

Statement of consistency for a Subdivision located at 339 Brolgan Road, Parkes

PROPERTY DETAILS

Site Address	339 Brolgan Road, Parkes
Real Property Description	
Special Activation Precinct	Schedule 1 Parkes Activation Precinct
Land Use Zoning	Regional Enterprise Zone
Sub-precinct	Parkes Enterprise Sub-precinct
Site constraints	Flood affected (partially)

APPLICATION DETAILS

Development type	Subdivision
Description of proposal	One into two lot Torrens title subdivision
Permissibility	<p>Permissible in the Regional Enterprise Zone and consistent with the desired land uses in the Enterprise Sub-precinct.</p> <p>Consistent with land use objectives of the Regional Enterprise Zone and Enterprise Sub-precinct.</p>

RELEVANT EVALUATION DOCUMENTS

Legislation	<p>State Environmental Planning Policy (Precincts - Regional) 2021 (Precincts - Regional SEPP)</p> <p>State Environmental Planning Policy (Resilience and Hazards) 2021</p> <p>State Environmental Planning Policy (Industry and Employment) 2021</p>
Master Plan	Parkes Special Activation Precinct Master Plan, June 2020 (Parkes Master Plan)
Delivery Plan	Parkes Special Activation Precinct Delivery Plan (Stage 1) (Parkes Delivery Plan)

Parkes Special Activation Precinct



Activation Precinct Certificate – Statement of consistency

Executive summary

<Include an overview of any key issues identified for the proposed development and site and how these were resolved>

Site and surrounds

<Include a description of the site and its surrounds, and insert an aerial image of the site and an image of any other relevant maps i.e. biodiversity, flood etc.>

Proposal

<Include a summary of the proposal and insert any supporting images of the proposal to give context i.e. site plan / elevations etc>

Compliance with relevant parts of the SEPP (Precincts – Regional) 2021

Clause 3.9 Applications for Activation Precinct applications	Proposal	Compliance (Yes/ No/ N/A)
(1) An application for an Activation Precinct certificate in respect of proposed development on land within an Activation Precinct may be made to the issuing authority.		
(2) An application may be made only by the person who proposes to carry out the proposed development with the consent of the owner of the land to which the Activation Precinct certificate relates.		
(3) An application must be in the form approved by the Development Corporation and include the following information— (a) the name and address of the applicant, (b) the address, and particulars of title, of the subject land, (c) a description of the proposed development.		

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Clause 3.11 Determination of applications for Activation Precinct certificates	Proposal	Compliance (Yes/ No/ N/A)
<p>(3) The issuing authority may issue an Activation Precinct certificate for development on land only if—</p> <p>(a) there is a master plan and delivery plan that apply to the land concerned, and</p> <p>(b) the issuing authority is of the opinion that the development is consistent with the master plan and delivery plan.</p>		
<p>(4) If the issuing authority is of the opinion that the development is not consistent with the master plan and delivery plan for the land, the issuing authority is to give the applicant an opportunity to modify the application to ensure that it is consistent.</p>		
<p>(6) Clauses 12 and 13 of State Environmental Planning Policy No 33—Hazardous and Offensive Development and clause 7 of State Environmental Planning Policy No 55—Remediation of Land apply to an application for an Activation Precinct certificate that relates to complying development in the same way as they apply to an application for development consent.</p> <p>Note—</p> <p>State Environmental Planning Policy No 33—Hazardous and Offensive Development and State Environmental Planning Policy No 55—Remediation of Land apply to development within an Activation Precinct that is not complying development.</p> <p>(7) For the purposes of subclause (6), any reference in those clauses to a development application, development consent or a consent authority is to be read as a reference to an application for an Activation Precinct certificate, the issuing of an Activation Precinct certificate or the issuing authority, respectively.</p>		

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Clause 3.11 Activation Precinct certificates for complying development involving potentially hazardous or offensive industry	Proposal	Compliance (Yes/ No/ N/A)
(2) If the Development Corporation is the issuing authority in relation to an application to which this clause applies, the Development Corporation must not issue an Activation Precinct certificate without the approval of the Planning Secretary.		
(3) The Planning Secretary may grant approval for the purposes of subclause (2) only if satisfied that the development does not pose an unacceptable risk in the locality to human health, life, property or the biophysical environment.		
(4) This clause does not affect the issue of an Activation Precinct certificate that relates to development proposed to be carried out with development consent. (5) In this clause— potentially hazardous industry and potentially offensive industry have the same meanings as in State Environmental Planning Policy No 33—Hazardous and Offensive Development.		

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Clause 3.13 Development near electricity transmission and distribution networks	Proposal	Compliance (Yes/ No/ N/A)
<p>(1) The issuing authority must not issue an Activation Precinct certificate for the following development unless the issuing authority has consulted the electricity supply authority for the area in which the development is to be carried out—</p> <p>(a) development that involves the penetration of ground within 10 metres of—</p> <p>(i) an underground electricity power line, or</p> <p>(ii) an electricity distribution pole, or</p> <p>(iii) any part of an electricity tower,</p> <p>(b) development on land—</p> <p>(i) within or immediately adjacent to an easement for electricity purposes, or</p> <p>(ii) immediately adjacent to an electricity substation, or</p> <p>(iii) within 5 metres of an exposed overhead electricity power line.</p> <p>(2) In this clause—</p> <p>electricity supply authority has the same meaning as in Part 3, Division 5 of State Environmental Planning Policy (Infrastructure) 2007.</p>		

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Clause 3.14 Development in pipeline areas	Proposal	Compliance (Yes/ No/ N/A)
<p>(1) The issuing authority must not issue an Activation Precinct certificate for development on land within the measurement length of a relevant pipeline unless the issuing authority—</p> <p>(a) has consulted the operator of the relevant pipeline, and</p> <p>(b) is satisfied that the development will adequately deal with potential risks to the integrity of the pipeline.</p> <p>(2) In this clause—</p> <p>measurement length has the same meaning as in Australian and New Zealand Standard AS/NZS 2885.1:2018, Pipelines—Gas and liquid petroleum, Part 1: Design and construction.</p>		

Clause 3.15 Development in rail corridors	Proposal	Compliance (Yes/ No/ N/A)
<p>(1) The issuing authority must not issue an Activation Precinct certificate for the following development unless the issuing authority has consulted the rail authority for the rail corridor—</p> <p>(a) development that involves—</p> <p>(i) a new level crossing, or</p> <p>(ii) the conversion into a public road of a private access road across a level crossing, or</p> <p>(iii) a likely significant increase in the total number of vehicles or the number of trucks using a level crossing,</p> <p>(b) development on land that is in or adjacent to a rail corridor if the development—</p> <p>(i) is likely to have an adverse effect on rail safety, or</p> <p>(ii) involves the placing of a metal finish on a structure in a rail corridor used by electric trains, or</p> <p>(iii) involves the use of a crane in air space above a rail corridor, or</p>		

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Clause 3.15 Development in rail corridors	Proposal	Compliance (Yes/ No/ N/A)
<p>(iv) is located within 5 metres of an exposed overhead electricity power line that is used for railways or rail infrastructure facilities,</p> <p>(c) development that involves the penetration of ground to a depth of at least 2 metres below ground level (existing) on land—</p> <p>(i) within, below or above a rail corridor, or</p> <p>(ii) within 25 metres, measured horizontally, of a rail corridor, or</p> <p>(iii) within 25 metres, measured horizontally, of the ground directly below a rail corridor, or</p> <p>(iv) within 25 metres, measured horizontally, of the ground directly above an underground rail corridor.</p> <p>(2) Land is adjacent to a rail corridor for the purpose of subclause (1)(b) even if it is separated from the rail corridor by a road or road related area.</p> <p>(3) In this clause—</p> <p>level crossing means a level crossing over railway lines.</p> <p>rail authority for a rail corridor has the same meaning as in State Environmental Planning Policy (Infrastructure) 2007, Part 3, Division 15.</p> <p>rail corridor has the same meaning as in State Environmental Planning Policy (Infrastructure) 2007, Part 3, Division 15.</p> <p>road related area has the same meaning as in the Road Transport Act 2013.</p>		

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Clause 3.16 Consultation procedure	Proposal	Compliance (Yes/ No/ N/A)
<p>An issuing authority that is required to consult with a person or body under this Division must—</p> <p>(a) within 2 days of receiving an application for an Activation Precinct Certificate, give written notice of the application to the person or body, and</p> <p>(b) consider any submissions received from the person or body within 14 days of giving the written notice to the person or body.</p>		

Schedule 1 Parkes Activation Precinct

Clause 11 Application of provisions of other environmental planning instruments	Proposal	Compliance (Yes/ No/ N/A)
<p>(1) Clauses 2.6(1), 2.7 and 2.8 of Parkes Local Environmental Plan 2012 apply to land within the Parkes Activation Precinct in the same way as they apply to land to which that Plan applies.</p>		
<p>(2) The following provisions of State Environmental Planning Policy (Infrastructure) 2007 apply to land within the Regional Enterprise Zone in the same way as they apply to land within a prescribed zone within the meaning of that Policy—</p> <p>(a) clause 48,</p> <p>(b) clauses 94 and 95A,</p> <p>(c) clause 106 (other than clause 106(2A) and (3A)(a)),</p> <p>(d) clause 125 (in respect of land within Regional Enterprise Zone).</p>		

Compliance with the Master Plan

Parkes Special Activation Precinct Master Plan

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Item	Response	Compliance (Yes/ No/ N/A)
3.1.1 Land Use		
3.1.2 Economic Development		
3.2.1 Sustainability		
3.2.2 Biodiversity, vegetation and the landscape		
3.2.3 Flooding, stormwater and groundwater		
3.2.4 Noise		
3.2.5 Air Quality		
3.2.6 Bushfire Protection		
3.2.7 Assessing hazardous and offensive development		
3.2.8 Managing Development on Contaminated Land		
3.3.1 Community Facilities		
3.4.1 Streets		
3.4.2 Pedestrian and Cycling Connections		
3.4.3 Utilities		
3.5.1 Cultural Heritage		

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Compliance with the Delivery Plan

Parkes Special Activation Precinct Delivery Plan (Stage 1)

Chapter 2 – Precinct Design Guidelines

Relevant design requirements	Proposal	Compliance (Yes/ No/ N/A)
2.2 Planning your site *Note: this section has setback requirements to address		
2.3 Building design		
2.4 Landscape design		
2.5 Street design		



Chapter 5 – Assessment Criteria

5.2 Economic development

Land use

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC1 Land uses are consistent with the strategic intent of the precinct and the relevant sub-precinct as shown in Section 6.2.	<div>A1.1 Land uses within the Regional Enterprise sub-precinct comprise one or more of the following: Electricity generating works, liquid fuel depot, intensive plant agriculture, industry, rural industry, sewerage system, waste or resource management facility, water supply system, farm buildings, landscaping material supplies, timber yards, industrial activity, industrial retail outlets, vehicle repair stations, storage premises, depots, warehouse or distribution centres, car parks, freight transport facilities, roads, road transport depots, truck depots, research station, recreation area, environmental protection works, crematoria, flood mitigation works, intermodal terminal, freight terminal.</div> <div>A1.2 Land uses within the Solar sub-precinct comprise of one or more of the following: Electricity generating works, sewerage system, water supply system, industry, farm buildings, depots, car parks, roads, research station, recreation areas, environmental protection works, flood mitigation works.</div> <div>A1.3 Land uses within the Resource Recovery and Recycling sub-precinct comprised of one or more of the following: Electricity generating works, liquid fuel depot, sewerage system, waste or resource management facility, water supply system, agriculture, industry, farm buildings, timber yards, industrial activity, industrial retail outlets, wholesale supplies, vehicle repair stations, storage premises, depots, warehouse or distribution centre, car parks, freight transport facilities, roads, transport depots, truck depots, research stations, flood mitigation works, recreation areas, environmental protection works.</div>	<div>B1.1 Land uses that are not specifically listed, or identified for another sub-precinct, provided the use:<div>a. is compatible with those envisaged land uses; and</div><div>b. does not conflict with or prevent the achievement of the objectives of the sub-precinct; and</div><div>c. where requested by the corporation or EPA, additional studies have been undertaken that demonstrate the land use as suitable within the sub-precinct, having regard to the achievement of other performance criteria within this delivery plan relating to economic, environmental and amenity impacts; and</div><div>d. does not compromise the achievement of another sub-precinct to which the use is identified as envisaged.</div></div> <div>Note: The master plan requires that where a land use is not specified as a compatible use additional studies need to be prepared to the satisfaction of the corporation, if required, to support that development is suitable in the sub-precinct. Where the development is a potentially offensive industry, development must have a 1 km buffer area within the development site.</div>	<div>U1.1 Land uses identified as prohibited within the Land Use Table set out within the SEPP (Precincts – Regional) 2021.</div> <div>U1.2 Land uses contrary to the objectives of the precinct.</div> <div>U1.3 Land uses that could otherwise be more appropriately established in another sub-precinct and there is sufficient land and infrastructure capacity in place for this to occur.</div> <div>U1.4 Sensitive land uses (such as dwellings) that would compromise existing or future envisaged land uses within a sub-precinct or adjacent sub-precinct.</div> <div>U1.5 Commercial and retail uses of a scale and nature that would be better located within the Parkes township or would effectively compete with the Parkes township or would effectively compete with Parkes town centre..</div> <div>U1.6 General forms of industry that would be better located outside of the precinct, such as within the local industrial areas or Parkes township.</div> <div>U1.7 Offensive industries which cannot satisfactorily mitigate impacts on adjacent development through buffers, design, construction or management practices.</div>		

	A1.4	Land uses within the Commercial Gateway sub-precinct comprised of one or more of the following: Electricity generating works, sewerage system, water supply system, specialist retail premises, industrial retail outlets, storage establishments, light industry, warehouses, visitor centre/ sales offices, food and drink premises, neighbourhood shops and kiosks, highway service centres, driver rest facilities and vehicle servicing.			
PC2 Subdivision which creates a range of allotment sizes that facilitate the envisaged land uses within each sub-precinct.	<p>All precincts</p> <p>A2.1 Strata subdivision may be acceptable provided the uses are consistent with those outlined in PC1 and the standards for development outlined in this delivery plan are met.</p> <p>A2.2 Subdivision layouts and allotments accommodate:</p> <ol style="list-style-type: none"> a mix of allotment sizes; and a consistent number of access points and general locations to key roads; and staging of development; and new or upgraded infrastructure in the Parkes precinct. <p>A2.3 Allotment sizes range across the precinct as follows:</p> <ol style="list-style-type: none"> within the Regional Enterprise sub-precinct – minimum two hectares; within the solar sub-precinct – minimum two hectares; within the Resource Recovery and Recycling sub-precinct – no minimum lot size provided subdivisions create allotment sizes and shapes that support the provision of preferred land uses and maximise access to the future rail intermodal; Commercial Gateway – no minimum lot size provided subdivisions create allotment sizes and shapes that support the provision of preferred land uses. 	<p>B2.1 Allotments outside of the designated allotment size range, provided it can be demonstrated that the allotment is capable of accommodating the following:</p> <ol style="list-style-type: none"> a building of a scale typically associated with an envisaged land use; and spaces for outdoor activities and storage areas; and car parking spaces; and vehicle manoeuvring areas capable of accommodating up to B-double vehicles; and at least 30 per cent of the site accommodating pervious surfaces/landscaping. <p>B2.2 Subdivision creating allotments larger than the designated size range for the sub- precinct, unless the allotments are being created as a result of a boundary realignment or to facilitate future delivery arrangements.</p>	<p>U2.1 Subdivisions that create allotments which would be too small to provide for the land uses envisaged within the relevant sub-precinct.</p> <p>U2.2 Allotment sizes that do not accommodate future expansion or growth of envisaged uses for the sub-precinct.</p> <p>U2.3 Strata subdivisions creating small allotments.</p>		
PC3 Existing and transitional development occurs in the short term in a way that does not compromise the development of the precinct.	<p>A3.1 Development of buildings and structures that support existing farming and primary production uses on the associated land while the farming use is in transition.</p> <p>A3.2 Minor additions and alterations to existing dwellings such as:</p> <ol style="list-style-type: none"> verandahs decks carports and garages living areas. 	<p>B3.1 Temporary land uses on land that would support the active use of the land in the interim development of the precinct. Examples include:</p> <ol style="list-style-type: none"> farming special events. 	<p>U3.1 Intensification of existing or establishment of new sensitive land uses that compromise the development of the precinct.</p> <p>U3.2 Development of structures or uses that compromise the establishment of important road, rail or open space/ vegetation connections for the current or future stages of the precinct.</p>		



PC5	Development that enables infrastructure and the colocation of industries requiring transport and utility/service connections.	<div>A5.1</div> <div>A5.2</div> <div>A5.3</div>	<div>B5.1</div>	<div>U5.1</div>		
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5.3 Environment and sustainability

Sustainability

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC7	<div>Development supports and contributes to the principles of the UNIDO Eco-Industrial Park framework and a carbon neutral precinct.</div> <div>A7.1</div> <div>A7.2</div> <div>Note: Access to the Parkes Special Activation Precinct accredited ISO14001 EMS framework can be obtained from the corporation.</div>	<div>B7.1</div>	<div>U7.1</div>		
Note: The EMS framework is scalable depending on the size and nature of businesses within the precinct. For small businesses, a commitment to the EMS framework and annual data for energy and water consumption would be required e.g. by supplying electricity bills.					
PC8	<div>Development supports energy efficiency through the use of onsite energy generation.</div> <div>A8.1</div> <div>A8.2</div>	<div>B8.1</div> <div>B8.2</div>	<div>U8.1</div>		
Note: An energy efficiency and energy consumption plan includes requirements for sub-metering and monitoring of different energy uses, setting consumption targets, and programmes for annual review and ongoing energy use reduction.					

Biodiversity, vegetation and the landscape

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC11 Development protects and enhances areas of high value biodiversity through landscaping and open space.	<p>A11.1 Development retains all areas of high ecological value and Tier 1 and Tier 2 paddock trees, as identified within Section 6.4, within roads, allotments and site layouts.</p> <p>A11.2 Subdivision designs provide for vegetation retention and green corridors (on public or private land) as identified within Section 6.4.</p> <p>A11.3 Development sites provide onsite landscaping consistent with Section 2.4.</p> <p>A11.4 Subdivisions and development accommodate open space and landscape that support the establishment of vegetated corridors including:</p> <ol style="list-style-type: none"> trails as identified within Section 6.5; and the following principles set out within the master plan: <ul style="list-style-type: none"> the Quarry to Creek Green + Ochre Grid corridor of linked spaces; three green north-south spines that retain existing bush roads, stock routes and mature vegetation; a green entry to the Parkes precinct adjacent the Newell Highway. <p><i>Note: A written advice statement may be required from a suitably qualified person which confirms that the development will not directly or indirectly impact on areas of high ecological values.</i></p> <p><i>Note: A landscape plan will be required to be submitted with the application.</i></p>	<p>B11.1 Development that requires removal of existing grassland and vegetation, must demonstrate:</p> <ol style="list-style-type: none"> the vegetation is not part of an area of high ecological value or Tier 1 or Tier 2 vegetation; and no other reasonable alternative to the design of the site and development is feasible; or provides planting of additional grassland and vegetation of native species in other locations on the site at a rate of 10:1. <p>B11.2 Development that requires the removal of areas of high ecological value and Tier 1 and Tier 2 trees for streets, utilities or stormwater infrastructure must demonstrate:</p> <ol style="list-style-type: none"> no alternative route or location is cost effectively achieved or physically possible for the street or infrastructure; and offset planting is made in lieu at a rate of 10:1. <p><i>Note: The master plan provides that areas of high-ecological value and Tier 1 and 2 trees, shown at Figure 5: Significant vegetation is to be retained and not removed. The only exception is for unavoidable tree loss as part of the delivery of streets, utilities or stormwater infrastructure by the Development Corporation or a Public Authority.</i></p> <p><i>Note: Development consent is required under the SEPP (Precincts – Regional) 2021 for clearing of native vegetation on land identified as within an environmentally sensitive area on the SEPP (Precincts – Regional) 2021 Parkes Activation Precinct Environmentally Sensitive Areas Map.</i></p> <p><i>A report will be required from a suitably qualified person that identifies any potential adverse impact of the proposed development on any of the following:</i></p> <ol style="list-style-type: none"> native vegetation community; the habitat of any threatened species, population or ecological community; a regionally, state or nationally significant species of plant, animal or habitat; a habitat corridor; a wetland; 	<p>U11.1 Avoidable removal of areas of high ecological value or Tier 1 and Tier 2 trees, particularly within private development sites.</p> <p>U11.2 Development sites that do not integrate existing vegetation into landscaped spaces or site design.</p>		



		<div>f. the biodiversity values within a reserve, including a road reserve or a stock route; and</div> <div>g. a description of any proposed measures to be undertaken to ameliorate any such potential adverse impact.</div>			
<div>Note: Biodiversity Offsets Scheme under the Biodiversity Conservation Act 2016 applies to:</div> <div><div><div>local development (assessed under Part 4 of the Environmental Planning and Assessment Act 1979) that triggers the BOS threshold or is likely to significantly affect threatened species based on the test of significance in Section 7.3 of the Biodiversity Conservation Act 2016;</div><div>state significant development and state significant infrastructure projects, unless the Secretary of the Department of Planning, Industry and Environment and the environment agency head determine that the project is not likely to have a significant impact;</div><div>biodiversity certification proposals;</div><div>clearing of native vegetation in urban areas and areas zoned for environmental conservation that exceeds the BOS threshold and does not require development consent; and</div><div>clearing of native vegetation that requires approval by the Native Vegetation Panel under the Local Land Services Act 2013.</div></div></div>					

Flooding, stormwater and groundwater

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
Flood Risk Management					
PC13 Development is compatible with the flood function and the flood hazard of the land.	A13.1 Development (except for infrastructure delivered by the corporation) within the Flood Planning Area: <div><div>a. ensures buildings are not located within FPCC 1 or 2; designated on Section 6.6;</div><div>b. ensures building floor levels and flood sensitive equipment (including electric motors and switches) are located at or above the Flood Planning Level designated Section 6.7;</div><div>c. ensures utilities and services (e.g. electrical and telecommunications services) are adequately flood proofed.</div></div>	<div>B13.1 Development within the flood planning area may be considered appropriate where supported by a flood engineering report that demonstrates how flood risk will be managed and mitigated.</div> <div>B13.2 Development may be considered appropriate where development is unable to meet the minimum levels on the contour map but is supported by a flood engineering report that demonstrates how flood risk will be managed and mitigated.</div> <div>B13.3 Flood proofing of existing buildings may be considered where it can be proven to limit loss of or damage to the operation of the activity.</div>	<div>U13.1 Large scale bulk earthworks to make land below the Flood Planning Level available for development.</div> <div>U13.2 Buildings and other structures located within areas of higher risk.</div>		
	A13.2 Subdivision of land for commercial or industrial purposes occurs outside FPCC 1 and 2 designated in Section 6.6.	B13.4 Subdivision that includes areas within FPCC 1 or 2 may be supported where the resultant lots have a building envelope of at least 30 per cent outside of the FPCC1 or 2 area and are to be registered on title or similar. These areas should still be excluded from future commercial or industrial development in the event lot layout or building design cannot address the flood risk.	U13.3 Subdivision enabling the future use of land within FPCC 1 or 2 for purposes such as commercial or industrial uses where it cannot demonstrate that the flood risk has been mitigated.		
PC14 Development will not: <div>a. adversely affect flood behaviour resulting in detrimental</div>	A14.1 Filling: <div>a. is not undertaken in FPCC 1 or 2 designated in Section 6.6; and</div>	B14.1 Where alterations to flow behaviour are unavoidable or required to avoid other impacts such as discharge of	U14.1 Large scale bulk earthworks to make land below the Flood Planning Level available for development.		

	<p>increases in the flood affectation on other properties, including cumulative impacts</p> <p>b. significantly alter flow distributions and velocities to the detriment of other properties or the environment of the floodplain</p> <p>c. adversely affect the environment or cause erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.</p>	<p>b. if undertaken in the balance of the Flood Planning Area as detailed in Section 6.8, demonstrates no adverse changes to flood behaviour, flow distributions, or environmental impacts; and</p> <p>c. only uses clean fill.</p> <p>A14.2 Activities, site layout, or infrastructure design should not increase erosion, instability, siltation or destruction of riparian vegetation are avoided on or off site.</p> <p>A14.3 The use of structural controls (including fences) that physically alter the flow behaviour is minimised.</p> <p>A14.4 Filling or earthworks undertaken by the corporation is permitted in all flood planning constraint categories where the work involves the provision of enabling infrastructure and the resulting flood planning impacts have been considered in the relevant design.</p>	<p>hazard materials, these are carefully designed through a flood engineering report (including site specific flood study and mitigation assessment).</p>	<p>U14.2 The use of large-scale mitigation infrastructure on private land that substantially alters the natural flow of floodwaters across the precinct.</p>	
PC15	<p>Development will not adversely affect the safe and efficient evacuation from the land or impact the capacity of existing evacuation routes for the surrounding area.</p>	<p>A15.1 Subdivision or development layout within a site does not result in isolation or create evacuation challenges for users.</p> <p><i>Note: The Issuing Authority may require a site-based flood emergency response plan.</i></p>	<p>Not applicable.</p>	<p>U15.1 Development that creates risks for the community or individuals, or increases burden on emergency management services prior to, during, or following a flood event.</p> <p>U15.2 The following sensitive, vulnerable or critical uses within the Flood Planning Area:</p> <ul style="list-style-type: none"> a. community facilities b. early education and care facilities c. educational establishments d. emergency services facilities e. group homes f. boarding houses g. hostels h. hospitals i. research stations (flood vulnerable activities only) j. seniors housing. 	
PC16	<p>Development incorporates appropriate measures to manage risk to life from flood.</p>	<p>A16.1 Where necessary, flood depth and evacuation pathway signage is provided where flood depth exceeds 500mm within the flood planning area using the flood planning levels from Section 6.7.</p>	<p>Not applicable.</p>	<p>U16.1 Development that creates risks for the community or individuals, or increases burden on emergency management services prior to, during, or following a flood event.</p>	
PC17	<p>Development does not result in unsustainable social and economic costs to the community as a consequence of flooding.</p>	<p>A17.1 High value commercial or industrial activities or materials are not located on land within FPCC 1 or 2 designated in Section 6.6.</p>	<p>B17.1 Where it can be demonstrated that building above the Flood Planning Level is sufficient to mitigate risk to high value buildings or operations, this can be considered.</p> <p><i>Note: Development may be considered appropriate where development is unable</i></p>	<p>U17.1 Buildings (and the operations within them) or supporting structures with a high capital value of machinery or materials being at risk of damage from flooding.</p> <p>U17.2 Higher risk areas should be reserved for low value activities such as vehicle parking and landscaping.</p>	



		<i>to meet the minimum levels on the contour map but is supported by a flood engineering report that demonstrates how flood risk will be mitigated.</i>			
PC18 Development will not increase the potential for hazardous material to pollute the environment during flood events. <i>Note: Hazardous material is any item or agent (biological, chemical, radiological, and/or physical) that has the potential to cause harm to humans, animals, or the environment, either by itself or through interaction with other factors.</i>	A18.1 Hazardous materials are: a. not stored on land within FPCC 1 or 2 designated in Section 6.6; and b. located above the Flood Planning Level in Section 6.7; and c. stored or contained in a way that is designed to avoid release of the materials during floods.	Not applicable.	U18.1 Release of hazardous materials during flooding events (including rarer flood events than the Defined Flood Event). This includes pollutants such as onsite effluent or tailings treatment or chemical storage.		
Erosion and sediment control					
PC26 Protect waterways, drainage systems and groundwater quality, flows and drainage patterns during demolition, construction and ongoing operation phases of development.	A26.1 An Erosion and Sediment Control Plan must be prepared by a suitably qualified person in accordance with Managing Urban Stormwater: Soils and Construction prepared by Landcom (Blue Book) prior to applying for a Complying Development Certificate.	Not applicable.	U26.1 Land disturbing activities results in negative impacts to soil, landform and receiving waters.		

Utilities

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC53 Infrastructure is planned, designed and implemented in advance of need.	A53.1 Development and subdivision makes provision for, and sets land aside for key infrastructure, including: a. stormwater and natural treatment areas/basins; b. precinct waste water treatment plant; c. expanded sewer network; d. grid electricity connections; e. inset electricity network; f. natural gas network, including hydrogen reticulation capability; and g. recycled water network. <i>Note: The relevant utilities' suppliers should be consulted at the earliest possible time.</i> <i>Note: Council should be consulted on connections to utility services including for water, sewerage, drainage and approval under section 68 of the Local Government Act 1993. The process for seeking approval from the Council should commence at the earliest possible time and should run in</i>	B53.1 Alternative locations are identified and preferred for key utility infrastructure as a result further investigations and feasibility assessment. B53.2 If it can be demonstrated that advances in technology and increases in efficiencies warrant identified infrastructure unnecessary.	U53.1 Infrastructure provision delaying or preventing the growth of the precinct, or investment within certain areas of the precinct. U53.2 Easements and space for infrastructure not accommodated within subdivision road network or easements.		



	parallel with the Activation Precinct Certification process where possible.				
PC54 Development in advance of infrastructure provision.	A54.1 Development sequencing and staging is consistent with the infrastructure provision and capacity for the precinct.	B54.1 Development can occur in advance of infrastructure provision being in place, provided it can demonstrate: a. temporary supply of relevant utility source and the management of environmental impacts in accordance with EPA requirements; and b. capacity and loads for all utilities and services is known for future connection to infrastructure; and c. the development is a catalyst that cannot be accommodated within existing land areas currently able to be serviced by existing infrastructure.	U54.1 Development that compromises the planned and orderly delivery of infrastructure throughout the precinct, either due to location, sequencing, or demand generation.		
PC55 Development makes efficient use of infrastructure.	A55.1 Development and subdivision staging is aligned to infrastructure use and capacities. A55.2 Development maximises efficiency and reduces loads on infrastructure through: a. renewable energy generation; and b. use of recycled water, and wastewater, either onsite, or within a private network with other businesses within the precinct.	Not applicable.	U55.1 Development occurring in advance of infrastructure capacity, warranting upgrades or expansion ahead of planned timing.		
PC57 Development makes efficient use of infrastructure.	A57.1 Development and subdivision staging aligned to infrastructure use and capacities. A57.2 Development maximises efficiency and reduces loads on infrastructure through: a. renewable energy generation; and b. use of recycled water, and wastewater, either onsite, or within a private network with other businesses within the precinct.	Not applicable.	U57.1 Development occurring in advance of infrastructure capacity, warranting upgrades or expansion ahead of planned timing.		

5.6 Place and landscape

Cultural heritage

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC58 Aboriginal culturally significant places, sites and objects are protected.	A58.1 Development avoids impacts to Aboriginal cultural heritage and is undertaken in accordance with the	B58.1 Where development cannot avoid impacts to Aboriginal cultural heritage, development undertakes	U58.1 Aboriginal culturally significant places and sites are harmed, except		



	<p>precinct's Aboriginal Cultural Heritage Management Plan.</p> <p><i>Note: Access to the precinct's Aboriginal Cultural Heritage Management Plan can be obtained from the corporation's spatial web portal.</i></p> <p>A58.2 Development retains in place and integrates scarred trees, stone quarry, identified artefact sites and other indigenous cultural places of importance within landscaped and public areas of sites so that they are publicly accessible.</p> <p>A58.3 Subdivision layouts provide for indigenous places and artefacts of importance to be maintained in place within public open space or road reserves so they can be appreciated by all.</p> <p>A58.4 An indigenous memorial garden using Wiradjuri planning principles is established within a prominent location adjacent to the principal precinct gateway at Brolgan Road.</p> <p>A58.5 Development incorporates indigenous art, murals and interpretive signage within elements such as:</p> <ul style="list-style-type: none">a. car parks;b. landscaped frontages and edges;c. on large uninterrupted walls and bridge structures visible from public areas;d. key entrances, information points and community and visitor focal points.	<p>an Aboriginal cultural heritage assessment.</p> <p><i>Note: Part 6 of the National Parks and Wildlife Act 1974 (NPW Act) provides specific protection for Aboriginal objects and declared Aboriginal places by establishing offences of harm. Harm is defined to mean destroying, defacing or damaging an Aboriginal object or declared Aboriginal place, or moving an object from the land. Anyone proposing to carry out an activity that may harm an Aboriginal object or a declared Aboriginal place must investigate, assess and report on the harm that may be caused by the activity they propose. The Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW provides guidance on the process to follow when investigating and assessing whether Aboriginal cultural heritage values and objects are present and the harm a proposed activity may cause to them. It also includes the requirements for an Aboriginal cultural heritage assessment report.</i></p> <p><i>Where necessary an Aboriginal Heritage Impact Permit will be required after development consent is granted. The application for an Aboriginal Heritage Impact Permit may be commenced before development consent is granted.</i></p>	<p>where an Aboriginal Heritage Impact Permit has been issued.</p>		
<p>PC59 Protect the memory of the precinct's topography, particularly small hills.</p>	<p>A59.1 Development and subdivision layouts retain small hills in place and:</p> <ul style="list-style-type: none">a. leave these spaces in either public open space or publicly accessible areas of sites that enable appreciation and interpretation by all; orb. any site cutting and filling is located well away from identified small hills of cultural significance; andc. maintain the land topography with minimal cutting and filling of land (less than one metre).	<p>B59.1 Cutting and filling is limited within development sites and subdivision designs (including new roads).</p> <p>B59.2 Extent of cutting and filling is limited to building areas only where this can be achieved for the operation of sites.</p>	<p>U59.1 Development that does not respond to natural topography and proposes extensive cutting and filling across a site.</p>		
<p>PC60 Retain the prominence of, and views to and from, the rocky outcrops in the northern part of the precinct.</p>	<p>A60.1 Development adjacent to the rocky outcrops is designed and sited to:</p> <ul style="list-style-type: none">a. have buildings set back at least 50 metres from this interface; or	<p>B60.1 Development that can demonstrate consistency with intent of criteria, specifically relating to:</p> <ul style="list-style-type: none">a. maintaining visibility beyond the site of the development to the horizon when viewed from the	<p>U60.1 Development that impinges on views to and from the rocky outcrops.</p>		



	<div>b. have lower scale buildings no taller than seven metres in height; or</div> <div>c. locate buildings to maintain key vistas from the rocky outcrops; and</div> <div>d. have buildings cut into sites instead of filled; and</div> <div>e. includes a landscaped edge comprising trees to boundaries of sites at the interface of at least five metres in depth.</div>	<div>rocky outcrops without any buildings or structures on the site skylining above the horizon; and</div> <div>b. maintaining visibility to the rocky outcrops when viewed from public roads and open spaces in proximity to the development site; and</div> <div>c. ensuring that vegetation and landscaping frames the viewscape instead of built form.</div>			
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Site layout and building design

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC61 New development incorporates good precinct design that protects and enhances valued environmental and visual characteristics of the precinct through careful placement of buildings and facilities.	<div>A61.1 Building entries and glazing face street frontages.</div> <div>A61.2 Site access points are located directly adjacent to the principal building entries, with a direct path connection from parking areas to the building entry.</div> <div>A61.3 Awnings and verandahs are provided at building entries and along common walking paths adjacent buildings.</div> <div>A61.4 Site layouts provide clear lines of sight for entries, public paths and parking areas, and avoid areas of entrapment.</div> <div>A61.5 Product storage areas and other servicing locations are positioned on the site away from views from public roads and open spaces, or screened from view by screening structures and/or landscaping.</div>	<div>B61.1 Development that does not achieve quantitative criteria set out within the design guidelines for any specific design issue, however, is considered to be consistent with the intent of the design principles and objectives sought.</div> <div>B61.2 Building footprints and site coverage larger than those envisaged within the design guidelines, provided it can be demonstrated that:<div>a. the use and activity accommodated within the building is unique and can only be achieved in a building of that scale; or</div><div>b. design techniques are used that reduce the overall massing and scale of the building when viewed from surrounding sites and public spaces; and</div><div>c. the development continues to achieve high quality urban design outcomes.</div></div>	<div>U61.1 Development that:<div>a. is not legible across sites or subdivision layouts, particularly in relation to key entries and arrival points; or</div><div>b. results in uncomfortable environments for pedestrians either through scale, lack of weather protection or safety; or</div><div>c. lacks balance between built form, open spaces and landscaping;</div><div>d. results in highly visible and visually detracting servicing and loading areas; or</div><div>e. turns its back to public road frontages and key vistas.</div></div>		
PC64 Vehicular access is compatible with the surrounding road network.	<div>A64.1 Vehicular access to the land is provided by a road other than a classified road.</div> <div><i>Note: The Roads Authority should be consulted on access and egress requirements and approval under section 138 of the Roads Act 1993. The process for seeking approval from the Roads Authority should commence at the earliest possible time and run in parallel with the Activation Precinct Certification Process.</i></div>	<div>B64.1 Vehicular access is designed to ensure that new development does not compromise the effective and ongoing operation and function of any adjoining classified roads.</div> <div><i>Note: Where access is proposed from a classified road it is recommended that in principal support for the development be obtain from TfNSW prior to the lodgement of an Activation Precinct Certificate Application. Issue of an Activation Precinct Certificate does not guarantee approval under section 138 of the Roads Act 1993 for any proposed vehicular access to a classified road.</i></div>	<div>U64.1 Vehicular access designed such that the safety, efficiency and ongoing operation of the classified road is adversely affected.</div>		



PC66	Fencing delineates public and private spaces, maintains security and contributes to an attractive streetscape character.	A66.1 Fencing is provided to the perimeter of allotments. A66.2 Fencing fronting primary and secondary road frontages is open in nature and comprising: a. a maximum 1.8 metre height above natural ground level; and b. hardwood timber and post rail or post and wire construction. A66.3 Fencing between the building line and street frontages promotes passive surveillance through height or open structure and materials. A66.4 Fencing is consistent with the design guidelines.	B66.1 Fencing fronting public roads is of solid materials (brick, stone or render), provided: a. it is no taller than 1.2 metres in height; and b. it is articulated at 20 metre intervals to break up its length and add visual interest; or c. it utilises a variety of solid material finishes alternating along its length; and d. it matches the materials and finishes of the principal building on the allotment. B66.2 Fencing is not provided forward of the building line, provided landscaping of a minimum width of three metres is provided in its place to delineate public and private boundaries. B66.3 Fencing that is consistent with the objectives and design principles set out within the design guidelines.	U66.1 Solid fencing to street frontages that prevents views to sites, particularly parking areas, building entrances and public spaces. U66.2 Fencing that contributes negatively to an otherwise attractive and welcoming appearance of sites through materials, colours, height or design. U66.3 Fencing between the building line and street frontages does not contain barbed wire.		
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5.7 General requirements

Environmental Management Plan

Performance criteria	Acceptable solutions How to achieve it	Alternative solutions What could be negotiated	Unacceptable solutions What we don't want to see	Proposal	Compliance (Yes/ No/ N/A)
PC68 Development ensures that appropriate environmental management practices are followed during its construction and/or operation.	A68.1 Where the Issuing Authority requires, a site-based environmental management plan must be prepared by a suitably qualified person in consultation with relevant government agencies. The environmental management plan should identify the environmental impacts, and management activities and controls related to managing and minimising environmental issues, including how the environmental management activities and controls will be monitored and reviewed. Environmental issues may include: a. flora and fauna; b. rehabilitation c. noise emissions; d. air quality and odour emissions; e. energy efficiency and energy consumption; f. water consumption; g. stormwater management; h. erosion and sedimentation; i. flood emergency response plan;	Not applicable.	U68.1 A development's actual environmental impacts are not consistent with those evaluated as part of the Activation Precinct certificate.		



	<div> j. traffic, parking and access; k. waste management; l. aboriginal cultural heritage; m. historic heritage; n. site security; o. emergency disposal and biosecurity protocol; and p. any other matters as may be required by the master plan or delivery plan. </div> <div> <p><i>Note: The requirements for the site-based environmental management plan will vary depending on the nature and scale of the proposed development.</i></p> <p><i>Where necessary the environmental management plan may be required to be provided to the corporation before an application for a complying development certificate is submitted. Where a development requires a development application, the environmental management plan will become a condition of consent.</i></p> <p>A68.2 Commit to providing the development corporation an annual statement setting out how the site-based environmental management plan provisions have been addressed and complied with.</p> </div>				
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Parkes Special Activation Precinct

Activation Precinct Certificate – Statement of
Consistency