ Development consent for the purposes of a super lot does not require preparation of a Precinct Plan ▪ Staging for the urban release area as a whole will be determined by the provision of essential services and may involve development occurring simultaneously in different parts of the locality ▪ Each Precinct Plan is to include a Staging Plan that is lodged with the first stage and provides for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing ▪ Each stage of development may be subdivided into sub-stages. Any sub-stages should be identified in the Statement of Environmental Effects (SEE) to accompany the development application for subdivision, together with a description of the sub-stages and the impact of the sub-stage sequence on the provision of essential services ▪ Detail for any land zoned B2 Local Centre or B4 Mixed Use need not be provide until consent for initial subdivision of that land is sought.
D14.2	Town Centre and Village Centre Precinct Plans	<ul style="list-style-type: none"> ▪ Consent for initial subdivision of land zoned B2 Local Centre or B4 Mixed Use requires preparation of a Town or Village Centre Precinct Plan for the entire zoned area ▪ The Town or Village Centre Precinct Plan is to illustrate the conceptual location of streets, major pathways, major uses, public spaces, built-form and access provision as well as the relationship of the area to adjacent residential and open space areas
D14.3	Subdivision layout	<ul style="list-style-type: none"> ▪ Subdivision layout enables neighbouring sites/precincts to deliver the outcomes sought by the Locality Controls Map <p>Note: C1 Subdivision (p. C-64) details principles relating to subdivision layout and procedure with the following exceptions or qualifications:</p> <ul style="list-style-type: none"> ▪ C1.14 – Open Space: to be provided generally in accordance with the Locality Controls Map and with areas consistent with the section 94 plan requirements for Kings Hill
D14.4	Servicing	<ul style="list-style-type: none"> ▪ Consent for the subdivision of land other than for the creation of a super lot requires a servicing strategy <ul style="list-style-type: none"> • At a minimum, a servicing strategy includes: <ul style="list-style-type: none"> ○ Sequence, location and other details of the provision of public utilities ○ Availability of urban services and infrastructure to residents, including

		<p>open space, pedestrian/cyclist paths</p> <ul style="list-style-type: none"> All commercial and residential allotments are to be serviced by reticulated water, sewerage, electricity and telecommunication services
Objectives		
D14.B	Traffic and Transport	<ul style="list-style-type: none"> To achieve connectivity between precincts, the local centre and nearby service areas To ensure Kings Hill has a defined transport structure and road hierarchy To ensure an east west road link is provided between Newline Road and the Pacific Highway in a direct, timely and efficient manner To ensure the pedestrian and cycle network provides convenient and safe access to the precinct centres, schools, community facilities, open space and other important destinations outside of Kings Hill to encourage walking and cycling To ensure the Pacific Highway interchange is the primary access point
Requirements		
D14.5	Transport Movement Hierarchy	<ul style="list-style-type: none"> Each Precinct Plan requires preparation of an overall transport movement hierarchy which: <ul style="list-style-type: none"> Shows the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists Is generally consistent with the overall road network and the pedestrian and cycleway networks indicated on the Locality Controls Map at Figure DAB (p. D-164) Indicates progressive provision of the east-west and north-south connector roads as well as direct connections to adjacent precincts Positioning and design of the transport movement network provides priority to facilitating efficient walking, cycling and public transport networks and retaining and complementing natural topography, such as views and drainage
D14.6	Collector Roads	<ul style="list-style-type: none"> Development within each precinct provides internal collector roads generally consistent with the Locality Controls Map at Figure DAB (p. D-164) Subdivisions adjacent to collector roads orientate allotments and dwellings to face and have access from the collector road
D14.7	East-West Road 4 lane section	<ul style="list-style-type: none"> The eastern end of the east-west collector road, for a length of approximately 1000 metres, is to have two travel lanes in each direction This section of the east-west road is constructed generally in accordance the Illustration at Figure DZ

		(p. D-144)
D14.8	Subdivision Certificate	<ul style="list-style-type: none"> Within each precinct, collector roads are constructed to the boundary of the adjoining precinct prior to the release of a subdivision certificate for a cumulative total of no more than 75% of the lots Within precinct 6, the east west road is constructed from the western boundary of the Precinct to Newline Road and collector roads connect to the southern boundary of precinct 7 prior to the release of a subdivision certificate for a cumulative total of no more than 50% of the lots <p>Note: C1.B (p. C-66) details when a subdivision certificate is to be released once a plan for subdivision has been approved, payment of section 94 contributions made and section 50 Certificate from Hunter Water received</p>
D14.9	Newline Road	<ul style="list-style-type: none"> Maximum number of lots with sole access to Newline Road is 1200. Consent for lots in excess of this number requires connection to the Pacific Highway via the east-west collector road <p>Note: PSLEP2013 Clause 6.6 states that development consent must not be granted for the subdivision of land in an urban release area unless arrangements have been made, to the satisfaction of Roads and Maritime Services and the consent authority, for the provision of vehicular access from the urban release area to the Pacific Highway, including the closure or modification of any existing vehicular access from any land adjoining the Pacific Highway, if necessary</p>
D14.10	Pre- Pacific Highway Interchange Access	<ul style="list-style-type: none"> Development with sole access from Newline Road requires upgrade works to provide 5% AEP flood immunity for the Kings Hill development flood access route consisting of local road raising of two sections of Six Mile Road, being: <ul style="list-style-type: none"> An approximate 100m section at location K on the Locality Controls Map at Figure DAB (p. D-164) near the intersection of Winston Road. These works also require appropriate raising of Winston Road in the vicinity of the intersection An approximate 60m section at location Q on the Locality Controls Map at Figure DAB (p. D-164) near the intersection of Newline Road <p>Note: PSLEP2013 Clause 6.6 states that development consent must not be granted to development on land identified as 'Kings Hill' on the Precinct Areas Map unless the consent authority is satisfied that there will be suitably located vehicular access from that land to the Pacific Highway, having regard to flood risk</p> <p>Note: A "Kings Hill Flood Free Access Study" was prepared on behalf of Council by BMT WBM in 2012 to identify necessary road upgrade requirements</p>
D14.11	Public	<ul style="list-style-type: none"> Designated public transport routes as identified on the

	Transport	<p>Locality Controls Map at Figure DAB (p. D-164) are constructed as bus routes in accordance with infrastructure specification – design¹¹</p> <ul style="list-style-type: none"> ▪ Bus stops are to be identified prior to final completion
D14.12	Paths	<ul style="list-style-type: none"> ▪ Pedestrian and cycle paths are provided generally in accordance with the Locality Controls Map at Figure DAB (p. D-164)
D14.13	Pedestrian Path	<ul style="list-style-type: none"> ▪ A pedestrian path is provided on one side and a shared pedestrian cycle path of: <ul style="list-style-type: none"> • All collector roads • All roads that are within a B2 Local Centre Zone or B4 Mixed Use zone • All roads within 400m of and providing the primary frontage to a school or major community facility <p>Note: B9 Road Network & Parking generally requires road to be constructed in accordance with infrastructure specification design¹¹</p>
D14.14	End of Trip Facilities	<ul style="list-style-type: none"> ▪ End of trip facilities are provided at precinct centres, community facilities and regional parks. End of trip facilities incorporate the following: <ul style="list-style-type: none"> • One personal secure locker for each bicycle parking space under Figure BH (p. B-46) • One shower cubicle, with ancillary change rooms, per 13 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility
Objectives		
D14.C	Social Infrastructure	<ul style="list-style-type: none"> ▪ Social infrastructure is to be located appropriately to meet the needs of the community
Requirements		
D14.15	Community & Recreation Facilities	<ul style="list-style-type: none"> ▪ Precinct Plans identify the location of required community and recreation facilities, generally in accordance with the Locality Controls Map at Figure DAB (p. D-164)
D14.16	Community Facilities	<ul style="list-style-type: none"> ▪ Community facilities such as the multi-purpose community centre are preferably located within the Town Centre as identified on the Locality Controls Map at Figure DAB (p. D-164)
D14.17	Schools	<ul style="list-style-type: none"> ▪ The preferred locations of schools are identified on the Locality Controls Map at Figure DAB (p. D-164). School sites will be subject to the site-selection criteria and agreement of the NSW Department of Education and Training and will be indicated on the relevant Precinct Plans. The developer is to consult with the Department of Education and Port Stephens Council to determine a suitable school locations
Objectives		

D14.D	Drainage & Water Quality	<ul style="list-style-type: none"> To ensure environmentally sustainable and affordable water management is provided with a catchment based approach that recognises the flows between Precincts, landholdings and the sensitive nature of the receiving waters
Requirements		
D14.18	Eastern Catchment & Grahamstown Dam	<ul style="list-style-type: none"> All stormwater from development areas up to 0.2% AEP design flood event is prevented from discharging into Grahamstown Dam <ul style="list-style-type: none"> This may require construction of a watercourse along the eastern extent of developable areas of the Kings Hill urban release area to divert surface runoff away from Grahamstown Dam and into Irrawang Swamp <p>Note: PSLEP2013 Clause 7.8 requires consideration to be given to impacts on Drinking Water Catchments</p>
D14.19	Water Management Strategy	<ul style="list-style-type: none"> Consent for development within the eastern and western catchments first requires lodgement of a stormwater drainage plan addressing drainage and water quality management for the entire catchment, to the satisfaction of the consent authority <ul style="list-style-type: none"> Each Precinct Plan is to identify stormwater drainage and water quality management controls for relevant sub-catchments consistent with the relevant catchment-wide stormwater drainage plan <p>Note: Kings Hill Urban Release Area Water Management Strategy Guidelines were prepared on behalf of Council by BMT WBM in 2013. The Guidelines identify sub-catchments in the eastern and western catchment of the urban release area. The Guidelines include a 'Model Water Management Strategy' for future development of the urban release area, preliminary stormwater quantity and quality modelling, and identification of options to achieve the required outcomes for the eastern catchment. A preferred option is identified</p> <p>Note: PSLEP2013 Clause 7.8 requires consideration to be provided to impacts on the Drinking Water Catchment</p>
Objectives		
D14.E	Natural Resources	<ul style="list-style-type: none"> To ensure that development responds to the biodiversity values of the site
Requirements		
D14.20	Vegetation Management Plan	<ul style="list-style-type: none"> Applications for development on land zoned E2 or subject to terrestrial biodiversity controls in PSLEP2013 within each environmental precinct provide a Vegetation Management Plan (VMP) to the satisfaction of Council in accordance with the vegetation management technical specification². The VMP is provided with the precinct plan for the relevant environmental precinct boundaries identified by

		<p>Figure DAB (p. D-164). The VMP also addresses the following location specific information:</p> <ul style="list-style-type: none"> Requirements to protect the creek line and other areas to be conserved, such as fencing, sediment control devices and appropriate signage; and Details of re-vegetation, restoration and weed control, including riparian corridors. Areas affected by degradation, erosion and/or rubbish dumping should also be rehabilitated <ul style="list-style-type: none"> A draft is provided with the development application and the final signed off by Council prior to the release of the Construction Certificate <p>Note: If development does not pose a significant effect under 5A of the EP&A Act, but proposes unavoidable vegetation impacts then a Vegetation Management Plan (VMP) that is consistent with the vegetation management technical specification² is required</p>
D14.21	Illegal Dumping	<ul style="list-style-type: none"> Measures, such as fencing and block configuration seek to restrict unauthorised access to E2 Environmental Conservation land to prevent rubbish dumping and damage by uncontrolled vehicle usage
D14.22	Riparian Corridors	<ul style="list-style-type: none"> Development involving a controlled activity within waterfront land is to comply with the requirements of the NSW Water Management Act 2000 <p>Note: B4.D (p. B-30) provides further localised detail for buffers for riparian corridors</p>
Objectives		
D14.F	Waste Treatment Facility	<ul style="list-style-type: none"> To ensure hazards from former landfills are managed To ensure appropriate buffers that will minimise potential land use conflict between existing and proposed development
Requirements		
D14.23	Waste Treatment Facility	<ul style="list-style-type: none"> All development within 250m of the Newline Road Waste Disposal Facility or any land in proximity as identified by Council has the potential to have methane concentrations of greater than 1.25% (v/v) in the subsurface and is to be tested with a tested/calibrated methane detector over regular intervals 12 months prior to a subdivision application being lodged with Council for determination Development and monitoring should comply with the relevant sections of the NSW Environmental Protection Agency 'Environmental Guidelines: Solid Waste Landfills', January 1996, or its successor <p>Note: B3.E (p. B-25) requires consideration of the impacts of, and buffering from, environmental hazards</p> <p>Note: Clause 7.11 of the PSLEP2013 requires development to be designed, sited or managed to avoid any adverse odour, noise and visual impacts arising out of the</p>

		authorised use and operation of any public infrastructure
Objectives		
D14.G	Pacific Highway Impacts	<ul style="list-style-type: none"> To ensure that development in Kings Hill is not adversely affected by noise and vibration from the Pacific highway To ensure development is buffered from view of traffic on the Pacific Highway
Requirements		
D14.24	Acoustic / Vibration	<ul style="list-style-type: none"> Consent for development in precincts 1 to 4 requires an acoustic/vibration report consistent with B3.5 (p. B-25) and the following: <ul style="list-style-type: none"> Development meets the requirements of AS 3671-1989 Acoustics – Road Traffic Noise Intrusion – Building, Siting and Construction Acoustic/Vibration measures undertaken to comply with the conditions of development consent for a subdivision may remove the need for additional acoustic/vibration assessments and attenuation measures for subsequent developments <p>Note: B3.5 (p. B-25) requires an acoustic/vibration report for development that has the potential to produce or be impacted by offensive noise</p>
D14.25	Land-Use Buffers	<ul style="list-style-type: none"> Development at Kings Hill is visually buffered from the Pacific Highway by a minimum of 10 metres of landscaping. This landscaping will be implemented through individual development applications and may be indicated on and Precinct Plans, the stormwater drainage plan for the eastern catchment, and/or plans for construction of the Highway interchange
Objectives		
D14.H	Aircraft Noise	<ul style="list-style-type: none"> To ensure development satisfies the requirements of PSLEP2013 Clause 7.5 To ensure appropriate consideration is given to land burdened by aircraft noise
Requirements		
D14.26	Aircraft Noise	<p>Note: Kings Hill is located in proximity to the Port Stephens aircraft noise planning area. B7.1 (p. B-42) details what is to be considered when development is located within the aircraft noise planning area.</p>

Figure DX: Illustration of Cross Section of Four Lane part of East West Road

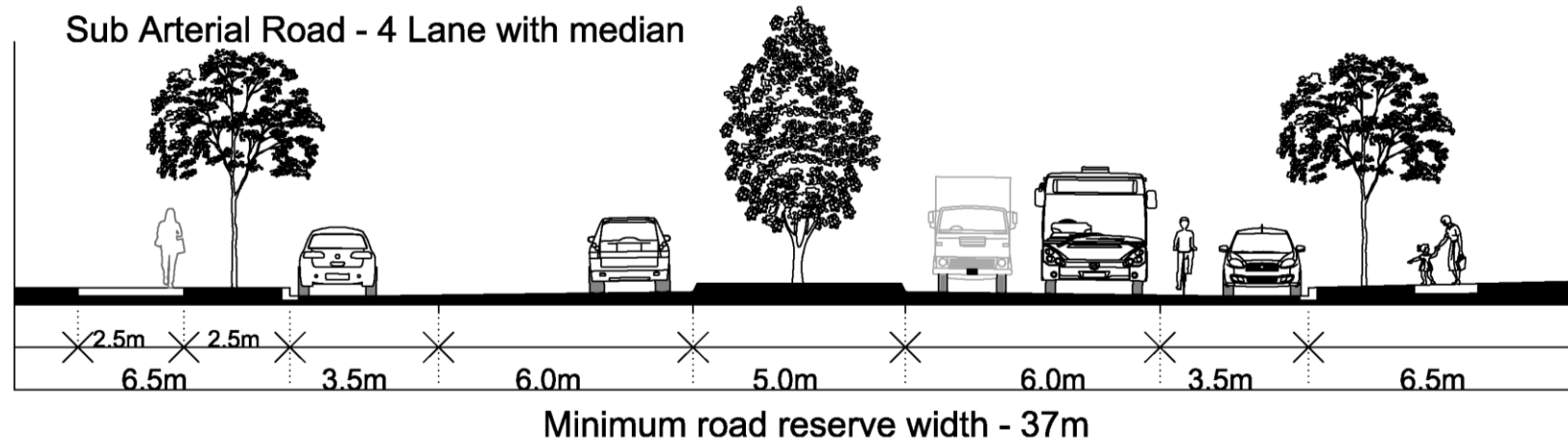


Figure DY: Illustration of Cross Section of Two Lane part of East West Road

Major Collector - indented parking

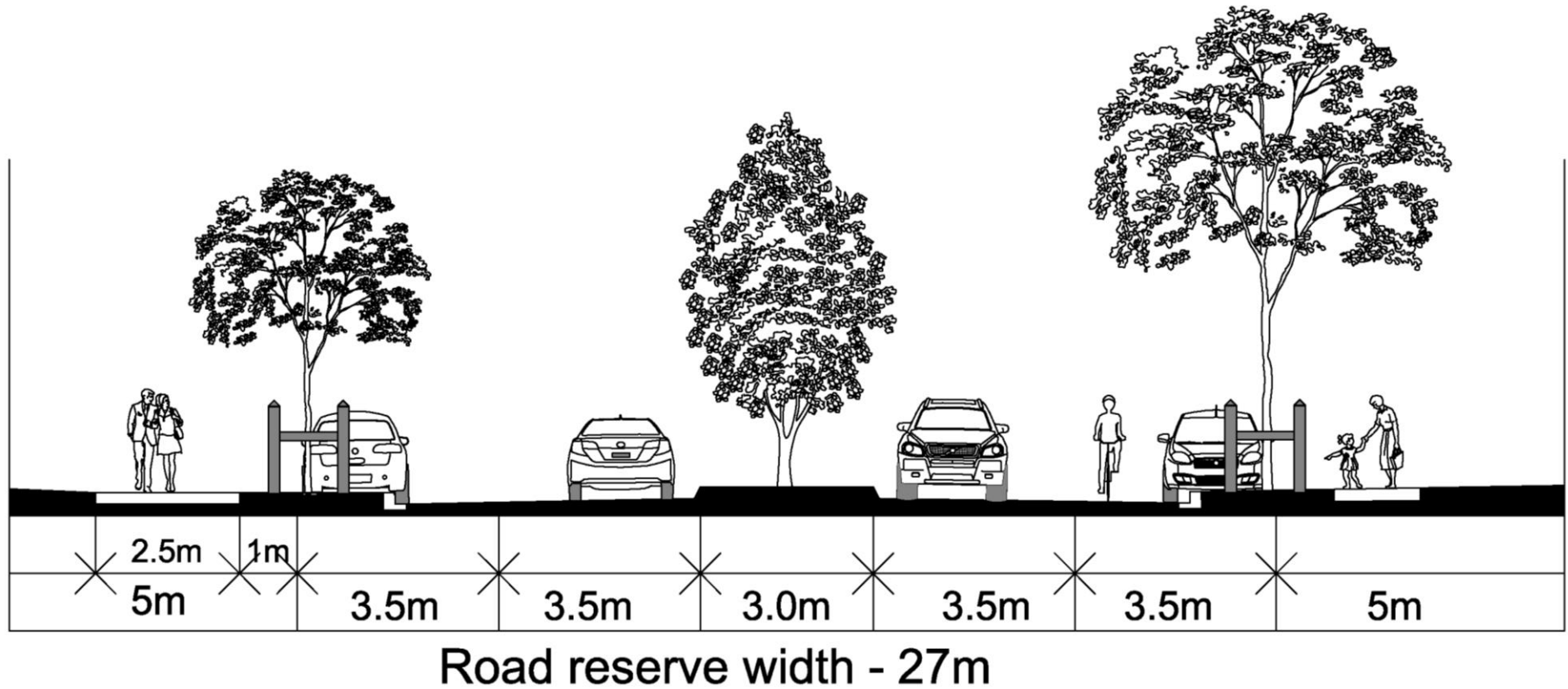


Figure DZ: Meeting the requirements of Clause 6.3 of PSLEP2013

PSLEP2013 Clause 6.3 DCP requirements	How requirements are met
(a) a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing	Met by provision of a Staging Plan (D14.1 in this part) with the application for the first stage of development in each precinct
(b) an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists	Met by provision of a transport movement hierarchy as part of the Precinct Plan provided for each precinct (D14.5 in this part)
(c) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain	Met by the requirements of Part c1-14 Open Space and by the requirements of D14.20 and D14.22 in this part
(d) a network of passive and active recreational areas	Met by the requirements of D14.2, D14.3, D14.20 and D14.22 in this part
(e) stormwater and water quality management controls	Met by the requirements of D14.D and D14.22 in this part
(f) amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected	Met by the requirements of D14.D, D14.E and D14.F in this part
(g) detailed urban design controls for significant development sites	Met by the requirement for detailed Town and Village Centre Precinct Plans in D14.2 of this part
(h) measures to encourage higher density living around transport, open space and service nodes	Met by the requirement (D14.1) for development in each precinct to generally consistent with the structure indicated in the Locality Controls Map at Figure DAB (p. D-##) and for Precinct Plans to indicate a transport movement hierarchy and servicing strategy; and by provision of detailed Town and Village Centre Precinct Plans (D14.2 in this part)
(i) measures to accommodate and control appropriate neighbourhood commercial and retail uses	Met by the provision of detailed Town and Village Centre Precinct Plans for all land zoned B2 Local Centre and B4 Mixed Use (D14.2 in this part)
(j) suitably located public facilities and services, including provision for appropriate traffic management facilities and parking	Met by provision of Town and Village Centre Precinct Plans for land zoned B2 Local Centre and B4 Mixed Use (D14.2 of this part), and by the requirements of D14.5, D14.12, D14.13, D14.14, D14.C of this part.

Figure DAA:
Kings Hill –
Raymond
Terrace
Land
Application
Map

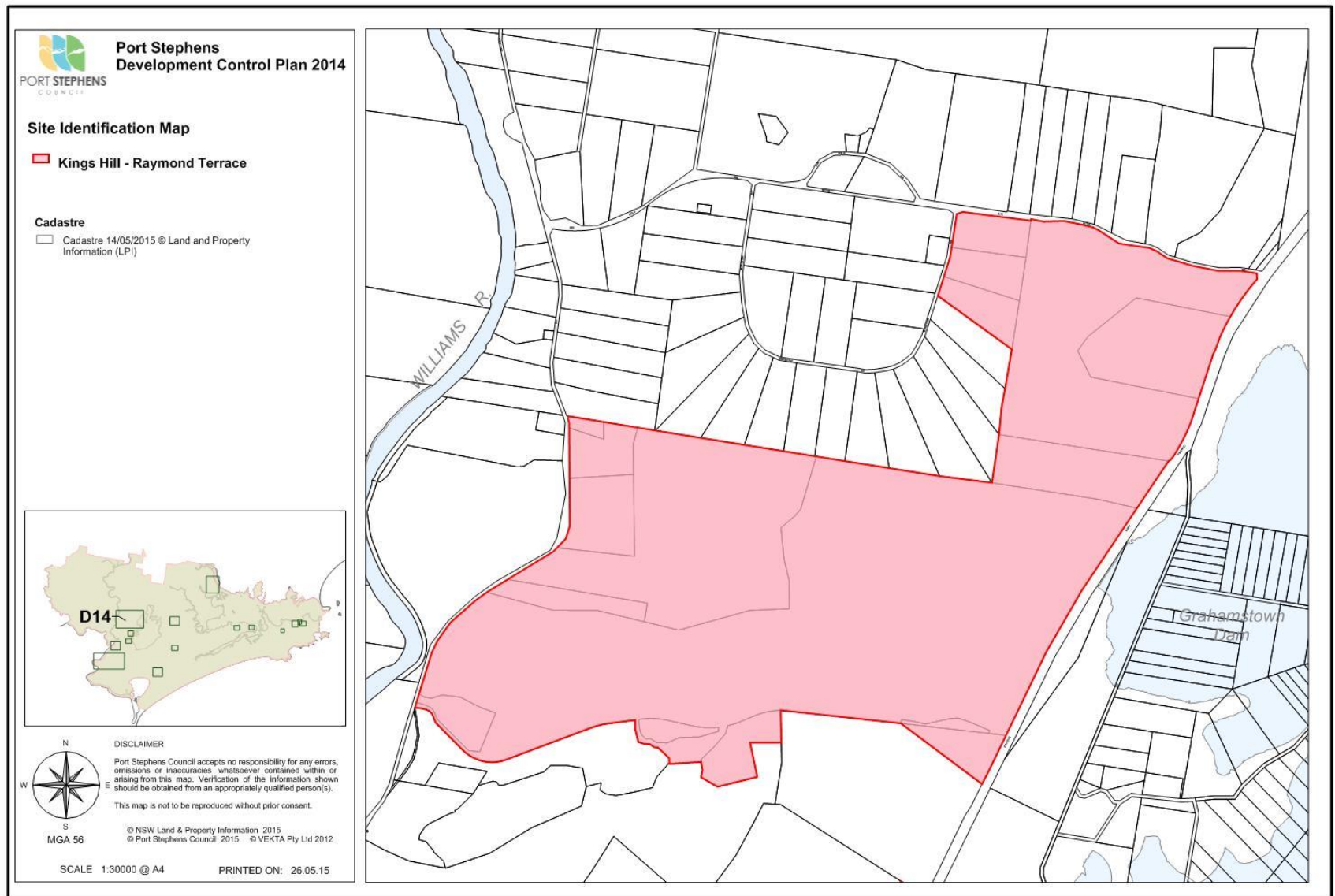


Figure DAB: Kings Hill – Raymond Terrace Locality Controls Map

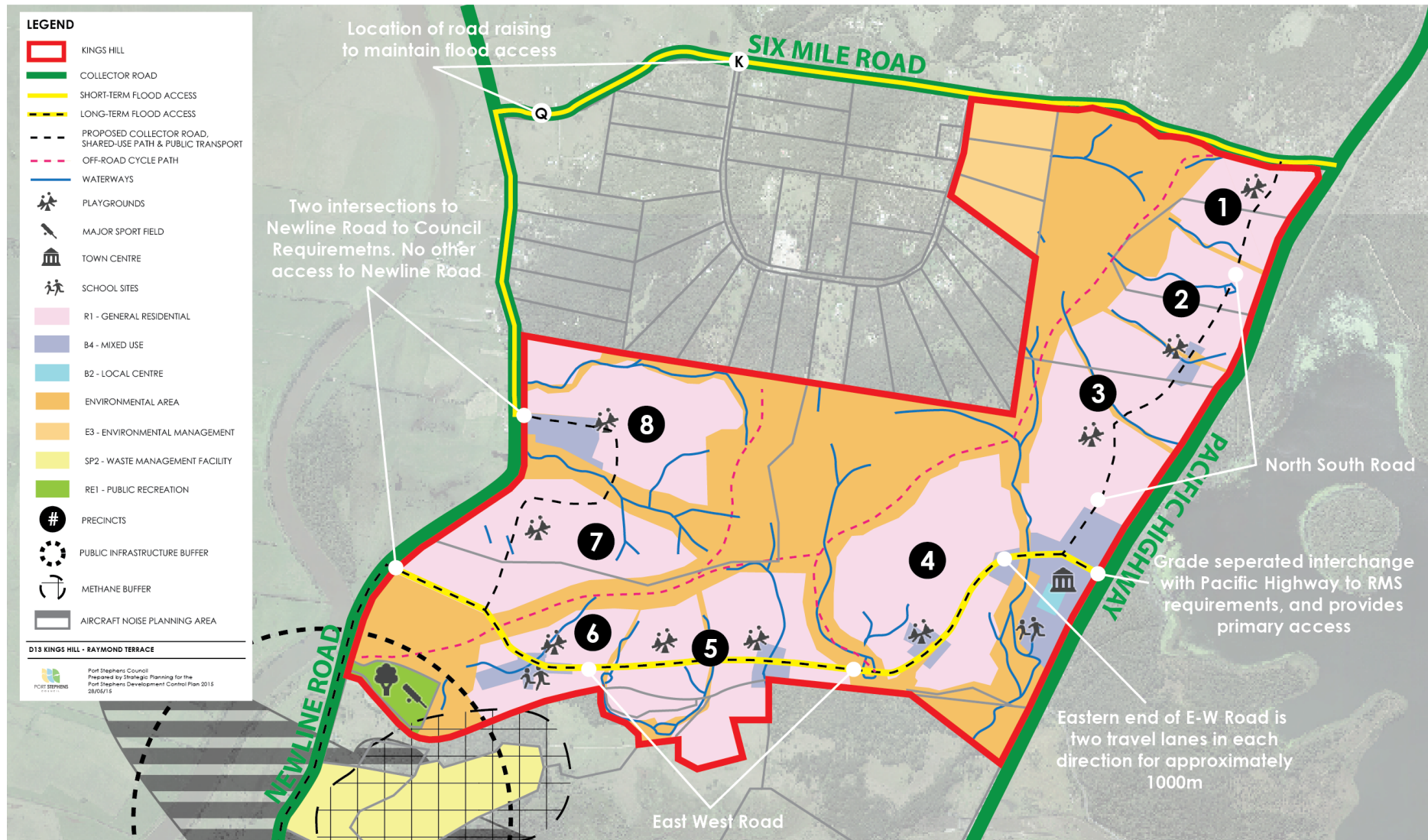


Figure DAC: Kings Hill – Raymond Terrace Locality Controls Map

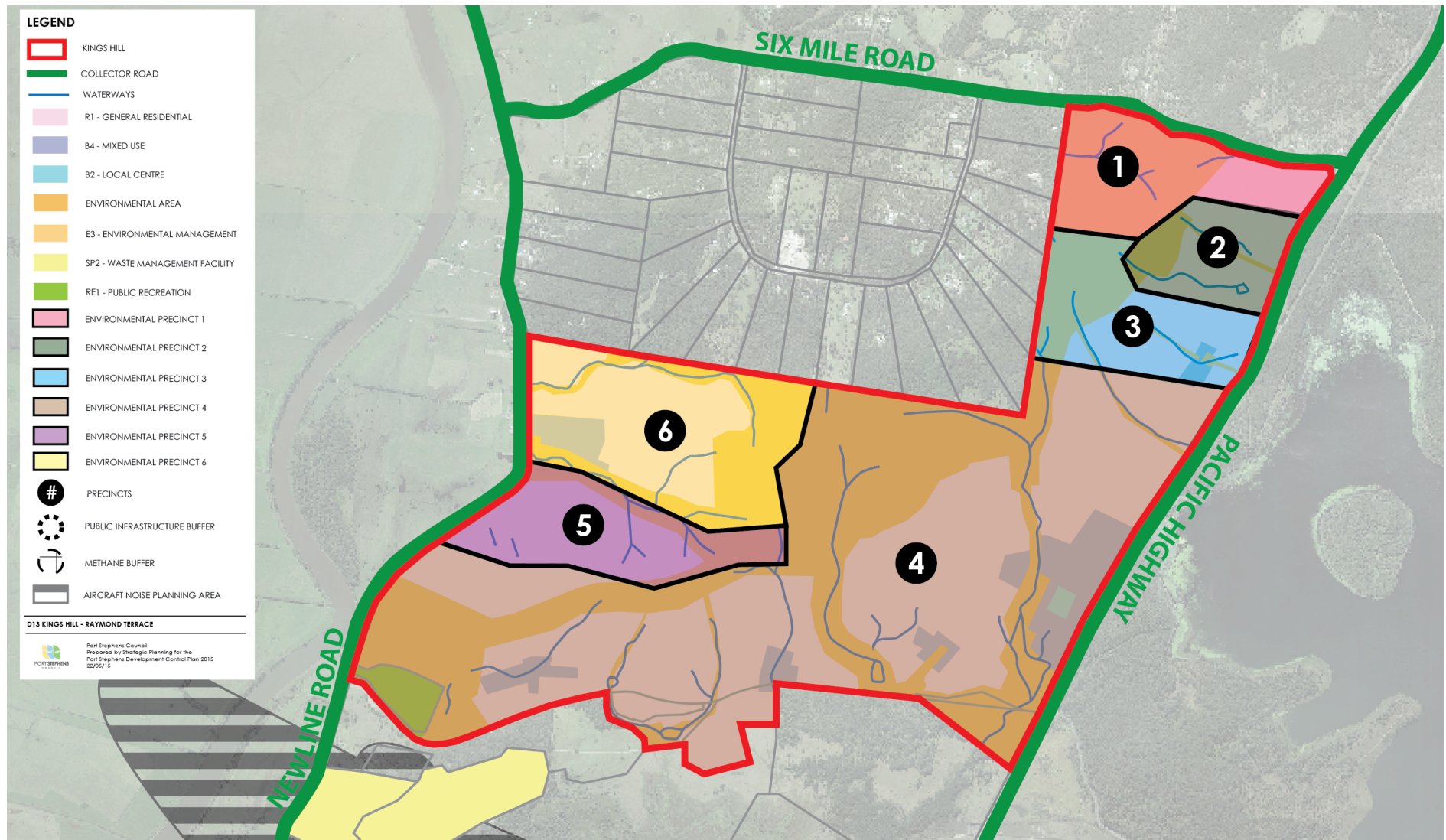
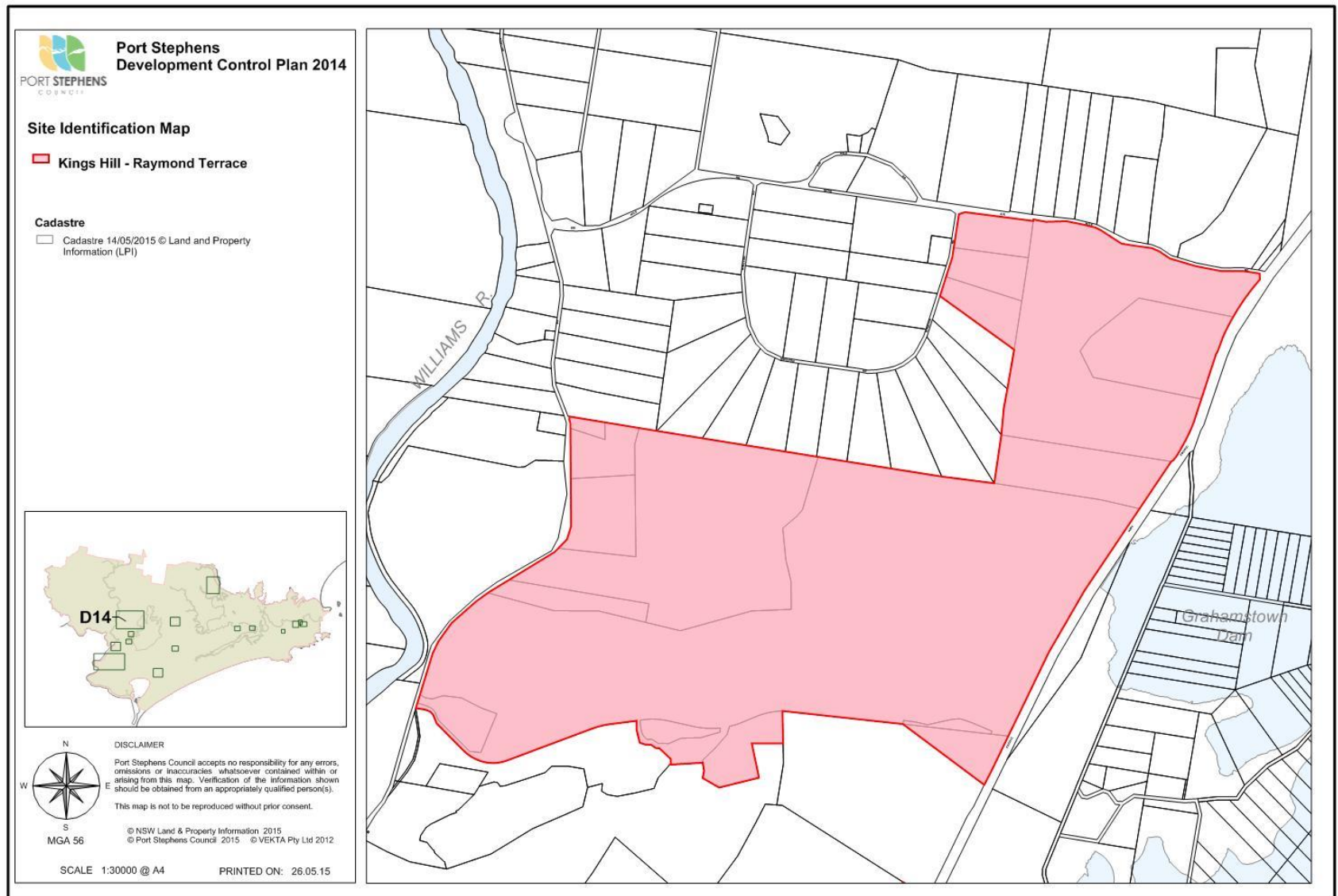


Figure DD:
Kings Hill –
Raymond
Terrace
Land
Application
Map



D15 Williamtown Defence and Airport Related Employment Zone (DAREZ)

Application		
<ul style="list-style-type: none"> This Part applies to the land identified as the Williamtown Defence and Airport Related Employment Zone (DAREZ) 		
Objectives		
D15.A	Lodgement Requirements	<ul style="list-style-type: none"> To ensure development is informed by an analysis of its setting To provide for a development that is dominated by native planting that complements the existing vegetation of the area and enhances natural beauty
Requirements		
D15.1	Lodgement Requirements	<ul style="list-style-type: none"> A Development Application is accompanied by a Landscape Plan consistent with the Williamtown Aerospace Park Landscape Master Plan²¹ <p>Note: C2.2 (p. C-72) requires that a Landscape Plan be provided in accordance with the Landscape Technical Specification⁴</p> <ul style="list-style-type: none"> A schedule of colours and finishes is submitted with the Statement of Environmental Effects (SEE) to demonstrate that the development contains non-reflective materials <p>Note: C2.15 (p. C-74) requires building facades to use materials, colours and architectural elements to reduce bulk and scale</p>
Objectives		
D15.B	Setbacks	<ul style="list-style-type: none"> To encourage an active and vibrant streetscape
Requirements		
D15.2	Front Setback	<ul style="list-style-type: none"> Aerospace Support and Commercial Precinct: <ul style="list-style-type: none"> Minimum front setback of 5m <p>Note: C2.9 (p. C-73) requires development be built to the street property boundary for the ground and first floor</p> <ul style="list-style-type: none"> Minimum secondary setback of 2m <p>Note: C1.7 (p. C-66) requires the street layout to provide a grid-like structure</p>
Objectives		
D15.C	Street Layout	<ul style="list-style-type: none"> To ensure streets comply with the indicative layout
Requirements		
D15.3	Street Layout	<ul style="list-style-type: none"> Road Layout is consistent with Figure DZ (p. D-137) A road is constructed to connect with Cabbage Tree Road prior to the release of any subdivision certificate

D15

WILLIAMTOWN DEFENCE AND AIRPORT RELATED EMPLOYMENT ZONE (DAREZ)

		Note: C2.9(p. C-73) requires development is built to the street property boundary for the ground and first floor
Objectives		
D15.D	Drainage and Water Quality	<ul style="list-style-type: none"> To ensure drainage and stormwater systems are in accordance with the Williamtown Aerospace Park Flood Assessment and Stormwater Strategy
Requirements		
D15.4	Drainage	<ul style="list-style-type: none"> Drainage and stormwater systems are in accordance with the Williamtown Aerospace Park Flood Assessment and Stormwater Strategy²³ <p>Note: B4.2 (p. B-28) requires development that increases non-permeable surfaces to provide a stormwater drainage plan</p>
Objectives		
D15.E	Flooding	<ul style="list-style-type: none"> To ensure post-development runoff is equal to or less than pre-development runoff for the broader DAREZ
Requirements		
D15.5	Flooding	<ul style="list-style-type: none"> All car parking and driveways are to be located at a level greater than 2.5m Australian Height Datum (AHD) All development is to have a minimum floor level equal to or greater than the flood planning level <p>Note: B5.1 (p. B-36) requires a Flood Study to demonstrate that development satisfies the flood planning level, which is the AEP design flood level, plus a 0.5m freeboard</p>
Objectives		
D15.F	Parking	<ul style="list-style-type: none"> To ensure that appropriate parking is provided
Requirements		
D15.6	Parking	<ul style="list-style-type: none"> Parking is to be located at the rear, side or within buildings of the Commercial Precinct, except for Lots 1001 and 1002, DP 1187948 Parking is located behind a 2m landscaped area for the Aerospace Support and Commercial Precincts <p>Note: B9.6(p. B-56) requires on-site parking to be located behind the building line or setback</p>
Objectives		
D15.G	Airport Operational Requirements	<ul style="list-style-type: none"> To ensure that the operational needs of the Williamtown RAAF Base are provided consideration in the development of adjoining DAREZ lands
Requirements		
D15.7	General Requirements	<p>Note: B7 (p. B-42) provides general requirements relating to the aircraft noise planning area, bird strike zone and the Williamtown RAAF Base obstacle limitations or operations surface map</p>
D15.8	Radio Emitting	<ul style="list-style-type: none"> Electromagnetic radiation or radio emitting devices are not to interfere with airspace operations

D15

WILLIAMTOWN DEFENCE AND AIRPORT RELATED EMPLOYMENT ZONE (DAREZ)

	Devices	Note: B7 – Williamtown RAAF Base – Aircraft Noise & Safety requires consideration to RAAF Operations
D15.9	Navigational Markers	<ul style="list-style-type: none">Development provides consideration to navigational markers by not interfering with their intended purpose Note: B7 – Williamtown RAAF Base – Aircraft Noise & Safety requires consideration to RAAF Operations
D15.10	Lighting	<ul style="list-style-type: none">External lighting considers aircraft/control tower Note: B7 – Williamtown RAAF Base – Aircraft Noise & Safety requires consideration to RAAF Operations

Figure DE:
Williamtown
-
DAREZ Land
Application
Map

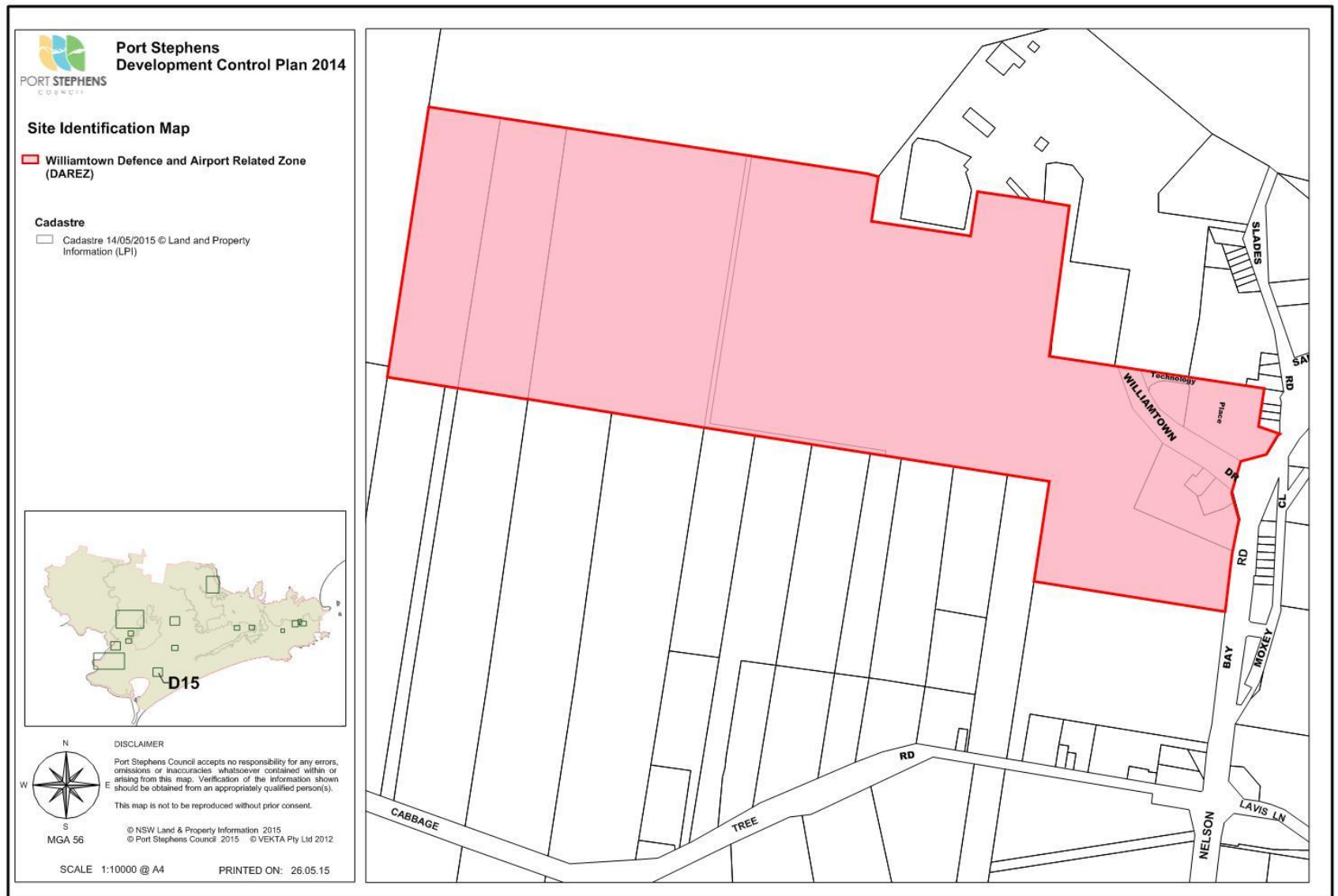
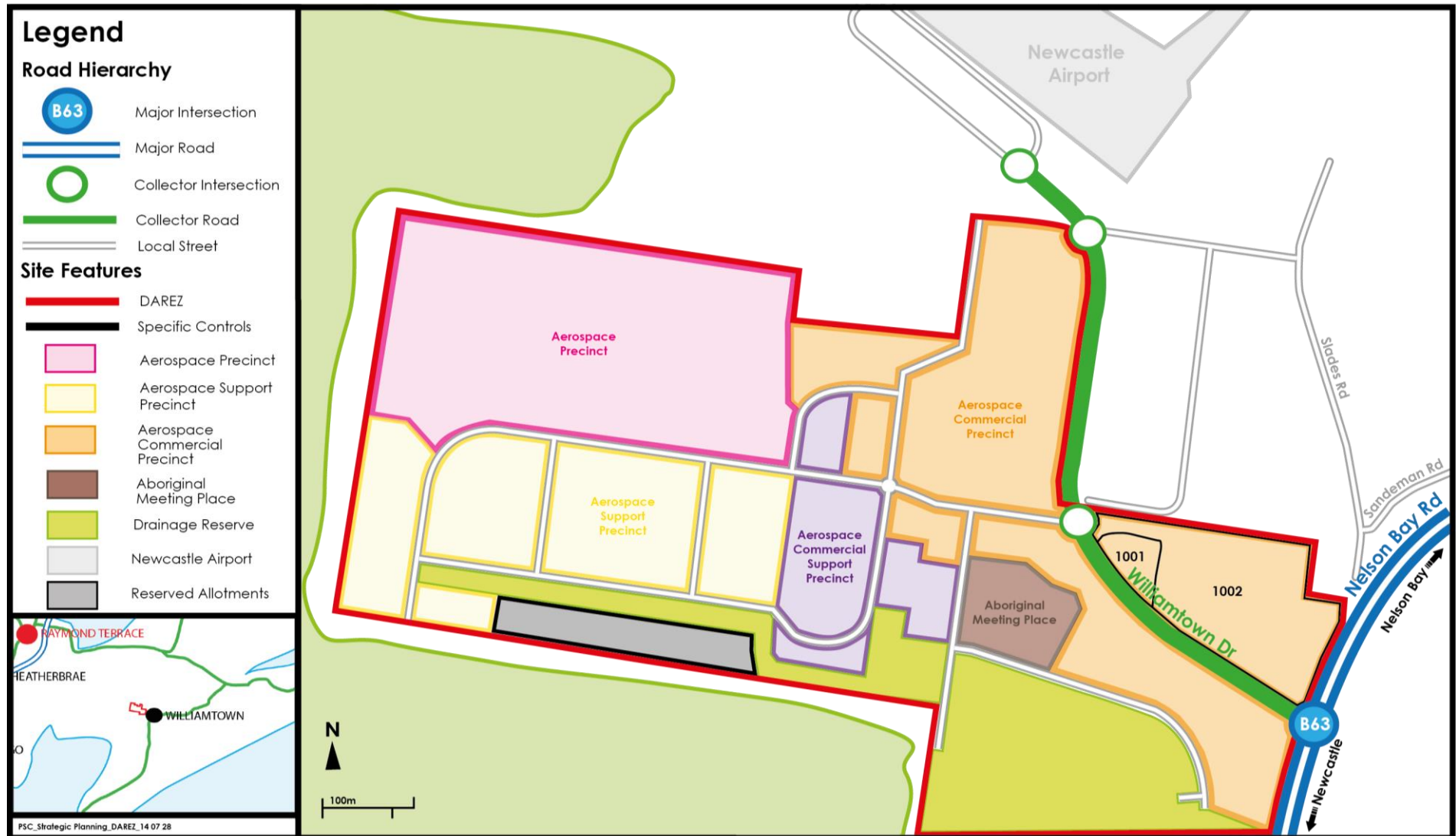


Figure DF: Williamtown DAREZ Locality Controls Map



E Schedules

Schedules			
E1	Glossary	▪ Defines terms used in this Plan	E- 172
E2	Acronyms	▪ Expands acronyms used in this Plan	E- 195
E3	Reference List - Endnotes	▪ Provides a Reference List for those documents referenced through this Plan	E- 197

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

7-Part Test of Significance means an 7-Part Test of Significant under the Environmental Planning and Assessment Act 1979

aboriginal heritage impact permit 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 means naturally occurring sediments and soils containing iron sulphides (principally pyrite) and their precursors or oxidation products, whose exposure to oxygen leads to the generation of sulphuric acid (for example, by drainage or excavation) **Note:** Acid sulphate soils means the same 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 and industrial buildings

active street frontage means a activated street frontage provided in accordance with C2.12 (p. C-62) of this Plan

active street frontages map means the Port Stephens Local Environmental Plan 2013 Active Street Frontages Map

adversely impact means a negative effect that goes against desired conditions

air pollution means the emission into the air of any air impurity. **Note:** air pollution means the same under the Protection of Environment Operations Act 1997

air quality report means a report that identifies and measures the potential for air quality impacts

aircraft noise planning area means the area identified on the Aircraft Noise Planning Area Map provided as Figure BH (p. B-46) of this Plan

ancillary structure means for the purpose of this instrument a swimming pool, secondary dwelling, fence or shipping container.

Annual Exceedance Probability (AEP) means the chance of a flood of a given or larger size occurring in any one year, usually expressed as a percentage. For example, if a peak flood discharge of 500 m³/s has an AEP of 5%, it means that there is a 5% chance (that is one-in-20 chance) of a 500 m³/s or larger event occurring in any one year (see ARI).

Arterial means a local street as defined by Port Stephens Council. 2007, 'Infrastructure Specification – Design'

Asset Protection Zone (APZ) means a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack

asset protection zone means the same under the Planning for Bushfire Protection

Australian Height Datum (AHD) means the setting of the mean sea level as zero elevation. Mean sea level was determined from observations recorded by 30 tide gauges around the Australian continent for the period 1966-1968

Australian rainfall and runoff means the national guideline document for the estimation of design flood characteristics in Australia

average building line for the purposes of determining the front setback, means the average distance of the setbacks to the nearest 2 dwelling houses having a boundary with the same parallel road and located within 40m of the lot on which the dwelling house is erected

Average Recurrence Interval (ARI) means the long-term average number of years between the occurrence of a flood as big as (or larger than) the selected event. For example, floods with a discharge as greater as (or greater than) the 20yr ARI design flood will occur on average once every 20 years. ARI is another way of expressing the likelihood of occurrence of a flood event

BASIX Certificate means a certificate under State Environmental Planning Policy (Building and Sustainability Index) 2004. It is a planning requirement for anyone submitting a development application for a new dwelling, addition, villa, townhouse, units, plus a swimming pool

battleaxe block means a block of land behind another, with access from the street through a narrow drive

bird strike zone means land identified as bird strike Group A, Group B or Group C by Figure BD (p. B-39)

biodiversity offsets are measures that benefit biodiversity by compensating for the adverse impacts elsewhere of an action, such as clearing for development

bio-metric terrestrial biodiversity assessment tool means a tool used to assess the impacts on terrestrial biodiversity of applications for clearing and applications for incentives in native vegetation under the NSW Native Vegetation Act 2003

Building Code of Australia (BCA) means volumes one and two of the National Construction Code.

buffer means a distinct separation between two developments or land-uses that require separation

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, the street name and number of a building, and a logo or other symbol but does not include general advertising of products, goods or services. **Note:** building height means the same under the PSLEP2013

building line or setback means the horizontal distance between the property boundary and other stated boundary and a building wall or the outside face of a balcony, deck or the like, or the supporting posts or a carport or veranda roof, whichever is the shortest. **Note:** building line or setback means the same under the PSLEP2013

bulky goods premises means a building or place the principal purpose of which is the sale, hire or display of bulky goods, being goods that are of such size or weight as to require:

- a. A large area for handling, display or storage, and
 - b. Direct vehicular access to the site of the building or place by members of the public for the purpose of loading or unloading such goods into or from their vehicles after purchase or hire,
- and including goods such as floor and window supplies, furniture, household electrical goods, equestrian supplies and swimming pools, but does not include a building or place used for the sale of foodstuffs or clothing unless their sale is ancillary to the sale or hire or display of bulky goods.

Note: bulky goods premises means the same under the PSLEP2013

bush fire prone land map for an area means a map for the area certified as referred to in section 146(2) of the Environmental Planning & Assessment Act 1979

bush fire prone land means land recorded for the time being as bushfire prone land on **bush fire prone land map**

bushfire protection measure means the following measures as identified by the Rural Fire Service:

- a. Asset Protection Zones (fuel reduced areas)

- b. Access arrangements
- c. Building construction and design
- d. Water supply and utilities
- e. Landscaping
- f. Emergency Management Arrangements

Business premises mean a building or place at or on which:

- a. an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- b. a service is provided directly to members of the public on a regular basis, and includes a funeral home and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, internet access facilities, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

Note: Business premises has the same meaning under the PSLEP 2013

cantilevered means a projecting structure, such as a beam, that is supported at one end and carries a load at the other end along its length

cellular system means systems that can be used to control and manage rainwater surface runoff as either a soak away or a storage tank. The modular/honeycomb nature of cellular systems means that they can usually be tailored to suit the specific requirements of any site

centrality means central to the geographic population or in proximity to a neighbourhood centre. An example would be where a collector road crosses another collector road or opposite the neighbourhood town centre.

circumference breast height means the girth of the supporting stem of a tree at a height 1m above the existing ground level measured at the trunk centre, and so as to contain the outermost projection of any flanges or buttresses

Crime Prevention through Environmental Design (CPTED) means a multi-disciplinary approach to deterring criminal behaviour through environmental design

coastal zone means the interface between the land and the water

collector street means a street that fits that description provided under the Port Stephens Council. 2007, 'Infrastructure Specification Design'

commercial premises mean any of the following:

- a. Business premises
- b. Office premises
- c. Retail premises.

Note: commercial premises has the same meaning under the PSLEP 2013

compensatory planting means the planting of a tree to mitigate for the removal of a tree. Compensatory planting must be conducted in accordance with the Port Stephens Council Technical Tree Specification

construction certificate means a certificate referred to in section 109C (1) (b) of the Environmental Planning and Assessment Act 1979

construction management plan means a management plan that details how construction will be managed. The plan takes into account relevant safety concerns, including how the works will interfere with the public domain

construction works is the process of building a structure or assembling infrastructure

contaminated land means land in, on or under which any substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Note: contaminated land means the same under Part 7A of the EP & A Act

controlled activity means:

- a. the erection of a building or the carrying out of a work (within the meaning of the Environmental Planning and Assessment Act 1979), or
- b. the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, or
- c. the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, or
- d. the carrying out of any other activity that affects the quantity or flow of water in a water source.

Note: controlled activity means the same under the Water Management Act 2000

cut means the removal of soil or rock, whether moved to another part of the same site or to another site, but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of land

cut and fill plan means a plan prepared that details the process of cut and fill, including proposed cutting and filling and any proposed loads or the type and source of landfill being used

Db (a) means A-weighted decibels is an expression of the relative loudness of sounds in air as perceived by the human ear.

desire lines means a path that represents the shortest and most easiest navigated route between an origin and destination

development application means an application lodged with Council to seek consent for development that requires development consent under the PSLEP 2013

development consent means a development type that is listed as permitted with consent under the PSLEP 2013

development means:

- a. The use of land

- b. The subdivision of land
- c. The erection of a building
- d. The carrying out of a work
- e. The demolition of a building or work
- f. Any other act, matter or thing referred to in section 26 that is controlled by an environmental planning instrument

But does not include development of a class or description prescribed by the regulations for the purposes of this definition development means the same under Environmental Planning and Assessment Act 1979

development type means the definition given to a proposed land-use under the Dictionary of the Port Stephens Local Environmental Plan 2013

drainage reserve means a parcel of land set aside for drainage purposes. Drainage reserves usually contain either a drainage basin or an open drain. A drainage reserve is a type of **overland flow path**

drinking water catchment means the Drinking Water Catchment identified on the Port Stephens Local Environmental Plan 2013 Drinking Water Catchment Map

driveway means a type of private road for local access to one or a small group of structures, and is owned and maintained by an individual or group

driveway cross-fall means the point where a driveway crosses a pedestrian pathway, which is then understood to be the boundary of the pedestrian environment

dual occupancy means a dual occupancy (attached) or dual occupancy (detached). Dual occupancies are type of residential accommodation. **Note:** Dual occupancy means the same under the PSLEP 2013

dual-use path means a dual-use path as defined under the Port Stephens. 2007, 'infrastructure Specification – Design'

dwelling house means a building containing only one dwelling. **Note:** Dwelling house has the same meaning under the PSLEP 2013

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile. **Note:** dwelling has the same meaning under the PSLEP 2013

earthworks means the **cut** or **filling** of land. **Note:** earthworks has the same meaning under the PSLEP 2013

easement means an individual or a company, known as a grantee has the right to use land for a particular purpose. An easement can restrict how the owner of the land, known as the granter, can use their property. Common easements include:

- Pathways and walkways
- For the supply of utilities
- Access roads
- The right to park a vehicle

Ecologically sustainable development means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased

environmental significance means threatened species and communities, listed migratory species, wildlife corridors, wetlands or riparian corridors

Environmental Planning Instrument (EPI) means an environmental planning instrument (including a SEPP or LEP but not including a DCP) made, or taken to have been made under Part 3 and in force. **Note:** environmental planning instrument has the same meaning under EP&A Act

environmentally sensitive area means an area deemed to have significant environmental value by Council, including such areas as terrestrial biodiversity, riparian corridors or wildlife corridors

essential services means reference to Clause 7.6 of the Port Stephens Local Environmental Plan 2013, including; the supply of water, the supply of electricity, the disposal and management of sewage and suitable vehicular access

excavated natural material means material that has shown some disturbance or contamination from past or previous land uses

exotic species means the following:

- Tree of Heaven – *Alionthus altissima*
- Camphor Laurel – *Cinnoamomum camphora*
- Cotoneaster - *Cotoneaster spp.*
- Coral Tree – *Erythrina spp.*
- Rubber Tree – *Fiscus elastica*
- Privet – *Ligustrum spp.*
- Oleander – *Nerium oleander*
- Slash pine – *Pinus elliotii*
- Radiata pine – *Pinus radiate*
- Willow – *Salix babylonica*, *Salix matsudana tortuosa* and *Salix spp*
- Umbrella Trees – *Schefflera spp*
- Cocos Palm – *Syagrus romanzonffianum*
- Rhus Tree – *Toxicodendron succedameum*

exempt development means development that is specified in an exempt development code that meets the standards specified for that development and that complies with the requirements of exempt development under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

facadism refers to an architectural and construction practice where the façade of a building was designed or constructed separately to the rest of a building. More often it refers to the practice where only the face of a building is preserved with new buildings erected behind or around it

false windows means windows that do not link a **habitable room** and therefore do not provided passive surveillance

fill means the depositing of soil, rock or other similar extractive material obtained from the same or another site, but does not include:

- a. The depositing of topsoil or feature rock imported to the site that is intended for use in garden landscaping, turf or garden bed establishment or top dressing of lawns and that does not significantly alter the shape, natural form or drainage of the land, or
- b. The use of land as a waste disposal facility.

Note: Fill means the same under the PSLEP 2013

Flood compatible materials means

Building Component	Flood Compatible Material	Building Component	Flood Compatible Material
Flooring and Sub-floor Structure	<ul style="list-style-type: none"> ▪ Concrete slab-on-ground monolith construction ▪ Suspension reinforced concrete slab 	<ul style="list-style-type: none"> ▪ Doors 	<ul style="list-style-type: none"> ▪ Solid panel with water proof adhesives ▪ Flush door marine ply filled with closed cell foam ▪ Painted metal construction ▪ Aluminium or galvanised steel frame
Floor Covering	<ul style="list-style-type: none"> ▪ Clay tiles ▪ Concrete, precast or in-situ ▪ Concrete tiles ▪ Epoxy, formed-in-place ▪ Mastic flooring, formed-in-place ▪ Rubber sheets or tiles with chemical-set adhesives ▪ Silicone floors, formed-in-place ▪ Vinyl sheets or tiles with chemical-set adhesives ▪ Ceramic tiles, fixed with water resistant adhesive ▪ Asphalt tiles, fixed with water resistant adhesive 	<ul style="list-style-type: none"> ▪ Wall and Ceiling Linings 	<ul style="list-style-type: none"> ▪ Fibre-cement board ▪ Brick, face or glazed ▪ Clay tile glazed in waterproof mortar ▪ Concrete ▪ Concrete block ▪ Steel with waterproof applications ▪ Stone, natural solid or veneer, waterproof grout ▪ Glass blocks ▪ Glass ▪ Plastic sheeting or wall with waterproof adhesive
Wall Structure	<ul style="list-style-type: none"> ▪ Solid brickwork ▪ Brickwork 	<ul style="list-style-type: none"> ▪ Insulation 	<ul style="list-style-type: none"> ▪ Foam (closed cell types)

	<ul style="list-style-type: none"> ▪ Reinforced concrete ▪ Mass concrete 		
Roofing Structure (for situations where the relevant flood level is above the ceiling)	<ul style="list-style-type: none"> ▪ Reinforced concrete construction ▪ Galvanised metal 	<ul style="list-style-type: none"> ▪ Windows 	<ul style="list-style-type: none"> ▪ Aluminium frame with stainless steel rollers or similar corrosion and water resistant material
		<ul style="list-style-type: none"> ▪ Nails, Bolts, Hinges and Fittings 	<ul style="list-style-type: none"> ▪ Brass, nylon or stainless steel ▪ Removable pin hinges ▪ Hot dipped galvanised steel wire nails or similar

flood fringe areas means areas that are undated by flood, but which do not experience a strong current

flood emergency response plan means a plan that includes preparedness measures, conduct during flood events (e.g. evacuation) and coordination with the Port Stephens Local Emergency Management Committee and the Port Stephens State Emergency Service

flood hazard means a source of potential harm or a situation with a potential to cause loss.

flood planning area means the Flood Planning Area identified on the Port Stephens Local Environmental Plan 2013 Flood Planning Map

flood planning level means the level of a 1:100 Average Recurrent Interval plus 0.5 metres freeboard

flood planning horizon means the year 2100

floodplain means an area of flat land adjacent to a river, creek, lake, estuary, dam or artificial channel which is subject to flooding during high rainfall periods

floodplain development manual means the manual relating to the development of flood liable land for the purposes of s733 of the Local Government Act 1993

flood refuge means an approved and well-designed mound to provide temporary refuge for humans and livestock during flooding

flood risk management report means a report that outlines how the proposed development will alter the floodplain and the extent and change in the flood hazard for the area, the potential impacts of the proposed works on other floodplain users and the future or ongoing risk a community may be exposed to as a result of new development on the floodplain.

Note:

- A **Flood Risk Management Report** must be prepared by a suitably qualified consultant. This must analyse measures that would reduce

the danger to a low hazard and not have a detrimental impact on other property owners or public property.

- **Flood Risk Management Reports** must provide controls where necessary to prevent the discharge of pollution during floods. This is in compliance with the "Environment & Health Protection Guidelines - on-site sewage management for single households" dated February 1998 and published by the state government.

flood risk management plan means a study and subsequent plan to understand flood risk, assess how it can be managed and implement projects to reduce the threat to the community

floodway means the part of a **floodplain** specifically designed to carry flood flows and ideally capable of containing the flood event

flood study means a comprehensive technical investigation of flood behaviour that defines the variation over time of flood levels, extent and velocity for flood events of various severities up to and including the PMF event. It covers the entire floodplain catchment, with particular emphasis on the area under consideration.

Note:

- A **Flood Study** must be prepared by a suitably qualified consultant. This must analyse measures that would reduce the danger to a low hazard and not have a detrimental impact on other property owners or public property.
- **Flood Studies** must provide controls where necessary to prevent the discharge of pollution during floods. This is in compliance with the "Environment & Health Protection Guidelines - on-site sewage management for single households" dated February 1998 and published by the state government.

flood storage areas means floodplain areas that are important for the temporary storage of floodwaters during a flood

floor space ratio of buildings on a site is the ratio of the **gross floor area** of all buildings within the site to the **site area**

flora, fauna or conservation strategy means a flora, fauna or conservation strategy that is relevant to the subject site and in turn has identified by Council as relevant (e.g. Port Stephens Council Koala Plan of Management)

Flora and Fauna Survey means a survey to identify ecological and biological diversity of the site

foreshore means the part between the water and occupied or cultivated land

freeboard means the height above the flood planning level used to compensate for the effects such as wave action and localised hydraulic behaviour. **Note:** freeboard has the same meaning under the Building Code of Australia

front property line means the legal boundary of a parcel of land adjoining the street

greenfield means a site in a locality which has been previously undeveloped other than for agricultural pursuits

gross floor area means the sum of floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor and includes:

- a. the area of a mezzanine, and
 - b. habitable rooms in a basement or an attic, and
 - c. any shop, auditorium, cinema, and the like, in a basement or attic,
- but excludes:
- d. any area for common vertical circulation, such as lifts and stairs, and
 - e. any basement:
 - i. storage, and
 - ii. vehicular access, loading areas, garbage and services, and
 - f. plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and
 - g. car parking to meet any requirements of the consent authority (including access to that car parking), and
 - h. any space used for the loading or unloading of goods (including access to it), and
 - i. terraces and balconies with outer walls less than 1.4 metres high, and
 - j. voids above a floor at the level of a storey or storey above

Note: gross floor area means the same under the PSLEP 2013

ground level (finished) means, for any point on a site, the ground surface after completion of any earthworks (excluding any excavation for a basement, footings or the like) for which consent has been granted or that is exempt development

groundwater is the water located beneath the earth's surface in soil pore spaces and in the fractures of rock formations. A unit of rock or an unconsolidated deposit is called an aquifer when it can yield a usable quantity of water

habitable room means a room --other than a bathroom, laundry, water closet or the like --which is designed, constructed or adapted for the activities normally associated with domestic living, such as a lounge room or living room

heritage conservation area means an area of land of heritage significance:

- a. Shown on the Heritage Map as a heritage conservation area
 - b. The location and nature of which is described in Schedule 5
- And includes any heritage items situated on or within that area

Note: Heritage conservation area means the same under the Port Stephens Local Environmental Plan 2013

heritage impact statement means a statement that conveys what impact or impacts the proposed development will have on the item of heritage significance. The statement addresses:

- a. What impact the proposed works will have on that significance
- b. What measures are proposed to mitigate negative impacts
- c. Why more sympathetic solutions are not viable
- d. Why the item is of heritage significance

heritage item means a building, work, place, relic, tree, object or archaeological site the location and nature of which is described in Schedule 5 of the PSLEP 2013. **Note:** Heritage item means the same under the Port Stephens Local Environmental Plan 2013

hollow tree assessment means an assessment undertaken to uncover the quality and quantity of tree hollows present on a site

home business means a business that is carried on in a dwelling, in a building ancillary to a dwelling, by one or more permanent residents of the dwelling and that does not involve those activities listed under the definition contained in the PSLEP 2013. **Note:** Home business has the same meaning under the PSLEP 2013

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve those activities listed under the definition contained in the PSLEP 2013. **Note:** Home industry has the same meaning under the PSLEP 2013

indigenous vegetation means a species of vegetation, or if it comprises species of vegetation, that existed in the State before European settlement. **Note:** indigenous vegetation means the same under the Threatened Species Conservation Act 1995

industry means any of the following:

- a. General industry
- b. Heavy industry
- c. Light industry
 - But does not include
- d. Rural industry
- e. Extractive industry
- f. mining

Note: Industry has the same meaning under the PSLEP 2013

infill means the development of land by the erection of or addition of a residential building or buildings which does not require the spatial extension of services including public roads, electricity, water or sewerage and is within an existing allotment

integrated development means development (not being State significant development or complying development) that, in order for it to be carried out, requires development consent and the listing approvals under s91 of the Environmental Planning & Assessment Act 1979

koala habitat means land identified as koala habitat in section 146(2) of the Environmental Planning & Assessment Act 1979

land application map means the map identified under Clause 1.7 Maps of the Port Stephens Local Environmental Plan 2013

land-use types means the definitions of development as listed under the Dictionary of the Port Stephens Local Environmental Plan 2013

landscape plan means a plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development

local street means a local street as defined by Port Stephens Council. 2007, 'Infrastructure Specification – Design'

local structure plan means a development control plan under PSLEP 2013 Clause 6.3

major subdivision means where new roads are proposed, existing roads or intersections require significant upgrading or **public drainage** is constructed

merit-based approach is the means of achieving an objective based on the desired outcome, rather than specific numerical standards

mezzanine means an intermediate floor between main floors of a building

minimum site area means the minimum area at site must be in terms of square metres to allow the placement of a **dual occupancy**

minor subdivision include strata subdivisions, boundary adjustments and Torrens & Community Title subdivision where only inter allotment drainage lines and driveways are required

Model for Urban Stormwater Improvement Conceptualisation (MUSIC) means a toolkit that aids decision-making; MUSIC predicts the performance of stormwater quality management systems

mosquito management technical specification means the Port Stephens Council Mosquito Management Technical Specification available from the Port Stephens Council website

mixed use development means a building or place comprising 2 or more different land uses

multi dwelling housing means 3 or more dwellings (whether attached or detached) on one lot of land, each with access at ground level, but does not include a residential flat building. **Note:** Multi-dwelling housing has the same meaning under the PSLEP 2013

multi-functional means sport fields that are designed with multiple uses in mind, including the provision of an all weather surface, field markings that can be easily changed and removable goal posts.

natural ground level means the most likely surface of the property at the time the lots were created and the roads built

native vegetation means any of the following types of **indigenous vegetation**:
Native vegetation means the same under the Threatened Species and Conservation Act 1995

nest box technical specification means the Port Stephens Council Nest Box Technical Specification available from the Port Stephens Council website

new lot under B4.3 (p. B-26) means a new lot created through **subdivision** since the commencement of this Plan as specified under A.3 (p. A-7)

nodes mean focal points, intersections or loci as Kevin Lynch in The Image of the City. Examples include train stations, **neighbourhood centres**, bus depots or intersections.

noise sensitive development means development defined as 'Conditionally acceptable' or 'Unacceptable' in accordance with the Australian Standard 2021-2015

non-habitable rooms means a room not defined as a **habitable room** under this Plan

non-permeable surfaces means a surface that cannot be penetrated by an element, such as concrete by water

non-urban areas means the following land-use zones under the Port Stephens Local Environmental Plan 2013:

- RU1 Primary Production
- RU2 Rural Landscape
- RU3 Forestry
- R5 Large Lot Residential
- RE1 Public Recreation
- RE2 Private Recreation
- E2 Environmental Conservation
- E3 Environmental Management
- W1 Natural Waterways
- W2 Recreational Waterways

notification plans means notification plans required for the public notification of a **development application** in accordance with the

noxious weeds technical specification means the Port Stephens Council Noxious Weeds Technical Specification that is available from the Port Stephens Council website

noxious weeds is a plant declared by an order under section 7 of the Noxious Weeds Act 1993 to be a noxious weed. **Note:** Noxious weed means the same under the Noxious Weeds Act 1993

NSW ASS Manual means the Acid Sulfate Soils Manual that is available from the NSW Department of Planning and Environment.

NSW ASS Assessment Guidelines means NSW Acid Sulfate Soils Management Advisory Committee. August 1998, 'Acid Sulfate Soils Assessment Guidelines'

occupation certificate means a certificate referred to in section 109C (1) (c) of the Environmental Planning & Assessment Act 1979

offensive noise means noise:

- a. that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - i. is harmful to (or is likely to be harmful) to a person who is outside the premises from which it is emitted, or
 - ii. interferes unreasonable with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premise from which it is emitted,
- b. that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations

Note: Offensive noise has the same meaning under the PSLEP 2013

on-site detention means a way of ensuring that land-use changes does not cause increased downstream flooding: both in the local drainage system immediately downstream and along the creeks and rivers further downstream. On-site detention usually consists of a discharge control pit, storage and collection network

on-site infiltration means a system by which water on the ground surface enters the soil. Infiltration rate in soil science is a measure of the rate at which soil is able to absorb rainfall or irrigation. It is measured in inches per hour or millimetres per hour. The rate decreases as the soil becomes saturated

on-site sewerage management system means wastewater systems designed to treat and dispose of effluent on the same property that produces the wastewater. A septic tank and drain field combination is the oldest and most common type

on-site parking means parking required under Figure BH: On-Site Parking Requirements (p. B-46).

On-site refuge means a convenient access to flood free ground. In general, it is not acceptable to rely on refuge provided by or on other development sites. In all cases where on site refuge is provided, it is to be both intrinsically accessible to all people on the site and an integrated part of the development (e.g. a second storey with stair access). The route to the refuge is to be fail safe, plainly evident and self-directing.

open space means either **private open space** or **public open space**

operational land means a classification of public land under the Local Government Act 1993

operation and maintenance plan means developed to maintain Water Sensitive Urban Design Strategy in line with the Port Stephens Council. NA, 'Guidelines for Preparing a Water Sensitive Urban Design Strategy'

overland flow means water that flows down to a water course as opposed to flooding that is water that rises from a water source

overland flow path means low-lying natural drainage paths, open space floodway channels, road reserves, pavement expanses or any other flow paths that can convey flows after heavy rainfall

planning agreement means an agreement made between the proponent and Council under s94 of the Environmental Planning and Assessment Act 1979 regarding infrastructure provision

podium means a platform used to raise something above its immediate surroundings

Precinct Plan means a plan prepared to address the matters set out in Part 6 (Urban release areas) of PSLEP 2013.

preferred koala habitat means all habitat areas identified by the Koala Habitat Atlas as Primary Habitat, Secondary Habitat and Community Based Survey Categories under the Port Stephens Council Koala Plan of Management

primary use means the principle reason for which the vehicle is utilised

privacy screen means a screen that:

- a. Faces the boundary
- b. Is 1.5m high, measured from the floor level
- c. Has no individual opening more than 30mm wide
- d. Has a total of all openings less than 30 percent of the surface area of the screen

private open space means an area of land external to a building that is used for private outdoor purposes ancillary to the use of the building

Probable Maximum Flood (PMF) means the largest flood that could conceivably occur within a catchment

property vegetation plan means a voluntary, legally binding agreement between a landholder and the local catchment authority that may be obtained for the following reasons:

- a. Protecting water quality by trapping sediment, nutrients and other contaminants
- b. Providing an interface or buffer between developments and waterways
- c. Providing bed and bank stability and reducing bank and channel erosion
- d. Providing connectivity between wildlife habitats
- e. Providing diversity of habitat for terrestrial, riparian and aquatic plants and animals
- f. Providing passive recreational uses

public domain means land to be considered public property and would generally be understood to be streetscapes or open space

public drainage means the drainage system that is under public ownership and is maintained by a public authority

public infrastructure means infrastructure, such as sewerage, electrical, water or similar that is under the ownership of a public authority, such as Council.

public means a person who accesses a building or premises who are not owners or staff

public open space is social space that is generally open and accessible to people. Examples include roads, public domain, parks and beaches.

qualified arborist means

- a. A person who holds the Australian Qualifications Framework Diploma in Horticulture (Arboriculture) or other qualifications to the satisfaction of Council, and
- b. Who has been registered with the Council as a qualified person for the purposes of the preparation of an arborist report, or
- c. The Council

qualified engineer means a practicing professional with accreditations received from a University recognised by Engineers Australia or equivalent international accreditation

reduced level (RL) means the height above the Australian Height Datum, being the datum surface approximating mean seal level that was adopted by the National Mapping Council of Australia in May 1971

register of significant trees means the Port Stephens Council Register of Significant Trees. This Register is available from the Port Stephens Council Website

residential accommodation means a building or place used predominately as a place of residence as defined under the PSLEP 2013. **Note:** residential accommodation has the same meaning under the PSLEP 2013

residential flat building means a building containing 3 or more dwellings, but does not include an attached dwelling or multi-dwelling house. **Note:** Residential flat building has the same meaning under the PSLEP 2013

responsible authority means Council or a state government agency or agent of

retail premises means a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale) and includes those listed under the PSLEP 2013. **Note:** retail premises has the same meaning under the PSLEP 2013

restricted premises means premises that, due to their nature, restrict access to patrons or customers over 18 years of age, and includes sex shops and similar premises, but does not include a pub, hotel or motel accommodation, home occupation (sex services) or sex services premises. **Note:** Restricted premises has the same meaning under the PSLEP 2013

riparian corridor means a transition zone between the land, also known as the terrestrial environment, and the river or watercourse or aquatic environment. Riparian corridors perform a range of important environmental functions.

road reserve means a legally described area within which facilities such as roads, footpaths, and associated features may be constructed for public travel

s149 Certificate means a Certificate provided by Council in accordance with s149 of the Environmental Planning & Assessment Act 1979

secondary dwelling means a self-contained dwelling that:

- a. Is established in conjunction with another dwelling (the principal dwelling), and
- b. Is on the same lot of land as the principal dwelling, and
- c. Is located within, or is attached to, or is separate from, the principle dwelling

Note: Secondary dwelling has the same meaning under the PSLEP 2013

secondary setback relates to a dwelling situated on a corner lot, faces to two streets and therefore requires two setbacks. The secondary setback is provided to the non-primary street, being the street which carries less traffic load.

section 88B means section 88B of the Conveyancing Act 1919

sensitive receivers mean those locations or persons that are vulnerable to a decline in air quality, such as asthmatics, children or the elderly

Servicing strategy means a strategy that identifies major works in relation to **essential services**.

sewerage reticulation system means the system of pipes, sewers and drains that are used to convey sewage from a property to a sewage treatment plant.

SEPP 44 trees means those trees of significance listed under the Port Stephens Comprehensive Koala Plan of Management as follows:

- Grey Gum
- Scribbly Gum
- Brown Stringybark
- White Mahogany
- Red Mahogany
- Tallowwood
- Sydney Blue Gum
- Sydney Peppermint
- Blackbutt
- Spotted Gum
- Grey Ironbark
- Narrow-leaved Red Ironbark
- Broad – leaved White Mahogany
- Flooded Gum
- Small – leaved Peppermint
- Red Bloodwood
- Smooth Barked Apple
- Broad – leafed Paperbark
- Swamp she-oak
- Swamp Mahogany
- Parramatta Red Gum
- Forest Red Gum

sex services premises mean a brothel, but do not include home occupation (sex services). **Note:** Sex services premises has the same meaning under the PSLEP 2013

shadow diagram means a diagram that allows a calculation and illustration of projected shadow

short-term tourist and visitor accommodation means a tourist and visitor accommodation where the maximum period for which any person is accommodated is 60 consecutive days in a 12 month period and that does not involve interference with the amenity of the neighbourhood by reason of the emission of noise or traffic generation. **Note:** short-term tourist and visitor accommodation has the same meaning under Clause 7.18 of the PSLEP 2013

side boundary means the property boundaries connected to the **front property line**

signage means any sign, notice, device, representation or advertisement that advertises or promotes goods, services or events and any structure or vessel that is

principally designed for that is used for, the display of signage, and includes any of the following:

- a. An advertising structure
- b. A building identification sign
- c. A business identification sign

But does not include a traffic sign or traffic control facilities

Note: signage has the same meaning under the PSLEP 2013

significant effect means there is likely to be a significant effect as determined under s5A of the Environmental Planning & Assessment Act 1979 or development is on land which is, or is part of, critical habitat

significant social impact means a **development type** that is considered to have a social impact, such as:

- Where the proposed development indicates that its impacts will alter the ways in which people, live, work, play, relate to one another, organise to meet their needs, sense of place or community and generally cope as members of society in terms of their values and beliefs or aesthetic values
- Where demographic profiling, in which the impacts are likely to occur, indicate that the proposed development is likely to impact on the well-being of individuals or their social groupings
- Where prescribed supply ratios identify an unacceptable level of services, such as the number of schools, hospital beds or housing to meet the needs of the demographic
- Locations that contain cultural heritage values, or where the impacts are likely to occur on places of cultural heritage values and attachments to those places
- Where community and stakeholder groups indicate interest in fairness and community involvement in decision making processes

site analysis means the preparatory step developing a **site analysis plan**. The results of this analysis are illustrated by a **site analysis plan** submitted as part of the **Statement of Environmental Effects**

site analysis plan means a plan informed by a **site analysis** and provided as part of a Development Application

site area means the area contained within the boundaries of the site

social impact assessment includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of planned interventions – policies, programs, plans and projects- and any social changes processes invoked by those interventions

solar access refers to the amount of the sun's energy available to a building

species impact statement means a statement referred to in Division 2 of Part 6 and includes an environmental impact statement, prepared under the Environmental Planning and Assessment Act 1969 that contains a species impact statement

splay corners means the corners of a road intersection

staged development application has the same meaning as in the *Environmental Planning and Assessment Act 1979*.

Statement of Environmental Effects (SEE) means a document that demonstrates that the environmental impact of a development.

structural engineering assessment means an assessment undertaken of the building by a **qualified engineer**

storage area means an area where flood waters are temporarily stored during flood events, such as on-site detention basins

stormwater drainage plan means a drainage mean that clearly illustrates stormwater infrastructure

stormwater quality improvement devices (SQUIDS) mean engineering methods that are used to protect the creeks, rivers and beaches that our stormwater drains into. They trap or collect rubbish and pollution that ends up in our stormwater drains. Examples include litter collection cages, trash racks or constructed wetlands

surface water means water on the surface of the planet, such as in a stream, river, lake, **wetland** or ocean

subdivision means an area or lot of land being subdivided into smaller lots. Subdivision under this Plan is either **minor subdivision** or **major subdivision** as defined under C1.2 (p. C-54) of this Plan

subdivision certificate means a certificate provided at the end of the subdivision process that signifies that all the conditions of consent have been met

surface water means water on the surface of the planet, such as in a stream, river, lake, wetland, or ocean

super lot means an area of land created by subdivision and intended to be further subdivided into additional lots.

supplementary koala habitat means koala habitat that is supplementary to **preferred koala habitat** as defined under the Port Stephens Comprehensive Koala Plan of Management

swimming pool means an excavation, structure or vessel:

- a. That is capable of being filled with water to a depth greater than 300 millimetres
- b. That is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity
And includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of this Act

traffic generating development means development defined as traffic generating development under Schedule 3 of State Environmental Planning Policy 2007

traffic impact assessment means an assessment to quantify the traffic impacts and associated parking requirements that result from proposed development

tree removal notification means the Port Stephens Council Tree Removal Form. The Form is available from the Port Stephens Council Website

tree technical specification means the Port Stephens Council Tree Technical Specification. The Specification is available from the Port Stephens Council Website

urban areas for the purposes of B1 – Tree Management means the following land-use zones under the Port Stephens Local Environmental Plan 2013 and identified by Figure BA (p. B-17):

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B7 Business Park
- IN1 General Industrial
- IN2 Light Industrial
- IN4 Working Waterfront
- RU5 Village
- SP2 Infrastructure

urban release area means an area of land identified on the Urban Release Area Map (Definition already exists in LEP)

useable land means total lot area excluding dams, intermittent and permanent watercourses and open stormwater drains and pits in addition to the relevant buffer distances prescribed in the Port Stephens Council Development Assessment Framework for those objects

useable open space means a space that is open to the sky and which is for the enhancement of the development and the enjoyment of the occupants. It excludes drying areas, garbage collection and handling spaces and any space used for the movement or parking of vehicles

vegetated riparian zone means the vegetated riparian zone that adjoins the channel comprising the bed and banks of the watercourse of a **riparian corridor**

vegetation analysis plan means a map based report intended to assist the property owner or occupier in managing their planned or existing development site in order to ensure that existing bushland elements on their land are protected from excessive human induced disturbance

vegetation management plan means a Vegetation Management Plan as described under the Port Stephens Council Vegetation Technical Specification

vegetation management technical specification means the Port Stephens Council Vegetation Management Technical Specification that is available from the Port Stephens Council website

vegetation technical specification means the Port Stephens Council Vegetation Technical Specification. The Specification is available from the Port Stephens Council Website

virgin excavated natural material means natural material, such as clay, gravel, sand, soil or rock fines, that:

- a. That has been excavated or quarried from areas that are not contaminated with manufactured chemicals, or with process residues, as a result of industrial, commercial, mining, or agricultural activities, and
- b. That does not contain any sulfidic ores or soils or any other waste

virgin excavated natural material means the same under the Protection of the Environment Operations Act 1997

vistas means a view corridor to a distant view

water balance means an equation that can be used to describe the flow of water in and out of a system

waterfront land means:

- a. The bed of any river, together with any land lying between the bed of the river and a line drawn parallel to, and the prescribed distance inland of, the highest bank of the river, or
- b. The bed of any lake, together with any land lying between the bed of the lake and a line drawn parallel to, and the prescribed distance inland of, the shore of the lake, or
- c. The bed of any estuary, together with any land lying between the bed of the estuary and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the estuary, or
- d. If the regulations so provide, the bed of the coastal waters of the State, and any land lying between the shoreline of the coastal waters and a line drawn parallel to, and the prescribed distance inland of, the mean high water mark of the coastal waters,

where the prescribed distance is 40 metres or (if the regulations prescribe a lesser distance, either generally or in relation to a particular location or class of locations) that lesser distance. Land that falls into 2 or more of the categories referred to in paragraphs (a), (a1) and (a2) may be waterfront land by virtue of any of the paragraphs relevant to that land.

Note: Waterfront land means the same under the Water Management Act 2000

waste includes:

- a. any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, consistency or manner as to cause an alteration in the environment
- b. any discarded, rejected, unwanted, surplus or abandoned substance
- c. Any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- d. Any substance prescribed by the regulations to be waste

A substance is not precluded from being waste for the purpose of this Act merely because it is or may be processed, recycled, re-used or recovered

Note: waste means the same under the Protection of the Environment Operations Act 1997

waste management plan means a plan that details the amount, type and disposal of waste during demolition, construction and through the ongoing management of the facility

waste storage and recycling area means a designated area or a combination of designated areas upon the site of a building for the housing of approved containers to store all waste material (including recyclable material) likely to be generated by the buildings occupants

Water Sensitive Urban Design (WSUD) means a range of measures that are designed to avoid, or at least minimise, the environmental impacts of urbanisation in terms of the demand for water and the potential pollution threat to natural water bodies

water sensitive urban design strategy means a Strategy developed to implement identified Water Sensitive Urban Design measures

wetland means a location identified as 'wetland' on the Wetlands Map under the Port Stephens Local Environmental Plan 2013

E2 Acronyms

AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
ANEF	Australian Noise Exposure Forecast
APZ	Asset Protection Zone
ARI	Average Recurrence Interval
ASS	Acid Sulphate Soils
BASIX	Building and Sustainability Index
BCA	Building Code of Australia
CPTED	Crime Prevention through Environmental Design
CRZ	Core Riparian Zone
DAF	Development Assessment Framework
DAREZ	Defence or Airport Related Employment Zone
Db(A)	A-weight decibels
DCP	Development Control Plan
ENM	Excavated Natural Material
EP&A Act	Environmental Planning & Assessment Act 1979
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
LEP	Local Environmental Plan
MUSIC	Model for Urban Stormwater Improvement Conceptualisation
NorBE	Neutral or Beneficial Effect on Water Quality
OSMS	On-site Sewage Management System
PMF	Probable Maximum Flood
PSC	Port Stephens Council

<i>PSDCP 2014</i>	Port Stephens Development Control Plan 2014 (this Plan)
<i>PSLEP 2013</i>	Port Stephens Local Environmental Plan 2013 (Parent Plan)
<i>RAF</i>	Royal Australian Airforce
<i>RL</i>	Reduced Level
<i>SEE</i>	Statement of Environmental Effects
<i>SEPP</i>	State Environmental Planning Policy
<i>SIS</i>	Species Impact Statement
<i>SLR</i>	Sea Level Rise
<i>SQUIDS</i>	Stormwater Quality Improvement Devices
<i>TIA</i>	Traffic Impact Assessment
<i>TSC Act</i>	Threatened Species & Conservation Act 1995
<i>VENM</i>	Virgin Excavated Natural Material
<i>VMP</i>	Vegetation Management Plan
<i>VPA</i>	Voluntary Planning Agreement
<i>WSUD</i>	Water Sensitive Urban Design

E3 Reference List – Endnotes

- 1 PSC.2010, 'Tree Technical Specification'
- 2 PSC.2010, 'Vegetation Technical Specification'
- 3 PSC.N/A, 'Significant Tree Register'
- 4 PSC.2012, 'Landscape Technical Specification'
- 5 PSC.2012, 'Nest Box Technical Specification'
- 6 PSC.2012, 'Noxious Weeds Technical Specification'
- 7 PSC.2013, 'Mosquito Management Technical Specification'
- 8 NSW Department of Environment and Conservation. 2004, 'Threatened Species Survey and Assessment: Guidelines for developments and activities'
- 9 Hunter & Central Coast Regional Environmental Management Systems. 2002, 'Lower Hunter & Central Coast Regional Fauna & Flora Guidelines'
- 10 PSC. 2002, 'Comprehensive Koala Plan of Management'
- 11 PSC. 2006, 'Infrastructure Specification – Design'
- 12 NSW Government. N/A, 'Coastal Design Guidelines for NSW'
- 13 PSC.2010, 'Port Stephens Development Assessment Framework for On-Site Sewerage'
- 14 Environment Protection Agency. 2000, 'NSW Industrial Noise Policy'
- 15 NSW Office of Water. 2012, 'Guidelines for riparian corridors on waterfront land'
- 16 PSC.2004, 'On-site Sewage Management Policy'
- 17 PSC.2011, 'On-Site Sewage Management Technical Manual'
- 18 NSW Government. 2008, 'Guidelines for Grey water Re-Use in Sewered, Single Household and Residential Premises'
- 19 Office of Environment & Heritage. N/A, 'Statements of Heritage Impact'

- 20 Australian Standard. 2000, 'Acoustics-Aircraft Noise Intrusion-Building Siting and Construction'
- 21 Williamtown Aerospace Park Landscape Master Plan
- 22 PSC. 2004, 'Karuah Commercial Centre Landscape Plan'
- 23 Williamtown Aerospace Park Landscape MasterPlan
- 24 PSC. 2014, 'Notification –Heritage Minor Works or Maintenance'
- 25 Office of Environment & Heritage. N/A, 'Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW'
- 26 M. Jaffe. 1997, 'Site Planning for Solar Access – A Guide for Residential Developers & Site Planners'
- 27 Port Stephens Council. 2013, 'Social Impact Policy'
- 36 REINSW. 2013, 'Holiday Rental Code of Conduct – Overview & Administrative Framework'
- 37 Pacific Dunes Precinct Design Guidelines
- 38 Pacific Dunes Flood Assessment Report
- 39 NSW Department of Environment and Conservation. 2001, 'Approved Methods for Modelling and Assessment of Air Pollutants in New South Wales
- 40 NSW Acid Sulfate Soils Management Advisory Committee. August 1998, 'Acid Sulfate Soils Assessment Guidelines'
- 41 Department of Environment and Heritage Protection. 2012, 'Koala-sensitive Design Guideline'