



**Armidale Dumaresq
Development Control Plan 2012**

Section 5 Commercial and Industrial Development Controls

Chapter 5.1 Development in the Business Zones

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Part 1 General Provisions

1.1 Introduction

Armidale is served by a single Central Business District (CBD) supported by business areas outside the CBD and a number of smaller neighbourhood centres and corner stores.

This chapter provides a guide for commercial and residential development in the business zones that preserves and enhances the character of each locality and outlines the matters that should be taken into account when considering development proposals.

This chapter is to be read in conjunction with all relevant chapters in Section 2 Site Analysis and General Controls. All relevant matters relating to the development must be addressed in the development application, the SEE and on site analysis plans and site plans. The site analysis process may highlight the requirement for specialist reports to be undertaken.

1.2 Objectives

The objectives of this chapter are:

- O.1 To provide quality urban design solutions to establish, complement or enhance the attraction or unique character of an area.
- O.2 To protect the natural, cultural and heritage significance of a locality by ensuring that new development is compatible with its surroundings and the broader urban context.
- O.3 To provide guidelines for future development that will strengthen the character of the CBD and surrounding business areas within Armidale.
- O.4 To ensure harmonious and attractive living environments for residents and visitors by ensuring that development does not result in unacceptable amenity impacts on adjoining development.
- O.5 To provide for safe and efficient traffic movements and a pedestrian and cycle system that provides effective access within and to business areas.

1.3 Land to which this chapter applies

This chapter applies to land in LEP 2012 zoned:

B3	Commercial Core	B5	Business Development
B4	Mixed Use	B7	Business Park

1.4 Addressing the guidelines in this chapter

The guidelines for development in the business zones are set out in this chapter. These are expressed in the form of objectives which need to be addressed for each development proposal. For each objective (O), 'acceptable solutions' (S) are provided which, if met, will ensure compliance. Alternative approaches may be proposed, provided these adequately address the relevant objectives and comply with legislation.

1.5 Developer contributions

Council may require as a condition of development consent that a financial contribution or dedication of land or provision of a material public benefit be made by a developer to provide for or upgrade public services or facilities for which the development is likely to create a demand.

Developer contributions that apply to development in the residential zones are contained within the Armidale Dumaresq Contributions Plan and the Armidale Dumaresq Water Supply and Sewerage Development Servicing Plan. Depending upon the likely demand for public services or facilities that a development proposal is likely to generate, Council may also require preparation of a specific

Contributions Plan or enter into a Planning Agreement with the developer prior to determining a particular development proposal.

Part 2 General design principles

The character and distinguishing elements within the CBD of Armidale have been substantially established over many years and consequently new proposals will predominantly be for redevelopment of existing sites and infill development. New development should seek to complement or enhance these features and characteristics.

Development should contribute to the local context and this involves identifying the desirable elements of the current character of an area or the key aspects of character that are important to its future.

Part 3 Landmarks and heritage

Landmarks provide a positive contribution to Armidale's architectural landscape. The Armidale town centre has a number of heritage buildings including cathedrals and churches, banks, hotels, retail and government buildings. These buildings are located at prominent sites, often at road intersections. The location of existing and proposed landmark sites identified by the CBD Outline Plan and intersections recommended by the Armidale Streetscape Design Project – Masterplan Report (Environmental Partnerships, 2003) for threshold type entrance treatments are shown in Appendix 1. In addition, the Armidale CBD includes many heritage items and a heritage conservation area. LEP 2012 lists the heritage items and shows the extent of the heritage conservation area. Additional guidelines for development affecting heritage items or in the heritage conservation area are in Chapter 2.3 European Heritage of this DCP.

Redevelopment of sites in the vicinity of landmarks should complement these buildings while making their own architectural statement. Landmark sites require particular attention to street presentation. Incorporation of a landmark feature may be appropriate to create interest and provide the building with a recognisable identity.

The broad objectives for landmark sites are that:

- a) they 'fit in' with the heritage character of the CBD and surrounding Precincts; and
- b) they have human scale building design in pedestrian locations.

Part 4 Community safety

Objectives

- O.1 To reduce the opportunity for crime to occur through the effective planning, design and place management.
- O.2 To ensure building design considers casual surveillance, territorial reinforcement, access control, space management and effective lighting.

4.1 Crime Prevention Through Environmental Design (CPTED)

- *Surveillance* - refers to the ability to see and be seen by others by maximising visibility. The three types of surveillance that may be employed are natural, formal and technical.
- *Access control* - uses physical and symbolic barriers to restrict, encourage and channel pedestrian and vehicle movement.
- *Territorial reinforcement* - uses features and strategies that encourage or enhance a community's sense of responsibility for places and facilities.
- *Space management* - involves the formal supervision, control and maintenance of urban

space.

4.2 CPTED assessment

- S.1 A CPTED assessment must be provided for the following types of development:
- a) Multiple units, townhouse/villa developments (20 or more dwellings);
 - b) Mix use developments, (with 20 or more dwellings);
 - c) New or upgraded commercial/retail developments (major works);
 - d) New industrial complexes with multiple industrial units;
 - e) New or upgraded schools (major works);
 - f) Large sports and community facilities;
 - g) Clubs/hotels (ie upgrades, extended hours, gaming rooms etc);
 - h) Service stations/convenience stores/installation of ATM's;
 - i) Hospitals;
 - j) Unusual developments (ie arcades, brothels, adult shops, amusement centres, upgrade of Department of Housing properties).

4.3 Lighting assessment

- S.2 The required level of lighting will vary according to the level of night-time activity and the perceived risk of crime. The *Australian Standard AS1158.3.1 Pedestrian area (Category P) lighting – Performance and installation design requirements* give recommended illumination levels for spaces with a variety of functions and local requirements.

Part 5 Development in the Armidale CBD

This Part applies specifically to development within the Armidale CBD that is zoned B3 Commercial Core or B4 Mixed Use.

The CBD contains the traditional core of retail and commercial activity in Armidale. The intent is to retain the core retail and commercial activity within this locality and enhancing its role in providing tourist and entertainment facilities. The following objectives include an emphasis on a mix of retail, commercial and residential development. In multi-storey, mixed use developments retail uses are preferred on the ground floor with office and/or residential development at the first floor level and above.

The future character for the CBD core and the framework for future development in this area are represented in *Appendix 1*.

Objectives

- O.1 To encourage landmark developments and redevelopments at selected sites.
- O.2 To encourage a mix of retail (supermarkets, specialty shops and services) and office uses to maintain a strong trading function.
- O.3 To create integrated public transport, vehicle and pedestrian networks.
- O.4 To promote good design that provides functional and attractive buildings and spaces which improve the character of the area.
- O.5 To integrate residential accommodation and business uses in the CBD to create a dynamic business precinct.
- O.6 To create linkages and unity in the streetscape by consideration of important design cues such as height, shape, external materials and proportion of neighbouring buildings.

5.1 Design

- S.1 The colours and external building materials used are to be selected to ensure that all buildings blend with the surrounding streetscape/landscape and any other business development in the locality.
- S.2 Building layouts should encourage continuous street frontages.
- S.3 Street level interfaces should promote all weather activity by providing solar and rain protection.
- S.4 Monotonous facades that provide little relief or detail by use of architectural features/decoration should be avoided.
- S.5 The design should not mimic other buildings but make its own architectural statement and is aesthetically sympathetic to the existing streetscape.
- S.6 Buildings should address the street frontage to ensure building facades do not detract from the existing streetscape character.
- S.7 Roof structures including plant rooms, air conditioning units, rooftop recreational facilities and the like should be designed and incorporated into the building in a way that is attractive and screened from view from a public place or road.
- S.8 Overshadowing should avoid an unreasonable reduction in sunlight access to the open space of surrounding properties and public spaces regularly used by pedestrians.
- S.9 Design should have regard to the concept of view sharing and the degree to which a proposed development interrupts existing and critical view corridors.

5.2 Building height, bulk and scale**Objectives**

- O.1 To ensure the bulk, height and scale of the development are compatible with the existing streetscape to prevent any adverse impacts on the amenity, solar access and private open space of adjoining development and public spaces.
- O.2 To provide a visual transition between the business zones and adjoining residential zones.
- O.3 To enhance the streetscape character through landscaping elements to visually integrate the development with the environment.
- O.4 To allow residential activity that is compatible with and supports business and retail development in the CBD and at neighbourhood shopping centres.
- S.10 Building facades should be designed so that the height, bulk and scale is appropriate and in proportion to the prevailing scale of the street and the surrounding buildings.
- S.11 The maximum height of a building located on land to which this chapter applies must not exceed:
- a) the maximum height shown for the land on the Height of Buildings Map for LEP 2012;
 - b) if there is no such applicable maximum height specified - 12 metres (measured from ground level to the highest point on the building's roof).

5.3 Building setbacks**Objectives**

- O.1 To ensure that setbacks define the boundary between private and public space, complement the existing setbacks of surrounding buildings, and contribute to the character of the immediate streetscape.

O.2	To provide a visual transition between the business zones and adjoining residential zones.
O.3	To ensure buildings incorporate fire protection measures where setback requirements are reduced.
S.12	A zero front setback is acceptable in the B3 and B4 zones where the height of the building does not exceed 10 metres.
S.13	Where the height of the building exceeds 10 metres, that part of the building exceeding 10 metres is to be setback 1 metre from the street boundary for each metre by which the building exceeds 10 metres in height. For the purposes of this control, the height of a building refers to the greatest vertical distance between the footpath level abutting the frontage of the site to the topmost point of that building.
S.14	Where zero side and rear setbacks are proposed, the building must demonstrate compliance with the relevant provisions of the Building Code of Australia (BCA) for the specific class of building.
S.15	Where residential development is 'shop-top housing' setbacks may be consistent with the setbacks of the commercial or business development where it can be demonstrated that there is an acceptable design treatment of potential impacts such as overshadowing, privacy or view loss.
S.16	No part of a building or above ground structure may encroach within a setback except for awnings, bay windows and balconies.
S.17	Where a proposal is for a mixed use comprising commercial and/or retail premises with residential development, the retail and commercial components are to be located: <ul style="list-style-type: none"> a) for single storey developments, towards the street frontage with residences to the rear; b) for multi storey development, at ground level with residences above or to the rear.
5.4	Traffic flow and carparking
S.18	No direct vehicular access to carparks from Beardy Street, between Marsh and Jessie Streets is permitted.
S.19	On-site parking, loading and service areas should be provided behind the building line.
5.5	Pedestrian access
S.20	Link car parking areas to the Mall via internal and external pedestrian walkways.
S.21	Link areas of new development within the CBD to the Central Mall through arcades, where possible, through the extended use of quality pavements and themed street tree planting.
S.22	Arcade links are to provide quality pavements for pedestrian access, partial glazing to arcade roofs to allow maximum light, and landscape elements where applicable.
S.23	Provision of full width paved footpaths is required on all street frontages and side streets.
5.6	Landscaping
Objectives	
O.1	To ensure that sites are landscaped in order to improve air quality, and provide shade, vertical elements and visual amenity.
O.2	To reduce the impact of the bulk height and scale of buildings and large, hard surfaced areas.
O.3	To ensure that planting and site preparation is planned and undertaken to optimise

prospects for the survival and good health of the landscaping.

- O.4 To maintain a visual buffer to road frontages and neighbouring properties, while still allowing safe visibility and passive surveillance on site.
- O.5 To ensure the location and species of landscaping does not prejudice safety aspects such as sight distances.
- O.6 To ensure that site landscaping employs appropriate species for the local climate.
- O.7 To provide plantings that minimise potential for damage to pavements, property and/or infrastructure.

For retail and commercial developments (other than in B7 Business Park zone), there are no specific landscaping standards in terms of minimum area or site coverage, other than for landscaped areas in carparks (see Chapter 2.9 Parking). However, proposals are to show that landscaping of the site has been considered by taking into consideration:

- S.24 Providing appropriate shade for carparking areas or pedestrian routes between buildings within a development.
- S.25 Improving stormwater quality and reducing the quantity of stormwater, for example by using plants with low water demand and low fertilizer requirements and utilising permeable surfaces.
- S.26 Improving the solar performance within the development, for example by appropriate selection and siting of deciduous and evergreen trees.
- S.27 Screening carparking areas and service areas, such as loading docks and waste storage collection areas.
- S.28 Contributing to streetscape character by using planting and landscape elements appropriate to the character of the streetscape and scale of the development.
- S.29 Visually softening the bulk of large development when viewed from public areas in the vicinity of the development.

All landscaping is to relate to the streetscape and context within which the development is sited. Opportunities to integrate the development into public open space areas are encouraged.

To ensure a high quality of landscaping to complement the quality of development within adjoining areas, a suitably qualified or experienced Landscape Consultant/Contractor should be engaged to design landscape works associated with major developments. Consideration should be given to the potential impacts of plant species at maturity on proposed buildings, adjoining properties and utility services (above and below ground), and the minimisation of future maintenance by taking into account practical establishment and long-term management of landscape elements.

5.7 Works in public areas – CBD Masterplan Report

Development works on public land may be required, particularly for major developments. These works may involve streetscape improvements and infrastructure provision in the road reserve including paving, landscaping, seating, rubbish bins, and pedestrian facilities.

Where public infrastructure is to be provided as part of the development, Council will take into consideration the extent to which the proposal is sympathetic to or consistent with the following recommendations of the Armidale CBD Streetscape Design Project – Masterplan Report (Environmental Partnerships, July 2003).

The Masterplan Report suggests the following elements:

- Avenue tree planting to inner town centre streets with semi-mature deciduous tree specimens.
- 'Off-road' parking facilities with themed signage.

- Identification of the existing by-pass traffic route by the use of signage and boulevard tree planting.
- Installation of signage and landscaping at critical intersections – ‘threshold style treatments’.
- New plantings to be as mature (size and spread) as possible, and be installed with quality soil mix, fertilizer, irrigation etc to promote maximum growth.
- Footpath pavement materials in accordance with Council’s preferred footpath surface treatment strategy.

The Masterplan Report notes that development of a theme is important to identify the City Centre and major traffic routes by-passing the CBD. It recommends that only one or two species be used, with accent trees featured at key intersections, ‘threshold entries’ and major pedestrian crossings. Mature street trees should be retained, and where required new tree planting should be continued to complete the street-side avenue effect.

The Masterplan Report recommends that the major by-pass route (Barney and Marsh Streets) and the inner CBD roads (Jessie, Dangar, Faulkner and Dumaresq Streets) be differentiated using themed street tree planting.

S.30 All works on public land (including street tree planting and street furniture) are to be consistent with Council’s requirements.

S.31 Works on public roads must be approved under the Roads Act 1993.

Part 6 Development in B7 Business Park zone

This Part applies to development within the B7 Business Park zone.

6.1 Subdivision

Objectives

- O.1 To provide sites of sufficient dimensions to accommodate potential uses, vehicle parking and manoeuvring areas and landscaping
- O.2 To ensure that services are provided in an orderly and efficient manner to meet the requirements of future potential users.

- S.1 All lots created by the subdivision must have a minimum frontage of 20 metres.
- S.2 All new lots created by a subdivision must have legal and properly constructed access with the minimum road standard specified in the Engineering Code.
- S.3 Subdivisions creating more than 10 lots and accessed by a cul-de-sac are to have an alternative emergency vehicular access.
- S.4 Each lot created by subdivision of land must be provided with a connection to Council’s reticulated water supply.
- S.5 Water systems must be:
- a) designed to the standards specified in Council’s Engineering Code; and
 - b) designed to be easily accessible and maintained.
- S.6 Each lot created by subdivision of land must be provided with a connection to Council’s reticulated sewerage system.
- S.7 Sewerage systems must be designed:
- a) to the standards in Council’s Engineering Code;
 - b) to allow each new lot to be serviced by gravity drainage; and
 - c) to be easily accessible and maintained.

S.8	Connections to a reticulated electricity, telecommunication and NBN system are to be via an underground supply system that meets the servicing authority's requirements.
6.2	New buildings or extensions - design
Objectives	
O.1	To promote development which is both functional and attractive in the local context through appropriate design.
O.2	To ensure that future development creates or maintains a high level of visual and environmental quality in keeping with the character of the area.
S.9	Showroom display areas, ancillary offices, staff amenities and other low-scale building elements should be, wherever practical, be located at the front of the premises.
S.10	The colours of external building materials used are to be selected to ensure that all buildings blend with the surrounding streetscape/landscape and any other business development in the locality.
6.3	Building height, bulk and scale
Objectives	
O.1	To ensure the bulk, height and scale of the development are compatible with the existing streetscape to prevent any adverse impacts on the amenity, solar access and private open space of adjoining development and public spaces.
S.11	Building facades should be designed so that the height, bulk and scale is appropriate and in proportion to the prevailing scale of the street and the surrounding buildings.
S.12	The maximum height of a building located on land to which this chapter applies must not exceed 12 metres (measured from ground level to the highest point on the building's roof).
6.4	Building setbacks
Objectives	
O.1	To ensure that setbacks define the boundary between private and public space, complement the existing setbacks of surrounding buildings, and contribute to the character of the immediate streetscape.
O.2	To provide a visual transition between the business zones and adjoining residential zones.
O.3	To ensure buildings incorporate fire protection measures where setback requirements are reduced.
S.13	In the B7 zone, the front façade setback is to be a minimum of 10 metres from any road frontage.
S.14	On corner sites, a 4 metre setback applies to the secondary frontage.
6.5	Landscaping, storage areas and fencing
Objectives	
O.1	To protect and enhance the appearance of areas used for business parks, particularly due to the location of the B7 zone which is in the vicinity of the University of New England and is within view of the Armidale bypass.
O.2	To provide a landscape buffer between business development and adjoining or adjacent non-business uses whilst enhancing the general streetscape and amenity of business parks.
O.3	To ensure that landscaped areas are an integral part of the site.

- O.4 To encourage plantings in scale with the height and bulk of the proposed building on the land.
- S.15 Existing trees on the site should be retained and building envelopes designed to minimise tree removal.
- S.16 Plantings should be:
- a) selected having regard to their future maintenance requirements and likely growth;
 - b) suited to Armidale's climate and produce environmental and climatic benefits;
 - c) mature or semi-mature plants so that 'instant effect' may be achieved;
 - d) consistent with findings or recommendations of any flora study that may have been carried out to support the development application;
 - e) in scale with the height and bulk of the building and include species that will grow to a height consistent with the building height. Trees to be planted between a new building and the street frontage should be selected to achieve a mature height at least equivalent to the ridge height of the roof of the new building.
- S.17 The following areas are to be landscaped:
- a) Between the front boundary and building line (10m setback) exclusive of approved access ways. This area is not to be utilised for car parking. Any security fences shall not encroach onto the setback;
 - b) Within the off-street parking area;
 - c) Areas not otherwise utilised for approved building, parking or off-street loading.
- S.18 All open areas for the storage of plant, goods and/or materials shall be screened from the public road by means of a suitable screen wall of face brick or masonry matching the building façade.
- S.19 No plant, goods and/or materials shall be placed, stored or otherwise stand between the buildings, or screen walls, and the street alignment or Armidale bypass boundary.
- S.20 The location and species of trees should consider underground services, aboveground services and buildings in the vicinity. New tree plantings are to be a minimum of 3 metres horizontal distance from buildings or underground services.
- S.21 Landscaping beds shall:
- a) Have soil depth of at least 1 metre;
 - b) Have edged support;
 - c) Be mulched;
 - d) Have access to water – an outdoor tap, or where lots are larger than 1000m² an automated watering system is to be provided.
- S.22 Fences are to be a maximum of 3m above existing ground level. Fences along the site frontage are not to be constructed of solid material more than 1m above finished ground level.

6.6 Vehicular access

Objectives

- O.1 To ensure the safe movement of all forms of vehicular traffic and pedestrians.
- S.23 All developments fronting Madgwick Drive shall be serviced by a singular access drive with clear lines of sight, with access being designed off an alternative minor road. Access is denied to the Armidale bypass, which is a controlled access road. Each vehicular crossing shall be not less than 6 metres, nor greater than 9 metres in width.

- S.24 Vehicle manoeuvring, driveways, turning circles etc must be designed in accordance with the current edition of AS 2890.1 and AS 2890.2.
- S.25 All parking and vehicle manoeuvring areas are to be a sealed surface (i.e. concrete or bitumen) – including both public parking areas, and operational areas such as loading docks, staff parking, or vehicle manoeuvring.
- S.26 All car parking spaces and access are to be in accordance with Chapter 2.9 Parking of this DCP.
- S.27 All buildings must be provided with a loading bay so that loading/unloading facilities take place wholly within the subject lot.
- S.28 Loading bays must be located:
- a) behind the front building line, and
 - b) so that they are not facing a dwelling on an adjacent lot.
- S.29 Loading areas must be designed in accordance with the current edition of AS 2890.
- S.30 Directional signage is to be provided on-site that directs visitors to the public parking and building entrance.
- S.31 Directional signage is to be provided for delivery vehicles entering the site.

6.7 Streetscape

- S.32 A concrete footpath to Councils standards is required to the frontage of:
- a) all new development on a vacant site.
 - b) a site where the work for alterations and/or additions is more than 25% of the existing development (including external works).
- S.33 Street tree planting to Council's standards is required to the frontage of:
- c) all new development on a vacant site
 - d) a site where the work for alterations and/or additions is more than 25% of the existing development (including external works).

6.8 Caretaker's residence

- O.1 To ensure that any caretaker's residence is subsidiary and ancillary to the primary use of the property.
- S.34 There must only be one caretaker's residence per lot.
- S.35 The caretakers residence must appear to be part of the new building or alterations and additions, and not be a separate residence from the main development.
- S.36 The residence should be located to maximise natural surveillance of the site in the first instance, but also provide solar access to the living areas wherever possible.
- S.37 The floor area of the residence should be no greater than 100m².
- S.38 The residence should be provided with a separate defined parking space as close as possible to the entrance of the residence.
- S.39 The residence is to be provided with a minimum 40m² area of private open space.

Part 7 Utility infrastructure	
Objectives	
O.1	To ensure that land within Council’s Development Servicing Plan for Water and Sewerage is provided with services in accordance with that Plan.
O.2	To ensure internal services are positioned for effective use of land and access by servicing authorities.
O.3	To ensure that all development has adequate water supply to meet domestic/commercial, and fire fighting demands.
O.4	To ensure that satisfactory provision is made for the safe and nuisance free disposal of effluent.
O.5	To ensure that an adequate electricity supply is available for the intended use.
7.1 Water supply	
S.1	All development identified in the ‘Water DSP Development Area’ in Council’s Development Servicing Plan for Water and Sewerage must connect to Council’s reticulated water supply.
S.2	The development shall be connected to a reticulated water supply with adequate capacity for fire fighting purposes.
7.2 Sewerage systems	
S.3	All development identified in the ‘Sewerage DSP Development Area’ in Council’s Development Servicing Plan for Water and Sewerage must connect to Council’s reticulated sewerage system.
7.3 Stormwater drainage	
S.4	Stormwater drainage systems are to be designed in accordance with Chapter 2.7 Floodplain Protection and Stormwater Drainage.
7.4 Electricity supply	
S.5	Electricity supply requirements are outlined in Chapter 2.1 Site Analysis.
Part 8 Earthworks	
S.6	Earthworks, including excavation, fill, retaining walls, batters and geotechnical investigations (including soil, slip and spring activity) are required, the relevant provisions in <i>LEP 2012</i> Clause 6.1 Earthworks and Chapter 2.6 – Earthworks and Geotechnical Assessment must be applied.
Part 9 Definitions	
In this chapter, the term ‘ <i>major development</i> ’ means any new commercial development, or any alterations/additions affecting more than 25% of an existing development, or any subdivision, but does not include construction of, or alterations and additions to, buildings ancillary to the development.	

