

Dated: Feb 2025

STATEMENT OF ENVIRONMENTAL EFFECTS



PROPOSED DEVELOPMENT AND SUBJECT LOCATION:

**Industrial Development
295 Cormorant Road, Kooragang
Lot 1 DP1195449**

LOCAL COUNCIL AREA:

**This statement has been prepared in accordance with The State
Environmental Planning Policy (Transport and Infrastructure 2021) and
Newcastle City Council Guidelines**

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1. INTRODUCTION

This Statement of Environmental Effects relates to the proposed industrial development at 295 Cormorant Road, Kooragang. This Statement of Environmental Effects has been prepared to demonstrate environmental, social and economic matters associated with the proposal outlined below. This statement examines how the proposal fits the location and the planning merits of the development in accordance with the relevant State and Local Planning Policies. This statement provides the supporting documentation for the development application to seek consent for the development.

The objectives of this statement are the following:

- To provide a description of the subject site and the surrounding locality
- To provide a description of the proposed development
- To provide discussion of the relevant environmental planning instruments
- To provide an assessment of the potential environmental and social impacts

The application is submitted to the NSW Department of Planning and Environment pursuant to Chapter 5 of State Environmental Planning Policy (Transport and Infrastructure) 2021 as local development, as described under Part 4 of the Environmental Planning and Assessment Act 1979. This report is based on the findings and recommendations from various specialist consultant's reports and plans prepared in response to site conditions and history, the proposed development, relevant policy requirements, and consultation with relevant government agencies including the NSW Department of Planning and Environment (DPE) and Transport for New South Wales (TfNSW).

This submission provides a summary and assessment of the project in the context of the statutory policy framework relevant to the site and proposed use, including assessment against the relevant heads of consideration contained within Section 4.15 of the *Environmental Planning and Assessment Act, 1979*.

In addition, this submission addresses measures incorporated into the project during both the construction and operational phases aimed at mitigating impacts generated by the proposed



development. This report concludes that the project is acceptable, within the public's interest and that the support and approval of the NSW DPE is encouraged.

This application is supported by the below plans and reports;

- Architectural Plans – Brown Commercial Building
- Civil Plans Eclipse - Consulting Engineering Pty Ltd
- Landscape Plan – Garden Creations
- Traffic Report - Seca Solution Pty Ltd
- Prelim Site Investigation – SANKO
- Waste Management Plan – Brown Commercial Building
- Statement of Environmental Effects – Brown Commercial Building
- Survey - de Witt Consulting Pty Ltd
- SEPP Assessment- HAZKEM
- HIPAP 10 Assessment- Riskon





2.0 SITE DETAILS

The site is located at 295 Cormorant Road, Kooragang, Part Lot 1 DP1195449 on Kooragang Island. Kooragang Island accommodates a number of heavy industries, general industries, bulk stores, port related uses and associated infrastructure. Cormorant Road provides a dual carriageway along the frontage of the site and acts as the primary conduit between Newcastle and Stockton.

The site of the proposed facility forms part of a larger lot which has been developed with a Service Station, Fast Food Premise, Elgas Facility and Car Wash. The total area of Lot 1 is approximately 2.1ha. The site will connect into existing previously approved services. It is not expected that any further augmentation of reticulated services is required to accommodate the development.

The site is located on Kooragang Island on the northern side of Cormorant Road and is bounded by Egret Street to the east and Cormorant Road to the south. The site is affected by an easement for sewer main along the Cormorant Road frontage and an easement for electricity and other purposes along the Cormorant Road and Egret Street frontages.

Kooragang Island accommodates a number of heavy industries, general industries, bulk stores, port related uses and associated infrastructure. Coal loading infrastructure and stockpile areas dominate the landscape either side of Cormorant Road, along with the Orica Ammonium Nitrate facility situated at the eastern end of the precinct. To the north of the site is a cement and materials recycling facility (Boral) which is accessed via a private road found adjacent to the western boundary of the site.

History

The site is utilized by a Shell Service Station inclusive of a truck canopy, KFC Restaurant, car wash and additional food tenancy. The proposed developable portion of the site has remained vacant for many years, with an application for storage units not being accepted by State Planning Authorities. The site was purchased by the current owner for lease off the Port Area.

Justification

It is simplistic, providing adequate space for independent businesses to utilise each unit, whilst not provided a non-intensive use, regarding traffic generation. The development will be ancillary to that of the Port use, allowing businesses such as tradesman/cleaners etc to store equipment whilst working in the area.



Alternatives explored

There has previously been a DA submitted to State Planning for storage units on this site. This was withdrawn due to numerous issues. The design presented for this DA has been chosen for numerous reasons.

In an ideal situation the development would gain access from the private road, allowing for ingress and egress without having to go through the existing food and fuel site. Consent was not granted for this access; hence the utilization of the existing access has had to become part of the design. Additionally, an appropriate setback has been given from the front of the site, allowing for queuing upon entry of the lot.

Staging

The development will not be staged. All units will be built at the same time.

Integration with rest of the site

The site has a Shell service station, bakery, KFC and car wash on the site that will be minimally impacted as a result of this application.

The shared access from Cormorant Road will need to be utilized to enter the site. Given the traffic generation of the intended use, this will be a very minimal amount of traffic for the site, and as such will not cause any safety concerns.

Egress will be out via Egret Street, as noted on the architectural plans provided.

Stakeholders

The Port of Newcastle

The Port of Newcastle has provided owners consent in order to lodge this application, demonstrating their support of this application.

Contributions

Any required contributions can be paid to facilitate the construction of this development.

Transport for New South Wales And Newcastle Council

TfNSW and Newcastle Council was reached out to regarding this application, they do not wish to comment until it is referred to them as a part of this application.



Elgas and Service Station

The Department of Planning, Housing and Infrastructure have requested consultation with Elgas and the Service Station operator regarding the continual compliance with AS1596 and AS1940. Ongoing operations of the surrounding facilities are the responsibility of the owners/operators of this facility. However, both parties from the Service Station and Elgas have noted that there is no impact on their ability to comply with these standards, given there is no hazardous materials being stored within the units. Additionally, the egress from the units, consumes significant lease area from the service station. As these sites are under the same lot number and lease, this has been negotiated internally, and based on the number of car trips produced due to the units will not impede on the loading of fuel trucks.



Figure 1: Site location

3.0 PROPOSED DEVELOPMENT

This Development Application seeks approval for earthworks and the use and construction of Self- Storage Units with associated signage, landscaping and car parking. Full details are provided below.

The proposed Self- Storage Units will provide space to support the needs of surrounding core businesses who provide services and specialized equipment to the Port of Newcastle. The proximity of the site will allow convenient and timely access to the site. The units and associated car parking, landscaping and access point will form part of the existing service centre. The proposal also includes business identification signs. The proposed development represents a multi-million-dollar investment which will support the ongoing operation of the Port of Newcastle.

Use- Self- Storage Units best suits the use definition for these units, as they will not be solely used for the purposes of storage. Currently they are not tenanted and will be up for lease at the time of completion.

1.1 Earthworks

Bulk Earthworks are detailed in the Civil Plans, with a balance of 116.109m³ of fill being provided as a part of the proposed earthworks.

1.2 Buildings

- 18 Self- Storage Units ranging from 77m²- 136m².
- Each unit will have an accessible toilet and kitchenette.
- A 4.8m Roller door on each unit, lends itself to the industrial nature of the site.

The industrial buildings are of a contemporary design with colours reflecting the surrounds.



Figure 2: Proposed Industrial buildings

1.3 Parking and access

15 Car park have been provided, inclusive of 1 accessible car parks for each building. Parking spaces are typically 2.6m wide by 5.5m long. Access to the site is off Cormorant Road with swept paths provided in the Architectural plans to demonstrate the largest vehicle required on site (8.8m medium ridged). The swept paths demonstrate that the vehicle can enter site and leave in a forward-facing direction.

1.4 Signage

A non-illuminated signage panel 4.8m x 950mm is proposed for each unit, as well as the number panels for each unit as demonstrated on the architectural plans provided.

1.5 Waste

Waste will be stored in the refuse area of the building, adjacent to the roller doors for ease of collection. A private contractor will collect waste on an as needs basis. Further details on waste management, including estimated quantities are provided in the Waste Management Plan (WMP).

1.6 Landscaping and vegetation removal.

The planting palette is based on the character of the area and the durability of the species selected, as per the below. No Vegetation is proposed to be removed.

PLANT SCHEDULE					
TREES, SHRUBS, GRASSES & GROUNDCOVERS			Pot Size	Mature Size	
ID	Botanical Name	Common Name	Qty	mm/ltr	W x H mtrs
ACS	Acmena smithii 'Cherry Surprise'	Red tipped lilly pilly	33	200mm	2 x 2.5m
CGBF	Callistemon 'Great Balls of Fire'	Red bottlebrush	26	150mm	1.5x1.5m
CLJ	Callistemon 'Little John'	Dwarf red bottlebrush	12	200mm	1.5x1.5m
CA	Cupaniopsis anacardioides	Tuckeroo	5	25ltr	8 x 8m
DCTV	Dianella caerulea cultivar	Cultivar flax lillies	99	150mm	.7 x .7m
LT	Lomandra longifolia 'Tanika'	Dwarf mat rush	69	150mm	.7x.7m
ALL HEIGHTS ARE AVERAGE DEPENDENT ON SOIL, CLIMATE, MAINTENANCE, ETC.					

Refer to the Landscaping Plan for full planting specification and soil preparation notes.

1.7 Stormwater Management

The development proposes inclusion of Water Sensitive Urban Design (WSUD) measures to reduce the pollutant load within the stormwater runoff discharged from the site. A Below Ground Detention Tank has been provided at the southern end of the site. Please refer to stormwater plans provided for further details. The proposed industrial building will have minimal impact as the site is located in an established industrial/business park.

4.0 ENVIRONMENTAL CONSIDERATIONS

Authorities

The proposed development is integrated development pursuant to Division 4.8 of the Environmental Planning and Assessment Act, 1979 because access is required to a classified road.

Natural Environment

The site of the proposed development is an existing developed industrial area. There are no items of environmental significance that will be affected by the proposed development.

Built Environment

The proposed development comprises of contemporary buildings and associated car parking, landscaping and signage within an established industrial area. Appropriate design elements and landscaping have been incorporated to ensure the development integrates with the existing character of the locality. The proposed building will not have an adverse impact on the built environment by way of overshadowing, overlooking or adverse visual impacts.

Social and Economic Impacts

The proposed development will have a positive economic and social impact in that it will create employment during construction and ongoing operation.

Topography

Minor filling works will be required to achieve suitable levels to facilitate drainage in association with the constructed service centre, ultimately to infrastructure within the Cormorant Road reserve.

Flora and Fauna

The subject site is substantially cleared of all vegetation accepting minor regrowth. The site is not situated within, or in close proximity to any identified 'green corridors' or key habitat localities or associated buffers therefore development is unlikely to have any adverse impact on any ecological community. The site is not part of a wildlife corridor, nor does it provide any significant linkages with vegetation in the region. A Landscaping Plan has been submitted with the application.

Easements

The site is affected by an easement for sewer which runs adjacent to Cormorant Road and an easement for electricity and other purposes along both the Cormorant and Egret Street frontages.

Waste

The proposal will not produce offensive or toxic waste. Operational waste will be minimal due to the nature of the proposed land use. A Waste Management and Minimisation Plan has been submitted with the application.

Noise / Vibration

The proposed industrial premise will not produce offensive noise and/or vibration. Any noise produced will be compliant with the Noise Policy for Industry.

Air Quality

The proposed industrial premise will have no impact on existing air quality and will not produce air-pollution in accordance with the National Clean Air Agreement.

Flooding

No part of the subject site is affected by a floodway or flood storage area.

Contamination

While there is no evidence of the site being the subject of practices which may have resulted in contamination of soil or groundwater, a baseline environmental assessment has been undertaken by RCA Australia and submitted with this application. The report concludes that the site is considered suitable for the proposed use of a service station and convenience store. Given that the proposed Industrial units is classified as an equivalent land use (industrial and commercial) the conclusions made by RCA can also extend to any commercial or industrial development proposed on the site.

Bushfire

The subject site is not located within a bushfire prone area as defined by the Rural Fire Service.



Mine Subsidence

The subject site is not located within a proclaimed Mine Subsidence District.

Heritage

The subject site is not located within a Heritage Conservation Area and does not contain any Heritage Items.

Traffic

The nature of the proposed land use would produce traffic trips intermittently. The proposed 15 car parking spaces are felt to be sufficient to accommodate the needs of the development. Furthermore, the building has been designed to allow for a vehicle to access the space for loading and unloading directly in front of the associated unit. Clear sight lines and level access to all units is achieved in the proposed location. The scale of the car parking area is such that it does not dominate the street scape or the amenity of the locality. The parking area has been designed to ensure it can achieve compliance with the relevant provisions of AS2890. A Traffic Report has been prepared by Seca Solution Pty Ltd and submitted with the application.

Acid Sulfate Soils

The subject site is classified as 'Class 5' under the Acid Sulfate Soils Map. The proposal will involve minor excavation for footings and an acid sulfate soils management plan is not required.

Earthworks

The proposal involves minor earthworks for footings and slabs and will not have a detrimental impact on environmental functions and processes, neighbouring uses or features of the surrounding land.

Access

The proposed development seeks to utilise the access arrangements, which formed part of the existing service station, food premise and car wash approved by the NSW DPE with the concurrence of the Transport for New South Wales (TfNSW)



5.0 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Part 4 Development

4.15 Evaluation

(1) Matters for consideration — general

In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

(a) the provisions of:

(i) any environmental planning instrument, and

(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

(iii) any development control plan, and

(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),

(v) (Repealed)

that apply to the land to which the development application relates,

The proposed development comprises a permissible form of development and has been designed to comply with the provisions of the relevant environmental planning instruments, as well as the provisions of Council Development Control Plans / policies.

(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,

This submission and supporting documentation provides a clear and comprehensive justification for the project as required under Part 4 of the *Environmental Planning & Assessment Act, 1979*. It is clearly demonstrated that the proposed industrial units can be constructed and operate with minimal impact to the environment on the subject site.

(c) the suitability of the site for the development,

The proposed development has been formulated having full and proper regard to existing development controls and to the environmental qualities of the site and its surroundings.

(d) any submissions made in accordance with this Act or the regulations,

The required plans have been submitted with the application.

(e) the public interest.

Overall, the development will contribute to the progress of local business. It is considered that there is no singular consideration or suite of matters which warrant the refusal of this project. On this basis conditional approval of this application is thought to be in the public's interest and thus DPE is encouraged to support this project and provide a favorable determination.



6.0 Resilience and Hazards 2021

State Environmental Planning Policy Resilience and Hazards 2021 offers a state-wide approach to the remediation of contaminated land including matters to be considered at the assessment / determination stage of a development application. Specifically, Chapter 4 requires that the consent authority consider whether the land is contaminated and if so whether the land is suitable in its current state to accommodate the proposed development, or whether remediation is required to render the site suitable for the type of development proposed. A Detailed Site Investigation has been provided by SANKO.

Additionally a Risk Screening document has been provided by Hazkem, that details the concerns of the LPG property to the rear, and additionally the service station within the lot regarding Chapter 3 of the Resilience and Hazards SEPP.

It notes the following,

It has been determined via assessment of this proposal and the adjoining properties under the NSW State Environmental Planning Policy (Resilience and Hazards) and the NSW "Applying SEPP 33" Guideline Document that the subject site is deemed "not potentially hazardous". All setback distances from the adjoining sites as required under Applying SEPP 33 and AS 1596 are achieved and therefore not imposing a significant level of risk to the subject site. As a result of this finding, there is no requirement for a Preliminary Hazard Analysis to be undertaken based on the site being assessed as not potentially hazardous.

The development itself does not include any dangerous goods and therefore is not potentially hazardous.

A HIPAP 10 Assessment has been undertaken and accompanies this application. The results noting that the proposal is an appropriate land use.

In response to Joanna Bakopanos Letter dated 29th August 2024 ,

Any additional food outlets would require a first use DA and do not form a part of this application.

7.0 State Environmental Planning Policy Transport and Infrastructure 2021

The site is located in the lease area SP1 Special Activities Zone pursuant to *State Environmental Planning Policy Transport and Infrastructure 2021* Pursuant to Chapter 5 of the SEPP, the consent authority of the proposed development is the Minister for Planning and Environment. The proposed development is most appropriately characterized as units for Self-Storage usage, a use which is not listed as being prohibited in the zone.

Part 5.1 Preliminary

The proposal is consistent with the objective of the Policy and has been assessed in accordance with the definition set out under the Policy.

Part 5.2 Permitted or prohibited development

5.10 Land use zones – 13 Zoning of land to which Policy applies

The subject site is zoned 'SP1 Special Activities' under SEPP Transport and Infrastructure 2021. The proposed development for Self- Storage Units is permissible within the zone with consent.

5.10-5.11 Zone objectives and Land Use Tables

Zone SP1 Special Activities

1 Objectives of zone	
• To provide for special land uses that are not provided for in other zones.	The proposed development will support the needs of service industries whose day-to-day operations are related to servicing or supplying Port operations and will thus support the Port as a 'special land use'.
• To provide for sites with special natural characteristics that are not provided for in other zones.	The special natural characteristics of the SP1 Zone concerns the proximity of the land to deep water river frontage which is navigable for bulk carrier, cargo ships and other commercial vessels. Given the scale of the development, the size of the site on which it is situated and that it is not waterfront land, the proposed development will not compromise the special natural characteristics of the zone.

<ul style="list-style-type: none"> • To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land. 	<p>The scale of the proposed development and industrial nature of development undertaken on surrounding land indicates that the development will not have any adverse impact on the surrounding land or the Port.</p>
<ul style="list-style-type: none"> • To maximise the use of waterfront areas to accommodate port facilities and industrial, maritime industrial, freight and bulk storage premise that benefit from being located close to port facilities. 	<p>The subject site is not waterfront land and is not directly connected to waterfront land therefore the proposed development will not compromise the ability of other industries to establish on such land.</p>
<ul style="list-style-type: none"> • To enable the efficient movement and operation of commercial shipping and to provide for the efficient handling and distribution of freight from port areas through the provision of transport infrastructure. 	<p>The proposed development will not hinder the movement of commercial shipping or transport infrastructure associated with freight handling and distribution. The proposed development is directly aimed at providing space for service industries which may assist in the efficient operation of the Port.</p>
<ul style="list-style-type: none"> • To provide for port related facilities and development that support the operations of Port Botany, Port Kembla and the Port of Newcastle. 	<p>The proposed development seeks to provide a space which will enable the provision of space to industries involved in supporting the operations of the Port of Newcastle in close proximity to the Port.</p>
<ul style="list-style-type: none"> • To facilitate development that by its nature or scale requires separation from residential areas and other sensitive land uses. 	<p>The nature of any industrial land use is such that it is desirable to be located away from residential areas and other sensitive land uses. Furthermore, given the industrial nature of the proposal, it does not represent a development which will by nature result in land use conflict with other developments which require such separation such as a Heavy Industry.</p>

<ul style="list-style-type: none"> • To encourage employment opportunities. 	<p>The proposed development will provide employment on site to facilitate the industrial units and will also support existing employment through provision of space for establish businesses servicing the Port of Newcastle within the location.</p>

5.13 Unzoned land

The subject site is not unzoned land.

5.14 Subdivision—consent requirements

The proposed application does request approval for a subdivision.

5.15 Demolition requires development consent

The proposed application does not require any demolition works.

5.16 Development by public authorities (including Port Operator)

The proposed development is not carried out by or on behalf of a public authority.

5.17 Port Operator to be notified of certain development applications at Port Botany

Noted

5.18 Prohibition on development for the purposes of container depots on certain land in Zone IN1

The subject site is not zoned 'IN1 General Industrial'.

5.19 Business premises and office premises in Zone IN1

The subject site is not zoned 'IN1 General Industrial'.

5.19A Office Premises in IN2.

The subject site is not zoned IN2.

5.19B Food and Drink Premises in Zone SP1

The subject site is not for Food and Drink premises.

5.20 Earthworks

The proposed development requires minimal earthworks for footings and slabs and will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.

5.21 Additional permitted uses

The proposed development is not for an Additional Permitted Use.

5.22 Exceptions to development standards

Noted.

Part 5.3 Exempt and complying development

The proposed application is not for Exempt or Complying development.

Part 5.4 State significant development and State significant infrastructure

The proposed development is State significant development as it is carried out on land within the Lease Area.

Part 5.5 Miscellaneous

A Landscaping Plan has been submitted with the application. The subject site is not located in a Heritage Conservation Area and does not contain any Heritage Items. The proposed development is not carried out by or on behalf of a public authority.

8.0 State Environmental Planning Policy (biodiversity and Conservation) 2021

The proposed development does not require the removal of any declared vegetation to facilitate the works proposed. All trees within proximity to the development area are to be suitably protected during any building works on site.

9.0 NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012

The subject site is located on land to which the SEPP (Three Ports) applies therefore the Newcastle Local Environmental Plan 2012 does not apply to this application.

10.0 NEWCASTLE DEVELOPMENT CONTROL PLAN 2023

Whilst the subject site is located on land to which the SEPP (Three Ports) applies therefore the Development Control Plan 2023 does not apply to this application, the assessment of the DCP controls is beneficial given that the surrounding land is subject to these provisions.

Clause	Control	Compliance
Part B: Site Planning Controls		
B1 Flood Management		
6.0 Floodways	Retain floodways in a condition capable for the conveyance of essential flood flow.	N/A

C-1	No building or structure can be built, and no land can be filled with any materials in areas identified as floodways, except for small changes to ground levels that do not significantly change the flow patterns for: a. roads b. parking c. below ground structures d. landscaping.	
C-2	Where dividing fences across floodways are unavoidable, they are constructed only of open type fencing that does not restrict the flow of flood waters and are resistant to blockage. New development is designed to avoid fences in floodways	
7.0 Flood storage areas	Protect flood storage areas to provide storage of floodwaters to ensure that other areas are not significantly worse off due to development of the site.	N/A
C-1	C-1. Not more than 20% of the area of any development site in a flood storage area is filled. The remaining 80% is generally developed allowing for underfloor storage of floodwater by the use of suspended floor techniques such as pier and beam construction. Where a development is proposing to build over more than 20% of the site area, the portion of the structure being suspended is to have a floor level at the FPL as a minimum. As part of the structure's design, it must allow water to flow freely into and out of the underfloor area and must not be restricted by solid cladding or similar around the perimeter of the structure below the floor level	
C-2	Where it is proposed to fill development sites, the fill does not impede the flow of ordinary drainage from neighbouring properties, including overland flow.	
8.0 Management of risk to property	Manage risks to property up to an acceptable level of risk (the FPL).	N/A
C-1	Floor levels of all occupiable rooms of all buildings are not set lower than the FPL.	
C-2	Garage floor levels are no lower than the 1% AEP Event. However, it is recognised that in some circumstances this may be impractical due to vehicular access constraints. In these cases, garage floor levels are as high as practicable.	
C-3	Basement garages may be acceptable where all potential water entry points are at or above the	

	PMF, excepting that vehicular entry points can be at the FPL. In these cases, explicit points of refuge are accessible from the carpark in accordance with the controls for risk to life set out below.	
C-4	.Electrical fixtures such as power points, light fittings and switches are sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building.	
C-5	Swimming pools are to be located to ensure they are not inundated from minor flooding events. Electrical connections and fixtures around swimming pools are to be sited at the FPL	
C-6	Where parts of the building are proposed below the FPL, they are constructed of water-resistant materials.	
C-7	Areas where cars, vans and trailers are parked, displayed or stored are not located in areas subject to property hazard of P2 or higher. Containers, bins, hoppers and other large floatable objects also are not stored in these areas. Heavy vehicle parking areas are not located in areas subject to property hazard P3 or higher.	
C-8	Timber framed, light steel construction, cavity brickwork and other conventional domestic building materials are generally not suitable forms of construction where the property hazard is P4 or higher. Where property hazard is P4, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.	
C-9	Property hazards of P5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.	
9.0 Management of risk to life	Only permit development or redevelopment where the full potential risk to life from flooding can be managed for all floods up to and including the PMF.	N/A
C-1	Risk to life category L5 Risk to life hazards of L5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Reliable safe escape to high ground is likely not possible and normal building construction would likely suffer structural failure from the force of floodwaters, so that any people seeking refuge in the building would likely perish. Where building is necessary, the structure is certified by a practising structural	

	engineer to withstand the hydraulic loads (including debris) induced by the flood waters.	
C-2	<p>Islands</p> <p>The formation of islands in the floodplain during a flood is a potentially dangerous situation, especially when floods larger than the FPL totally inundate the island for an extended period. Development of such land is considered with great care.</p>	
C-3	<p>On-site refuge</p> <p>On-site refuge is to be provided for all development where the life hazard category is L4 unless the proposed development is less than 40m from the perimeter of the PMF extent and the higher ground is accessible.</p>	
C-4	<p>Standards for on-site refuge</p> <p>Where on-site refuge is required for a development, it should comply with the following minimum standards:</p> <ul style="list-style-type: none"> a. the minimum on-site refuge level is the level of the PMF. On-site refuges are designed to cater for the number of people reasonably expected on the development site and are provided with emergency lighting b. on-site refuges are of a construction type able to withstand the effects of flooding. Design certification by a practising structural engineer that the building is able to withstand the hydraulic loading due to flooding (at the PMF). 	
C-5	Emergency egress procedure for basements A plan is developed detailing emergency egress procedures during a flood, as well as any refuge areas in reasonable proximity of the development. The plan is to be positioned in the basement car park in an easily recognisable location/s. Refer to Figure B1(a).01.	
B2 Bush Fire Protection		
6.0 General Requirements	<ol style="list-style-type: none"> 1. Ensure the protection of life and property from bush fire. 2. Manage the risks associated with bush fire prone land. 3. Enhance community resilience to bush fire attack. 	N/A
C-1	All development on, or subdivision of, land identified as being bush fire prone land must provide a bush fire assessment report, as per the application requirements.	
C-2	Bush fire protection measures, including an APZ and fuel management zones, are placed wholly within the development site– not through the	

	clearing, adjustment or management of vegetation on adjacent land or public land.	
C-3	An APZ is located outside of areas of environmental significance, including: a. a key habitat such as threatened species and populations and threatened ecological communities b. vegetated riparian zones c. other vegetation to be retained or protected due to environmental constraints.	
Additional controls apply to subdivision		
C-4	Fire trails, if required, are not accepted on existing Council owned land.	N/A
C-5	In any instance where the NSW RFS requires an APZ or fire trails to be the subject of an easement, restriction, or covenant registered against the title of existing or future lots pursuant to section 88 of the Conveyancing Act 1919, Council is not to be identified as a Prescribed Body having benefit of such an easement, restriction, or covenant. However, Council shall be noted as a party whose consent is needed to release, vary or modify the easement, restriction, or covenant.	
C-6	Applications for subdivision that are proposed to be constructed in stages should demonstrate how effective bush fire protection measures can be temporarily established, maintained and then released when future stages are completed, and those temporary measures are made redundant. A temporary APZ should not conflict with the environmental protection criteria set out in the controls above.	
Additional Controls apply to Integrated development		
C-7	The bush fire assessment report outlines the proposed development's consistency with the NSW RFS guidelines Planning for Bush Fire Protection (2019) (as amended or replaced) and Australian Standard AS3959:2018 – Construction of buildings in bush-fire prone areas (as amended or replaced), and any other relevant documents that have been adopted by NSW RFS.	N/A
C-8	All Integrated development applications on bush fire prone land will be referred to the RFS Headquarters for appropriate review and determination as to whether a Bush Fire Safety Authority will be authorised.	
B3 Mine Subsidence		
6.0 General Requirements	Minimise the risk of potential mine subsidence damage	N/A

C-1	<p>All development proposed within a declared mine subsidence district is designed to mitigate the risks of potential mine subsidence.</p> <p>Acceptable solutions AS-1. Development is designed in accordance with relevant development guidelines from Subsidence Advisory NSW. Documentation must include appropriate notes and detail to confirm compliance with the guidelines</p>	
B4 Aboriginal Cultural Heritage		
6.1 Aboriginal Due Diligence application requirements		N/A
Category 1	<p>1.1 - Submit a copy of the Aboriginal Heritage Information Management System (AHIMS) 'Basic Search' conducted with a buffer of 200m of the development site (pdf version).</p> <p>1.2 - Submit supporting evidence to adequately demonstrate:</p> <p>a. the development site (or development footprint) has been substantially disturbed over an equal or greater area and to an equal or greater depth and/or severity than would result from the proposed development or activity.</p> <p>b. that there is, consequently, no likelihood of remnant tangible heritage materials.</p> <p>1.3 - Where the AHIMS basic search does not identify any registered sites or declared Aboriginal places within the area of search, and where prior substantial disturbance is adequately demonstrated, no further information is required to be submitted.</p> <p>1.4 - Where the AHIMS basic search does identify a registered site or a declared Aboriginal place within the area of search, follow the process outlined for Category 2 developments.</p> <p>1.5 - Where the AHIMS basic search does not identify any registered sites or declared Aboriginal places within the area of search, and where prior substantial disturbance cannot be adequately demonstrated, follow the process outlined for Category 4 developments</p>	
Category 2	<p>2.1 - Submit a copy of the AHIMS 'Extensive Search' (pdf version).</p> <p>a. Submit supporting evidence to adequately demonstrate that the development site (or</p>	

	<p>development footprint) has been substantially disturbed over an equal or greater area and to an equal or greater depth and/or severity than would result from the proposed development or activity</p> <p>b. that there is, consequently, no likelihood of remnant tangible heritage materials.</p> <p>2.2 - Where the AHIMS extensive search does not identify any registered sites or declared Aboriginal places within the development site, or within the buffer of a declared Aboriginal place or AHIMS listed site, and where prior substantial disturbance is adequately demonstrated, no further information is required to be submitted.</p> <p>2.3 - Where the AHIMS extensive search does identify a registered site or declared Aboriginal place within the development site or within the buffer of a declared Aboriginal place or AHIMS listed site, follow the process outlined for Category 3 developments.</p> <p>2.4 - Where the AHIMS extensive search does not identify any registered sites or declared Aboriginal places within the development site or within the buffer of a declared Aboriginal place or AHIMS listed site, and where prior substantial disturbance cannot be adequately demonstrated, follow the process outlined for Category 4 developments.</p>	
Category 3	<p>3.1 - Follow the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW (DECC, 2010) and either submit:</p> <p>a. preliminary Aboriginal cultural heritage due diligence investigation – a desktop assessment and visual inspection – where either of these indicate there are (or likely to be) Aboriginal objects in the area of the proposed activity, more detailed investigation and impact assessment (AHCAR) will be required (go to 3.1(b)). Where either of these do not indicate there are (or are likely to be) Aboriginal objects in the area of the proposed activity, the report can recommend works proceed with caution without applying for an Aboriginal Heritage Impact Permit (AHIP) under the NPW Act</p> <p>b. an Aboriginal Cultural Heritage Assessment Report (AHCAR) – a detailed investigation and impact assessment in line with the Guide to investigating, assessing and reporting on Aboriginal Cultural Heritage in NSW (OEH, 2011) – where after this detailed investigation and impact assessment it is determined that harm will occur</p>	

	to Aboriginal objects or a declared Aboriginal place then an AHIP application under the NPW Act must be made. These documents are to be prepared by a suitably qualified and experienced heritage consultant(s) who specialise(s) in Aboriginal archaeological and cultural heritage assessment.	
Category 4:	<p>4.1 - Submit supporting evidence to confirm whether the development site is within an Environmentally sensitive area, contains mature trees that may be over 150 years old, and is within a landscape sensitive setting.</p> <p>4.2 - Where the site is within an Environmentally sensitive area or contains mature trees that may be over 150 years old, or is within a landscape sensitive setting, follow the process outlined for Category 3 developments.</p> <p>4.3 - Where the site is not within an environmentally sensitive area and does not contain mature trees that may be over 150 years old, and is not within a landscape sensitive setting, no further information is required to be submitted.</p>	
Category 5: Any proposal that does not meet the development threshold for Categories 1 to 4 above.	2.1 - No further information is required to be submitted.	
6.2 Connection with Country Application requirements		
Category A:	1.1 - Development proposals are to be accompanied by a Connecting with Country strategy to ensure the development is designed and planned to care for and connect with Country.	N/A
Category B:	2.1 - No further information is required to be submitted.	
7.0 General Provisions		
C-1	<p>Development avoids or minimises harm to Aboriginal objects or Aboriginal places of heritage significance.</p> <p>AS-1. Any areas of Aboriginal cultural heritage value in, or adjoining, the proposed development,</p>	N/A

	<p>including areas in the development site (or footprint) are identified and reasonable steps are taken to avoid harm to that heritage.</p> <p>AS-2. Achieves the Application Requirements of Category 1, 2, 3 or 4 above.</p>	
C-2	<p>Development retains, conserves and does not detract from the features and cultural values of the Aboriginal object or declared Aboriginal place.</p> <p>AS-1. Development is appropriately sited to ensure the curtilage and setting of the Aboriginal object or declared Aboriginal place is retained and conserved.</p> <p>AS-2. Achieves the Application Requirements of Category 1, 2, 3 or 4 above</p>	
C-3	<p>Development is compatible with the Aboriginal cultural significance of the place.</p> <p>AS-1. Development avoids land containing high Aboriginal heritage sensitivity.</p> <p>AS-2. Achieves the Application Requirements of Category 1, 2, 3 or 4 above.</p>	
C-4	<p>Development adjoining, or adjacent to, an Aboriginal object or Aboriginal place should have no impact on that object or place.</p> <p>AS-1. Achieves the Application Requirements of Category 1, 2, 3 or 4 above.</p>	
C-5	<p>Development is designed to care for and connect with Country.</p> <p>AS-1. Development is appropriately designed and sited to ensure the scenic and cultural heritage connections and values of native vegetation clusters, waterways, coastal waters, riparian lands and ridgelines are preserved and/or restored.</p> <p>AS-2. The design and planning of Category A development proposals are underpinned by and include a Connecting with Country strategy ensuring long-term conservation and restoration (where relevant) outcomes for Country.</p> <p>AS-3. Achieves the Application Requirements of Category A above</p>	

C-6	<p>Development provides high quality Aboriginal cultural heritage interpretation at the site to improve understanding and sense of place within the community.</p> <p>AS-1. Development provides high quality Aboriginal cultural heritage interpretation at the site, appropriate for the level of heritage significance to improve understanding and connection to Country</p>	
B5 Historical Archaeology		
N/A		
B6 Urban Heat		
N/A		
B7 Land Contamination		
		A PSI accompanies this application.
C General Development Controls		
C1 Traffic Parking and access		
7.0 Application requirements	The following matters are to be addressed in this application: a. parking facilities provided, with details of calculations, types, number and arrangement b. proposed access arrangements and their compliance with design standards c. identification of public transport services, stops and shelters in the vicinity of the development including assessment of all pedestrian linkages to the development d. traffic generation, impacts expected and proposed traffic management measures.	Noted.
	A traffic impact assessment is prepared in accordance with the RTA Guide to Traffic Generating Developments. A traffic impact assessment is a technical appraisal of the traffic and safety implications relating to a specific development. The information provided in the assessment should enable assessment of the traffic impact of a development. Matters to be addressed in the traffic impact assessment are to include, but are not limited to: a. review of the existing and proposed traffic network, traffic operating conditions and flows, and parking survey of all public parking in surrounding network b. likely car parking supply and demand, as well as servicing requirements c. estimates of trip generation of the development d. public transport services and stops in the vicinity of the proposed development e. impacts of generated traffic on the surrounding road network and the locality f. safety of access between the site and	N/A

	<p>the adjacent road network g. pedestrian infrastructure, generation and movements h. recommended improvement works i. linkages with existing and proposed bicycle and pedestrian routes j. details of public transport services and stops k. measures proposed to increase mode share to public transport and improve access to services.</p>	
	<p>Green Travel Plan (GTP). Components/strategies of a GTP will likely vary according to the nature of the development, but may include:</p> <ul style="list-style-type: none"> a. objectives and mode share targets (i.e., site and land use specific, measurable and achievable and timeframes for implementation) defining the GTP's direction and purpose b. include specific tools and actions to help achieve the objectives and mode share targets c. include measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP d. quantification and analysis of staff onsite working times and numbers on the site and analysis of workforce residential post code data to properly understand public transport and car parking demand and develop effective strategies in response, as well as help to inform service planning considerations e. statement of single occupant vehicle trips to the development estimated that will be reduced under the GTP f. identification and promotion through a communications strategy of public transport options to access the site (for example, on a web site, staff newsletters and/or business cards and other channels) g. preparation of a Transport Access Guide for the site/venue h. encouragement of a car pool system for employees i. provision of appropriate and effective bicycle parking, showers, change rooms and lockers (end of trip facilities) j. incentive schemes to encourage employees to commute using sustainable transport modes (such as salary sacrifice 	N/A

	<p>and/or novated leasing for e-bike purchases, provision of public transport vouchers/subsidised public transport tickets)</p> <ul style="list-style-type: none"> k. consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets (such as a fleet of e-bikes, pricing, prioritisation for those that carpool, use of wait lists, etc) l. allocation of designated parking spaces for a car sharing scheme m. prominent display of a large map of cycling routes (for example, in the foyer of a residential complex) n. identification of a champion and responsible party (or Committee) for the ongoing implementation of the GPT and its initiatives o. a detailed action plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs p. an implementation checklist to achieve the proposed initiatives q. alternative actions to undertake where targets are not achieved r. the set-up of a steering group or committee of relevant internal and external stakeholders to inform future targets and the ongoing monitoring and revision of the GTP for five years s. include details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development. 	
	<p>A draft Construction Traffic Management Plan is to address: a. traffic generation associated with demolition and construction b. heavy vehicle routes c. impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures – alternative safe, connected facilities are to be identified and implemented, including appropriate wayfinding d. proposed hours of operation in demolition and construction phases</p>	N/A

	e. identification of all required permits to complete the works including Road Occupancy Permits, Work Zones, Hoarding Applications, or other approvals to work from the public space.	
	A development application (DA) is to be accompanied by an electric vehicle report prepared by a suitably qualified and experienced person (such as an electrical engineer), with the exception of alterations and additions to dwelling houses, semi-detached dwellings, secondary dwellings and dual occupancies with an estimated cost of equal to or more than \$200,000 that involves car parking, which report is required prior to construction certificate. The electric vehicle report should include, but is not limited to: a. an electrical plan b. specifications for any off-street car parking (including electric circuitry) c. any electric kiosk requirements d. location and specifications for electric vehicle wiring and / or charging point(s).	N/A
8.0 sustainable travel demand management		
C-1.	For major development, recreation facilities, hospitals, community health service facilities, entertainment facilities, seniors housing or other development deemed appropriate, the following is to be provided: a. a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400m of an existing bus stop with shelter b. the bus shelters are directly connected to the entry to the development by a conveniently accessible footpath c. signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.	N/A
9.0 end of trip facilities		
C-1.	For non-residential development that has employees where additional floor space is being created, end of trip facilities are provided at the following rates: a. two personal lockers for each bicycle parking space (lockers may be utilised by people other than those cycling). Personal lockers are to be: i. secure and ventilated ii. 50% of all lockers provided are to have minimum dimensions 1,200mm (height), 430mm (width) and 600mm (depth), with a rail for clothes hangers. Remaining lockers are to have minimum dimensions 650mm (height), 400mm (width) and 500mm (depth) b. one shower cubicle, with ancillary change rooms, per seven bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility that can accommodate people with	N/A

	a disability. The ancillary change facility is to include at least one toilet, wash basin, mirror, bench, clothing hooks and power points (including shaving plugs). The ancillary change facility is to have a ventilated towel drying space, including for wet clothing c. a facilities management plan is to support the operation of the end of trip facilities. This is to include but not be limited to, managing locker allocation and use to ensure that anyone who needs and will make use of a locker has access.	
C-2	Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-3	Facilities are to have a seamless, integrated flow from cycling to security access, to bike storage, to lockers and change rooms/showers.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-4	The access path to end-of-trip facilities must provide a minimum unobstructed width of: a. 1.5m where the number of bicycle movements is less than 30 per hour in peak periods b. 2.5m where the number of bicycle movements is 30 or more per hour in peak periods. Ramp gradients must not exceed 1:12 where they are to be ridden by a bicycle rider accessing end-of-trip facilities.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-5.	Bicycle parking facilities are located to allow a bicycle to be ridden within 30m of the end-of-trip facilities. The pedestrian and bicycle access paths associated with these bicycle parking facilities must feed into and provide connections to existing path networks.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
10. Bike Parking		
C-1	Secure and conveniently accessible bicycle parking for development is provided in accordance with the rates set out in Table C1.01. Bicycle parking areas are designed to be of a capacity large enough for the development requirements. Note: A greater provision of bicycle parking may be required, than indicated, if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking. The total number of parking to be provided is rounded up to the nearest whole number.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-2.	For residential accommodation, bicycle facilities are to be designed in accordance with Austroads	Bike Parking can be provided if necessary,

	publication – Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management and to: a. be in addition and separate to the Self-Storage Units provision required b. where cycle storage, such as a cage or communal bicycle locker, is located in front of a property, it should be: i. located away from the front boundary and in a discreet location where it does not intrude on the streetscape, and in a location where it is easily accessible by users ii. be of a design that compliments the setting of the dwelling or local character. Simple wooden structures or simple metal storage products surrounded by landscaping are a common and effective solution, where structurally secure and lockable c. be of a secure, weatherproof and solid construction, with a material palette and design that responds to the design and material palette of the proposed development d. where possible, be integrated into the landscape design.	however given the nature of the use and the location, this has not been shown at this time.
C-3	Table C1.01 describes the type of bicycle parking facility to be provided. Bicycle parking is categorised as Security Level B and Security Level C, which references Section 4.1 of the Austroads publication – Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-4	Bicycle parking complies with the relevant Australian Standard (AS2890.3).	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-5	Bicycle parking areas should allow easy access and cater for cyclists who use adapted cycles by people with a disability.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-6	A maximum of 50% of all bicycle parking spaces are to be provided as vertical (i.e., vertical hooks or wall rack) parking spaces.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-7	Horizontal parking spaces must provide sufficient dimension for parking of e-cargo bikes; including ease of movement and manoeuvrability.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.

C-8	Where bicycle parking is located inside a building, it includes the provision of 10A charging points for electric bicycles at 1 charging station for the first 5 bicycle spaces, and for every 10 bicycle parking spaces thereafter. No space is located more than 20 metres away from a charging outlet.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-9	Bicycle parking is clearly marked and signposted.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-10	Cyclists must not be required to lift or carry their bikes when travelling between the site boundary and the bicycle parking.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-11	Bicycle parking facilities must comply with the following: a. for long-stay users, located within one level of the building entrance and no more than 30m from this entrance b. for short-stay users, located at-grade and on the main access route to the entrance, is clearly visible and not more than 30m from a major entrance or destination.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-12	Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-13	Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-14	Bicycle parking facility users must not be required to walk up or down vehicular ramps to access bicycle parking	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-15	Access to bicycle parking is provided in accordance with the Austroads, Cycling Aspects of Austroads Guides (as amended or replaced), which reference Austroads Guide to Traffic Engineering Practice. Slotted drainage grates, longitudinal joint cracks and sharp gradient	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.

	transitions, which provide hazards to riders, are avoided.	
C-16	Bicycle parking should be located within a weather-proof area.	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-17	Bicycle parking for visitors is provided at grade near key access points to the development and in a location with good passive surveillance	Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.

11. Electric car parking

C-1	The following controls apply to dwelling houses, semi-detached dwellings, secondary dwellings and dual occupancies, including alterations and additions with an estimated cost equal to or more than \$200,000 that involves car parking: a. electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points must be integrated to ensure future installation of an electric vehicle charging point to service at least one off-street parking space. This must include: i. ensuring adequate electrical capacity and infrastructure for a current or future electric vehicle charging point system ii. providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to at least one off-street parking space b. electrical circuitry must, at a minimum, be capable of supporting a 'Level 2' slow—single phase, 7kW domestic charger or higher c. prior to construction certificate, a report is to be prepared by a suitably qualified and experienced person demonstrating how the development will be EV ready. This report should also include an electrical plan, specifications for any off-street car parking and any electric kiosk requirements.	N/A
C-2	The following controls apply to all other development, including alterations and additions with an estimated cost equal to or more than \$200,000, that involves car parking. This does not apply to development as specified C-1. a. electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points must be integrated into all off-street car parking of residential and non-residential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This must	As this application is not under the legislative requirements of the Newcastle Council area, this has not been included in this application. Compliance with the BCA will be adhered to, and any further information required, can be provided

	include: i. ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system ii. providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space (see Figure C1.01) b. minimum electric circuitry for a 'Level 2' electric vehicle charging point, if provided, is required to be: i. privately available spaces: 'Level 2' slow – single phase with 7kW power or higher standard ii. shared spaces: 'Level 2' fast – three-phase with 11-22kW power or higher standard c. A DA is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will be EV Ready. This report should also include an electrical plan, specifications for any off-street car parking and any electric kiosk requirements	at Construction Certificate stage.
C-3	The following controls apply to residential accommodation development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies: a. provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready connections b. locate EV Distribution Board(s) so that no future EV Ready connection will require a cable of more than 50 metres from the parking bay to connect c. identify on the plans submitted with the DA, the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that are provided a Future EV connection, with confirmation of adequacy from a suitably qualified person (such as an electrical engineer). Spatial allowances are to be made for cables trays and EV Distribution Board(s) when designing in other services.	N/A
C-4	The following control applies to development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies: a. development must provide 1 car parking space or 5% of all car parking spaces – whichever is greater - to have a 'Level 2' or higher standard electric vehicle charging point installed. A DA is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will provide the specified electric vehicle charging point(s). This report should also include an electrical plan, specifications for any	As this application is not under the legislative requirements of the Newcastle Council area, this has not been included in this application. Compliance with the BCA will be adhered to, and any further information required, can be provided at Construction Certificate stage.

	off-street car parking and any electric kiosk requirements. The total number of parking to be provided is rounded up to the nearest whole number.	
C-5	The following control applies to development that involves a service station: a. development must provide 4 car parking spaces or 30% of all car parking spaces - whichever is greater - to have a 'Level 3' (50kW - 350kW), or higher standard electric vehicle charging points installed. This must include: i. a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will provide the specified electric vehicle charging points. This report should also include details on electrical capacity and infrastructure (cable size, distribution board size, load management, electric kiosk requirements etc.) for the electric vehicle charging points ii. vehicle charging points are buried cables underground to accommodate electric circuitry to each car space (see Figure C1.02).	N/A
12.0 Car share Parking		
C-1	The following controls are to be considered in the car parking assessment: a. minimum car share parking for development is provided in accordance with the following rates: i. residential development – 1 space per 60 car spaces provided ii. office, business, industrial or retail premises – 1 space per 40 car spaces provided b. the maximum amount of car parking spaces for a development is inclusive of the minimum number of parking spaces required for car share schemes c. all parking spaces for car share schemes are to be: i. located together in closest proximity to entry and exit points of the building ii. located adjacent to a public road and integrated with the streetscape through appropriate landscaping where the space is external iii. signed for use only by car share vehicles d. parking spaces for car share schemes located on private land are to be retained as common property by the Owners Corporation of the site.	As this application is not under the legislative requirements of the Newcastle Council area, this has not been included in this application. Compliance with the BCA will be adhered to, and any further information required, can be provided at Construction Certificate stage.
13.0 Design and layout of parking and access		
C-1	Parking facilities are sited and designed to properly integrate with the overall development/building to: a. minimise their visual impact and any adverse impact on the continuity and amenity of street frontages b. c. d. located so that it is within a reasonable distance of access to the premises it serves not be positioned so as to	Compliant.

	obstruct access to the premises by pedestrians or cyclists loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation.	
C-2	For Residential Accommodation, generally, car parking structures are set back a minimum distance of 5.4m from the street frontage providing access to the car parking space.	N/A
C-3	Tandem parking spaces (refer to Figure C1.03) (combined length of greater than 10.8m) are not appropriate in visitor or public parking areas, but may be acceptable in the following situations: a. residential developments where both spaces are attached to one dwelling b. reserved car parking areas where both spaces are allocated to a single tenant.	N/A
C-4	Small car spaces (as defined in AS2890.1) are permitted in development provided: a. small car spaces are not used for residential accommodation except as unbundled car parking provided in accordance with, and for land uses and locations specified in Table C1.03 b. c. the number of small car spaces does not exceed 10% of the total car parking provision (rounding down to nearest whole number) the number of small visitor car spaces does not exceed 10% of the total visitor car parking provision (rounding down to nearest whole number) d. e. f. the number of small commercial car spaces does not exceed 10% of the total commercial car parking provision (rounding down to nearest whole number) small car spaces are clearly identified and physically separated from standard-size car spaces small car spaces are not used as part of a tandem or stacked parking arrangement.	N/A
C-5	Car parking is designed to avoid the visual impact of large areas of surface car parking on the streetscape.	A landscaping strip has been provided to avoid visual impact.
14. Access		
C-1	Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and CN specifications.	Pedestrian Crossings can be provided if required.
C-2	Vehicular crossings are located having regard to driver, cyclist and pedestrian safety/continuity, and impacts on traffic movement. Vehicular crossings are avoided in the following areas: a. in areas of high pedestrian and cyclist movement b. on major roads c. close to intersections d. adjacent bus stop locations e. where the use of	Pedestrian Crossings can be provided if required.

	the driveway may significantly obstruct through traffic	
C-3	Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath, including crossing the public domain perpendicular to the boundary. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).	Pedestrian Crossings can be provided if required.
C-4	Design of all vehicle crossings should reinforce the priority of pedestrians and cyclists by continuing the existing footpath grade and alignment, with clear designation of the footpath area from the vehicle crossing.	Pedestrian Crossings can be provided if required.
C-5	Access ways and structures are designed so that vehicles are able to enter or exit the site in a single turning movement in a forward direction.	Compliant.
C-6	Development in smaller centre zones at Bar Beach, Beresfield (Lennox Street), Birmingham Gardens, Fletcher (Kurraka Drive / Tibin Drive and Britania Boulevarde), Kotara (Joslin Street), New Lambton (Orchardtown Road) and Merewether (Beach, City Road, Glebe Road and Llewellyn Street) does not result in more than one vehicle crossing to the development.	N/A
C-7	Vehicular crossings are positioned to maximise on-street parking and to enable whole car parks between access points.	Pedestrian Crossings can be provided if required.
C-8	Where rear lane access to a development is achievable, car parking is accessed from the rear lane only.	N/A
C-9	No additional vehicular crossings (other than from rear lanes) are provided to heritage items or within heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.	N/A
15. Freight and Servicing		
C-1	Where a traffic impact assessment is required, this includes a detailed freight and servicing demand profile over the lifetime of the proposed development. For other applications the Statement of Environmental Effects is to outline the freight and servicing demand profile over the lifetime of the proposed development. Refer to Table C1.02.	This would require 2 spaces, however as the development is not subject to NCC DCP 2023, this has not been provided, as the ongoing use of the site will not require loading, as each unit has access via a roller door, as noted in the TIA.
C-2	A building or precinct provides a loading dock and/or other facilities for all freight and servicing activities to be conducted on-site which satisfies the servicing demand profile and having regard to:	N/A

	intended use of the site frequency of deliveries and collections size and bulk of goods size of vehicles ease, efficiency and safety of servicing activities.	
C-3	<p>Commercial development – the freight and servicing demand profile is to consider, but may not be limited to:</p> <ul style="list-style-type: none"> a. courier deliveries and collections b. equipment deliveries and collections c. routine and emergency maintenance services (trade vehicles) d. office fit-out services e. food and beverage deliveries f. waste collection g. removalist services. 	N/A
C-4	<p>Residential development - the freight and servicing demand profile is to consider, but may not be limited to:</p> <p>grocery deliveries courier deliveries food delivery maintenance activity (trade vehicles) renovation services bulky item deliveries removalist services waste collection commercial deliveries if mixed-use</p> <p>investigate and encourage the opportunity for residential buildings to provide parking and electric charging stations for light commercial vehicles.</p> <p>investigate and encourage the opportunity for residential flat buildings to accommodate drone delivery capabilities by providing an adequate accessible, safe, area (rooftop, podium or ground level) for the operation of drone landing pad/s.</p>	N/A
C-5	Access/egress, manoeuvring areas and loading dock design comply with <i>AS2890.2 Parking Facilities: Off-Street Commercial Vehicle Facilities</i> .	Compliant
C-6	Freight and servicing facilities are designed so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation, either on or off-site or otherwise obstruct the public domain area. This is to include sufficient provision for queuing.	N/A
C-7	All service vehicle movements to and from the site are in a forward direction and manoeuvring and	Compliant

	parking is separated from customer parking and areas with high pedestrian activity and bicycle movements.	
C-8	Locate and operate servicing facilities to minimise impact upon surrounding sensitive land uses, particularly residential.	N/A
C-9	For a change of use within existing building/s with deficient loading dock infrastructure (without any or constrained), the application must show alternative servicing techniques have been explored to accommodate on-site servicing where possible before seeking reliance on kerbside road space to satisfy servicing demand. Where unable to be fully accommodated on-site, it is demonstrated that servicing (including waste collection) can occur from the kerbside efficiently, safely and without unreasonable impact on the public domain (road and footpath) or amenity of the area. CN may consider new shared kerbside servicing for heritage conservation purposes, where reasonably practicable.	N/A
C-10	<p>The provision of taxi, pick up and drop off (PUDO) for private vehicle and bus/coach drop off/set down areas may be required, where warranted, by the proposed development. Specifically:</p> <p>bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000m², convention and exhibition centres, and other development as deemed appropriate</p> <p>PUDO and/or taxi zones are provided for larger scale licenced premises (excluding small bars) centre-based child care facility provides a set down bay space per 10 childcare places. For centres with less than 10 childcare places, no pick-up / set-down bay is required</p>	N/A
16. Parking Provision		
C-1	<p>The following controls apply only to the Newcastle city centre, Renewal corridors, The Junction and Hamilton B2 Local centre zone and Darby Street mixed use zone:</p> <p>a. Car parking rates for all development in these areas are established based on a car parking assessment submitted with the DA which addresses the following criteria:</p> <p>the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor</p>	N/A



	<p>area and the increased parking demand likely to be generated</p> <p>the proportion of staff, visitors or patrons likely to arrive by car</p> <p>the availability and level of service of public transport relative to the site and the probable transport mode of staff, visitors or patrons of the development</p> <p>the number of employees and their likely spread of work hours</p> <p>the hours of operation</p> <p>the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities</p> <p>the number of occasions during the year when the proposed development is likely to be fully utilised</p> <p>the availability of public parking within a reasonable distance of the proposed development</p> <p>the availability of additional parking facilities to cover peak demands</p> <p>the impacts of providing on-site parking</p> <p>anticipated impacts of not providing adequate on-site car parking ensuring no significant impact on public on-street parking provision in the area in context to the City of Newcastle (CN) Parking Plan 2021 - Newcastle Parking Management Framework</p> <p>b. residential development as listed in Table C1.03 must provide no more than the number of car parking spaces specified</p> <p>c. for residential development, the proposed provision of car parking within this maximum car parking rate does not prevent the reallocation of car parking through unbundling</p> <p>d. for residential development, visitor car parking spaces are not to be unbundled and are to be nominated as common property in a strata subdivision.</p>	
C-2	<p>The following control applies to residential development with visitor parking:</p> <p>a. visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.</p>	N/A
C-3	<p>The following controls apply only to Mixed Use Development:</p> <p>a. the total number of parking spaces for a mixed-use development is generally</p>	N/A

	<p>calculated based on the sum of required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur</p> <p>b. the total number of spaces to be provided for each type of use of parking is rounded up to the nearest whole number.</p>	
C-4	Car parking is provided in accordance with the rates set out in Table C1.01, except for car parking for development in the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone. The rates may be varied within these areas, subject to merit assessment of the proposal. The total number of spaces to be provided for each type of parking is rounded up to the nearest whole number.	Compliant
C-5	Unbundled car parking is only permitted in accordance with, and for land uses and locations specified in Table C1.03 .	N/A
C-6	<p>Parking provision for major traffic generating development is assessed on merit, with particular reference to:</p> <p>likely peak usage times the extent to which development will attract additional patronage, as opposed to drawing on existing visitations the likely use of public transport.</p>	N/A
C-7	<p>Excluding the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone, parking provision for developments not listed in Table C1.01 is assessed using Transport for NSW guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria:</p> <p>the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated the proportion of staff, visitors or patrons likely to arrive by car the availability and level of service of public transport relative to the site and the probable transport mode of staff, visitors or patrons of the development</p>	Compliant



	<p>the number of employees and their likely spread of work hours</p> <p>the hours of operation</p> <p>the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities</p> <p>the number of occasions during the year when the proposed development is likely to be fully utilised</p> <p>the availability of public parking within a reasonable distance of the proposed development</p> <p>the availability of additional parking facilities to cover peak demands</p> <p>anticipated impacts of not providing adequate on-site car parking ensuring no significant impact on public on-street parking provision in the area in context to the CN Parking Plan 2021 - Newcastle Parking Management Framework.</p>	
C-8	<p>Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation. Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future DA for a change of use.</p>	N/A
C-9	<p>Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), such spaces may be required to be replaced on site.</p>	N/A
C-10	<p>Mechanical parking installations, stacked parking and tandem parking will only be permitted on the site where:</p> <ol style="list-style-type: none"> there is a demonstrated need for this type of parking arrangement it will not adversely affect the safe, efficient and effective use of the site the spaces are attached to the same title the design enables manoeuvring of stacked and tandem parked vehicles wholly within the site. 	N/A



C-11	Stacked and tandem parked vehicles must not be used for visitor parking spaces or car share scheme parking spaces.	N/A
C-12	Where an off-street car park or servicing area is provided to serve a development, unobstructed access is to be provided to allow an ambulance vehicle to load and stand at grade entirely onsite.	N/A
C-13	<p>Any departures from the parking rates set out in Table C1.01 or Table C1.03 must address the following:</p> <ul style="list-style-type: none"> a. the objectives of this section b. the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated c. the applicability of other adopted CN policies relating to transport management d. the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand e. results of any comprehensive parking survey submitted in support of the application f. whether a Green Travel Plan has been provided and a written agreement between CN and the owner/occupier is established for implementation of the Green Travel Plan g. whether a car sharing scheme is proposed to be implemented h. access to public transport services and the probable transport mode of staff and patrons or customers of the development i. availability and accessibility of public parking facilities in the vicinity of the proposed development j. the availability of kerb-side parking opportunities in the vicinity of the proposed development k. continuity, streetscape and heritage significance l. existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety m. the impacts of providing on-site parking n. anticipated impacts of not providing for adequate on-site car parking. 	N/A
C-14	For alterations, additions or change of use of an existing building, a departure from the rates set	N/A



	out in Table C1.01 or Table C1.03 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site.	
C-15	Car parking spaces are created as separate lots in the strata plan and are not allocated to individual units.	N/A
C-16	Designated vehicle sharing spaces are retained as common property in the strata plan and are: <ul style="list-style-type: none"> a. clearly marked and sign-posted as vehicle share spaces b. located so that they are accessible to the public at all times. 	N/A
17. Motor bike parking		
C-1	Motorbike parking for development is provided in accordance with the rates set out in Table C1.01. A greater provision of motorbike parking may be required than indicated where warranted in the particular circumstances. The total number of parking to be provided is rounded up to the nearest whole number.	Motor Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
C-2	Motorbike parking complies with the relevant Australian Standard (<i>AS2890 Parking facilities</i>) and RMS Technical direction <i>TD 2004/02, Motor Bike Parking</i> .	Motor Bike Parking can be provided if necessary, however given the nature of the use and the location, this has not been shown at this time.
18. Accessible parking		
C-1	The provision of accessible parking spaces is in accordance with the National Construction Code or the minimum rates specified below (where the development requires car parking), whichever is the greater. <ul style="list-style-type: none"> a. class 1b buildings — 1 space for each accessible unit b. class 2 buildings — 1 space for each accessible unit and at least 1 visitors' space c. class 3 buildings — whichever is the greater: <ul style="list-style-type: none"> i. at least 1 space for each accessible unit ii. at least 1 space every 33 spaces d. class 4 buildings — 1 accessible space e. class 5, 6, 7, 8, 9b or 9c buildings — at least 1 space every 33 spaces f. class 9a buildings — at least 1 space every 25 spaces. 	Compliant



	The required number of accessible parking spaces for unspecified developments will be assessed on the individual merits of the proposal, with regard to the nature and scale of the proposed development.	
C-2	Accessible parking is designed and constructed in accordance with current relevant Australian Standards (AS2890) under the National Construction Code.	Compliant
C-3	Accessible parking spaces are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park.	Compliant
C-4	Accessible parking spaces are located close to wheelchair accessible entrances or lifts.	Compliant
C-5	A continuous accessible path of travel is provided from each accessible parking space to the closest accessible public entrance.	Compliant
C-6	Accessible parking spaces are provided on a level surface with a grade (parallel to or at 90 degrees to the angle of parking) no greater than 1 in 40.	Compliant
C-7	The minimum floor to ceiling clearance above accessible parking spaces is 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m.	Compliant
C-8	The applicant is required to demonstrate how parking restrictions are enforced. Where parking is publicly accessible, an agreement is required with the owner/operator of the premises to allow compliance officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent, on any consent granted.	Compliant
19. Liveable parking for platinum level homes		
C-1	Where dwellings are required to meet platinum level, car spaces and access are designed and constructed as per the <i>Livable Housing Guideline, 2017</i> .	N/A
20 Parking areas and structures		
C-1	Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 4m with a minimum clearance height of 3.5m. For the next two floors above, the floor to ceiling height is to be 3.3m. This will enable the development to being adapted to an alternative use in future and to provide for service vehicles.	Compliant
C-2	Car parking provided at or above ground level demonstrates what infrastructure will be incorporated into the carpark areas of the building	Compliant

	to allow for the easy transition to habitable land uses in the future. This includes consideration of: <ul style="list-style-type: none"> a. retrofitting of utilities and services (water, electricity, and internet) b. building code requirements for a range of uses c. removable ramps d. greater reinforcement, such as steel (as residential/commercial spaces are heavier than car parks). 	
C-3	Loading docks including their accessways, are to have a minimum clearance height of 4.5m.	N/A
C-4	No sprinklers or other services shall encroach within the clear head clearance height requirement	N/A
C-5	The facade of an above ground parking structure is: <ul style="list-style-type: none"> a. designed and finished to complement the architecture of the building and must not present as a car park to the streetscape to ensure the building retains high architectural quality and visual appearance b. designed to avoid domination of ramps or strong horizontal and/or vertical features. 	N/A
C-6	Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.	N/A
C-7	Design and construction of parking, set down areas and loading facilities comply with the provisions of <i>AS2890 Parking facilities</i> .	N/A
C-8	Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.	Compliant
C-9	Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.	N/A
C-10	Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.	Can be provided, if necessary
Calculation	Car parks- 1/100m ² or 1 per 2 staff whichever is greater.	GFA= 1599/100= 15.9. 15 car parks have been provided.



		There is a shortfall of one space. Justification for this is provided in the TIA provided.
Section C2 – Movement networks		
7. movement networks		
C-1	Ensure movement networks have clear structure and street blocks facilitate safe and efficient internal and external pedestrian, cyclist and vehicular movements.	A traffic report has been provided to address this.
8. Road design	N/A	N/A
9. Public transport		
C-1	Reduce reliance on single occupancy private motor vehicles for trips by providing effective, efficient and sustainable modes of public transport that is accessible to a wide range of people.	N/A
10. Pedestrian and cycle paths	N/A	N/A
C3 vegetation preservation and care	N/A	N/A
C4 stormwater	Various	Stormwater plans have been provided in accordance with the requirements of the NCC DCP 2023.
C5 Soil Management		Stormwater plans have been provided in accordance with the requirements of the NCC DCP 2023.
C6 Waste Management		A Waste Management plan has been provided in accordance with the requirements of the NCC DCP 2023
C7 safety and security		The development has been designed in accordance with the CPTED Principals.
C8 social impact		N/A
C9 advertising and signage		N/A
C10 Street awnings and balconies		N/A

C11 Development adjoining laneways		N/A
C12 open space and landscaping		Landscaping plans have been provided with this application.
C13 Liveable housing		N/A
Part D – Development Controls by Land use		
D5 industrial		
8. Building setbacks		
C1	Development is setback 5m from the front property boundary, however, this setback may be reduced by up to 50% for half the width of the site, provided that: the remaining portion of the development is setback a distance equivalent to the concession taken the building design contributes to the enhancement of the streetscape the setback area is landscaped the front setback does not have any car parking spaces	The development is setback more than 5m.
C-2	Nil setbacks to side and rear boundaries are permitted where abutting existing industrial development.	Compliant
C-3	On sites of 10,000m ² or more, buildings and external work and storage areas are setback a minimum of 6m from side and rear boundaries.	N/A
C-4	The minimum setback from any secondary frontage, including a lane, is a minimum of 2m. This includes storage areas.	N/A as the secondary road is private.
C-5	The minimum setback to residentially zoned land, or land currently used for residential purposes is 3m. This setback is increased by 1m for every additional metre above 9m in building height. The setback is to be densely landscaped with trees and shrubs, which at maturity will screen the development from residential land refer Figure D5.01 .	N/A
C-6	Variations to a setback for development that has more than one road frontage will be considered on merit, taking into account the following: a. the location b. surrounding development and land uses c. building form.	N/A
9. Character and amenity		
C-1	Buildings meet a high standard of building design to achieve a suitable level of visual and environmental quality. Attractive building design	The proposed built form is of a scale and appearance which is consistent with the



	<p>can, in most cases, be achieved simply and at comparatively low cost, and applicants are encouraged to consider variations in fascia treatments, roof lines and selection of building materials to achieve an attractive design. Design quality is determined having regard to the following:</p> <p>elevations of buildings visible from a public road, reserve, railway or adjacent residential areas are constructed using brick, masonry, pre-coloured metal cladding, appropriately finished 'tilt-slab' concrete or a combination of a number of these materials. Large unrelieved expanses of wall or building mass are avoided, and such should be broken up by the use of suitable building articulation, fenestration or alternative architectural enhancements</p> <p>showroom display areas, ancillary offices, staff amenities and other low-scale building elements are, wherever practicable, at the front of the premises and constructed in brick or masonry materials to enhance the appearance of the development. Refer to Figure D5.02</p> <p>roofing materials consist of low-reflective materials particularly when visible from a public place or adjoining residential areas.</p>	<p>industrial amenity of the locality. The proposed design produces an aesthetically pleasing streetscape. The building has been articulated to address the two street frontages and a variety of materials have been utilised. The subject site does not adjoin a residential area. The scale of the building and location is such that it does not warrant the inclusion of any specific measures to reduce bulk. The proposed building is considered suitable in the context of the locality.</p>
C-2	<p>Development is not to result in the creation of an isolated site that could have been developed in compliance with the relevant planning controls. Appropriate documentary evidence to demonstrate that a genuine and reasonable attempt has been made to purchase an isolated site based on a fair market value.</p>	N/A
C-3	<p>Where amalgamation of the isolated site is not feasible, applicants will be required to demonstrate that an orderly and economic use and development of the separate sites can be achieved.</p>	N/A
C-4	<p>The development of existing isolated sites is not to detract from the character of the streetscape and is to achieve a satisfactory level of amenity including solar access, visual and acoustic privacy. Development of existing isolated sites may not achieve the maximum potential, particularly height and floor space ratio, and will be assessed on merit.</p>	N/A
C-5	<p>Where adjacent sites are developing concurrently, site planning options for development as an amalgamated site are to be explored.</p>	N/A



C-6	All fencing in industrial developments is constructed of palisade or decorative open style metal type fencing with a maximum 1.8m height.	Compliant
C-7	The use of sheet metal fencing or chain wire fencing on the front property boundary is not allowed.	N/A
C-8	All front entry gates are constructed to swing inwards into the site or slide across the frontage at all times.	N/A
C-9	Masonry retaining walls along the street frontage area restricted to 600mm in height.	N/A
C-10	Palisade or other decorative open metal type fencing may be erected on top of the masonry wall provided the total height of the masonry wall and fence is a maximum 2.4m in height.	Compliant
C-11	An application for development including a change of use is to provide an access report in accordance with the application requirements above.	N/A
10 Development that adjoins or is located within proximity to residential zoned land uses.	N/A	N/A
11. Communal Outdoor spaces		
C-1	C-1. Development with a floor area greater than 500m ² or with a site area greater than 2000m ² provides open space facilities on site for staff which includes: <ul style="list-style-type: none"> a. seating, tables and rubbish bin b. accessible staff amenities (eg. toilets and kitchen area) c. protection from the weather d. safe access to all staff e. separation from public areas f. location away from noisy or odorous activities g. orientation to ensure some exposure to sunlight. 	As each unit will be separately tenanted, we ask for a merit based assessment for this provision. The nature of the use, will not make good use of a communal outdoor space, and additionally it raises questions as to the maintenance of this area. For this reason, one has not been shown on the plans provided.
C-2	In locating communal areas, consideration is given to the outlook, natural features of the site, and neighbouring buildings.	N/A
C-3	Communal areas receive a minimum of two hours direct sunlight between 11am and 3pm on 21 June.	N/A

12. Open storage and work areas	N/A	N/A
13. Loading, unloading and servicing areas		
C-1	All loading and servicing areas are located to the side or rear of buildings and effectively screened from any street frontage, adjoining buildings and residential areas.	N/A
C-2	Each individual allotment provides sufficient on-site loading facilities to accommodate its activities within the allotment. All loading movements, including turnaround areas, are accommodated within allotments.	Due to the nature of the lot, each vehicle movement will be able to be accommodated within the allotment. No loading zones are proposed, due to the use.
C-3	Loading docks are positioned so they do not interfere with visitor and employee parking spaces and to ensure delivery vehicles do not stand on any public road, footway or laneway.	N/A
14. Parking, vehicle access and movement		
C-1	Car parking provided on site in accordance with the requirements of Section C1 Traffic, parking and access.	Compliant
C-2	Off-street parking is provided behind or at the side of the building area.	Compliant
C-3	Heavy and light traffic movements are to be separated.	Given the nature of the use, and the largest vehicle entering the site, this is N/A
C-4	All vehicles are able to enter and leave the site in a forward direction.	Compliant, swept paths are shown on the architectural plans submitted.
C-5	Development is to provide footpaths for the full width of any site frontage. Where the proposed footpath will adjoin and connect to an existing or approved footpath on an adjoining site, the width of the proposed footpath is to match this footpath width. See C2 Movement networks for detail.	N/A
15. Access to sunlight		
C-1	Consideration must be given to neighbouring properties' solar panels and the loss of sunlight to these panels as a result of any development proposal, having regard to the performance, efficiency, economic viability and reasonableness of their location.	The neighbouring properties will have no loss of sunlight as a result of this application.
16. Land in General Industrial – Steel River	N/A	N/A
17. Land outside the Port Of	N/A	N/A

Newcastle Lease area		
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11.0 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3

The subject site is located within the state of New South Wales therefore the *Industry and Employment 2021* applies to this development application. The proposed signage is consistent with the aims of the Policy.

Schedule 1 Assessment criteria	
1 Character of the area	
• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signs are compatible with the scale, proportion, and characteristics of the area.

• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent with the theme of outdoor signage in the area.
2 Special areas	
• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes, or residential areas?	The proposed signs will not detract from the amenity or visual quality of any environmentally sensitive area, heritage area, natural or other conservation area, open space area, waterway, rural landscaped or residential area. Therefore, the proposed signs will not introduce any significant new visual element to the locality.
3 Views and vistas	
• Does the proposal obscure or compromise important views?	The signs will not obscure or compromise important views.
• Does the proposal dominate the skyline and reduce the quality of vistas?	The signs will not dominate the skyline or reduce the quality of vistas as it will be consistent with the scale of existing structures in the locality.
• Does the proposal respect the viewing rights of other advertisers?	The proposed signs will not affect the viewing rights of other advertisers in the locality.
4 Streetscape, setting or landscape	
• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs will not result in conflict with the nature of the existing streetscape and will complement the proposed building. The signs will be professionally designed.
• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs will not alter the existing visual interest of the streetscape, setting or landscape.



• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is to be placed on a new building and no existing advertising exists.
• Does the proposal screen unsightliness?	The signs do not screen unsightliness. The subject site is not considered to contain areas of unsightliness.
• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs will not protrude above buildings or tree canopies.
• Does the proposal require ongoing vegetation management?	The signs do not require ongoing vegetation management.
5 Site and building	
• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signs are compatible with the scale, proportion and characteristics of the area.
• Does the proposal respect important features of the site or building, or both?	Surrounding buildings do not have any significant features that require protection from signage. The proposed sign will be substantially the same in terms of scale and area as that which exists in the locality.
• Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signs represent business identification signage, and while not innovative or imaginative they are considered appropriate.
6 Associated devices and logos with advertisements and advertising structures	
• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The signs will be designed and constructed to relevant standards. They will be located wholly within the site boundaries and will provide sufficient notification to the travelling public of

	the business location to assist in safe and efficient vehicle movement into the site.
7 Illumination	
• Would illumination result in unacceptable glare?	The signage will not result in unacceptable glare.
• Would illumination affect safety for pedestrians, vehicles or aircraft?	The signage will not result in affected safety.
• Would illumination detract from the amenity of any residence or other form of accommodation?	The signage will not detract from the amenity of any accommodation.
• Can the intensity of the illumination be adjusted, if necessary?	The signage can be adjusted if necessary.
• Is the illumination subject to a curfew?	The signage is not subject to a curfew.
8 Safety	
• Would the proposal reduce the safety for any public road?	The signage will not reduce safety for any public roads.
• Would the proposal reduce the safety for pedestrians or bicyclists?	The proposed signage will not affect pedestrian or cyclist safety.
• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obstruct any sightlines.



12. CONCLUSION

This submission and supporting documentation provides a clear and comprehensive justification for the project as required under Part 4 of the *Environmental Planning & Assessment Act, 1979*. It is clearly demonstrated that the proposed industrial units can be constructed and operate with minimal impact to the environment on the subject site.

This Statement of Environmental Effects has successfully demonstrated the environmental, social and economic matters associated with the proposed industrial units at 295 Cormorant Road, Kooragang, Lot 1 DP1195449. The proposal has been considered in terms of relevant State, Regional, and Local planning controls and legislation. The proposed development is considered to be largely in accordance with each.



The proposal will reinforce the vitality of the port by providing a much needed service for local businesses without affecting the port's future expansion. The proposed development has been formulated having full and proper regard to existing development controls and to the environmental qualities of the site and its surroundings. The proposed development comprises a permissible form of development and has been designed to comply with the provisions of the relevant environmental planning instruments, as well as the provisions of Council Development Control Plans / policies.

The proposal is considered to have a relatively low environmental impact on existing conditions being industrial usage within an established industrial area. Overall, the development will contribute to the progress of local business. It is considered that there is no singular consideration or suite of matters which warrant the refusal of this project. On this basis conditional approval of this application is thought to be in the public's interest and thus DPE is encouraged to support this project and provide a favorable determination.

