

Richmond Valley Development Control Plan 2021



Part B Commercial Development

This DCP applies to all land within the Richmond Valley Local Government Area.

Date adopted by Council:
22/06/2021

Effective Date:
01/08/2021

Amendments:
[Nil 1](#)

[Effective Date:](#)

The Development Control Plan (DCP) applies to development within the commercial centres of Richmond Valley Council, including development within—~~B1 Neighbourhood Centre Zone, B2 Local Centre Zone~~[E1 Local Centre Zone](#), ~~B3 Commercial Core Zone~~[E2 Commercial Centre Zone](#) and the existing commercial precincts in the RU5 Village Zone at Woodburn and Coraki.

Reference to Commercial Centres in this Chapter means the ~~above mentioned~~[above-mentioned](#) zones and commercial precincts.

The controls also guide development of commercial premises in all other land use zones where such development is permitted under the *Richmond Valley LEP 2012*.

The controls in this Chapter set out the requirements for:

1. Developments which involve construction of new buildings in commercial centres precincts, or alterations and/or additions to existing buildings in these locations.
2. Change of use of an existing premises.

Many forms of development can be undertaken as Exempt or Complying Development under the *State Environmental Planning Policy (Exempt and Complying Development) 2008*. These controls are intended to apply where a development does not utilise the State provisions.

Table B-1 indicates the relevant sections of this DCP for developments which include construction of a new building or additions and/or alterations to the existing building or a change of use only.

Table B.1 Relevant DCP Sections for Development Involving Building works and Change of Use

Controls	New Building or Additions and/or Alterations to Existing Building	Change of Use
B-1 General Objectives	✓	✓
B-2 Height	✓	-
B-3 Setbacks	✓	-
B-4 Streetscape and Character	✓	-
B-5 Access and Loading	✓	✓
B-6 Parking	✓	✓
B-7 Amenity	✓	✓
B-8 Safety and Security	✓	✓
B- 9 Signage	✓	✓
B-10 Landscaping	✓	-
B-11 Stormwater and Sewage	✓	✓
B-12 Excavation and Retaining Walls	✓	-
B-13 Garbage Waste & Storage	✓	✓
B-14 Natural Hazards	✓	✓
B-15 Development Over Roads	✓	✓
B-16 Additional Considerations for Alterations/Additions to Existing Buildings and Change of Use	✓	✓

Part B Commercial Development

B-1 General Objectives

The general objectives of this Part are to:

- (a) encourage functional and attractive commercial centres within the towns and villages of the Richmond Valley Council area which serve the needs of businesses, the community and visitors.
- (b) encourage development in commercial centres which has a high regard for existing streetscape components, particularly features important to heritage and the built environment.
- (c) maintain an urban form throughout the main streets and business districts replicating existing characteristics where appropriate, and encouraging newer built form in the periphery for future expansion of existing commercial areas which responds appropriately to the character of its locality.
- (d) Within RU5 Village zones, to:
 - i. promote commercial development in appropriate locations that reflects the pattern of existing development and contributes to the vitality and viability of the existing commercial core areas, and
 - ii. to encourage development that responds appropriately to surrounding development in terms of its scale, character and nature and intensity of use.
- (e) To provide for reasonable amenity within commercial centres and for adjoining residential development.
- (f) To provide guidance for development of commercial premises where permissible in other zones.

B-2 Building Height

B-2.1 Objectives

- (a) The building height is consistent with the desired scale and character of the street and locality and provides an acceptable impact on the amenity of adjoining properties.

B-2.2 Design Criteria

(1) Determining maximum height for proposed development within commercial precincts

The maximum height a development may be built is depicted within the Height of Buildings Map – Sheet HOB_INDEX within the *Richmond Valley Local Environmental Plan 2012*. Richmond Valley has a general maximum height limit of 8.5 metres, with parts of the ~~B2 Local Centre zone~~ E1 Local Centre Zone in South Casino having a maximum height of 9.5 metres and areas within the Casino Commercial ~~Core~~ Centre Zone (Casino CBD) having a maximum height of 14 metres.

(2) Consistency in Scale

Building height within the core of a commercial centre is required to be in proportion to any existing CBD street or other commercial district hierarchy, particularly as viewed from the primary street.

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Development on the fringe of a commercial centre should be of a scale and character respectful to adjacent one or two storey residential development.

B-3 Building Setbacks

B-3.1 Objectives

1. Establish the desired spatial proportions of the street and define the street edge.
2. Ensure new development is compatible with the streetscape character.
3. Strengthen the urban form of commercial centres with consistent street wall heights.
4. Reinforce the desired spatial character of an area.
5. Mitigate the visual intrusion and associated impacts of building bulk on neighbouring properties, particularly on the interface with residential development.

B-3.2 Design Criteria - Street Setback

- (1) Street setbacks for in the various commercial centres are set out in table B.2 Below.

Table B.2 Minimum Street Setbacks

Zone	Development Types	Minimum Front Building Line Setbacks
B1 Neighbourhood Centre	All development	➤ 6 metres
B2 -E1 Local Centre	Shop Top Housing, Seniors Living, Boarding Houses ¹	➤ Zero—where located above ground floor commercial premises, else ➤ 6 metres
	All other development ¹	➤ Zero
B3 -E2 Commercial Cere Centre	Shop Top Housing, Seniors Living, Boarding Houses ¹	➤ Zero—where located above ground floor commercial premises, else ➤ 6 metres Note. Refer to Heritage Conservation Area considerations.
	All other development ¹	➤ Zero Note. Refer to Heritage Conservation Area considerations.
RU5 Village	Residential accommodation	➤ See residential Part Part A – Residential Development
	Commercial premises within commercial precinct (being Richmond Terrace, Coraki; and River Street, Woodburn)	➤ Zero
	All Other Land Uses	➤ 6 metres
Other Zones	Commercial Premises	➤ See Part I-3

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Zone	Development Types	Minimum Front Building Line Setbacks
Vehicular Access Requirements ¹ . Vehicular access opening of garages, carports and sheds must be a minimum of 5.5 metres from the boundary with a road alignment.		

- (2) The Casino CBD area, covered by parts of Barker and Walker Streets, is included in a Heritage Conservation Area. Development above the height of the facade of existing development must achieve street setback of 10 metres to ensure the new construction does not impact upon the significance of this heritage streetscape.

B-3.3 Design Criteria - Side and Rear Boundary Setbacks

- (1) Side and rear boundary setbacks for commercial centres are set out in table B.3 Below:

Table B.3 Minimum Side and Rear Boundary Setbacks

Zone	Development Types	Minimum Side and Rear Setbacks					
B1 Neighbourhood Centre	Shop Top Housing, boarding houses, seniors living	➤ See Part A – Residential Development					
	All other development	➤ Side and Rear Boundary <table border="1" data-bbox="823 1059 1417 1352"> <thead> <tr> <th>Building Height</th> <th>Minimum required setback from each side boundary</th> </tr> </thead> <tbody> <tr> <td>0m – 3.5m</td> <td>0.9m</td> </tr> <tr> <td>>3.5m to 8.5m</td> <td>$\frac{(\text{Building Height} - 3.5)}{4} + 0.9$</td> </tr> </tbody> </table>	Building Height	Minimum required setback from each side boundary	0m – 3.5m	0.9m	>3.5m to 8.5m
Building Height	Minimum required setback from each side boundary						
0m – 3.5m	0.9m						
>3.5m to 8.5m	$\frac{(\text{Building Height} - 3.5)}{4} + 0.9$						
B2 – E1 Local Centre	Shop top housing, boarding houses, seniors living	➤ See Part A – Residential Development					
	All other development	➤ Zero					
B3 – E2 Commercial Core Centre	Shop top housing, boarding houses, seniors living	➤ See Part A – Residential Development					
	All other development	➤ Zero—for that part of development 3 storeys or less ➤ 6 metres setback—for any part of the development 4 storeys or greater					

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Zone	Development Types	Minimum Side and Rear Setbacks					
RU5 Village	Commercial premises within commercial precinct (being Richmond Terrace, Coraki; and River Street, Woodburn)	➤ Zero					
	All other development	➤ Side Boundary <table border="1" data-bbox="823 517 1436 759"> <thead> <tr> <th>Building Height</th> <th>Minimum required setback from each side boundary</th> </tr> </thead> <tbody> <tr> <td>0m – 3.5m</td> <td>0.9m</td> </tr> <tr> <td>>3.5m to 8.5m</td> <td>$\frac{(\textit{Building Height} - 3.5)}{4} + 0.9$</td> </tr> </tbody> </table> ➤ Rear Boundary <ul style="list-style-type: none"> • 3m for ground floor • 6m for first floor 	Building Height	Minimum required setback from each side boundary	0m – 3.5m	0.9m	>3.5m to 8.5m
Building Height	Minimum required setback from each side boundary						
0m – 3.5m	0.9m						
>3.5m to 8.5m	$\frac{(\textit{Building Height} - 3.5)}{4} + 0.9$						
All Other Zones	Commercial Premises	➤ See Part I-3					

Note: where a proposed building will encroach beyond the required setback the encroaching wall material will need to comply with the fire resistance levels required by the BCA.

B-4 Streetscape and Character

B-4.1 Objectives

- (a) Development is consistent with the prevailing character of the street and neighbourhood and integrates effectively into its location.
- (b) Development respects the scale and qualities of important community buildings and landmarks within the precinct.
- (c) Commercial development on an interface with residential development or other sensitive land uses is compatible with its surroundings.
- (b) Development preserves and enhances the heritage value of a heritage item and heritage conservation area.

B-4.2 Design Criteria

- (1) The design of a building must relate to its locality in terms of scale, form proportions and materials; and contribute to the development of an attractive streetscape and town character.
- (2) Proposed commercial development of a heritage item, or adjacent to a heritage item or proposed within the Casino heritage conservation area must comply with the applicable heritage requirements in Part I-1 of this DCP.
- (3) Commercial development, particularly in the main streets and business districts, is to be consistent with existing streetscape elements, including:

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- i. Overall scale and setbacks
 - ii. Roof form and pitch
 - iii. Materials and colour of external walls, awnings, and embellishments such as decorative detail on gable ends
 - iv. Scale and position of windows and other architectural features
 - v. Landscaping
- (4) New development shall incorporate active retail or office uses and provide direct and inviting access from the street level.
 - (5) For commercial premises permitted in residential areas, the street setback and landscaping ~~is~~are to comply with the requirements applying for residential development in the street.

B-5 Access and Loading

B-5.1 Objectives

- (a) To provide for access and loading/unloading facilities which maintain a safe and convenient pedestrian and traffic environment and do not adversely impact on any surrounding sensitive land uses.

B-5.2 Design criteria

- (1) Vehicular access, parking and loading/unloading must comply with:
 - (a) Australian Standard AS2890; and
 - (b) Council's Vehicular Accessway Policy.
- (2) Loading areas for new developments should be located so as to:
 - (a) reduce on-street loading; and
 - (b) be freely available for use at all times.
- (3) Access and Loading Requirements – Change of Use
 A development application involving a change of use must demonstrate that existing access and loading facilities are suitable for the intended use, or can be modified to provide adequate and safe access and loading arrangements for the proposed new use.
- (4) Lane Widening
 In limited cases, lane widening may be required as part of proposed development in Casino. Those areas designated as requiring road widening are outlined within Part I-15 of this DCP. Council will assess the need for road widening or re-alignment when considering a development application for the land and will have regard to the existing and likely future traffic needs of the locality.

B-6 Car Parking

B-6.1 Objectives

- (a) Provide sufficient parking to satisfy the demand for parking generated by commercial land uses.

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- (b) Parking does not compromise on street and ~~off-street~~off-street safety for vehicles, pedestrian and cyclists.
- (c) Minimise amenity impacts on neighbouring properties including streetscape, noise and light spill.

B-6.2 Design criteria

- (1) Car parking is required to be provided onsite in order to protect the street and amenity of the area from unnecessary congestion. The number of car parking spaces required on a property is dependent upon the type of development proposed and any past credit for car parking which may be assumed from historic uses conducted on the site.
- (2) ~~On-site~~ On-site parking is only permitted within the street setback where it is not inconsistent with the established development pattern in a commercial centre, and the landscaping requirements outline in this chapter are achieved.
- (3) For commercial premises in the R1 General Residential Zone or the residential precincts in the RU5 Zone, ~~on-site~~on-site parking within the street setback is not supported unless the landscaped area requirements outlined below can be satisfied.
- (4) Table B.1 contains the minimum car parking requirements for commercial premises.
- (5) Parking Requirements – Change of Use
 - (a) A flat rate of parking shall apply to all existing floor area in the BusinessEmployment Zones of ~~B1 Neighbourhood Centre~~, ~~B2-E1~~ Local Centre, & ~~B3-E2~~ Commercial CoreCentre. As such a change of use within these commercial centres will not require additional car parking to be provided. The only additional car parking that will be required in these locations will be for developments which provide additional floor area.
 - (b) Any commercial premises outside of the ~~above-mentioned~~above-mentioned locations shall comply with the parking requirements below.
 - (c) In all locations, no existing parking is to be lost as part of the change of use application.
 - (d) Table B.4 provides the minimum car parking requirements for commercial premises. For other types of development permissible in the Commercial Centres, see Part I-4. The following parking rates apply:

Table B.4 minimum car parking requirements for commercial premises

Land Use	Parking Rate*
Commercial Development	
Zone B1 , B2-E1 or B3-E2 – Change of Use of existing GFA to another use (including to shop top housing)	No additional parking will be required. No loss of existing parking will be permitted.

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Land Use	Parking Rate*
Commercial premises - Office Premises - Retail Premises - Business Premises	1 per 30 m ² of GFA (<=1000m ²), or 1 per 40 m ² of GFA (>1000m ²)
Pub/Hotel Premises Restaurants or Cafes	1 per 30 m ² of GFA (<=1000m ²), or 1 per 40m ² of GFA (>1000m ²)
Take Away Food and Drink Premises	1 per 30 m ² of GFA (including external dining areas), plus where a drive thru is provided: —2 waiting bays, plus queuing area for 10 cars
Kiosks	1 per 40 m ² of GFA
Garden Centres Hardware and building supplies Plant Nurseries Rural Supplies Timber Yards	1 per 200 m ² of display area (internal and external)
Vehicle Sales or Hire Premises	1 per 100 m ² of showroom area
Roadside Stalls	3 spaces with sufficient area for vehicles to manoeuvre and exit the land in a forward direction.
Notes. <ul style="list-style-type: none"> • Car Parking requirements for other uses – see Part I of the DCP. • GFA = Gross Floor Area 	

B-7 Amenity

B-7.1 Objectives

- (a) Development is compatible with the surrounding development.

B-7.2 Design criteria

- (1) Development in commercial centres which has an interface with residential accommodation and other sensitive uses such as parks, childcare centres and community facilities sensitive is to be compatible with its surroundings, having regard to:
- the physical impacts of the development (including noise, odour, overshadowing, view loss, privacy, traffic and parking, loading, hours of operation, constraints on development of the adjoining sites), and
 - the visual impact (whether the proposal is in harmony with the buildings around it and the character of the street).

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- (2) Proposed development must provide appropriate worker amenity in terms of access to natural light and ventilation, and sufficient indoor and outdoor areas for worker recreation.
- (3) The control above also applies to commercial premises in all other zones.
- (34) Depending on the type of development proposed and its hours of operation, a noise or social impact assessment may be required. Part I of the DCP contains design criteria for noise and social impact. Where required to do so under the provisions of Part I, the development shall provide for noise and/or social impact reports, and design the development to meet any recommendations in the report/s.

B-8 Safety and Security

B-8.1 Objectives

- (a) Reduce opportunities for crime through building layout, orientation and location, and the strategic use of design, landscaping and lighting.

B-8.2 Design criteria

- (1) The design of any proposed development needs to demonstrate compliance with the Crime Prevention Through Environmental Design (CPTED) guidelines. More information concerning Crime Prevention Through Environmental Design (CPTED) is outlined within Part I-10 of this DCP.

B-9 Signage

B-9.1 Objectives

- (a) Ensure that signage:
- i. is compatible with the desired amenity and visual character of an area.
 - ii. is in keeping with the scale and character of surrounding development and does not dominate or clutter the streetscape.
 - iii. does not reduce the safety of any road, pedestrian path or waterway.

B-9.2 Design criteria

- (1) All signage intended for the development in commercial centres must be outlined within formal application for the development. Part F of this DCP relates to signage. In addition, some forms of Business Identification Signage may be carried out as exempt development under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- (2) If the property is heritage listed, adjoins a heritage item or in a heritage conservation area, any new or replacement signage, shall complement the heritage characteristics of the building or locality having regard to the colour

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scheme, location, design and number of signs proposed. Refer to the heritage provisions in Part I-1 Environmental Heritage for further information.

- (3) An elevation of the proposed development detailing signage size, colour and style for approval purposes, is required to form part of the development application.

B-10 Landscaping

B-10.1 Objectives

- (a) Make a positive contribution to streetscape amenity by softening the visual impact of built form including car ~~parking, and~~ parking and providing shade.

B-10.2 Design criteria

- (1) Where onsite carparking is located within the street frontage within a commercial centre, a 2m wide landscape strip is to be provided within the site along each street boundary.
- (2) A landscaping component is also required in commercial centres in situations where adjoining uses and overall built form also incorporates landscaping. Where the proposed development adjoins residential development, particularly where car parking areas are required, landscaping shall be incorporated to screen these areas from adjoining land uses.
- (3) ~~In Zone B1 – Neighbourhood Centre and for the~~ For development of commercial premises outside of the commercial centres, landscaping is to be provided as part of the development where the existing built form incorporates landscaping components.
- (4) For commercial premises permitted in residential areas, a minimum of 50% of the street setback is to be landscaped area.
- (5) A landscaping Plan may be required and should be prepared in accordance ~~consultation~~ with Part I-5 – Landscaping.

B-11 Stormwater, Sewage and Water

B-11.1 Objectives

- (a) To ensure all commercial development is adequately serviced for sewerage, water, ~~and~~ and stormwater disposal ~~stormwater~~ and makes adequate provision for the disposal of liquid trade waste.

B-11.2 Design criteria

- (1) Where water and sewer connections are not available to a lot in an urban area, Council will require the extension of Council's main to service that lot at the developers cost.

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For all infrastructure connections within the property the proponent is required to take into consideration possible subsidence areas ('Zone of influence'). The Zone of Influence is calculated based on soil type and the depth of the piped infrastructure. The zone must be observed on all plans and all footings either must avoid this zone or be appropriately engineered in accordance with Council standards. See the Explanatory Notes Section of the DCP for further details regarding zones of influence.

(2) Stormwater

All urban lots are required to connect or maintain adequate connection to town infrastructure where provided, and developments are to incorporate have consideration for Water Sensitive Urban Design principles/systems (e.g. bio-retention basins, vegetated swales, or constructed wetlands (refer to Chapter I-9 for details). All stormwater is to be directed to the street drainage system, or to an inter allotment drainage easement where available.

(3) Sewage

All greywater and toilets are required to be connected to sewer infrastructure, where provided.

(4) Liquid Trade Waste

Where a commercial development generates liquid trade waste, mechanisms for disposal of liquid waste must be identified as part of the development application. Approval from Council is required to discharge liquid trade wastes into the sewerage system. Refer to Council's Policy - *Discharge of Liquid Trade Waste to the Sewerage System*. In areas not connected to the sewerage system, the development application must also demonstrate how liquid trade waste for the proposed development will be managed.

(5) Water

All commercial development is required to be connected to water infrastructure, where provided.

B-12 Earthworks and Retaining Walls

B-12.1 Objectives

- (a) To ensure cut and fill required for any development is designed to minimise any safety, environmental and amenity impacts on the site and adjoining properties.

B-12.2 Design criteria

- (1) All earthworks and retaining walls proposed for the development must be detailed within the development application.
- (2) Timber retaining walls are not permitted for boundary retaining walls including road and park reserve boundaries.
- (3) Retaining walls are not permitted within easements unless it can be shown that there is; no impact on underground pipes, no restriction on the free flow of overland stormwater, no constraint on the access by maintenance vehicles.

Consideration of Acid Sulfate Soils (ASS)

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- (4) Acid Sulfate Soils are relatively prevalent within the lower river regions of Richmond Valley, and due consideration of the risk and structural adequacies must be considered within any application proposing earthworks and retaining walls. ASS considerations must accompany any engineering certification. Further information may be obtained in Part H-2 of this DCP.

Engineering Certification Required

- (5) Retaining walls in excess of 1 metre in height require engineering certification. All materials to be utilised as fill, ballast or for retaining walls must be accompanied by a geotechnical certification to verify structural stability and that they are free from contamination.
- (6) Erosion and Sediment Control safeguards and practices are required to be implemented during construction.

Note. Any material resulting from demolition, including concrete and brick which may be sourced as ballast, is classified as a waste. It is an offence under the *Protection of the Environment Operations Act* to transport waste to a place that cannot lawfully be used to deposit waste. Ballast or fill cannot be sourced from a demolition site unless it has been certified as clean and de-classified as waste.

B-13 Garbage Waste and Storage

B-13.1 Objectives

- (a) Ensure appropriate waste storage and collection facilities.
- (b) Enable the servicing of the waste management system on site, and the efficient collection of waste and recyclables by collection service providers, with minimum disruption and impact on the community.
- (c) Ensure bin storage areas/rooms do not dominate the streetscape.

B-13.2 Design criteria

- (1) A garbage and waste storage area for recyclable and non-recyclable waste materials and receptacles for those materials must—
- (a) be provided as part of the development, and
- (b) be located entirely within the lot on which the development is being carried out and not on a road or road reserve, and
- (c) comply with the following appendices in the document entitled *Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities* (ISBN 978-1-74293-944-5), published by the NSW Environment Protection Authority in December 2012:
- (i) Appendices A and B, for the size and location of garbage and storage areas and the size of waste receptacles,
- (ii) Appendices C and D, for the design of openings of waste storage areas and loading bay turning circles for waste removal vehicles,
- (iii) Appendix E, for standard signs for waste storage areas,

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- (iv) Appendix F for the design and operational capacity of waste storage areas.
- (2) The waste storage area must:
 - (a) be screened, and
 - (b) be located behind the primary road frontage building line, and
 - (c) not be located in any car parking, loading or landscaped area, and
 - (d) not be located on any side of the building that faces an adjoining lot on which there is a dwelling.

B-14 Natural Hazards and Constrains

B-14.1 Objectives

- (a) To minimise the impact of natural hazards on development within Commercial Centres.
- (b) To ensure commercial development is appropriate for a particular hazard environment

B-14.2 Design criteria

(1) Flooding

Commercial development is required to be designed to endure flooding events of a 1 in 100 year ARI frequency, or as otherwise assessed within an updated Risk Management Plan.

Commercial development must have its floor levels located:

- in the Casino area—above the 1 in 100 year ARI flood event,
- in the Mid-Richmond area—above the 1 in 20 year ARI Flood event. A storage area with a floor level greater than or equal to the ~~the~~ 1 in 100 year ARI flood level is to be provided for stock/equipment subject to water damage.
- in areas of the Council outside a formal flood study area—to be determined on researching historic data, anecdotal information, and a risk assessment.
- if the development includes storage of hazardous materials, it must have a storage area that is located above the 1 in 100 year flood event plus appropriate Risk-Based Freeboard (RBF) flood level or an approved plan of management.

Council can provide property specific flood information for areas within formal flood studies covering the Mid-Richmond and Casino areas.

All potential flood risks associated with the development must be considered, including potential risks to emergency personnel (SES) in the event evacuation may be required. Flood consideration is mostly directed toward dwellings and habitable areas, however Council must also consider flood impacts upon other assets and access to and from the development. Part H1 – Flooding provides additional detail concerning flooding issues.

(2) Acid Sulfate Soils (ASS)

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All works which are likely to impact on ASS will require extra consideration during the construction phase of the development. DCP Part H-2 – Acid Sulfate Soils provides additional information concerning the risks posed by various classes of ASS.

(3) Contaminated Lands

Contaminated lands may require rehabilitation prior to development being initiated. In exceptional circumstances and where no other remediation method is achievable, containment of the source of contamination may be considered. The foremost option is to locate any proposed development outside any area considered unsafe, however rehabilitation is the most common option for Commercial Development.

B-15 Development over Roads

B-15.1 Objectives

- (a) To facilitate safe and appropriate commercial development over roads.

B-15.2 Design criteria

- (1) Commercial Development often incorporates some form of development over public roads. This development may be in the form of Footway Activities (kerbside dining, footpath trading, erection of signage), erection of awnings and verandahs, flagpoles etc.
- (2) Appropriate approvals and consents will be required to carry out any activity or construction on a public road. See Part I-2 for further information.

B-16 Additional Considerations for Alterations and Additions and Change of Use to existing commercial premises

B-16.1 Objectives

- (a) Identify common additional design considerations that may be required for alterations or additions to existing commercial premises, and/or change of use of commercial premises.

B-16.2 Design criteria

- (1) A proposal for alterations or additions to an existing commercial building, or to change to use of the building may require building to be upgraded to comply with the Building Code of Australia. Any upgrade requirements should be taken into account at development application stage as they may impact upon the design of the project or the heritage values of the property.
- (2) **Common upgrades may include:**
 - access for people with a disability to comply with premises standard – affects issues including access and bathroom facilities
 - Light and ventilation
 - Fire safety

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- Energy efficiency
- Sanitary and other facilities

Consultation with a suitably qualified building consultant early in the process is recommended to understand the requirements and any potential design, heritage and cost implications for the proposal.

(3) Other Legislative Requirements

Some forms of commercial development may also be subject to requirements of other legislation, which govern the fit-out and operational requirements of the proposed development.

Common requirements are:

- if the new use is food and drink premises—the premises must comply with AS 4674–2004 Construction and fit-out of food premises, and details must form part of the development application.
- if the use involves skin penetration, details as to how the fit-out will comply with the requirements of the *Public Health Act* and Regulations is required.
- Water supply, sewerage (including trade waste provision), and stormwater drainage work under s68 of the *Local Government Act*.
- Access for people with a disability will need to comply AS 1428.1.