

Port Macquarie - Hastings DCP 2013 – Part B General Provisions

B1: Advertising and Signage			
DCP Objective	Development Provisions	Proposed	Complies
1	a) Signs primarily identifying products or services are not acceptable, even where relating to products or services available on that site.	Business/building identification signage proposed in 3 locations/zones.	Yes
	b) Signage is not permitted outside property boundaries except where mounted upon buildings and clear of pedestrians and road traffic. No signage is permitted upon light or power poles or upon the nature strip (the area between the property boundary and constructed roadway). Limited directional signage and "A" frame signage may separately be approved by Council under the Roads Act 1993 or section 68 of the Local Government Act 1993.	Signage is located within the property boundaries.	Yes
	c) An on-building 'chalkboard' sign, for the purpose of describing services or goods for sale which vary on a regular basis generally should not be any larger than 1.5m ² , and should contain a sign written heading indicating the premises to which it refers.	Not proposed.	N/A
	d) On-premise signs should not project above or to the side of building facades	Complies.	Yes
2	a) Where there is potential for light spill from signage in a non-residential zone adjoining or adjacent to residential development, illuminated signage is to be fitted with a time switch to dim by 50% or turn off	Signs will be illuminated but is not adjacent to residential development and will not create nuisance light spill.	Yes

	the light by 11pm each night, depending on the nature of the development.		
B2: Environmental Management			
DCP Objective	Development Provisions	Proposed	Complies
Waste Management and Minimisation			
3	a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.	<p>The proposed enclosed waste storage area and service yard is sufficient in size and arrangement to allow waste storage and collection. The facility will utilize 1 x 1100L general waste bulk waste bin, 1 x 1100L recyclables waste bin, and 3 x 240L food waste bins.</p> <p>Waste oil will be stored on-site and collected from an oil recycler.</p> <p>Medical waste, including sharps containers and collection, will be managed by external providers.</p> <p>Facility management will be responsible for coordination and collection of the three streams of waste.</p>	Yes
Cut and Fill Regrading			
4	a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).	<p>The proposed development involves cut up to 1.5m to accommodate the proposed swimming pool, and up to 1.5m of fill beneath the slides and gymnasium.</p> <p>The proposed carpark has also been raised to reduce the extent of flooding which occurs in the 1% AEP flood</p>	No. Variation considered acceptable.

		event and limit the risk onsite during major flood events.	
5	<p>a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m.</p> <p>b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high:</p> <ul style="list-style-type: none"> - be a maximum combined height of 1.8m above existing property boundary level; - be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less; - the fence component has openings which make it not less than 25% transparent; and - provide a 3m x 3m splay for corner sites, and - provide a 900mm x 900mm splay for vehicle driveway entrances. 	<p>No walls greater than 1m in height proposed.</p> <p>A combination of landscaped mounds, sandstone log retaining, batters, and open fencing proposed, commensurate with a regional facility and relating to surrounding landform.</p>	<p>N/A</p> <p>Yes</p>
6	<p>a) Significant land reforming proposals where >10% gross site area or >1.0ha is to have surface levels changed by more than 5m or where earthworks exceed an average of 10,000m³ per ha shall:</p> <ul style="list-style-type: none"> - identify the impact of the proposed land reforming on the environment, landscape, - visual character and amenity, natural watercourses, riparian vegetation, topographical features 	No significant land reforming (as outlined in the DCP) proposed.	Yes

	<p>of the environment and public infrastructure;</p> <ul style="list-style-type: none"> - demonstrate compliance with the provisions of Council's AUS-SPEC design specification; - assess the impacts and benefits of the proposal to all impacted persons and the general public; - provide measures to compensate for and minimise any net adverse impacts. 		
	b) The use of high earthworks batters should be avoided.	Landscaped batters and fencing proposed to create level splashpad and waterslide zone. Significant landscaping proposed to improve visual amenity.	Yes
	c) Preliminary plans indicating the final landform are required to be submitted with any master plan or subdivision application.	Provided and acceptable.	Yes
	d) The subdivision should be designed to fit the topography rather than altering the topography to fit the subdivision.	Development does not involve subdivision.	N/A
Environmental Management Areas and Buffers			
7	a) For coastal floodplain endangered ecological communities (EEC) a minimum, fully vegetated buffer of 35m must be provided.	No works are within 35m of an endangered ecological community.	Yes
	b) For Freshwater Wetland on Coastal Floodplain endangered ecological community (EEC) a fully vegetated buffer of 100m is to be provided.	Not applicable.	N/A
	c) For all other endangered ecological communities, a fully	Not applicable.	N/A

	vegetated buffer of 50m must be provided.		
	d) Stormwater management facilities may be considered within buffer areas only where the applicant can demonstrate the proposal is justified on the basis of practical engineering related site constraints and where it is adequately demonstrated that the applicable objectives are achieved.	Stormwater management to be located within the cleared areas of the site. Environmental outcomes will be improved by the management proposed, including retention, biofiltration, gross pollutant capture, and treatment of water flows from the site.	Yes
	e) Fully vegetated buffers cannot contain road infrastructure or an asset protection zone.	Not applicable.	N/A
	f) Where different buffers (including riparian buffers) apply to an area, the greater of the buffer widths applies.	Provision noted.	NA
8	<p>a) Any habitat/vegetation which will be lost as a consequence of development is to be offset through the dedication of suitable land utilising expert ecological knowledge to determine the impact and offset based on the principle of 'improve and maintain'.</p> <p>b) Improvement and maintenance of existing habitat and corridors and the consolidation of fragmented bushland are to be considered as the first preference for any development offset.</p> <p>c) A Vegetation Management Plan (VMP) is to be prepared for any environmental land that is to be retained or used to offset development impacts.</p>	No loss of habitat or native vegetation proposed.	N/A

	d) VMPs are required to address Council's VMP "Heads of Consideration".	VMP not required or triggered.	N/A
9	<p>a) A minimum, fully vegetated buffer from the top of bank to both sides of a watercourse is to be provided in accordance with the following:</p> <ul style="list-style-type: none"> – 10m for 1st order streams that flow intermittently. – 30m for 1st order streams that flow permanently. – 40m for 2nd order streams. – 50m for 3rd order streams. – 65m for 4th order streams. 	There is not currently a vegetated riparian corridor along the northern bank of Wrights Creek as the land is used for active recreation (sports fields) and contains a cyclepath. The only works proposed within 30 metres of the northern bank of Wrights Creek are essential stormwater drainage works and riparian landscaping and native tree planting.	No vegetated buffer but acceptable.
	<p>b) Stormwater management facilities may be considered within buffer areas only where the applicant can demonstrate the proposal is justified on the basis of practical engineering related site constraints and where it is adequately demonstrated that the applicable objectives are achieved.</p>	<p>There is an existing outlet within Wrights Creek. This will not be altered as part of the development. A new connection will be provided upslope to accommodate the additional development outside of the riparian corridor /coastal wetland.</p> <p>Runoff from hardstand and overflows from rainwater tank will be directed to a biofiltration basin before being discharged into Wrights Creek.</p> <p>Conditions will be imposed to reflect Council's design requirements.</p>	Yes
	c) Fully vegetated buffers cannot contain road infrastructure or an asset protection zone.	No road or APZ proposed within buffer areas.	NA
Tree Management - Land to which Chapter 2, State Environmental Planning Policy (Biodiversity and Conservation) 2021 Applies			

10	<p>a) Prescribed vegetation for the purposes of the SEPP (Vegetation in Non-Rural Areas) 2017 is any tree identified in Table 1 or is a mangrove or cycad and is:</p> <ul style="list-style-type: none"> - 3 metres or higher in height, or - has a trunk diameter of 100mm measured at 1.0metre above ground level; or - a hollow bearing tree 	<p>Five trees are identified as needing removal. One of which was dead, two are listed on Council's Noxious Plant & Undesirable Tree Species List, and the other two are of fair/poor health and/or structural condition.</p> <p>It is proposed to plant a significant number of mature growing evergreen and deciduous trees, together with a significant volume of shrubs. A condition will require final details to be submitted with a Construction Certificate for each stage.</p>	Yes
	<p>b) The above criteria does not apply to a tree where the nearside trunk is 3 metres from the nearest external wall of an existing, permanent dwelling or manufactured home and is located within the same property. Such trees may be removed without a permit or development consent. This Provision does not apply to areas mapped as Core Koala Habitat under the LEP. A permit will be required in these instances.</p>	Not applicable.	N/A
Tree Management – Public Land			

12	<p>a) Trees on public land shall not be pruned or removed unless:</p> <ul style="list-style-type: none"> - Written consent is provided by Council; and - They are dead, dying, diseased or dangerous, or - They are causing damage to infrastructure on public land, or - They are impacting on pedestrian or traffic conditions; or - They are interfering with services on private property; or - They impact on the outlook from historic sites or significant public viewing areas, or - The growth habit or mature size of the tree is undesirable in a particular situation, as determined by the General Manager or his delegates; or 	Five trees are identified as needing removal. One of which was dead, two are listed on Council's Noxious Plant & Undesirable Tree Species List, and the other two are of fair/poor health and/or structural condition.	Yes
	b) The trees require removal to fulfil the requirements of section 100C of the Rural Fires Act 1997, as determined by the General Manager or his delegates.	No tree removal required as part of section 100C.	N/A
	c) Where a tree removal on public land is approved, the removal is to be supervised by the Director of Infrastructure Services or their delegate and undertaken in accordance with Council's tree management specifications.	To be conditioned.	Yes
	d) A tree removed on public land is to be replaced by an approved species in a suitable location as determined by the Director of Infrastructure Services or his delegate.	See comments above.	Yes

	e) Council will not consider the pruning or removal of trees where the intent is to enhance the views of or from private property.	The tree removal is not being done to obtain a view.	N/A
	f) Adhoc planting of trees or other vegetation within the road reserve (including public footpaths) is not permitted. Any planting that occurs in this manner will be removed and the road reserve restored at no cost to the Council.	Not applicable.	N/A
	g) Council may consider permitting planting on public land by an Incorporated Community Group where accompanied by a detailed report.	Not applicable.	N/A
	h) Council has no statutory obligation or onus to treat termites, however where a tree on public land is affected by termites, Council may grant permission for adjoining landowners to enter upon public land to treat termites where treatment does not include the destroying, pruning or removal of trees on public land.	Not applicable.	N/A
	i) Any pruning, removal or treatment of any tree on public land must be undertaken in accordance with Council's tree management specifications.	To be conditioned.	Yes
	j) Council, or contractors working on behalf of Council are exempt from requiring an approval to remove or kill non-native or non-indigenous native trees from public bushland reserves.	Provision noted.	N/A
Tree Management - Hollow Bearing Trees			
13 & 14	Hollow bearing tree provisions.	Not applicable.	N/A
B3: Hazards Management			
DCP Objective	Development Provisions	Proposed	Complies

Airspace Protection			
15	a) Development shall not result in land use or activities that attract flying vertebrates such as birds and bats within proximity of flight paths associated with airport operations.	Development is not located within the flight path of the Port Macquarie Airport or have any component that attracts flying vertebrate.	N/A
16	a) Development shall not result in emission of airborne particulate or produce a gaseous plume with a velocity exceeding 4.3m per second that penetrates operational airspace. Refer Manual of Standards Part 139 – Aerodromes, Civil Aviation Safety Authority.	Development is not located within the flight path of the Port Macquarie Airport or have any component that will create an airborne plume.	N/A
17	a) Lighting to comply with Section 9.21 of the Manual of Standards Part 139 – Aerodromes, Civil Aviation Safety Authority.	Development is not located within the flight path of the Port Macquarie Airport.	N/A
Bushfire Hazard Management			
18	a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a residential subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones.	The required inner protection area recommended by the RFS is not within the environmental protection zone (C2).	Yes
	b) Perimeter roads are to be provided to all urban areas adjoining environmental management areas and their buffers. Refer to Figure 2.	Perimeter road is not required.	N/A
Flooding			
19	a) Development must comply with Council's Floodplain Management Plan and Flood Policies.	Part of the site is identified as being within the 1 in 100 (1% AEP) flood zone and a large portion of the site is classified as 'Flood Storage' under the Wrights Creek Flood Study (2018).	Yes

		<p>A Flood Impact and Risk Assessment was submitted with the application and reviewed by Council's flood expert.</p> <p>With the implementation of mitigation measures recommended in the Assessment, including a condition requiring preparation of a <i>Flood Emergency Response Plan</i>, the proposal is supported.</p>	
Lake Cathie Coastal Hazard Management			
20-21	Lake Cathie Coastal Hazards provisions.	Not relevant to Port Macquarie.	N/A
B4: Transport, Traffic Management, Access and Car Parking			
DCP Objective	Development Provisions	Proposed	Complies
Road Hierarchy			
22	a) In new areas (as distinct from established areas with a pre-existing road pattern) each class of route should reflect its role in the road hierarchy by its visual appearance and related physical design standards, including varying levels of vehicle and pedestrian access.	No change to road hierarchy proposed or required.	N/A
	b) Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.	No change to road hierarchy proposed or required.	N/A
	c) All new roads are designed in accordance with Council's AUS-SPEC design specification documents.	No change to road hierarchy proposed or required.	N/A

23	<p>a) New direct accesses from a development to arterial and distributor roads is not permitted. Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.</p> <p>b) Existing direct accesses from a development to arterial and distributor roads are rationalised or removed where practical.</p> <p>c) Vehicle driveway crossings are minimal in number and width (while being adequate for the nature of the development), and positioned:</p> <ul style="list-style-type: none"> - to avoid driveways near intersections and road bends, and - to minimise streetscapes dominated by driveways and garage doors, and - to maximise on-street parking. 	<p>The traffic increase by this development will not exceed the capacity of the surrounding road network. Gordon St is a sub-arterial road with a capacity of >20000 vehicles per day.</p> <p>Munster Street is a local street with a capacity of 2000 vehicles per day but has a pavement width of 22m.</p> <p>Vehicle access to the site is proposed through a driveway for public access off the end of Munster Street, and a driveway (entry only) for emergency and event buses off Gordon Street.</p> <p>Council's traffic expert has considered the proposed access arrangements and found them to be acceptable.</p> <p>All accesses shall comply with Council, AUSPEC and Australian Standards, and conditions will be imposed to reflect these requirements.</p>	Yes
Parking Provision			

24	a) Off-street Parking is provided in accordance with Table 3.	Council's DCP does not contain a numerical standard for parking for the proposed land uses – see below (b).	N/A
	b) Where a proposed development does not fall within any of the listed definitions, the provision of on-site parking shall be supported by a parking demand study.	Parking assessment prepped by Stantec has been submitted with application.	Yes
	c) Where a proposed development falls within more than one category Council will require the total parking provision for each category.	<p>Based on an empirical assessment of parking demand for the various land uses, and a needs analysis over a week, the parking demand for the proposed uses will generate the following parking demand:</p> <p>110 to 129 spaces for Stage 1, and up to an additional 41 spaces for Stage 2.</p> <p>The provision of 129 spaces for Stage 1 and an additional 41 spaces (total 170) for Stage 2 is proposed and exceeds the expected parking demand.</p> <p>Council's traffic expert has reviewed the traffic and parking assessment submitted with the application and considers the proposed parking arrangements and</p>	

		<p>numbers acceptable.</p> <p>Parking and driveway widths on site can comply with relevant Australian Standards (AS 2890) and conditions will be imposed to reflect these requirements.</p>	
25	<p>a) A development proposal to alter, enlarge, convert or redevelop an existing building, whether or not demolition is involved, shall provide the total number of parking spaces calculated from the schedule for the proposed use, subject to a credit for any existing deficiency, including any contributions previously accepted in lieu of parking provision.</p>	<p>Whilst the application proposes to re-develop the site a 'parking credit' has not been determined.</p>	Yes
26	<p>a) On street parking, for the purposes of car parking calculations will not be included unless it can be demonstrated that:</p> <ul style="list-style-type: none"> - there is adequate on street space to accommodate peak and acute parking demands of the area; - parking can be provided without compromising road safety or garbage collection accessibility; - parking can be provided without jeopardising road function; and - that streetscape improvement works, such as landscaped bays and street trees are provided to contribute to the streetscape. 	None proposed.	N/A

	b) On street parking is provided in accordance with AS2890.5.		
27	a) On street parking will not be permitted unless it can be demonstrated that: <ul style="list-style-type: none"> – parking does not detract from the streetscape; and – that streetscape improvement works, such as landscaped bays and street trees are provided. 	No new on street parking is proposed.	N/A

Parking Layout			
28	a) Visitor and customer parking shall be located so that it is easily accessible from the street.	Parking areas are identifiable and easily accessible from the street.	Yes
	b) Internal signage (including pavement markings) should assist customers and visitors to find parking and circulate efficiently and safely through a car park.	Standard signage and line marking is proposed to help patrons/users throughout the car park.	Yes
	c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when: <ul style="list-style-type: none"> – it is stacked parking in the driveway; or – it can be demonstrated that improvements to the open space provided will result; and – the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area. 	Parking to be provided at the rear of the site and landscaped.	Yes
	d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS 2890.6 - Off-street parking for individuals with a disability and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.	The parking design and layout complies with the relevant standards and conditions will be imposed to reflect these requirements.	Yes
	e) Stack or tandem parking spaces will not be included in assessment of parking provision except where: <ul style="list-style-type: none"> – the spaces are surplus to that required; – in motor showrooms; – for home business; – for exhibition homes; – in car repair stations; – staff parking spaces are separately identified and delineated; 	No stack or tandem parking proposed.	N/A

	- it is visitor parking associated with a dual occupancy multi dwelling and/or terrace housing, directly in front of the garage with a minimum depth of 5.5m.		
29	a) Parking is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off- street car parking, AS/NZS 2890.2 - Parking facilities - Off- street commercial vehicle facilities, AS 1428 - Design for access and mobility and AS 2890.6 - Off-street parking for individuals with a disability.	7 spaces proposed. The parking design and layout complies with the relevant standards and conditions will be imposed to reflect these requirements.	Yes
30	a) Bicycle and motorcycle parking shall be considered for all developments.	Secure bicycle parking proposed at entry points and adjacent to reception. 3 motorcycle parking spaces provided.	Yes
	b) Bicycle parking areas shall be designed generally in accordance with the principles of AS2890.3 - Parking facilities - Bicycle parking facilities.	A condition will be imposed to reflect this requirement.	Yes
	c) Motorcycle parking areas shall be 1.2m (wide) x 2.5m (long).	A condition will be imposed to reflect this requirement.	Yes
Section 7.11 Development Contributions			
32	a) Section 7.11 of the <i>Environmental Planning and Assessment Act 1979</i> permits Council, at its discretion, to accept a monetary contribution in lieu of on-site parking where it is considered impractical or undesirable to provide parking facilities on the site of the proposed development. Generally, contributions will not be accepted for the total amount of parking to be provided and will only be accepted in the commercial areas of Port Macquarie, Gordon Street, Laurieton, North Haven and Wauchope,	The site is not located in a Section 7.11 parking contribution area.	N/A

	as identified in Council's Contribution Plan 1993, as amended. Contribution rates are indexed (CPI) each quarter with variations in the contribution rate for each area. Applicants are advised to consult Council's staff at the time of preparing the DA application should a contribution for parking be proposed.		
Landscaping of Parking Areas			
33	a) Landscaping areas shall be provided in the form of large tree planting, understorey plantings, mulch areas, mounding, lawns and the like	A landscape plan has provided detailing an acceptable level of landscaping is proposed.	Yes
	b) Landscaping areas shall be used throughout the car park and on the perimeters of the property where it addresses the public domain.	A landscape plan has provided detailing an acceptable level of landscaping.	Yes
	c) Garden beds shall be a minimum of 3m in width between car parking areas and street boundaries.	Extensive landscaping, incorporating garden beds of varying widths proposed.	Yes
34	a) All plantings on public lands are to be selected from Council's Indigenous Street and Open Space Planting List from the relevant vegetation community adjacent to the Development.	All species have had regard to this list and endemic vegetation.	Yes
	b) Trees are to be grown and installed in accordance with AS 2303:2015 <i>Tree Stock for Landscape Use</i> and Council's AUS-SPEC design specifications.	A condition will be imposed to reflect this requirement.	NA
Surface Finishes			

35	<p>a) All parking and manoeuvring areas shall be constructed with a coarse base of sufficient depth to suit the amount of traffic generated by the development, as determined by Council. It shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers.</p> <p>Preliminary details of construction materials for access and car parking areas shall be submitted with the development application.</p> <p>Detailed plans shall be prepared for the construction certificate by a practising qualified Civil Engineer.</p>	Car parking surface will comprise bitumen, concrete or the like. A condition will be imposed to reflect this requirement.	Yes
	<p>b) In special cases (e.g. where traffic volumes are very low) Council may consider the use of consolidated unsealed gravel pavement for car parks. However, this should not be assumed and will need to be justified by the applicant at the Development Application stage.</p>	Not proposed.	N/A
Drainage			
36	<p>a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface.</p>	Council's Stormwater Engineer has reviewed the stormwater management proposed for the facility and considers it acceptable.	Yes
	<p>b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature.</p>	Not proposed.	Yes

37	a) Car parking areas should be drained to swales, bio retention, rain gardens and infiltration areas.	Runoff from hardstand and overflows from rainwater tank to be directed to a biofiltration basin and then piped to an existing outlet within Wrights Creek that is to be upgraded. Conditions will be imposed to reflect Council's design requirements.	Yes
Loading Bays			
38	a) Off street commercial vehicle facilities are provided in accordance with AS/NZS 2890.2 - Parking facilities - Off- street commercial vehicle facilities.	The proposal provides a separate delivery/servicing area with access from Gordon Street. Deliveries to and from the site can be accommodated. Conditions will be imposed to reflect Council's design requirements.	Yes
	b) Loading bays should be provided in accordance with the following requirements; <ul style="list-style-type: none"> - Minimum dimensions to be 3.5m wide x 6m long. (This may increase according to the size and type of vehicle). - Vertical clearance shall be a minimum of 5m. - Adequate provision shall be made on-site for the loading, unloading and manoeuvring of delivery vehicles in an area separate from any customer car parking area. - A limited number of 'employee only' car parking spaces may be combined with loading facilities. - Loading areas shall be designed to accommodate appropriate turning paths 	Suitable area proposed onsite for loading and unloading associated with the facility.	Yes

	<p>for the maximum design vehicle using the site.</p> <ul style="list-style-type: none"> - Vehicles are to be capable of manoeuvring in and out of docks without causing conflict with other street or on-site traffic. - Vehicles are to stand wholly within the site during such operations. 		
	<p>c) Industrial development shall provide adequate heavy vehicle access to building entries, or alternatively, external bays located appropriately for goods distribution.</p>	Development is not an industrial use.	N/A
	<p>d) For external bays, one bay is required for 500m² of floor space or 1000m² of site area.</p>		
	<p>e) Commercial development having a floor space less than 500m² need not provide a loading bay.</p>	Provision noted.	N/A
	<p>f) Other commercial development shall provide one loading bay for the first 1,000m² floor space and one additional bay for each additional 2,000m².</p>	Suitable area proposed onsite for loading and unloading associated with the facility.	Yes
	<p>g) If parcel pickup facilities are provided on-site they shall be located so as to avoid conflict with general traffic flow within parking areas. Parcel pickup lanes shall be separate from through traffic lanes in major shopping developments.</p>	Development does not provide or require a parcel pick up area.	N/A
39	<p>a) The location and design of loading bays should integrate into the overall design of the building and car parking areas.</p>	Refer to comment for 38(a) above. Separated area proposed to ensure pedestrian safety and restrict access aquatic facility users. The service area has been designed in the same materials and colours as the rest of the facility to ensure it is	Yes

		integrated and does not dominate.	
	b) Where visible from the public domain, loading bays are located behind the building.	The loading facility will be behind the line of the grandstand and will be screened with fencing and landscaping along Gordon Street.	Yes
	c) Where loading bays are located close to a sensitive land use, adequate visual and acoustic screening is provided.	Delivery area is adequately separated from residential land on the north side of Gordon Street to avoid visual or acoustic impacts and will be screened with fencing and landscaping along Gordon Street.	Yes
Traffic Generating Development			
41	a) Traffic Generating Development as defined under SEPP (Infrastructure) 2007 is referred to Roads and Maritime Services. (Refer to Clause 104 and Schedule 3 of the SEPP).	Development is not traffic generating development. Refer to the comments regarding SEPP (Transport and Infrastructure) 2021 in the main assessment report.	N/A
B5: Social Impact Assessment and Crime Prevention			
DCP Objective	Development Provisions	Proposed	Complies
Social Impact Assessment			

42	<p>a) A social impact assessment shall be submitted in accordance with the Council's Social Impact Assessment Policy.</p>	<p>The development does not trigger the need for a social impact assessment under the Policy.</p> <p>Overall, the development will have a positive social benefit by providing improved, inclusive, and accessible recreation facilities for all demographic sections of the community as well as visitors to Port Macquarie.</p>	Yes
Crime Prevention			
43	<p>a) The development addresses the generic principles of crime prevention:</p> <ul style="list-style-type: none"> - Casual surveillance and sightlines; - Land use mix and activity generators; - Definition of use and ownership; - Basic exterior building design; - Lighting; - Way-finding; and - Predictable routes and entrapment locations; <p>as described in the Crime Prevention Through Environmental Design (CPTED) principles.</p>	<p>A CPTED Report has been submitted with the application and addresses the crime prevention principles adequately. The report makes various recommendations and a condition will be imposed requiring these to be implemented as part of the facility.</p>	Yes

D2: Port Macquarie East			
DCP Objective	Development Provisions	Proposed	Complies
D2.1: East Port Neighbourhood			
The proposal is consistent with the desired character for this precinct and retains the use of public open space for public recreational uses.			
Precinct Structure Plans			
211	a) Development is generally in accordance with the precinct structure plans shown in the previous section	Not applicable.	N/A
Lot Size and Frontage			
212	Lot Size and Frontage	No residential development proposed.	N/A
Building Height			
213	a) Buildings do not exceed the maximum height of buildings shown in the local environmental plan maps.	See comments in main assessment report regarding height variation for a small portion of the development.	No, but acceptable.
	b) Development from 2 to 10 Burrawan Street and from 5 to 9 Pacific Drive.	Not applicable.	N/A
	c) Where buildings exceed three storeys, the upper storey is set back from the front façade of the building by three metres.	Not applicable.	N/A
Streetscape and Front Setbacks			
214	a) Northern side of Clarence Street, east of Munster Street – Setback to Clarence Street is 3 metres.	Not applicable.	N/A
	b) Southern side of Clarence Street, between Munster and School Streets – A zero street setback is provided	Not applicable.	N/A
	c) Southern side of William Street, between Murray and Grant Streets – Setback to William Street is 2 metres.	Not applicable.	N/A
	d) Development from 2 to 10 Burrawan Street	Not applicable.	N/A

	<p>– For lots with dual frontage to Burrawan and Windmill Streets, buildings are to address Burrawan Street as their primary frontage.</p>		
	<p>e) Development from 5 to 9 Pacific Drive</p> <p>– Setback to Pacific Drive is a minimum of 6 metres.</p>	Not applicable.	N/A
Side and Rear Setbacks			
215	a) Party wall development is to be used along the south side of Clarence Street where within the Town Beach Precinct.	Not applicable.	N/A
	b) Party wall development is not appropriate in other areas within the East Port Neighbourhood.	Not applicable.	N/A
	c) Where there is a zone change at the rear of the site to the R1 General Residential Zone, any storey above 11.5 metres in height is set back a further 3 metres from the rear boundary.	Not applicable.	N/A
Waste Management			
216	a) Communal bulk waste facilities are required for residential apartment development where collection is proposed from Windmill Street regardless of number of dwellings.	Not applicable.	N/A