

Maitland DCP 2026

Chapter 1: Introduction and Administration

maitland
CITY COUNCIL

Version Amendment History

VERSION NO.	NATURE OF AMENDMENT	DATE IN FORCE
1	Initial adoption by Council	14/04/2026

1.1. Adoption and Commencement

The *Maitland Development Control Plan 2026* was adopted by Council on 17 March 2026 and came into effect on 14 April 2026.

To assist with managing the Development Application process during the transition between the *Maitland Development Control Plan 2011* and the *Maitland Development Control Plan 2026,* the following Savings and Transitional Arrangements are in place:

Any Development Application lodged before the *Maitland Development Control Plan 2026* came into effect on 14 April 2026 must be determined as if the *Maitland Development Control Plan 2026* had not been commenced.

1.2. Disclaimer

The contents of this Development Control Plan (DCP) are subject to periodic review and change. Applicants must ensure that they have obtained the latest version. The DCP is not necessarily an exhaustive list of requirements for a particular development application. Pre-application discussion with Council staff is essential to ensure all matters are considered.

Council will accept no responsibility for reader interpretation of this DCP. Applicants should consult with Council staff to ensure the relevant parts of the DCP have been addressed and are understood.

1.3. Interpretation

This DCP adopts the terms and definitions of the *Standard Instrument – Principal Environmental Plan*, unless otherwise defined in the DCP.

A reference to any Australian Standard, legislation, or supporting documentation includes a reference to any amendment or replacement as made.

1.4. Status and Purpose of this Plan

This DCP was prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the *EP&A Act 1979* states that the EPI prevails to the extent of the inconsistency. This is reinforced by Section 3.42 and 3.43 of the EP&A Act 1979, which establish the purposes of a DCP.

The purpose of this DCP is to provide more detailed guidelines for future development within the Maitland Local Government Area (LGA) to:

- Give effect to the aims of any environmental planning instrument that applies to the development.
- Facilitate development that is permissible under any such instrument.
- Achieve the objectives of land zones under any such instrument.

A consent authority is required to consider this DCP when determining Development Applications (DAs) under Section 4.15 of the EP&A Act 1979 in its assessment of a Development Application. However, compliance with the provisions of this DCP does not necessarily imply that a consent authority will consent to the application.

1.5. Aims of this Plan

The Maitland Development Control Plan 2026 aims to:

1. Ensure that development is economically, socially and environmentally sustainable.
2. Ensure that development positively responds and contributes to the site and its context.
3. Facilitate development consistent with the established vision, adopted plans, strategies and policies including Council's Local Strategic Planning Statement (LSPS).

1.6. Land Application

This DCP applies to land and development within the Maitland LGA, unless excluded in whole or part by an Environmental Planning Instrument.

1.7. How to use this DCP

This DCP applies to all development that may be carried out with development consent in the Maitland LGA. Any development application within the Maitland LGA will need to address the relevant provisions contained in this DCP.

The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following purposes:

Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP.

Prescriptive Controls (PC) are requirements that an Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code '**PC**', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'.

Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code '**AS**', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'.

Note: Boxes that appear like this are used for the following purposes:
- Providing additional information,
- Application of a section to different land zonings defined under the MLEP 2011,
- References to other relevant DCP Chapters/Sections, EPIs, or relevant Council documents, or
- Background context for why a Prescriptive Control/Acceptable Solution functions in the manner it does.

1.8. Variations to this DCP

If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should:

1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation,
2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and

3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated.

This variation should be justified in the Statement of Environmental Effects accompanying the development application.

1.9. DCP Structure

The structure of this DCP is as follows:

Chapter 1: Introduction and Administration

This Chapter contains general matters that relate to the commencement, status, application, and function of the DCP. It also provides information relating to the preparation of a Development Application, public notification, and post determination matters.

Chapter 2: Environmental Considerations

This Chapter provides detailed controls relating to biodiversity and vegetation, and management of natural hazards including flooding, bushfire, and contamination. It captures a wide range of considerations that are present throughout the Maitland LGA.

Chapter 3: Site Requirements

The Site Requirements Chapter provides a broad range of controls relating to the construction and operational elements of a development within the Maitland LGA. It broadly captures controls and acceptable solutions that relate to matters such as earthworks, retaining walls, stormwater, parking, vehicle access, waste, sustainability, and social impact.

Chapter 4: Heritage

This Chapter provides comprehensive controls around the treatment of heritage within the Maitland LGA. Broadly, the Heritage Chapter covers Aboriginal heritage, State and locally listed heritage items, and Heritage Conservation Areas, in relation to their preservation, restoration and sensitive urban design.

Chapter 5: Subdivision

The Subdivision Chapter provides a detailed set of controls and acceptable solutions for realising effective subdivision outcomes within the Maitland LGA. It addresses a range of matters, including utilities, landscaping, context-specific lot types, street layout, size and dimensions in relation to Residential, Rural, Industrial and Commercial Subdivisions.

Chapter 6: Residential Uses

The Residential Uses Chapter provides the requirements around the design and interface of residential accommodation. It covers a series of housing typologies, including dwelling houses, dual occupancies, multi-dwelling housing, and residential flat buildings.

Chapter 7: Commercial Uses

This Chapter contains detailed controls and acceptable solutions relating to the design of commercial premises and their intrinsic interactions with the public domain in many commercial centres throughout the Maitland LGA. The provisions of this Chapter relate to scale and bulk, built form, place activation, servicing and architectural design.

Chapter 8: Industrial Uses

The Industrial Uses Chapter provides a set of controls and acceptable solutions around matters to be addressed when undertaking industrial development in the Maitland LGA. This includes aspects of

development such as building design, landscaping, setbacks, fencing, signage, impervious area, and waste management.

Chapter 9: Rural and Other Land Uses

The Rural and Other Land Uses Chapter covers a range of different land uses throughout the LGA. The Chapter focuses on the rural aspect of development, including agricultural and agritourism, and a series of land uses not otherwise identified in other Chapters, such as animal boarding establishments, cemeteries, and places of public worship.

Chapter 10: Precincts, Locality Plans, and Urban Release Areas

This Chapter contains three key elements of the DCP that provide a series of site-specific controls and acceptable solutions to particular areas of the Maitland LGA. These take a variety of forms, including:

- Special Precincts around certain commercial and infrastructure assets that require additional environmental or design considerations,
- Locality Plans associated with specific urban areas that require a degree of localised place planning, and
- Urban Release Areas that address development provisions required under Section 6.3 of the MLEP 2011.

Appendix A: Application Requirements – Other Development

Appendix A provides information and guidance as to what documentation must or may be provided with a Development Application based on a development type. It does not cover smaller-scale developments such as dwelling houses, change of use, or minor alterations and additions.

Appendix B: Application Requirements – Minor Development

Appendix B provides information and guidance as to what documentation must or may be provided with a Development Application based on a development type for small scale development, including dwelling houses, secondary dwellings, dual occupancies, and swimming pools.

Appendix C: Biodiversity Guidelines

The Biodiversity Guidelines support Chapter 2: Environmental Considerations, Appendix A, and Appendix B. It provides details as to what is to be contained in Flora and Fauna Assessments, Vegetation Management Plans, Biodiversity Management Plans, and appropriate assessment for where squirrel gliders are present.

Appendix D: Canopy Cover Guidelines

The Canopy Cover Guidelines provide potential methods for applicants to achieve a 30% canopy cover over proposed developments, and serves as an advisory document to implement industry-leading landscaping outcomes and Council's Environmental Sustainability Strategy goals at an applicant's discretion.

Appendix E: Heritage Guidelines

The Heritage Guidelines provide supporting explanatory information for Chapter 4: Heritage and the broader management of heritage items and heritage conservation areas in the Maitland LGA.

Appendix F: CPTED Guidelines

Appendix F provides a series of recommended design features for development that needs to incorporate the principles of Crime Prevention Through Environment Design, and support Chapter 3: Site Requirements.

1.10. Relationship to Other Plans, Policies and Legislation

This plan was prepared in accordance with the provision of the EP&A Act 1979 and the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021).

This DCP is to be read and applied in conjunction with the MLEP 2011 and the following:

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2021*
- Any relevant SEPP
- *Local Government Act 1993*
- National Construction Code (NCC)
- Relevant Australian Standards
- Land and Environment Court Planning Principles
- Maitland City Council's Manual of Engineering Standards (MOES)
- Any other relevant documents endorsed by MCC such as strategies, guidelines, plans, technical manuals, studies, standard drawings, or the like.

1.11. Preparing a Development Application

1.11.1. Before you begin

Initial discussion/s with relevant Council staff prior to the preparation of detailed plans is highly recommended to ensure that the development proposal is permissible under the MLEP 2011, that all relevant matters are addressed in the application, and that adequate supporting documentation is submitted.

As part of determining what assessments and information may be required for your application, it is recommended to consult the Appendices and Technical Guidelines to this DCP that are available on Council's website. Notably, Appendix A: Application Requirements – Other Development and Appendix B: Application Requirements – Minor Development provide common application requirements for development lodged with Council.

For larger or more complex proposals, it is recommended that applicants meet with Council's staff including specialist Council staff responsible for the assessment of development, subdivision and construction certificate proposals. This allows Council staff to provide advice aimed at avoiding delays during application processing and maintaining effective communication. Attendance at a formal Pre-Development Application meeting does not infer an approval from Council.

1.11.2. Preparing a Development Application

A Development Application must be accompanied by a Statement of Environmental Effects and other relevant documentation as prescribed under the EP&A Regulation 2021. The supporting documentation required with an application will vary with the nature of the proposal, its size and complexity, the other agencies from which comment or approval is required and the environmental characteristics of the land to be developed. Additional detail regarding issues to be addressed, and the resulting documentation requirements, can be found throughout this DCP and its associated Appendices and Technical Guidelines.

1.11.3. Section 4.15 of the Environmental Planning & Assessment Act 1979

This section of the EP&A Act 1979 specifies matters that a consent authority needs to consider in the assessment of development applications. These heads of consideration also provide an applicant with a checklist to ensure that all aspects of a development have been addressed in the preparation of an application. This section includes matters for consideration in determining a development application including:

- EPIs: this section requires consideration of whether the application is consistent with any applicable EPIs (e.g. State Environmental Planning Policies and Local Environmental Plans),
- Any DCP that applies to the land,
- Matters prescribed by the Regulation associated with the Act – these include such matters as fire safety considerations,
- Environmental, historical, social and economic impacts,
- Whether the site is suitable for the development,
- Any submissions made in relation to the development, and
- Public interest matters.

Consideration of matters specified in the EP&A Act 1979 may require the applicant to prepare site-specific specialist reports or studies and/or broader studies where the proposed development will have greater impacts on the wider community.

1.11.4. Integrated Development

In addition to any consent issued under the EP&A Act 1979, some proposals will also require approvals (or licences) from other statutory authorities or agencies before commencing work or undertaking the activity.

The EP&A Act 1979 lists the approvals that trigger the 'integrated development' provisions in the Act. The responsibility is on the applicant to identify whether their proposal is an integrated development and pay the associated referral and administration fee to the relevant authority.

It is the responsibility of the applicant/owner to obtain the relevant approval necessary, either through Council at DA stage or alternatively post approval and prior to the commencement of any works on site. This alternative process may require amendments to be sought to the development consent granted.

Council staff can provide advice about other approvals required. Additional information may be necessary for referral to other authorities, such as a bushfire threat assessment report.

1.12. Public Notification

Formal notification of certain development applications is a requirement of legislation and there are different requirements for different development types. This section identifies which development types require notification and the form of the notification. It also defines if and how modifications to development approvals are notified.

For the purposes of this section, an adjoining landowner/s is the registered person/s or company/s or representative/s who own land which:

- shares a common boundary with the land subject to the application; or
- is directly opposite the subject land and is only separated by a pathway, laneway or public road; or
- is only separated from the subject land by land held in the same ownership as that being developed.
- if the adjoining land is strata or community title, the body corporate is notified.

Objectives

O.1 To ensure that Development Applications are notified locally.
O.2 To ensure reasonable time is given for the public to review applications and prepare submissions.
O.3 To ensure that applications and supporting material are easily accessible.
O.4 To ensure that adequate information is provided to the adjoining landowners so that they can understand what is proposed and how they can participate.
O.5 To ensure that any adjoining owner, for the purpose of notification, is clearly defined.

O.6 To ensure that parties that are likely to be affected by larger or more intrusive impacts are notified of development.
O.7 To ensure that Development Applications that are amended before they are determined are advertised where changes are considered significant, and notification is in the public interest.
O.8 To ensure Development Applications that are modified after the application was determined are advertised where changes are considered significant, and notification is in the public interest.
O.9 To ensure Development Applications modified under Sections 4.56 of the EP&A Act 1979 are advertised as required.
O.10 To ensure Council will notify and/or advertise an application under Section 4.56 of the EP&A Act 1979 in accordance with the requirements of the original application.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1 • O.4 • O.5	Where the development is likely to result in impacts over a large area, Council may, at its discretion, expand the notification area.
PC.1 • O.1 • O.2 • O.3 • O.4 • O.5 • O.6	Where a development application is to be advertised, **advertising** will occur in accordance with Council's Community Participation Plan.
PC.2 • O.3 • O.4 • O.6	Any of the following development requires **advertising**: a. All development and/or demolition proposed affecting a heritage item identified under MLEP 2011 (except private swimming pools). b. Major works, including any proposal for two storey or greater development in a Heritage Conservation Area. c. Major council projects (excluding utility services with a value exceeding $100,000 or likely to be of significant community interest). d. Multi-dwelling housing, group homes, boarding houses, hostel, residential flat buildings, seniors housing or similar type of developments. e. Non-residential uses in or adjacent to a residential zone. f. Subdivision of land zoned R5 Large Lot Residential or C4 Environmental Living. g. Subdivision of residential land into more than 2 allotments. h. Development for the purpose of hotel or motel accommodation, pubs, hospitals, places of worship and sex services premises in any zone.
AS.2 • O.1	Where Council is of the opinion that the proposed development is minor in nature and its location, size, height, bulk and proposed use will not adversely affect the amenity of the adjoining land, advertising of the development may not be required.
PC.3 • O.1 • O.2 • O.3 • O.4 • O.5	Any development application that involves alteration to the external configuration of a building or the erection of a new building requires notification except the following: • New residential dwelling houses, additions and alterations (including second storeys) with a height of up to 8.5 metres measured from the existing ground level. • Dual occupancies up to and including two–storeys with a height of up to 8.5 metres measured from existing ground level, provided they meet the privacy, setbacks and overshadowing provisions of the Residential Uses chapter of this DCP. • Open carport, pergola, verandah or similar development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• Enclosure of an existing patio or verandah within the existing roofed area. • Private swimming pool. • Detached garage or shed enclosed by walls and associated with a dwelling. • Any building on a property in a rural zone which has an area of 2 hectares or more. • Industrial development in an industrial zone. • Subdivision of R1 General Residential land resulting in not more than two (2) lots. • Commercial development in a commercial zone. • Development in a Heritage Conservation Area for: ○ Internal and external alterations, ○ Single storey car ports, ○ Single storey garages, ○ Single storey additions, or ○ Minor demolition of ancillary, non– contributory elements. • A change of use in commercial areas. Despite the exceptions above, Council may notify the development if it considers that notification is in the public interest.
PC.4 • O.6 • O.7	Development applications that are amended before they are determined are advertised where changes are considered significant, and notification is in the public interest.
AS.3 • O.7	If a development application is amended prior to determination; and • Council has notified/advertised the original application, and • Council is of the opinion that the amended application differs only in minor respects from the original application, and • The application does not result in a greater environmental impact, Council may decide to dispense with further notification/advertising in relation to the application.
PC.5 • O.7	Where Council considers that amended plans or additional information submitted prior to determination is likely to have a greater or different, detrimental effect on adjoining properties, Council will re–notify those persons originally notified and those who made a formal written submission.
PC.6 • O.7 • O.9 • O.10	Modifications to approvals under Section 4.55(1) of the EP&A Act 1979 do not require notification.
AS.4 • O.7 • O.8 • O.9 • O.10	Modification to approvals under Section 4.55(1A) of the EP&A Act 1979 will only be notified where Council is of the opinion that the use or enjoyment of adjoining land may be detrimentally affected by the proposed modification.
PC.7 • O.7 • O.8 • O.9 • O.10	Modification applications under Section 4.55(2) of the EP&A Act 1979 will be notified in accordance with the provisions of the EP&A Act 1979 and the EP&A Regulation 2021.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.7 • O.8 • O.9 • O.10	Where modification applications under Section 4.55(2) or 4.56 of the EP&A Act 1979 are for designated development or other advertised development, notification requirements will be as required under the EP&A Act 1979 and EP&A Regulation 2021.

1.13. Post Determination Matters

1.13.1. Subdivision

If the development consent requires the carrying out of any works associated with the subdivision of land, a Subdivision Works Certificate (SWC) is required prior to any work being undertaken. Detailed Engineering Plans will be required for approval. In the majority of cases, Council is the sole entity authorised to be the Principal Certifier (PC) able to oversee the SWC process.

A Subdivision Certificate is required prior to release of the final plan for survey, so that the plan of subdivision can be registered under the *Conveyancing Act 1919*. All required work must be completed, and consent conditions satisfied prior to issue of a Subdivision Certificate. Details of requirements for Subdivision Works Certificates and Engineering Plans are contained in Council's Manual of Engineering Standards (MoES).

1.13.2. Modifications of Consents

Sections 4.55 and 4.57 of the EP&A Act 1979 set out the procedure for modification of development consents. An application for modification must be made to the consent authority, and fees paid, in accordance with the EP&A Regulation 2021.

Minor errors, misdescriptions or miscalculations may be modified without further referral or notification. However, more significant modifications may require re-advertising and referrals to government authorities. In all cases, the consent authority must be satisfied that the development to which consent as modified relates, is substantially the same development. For significant modifications, lodgement of a new development application will be required.

1.13.3. Lapsing of Consents

A development consent generally lapses five years after the date from when it starts to operate, as set out within the provisions of the EP&A Act 1979. However, this does not mean that the development covered by the consent must be completed within the five-year period to stop the consent from lapsing.

A development consent for the erection of a building, the carrying out of works or the subdivision of land doesn't lapse if building, engineering, or construction work related to the consent is physically commenced on the land before the date on which the consent would otherwise have lapsed.

1.13.4. Review of Applications and Rights of Appeal

Should an applicant be dissatisfied with the determination of a development application where Council is the consent authority, a Review of Determination may be requested under the EP&A Act 1979. This request must be made within 28 days of the determination of the application, accompanied by the prescribed fee. The Rights of Appeal also exist to the Land and Environment Court of NSW. These rights are set out in the EP&A Act 1979.



Maitland DCP 2026

Chapter 2: Environmental Considerations

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2.1. Introduction

2.1.1. Application

The objectives and controls contained within this Chapter apply to all land to which development is permissible with consent under Maitland Local Environmental Plan 2011 (MLEP 2011).

2.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix C: Biodiversity Guidelines
- Appendix D: Canopy Cover Guidelines
- Glossary

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

2.1.3. How to use this Chapter

This Chapter is structured into four sections, as follows:

Environmental Management

This section focuses on the conservation and enhancement of Maitland's biodiversity, riparian lands and waterways, as well as the integration of Council's Green and Blue Grid, informed by the Maitland Environmental Sustainability Strategy 2030.

Vegetation Management

This section establishes a framework for tree and vegetation pruning and removal, sets targets and controls to enhance Maitland's tree canopy, and provides direction for Vegetation Management Plans.

Environmental Hazard Management

This section specifies requirements for addressing and mitigating risks associated with hazards such as bushfires, contamination, noise, air quality and buffers for hazardous or offensive development.

Definitions for key terms can be found in the Glossary of the DCP.

2.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Adhere to the goals, targets, and commitments of the Maitland Environmental Sustainability Strategy 2030.
b. Support the principles of Ecologically Sustainable Development to provide net positive biodiversity outcomes.
c. Facilitate the avoid, minimise, and offset environmental hierarchy.
d. Limit adverse impacts on biodiversity and waterways.
e. Protect and enhance the green and blue grid including biodiversity corridors.
f. Increase canopy cover across Maitland to support urban heat resilience and improved biodiversity
g. Maintain and enhance ecological processes necessary for the continued protection of environmentally sensitive land as well as encourage the recovery of threatened species, communities or populations and their habitats.
h. Identify environmental hazards and remove development away from risk, or incorporate protective design elements.

2.2. Environmental Management

2.2.1. Biodiversity

The aim of this sub-section is to ensure that, subject to any relevant overarching state or commonwealth legislation, the planning, design, and implementation of new development results in net positive biodiversity outcomes over the long term.

Additionally, this sub-section provides a policy framework of the avoid, minimise, and offset environmental hierarchy, in particular the clearing of vegetated land for medium to large scale development. The approval process for development which will impact upon vegetation is as follows:

1. Any native vegetation clearing on rural zoned land is assessed *by Local Land Services under the Local Services Act 2013.*
2. Any vegetation clearing in any non-rural zone that triggers the *Biodiversity Offset Scheme* under the *Biodiversity Conservation Act 2016* will require a Biodiversity Development Assessment Report.
3. Any vegetation clearing in any non-rural zone that does not reaches the *Biodiversity Offset Scheme* under *the Biodiversity Conservation Act 2016* may require (at Council discretion) a Flora and Fauna Assessment and/or a Biodiversity Management Plan per the *Environmental Planning and Assessment Act 1979.*
4. Any other vegetation clearing not falling into these categories is assessed under Section 2.3.1 of this Chapter.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

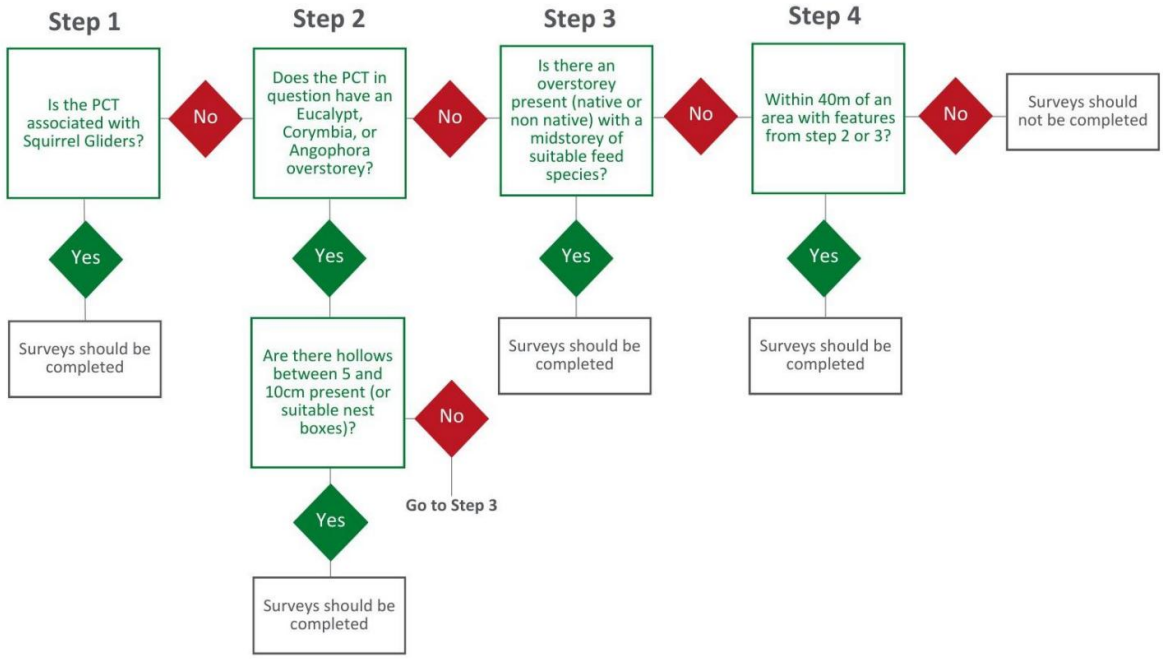
- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Fisheries Management Act 1994*
- *Biodiversity Conservation Act 2016*
- *Local Land Services Act 2013*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*
- *Biosecurity Act 2015*

Objectives

O.1 To avoid and minimise impacts to biodiversity and native vegetation.
O.2 To ensure that biodiversity is appropriately considered in the determination of development proposals and land management.
O.3 To protect and enhance ecologically sensitive areas, of threatened species and ecological communities, native vegetation, habitats, biodiversity corridors and the Green and Blue Grid.
O.4 To achieve the relevant targets and actions of the Maitland Environmental Sustainability Strategy 2030 (ESS).
O.5 To retain and protect threatened species and ecological communities and their habitats.
O.6 To compensate for unavoidable biodiversity impacts in accordance with applicable legislation, or in the absence of such legislation, contemporary industry standards.
O.7 To ensure that habitats and fauna are made more resilient into the future through effective management of the natural environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1 • O.2 • O.3	Development should be sited, designed and managed to ensure adverse impacts to biodiversity values, including avoidance of areas identified in the Council's **Green and Blue Grid**, and Council's **Biodiversity Corridors**. Genuine and robust exploration of reasonable avoidance measures must be presented and submitted as part of a development application where native vegetation has the propensity

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	to be affected. Where avoidance is not possible, measures to minimise and mitigate impacts must be demonstrated. Only after avoid and minimise measures are suitably addressed will biodiversity offsetting be considered. Specific controls relating to avoidance of the Green and Blue Grid are provided in Section 0 of this DCP.
PC.1 • O.1 • O.2 • O.3 • O.5	If the development application is not required to be accompanied by a **Biodiversity Development Assessment Report** (BDAR), and is required to be assessed under the *Environmental Planning and Assessment Act 1979*, a **Flora and Fauna Assessment** (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's **Green and Blue Grid** or within Council's **Biodiversity Corridors**. **Note:** For development applications required to be assessed under the *Environmental Planning and Assessment Act 1979* and the *Biodiversity Conservation Act*, a Biodiversity Development Assessment Report (BDAR) must be prepared in accordance with the Biodiversity Assessment Method (BAM).
PC.2 • O.1 • O.2 • O.3 • O.5	A **Biodiversity Management Plan** (BMP) is required in accordance with Appendix C: Biodiversity Guidelines in circumstances where: a. a FFA is required, and Council deems that a BMP is necessary for managing biodiversity impacts, OR b. the Biodiversity Offset Scheme applies. **Note**: Council's Natural Environment & Resilience team may choose to require the preparation of a draft BMP prior to the determination of a DA.
PC.3 • O.1 • O.3 • O.5	Where development results in removal or significant impacts to **hollow-bearing trees** or existing **artificial hollows**, removed hollows are to be offset in accordance with Appendix C: Biodiversity Guidelines. Unless adequately justified to the satisfaction of Council, installation of salvaged and augmented hollows is to occur whenever possible. All artificial hollows must be installed within retained trees on site.
PC.4 • O.1 • O.3 • O.4 • O.5	Development within 50m of **environmentally significant features** must provide for, and ensure the management of, an ecological buffer to minimise adverse impacts on biodiversity values. Identification and management of ecological buffers should be included within a Biodiversity Management Plan (BMP) for the site, prepared in accordance with Appendix C: Biodiversity Guidelines and Council input. Areas that require ecological buffers include: • **Threatened Ecological Communities** (TECs), • pre-existing protected habitat, • species polygons for threatened flora or fauna known to occur on site, • Koala habitat (including core koala habitat, isolated or scattered primary koala food trees with evidence of koala activity, and any other areas where koalas are present, • year round or intermittently occupied flying fox camp, • hollow-bearing trees, and • Raptor nests. **Note:** The requirements for management of ecological buffers will depend on the type and scale of the development with management obligations, being less restrictive for small developments.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.3 • O.3	Where appropriate, suitable fencing, barriers or other measures are to be used to limit or control human access (e.g. motor vehicles) to environmentally sensitive areas.
PC.5 • O.1 • O.3 • O.6	Development on land adjoining an area that is of **biodiversity value** and/or forms a part of the Green and Blue Grid is to adhere to the following design criteria for lighting: a. adherence to the principles and guidance of the *National Light Pollution Guidelines for Wildlife* (DCCEEW, 2023) (or as amended), b. high intensity lighting including industrial or commercial lighting, sports field lighting, lighting within carparking areas and associated with any industrial or commercial-scale retail development will be designed to avoid light spill into adjoining biodiversity areas (per *AS 4282 Control of the Obtrusive Effects of Outdoor Lighting*, or updates to that standard), c. install warm coloured LED street lighting where a development footprint contains or is within 100m of known microbat colonies or habitat likely to support microbat colonies to deter insects, d. manage light spill and noise producing activities where wildlife impacts are likely to arise from the proposed development and where development is adjacent to avoided land. Measures are to include appropriate noise treatment barriers along major roads and other light and noise attenuation mitigation measures, and e. ensure that any residual noise impacts from installed lighting on wildlife are appropriately mitigated.
PC.6 • O.1 • O.3 • O.6	Where the flow chart in Figure 2-1 indicates that squirrel glider survey is required, the Squirrel Glider Considerations outlined in Appendix C: Biodiversity Guidelines must be followed.  **Figure 2-1: Squirrel Glider Survey Requirement Framework**

2.2.2. Waterways and Riparian Corridors

The aim of this sub-section is to ensure that, subject to any relevant overarching state or commonwealth legislation, the planning, design, and implementation of new development results in net positive outcomes for waterways and riparian corridors for the long term.

Waterways are important features of Maitland, with riparian areas are the interface between land-based and waterway ecosystems. Riparian corridors provide a variety of functions within urban landscapes. They contribute to bank stabilisation, reducing erosion scour and sedimentation issues within rivers and creeks. Vegetated areas along the creek lines are used to filter nutrients, pollutants, and sediments before they reach the creek and degrade the quality of water.

Riparian corridors are made up of the channel, which comprises the bed and banks of the watercourse (to the highest bank), and The Vegetated Riparian Zone (VRZ) adjoining the channel.

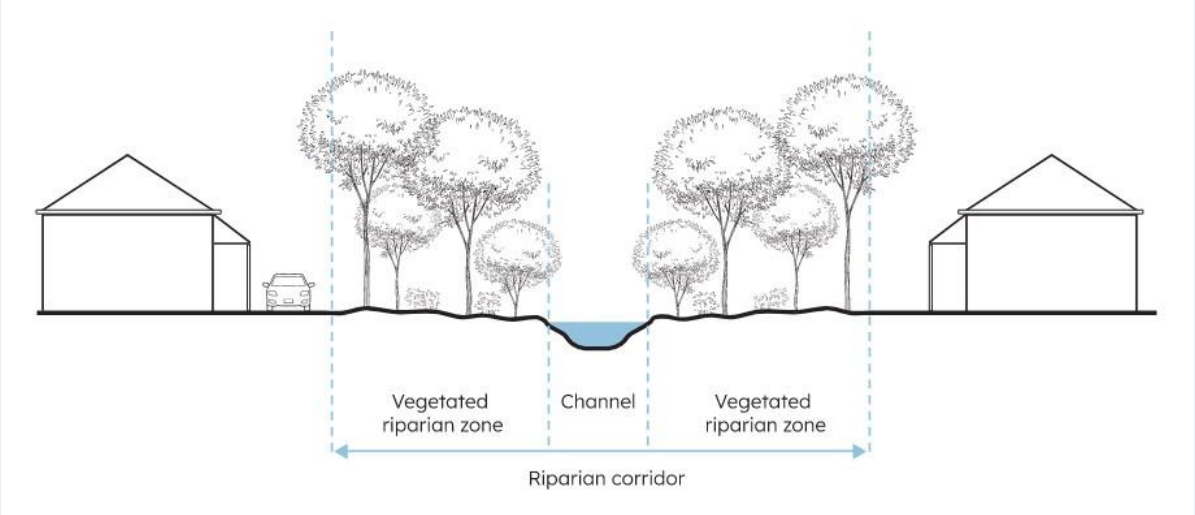


Figure 2-2: Riparian corridor zones

Required State Agency approvals

Controlled activities carried out in, on or under waterfront land are regulated by the *Water Management Act 2000*. The Department of Industry - Water administers the *Water Management Act 2000* and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. **Waterfront land** includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary.

If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the NSW Department of Climate Change, Energy, the Environment and Water (or their equivalent agency) before commencing the controlled activity. A permit under the *Fisheries Management Act 1994* may also be required in cases where:

- Works include dredging or reclamation,
- Works within a waterway that may result in the temporary or permanent blockage of the passage of fish, such as dams, weirs, and changes to velocities and water quality.

Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:

- *Water Management Act 2000*
- *Protection of the Environment Operations Act 1997*
- *Fisheries Management Act 1994*
- *Clause 7.4 Riparian land and watercourses and Watercourse Maps of Maitland Local Environmental Plan 2011*

- *NSW Natural Resources Access Regulator Guidelines for waterfront land*
- *Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water*
- *Policy and guidelines for fish habitat conservation and management (2013) – Department of Primary Industries*
- *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2003) – NSW Fisheries*
- *Council's Manual of Engineering Standards (MoES)*

Objectives

O.8 To protect and restore native and riparian vegetation to improve the connectivity, ecological condition, and function of ecosystems.
O.9 To ensure that development does not adversely affect aquatic fauna.
O.10 To effectively manage indirect and ongoing impacts of development adjacent to waterways to ensure vegetation in the riparian area, aquatic fauna, water quality and quantity is protected and maintained.
O.11 To reinstate more natural conditions in highly modified waterways and riparian land while not increasing flood risk.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.10 • O.11	Where a development proposal disputes the presence, location or Strahler order of a watercourse or waterbody specified in hydro line spatial data, the proponent must provide adequate justification. Justification must include ground-truthing by a suitably qualified professional and supporting evidence such as field survey data, hydrological assessments, or site photographs. **Note:** Despite this control, any watercourses mapped under *Clause 7.4* of the *MLEP 2011* must be appropriately assessed in line with the Clause.
PC.2 • O.8 • O.10 • O.11	Waterways of Strahler Order 2 and higher are to be maintained in a natural or naturalised (i.e. vegetated) state, including the maintenance and restoration of riparian area and habitat such as fallen debris, in accordance with Council's MoES.
PC.3 • O.8 • O.11	Naturalised (i.e. vegetated) open channel drainage paths are to be provided when the contributing catchment exceeds 15 hectares or when 1% AEP overland flows cannot be safely conveyed overland as described in *Australian Rainfall and Runoff Guidelines*. These drainage paths are to be designed to safely convey overland flows and contribute to biodiversity, public amenity and safety.
PC.4 • O.10 • O.11	Where a development is associated with or will affect a waterway of Strahler Order 2 or higher, rehabilitation will occur to return that waterway to a natural state.
PC.5 • O.10	Disturbances within the Vegetated Riparian Zone (VRZ) are to be avoided.
PC.6 • O.10 • O.11	Fencing within riparian areas must be minimised and, where necessary to be provided, be of open design in order to allow for the free passage of water, fauna and flora.
PC.7 • O.8 • O.10	Bridges and crossings over waterways must not interfere with the connectivity of vegetation, alignment or profile of stream banks, and must not restrict flow during flood events.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: Bridges and crossings over waterways must also allow for the passage of fish, in accordance with the *Fisheries Management Act 1994* and associated guidelines published by the Department of Primary Industries & Regional Development (or equivalent agency).
PC.8 • O.8 • O.10	Soil disturbance within riparian areas is to be avoided. An exception applies where soil disturbance is for the purposes of providing critical infrastructure and remediation activities associated with improving flood mitigation and health of waterways.
PC.9 • O.8	Development is to be designed to preserve the continuity of riparian vegetation and habitat or interfere with hydrological flows within waterways or riparian areas.
PC.10 • O.8 • O.9 • O.10	Development on land that drains into, or involves, watercourses that are mapped as Key Fish Habitat are to provide a Riparian Land Assessment in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.11 • O.8 • O.10 • O.11	Stormwater detention areas and infrastructure are to maintain appropriate engineering design and mechanisms to ensure that all stormwater is treated prior to entering riparian waterways, whilst ensuring that such engineering and the location of stormwater devices does not compromise the connectivity and functioning of riparian vegetation, waterways and wildlife habitat. **Note:** Relevant documents pertaining to this control include the following: • *NRAR Guidelines for waterfront land* • *Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water* • *Council's Manual of Engineering Standards*
PC.12 • O.10	Access roads, pathways, cycleways, and public open space are to adhere to the following design criteria: a. pedestrian paths and cycleways are not to interfere with the connectivity or functions of riparian land, but they may be located in such a way that they contribute to management of edge effects and have minimal impact on riparian land, b. riparian waterways will allow for public access and integration where appropriate and practical, access paths must not unnecessarily impact upon the VRZ, c. public open space is to integrate adjacent to riparian waterways to enable good urban design and must not be within or unnecessarily impact upon the VRZ, and d. perimeter roads are to be incorporated in subdivisions adjacent to riparian land.
PC.13 • O.10	In cases where community title is proposed that involves riparian corridors, environmental land or areas of the Green and Blue Grid, the following requirements are to be met: a. the configuration, footprint and layout of the development are to avoid damaging existing vegetation links along riparian corridors, and under Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable. b. submission of a Vegetation Management Plan in line with the details under to demonstrate maintenance and enhancement of biodiversity and riparian corridor values.

2.2.3. Green and Blue Grid

Council's adopted Environmental Sustainability Strategy 2030 established a Green and Blue Grid which incorporates native vegetation, waterways (wetlands, riparian corridors, rivers etc), habitat and fauna movement. When protected the Green and Blue Grid can:

- protect biodiversity and provide wildlife movement corridors
- help the urban environment to cool
- contribute to cleaner air and waterways
- provide new opportunities for community recreation and
- support improved physical, social and psychological health.

The Green and Blue Grid includes a hierarchy of 'biodiversity corridors', which connects across the landscape linking habitat areas. These biodiversity corridors are defined as:

1. Local significance - i.e. linkages facilitating wildlife movement within the Local Government Area (LGA).
2. Sub regional significance - i.e. linkages enabling movement into, or out of the LGA.
3. Regional significance - i.e. where the LGA forms a critical role in connecting external core habitat areas, enabling wildlife to move across Maitland.

Objectives

O.12 To enhance the Green and Blue Grid.
O.13 To provide functional biodiversity corridors through reductions in native clearing and improved water quality.
O.14 To maintain and enhance connectivity for development in the vicinity of a biodiversity corridor.
O.15 To connect biodiversity corridors between larger areas of habitat in Maitland and neighbouring Local Government Areas.
O.16 To recreate the native vegetation that would have occurred prior to disturbance.
O.17 To re-establish landscape connectivity and provide functional biodiversity corridors.
O.18 To manage the impact of Asset Protection Zones (APZs) on Vegetation Rehabilitation Zones (VRZ).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.12 • O.13 • O.14	The **avoid, minimise, offset hierarchy** is to be applied to the Green and Blue Grid. Development that compromises the functionality of the Green and Blue Grid, including mapped biodiversity corridors will generally not be supported. Minor variations to the Green and Blue Grid may be considered to achieve practical outcomes. Some examples include: a. minor incursions where clearing does not result in a significant decrease in habitat connectivity and biodiversity outcomes are maintained or improved. b. minor alteration to Council's Biodiversity Corridor location where functional connectivity can be maintained or improved nearby. c. retention of a tree that would likely cause immediate or short-term impacts to human health and safety, or property. This variation must be substantiated by a report prepared by an arborist with AQF Level 5 (or higher) qualifications. d. local offsetting within or nearby to the site which achieves net positive outcomes for biodiversity and connectivity. A minor variation such as that referred to above must not conflict with any statutory consideration that would require the retention of the area. Variations to the Green and Blue Grid made on these grounds are to demonstrate layouts that have been considered, and that functionality of the Green and Blue Grid has been maintained or improved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.15 • O.16 • O.17 • O.18	Where Council's Biodiversity Corridors occur within or adjacent to a subject site, a selection of the following mitigation measures are to be provided: a. demonstrate that development, services and landscaping associated activities do not create barriers to the movement of fauna along and within biodiversity corridors, b. install connectivity structures to facilitate native fauna movement where development has the potential to impact connectivity, such as culverts, overpasses, bridges, and glide poles, c. enhance biodiversity corridors through restoration and revegetation that improves functional connectivity. Enhancements should prioritise locations and treatments identified in Council's Green and Blue Grid map, d. weed management to restore habitat quality and enable fauna to utilise the corridor effectively for movement, foraging, and reproduction, e. provide suitable ecological buffers to mitigate edge effects and impacts from noise and light spill, f. provide sufficient and consolidated areas of deep soil that allow for vegetation growth, g. where appropriate, install fencing, barriers or other measures to limit or control access by humans and vehicles, and h. incorporate Water Sensitive Urban Design (WSUD) features, such as constructed wetlands, where required within or adjacent to the Green and Blue Grid.

2.3. Vegetation Management

2.3.1. Tree and Vegetation Management

This section applies to all land in the Maitland Local Government Area to which Chapter 2 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP 2021)* applies. Council manages approval for clearing of vegetation on all land other than land in RU1 Primary Production or RU2 Rural Landscape zones. Clearing of vegetation in these rural land use zones is administered through the *Local Land Services Act 2013.*

Where clearing exceeds the Biodiversity Offset Scheme Threshold (BOST) provided under the *Biodiversity Conservation Act 2016*, an approval is required from the Native Vegetation Panel. Council cannot issue a Council permit in these cases.

For clearing of land below the BOST, Council requires a Council permit to be issued for the clearing of vegetation under *Part 2.3* of the *Biodiversity Conservation SEPP.*

Vegetation is the same meaning as 'vegetation' under Chapter 2, Part 2.1 of the *Biodiversity and Conservation SEPP 2021,* being "a tree or other vegetation, whether or not it is native vegetation".
Tree and vegetation removal is to be carried out through the relevant pathway identified in Table 2-1 below.

Note:

1. Maitland City Council utilises the NSW Government's Planning Portal Tree Permit application option to process Tree Permits.
2. The *Biodiversity and Conservation SEPP* prohibits Council from approving a development application for the clearing of native vegetation that exceeds the BOST. Refer to Table 2-1 for the approval pathway under the *Biodiversity Conservation Act 2016.*
3. Tree and vegetation management definitions are provided within the DCP Glossary.
4. Detailed application requirements for pruning or removing trees and vegetation is provided within Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.

Table 2-1: Tree and Vegetation Removal Pathways

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Council issued development consent (Development Application required)	Development consent issued by Council is required for the removal or pruning of a tree or vegetation that is ancillary to other development proposed, or is, or is part of: a. a heritage item, b. a heritage conservation area, c. an Aboriginal object, d. an Aboriginal place of significance and that being which Council is not satisfied that the removal or pruning is: • of a minor nature or is for the maintenance of the applicable item, area, object or place, AND • Council considers that the removal or pruning will not adversely affect the significance of the applicable item, area, object or place.
Council issued tree permit (declared vegetation)	A council issued tree permit is required for the removal or pruning of 10% or greater of a tree or other vegetation in cases where: • height exceeds 3m, AND/OR • diameter exceeds 100mm (at 1.3m from the ground), AND

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Council issued tree permit (declared vegetation)	• the tree or vegetation poses no immediate risk to life or property. Additionally, a council issued tree permit is required no matter the dimensions, location or risk the tree and/or vegetation poses in the following circumstances for: a. vegetation that is considered a TEC or a threatened plant species listed under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*,[2] OR b. a tree or vegetation that is required to be retained or planted as a condition of a Complying Development Certificate or development consent, OR c. a tree or vegetation that was planted to offset other tree and vegetation removal, OR d. trees or vegetation that lie within Council's identified Green and Blue Grid and Council's identified Biodiversity Corridors,[2] OR e. the tree or vegetation is part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance, where Council is satisfied that: • the removal or pruning is of a minor nature or is for the maintenance of that item, area, object or place, AND • will not have an adverse impact on the heritage significance of that item, area, object or place. f. the tree is listed under the Significant Tree Register on Council's website and is not: • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas.
Native Vegetation Panel approval	Clearing of native vegetation that is subject to the biodiversity offset scheme, as specified in the *Biodiversity Conservation Act 2016.*
Exempt from consent, permit, or approval (no notice to Council required)[5]	No permit, development consent, or approval is required for tree and vegetation removal on private land if landowners' consent has been obtained and one of the following is true: a. the clearing is authorised to occur under other legislation[3], such as the *Rural Fires Act 1997,* OR b. the tree trunk or shrub is located within 3m of the wall of an existing principal building (excluding carports, detached garages, pergolas, fences, retaining walls and the like)[4], and is not: • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas (other than a lane), or part of an Aboriginal object, or within an Aboriginal place of heritage significance, OR c. the tree or shrub is less than 3m in height, and/or is less than 100mm in diameter at 1.3m above ground level, OR d. pruning is proposed, being maintenance of recent (past 12 months) growth or 10% of foliage, undertaken in accordance with *AS 4373 – Pruning of amenity trees*, OR e. the tree or vegetation is listed as a Priority Weed for the Hunter Region, Weed of National Significance, OR f. the tree or vegetation is listed under the Undesirable Tree and Vegetation Register in Table 2-2.

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Notification to Council[5]	Unless otherwise exempt, notification to Council that tree and/or vegetation removal has or will occur is to be carried out in the following circumstances: a. Where the tree or vegetation poses an immediate risk to life or property due to a demonstrated sudden change to its structure as a direct result of a severe storm or wind events, Council is to be notified within **10 days** of removal, OR b. Where the tree or vegetation is dead or storm damaged and is NOT: • an immediate threat to life, or • a habitat tree, or • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas (other than a lane), or • part of an Aboriginal object, or within an Aboriginal place of heritage significance, Council is to be notified **10 days** before removal occurs.
Threatened Species Licence	Removal or pruning of any tree and vegetation that poses no risk to life or property and is likely to result in: • harm to an animal that is a threatened species or part of a threatened ecological community, OR • picking a plant that is a threatened species or part of a threatened ecological community, OR • damage to the habitat of a threatened species or threatened ecological community, OR • damage to a declared area of outstanding biodiversity value. Requires a Threatened Species Licence issued under the *Biodiversity Conservation Act 2016.*
Fisheries permits	Removal or pruning of any marine vegetation (e.g. saltmarsh) requires a Fisheries permit under Part 7 of the *Fisheries Management Act 1994.*

Notes:

1. All trees and shrubs within Council's road reserve or located on land owned or managed by Council is declared vegetation. The maintenance and removal of these trees and shrubs can only be undertaken by Council. If a tree or shrub on land managed by Council appears to be damaged by a storm, it must be referred to Council who will carry out the required works.
2. Council staff are able to assist applicants to identify whether trees and vegetation on their land could be a Threatened Ecological Community or is in proximity to Council's Green and Blue Grid or Council's Biodiversity Corridors.
3. Applicants for tree and vegetation removal will, in addition to this table and the Prescriptive Controls and Acceptable Solutions under this section, need to also consider the following legislation:
   - *Water Management Act 2000:* Vegetation clearing on **waterfront land** may require a controlled activity approval. See the NSW Government Water website for further information.
   - *Environment Protection and Biodiversity Conservation Act 1999 (Cwth):* Provides protections and schedules relating to the management of nationally and internationally important flora, fauna, ecological communities, and places of natural heritage.
   - *Biodiversity Conservation Act 2016:* Additional licences may be required if tree or vegetation removal would also harm the animals listed under the Act.
   - *Biosecurity Act 2015:* manages the clearing of weeds.
   - *Heritage Act 1977:* regulates works undertaken on sites under conservation orders, relics, heritage items, and the like.

- *Local Land Services Act 2013*: manages the clearing of native vegetation, regional vegetation management plans, property agreements within rural areas.
- *National Parks and Wildlife Act 1974:* Further regulates works undertaken in Aboriginal places or works that impact Aboriginal objects.
- *Rural Fires Act 1997:* 10/50 Vegetation Clearing Code of Practice for NSW, as well as the authorised removal of fire hazards.

4. The 3m distance is measured from the closest point of the trunk to the wall/gutter line of the building.
5. For clearing undertaken as exempt or exempt with notification to Council, the onus of proof is on the landowner to take and retain photos of the condition of the tree or vegetation pre- and post-removal. Landowners are encouraged to seek the advice of a qualified arborist to determine condition and risk of any tree.

Objectives

O.19 To assist in achieving tree canopy targets within the Maitland Environmental Sustainability Strategy 2030.
O.20 To manage and care for the tree canopy, Green and Blue Grid and maximise urban greening, resulting in a healthy, green and biodiverse Maitland that provides economic, ecological and social benefits.
O.21 To provide clarity on the approval pathway for tree and other vegetation clearing or pruning.
O.22 To identify declared vegetation under the Biodiversity and Conservation SEPP.
O.23 To avoid any negative impact of pruning on trees.
O.24 To provide guidance for compensatory measures to replace any vegetation proposed to be removed.
O.25 To ensure retention of trees on existing lots is undertaken in a responsible manner.
O.26 To retain and protect vegetation identified within the significant tree register.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.20 • O.21 • O.22 • O.23 • O.25	An application for a Council issued tree permit or Development Application for tree or vegetation removal or pruning is to include a completed *Permit for Tree and Vegetation Pruning or Removal Application Form*. The following details are to be prepared and justified, to the satisfaction of Council, as part of a Tree Permit Application: a. whether a tree is likely to cause immediate or short-term impacts to persons health and safety or property, supported by a report prepared by an AQF Level 5 qualified arborist, b. whether the tree obstructs or is likely to obstruct accessways, footpaths, roads, utility services, drainage lines or similar movement ways, c. the extent to which tree impacts solar access, d. suitability and function of the tree to the site, consideration matters could include slope, waterfront land, soil instability, urban heat mitigation, e. potential impacts on threatened species, populations or ecological communities and their habitats, f. cumulative impact from previous authorised and unauthorised vegetation removal, and g. whether the tree or site is under a land use restriction i.e. 88b instrument. This is to be submitted to Council through the 'Tree Permit' application on the NSW Planning Portal. If the requested details have been inadequately justified in Council's view, an Arborist Report prepared by a qualified Arborist of AQF Level 3 (for pruning) or AQF Level 5 (for removal) is to be prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.21 • O.22 • O.23 • O.25 • O.26	An Arborist Report prepared by a suitably qualified Arborist is also required in the following specific circumstances: a. the tree or other vegetation is listed on Council's Significant Tree Register available on Council's website, b. to assess the impact on existing trees as part of a Development Application or Driveway Application in accordance with the requirements of *AS 4970 – Protection of trees on development sites* where: • the existing trees are within 5m of the development footprint, inclusive of all works, or • more than five trees over 3m in height and/or over 100mm in diameter at 1.3m above ground level are proposed to be removed as part of the development, c. to support the release of a tree bond related to other development, or d. Council determines the removal of the tree or vegetation may cause significant impacts on native trees or native vegetation, landscape connectivity or threatened fauna habitat.
PC.2 • O.21 • O.23 • O.25	An application for the removal of a tree that is, or is part of, a Heritage Item is required to be accompanied with a Statement of Heritage Impact (SoHI) prepared by a suitably qualified Heritage Consultant that addresses, at a minimum, the requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.3 • O.21 • O.23 • O.25	An application for the removal of a tree or vegetation that is identified as, or is part of, an Aboriginal site or place, is required to be accompanied by an Aboriginal Cultural Heritage Assessment (ACHA) prepared by a suitably qualified Heritage Consultant that addresses, at a minimum, the requirements for a ACHA under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.4 • O.19 • O.20 • O.21 • O.22	A hollow-bearing tree assessment prepared by a suitably qualified ecologist will be required in cases where the removal of a hollow-bearing tree is proposed.
AS.2 • O.19 • O.24	Compensatory planting for the removal of a tree or vegetation may be required, up to 4 trees for every 1 tree removed. Compensatory planting is to have a minimum 45 litre pot size and must consider the location of utilities on the site.
AS.3 • O.20	Where the removal of trees or vegetation is being undertaken ancillary to development that requires consent (a Development Application), the following design criteria is to be considered: a. the location of proposed compensatory trees are encouraged to be placed within the front of the property. Planting should be offset a minimum of 1.5m from the front property boundary and should consider existing trees mature canopy cover, and b. the location of driveways are encouraged to avoid existing trees declared as requiring a development consent or Council Tree Permit under this section.

Table 2-2: Undesirable Tree and Vegetation Register

The following is a register of common undesirable tree and vegetation species that are exempt from notification to Council, except where the tree height exceeds 10m or the trunk diameter, at 1.3m above ground level, exceeds 30cm.

SCIENTIFIC NAME	COMMON NAME
Acacia baileyana	*Cootamundra wattle*
Acacia salignus	*golden wattle*
Ailanthus altissima	*tree of heaven*
Albizia lophantha	*cape wattle*
Celtis sinensis	*hackberry*
Chamaecytisus palmensis	*tree lucerne*
Chrysanthe moides spmonolifer	*bitou bush*
Cinnamomum camphora	*camphor laurel*
Cotoneaster spp.	*cotoneaster*
Erythrina x-sykesii	*coral tree*
Ficus elastica	*rubber tree*
Gleditsia triacanthos	*honey locust*
Lagunaria patersonia	*Norfolk Island hibiscus*
Ligustrum spp.	*privet*
Lucium ferocissimum	*African boxthorn*
Nerium oleander	*oleander*
Olea europaea subsp. cuspidata	*African olive*
Phoenix canariensis	*Canary Island date palm*
Pyracantha spp.	*firethorn*
Salix spp.	*willow*
Sapium sebiferum syn.Triadica sebifera	*Chinese tallow*
Schinus terebinthifolius	*Brazilian mastic*
Syagrus romanzoffianum	*cocos palm*

2.3.2. Street Trees and Canopy Cover

The aim of this sub-section seeks to enable increased tree canopy cover across the Maitland LGA and to establish, restore and enhance the green and blue grid and its functionality. For clarity, this section is to be directly considered in any undertaking of subdivision under Chapter 5: Subdivision. Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Maitland Environmental Sustainability Strategy 2030*
- *Council's Manual of Engineering Standards (MoES)*

Objectives

O.27 To assist in achieving tree canopy cover targets within the Maitland Environmental Sustainability Strategy 2030.

O.28 To ensure that new and existing streets provide street trees and canopy cover to reduce the urban heat island effect.

O.29 To provide de-compacted deep soil zones, giving sufficient space for sustainable tree growth to increase the private and public tree canopy cover across Maitland.

O.30 To ensure existing public trees are retained except where it can be demonstrated that no practical alternative is available.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.27 • O.28	Street tree provision is to form a component of the road reserve for all of the following new subdivision types: a. residential subdivisions b. commercial subdivisions c. industrial subdivisions All street trees are to be provided in accordance with Maitland Council's *Tree Species List*, and *Technical Document – Street Trees* of Council's MoES.
AS.1 • O.27 • O.28 • O.30	Tree retention is encouraged at subdivision stage. Mature trees should be retained and incorporated into the subdivision and public domain design and retained to contribute to the mature tree canopy cover in the neighbourhood, to provide visually interesting streetscapes, improve public amenity and improve air quality.
PC.2 • O.30	In cases where street trees are needed to be removed to facilitate development, they are to be replaced in a suitable location, in line with *Technical Document – Street Trees* of Council's MoES.
PC.4 • O.27 • O.28 • O.29	Soil volume requirements are to be provided in accordance with Section 5.2 of *Appendix D: Canopy Cover Guidelines* for any required tree provision on a given site. **Note:** Per Appendix D: Canopy Cover Guidelines, Soil volume should be equivalent to one-third of the projected canopy area, with a minimum soil depth of 1 metre.

2.3.3. Vegetation Management Plans

The aim of this sub-section seeks to outline the requirements for a Vegetation Management Plan (VMP) to program the maintenance of native vegetation on a development site, including trees, shrubs, and ground cover.
Relevant legislation and policy that should be read in conjunction with this Chapter are*:*

- *Water Management Act 2000*
- *Local Land Services Act 2013*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Maitland Environmental Sustainability Strategy 2030*

Objectives

O.31 A vegetation management plan for all conservation areas and biodiversity offsets must be prepared, with a suitable endowment fund or similar arrangement established to implement the plan and provide for ongoing maintenance in perpetuity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 g. O.31	Where retention or rehabilitation of native vegetation and/or habitat is required within: a. Council's Green and Blue Grid, b. Council's Biodiversity Corridor, or c. where works subject to a Controlled Activity Approval will be undertaken within 40m of the top-of-bank of a mapped watercourse, A Vegetation Management Plan (VMP) is to be prepared and implemented, in accordance with Appendix C: Biodiversity Guidelines, to restore, protect, and manage areas identified for rehabilitation and preservation for a minimum period of 5 years.

2.4. Flood and Floodplain Management

For Section 2.4. Flood and Floodplain Management of the Maitland DCP 2026, please refer to the document titled Part B.3 – Hunter River Floodplain.

Maitland DCP 2011 Part B.3 – Hunter River Floodplain forms part of this DCP.

2.5. Environmental Hazard Management

2.5.1. Bushfire

The aim of this sub-section is to ensure that properties identified within or adjacent to bushfire prone land undertake the necessary mitigation measures to avoid or reduce the impact of bushfire to property. Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Rural Fires Act 1997*
- *Planning for Bush Fire Protection 2019*
- *Rural Fires Regulation 2022*

Further property information on identifying whether a property is within or near bushfire prone land can be found on *Council's Mapping webpage*, or the *NSW Planning Portal Spatial Viewer*.

Objectives

O.32 To ensure that risks associated with bushfire are appropriately and effectively managed on the development site.

O.33 To ensure that bushfire risk is managed in connection with the preservation of the ecological values of the site and adjoining lands.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.32 • O.33	A Bushfire Assessment is required to be prepared by a suitably qualified consultant and submitted with any application involving bushfire prone land, in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.32	Vegetation management for the purposes of bushfire risk management must not be achieved through the clearing, adjustment or management of vegetation on land managed by Council. **Note:** Vegetation management for private benefit cannot be imposed on any land managed by Council or any other public land.
PC.3 • O.33	Any Asset Protection Zone must be located outside of areas of environmental significance, including: a. a key habitat such as threatened species and populations and threatened ecological communities b. vegetated riparian zones c. other vegetation to be retained or protected due to environmental constraints. **Note:** Asset Protection Zones for private benefit cannot be imposed on any land managed by Council or any other public land.
PC.4 • O.32 • O.33	Clearing of native vegetation or trees for the purposes of reducing bushfire risk must be consistent with any current applicable Bushfire Risk Management Plan prepared under the Rural Fires Act 1997.

2.5.2. Mine subsidence

This section applies to all development consisting of a new building or structure, extension or structural alteration, or subdivision located on land within a proclaimed mine subsidence district. Mine Subsidence Districts (districts) are proclaimed in areas where there are potential subsidence risks from active or non-active underground coal mining. A district is a land zoning tool administered by Subsidence Advisory NSW under the Coal Mine Subsidence Compensation Act 2017. Subsidence Advisory NSW regulates building and subdivision works within districts to ensure new homes, buildings and structures are built to an appropriate standard that reduces the risk of damage should subsidence occur.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

- *Coal Mine Subsidence Compensation Act 2017*
- *Subsidence Advisory NSW Surface Development guidelines*

Further information to find out if a site is located within a proclaimed mine subsidence district can be found at *Council's Mapping webpage*, *NSW Planning Portal Spatial Viewer*, or contacting *Subsidence Advisory NSW*.

Objectives

O.34 Identify historic or ongoing underground mining risk.
O.35 Minimise the risk of potential mine subsidence damage through sensitive design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.35	All development proposed within a declared mine subsidence district is to be designed to mitigate the risks of potential mine subsidence, including in accordance with any applicable Geotechnical Assessment prepared for the site.
AS.1 • O.34 • O.35	Development should be designed in accordance with relevant development guidelines from Subsidence Advisory NSW. Documentation must include appropriate notes and detail to confirm compliance with the guidelines.

2.5.3. Contamination

Relevant legislation and policy that may be read in conjunction with this Section are listed below:

- *National Environment Protection (Assessment of Site Contamination) Measure*
- *Contaminated Land Management Act 1997*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *NSW Contaminated Land Planning Guidelines*

Refer to *SEPP Resilience and Hazards* and the NSW State Government's *'Managing Land Contamination: Planning Guidelines'* for more information on activities that may cause of potentially cause contamination. In addition, refer to *Council's Contaminated Land Policy – Land Use Planning* for further information on identifying whether your site may be contaminated and the development process.

Consideration of Acid Sulfate Soils is covered by Clause 7.1 of the Maitland Local Environmental Plan 2011. Relevant policy that should be read in conjunction with this Chapter are listed below:

- *NSW Acid Sulfate Soils Planning Manual*
- *NSW EPA Waste Classification Guidelines Part 4: Acid sulfate soils*

Further information to find out if a site is contaminated, potentially contaminated, or impacted by acid sulfate soils can be found on *Council's Mapping webpage*, or the *NSW Planning Portal Spatial Viewer*.

Objectives

O.36 To ensure that land is fit for its intended land use based on the National Environment Protection (Assessment of Site Contamination) Measure thresholds for contaminants.

O.37 To ensure that contaminated land is identified through appropriate investigations in line with current legislation and best practice.

O.38 To ensure that contaminated land is appropriately and effectively managed or remediated prior to development taking place.

O.39 To ensure that changes to land use will not increase the risk to public health or the environment because of contamination on site, or on adjacent properties.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36 • O.37	Information regarding any potential contamination present on the site is to be provided as part of any Statement of Environmental Effects lodged with Council.
PC.2 • O.36 • O.37	If a site has the potential for contamination to exist in relation to historical activities on the site, a Preliminary Site Investigation (PSI) must be prepared by a professionally qualified consultant and submitted with the development application.
PC.3 • O.36 • O.37	A Detailed Site Investigation Report (DSI) is required in the following circumstances: a. Where the PSI indicates that the land may be contaminated, or b. When the site is, or was, formally used for an activity listed in Table 1 of the Managing Land Contamination Planning Guidelines within Council's Contaminated Land Policy, or other potentially contaminating activities known to Council, and a land use change is proposed that has the potential to increase the risk of exposure to contamination, or c. To accompany a remediation proposal or notification.
PC.4 • O.36 • O.38 • O.39	Where a Detailed Site Investigation Report identifies the need for remediation, a Remedial Action Plan (RAP) must be prepared and submitted prior to issue of the development consent, or in certain circumstances the issue of the construction certificate or subdivision works certificate as determined relevant by Council staff.

2.5.4. Noise and Vibration

Development that is likely to produce an adverse noise or vibration impact on occupants of the site or of nearby properties include:

- clubs, hotels and pubs with outdoor smoking, dining and gaming areas, mechanical plant, carparks,
- function centres,
- childcare centres,
- educational establishments,
- industrial uses that interface with residential or sensitive land uses,
- residential flat buildings (RFBs) with ventilation and air-conditioning plant, and
- commercial developments with workshops, mechanical and ventilation plant such as air exhaust and supply fans, chillers, cooling towers, truck and freight train movements, loading docks and the like.

Relevant legislation and policy that should be read in conjunction with this Chapter are:

- *Protection of the Environment Operations Act 1997*
- *NSW EPA Noise Policy for Industry*

Further information can be found at the *NSW EPA* website on noise legislation and guidelines.

Objectives

O.40 To minimise the generation of noise and, or vibration, and to mitigate associated adverse impacts on the amenity of neighbouring properties and their occupants, and on occupants of the proposed development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 h. O.40	Where development has the potential to produce an adverse noise or vibration impact on occupants of the site or of nearby properties, an acoustic and vibration assessment must be prepared by a qualified consultant in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 i. O.40	Noise or vibration generated by development either during construction or operation must not exceed the criteria stipulated in the *NSW EPA Noise Policy for Industry* or the *Noise Guide for Local Government* at the property boundary of the noise source, or at a receiving lot boundary.

2.5.5. Air Quality

The aim of this sub-section is to ensure that air quality is not negatively impacted on by dust and odour from development.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

a. Protection of the Environment Operations Act 1997
b. Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)
c. Chapter 9: Rural and Other Land Uses of the MDCP 2026

Further information can be found at the *NSW EPA* website on noise legislation and guidelines.

Objectives

O.41 To ensure air quality is not negatively impacted on by dust and odour in recognition of the associated human health impacts.
O.42 To ensure that measures are implemented to maintain air quality.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.41 • O.42	An Air Quality Impact Assessment (AQIA) and/or Odour Report is required to be prepared in accordance with Appendix A: Application Requirements – Other Development and/or Appendix B: Application Requirements – Minor Development, whichever is applicable, in instances where development has potential to adversely impact surrounding areas in terms of air quality and/or odour. This includes: • Rural industries • Heavy Industry • Sewage treatment plants • Waste or resource management facilities • Extractive industry • Other development types if requested by Council

2.5.6. Hazardous and Offensive Land Use Buffers

The aim of this sub-section is to ensure that ensure development is not adversely impacted by hazardous or offensive development.

Refer to Chapter 9, Section 9.2.1 of this DCP for buffer requirements for agricultural activities, such as intensive agriculture.

Refer to *SEPP Resilience and Hazards, Chapter 3 Hazardous and Offensive Development* and the NSW State Government's *Planning Circular PS 21-031 Planning and assessment guidelines for hazardous industry* for further information on hazardous and offensive development requirements.

Objectives

O.43 To ensure development is not adversely impacted by noise or air quality of hazardous or offensive development, such as wastewater treatment facilities or extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.43	Unless a building is for non-habitable purposes, development within 400m of a wastewater treatment plant is generally not supported. Refer to Figure 2- and Figure 2-4 for wastewater treatment plant locations and associated 400m buffers.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Should a development seek to provide habitable structures within the identified wastewater treatment plant buffer zones, they are to demonstrate that: a. The proposed structure is ancillary to the applicable wastewater treatment plant, OR b. The proposed development lot is either wholly or partially within the buffer zone and cannot otherwise be positioned outside of the buffer zone (in the case of a lot partially within the buffer), AND c. An Odour Assessment and Air Quality Assessment are prepared by suitably qualified professionals in accordance with, at a minimum, the requirements for each assessment under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, AND d. The Applicant has demonstrated communication has been had with Hunter Water regarding the development, AND e. The Odour Assessment and Air Quality Assessment find that any impacts can be suitably mitigated through additional measures, and that any requirement for outside Private Open Space or Communal Open Space is not compromised as a result of unacceptable odour or air quality impacts.
PC.2 • O.43	Unless a building is for non-habitable purposes, development within 200m of an extractive industry is generally not supported. Refer to Section 9.4 of Chapter 9 regarding reciprocal setbacks for extractive industries.
AS.2 • O.43	Should a development seek to provide habitable structures within 200m of an extractive industry operation, they are to demonstrate that: a. The proposed structure is associated with the relevant extractive industry, OR b. The proposed development lot is either wholly or partially within the buffer zone and cannot otherwise be positioned outside of the buffer zone (in the case of a lot partially within the buffer), AND c. An Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment are prepared by suitably qualified professionals in accordance with, at a minimum, the requirements for each assessment under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, AND d. The Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment find that any impacts can be suitably mitigated through additional measures, and that any requirement for outside Private Open Space or Communal Open Space is not compromised as a result of unacceptable odour or air quality impacts, AND e. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended) has been prepared. **Note:** Any non-associated habitable dwelling developed in this manner will forego its right to the setback criteria of extractive industries established in PC.1 and PC.2 of Section 9.4.3. Extractive Industries in Chapter 9.

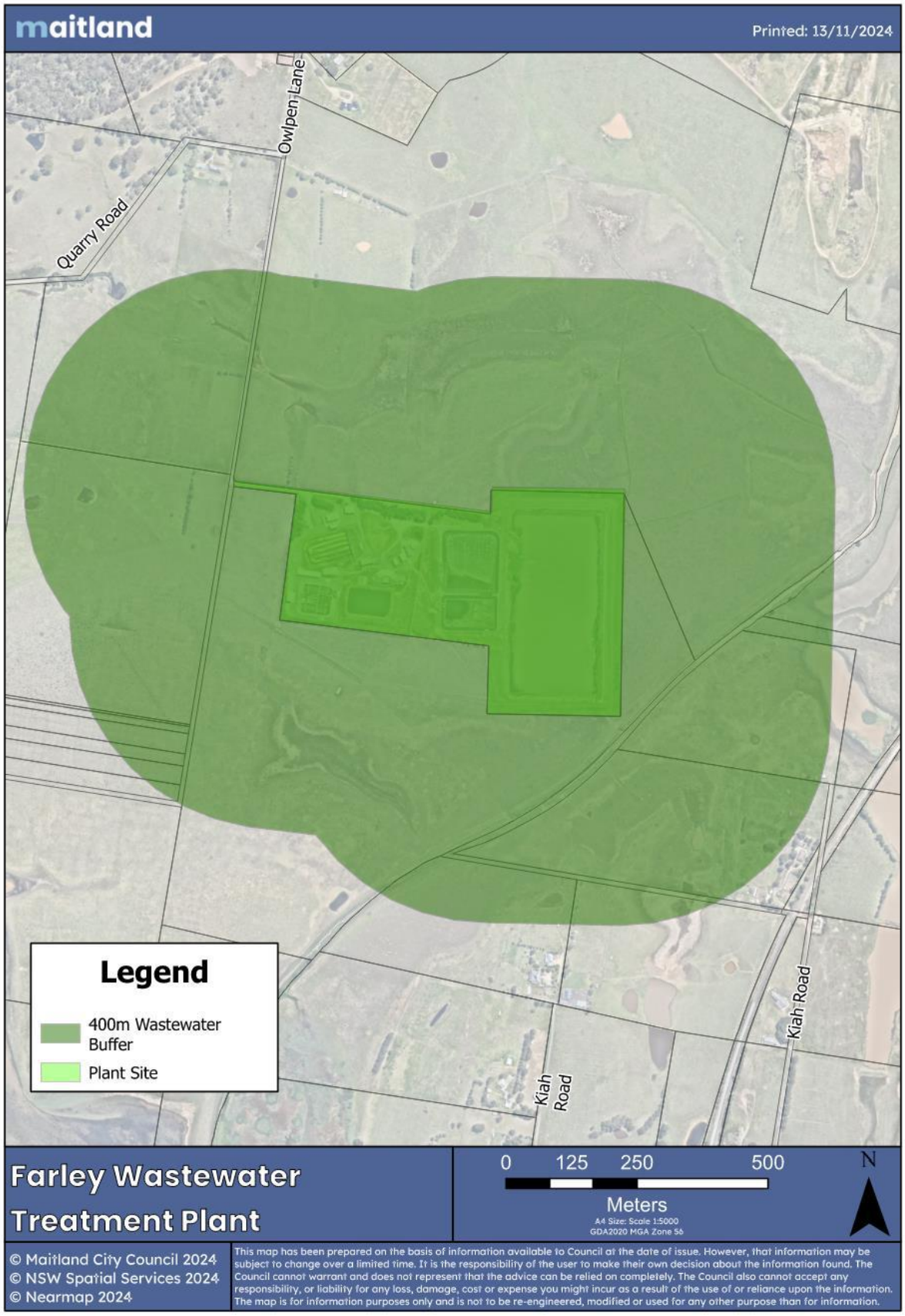


Figure 2-3: Farley Wastewater Treatment Plant

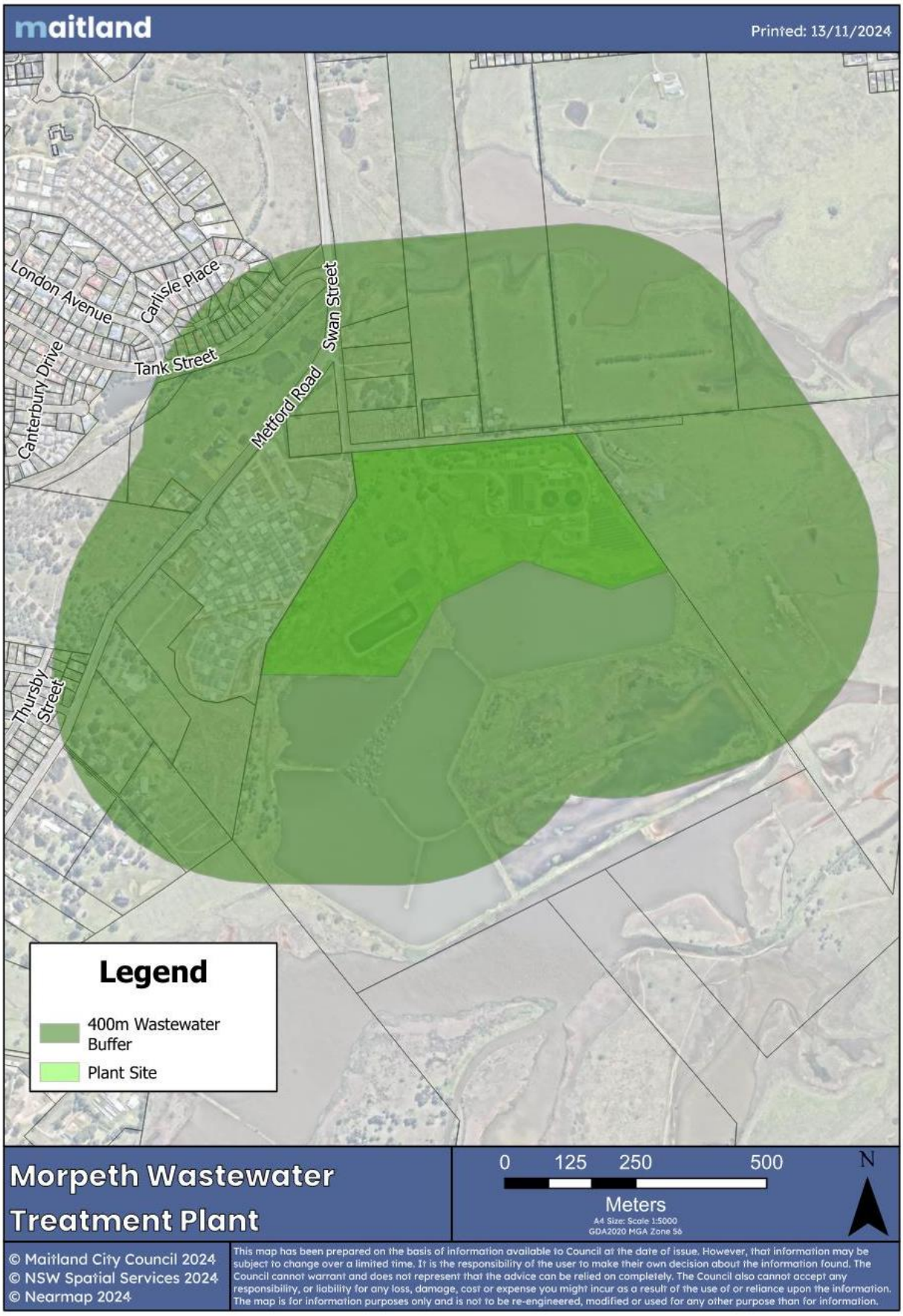


Figure 2-4: Morpeth Wastewater Treatment Plant



Maitland DCP 2026

Chapter 3: Site Requirements

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CITY COUNCIL

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3.1. Introduction

3.1.1. Application

This section applies to all land to which any development is permissible with consent under the *Maitland Local Environmental Plan 2011* (MLEP 2011), unless otherwise stated within this Chapter.

3.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 4: Heritage and Cultural Conservation
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix D: Canopy Cover Guidelines
- Appendix F: CPTED Guidelines
- Council's Manual of Engineering Standards (MoES)

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

3.1.3. How to use this Chapter

This Chapter has been organised in a manner that compiles key controls and acceptable solutions that apply to core construction and operational elements that are common across developments, including earthworks, stormwater, erosion and sediment control, parking, vehicle access, waste management, and sustainable practices.

3.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

- To provide a set of controls and acceptable solutions that guide general items that need to be considered across the construction and operation of all development.
- To ensure any potential adverse impacts on the environment and adjoining properties is adequately managed.
- To help integrate sustainable practices into development by establishing principles around aspects of the circular economy.
- To ensure that development considers existing and future infrastructure provision in cases where there is an intensification of use.
- To assist in making the Maitland LGA be more resilient to adverse impacts from new development.

3.2. Earthworks and Retaining Walls

All development involving Earthworks and Retaining Walls is to utilise the relevant sections of Council's MoES, including the MoES Design and Construction Documents, alongside this section.

Objectives

O.1 To ensure that development is designed to minimise cut and fill required for site preparation, construction, and operation.
O.2 To accommodate development on a site without the need for excessive excavation and fill or construction of high retaining walls adjacent to site boundaries.
O.3 To minimise the effect of disturbance of land and ensure that dangerous or unstable excavations are avoided, or where necessary, are properly retained.
O.4 To ensure that adequate provision is made for drainage in relation to cut and fill practices.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1 • O.3	Development proposed on land with a natural gradient of 1:6.7 (15%) or greater slope is to have a geotechnical assessment conducted by a suitably qualified geotechnical engineer. **Note:** Further detail around what is to be provided in a geotechnical assessment is available in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.1 • O.3	A Bulk Earthworks Plan (BEWP) must be submitted with the Development Application for all development that is undertaking cut and/or fill. The BEWP is to demonstrate through a visual and tabular format the following details: • Ground level (existing), • Ground level (finished), • Total cubic metres of fill import, and • Total cubic metres of fill export. **Note:** Further detail around what is to be provided in a Bulk Earthworks Plan is available in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
AS.1 • O.2 • O.3 • O.4	Earthworks are permitted to be undertaken to a maximum of 1m cut or fill from the existing ground level of the site. A variation to this maximum may be considered if the following is supplied: a. A geotechnical engineering report prepared from a suitably accredited professional in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, b. Extent and stability of proposed embankments (particularly those acting as retarding basins), c. Recommended geotechnical testing requirements, d. Compaction specification for all fill within subdivisions, e. The level of risk to existing adjacent buildings because of a construction contractor using vibratory rollers anywhere within the site the subject of the works. If vibratory rollers could affect adjacent buildings, high risk areas must be identified on the engineering drawings which are to indicate that no vibratory roller must be used within that zone, f. The impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	g. The recommended treatment of any unstable areas within allotments that will be privately owned, which may include removal and replacement of soil, blending of soils, dynamic compaction, etc, h. Requirement for sub-surface drainage lines, i. Overall suitability of the engineering plans for the proposed development, and j. Where the filling of existing dams or watercourses is proposed, the geotechnical report is to detail any necessary works. The certifying geotechnical engineer is to have a Level 1 responsibility, unless agreed otherwise by the council, in accordance with AS 3798 which is to be stated within the report.
PC.3 • O.1	All fill for a development is to consist of Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM).
PC.4 • O.3	Batter slopes are not to exceed a 1:4 gradient, unless they have been stabilised by planted vegetation to the satisfaction of Council.
PC.5 • O.3 • O.4	All batters must be provided with both short term and long-term stabilisation measures to prevent soil erosion, such as netting, hydro mulch, compacting, and vegetation.
PC.6 • O.2	Retaining walls and structures are to be identified as part of a DA, with details provided including, but not limited to, dimensions, materials, and drainage features.
PC.7 • O.2	Retaining walls are to be of natural cut stone, masonry, concrete, or galvanised structural steel individually or in combination. Cladding over the retaining wall may consist of other materials. Wooden retaining walls are only permitted in cases where: • a retaining wall is not for the purposes of interallotment retaining, AND • the maximum height of the retaining wall is 600m, AND • where a retaining wall's failing would not impact adjoining properties or public infrastructure.
AS.2 • O.2 • O.3	The maximum height of a single retaining wall is 1.2m. A variation to this maximum may be considered if the following criteria is met: a. The design has been undertaken by a certified engineer, with details of their certification lodged alongside the Development Application, and b. Supporting information that adequately demonstrates the retaining wall will not have adverse impacts on adjoining properties or local amenity.
AS.3 • O.2 • O.3	On sloping sites which would exceed maximum retaining wall heights, site disturbance should be minimised by using construction techniques such as: • Split level design, • Drop edge beam or suspended slab on a footing wall, and • Bearers and joists.
PC.8 • O.3 • O.4	Interallotment retaining walls are not to be located on lot boundaries to ensure clear ownership and maintenance responsibilities. Where used, interallotment retaining walls are to: • Be fully contained within the lot that benefits from the retained ground level. • In the case of retaining cut, be offset from the lot boundary by a minimum distance equal to the height of the wall (i.e. a 1H:1V setback ratio), or a minimum 500mm (whichever is greater), to allow for structural elements such as footings, backfill, and zone of influence impacts. • In the case of retaining fill, walls can be constructed to the boundary up to the height of 1.2m.

Note: Terracing must occur where retaining walls are in excess of 1.2m, at a minimum of 1m horizontal intervals. The walls are to be designed by a suitably qualified engineer.

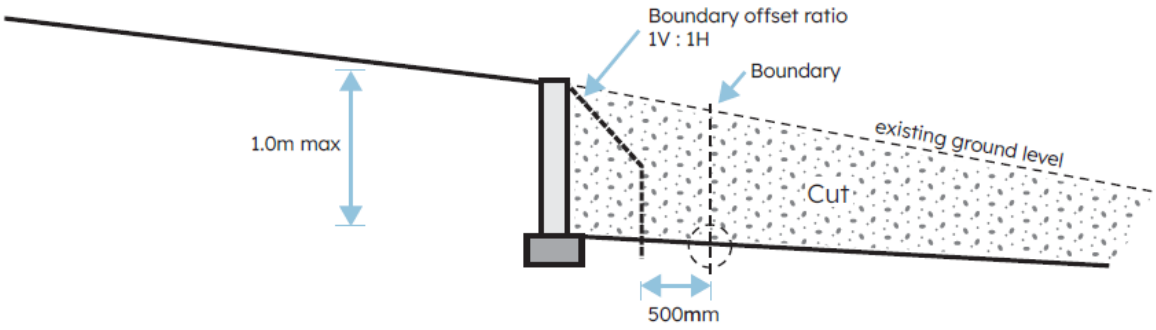


Figure 3-1: Indicative Interallotment retaining arrangement

PC.9 • O.2 • O.3	Adequate drainage comprising free draining gravel and subsoil agricultural drains must be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.
PC.10 • O.4	All drainage works associated with retaining walls must be located within site boundaries.
PC.11 • O.2 • O.3	Where terraced retaining walls are proposed the minimum distance between each step is 1m.

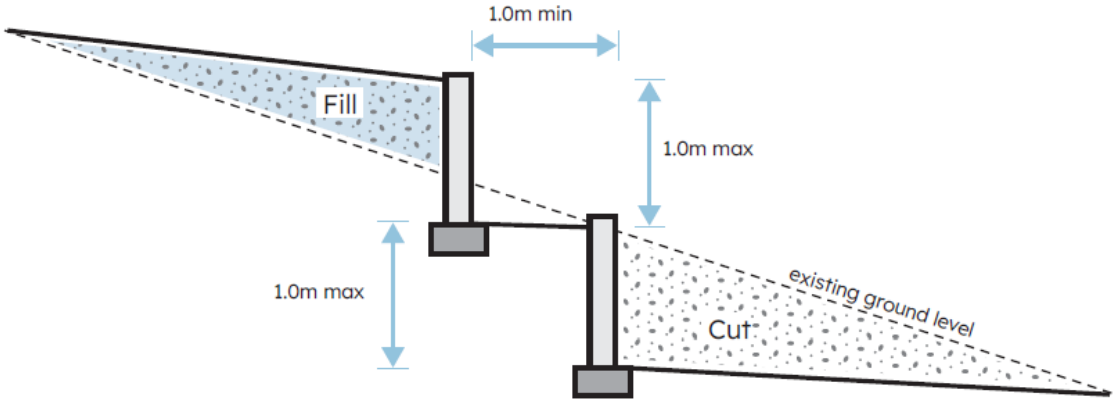


Figure 3-2: Example terraced retaining walls

Note: The minimum width for landscaping to be counted as part of landscaped area is 1.5m and should be considered where terraced retaining walls are to be used for landscaping.

3.3. Stormwater Management

All development involving Stormwater Management is to utilise the relevant sections of Council's MoES, including the MoES Design and Construction Documents, alongside this section.

3.3.1. Stormwater and Drainage

Objectives

O.5 To ensure that land can be adequately drained of storm water to not impact on adjacent sites and that the development does not contribute to drainage or flooding problems.
O.6 To provide direction regarding Council's requirements for the management regarding both the quality and quantity of stormwater runoff.
O.7 To provide a stormwater system that can be economically and practically maintained and managed.
O.8 To ensure an integrated approach to drinking water, wastewater and stormwater services is considered to drive more sustainable water management outcomes.
O.9 To ensure that water management measures for development incorporate key principles of water sensitive urban design to help protect, maintain or restore waterway health of identified high value waterways with a minimum requirement of maintaining current health.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.6	Stormwater and water quality systems must be provided for all development including residential, industrial and commercial. Regional stormwater and water quality devices are required where public roads and/or major development is proposed. Stormwater and water quality systems include, but are not limited to: • Rainwater tanks • Swales • Bioretention basins • Porous paving • Constructed wetlands • Sediment basins • Gross Pollutant Traps (GPTs) Further details for stormwater and water quality systems are provided in Council's MoES. **Note:** Major development in this control generally refers to Medium and Major Subdivision as defined by Chapter 5: Subdivision, Section 5.1.3 Scale of Subdivisions. However, other development of a large scale such as industrial or commercial structures may also trigger the threshold for regional stormwater and water quality devices (subject to Council's assessment).
PC.2 • O.6 • O.7	Stormwater conveyance will have a Major/Minor System configuration. Minor flows will be conveyed and contained in a system of kerb and gutter, pits and pipes/culverts. Major flows (flow in excess of Minor System capacity) will be conveyed in overland flow paths designed to cater for such flows.
PC.3 • O.6 • O.7	Management of 'minor' flows using piped systems for the 1 in 10 (10%) Annual Exceedance Probability (AEP) for residential, industrial and commercial land uses is to be in accordance with Council's MoES.
PC.4 • O.6 • O.7	Management of 'minor' flows using piped systems for the 1 in 5 (20%) Annual Exceedance Probability (AEP) for rural land uses is to be in accordance with Council's MoES.
PC.5 • O.6 • O.7	Management of 'major' flows using dedicated overland flow paths such as open space areas, roads, waterways and riparian corridors for all flows in excess of the pipe drainage system capacity and above the 10% AEP will be in accordance with Council's MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.5 • O.6	Where a development requires drainage works over adjoining properties, the DA is to be supported by landowners' consent for lodgement, from all affected property owners, including written agreement to the creation of easements on title for inter-allotment drainage purposes.
AS.1 • O.6	Stormwater drainage design is to generally reflect the pre-existing flow characteristics of the site and may require on-site stormwater detention, in accordance with MoES.
PC.7 • O.6 • O.7	All stormwater management infrastructure for residential areas, such as detention basins and water quality infrastructure that are proposed to be dedicated to Council are to be negotiated with Council as part of the Development Application process and clearly articulated on the final plans.
PC.8 • O.7 • O.8	Development will demonstrate compliance with the relevant provisions of Council's MoES including requirements for drainage, water sensitive urban design and volume reduction.
PC.9 • O.6 • O.8	The design of stormwater facilities including those for volume and water quality control must demonstrate practicality and sustainability regarding ongoing operation and maintenance, legal point of discharge, any relevant easements, and private ownership or public dedication in accordance with the Council's MoES.
PC.10 • O.6 • O.7 • O.8	All proposed development requires demonstration of stormwater management including concepts plans. Where required due to scale and development type, a stormwater report and modelling will be required in accordance with Council's MoES.

3.3.2. Stormwater Management within the Woodberry Swamp Catchment

Note: This section applies to development within the Woodberry Swamp Catchment, as identified in Figure 3-3, and is to be read in conjunction with Section 3.3.1 – Stormwater and Drainage. Where a conflict arises between this section and Section 3.3.1, the provisions of this section will prevail. Ancillary structures, including swimming pools and outbuildings, are excluded from the application of this section.

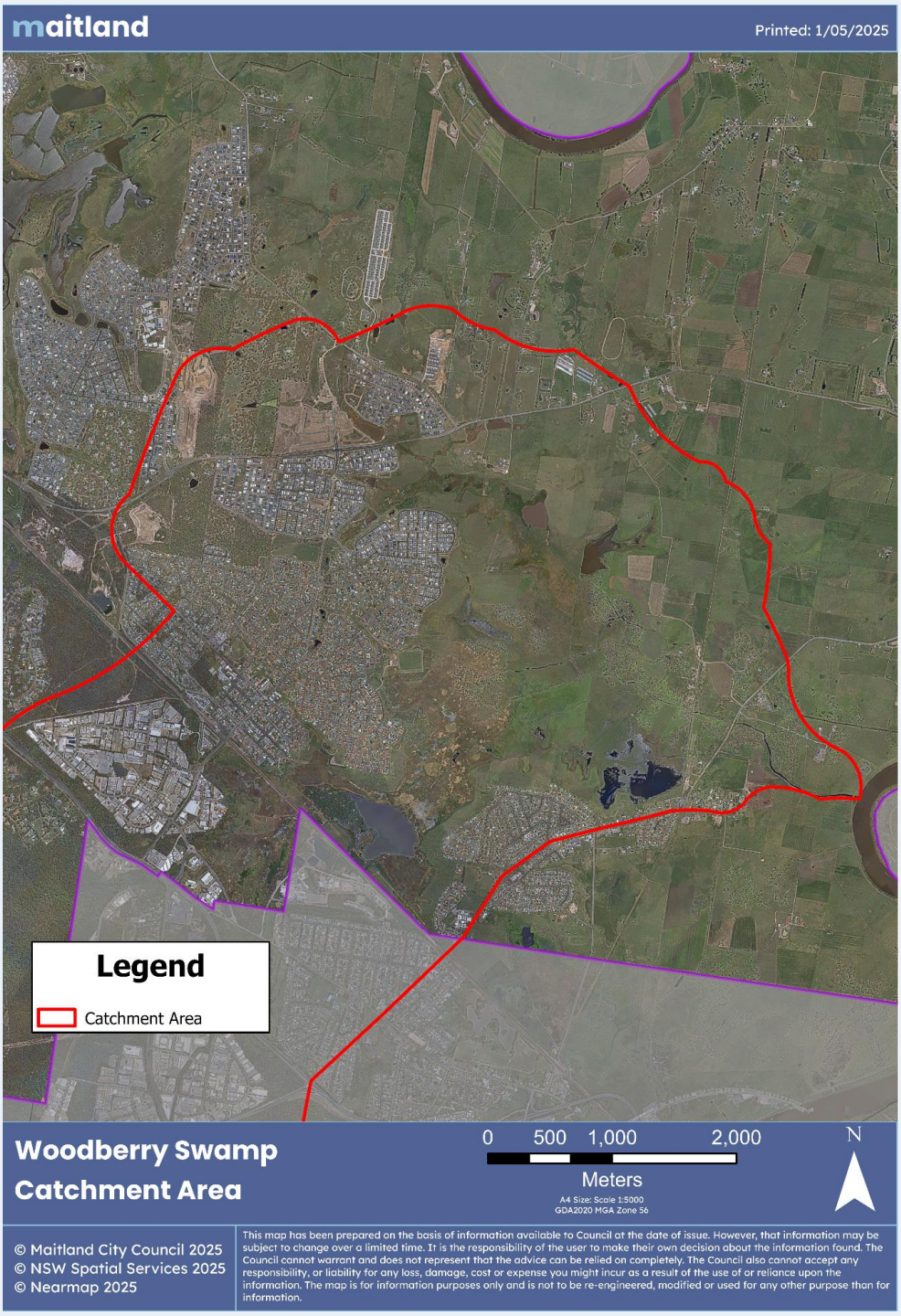


Figure 3-3: Woodberry Swamp Catchment Area

Objectives

O.10 To ensure an appropriate quality of water entering the Woodberry Swamp Catchment.
O.11 Ensure that post development runoff matches the natural water runoff regime as closely as possible within the Woodberry Swamp Catchment.
O.12 To promote sustainable stormwater management practices that reduce the impact of urban development on downstream waterways.
O.13 To ensure developments integrate stormwater detention and retention measures to mitigate potential flooding and erosion risks within the Woodberry Swamp Catchment.
O.14 To require stormwater treatment infrastructure that effectively removes sediment, litter, oils, and other pollutants before discharge into receiving waterways for the Woodberry Swamp Catchment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.10
- O.11
- O.12
- O.13
- O.14

Development involving stormwater and/or drainage works are to provide plans in accordance with Table 3-1 below:

Table 3-1: General Requirements

DEVELOPMENT TYPE	GENERAL REQUIREMENTS
1. Small-scale development (Dual occupancy or lesser) of more than 450m² lot area Note: Ancillary structures, including swimming pools and outbuildings, are excluded from this section.	A Stormwater Management Plan (SWMP) is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.
2. Development that has a site area under 5000m² and of a scale larger than a dual occupancy that involves: <20 dwellings, OR <50 people onsite during normal construction or operation.	
3. Development that: Is more than 5000m², AND/OR 20 or more dwellings, AND/OR 50 or more people onsite during normal construction or operation.	A Water Cycle Management Plan, including hydrological and hydraulic modelling (MUSIC modelling is preferred), is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

PC.2
- O.10
- O.11
- O.12
- O.13
- O.14

To meet the hydrology objectives for development in the coastal wetland catchment, baseline controls are provided for Type 1 and 2 developments in accordance with Table 3-2.

Table 3-2: Detention Requirements

DEVELOPMENT TYPE	DETENTION REQUIREMENTS (M³)
1	Roof area (m²) x 0.02. Minimum 2m³ per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.
2	Roof area (m²) x 0.04. Minimum 4m³ per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.

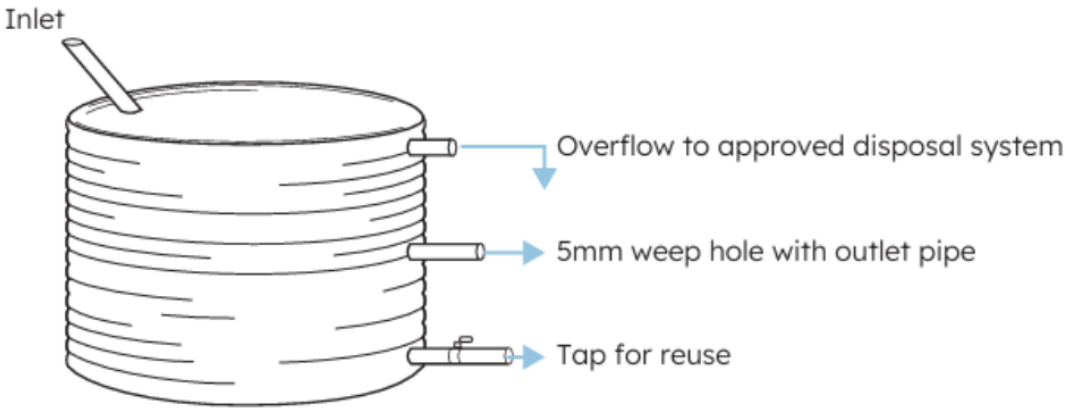


Figure 3-4: Onsite Typical Type 1 and 2 Detention

Type 3 developments require site-specific hydrological and hydraulic modelling to be undertaken, however the detention requirements provided above are to be used as a baseline.

Where a BASIX or NABERS reuse volume is higher than the reuse volume for development in the coastal wetland catchment, the total tank size is to be increased to accommodate for the full BASIX or NABERS reuse volume below the 5mm weep hole.

PC.3
- O.10
- O.11
- O.12
- O.13
- O.14

Rainwater tanks for type 1 and 2 development are to adhere to the following design criteria:

a. 100% of the roof area drains to the rainwater tank, except for individual roof areas less than $10m^2$
b. only roof areas are connected to the tank, and
c. 50% of the rainwater tank is to be provided as air space. The top half of the rainwater tank is to drain to a small 5mm weep hole. The weep hole is to be located at the mid-point of the tank and drains to the overflow pipe.

PC.4
- 0
- O.11
- O.12
- O.13
- O.14

All development within the Woodberry Swamp catchment is to include water sensitive urban design elements to ensure the quality of stormwater runoff is managed in accordance with Table 3-3 below:

Table 3-3: Water Quality Treatment

DEVELOPMENT TYPE	WATER QUALITY TREATMENT
1	Rainwater tanks connected to roof areas provided in accordance with the controls of this section.
2	Where provided as part of works, detention basins must have an onsite detention area of $12m^3$ per $1000m^2$ of the site area.
3	Water Quality treatment devices are to be incorporated in the overall design and modelled in MUSIC to ensure Water Quality targets in Table 3-1 and Council's MoES are achieved.

3.3.3. Erosion and Sediment Control

Objectives

O.15 To prevent erosion and sediment laden run off to occur during site preparation, construction, and operation of any use of land.
O.16 To prevent the pollution of waters from unmanaged and untreated runoff.
O.17 To ensure that a 'treatment train' approach is an integral part of design solutions for controlling stormwater runoff.
O.18 To ensure adequate vegetation cover is achieved across the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.15
- O.16

All erosion and sediment (ERSED) measures proposed are to be prepared in accordance with the 'Blue Book' (Managing Urban Stormwater Soils and Construction) – by Landcom, Fourth Edition (2004)'.

PC.2
- O.15
- O.16
- O.17

Erosion and sediment control measures are to be provided in accordance with Table 3-4 below:

Table 3-4: ERSED Management Measures by Land Area

DISTURBED AREA OF SITE	MANAGEMENT MEASURES
Under 250m²	Recommended ERSED mitigation and management measures in accordance with the controls and acceptable solutions in this section, the 'Blue Book', and DPHI's Guidelines for erosion and sediment control on building sites.
More than 250m² and less than 2500m²	An **Erosion and Sediment Control Plan** (ESCP) is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, the 'Blue Book', and DPHI's Guidelines for erosion and sediment control on building sites.
Over 2500m²	A **Soil and Water Management Plan** (SWMP) is to be prepared in accordance with the controls and acceptable solutions in this section, the 'Blue Book', and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

Note 1: Some sites under 250m² may require an ESCP to be prepared; see Council's MoES and DPHI's Guidelines for erosion and sediment control on building sites for further detail.

Note 2: Full details as to the contents of a ESCP and SWMP are provided in Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

PC.3
- O.18

The maximum amount of soil exposed on a site is to be no more than 5ha at any one time, and in accordance with Council's MoES.

3.4. Parking and Vehicle Access

3.4.1. Traffic Impacts

Objectives

O.19 To ensure that a development has duly considered the impact of traffic generation on the existing road network.

O.20 To limit conflicts between existing modes of transport and new development without the provision of sufficiently safe and effective traffic facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.19 • O.20	A Transport Impact Assessment (TIA) is required in accordance with Appendix A: Application Requirements - Other Development, in circumstances where: a. The proposed development is for 25 or more dwellings and/or lots, b. The proposed development is defined as **traffic generating development**, c. The proposed development is requested to provide a TIA by Transport for NSW, or d. The proposed development is deemed in Council's opinion to have the potential to adversely impact on the existing road network.

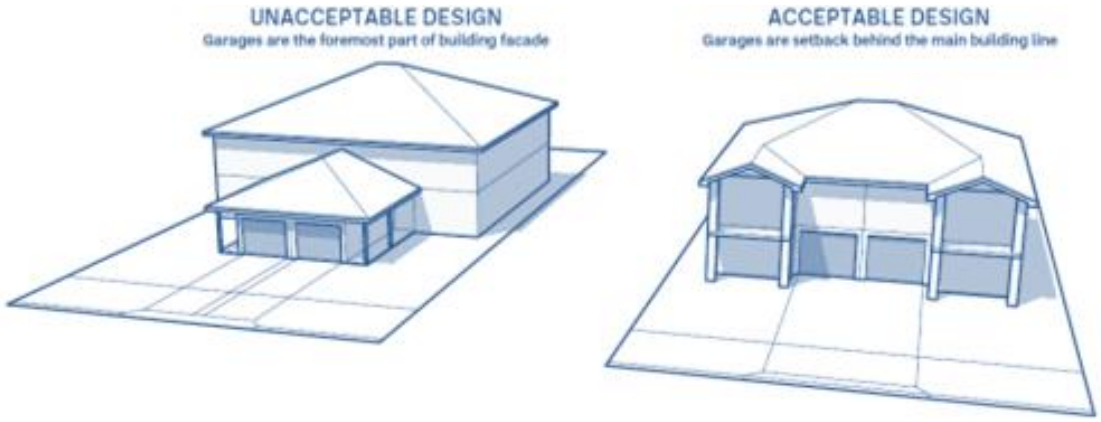
3.4.2. Vehicle Access

Note: This section does not apply to any type of residential accommodation or ancillary development. Controls for vehicle access and driveways for residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.

Objectives

O.21 To ensure that the location and design of parking areas and vehicle accesses are able to function efficiently in a manner that is safe, convenient, appropriately visually screened, and integrated into a development's design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21	Excepting access points to parking and the development, parking areas must be screened along the street frontage.
PC.2 • O.21	The applicant is to demonstrate that any proposed site vehicle access location and design has considered the site opportunities and constraints as well as public safety including, but not limited to: a. Assessing the type of road(s) the site will access and its posted speed limit, b. Avoiding direct access to an arterial road (e.g., highway or main road) unless there is an existing suitable access or no suitable alternative, c. Avoiding or minimising impacts on street trees and utilities/services in the street, d. Locating and designing access points to minimise interference with natural and street drainage, e. Ensuring appropriate sightlines (clear of obstructions) at driveway exits to vehicular traffic and pedestrians/bicycles, f. Assessing potential conflicts with other vehicles and pedestrians/ bicycles on and off-site, g. Ensuring the landscape design does not impact safety whilst screening or softening the visual impact of any parking areas, h. Minimising impacts on on-street parking, and Minimising the visual impact of larger driveways or on-site parking areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.21	Secured and unsecured accesses to covered parking areas, including ground level and basement parking, should be integrated into a proposed development's design in a manner that minimises the visual intrusion of the accesses in the public domain.  **Figure 3-5:** Acceptable and Unacceptable Integration of Parking Areas
PC.3 • O.21	Consideration must be given to maintaining adequate sight distances for all access driveways. Any vehicle entering or leaving the driveway must be visible to approaching vehicles and pedestrians. **Note:** *AS 2890 Parking Facilities* should be referenced for minimum sight distances for a range of road frontage speeds.

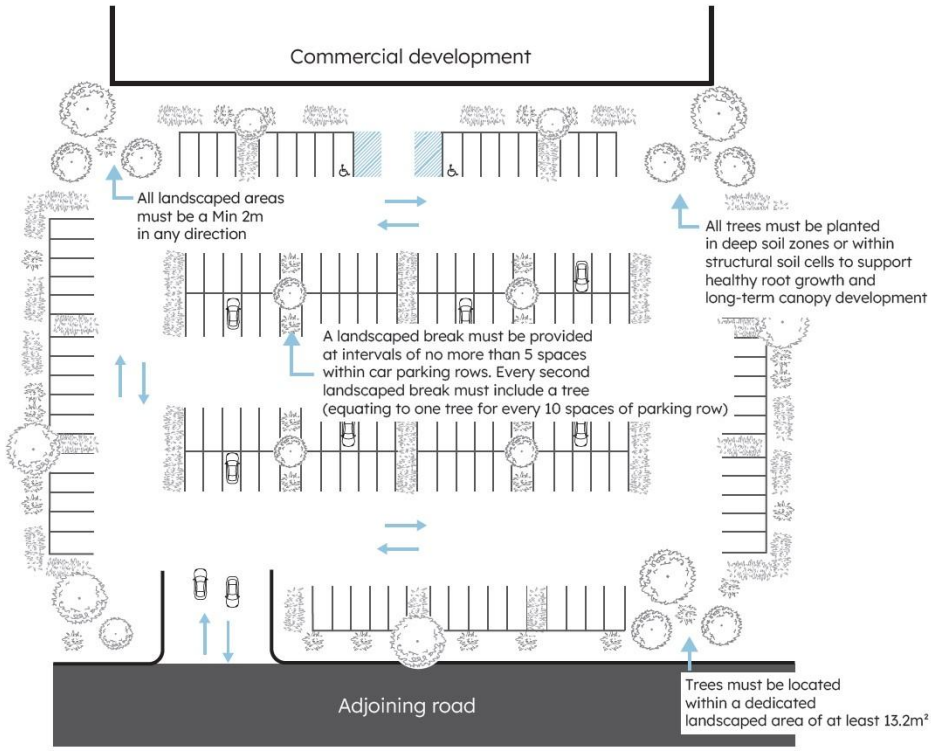
3.4.3. Parking, Circulation and Design

Note: This section does not apply to any type of residential accommodation or ancillary development. Controls for parking, circulation, and design for residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.

Objectives

O.22 To ensure that design of circulation and manoeuvring areas has accommodated the largest design vehicle for the site, addressing safety, ease of access, navigation, and swept paths.
O.23 To minimise potential conflict between vehicular and pedestrian movement.
O.24 To provide increased visual and practical amenity for car parks by increasing vegetation and canopy cover.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.22	Lighting for parking areas is to be provided in accordance with *AS 2890.1 – Parking Facilities Off Street Parking.*
PC.2 • O.24	Parking areas are to incorporate landscape plantings, including a mixture of low-lying shrubbery and small trees (<6m mature diameter). PC.6 of this section provides further criteria.
PC.3 • O.23	Pedestrian routes through parking areas over 50 spaces in size are to incorporate wayfinding elements, including markings, signage, grade separation and crossings, in accordance with *AS 2890 – Parking Facilities*.
PC.4 • O.22	Parking areas with over 50 spaces are to create circulation patterns that minimise usage of dead-end parking aisles wherever possible.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.23	The following wayfinding elements are to be incorporated into the development at a minimum: a. Larger car parking areas are to provide rational circulation patterns with ease of navigation and minimise dead-end aisles, b. Parking areas are to be well sign-posted to clearly indicate the location of off-street parking, exit and entry points, and the circulation of spaces on the site, c. Pavement arrows clearly indicate the direction of traffic circulation. (if one-way), and d. Parking areas are clearly delineated as well as parking spaces for specific users including accessible spaces/staff/visitors.
PC.6 • O.24	Landscaping within car parking areas are to meet the following requirements: a. A landscaped break must be provided at intervals of no more than 5 spaces within car parking rows. Every second landscaped break must include a tree (<6m mature diameter, equating to one tree for every 10 spaces of parking row). b. The landscaped area provided must have a minimum dimension of 2 metres in any direction and is to incorporate landscape plantings, including a mixture of low-lying shrubbery. c. Each tree must be located within a dedicated landscaped area of at least 13.2m². d. All trees must be planted in deep soil zones or within structural soil cells to support healthy root growth and long-term canopy development. e. Landscaping is to be provided in accordance with the Maitland Tree Species List.  **Figure 3-6: Example of a landscaping break in a carpark**
PC.7 • O.22	The layout of a parking area is to provide direct pedestrian paths to building entries and the street frontage.
PC.8 • O.23	Visitor parking is to be clearly marked, signposted and located in proximity of the development's primary building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.23	Car parking spaces for persons with a disability (accessible parking) are to be designed and constructed in accordance with: • *AS 2890.6 – Parking facilities (Off Street Parking for People with Disabilities)* • *AS 1428 – Design for access and mobility*
AS.1 • O.22	Internal driveways and parking areas of customer or visitor-facing car parks are to consist of concrete pavement or gravel, sealed with bitumen or asphalt. Exceptions apply to: a. Parking areas located within Heritage Conservation Areas and parking areas associated with or adjacent to listed heritage items. Alternative surface treatments are to be discussed with Council and addressed through the applicable level of heritage assessment (Chapter 4: Heritage and Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development whichever is applicable). b. Parking areas in rural zones, where gravel surface treatments are preferred. There are to be no conflicts from noise and dust with adjacent lots, and suitable drainage solutions are to be provided.
PC.10 • O.22 • O.23	Parking spaces and aisles are to meet the minimum dimensions provided in AS 2890 – Parking Facilities. Greater dimensions apply in the following instances: • A parking space which has a wall or obstruction on one side – an additional 300mm width, and • For the end space in a blind aisle, the space is to be a minimum width of 3.6m. **Note:** Refer to *AS 2890- Figure 5.2 Design Envelope around Parked Vehicles* to be kept clear of columns, walls and obstructions.
PC.11 • O.22	Wheel stops are to be provided along the front of parking bays.
PC.12 • O.22	Parking areas and driveways are to be designed in a manner that reduces potential site runoff and allows stormwater to be controlled on site, in accordance with Section 0 of this Chapter.
PC.13 • O.22	Stacked (tandem) parking is not acceptable for commercial uses, industrial uses, or visitor and customer parking.

3.4.4. Parking Provision

Objectives

O.25 To ensure that adequate provision has been made for off-street parking to service development and limit adverse impacts on the surrounding road network.

O.26 To promote multi-modal access to a variety of land uses by providing accessible, bicycle, and motorcycle parking.

O.27 To account for the limitations around parking in areas of heritage significance (Central Maitland, Morpeth, Lorn) and local centres (Woodberry), and balance this with the need to facilitate development in order to encourage vitality and vibrancy in such centres.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25	Development is to provide the number of off-street parking spaces in accordance with their proposed land use in line with the following metrics: a. Set out in Table 3-5:Parking Provision Rates under this section (unless the proposed development satisfies the criteria provided under AS.1 of this section); ***or*** b. If the proposed land use is not listed – in accordance with Transport for NSW's Guide to Traffic Generating Developments, as amended; ***or***

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances unless captured by AS.1 of this section. No parking spaces provided under this control are to be utilised for purposes other than for residents, customers, employees, and visitors.
AS.1 • O.26 • O.27	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement, statement of existing arrangements within the SEE with adequate justification etc) in the following circumstances: a. **Certain Commercial Precincts:** The capability of most properties to provide adequate off-street parking and loading facilities is either not achievable or highly restrictive in the following areas: • **Maitland** ○ High Street between Ken Tubman Drive and Abbot Street, and ○ Church Street between Charles Street and High Street. • **Lorn** ○ The E1 Local Centre zoned land along Belmore Road. • **Morpeth** ○ The E1 Local Centre zoned land in Morpeth. • **Woodberry** ○ The E1 Local Centre zoned land in Woodberry. • **Tenambit** ○ The E1 Local Centre zoned land in Tenambit Consequently, these areas presently are reliant on street parking, loading zones, and public car parking spaces to satisfy their vehicular parking and servicing. Proposed development in these areas will be assessed on a case-by-case basis and are to consider the capacity of surrounding public car parking to meet the parking needs of the development. b. **Change of Use:** The proposed development is a 'change of use', where there is no additional on-site car parking required and additional impacts on on-street car parking would be minimal (to the satisfaction of Council). c. **Existing structure:** The proposed development involves alterations and/or additions to an existing structure that: • Are less than 25m^2, and • Do not encroach or impact on existing off-street parking areas, and • The alterations and additions will not significantly intensify the land use from an on-site parking provision perspective. d. **Heritage Item:** the proposed development involves the restoration, alteration, and/or conservation of a heritage item listed under the *MLEP 2011*. This is only applicable in instances where it can be demonstrated that the conservation of the heritage item is dependent on the application of this subclause.

Table 3-5: Parking Provision Rates

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Residential Accommodation				
Dwelling houses	• **One- or two-bedroom dwelling:** 1 covered space • **Three or more-bedroom dwellings:** 2 spaces, 1 being covered	No requirement	No requirement	No requirement
Dual occupancies and Semi-detached dwellings	• **One-or two- bedroom dwelling:** 1 covered space per dwelling • **Three or more-bedroom dwellings:** 2 spaces per dwelling, 1 being covered	No requirement	No requirement	No requirement
Secondary dwellings	No requirement	No requirement	No requirement	No requirement
Residential flat buildings, Multi dwelling housing, Attached dwellings, and Shop-top housing	• **One- or two-bedroom dwelling:** 1 covered space per dwelling ***OR*** • **Three or more-bedroom dwellings:** 2 spaces per dwelling, 1 being covered ***PLUS*** • 1 dedicated visitor space for the first three dwellings **and** 1 space for every five dwellings thereafter or part thereof	No requirement	No requirement	No requirement
Seniors housing	1 space for 5 dwellings + visitor parking if there are more than 8 dwellings	1 car space per 10 car spaces	No requirement	No requirement
Residential care facilities	1 space per 10 beds (visitors) +1 space per 2 employees + 1 space suitable for an ambulance	1 car space per 10 car spaces	No requirement	No requirement
Hostels	• 1 space per 7 beds **and** • 1 space per 2 employees **and** • 1 parking space for services and deliveries.	No requirement	1 space per 20 beds (Security Level B)	No requirement
Boarding houses, Co-living, and Group homes	• 1 space per 2 bedrooms **and** • 1 space for employees	1 space per 10 bedrooms	• 1 space per 10 bedrooms (Security Level B or C) **and**	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
			• 1 space per 20 bedrooms (Security Level C) for visitors	
Home business and Home industry	1 space in addition to the dwelling requirements	No requirement	No requirement	No requirement
Educational establishments				
Child care centre	1 space per 4 children in attendance (or part thereof).	1 car space	No requirement	No requirement
Educational establishment	• 1 space per employee or staff member **and** • 1 space for every 30 students over 17 years old for High Schools / 1 space for every 5 students for Tertiary Education establishments (e.g. TAFE, universities) **and** • provision for a drop off / pick up area	1 car space per 20 car spaces	• 1 space per 20 staff (Security Level B) **and** • 1 space per 25 students (Security Level B) **and** • 1 space per 25 students (Security Level C)	1 space per 50 car spaces
Business & Office premises				
Business premises	1 space per 40m^2 of GFA	1 car space per 30 car spaces	1 space per 100m^2 of GFA (Security Level C)	1 space per 20 car spaces
Office premises	1 space per 50m^2 of GFA	1 car space per 30 car spaces	• **For developments under 400m^2,** 1 space per 200m^2 of GFA (Security Level C) • **For developments over 400m^2,** 1 space per 400m^2 of GFA (Security Level B) ***and*** • 1 space per 400m^2 of GFA (Security Level C)	1 space per 20 car spaces
Retail premises				
Restaurants and cafes	• 1 space per 3 seats, ***or***	1 car space per 30 car spaces	2 spaces per 100m^2 of GFA (Security Level C)	1 space per 20 car spaces

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
	• 1 space per 10m² of customer service area (including outdoor dining areas)			
Takeaway food and drink premises	**For developments with no on-site seating and no drive through :**1 space per 20m² of GFA **For developments with on-site seating and no drive-through,** the greater of either: • 1 space per 20m² of GFA, ***or*** • 1 space per 6 seats **For developments with on-site seating and drive-through facilities,** a minimum queueing area for 5-12 cars, and the greater of either: • 1 space per 10m² of GFA, ***or*** • 1 space per 3 seats ***plus*** • 2 waiting bays	1 car space per 30 car spaces	2 spaces per 200m² of GFA (Security Level C)	1 space per 20 car spaces
Pubs and Registered Clubs **Note:** Additional parking to be provided for other activities, such as restaurants or hotel and motel accommodation.	**The greater of either:** • 1 space per 10 seats, ***or*** • 1 space per 10m² of licensed floor area	1 car space 20 car spaces	1 space per m² of GFA (Security Level C)	1 space per 30 car spaces
Garden centres and Plant nursery	**The greater of either:** • 1 space per 130m² of GFA, ***or*** • 15 spaces	1 car space per 45 car spaces	No requirement	No requirement
Hardware and building supplies	1 space per 50m² of GFA	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Landscaping material supplies, Timber yards, Rural supplies, and Wholesale supplies	1 space per 130m² of GFA	1 car space per 45 car spaces	No requirement	No requirement
Markets	2 spaces per stall	No requirement	No requirement	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Roadside stalls	Merit-based assessment	No requirement	No requirement	No requirement
Shopping centres	**0-10,000m² GLFA** • 6.3 spaces per 100m² GLFA **10,000-20,000m² GLFA** • 5.8 spaces per 100m² GLFA **20,000-30,000m² GLFA** • 4.5 spaces per 100m² GLFA **Over 30,000m² GLFA** • 4.3 spaces per 100m² GLFA	1 car space per 30 car spaces	• 1 space per 1000m² of GFA (Security Level B) *and* • 1 space per 500m² of GFA (Security Level C)	1 space per 20 car spaces
Shops (including neighbourhood shops)	1 space per 30m² of GFA	1 car space per 30 car spaces	1 space per 200m² of GFA (Security Level C)	1 space per 20 car spaces
Specialised retail premises *(formerly bulky goods)*	1 space per 50m² of GFA	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Vehicle sales or hire premises	1 space per 130m² of GFA and 3 spaces per work bay if including a vehicle body repair workshop or vehicle repair station.	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Commercial premises (other)				
Entertainment facilities and Function centres	Merit-based assessment, TIA required.	1 car space per 20 car spaces	• 1 space per 25 employees (Security Level B) ***and*** • 1 space per 10 seats (Security Level C)	1 space per 20 car spaces
Amusement centres	1 space per 50m² of GFA	1 car space per 30 car spaces	No requirement	1 space per 20 car spaces
Service station	2 spaces per pump (excluding pump station)	1 car space per 10	No requirement	No requirement
Sex services premises	1 space per 40m² of GFA	1 car space per 20 car spaces	No requirement	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Restricted premises (including Sexual aid establishments)	1 space per 25m^2 of GFA	1 car space per 20 car spaces	No requirement	No requirement
Health service facilities				
Medical centres / Health consulting rooms	2 spaces per practitioner / professional person	1 car space per 7 car spaces	2 spaces per 10 employees (Security Level C)	1 space per 20 car spaces
Hospitals	• 1 space per 1.5 staff **and** • 1 space per 3 beds (visitor parking)	1 car space per 20 car spaces	1 space / 30 beds. Min 2 spaces	1 space per 10 car spaces
Tourist and visitor accommodation				
Bed and breakfast accommodation and Farm stay accommodation	• 1 space per guest room **and** • 1 space for employees	No requirement	No requirement	1 space per 20 car spaces
Backpacker accommodation	• 1 space per 5 beds **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 20 beds (Security Level B)	1 space per 20 car spaces
Hotel and Motel accommodation	• 1 space per unit **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 20 units (Security Level B)	1 space per 20 car spaces
Serviced apartments	• 1 space per apartment **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 10 apartments	1 space per 20 car spaces
Industry				
Artisan food and drink industry	1 space per 40m^2 of GFA	1 car space per 20 car spaces	1 space per 250m^2 of GFA (Security Level C)	1 space per 30 car spaces
Light, General, and Heavy industry in urban areas	1 space per 100m^2	1 space per 100m^2	1 space per 20 staff	1 space per 50 car spaces
Recreation				
Bowling alleys	3 spaces per alley	1 car space per 20 car spaces	1 space per 4 alleys (Security Level C)	1 space per 30 car spaces

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Bowling greens	30 spaces for the first green, **and** 15 spaces for each additional green.	1 car space per 20 car spaces	1 space per green (Security Level C)	1 space per 30 car spaces
Gymnasium	7.5 spaces per 100m^2 of GFA	1 car space per 20 car spaces	• 1 space per 150m^2 of GFA (Security Level C) *and* • 1 space per 10 staff (Security Level B)	1 space per 30 car spaces
Tennis or Squash courts	3 spaces per court	1 car space per 20 car spaces	1 space per 2 courts (Security Level C)	1 space per 30 car spaces
Indoor soccer / cricket / netball / basketball	15 spaces per court/pitch	1 car space per 20 car spaces	2 space per court (Security Level C)	1 space per 30 car spaces
Swimming pools	1 space per 200m^2	1 car space per 20 car spaces	1 space per 30 car spaces	1 space per 30 car spaces
Other land uses				
Eco-tourist facility	• 1 space per 2 staff **and** • 1 space per dwelling	1 car space per 5 dwellings	No requirement	No requirement
Place of public worship	1 space per 10m^2 of GFA	1 car space per 20 car spaces	No requirement	No requirement
Community facilities	1 space per 15m^2 of GFA	1 car space per 20 car spaces	1 space per 250m^2 of GFA	1 space per 45 car spaces
Veterinary hospital	• 3 spaces per surgery or consulting room, **and** • 1 space for each professional practitioner and other staff present at any one time.	1 car space per surgery	1 space per 4 practitioners	No requirement
Warehouse or distribution centre	• 1 space per 200m^2 GFA **or** • 1 space per 2 staff (whichever is greater)	1 space per 400m^2	1 space per 15 staff	1 space per 20 spaces
Camping grounds, Caravan parks and Manufactured Home Estates	Rates for residents, visitors, and accessible parking are set by Clauses 96-98 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2021*.		No requirement	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Vehicle body repair workshops and Repair stations	• 6 spaces per work bay **and** • 1 space per 20m² GFA of any ancillary convenience store.	No requirement	No requirement	No requirement
Exhibition villages	1.5 spaces per home	1 space per 30 car spaces	No requirement	No requirement
Uses not defined in this table	Merit based assessment; TIA may be required at Council's direction.			

Notes:

1. Bicycle Parking: Security Level A, B, and C referenced with bicycle parking provisions have been provided in accordance with Austroads Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management . These are summarised as follows:
   a. Security Level A (Bicycle Lockers): consisting of lockers with secure locking mechanisms to store a single bicycle.
   b. Security Level B (Bicycle Cages): consisting of a secured room, cage or other structure where multiple users are able to park a bicycle.
   c. Security Level C (Bicycle Racks): consisting of an area where a bicycle is able to be secured to a bicycle parking device, such as bicycle racks.

3.4.5. Loading/Unloading & Servicing Facilities

Objectives

O.28 To ensure that the location and design of, loading / unloading bays, and servicing facilities, function efficiently in a manner that is safe, convenient, appropriately visually screened, and integrated into a development's design.

O.29 To provide suitable loading / unloading, servicing, and waste management areas for development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.28 • O.29	All new developments are expected to provide a sufficient number of, and appropriately sized, parking spaces on site for service vehicles based upon: a. The expected frequency of servicing, b. The likely vehicle size/type of delivery vehicle (in accordance with Australian Standards AS2890 series), unless otherwise agreed with Council, and c. Turning templates to demonstrate that vehicles can enter and exit the site in a forward direction.
PC.2 • O.28	Adequate and suitable on-site receiving areas and parking for trucks and large vehicles are to be provided, and any queuing or off-site parking of such vehicles is to be kept to a minimum.
PC.3 • O.28 • O.29	Loading docks are to be designed in accordance with the Australian Standard AS2890.2 - Parking Facilities – Off-Street Commercial Vehicle Facilities to allow heavy vehicles to enter and leave the site in a forward direction.
AS.1 • O.29	The use of loading docks must not conflict with the safe efficient circulation of pedestrians and other vehicles on-site.

3.4.6. Public Transport Access

Objectives

O.30 To ensure appropriate provision of public transport is made for developments that create a marked increase in traffic demand.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.30	Development for the purposes of 20 or more dwellings is to demonstrate that bus stops and shelters are: • Either existing and fully accessible to current standards within a 400m walking catchment, **or** existing bus stops within a 400m walking catchment are able to be upgraded to current standards (at the Proponent's expense), and • Are connected to the entry of the development by a continuous accessible footpath.
PC.2 • O.30	Provision of drop off/pick up areas for buses/coaches, private vehicles, or taxis may be required in larger developments, including educational establishments and commercial premises.
AS.1 • O.30	Clear pedestrian crossing points should be provided in visual proximity to public transport stops. Development that is unable to demonstrate this is to liaise with the relevant public transport provider to satisfy any potential requirements.

3.4.7. Electric Vehicle Parking

Objectives

O.31 To ensure sufficient infrastructure is available to support increased demand for road registered passenger electric vehicles in new and upgraded Class 1 Residential dwellings.

O.32 Ensure the requirements for provisioning for Electric Vehicles within the National Construction for each respective building class are adhered to.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.31 • O.32	All development classified under the National Construction Code (NCC) as Class 2-9 buildings, must follow the provisions for EV charging as identified in Part J9D4- Facilities for electric vehicle charging equipment. **Note:** Under Part J9D4 of the NCC, all development is to support the future installation of a 7 kW (32 A) type 2 electric vehicle charger in— i. 100% of the car parking spaces associated with a Class 2 building, or ii. 10% of car parking spaces associated with a Class 5 or 6 building, or iii. 20% of car parking spaces associated with a Class 3, 7b, 8 or 9 building.
PC.2 • O.32	Electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points is to be integrated into all off-street car parking of new Class 1 residential development, including where an alteration or addition to a car space occurs. This is to satisfy the following design criteria: a. Circuitry is to ensure adequate electrical capacity and infrastructure (cable size, distribution board size and circuit space allocation etc.) for the electric vehicle charging point system i. It is preferable if electrical circuitry is run in conduit from the main board to the termination point. b. Minimum electric circuitry for a 'Level 2' electric vehicle charging point is to be either: i. A single-phase, 32 Amp circuit with 7kW power output, or ii. A three phase, 16 Amp circuit with 11 kW power output. c. The circuit should be accompanied with a communications conduit that can support the connection of either a current transducer or ethernet cable back to the main board to support load control and smart charger operation. d. For single residential dwellings with a two or more car garage the circuit should be located to allow a 7kW charge to at least 1 space. Other spaces should have a suitably located 10 Amp power point to support slower charging.
PC.3 • O.31	A Development Application must be accompanied by an accurate electrical plan, with specifications for any off-street car parking clearly identifying the electrical circuit and termination point on the plan.
AS.1 • O.31	Where EV chargers are provided as part of development, smart EV chargers that provide efficient energy use for both consumers and network operators, and can be easily integrated into onsite solar and battery systems are preferred.

3.5. Waste Management

3.5.1. Construction Waste Management

Objectives

O.33 To ensure that waste collection vehicles can easily access all waste collection points in a safe and reliable manner throughout the development stages.
O.34 To provide suitably designed and constructed waste storage and collection areas for all development which enable effective servicing for all waste types.
O.35 To ensure that an appropriate waste service solution is provided to all new development.
O.36 To minimise resource requirements, demolition waste, construction waste through reuse, recycling, selection, and use of materials.
O.37 To facilitate sustainable waste management and minimisation practices and processes for development in a manner that is consistent with ESD principles.
O.38 To encourage building designs, construction and demolition methods which seek to minimise overall waste generation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34 • O.35 • O.36 • O.37 • O.38	A Construction Waste Management Plan (CWMP) is required to be submitted with every development application involving physical works, including demolition works. This must be undertaken in accordance with Appendix A: Application Requirements - Other Development and Appendix B: Application Requirements - Minor Development, whichever is applicable.

3.5.2. Operational Waste Management

Note: Further criteria pertaining to operational waste management can be found in the Waste Servicing sections of Chapter 6, 7, 8, and 9.

Objectives

O.39 To encourage solid waste minimisation through appropriate resource use, re-use/recovery and recycling for the protection of the environment and longevity of solid waste disposal depots.
O.40 To ensure that waste collection is safe, unobstructed and efficient.
O.41 To ensure that residential and non-residential waste streams are separated in mixed-use developments.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39 • O.40 • O.41	An Operational Waste Management Plan (OWMP) is to be submitted as a part of a Development Application and is to include: a. Estimation of the weekly waste generation for general waste, recycling, and green waste (where applicable). Waste generation rates are provided in PC.3 below, b. The number of each type of bin required, c. Details of waste storage areas including dimensions, floorspace (m^2) and location, d. The identification of a waste collection point for ongoing waste collection services, e. The path of travel for bin movement between any applicable waste storage areas and waste collection point/s,

f. If waste collection is to occur onsite, the onsite circulation route for waste collection vehicles, and
g. If development proposes onsite collection by a private contractor, a letter is to be provided from a private waste collection contractor that they are able to service the site, not impede traffic while entering or exiting the site, with details provided regarding the type and size of their waste collection truck.

Note: This control does not apply to all development, with notable exemptions being:
- Dwelling houses
- Secondary dwellings
- Dual occupancies and semi-detached dwellings
- Attached dwellings
- Ancillary structures (residential and rural)

A full list of development not requiring an OWMP is provided in Appendix A: Application Requirements – Other Development and Appendix B: Application Requirements – Minor Development, whichever is applicable.

PC.2
- O.39
- O.40

Where a development is under a strata or community title, the owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site as well as cleaning and maintenance of associated facilities. An OWMP must be submitted to demonstrate that there are suitable arrangements regarding the management, maintenance and cleaning of all waste/recycling management facilities.

PC.3
- O.39
- O.41

Residential waste generation rates are to be in accordance with **Table 3-6** below:

Table 3-6: Residential Waste Generation Rates

DWELLING TYPOLOGY	GENERAL WASTE (LITRES PER DWELLING PER WEEK)	RECYCLING (LITRES PER DWELLING PER WEEK)	FOOD ORGANICS / GARDEN ORGANICS (LITRES PER DWELLING PER WEEK)
Dwelling house, Secondary dwellings, Dual occupancies, Semi-detached dwellings, and Attached dwellings	240L	240L	240L
Multi-dwelling housing or Residential flat buildings (1- or 2-bedroom dwellings)	120L (+1 240L per every 10 dwellings)	120L (+1 240L per every 10 dwellings)	Merit-based.
Multi-dwelling housing (3+ bedroom dwellings)	240L	240L	240L
Residential flat buildings (3+ bedroom dwellings)	240L	240L	Merit-based.
Seniors housing (strata title)	80L	120L	80L
Seniors housing (community title)	Private collection.	Private collection.	Private collection.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.4
- O.39
- O.41

Commercial waste generation rates are to be in accordance with **Table 3-7** below:

Table 3-7: Commercial Waste Generation Rates

PREMISES TYPE	GENERAL WASTE (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)	RECYCLING (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)
Accommodation		
Backpackers accommodation	80L per unit per week	80L per unit per week
Boarding house	80L per unit per week	80L per unit per week
Hotel and motel accommodation	10L per bed per day	5L per bed per day
Food		
Restaurant	200L	200L
Food retail	180L	180L
General		
Offices	10L	10L
Tourist & Community facilities	300L	150L
Retail	80L	80L
Educational establishments	25L	15L
Early education and care facilities	80L	80L
Health services facilities	60L	60L
Shopping centres	15L	10L

PC.5
- O.39
- O.41

Industrial waste generation rates are to be in accordance with **Table 3-8** below:

Table 3-8: Industrial Waste Generation Rates

PREMISES TYPE	GENERAL WASTE (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)	RECYCLING (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)
Industrial	200L	150L

Note: In some circumstances waste generation rates may be varied due to the nature of the industrial development, such as resource recovery facilities. These will be assessed on a merit basis.

3.5.3. Hazardous Goods Storage

Objectives

O.42 To ensure appropriate management of hazardous waste materials (including asbestos) during demolition, construction, and use of sites that protects human health and ensures the site is suitable for its intended use.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Where there is a reasonable likelihood of hazardous materials (including asbestos) being disturbed by demolition or site works, the applicant is to demonstrate the development can comply with the requirements of Council's Model Asbestos Policy and Council's Contaminated Land Policy – Land Use Planning, as well as the provisions under Chapter 2 of this DCP and Work Health & Safety Guidelines by the NSW Government.
PC.2 • O.42	Buildings with hazardous materials (including asbestos) used in their construction cannot be relocated or re-sited unless all the hazardous materials (particularly asbestos) are removed prior to relocation.
PC.3 • O.42	A Preliminary Hazard Analysis (PHA) is required to be prepared and submitted with a Development Application in accordance with **Table 3-9** below.

Table 3-9: Development Requiring a PHA

DEVELOPMENT REQUIRING A PHA	
• Agricultural produce processing facilities	• Mines
• Battery storage facilities	• Oil and petroleum waste storage works
• Bitumen pre-mix and hot-mix facilities,	• Paper pulp industrial facilities
• Cement works	• Petroleum works
• Concrete works	• Pig farms
• Chemical industrial facilities and works	• Poultry farms
• Chemical storage facilities	• Sewerage systems and sewer mining systems
• Composting facilities or works	• Shipping facilities
• Energy recovery facilities	• Waste management facilities or works
• Extractive industries	• Wood or timber milling or processing works
• Feedlots	• Wood preservation works
• Geosequestration facilities	• Livestock processing industry
• Coal mines and works	• Mineral processing or metallurgical works
• Limestone mines and works	• Any other development Council deems to require the lodgement of a PHA.
• Any other development named under Part 2 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*	• Any other development that falls within the definition of potentially hazardous or offensive development under the *Resilience and Hazards SEPP.*

Note: Details as to what is to be included in a Preliminary Hazard Analysis is provided in Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

3.6. Sustainability

3.6.1. Liveable and resilient communities

Objectives

O.43 To reduce heat absorption and urban heat island effects of urban development in Maitland LGA.
O.44 To identify design and engineering approaches to improve sustainable management of development for public open space.
O.45 To apply sustainable design principles to reduce environmental impacts and operating costs on new and improved facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.44 • O.45	Development should enable evaporative cooling through implementation of design initiatives and features, including: • Water Sensitive Urban Design (WSUD), and • Irrigation of all public open spaces (using alternate water sources), utilising the design criteria in Hunter Water's Turf Sporting Field Guidelines.
PC.1 • O.43 • O.44 • O.45	Where provided as part of development, the design of public open spaces is to: a. use pavements which are permeable and have high albedo, resulting in less solar absorption, b. where permeable pavers are used, it must be demonstrated there is no impact on the salinity or sodicity of underlying soils, c. provide public drinking taps in public areas every 500m, d. provide tree canopy cover in parks as follows: i. for open spaces without sports courts and fields, a minimum tree canopy of 45%, ii. for open spaces with sports courts and fields, a minimum tree canopy of 45% applies to areas outside the courts and fields, iii. where possible, the remaining area should exceed the 45% minimum to compensate for the lack of canopy on the courts and fields, and iv. be consistent with the Maitland Tree Species List. e. locate public seating where there is adequate shading.
AS.2 • O.44 • O.45	Utility services, including water, electricity, and sewerage, must be connected to public parks and spaces reserved for future public and community uses. Lots for open space 5,000m^2 or under should provide for water and electricity, while lots for open space over 5,000m^2 should also include sewer. Infrastructure should be positioned to avoid conflicts with future public space development.

3.6.2. Circular Economy

Objectives

O.46 To encourage the uptake of building materials that are able to be re-utilised, recycled, or are energy efficient in order to foster the growth of a circular economy in development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.46	The following elements should be considered where possible in the choice of building materials in all developments: a. energy efficiency, b. use of renewable resources, c. maintenance cost and durability, d. recycled or recyclable materials, e. non-polluting, f. minimal PVC content, and g. local materials.

3.7. Crime Prevention Through Environmental Design

Objectives

O.47 To ensure that the four principles of Crime Prevention Through Environmental Design (CPTED), being Surveillance, Access Control, Territorial Reinforcement and Activity/Space Management are applied to development.

O.48 To ensure inhabitable buildings create natural surveillance of the space around it by occupants and users.

O.49 To assist in ensuring that building and communal areas are designed in a manner that creates a sense of ownership and responsibility from occupants and users.

O.50 To assist in limiting opportunities for unauthorised access to buildings and communal areas through the use of appropriate security measures.

O.51 To employ materials in buildings that limit the risk of vandalism.

O.52 To ensure entrances, exits, service areas, communal spaces, pathways, car parks, and other areas that are used after dark are adequately lit.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.47
- O.48
- O.49
- O.50
- O.51
- O.52

A Crime Prevention Through Environmental Design (CPTED) assessment report by a suitable qualified person is to be submitted which address Appendix F: CPTED Guidelines for the following development types:

Table 3-10 CPTED Assessment Triggers

DEVELOPMENT TYPE	CPTED ASSESSMENT TRIGGERS
Dwellings and accommodation	• Any form of residential development with 20 or more dwellings on the site • Boarding Houses, Group Homes, Manufactured Home Estates, Caravan Parks and Hostels
Social Infrastructure	• Educational Establishments • Centre-based Childcare Facilities • Community Facilities • Recreation (areas and facilities of any size or capacity) • Entertainment Facilities and Function Centres • Hospitals
Commercial and Industrial	• Service Stations • New Licensed Premises • Food and Drink Premises and Shops trading between 11:00pm and 5:00am • Extension of Licensed Premises trading hours past 11:00pm
Other development	• Health Service Facilities • Carparks of any size or capacity • Amusement Centres of any size or capacity • Temporary Events with an expected attendance of 5,000 or more people

PC.2
- O.47
- O.49

An Operational Plan of Management (OPoM) prepared by a suitably qualified person must be submitted for any development, including change of use applications, which include the need to apply for, or amend, a liquor license. The OPoM is to be prepared following the NSW government guidelines.

3.8. Social Impact Assessment

Objectives

O.53 To ensure that development with the propensity to cause social impacts take into consideration both benefits and detriments to their local and regional context.

O.54 To ensure that development occurs in locations appropriate to their uses and can be provided for through existing and proposed services and facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.53
- O.54

A Social Impact Assessment (SIA) is to be prepared by a suitably qualified person and submitted with a Development Application in the following circumstances:

a. The proposed development is present within Table 3-10 provided below, OR
b. The proposed development is considered, in the opinion of Council, to have the potential for significant social impact.

Table 3-10: Development Requiring a SIA

DEVELOPMENT REQUIRING AN SIA	
• Boarding houses	• Seniors housing
• Group homes	• Extractive industries
• Offensive industries	• Sex services premises
• Manufactured home estates (MHEs)	• Licenced venues

Note: Definitions for the above land uses are provided in the Glossary.

AS.1
- O.53
- O.54

SIAs should be prepared in general accordance with DPHI's Technical Supplement – Social Impact Assessment Guidelines for State Significant Projects, with consideration given to the magnitude of the proposed development and the level of assessment required.

PC.2
- O.53
- O.54

SIAs are to be prepared against the social impact assessment categories defined in DPHI's Social Impact Assessment Guideline, being:

- **Way of life**, including how people live, how they get around, how they work, how they play, and how they interact each day,
- **Community**, including composition, cohesion, character, how the community functions, resilience, and people's sense of place,
- **Accessibility**, including how people access and use infrastructure, services and facilities, whether provided by a public, private, or not-for profit organisation,
- **Culture**, both Aboriginal and non-Aboriginal, including shared beliefs, customs, practices, obligations, values and stories, and connections to Country, land, waterways, places and buildings
- **Health and wellbeing**, including physical and mental health especially for people vulnerable to social exclusion or substantial change, psychological stress resulting from financial or other pressures, access to open space and effects on public health,
- **Surroundings**, including ecosystem services such as shade, pollution control, erosion control, public safety and security, access to and use of the natural and built environment, and aesthetic value and amenity,
- **Livelihoods**, including people's capacity to sustain themselves through employment or business, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• **Decision-making systems**, including the extent to which people can have a say in decisions that affect their lives, and have access to complaint, remedy and grievance mechanisms. **Note:** SIAs will need to identify likely social impacts (both perceived and actual) under each of the categories above resulting from the proposed development. Reporting must articulate how negative impacts are to be avoided, mitigated or reduced and how positive social impacts will be enhanced, and demonstrate how the proposed development has responded to these impacts.


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CITY COUNCIL



Maitland DCP 2026

Chapter 4: Heritage

maitland CITY COUNCIL

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4.1. Introduction

4.1.1. Application

This section applies to development that is on land listed under Schedule 5 Environmental Heritage of the *Maitland Local Environmental Plan (MLEP) 2011*, either being a listed local heritage item, or within a Heritage Conservation Area (HCA). This section also provides development guidance where land is listed as a State heritage item, and/or is identified to contain Aboriginal heritage.

Maitland is a city rich in cultural, historical, and architectural heritage. We value and celebrate our heritage as a vital part of our community identity and character. Our approach to heritage is holistic, recognising not only the physical fabric of heritage places but also their stories, significance, and contribution to a shared sense of place. Development on or near heritage sites presents a rare opportunity to preserve, enhance, and sensitively adapt these places for future generations. This section of the DCP supports respectful and informed development that conserves Maitland's unique heritage while allowing for thoughtful and sustainable growth.

4.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix E: Heritage Guidelines

This Chapter should also be read in conjunction with 'Clause 5.10 Heritage conservation' within the *Maitland Local Environmental Plan 2011*. Additional guidance on the legislative and approval structure on heritage, further definitions of heritage concepts and information that should be included in supporting studies can be found in Appendix G: Heritage Guidelines. Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

4.1.3. How to use this Chapter

This Chapter has been organised in a manner that compiles key controls and acceptable conservation solutions that apply to land that is legislatively listed or may potentially contain Aboriginal and/or environmental heritage.

4.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To promote and encourage an understanding and appreciation of Maitland's Aboriginal and environmental heritage and history.
b. To conserve and retain Maitland's heritage items and heritage conservation areas.
c. To conserve and retain Maitland's Aboriginal heritage.
d. To establish a framework for Aboriginal or environmental heritage conservation and sympathetic new development in the Maitland Local Government Area (LGA).
e. To encourage the adaptive reuse of heritage buildings, enabling contemporary use and economic viability, while retaining and celebrating their heritage values.
f. To allow change to occur to meet amenity and contemporary safety, sustainability and technological standards, provided that those changes do not detrimentally affect the heritage significance of Maitland's Aboriginal heritage, heritage items and Heritage Conservation Areas (HCAs).
g. To support appropriate changes of use that extend the functional life of heritage places while ensuring their heritage significance is protected and respected.
h. To provide guidelines that are consistent with the principles outlined in the Burra Charter, and legislative requirements under the *Heritage Act 1977*.
i. To provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.

4.2. Aboriginal Cultural Heritage

Aboriginal people are the cultural owners and managers of Country, and retaining and preserving information and artefacts relating to First Nations Australians' heritage is crucial to interpreting Australia's past. The Maitland area lies in the traditional custodian country of the Wonnarua people, with the Maitland LGA overlapping the Mindaribba Local Aboriginal Land Council (LALC). It is vital to Wonnarua people and to the richness of Maitland's heritage, that spiritual and cultural links to land are maintained by preserving and protecting places and objects of cultural significance.

Developments or other activities that will destroy, remove or impact on an Aboriginal heritage are considered Integrated Development and will require a permit from Heritage NSW. under the *National Parks and Wildlife Act 1974*. Consultation with Mindaribba LALC is also required.

Any Development Application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, must consider and comply with the requirements of the *National Parks and Wildlife Act 1974*.

Where the necessary consents under the *National Parks and Wildlife Act 1974* have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.

Objectives

O.1 To protect and conserve Aboriginal cultural, spiritual, and sacred sites in Maitland.
O.2 To ensure the impact of a proposed development on the heritage significance of an Aboriginal place or object is considered by adequate investigation and assessment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1 • O.2	Where a development will disturb the ground surface and the natural ground surface has not been significantly disturbed, the development application must demonstrate that adequate due diligence has been undertaken. This includes (but is not limited to) submitting the following documentation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. a. A statement and results of a basic 200m Aboriginal Heritage Information Management System (AHIMS) search. Where a site is identified within 200m of the development site, a statement and results of a 50m AHIMS search must be included, and b. A statement indicating whether there are landscape features that indicate the potential presence of Aboriginal objects. Landscape features include foreshore areas, creek lines, rocky areas, wetlands, ridge tops, ridgelines, headlands, sand dunes, caves.
PC.2 • O.1 • O.2	An Aboriginal Cultural Heritage Due Diligence Assessment must be prepared by a suitably qualified person to determine whether the proposed development is likely to harm Aboriginal objects and identify whether an Aboriginal Heritage Impact Permit is required where an AHIMS search has identified the likelihood of an Aboriginal item within 200m of the development site. **Note:** While an AHIMS search can assist in identifying known Aboriginal sites, it is not a comprehensive record. The absence of AHIMS-listed sites does not guarantee that Aboriginal cultural heritage is not present. Further assessment may still be required, based on the characteristics of the site and proposed development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.1	An Aboriginal Cultural Heritage Due Diligence Assessment must include an assessment of the cultural significance of the place to the Aboriginal community. **Note:** *Clause 5.10(8) – Heritage Conservation of the MLEP 2011* requires assessments to be forwarded to local Aboriginal communities for comment for a 28-day period.
PC.4 • O.2	An Aboriginal Cultural Heritage Assessment (ACHA) is to be prepared in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* *in cases where:* a. An Aboriginal Cultural Heritage Due Diligence Assessment has identified the potential for the site to contain an Aboriginal object or contains a place of significance, or b. The development will have an impact on a known Aboriginal object or place. In cases where an ACHA is to be prepared, Mindaribba LALC must be offered the opportunity to register their interest, in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

4.3. State Listed Heritage Items

If development is proposed on a listed State Heritage item, or in the vicinity of that item, approval is required from Heritage NSW, which issues approvals under the *Heritage Act 1977*.

Depending on the heritage listing or nature of the work you may need to apply for more than one approval. In some cases, an exemption or exception to needing approval will apply. Additional information on applying for heritage approvals and permits can be found at Heritage NSW.

A pre-lodgement meeting will be required prior to the lodgement of a Development Application over a State Listed Heritage Item.

Refer to the NSW State Heritage Inventory for locating State heritage items.

4.4. Locally Listed Heritage Items

Maitland has a diverse collection of local listed heritage items listed under *the Maitland Local Environmental Plan 2011*. These include built items such as dwellings, shops, civic and commercial buildings, religious buildings, schools, and also landscape items and features including parks, private gardens, street trees, cemeteries, agricultural floodplain land, river embankments, bridges, and the Hunter railway line.

Heritage items generally comprise both built and landscape features and reflect different historical periods, architectural styles, and design and aesthetic qualities that are important within a local area or more broadly.

Additional guidance on the legislative and approval structure on heritage, further definition of heritage concepts and information that should be included in supporting studies can be found at Appendix G: Heritage Guidelines.

In some instances, when undertaking maintenance on a heritage listed item, a development application may not be required. In this circumstance you will be required to lodge a *Minor Works Application for minor works on a heritage listed property or sites within a Heritage Conservation Area (HCA)*.

Objectives

O.3 To ensure that heritage items are retained and conserved.
O.4 To retain the significance of heritage items in the Maitland LGA through the appropriate design of new development that is based on an understanding of the significance of the item.
O.5 To allow change to occur to meet modern amenity, where it does not impact on the significance of heritage items.
O.6 To encourage the reinstatement of significant features and detailing consistent with the heritage significance of the item and the removal of detracting alterations and additions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.3 • O.4 • O.5 • O.6	Any development on, within, or adjoining a locally listed heritage item, must prepare a Statement of Heritage Impact (SoHI) by a suitably qualified heritage professional. **Note:** Minor alterations and additions may be exempted from providing a SoHI. Discuss with Council staff before undertaking these forms of development.

4.4.1. Demolition

Objectives

O.7 To ensure that heritage items are retained and conserved.
O.8 To ensure that the original form and features of heritage buildings are retained and improved.
O.9 To support the removal of unsympathetic or intrusive structures where it will enhance the heritage significance of the item or conservation area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.7 • O.8 • O.9	Demolition of Heritage Items is to be avoided wherever possible. If demolition is the only option, a SoHI must verify that all alternative options to demolition have been fully investigated and demonstrate the replacement building's compatibility with the physical context. The SoHI must include details of the: a. Structural condition.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	b. Overall extent of the remaining fabric. c. Potential retention and adaptive reuse. d. Comparative costings (i.e. retention, reuse, adaption costings), e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable. A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, will also be required.
PC.2 • O.8	Façadism is not supported. Major alterations that only retain the front façade of a heritage item must be avoided.

4.4.2. Change of Use

Objectives

O.10 To encourage the ongoing use of a heritage item that is consistent with its significance.

O.11 To allow a change of use to a heritage item where it does not adversely impact on its significance and enables the significant historic use to be understood and appreciated.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10	A SoHI must be prepared when a change of use proposes any type of internal or external alteration or addition.
AS.1 • O.11	New uses should be sympathetic with the item's heritage significance. Any significant historic use should be publicly interpreted on site, such interpretation may include historic displays or moveable items related to the significant use.
PC.2 • O.11	Significant alterations to heritage items for the new use will be avoided. Changes to significant historic fabric and elements should be avoided or such that they can be reversed.
AS.2 • O.10 • O.11	Where a change of use requires alteration to the external presentation of a building or structure the item's heritage significance should be conserved or significant features reinstated.
PC.3 • O.10 • O.11	The introduction of new facilities or services to support the new use will not detract from the item's heritage significance or its fabric and spaces.
PC.4 • O.11	Where a conservation management plan applies to the heritage item any new uses will be consistent with the conditions of that conservation management plan.
PC.5 • O.11	A change of use to significant public or community buildings should consider the impact on significant interior spaces, features and fittings.

Note: Change of use must also consider fire safety under the provisions of *Environmental Planning and Assessment Regulation 2021*. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.4.3. Subdivision

Objectives

O.12 To retain the historical subdivision and allotment patterns associated with heritage items.
O.13 To ensure that new development does not impede the appreciation and understanding of the heritage significance of the historical subdivision and building patterns associated with heritage items.
O.14 To protect the significance of heritage items, including historic settings, significant vegetation, trees, and places of natural heritage.
O.15 To ensure that heritage items, significant vegetation and trees and places of natural heritage are properly considered in the design of new subdivisions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.12 • O.13	Subdivision, boundary adjustments or amalgamation will not be supported where: a. it involves the demolition of a heritage item, and/or b. historic subdivision patterns are integral to the significance of the heritage item and are still extant.
PC.2 • O.12 • O.13 • O.14	Subdivision within the front setback of a heritage item is not supported.
PC.3 • O.13 • O.15	Subdivision and lot amalgamation to the rear of a heritage item may be considered by Council, where an appropriate curtilage is retained and provided between the heritage item and the new subdivided lot. **Note:** The curtilage encompasses the immediate environment or setting of a heritage item, including any associated land features, buildings, or objects that contribute to its significance.
PC.4 • O.13 • O.15	The proposed layout, scale and design of any subdivision or lot boundary changes is not to compromise the significance of the heritage item or its appreciation and understanding.

4.4.4. Setting/Expanded Curtilage

Objectives

O.16 To retain the historic setting that contributes to the appreciation and understanding of the significance of a heritage item.
O.17 To ensure subdivision and lot boundary changes do not adversely impact the historic setting of a heritage item including its relationships to associated features and elements.
O.18 To ensure the setting that contributes to the significance of a heritage item remains a predominate in views and vistas to and from the item.
O.19 To ensure new development and unsympathetic buildings, structures and elements are not located within the curtilage and setting of a heritage item.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16 • O.17	Subdivision, boundary adjustments and amalgamation are not to adversely impact the historic setting or archaeological values of a heritage item and its relationship to related elements and features including streetscape, gardens, trees, fences, outbuildings, and driveways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.18 • O.19	Any new buildings, structures or elements introduced within the setting to accommodate the ongoing use of the site are to be sympathetic to the heritage item's predominant historic character, in terms of scale, form, height and external materials, finishes and colours.

4.4.5. Landscapes

Objectives

O.20 To ensure Maitland's distinctive landscape heritage items are identified, retained and conserved.

O.21 To ensure historic landscape features, including views and vistas, of significant landscapes are retained within the setting of heritage items.

O.22 To protect and encourage an appreciation of Maitland's historic landscape, including natural landform features, endemic vegetation, mature cultural plantings, heritage listed trees, land associated with historic flood mitigation works, significant private and institutional gardens, and watercourses and, integrating them, where possible, with new development.

O.23 To ensure that new development and landscaping respects the existing landscape character of a heritage item and heritage items in the vicinity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.20 • O.21	Landscape heritage items and historic landscape features should be retained.
AS.2 • O.21 • O.22 • O.23	Where a historic landscape forms part of the significance and setting of a heritage item, the landscape should not be subdivided from the associated heritage item to provide for new development.
AS.3 • O.20 • O.22	Original or early garden layouts that contribute to the significance of heritage items should be retained and conserved.
AS.4 • O.22 • O.23	New garden design should retain and incorporate surviving historic plantings or landscape items which may have been significant to the original garden layout, such as prominent trees etc.
AS.5 • O.20 • O.23	Any garden landscape elements contemporaneous with the period of a building's construction should be retained, conserved and incorporated into new designs. This may include sandstone retaining walls, fencing, or sandstone flagged, brick paved, tessellated tile pathways.
PC.1 • O.23	Development of new driveways and verge works that damage original sections of early sandstone curbs and guttering are to be avoided.
AS.6 • O.22	Garden structures (such as archways) should be appropriate to the heritage item in terms of scale, style and materials.
PC.2 • O.22	Original fences are to be retained and maintained in their original form.
AS.7 • O.22	Fences should be located on the front boundary.
AS.8 • O.20 • O.22	Fences should be simple and reflect the architectural style and materials of the heritage item. Examples include timber picket fences, low masonry and hedges.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.9 • O.20 • O.21	Tall hedging and fencing that impedes view to and from heritage items are discouraged.
AS.10 • O.21	Fencing should generally be open or transparent, or backed with a hedge, and not solid. Where tall fencing is proposed, transparent fencing, such as palisade fencing, is preferred to allow views to and from the heritage item.

4.4.6. Conservation of Significant Fabric

Heritage items in Maitland are constructed in a variety of natural and human made materials (also referred to as 'fabric') using a range of traditional building techniques and details. The conservation of significant original historic fabric retains the significance of heritage items.

When change is planned to heritage items, avoiding adverse impacts or damage to the historic fabric of a building, structure or object will help conserve the item's significance. Significant fabric can include both internal and external fabric. A heritage professional can advise on what fabric is original and significant.

Objectives

O.24 To retain and conserve the original and significant historic fabric of heritage items.

O.25 To encourage the appreciation of traditional materials and building techniques and ensure they are used appropriately in the conservation of original and significant fabric.

O.26 To ensure traditional materials and building techniques are used in the conservation of original and significant fabric.

O.27 To ensure change to the significant fabric of heritage items is informed by historic research and evidence.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.24	Original and significant fabric should not be demolished or removed.
PC.1 • O.26 • O.27	When required by the recommendations of a SoHI, a suitably qualified heritage specialist must be employed to supervise the repair and conservation of significant heritage item fabric.
AS.2 • O.24 • O.25 • O.26	Any new materials should be consistent with the original and existing materials used in the building, structure or object. Avoid the use of modern materials such as cement mortars and latex paints on traditional materials. **Note:** Historic photographs or drawings may be required, particularly when the intention is to restore the item back to its former or original state.
AS.3 • O.24 • O.27	Where lath and plaster remain in heritage items, the replacement of walls and ceilings should be avoided. **Note:** It is possible to re-adhere lath and plaster finishes where plaster is cracked or drummy. A heritage conservation specialist should be consulted to provide advice and expertise.
PC.2 • O.24 • O.25 • O.26	Original face brick and stone is not to be painted. **Note:** Paint prevents the evaporation of moisture from the surface and causes blistering. As the surface layer of paint begins to break down, further water penetration can lead to increased dampness.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.4 • O.24 • O.26	The application of waterproof coatings or varnishes to stone and brickwork should be avoided. **Note:** Coatings and varnishes can accelerate the deterioration of masonry by trapping moisture and causes rising damp.
AS.5 • O.24 • O.26	Removal of original render or stucco should be avoided. **Note:** This practice will expose the softer, porous bricks underneath and cause deterioration. Render or stucco was often applied to external walls to protect them from the elements.
AS.6 • O.25 • O.26	Cracked or damaged traditional render should be repaired with a similar compatible render and not cemented and painted over. Traditional external render was usually lime based.
PC.3 • O.24 • O.26 • O.27	Application of modern cement renders to original brickwork is not supported. **Note:** Modern cement renders do not allow moisture to pass through brickwork, which traps moisture and can cause rising damp. Rising and falling damp can cause crumbling of exterior masonry, staining of internal finishes and odour in poorly ventilated rooms.
AS.7 • O.25 • O.26	A soft lime mortar with a rough texture and lower strength than the surrounding masonry should be used for repointing work. **Note:** This will allow moisture to evaporate from the joints rather than the masonry.
AS.8 • O.25 • O.26 • O.27	Cement should not be used in buildings where lime mortars are present. This is particularly important in old buildings where no damp-proof course exists. **Note:** Grey Portland Cement is invariably stronger and of a different absorbency level from the brick or stonework. This causes evaporation to occur from the stone or brick more easily than from the replaced mortar joint. Deterioration and cracking of masonry may therefore occur quickly after repointing in hard cement.
AS.9 • O.24	Ensure water from gutters, downpipes, drains or sprinklers has clear egress and drainage to prevent it from entering the building or structure.
AS.10 • O.24	The planting of any tree and shrub species near the footings of load bearing walls and garden walls should be avoided as they can lead to the drying out of subsoils and may result in the structural failure of the building or wall. **Note:** When gardens are placed directly abutting façades, building problems may also occur due to changed moisture or ventilation conditions.
AS.11 • O.24	Original timber elements and/or weatherboards should be retained where possible.
AS.12 • O.24	Early timber weatherboards blocked to resemble cut stone should be retained.
AS.13 • O.24 • O.26	New weatherboards should have a traditional width and profile to match the original weatherboards.
AS.14 • O.24	The removal of internal walls is generally not recommended as this can impact the structural stability of the building in addition to its integrity and character. **Note:** The majority of walls in older buildings are load bearing. The structural stability of the outer shell is dependent on the internal existence of walls, stairways and chimneys.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.15 • O.24 • O.25	Existing slate roofs should be retained to the fullest extent wherever possible due to their rarity in the LGA.
AS.16 • O.24 • O.26 • O.27	When repairing or replacing corrugated metal roofing, small details should be retained or matched to the original. **Note:** Details include cutting of ridge and hip capping to match the iron flutes, which will also make the roof more weatherproof.
AS.17 • O.24 • O.25	Traditional stepped flashings, roof vents, gutter moulds and rainwater heads should be preserved and restored wherever possible during re-roofing.
PC.4 • O.24	Where deemed appropriate by the SoHI, or by Council, reconstruction of sandstone gutters, drains or drainage works will be permitted for the effective execution of construction and operation of the development.
AS.18 • O.24 • O.26	Double stepped stone kerb and gutter should be maintained in the current configuration.
AS.19 • O.24 • O.26	An audit of archaeological remains within stone kerb and guttering should be undertaken by a qualified archaeologist, prior to any relaying of stone or major repair works.
AS.20 • O.24 • O.26	In instances where stone flagging has been covered by bitumen and requires maintenance, the flagstones should be cleaned and re-laid, and further stones found to replace those that are badly damaged. **Note:** Repair of existing flagging should be contained to minimal stone replacement work, undertaken only to improve safety or rectify areas of poor work. As much original fabric as possible should be retained in situ.
PC.5 • O.24	Replacement of deteriorated stone with synthetic stone across large areas is not supported. Synthetic stone may be utilised to repair small sections. **Note:** Should a stone require replacement, the deteriorated section should be cut back to sound stone and cut to a regular shape to enable a new block to be inserted. This process however introduces a new material and should only be used where no other alternative is available.

4.4.7. Excavation

Objectives

O.28 To ensure the significance of heritage items is retained during excavation works.

O.29 To protect significant historic fabric and structural integrity of heritage buildings and structures during any excavation works.

O.30 To ensure that mature trees, heritage listed trees, significant trees and plant communities are not compromised by excavation or earthworks, or subsequent erosion from those works.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.28 • O.29	Excavation is not supported around, within or beneath a heritage item, including under common walls and footings to common walls, front façades, or freestanding boundary walls, except when required by the recommendations of a SoHI.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.29	Where excavation is necessary to allow for building works or services, a Development Application must be supported by a geotechnical report and civil plan.
PC.3 • O.30	Excavation in the vicinity of mature or significant trees and/or vegetation must be informed by an arborist report.
AS.1 • O.29	Excavation may require an archaeological assessment report if the SoHI identifies the site to be a potential archaeological or archaeological site.

4.4.8. Alterations and additions to residential heritage items

Objectives

O.31 To encourage alterations and additions that conserve the significance of heritage items.
O.32 To ensure that alterations and additions to residential heritage items are sympathetic in design and do not adversely impact the significance of the item.
O.33 To ensure that alterations and additions to heritage items respect the predominant character of the item in terms of scale, form, architectural style, details and materials.
O.34 To ensure that alterations and additions are designed and located to the rear of the heritage item to appear as a secondary structure.
O.35 To ensure that new works are well designed, and that new fabric is readable and not a copy of a historical architectural periods' styles.
O.36 To ensure that new alterations and additions are sympathetic to established siting, orientation and building alignment, especially where works are proposed to group items and pairs.
O.37 To conserve the scale, character, and pre-eminence of original and historic roof forms, and to ensure the retention of significant fabric and features such as original windows, chimneys, and roof elements.
O.38 To protect the contributory elements of a heritage item, including significant trees, cultural plantings, landscape features including paths and lampposts, historic fencing and garden walls.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Architectural design	
PC.1 • O.32 • O.33 • O.35	Any new works to a heritage item must demonstrate high quality contemporary architectural design that is responsive to the historic context and character.
AS.1 • O.31 • O.32	Alterations and additions should be reversible and not adversely impact on historic fabric or significant architectural features and elements.
AS.2 • O.34 • O.35	Rear additions should not mimic the architectural style of the heritage item. Additions should be sympathetic to the heritage item in terms of scale, bulk, proportions and materials but should not copy or mock historic architectural styles and features. This provides a distinction between original significant fabric and new additions.
Siting of new works	
AS.3 • O.33 • O.34 • O.36	Additions should not impact the integrity of the heritage item's siting, orientation and building alignment when viewed from the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

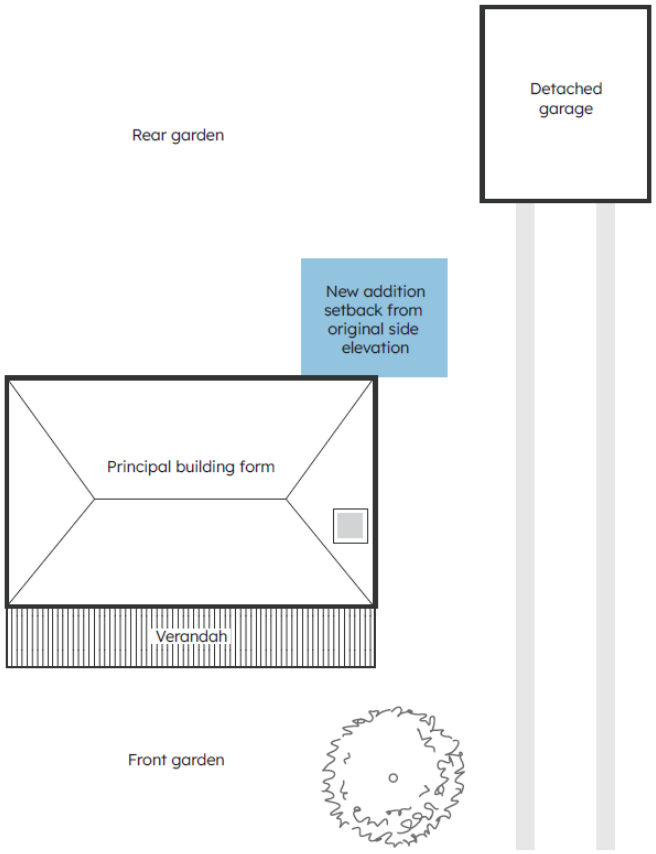
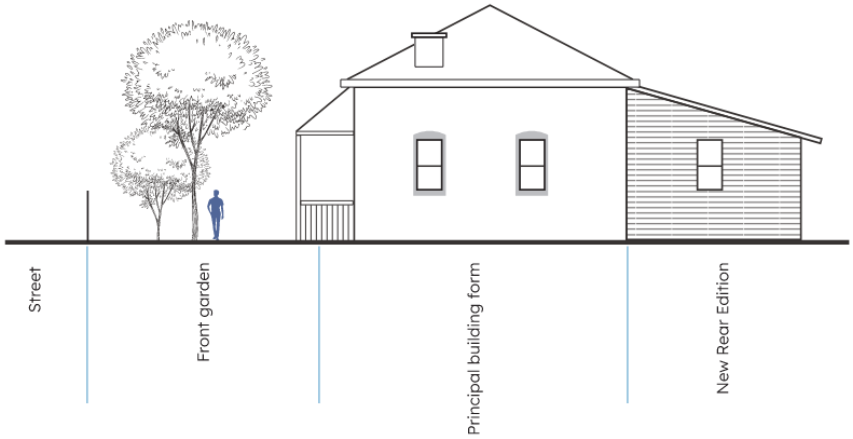
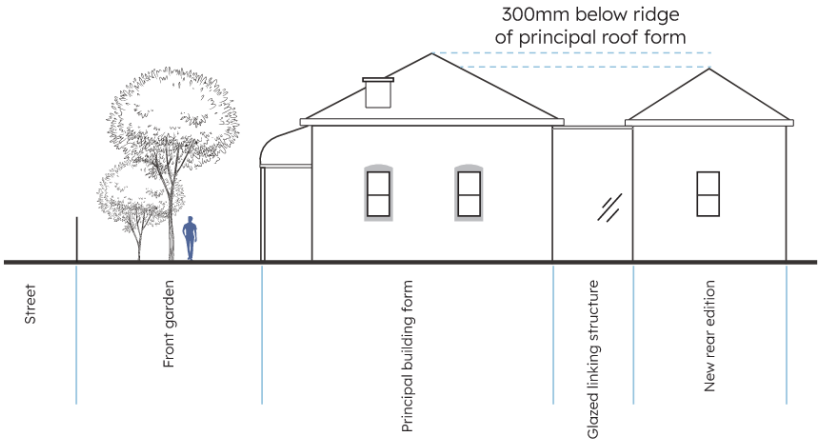


Figure 4-1: Example positioning of new addition to heritage items

Example: side additions to Federation dwellings should be set back or separated from the side elevation of the main building and not compromise the ability for driveway access to the rear of the block.

AS.4 • O.31 • O.38	New additions should retain an adequate setting around the heritage item for landscaping, fencing, any significant trees, unbuilt land and through site views.
PC.2 • O.32 • O.34	Alterations and additions must occur to the rear of a heritage item to minimise the visual impact on the item from the street. **Example:** a simple timber weatherboard addition with a skillion corrugated metal roof may be an appropriate rear addition to a heritage item (refer to Figure 4-2).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 4-2: Example of secondary addition to the rear of a heritage item**
PC.3 • O.32 • O.33 • O.37	Additional storeys are not supported above heritage items.
AS.5 • O.31 • O.32 • O.34	Single storey rear additions are preferred where the heritage item is a single storey building. Two storey additions may be appropriate if the addition is 0.3m below the ridge height of the heritage item OR not visible from the streetscape (refer to Figure 4-3).
PC.4 • O.34 • O.37	Rear additions to heritage items that exceed the eave height of the principal roof form, must be designed as pavilion additions.
AS.6 • O.33 • O.34 • O.35	A single storey glazed structure should be provided between the heritage item and new addition. The height of the glazed structure should sit below the eave height of the heritage item. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-3 and Figure 4-4).  **Figure 4-3: Example of a one storey pavilion addition and a glazed linking structure to the rear of a heritage item**

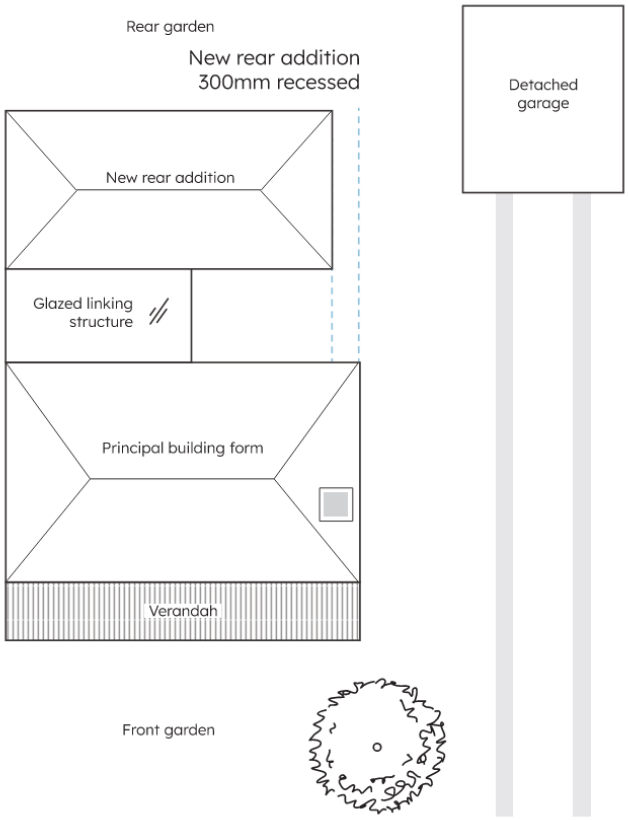


Figure 4-4: Pavilion addition recessed to obscure casual viewing

AS.7 • O.33	**Shadow lines** and gaps between old and new fabric are encouraged.
AS.8 • O.33 • O.34 • O.35	Rear additions should be stepped back from the side elevations of the heritage item by at least 0.3m to create a distinction between old and new fabric (Figure 4-4).
PC.5 • O.33 • O.34 • O.36 • O.38	Extensions to the side elevation will not be supported if they alter established patterns of buildings and gardens or impact the original fabric of a heritage item.
PC.6 • O.34 • O.35	Where the existing side setback is non-compliant with the residential building controls in Chapter 6 of this DCP, the new addition is to be setback from the side boundary to allow for improved amenity.
Outbuilding and other structures	
AS.9 • O.31 • O.37	Early outbuildings should be retained insitu and re-used.

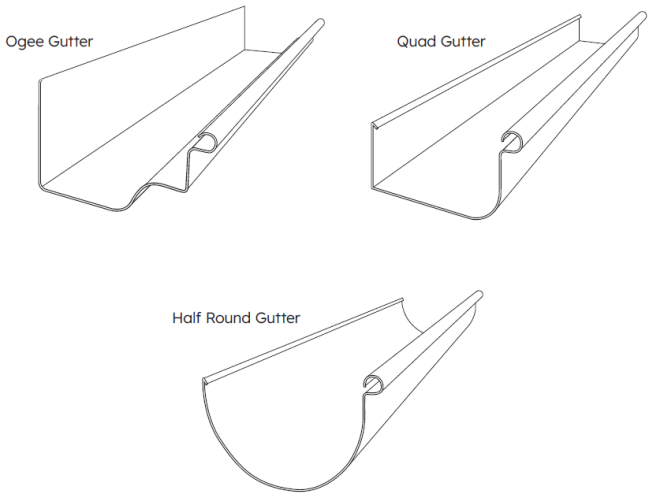
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.10 • O.32 • O.34	The location of new outbuildings, sheds, cabanas, decks, and structures should be located to minimise impacts to a heritage item, especially in terms of views to and from the heritage item.
PC.7 • O.34 • O.36	Tennis courts, swimming pools and other recreation spaces and their associated structures, are to be located to the rear of a heritage item, well behind the building line and not be sited so as to intrude on its setting.
Scale and form	
PC.8 • O.32 • O.33	Changes to the original scale and/or form of a heritage item from alterations and additions must be minimised.
PC.9 • O.32 • O.34	Alterations and additions are to be visually subservient and clearly secondary to a heritage item.
Roofs	
PC.10 • O.32 • O.37	The removal of original roof forms and roofing material is not supported.
AS.11 • O.32 • O.37	Where roofing material must be replaced due to identified damage or risk (as assessed by a suitably qualified professional and accepted by Council), traditional materials similar to that of the original construction are to be used that reflect the traditional qualities that match the original roofing material.
PC.11 • O.37	Original chimneys are to be retained.
PC.12 • O.32 • O.37	Original roof elements such as sheeting, covering, capping, traditional stepped flashings, roof vents, eaves, guttering, gutter moulds, rainwater goods, **barge boards**, **fascia boards**, brackets and pediments are to be retained, or if subject to structural failure, replaced like for like.
PC.13 • O.32 • O.37	New guttering profiles are to be in keeping with that of the existing guttering. Where no guttering was originally present on the building, **ogee**, **half round** or **quad styles** must be used. 

Figure 4-5: Examples of Ogee, Quad and Half Round Gutters

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.11 • O.32 • O.37	Where appropriate, new attic rooms may be introduced in the rear of original roofs if they do not alter the original roof form.
PC.14 • O.32 • O.33 • O.37	Dormer windows and skylights are not to be located on the front roof plane. They may be located on side roof planes if they are not visually prominent and visible from the street.
Details and original features	
PC.15 • O.31 • O.32 • O.33	A Colour, Materials and Finishes Schedule is required for any alterations and additions to a heritage item. Works must detail all internal and external alterations.
PC.16 • O.32	An archival or photographic record may be required at Council's discretion to document the existing structure if part or parts of the heritage item are proposed to be altered.
PC.17 • O.32 • O.33	Original balconies and verandahs must not be removed or enclosed.
PC.18 • O.32 • O.33	Original fretwork, posts and balustrading are to be retained and conserved. Where new pieces are required, original elements should be replaced with like for like materials.
PC.19 • O.32 • O.33	Original timber features such as panelling, ceilings, flooring, skirtings and architraves are to be retained in their original configuration and dimensions.
PC.20 • O.32 • O.33 • O.35	New windows to be inserted into the existing fabric of a heritage building are to be of a size, material, proportion and type that is consistent with a building's architectural style and period.
AS.12 • O.31	New verandahs should take a traditional form, such as sloping galvanised iron with regularly spaced columns.
AS.13 • O.31 • O.35	Development should avoid introducing modern features that replicate or copy a heritage item's design, materials, arrangement and position wherever possible.
External materials, finishes and colours	
AS.14 • O.31 • O.33	Original materials, finishes and colours should be retained and conserved, where possible.
AS.15 • O.32 • O.33	The use of highly reflective materials should be avoided.
PC.21 • O.31 • O.32	Original timber verandah posts, windows and doors are to be retained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.22 • O.32 • O.33	The material and colour of original roofing is to be matched in any addition.
PC.23 • O.32 • O.33	Original face brick or stone is to remain unpainted and unrendered. Any new face brickwork is to match the existing brick in colour and texture, and in the type of jointing and mortar colour.
Carparking	
AS.16 • O.31 • O.38	Original carriage loops and driveways should be retained.
PC.24 • O.32 • O.38	New driveways and verge works that would damage original sections of Sandstone kerb and guttering are to be avoided. Where this is unavoidable, minimise the section of original kerb and guttering to be removed. Archive and securely store original curb and guttering for reuse and repairs.
AS.17 • O.31 • O.32	Paired wheel strips over public footway areas are preferable to solid driveways.
AS.18 • O.31 • O.32 • O.33	Internal driveway materials should include wheel strips or gravel. Stamped concrete should be avoided.
AS.19 • O.31 • O.32 • O.33 • O.36	Garages and carports, should be detached and located at the rear or set well back from the side of a building, behind the rear building line.
AS.20 • O.31 • O.32 • O.36	Garages and carports should be subservient to the item and significant buildings and should reflect the established historic patterns of development in the street.
AS.21 • O.32 • O.33	Colours and materials should blend into the surrounding landscape.
AS.22 • O.33 • O.37	Garages should have simple hipped, gable or skillion roofs, depending on the design of the existing main building.
AS.23 • O.33 • O.37	The pitch of a garage or carport roof should, in most cases, be comparable or slightly lower than that of the main building and generally 25–30 degrees.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Services, skylights, solar panels etc.	
PC.25 • O.32	The installation of services are not to give rise to adverse impacts on historic fabric, such as appearance from the street or irreversible structural damage where services could be installed in an otherwise less invasive manner.
PC.26 • O.32	Solar panels are not supported to the front or side facing slopes of the principal roof.
PC.27 • O.32	Solar panels are supported on outbuildings, garages, rear additions and other structures where visibility from the street is minimal.
PC.28 • O.32	Skylights on a heritage item are only to be situated on the rear facing slope of the principal roof, with maximum dimensions being 0.5m x 1m.
AS.24 • O.32	Plant and equipment such as solar water heaters, antennas, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.

Note: Alterations and additions must also consider fire safety under the provisions of *Environmental Planning and Assessment Regulation 2021*. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.4.9. Alterations and additions to non-residential Heritage items

Objectives

O.39 To retain and conserve the significance of non-residential heritage items.
O.40 To encourage the removal of unsympathetic features and details from non-residential buildings.
O.41 To retain and conserve original shopfronts, including shop doors, windows and other period materials and detailing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39	Heritage items are to be retained and conserved.
PC.2 • O.41	Original shopfronts are to be retained and conserved.
AS.1 • O.39 • O.41	Alterations and additions should be located to the rear and make use of rear laneway access, where available.
PC.3 • O.39 • O.41	Any major alterations to heritage listed buildings are to be guided by a Conservation Management Plan, which is to be endorsed by Council prior to any future development being considered.
AS.2 • O.40 • O.41	Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront (based on historic documentary evidence) in harmony with the overall building character is desirable.
PC.4 • O.40	Unsympathetic features such as signage, roller doors and lighting that have no heritage significance are to be removed.
AS.3 • O.39	Service structures and plant equipment should be suitably screened with landscaping or integrated into the building to minimise visual impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Pairs and groups	
PC.5 • O.39 • O.40	The shared features of a pair or group of heritage items must be retained, conserved, or reinstated. **Note:** Heritage items may form part of an identical pair or part of a group of similar buildings. Buildings in pairs and groups often reflect the work of a singular architect or builder and share the same architectural period and style, original details and features, and proportions and scale.
PC.6 • O.39	Alterations and additions to a property that is one of a pair (or group) must be designed with regard to the overall balance of the pair (or group) in terms of height, alignment, form, scale, built pattern and architectural character and detail.
Colour schemes	
PC.7 • O.39	External colour schemes are to be in keeping with the architectural period and style of the heritage building. Where possible, refer to physical or documentary evidence to ensure the colour scheme is appropriate with the architectural style and period. Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.
PC.8 • O.39	Single-colour schemes that diminish the original features of the heritage item must be avoided
AS.5 • O.39	Dark colours, such as black and grey, should not be used.
Accessibility	
AS.6 • O.39	Reversible additions for accessibility purposes are preferred.
PC.9 • O.39	Entries are to be located to minimise the loss of original elements such as railings, steps and windows. An accessible entry is to be identified for the building. This may not be the main entrance but the most practical entry that provides sufficient area for a ramp.
AS.7 • O.39	Accessible paths should provide a firm compacted surface. **Note:** Concrete is best, but well-compacted gravel, cement, stabilised or consolidated gravel, or dirt may have less impact on the significance of the item.
AS.8 • O.39	Ramps should be located discretely to minimise or avoid impact on heritage significance.

Note: Alterations and additions must also consider fire safety under the provisions of Environmental Planning and Assessment Regulation 2021. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.5. Development in the vicinity of Heritage Items/Heritage Conservation Areas

New development in the vicinity of heritage items can impact the significance of an item. New development adjacent to heritage items should respectfully respond to the siting, scale, form and height of the heritage item and historic pattern of development.

Note: there is no statutory definition of 'vicinity' in the context of heritage items. Rather the concept of curtilage is related and assists in understanding and assessing the impacts of development on nearby heritage items. Refer to the Heritage Guideline for further information.

Objectives

O.42 To ensure that new development in the vicinity of a heritage item retains the significance of the heritage item and enhances its understanding and appreciation.

O.43 To ensure that new development and the setting of the heritage item is respected through appropriate contemporary design of new built form, scale, siting, materiality, and detailing that is responsive to the historic character of the context.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Development in the vicinity of a heritage item is to conserve the item's significance and not give rise to any adverse impact on the ability to appreciate and understand the item.
PC.2 • O.43	Proposed new development in the vicinity of a heritage item is to respond to and enhance the character, context and significance of the item and the surrounding area through high quality contemporary design.
PC.3 • O.42 • O.43	Development in the vicinity of a heritage item is to adhere to the following criteria in relation to visual interaction: a. integrate and retain any significant landscape items and features, b. retain an appropriate visual setting, including views and vistas to and from the heritage item, c. have regard for the established siting and orientation of heritage items, and d. be setback from the building line of front facade where adjoining or adjacent to a heritage item.

4.6. Heritage Conservation Areas

Heritage Conservation Areas (HCAs) are recognised and conserved for their ability to demonstrate significant built and landscape heritage values. An HCA is typically an area that evidences a particular course and pattern of history in a specific locality, demonstrating how people have experienced a place through time socially, physically, environmentally, economically, and architecturally.

This section outlines the general objectives and controls for the HCAs within the Maitland LGA and additional specific controls for each HCA. The controls within this section (4.5) only applies to buildings within HCAs that are **not heritage-listed**. These buildings are classified into the following three categories:

1. Contributory buildings (originate from the historical era)
2. Non-contributory buildings (do not originate from the historical era, and are of modern design)

These classifications relate to the heritage significance of each building and its contribution to the HCA curtilage. Further information on the classification of buildings is provided in Appendix G: Heritage Guidelines.

There are seven HCAs in the Maitland LGA:

- Bolwarra HCA
- Central Maitland HCA
- East Maitland HCA
- Lorn HCA
- Regent Street HCA
- Morpeth HCA
- Aberglasslyn House HCA.

In addition to the specific controls provided for each of the HCAs, this section provides a desired future character statement and current statement of significance for each HCA. Controls for contributory and non-contributory buildings are included. Many buildings within the HCAs are also listed as individual heritage items; in these cases, the controls in Section 4.4 apply and If there is any inconsistency between this sections controls, Sections 4.7 -4.13 controls, and Section 4.4, Section 4.4's controls prevail.

4.6.1. Demolition

Objectives

O.44 To ensure that contributory buildings and elements that contribute to the character and significance of heritage conservation areas are retained and conserved.

O.45 To ensure that the original form and features of buildings that are contributory are retained and improved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45	Demolition of contributory buildings is to be avoided wherever possible. A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided, with associated costing to make the building safe. Following this, an Estimated Cost of Development Report in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided for sympathetic alterations and additions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	If demolition is the only option after this is undertaken, a SoHI must verify that all alternative options to demolition have been fully investigated, and demonstrate the replacement building's compatibility with the physical context. The SoHI must include details of the: a. Structural condition. b. Overall extent of the remaining fabric. c. Potential retention and adaptive reuse. d. Comparative costings (i.e. retention, reuse, adaption costings), e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.44 • O.45	Later alterations and additions that detract from the contribution of a building to the character and significance of the HCA area may be removed.
AS.1 • O.45	Non-contributory buildings and/or later additions to contributory buildings may be demolished and replaced with buildings or elements that complement the character of the HCA.
PC.3 • O.45	The demolition of severely deteriorated sheds, garages, and outbuildings will be considered where the building or structure has no heritage value and the replacement building is of a suitable design.

4.6.2. Subdivision and boundary adjustment

Objectives

O.46 To retain the original historic subdivision patterns.
O.47 To protect the significance of heritage conservation areas, including contributory buildings within them.
O.48 To ensure that HCAs are properly considered in the design of new subdivisions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.46 • O.48	Unless recommended by a SoHI, subdivision or boundary adjustment will not be supported.
PC.2 • O.46 • O.47 • O.48	Lot boundary changes are not supported where the development pattern or early subdivision is integral to the heritage significance of the HCA.
AS.1 • O.46 • O.47 • O.48	Where the subdivision or boundary adjustment of land within a HCA is supported, the development must ensure that it conserves the important characteristics of the subdivision pattern, allotment layout, landscaping, curtilage, views, streetscape character and notable features of the significant period of development. This is to be justified by the applicant to the satisfaction of Council.
PC.3 • O.47 • O.48	Boundary adjustments of sites within HCAs must allow for the ongoing interpretation of the original subdivision through building form and landscape design.

4.6.3. Views and vistas

Objectives

O.49 Public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings and setting of HCAs, must be retained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49	Development in HCAs must not impact or obstruct important public views or vistas including iconic views, townscape, views along historic streetscapes and views of heritage items and contributory buildings.
PC.2 • O.49	Development must consider the impact of views and include appropriate setbacks, siting and scale in order to ensure that important views and vistas are retained.

4.6.4. Streetscape character

Objectives

O.50 To retain the significance and streetscape character of the HCA.

O.51 To preserve both the immediate and broader setting of heritage items and contributory buildings in HCAs.

O.52 To enhance key character elements of an HCA.

O.53 To conserve the historic visual qualities and significant views to and from heritage items and contributory buildings, and from within the HCA.

O.54 To retain public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50 • O.51 • O.54	Alterations and additions are to retain the significance and streetscape character of the HCA as defined in the character statement in Appendix G: Heritage Guidelines.
PC.2 • O.52	Alterations and additions are to retain and enhance key character elements of the HCA, including landscape features.
PC.3 • O.51 • O.53	The incorporation of unsympathetic elements as part of alterations and additions will not be supported.
PC.4 • O.51 • O.53	Additions are to conserve significant building aspects of the HCA, such as scale, massing, bulk, roofscape, building form, setback, external materials, and details.
PC.5 • O.53 • O.54	Additions must be designed and located such that they have minimal visibility from the street.
AS.1 • O.51 • O.53 • O.54	New landscaping in front gardens should reflect the design and scale of landscaping in the existing streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.50 • O.53 • O.54	New landscaping must not impact views between the street and buildings within the HCA.
AS.2 • O.50	Street trees and significant trees should not be removed where they contribute to the streetscape character and significance of the HCA. Where removal is required, the process under Chapter 2, Section 2.3.1 Tree and Vegetation Management for tree removal is to be followed.

4.6.5. Landscapes

Refer to the Maitland Significant Tree Register and Chapter 2: Environmental Considerations of this DCP for tree management guidelines and controls.

Objectives

O.55 To maintain and conserve the landscape character of the HCAs.
O.56 To maintain and protect the existing rural character and landscape of the Maitland LGA.
O.57 To retain significant contributory landscape components on private and public properties that demonstrate the heritage significance of the HCA, including trees listed on Council's Significant Tree Register.
O.58 To ensure that new planting does not compromise views to and from heritage items and contributory buildings, within the HCA or of the HCA setting.
O.59 To ensure that infill landscaping does not obscure or reduce the interpretability of historic gardens and public landscapes, or conflict with the streetscape identification of a group of historic properties.
O.60 To ensure that private property landscaping does not extend onto the street verge.
O.61 To retain landscape features in the public domain, especially where they abut development sites.
O.62 To retain historically significant transit corridors between townships and across the floodplain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.55 • O.57 • O.61	Significant landmark plantings in public and private settings are to be retained. This includes all plantings included in Council's Significant Tree Register available on Council's website.
PC.2 • O.55 • O.57	Ensure that front gardens are part of the streetscape and appropriate to the character of the HCA. Traditionally designed gardens that enhance the appearance of heritage items and the streetscape are to be used. Surviving plantings that are typical of historic garden layouts are to be incorporated into new designs.
PC.3 • O.55 • O.57	Surviving original garden elements such as gates, paths, fencing, edging tiles, brick kerbing, and the like are to be retained.
AS.1 • O.58	Generous landscaped areas should be provided in the front of new residential buildings wherever possible to maintain the character of the streetscape.
AS.2 • O.55 • O.59	Garden structures (such as archways) should be amenable to the principal buildings of a site in terms of scale, style and materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.55 • O.58	Rows of high planting for the demarcation of boundaries are restricted to the rear gardens of lots, and only in cases where those rear gardens are not prominent in views from the floodplain.
AS.3 • O.55 • O.58	Large trees, both natives and exotics, are generally not suitable for use in front gardens due to their size once matured. Exceptions apply where the site has a large front setback, or large trees formed part of the design of the original landscape.
AS.4 • O.60	Private planting on street verges is discouraged.
PC.5 • O.56 • O.62	Solid screen planting over 1.5m within significant view corridors is not supported.
AS.5 • O.55 • O.56 • O.58 • O.59	The use of monocultures of large shrubs abutting front boundaries should be avoided in new garden design plans for heritage items and contributory buildings.

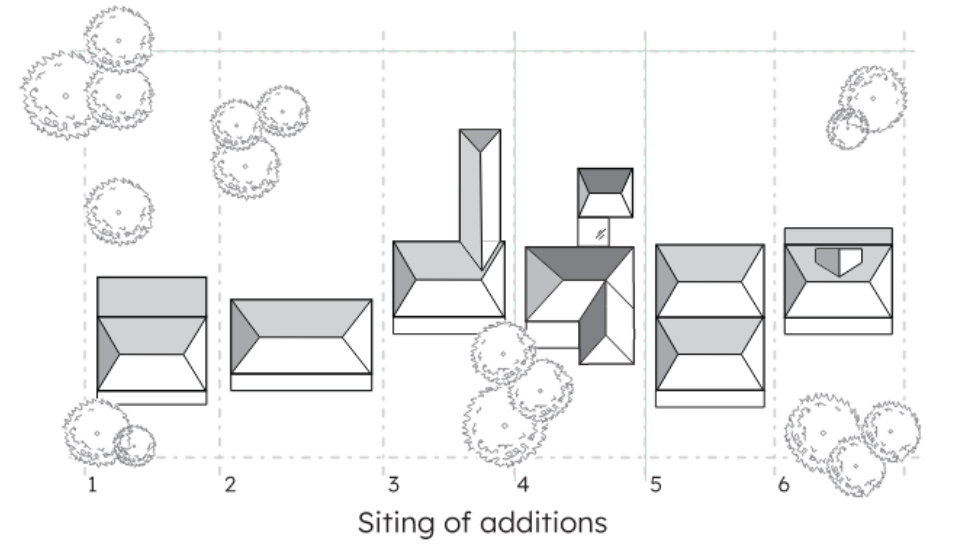
4.6.6. Alterations and additions to residential buildings

Objectives

O.63 To ensure that modifications to buildings within HCAs are of an appropriate design that does not adversely impact the significance or character of the HCA.
O.64 To maintain and enhance the existing character of the street and the surrounding HCA.
O.65 To ensure that modifications to buildings within HCAs retain and complement the character of the HCA in terms of scale, form, architectural style, details and materials.
O.66 To ensure that alterations and additions are designed and located so that they have minimal visibility from the street.
O.67 To retain the symmetry of semi-detached houses, pairs and contiguous groups of buildings.
O.68 To enhance the streetscape and encourage appreciation of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Architectural design	
PC.1 • O.63 • O.64 • O.65	Where proposed additions will be visible from the street, the style of the addition must respond to and complement the architectural style of characteristic development within the HCA, as defined in the relevant character statement and demonstrated on contributory buildings.
AS.1 • O.63 • O.65	Alterations and additions to a site should be designed to minimise the impact on the heritage significance of the HCA and the architectural style of the site's principal building form.
PC.2 • O.64 • O.66	Contemporary architectural styles that are not consistent with the historic character of the area may only be used on parts of a neutral or detracting building that cannot be seen from the street.
PC.3 • O.63 • O.65	Distinction is to be provided between new and old fabric. New work should be recognisable and not mimic the architectural style and materials of the building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.67	Any addition must avoid extending the original design across the street front.
Siting of new works	
AS.3 • O.64 • O.68	The orientation and pattern of contributory buildings should be maintained.
AS.4 • O.63 • O.65 • O.66	New additions should be consistent with the siting, orientation and massing of existing buildings in the streetscape.
PC.5 • O.63 • O.64	Setbacks from side boundaries are to be consistent with typical buildings in the streetscape.
AS.5 • O.63 • O.64 • O.66	Development on corner sites should address the corner and retain the original built form as it turns the corner.
PC.6 • O.64 • O.66	Outbuildings and other structures are to be sited to minimise impacts to the streetscape character and heritage items in the vicinity.
AS.6 • O.65 • O.68	Additions should not be built over contributory gardens or historic landscape fabric.
PC.7 • O.63 • O.65	New structures are to be set back from mature trees, in accordance with a AQF Level 5 Arborist Report, and historic gardens are to allow views to the significant landscaping elements from the street and to reduce impacts to historic planting and vegetation.
AS.7 • O.65 • O.66	New additions should generally be designed as pavilion additions. A single storey glazed structure should be provided between the existing dwelling and the new addition. The height of the glazed structure should sit below the eave height of the existing dwelling. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-3).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.63 • O.68	All new development is to be sited behind the rear building line of a heritage item or contributory building, except where the design is a side extension designed in the same style and materiality as the principal building form (refer to Figure 4-6).  **Figure 4-6: Examples of Appropriate Siting of Additions**
PC.9 • O.63 • O.66	Where rear additions are not possible, additions to the side of buildings may be permitted. Side additions must be designed so that they are set back as far as possible from the front building line.
Scale and form	
PC.10 • O.63 • O.65	Alterations and additions must not alter the original scale or form of contributory buildings. An alteration or addition is not to be of a size or scale that overwhelms or dominates the existing building, substantially changes it, destroys its identity, or changes its contribution and importance in its surrounds.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.64 • O.65	Alterations and additions to non-contributory items must be consistent with the scale and form of nearby contributory buildings.
PC.12 • O.63 • O.66	Where proposed, additional floor space must be located in the rear to retain the original scale and form of the building.
Roofs	
PC.13 • O.64 • O.65 • O.67	Original and traditional roof forms and materials are to be retained. Alterations to original roofs are to complement the style, form and pitch of the original roof or be consistent with contributory buildings.
AS.8 • O.63 • O.66	Upper-level additions may be included within the existing roof space as part of an attic-style addition. Dormers and skylights should be located on the side or rear roof plane.
AS.9 • O.66	Roof additions should be generally confined to the rear of an existing building.
PC.14 • O.64 • O.68	New additions are to have separate roof forms. Large roof extensions that change the form and ridge lines of the original roof are to be avoided, and the original roof is to be the principal roof form on the site
AS.10 • O.65 • O.68	Habitable space within a roof area will generally not be acceptable due to the substantial increase in required height and scale.
AS.11 • O.63 • O.64 • O.68	Dormers to the side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.
PC.15 • O.64 • O.68	All original chimneys must not be demolished unless they are proven to be structurally unsound, and only when followed by immediate reconstruction in the original detail.
PC.16 • O.63 • O.65 • O.68	New roofing must be consistent with existing materials or demonstrated original. Where new buildings are proposed, roofing of the new element is to generally be corrugated galvanised metal sheeting.
AS.12 • O.63 • O.65	Tiling may be appropriate on buildings constructed between the 1900s and 1930s. Unglazed terracotta tiles are preferred to glazed and coloured tiles.
PC.17 • O.63 • O.65	The re-roofing of the main body of the house is only supported when utilising new roofing materials that match original materials.
Details and original features	
PC.18 • O.63	Original architectural detailing and features on contributory buildings, such as barge boards, finial trim, decorative fretwork, window awnings and front verandahs, are to be retained and conserved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.64 • O.65	
PC.19 • O.63 • O.65	New detailing must be complementary to the character of contributory buildings within the HCA in terms of style, material and detail.
AS.13 • O.63 • O.65	Where new doors, windows and verandahs are visible from the street or prominent location, they should be of a similar proportion, size, location and detailing to original elements. Original door and window openings are to be retained and repaired. If original doors and windows have been lost, they are to be replaced with a similar size, type and material for the age and style of the building.
AS.14 • O.63 • O.65	New windows should have a vertical orientation. Double hung, casement, awning or fixed windows are preferred, in timber. On new buildings or modern additions, windows and doors may be in aluminium frames with timber-like proportions.
AS.15 • O.64 • O.65	The location of openings should follow the solid to void ratio in historic buildings.
PC.20 • O.64 • O.65 • O.68	Verandahs on the front and sides of a contributory building must not be infilled or enclosed.
AS.16 • O.64 • O.68	Enclosures to verandahs should be removed when alterations and additions are proposed.
AS.17 • O.64 • O.68	Verandahs and balconies that do not match the architectural period and style of the principal building should be removed.
AS.18 • O.63	New verandahs and balconies should not be introduced where they were not intended as part of the original design of the building.
AS.19 • O.63 • O.65 • O.68 • O.65	Missing components such as verandah brackets, fences and chimneys should be copied carefully and reinstated in their original style.
AS.20 • O.63 • O.67	Alterations should avoid arbitrary changes to openings or other features which do not fit with the symmetry or character of the original architectural design.
PC.21 • O.63 • O.65	Material that imitates historic fabric is not supported.
AS.21 • O.64 • O.68	Existing incompatible/intrusive elements (e.g. non-original aluminium windows and doors, and aluminium or vinyl cladding) in street elevations and prominent locations should be replaced with traditional materials when alterations and additions are proposed.
External materials, finishes and colours	

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.22 • O.63 • O.65	Original wall cladding is to be retained and conserved, including face brickwork and timber weatherboards blocked to resemble cut stone. Modifications to face brick dwellings must use the original style of bricks, window heads, mortar joints and other building details.
PC.23 • O.63 • O.65	Paintwork must not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimney pots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces.
AS.22 • O.63 • O.65	Face brickwork should remain unpainted and unrendered. Face brickwork that is already painted or rendered should be restored, where possible, to its original un- painted state.
PC.24 • O.63 • O.65 • O.68	For brickwork that was originally rendered or painted, cement render that is complementary to, and consistent with, the architectural style and colour schemes is to be used. Repainting must be articulated in the same manner as the original colour rendering of the building.
AS.23 • O.63 • O.65	Plain bricks with natural-coloured mortars are preferred for new structures. Avoid mottled bricks and textured sandstone bricks.
AS.24 • O.63 • O.65	The recladding of existing timber weatherboard buildings with any material other than timber weatherboards is not encouraged.
AS.25 • O.63 • O.65	New timber weatherboards should have a traditional width and profile to match the original weatherboards. **Note:** timber weatherboards should be 150mm with a square edged profile.
PC.25 • O.63 • O.64 • O.65	New materials must reflect the historic character of the HCA where visible from the street.
PC.26 • O.63 • O.64 • O.68	Colour schemes are not to be of a singular colour solution, nor be entirely dark colours, such as black and grey. **Note:** Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.
PC.27 • O.63 • O.65	Original rainwater goods e.g. gutters, downpipes, rainheads, are to be preserved or replaced to match existing.
AS.26 • O.63 • O.65	Plastic downpipes should be avoided where they are visible from the street.
PC.28 • O.63 • O.65	Round downpipes are to be provided as part of new development.
Carparking and driveways	
PC.29 • O.63	Garages and carports are not to be constructed forward of the building alignment of a building within an HCA and are to be setback at least 5m behind the principal building line.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.66	Preferably, they should be located at the rear of the lot and setback 500 millimetres from the rear and side boundaries.
PC.30 • O.64 • O.66	If garages or carports are connected to the principal building form, they are to be setback from the principal building line at least 5m and have a separate roof.
PC.31 • O.64 • O.65 • O.68	The scale and form of a garage or carport must not dominate the principal building, or adjoining structures.
PC.32 • O.64 • O.65 • O.66	Garages and carports must be single storey. The addition of an attic above garages, carports or other outbuildings shall only be considered where window openings are not visible from the street.
AS.27 • O.63 • O.65	The roof pitch of a garage or carport should be lower than the roof pitch of the principal building form. Generally, a roof pitch above 25 degrees will be required for carports, sheds and garages.
AS.28 • O.63 • O.64	Garages and carports should have simple hipped or gable roofs depending on the roof design of the principal building on the site.
PC.33 • O.63 • O.65	New garage structures are not to have roller doors and are to be single width garage doors.
AS.29 • O.63 • O.65	Carports should be simple light structures.
PC.34 • O.63 • O.66	Triple door garages are not supported in any location visible from the street.
AS.30 • O.63 • O.65 • O.68	Where visible from the street, external cladding of garages should generally be consistent with that of the principal building on the site or be of horizontal weatherboard construction.
AS.31 • O.64 • O.65 • O.68	Where a property has access to a rear lane or street, vehicle accommodation is to be located adjacent to the rear laneway or street with vehicle access from the laneway.
PC.35 • O.64 • O.68	Driveways and wheel strips are to be constructed using Morpeth Mix.
AS.32 • O.64 • O.65 • O.68	Wheel strips and gravel driveways are preferred to solid driveways, especially over the public footpath. Infill areas between wheel strips must be confined to private property and is to consist of soft landscaping such as turf, grass rings or gravel.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.33 • O.63 • O.65	Council may consider exceptions to the numerical requirements for on-site car parking at dwellings in HCAs if the car parking does not adversely impact on the HCA.
PC.36 • O.63 • O.68	Significant historic kerbing is not to be disturbed. Where this is unavoidable, a stone mason is to be engaged and must minimise the section of original kerbing and guttering to be removed. Archive and securely store original kerb and guttering for reuse and repairs.
Fencing and gates	
PC.37 • O.63 • O.64 • O.65 • O.68	Modifications to the front fence and gate of buildings within a HCA must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building and character of the streetscape.
PC.38 • O.64 • O.68	Original fences and walls must be retained and refurbished where possible.
PC.39 • O.64 • O.65 • O.68	The location of fences presenting to street frontages is determined by the predominant pattern of fencing in the street and locality.
AS.34 • O.64 • O.65	Where fences have been changed, they should be reconstructed based on their original design. If the original design is not known or cannot be identified, the fence should be built according to the architectural style of the building i.e. timber picket, low masonry, and low hedges etc.
PC.40 • O.63 • O.65 • O.68	New fences and gates must be sympathetic in colour, material, height and design to the streetscape character and other contributory fences and not detract from the heritage significance of the locality. Avoid faux historic styles.
PC.41 • O.63 • O.65 • O.68	Front fences must be no higher than 1.2m in height, unless there is evidence that the original heritage fencing was higher.
AS.35 • O.63 • O.65 • O.68	Front fences in HCAs should be open or transparent, not solid.
PC.42 • O.63 • O.65	Side fences forward of the building line, and fences to lanes or streets are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock or made of painted steel are not supported. Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.
PC.43 • O.63 • O.64 • O.65	Plain or treated corrugated metal fences and/or painted steel fences are not appropriate on primary or secondary frontages.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.68	
Services, skylights and solar panels	
PC.44 • O.63 • O.64 • O.66 • O.68	Solar panels and skylights are not supported on roof planes which have an orientation to a street.
AS.36 • O.63 • O.64 • O.66 • O.68	Plant and equipment such as solar water heaters, antennas, switch boards, meters, fire safety systems, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.

4.6.7. Alterations and additions to non-residential buildings

Objectives

O.69 To retain and conserve contributory commercial and civic buildings.

O.70 To ensure alterations and additions to contributory commercial and civic buildings are of an appropriate design that does not adversely impact the significance or character of the building.

O.71 To encourage the removal of unsympathetic features and details on commercial and civic buildings, such as signage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.69 • O.70	Alterations and additions to non-residential buildings in HCAs must respond appropriately to the heritage significance and historic character of the conservation area.
PC.2 • O.69 • O.70	Alterations and additions to commercial and retail buildings that are contributory buildings must be designed based on a demonstrated thorough understanding of the heritage significance of the HCA.
PC.3 • O.69 • O.70	Additions must be set back from the primary façade of the building so that the addition is not prominent when viewed from the public domain.
AS.1 • O.69 • O.70	The design of additions should be contemporary and identifiable from the existing building.
AS.2 • O.69 • O.70	Generous setbacks should be provided between old buildings and new additions, such as by using a glazed section and/or shadow lines and gaps to link the new addition to the existing building.
AS.3 • O.69	The original elements and details of contributory buildings should be retained, especially on front façades. This includes original windows and doors, brick detailing and parapets, original signs, roofs, chimneys and verandahs.
PC.4 • O.69	Open verandahs and balconies of contributory buildings must not be enclosed.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.69	Original shopfronts on contributory retail buildings are to be retained.
AS.4 • O.71	Non-original shopfronts should be replaced with new shopfronts that respect the historic character of the HCA. The reinstatement of the original shopfront design is desirable, where the original design can be referenced from historic photographs, drawings, or remaining physical evidence.
AS.5 • O.70	New shopfronts should be timber framed.
PC.6 • O.69	Where present, original awnings of contributory retail buildings are to be retained.

4.6.8. Infill development

Infill development involves the addition of new buildings within HCAs. New buildings should be sympathetic in design to the HCA and should not impact the streetscape character.

Objectives

O.72 To ensure that infill development enhances the character of heritage items and contributory buildings.

O.73 To ensure that infill development is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.

O.74 To ensure that siting of new buildings respects the significance and character of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.72 • O.73	The design of new infill buildings in HCAs should be guided by NSW Heritage Office's Design in Context: Guidelines for Infill Development in the Historic Environment, and the NSW Government Architect's Better Placed guidelines.
PC.1 • O.72 • O.73 • O.74	The design of new buildings are to sympathetically respond in scale, form, siting, materials, colours and detailing to surrounding contributory items, particularly where there is a general consistency in the building scale in the streetscape and the HCA.
PC.2 • O.74	New buildings are to be setback or sited behind the façade of heritage items and contributory buildings and are to maintain the established historically significant pattern of setbacks in the streetscape.
PC.3 • O.73	Within groups of buildings such as rows of shops, infill building and façade design is to respond to the scale, height, materials, and massing of heritage items and contributory structures. This is to be done by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.
AS.2 • O.72 • O.73 • O.74	On corner sites, the new building should be designed to address the street corner and respond to the form, scale and articulation of historical corner buildings within the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.72 • O.73 • O.74	Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings, and must instead reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.
AS.4 • O.72 • O.74	Infill development should be subject to specialist heritage advice and design. This advice should inform the design process from the early stages of the project.

4.6.9. Historic streetscape elements

Each of the HCAs in Maitland contains historic characteristic elements such as hitching posts, water troughs, bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lamp posts, and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items.

Objectives

O.75 To retain and conserve historic and characteristic elements in HCAs.
O.76 To enhance the distinctive character of an HCA.
O.77 To promote the use of characteristic elements in the public domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.75 • O.77	Historic streetscape elements are to be retained in situ, where possible. If characteristic elements are removed from the public domain, they should be re- used and relocated within the HCA. If characteristic elements or moveable heritage items are unable to be re-used within the HCA, they should subject to a conservation assessment, archived and securely stored.
PC.1 • O.75	Historic signage is to be retained and conserved.
AS.2 • O.75 • O.76 • O.77	The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible. Where removal or alteration is unavoidable, works are to be undertaken by a qualified stonemason. Recovered materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the HCA.
PC.2 • O.75 • O.76	Original footpaths are to be retained and only replaced in circumstances where their condition requires reconstruction. When replacing footpaths either repair with the original or a sympathetic surface material.
AS.3 • O.75 • O.77	Stormwater outlets from buildings to stone kerbs should reuse existing pipes to minimise new outlets. **Note:** Outlets should be contained within existing holes in the stone, without any visible PVC piping.
AS.4 • O.75	Bitumen is to be removed from sandstone where possible, as part of ongoing maintenance and restoration works.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.75 • O.76 • O.77	Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossings.
AS.5 • O.75 • O.76	The design of new marker posts including bollards, directional signs and posts should reflect the historic character of the HCA.

4.6.10. Civil infrastructure

Excessive and poorly designed civic infrastructure within heritage settings (such as wayfinding and inappropriate interpretation signage, road signs, bollards, public seating and street lighting) causes visual pollution that may have an adverse impact on the significance, character and setting of a historic area. Similar to private development, civic infrastructure should be designed to complement the character of the historic streetscape and positioned appropriately to avoid adverse heritage impacts.

Objectives

O.78 To ensure the design and location of civic infrastructure complements the character and setting of the HCA.

O.79 To ensure the civil infrastructure is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.78 • O.79	All new civic infrastructure should be designed to complement the historic character of the HCA. The design of new elements should be guided by heritage advice.
PC.2 • O.78	Civic infrastructure must not feature advertising or logos.
AS.1 • O.78 • O.79	When existing civic infrastructure is replaced, the replacement element should have an improved outcome in terms of its 'fit' within the historic context.
AS.2 • O.78	All new civic infrastructure, including signage, should be designed and located so that it does not obstruct views of heritage items, contributory buildings or iconic views.
AS.3 • O.78 • O.79	Street furniture and temporary installations within an HCA should be sympathetic and unobtrusive to the character of the street.
AS.4 • O.78	Street furniture should not be fixed to historic fabric, including sandstone flagging. If fixing is required, it must cause minimal impact and be readily reversible. Stainless steel should be used for all fixings to historic stone or brickwork to prevent rust.
AS.5 • O.78 • O.79	Street furniture should consider the character of the streetscape, landscape or building it is associated with. **Example:** For civic buildings, the design of street furniture should be cast iron or timber. Timber used for seating should be oiled, with cast iron painted or left natural. In parks and along the river, a modern style of seating is preferred using timber framed settings with a rugged design and oiled timbers. The use of historic materials such as railway

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	sleepers or rails, heavy hardwood timbers similar to jetty construction, or sandstone blocks is encouraged.
AS.6 • O.79	Picnic shelters should be simple structures of hardwood timber framing and galvanised corrugated iron gable roofs.
PC.3 • O.78	Existing and new bin enclosures are to be located where they: a. are not immediately in front of an historic building b. do not obscure any historic details such as sandstone flagging c. do not obstruct views along laneways or between buildings d. impact the appreciation of the historic character of the town e. can be setback from the kerb.
AS.7 • O.79	Bin enclosures should be of metal or oiled timber design.
AS.8 • O.78 • O.79	It is appropriate to reconstruct streetlights to match existing lights within the streetscape or at heritage items and contributory buildings. Ceiling mounted fittings under verandahs or awning outside commercial buildings are acceptable.
AS.9 • O.78 • O.79	The reconstruction of missing historic lights is supported. Avoid the use of faux historic designs.
AS.10 • O.78 • O.79	The use of umbrellas or canvas blinds on footpaths is appropriate where no verandah or awning is present. An exemption applies to traditional canvas drop blinds fixed to the verandah or awning edge.

4.6.11. Signage

Historic signage can be located on shopfronts, the sides of buildings, or provide historical information to communicate the history and significance of a site or HCA.

Note: This section applies to development requiring consent and not to that which is exempt under the relevant State Environmental Planning Policy (SEPP).

Objectives

O.80 To retain and conserve original historic signage.
O.81 To ensure the design and location of signage complements the character and setting of the HCA.
O.82 To provide for public signage that allows interpretation and information of historical buildings and places, in a visible and accessible location that is relevant to the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.80	Original historic signage is to be retained in-situ.
PC.2 • O.81	New signage is to reflect original historic signage within the conservation area and utilise similar colours and lettering styles.
PC.3 • O.81	The number and location of business and/or building identification signs on buildings will be rationalised to minimise visual clutter, respect the architecture of the host building and preserve heritage streetscapes.
PC.4 • O.81 • O.82	Signage is to be placed on areas of the building or item which would traditionally have been used for signage. These locations are: a. under the awning,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	b. on the awning fascia, c. a transom sign above the door or shopfront (top hamper), d. inside the display window, e. below the windowsill, or f. flush wall signs. Projecting signs above awnings and digital panels are not supported.
PC.5 • O.81	Size of signs: Signs on shop windows should not exceed 25 per cent of the total area of the shopfront glazing.
PC.6 • O.81	Illumination must be by floodlighting and the source of the lighting must be concealed.
PC.7 • O.81	Signs must be designed to be integral to the architectural style and finishes of the building to which they are attached.
AS.1 • O.81	Standardised trademarks branding, or corporate advertising may be supported by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours. Corporate colours may not be appropriate and may require modification to suit the character of the HCA.
AS.2 • O.81	The colours of signs should be based on historical research and should be appropriate for buildings in an HCA. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc. New signage should consist of high-quality materials such as wrought iron, stainless steel, brass, hardwood, and similar materials.
AS.3 • O.81	The lettering of signs on heritage-listed and contributory buildings should complement the architectural style of the building. Suitable lettering styles may involve shaded letters, the mixing of sizes and styles of letters and ornamental scrolls relevant to the period of the building.
PC.8 • O.82	Interpretational signage is to be limited to historical buildings and places. These signs must only be erected where their placement will be easily visible and accessible and where they will not obstruct significant view corridors or established pedestrian routes.
PC.9 • O.81	Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting minimises damage to the fabric of the building. Alternatively, the signage may be fixed to a grounded post.
AS.4 • O.81 • O.82	All signage should be designed for people with a vision impairment and be located at a level for common viewing.

4.7. Bolwarra Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Bolwarra HCA, the following specific controls are be applied to this area. Where the specific controls for the Bolwarra HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-7 provides a heritage map of the Bolwarra HCA applied within MLEP 2011.



Figure 4-7: Bolwarra HCA Land Application Map

4.7.1. Statement of Significance

The Statement of Significance for the Bolwarra HCA is as follows:

The historic significance of Bolwarra can be traced to the surviving buildings and gardens of the late nineteenth century which record the original subdivision of "gentleman's houses". These qualities give the area historic significance for the locality. The same remnant plantings and surviving estate development are of aesthetic significance. Many of the later but undistinguished houses are set in attractive gardens complementing the character of the earlier development.

Characteristic Elements

- Well defined boundary located above floodplain in a broader agricultural setting.
- Late nineteenth century land subdivision and street pattern comprising "gentleman's houses" on large estates.
- Examples of High Victorian villas and Late Victorian cottages in garden settings.
- WWI War Memorial at the junction of Westbourne Road and Addison Road.
- Compact high street comprising small scale commercial buildings on Paterson Road.
- Predominant single storey detached residential character.
- The view to the HCA, rural landscape and landmark trees including a large Bunyah Pine, on approach from the southern entrance to the town.
- Mature cultural plantings dating from the late nineteenth and early twentieth centuries, including Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels.

4.7.2. Desired Future Character

The desired future character for the Bolwarra HCA is as follows:

1. Retention and conservation of the historic estates that represent the original late nineteenth century land subdivision and street pattern.
2. Retention of the heritage items and contributory buildings that contribute to the historic character of the area, including the gentlemen's houses and examples of High Victorian and Late Victorian buildings.
3. Retention of the consistent scale and form of residential development, being single storey detached residential development behind formal front gardens with low front fencing and generous setbacks.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. A consistent principal building alignment on residential streets for new development.
6. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA and through additional street tree planting.
7. Enhancement of the street tree layout through planting of regular patterns and selection of monoculture species.
8. Retention of landmark plantings and the historic and significant tree stock located in and around the northern arm of Kensington Road and the suburban block framed by that road, Bayswater, Westbourne and Paterson Roads.
9. Retention of the historical and contemporary components of Bolwarra's floodplain drainage and river embankment design to ensure the integrity of those engineering assets and the two centuries of Bolwarra's river flood management remains evident and interpretable.
10. Retention and enhancement of the strongly defined rural edge between the urban village and surrounding rural land.

4.7.3. Objectives and controls for Bolwarra HCA

Objectives

O.83 To retain and conserve the historic estates and original late nineteenth century land subdivision and street pattern.

O.84 To retain and conserve the rural landscape at the edges of the HCA and historic use of the Hunter River.

O.85 To retain and conserve the heritage items and contributory buildings in the Bolwarra HCA, especially the Victorian period buildings.

O.86 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Bolwarra HCA.

O.87 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.

O.88 To retain the mature tree canopy of Bolwarra HCA, especially landmark plantings at the entrance to the HCA and historic tree stock.

O.89 Improve the streetscape character of the Bolwarra HCA by:

- siting new development to reinforce the principal building alignment on residential streets
- encouraging generous landscaping treatments within the front setback
- retaining mature street trees and planting additional street trees.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.83	Subdivision and amalgamation are to be avoided to retain the original late nineteenth-century land subdivision and street pattern.
PC.2 • O.83 • O.85 • O.86 • O.89	Subdivision proposed at sites that contain non-contributory buildings and meet the minimum lot size will be considered on merit. New development must be located to the rear of the existing building (or replacement building) with one shared driveway and vehicle crossover. The new building to the rear should be sited and oriented to minimise impacts on the streetscape character.
PC.3 • O.83	Future subdivision or new residential development east of Paterson Road and south of Westbourne Road is not supported.
PC.4 • O.87 • O.89	New development is to be consistent with the single storey detached scale and character within the HCA.
PC.5 • O.87 • O.89	New development must be consistent with the predominant building alignment of the principal dwellings to the street.
AS.1 • O.86 • O.87	New front fencing should reflect the height, materiality and architectural period and style of the building on the site.
AS.2 • O.86 • O.87	New front fencing should be a maximum of 1.2 metres in height, unless this conflicts with the original historical design of the fencing.
AS.3 • O.86 • O.87	Front fencing should be 25% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.84 • O.88 • O.89	Significant landmark plantings and historic tree stock are to be retained.
PC.7 • O.88	The mature bunya pine to the south of 5 Paterson Road, Bolwarra is to be retained.
AS.4 • O.85 • O.86	Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to original architectural drawings, historic photographs and aerial images when designing garden layouts, where available.
AS.5 • O.85 • O.86	Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to historic garden styles and planting palettes from NSW and Australian landscaping styles from the nineteenth and twentieth centuries.
PC.8 • O.85 • O.87	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.8. Central Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Central Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Central Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-8 provides a land application map for the Central Maitland HCA.



Figure 4-8: Central Maitland HCA Land Application Map

4.8.1. Statement of Significance

The Statement of Significance for the Central Maitland HCA is as follows:

Central Maitland has historic significance of exceptional value recording an early settlement of the Hunter Valley which grew to be the major centre in the region – larger than Newcastle. It also became one of the largest settlements in NSW during the middle of the nineteenth century. Its historic role is reflected in the excellent examples of Commercial, Civic and Ecclesiastical buildings and in the rarer and more modest surviving examples of early housing. The HCA's aesthetic significance is derived from the intactness of its streetscapes, its landmark buildings and strong edge definition of river and flood plain. The area is of social significance for its continuing roles as a regional centre for administration, cultural activities and several religious denominations.

Characteristic elements

- Maitland's commercial, civic, and religious centre and largest centre in the Hunter Region.

- An early colonial settlement located on the southern side of the Hunter River.
- A predominant grid street pattern.
- An excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- High Street has a largely intact streetscape, including many original shopfronts and landmark buildings.
- Residential character varies from early modest slab huts and cottages to two storey single fronted housing.
- The key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens.
- Public recreation and walking path along the Hunter River.
- Maitland Park and Maitland Showground.
- Central Maitland Railway Station.
- The southern portion of the HCA is physically separated by Les Darcy Drive and the New England Highway.
- Views to important buildings, spires and other architectural features from the surrounding HCAs and broader district.

4.8.2. Desired Future Character

The desired future character for the Central Maitland HCA is as follows:

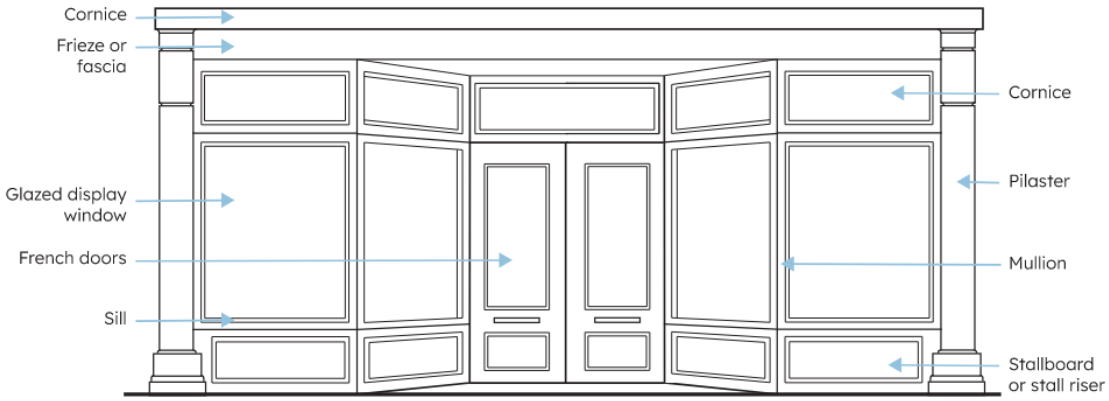
1. Enhancement of the existing character of the HCA, being one of the largest commercial, civic, and religious centres in the Hunter Region.
2. Retention and conservation of the predominant fishbone street pattern, laneways, and side streets.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings.
6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey building height and scale, including an appropriate parapet height and design and reinforcement of established building lines.
7. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
8. Retention and enhancement of public parks and recreation areas within the HCA.
9. Improvement of the public domain character to enhance the significance of the HCA and its relationship to the Hunter River and southern portion of the HCA.
10. Retention of views and sight-lines to important buildings, spires, clocktowers, and other architectural features.
11. Retention of the open landscape character around Central Maitland Railway Station.

4.8.3. Objectives and controls for Central Maitland HCA

Objectives

O.90 To retain and conserve the existing historic street pattern, laneways, and side streets.
O.91 To retain and conserve heritage items and contributory buildings in the Central Maitland HCA.
O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
O.93 To ensure the commercial character of High Street is maintained.
O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features.
O.95 To retain and enhance public parks and recreation areas within the HCA.
O.96 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Central Maitland HCA.
O.97 To encourage medium density development where there is no significant detrimental impact to the heritage significance of the HCA.
O.98 To retain significant and mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
O.99 To enhance the public domain character to a high quality standard that reinforces the significance of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.90	Subdivision that impacts the existing grid street pattern, laneways and side streets are to be avoided.
PC.2 • O.90	The existing alignments and widths of all historic roads in the HCA are to be retained.
AS.1 • O.90	Subdivision may be appropriate at existing amalgamated sites where the historic subdivision pattern has been lost.
PC.3 • O.92 • O.93 • O.94 • O.97	Infill development, especially new commercial development, is to consider the height, width, setbacks, form, density, scale, proportions, rhythm of fenestration, and materials of heritage items and contributory buildings in the HCA.
PC.4 • O.93 • O.94 • O.96 • O.97	Buildings in High Street and surrounding commercial streets must be sensitive to existing character through height, bulk, scale, and heritage sensitive urban design practices.
AS.2 • O.91 • O.96 • O.99	Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-9).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	
	Figure 4-9: Example of Traditional Shop Front
AS.3 • O.91 • O.96 • O.99	Where new verandah posts are proposed for commercial buildings, they should reinstate original arrangements. Where no evidence of original verandahs can be found, traditional construction methods appropriate to the building should be used. Verandah posts inserted directly underneath cantilevered awnings will generally not be considered appropriate.
AS.4 • O.94 • O.97	New residential development should be sympathetic to the one and two-storey detached character of the HCA.
AS.5 • O.94 • O.97	New development should have a consistent building height that is compatible with heritage and contributory items and allows views and sight-lines to important buildings, spires and other architectural features, in particular from the Johnson Reserve floodplain and the Regent Street HCA.
AS.6 • O.94 • O.97 • O.99	New development should not camouflage or obscure historical lot boundaries between the floodplain and town centre (e.g. Hanna Street).
AS.7 • O.91 • O.96 • O.99	Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible. Reinstatement of missing segments is strongly encouraged.
AS.8 • O.90	Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street). In such cases, plantings should be provided within front yards.
PC.5 • O.98	Remnants of the jacaranda plantings in Carrington Street are to be retained, and consideration given to inter-planting with new jacarandas, as per the original scheme.
PC.6 • O.91 • O.96	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.9. East Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the East Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the East Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail to the extent of the inconsistency.

Figure 4-10 provides a heritage map of East Maitland HCA.



Figure 4-10: East Maitland HCA Land Application Map

4.9.1. Statement of Significance

The Statement of Significance for East Maitland HCA is as follows:

East Maitland's historic significance is in its surviving record of the urban growth of Maitland. It is a relatively rare example of a town with origins based primarily on government functions, with links to the convict period and early immigration (Caroline Chisholm House). Its government functions, continued in the ongoing use of the Gaol (over almost 150 years), Courthouse and Lands Office and in the preservation of the former police buildings and Post Office, contribute to both historic and social significance. The HCA's aesthetic significance is derived from its collection of residential, government, institutional and commercial buildings of all its periods of historic growth and their visual inter-relationship, in particular the strong axial composition based on the prominent hillside location of the Court House and Stockade Hill.

Characteristic Elements

- A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms.
- Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district.
- A predominant grid street pattern and town plan established in 1829 by government surveyor Thomas Mitchell, with wide streets that terminate at public parks.
- Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office.
- A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century.
- Predominant single storey detached residential character.
- Large non-contributory commercial and light industrial buildings along the highway.
- Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
- Intact early colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.

4.9.2. Desired Future Character

The desired future character for the East Maitland HCA is as follows:

1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks.
2. Retention and conservation of the natural landform and landscape.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA.
4. A scale and form of infill development sympathetic to the predominately single storey detached residential character.
5. Retention of the mixture of building typologies, including residential, commercial, and government and institutional buildings.
6. Maintain the historic small scale commercial character of Melbourne and Newcastle Streets. Particular attention should be paid to protecting and enhancing the State Heritage Items of Caroline Chisholm Cottage, Smith's Flour Mill and each item's associated curtilages.
7. Retention of the formal street plantings and footpaths in and around William and Banks streets.
8. Retention of the landscape setting of the major administrative buildings.
9. Retention of significant landscape features and public infrastructure including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
10. Improvement of the public domain character to enhance the significance of the HCA.

4.9.3. Objectives and controls for the East Maitland HCA

Objectives

O.100 To retain and conserve the early grid street pattern and town plan established in 1829, including the wide streets that terminate at public parks.
O.101 To retain and conserve the heritage items and contributory buildings in the East Maitland HCA.
O.102 To conserve the natural landform and landscape.
O.103 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings.
O.104 To ensure that commercial and light industrial development maintains and reinforces the historic scale and character of Melbourne Street, Newcastle Street, and their side streets.
O.105 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the East Maitland HCA.
O.106 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.
O.107 To retain significant landscape features including cultural plantings, wide landscaped median strips, bridges, street trees and gardens.
O.108 To retain and enhance public parks and recreation areas within the HCA.
O.109 To enhance the public domain character to enhance the significance of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.100	Subdivision and amalgamation that impacts the early grid street pattern and town plan established in 1829 should be avoided.
PC.1 • O.100 • O.107	The existing alignments and widths of all historic roads in the HCA, especially the William Street corridor, are to be retained.
AS.2 • O.101 • O.109	New development should not visually obstruct the key north–south historic corridor of William Street.
PC.2 • O.106	New residential development is to be consistent with the one and two-storey character of the HCA.
PC.3 • O.103 • O.106	Infill development, especially new commercial development, is to consider the height, form, scale, proportions, fenestration pattern and materials of the heritage items and contributory buildings in the HCA.
AS.3 • O.104	New large-scale commercial and light industrial uses should be avoided.
PC.4 • O.102 • O.107	The historic avenue of fig trees in Wiliam street and the hills figs to the south of Newcastle Street made in the 1980s and 1990s are to be retained.
PC.5 • O.107 • O.108 • O.109	Significant landscape features, cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens, in particular the old stone pines in Cooks Square Park, are to be retained and conserved.
PC.6 • O.105 • O.109	The potential of archaeological fabric in the landscape is to be considered when undertaking building works related to former public utilities (bridges etc) and former public spaces (market squares etc).
PC.7 • O.105	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.10. Lorn Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Lorn Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Lorn HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-11 provides a heritage map of Lorn HCA.



Figure 4-11: Lorn HCA Land Application Map

4.10.1. Statement of Significance

The Statement of Significance for Lorn HCA is as follows:

The area is of historical significance as probably the best example in the region of the garden suburb ideal. Lorn has an excellent collection of residential architecture dating from the late Victorian period, the Federation period and the Inter-Wars period. It records the historic expansion of Maitland's residential development onto the flats across the river. The social significance of the suburb is preserved in an urban form and building content still functioning as a garden suburb of greater Maitland and deriving meaning from its continuity of usage. The aesthetic significance of Lorn is derived from the many excellent examples of residential architecture styles of the late Victorian period, Federation period and the Inter-wars period, supported by many other later impressive but

contributory buildings of compatible scale and form; wide streets and civic tree planting; and well-established gardens. The urban edge is well defined by river levees and open agricultural land contributing to its identity as a cohesive townscape.

Characteristic Elements

- An early twentieth century example of a purposefully planned garden suburb.
- Well defined boundary being located behind the river levees along the northern side of the Hunter River.
- Small commercial high street comprising mixture of commercial building typologies on Belmore Road.
- Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.
- An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds.
- Wide streets with:
    - Wide grassed verges and informal driveway crossovers, including gravel and tyre strips.
    - Informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.
- Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.
- Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.

4.10.2. Desired Future Character

The desired future character for Lorn HCA is as follows:

1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings.
2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings.
3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages.
4. Landscaped verges with consistent plantings of street trees, such as Jacarandas.
5. Conserve generous landscaped gardens and fencing. New landscaping and fencing that complements the architectural period and style of the site.
6. Cohesive commercial character on Belmore Road comprising one storey, pedestrian oriented shops built to the front boundary.

   Sympathetic contemporary infill development of a high design standard which reflect the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.

4.10.3. Objectives and controls for Lorn HCA

Objectives

O.110 To retain and conserve the garden suburb character.

O.111 To retain and conserve the heritage items and contributory buildings in the Lorn HCA, especially the late Victorian, Federation and Californian Bungalow cottages and shops.

O.112 To maintain the cohesive streetscape character of single lots containing single storey detached dwellings with generous landscaped gardens and low fencing.

O.113 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Lorn HCA.

O.114 To ensure contemporary infill development is of high standard and does not mimic Victorian and Federation period elements and features.

O.115 To encourage new development that reinterprets the historic scale, form, height, siting, proportions, and materials in contemporary design.

O.116 To retain and enhance the streetscape character through tree protection and additional street tree planting.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.110 • O.112	Subdivision and amalgamation should be avoided to retain the garden suburb plan and cohesive streetscape character of single lots containing single storey detached dwellings.
AS.2 • O.110 • O.112 • O.115	Dual-occupancy developments should be avoided unless they can be accommodated within the existing building structure and with minimum disturbance to garden areas for parking and driveways.
AS.3 • O.111 • O.112 • O.114 • O.115	Infill development should consider the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.
AS.4 • O.114 • O.115	Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard, brick walls, corrugated sheet metals, and tile roofs are preferred.
PC.1 • O.113 • O.114 • O.115	Development is to avoid introducing architectural features, details and finishes that are inconsistent with the significance and character of the HCA.
AS.5 • O.115	New development should be one storey in height with any habitable spaces above ground floor built as a 'rooms in the roof' addition.
AS.6 • O.113 • O.114 • O.115	Detached garages and carports located at the rear boundary are preferred.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.110 • O.111 • O.112 • O.113	Existing private gardens which are characteristic of the HCA are to be retained. Any original edging materials framing paths are to be conserved, remediated, and (where needed) extended.
PC.3 • O.110 • O.112 • O.113 • O.116	As part of new development, landscape design and planning should respond to the existing character of the HCA.
PC.4 • O.110 • O.111	Rows of high planting to demarcate boundaries is to be restricted to the rear gardens of lots.
PC.5 • O.110 • O.112 • O.113	When undertaking alterations and additions, conserve and re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in period gardens.
PC.6 • O.110 • O.116	Large trees, mature trees and cultural plantings are to be retained.
PC.7 • O.111 • O.113 • O.114 • O.115	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.11. Regent Street Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Regent Street Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Regent Street HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-12 provides a land application map of Regent Street HCA.



Figure 4-12: Regent Street HCA Land Application Map

4.11.1. Statement of Significance

The Statement of Significance for Regent Street HCA is as follows:

The heritage value of the Regent Street HCA is attributable to its historic and social values, as a favoured setting for both medical, institutional and residential landmark development from the mid-nineteenth century. Sited on and adjoining the western end of the meandering High Street, the precinct provides elevated ground (bounded by the floodplain) and proximity to the Central Maitland commercial centre, whilst enabling separation from the core of the town. The HCA contains some landscape areas (within the grounds of former Maitland Hospital) and some residential and institutional gardens which are of contributory value to the significance of the HCA. Regent Street HCA contains an excellent collection of mansions, large residences, and cottages of the late Victorian and Federation periods. The former Maitland Hospital dominates the northern portion of the Conservation Area and contains many significant and prominent buildings and landscape elements

that are visible from well beyond the Conservation Area. It has also influenced the use of residential buildings in the surrounding streets.

Characteristic elements

- The former Maitland Hospital and grounds established in 1849.
- The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge.
- Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street.
- Fine grain residential subdivision pattern along High Street and Regent Street.
- An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings.
- Semi-rural use of sites along Regent Street and Bonar Street.
- A cohesive building typology of one and two storey detached dwellings, with established gardens and eclectic front fencing styles.
- Mature trees, landmark plantings, and Jacarandas on Regent Street.
- The location of the former Regent Street Mill.

4.11.2. Desired Future Character

The desired future character for Regent Street HCA is as follows:

1. Retention of the fine grain subdivision pattern along Regent, High, and Bonar streets.
2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the Victorian, Federation periods and early twentieth century development.
3. Retention of the dominant presence of landmark buildings.
4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing.
5. Retention and enhancement of existing vegetated edges to the eastern and western sides of the HCA, at the same time ensuring the continued legibility of the existing significant built form of the HCA from beyond.
6. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items.
7. Encourage the continuation of street trees south along Regent Street.
8. Enhancement of the HCA by improving the public domain on High Street.
9. To ensure that the scale and form of infill development in and around Bonar Street maintains the predominantly lower density built form pattern within the HCA and ensures that landmark buildings within the precinct retain their prominence.

4.11.3. Objectives and controls for Regent Street HCA

Objectives

O.117 To retain and conserve the heritage items and contributory buildings in the Regent Street HCA.
O.118 To maintain the cohesive residential streetscape character of Regent Street, including the consistent front building alignment and scale and form of the one and two storey detached dwellings.
O.119 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Regent Street HCA.
O.120 To encourage residential sites to provide generous landscaped gardens and low fencing that reflect the character of the site.
O.121 To maintain the streetscape character through additional street tree planting.
O.122 To ensure contemporary infill development Bonar Street is of a high standard.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.118	Subdivision should be avoided where it alters the fine-grained residential subdivision pattern.
PC.1 • O.118	Infill development must maintain the cohesive residential streetscape character, including consistency in the front building alignments, scale and form of one and two-storey detached dwellings.
PC.2 • O.118 • O.119	Alterations and additions that require changes to the roof form are to be avoided.
PC.3 • O.118 • O.119	Garages, carports and structures built forward of the principal building form will not be supported.
PC.4 • O.120	Front gardens and landscaping with front fencing that reflects the character and significance of the HCA are to be retained. New gardens should have generous landscaping and low front fencing.
AS.2 • O.117	When undertaking alterations, additions or new works, care should be taken to avoid impacting historical archaeological remains associated with the former Regent Street Mill.
PC.6 • O.118 • O.119 • O.122	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.12. Morpeth Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Morpeth Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Morpeth HCA differ from the general controls for heritage conservation areas, the specific controls in this section prevail.

Figure 4-13 provides a land application map of the Morpeth HCA.



Figure 4-13 Morpeth HCA Land Application Map

Precincts

There are five precincts in the Morpeth HCA, each with a unique character and different land use.

Rural Precinct

The township of Morpeth is surrounded by a rural landscape to the north, east and south. The rural lands define the edge of the HCA and is predominantly flood prone land. The specific characteristics of this precinct can be summarised by the following:

- Rural surrounds which feature barns and farmhouses and evidence of floods
- Open farming plains that provide clear views to the township of Morpeth from surrounding areas
- Incorporates the floodplains and meandering Hunter River
- Rural approaches to the Morpeth township with landmark transition Avenue plantings at Morpeth Road (Fig Tree Hill) and Duckenfield Road.

- Closebourne House and Morpeth House

Residential Precinct

There are two residential precincts in the Morpeth HCA. The original township is situated between Tank Street and Edward Street, directly south of the Hunter River to James Street, except for the commercial and industrial precincts.

The specific character of this residential precinct includes a small number of attached dwellings mostly from mid-nineteenth century, semi-detached dwellings (or pairs), which are single-storey and sited close to the front boundary. There are also two storey buildings that are modest in scale. Some large historic residences remain (e.g. Kiora and Marlborough) and retain their expansive garden settings. Residential allotment sizes vary through the township. Those established around Swan Street consist of small allotments compared to the wider frontage allotments created on the edges of the township along James Street.

Morpeth did not have any style distinctive from those in other towns in the locality, but the circumstances of the town have kept an outstanding number of pre-1870 buildings.

The most predominant type is a dwelling that has a four-room core, with a different layout for the verandah, kitchen, and bathroom. This layout is seen in the earliest buildings and buildings constructed up to the 1920s.

Some diversity in building typology exists in the form of churches, cinema, former joinery, and community buildings that are located within this precinct. These buildings maintain surrounding yards and gardens associated with their community use as gathering spaces and provide a spacious amenity to this residential precinct. The specific characteristics of this precinct can be summarised by the following:

- Single storey, small, detached dwellings located relatively close to the street
- Wide streets and wide allotments with narrow rear lanes
- Domestic outbuildings, such as sheds and carports, that are located in rear corners of the yard separate from the dwelling and typically as freestanding buildings.

The second residential precinct is located south on Morpeth Road, towards the western entry of the town and constructed around Morpeth House and Closebourne House. This precinct includes senior housing and large contemporary dwelling houses, which are considered non-contributory in the HCA.

Industrial Precinct

The Industrial Precinct is contained within the eastern section of Swan Street, on the northern side predominantly between Robert Street and George Street. This area largely represents the zoned industrial land within the town.

The specific character of this precinct is defined by the large industrial buildings of a variety of building forms located along the edge of the Hunter River associated with the town as a river port and the Morpeth railway line.

Located within this precinct is a single block of buildings on the northern side of Swan Street which define this eastern end of the township with a strong built edge along the street boundary.

Throughout the town, there are also many large sheds, including stables, built for light industrial or rural purposes within the predominantly residential area. Like the large industrial buildings on Swan Street, these add to the visual appeal and historic authenticity of Morpeth.

The industrial precinct provides a tangible record of the manufacturing industries associated with the river port of Morpeth. The specific physical characteristics of this precinct can be summarised by the following:

- Limited vegetation within the precinct, including along the riverbank

- Large scale, single pitched roof buildings of consistent building materials such as iron and timber with minimal window or door openings
- Location along the riverbank with frontage to the river rather than Swan Street
- Landmark fig tree plantings fronting Swan Street.

Commercial Precinct

The commercial precinct is contained within the western section of Swan Street predominately between Tank Street and Northumberland Street. Apart from a couple of former isolated shops,, the remainder of shops are located on Swan Street.

The specific character of this precinct is defined by the established row of shops and dwellings along the southern side of Swan Street of two and three storey (attic style) buildings. Together, these shops - particularly Campbell's Store and the three storey shops and dwellings - are the most significant group of retail buildings pre-1880 in the Hunter Region. Individual buildings of the same period exist in other towns, but there are no comparable groups that make such a major contribution to the streetscape.

Most of these buildings were built as shops and dwellings but are now used only as shops. Two nineteenth century hotels remain in the HCA. They are two storeys, with post supported verandahs and have been adapted by various additions and modifications to suit present needs.

The southern side of Swan Street also has a fine collection of civic buildings constructed in the nineteenth century and designed by government architects. These include the former Courthouse, the former CBC Bank, and the former Post Office.

The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey buildings, including the former Bond Store group. This northern side of Swan Street, due to the placement of freestanding buildings maintains defined view corridors to the Hunter River and the rural plains beyond.

Four types of shops are found in Morpeth:

- shops with dwellings above (mainly two and three storeys)
- shops with a dwelling at side or rear (usually single storey)
- a dwelling and shop with a projecting bay window at the front
- the large store or emporium known as 'Campbell's Store' (c.1850).

Community and Public Recreation Precincts

There are two community and public recreation precincts in Morpeth. The first includes Morpeth Common and Morpeth Oval on the eastern side of Edward Street. The second includes the Queens Wharf precinct and the connecting riverside linear reserves, stretching to Steamer St east of the former Morpeth Railway Station. Surviving community buildings in Morpeth include the grandstand located in Morpeth Oval and the Morpeth School of Arts building.

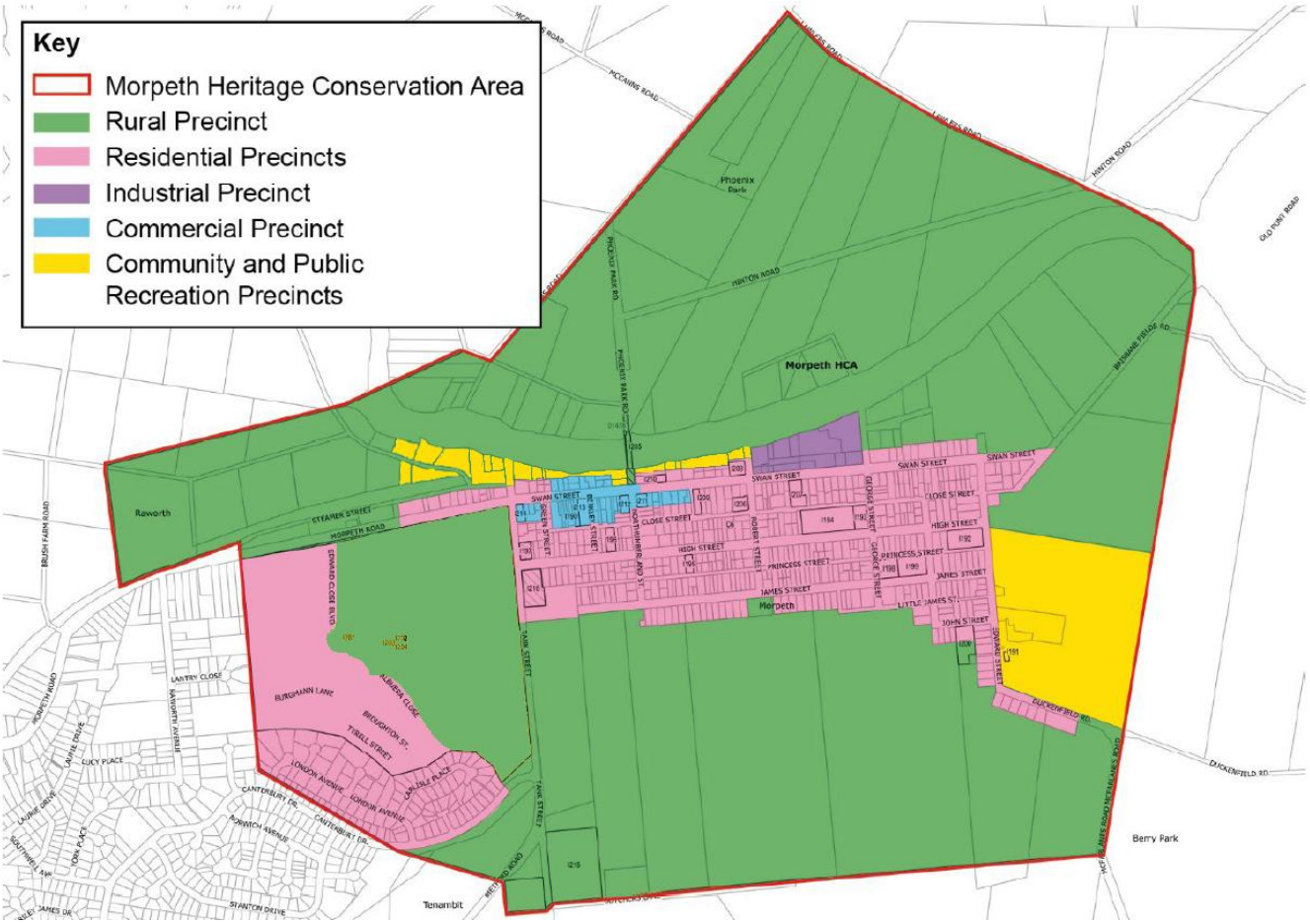


Figure 4-14: Precincts within the Morpeth HCA

4.12.1. Statement of Significance

The Statement of Significance for the Morpeth HCA is as follows:

Morpeth is of State Significance:

- For its role in the pattern of NSW's cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century, and as an end point of a spur off the Great North Road.
- For demonstrating a high degree of creative or technical achievement in NSW: As a privately founded town whose layout is a skilful adaptation of the standards for government towns to the circumstances of the site, and the requirements of its founder, who lived alongside and whose family continued to own much land in the town and its surrounding area until 1920.
- For its uncommon and endangered aspects of NSW's cultural history: As a town with a large collection of buildings and works from the 19th Century, many pre-1868, compared with other similar sized and aged towns; and which provides comprehensive evidence or architectural standards and building techniques, which are now relatively rare in the state. As a town with extensive archaeological evidence with potential to yield information that will contribute to an understanding of NSW's cultural history; in particular of the river port and associated works and structures currently in an endangered condition; and
- As a private town where the founder lived alongside and whose family continued to have an impact on the town and its development for almost 90 years after its founding.

Morpeth is of Regional Significance:

- For its uncommon evidence of the impacts of European settlement on the natural character of the landscape: activities of early settlement (such as tree clearing) where a factor in floods that made major changes to the course of the Hunter River at Morpeth, leaving large off cuts and lagoons.
- For demonstrating the range and variety of dwelling types occurring in towns from 1830s to the present, with intact dwellings, mostly detached and single storey, from every period of its development.
- As an uncommon example of a town whose road layout and extent has changed little since the mid-19th century and has developed and maintained a clear edge and distinctive form as an historic village in its rural setting.

Morpeth is of Local Significance:

- For its strong and special association with its local community which has shown its appreciation of Morpeth's history, heritage and character, including its scenic qualities of the relationship between a riverside town and the surrounding rural area.
- As a town that demonstrates its history through tangible evidence in its current built form.
- As a major tourist destination, creating greater public awareness of the heritage significance of the Maitland area generally.

Characteristic Elements:

- Early settlement on the Hunter River, established in the 1820s.
- Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive village form in its rural landscape setting.
- Continuous relationship to the Hunter River.
- Large industrial buildings along the Hunter River, evidence of the early settlement and industry on the river.
- Queens Wharf.
- Morpeth Bridge.
- Landmark civic buildings designed by Government architects.
- Commercial streetscape character containing one, two and three storey examples of shops on Swan Street.
- Morpeth House and Closebourne House.
- A variety of dwelling types constructed from the 1830s to the present.
- Predominant single storey detached residential character.
- Eclectic fencing types and garden layouts in residential development.
- Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- A line of mature lopped Brushbox on High Street.
- Morpeth Common and Morpeth Oval.
- Sandstone gutters, kerbing, and swale drain system.
- Expansive views over the Hunter River floodplain are available from numerous vantage points in Morpeth.

Significant Views

The significant views to and from the Morpeth HCA include:

1. View from Morpeth Road to Morpeth HCA on entry to the town.
2. View from Morpeth Road to Morpeth House.
3. View from Closebourne House towards Hunter River and northern rural landscape.
4. View from Queens Wharf Road to Hunter River.
5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape.
6. View to the cemetery from Tank Street.
7. Views between buildings on Swan Street to the Hunter River.
8. View from the Morpeth Bridge to the northern rural landscape.
9. View from the intersection of Robert and Swan streets to the northern rural landscape.
10. View from the intersection of George and Swan streets to the northern rural landscape.
11. Views from the intersection of Swan and Edward streets to the rural landscape.
12. View from Edward Street to Morpeth Common and the eastern rural landscape.
13. View from Edward Street to Morpeth Oval and the eastern rural landscape.
14. View from Duckenfield Road to the southern rural landscape and lagoon.
15. View from the corner of John Street and Duke streets to the southern rural landscape and lagoon.
16. View from Little James Street to the southern rural landscape.
17. View from the intersection of George and James streets looking north.
18. View from the intersection of James and Robert streets to the southern rural landscape.
19. View from the intersection of James and Northumberland streets to the southern rural landscape.
20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lagoon.
21. View from the floodplain to Morpeth Bridge and the township.
22. View from Metford Road north-east towards the lagoon and the southern extent of the township.
23. View from Mcfarlanes Road north-west towards the lagoon and the southern extent of the township.

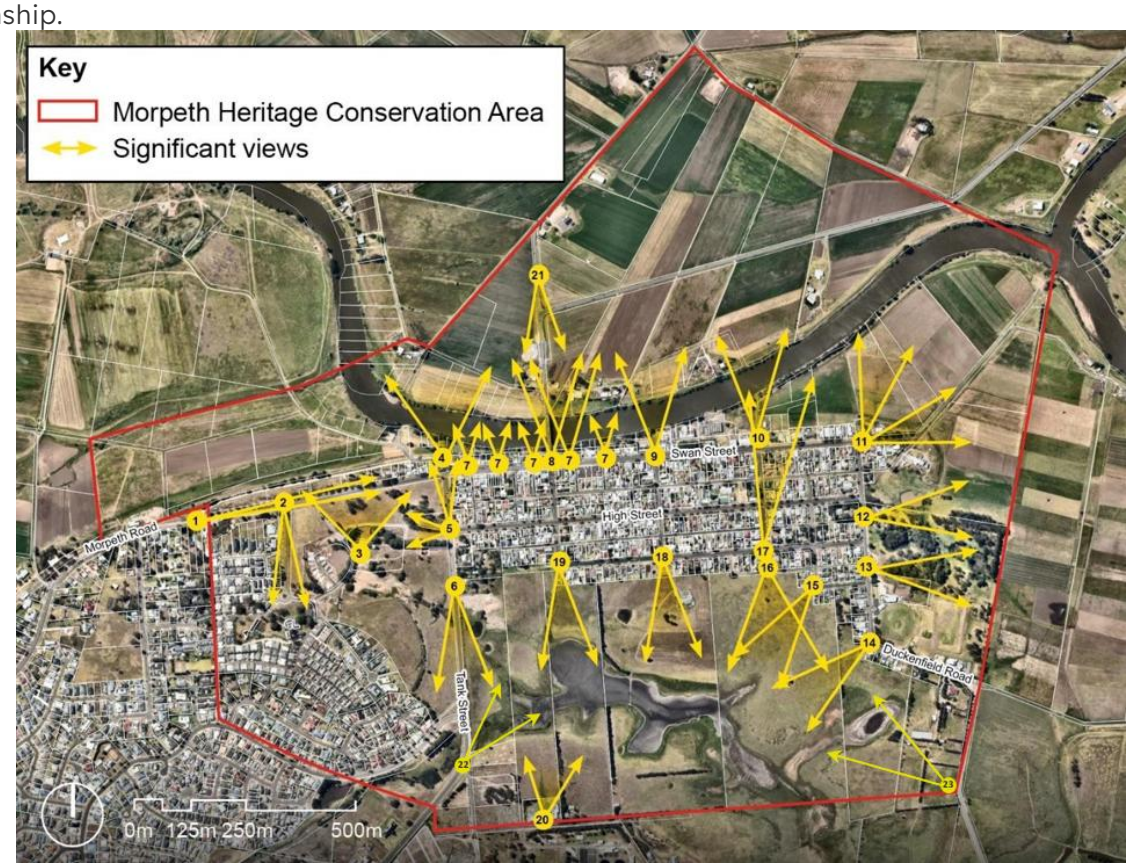


Figure 4-15: Significant views within the Morpeth HCA

4.12.2. Desired Future Character

The desired future character for the Morpeth HCA is as follows:

1. Retention and conservation of the original nineteenth century grid land subdivision and street pattern.
2. Enhancement of the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.
3. Maintain Morpeth's contained and distinctive form as an historic village in a rural setting.
4. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area.
5. Retention and conservation of the commercial streetscape character at the western end of Swan Street.
6. Maintain the small-scale high-quality specialty businesses on Swan Street.
7. Retention and conservation of the industrial precinct on Swan Street and its large industrial buildings.
8. Retention of the scale and form of residential development and single storey detached dwelling typology.
9. Retention and conservation of grand residences and associated gardens and plantings.
10. Improved quality of residential gardens that are sympathetic to the character of the HCA.
11. Improved streetscape character through the planting of additional street trees and introduction of sympathetic front fencing styles.
12. Retention of the old and prominent cultural plantings on Morpeth Road, High Street, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
13. Retention of the expansive views to and from Morpeth across the rural landscape and floodplain.

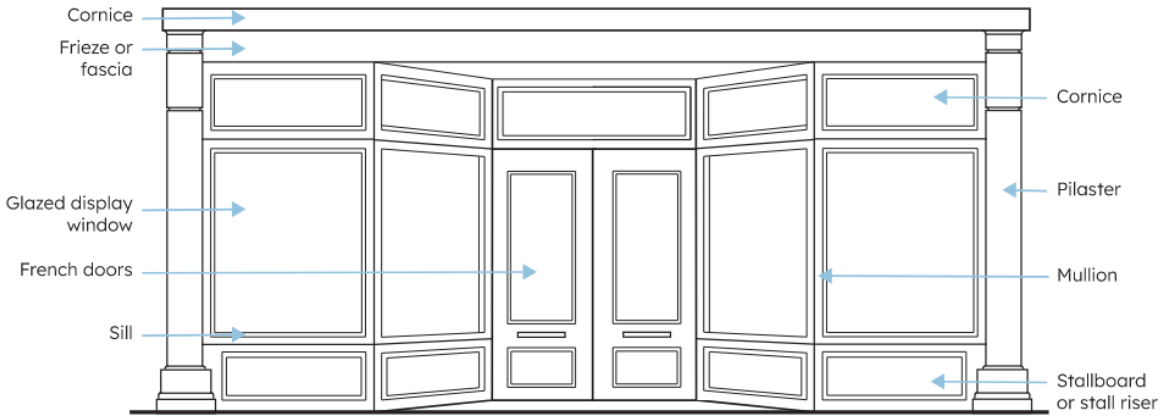
4.12.3. Objectives and Controls for the Morpeth HCA

Objectives

O.123 To retain and conserve the original nineteenth century grid land subdivision and street pattern.
O.124 To retain and conserve the contained and distinctive town layout in the rural landscape.
O.125 To enhance the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.
O.126 To retain and conserve the heritage items and contributory buildings that contribute to the historic character of the Morpeth HCA.
O.127 To retain and conserve grand residences and associated gardens and plantings.
O.128 To retain and conserve the commercial buildings and commercial streetscape character at the western end of Swan Street.
O.129 To retain and conserve the industrial buildings and the industrial precinct on Swan Street.
O.130 To respect the traditional heritage, scale, form, height, materiality and character of heritage items and contributory buildings.
O.131 To maintain the single storey and detached nature of development within the residential precinct.
O.132 To ensure that new garages, sheds, carports, and other outbuildings are not dominant within the streetscape and complement existing buildings.
O.133 To ensure front gardens and fencing reflect the architectural period of the building at the site.
O.134 To enhance the streetscape character through the planting of additional street trees.
O.135 To retain old and prominent cultural plantings on Morpeth Road, High Street, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
O.136 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Morpeth HCA.
O.137 To retain the historic pattern and remnants of sandstone drainage and swale drain systems in the Morpeth streetscape.

O.138 To maintain existing significant views to and from Swan Street to the river, the rural landscape and within Morpeth.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Subdivision	
AS.1 • O.123 • O.124	Subdivision should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.
Rural and Community & Public Recreation precincts	
AS.2 • O.124	The approaches to the township should remain informal in character.
PC.1 • O.124 • O.128	Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road, Mcfarlanes Road, and Morpeth Road—to retain the existing setting of the township.
PC.2 • O.124 • O.125	Development on surrounding rural and vacant land is to be minimised, consistent with preserving the open pastoral landscape which defines the edges of the town. This control applies to sites directly adjoining the urban township, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.
Commercial and industrial precincts	
PC.3 • O.126 • O.128 • O.129 • O.130 • O.136	Historical industrial buildings, outbuildings, and industrial uses that contribute to the streetscape character of Morpeth HCA are to be retained.
PC.4 • O.124 • O.136	New commercial uses within the residential precinct are not supported unless the building is an existing commercial building.
PC.5 • O.128 • O.129	Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly.
AS.3 • O.126 • O.130	The maximum height of buildings between Tank and Northumberland streets should be two storeys.
AS.4 • O.126 • O.130	The maximum height of buildings east of Northumberland Street should be one storey, with one and a half storeys or two storeys encouraged at the rear of the building.
AS.5 • O.128 • O.129 • O.130	There should be no new awnings or verandahs constructed across the footpath along Swan Street, unless reconstructing a historic front façade to an existing building to its original form based on documentary evidence.
PC.6 • O.130	Non-residential uses will be permitted at the following sites providing there are no additional impacts on the heritage significance of the site or HCA:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.136	a. the former cinema at 85 High Street b. the former shop and dwelling at 79 High Street c. the former Catholic School on James Street d. the former milking shed beside 376 Morpeth Road e. the shed at the rear of 39 High Street f. Morpeth Trading Co at 7–9 Robert Street g. the Post Office and residence at 105 Swan Street, and h. the hairdresser and former barber shop at 94 Swan Street.
AS.6 • O.128 • O.130	Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-16).  **Figure 4-16: Example of Traditional Shop Front**
Residential precincts	
AS.7 • O.130 • O.131	New development should be consistent with the single storey detached scale and character within the HCA.
AS.8 • O.126 • O.130 • O.131	Rear additions should be limited to one storey within the residential precinct. Two-storey pavilion additions will be assessed on merit.
AS.9 • O.126 • O.130 • O.131	Two storeys are facilitated on steep sites, providing the building is only single storey at the road frontage.
Garages, carports and other structures	
AS.10 • O.132	Garages, carports and sheds should have a minimum setback of 5 metres when facing a secondary frontage.
Setbacks	

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.124 • O.130 • O.131	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road in Close Street, new buildings should generally be set back the same distance. In all other streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.
Views	
AS.11 • O.125 • O.138	The significant views identified in Figure 4-13 should be maintained and not obstructed by new development, including any landscape plantings.
AS.12 • O.125 • O.126 • O.138	New development and additions should provide generous (at least 1.5m) side setbacks to maintain existing views within the town and to and from the rural landscape.
PC.8 • O.125 • O.134 • O.138	Plantings over 1.5m within identified view corridors are not appropriate.
PC.9 • O.124 • O.130	A 1.5m footpath, measured from the kerb to the property boundary, is to be retained on both sides of Close Street, with the exception of sites where public utilities are located within the former road widening reserve.
Fencing	
PC.10 • O.124 • O.133	Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, and timber paling fences to a 1.8m height for rear fences.
PC.11 • O.124 • O.133	Special consideration will be given to boundary treatments on all corner sites. The height of fencing and vegetation is to be restricted to a height of 0.9m and be of an open nature.
AS.13 • O.124 • O.133	New fences should be in a style and material consistent with the design of the building. Fence types could include: a. painted timber pickets (c1840–1925) b. a simple, mild steel rod palisade using flat steel bar rails (c1860–1900) c. a chain-link galvanised wire mesh, woven wire (not plastic coated) or steel ribbon (c1900–1925), or d. hedges behind a picket or palisade fence (1860–1900) or in isolation (1900–1925).
PC.12 • O.124 • O.130	No new kerb crossings within existing sandstone kerbs and gutters will be permitted, especially on Swan, High and James streets. Any subdivisions of allotments facing these streets will only be permitted where rear lane access to all lots can be provided and/or by using existing kerb crossings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Landscaping and trees	
AS.14 • O.123 • O.124 • O.125 • O.127 • O.133	Landscaping should not obscure historical lot boundaries or roads between the floodplain and township.
AS.15 • O.124 • O.125 • O.127 • O.135	Development should not impact the significance or interpretability of heritage listed landscape assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes.
Historic streetscape elements	
PC.13 • O.123 • O.124	The diversity and hierarchy of the road surfaces in Morpeth is to be maintained to ensure no further loss of unformed gravel or grassed verge edges.
PC.14 • O.124	Authentic, original footpath materials are to be retained.
PC.15 • O.137	Historic pattern and remnants of sandstone drains and swale drain systems in the Morpeth streetscape is to be retained. Retain grassed drains where they exist.
PC.16 • O.124	The intact nature of stone kerbs and guttering within the Morpeth streetscape are to be maintained and conserved by providing for kerb crossing bridges in appropriate locations.
AS.16 • O.124	Where new development proposes works within the public road reserve, a historical archaeological assessment should be undertaken to identify any potential archaeological fabric.
PC.17 • O.124	The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Contrasting finish road seal is to be provided to highlight the travel lanes as distinct from the shoulders. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones.
PC.18 • O.123 • O.124	Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be retained. Dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems. Consideration may be given to bitumen finished with a concrete strip with grassed verges (e.g. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).
AS.17 • O.124	Repairs and new additions to the existing historic footpaths should be completed using the Morpeth Footpath mix.
PC.19 • O.123 • O.124	In Swan Street, full-width footpaths are only to be constructed where the adjoining building presently supports an awning or verandah that extends fully across the width of the footpath.
PC.20 • O.123 • O.124	On the northern side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.21 • O.123 • O.124	Grass or bitumen swale drains in minor streets are to be retained where possible. No new kerb and guttering is to be constructed in minor streets.
PC.22 • O.124	New concrete kerbs and guttering in Swan, High and James Streets is to consist of a wider kerb and gutter (indicative or traditional sandstone in scale and dimension) using the Morpeth Kerb and Gutter Mix concrete to maintain compatible texture and colour.
PC.23 • O.124 • O.130 • O.136	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.13. Aberglasslyn House Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Aberglasslyn House Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Aberglasslyn House HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-17 provides a land application map of the Aberglasslyn House HCA.

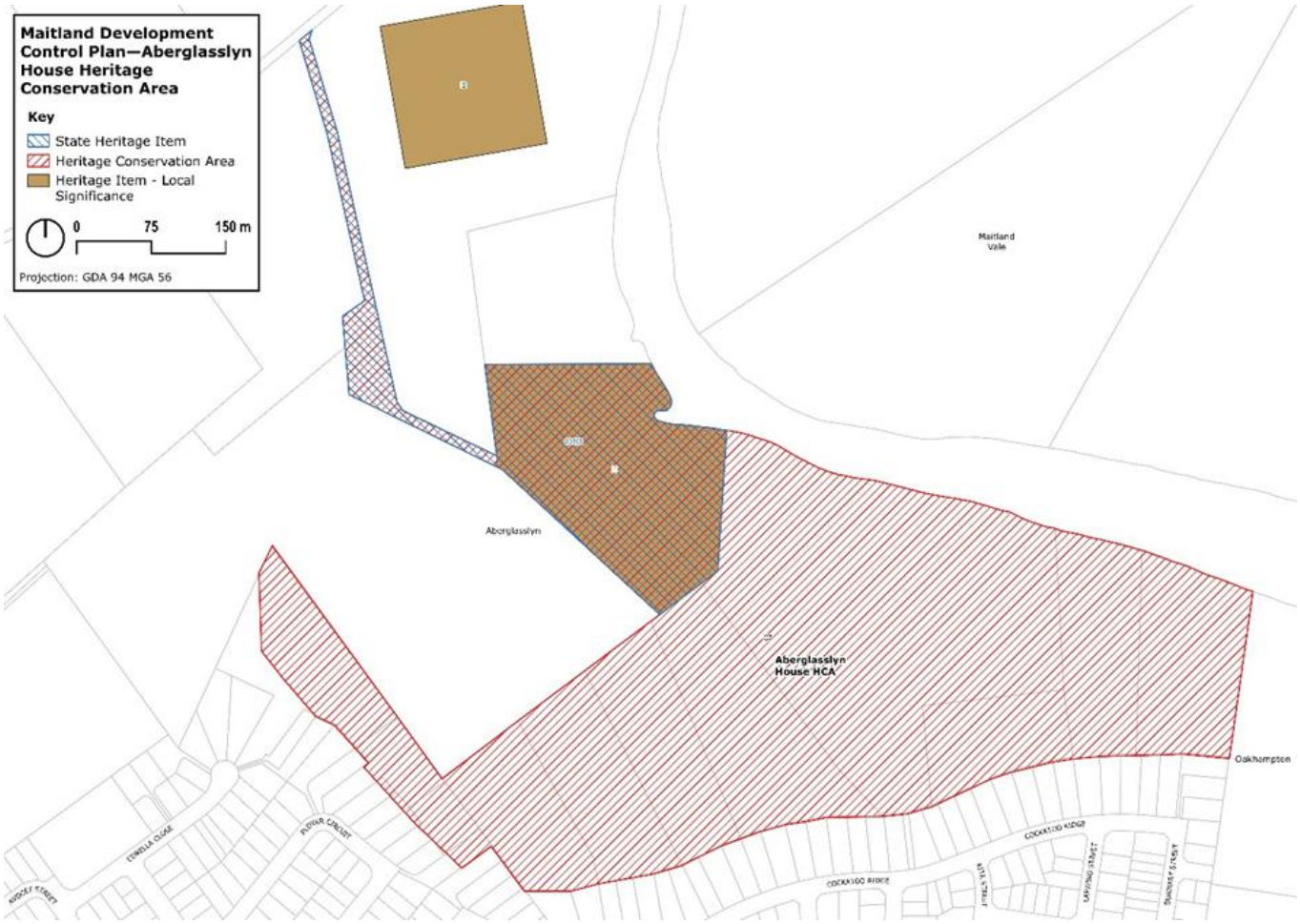


Figure 4-17: Aberglasslyn House HCA Land Application Map

4.13.1. Statement of significance

The Statement of Significance for Aberglasslyn House has been taken from the State Heritage Inventory, and is as follows:

It is arguably the finest extant Greek Revival style villa (in the 18th century sense of the word) in Australia. The configuration of its fabric, largely in its c1860 form, is patent physical evidence of the high expectations of colonial settlers of the 1830s and early 1840s and the severity of the economic crash of the 1840s. It is the earliest known surviving example in Australia of a house design generated in part by considerations of an integrated sanitary plumbing system. The building is one of a group of surviving pre- 1850 in the vicinity of Maitland. The house and setting is physical evidence of the pattern of land settlement and leasehold farming in the Maitland area. It contains elements of high individual and often unique quality, including a domed stairwell and geometric stair of unique quality and design in Australia. The place is perceived by many knowledgeable people to be one of the major

sites of cultural significance in Australia. On a regional basis the building is an historic landmark (monument). It is an exemplary example of the 19th century builder's art embodied in the quality of the stonework, brickwork, timber selection, carpentry and joinery, plasterwork, hardware etc.

Characteristic Elements

- Aberglasslyn House, its principal garden and grounds.
- The pastoral landscape setting surrounding Aberglasslyn House, which is partially included in the boundary of the HCA.
- The historic relationship to the Hunter River.
- The natural landform to the south of the HCA.
- Views to and from Aberglasslyn House and the HCA from the Aberglasslyn Lane and the northern side of the Hunter River.



Figure 4-18: Significant views within the Aberglasslyn House HCA

4.13.2. Desired Future Character

The desired future character for the Aberglasslyn House HCA is as follows:

1. Retain and conserve Aberglasslyn House, its principal garden and grounds.
2. Retain the open pastoral landscape setting of the HCA.
3. Retain the existing views to and from the house and broader HCA from the Hunter River, areas surrounding the Hunter River, and Aberglasslyn Lane.
4. Avoid construction of new buildings or structures within the HCA.
5. Avoid the construction of new buildings or structures near the natural landform (hill crest or ridgeline) to the south of the HCA.
6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the HCA.

4.13.3. Objectives and Controls of the Aberglasslyn House HCA

Note: The controls within Chapter 10, Section 10.3.10.15 and Section 10.3.10.22 are to be directly considered alongside this section.

Objectives

O.139 To retain and conserve Aberglasslyn House, its principal garden and grounds.
O.140 To retain and conserve the pastoral landscape of the HCA and setting of Aberglasslyn House.
O.141 To retain the views to and from the house and broader HCA.
O.142 To retain mature trees and contributory landscape fabric and items that positively contribute to the character of the HCA.
O.143 To discourage new development within the HCA that does not relate to the historic character or use of Aberglasslyn House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.139 • O.140	The HCA is to be maintained as an open rural landscape.
PC.2 • O.141 • O.143	Where buildings or structures are required to undertake pastoral activities associated with Aberglasslyn House or nearby sites, these must be a maximum of one storey in height and utilise traditional materials and colours that blend into the pastoral landscape.
AS.1 • O.140 • O.141	New buildings and structures associated with Aberglasslyn House or nearby sites should not reduce the views to and from the HCA or the open visual catchment between Aberglasslyn House and the river.
AS.2 • O.139 • O.140 • O.141 • O.143	New buildings and structures associated with Aberglasslyn House or nearby sites should not reduce the interpretability of the original form and function of the property.
AS.3 • O.139 • O.142	Ad hoc plantings and structural landscape works should not be made around Aberglasslyn House or the HCA. All proposed landscaping works to Aberglasslyn House should be guided by a historically informed landscape master plan and involve archaeological investigations.
PC.3 • O.139 • O.142	Clearing of remnant or regrowth eucalypt woodland on the foot slopes of Aberglasslyn House is not permitted.


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Chapter 5: Subdivision

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5.1. Introduction

5.1.1. Application

This chapter applies to the design and construction of new subdivisions on land to which the Maitland LEP 2011 applies.

5.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
    - Where there are inconsistencies between this chapter and Chapter 4, Chapter 4 will prevail to the extent of any inconsistency.
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix D: Canopy Cover Guidelines
- Appendix F: Crime Prevention Through Environmental Design (CPTED) Guidelines
- Chapter 10: Precincts, Locality Plans and Urban Release Areas
    - Where there are inconsistencies between this chapter and Chapter 10, Chapter 10 will prevail to the extent of any inconsistency.
- Maitland Manual of Engineering Standards (MoES)

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

5.1.3. Scale of Subdivisions

This section of the DCP introduces three scales of subdivision development. Depending on these scales and/or complexities involved, development applications for which this chapter applies require submission of different levels of detail. This is provided in the Application Requirements in Appendix A for Medium and Major subdivisions, and Appendix B for Minor subdivision. The following scales of subdivision are employed throughout this Chapter:

CLASSIFICATION	DEFINITION
Minor Subdivision	The creation of 1 – 9 new lots, where no new roads are required.
Medium Subdivision	The creation of 10 – 49 new lots. OR The creation of 1 – 9 new lots, where a new road is required.
Major Subdivision	The creation of 50 or more new lots.

5.1.4. Intent of this Chapter

The intent of this Chapter is:

- To promote the efficient use of developable land resources in the Maitland LGA.
- To ensure that subdivision occurring within the Maitland LGA gives due regard to site constraints and opportunities.
- To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing.
- To ensure that all new lots can support the intended development outcomes for which it is proposed, and have appropriate levels of amenity, services and access.
- To ensure land use conflicts between new subdivision and surrounding land is minimised.

5.2. General Subdivision Design

Except where otherwise stated, this section applies to all subdivision development within the Maitland LGA. Other Chapters that must be considered for subdivision development are:

- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage

5.2.1. Services and Utilities

5.2.1.1. General

Objectives

O.1 To ensure major utility items, including electrical kiosks, substations, pump stations, and community batteries are appropriately located for utility providers, the landowner, and Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	Electrical substations and pump stations are to be positioned on their own lot, with ownership to be conferred to the relevant utility provider.
AS.1 • O.1	Other major utility items such as electrical kiosks (kiosk substations), community batteries and other neighbourhood scale items should not be located in road reserves or drainage reserves. If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141, b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed, Example C: A requirement for a public park of 5000m^2 that includes a community battery with a required space of 25m^2 is to provide a total of 5025m^2 of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.
PC.2 • O.1	Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites).

5.2.1.2. Street Lighting

Objectives

O.2 To provide lighting of public spaces for the safety of pedestrians and road users in line with Council's MoES.

O.3 To provide street lighting where contextually and environmentally appropriate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.2 • O.3	Street lighting must be provided for all new subdivisions for urban residential, business and industrial developments in line with Technical Document – Street Lighting of Council's MoES.
PC.2 • O.3	Regularly spaced street lighting is not to be provided for rural subdivisions. Minor intersection flag lights will be considered on a merit basis. **Note:** This control applies to the following land zones under the MLEP 2011: • R5 – Large Lot Residential • C4 – Environmental Living • RU1 – Primary Production • RU2 – Rural Landscape

5.2.1.3. Essential Services (Water, Sewer, Electricity, and Telecommunications)

Objectives

O.4 To provide appropriate utility services to all new lots in an efficient, coordinated and cost-effective manner.

O.5 Restrict subdivisions that create unreasonable or untimely demand for the provision or extension of services.

O.6 Ensure subdivisions have regard to Ecologically Sustainable Development principles and to ensure minimal environmental impact.

O.7 To ensure that the location of essential infrastructure is integrated within the development and minimises visual impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Water and Sewer	
Note: Applicants are to additionally refer to the Maitland On-Site Sewage Management Policy, which takes precedent in the event of any inconsistency with this section.	
PC.1 • O.4	Reticulated water and sewer supply must be provided for all new urban lots (residential, commercial and industrial). **Note:** This applies to the following land zones under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
AS.1 • O.4 • O.5	Where access to the reticulated sewerage system is not achievable, subdivision applications must include a feasibility assessment for an alternative centralised sewerage system. The use of an alternative centralised sewerage system is subject to agreement by Council. Where access to the reticulated sewerage system is not available and an alternative centralised solution is unfeasible, lots must be of sufficient size and contain suitable land to dispose of wastewater on-site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.4 • O.5	Where areas of a site are unsuitable for on-site effluent disposal, lots must be provided with a common effluent system on a suitable area under community title.
PC.3 • O.6	Pump out systems must not be included within developments in the following land zones: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
PC.4 • O.6 • O.7	Where an onsite sewer management system is required, a waste disposal area envelope is to be nominated.
Electricity	
PC.5 • O.4 • O.5	Underground low voltage electricity supply must occur for all new residential lots to the requirements of the electricity provider. Exceptions to this control may occur where Council and an electricity provider determine that overhead electricity supply is necessary due to flood liability of the land, or in cases where the land fronts a road supplied by existing overhead electricity distribution. **Note:** This control applies to the following land zonings under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • C4 – Environmental Living
PC.6 • O.4 • O.5 • O.7	For lots proposed for commercial and/or industrial uses, underground electricity supply must be provided to all new lots to the requirement of the electricity provider.
PC.7 • O.4 • O.5	Low voltage electricity supply must be available to the boundary of all new rural lots. **Note:** This control applies to the following land zonings under the MLEP 2011: • RU1 – Primary Production • RU2 – Rural Landscape
PC.8 • O.6 • O.7	The location, design and proposed screening of electrical kiosk substations must be shown in the development application.
Telecommunications	
PC.9 • O.4 • O.5	All new lots must have available connection to either: • the National Broadband Network (NBN); OR • an alternative Statutory Infrastructure Providers (SIPs) network.

5.2.2. Infrastructure and Network Delivery

Objectives

O.8 To ensure the staging of development and infrastructure delivery are aligned spatially and temporally.
O.9 To ensure utilities and services are planned and delivered to meet demand from development.
O.10 To deliver utilities, road infrastructure, drainage and services in a manner that is safe, efficient and cost effective, and meets Council's MoES.
O.11 To ensure design and locations of utilities infrastructure allows space for planting, water sensitive urban design and footpaths.
O.12 To ensure that where subdivision development is staged, the proposed staging allows for ongoing circulation of traffic and waste services without damaging to public land or inconveniencing road users and asset owners.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.10	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended), b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix A: Application Requirements – Other Development. **Note:** This control does not apply in the following circumstances: • Where the infrastructure is proposed within the same zone as the lots the infrastructure is being provided for, OR • Where the infrastructure is proposed within SP2 zoned land that has been identified as part of the subdivision, and that is for the named purpose according to the Land Zoning Map under Clause 1.7 of the MLEP 2011.
PC.2 • O.9 • O.10	In cases where subdivision is intended to be released in stages, all applications for subdivision must include a Staging Plan, prepared in accordance with Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable. Provision of public services such as sports fields, public parks, off road and on road links must be commensurate with the release of lots under the staging.
PC.3 • O.8 • O.9	An overall transport movement hierarchy is to be provided for any subdivision that creates new roads. The hierarchy is to be in accordance with Document D-Design Council's MoES and must illustrate: a. Major circulation routes and connections, b. Proposed bus routes and its pedestrian connectivity, c. On & off-road cycling and pedestrian networks, d. Strategic access points, and e. an Intersection hierarchy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.9 • O.10	Services and infrastructure must be made available to the development where additional servicing is required. Essential services and infrastructure include road access, water supply, sewer, electricity, telecommunications, and stormwater infrastructure.
PC.5 • O.9 • O.10 • O.11	Public infrastructure must be upgraded where the development will increase demand for, or require, connectivity to said infrastructure (i.e. footpaths, roads and drainage infrastructure, pedestrian and bus stop facilities).
PC.6 • O.9 • O.10	Where a staged development site adjoins a future development site, the construction and dedication of roads, drainage reserves, easements and other essential infrastructure must be incorporated by a reasonable and early stage, generally being ready for connection to a neighbouring future development site once 50-70% of lots have been released. The ability for the extension of essential infrastructure to a future development site must also be provided.
PC.7 • O.8 • O.11	The delivery of road networks, stormwater detention areas and active and passive areas must be incorporated into the overall Staging Plan.
PC.8 • O.10	Appropriate road hierarchy, road widths and road design standards must be provided in accordance with Document D-Design of Council's MoES and is to be based on number of lots served, projected dwelling densities, design traffic speeds, vehicle sizes, and parking requirements including footpaths and cycleways.
PC.9 • O.10	Roads must be designed to provide a clear road hierarchy in which the size, width and appearance matches its function.
PC.10 • O.9 • O.10	Public transport infrastructure must comply with Transport for NSW's 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', particularly regarding bus stop design, including but not limited to: a. Opposing bus stops must be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters, b. Bus stops must be placed on departure side of refuge/crossings, and from intersections, c. Located against parks and public land where possible, d. Vehicle access to lots must be demonstrated in accordance with the relevant requirements within this DCP and Council's MoES. In some cases, driveway construction and Section 88b restrictions may be warranted, e. Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks and public land where possible. **Note:** the above must be shown on any submitted subdivision plans, where applicable.
AS.1 • O.8 • O.12	Staging of subdivisions should avoid the use of temporary turning heads, including by locating stage boundaries where roads terminate with loops or at a permanent T intersection. Use of temporary turning heads may be considered in extraordinary circumstances subject to the criteria detailed in Council's MoES.

5.2.3. Corner Lots

Objectives

O.13 To ensure corner lots are of sufficient dimensions and size to contribute positively to the streetscape and residential amenity.

O.14 To ensure corner lots can accommodate minimum setback requirements from both the primary and secondary frontages.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.13 • O.14	Corner lots are to be designed to allow future dwellings to have the ability to have vehicle access to both street frontages.
PC.2 • O.13 • O.14	Corner splays must be provided, with minimum dimensions of: a. 4.0m x 4.0m for road types classed as 'Local' under Council's MoES in residential zones, b. 2.0m x 2.0m for road types classed as 'Residential Laneway' under Council's MoES, and c. A merit-based assessment (generally 6.0m x 6.0m) for non-residential zones and/or higher order roads. Consideration must be given to the kerb return and minimum verge requirements under Council's MoES.

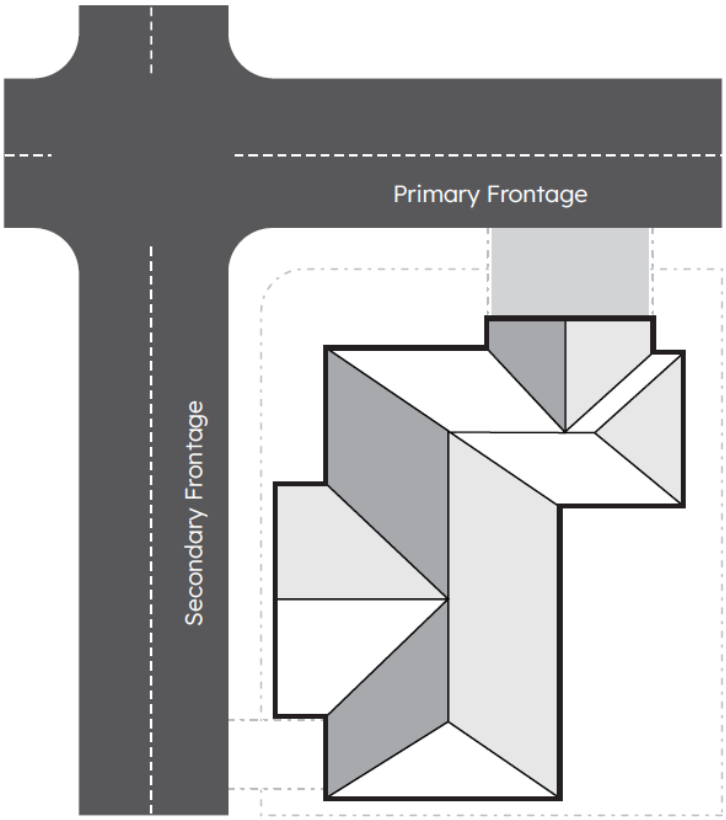


Figure 5-1: Indicative vehicle access to secondary frontage

5.2.4. Lots on Existing Laneways

Objectives

O.15 To ensure infill development occurs in a coordinated manner.
O.16 To ensure vehicle and pedestrian safety and residential amenity is maintained or enhanced.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.15 • O.16	Excluding corner lots, legal pedestrian access must be provided back to the primary street frontage by way of a Right of Foot Way and an Easement for Services. The access is to be a minimum 1.5m wide, with fencing provided between the dwellings with street frontage and the access.

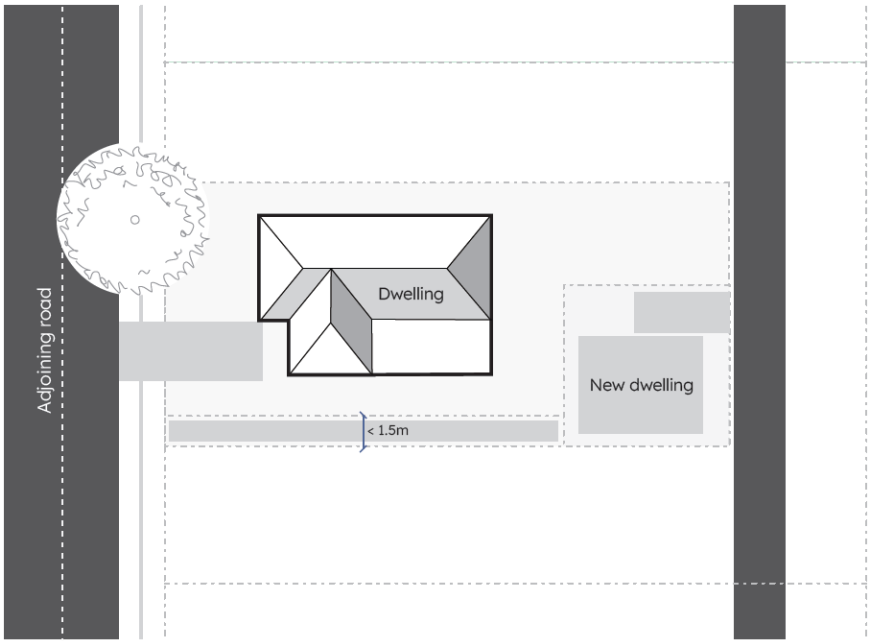


Figure 5-2: Indicative lot arrangement with right of footway

5.2.5. Lots on New Laneways

Objectives

O.17 To provide sufficient space to accommodate vehicular access and utility services without impeding the laneway's primary function.
O.18 To improve permeability and access.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17	The design of lots fronting a new laneway must facilitate safe and efficient access for service vehicles, including emergency services.
PC.2 • O.17	Building envelopes for lots on new laneways are to have garages positioned at the rear of the lot, fronting the laneway.
PC.3 • O.18	Lots with rear access from a laneway must be designed to ensure a clear and legible front street address for the dwelling.
PC.4 • O.17 • O.18	Laneway design must accommodate all required underground and above-ground services, including space for utilities, lighting, and drainage infrastructure, without impacting vehicular functions.

5.2.6. Community Title Subdivision

This Section specifically applies to subdivision utilising Community Title and is to be read in conjunction with the rest of this Chapter and Clause 4.1AA of the MLEP 2011.

Objectives

O.19 To ensure community title subdivisions appropriately provision for proposed open space common facilities.
O.20 To assist in managing the interface between community title subdivisions and neighbouring land uses.
O.21 To ensure that community title subdivisions meet the needs of future residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.19 • O.21	Provided open communal areas are to be designed to meet user's needs, being determined by: a. Dwelling density, b. Equitable access and use, and c. The extent, quality and capacity of surrounding open space proximate to the development.
PC.1 • O.21	Essential services and utilities are to be provided to all proposed residential plots, including separate meters. This includes, but is not limited to: • Water and sewer, • Electricity, • Gas (where proposed), and • Telecommunications.
AS.2 • O.19	Essential services and utilities are to be connected to common areas where necessary.
AS.3 • O.20	Consideration is to be given to the provision of landscape buffering of the outer perimeter of the community title, with possible treatments including tree lines, planted habitat, and vegetation corridors. Fencing treatment is to be aligned with the relevant land zoning of the subdivision.

5.2.7. Subdivision Landscaping

Objectives

O.22 To maintain and enhance the existing character, landscape and scenic qualities of the Maitland LGA.
O.23 To create, maintain and enhance streetscape and minimise visual impact of subdivision development.
O.24 To ensure that new and existing streets have street trees and sufficient canopy cover to reduce the urban heat island effect.
O.25 To assist in achieving the objectives of the Maitland Environmental Sustainability Strategy 2030 in relation to improving canopy cover and reinforcing the blue-green grid.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25	Deep soil areas are to be provided on all resulting lots in accordance with Chapter 2, Section 2.3.2 Street Trees and Canopy Cover and Appendix D: Canopy Cover Guidelines.
AS.1 • O.22 • O.23 • O.24 • O.25	Where established streetscapes are present, enhancement is encouraged through provision of additional landscaping (including street trees) and selection of other streetscape items including surface treatments and street furniture.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.22 • O.23	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment. **Note:** The circumstances in which a Visual Impact Assessment is required are provided in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
AS.3 • O.22 • O.23 • O.25	Tree retention is encouraged at the subdivision stage, with mature trees to be retained and integrated into the subdivision layout and public domain design. Retained trees should contribute to neighbourhood canopy cover, enhance streetscape character, and improve public amenity.

5.2.8. Battle-axe Lots

Objectives

O.26 To ensure that battle axe lots do not result in impacts greater than would be expected from a single dwelling in terms of traffic generation, noise, privacy, utilities, landscaping, street address (way finding), crime prevention, waste management, and amenity.

O.27 To ensure clear ownership and easements are established for battle axe handles and stormwater drainage.

O.28 To ensure battle-axe lots are only utilised and effectively developed where no other lot type can be achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.26 • O.28	Battle-axe lots must not be located on cul-de-sac heads, corners and tight bends. **Note:** Tight bend is defined as a bend lower than the design speed of the road, generally being a 15m kerb radius or below.
PC.2 • O.28	Subdivisions of battle-axe lots without public frontage (i.e., road, park, reserve) must be within an integrated approval (subdivision and dwelling design).
PC.3 • O.26	Utility connections to service all lots benefitted by the access corridor must be provided for the length of the access corridor.
PC.4 • O.26 • O.27 • O.28	Battle-axes must be designed and constructed in accordance with **Table 5.1** below.

Table 5.1: Minimum development standards for battle-axe lots

ZONING[1]	SINGLE HANDLE[2] (M)	DUAL HANDLES[3] (I.E. 2X) (M)	PAVEMENT WIDTH[4] (M)
Residential (R1)	4.0[6]	(2x) 3.0[5] or (2x) 3.5[6]	3.0[7]
Residential (R5-V & X)	4.0	(2x) 3.0	3.0
Residential (R5-Y)	4.5	(2x) 3.0	3.0
Residential (R5-Z)	6.0	(2x) 3.0	3.0
Business & Industrial (E1, E2, E3, E4, MU1))	6.0 or 8.0[8]	(2x) 4.0	3.3 min or 6.0[9]
Rural (RU1, RU2)	6.0	(2x) 4.0	3.5

Notes:

1. For minimum lot size: V=2,000m^2, X=5,000m^2, Y=10,000m^2, Z=20,000m^2 and above.
2. For a single allotment. Long (over 30m) or bent handles may require greater widths for passing.
3. Each handle width for two adjoining lot handles, with a single driveway covered by a full-width reciprocal ROC.
4. For single lane. Note: concrete wheel strips can be provided for residential.
5. Three metres (x2) permits vehicle passing within a combined 6m width.
6. Where lots are >600m^2 (excluding handle), OR having potential for further subdivision or additional dwellings, adopt 3.5m each. For single handle widen to 6m if 600m^2 or greater.
7. Where lots have potential for high density development with regular traffic movements, adopt 5.5m, preferably as two carriageways with a 400mm grassed separation.
8. Increase to 8m where regular two-way conflict is likely.
9. Generally, for one-way or minor two-way movements with “give-way”. For two-way movements with regular traffic conflict 6.0m min should be provided.

PC.5
- O.26
- O.27

Developments must not incorporate more than 2 lots serviced by a battle-axe, easement for access, right of carriageway. Reciprocal easements should be centrally placed.

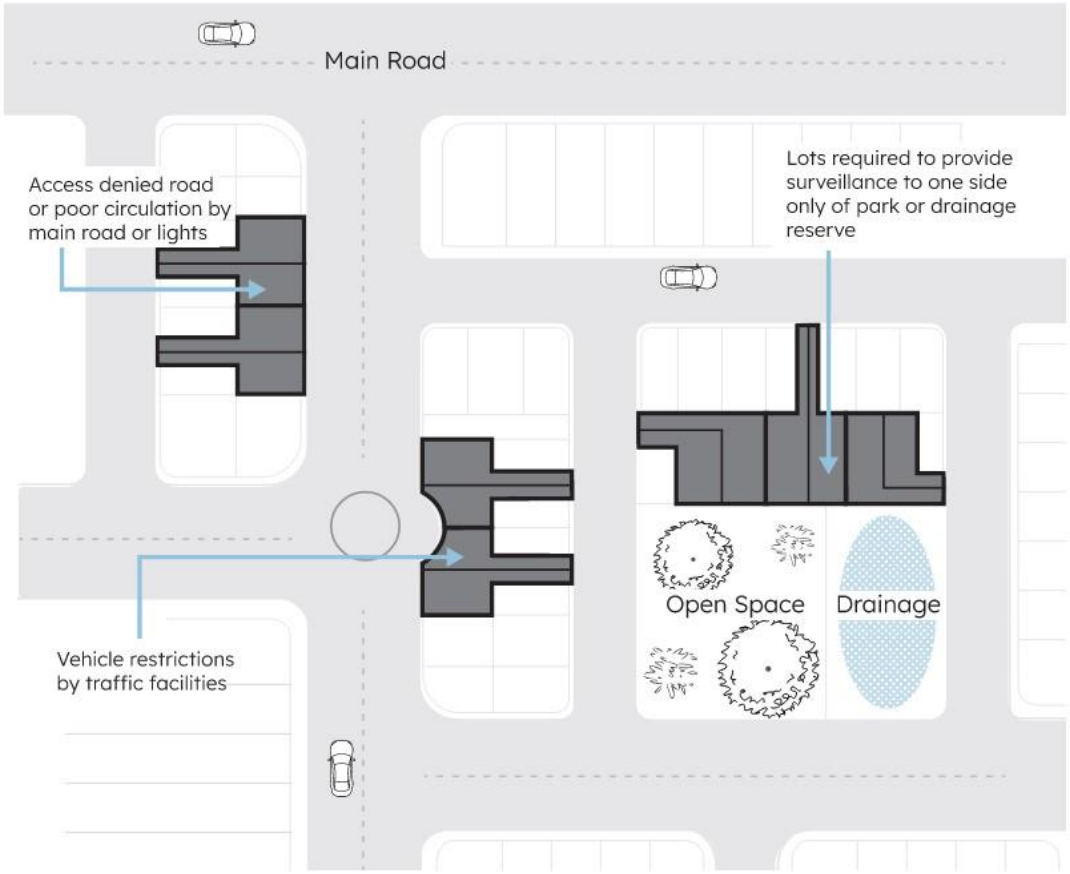


Figure 5-3: Examples of battle-axe lot arrangements

5.3. Residential Subdivision

Except where otherwise stated, this section applies to the following land zonings under the MLEP 2011:

- R1 – General Residential
- R5 – Large Lot Residential

5.3.1. Lot Size and Dimensions

Objectives

O.29 To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.

O.30 To ensure that lot shape, orientation and dimensions provide for adequate separation between adjoining residential developments for privacy and to maximise solar access for future dwellings.

O.31 To encourage a variety of lot sizes, types and design to promote housing choice, create compact settlements, attractive streetscapes, enhanced walkability and distinctive character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.29
- O.30

All lots must provide a sufficient area and suitable shape for its future use, and is to consider:

- solar access,
- access and parking,
- location of ancillary buildings such as garages and sheds,
- vegetation retention,
- APZ's, and
- soil conditions.

PC.2
- O.29
- O.30
- O.31

New residential lots are to comply with **Table 5.2** below.

Table 5.2: Minimum Lot Dimensions

MINIMUM LOT SIZE (UNDER MLEP 2011)	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH
450m² or greater	12.5m	25m

Notwithstanding the minimum dimensions specified in **Table 5.2**, the minimum lot size under the MLEP 2011 must be achieved.

Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.

AS.1
- O.29
- O.30
- O.31

Lots should be rectangular in shape and should generally have a width to depth ratio aligning with **Table 5.3** below. Generally accepted variations on a rectangular shape are parallelogram, trapezoidal and rhombus configurations.

Table 5.3: Lot Width to Depth Ratios

MINIMUM LOT SIZE (UNDER MLEP 2011)	LOT WIDTH TO DEPTH RATIO
450m² or greater	1:2 to 1:3

Notwithstanding the minimum dimensions specified in **Table 5.3**, the minimum lot size under the MLEP 2011 must be achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.
PC.3 • O.30 • O.31	All lots must include a minimum building envelope that complies with **Table 5.4** below: **Table 5.4: Minimum Building Envelope** **MINIMUM LOT SIZE (UNDER MLEP 2011)** / **MINIMUM BUILDING ENVELOPE** **450m² or greater** / 10m x 15m **300m² and less than 450m²** / 6m x 15m
AS.2 • O.29 • O.30	The building envelope provided under **PC.3** of this section should be located outside of, or in addition to, any constraints and impediments such as front, side and rear setback, easements, buffers, utilities, effluent disposal areas and any required vehicles manoeuvring areas (such as battle axe lots needing to enter and leave in a forward direction).
PC.4 • O.29	Lots must demonstrate adequate vehicle access can be achieved to the lot, in accordance with Council's MoES.
PC.5 • O.29 • O.30	Development on bends and cul-de-sacs must have a minimum chord length of 10 metres.

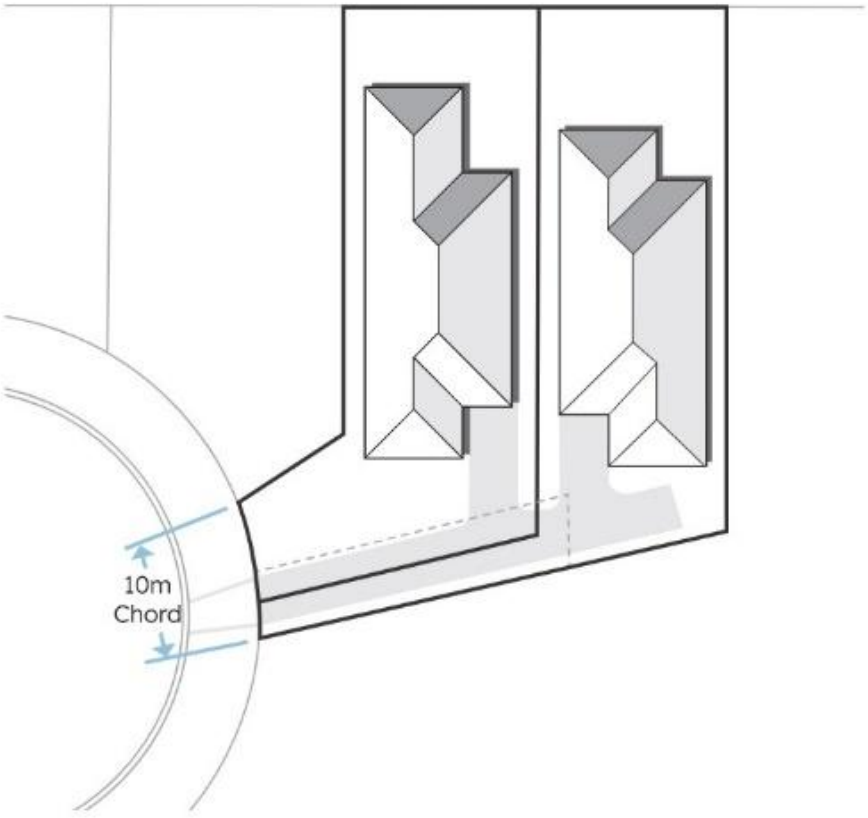


Figure 5-4: Chord length

5.3.2. Solar Access and Energy Efficiency

Objectives

O.32 To encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation.

O.33 To enable lot shape and orientation which facilitates the design and construction of development that is energy efficient, attractive and functional, and environmentally sustainable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.32 • O.33	Where possible, lots should be orientated to provide one axis within 20 degrees east and 10 degrees west of true north. Where a northern orientation of the long axis is not possible, lots must be wider to allow for private open space on the northern side of future dwellings.
PC.1 • O.33	75% of lots in medium and major subdivision are to be within the 'Ideal' and 'Good' site orientation indicated in Figure 5-5.

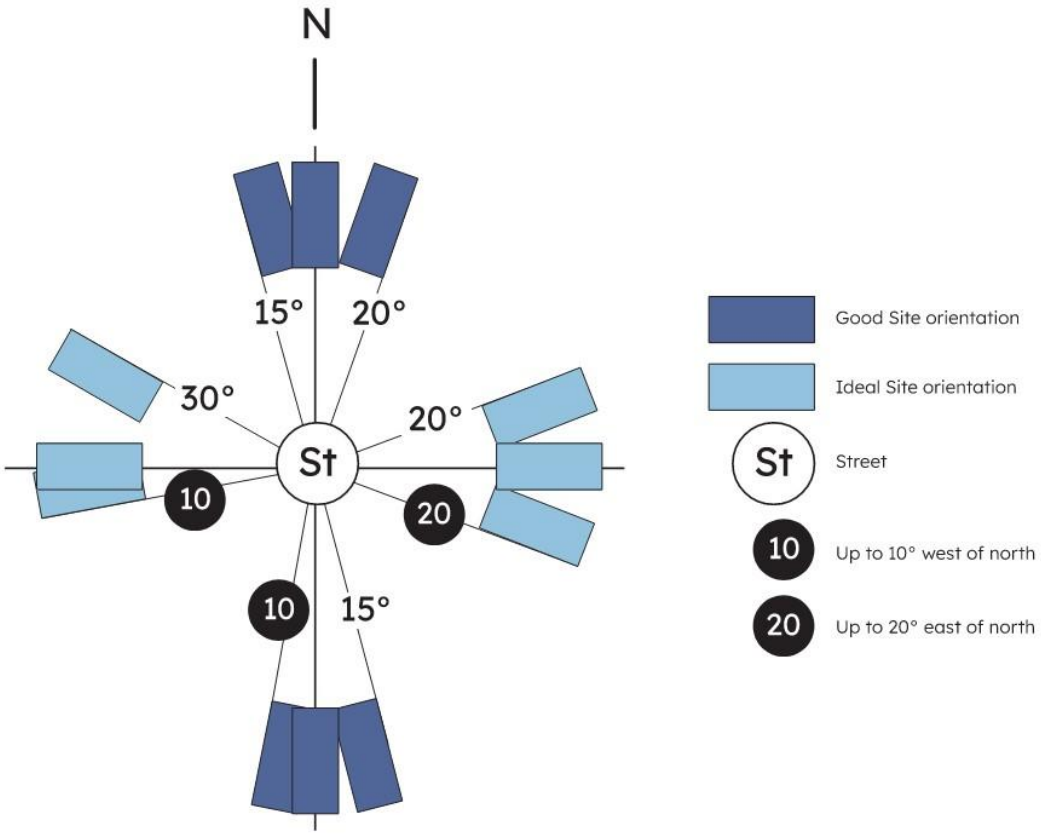


Figure 5-5: Lot Orientation for Optimal Solar Access

Source: https://www.yourhome.gov.au/passive-design/orientation

5.3.3. Street Layout and Block Length

This section only applies to subdivision that affects road locations, road layout, or street block lengths.

Objectives

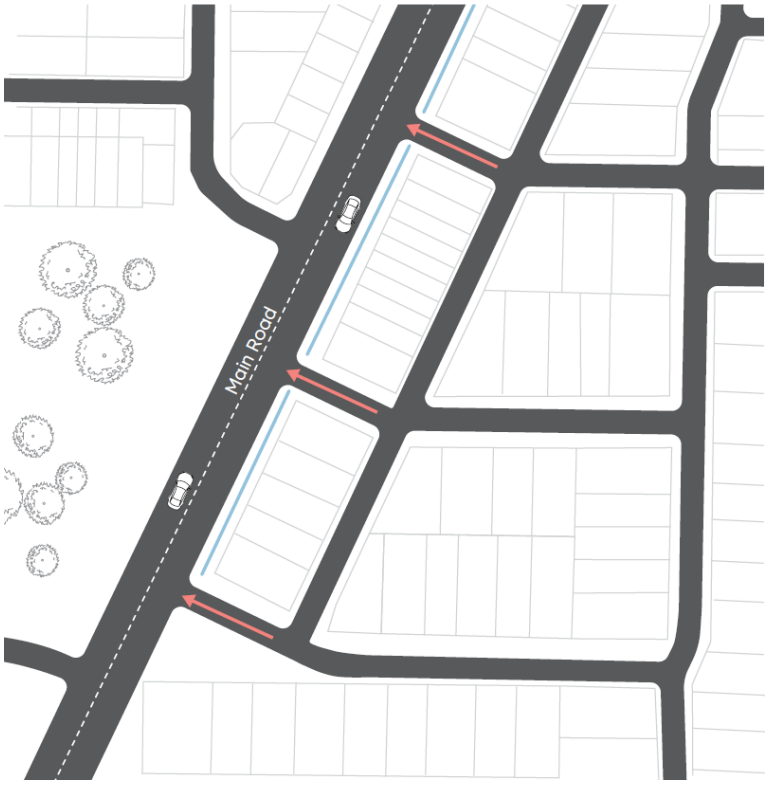
O.34 To provide diversity of allotments within the streetscape of each street block by dispersing different lot widths to achieve variety and avoid large concentrations of similar housing types in any one area.
O.35 To ensure the design of any proposed residential subdivision considers natural landform features, including outlook and slopes.
O.36 To align street layouts to provide optimised access to public and community facilities, parks and public transport.
O.37 To ensure public infrastructure meets the adopted technical requirements as set out in MoES and other adopted Council policies/plans etc.
O.38 To retain and expand areas of natural habitat, and direct development away from environmentally sensitive areas.
O.39 To provide a simple and safe movement system for private vehicles, public transport, pedestrians and on-road and off-road cyclists.
O.40 To ensure adequate arrangements have been made for suitable vehicular access.
O.41 To improve residential amenity and safety for active transport users, where neighbourhood streets do not operate as through traffic routes for external traffic.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36 • O.39 • O.40 • O.41	A proposed street layout must be consistent with any relevant site-specific DCP chapters, structure plans, or area plans.
PC.2 • O.34 • O.36	The proportion of residential lots in a Medium or Major subdivision of the same lot type width must not exceed 40%. For the purposes of this control, a lot type is primarily determined by the lot frontage, but other variables considered are access and configuration. Subdivision plans must be accompanied by a lot width table for each street block, which is to include: • lot type calculations, and • percentages and numbers within the +/- range of each lot (see note). Development applications seeking approval for joint residential subdivision and dwelling construction are exempt from this control. An example of what such a split could look like is provided in **Table 5.5** below.

Table 5.5: Example of Potential Lot Width Split

LOT WIDTH (+/- 1M)	NUMBER OF LOTS	% OF LOTS
22m (21m – 23m)	20	40%
18m (17m – 19m)	16	32%
10m (9m – 11m)	14	28%
Total Lots	50	100%

Note: Lot width categories are determined by a range of plus or minus of 1.0m from each and every other lot width. For example, a 15.2m wide lot would count all lots between 14.2m and 16.2m as a same lot type for the purpose of this control.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.36 • O.37 • O.39 • O.41	A trunk road network diagram must be provided which includes a minor and major grid layout in accordance with Council's MoES.
PC.4 • O.37 • O.39	Roads with 6,000 or greater vehicles per day (vpd) must have denied access for driveways to individual property.
PC.5 • O.36 • O.37 • O.39 • O.40	The length of access-denied lot frontages in a subdivision must be limited by providing perpendicular connections to Arterial and Sub-Arterial roads.  **Figure 5-6: Provide perpendicular connections to main roads**
PC.6 • O.35 • O.37 • O.39	**Trunk roads**, including **local collector roads**, must provide direct routes with only minor deflections and curves. Bends, large deflections and significant intersection manoeuvring are not supported. Further information is provided in Document D-Design of Council's MoES.
PC.7 • O.37 • O.38 • O.39	Local collector road connections, including to bushfire and flood perimeter roads, must incorporate **emergency wayfinding** elements (such as signage) and be more conveniently located and driveable than local street connections. **Note:** Examples of emergency wayfinding elements are provided within the glossary.
PC.8 • O.37 • O.39	New residential street blocks are to have a range of block lengths from a 100m minimum to a 240m maximum and must have a maximum **walkable perimeter** of 600m. A walkable or drivable connection—such as a street, laneway, or shared path—must be provided at intervals of no more than 300 metres to support permeability and connectivity

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.36 • O.41	Street block lengths should decrease when close to public transport, around activity centres, and nodes of interest, such as open space and recreation areas.
PC.9 • O.36 • O.37 • O.39 • O.40	Excluding cul-de-sacs, street networks are to have a minimum of two vehicle route options to enter and exit into the wider road network.  **Figure 5-7: Street networks and route options**
PC.10 • O.35 • O.38	Subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries '[Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)]' (or as amended) applies. **Note:** Depending on a site's specific context and environmental constraints, a series of other state government buffers may apply to a site.
PC.11 • O.35 • O.36 • O.37 • O.40	Roads are to be orientated as follows: a. **Trunk roads** must create direct and convenient routes along **desire lines** and optimise public transport network creation, b. **Local streets** that are of a slope gradient 6% or greater are to run perpendicular to the slope contour. c. All other local streets are to be orientated in accordance with the remainder of this Section.
PC.14 • O.36 • O.37 • O.40	Subdivisions must not include more than 700m vehicle travel distance on the low-speed (≤50 km/h) local street network between any lot and a trunk road. **Note:** A **trunk road** is classified as a **Local-Collector** or higher order road under Council's MoES.

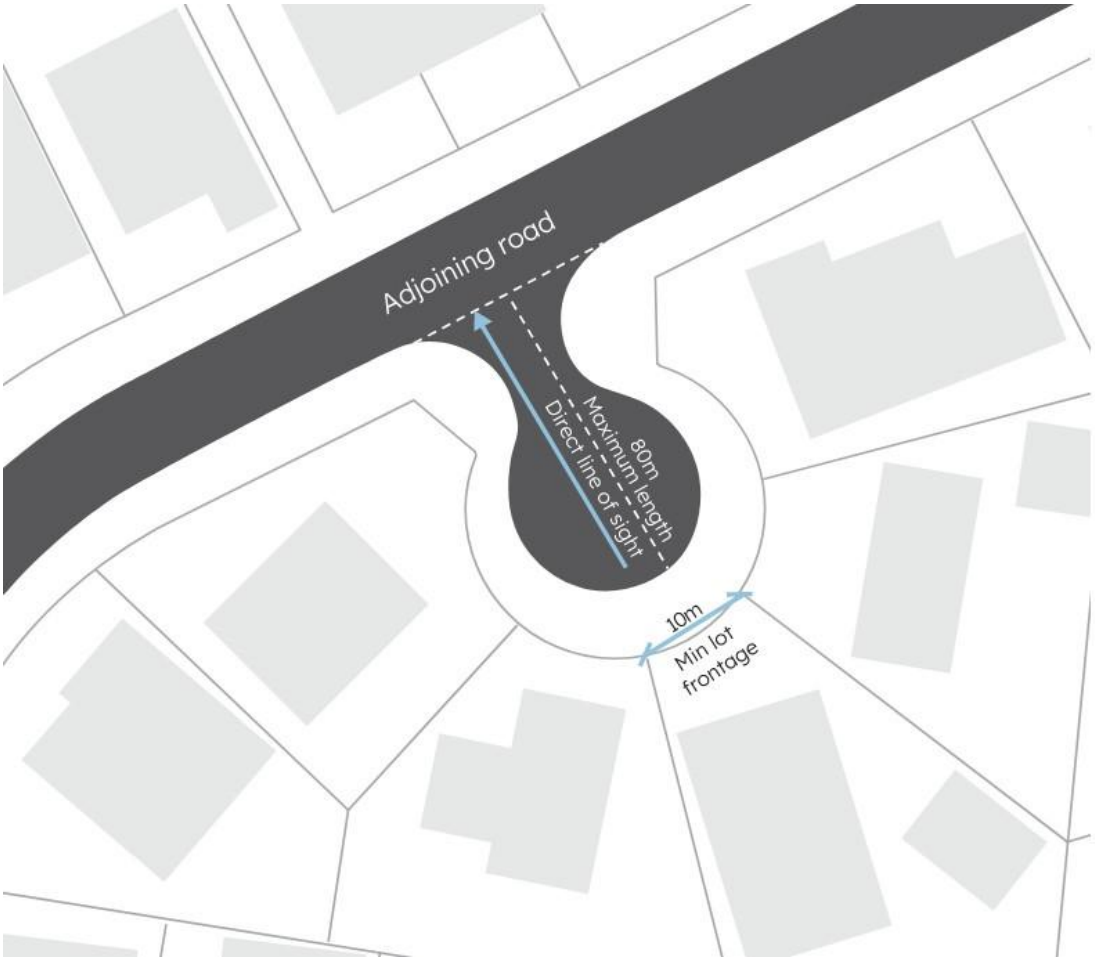
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.36 • O.37 • O.40	To improve wayfinding and legibility alongside reducing speeding, the road network of a subdivision should employ no more than 3 turns or 3 different local streets between any lot and a trunk road.
AS.3 • O.41	Shortcutting or rat running through local streets should be minimised by: a. Identifying likely rat-running routes and keep convenient through-connections at right angles rather than parallel to the rat run, and b. Using alternating intersection priorities and/or off-set intersections.
AS.4 • O.35 • O.36 • O.37 • O.40	Cul-de-sacs should be avoided. Where it is clearly demonstrated that no alternative option exists to integrate the road into a connected loop, cul-de-sacs must: a. Incorporate a minimum lot frontage of 10m on the cul-de-sac head/chord and insure adequate space for driveways, utilities and bin collection, b. Be limited to a maximum length of 80m, OR terminate at a full bulb width on an adjoining road and satisfy the walkable perimeter distance, c. Not create a need for narrow pathways (pedestrian/stormwater alley), and d. Include wayfinding measures (such as signage) and direct sightlines from the intersection to bulb. 

Figure 5-8: Cul-de-sac design criteria

5.3.4. Active Transport Networks

Except where otherwise stated, this section only applies to Medium and Major Subdivision, as defined in **Section 5.1.3**.

Objectives

O.42 To provide acceptable levels of access, safety and convenience for all active transport, such as pedestrians and cyclists.
O.43 To ensure local streets are well-connected to an active transport network.
O.44 To ensure residential street and path design creates safe pedestrian and cyclist routes that connect to adjoining streets, schools, open spaces and activity centres in accordance with MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42 • O.43 • O.44	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.
PC.2 • O.42 • O.43 • O.44	Footpath and cycleway networks must create permeable connected systems to provide links to schools, community facilities, public transport, and other **activity centres**.
PC.3 • O.44	**Shared pathways** must provide direct linkages to public areas of interest, particularly recreation areas, activity centres, schools, commercial areas, and movement networks.

5.3.5. Open Space and Recreation

Unless otherwise stated (PC.2 and PC.4), the controls under this section only apply to subdivision that proposes the creation of open space, local parks, drainage reserves, and recreation facilities.

Objectives

O.45 To provide sufficient local open space that is primarily for the active and passive recreational needs of residents.
O.46 To enhance the appearance and amenity of urban development through integrated open space.
O.47 To encourage the use of drought resilient practices in open space maintenance, such as recycled water networks.
O.48 To ensure that public open space of appropriate quantity and quality is provided in order to meet the recreational and social needs of the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.45 • O.48	The number, size and location of open space, local parks and recreation facilities must be consistent with Council's requirements, Council's *Community Infrastructure Strategy* and the relevant Section 7.11 Contributions Plan. **Note:** Sites which are developed outside of an applicable s7.11 Contributions Plan that does not provides size, location, and costing for recreational open space shall be assessed on a case-by-case basis.
AS.1 • O.46	Public open space within a subdivision should form part of a pedestrian/cycleway network that connects residential areas and other facilities.
AS.2 • O.45	Public open space areas should be functional, well-located and distributed appropriately throughout the subdivision to maximise accessibility and provide for passive and active

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.47 • O.48	recreational opportunities. Generally, at least 80% of residential lots should be within 400m of the nearest public open space area.
PC.2 • O.47	Residential subdivision within 3km of a Water Treatment Plant are to connect open space and recreation facilities to recycled water networks to improve drought resilience and limit the use of drinking water for care and maintenance purposes.
AS.3 • O.46	All open space should be edged with a public street or public footpath with dwellings addressing the space.
PC.3 • O.46	Public open space must be designed with consideration given to Crime Prevention Through Environmental Design (**CPTED**) principles. **Note:** Controls for CPTED consideration are provided under Section 3.7 of Chapter 3: Site Requirements.
PC.4 • O.46	Fencing must be provided for residential lots where the lot adjoins public reserves or infrastructure. Council may require that the fencing be of open style/pool style depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscape quality of the reserve.

5.3.6. Entry Features

Excepting PC.1 in this section, the following controls only apply to Major residential subdivisions, as defined in **Section 5.1.3**.

Objectives

O.49 To consider the potential cumulative visual impacts of entry features.
O.50 To regulate entry feature locations, sizes, and life spans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50	Entry features must only be provided in conjunction with Major residential subdivisions i.e. 50 lots or more.
PC.2 • O.50	Entry feature locations must be identified within the Development Application for a subdivision.
AS.1 • O.49 • O.50	Entry features without additional assessment are limited to a size of 20m^2, with a maximum height of 4m. If the proposed entry feature is in exceedance of these dimensions, a Visual Impact Assessment must be prepared which includes a **view analysis** and assessment of the entry feature.
PC.3 • O.50	Entry features must only be located on private land.
PC.4 • O.49 • O.50	Entry features must not impede on vehicle sight lines.

5.4. Rural and Conservation Subdivision

This section specifically applies to the following land zonings under the MLEP 2011:

- RU1 – Primary Production
- RU2 – Rural Landscape
- C3 – Environmental Management
- C4 – Environmental Living

Objectives

O.51 To protect productive agricultural land and avoid fragmentation of rural land.

O.52 To ensure subdivisions are designed to maintain and enhance the rural or conservation character and scenic landscape of the Maitland LGA, particularly along ridgelines, low lying areas, and valleys which may be viewed from above.

O.53 To ensure that the extent and intensity of rural subdivision within hazardous flood areas, including floodways, is flood-sensitive and provides habitable areas above the floodplain.

O.54 To ensure rural and conservation allotments are of sufficient size, shape, and servicing to cater for a range of rural or conservation land uses.

O.55 To minimise potential land use conflicts within rural / non-urban zones or other adjoining zones.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51 • O.52 • O.53 • O.54 • O.55	Where a rural or conservation subdivision is proposed with part of the existing lot affected by flood prone land, all proposed lots must have a suitable building envelope. This envelope must: a. Be above the 1% AEP flood standards, b. Be of sufficient size to allow development of improvements, including any required effluent disposal area, c. Have a minimum boundary length of 20m on each side, d. Be free of **environmentally significant features,** e. (If rural) Provide an area for flood refuge of livestock and agricultural plant and equipment, and f. Have flood safe access to a public road. **Note:** This control does not apply to land with exclusions on dwelling rights, notably lots subdivided under Clause 4.2 of the MLEP 2011.
PC.2 • O.52	Any Medium or Major subdivision on rural or conservation zoned land must be designed to avoid clearing of vegetation and is to provide a VIA to assess impact on views and vistas from areas external to the site.
PC.3 • O.54	An adequate level and type of utility service is to be provided and identified on the subdivision plan, with details of how those services will be provided to each lot.
AS.1 • O.52 • O.55	Fencing should make a positive contribution to the visual appearance of the development. Fencing must be unobtrusive with the rural or conservation character and of a rural post and rail.
PC.5 • O.54	The subdivision design must provide a safe vehicle access to each proposed allotment, with adequate sight distances in both directions, as according to Council's MoES.
AS.2 • O.54	Street layout should be consistent with any relevant site-specific DCP chapters, structure plans, and area plans.
AS.3 • O.51 • O.52 • O.54	Each new lot as part of a rural or conservation subdivision is to have: a. Except for C4 Environmental Living: at least 50m site frontage, b. C4 Environmental Living: at least 20m site frontage Lot width-depth ratios are to be to the satisfaction of Council, with long narrow lots discouraged.

5.5. Industrial and Commercial Subdivision

This section specifically applies to the following land zonings under the MLEP 2011:

- E1 – Local Centre
- E2 – Commercial Centre
- E3 – Productivity Support
- E4 – General Industrial
- MU1 – Mixed Use

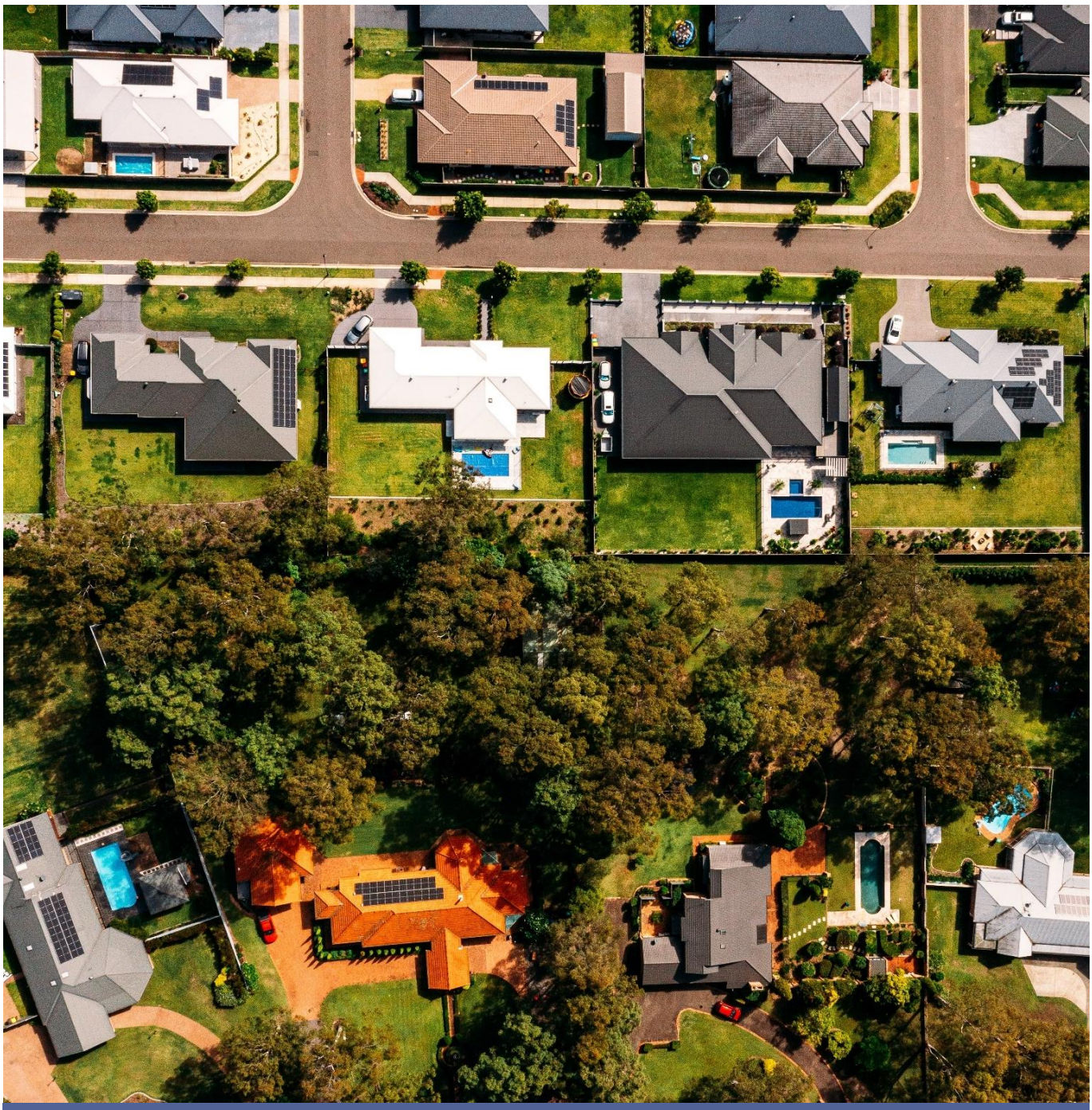
Objectives

O.56 To encourage industrial and business development for employment generating zones by providing a variety of lot sizes for development opportunities.

O.57 To ensure that development sites have sufficient area and dimensions to provide adequately for access, landscaping and building separation.

O.58 To provide for infrastructure and services in a cost effective and efficient manner, consistent with the operational needs of industrial and commercial users.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.57	Industrial and commercial lots should generally be of rectangular shape, with a depth to frontage ratio between 2:1 and 3:1.
AS.2 • O.56 • O.57	Street block lengths should be a maximum of: a. 100m for commercial subdivisions in E1, E2, and MU1 zones. b. 230m for commercial subdivisions in E3 and E4 zones, and c. 250m for industrial subdivisions. Block lengths in excess of the above may be considered where pedestrian connectivity, desire lines, and traffic calming objectives are achieved.
PC.1 • O.57 • O.58	The design of the subdivision must allow for the largest vehicles anticipated to have access to the subdivision, including forward entry and exit.
PC.2 • O.57	Corner lots must have 8.0m x 8.0m splays.
PC.3 • O.58	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.



Maitland DCP 2026

Chapter 6: Residential Uses

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CITY COUNCIL

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6.1. Introduction

6.1.1. Application

This section applies to all land to which residential accommodation is permissible with consent under the Maitland Local Environmental Plan (MLEP) 2011.

6.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 7: Commercial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Council's Manual of Engineering Standards

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

6.1.3. How to use this Chapter

This Chapter has been organised into two distinct parts. The first is general housing controls, which provide a consolidated categorisation of the wide range of residential housing typologies and development types for common aspects, such as setbacks, open space, fencing, and landscaped areas.

The second part of the Chapter contains controls that specifically apply to their relevant housing typology, in line with the definitions provided under the MLEP 2011 and in the Glossary of this DCP. In the event of an inconsistency, these controls overrule the general housing controls provided in the first part of this Chapter.

6.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Ensure that residential development responds to the character of the site and locality, the qualities of the surrounding environment, and any desired future character.
b. Limit adverse impacts on the amenity of existing residential areas.
c. Encourage increased residential development in areas with proximity to services, infrastructure, and transport.
d. Support the principles of Ecologically Sustainable Development.
e. Inspire innovative and sustainable residential designs.
f. Encourage a diversity of housing typologies and choice to meet the needs of the existing and future community.
g. Adhere and give effect to the provisions under MLEP 2011 relating to residential accommodation.
h. Adhere to the aims, objectives and planning principles of the *Maitland Local Housing Strategy 2041.*

6.2. General housing controls

Note: The general objectives and controls in this Section are to be applied in conjunction with the specific controls for all residential typologies contained in **Sections 6.3 to 6.11** of this Chapter.

6.2.1. Character and design

Objectives

O.1 To ensure that development is consistent with the existing and/or desired future residential character of an area.
O.2 To ensure that the design of the development minimises the overall bulk and scale of the building.
O.3 To protect the visual amenity of the streetscape and neighbouring properties by taking into account patterns of street setbacks, spaces between buildings, controlling building bulk and scale and associated overlooking.
O.4 To ensure that development provides passive surveillance to the street and public areas.
O.5 To ensure that development provides a well-defined address to the street, clear wayfinding for each dwelling within a development, and that the development more broadly creates a sense of place.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1	Built form should relate to the topography, existing site conditions, and the existing and desired future character of the area.
AS.2 • O.2	Development should consider the impact on surrounding development and the streetscape, including overshadowing and privacy. To assist in the reduction of such impacts, the incorporation of split levels, broken roof lines and site-specific floor layouts should be utilised over large earthworks or retaining works.
AS.3 • O.2 • O.3	Architectural design should demonstrate the following: a. the use of textured finishes, b. stepping of walls, pergolas, eaves, verandahs, and blade walls etc. to establish articulation and create light and shadows on a building, c. the coordinated use of diverse materials and appropriate decorative treatments, d. consideration of the relationship between glazed and solid wall areas, e. consideration of passive surveillance and access legibility, and f. minimising the amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form.
PC.1 • O.2	Walls exceeding 10m in length or 4m in height are to be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material variations to provide visual relief.
PC.2 • O.4 • O.5	Development must provide direct and legible access from the street to the front entry of each dwelling or building. This entry must be reinforced by landscaping at a minimum.
PC.3 • O.4	Development design must include windows for habitable rooms that overlook the street and public areas. Developments on corner sites must provide windows that overlook both streets.
AS.4 • O.1	Repetitive building designs are discouraged. Designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are varied.

6.2.2. Development incorporating existing dwellings

Objectives

O.6 To ensure that the streetscape character is retained and incorporated into new development where possible.

O.7 To ensure that new and existing dwelling(s) are complementary and provide a high standard of amenity and privacy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.6 • O.7	Developments which incorporate existing buildings must be accompanied by a floor plan and elevations of the existing building, as well as a schedule of externals colours and materials for the development.
AS.1 • O.6 • O.7	Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter. Where it is not possible for an existing dwelling to achieve compliance with all aspects of the chapter Council may, after consideration of a detailed submission lodged with the development application outlining grounds/justification for noncompliance, agree to vary one or more of the chapter requirements.

6.2.3. Universal accessible design

Universal accessible design is an approach to building that uses good planning, design and construction to ensure that any person can use a dwelling, irrespective of age, level of mobility or condition of health. A universally designed dwelling is capable of adapting to accommodate changing needs such as ageing in place or supporting those with mobility issues.
Universal accessible housing adheres to seven core universal design principles, being:

1. Equitable use: The design is useful and marketable to people with diverse abilities.
2. Flexibility in use: The design accommodates a wide range of individual preferences and abilities.
3. Simple and intuitive use: Use of design is easy to understand, regardless of the user's experience, knowledge, language skills or current concentration levels.
4. Perceptible information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
5. Tolerance for error: The design minimises hazards and the adverse consequences of accidental or unintended actions.
6. Low physical effort: A design that can be used efficiently and comfortably with a minimum of fatigue.
7. Size and space for approach and use: Appropriate size and space is provided for approach, reach, manipulation and use regardless of user's body size, posture or mobility.

Objectives

O.8 To promote development to achieve universal accessible design in adaptable dwellings.

O.9 To plan for household needs now and in the future due to changes in mobility and ability.

O.10 To ensure adaptable housing meets universal design principles.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8	Adaptable dwellings are to be provided in accordance with **Table 6.1** below.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Table 6.1: Adaptable dwelling ratios NUMBER OF DWELLINGS / NUMBER OF ADAPTABLE DWELLINGS REQUIRED **0–9** / 0 **10–15** / 1 **16–24** / 2 **25–34** / 3 **35 or more** / 10% of total dwellings
PC.2 • O.9 • O.10	Adaptable dwellings are to satisfy the requirements of AS 4299-1995, which include provision of the following: • an accessible car parking space linked to each adaptable dwelling by an unobstructed path of travel, at a suitable gradient for wheelchair access and being as close as possible to the adaptable dwellings that they are intended for, • entries, doors and passageways that are of suitable dimensions to facilitate wheelchair access, and • an entrance at ground level, which is direct to a public road.
AS.1 • O.9	Dwelling design should be capable of being easily adapted to suit the widest possible range of lifetime needs. This includes the needs of people with physical, sensory disabilities, and/or intellectual disabilities.
PC.3 • O.10	Development containing adaptable dwellings must be accompanied by certification from a suitably qualified (and experienced) Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard AS 4299-1995.

6.2.4. Solar access and cross ventilation

Objectives

O.11 To provide dwellings with adequate solar access and ventilation for both internal habitable rooms and Private Open Space (POS).

O.12 To ensure the design and siting of new developments maintains a reasonable level of daylight and sunlight to habitable rooms, POS, and solar collectors of new and neighbouring developments.

O.13 To avoid the potential for significant overshadowing of habitable rooms and POS within the development itself and with respect to adjoining development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.11 • O.12 • O.13	Shadow diagrams must be provided for residential developments of two (2) storeys or more that are within an urban area. The shadow diagram must address the overshadowing impact of new development as well as the impact from adjoining development against the criteria below: a. development must not reduce the sunlight available to windows of habitable rooms that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (21st of June); b. at least 50% of the principal area of ground level Private Open Space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. at least 50% of the principal area of above ground level private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). d. at least 50% of the area of communal private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). **Note 1:** Council reserves the right to request shadow diagrams (in accordance with **Section 6.2.4 PC.1**) with respect to single storey development if, by reason of the topography of the site, the nature of adjoining development and fencing, the orientation of the building or the design of the building, there is potential for significant loss of solar access to adjoining lots or to dwellings within the development itself. The shadow cast by fences, roof overhangs and changes in levels should be included on any shadow diagrams to allow proper assessment of the overshadowing impacts. **Note 2:** This control does not apply to residential flat buildings, shop top housing, or the residential components of mixed-use development. See **PC.2** of this section.
PC.2 • O.11	Solar access for Residential Flat Building, Shop Top Housing and the residential components of mixed-use developments are to achieve the solar access and ventilation requirements set out in the Apartment Design Guideline.

6.2.5. Visual and acoustic privacy

Objectives

O.14 To balance the need for views and outlook with the need for privacy.
O.15 To encourage the sharing of views whilst not restricting the reasonable development potential of a site.
O.16 To maximise visual and acoustic privacy both within a development lot and between a development and its neighbours.
O.17 To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings.
O.18 To ensure that the siting and design of development minimises the impacts of noise transmission between properties.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18	Where no design techniques and screening, such as fences or walls, are proposed, openings of adjacent dwellings must be separated by a distance of at least 3m from the centre of the opening.
PC.2 • O.14 • O.15 • O.16 • O.17	Overlooking of Principal Private Open Space (PPOS) and direct views between habitable room windows from neighbouring dwellings and properties are to be screened or obscured using one or more of the following methods: • separation distance of at least 3m between windows of habitable rooms or balconies • separation by design • offset living room windows of opposing dwellings/units • splay windows to redirect sight lines • fencing design, privacy screens, or fin walls • plantings or planter boxes • louvre screens (vertical or horizontal) • pergola

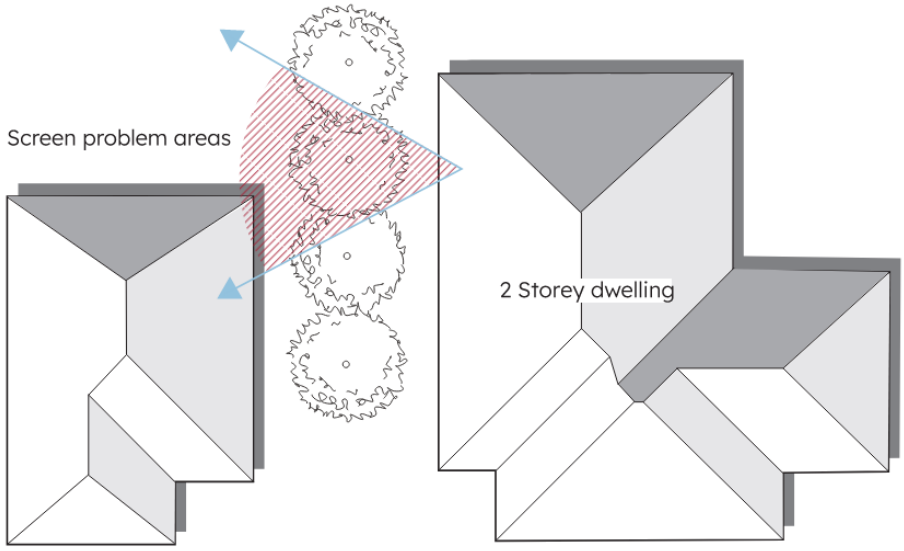
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	

Figure 6-1: Possible screening treatment (plantings)

PC.3 • O.16 • O.18	Site layout must separate shared parking areas, driveways and service equipment areas away from bedroom areas of dwellings.

6.2.6. Open space

Objectives

O.19 To ensure principal private open space areas are provided in a manner that is functional and responsive to the environment, thereby promoting the enjoyment of outdoor living for residents.

O.20 To ensure that private open space is integrated with, and directly accessible from, the living areas of a dwelling.

O.21 To ensure that open space meets requirements for privacy of the residents and adjoining properties, enabling access to outdoor activities and landscaping.

O.22 To locate open space to take account of outlook, natural features of the site, solar access, and neighbouring buildings or public open space.

6.2.6.1. Communal Open Space (COS)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21 • O.22	Open space must be clearly defined to distinguish between Communal Open Space (COS), Private Open Space (POS), and the Principal Private Open Space (PPOS) provided. **Note:** Controls for PPOS and general open space (landscaped area) are provided in Section 6.2.7 and 6.2.8, respectively.
AS.1 • O.21 • O.22	Where COS is provided, it should be orientated to enable solar access to help achieve comfortable year-round use.
AS.2 • O.22	COS should be sited to maximise retention of non-invasive tree species.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.21 • O.22	The landscaping surrounding COS must be designed to minimise water usage and maintenance requirements.
PC.3 • O.22	A proposed development that provides COS must indicate, on a landscape plan, any communal facilities, such as seating, BBQ, shade structures and the like that promote use by residents.
Note: Communal Open Space is provided based upon the nature of the development type proposed. Strata, Stratum, and Community title developments involve the provision of COS.	

6.2.7. Principal Private Open Space (PPOS)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.4
• O.19

PPOS is to be provided in accordance with **Table 6.2.**

Table 6.2: Minimum Principal Private Open Space

DWELLING TYPE	MINIMUM PPOS
Dwelling house	24m² and at least 3m wide and 3m long.
Dwelling houses in rural or environmental zones	24m² and at least 3m wide and 3m long.
Dual occupancies and Semi-detached dwellings	24m² and at least 3m wide and 3m long (each). OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Secondary dwellings	24m² and at least 3m wide and 3m long.
Attached dwellings	24m² and at least 3m wide and 3m long, OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Multi-dwelling housing	1 – 2 bedrooms: 16m² and at least 3m wide and 3m long. 3+ bedrooms: 24m² and at least 3m wide and 3m long. OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Boarding houses and Co-living housing	24m² and at least 3m wide and 3m long.
Group homes	24m² and at least 3m wide and 3m long.
Residential flat buildings	Refer to Apartment Design Guide (or equivalent).
Shop top housing	Refer to Apartment Design Guide (or equivalent).
Seniors housing	Refer to Apartment Design Guide (or equivalent).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Note: PPOS provisions are to be read in conjunction with the controls of Solar Access and Cross Ventilation (Section 6.2.4) and Visual and Acoustic Privacy (Section 6.2.5).

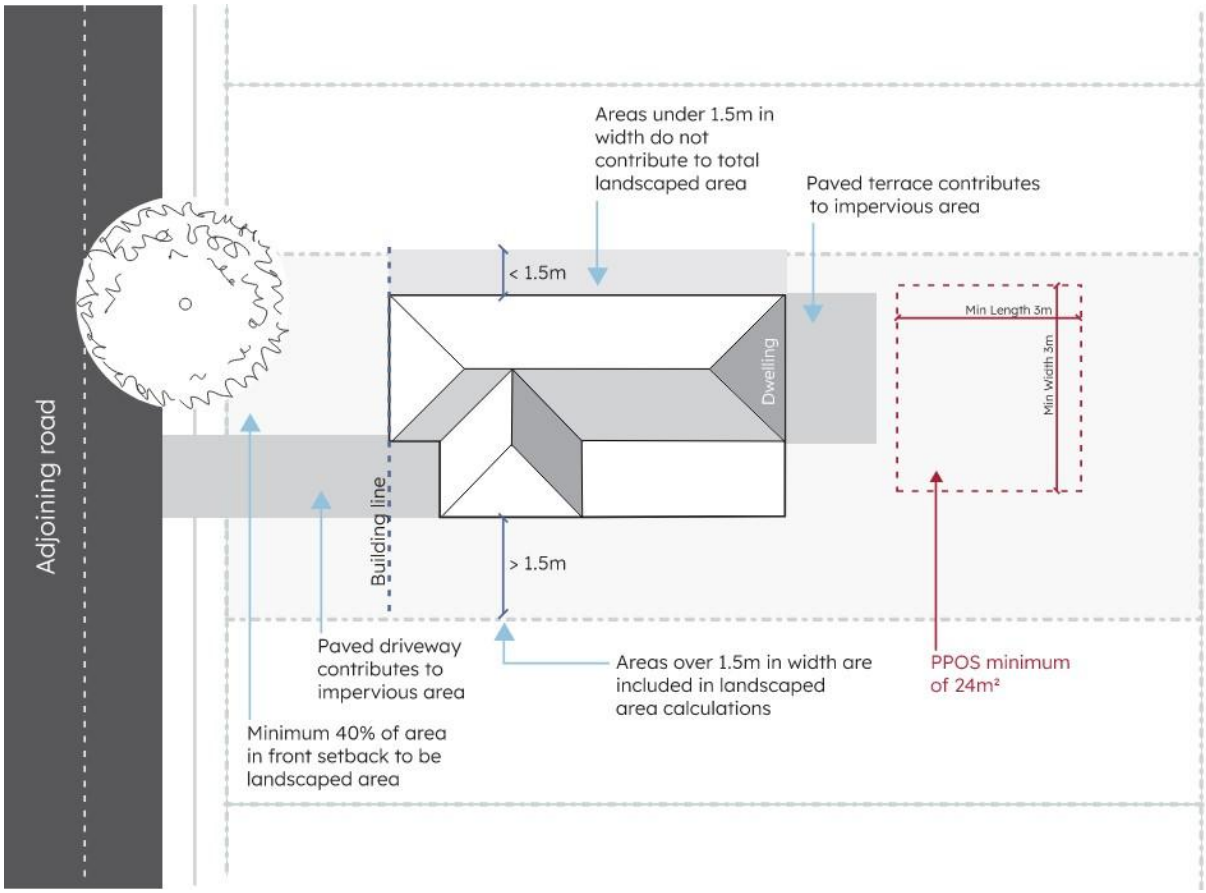


Figure 6-2: Example of PPOS provision for dwelling house

PC.5 • O.20 • O.21	The landscape design and plans for the development must recognise PPOS areas as 'outdoor rooms' and the design must incorporate: a. paved areas or decks for outdoor dining/relaxation, b. garden areas to reduce the 'hard' visual impact of fencing, paving and walls, c. the inclusion of trees of a scale which will provide adequate shade (deciduous species may be appropriate depending on the orientation of POS), and d. provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels.
PC.6 • O.19	The maximum cross-fall over the PPOS must not exceed 5%.
PC.7 • O.21	Areas of ground level PPOS required for external drying facilities, garbage storage, roof water tanks etc are not to be included in the PPOS. These ancillary uses must be located where they are able to be screened from view of the street or other public place.

Note: Additional balconies etc are permitted but cannot be taken into account as POS unless meeting the minimum criteria specified above.

6.2.8. Landscaping and landscaped area

Objectives

O.23 To enhance the appearance and amenity of new development for the benefit of users and the community in general.
O.24 To encourage the use of water efficient landscape systems embracing the principles of Water Sensitive Urban Design (WSUD).
O.25 To integrate building and landscape elements.
O.26 To protect existing landscape features including natural landforms, watercourses and native vegetation and integrate them, where possible, with new development.
O.27 To blend new development into an established streetscape and neighbourhood character.

<table>
<tr><th colspan="2">PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS</th></tr>
<tr><td>PC.1
• O.25</td><td>Development must be supported by a landscape plan, including a planting scheme.</td></tr>
<tr><td>PC.2
• O.23
• O.24
• O.25
• O.26
• O.27</td><td>Landscape design is to:
a. retain existing non-invasive vegetation, where practicable, for integration with the landscape design for the development,
b. utilise native vegetation suitable for local conditions that are low maintenance and drought resilient,
c. incorporate the use of advanced plant specimens and tube stock to ensure that the completed built form is immediately and effectively softened by landscaping,
d. be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk,
e. trees that achieve a height above the roofline of the dwelling are to be incorporated to soften built form,
f. take into account, protect and be sympathetic to view corridors and vistas, including by introducing species that preserve opportunities for views and vistas when matured,
g. provide adequate lighting for vehicular and pedestrian safety,
h. address and enhance streetscapes and landscapes within heritage conservation areas, locally listed heritage items and within the proximity of heritage items,
i. clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds,
j. identify POS / COS areas, including the PPOS or Principal Communal Open Space,
k. detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas, and
l. utilise screen planting to soften and reduce the dominance of walls and fences.</td></tr>
<tr><td>PC.3
• O.25
• O.27</td><td>Landscaped area for a development is to be provided in accordance with Table 6.3.
Table 6.3: Minimum Landscaped Area
<table>
<tr><th>DWELLING TYPE</th><th>MINIMUM LANDSCAPED AREA (% OF LOT AREA)</th></tr>
<tr><td>Dwelling house and Group homes</td><td>30%, including:
• 40% of the front setback (Figure 6-2), and
• A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council’s Tree Species List.</td></tr>
<tr><td>Dwelling houses in rural or environmental zones</td><td>A minimum of ten (10) trees, with the species in accordance with Council’s Tree Species List.</td></tr>
</table></td></tr>
</table>

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS		
	DWELLING TYPE	**MINIMUM LANDSCAPED AREA (% OF LOT AREA)**
	Dual occupancies and Semi-detached dwellings	50% minus 100m², including: • 25% of the front setback, and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List.
	Secondary dwellings	10%, including a minimum of 50% behind the building line.
	Attached dwellings	10%, including a minimum of one (1) tree along each building frontage, with the species in accordance with Council's Tree Species List.
	Multi-dwelling housing	15%, including a minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.
	Boarding houses and Co-living housing	20%
	Residential flat buildings	20%, including: • A minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.
	Shop top housing	Refer to Apartment Design Guide (or equivalent).
	Seniors housing	Refer to Apartment Design Guide (or equivalent).
	Note 1: The minimum landscaped area is in addition to the PPOS requirements under **Section 6.2.7**. Additionally, the minimum landscaped area contributes to the minimum unbuilt area requirements stipulated in **Section 6.2.9**. **Note 2:** Areas less than 1.5m in width are not included in the landscaped area calculation.	
AS.1 • O.24	Except for dwelling houses, the landscape design for a development should integrate with the stormwater management scheme, having regard to relevant WSUD principles.	

6.2.9. Impervious area

This section is to be read in conjunction with **Section 6.2.6 Open Space** and **Section 6.2.8 Landscaping & Landscaped Area**. The minimum landscaped areas and minimum COS/PPOS required under **Section 6.2.6** and **6.2.8** take precedent over any maximum impervious area provided under this section.

Objectives

O.28 To ensure the density of new residential development is sympathetic to the locality.

O.29 To ensure that development minimises impervious surfaces and maintains a balance of amenity, solar access and privacy between 'built' and 'unbuilt' areas.

O.30 To ensure dwellings can meet requirements relating to landscaped area, privacy, solar access, internal site circulation, and open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.28
- O.29
- O.30

Impervious area must satisfy the requirements detailed in Table 6.4. All development application site plans for residential development are to provide a detailed 'percentage impervious area' calculation, including having regard to the requirements of Sections 6.2.6 and 6.2.8.

Table 6.4: Maximum Impervious Area

DWELLING TYPE AND LOT AREA RANGE	MAXIMUM IMPERVIOUS AREA (NOTE 2)
Dwelling house <700m²	75%
Dwelling house 700m² – <1500m²	60%
Dwelling house 1500m² – <2500m²	50%
Dwelling house 2500m² - <4000m²	1,000m²
Dwelling houses Over 4,000m²	1,250m²
Dual occupancies and Semi-detached dwellings	75%
Attached dwellings	80%
Multi-dwelling housing	75%
Boarding houses and Co-living housing	80%
Group homes	80%
Residential flat buildings	80%
Shop top housing	100%
Seniors housing	Where applicable refer to Housing SEPP, multi-dwelling housing or residential flat buildings.

Notes

1. Maximum impervious area means the proportion of a site area covered by surfaces that water is unable to penetrate. This includes, but is not limited to, buildings, driveways, sheds, and garages. However, the following are not included for the purpose of calculating maximum impervious area:

a. any basement that has more than 1m depth soil coverage,
b. any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
c. swimming pools including 0.5m of coping tiles, and
d. any eaves.

2. The minimum landscaped areas and minimum COS/PPOS required under **Section 6.2.6** and **6.2.8** take precedent over any maximum impervious area provided under this section.

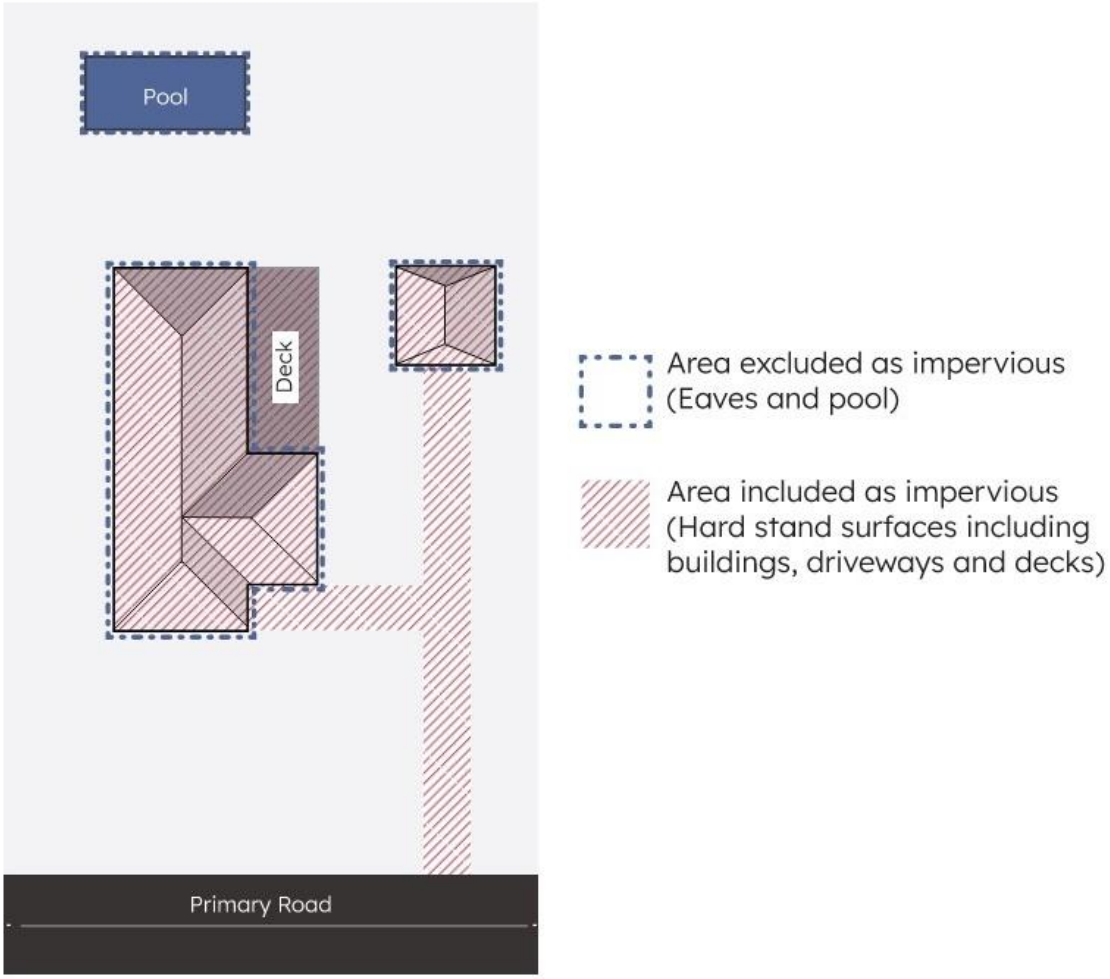


Figure 6-3: Impervious Area Inclusions and Exclusions

6.2.10. Housing setbacks

Objectives

O.31 To ensure that housing provides a consistent presentation to the road among similar typologies.
O.32 To reduce overall bulk and scale of development.
O.33 To facilitate the opportunity for variability in design in areas of residential density.
O.34 To improve site impermeability and circulation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.31

Setbacks for a development are to be provided in accordance with **Table 6.5**.

Table 6.5: Housing setbacks (minimum)

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK (SEE PC.2)	REAR SETBACK
Dwelling house	4.5m or the average existing setback of dwellings within 40m of the lot. Note 1	2m Note 4	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Dwelling house on R5 Large Lot Residential	<5,000m²: 10m >5,000m²: 20m	<5,000m²: 6m >5,000m²:10m	<5,000m²:4m >5,000m²: 6m	<5,000m²: 4m >5,000m²: 6m
Dwelling houses in rural zones	20m	15m	10m	10m
Dwelling houses in environmental zones	20m	10m	6m	6m
Dual occupancies, Semi-detached dwellings	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see PC.2	Ground floor: 4m Upper floor: 6m *Corner Lots: see Note 3*
Secondary dwellings	Equal to or behind the front building line of the primary dwelling.			<900m²: 3m 900m² - <1500m²: 5m >1500m²: 10m
Attached dwellings	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Zero lot or attached boundary: 0m Detached boundary: 0.9m	On rear lane: 1m All other cases: Ensure PPOS and landscaped area is met.
Multi-dwelling housing	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK (SEE PC.2)	REAR SETBACK
Boarding houses and Co-living housing	4.5m or the average existing setback of dwellings within 40m of the lot.	3m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Group homes	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Residential flat buildings (1-3 stories)	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Zero lot or attached boundary: 0m Detached boundary: 3m	4m
Residential flat buildings (4 stories and over)	6m	6m	3m	6m
Shop top housing	Existing street setback.	Existing street setback.	Merit based.	6m
Seniors housing	Where applicable refer to Housing SEPP, multi-dwelling housing or residential flat buildings.			

Note:

1. See Figure 6-4 below for how to calculate average setback in existing streets.
2. Setback to classified roads is to be a minimum of 9m.
3. In the case of dual occupancies on corner lots, the rear setback may be reduced with a maximum 50% of the rear setback at 4m, provided the minimum private open space and solar access requirements to all dwellings and adjoining properties are met.
4. See Figure 6-5 below for secondary frontage.

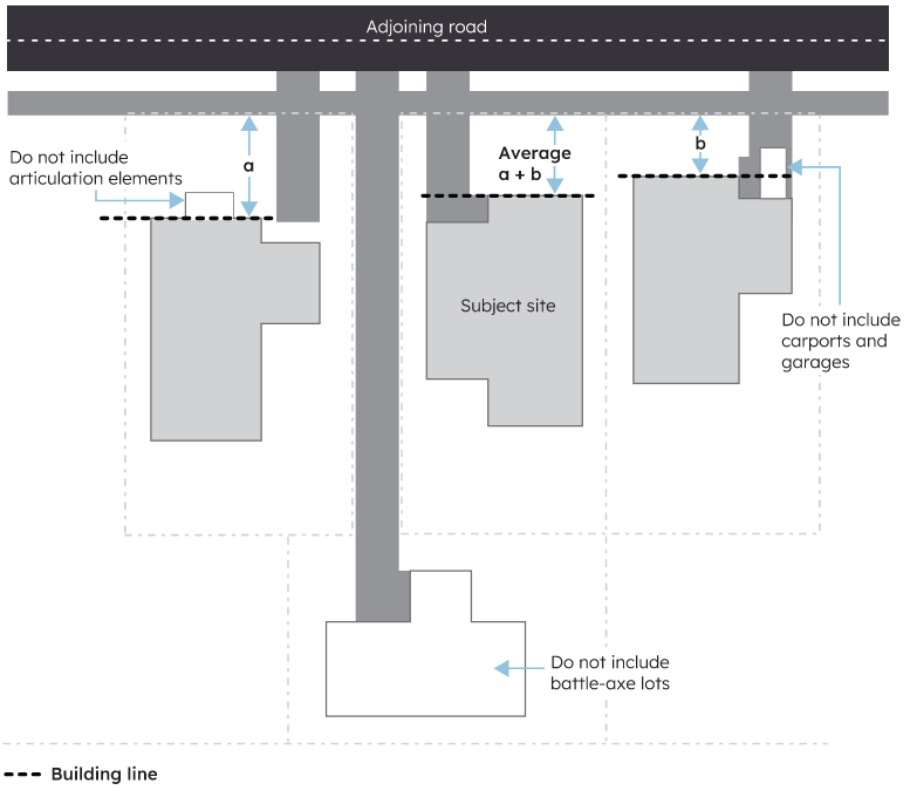


Figure 6-4: Housing Setbacks average of existing lots

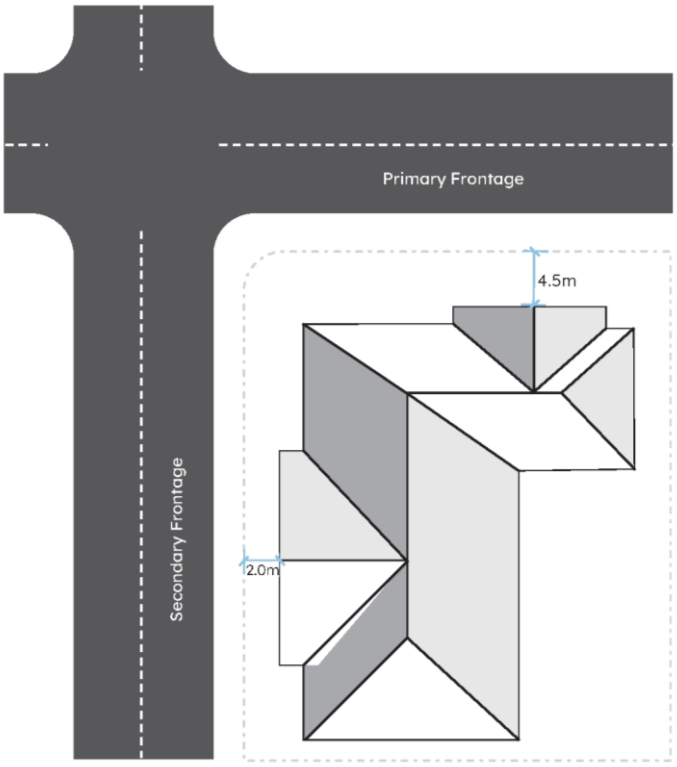
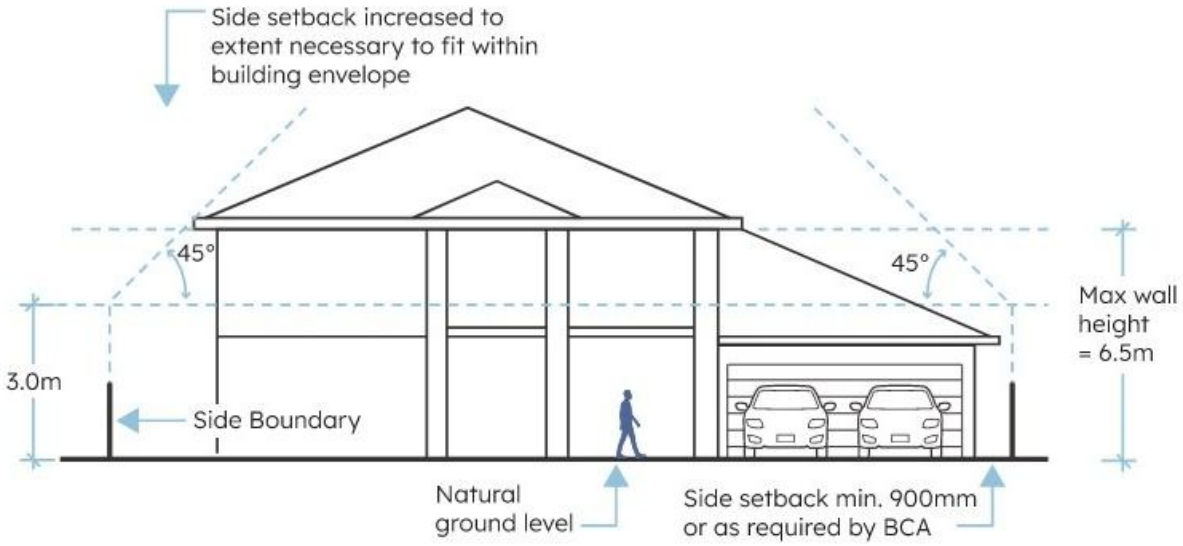


Figure 6-5: Secondary setback for corner lots

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.32	Except for **Residential flat buildings** and **Shop top housing**, and notwithstanding **PC.1**, side setbacks are to increase with dwelling height, and the dwelling must be within a building height plane – a plane projected at an angle of 45 degrees over the land to be built upon from a distance of 3m above existing ground level.  **Figure 6-6: Increase in side setbacks for two or more storeys**
PC.3 • O.31 • O.33	Where the shape of the allotment located within a residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line must be a minimum of 3m and average 4.5m over the length of the building addressing those street boundaries.
AS.1 • O.33	Entry features and porticos, porches, balconies, decks, verandahs, bay windows, eaves and awnings may encroach up to 1.5m into the front setback area. This encroachment must not cover more than 25% of building width.
PC.4 • O.34	Side and rear setbacks must provide access for: a. maintenance of any utilities (i.e. air conditioner units, water heater etc) between the building and boundary, b. pedestrians, and c. garbage bins and yard maintenance equipment to move from the front of the dwelling to the rear yard.

6.2.11. Residential building height

Objectives

O.35 To provide guidance for where no building heights apply under the MLEP 2011.
O.36 To ensure that the height of new development is not excessive and relates well to topography, the current local character and any future desired local character.
O.37 To respond to site topography and slope by stepping building heights/floor levels to minimise cut and/or fill and not result in excessive scale or bulk.
O.38 To minimise impact on key view-lines or appreciation of significant natural features or heritage items.
O.39 To minimise overshadowing and impacts on views and privacy of adjacent dwellings and their private open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.1
- O.35
- O.36
- O.37
- O.38
- O.39

The maximum building height of residential accommodation is to be consistent with the MLEP 2011 Height of Buildings Map. Where no height limit is specified, a merit-based approach is taken. In these cases, storeys should generally be in accordance with **Table 6.6**.

Table 6.6: Storeys Guidance for Residential Accommodation

HOUSING TYPOLOGY	MAXIMUM STOREYS
Attached dwellings, Dual Occupancies, Dwelling houses, Semi-detached dwellings	2 storeys
Boarding houses, Co-living housing, Group homes	3 storeys
Multi dwelling housing	3 storeys
Residential flat buildings, Shop top housing	4 storeys
Rural workers dwellings, Secondary dwellings	1 storey
Tourist & visitor accommodation, Seniors housing	No specific recommendation.

AS.2
- O.35
- O.36
- O.37
- O.38
- O.39

In cases where residential accommodation is:

a. Greater than two storeys and/or 8m in height from existing ground level to the highest point of the building (excluding extrusions such as antennae, chimneys, and the like), OR
b. Ground floor or basement levels are higher than 800mm above the existing ground level,

The proposed development must ensure that it complies with:

- The objectives of this control, and
- The visual, privacy, and solar access controls for the proposed type of residential accommodation in this Chapter.

6.2.12. Fencing and walls

Objectives

O.40 To ensure that all fences and walls provide privacy, security and noise attenuation while balancing impacts upon the streetscape, passive surveillance, adjacent buildings, and the use of open spaces areas within the development or on adjoining land.

O.41 To ensure that fences and walls positively contribute to the character of the streetscape through careful consideration of materials, height, form, and transparency.

O.42 To maintain clear, legible, and inviting pedestrian entry points from the street, ensuring that fencing and walls do not obstruct access or diminish the welcoming nature of the home's entrance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40	Fencing between dwellings must be designed to provide visual privacy to internal rooms and outdoor POS. Heights for this dividing fencing is to be a maximum of 1.8m.
PC.2 • O.40 • O.42	Fencing, when combined with retaining walls, is not to exceed: • on the front boundary: 1.2m from existing ground level • on side and rear boundaries: 3m from existing ground level
PC.3 • O.40 • O.41	Where side boundary fencing is proposed in the front setback to the principal frontage, then the maximum height of the fence must not exceed 1.2m within the front setback area.
AS.1 • O.40	Solid fencing for the purposes of containing a dwelling's PPOS area should not exceed a height of: • 1.2m in instances where it is located within the primary street building line setback, OR • 1.5m in instances where it is located within the secondary street building line setback. Landscaping is recommended to supplement this restricted fence height in order to achieve adequate privacy. Exceptions to this are where it can be demonstrated that a higher fence is appropriate, having regard to: • noise, • privacy, and • existing streetscape and architectural merit.

Note: Fencing between adjoining properties is regulated by the *Dividing Fences Act 1991*. This Act is administered by the Local Court. For single dwellings the fencing of the property boundary (type of fence, height of fence, installation of fence and cost sharing arrangements) is a matter that must be determined between the two adjoining landowners and then the Court in those circumstances where agreement cannot be reached.

6.2.13. Driveways, carparking and garages

This section is to be read in conjunction with Chapter 3: Site Requirements, Section 3.4.4. Parking Provision for parking rate requirements.

Objectives

O.43 To provide convenient, accessible and safe parking to meet the needs of residents and visitors in a manner which does not dominate the streetscape or cause congestion in nearby streets.
O.44 To encourage the proper integration of driveway access, parking and landscaped areas as part of the overall landscape design.
O.45 To provide garage designs that are complementary to dwellings and surrounding character.
O.46 To ensure driveways are located outside of areas prohibited by Council's MoES.
O.47 To improve canopy cover outcomes within public street reserves.

6.2.13.1. Driveways

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Driveways within the site must be a minimum of 3m wide and should not conflict with existing infrastructure, including street trees.
PC.1 • O.43	The driveway width across the footway must be as follows: a. 3m wide for single car garages, OR b. 4.5m for double garages (side by side spaces).
AS.2 • O.44	Landscaping should be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces, volume and rate of stormwater runoff, and adverse visual impacts on the streetscape.
PC.2 • O.43 • O.46	Driveways must be located to maximise on-street parking. The distance between driveway crossings must be less than 1.5m or greater than 7m to maximise on-street parking and to provide sufficient length for whole car parks between access points.
PC.3 • O.46	Driveways must demonstrate suitable vehicle access can be achieved and are to avoid any applicable denied driveway areas, such as at intersections, roundabouts, in-road street tree pits and other infrastructure and regulated locations. Exact requirements relating to this control are to comply with Council's MoES.
AS.3 • O.43 • O.44	Driveways may be required to incorporate a dedicated turning area in instances where: a. there is poor sight distance from the driveway to pedestrian or vehicular traffic, OR b. the accessway fronts a main road or highly pedestrianised area, OR c. in cases where the driveway services three or more dwellings, OR d. where vehicles would otherwise have to reverse more than 30m.
PC.4 • O.43 • O.44	Pedestrian entries and paths are to be clearly distinguished from vehicle driveways.
AS.4 • O.43 • O.44 • O.47	Aside from dwelling houses, driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 1:1 ratio. **Note:** Controls for street tree replacement for dwelling houses are provided in Section 6.3 of this Chapter.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.5
• O.44

Where required by AS.3, turning paths must be designed to in accordance with Council's MoES and are not to compromise landscaping requirements and are to meet the following criteria:

a. landscaped areas of a minimum width of 1m and depth of 1m must be provided along the boundary,
b. contrasting pavement treatments should be used to reduce the expanse of a single pavement material, and
c. landscaped area is to be provided between the driveway and the external wall of the dwelling.

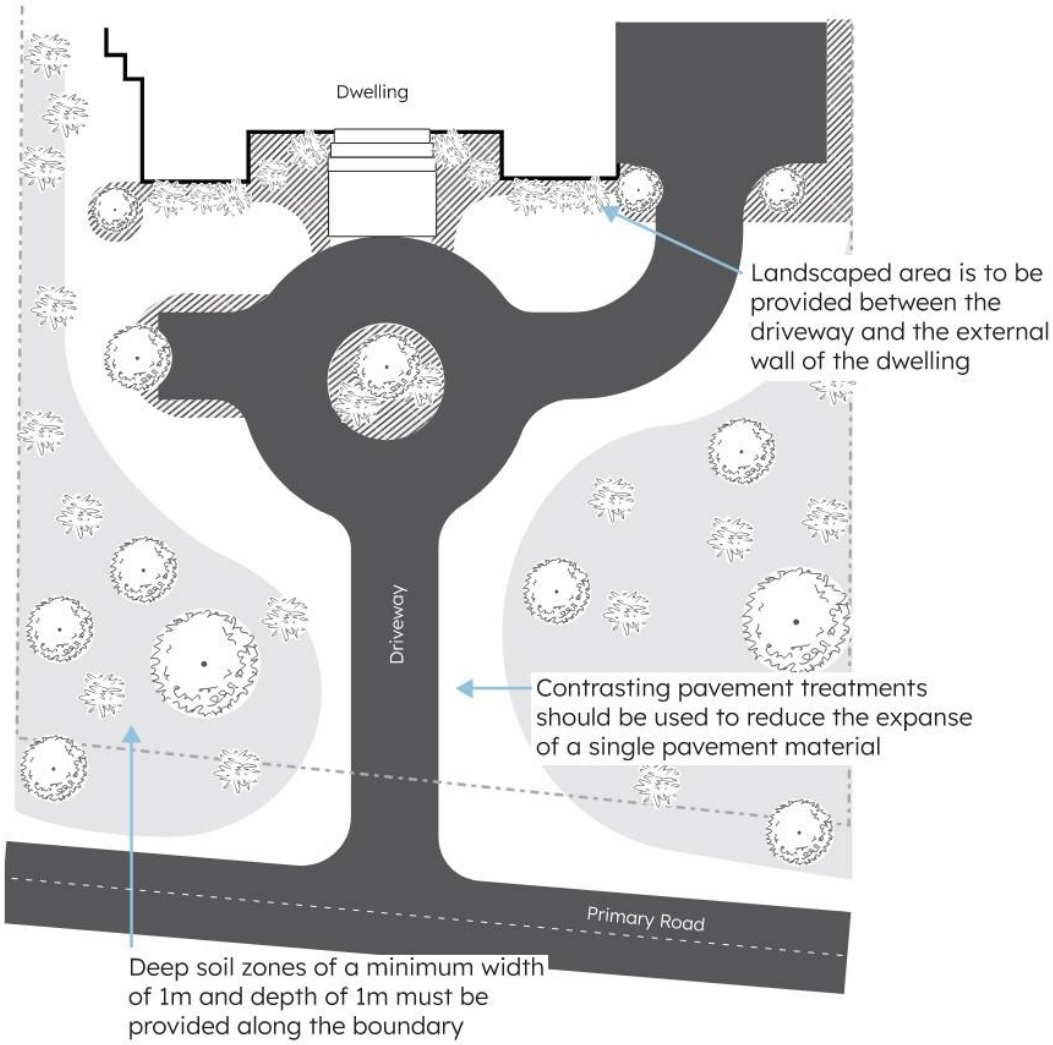


Figure 6-7: Possible Turning Path Solution

6.2.13.2. Carparking and garages

Refer to **Section 6.2.14** Sites having a boundary to a laneway of this Chapter for specific carparking and garage controls relating to development on laneways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.43
- O.45

Garages must be setback a minimum of 5.5m from a boundary adjoining a road or a minimum 1m behind the building line to the principal street frontage, whichever is greater.

PC.2
- O.45

The minimum dimensions of enclosed garages are to be in accordance with **Table 6.7**.

Table 6.7: Minimum Dimensions for Enclosed Garages

DWELLING TYPE	MINIMUM DIMENSIONS	SINGLE GARAGE	DOUBLE GARAGE (SINGLE DOOR)
Dwelling houses, Dual occupancies, Semi-detached dwellings, Attached dwellings, & Multi-dwelling housing	**Width**	3.0m	5.8m
	Length	6.0m	6.0m
	Garage door opening width	2.4m	4.8m
Secondary dwellings	Maximum area of 24m^2 - see **Section 6.5, PC.7**		
Residential flat buildings	No minimums – see **Section 6.10**.		
Shop top housing	No minimums – see **Section 6.10**.		

Notes:

1. For the purposes of this control, a double door garage would need to satisfy the requirements of two single garages.
2. Garages proposed with three or more doors will be assessed on a case-by-case basis against the other controls within this section.

AS.1
- O.43
- O.45

Garages for a single storey dwelling should be no greater than 50% of the total width of the dwelling's frontage.

Example: The total width of a dwelling's frontage is 15m, therefore the maximum width of a garage (i.e. doors and pillars/wall plane) should be no greater than 7.5m.

AS.2
- O.43
- O.45

Garages for two or more storey dwellings should be no greater in width than 75% of the total width of the dwelling's frontage.

PC.3
- O.45

Contrasting colours or textures must be used on garage doors and/or walls to create articulation, identity and visual interest that separates it from the primary dwelling.

PC.4
- O.43

Vehicle car parking spaces and manoeuvring areas must not be located within the building line setback area.

Note: This does not apply to a driveway that provides direct vehicle access to a garage or carport from the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.45	Where a laundry or bicycle storage area is incorporated into the garage, then width or length (whichever applies) must be increased by at least 1m.
PC.6 • O.43 • O.45	Garages sharing a wall with an associated dwelling are to provide an internal accessway between the dwelling and the garage.

6.2.14. Sites having a boundary to a laneway

Objectives

O.48 To ensure that new residential development is positioned to face the primary street and contributes to the amenity and 'sense of place' of the existing urban environment.

O.49 To ensure that laneways are developed in a manner consistent with their design constraints and function as service roads.

O.50 To ensure laneways are utilised where available to provide rear access to car parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48	The main pedestrian entry point to the dwelling must form a direct connection with the principal street address, which is not to be oriented to the laneway.
PC.2 • O.48	Pedestrian access to dwellings located to the rear of the site must have an access corridor at least 2m wide. If utilities such as air conditioner units or water heaters are located alongside the dwelling, a clearance of 1m must be achieved to provide adequate access for pedestrians, deliveries, garbage services, and the like. This can take the form of an access handle or easement.
PC.3 • O.48	The pedestrian access from the principal street frontage to the dwelling located to the rear of the site must be landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles.
PC.4 • O.49 • O.50	Garage, carports and parking space access via the laneway must be setback the greater of: • 2m from the boundary where the laneway corridor (boundary to boundary) is less than or equal to 7m wide, OR • 1m from the boundary where the laneway corridor (boundary to boundary) is greater than 7m wide.
PC.5 • O.49 • O.50	Where a garage door is located closer than 5.5m to the property boundary with the laneway, the garage doors must be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane.
Note: Depending on the standard of construction and overall condition of the laneway, Council may require the laneway pavement to be upgraded to ensure an adequate standard of access to the development.	

6.3. Dwelling house

This Section of the Chapter applies to detached dwelling houses within the R1 General Residential and R5 Large Lot Residential zones of MLEP 2011. Relevant 'General Housing Controls' are found in **Section 6.2** and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.51 To ensure street trees are protected through replacement and embellishment.
O.52 To limit the overall impact of driveway accesses along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51	Each dwelling must ensure that suitable arrangements have been made to replant any removed street trees as a result of the development.
PC.2 • O.52	A maximum of one driveway is permitted per street frontage. **Example**: A lot with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.4. Dwellings in rural and environmental zones

This Section of the DCP applies to rural dwellings within the RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management and C4 Environmental Living zones of MLEP 2011. Relevant controls are found in Section 6.2 and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Dwellings in rural and environmental zones are an important part of the rural character of Maitland. These dwellings are unique, as they serve a number of purposes from a residence, providing space for agricultural activities, mitigating and caring for environmental factors, such as bushland, water management and flooding. Therefore, specific controls are required to manage and be sympathetic to the range of unique factors.

Refer to 'Clause 4.2A Erection of dwelling on land in certain rural and conservation zones' and 'Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones' of MLEP 2011 for additional provisions on dwelling permissibility.

Objectives

O.53 To conserve and enhance native vegetation, vegetation corridors, topographical features, and fauna habitat.
O.54 To limit impact on scenic corridors by maintaining and/or enhancing them, as identified within the Maitland Local Strategic Planning Statement.
O.55 To ensure that external finishes used have minimal detrimental impact on the visual amenity of an area.
O.56 To ensure that fencing and retaining walls are compatible with the existing landscape character and are not a risk to fauna.
O.57 To enable suitable driveway widths for all vehicle users.
O.58 To support in the reduction of land use conflict.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.53	Development should, through sensitive design, retain the majority of significant natural features on the site, including mature trees, rocky outcrops, and major vegetation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.54 • O.55	Buildings should be visually unobtrusive in the landscape and complement the characteristics of the landform.
PC.1 • O.55	The colours of roof and wall cladding must be generally low reflective neutral/earth tones, to maintain the visual amenity of the area.
AS.3 • O.53 • O.55	Buildings should be positioned in a manner that is considerate of prominent ridgelines so as not to intrude on the sensitivity of rural landscapes.
PC.2 • O.56	The fence design and materials are to consider, and be sympathetic to, the character of the local landscape.
PC.3 • O.56	Front fences and front fence returns must not exceed 1.2m in height and must not be more than 50% solid.
PC.4 • O.55 • O.56	Front and side return fences must be compatible with the rural character of the area and not be lapped or capped timber, or powder coated metal fencing.
AS.4 • O.56	Side and rear boundary fences should generally not exceed 1.8m above the existing ground level. Exceptions are made on a merit basis that is dependent on the land use, such as the type of livestock housed in a paddock.
PC.5 • O.57	Access driveways are to be of trafficable width to allow for passing vehicles, manoeuvring and turning space, and bush fire access including emergency and service vehicles, in accordance with Planning for Bushfire Protection 2019 (as amended).

6.5. Secondary dwellings

This Section of the DCP applies to secondary dwellings within the R1 General Residential, and R5 Large Lot Residential zones of MLEP 2011.

The State Environmental Planning Policy (Housing) 2021 (Housing SEPP) provides for the development of secondary dwellings (commonly referred to as granny flats) as complying development. SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP) also contains provisions relevant to the development of a secondary dwelling as complying development.

If all requirements for a secondary dwelling specified under the Housing SEPP and Codes SEPP are met, a Complying Development Certificate (CDC) can be obtained from Council or an accredited certifier without the need for a development application. Where the requirements for a secondary dwelling under the Housing SEPP and Codes SEPP cannot be satisfied, a development application must be lodged with Council.

Secondary dwellings must comply with the controls in Sections 6.2 and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails.

Objectives

O.59 To enable the development of a diversity of dwelling types and contribute to the availability of affordable housing.
O.60 To promote innovative housing solutions that are compatible with the surrounding residential environment.
O.61 To ensure orderly and planned residential density.
O.62 To ensure high quality design standards, safety, privacy, accessibility and functionality.
O.63 To provide a designated area for waste collection to ensure efficient waste servicing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.60 • O.61 • O.62	Secondary dwellings must be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale.
PC.2 • O.59 • O.60	A secondary dwelling is to have a maximum floor area of 60m^2.
PC.3 • O.62	Any secondary dwelling must be setback behind the front building line of the principal dwelling.
PC.4 • O.62	Secondary dwellings attached to or within the principal dwelling must include at least one direct external access.
AS.1 • O.62	Secondary dwellings attached to or within the principal dwelling can either be totally separated or accessed through an internal door between the secondary and principal dwelling.
PC.5 • O.62	The secondary dwelling must have a defined entrance visible from the primary road frontage. **Note:** A defined entrance may include features such as a front door with direct pedestrian access, entry porch, pathway, or other architectural element that clearly identifies the dwelling's access point from the street.
PC.6 • O.60 • O.62	The secondary dwelling must have a window to a habitable room facing a road where the land is a corner lot.
AS.2 • O.62	A landscaped area of at least 1m in width must be planted (when applicable) between the principal dwelling and the PPOS of the detached secondary dwelling to provide for privacy.
PC.7 • O.60 • O.62	The provision of a car park for a secondary dwelling is not mandatory. However, where car parking (car port or garage) is proposed for a secondary dwelling it must: a. not interfere with parking and the movement of vehicles associated with the principal dwelling, b. be limited to one car park, c. be a maximum of 24m^2, and d. be located adjacent to the secondary dwelling and not within the street or rear setback.
PC.8 • O.60 • O.62	The conversion of garages to a secondary dwelling will only be permitted if at least one car parking space for the primary dwelling is provided behind the front setback of the primary dwelling (in addition to one space in front of the building line).

6.6. Dual occupancies and semi-detached dwellings

This Section of the DCP applies to secondary dwellings within the R1 General Residential, R5 Large Lot Residential, RU1 Primary Production and RU2 Rural Landscape zones of MLEP 2011.

Dual occupancies and semi-detached dwellings are types of residential accommodation that are very similar in terms of built form (both consist of two dwellings). The distinction between the two is that dual occupancies are located on one lot of land and may only be strata subdivided, whereas semi-detached dwellings are located on their own lot of land (Torrens title). In addition, there are two types of dual occupancies, dual occupancy (attached) and dual occupancy (detached). Refer to Glossary for further definition.

Refer to MLEP 2011 Clause 4.1A Exception to minimum lot size in Zone R1 for additional controls relating to dual occupancies and semi-detached dwellings. Dual occupancies and semi-detached dwellings must comply with the controls in Section 6.2 and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails.

Objectives

O.64 To ensure orderly and planned residential density.

O.65 To ensure dual occupancies and semi-detached dwellings are compatible with existing housing and do not adversely affect the local environment or the amenity of adjacent residents.

O.66 To limit the overall impact of driveway accesses along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.64 • O.66	Dual occupancy and semi-detached development on corner lots should be designed to address both street frontages while having one front entry and one garage fronting each street.
AS.2 • O.65	Detached dual occupancies within residential zones should have a minimum of 2m separation between the dwellings.
AS.3 • O.65	Detached dual occupancies within rural zones should have a maximum of 20m separation between the dwellings.
PC.2 • O.66	Buildings must not be of mirror-reversed or replicated built form. Differentiation in building form and architectural treatment between dwellings must be provided.
AS.4 • O.65 • O.66	Each dwelling should have a separate driveway. If a combined driveway is provided, each dwelling must ensure that suitable arrangements have been made to replant any affected street trees at a 2:1 ratio.
PC.3 • O.65 • O.66	A minimum of a 1m wide landscaped area must be provided between a driveway and a boundary fence. The landscape area should be free of retaining walls and extend for the full length of the driveway.
PC.4 • O.66	A driveway along the side of a dwelling must be offset a minimum of 0.9m from the side wall of the dwelling.
AS.5 • O.65 • O.66	For sites with a rear lane, vehicle access for the rear dwelling should be from the lane, and pedestrian access should be from the primary street frontage.
PC.5 • O.66	A maximum of one driveway per dwelling is permitted per street frontage. **Example:** A lot with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.7. Attached dwellings

Attached dwellings (commonly referred to as terrace houses) means a building containing 3 or more dwellings, where—

a. each dwelling is attached to another dwelling by a common wall, and
b. each of the dwellings is on its own lot of land, and
c. none of the dwellings is located above any part of another dwelling.

Attached dwellings must comply with the controls in Sections 6.2 and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails.

Objectives

O.67 To ensure that attached dwelling developments are located on sites with sufficient size and street frontage to accommodate the required building envelope, car parking, solar access, landscaping and private open space.
O.68 To encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents.
O.69 To ensure that each new dwelling provides a sufficient amount of storage for elements such as garden equipment and bicycles.
O.70 To provide a designated area for waste collection to ensure efficient waste servicing.
O.71 To limit the overall impact of kerb crossings and garaging along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.67 • O.68	Each proposed dwelling should have direct frontage to a public road.
AS.2 • O.68	Attached dwellings should have a unified design for the whole development, including a coordinated style and base colour palette. Individuality can be added as small details or accent colours, rather than strikingly different forms.
AS.3 • O.68	Attached dwellings should create an appearance of a single dwelling or grouped dwellings that are separated by gardens and ancillary structures, with facades designed to incorporate a variety of materials and shading structures.
AS.4 • O.67 • O.68	At least one habitable room is to be located at the front of each dwelling addressing the street and / or internal driveway.
PC.1 • O.69	Each dwelling must provide a minimum storage area of $8m^3$. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.
AS.5 • O.68	Indoor ducted air conditioning elements are encouraged to be located towards the centre of the site and be acoustically insulated.
PC.2 • O.70	Bins are to be presented on the kerbside for collection and are not to encroach on any driveway. This is to be demonstrated as a waste collection area on submitted site plans.
PC.3 • O.71	A maximum of one driveway is permitted per street frontage of each dwelling. **Example:** A dwelling with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.8. Boarding houses, Co-living housing, and Group homes

Boarding houses are a form of housing that provides short to long term residency for individuals, and generally consist of a range of shared facilities with separate private rooms. These are used to provide affordable housing and are centrally managed by either the Land and Housing Corporation or a community housing provider.

Co-living housing is a form of housing that functions similarly to that of boarding houses, with the primary distinction being that Co-living housing is privately managed and maintained through a 24/7 property manager.

Group homes include both permanent and transitional solutions and are designed to operate as a single household unit with varying levels of care. Group homes are often employed as housing solutions for those with disabilities, socially disadvantaged, rehabilitation facilities, and temporary housing. Detailed definitions for Boarding houses, Co-living housing, and Group homes are provided in the **Glossary**.

Boarding houses, Co-living housing, and Group homes must comply with the controls in **Section 6.2** and the Housing SEPP. **In the event of any inconsistency between Section 6.2 and the relevant parts of the Housing SEPP, the Housing SEPP prevails.**

6.9. Multi-dwelling housing

Multi-dwelling housing are a form of housing that consist of 3 or more dwellings on a single lot of land. Multi-dwelling housing can be either attached or detached, and each residence has separate accesses at ground level.

Multi-dwelling housing must comply with the controls in **Section 6.2** and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.72 To encourage low-medium rise housing in suitable locations through high quality and high amenity design that progresses towards closing the 'missing middle' housing gap.
O.73 To ensure that storage areas, parking areas, open space, and waste collection areas are suitably designed and located to be compatible with the streetscape, and be accessible, clean and safe.
O.74 To provide a set of urban design controls tailored to multi-dwelling housing that is considerate and complementary to both the housing typology and surrounding context.
O.75 To provide for adequate waste storage areas onsite and designate areas for waste collection that are effectively blended into frontages and designed for kerbside collection.
O.76 To provide dwellings in multi dwelling housing which are designed to be flexible and easily modified to cater for occupants with an existing or progressive mobility or ability need.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Design and siting	
AS.1 • O.72 • O.74	Designs and architectural elements of multi-dwelling housing should be relatively consistent, having a coordinated style and base colour palette. Distinctions between dwellings should be made through small details, including varied extrusions, accent colours, and variances in bedrooms.
AS.2 • O.73	Multi-dwelling housing is to generally adhere to the following principles relating to legibility and wayfinding:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	a. Creation of an appearance of either a single dwelling or grouped dwellings that are separated by gardens, landscaping, open space, ancillary structures, and parking areas, with facades incorporating a variety of materials and shading structures, b. Avoidance of repetition or duplication of the design of nearby multi-dwelling housing near to the development, and c. Keep each unit, its entrance, and associated private parking grouped, with clear numbering of each unit to provide wayfinding.
PC.1 • O.74	At least one habitable room is to be located at the front of each dwelling addressing the street and/or internal driveway.
AS.3 • O.74	Dwelling designs should locate bedrooms away from high noise areas, being: • internal driveways, • parking areas, • garages, • and manoeuvring areas.
Internal circulation and access	
PC.2 • O.73	Driveway accesses for multi-dwelling housing are to provide internal passing bays in accordance with *AS2890.1 Parking facilities – Off-street car parking*.
AS.4 • O.73	Traffic calming measures should be incorporated into the design of the internal driveway, such as speed bumps. **Note:** Traffic calming measures utilised in the Maitland LGA are provided in Council's MoES.
PC.3 • O.73	A clearly defined pedestrian route is to be provided for walking from the street frontage to each dwelling's frontage. On corner lots, this may be achieved through public footpaths around the development (if present).
PC.4 • O.73	For multi-dwelling housing, the driveway crossing is to be a minimum of 5.5m wide and is to extend 6m minimum inside the property boundary to accommodate vehicle passing.
Open space and storage areas	
PC.5 • O.73	Clear differentiation between private areas (private yards, carports/garages, PPOS) and communal open space and parking is to be made through physical separations, including fencing, dwelling siting, and landscaping.
PC.6 • O.73	Both private and communal parking areas are to be positioned so that dwellings have passive surveillance over these areas.
PC.7 • O.73	The PPOS for each dwelling is to be directly accessible via the main living area of each dwelling.
AS.5 • O.73	PPOS is only permitted within the front setback in instances where: • the dwelling is of a two-storey construction which provides casual surveillance to the street from a first-floor balcony; AND • the dwelling does not front a public road; and the location of PPOS in the front setback is required to achieve compliant solar access.
PC.8 • O.73	Each dwelling must provide a minimum storage area of $8m^3$. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Waste servicing	
AS.6 • O.75	Bins are to be presented on the kerbside for collection and are not to exceed 100%of the site's street frontage. This is to be demonstrated as a waste collection area on submitted site plans. Notwithstanding the above, this control may be varied in the following circumstances where kerbside collection cannot be achieved, Council may consider: a. Demonstration, to Council's satisfaction, that suitable arrangements have been made for waste collection that have no adverse impacts on the streetscape, local amenity, or neighbouring properties. OR b. **In exceptional circumstances,** the provision of an alternate collection point (communal waste storage area or temporary bin holding area) for a collect and return service, which must: i. be provided within 8m of the kerb, ii. have a setback of at least 1m from the front boundary, iii. be identified on site plans, iv. consist of a hardstand area suitably graded to prevent stormwater runoff, v. provide an unobstructed concrete pathway to the frontage, being at least 1.6m wide, vi. provide for manoeuvring arrangements in and out of the area on a plan that demonstrates no stacking of bins, vii. be at least 25% larger than the size of the bins and/or equipment required. viii. **Additionally,** for temporary bin holding areas, bins are not to be present more than 24 hours before or 24 hours after collection. Consultation is to occur with Council's Waste Services to ensure that adequate driveway thickness and turning circle is provided. **Note:** If (a) or (b) are undertaken, the proposed development must have signed Council's Liability Indemnity Form before an Occupation Certificate is issued, should Council's waste services be required to access the property or driveway.
PC.9 • O.75	Waste collection areas are not to obstruct traffic flows either on the road or access to and from the property. This includes not impeding pedestrian traffic along the site frontage.
PC.10 • O.75	Where provided, communal waste storage areas are to meet the following design criteria in addition with that of **AS.5**: a. Provision of a roof, with a minimum ceiling height of 2.4m, b. Be screened or not visible from the street, preferably through a combination of plantings and design elements, c. Maximum crossfall of 5%, d. Provide adequate lighting and ventilation, e. Include an external water tap near to the area and a drain within the bin storage area discharging to a sewer connection, f. Provide doorways with a minimum width of 1.8m, g. Have a floor area at least 25% larger than the size of bins and/or equipment required, and h. Provide a minimum of $6m^2$ additional storage area for bulky waste per every 20 units provided (rounded up).
Universal Accessible Design	
PC.11 • O.75	Car parking and garages allocated to adaptable dwellings must comply with the requirements of AS 2890.6-2009 (Accessible (disabled) car parking requirements).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.7 • O.75 • O.76	Dwellings designed for use by persons with a disability should be located at ground level. Where adaptable dwellings are proposed above the ground level, lift access must be provided. The lift access must provide access from the basement level to allow access for people with disabilities.
PC.12 • O.75 • O.76	Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 are to be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas.

6.10. Residential flat buildings and Shop top housing

Residential flat buildings (generally referred to as apartments or units) are a type of housing that contain 3 or more dwellings, but do not include an attached dwelling, co-living housing or multi-dwelling housing. They are generally defined by having a consolidated ground floor access for multiple dwellings, rather than separated accesses.

Shop top housing consists of one or more dwellings located above the ground floor of a building, where at least the ground floor of the building is used for commercial premises or health services facilities. Where Shop top housing exceeds two storeys, the residential flat building controls are applied.

Further controls pertaining to residential flat buildings and shop top housing are provided in Chapter 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) (or equivalent). Residential flat buildings and shop top housing must comply with the controls detailed in Chapter 4 of the Housing SEPP, **Section 6.2**, and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails. In the event of any inconsistency between Section 6.2, this section, and the NSW Apartment Design Guide and Chapter 4 of the Housing SEPP, the NSW Apartment Design Guide and Housing SEPP prevails for the following matters:

- visual privacy,
- solar and daylight access,
- common circulation and spaces,
- apartment size and layout,
- ceiling heights,
- private open space and balconies,
- natural ventilation, and
- storage.

Objectives

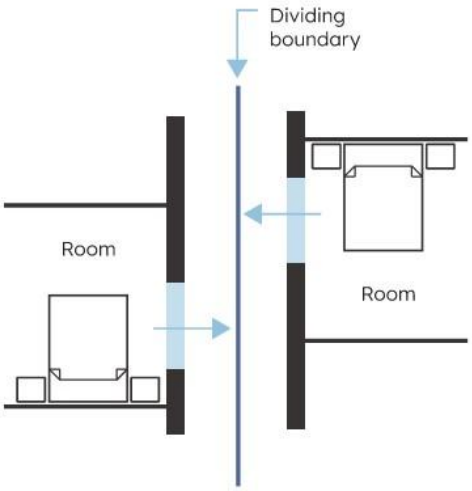
O.77 To ensure that high-density development is situated on appropriate block types that take into account the increased level of servicing required for a comfortable level of habitation.

O.78 To establish a high-quality residential environment where all dwellings have a good level of amenity.

O.79 To ensure that high-density development integrates with streetscapes.

O.80 To provide for adequate waste storage areas onsite and designate areas for waste collection. These are to be suitably accessible from the street, effectively blended into frontages, and clean and safe for all users.

O.81 To provide dwellings in residential flat buildings and shop-top housing which are designed to be flexible and easily modified to cater for occupants with an existing or progressive mobility or ability need.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Design and siting	
PC.1 • O.78	Residential flat buildings and shop top housing are to satisfy the design quality principles detailed in Chapter 4 of the Housing SEPP, and to meet the objectives, design criteria, and design guidance stipulated in the Apartment Design Guide (or equivalent).
AS.1 • O.77	Residential flat buildings are preferred on sites with at least 25m minimum of street frontage, with direct frontage to the public domain. Sites with less than 25m of street frontage are to be accompanied by justification that all controls pertaining to landscaped area, canopy cover, open space, waste, parking, and internal circulation can be satisfied.
PC.2 • O.78	Direct facing windows or balconies of dwellings must not be within 6m of windows or balconies of other dwellings (at horizontal angles up to 45 degrees).  **Figure 6-8: Window Offset**
Internal circulation and access	
AS.2 • O.77 • O.79	A proposed development should minimise the number of vehicular ingress and egress points to the site.
PC.3 • O.77 • O.79	For garages, a maximum of two double garage doors per 20m of lot frontage facing any one street frontage is permitted.
PC.4 • O.79	A clearly lit and defined pedestrian route is to be provided for walking from the street frontage to the accesses of each habitable structure.
Waste servicing	
PC.5 • O.80	A designated communal waste collection area is to be provided as part of a development and shown on site plans. Developments satisfying the following criteria are exempted from this control and are to instead adhere to **Section 6.9 AS.5, PC.9, and PC.10**: • The development proposes to construct a maximum of 16 residential dwellings on a single lot, AND

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• The development is not more than 3 storeys high, AND • In the case of Residential flat buildings, the proposed development has at least 25m minimum street frontage.
PC.6 • O.80	The designated communal waste collection area is to include the following: a. A loading dock or truck stand that provides enough space for the ingress, egress, and manoeuvring of Council's waste vehicles, including to adequately provide the waste service (e.g. accommodations for lifting mechanisms), b. A waste holding room adjacent to the provided loading dock or truck stand to temporarily store all bins prior to collection. This waste holding room is to be in line with the design criteria provided in PC.8 below, c. A bulky waste holding area adjacent to the waste holding room in line with the design criteria provided in PC.9 below, d. A bin storage area in line with the design criteria provided in PC.10 below, e. A bulky waste storage area in line with the design criteria provided in PC.9 below, f. bin tug devices or a goods hoist may be required where bin storage and waste collection areas are on different levels or not within proximity to each other; and g. A physical element to limit vehicular and pedestrian access to the loading dock / truck stand and communal waste collection area, such as a moveable barrier, and h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay. **Note:** In circumstances where a Council vehicle is required to access and manoeuvre within a site, an Indemnity Agreement is to be entered into with Council prior to the issue of an Occupation Certificate.
PC.7 • O.80	Waste holding rooms are to meet the following design criteria: a. Have a floor area at least 25% more than the size of the maximum bin capacity, b. Not stack bins in a manner that is more than 4 bins deep. c. Provide doors that are a minimum of 1.8m in width, opening in an outwards direction with the capability to be locked open, d. Have a maximum crossfall of 5%, and *e.* Provide adequate ventilation or mechanical ventilation.
PC.8 • O.80	Bulky waste holding areas and bulky waste storage areas are to meet the following design criteria: a. Be the following dimensions: i. 6 – 20 units: a minimum of $6m^2$ ii. 20+ units: a minimum of $6m^2$ for every 20 units, up to a maximum of $24m^2$. b. Provide adequate ventilation or mechanical ventilation, c. Provide doors that are a minimum of 1.8m in width, opening in an outwards direction with the capability to be locked open, d. Provide an external water tap adjacent to the area, e. Provide a drain discharging to a sewer connection, f. Have a maximum crossfall of 5%,and *g.* Install Council's master locking system on access doors.
PC.9 • O.80	Bin storage areas are to meet the following design criteria: a. Provide adequate ventilation or mechanical ventilation, b. Have a floor area at least 25% larger than the needed area for bins and/or equipment, c. Provide an external water tap adjacent to the area, d. Provide a drain discharging to a sewer connection, e. Have a maximum crossfall of 5%,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. Have a minimum ceiling height of 2.4m, g. Provide doorways with a minimum width of 1.8m and have a connecting pathway at least 1.6m wide between the bin storage area and the communal waste collection area, h. Be sealed in order to prevent vermin, i. In cases where chute systems **are not** used, bin storage areas are to be located in a position accessible to all residents, and j. In cases where chute systems **are** used, chutes are to discharge into bin storage areas and access to the bin storage area is to be restricted from residents.
PC.10 • O.80	Where the development is four storeys or more it must be provided with a garbage, recycling, and food organics chute system. E-diverters are not permitted.
PC.11 • O.80	Where the development is four storeys or more, waste service rooms are to be provided within each level of the development. Waste service rooms must: a. Contain all bins and where relevant, chute inlets, b. Be located in a convenient location for all relevant users, c. Be of an adequate size to contain garbage, recycling, and food organics infrastructure, d. Have a floor area at least 50% larger than the size of the bins and equipment required, e. Provide adequate ventilation or mechanical ventilation, f. Have floors, walls and ceilings of the service rooms which are finished with smooth impervious materials that are capable of being easily cleaned, and g. Contain clear signage that describes the types of waste that can be put in each chute/bin.
PC.12 • O.80	In cases where the development is proposed to be mixed-use, residential waste and non-residential waste must be stored and managed separately and must be able to operate concurrently without conflict. Residential waste must comply with the provisions under this Section, and non-residential waste must comply with the relevant provisions under Chapter 7 Section 7.5.2. Circular Economy and Waste Management.
Note: Underground waste collection is generally not supported and will be handled on a merit basis.	
Universal Accessible Design	
PC.13 • O.80 • O.81	A minimum of 10% of all dwellings in residential flat building developments containing 10 dwellings or more, are to be designed to be capable of adaptation for access by people with all levels of mobility. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes 'pre-adaptation' design details to ensure visitability is achieved.
PC.14 • O.80	Car parking and garages allocated to adaptable dwellings must comply with the requirements of AS 2890.6-2009 (Accessible (disabled) car parking requirements).
PC.15 • O.80 • O.81	Development must adhere to the applicable residential components of AS 1428.1-2009 (Design for access and mobility – General requirements for access – New building work) and AS 1428.2-1992 (Design for access and mobility – Enhanced and additional requirements – Buildings and facilities).
AS.3 • O.80 • O.81	Dwellings designed for use by persons with a disability should be located at ground level. Where adaptable dwellings are proposed above the ground level, lift access must be provided. The lift access must provide access from the basement level to allow access for people with disabilities.
PC.16 • O.80	Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 are to be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas.

6.11. Ancillary structures

This Section of the DCP applies to ancillary structures within the R1 General Residential, R5 Large Lot Residential, RU1 Primary Production, RU2 Rural Landscape and C4 Environmental Management zones of MLEP 2011.

Ancillary development is a group term that covers a variety of minor types of development that would ordinarily be associated with a dwelling. They generally have minimal environmental impact and cannot contain a habitable room. Many of these forms of development can be undertaken as Exempt Development or Complying Development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

For the purpose of this Section 'development ancillary to a dwelling' is defined as: a shed, garage, carport or outbuildings. This Section applies where the Exempt and Complying Development Codes cannot be complied with.

Note that garages and carports are contained within the specific housing types within this Chapter of the DCP.

Objectives

O.82 To ensure ancillary structures such as sheds and outbuildings do not dominate the streetscape.
O.83 To provide further guidance for ancillary structures to ensure consistent and desired amenity is attained without adverse impacts to adjoining properties.
O.84 To ensure ancillary structures are consistent with heights, bulk and setting of the relevant land use zone, locality and street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.1
- O.82
- O.83
- O.84

Ancillary structures within the R1 General Residential, R5 Large Lot Residential, C4 Environmental Living, RU1 Primary Production and RU2 Rural Landscape zones should generally comply with **Table 6.8**.

Table 6.8: Ancillary structure provisions

CATEGORY	LAND USE ZONE (MLEP 2011)			
	R1 General Residential	R5 Large Lot Residential, C4 Environmental Living (<4,000m^2)	R5 Large Lot Residential, C4 Environmental Living (>4,000m^2)	RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management
Maximum building site coverage %	10%	N/A		
Maximum Floor Area	72m^2	120m^2	200m^2	N/A
Maximum Eave Height	3m	4.8m		4.8m
Total Overall Height	3.6m	5.5m		7m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

CATEGORY	LAND USE ZONE (MLEP 2011)			
	R1 General Residential	R5 Large Lot Residential, C4 Environmental Living (<4,000m2)	R5 Large Lot Residential, C4 Environmental Living (>4,000m2)	RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management
Minimum front setback behind building line	1m	1m	15m	15m
Minimum Side and Rear Setback	0.9m	3m	5m	10m
Minimum Secondary Setback	3m	5m	15m	15m
Minimum setback from other ancillary structures	N/A			5m

Note: Except for RU1 Primary Production, RU2 Rural Landscape, and C3 Environmental Management zoned land, proposed development for the purposes of a shed may instead satisfy the criteria of PC.1 and PC.2 of this section should they exceed one of the provisions detailed above. All other ancillary structures are to satisfy the provisions within this table.

PC.1
- O.82
- O.83
- O.84

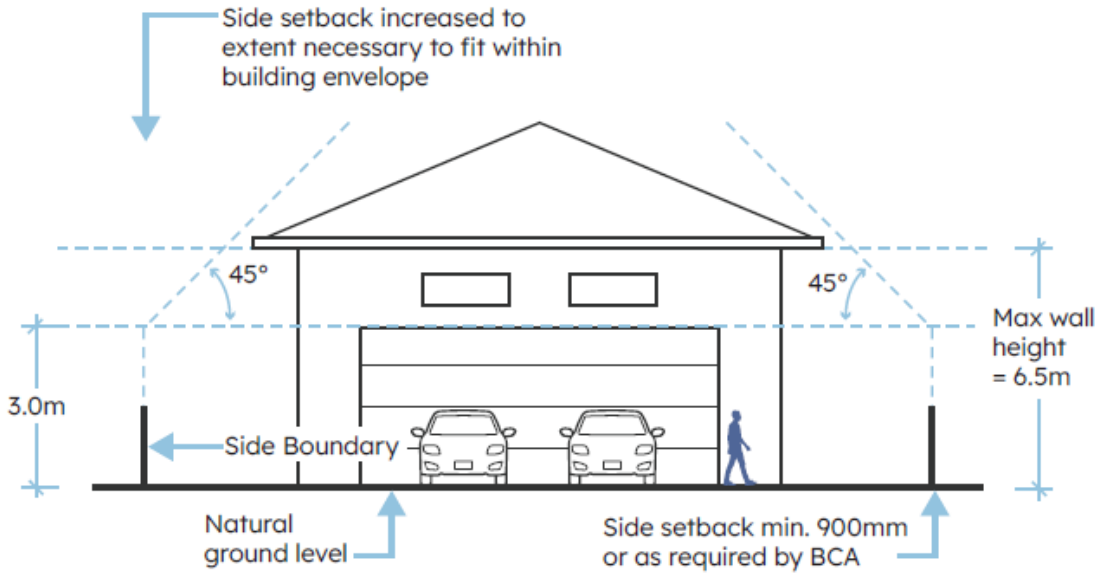
If a shed within R1 General Residential, R5 Large Lot Residential (<4,000m^2) or C4 Environmental Living (<4,000m^2) zoned land does not satisfy the requirements laid out in **Table 6.8**, the following criteria is to be satisfied:

a. the shed is not to be located within 1.8m of a dwelling on an adjacent lot,
b. the shed does not exceed 10% building site coverage or 120m^2 (including awnings, carports and the like), whichever is lower,
c. the shed height responds to changes in topography from adjacent lots,
d. the shed is sited in a manner that is clearly ancillary to the primary use of the land upon which it is proposed and must not dominate the primary structure,
e. the shed uses colours and materials that are consistent with the dwelling on the site and adjoining properties,
f. the shed is of a similar bulk and scale to nearby sheds,
g. the shed is not to be a shipping container,
h. landscaping is utilised to assist in screening the shed from visual intrusion on adjoining properties, and
i. minimum setbacks within **Table 6.8** must be met.

PC.2
- O.82
- O.83
- O.84

If a shed within R5 Large Lot Residential (>4,000m^2) or C4 Environmental Living (>4,000m^2), does not satisfy the requirements laid out in **Table 6.8**, the following criteria is to be satisfied:

a. the shed does not unreasonably impact the amenity of an adjoining property through its bulk, scale, privacy, or overshadowing,
b. the shed is not located within 15m of a dwelling on an adjacent lot,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. the shed does not exceed 250m² in total area (including awnings, carports, and the like), d. the shed does not result in the combined impervious area of all ancillary structures on the land exceeding 10% impervious area, e. the shed is sited in a manner that is clearly ancillary to the primary use of the land upon which it is proposed and must not dominate the primary structure, f. the shed uses colours and materials that are consistent with the dwelling on the site and adjoining properties, g. the shed is of a similar bulk and scale to nearby sheds, h. the shed is not to be a shipping container, i. landscaping is utilised to assist in screening the shed from visual intrusion on adjoining properties, and minimum setbacks within **Table 6.5** must be met.
PC.3 • O.82 • O.83 • O.84	Within R1 General Residential, R5 Large Lot Residential, and C4 Environmental Living zoned land, minimum side setbacks are to increase with the height of the ancillary structure and must be within a building height plane projected at an angle of 45 degrees over the land, to be built upon from a distance of 3m above ground level.  **Figure 6-9: Increase in side setbacks for two or more storeys (Ancillary Structures)**

6.11.1. Swimming Pools

Objectives

O.85 To ensure that swimming pools do not have an adverse impact on surrounding properties.
O.86 To ensure that swimming pools are appropriately sited and designed.
O.87 To ensure that the bulk and scale of a swimming pool is consistent across residential areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.85 • O.86	Swimming pools are to maintain compliance with the applicable Residential Uses controls and acceptable solutions, including, but not limited to, landscaped area, impervious area, and PPOS. These controls are provided in Section 6.2 of this Chapter.
PC.2 • O.85 • O.86	Swimming pools are to be located behind the dwelling's primary street building line and, if applicable, behind the dwelling's secondary street building line.
PC.3 • O.86	At least 1m of clear space is to be provided around the swimming pool. The swimming pool may encroach the dwelling's rear setback provided that the 1m of clear space is maintained.
PC.4 • O.86	Swimming pool decking is to be a maximum of 1.4m above existing ground level.
PC.5 • O.86 • O.86	Coping width is to be a maximum of 0.3m wide if more than 0.6m above existing ground level.
PC.6 • O.86	If a swimming pool has a proposed capacity equal to or more than 40,000L, it must be accompanied by a compliant BASIX certificate.
PC.7 • O.86	For swimming pools in rural areas, the proposed design and location is not to impact upon on-site sewage management systems and any associated effluent disposal areas.
PC.8 • O.85 • O.86	Any swimming pool pump provided is to be contained in a noise-proofed enclosure.
PC.9 • O.86	Child resistant barriers are to be installed and constructed in accordance with the requirements of the Swimming Pools Act 1992 (or as amended).



Maitland DCP 2026

Chapter 7: Commercial Uses

maitland CITY COUNCIL

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7.1. Introduction

7.1.1. Application

The objectives and controls contained within this Chapter apply to development defined as **commercial premises.** Commercial premises is a group term that includes business premises, office premises and retail premises. See the *Maitland Local Environmental Plan 2011* (MLEP) for the definitions and sub-terms within these definitions.

7.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
    - Where there are inconsistencies between this chapter and Chapter 2: Section 2.4, Chapter 2: Section 2.4 will prevail to the extent of any inconsistency.
- Chapter 3: Site Requirements
- Chapter 4: Heritage
    - Where there are inconsistencies between this chapter and Chapter 4, Chapter 4 will prevail to the extent of any inconsistency.
- Chapter 5: Subdivision
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix F: Crime Prevention Through Environmental Design (CPTED) Guidelines
- Chapter 10: Precincts, Locality Plans and Urban Release Areas
    - Where there are inconsistencies between this chapter and Chapter 10, Chapter 10 will prevail to the extent of any inconsistency.

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

7.1.3. How to use this Chapter

The E1 Local Centre, E2 Commercial Centre, and MU1 Mixed Use zones support a diverse mix of retail, business and community uses that cater to residents, workers and visitors. It promotes commercial investments to drive employment and economic growth. New developments contribute to active street frontages and to contribute to vibrant and functional streets and public spaces.

This Chapter applies to commercial premises as defined under the MLEP 2011, as well as developments that share characteristics with commercial uses but do not fall within formal definitions. It serves as a guide for situations where other Chapters of this DCP do not clearly apply or where a proposed land use is not explicitly addressed. This ensures that such developments are assessed and regulated in a manner consistent with the overarching planning objectives, providing clarity and flexibility for projects that may not fit neatly into predefined categories. This may include uses outside the commercial premises group term such as:

- amusement centres, entertainment facilities, function centres & registered clubs,
- highway service centres, service stations, restricted premises,
- veterinary hospitals, wholesale supplies, and
- home businesses

The Chapter is structured into two sections, as follows:

General commercial uses controls (Section 7.2 – 7.5)

This section focuses on commercial uses building form, street activation and infrastructure serving.

Centre placed-based controls (Section 7.6)

This section provides additional controls for several strategic centres, which are more place-based to improving the amenity of centres.

7.1.4. Intent of this Chapter

The intent of this Chapter is:

- To promote and facilitate development and expansion of retail, business and community uses in appropriate locations that contribute to economic growth and employment opportunities within the LGA.
- To ensure that commercial development within the Maitland LGA gives regard to site constraints and opportunities.
- To provide housing within mixed used developments to maximise the efficient use of public transport and encourage walking and cycling.
- To conserve and enhance the historic, architectural and aesthetic character of urban areas, particularly in relation to heritage items and heritage conservation areas.
- To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of commercial developments, including energy, materials and water consumption.

7.2. Scale and bulk

7.2.1. Building height

Objectives

O.1 To create an appropriate interaction between new commercial uses, existing commercial uses, street widths, and any surrounding land uses.
O.2 To achieve a consistent scale and built height at the street boundary.
O.3 To ensure that new commercial development reflects the desired future scale and density of the area while balancing existing built form and streetscape character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	The height of proposed development is to be in accordance with the *Height of Buildings Map* provided under Clause 4.3 of the MLEP 2011. Where no height limit is specified, a merit-based approach is taken.
AS.1 • O.1 • O.2	In areas where development is permitted to the boundary line under Section 7.2.4 Place activation of this Chapter, buildings of three stories or more are encouraged to be stepped back from the third storey and above to provide the appearance of a two-storey wall height to the primary street.
PC.2 • O.2	Where proposed development adjoins low density residential properties, the building height is to be stepped down at the edge of the building envelope to a maximum of two storeys.
PC.3 • O.1 • O.2	Proposed building heights are to ensure that adequate solar access is maintained to existing adjoining dwelling's private open space and communal open space, and areas of developed public open space.
AS.2 • O.1 • O.2 • O.3	Ancillary buildings to a proposed development on a laneway should not exceed 6m in height.
AS.3 • O.1	Proposed development over 15m in height should have a minimum of 20m of site frontage in order to assist in achieving a consistent bulk and scale.

7.2.2. Ceiling height

Objectives

O.4 To provide floor to ceiling heights within commercial development that allows for a wide range of potential commercial uses throughout the design life of a building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.4	Minimum ground floor to ceiling height for proposed development is to be 4m to allow for servicing and flexibility in future use.
PC.2 • O.4	Minimum first floor and above floor to ceiling height for proposed development is to be 3.3m for commercial uses.
PC.3 • O.4	Minimum first floor and above floor to ceiling height for proposed development is to be 2.7m for residential uses.

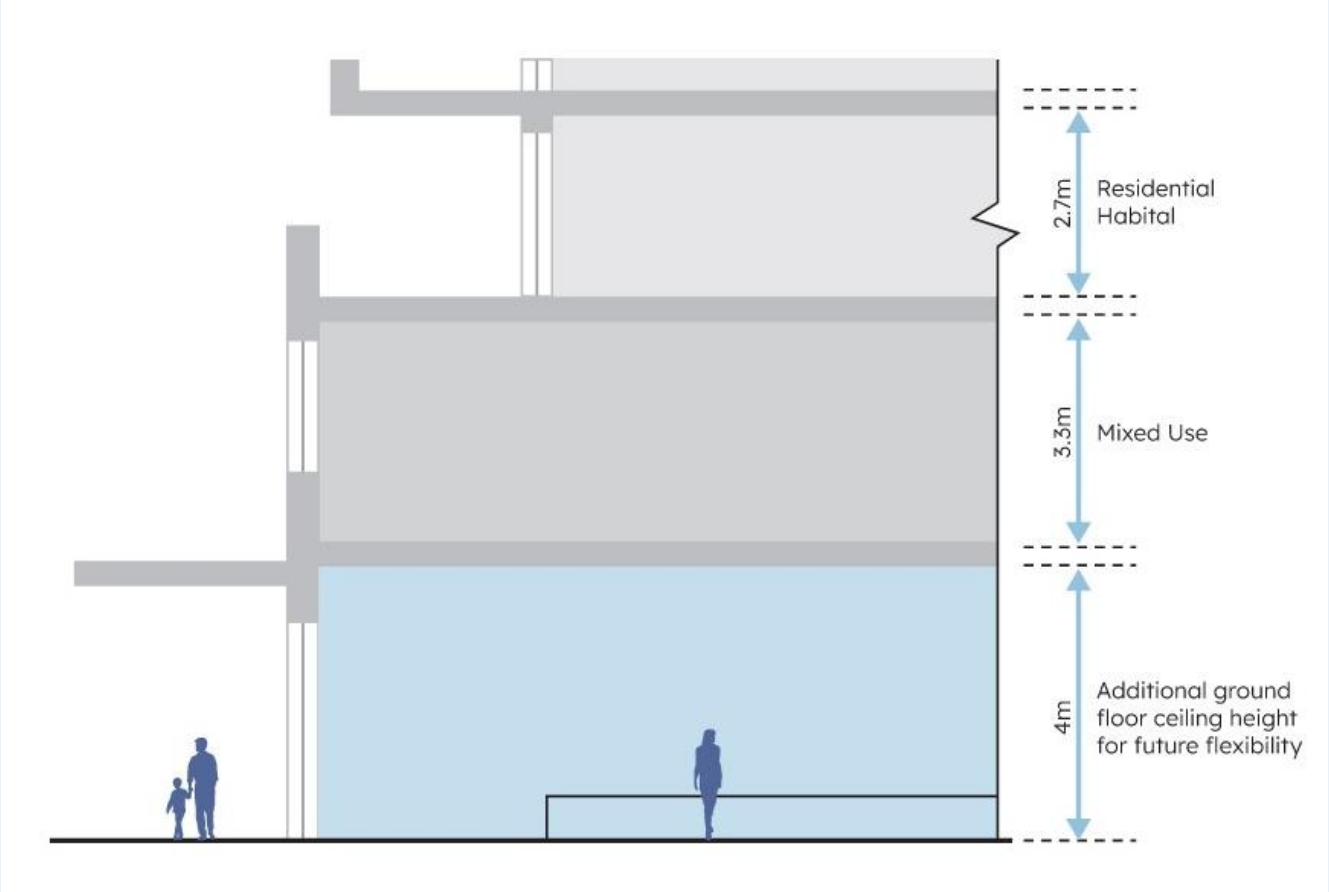


Figure 7-1: Example of applied floor to ceiling height controls

7.2.3. Overshadowing and privacy

Objectives

O.5 Ensure development retains reasonable levels of solar access to neighbouring properties including for solar panels and private open space.

O.6 Ensure that commercial development does not generate adverse amenity impacts on residential and other sensitive land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.6	New commercial development that is 2 storeys in height or greater, and that is adjacent to public open space, existing residential development, or residential zones, must provide shadow diagrams in accordance with the following: a. Based on a survey of the site and adjoining development, b. Showing shadows cast at 9am, 12 noon and 3pm on June 21 (winter solstice), c. Showing shadows at these times resulting from the proposed development, any ancillary structures, any cut and fill, and d. Showing the impact of shadowing on adjoining properties or public open space.
AS.1 • O.5	Where reasonably practicable sunlight to any existing solar panels should not be reduced to less than two hours between 9am and 3pm on 21 June.

7.2.4. Setbacks

Objectives

O.7 To ensure commercial buildings in main street environments are built to the front property boundary, reinforcing the spatial character and promoting an active street frontage.

O.8 To ensure commercial developments outside of main streets contribute positively to the streetscape through appropriate setbacks and landscaping.

O.9 To mitigate potential impacts of commercial developments on adjoining sensitive areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.7 • O.8 • O.9	Unless the proposed development is within a commercial precinct identified under Chapter 10 of this DCP or otherwise have a nominated setback under Section 7.6 of this Chapter, setbacks for development for commercial uses are to be provided in accordance with **Table 7.1** below:

Table 7.1: Minimum setbacks for commercial uses

LAND ZONE	FRONT SETBACK[1]	SECONDARY SETBACK	SIDE SETBACK	REAR SETBACK
E1 Local Centre	0m	0m	0m	3m[(2)]
E1 Local Centre bordering a residential area	0m	2m	3m	6m
E2 Commercial Centre	0m	0m	0m	3m[(2)]
E2 Commercial Centre bordering a residential area	5m	5m	5m	6m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

LAND ZONE	FRONT SETBACK1	SECONDARY SETBACK	SIDE SETBACK	REAR SETBACK
E3 Productivity Support	5m	3m	3m(2)	3m(2)
E3 Productivity Support bordering a residential area	5m	5m	5m	6m
MU1 Mixed Use	0m	0m	0m	3m(2)
R1 General Residential	2m	4m	3m	3m
R5 Large Lot Residential	4m	6m	5m	5m

Notes:

1. In cases where a setback is already established by existing commercial premises in a commercial/residential/mixed use area, front setbacks are to be aligned with neighbouring commercial development.
2. 0m side and rear setbacks may be considered for up to 50% of a boundary, subject to compliance with relevant requirements of the National Construction Code and with impacts to adjoining or adjacent properties being deemed to be limited, to the satisfaction of Council.

PC.2 • O.7	Where a commercial building is not built to the minimum setback provided in **PC.1**, a minimum of 25% of the front setback must be landscaped and include a deep soil area with a minimum of 1 tree per 30m² of deep soil.
PC.3 • O.7 • O.8	Proposed development on a corner site that has 0m (lot line) setbacks on at least 2 sides are to provide a splay corner of at least 1.5m x 1.5m at the intersection of two roads. No walls or plantings higher than 0.6m are permitted within the corner splay.
AS.1 • O.7 • O.8	Proposed developments adjacent to land in a residential zone must incorporate appropriate setbacks to effectively mitigate potential noise impacts and reduce visual intrusion, ensuring a harmonious transition between different land uses. Fencing, landscaping, or a combination of the two are acceptable, with consideration being given to the following as to a suitable treatment: • bulk and scale, • height, • design, and • proposed use.
PC.4 • O.9	Development fronting a laneway must be smaller in height and overall scale than buildings on the same or adjoining site that face the primary street, ensuring the primary frontage remains visually dominant. The development must maintain the streetscape hierarchy, and provide an appropriate transition between the main street and the laneway.
PC.5 • O.7 • O.8 • O.9	For buildings with a zero setback, ground levels must be designed to align with the existing footway or road reserve levels at the Development Application stage to ensure seamless transitions for building entrances, pedestrian access, and surrounding areas, minimising the need for ramps or steps.

7.3. Built form

7.3.1. Appearance and articulation

Objectives

O.10 To facilitate a variety of built form that is contextually appropriate and amenable to local character.
O.11 To encourage commercial development in new urban areas to address the streetscape and foster easy wayfinding and interaction, while simultaneously promoting improvements in function and innovation.
O.12 To ensure new commercial development is appropriately integrated within existing urban areas by incorporating key design elements that complement the surrounding streetscape.
O.13 To ensure that buildings on key sites, particularly corner sites, incorporate distinctive architectural features that enhance visual interest while maintaining harmony with the surrounding streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10 • O.11 • O.12 • O.13	Commercial developments, including standalone shops and main centres, must orient building entries toward the primary street frontage and, where applicable, the secondary frontage. Site layout should prioritise pedestrian accessibility, active frontages, and clear sightlines, with parking positioned to minimise visual impact from the street.
PC.2 • O.11 • O.12	Proposed mixed use developments are to be sited to maximise passive surveillance of the street. This is to be done by providing mixed uses in the following format: • Retail or commercial premises on the ground floor of a building to create street activation, and • Residential accommodation on the floors above. **Note:** The development must comply with Appendix F - CPTED Guidelines.
PC.3 • O.10 • O.12 • O.13	Walls exceeding 15m in length or 4m in height are to be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material variations to provide visual relief.
PC.4 • O.10 • O.12	Buildings must provide both horizontal and vertical articulation and variation in design in the following architectural elements, at a minimum: a. building or wall setbacks in the fashion of projections or recesses, b. openings including doors and windows, c. roof lines, d. materials, finishes, colours and detailing, and e. balconies, terraces, and shading elements.
AS.1 • O.12	Roofing should be reflective of adjoining and nearby properties of similar land use or demonstrate how a contrasting roofing solution integrates into the design of the existing roof lines.
AS.2 • O.13	Buildings on corner sites are to address both streets and create architectural distinction in their design. This could include, but is not limited to, the recessing of entryways, façade and awning articulation, windows, and a variety of colours and materials.

7.3.2. Facades

Objectives

O.14 To create legible design where the façade of the building reflects and expresses the function and purpose of the building.
O.15 To foster and establish visually interesting building facades in the streetscape that simultaneously integrate and blend with a local area.
O.16 To encourage an increase in detailed and fine grain characteristics to facades for commercial and mixed uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.14	Facades for commercial uses should satisfy the following design criteria to create a legible, high-quality, and well-proportioned design that supports vertical integration: a. Clearly defined building entryways, with separate entries for differing uses in mixed-use buildings, ensuring a logical and cohesive design hierarchy b. Retail and commercial components of the development should be visually distinct from office premises or residential accommodation through variations in materials, finishes, and articulation. c. On street corners, special architectural treatments—such as changes in materials, colours, finishes, articulation, roofline, or height—should be applied to enhance visual interest and emphasize the building's form. d. The overall proportions and aesthetics of the façade should contribute to a balanced and integrated appearance across different building uses, reinforcing a cohesive vertical design.
AS.2 • O.15 • O.16	Façade materials and finishes are to ensure that they are compatible with the public space and not detract from the surrounding environment. Materials and finishes that are **not** supported include: • Curtain glass walls, • Large surfaces of highly reflective materials and/or finishes, including glass, and • Bagged or rendered concrete finishing that is not designed for all-weather, long-term exposure to the elements.
PC.1 • O.14	Facades of buildings are to employ a combination of materials, colours, finishes, and architectural features that are complimentary to the local area in a fashion that reduces perceived bulk and scale.
AS.3 • O.15	In instances where new commercial development faces two or more street frontages, each façade is to be articulated and should respond to the nature of the street it faces.
AS.4 • O.14 • O.15	Shopfronts on corner sites should be located in a manner that is accessible from the side frontage. Alternatively, a secondary shopfront is to be provided.
PC.2 • O.15 • O.16	A variety of colours and tones are to be utilised in the façade's finishes and materials to create depth and improve visual amenity. Monocoloured buildings are not supported.

7.3.3. Awnings

Objectives

O.17 To create streetscapes that are more resilient to extreme weather conditions.
O.18 To provide continuous shelter and amenity for pedestrians within commercially oriented areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18	Awnings are to be provided on all building frontages that face or adjoin public open space or are situated along the active street frontage maps provided in Figure 7-3 through to Figure 7-10.
PC.2 • O.18	Awnings are to: a. Be at least 3m in depth (where the footpath allows), b. Have a clearance of at least 3m from Finished Floor Level to underside of awning, c. Have a 2.7m clearance from Finished Floor Level to the underside of any signage, d. Have a minimum setback of at least 0.6m from the street kerb to the edge of the awning to accommodate public domain elements such as lighting, signage and plantings, e. Be cantilevered, and f. Provide under awning lighting.

7.3.4. Roofing

Objectives

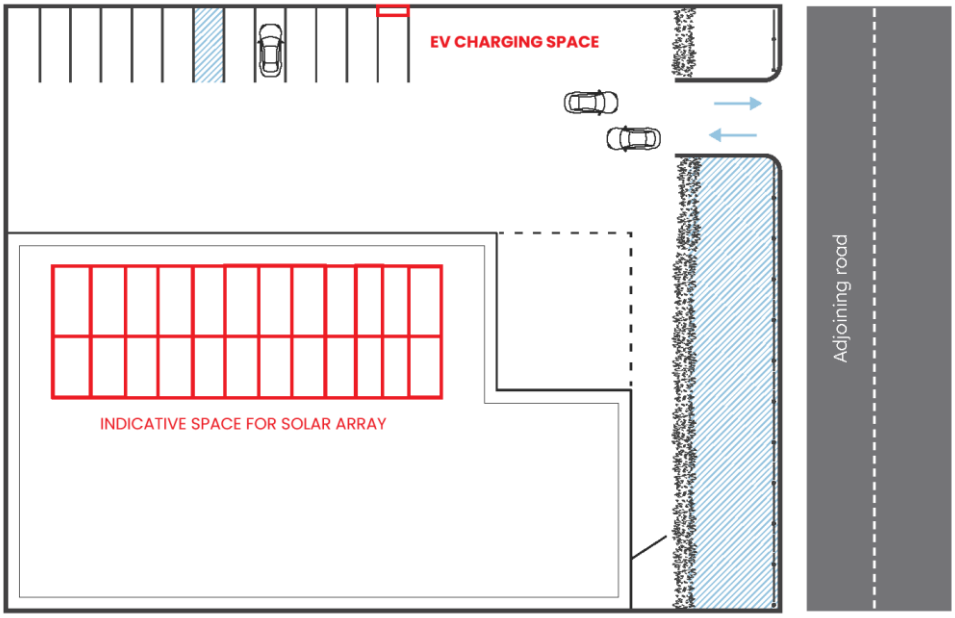
O.19 To ensure that roofs and roof elements are designed in a manner that makes a positive addition to the streetscape and skyline of a commercial precinct.
O.20 To promote expanded and mixed uses of roofs for activation through open space or commercial use, where appropriate.
O.21 To ensure that plant and service areas situated on the roof are incorporated into the design and obscured from adjoining public roads and properties.
O.22 To facilitate continuity of design in areas where parapet elements are utilised in the roof design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.19 • O.20 • O.21 • O.22	Roof forms should incorporate variations in height, pitch and articulation to contribute to a visually interesting skyline while ensuring a balanced relationship between building bulk and overshadowing.
AS.2 • O.19 • O.21	On sloping sites, roof planes must step with the topography.
AS.3 • O.19 • O.21	The roof form should be flat or low pitched.
PC.1 • O.19 • O.20 • O.21	Air conditioning units, lift motor rooms, and other plant must be fully integrated within the building or roof volume, or within an architectural roof feature and not openly viewed from public place or dwelling.
PC.2 • O.22	Roof-mounted elements, including photovoltaic panels, communication devices, antennae, satellite dishes, chimneys, and flues, must be integrated into the overall building design to minimise visual impact. These elements should be positioned to avoid obstructing views from neighbouring properties or detracting from the visual quality of the public domain.

7.3.5. Sustainable design

Objectives

O.23 To ensure building orientation maximises solar access and natural cross ventilation, promoting energy efficiency and occupant comfort.
O.24 To encourage the integration of energy-efficient systems and materials to reduce the overall environmental impact of commercial development.
O.25 To support the future adaptability of commercial buildings by incorporating design features that facilitate the installation of renewable energy generation and low-carbon technologies.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.24	Buildings should be oriented to maximise solar access and natural cross ventilation wherever possible to improve energy efficiency and occupant comfort.
AS.2 • O.24 • O.25	Developments are encouraged to incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.
PC.1 • O.24 • O.25	Developments must demonstrate future adaptability for the installation of renewable energy generation systems such as solar panels and the use of low-carbon technologies.  **Figure 7-2: Example of Site Plan with future adaptability indicated**
AS.3 • O.23 • O.24	Commercial buildings should demonstrate application of the following design matters from a sustainability perspective: a. orientation, b. thermal mass, c. shading, d. glazing, e. wall and roof colour, f. ventilation, g. solar access, and h. landscaping.

7.4. Place activation

7.4.1. Active street frontages

Objectives

O.26 To foster activation of street frontages through effective design that encourages amenity, safety, and accessibility.
O.27 To encourage active uses and pedestrian oriented development at ground level in commercial development.
O.28 To optimise social and economic development through enlivening urban environments that encourage pedestrian activity.
O.29 To limit activities that have the potential to damage pedestrian activity or amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.26
- O.27

Active frontages are to be provided at street level along footpaths and public open space in accordance with the following criteria:

a. Along at least 75% of the length of the façade for proposed development facing public open space, and/or
b. Along at least 50% of the length of the façade when facing main streets within a commercial centre, and/or
c. Where required within the Active Street Frontages Maps provided in Figure 7-3 to Figure 7-10.
d. Not required when facing laneways but encouraged to provide a form of passive surveillance to the street.

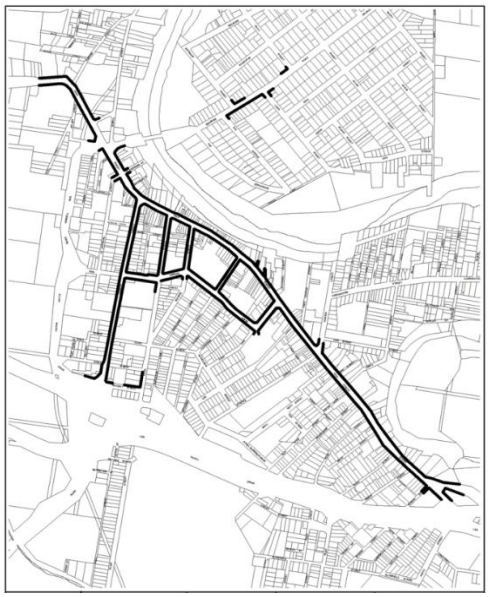


Figure 7-3: Central Maitland Active Street Frontages



Figure 7-4: Melbourne St Active Street Frontages

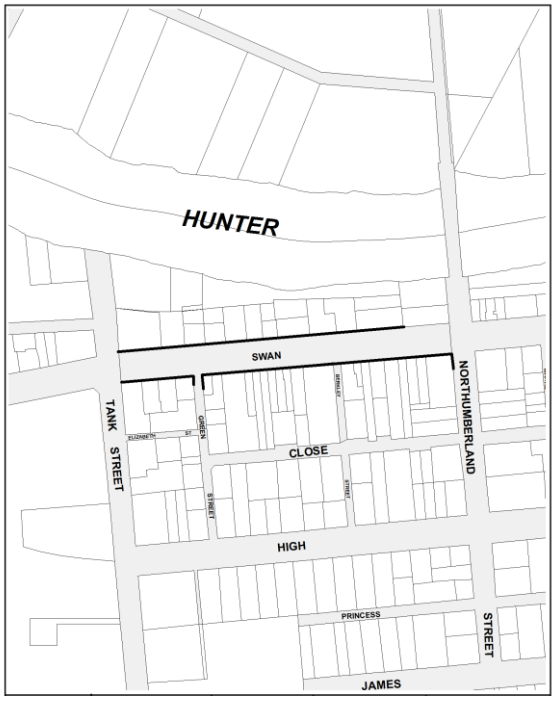


Figure 7-5: Morpeth Active Street Frontages

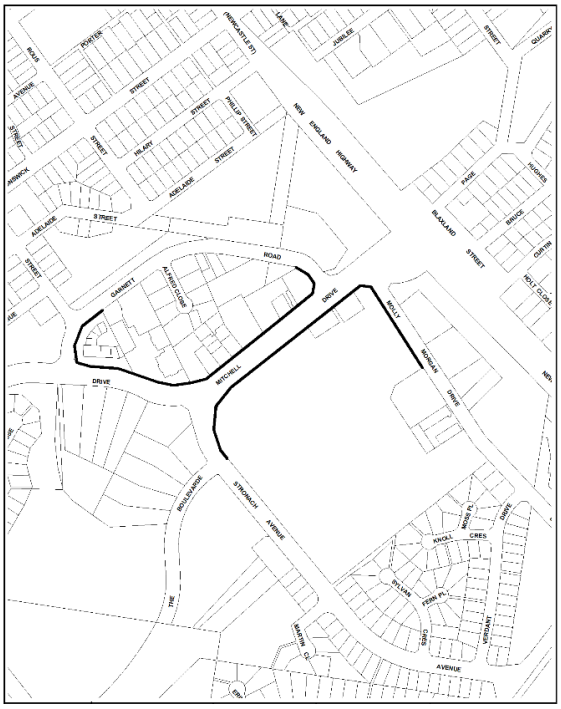


Figure 7-6: Greenhills Active Street Frontages

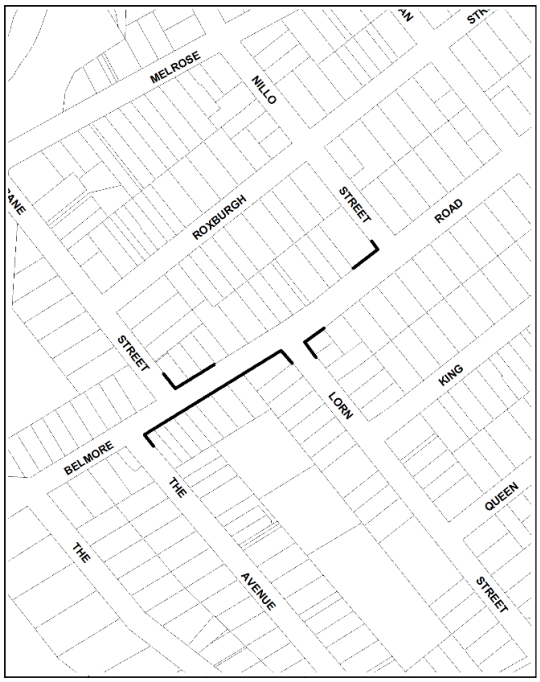


Figure 7-7: Lorn Active Street Frontages

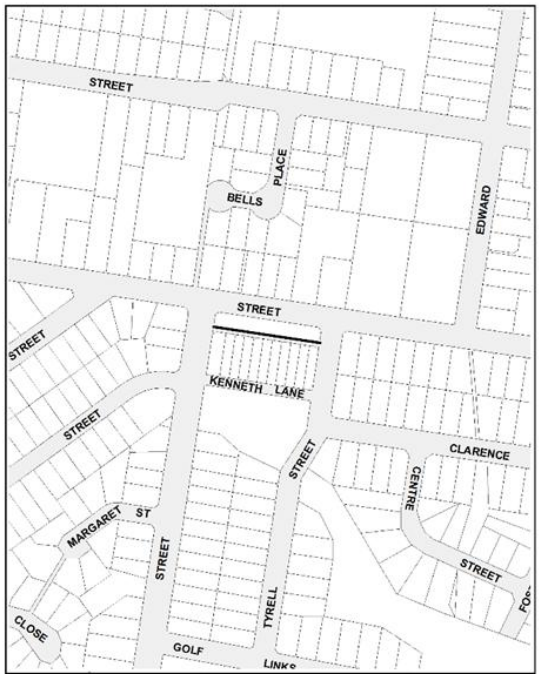


Figure 7-8: Tenambit Active Street Frontages

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

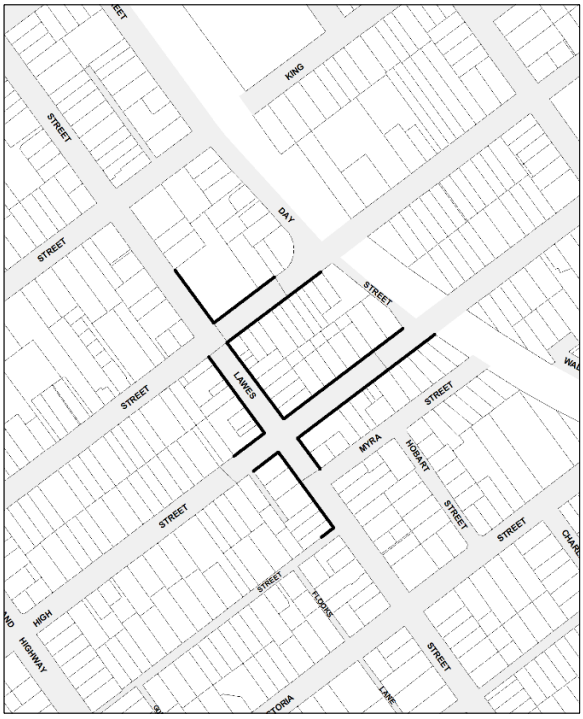


Figure 7-9: East Maitland Active Street Frontages

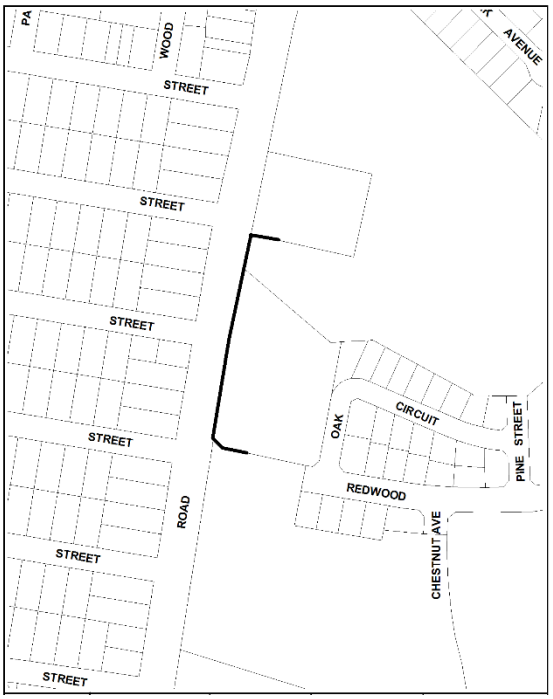


Figure 7-10: Gillieston Heights Active Street Frontages

PC.2 • O.26 • O.27	To be considered as an active street frontage, a façade must: • Have a maximum of 2m in unarticulated wall space across the length of the entire frontage, and • A minimum of 50% of ground floor frontage being windows, not including **false windows.** • Avoid high-set windows with large blank surfaces below. Windows must be positioned and proportioned to enhance street-level engagement and visual interest.
PC.3 • O.29	Doors are not to encroach on the footpath when opened.
PC.4 • O.27 • O.28	Larger format commercial development, such as supermarkets or shopping centres that do not require direct connection to the street and also provide for smaller commercial premises, must be sited and designed as to enable some smaller retail or office spaces to face the street and thereby take advantage of the streetscape.
PC.5 • O.27	In circumstances where security shutters are proposed along main streets, they must be visually permeable to allow for viewing of windows when a premises is not operating.
AS.1 • O.27 • O.28	The following built elements of a development should avoid being positioned along active street frontages or adjoining public open space within a commercial centre: a. Loading/unloading areas, servicing zones, or delivery docks, unless no other alternative is available, b. At-grade or multi-storey car parking that is not adequately screened or landscaped, and c. Access driveways, unless no other alternative is available.

7.4.2. Public domain

Objectives

O.30 To provide a safe walkable environment around commercial development, with visual interest, pedestrian amenity, and opportunities for social interaction.
O.31 To promote commercial development that is well connected to the street and contributes to the functionality of the public domain.
O.32 To ensure that commercial development is accessible to all members of the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.30	Buildings, street furniture and landscaping are to contribute to the definition and amenity of the area.
PC.2 • O.31 • O.32	Landscaped areas are to be integrated within the overall design to soften dominance of buildings and to provide shade, meeting places, resting areas and playgrounds.
AS.1 • O.31 • O.32	Benches and other forms of seating should be provided both inside and outside buildings to provide places for passive enjoyment of the space.
PC.3 • O.31 • O.32	Street furniture and paving are to take into account the needs of people with a disability or decreased mobility (e.g. seats to have arms and not be too low, slip resistant paving should be utilised).
PC.4 • O.31 • O.32	Pedestrian routes are to be clear, safe, well-lit and legible to all in accordance with MoES. Particular attention should be given to linking areas of the public domain and to improve safety at potential conflict points between different transport modes.
AS.2 • O.32	Pedestrian areas surrounding commercial development should allow for wheelchair, scooter or pram access from public areas and car parking to any retail areas, including at the threshold of shops.
PC.5 • O.31 • O.32	Ground floor levels must be designed in accordance with existing footpath and road reserve levels, ensuring seamless transitions for building entrances, pedestrian access, and surrounding areas. Developments must prioritise level access to reduce the need for ramps or steps wherever possible, enhancing accessibility and integration with the public domain.

7.4.3. Landscaping

Objectives

O.33 To encourage the retention of trees and other vegetation and integration of these features into the design of buildings and open spaces, particularly where vegetation is outside the proposed building footprint and is of ecological, aesthetic or cultural significance.
O.34 To provide landscaping that responds to the context and character of the area, the land uses, view lines and landmarks, any existing street or locality planting scheme, the local climate, and the site characteristics.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34	All commercial development in an urban area is to provide street tree planting (shown on an associated landscape plan) that: a. is of appropriate species for the local environment (in accordance with the **Maitland Tree Species List**) b. is consistent with any existing or approved theme/species in the immediate locality, c. is compatible with any public infrastructure, d. will not interfere with the safety of motorists, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	e. any other matters conditioned/required by council as part of the approval.
PC.2 • O.33 • O.34	Landscaping is to adhere to the following design criteria: a. Landscape works are to incorporate adequate screening from the street and adjacent neighbours, b. Corner lots are to provide landscaping to both street frontages, c. Tree and landscape planting is to be of a scale and extent that reflects the scale of the proposed development's buildings and pavement areas, and d. Structural soil and/or structural cells should be used to reduce competition between specimen trees and damage to infrastructure.

7.4.4. Fencing

Objectives

O.35 Provide privacy, security and noise attenuation while complementing the streetscape and adjacent buildings.
O.36 Provide for active street frontages and pedestrian access.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.35	The use of fencing and walls along primary street frontages is not supported.
PC.2 • O.35 • O.36	Fencing design adjoining public spaces is not to be sheet/metal fencing.
PC.3 • O.35 • O.36	No fence is to provided at more than a height of 3m above existing ground level.
PC.4 • O.35 • O.36	Fencing must complement the existing streetscape in relation to scale and materials and use similar or compatible materials to those used in attractive buildings within the locality.
AS.1 • O.36	Fencing should be open for at least 75% of the area of the fence that is more than 1.2m above ground level (existing) if located on the boundary of, or within, the setback area.

7.4.5. Lighting

Objectives

O.37 To ensure that business development does not result in unacceptable amenity impacts on adjoining land.
O.38 To ensure that lighting is integrated into the design of the building in a way which enhances and compliments its architecture and also promotes the safety of people moving in and around the building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.37	New commercial development must provide external lighting in accordance with Australian Standards.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.37	Lighting in commercial developments should: a. Accentuate entrances, both vehicular and pedestrian. b. Highlight special features or elements. c. Assist navigation around the development at night; and d. Contribute to activation of the area after hours.
PC.2 • O.38	Lighting must be in accordance with Appendix F: CPTED Guidelines.

7.4.6. Signage

Objectives

O.39 To encourage high quality signage that is properly designed, located and maintained.
O.40 To allow for the provision of signage that is compatible with the desired amenity and visual character of an area.
O.41 To ensure that signage does not dominate the skyline or compromise important views and that the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39 • O.40	A single business premises is permitted to have a maximum number of signs on each street frontage of the building (in accordance with the controls below) as follows: a. One under awning sign; b. One top hamper sign or flush wall sign; c. One fascia or awning fascia sign; d. One A-Frame sign on the footpath; e. Historic building identification signage Window signs maybe provided in addition to the list above as long as it does not take up more than 20% of the street window or significantly reduce visibility between the inside of the shop and the street. Each tenancy in a multiple tenancy in the same ownership or on the same lot may have the same signage as set out above (limited to one (1) A-Frame sign on a public street) as well as a single directory board /pylon sign, with a maximum height of 8.0m, naming the facility and listing some or all of the tenancies at or near the primary customer entrance.
PC.2 • O.39 • O.40 • O.41	Where a site fronts onto or is visible from an arterial road (especially a State highway or regional road), the applicant is to demonstrate that the signage: a. Is integrated into the landscaping for the site so as not to detract from the amenity of the area or impact on safety of road users; b. Is not the dominant feature of the site as viewed from the road, particularly at gateways to any settlement.
PC.3 • O.39 • O.40 • O.41	For Highway Services, Service Stations & Highway Restaurants/ Take-Away Food Premises, the development is permitted to have a maximum of: a. Up to three (3) facia signs, flush wall signs or logos integrated with the façade of the building (one per wall); b. One (1) free-standing sign integrated into the front landscape or car-parking area of each street frontage of the site; c. One (1) pylon sign at the primary road frontage boundary where the building is setback from the road, with a maximum height of 8 metres.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.39 • O.40	For Home Business, Home Industry or Home Occupation, the development is permitted to have a maximum of one (1) business identification sign per property constructed or installed in relation to a home business, home industry or home occupation. The sign is not to be illuminated and is to either be: a. A stand-alone sign no greater than 600mm by 900mm, OR b. A window sign with a maximum coverage of 20% of the surface of the window in which is displayed or 6m², whichever is the lesser.
PC.5 • O.40	Building identification or business advertisements signs are to be mounted flat against an exterior wall or parapet and must not protrude more than 300mm from the face of the wall or parapet.
PC.6 • O.39 • O.40	All illuminated signage must comply with the Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.
PC.7 • O.39 • O.40	For temporary event signs, the installation of a sign or banner to advertise for a commercial, retail, community event will not result in more than one banner and one other type of temporary signage facing any road frontage.
Wall Signage	
PC.8 • O.39 • O.40	Wall signs must be attached to the building in which the business identified in the sign is located.
PC.9 • O.39 • O.40	Any wall sign must not be more than 6m².
PC.10 • O.40 • O.41	Any wall sign must not cover any mechanical ventilation inlets or outlets located on any building on which it is carried out.
Under Awning Signage	
PC.11 • O.40	Under awning signs must not be more than 1.5m².
PC.12 • O.40	Under awning signs must not be more than 2.5m in length.
PC.13 • O.41	Under awning signs must not project beyond the awing fascia.
PC.14 • O.39 • O.40 • O.41	Under awning signs must be in accordance with Figure 7-11.

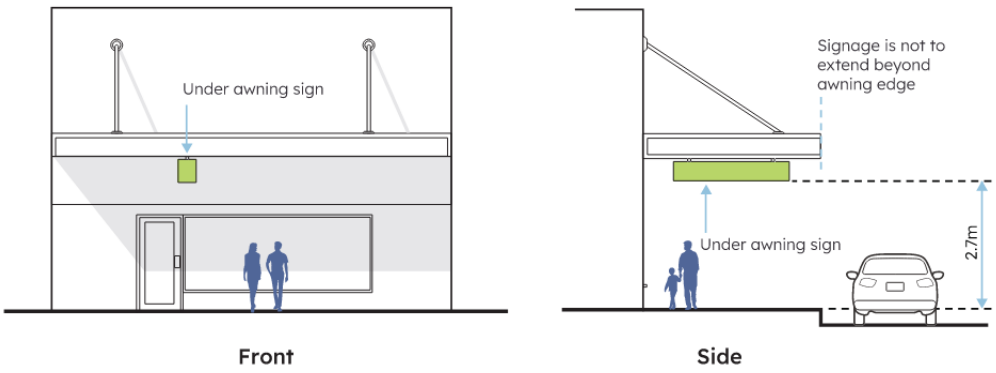


Figure 7-11: Under awning signage design criteria

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Pylon Signage

PC.15
- O.39
- O.40
- O.41

Pylon signs must:

a. Not exceed one (1) sign per property street frontage, and
b. Not be located within the main retail streets of urban areas, except for Service Stations which may seek special permission from Council and TfNSW,
c. Have a height that is consistent with the scale of surrounding buildings and is a maximum height of 8 metres, and
d. Be contained wholly within the site and not overhang any public spaces or land.

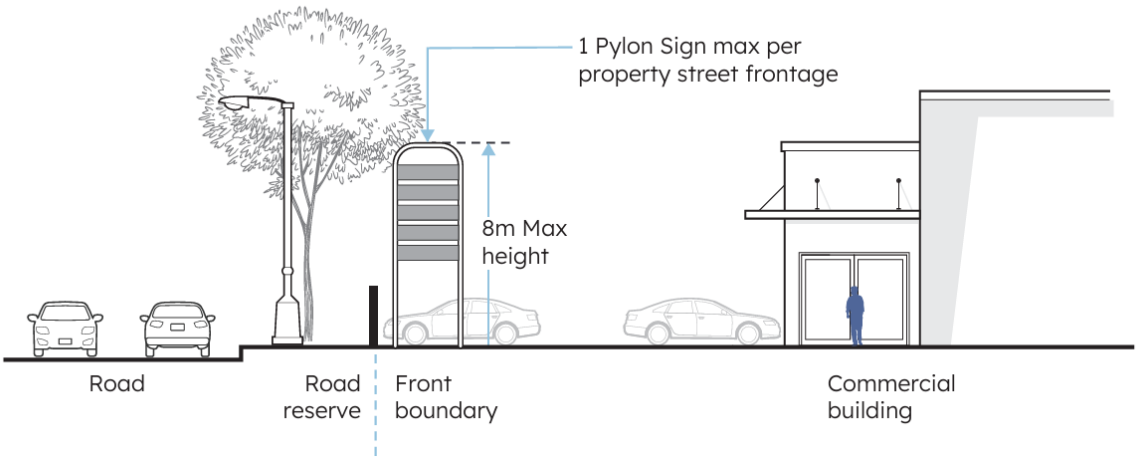


Figure 7-12: Pylon sign design criteria

Awning Fascia Signage

PC.16
- O.39
- O.40
- O.41

Awning Fascia signs must:

a. Not exceed one (1) sign per retail premises/awning fascia with a shopfront facing that street, and
b. Not project above or below the fascia to which it is attached, and
c. Be located at least 600mm behind the alignment of any kerb within the adjacent road.

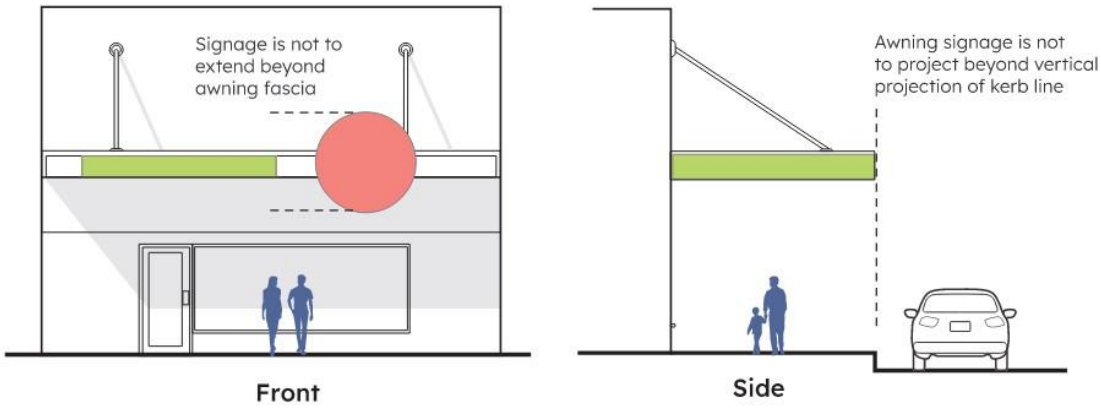


Figure 7-13: Awning Fascia sign design criteria

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Window Signage	
PC.17 • O.39 • O.40	Window signs must: a. Not cover more than 20% of the surface of the window in which it is displayed, or 6m^2, which is the lesser, and b. Not be illuminated, and c. If it involves a sign advertising a home business, home industry or home occupation - not to exceed one (1) sign per premises.

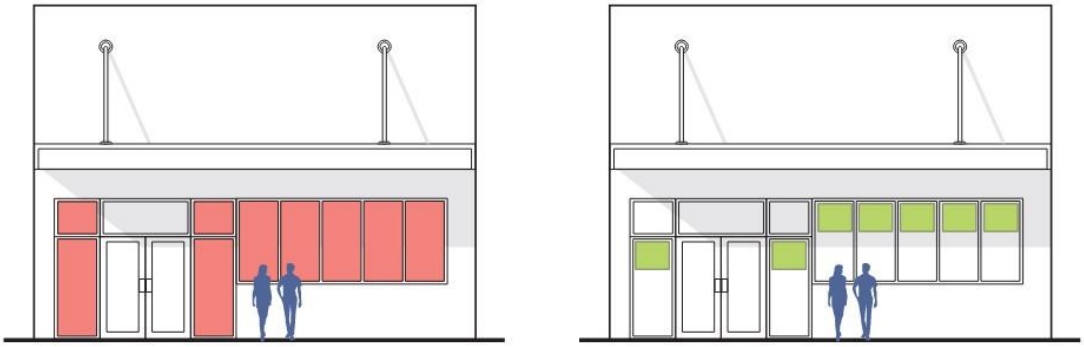


Figure 7-14: Window sign design criteria

7.5. Servicing

7.5.1. Utilities

Objectives

O.42 Reduce visual clutter and visual bulk of development by appropriately locating, orientating and screening services such as substations, hydrant boosters, plant equipment and mailboxes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Services, plant equipment and air conditioning units, at ground level and on structures, are to be screened from the street, public domain and neighbouring buildings by elements such as landscaping, fencing or walls, in a manner that reduces its visual dominance and reflects the desired character of the area.
PC.2 • O.42	Substations are to be integrated into the overall building design, complementary to the building fabric and wherever possible, not be located in public areas or be visible from the public domain.
PC.3 • O.42	Ventilation stacks servicing basement garages are not to be located in the street setback or any common open space and should be concealed within the building.
PC.4 • O.42	Mailbox structures are to be integrated into the building design, do not dominate the street elevation and harmonise with the building aesthetic and landscape treatments.
PC.5 • O.42	Mailboxes are to be in a location with passive surveillance and lighting to discourage mail theft.

7.5.2. Waste management and circular economy

Objectives

O.43 To facilitate sustainable waste management within Maitland City Council in accordance with the principles of Ecologically Sustainable Development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Waste areas and loading or servicing bays must be grouped and located underneath or behind buildings. They must not be visible from public streets, parks or other public spaces, and either be enclosed or screened with building elements or landscaping.
AS.2 • O.43	Site planning of the development is to accommodate on-site waste collection and allow the waste collection vehicle to enter/exit, manoeuvre within the site and access the nominated collection point in a safe and efficient manner in accordance with the requirements of AS2890.2. If on-site waste collection cannot feasibly be achieved, alternative arrangements are to be to the satisfaction of Council.
PC.3 • O.43	The vehicle must be able to safely and efficiently access the site and the nominated collection point to perform on-site waste collection. There must be sufficient manoeuvring area on-site to allow the collection vehicle to enter and exit the site in a forward direction and service the development efficiently with little or no need to reverse.
PC.4 • O.43	Swept path models are to be provided illustrating how a standard waste collection vehicle (in accordance with Chapter 3: Site Requirements) will enter, service and exit the site. A 0.5m unobstructed clearance is required from all obstructions for the vehicle's ingress and egress manoeuvres. The swept path model is to account for on-street parking on both sides of the road adjacent to the development to demonstrate unobstructed access during a 'business as usual' configuration.

7.6. Centre place-based controls

Under the *Maitland Local Environmental Plan 2011* centres are zoned to represent the centre hierarchy established by the Maitland Activity Centres and Employment Clusters Strategy 2010 (ACECS 2010). The employment zones and corresponding centres are as follows:

E1 Local Centre

Aberglasslyn, Gillieston Heights, Lochinvar, Lawes Street, Lorn, Metford, Morpeth, Rutherford, Telarah, Tenambit, Thornton, Woodberry

The E1 Local Centre Zone is intended to provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area.

E2 Commercial Centre

East Maitland Catalyst Area (Green Hills), and Central Maitland

The E2 Commercial Centre Zone is intended to provide the greatest concentration of commercial floor space, services and facilities for the wider community. The core activities in this zone are commercial and retail, supported by government services, with residential, community, recreational, educational, entertainment, tourist and open space uses.

MU1 Mixed Use

Melbourne Street, Central Maitland

The MU1 Mixed Use Zone is intended to complement and enhance the activity of the local and regional centres, and to serve as a transition between the centre and surrounding residential zones.

In addition to these hierarchical centres, there are two other employment zones that are used in Maitland. The E3 Productivity Support, which provides a range of facilities and services, light industries, bulky goods, warehouses and offices. The remaining zone, E4 General Industrial enables a wide range of business and industrial type uses. These zones are addressed in Chapter 8: Industrial Uses of this DCP.

7.6.1. New centres

Objectives

O.44 New centres are designed and planned to provide an attractive, vibrant, safe and accessible public space.
O.45 New centres provide a focal point for the community, with a unique and identifiable built form.
O.46 Centres provide space for public events and celebrations.
O.47 Bulky and unattractive buildings are avoided.
O.48 Overbearing or monotonous building design is avoided where viewed from any public place.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45	Development of a new centre that has a GFA of 10,000m^2 or more must be accompanied by a design masterplan that demonstrates how the centre will achieve a suitable design quality. A masterplan will include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles. b. Provision of landscaping including suitable tree cover that considers urban heat mitigation. c. Consider Crime Prevention Through Environmental Design (CPTED). d. Active street frontages that consider high volume pedestrian traffic.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	e. Urban Design elements that considers open space, built form, corner and gateway sites, pedestrian entries and circulation, access, parking, loading and servicing, public art and domain works.
PC.2 • O.44 • O.45	Development of a new centre that has a GFA of 10,000m^2 or more must be accompanied by a detailed landscape plan that demonstrates how the centre will contribute towards a 30% tree coverage. The landscape plan will include the following elements: a. Large trees and spreading ground covers are provided in all landscape areas within the site (Landscape Plan) b. Where screening is required, large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building are provided. c. At grade car parking areas shall be provided with one tall, branching, mature shade tree for every 4 linear car spaces. d. All areas less than 1.0 metre in width shall be paved. e. Where car parking cannot be provided under or behind the building and Council has agreed to permit some or all of the parking in the front setback, a landscaped strip with a minimum width of 3.0m is provided along the entire frontage/s of the site. f. Any portion of the site that remains undeveloped or vacant after development shall be landscaped. g. All street plantings are to be selected from the **Maitland Tree Species List.** h. Water sensitive urban design facilities (such as swales, bio-detention ponds and rain gardens) are used to treat stormwater for at-grade car parking areas. Note: water sensitive urban design facilities are designed in accordance with Council's Manual of Engineering Standards. i. Fencing for security or privacy shall not be erected between the building line and the front boundary of a site. j. Where fences are erected, landscaping of an appropriate height and scale shall be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place. k. Street furniture (including seats, bollards, signage, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains). l. Any public art is provided in accordance with Council's Public Art Strategy.
PC.3 • O.45 • O.46	All new centres must incorporate a public square/domain space including detailed landscaping and amenity designs.
PC.4 • O.47 • O.48	Building facades will be designed to reflect the orientation of the site incorporating environmental control devices, e.g. sun shades, ventilation vents, overhangs, building recesses, eaves, as an integrated design feature of the building.
PC.5 • O.46 • O.47 • O.48	Active frontages are to consist of one or more of the following: a. A shop front. b. Commercial and residential lobbies. c. Café or restaurant. d. Public building if accompanied by an entry from the street.
PC.6 • O.44 • O.45 • O.46	Restaurants and cafés are to provide openable shop fronts (for e.g. bi-fold doors) where practical to the public domain.

7.6.2. Existing centres

7.6.2.1 Thornton

Objectives

O.49 The amenity of the Thornton town centre is improved.
O.50 The Thornton Town Centre will become the focus of entertainment, retail and community activities for the residents of Thornton and the surrounding areas.
O.51 A variety of uses that activates the centre throughout the day and evening is encouraged.
O.52 The centre integrates with the adjoining sports and community facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49 • O.50 • O.51 • O.52	A comprehensive urban design masterplan must be prepared for the centre when any significant development is proposed that is 5,000m^2 GFA, or more. A masterplan is to include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles. b. Provision of landscaping including suitable tree cover that considers urban heat mitigation c. Active street frontages that consider high volume pedestrian traffic d. Crime Prevention Through Environmental Design (CPTED) e. Urban Design elements that considers open space, built form, corner and gateway sites, pedestrian entries and access, parking, loading and servicing, public art and domain works.
PC.2 • O.49 • O.52	The masterplan must improve the centre's relationship with Taylor Avenue and Thornton Park.
PC.3 • O.49 • O.51 • O.52	The urban design strategy must consider the following: a. Constructing an active edge to Taylor Avenue. b. Providing a corner treatment (preferably a building with an active edge) at the intersection of Taylor Avenue and Thomas Coke Drive. c. Providing an active edge to Thornton Park.

7.6.2.2 Rutherford

Objectives

O.53 To reinforce the Rutherford Town Centre as the location of entertainment, retail and community activities for the residents of Rutherford and the surrounding areas.
O.54 To ensure that access, movement and way finding to and within the centre is improved.
O.55 To ensure that safety in and around Rutherford Town Centre is improved.
O.56 To ensure that future development of the business-zoned, residential area along Arthur and Weblands Street and North Mall and Alexandra Avenue is planned to integrate into the centre.
O.57 To encourage a continuous, integrated development front along Arthur and Weblands Streets.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.53 • O.54 • O.55 • O.56	A comprehensive urban design masterplan must be prepared for the centre when any significant development is proposed that is 5,000m^2 GFA, or above. The urban design masterplan must: a. Include a parking, access and movement strategy b. Identify a new (or refurbished) area for public uses, such as a town square or piazza. c. Recommend treatments to reduce the impact of the extensive hardstand.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	d. Review signage to improve way finding into and throughout the centre. e. Consider future integration of the commercially zoned, residential lots. f. Consider the interface between the centre and the adjoining residential development. g. Consider Crime Prevention Through Environmental Design (CPTED).
PC.2 • O.57	Development along Arthur Street and Weblands Street must be built to the boundary.

7.6.2.3 Central Maitland

Objectives

O.58 To promote the development of Central Maitland as a regional commercial, entertainment and recreation centre and to ensure it functions effectively as a centre.
O.59 To ensure the preservation of the existing historical character of Central Maitland, and of individual historic buildings and precincts.
O.60 To maintain the viability of Central Maitland by encouraging shop top housing where appropriate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.58 • O.59	Any non-residential development must be compatible in scale with other buildings in the immediate streetscape and /or with adjoining buildings on neighbouring properties.
AS.1 • O.58 • O.59 • O.60	New buildings should enhance and make a positive contribution to the streetscape. Buildings should address and front the street by incorporating main entries and windows in the front façade. The development should use building, window and door proportions and external materials and colours that resemble those predominating in the adjacent streetscape.
AS.2 • O.59	On-site car parking or garages should not be located on street frontages or dominate the streetscape.
PC.2 • O.58	Developments are to be designed, constructed and operated to minimise the potential for offensive noise generation. Council may require the provision of an acoustic study to establish noise levels and to provide a mitigation strategy.



Maitland DCP 2026

Chapter 8: Industrial Uses

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8.1. Introduction

8.1.1. Application of this Chapter

The objectives and controls contained within this Chapter apply to the following areas in the Maitland LGA:

- All proposed development in E4 General Industrial zones, E3 Productivity Support zones, and any SP1 Special Activities or SP2 Infrastructure zones that include the land uses under the E3 and E4 zones, excluding the land uses specified in Chapter 7, Section 7.1.1 of this DCP, and
- Light Industrial development in MU1 Mixed Use zones.

Note: The term **industrial development** under this chapter is to be taken to mean development falling within the areas outlined above.

8.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage

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- Chapter 5: Subdivision
- Chapter 7: Commercial Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Council's Manual of Engineering Standards

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

8.1.3. How to use this Chapter

This Chapter provides the general parameters for the design of uses within areas that are for industrial or productivity support purposes in particular zones (see Section 8.1.1), including but not limited to uses such as **warehouse or distribution centres, storage premises, business premises,** and **general industries**.

8.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Promote and facilitate the efficient use of developable industrial land in the Maitland LGA and facilitate employment opportunities.
b. Facilitate industrial-based economic development opportunities within the E3 Productivity Support and E4 General Industrial zones.
c. Ensure that industrial development within the Maitland LGA gives due regard to site constraints and opportunities.
d. Ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of industrial developments, including energy efficiency, adaptability for future technologies, and minimisation of environmental impacts.
e. Limit conflicts between industrial zones and neighbouring residential areas.

8.1.5. Application Requirements

In addition to addressing the relevant matters from other chapters, Appendix A: Application Requirements – Other Development/Appendix B: Application Requirements – Minor Development, and any other matter required under other legislation or regulations, the following details should be provided as part of a Development Application for development subject to the controls of this Chapter:

a. Detailed Project description including the manufacturing processes involved,
b. Handling processes,
c. Any potentially hazardous development or potentially offensive development forming part of the development,
d. Expected annual throughput and production,
e. Proposed bulk storage areas including for hazardous materials (e.g. chemicals, fuels, oils, etc),
f. Material import and export amounts and probable routes,
g. Fire safety and other safety measures for buildings and storage areas, and
h. Whether any other licence or approval is required under other legislation, and details relating to obtaining the relevant licence or approval.

8.2. Design Requirements

8.2.1. Setbacks and Streetscape

Objectives

O.1 To ensure that industrial developments maintain an appropriate relationship with the streetscape and surrounding areas.
O.2 To minimise the visual impact of industrial buildings on the streetscape while promoting an attractive and functional street frontage.
O.3 To ensure setbacks provide adequate space for landscaping that contributes positively to the streetscape.
O.4 To mitigate potential impacts of industrial developments on adjoining sensitive areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.1
- O.2
- O.3

Setbacks for development subject to this Chapter are to be provided in accordance with **Table 8.1** below:

Table 8.1: Minimum setbacks

DEVELOPMENT TYPE	FRONT SETBACK	SECONDARY SETBACK	SIDE SETBACK	REAR SETBACK
Development under this Chapter	5m	3m	In compliance with the Building Code of Australia.	In compliance with the Building Code of Australia.
Development under this Chapter adjoining a residential, conservation, or recreation zone	5m	5m[1]	5m[1]	5m[1]

Note:
1. The additional setback here is to allow for adequate landscaping required under PC.5 of this section.

PC.2
- O.3

Excluding the access driveway, all of the front setback area must be landscaped and consist of deep soils with a minimum of 1 tree (6m - 8m mature height) per 15m² of deep soil.

PC.3
- O.2

Car parking and storage areas must be located behind the front setback and not encroach upon required landscaping in order to maintain a clear and attractive street frontage.

PC.4
- O.1
- O.2
- O.3
- O.4

Access driveways are to have a minimum width of 6m.

Note: Developments with over 50 traffic movements per day may be required to have a wider access, subject to site merits and the nature of the movements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.4	Where a proposal for development under this chapter adjoins a residential, conservation, or recreation zone, a vegetation buffer is to be provided along the relevant property boundary. This vegetation buffer is to be a minimum width of 3m and is to screen the industrial development at maturity.

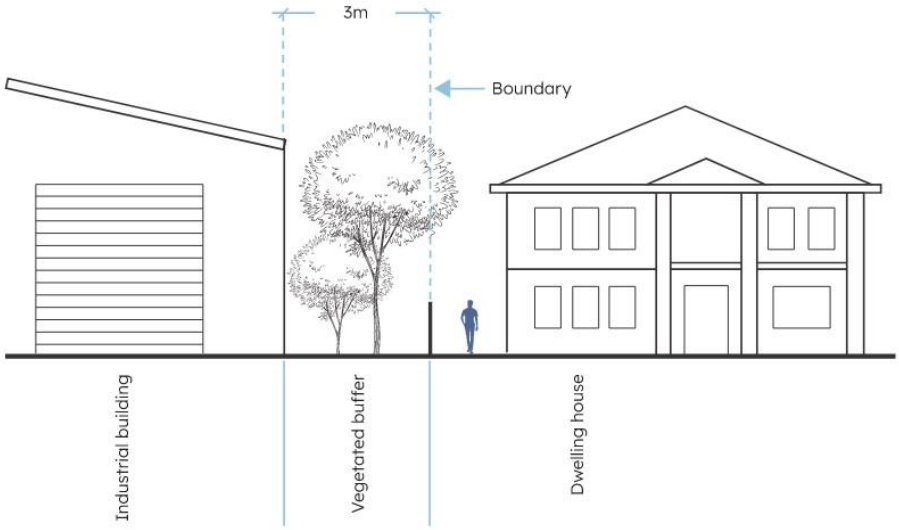


Figure 8-1: Vegetation buffer provision

8.2.2.Building Design

Objectives

O.5 To ensure that industrial buildings are designed to be visually attractive and use high-quality materials and finishes.

O.6 To minimise the bulk and scale of buildings and blank walls through articulation, varied materials, and architectural features.

O.7 To integrate sustainable design principles, including Ecologically Sustainable Design (ESD), to improve energy and water efficiency, natural ventilation, and the overall environmental performance of industrial buildings.

O.8 To ensure that building design includes appropriate treatment of rooflines, loading areas, plant, and equipment to minimise visual and amenity impacts on surrounding properties and public spaces.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5	Office components of industrial developments are to be located at the front of the building, with the design integrated into the overall façade to contribute to streetscape quality, activation and provide passive surveillance.
PC.2 • O.6	Walls exceeding 15m in length or 4m in height will be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material and colour variations to provide visual relief. **Note:** Window openings are discouraged as a treatment along side elevations.
PC.3 • O.5 • O.6	Buildings are to incorporate a mix of materials and colours to reduce the visual impacts of buildings and integrate with the surrounding built form and street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.8	Rooftop and exposed structures, such as plant rooms, air conditioning units, and exhaust systems are to be integrated within the building design where visible from the street, residential areas, or public spaces.
PC.5 • O.8	Loading areas, driveways, rubbish storage, and rooftop equipment must not be located adjacent to residential, conservation, or recreation zones.
AS.2 • O.6	Developments are encouraged to incorporate circular economy principles by using recyclable or sustainable materials in construction, and by designing buildings to allow for future adaptability and material reuse.

8.2.3. Impervious area

Objectives

O.9 To ensure that impervious surfaces are balanced with a degree of unbuilt area to reduce urban heat island effect and allow for adequate landscaping.

O.10 To ensure industrial uses can meet requirements relating to landscaped area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.9 • O.10	Impervious area for development under this Chapter is to be a maximum of 90% of the site area. **Notes** 1. Maximum impervious area means the proportion of a site area covered by surfaces that water is unable to penetrate. This includes, but is not limited to, buildings, driveways, sheds, and garages. However, the following are not included for the purpose of calculating maximum impervious area: a. any basement that has more than 1m deep soil coverage, b. any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, c. any eaves. 2. The remaining uncovered balance of the site is to consist of landscaped area.

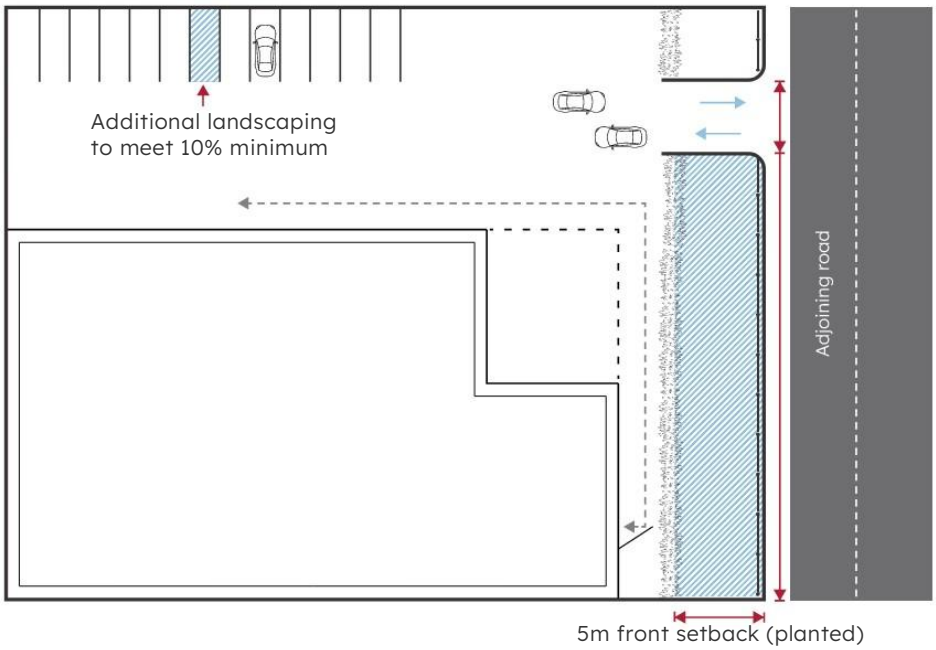


Figure 8-2: Impervious Area – 90% Site Coverage

8.2.4. Landscaping

Objectives

O.11 To provide landscaping to improve and complement the appearance of industrial developments and enhance streetscape.
O.12 To contribute to the Maitland Environmental Sustainability Strategy's target of achieving 30% tree canopy cover across the LGA.
O.13 To provide functional areas of planting that enhance the presentation of a building, provide amenity, cooling and shade, and contribute to overall streetscape character.
O.14 To promote the use of durable, low-maintenance plant species suitable for industrial environments, ensuring longevity and cost-effectiveness.
O.15 To help create a greener industrial park environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.11	A detailed landscape plan is to be submitted as part of development, in accordance with the requirements under Appendix A: Application Requirements – Other Development.
PC.2 • O.11 • O.12 • O.13	Trees of appropriate species for the local environment (in accordance with the **Maitland Tree Species List**) are to be planted within the following areas to provide canopy cover, shading, biodiversity connectivity, and visual screening at maturity: a. the front setback area, being 5m at a minimum, b. the secondary setback area, being 3m at a minimum (where applicable), and c. the side and rear setbacks, where visible from, or adjoining, residential, conservation, recreation, or public facing areas. **Note**: Consideration is also to be given to the requirements of Section 3.4.2 and 3.4.3 of Chapter 3: Site Requirements of this DCP.
PC.3 • O.13 • O.14	Landscaped areas must include functional plantings, such as trees and shrubs, that provide shade, cooling, and enhance the appearance of the streetscape.
PC.4 • O.12	Where an industrial development adjoins a biodiversity corridor or natural area, landscaping is to be appropriately located to enhance connectivity and biodiversity outcomes.
AS.1 • O.14 • O.15	All landscaped areas are encouraged to use low-maintenance, durable and drought resilient plant species in accordance with the **Maitland Tree Species List**, alongside automated watering systems that are suitable for industrial environments to ensure longevity and reduce maintenance needs.
PC.5 • O.13	A physical barrier kerb is to be constructed between all landscaped areas, and areas for the standing or manoeuvring of vehicles on the site.

8.2.5. Fencing

Objectives

O.16 To ensure that the design and location of fencing is integrated within the overall development and is suitable for its purpose and setting.
O.17 To ensure that fencing provides necessary security and is constructed to a high standard, complementing the landscape design and contributing to an attractive streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16	Fencing along street frontages is to be open style fencing that does not obstruct views of the landscaped areas or reduce passive surveillance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.17	Front fencing is limited to a maximum height of 1.8m.
AS.1 • O.17	Palisade fencing is encouraged for street frontages to provide security while maintaining an open and visually appealing design.
AS.2 • O.17	Where security fencing exceeds 1.8m in height, it should be located behind the front setback to minimise visual impact on the streetscape.

8.2.6. Signage

Objectives

O.18 To ensure that signage is carefully integrated into the design of industrial developments and used as a positive design element.
O.19 To allow the display of information identifying the premises, the business, and the activity conducted on the site.
O.20 To ensure a coordinated and consistent approach to signage where multiple tenancies or businesses occupy a site, preventing visual clutter.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.18	All signage is to be designed as an integral part of the overall development, enhancing the building design and contributing positively to the streetscape.
PC.2 • O.18 • O.19	Signage must be contained within the site boundaries and limited to information directly related to the business or activity conducted on the site.
PC.3 • O.20	In multi-tenanted developments, signage is to be coordinated through a single directory board or free-standing sign at the entrance of the development, avoiding individual signs for each business at the frontage.
PC.4 • O.18	The size of signs must be proportional to the building and must not dominate or detract from the development's architecture or surrounding landscape.
PC.5 • O.18	Illuminated signs are to be designed to minimise glare and light spill onto adjoining properties and public spaces.
PC.6 • O.18	No signage is to be provided higher than the building roof line of any building within the development.

8.2.7.Sustainable Design

Objectives

O.21 To ensure building orientation maximises solar access and natural cross ventilation, promoting energy efficiency and occupant comfort.
O.22 To encourage the integration of energy-efficient systems and materials to reduce the overall environmental impact of industrial developments.
O.23 To support the future adaptability of industrial buildings by incorporating design features that facilitate the installation of renewable energy generation and low-carbon technologies.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21	Where ancillary office spaces are provided, buildings are to be oriented to maximise solar access and natural cross ventilation wherever possible to improve energy efficiency and occupant comfort.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.22	Developments must incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.
PC.3 • O.23	Developments must demonstrate future adaptability for the installation of renewable energy generation systems such as solar panels and the use of low-carbon technologies.
AS.1 • O.21 • O.22	Developments exceeding 5,000m² gross floor area are encouraged to achieve the equivalent of a minimum 4-Star Rating under the Green Building Council of Australia's Green Star Rating tool or a similar rating system, such as the National Australian Built Environment Rating System (NABERS).

8.2.8. Waste Management and Circular Economy

Objectives

O.24 To incorporate well-designed and innovative waste and recycling facilities at the building design stage to support effective waste management.

O.25 To encourage the development of circular economy infrastructure, including reuse and repair facilities, sharing and leasing services, and community recycling centres.

O.26 To minimise the amount of waste generated and sent to landfill through effective waste separation and resource recovery systems.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.24 • O.26	All developments subject to this chapter must include a designated general waste / recycling storage area or room(s) that: a. Is located adjacent to on-site waste collection points, b. Is integrated into the building's design and is setback from the front building line, c. Provides convenient facilities for separation of recyclable material, general waste, and other waste with sufficient space for all bins, d. Has a floor area at least 50% larger than the size of the bins and/or equipment, e. Have a smooth graded ground surface, f. Is well ventilated and adequately lit, g. Is suitably enclosed, covered, and maintained to prevent polluted wastewater runoff and unpleasant odours, h. Is designed to prevent vermin, i. Has access to an external water tap adjacent to the storage area, j. Provides a drain in the bin storage area discharging to a sewer connection (where relevant), and k. Is adaptable to changes in waste generation rates and types of waste produced.
PC.2 • O.24 • O.26	Waste collection points are to be included within the development and must be designed to allow safe and efficient access for waste collection vehicles, ensuring that vehicles can enter and exit the site without disrupting traffic or pedestrian flow.
AS.1 • O.24 • O.25 • O.26	Developments over 5,000m² GFA are encouraged to incorporate well-designed and innovative waste and recycling facilities that support circular economy activities, such as reuse and repair facilities, community recycling centres, and other initiatives that maximise resource recovery.

8.2.9. Multi-Unit Industrial Development

Objectives

O.27 To ensure that all industrial activities are conducted within the building or within dedicated areas to minimise adverse impacts on surrounding properties and the environment.

O.28 To encourage high-quality site design and flexibility within common property for access, landscaping, waste servicing, parking, and loading areas in strata subdivisions.

O.29 To help ensure that multi-unit industrial developments are adequately provisioned for in regards to parking, loading zones, and servicing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.27	All proposed activities must be contained within the tenancies of each building or appropriately located and identified outdoor areas, including any storage areas. Any outdoor areas must be located away from sensitive receivers, such as residential areas, and be screened from view.
PC.2 • O.27	Trade waste must be stored inside each unit or in a designated, communally managed storage area. The location of trade waste storage must not interfere with parking or vehicle manoeuvring areas and must be screened from public view.
PC.3 • O.28	Landscaping, access areas, and car parking are to be included as common property in any strata subdivision.
PC.4 • O.29	Where the specific future use is unknown, applicants are to nominate a theoretical use for each tenancy.



Maitland DCP 2026

Chapter 9: Rural and Other Land Uses

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CITY COUNCIL

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9.1. Introduction

9.1.1. Application

Section 9.2 of this Chapter primarily relates to land uses within the rural context, being the RU1 Primary Production zone and RU2 Rural Landscape zone. Section 9.3 specifically relates to the land uses of **farm stay accommodation** and **eco-tourist facilities.** Section 9.4 generally applies to all land to which the named land uses are permissible with consent under the *Maitland Local Environmental Plan (MLEP) 2011*.

9.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

9.1.3. How to use this Chapter

This Chapter has been organised to create three distinct sections:

Rural Land Uses

This section provides controls relating to a series of different rural land uses common throughout the Maitland LGA and seeks to provide additional guidance in the effective and efficient management of rural structures and operations. Additionally, it seeks to action the principles of Maitland's *Rural Land Strategy 2041* to assist in fostering a diverse and resilient rural economy.

Note: Uses within this section should provide a Land Use Conflict Risk Assessment (LUCRA), which is to be prepared in accordance with NSW Department of Primary Industries and Regional Development (DPIRD, formerly DPI) Land Use Conflict Risk Assessment Guide (or as amended), that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact.

Additionally, in the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

Agritourism

This section addresses agritourism within the rural, environmental, and tourist zones of the Maitland LGA, seeking to provide further guidance for applicants around Council's expectations for these types of facilities, notably farm stay accommodation and eco-tourist facilities.

Note: Uses within this section should provide a Land Use Conflict Risk Assessment (LUCRA), which is to be prepared in accordance with NSW Department of Primary Industries and Regional Development (DPIRD, formerly DPI) Land Use Conflict Risk Assessment Guide (or as amended), that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact.

Additionally, in the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

Other Land Uses

This section provides controls for a variety of different land uses that do not comfortably fit within one of the other chapters of the DCP yet still require some form of guidance to be provided. The structure of the controls and acceptable solutions reflects either the rarity, complexity, or other planning pathways available for these kinds of development.

Note: In the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

9.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To promote the efficient use of developable rural land resources in the Maitland LGA,
b. To ensure that any rural development does not impede on the environmental integrity of the surrounding land,
c. To ensure that land use conflict risks between rural developments and surrounding land uses are avoided and/or appropriately mitigated,
d. To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to future development applications, and
e. To facilitate and enhance a range of rural land uses whilst maintaining the agricultural and scenic environmental qualities of the locality.

9.2. Rural Land Uses

9.2.1. Intensive Agriculture (Livestock and Plants)

Objectives

O.1 To ensure that commercial farming is appropriately sited, operated and managed to avoid land use conflict and environmental impacts.
O.2 To set out Council's requirements for the establishment and operation of turf farms and other intensive agricultural businesses.
O.3 To ensure that existing residences and other sensitive receiving environments, including conservation areas and aquifers, are not adversely affected by intensive agricultural activities.
O.4 To minimise land use conflict through provision of land use buffers, land use regulation and encouragement of best practice in rural land practices.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.1
- O.1
- O.3
- O.4

Land use buffers are to be implemented in instances where an intensive agriculture use falls within the evaluation distances for sensitive receptors, generally being non-rural development, including residential dwellings, schools, places of worship, public parks and workplaces. These evaluation distances are subject to additional odour and noise assessment and are provided in **Table 9.1** below:

Table 9.1: Agricultural land use buffers

AGRICULTURAL LAND USE	EVALUATION TRIGGER DISTANCE
Pig Farms (indoor and outdoor) *Less than 200 pigs	1000m 500m*
Poultry (broiler and eggs) indoor and outdoor *Less than 1,000 birds	1000m 500m*
Dairies	500m
Cattle feedlots *Less than 50 head of cattle	1000m 500m*
Sheep or goat feedlots	500m
Rabbits	150m
Other intensive livestock	250m
Stock yards	200m
Outdoor cropping/sugar cane/turf farms	300m
Outdoor horticulture	250m
Protected cropping (e.g. greenhouses)	250m
Silos/grain storage bunkers	100m
Fan assisted silos (e.g. macadamia nuts)	300m

Note: Further information, including additional guidance around proposed land use buffers are provided in NSW DPIRD's Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (or as amended).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	As a guide, a minimum separation distance of 60 metres is recommended for intermittent noise, and 500 metres for continuous noise.[1] Alternative measures may be required to mitigate noise impacts.
PC.1 • O.3	Where the operation of the proposed development requires the application or use of chemicals, measures must be implemented to ensure that no chemical or spray drift will enter adjoining property.
PC.2 • O.1 • O.2 • O.3	An Agricultural Property Management Plan is to be prepared in accordance with Appendix A: Application Requirements – Other Development.

9.2.2. Rural Industries (Turf Farms)

Objectives

O.5 To ensure that rural industries are compatible with the rural environment.
O.6 To minimise any adverse impact of rural industries on surrounding properties.
O.7 To manage potential solid and liquid waste from rural industry to protect the natural environment and water systems.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.7	Planting/landscaping with a minimum depth of 3m is to be used to screen buildings from the roadway and from neighbouring dwellings. A Landscape Plan will be submitted that identifies the location and species to be planted. The species is to be suitable to adequately screen the use at maturity stage.
PC.2 • O.5 • O.6	Outdoor storage yards are to be located behind buildings or screen walls so they are not visible from a public place or neighbouring property. Screen walls are to be compatible with respect to design, materials used and colours of buildings on site. Earth mounding and landscaping can also be used.
PC.3 • O.7	Proposals must demonstrate they will not give rise to offensive noise as defined in the Protection of the Environment Operations Act and complies with the NSW Noise Policy for Industry.
PC.4 • O.7	Any future proposed development should be in accordance with NSW DPIRD's *Prime Fact (February 2014 No 1320 Planning for Turf Farms)* (or as amended).
AS.1 • O.6 • O.7	Where the proposed use of the site is odour generating, an Odour Impact Assessment will be required.
PC.5 • O.6 • O.7	A Water Cycle Management Plan (WCMP) detailing how water will be sourced, stored, used, treated and recycled for the agricultural operation must be provided with any development application. The WCMP must demonstrate that the operation will not significantly impact on the total water cycle beyond the boundaries of the site.
PC.6 • O.6	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

[1] Planning Guidelines – Separating Agricultural and Residential Land Uses (QLD Department of Natural Resources 1997).

9.2.3. Farm Buildings and Ancillary Structures

Objectives

O.8 To minimise the visual impacts on rural and scenic landscape character of Maitland LGA.
O.9 To ensure that farm buildings & ancillary structures are of a size, height & bulk that is suited to the site area.
O.10 To ensure that farm buildings are located to have minimum adverse impact on the environment and on the potential use of the land for agriculture.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8	All farm buildings must be ancillary to an agricultural use being undertaken on the land on which it is situated.
AS.1 • O.10	Farm buildings should be sited in clusters in order to minimise the amount of land occupied by development. Adequate evidence to Council's satisfaction is to be provided regarding operational need for any farm building provided away from existing buildings.
PC.2 • O.10	The minimum setback for farm buildings from any road is 20 metres.
PC.3 • O.10	The minimum side and rear boundary setback for farm buildings is 10 metres.
PC.4 • O.10	Cut and fill must be kept to a minimum and slope of batter is not to exceed 10%. The toe of the batter is to not be within 10 metres of the setback.

9.2.4. Flood Mounds

Objectives

O.11 To strike a balance between the positive social and economic impacts gained by the establishment of a flood mound (or fill pad) and the adverse environmental, hydraulic (including displacement of floodwater), amenity, scenic/visual, natural resource, heritage and built environment impacts of the development.
O.12 To ensure flood mounds or fill pads are appropriately designed and constructed to facilitate safe and efficient evacuation and to complement the landscape and local character.
O.13 To ensure that flood mounds provide for safe emergency refuge and are not sized in a manner that creates elevated grazing pastures.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.12	A livestock holding capacity calculation is required for the land. The flood mound or fill pad area must relate to the livestock holding capacity of the land (in Dry Sheep Equivalent (DSE)) or other lawful land use.
PC.2 • O.12	Stock refuge area is to be calculated in accordance with the *NSW Prime Facts publication Edition #961 'Rural Development Guidelines* (October 2009).
PC.3 • O.12 • O.13	Turning diagrams, driveways, yards/fencing, farm buildings, dwellings and ancillary storage areas are to be shown on a site plan to demonstrate the sizing needs of the mound.
PC.4 • O.12	Flood mounds or fill pads are to be set back from any property boundary **and/or** dwelling not positioned on the flood mound in Rural or Conservation zones in accordance with **Table 9.2**.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Table 9.2: Flood Mound Setbacks **FLOOD MOUND SIZE** / **MINIMUM SETBACK TO BOUNDARIES AND/OR OTHER DWELLINGS** **<1,000m²** — 20m **≥1,000-2,500m²** — 25m **>2,500m -10,000m²** — 50m **>10,000m²** — 100m
PC.5 • O.11 • O.12	Sufficient passage of water is to be maintained under the driveway and no floodway is to be obstructed.
AS.1 • O.11	Flood mound batters should have a maximum gradient of 1:4. 1:5 gradient batters may be requested by Council to offset identified visual and amenity impacts.
PC.6 • O.12	Where within 10m of the toe of a levee or drainage channel, the design is to comply with Department of Environment, Climate Change and Water's Hunter Valley Flood Mitigation Scheme Development in the Hunter Valley Flood Mitigation Scheme. Landscaping is to consist of small shrubs within 10m of the levee toe.
PC.7 • O.13	The top of a flood mound is to be fenced in a rural style (e.g. timber and post rail, wire) to provide safe refuge for livestock.

9.2.5. Farm Dams

Objectives

O.14 To ensure that farm dams are constructed and sited to be stable and have minimal environmental impact.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.14	The envelope for a farm dam must not be located on land with a gradient exceeding 15%.
PC.2 • O.14	In addition to the standard requirements under Appendix A: Application Requirements – Other Development, a site plan for a farm dam is to include details around slope, proposed spillway channels, spillway outlets, trickle pipes, and any disposal areas.
AS.1 • O.14	If required under the *Fisheries Management Act 1994* to provide for fish passage, any new dam or modification to an existing dam are to include an adequate design solution, such as locks, vertical slot, rock ramps or cone/trapezoidal weirs.

9.2.6. Garden Nurseries

Objectives

O.15 To ensure nurseries are sympathetic to the rural character of the area.
O.16 To appropriately separate nurseries from adjoining sensitive land uses in order to minimise visual impacts and land use conflicts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.15	Site planning should provide adequate area for landscaping buffers, dams and/or rainwater tanks, wastewater treatment, water quality treatment, driveways and parking areas, and sanitary facilities for staff and customers.
AS.2 • O.16	As a general guide, garden nurseries should be setback a minimum of 10m from any boundary. Should this control be varied, a Visual Impact Assessment is to be prepared by a suitably qualified person that satisfies O.16 of this Section.
PC.1 • O.15	External storage areas, including bulk bin storage, are to be: a. located behind the front building line, b. setback a minimum of 10 metres from side and rear boundaries, and c. landscaped with foliage to screen any storage items and structures.
AS.3 • O.16	Noise generating components of the development such as loading and unloading areas, cafes, and children's play areas should be sited to limit the potential for land use conflicts with neighbouring sensitive land uses.
PC.2 • O.15 • O.16	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.2.7. Farm Gate Premises and Farm Experience Premises

Objectives

O.17 To allow for tourism and related commercial uses at a scale that does not adversely affect the principal use of land for primary production.
O.18 To ensure farm gate premises and farm experience premises do not detract from existing environmental values, scenic values, infrastructure and adjoining land uses.
O.19 To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from farm gate premises and farm experience premises.
O.20 To provide for the sale of locally grown and manufactured produce in appropriate rural locations.
O.21 To adequately provide services and facilities for visitors and guests on the property, including accessible facilities.
O.22 To manage the number of visitors to a landholding to address cumulative effects of traffic on roads.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18 • O.19 • O.20	The gross floor area of a building (or part of a building) for **farm gate premises** or **farm experience premises** is not to be more than 300m^2.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.17 • O.18 • O.19 • O.20	The total footprint of all buildings used for farm gate premises and farm experience premises on the landholding is not to exceed 600m^2.
PC.3 • O.18 • O.19	The height of a building for farm gate premises or farm experience premises is not to exceed 10 metres.
PC.4 • O.19	The hours of operation for farm gate premises are: a. 8am to 5pm Sunday to Friday and public holidays, and b. 7am to 6pm on Saturdays.
PC.5 • O.19	The hours of operation of farm experience premises are: a. 8am to 6pm Sunday to Thursday and public holidays, and b. 7am to 12am Friday and Saturday.
PC.6 • O.17 • O.18 • O.22	The maximum number of visitors to **farm gate premises** is not to exceed 120 on a landholding at any one time.
PC.7 • O.17 • O.18 • O.22	The maximum number of visitors to **farm experience premises** is not to exceed 100 on a landholding at any one time.
PC.8 • O.17 • O.18 • O.22	The maximum number of visitors to combined **farm gate premises** and **farm experience premises** is 110 on a landholding at any one time.
PC.9 • O.18 • O.19	**Farm experience premises** are limited to 54 events per year, including a maximum of 6 events per year after 6pm that have amplified noise.
PC.10 • O.21	Adequate toilet facilities are to be provided. At least one toilet must be a unisex accessible toilet.
PC.11 • O.18 • O.19	Amplified noise for farm gate premises and farm experience premises must be a maximum of 40 dB at the closest residential dwelling on a neighbouring allotment.
AS.1 • O.18 • O.19	Farm gate premises and farm experience premises should be setback a minimum of 10m from any boundary. Should this control be varied, a Visual Impact Assessment is to be prepared by a suitably qualified person that satisfies O.18 and O.19.

9.2.8. Roadside Stalls

Objectives

O.23 To ensure roadside stalls are in keeping with the rural environment and do not distract road users from safe driving practices.
O.24 To ensure access to and from roadside stalls occurs in a safe manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.23	The maximum height of a roadside stall is 3 metres.
PC.2 • O.23	A roadside stall must be located within the boundaries of the landholding.
PC.3 • O.24	A vehicle access point from the property to a public road is to comply with *AS/NZS 2890.1: 2004 Parking facilities - Off-street car parking*.
AS.1 • O.24	Car parking spaces may be located on a road verge or fully within the boundaries of the property and should be provided for at least three vehicles.

9.3. Agritourism

9.3.1. Farm Stay Accommodation

Farm stay accommodation means a building or place that is:
a. On a commercial farm, and
b. Ancillary to the farm, and
c. Used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Objectives

O.25 To diversify the uses of agricultural land for tourist-style accommodation without adversely impacting the principal use of the land for primary production.
O.26 To ensure farm stay accommodation does not detract from existing environmental values, scenic landscape values, infrastructure and adjoining land uses.
O.27 To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from farm stay accommodation.
O.28 To provide accessible farm stay accommodation suitable for people with disability or limited mobility.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25 • O.26	Farm stay accommodation that comprises of moveable dwellings (tents, caravans, camper trailers, tiny houses) is to be on a landholding that is a minimum of 10 hectares. **Note:** The Codes SEPP requires a minimum 15ha landholding size for exempt development.
PC.2 • O.25 • O.26	A building or manufactured home for farm stay accommodation (except the use of existing residential accommodation or a manufactured home) is to be on a landholding that is a minimum of 10 hectares. **Note:** The Codes SEPP requires a minimum 15ha landholding size for complying development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.25 • O.26 • O.27	Farm stay accommodation, including buildings and moveable dwellings, is limited to: a. a maximum of 50 guests at any one time on a landholding, and b. a maximum stay for guests of 28 consecutive days. **Note:** The Codes SEPP allows a maximum 20 guests in moveable dwellings as exempt development and allows two guests over the age of 12 years in a building or manufactured home that does not have bedrooms, or guests over the age of 12 years that total two times the number of bedrooms in a building or manufactured home as exempt or complying development. The Codes SEPP also allows a maximum 21 consecutive days of stay for farm stay accommodation as exempt or complying development.
PC.4 • O.25 • O.26 • O.27	The maximum number of buildings and manufactured homes used for farm stay accommodation on a landholding is 10. **Note:** The Codes SEPP allows a maximum six buildings and manufactured homes as exempt or complying development.
PC.5 • O.25 • O.26 • O.27	The maximum number of moveable dwellings used for the purposes of farm stay accommodation on a landholding is 10. **Note:** The Codes SEPP allows a maximum of six campervans, caravans and other similar moveable dwellings on a landholding as exempt development.
PC.6 • O.25	To address fire safety: a. buildings are to be separated from other buildings by a minimum 15 metres, and b. moveable dwellings are to be separated from buildings and other moveable dwellings (except tents and similar portable and lightweight temporary shelters) by a minimum 10 metres.
PC.7 • O.26 • O.27	The gross floor area of a new building or manufactured home for farm stay accommodation must not be more than 40m^2.
PC.8 • O.26 • O.27	The gross floor area of part of an existing building or manufactured home used for farm stay accommodation must not be more than 60m^2. **Note:** The Codes SEPP allows a maximum 60m2 gross floor area for a change of use of a building or part of a building, for a new building or for alterations and additions to an existing building or manufactured home as farm stay accommodation under complying development.
PC.9 • O.26 • O.27	The height of a moveable dwelling used for farm stay accommodation is not to exceed 5 metres. **Note:** The Codes SEPP allows a maximum height of 4.5m as exempt development.
PC.10 • O.26 • O.27	The height of a building or manufactured home for farm stay accommodation is not to exceed 5 metres. **Note:** The Codes SEPP allows a maximum height of 4.5m for a new building or for alterations and additions to an existing building or manufactured home that has a height less than 4.5m under complying development, and the height of an existing building or manufactured home that is over 4.5m cannot be increased.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.25 • O.27	Where reticulated water is not available, a minimum of 20kL of water is to be provided in addition to that required for the dwelling house on the property and for firefighting purposes if on bush fire prone land.
PC.12 • O.28	One toilet per manufactured home in farm stay accommodation and/or one toilet per four persons for moveable dwellings on the landholding is to be available in an accessible location. At least one toilet must be a unisex accessible toilet.
PC.13 • O.25	A building or manufactured home for farm stay accommodation (except for the use of an existing dwelling for farm stay accommodation) must be on the same lot as an existing lawful dwelling house.
PC.14 • O.26 • O.27	Manufactured homes and moveable dwellings are to be sited in clusters in order to minimise the amount of land occupied by development.
PC.15 • O.25 • O.26	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.3.2. Eco-tourist Facilities

MLEP 2011 Clause 5.13 - Eco-tourist facilities set out the requirements for specialist forms of tourist and visitor accommodation and ancillary uses. A prominent feature of an eco-tourist facility is the general higher bar to define a site as such, especially when compared to other forms of tourist and visitor accommodation within rural and environmental zones.

Eco-tourist facilities are permitted in rural and environmental zones, including potentially on land where a dwelling (and therefore some tourist and visitor accommodation) is prohibited. Applicants cannot define a small-scale tourist development as an eco-tourist facility as a means to achieve a prohibited use.

The legislative requirements for eco-tourist facilities are set out in detail under the MLEP 2011 Clause 5.13 and additional controls are provided in the DCP section below.

Objectives

O.29 To enhance and protect the environmental and/or cultural values of the Maitland LGA within its rural and environmental zones.
O.30 To ensure that eco-tourist facilities carry out sustainable practices through harmony with nature.
O.31 To minimise land use conflict between eco-tourist facilities and rural land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.29 • O.30 • O.31	The Statement of Environmental Effects (SEE) accompanying the proposed development is to demonstrate how it satisfies the existing environmental and/or cultural values of the local context. An environmental and/or cultural value should: a. Be a dominant aspect of the development proposal and not ancillary to the provision oftourist and visitor accommodation or other tourist facilities. b. Be locally or regionally significant. c. Not necessarily need to be on the subject land but ideally are within 3km drive of the subject land (e.g. adjacent wetlands). d. Be demonstrated through a significant component of information, education and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	interpretation of these values. This requires significant investment in dedicatedspaces and/or buildings for education and/or a clear program and activities that are clearly linked to the local environmental or cultural values as a key feature of the proposed development. e. Not single out one environmental or cultural aspect for protection and enhancement whilst having significant impacts on other key values of the land. There needs to be a holistic approach to the land character, values and cultural history and associations.
PC.1 • O.31	An eco-tourist facility is to have a minimum of: a. 100m setback from the front and side property boundaries, and b. 50m setback from the rear property boundary
PC.2 • O.29 • O.31	An NSW DPI Land Use Conflict Risk Assessment (or as amended) is to be provided as part of the application.
AS.2 • O.29 • O.30	Eco-tourist facilities are to integrate water-saving measures, which may include a combination of mechanisms, such as rainwater harvesting and high quality on-site effluent management systems.
PC.3 • O.29 • O.30	Sensitive landforms are to be protected by ensuring that proposed development is: a. Situated away from steep areas, b. Avoiding development that requires significant cut and/or fill, c. Viably integrating, protecting, and embellishing native trees and vegetation, d. Ensuring that access roads are minimised by clustering buildings, and e. Minimising light spill at night.
PC.4 • O.29 • O.30	A Waste Management Plan is to be provided that includes circular economy measures to minimise waste.
PC.5 • O.29	An Operational Plan of Management is to be provided alongside the proposed development that captures the scope of Clause 5.13 of the MLEP 2011 and demonstrates how it satisfies ISO14000 – Environmental Management Systems.

9.4. Other Land Uses

9.4.1. Temporary Use of Land

Objectives

O.32 To ensure applicants provide adequate information to address a temporary use of land within a development application.
O.33 To provide guidelines for best practice for the appropriate location and management of events.
O.34 To ensure public health and safety is maintained during temporary events.
O.35 To limit the possibility that an unacceptable impact occurs to the community or local environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.32 • O.33	A Site Plan is to be provided that includes the location of the event, the location of all structures, to scale with distances to boundaries.
PC.2 • O.32 • O.33 • O.34 • O.35	The SEE must address the following: a. Description of event. b. Date and times of event opening and closing & daily schedules. c. Event promotion, ticketing, and capacity d. Any temporary buildings or structures. e. Date and times of set up/removal and hours of operation. f. Details of music, amplification or other potential noise emissions. g. Alcohol licensing and requirements. h. Lighting and signage. i. Details and location of food sold/served/provided, including premises setup. j. Details of parking, including owner's permission if off-site. k. Details of amenities e.g. water, toilets and sewerage management. l. Details of waste management including general garbage and recycling. m. Power & water supply.
PC.3 • O.32 • O.33 • O.34 • O.35	A Traffic Management Plan is to be provided. The Traffic Management Plan (TMP) must include the following components: a. Proposed route b. Traffic Control Plan c. Contingency (Incident) Plan d. Proposed advertising for traffic changes e. Parking Plan with site layout, traffic circulation directions, ingress and egress. f. Proposed traffic marshalls/ volunteers including number and location of marshalls and location of pedestrian access/crossing. g. Car parking areas will be in accordance with AS 1742.11 and AS 2890.1-2004 *Parking Facilities Part 1: Off – Street car parking* **Note:** Traffic controllers directing traffic or managing traffic on a public road is to be suitably qualified (e.g. RTA Accredited Traffic Controllers Certificate).
PC.4 • O.32 • O.34	If proposed on Council or Crown land, a temporary use of land is to be accompanied with all relevant insurance documentation relevant to the event, including public liability insurance. **Note:** The dollar amount of public liability insurance is variable based on the scale and complexity of each temporary use of land, however a general guide is at least $10,000,000 for an event.
PC.5 • O.32	An Event Management Plan is to be provided as part of the proposed development and must include details on the following:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.33 • O.34 • O.35	a. Noise, including noise from amplified music, generators etc, b. Waste Management, including details associated with proposed bin system to be utilised including location and type of bins, and proposed disposal of waste material including proposed recycling, c. Food, including compliance with relevant NSW food regulations, location on site and number of employees, waste facilities and associated facilities to be provided. d. First Aid: provision of First Aid personnel is required at all major events. An Australian Standard Complying First Aid Kit must be on hand at all smaller scale events. Any major event must provide details of the event to NSW Ambulance, e. Alcohol: If alcohol is proposed to be served all necessary licences including Responsible Service of Alcohol details must be provided, f. Toilet Facilities, including provision of unisex and inclusive toilet facilities, and g. Potential biosecurity risks and associated mitigation measures, in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.4.2. Animal Boarding and Training Establishments

Objectives

O.36 To ensure that animal boarding and training establishments (including exercise areas) are sited and designed to minimise impacts on adjoining land.

O.37 To avoid/minimise the impacts on the natural environment and rural landscape and amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36	Animal boarding and training establishments are to be sited and designed to minimise noise and odour impacts on adjoining land. Noise levels from the premises are not to exceed the relevant noise levels set out in the *EPA Noise Policy for Industry 2017* (or as amended) and may require a Noise Assessment from a suitably qualified acoustic engineer. An acoustic report is required to ascertain appropriate front, rear and side setback requirements.
PC.2 • O.36	Applications are to be accompanied with a site plan and details of the location of stables, pens, kennels, aviaries or the like, the number or animals, site distances to adjoining residential properties, and stocking rates, and provide a regular pest control program.
PC.3 • O.36 • O.37	Proposed animal boarding and training establishments must provide a Business and Management Plan that addresses the relevant industry guidelines for the design of these facilities, including mechanisms to manage noise, odour, and the like. Special consideration is to be given to the NSW DPIRD's *NSW Animal Welfare Code of Practice No.5 – Dogs and Cats in animal boarding establishments* (or as amended).

9.4.3. Extractive Industries

Objectives

O.38 To ensure that development is designed to minimise risks associated with geotechnical hazards.
O.39 To ensure that extractive industries adequately address relevant environmental constraints and hazards.
O.40 To provide an effective barrier between quarrying and mining operations and other sensitive land uses.
O.41 To maintain the character and amenity of existing rural land uses.
O.42 To ensure that drainage is naturalised where appropriate and that water quality is maintained at pre-development levels when entering the wider water catchment.
O.43 To facilitate the orderly sequencing of extraction on sites.
O.44 To ensure an appropriate rehabilitation program is implemented for extractive industries over the life of their operations.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Setbacks and Road Access	
PC.1 • O.38 • O.40	Development for the purposes of extractive industry are to adhere to the following minimum setbacks: a. 50m from any property boundary, b. 100m from a property boundary to a National Park, State Forest, or Crown Land, c. 30m from any private road or Right of Way shared with adjoining land holders that are not associated with the proposed development, d. 250m from any private dwelling not associated with the development, e. 40m from the top of the bank of any watercourse or drainage line, and f. An appropriate distance from any utility easement, as determined in consultation with the relevant utility provider. **Note:** Minimum setbacks are measured from the proposed extraction area of an extractive industry, and the setback to a private dwelling is measured to the relevant dwelling.
PC.2 • O.38 • O.40	All internal access roads are to satisfy the following minimum setbacks: a. 30m from any property boundary, b. 40m from the top of the bank of any watercourse or drainage line, and c. 40m from any identified Endangered Ecological Community.
PC.3 • O.43	The primary driveway access for extractive industries development is to have a minimum width of 12m.
PC.4 • O.39 • O.43	A Traffic Impact Assessment prepared for mining and/or extractive industry activities must include the following details in addition to that detailed under Appendix A: Application Requirements – Other Development: a. Estimated average and maximum hourly, daily and weekly truck movements, based upon the truck type and size proposed for the operation, b. Proposed truck routes (for both laden and unladen trucks) and possible alternative routes or other alternative transport modes such a rail transport, c. The physical condition of existing roads and / or bridges on the proposed truck routes to / from the site and any proposals to upgrade public or private roads to reduce dust and other impacts, d. The traffic generation impact of both laden and unladen truck movements along the proposed truck routes to / from the site, e. Potential road safety impacts upon other road users arising from the additional truck movements occurring along the proposed truck routes to / from the site, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. Assessment of sight distances for trucks entering / exiting the site and at other key intersections along the proposed truck routes to / from the site.
Stormwater and Drainage	
PC.5 • O.39 • O.42	Drainage from sites is to be conducted in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book). Water discharge is to be directed towards an existing natural watercourse or drainage line on the site, or an off the line sediment basin, and not directly onto any adjoining downstream property (other than within the natural watercourse or drainage line).
PC.6 • O.39 • O.42	Drainage measures are to be employed which direct upstream overland run-off to bypass the extraction site and are to be demonstrated as part of the development's Soil and Water Management Plan (see Section 3.3.3. of Chapter 3: Site Requirements).
PC.7 • O.39 • O.42	All drainage channels must be designed to convey run-off waters at velocities of less than 1m/second for vegetated channels or 0.4m/second for bare earth channels.
AS.1 • O.39 • O.42	Topsoil stockpiles over 3m in height are encouraged to be benched to ensure stability and to include internal drains to minimise soil erosion problems.
AS.2 • O.39 • O.42	Except for detention basins and sediment control dams proposed on site, batter slopes should be no steeper than 1:2 for stable soils or 1:4 for highly erodible soils or lands subject to instability.
PC.8 • O.39 • O.42	Sediment basins are to be designed in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book).
PC.9 • O.39 • O.42	All channels and detention ponds are to be designed to accommodate peak discharge for a minimum 1:20 year average recurrence interval storm event with a 0.5m flood freeboard margin.
Groundwater and Water Quality	
AS.3 • O.39 • O.42	The extraction depth should be to an absolute minimum freeboard level of 2m AHD above the wet weather high groundwater level, in order to help protect groundwater flow patterns and water quality on each extraction area. Extraction depths beyond this are to be supported by a Groundwater Assessment that considers any adverse impact, adjoining groundwater users, and incorporates mitigation measures to the satisfaction of Council.
PC.10 • O.39 • O.42	A Groundwater Impact Assessment Report is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
PC.11 • O.39 • O.42	An Onsite Water Management Plan is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
Air Quality	
PC.12 • O.39	An Air Quality Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.13 • O.39 • O.41	All stockpiles of material are to propose mitigation measures to limit any dust nuisance.
Noise and Vibration	
PC.14 • O.39	A Noise and Vibration Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
Staging and Rehabilitation	
PC.15 • O.38 • O.43 • O.44	A staging of extraction program which shows the progressive extraction and progressive rehabilitation of the site is required. This is to be associated with a staging plan at the same scale of the site plan which shows the sequential staging of proposed extraction works and rehabilitation works with reference to the proposed final landform of the site post-operation.
AS.4 • O.41 • O.44	Topsoil and overburden used for bund walls during the extraction phase for each extraction segment of the development should be stabilised using appropriate native species and rehabilitation under the supervision of an ecologist. The rehabilitation of the cells should include native trees, shrubs and groundcovers which are endemic to the locality, wherever possible.
PC.16 • O.41 • O.44	A rehabilitation strategy is to be submitted as part of the Development Application and is to be produced in accordance with NSW DPIRD's Agriculture Issues for Extractive Industry Development (or as amended).
PC.17 • O.41 • O.44	The final landform of the site post-rehabilitation must integrate with adjoining properties and be designed to achieve a uniform landform on all property boundaries.
PC.18 • O.41 • O.44	A site plan showing the proposed post-rehabilitation land use is required. This site plan is to include the following requirements: a. The nature, location and duration of post – extraction land uses, b. Expected final landform, including drainage lines, and c. Proposed areas designated for the final proposed land use and other areas reserved for revegetation.
PC.19 • O.41 • O.42 • O.44	The remediation of tailing dams post-use and post-operation must prevent any potential leaching into the groundwater table or direct discharge into waters flowing into the downstream watercourse or drainage line.

9.4.4. Renewable Energy

Note: Due to the high capital investment value of solar energy or wind farms, they may be categorised as State Significant Development (SSD). In these circumstances the assessment of the application is undertaken by the NSW Government. To determine if a proposal falls within this category, reference should be made to State Environmental Planning Policy (Planning Systems) 2021. In the event that a proposal falls within the category of SSD, Council will request (during consultation) that consistency with this section of the Development Control Plan is maintained.

Objectives

O.45 To minimise potential land use conflicts between renewable energy uses and rural and environmental areas.

O.46 To ensure that there is no unreasonable interference with the comfort or use of adjoining land, especially strategically important agricultural land.

O.47 To ensure road access, visual impacts, noise, health, waste, construction management and environmental constraints are identified, and sufficient information is included with each development application to enable proper assessment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.45 • O.46 • O.47	A Site Plan provided for renewable energy development is to demonstrate: a. the position of the proposed solar panel arrays or wind turbines, inverters, battery storages and all construction facilities from site boundaries, b. natural land contours, c. native vegetation to be removed or retained, d. proposed vehicular access points, e. the location and uses of all existing and proposed buildings, power lines, sub-station and fences on the land, and f. potential impacts on agricultural production of the land.
PC.2 • O.46 • O.47	Design details of the proposed development, such as number, dimensions, generation capacity, overall height once mounted, rotational information, and materials and colours are to be provided.
PC.3 • O.45 • O.46 • O.47	A Noise Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development and any other NSW Acts, rules, or regulations pertaining to solar or wind farm noise.
PC.4 • O.46 • O.47	A Visual Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
PC.5 • O.46 • O.47	A Traffic Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.

9.4.5. Places of Public Worship

Objectives

O.48 Ensure that places of public worship have a scale and intensity that is suitable to the site and consistent with the neighbourhood character.
O.49 To ensure that the bulk, scale and character of places of public worship are compatible with development of the surrounding area.
O.50 To minimise the impact of parking on local streets.
O.51 To encourage places of public worship to locate in areas with good public transport.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48 • O.50 • O.51	Large places of public worship with a seating capacity of 250 people are to be located within E3 Productivity Support zoned land.
PC.2 • O.50 • O.51	On-site parking is to be provided at the rate determined by a Traffic Impact Assessment, having regard to the objectives of this section. As a general guide for places of public worship, new development is to provide 1 car parking space per 10m² of gross floor area and accessible parking at 1 car space per 20 car spaces. Refer to Section 3.4 of Chapter 3: Site Requirements of this DCP for parking design requirements.
PC.3 • O.48	A Noise Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development and include the following additional details: a. Hours of operation, and b. Regular events calendar to determine peak attendance times.
PC.4 • O.48 • O.49	Applications for places of public worship will be subject to the same height, floor space ratio, envelope and landscaping controls that are identified in the Maitland LEP 2011 and Chapter 6 of this DCP applicable to the land zone.
PC.5 • O.50 • O.51	An Operational Plan of Management is to be prepared for places of public worship, in accordance with Appendix A: Application Requirements – Other Development.

9.4.6. Cemeteries and Crematoriums

Objectives

O.52 To ensure that the operation of cemeteries, crematoria and funeral chapels does not have an adverse impact on adjoining land uses and the surrounding area.
O.53 To ensure that uses locate on roads with the capacity to accommodate probable traffic generation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.52	Cemeteries and crematoria must be located on a site with a minimum of 10 ha available for burial plots and memorial walls. Landscaped areas, setbacks, parking, driveways and turning areas, internal congregation areas and places of public worship will not be counted towards this minimum site area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.52 • O.53	A Groundwater Impact Assessment addressing the items of Appendix A: Application Requirements – Other Development will be required to be submitted to ensure that ground water is not within 3m of the surface of the proposed burial plots.
PC.3 • O.53	A TIA is to be included with any development application for a cemetery, crematoria or funeral chapel. This TIA should determine whether a turning lane or slip lane is required to enter the site.
PC.4 • O.53	A landscaped buffer zone at least 10 metres wide must be provided to the side and rear boundaries of the site. The buffer zone is not to be used for parking areas or the like.

9.4.7. Exhibition Homes and Villages

Objectives

O.54 To ensure that the intended site of an exhibition home or village is consistent with the amenity and character of the local area, or in the case of new release areas, the desired character.
O.55 To ensure that the hours of operation of the exhibition home or exhibition village do not adversely affect the amenity of the surrounding residents.
O.56 To provide for an appropriate range of support and ancillary uses within an exhibition village.
O.57 To ensure that adequate public services are provided in exhibition villages to meet the demand of visitors and employees.
O.58 To ensure that the amenity of residents is achieved and there is no conflict between residential occupation of dwelling houses and the operation of an exhibition home or village
O.59 To allow signs to be erected or displayed only where they are compatible with the scale and character of the area and do not significantly detract from the local visual amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Location	
PC.1 • O.54 • O.58	Exhibition homes and villages are to only be located in areas where Council is of the opinion that the proposed development and ancillary activities are unlikely to cause a negative impact on the amenity of the area.
PC.2 • O.57	Exhibition homes and villages are to be located on, and adjacent to, roads that provide a "feeder" function such as a "collector" or "distributor". Direct vehicle access will not be permitted to classified roads.
PC.3 • O.54	Development of exhibition villages or homes in advance of residential land release are to consider the desired amenity and character of the future residential area and promote the objectives of any relevant structure or area plan.
Access and car parking	
PC.4 • O.56	A Traffic Impact Assessment is to be carried out by a suitably qualified professional and submitted with applications for an exhibition home or village, in accordance with the minimum requirements provided under Appendix A: Application Requirements – Other Development.
PC.5 • O.57	For exhibition villages, a centralised car parking area is to be provided as part of the village, in accordance with the parking provision under Section 3.4.4 of Chapter 3: Site Requirements of this DCP.
Hours of operation	
PC.6 • O.55	The hours of operation for an exhibition village or exhibition home, and ancillary uses is restricted to 9am – 6pm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Ancillary Uses	
PC.7 • O.58	No uses related to the development will be supported on or adjoining the exhibition home or village that may constitute a nuisance to neighbouring residents. If there are existing or future residential lots within a 50m radius of the proposed exhibition home or village that could be impacted by potential nuisances, such as a café, an Acoustic Assessment must be conducted by a suitably qualified specialist in accordance with Appendix A: Application Requirements – Other Development to ensure residential amenity is protected.
PC.8 • O.56	All uses related to the development are to be ancillary to the operation of the exhibition home or village and must only service the needs generated by the development. Ancillary uses are to be limited to the following: • One sales office per building company, • One materials display area per building company, • One home financing service office per village, and • One café per village. **Note:** Ancillary uses for the purposes of an exhibition village include sales offices, home financing offices, and may also include public amenities such as a café and public toilets.
PC.9 • O.56	The ancillary uses to an exhibition home are to be contained within the curtilage of the exhibition home. No café will be permitted as an ancillary use to an "exhibition home" development.
PC.10 • O.57	Public toilets are to be provided for all exhibition villages, at the rate identified in the National Construction Code. Relevant Australian Standards related to accessibility apply to these facilities.
Signage	
PC.11 • O.59	All advertising structures for an exhibition home or exhibition village must only be erected on the site of the development.
PC.12 • O.54 • O.59	The characteristics of the advertising structures must be compatible with the scale and visual amenity of the local area.
PC.13 • O.59	Advertising structures are to be limited to the following: • One flagpole per exhibition home or house within an exhibition village, and • One pylon sign per exhibition village.
PC.14 • O.59	Advertising sign details and drawings are to be included in the Development Application.
PC.15 • O.57	At the conclusion of the consent period, the exhibition homes or homes within an exhibition village must be inspected to ensure that vehicle and pedestrian access to a public road complies with Council's standards, that the building(s) comply with the National Construction Code, and that essential service infrastructure is in place.

9.4.8. Sex Services Premises and Restricted Premises

Objectives

O.60 To nominate location requirements and development standards for sex services premises and restricted premises which reflect broad community attitudes and expectations.

O.61 To provide appropriate guidelines for sex services premises and restricted premises which will ensure that such are at a reasonable distance from residential occupancies and other nominated sensitive land uses and will not cause disturbance or otherwise have a detrimental impact on the amenity of the surrounding neighbourhood.

O.62 To provide appropriate guidelines which will restrict the scale of sex services premises and restricted premises, as well as prevent their concentration in close proximity to one another.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.60 • O.61	All Development Applications for premises to be used as a restricted premises or sex services premises, including the change of use of an existing premises to a restricted premises or sex services premises, are to include the following documentation and details: a. A site plan and a location plan drawn to a scale of 1:500 showing the proximity of the subject site to nearby residential occupancies, as well as to churches, hospitals, schools, community facilities and any other place where children or young people are likely to regularly congregate, including railway stations and major bus stops. **Note:** Clause 7.6 in the MLEP 2011 restricts the location of sex services premises. b. A floor plan drawn to scale of 1:100 capturing, the details provided under Appendix A: Application Requirements – Other Development and the following: i. The proposed use of each room is to be nominated, with application for sex services premises to specifically identify all rooms proposed to be used for the conduct of sex services. c. Details of compliance with the Disability Discrimination Act 1992 and the Health and Safety Guidelines for Brothels in NSW, distributed by SafeWork NSW. d. A Statement of Environmental Effects which provides the following details: i. Comprehensive description of the proposed development, ii. Details of the present or previous use of the subject premises, iii. Details of existing uses on adjoining properties and any other uses established on the subject property, and iv. Operational details including name of occupier of the premises or contact person, number of employees, hours and days of operation, number of rooms in the premises. e. Details of proposed signage indicating the size, form number, illumination position of any proposed business identification sign, advertisement or other promotional device to be erected or displayed on the subject premises, and including details of any existing and proposed external lighting.
Location	
PC.2 • O.61	A sex services premises or restricted premises is not to be located in a position which may detract from the amenity of residential occupancies and, in this regard, the entrance or exit doorway to or from any such premises is not to be closer than 150m from the entrance to premises used as a dwelling within a residential zone. **Note:** For the purposes of these Guidelines, exit doorways from premises exclude fire exits provided only for use in an emergency and any distances referred to are to be measured along the most direct established pedestrian route between the respective premises.
PC.3 • O.61	The entrance or exit doorway to or from a sex services premises or restricted premises is not to be closer than 150m from a place of worship, child care centre, community centre, community facility, educational establishment, entertainment facility, hospital, recreation

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	area or recreation facility or any place where children or young people are likely to regularly congregate, including railway stations or major bus stops.
PC.4 • O.62	An entrance or exit doorway to or from a sex services premises or restricted premises is not to be closer than 150 metres from the entrance doorway to any other sex services premises, or restricted premises.
PC.5 • O.61	A sex services premises is not to be located within a remote area or an area in which public transport or emergency services are not conveniently to hand.
Scale and Character	
PC.6 • O.62	A sex services premises is to be restricted in total floor space, such that no more than 5 rooms in which sex services are to take place can be provided.
PC.7 • O.62	The use of a premises as a sexual entertainment establishment is to be restricted in net floor area to an area no greater than 200m^2.
PC.8 • O.62	Prostitution within an approved sex services premises is to be confined to rooms and areas so nominated on the submitted plans which are the subject of Council's consent.
PC.9 • O.61	Any new building or refurbishment of an existing building proposed to function as a restricted premises, or a sex services premises is to be designed to be compatible with the built form of adjoining premises and integrated into the streetscape.
PC.10 • O.61	The entrance to a restricted premises or a sex services premises is to be discrete, safe and unobtrusive with any signage limited to a single business and/or property identification sign only, of modest dimensions, devoid of any sexually explicit or suggestive material, and any distinctive external lighting provided in respect of a brothel is to be limited to a single, low wattage globe.
PC.11 • O.61	A sex services premises or sexual entertainment establishment is to be provided with adequate reception area/waiting room facilities sufficient to discourage clients or prospective clients from loitering outside the premises.
PC.12 • O.61	Sex industry establishments are not to display sex workers or sex related products from windows, the front door or outside of their premises.
PC.13 • O.61	Any proposed building is not to be of a colour or materiality that draws undue attention to the premises.
PC.14 • O.61	Sex services premises or restricted premises are not to be located in a building that contains a dwelling.
AS.1 • O.61 • O.62	Sex services premises and restricted premises should generally be small scale and not clustered, so that they integrate with adjoining land uses.
Security	
PC.15 • O.60	Sex services premises and restricted premises are to demonstrate implementation of a range of measures provided with Appendix F: CPTED Guidelines.
Building Standards	
PC.16 • O.61	Sexual entertainment establishments involving live shows or the exhibition of films are to satisfy the constructional and fire safety standards for a place of public entertainment under the provisions of the National Construction Code.
PC.17 • O.61	Access for people with a disability is to be provided in accordance with all relevant legislation, including *AS 1428 – Design for Access and Mobility* and the *Disability Discrimination Act 1992*. Major entrances to premises to which the public is entitled to enter need to be designed and constructed to provide equitable treatment of users and meet minimum standards of grade, doorway width and connectivity.



Maitland DCP 2026

Chapter 10: Special Precincts, Locality Plans, and Urban Release Areas

maitland
CITY COUNCIL

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10.1. Introduction

10.1.1. Application

The objectives and controls contained within this Chapter apply to various specific precincts, localities and Urban Release Areas located throughout the Maitland Local Government Area.

As such, this Chapter is to be read in conjunction with the general controls and acceptable solutions provided under Chapters 2–9 of this DCP. Where there are inconsistencies between this Chapter and controls under Chapters 2-9, this Chapter will prevail.

10.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix C: Biodiversity Guidelines

10.1.3. How to use this Chapter

This Chapter is structured into three sections, as follows:

Special Precincts

This section seeks to identify areas within the Maitland LGA that are of a non-residential character and require a degree of environmental and built considerations in their immediate context. At present, only two airports have been included, being Maitland Airport and Williamtown Airport. As such, the Special Precincts section is expected to expand over time as Council conducts more detailed work into key infrastructure across the LGA in the future.

Locality Plans

The Locality Plans section provides a framework that enables development potential to be realised for a specific residential locality in the Maitland LGA, while also recognising the need to integrate the development of these sites within existing urban areas, or within rural landscapes. As such, they are limited in scope and generally aim to maintain existing character, as a number of them are now fully developed. The Locality Plans are as follows:

LOCALITY PLANS: MAITLAND DCP	
Ashtonfield South	Thornton (Woodlands Estate)
Bolwarra Heights	West Bolwarra Heights
Greta (Orient Street)	Thornton (Radburn Estate)
Louth Park (Waterforde Estate)	Thornton (Hermitage Close)

Urban Release Areas

The Urban Release Areas (URA) section of Chapter 10 provides controls for the areas indicated as Urban Release Areas within the *Maitland Local Environmental Plan 2011.* The content of these each of these URAs address Part 6 of the *Maitland Local Environmental Plan 2011* and are required for each area in order for development to occur. They are as follows:

URBAN RELEASE AREAS: MAITLAND DCP	
Aberglasslyn	Anambah Urban Extension Site (Windella)
Gillieston Heights	Glebe Paddock
Largs	Mount Harris
Thornton North	Mala Close
Anambah Road	Anambah Road
Lochinvar	Louth Park
Farley	Anambah Employment Area

10.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To provide controls for the various areas of the Maitland LGA that require additional considerations for their specific contexts.
b. To ensure that historic Locality Plans maintain their character and appropriately consider site-specific natural and man-made hazards.
c. To ensure that the Maitland DCP has adequate accommodations for Proponents or Council to satisfy Part 6 of the MLEP 2011.
d. To create a degree of place-making and character through site-specific sections of the DCP.

10.2. Special Precincts

This section seeks to identify areas within the Maitland LGA that are of a non-residential character and require a degree of environmental and built considerations in their immediate context. At present, only two airports have been included, being Maitland Airport and Williamtown Airport. As such, the Special Precincts section is expected to expand over time as Council conducts more detailed work into key infrastructure across the LGA in the future.

10.2.1. Airports

10.2.1.1. Maitland Airport

Maitland Airport, also known as the Royal Newcastle Aero Club, is a well-established general aviation airport that serves the broader community for origin-destination flights, flight training, recreational flying, aircraft maintenance and also supports a range of emergency services. Consequently, due to its existing approvals and operations, a few additional assessment considerations apply to the land surrounding the Maitland Airport.

Objectives

O.1 To ensure that properties exposed to high levels of aircraft noise appropriately assess its impacts and provide appropriate mitigation measures.

O.2 To ensure that development within the airspace corridor does not limit the flight paths of the Maitland Airport.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	Any proposed development that is not associated with/ancillary to the Maitland Airport and is within the 20 to 25 ANEC contour must provide a Noise and Vibration Assessment, prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.2	Any proposed development within the Maitland Airport Runway Operational Airspace Corridor shown in Figure 2 that is over 15m in height must Prepare an aviation report that determines the appropriateness of such development against airport noise-vibration, windshear, lighting, protected airspace of airports, and impacts on communications. **Note:** refer to The National Airports Safeguarding Framework for further information.

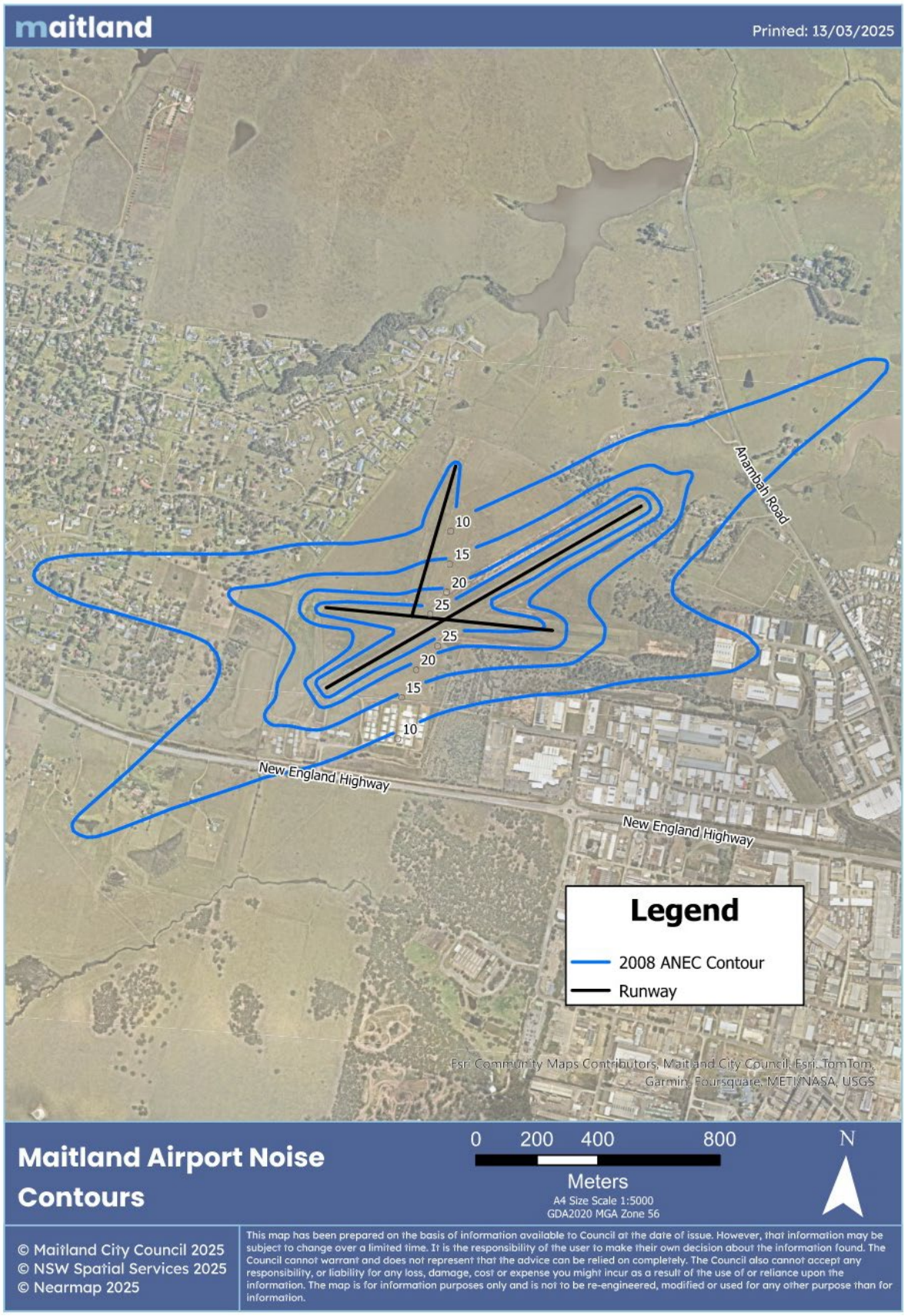


Figure 10-1: Maitland Airport Noise Contours

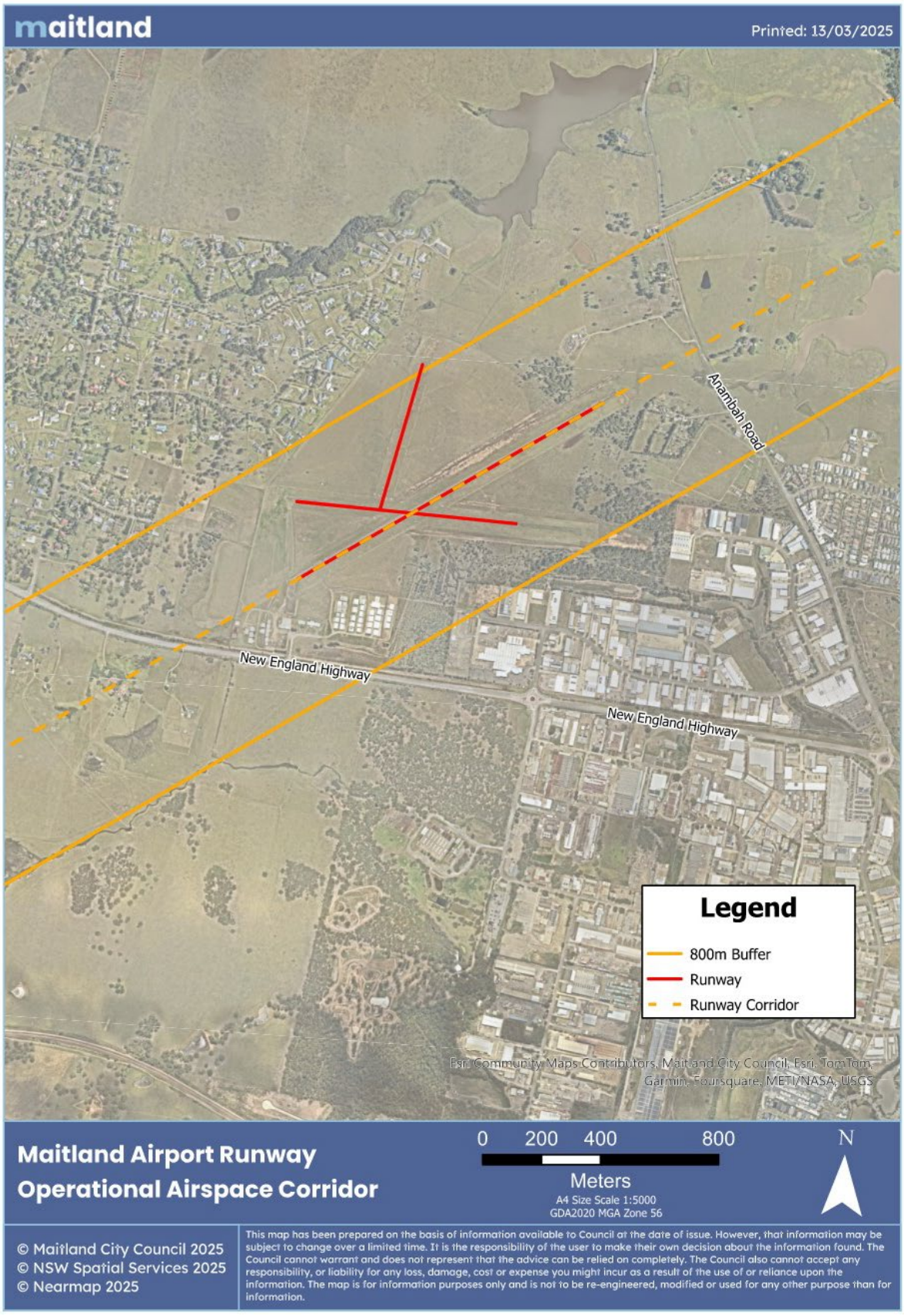


Figure 10-2: Maitland Airport Runway Operational Airspace Corridor

10.2.1.2. Williamtown Airport

The area known as RAAF Base Williamtown is declared to be a Defence Aviation Area (DDA) under the *Defence Act 1903* (Cwth). The RAAF Base Williamtown DDA covers a radius of 15 kilometres, which partially impacts upon the eastern reaches of the Maitland LGA. This DDA requires an application to be submitted to defence when certain parameters are met, including height and aviation-interfering development.

Objectives

O.3 To ensure that height of building restrictions are adhered to within the RAAF Base Williamtown Defence Aviation Area for buildings, temporary structures (i.e. cranes) and/or natural features.

O.4 To ensure that consent is not granted until referrals and concurrence under the *Defence Act 1903* (Cwth) have occurred.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.3 • O.4	Any building or temporary within the area mapped in Figure 3 is not to exceed 150m. Should a building or temporary structure exceed 150m, concurrence for the proposed development is required from the Department of Defence before approval can be granted by Council. **Note**: if structures exceed 150m, concurrence and approval is required from the Commonwealth Department of Defence.
PC.1 • O.4	Regardless of height, if a development involves a transmitting antenna, such as a telecommunications tower, or involves any potentially dangerous to aviation development such as a shooting range, concurrence for the proposed development is required from the Department of Defence before approval can be granted by Council.

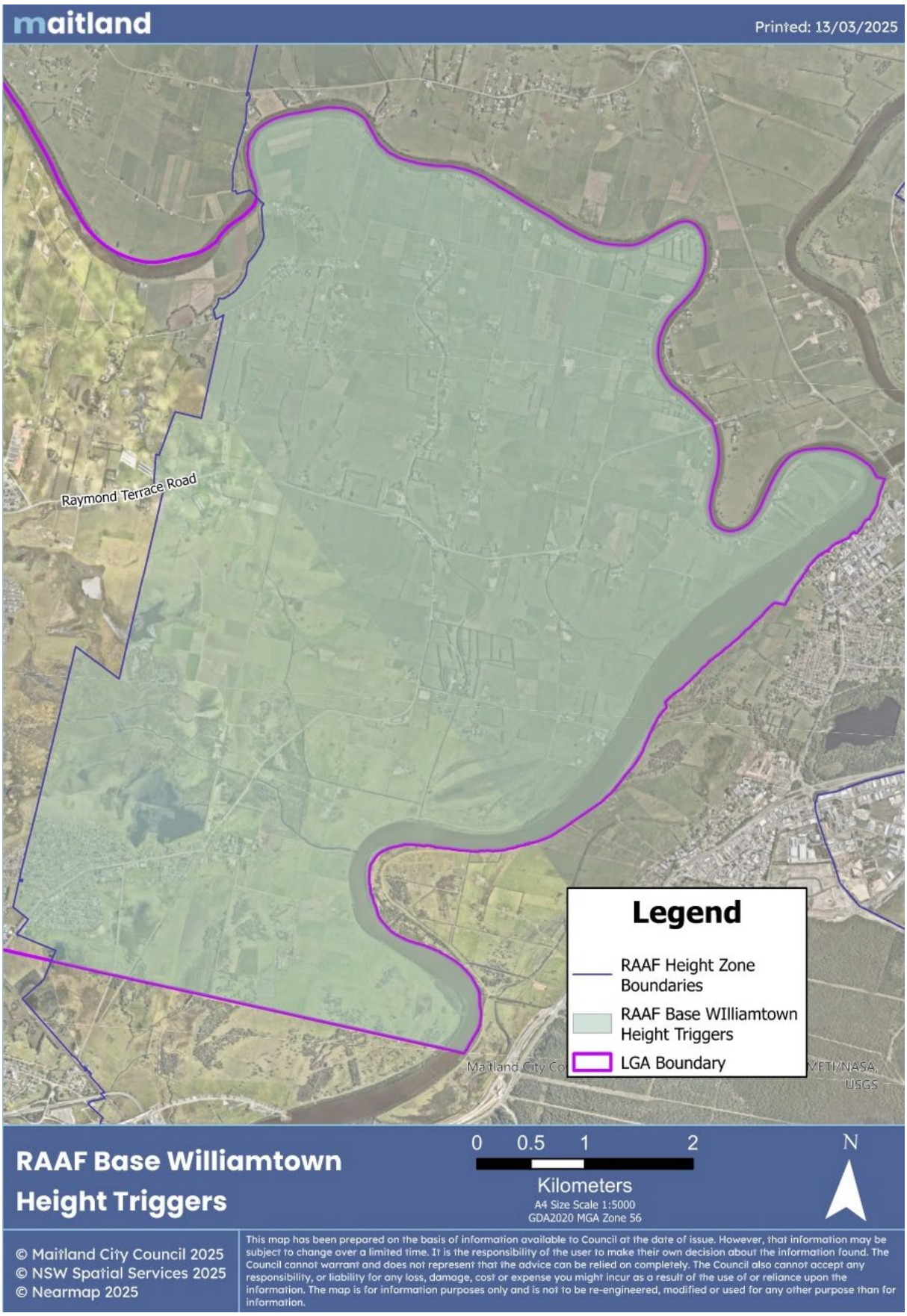


Figure 10-3: RAAF Base Williamtown Defence Aviation Area

10.3. Locality Plans

This section of the DCP provides specific controls in relation to assessment, design, and character for development within certain localities of the Maitland Local Government Area. In some areas, constraints analysis has identified specific environmental qualities that warrant sympathetic development outcomes including environmental conservation.

The Locality Plans provide a framework that enables development potential to be realised for a specific Locality while recognising the need to integrate the development of these sites within existing urban areas, or within rural landscapes.

The strategic planning undertaken in the preparation of these Locality Plans informed the preparation of the Maitland LEP 2011, particularly in the allocation of land use zones, minimum lot sizes for subdivision and dwelling entitlements, where relevant. Each Locality Plan contains a Locality Statement that provides the local context for assessment of development within these areas.

Note: Development within these localities must still have regard to the general Prescriptive Controls and Acceptable Solutions contained in the preceding Chapters of this DCP. Where there is an inconsistency, 10.3 Locality Plans (this Section) will prevail to the extent of the inconsistency.

10.3.1. Ashtonfield South

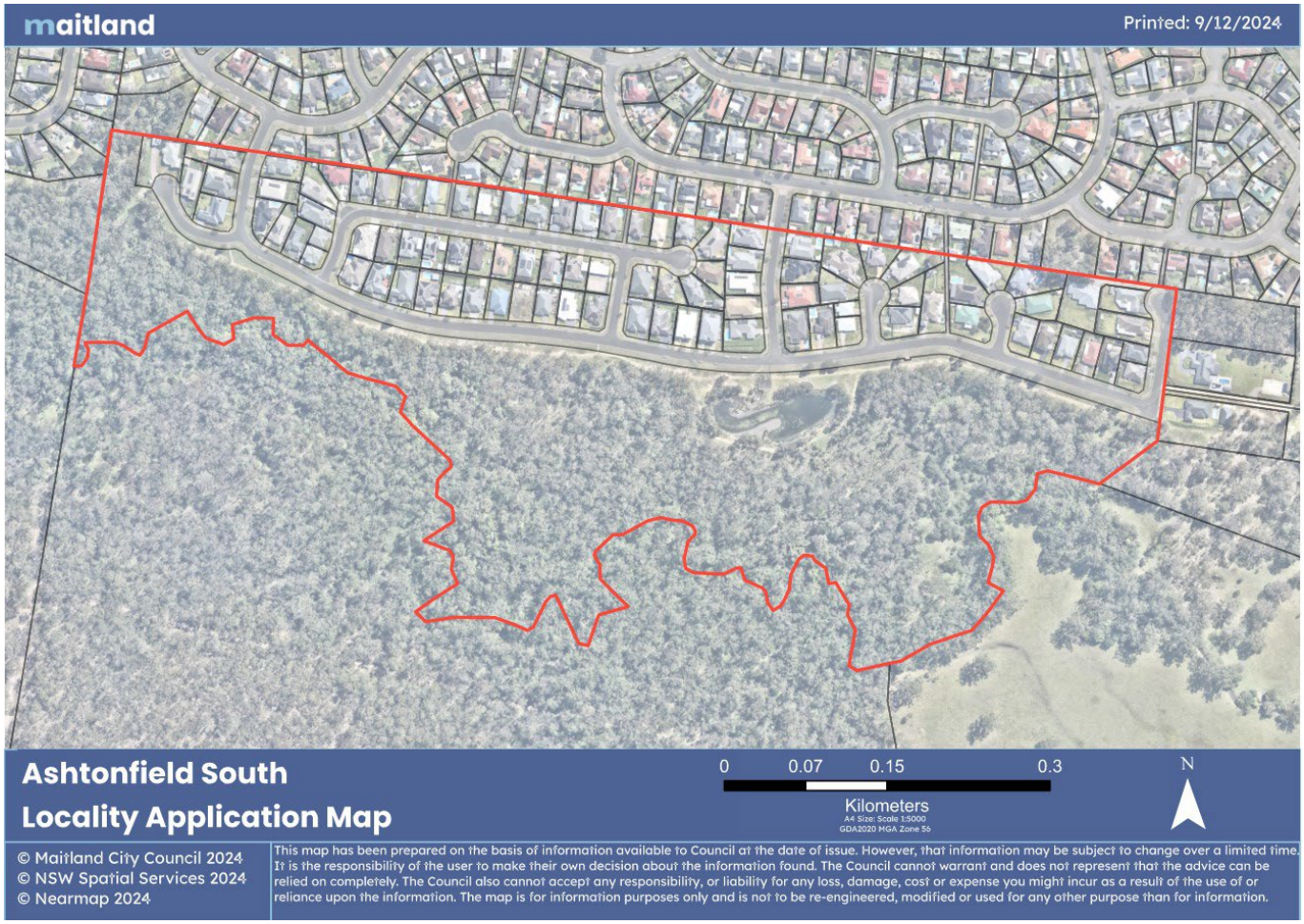


Figure 10-4: Ashtonfield South Locality Map

Locality Statement

The Ashtonfield South Locality is comprised of an established residential estate and bushland, originally being an extension of the remainder of the Ashtonfield estate to the north. The bushland south of the residential area, which has remained in its natural state, is primarily made up of the Lower Hunter Spotted Gum Ironbark Forest and Alluvial Tall Moist Forest vegetation communities. The vegetation provides habitat for the Squirrel Glider and requires special considerations.

The Ashtonfield South Locality is also in proximity of the Bloomfield Group Four Mile Workshop and abuts the mining lease land of the Bloomfield Colliery.

This Locality Plan applies to all land detailed in Figure 10-4.

Objectives

O.5 To ensure that clear separations are maintained between the residential, recreational and environmental sections of the locality.

O.6 To maximise tree retention in the wooded portions of the Locality and preserve the continuity and connectivity of the bushland reserve south of Magnetic Drive.

O.7 To respect the proximity of the Four Mile Workshop by incorporating noise mitigation strategies for potentially affected lots.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5	Any required Asset Protection Zones provided for development must not encroach into the C3 zoned land, apart from the 10m wide recreational link immediately adjoining the south of Magnetic Drive.
PC.2 • O.6	Properties to the east of Ashmore Close have the potential to have their noise amenity affected due to their proximity to the Bloomfield Group Four Mile Workshop. A Noise Assessment is to be carried out by a suitably qualified person for any new habitable development within this area.
PC.3 • O.6 • O.7	If development east of Ashmore Close has been determined to require noise attenuation measures as the result of a Noise Assessment, these measures are to be integrated into the development's design.
AS.1 • O.6	New habitable development or subdivision should provide a vegetation barrier along any property boundary that faces the workshop, in accordance with Council's landscaping controls for residential uses (Chapter 6, Section 6.2.6).

10.3.2. Bolwarra Heights



Figure 10-5: Bolwarra Heights Locality Map

Locality Statement

The land subject of this locality plan is located in the suburb of Bolwarra Heights and is bounded by Tocal Road, Lang Drive and Paterson Road. The area sits to the north and west of the more suburban style residential areas of Bolwarra, Largs, and Bolwarra Heights, and is characterised by large residential lots generally accommodating sizeable single or two storey residences.

Large pockets of vegetation are located in the undeveloped areas of the site and are predominately identified as Lower Hunter Spotted Gum Ironbark Forest, which is an Endangered Ecological Community (EEC). A number of natural drainage paths and waterbodies also run through the site

connecting to the flood plain in the east. The core goal of this locality plan is to preserve the established local character through the additional controls outlined within this section.

This Locality Plan applies to all land detailed in Figure 10-5.

Objectives

O.8 To preserve the established local character, being that of well-vegetated large lots with large residences.
O.9 To ensure that native vegetation on lots is considered and impacts on the Lower Hunter Spotted Gum Ironbark Forest is minimised.
O.10 To promote further revegetation and landscaping within the locality.
O.11 To facilitate limited densification that is commensurate with the established local character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10	Any Development Application within the subject land must have a landscape plan prepared and provided to Council as part of submission, to the satisfaction of Council.
AS.1 • O.8	The minimum front building setback for the subject land is to be 20m. A lesser setback may be permitted only if it can be shown that no other suitable building site is available on the allotment, and that a lesser setback would not detrimentally affect the streetscape. Setbacks may also be required from drainage channels and area subject to flooding.
AS.2 • O.8	All structures erected on the subject land should be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention is to be given to the shape, colour and materials of the external surfaces of the structure.
AS.3 • O.9	Future development should have regard to the retention of natural vegetation and with respect to the natural topography of the land.
AS.4 • O.10	Additional landscaping and revegetation is encouraged in order to maintain the rural character of the area.
AS.5 • O.11	Any dual occupancy development should appear as a single residential building or cluster/complex of buildings.

10.3.3. West Bolwarra Heights

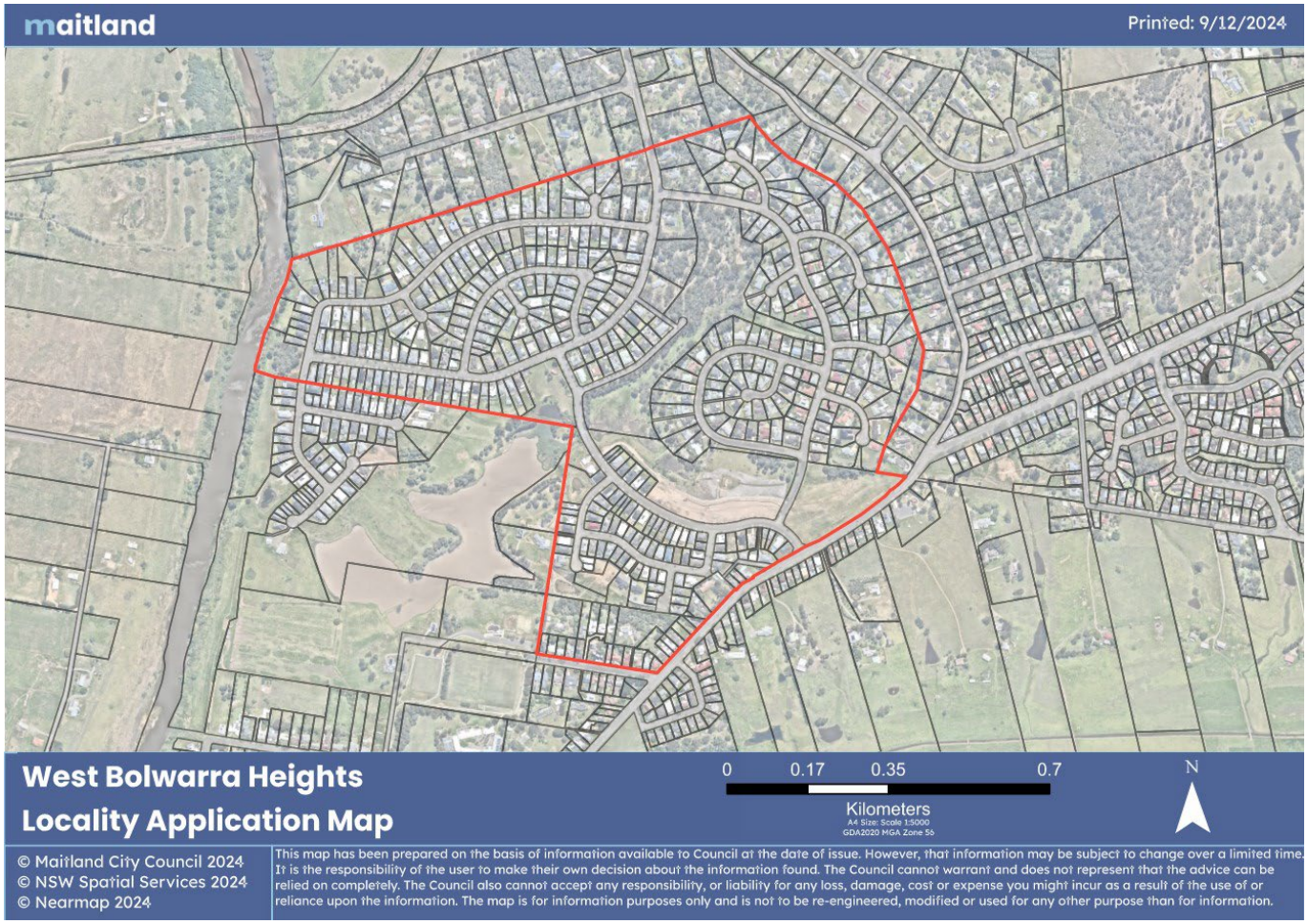


Figure 10-6: West Bolwarra Heights Locality Map

Locality Statement

The locality of West Bolwarra Heights is located north of the historical suburb of Bolwarra and dominates the western section of Bolwarra Heights. The locality is characterised by undulating slopes, creek lines, and a now mostly established residential estate. The central part of the locality has been preserved as a key riparian corridor that provides local flora and fauna connectivity to the northern reaches of the Maitland LGA.

West Bolwarra Heights has achieved its original envisioned character by providing a range of lot sizes in a residential, peri-urban setting. A transition zone has been maintained between the older rural-residential development and the newer development along the northern and eastern boundaries of the locality, with larger lot sizes provided.

This Locality Plan applies to the land indicated as the Subject Area in Figure 10-6.

Objectives

O.12 To preserve and enhance the amount of native vegetation within the locality.
O.13 To ensure ongoing local pedestrian connectivity in the locality over the long term.
O.14 To preserve visual amenity of prominent land features within the locality.
O.15 To ensure that dwelling typologies present as a single dwelling to the streetscape. To maintain access to natural areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.12 • O.15	Clearance of native vegetation should be kept to a minimum as part of new development. Evidence is to be provided as to how development has been sited to minimise overall impact and conflict with bushland present on a site. **Note:** Existing Section 88B instruments are present in many areas of the locality to ensure the preservation of vegetation and to restrict the erection of structures within environmentally important and bush regeneration areas, including on private property.
PC.1. • O.13	Development of any community facilities within the locality are to connect to pedestrian pathways to the Bolwarra Oval.
PC.2 • O.14	Development for semi-detached housing, attached dwellings, multi-dwelling housing, and residential flat buildings within the area are to provide a photomontage with 3D renders to demonstrate how the new development will appear in the streetscape.
AS.2 • O.15	Except for dual occupancies, development with multiple habitable dwellings should present either as one consolidated structure or have only one dwelling visible from the street.

10.3.4. Greta (Orient Street)



Figure 10-7: Greta (Orient Street) Locality Map

Locality Statement

Greta (Orient Street) is located on the western boundary of the Maitland LGA primarily accessible from the New England Highway through Orient Street, Greta within the Cessnock LGA. The land sits on the edge of the escarpment overlooking the part of the Hunter River that crosses the suburbs of Lochinvar and Luskintyre. The area is characterised by large lot residential and limited small scale rural and agricultural activities. This Locality Plan applies to all land indicated within Figure 10-7.

Objectives

O.16 To ensure that development respects the visual amenity of the locality, especially around the significant escarpment along the eastern boundary.
O.17 To ensure landscaping creates, enhances, and complements a visual environment consistent with the rural character of the area.
O.18 To protect natural drainage swales through sensitive subdivision design.
O.19 To ensure that adequate consideration is given to the historic and existing agricultural activities within and surrounding the locality.
O.20 To ensure that the escarpment within the locality is bolstered and enhanced through native plantings that reinforce and stabilise the slope.
O.21 To provide for the safe movement of traffic through appropriate intersection upgrades to the New England Highway.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16	The siting of buildings and building form, materials and colours are to be designed in a manner that ensures the visual impact of development is kept to a minimum in this visually sensitive escarpment area.
AS.1 • O.18 • O.19 • O.21	Development is to adequately address the following matters: a. Potentially unstable land near the edge of the steep escarpment, b. The natural drainage swale through the centre and eastern part of the locality. Disturbance of this drain may present problems and inappropriately located buildings may suffer local flooding and/or drainage problems, c. The potential for high visual impact of development along the escarpment and on rural vistas and scenic quality generally. d. The proximity of a poultry farm to the north-west of the site, e. The proximity to an old disused piggery to the west of the site, f. The proximity of the cattle yards to the south of the site, g. The layout of the existing local road network, and h. Traffic studies to determine the level of upgrade to the intersection with the New England Highway to provide for the safe movement of vehicles to and from the Orient Street.
PC.2 • O.16 • O.19	Building envelopes within the locality are to adhere to the following criteria: a. be no closer than 10m from the centreline of natural drainage swales, b. have a minimum setback of 10m from all lot boundaries, c. be no closer than 20m from the edge of the escarpment, and d. be accessible to a public road.
PC.5 • O.17	The planting of pine trees of similar genus to those already present is to occur along Orient Street for residential development.
PC.6 • O.17 • O.20	Shrubs, ground covers and scattered trees are to be planted 10m either side of the edge of the escarpment to reduce erosion and maintenance problems and to re-establish a vegetated aspect along the escarpment.
AS.2 • O.17 • O.18	Existing drainage lines in the locality should be revegetated where possible to minimise any future erosion and salinity problems.
PC.7 • O.16 • O.17 • O.20	Where buildings are proposed within 50m of the escarpment, the planting of a backdrop of trees is required to soften the skyline along the escarpment. Plantings should include locally indigenous species with mature height in excess of 10m.

10.3.5. Louth Park (Waterforde Estate)



Figure 10-8: Louth Park (Waterforde Estate) Locality Map

Locality Statement

Waterforde Estate, located within Louth Park, lies to the south of Maitland CBD, along the southern boundary of the Maitland LGA adjoining Cessnock LGA. The locality fronts Louth Park Road and Mount Vincent Road. The area is relatively flat and characterised by its large lot residential character and scattered vegetation. It is surrounded by the Wallis Creek floodplain in the east, the Mt Vincent Waste Disposal Depot in the west, and the Bloomfield Colliery to the southwest. Several constraints affect the

land including flooding, mine subsidence, buffer to the waste disposal facility, and coal mining buffer to Bloomfield Collieries.

This Locality Plan applies to the land defined as the Subject Area in Figure 10-8.

Objectives

O.22 To ensure landscaping forms a locality that creates an ordered, open rolling landscape that preserves views from surrounding properties and provides an attractive outlook from the rural-residential areas.
O.23 The ensure the perimeter of the locality provides adequate and appropriate plantings to buffer westerly winds and provide a living hedge to the development.
O.24 To preserve strategic open view sections to give selective views to observers of wetlands and distant views of rolling rural-residential development.
O.25 To ensure that the unique constraints of the locality are considered for all development.
O.26 To ensure subdivision and building design and siting reflects the large lot residential amenity of the locality and rural character of the surrounding area.
O.27 To embellish the north-western part of the locality as a wetland area that improves biodiversity and habitat opportunities for local wildlife.
O.28 To ensure development is provided above known flood levels.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.25 • O.28	Development and its associated Development Application is to give clear and adequate consideration to flooding and mine subsidence.
PC.1 • O.26	Each lot is to include a building envelope of a minimum of 700m2 above the appropriate flood level adopted by Council at the time of application.
PC.2 • O.25	The southern part of the locality is partly affected by shallow mine workings. Detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW.
PC.3 • O.25	Geotechnical investigations are to include details of the depth of coal seam, height of workings, floor conditions and thickness of competent rock over mine workings to the satisfaction of Subsidence Advisory NSW. At the completion of any geotechnical remediation works, a qualified geotechnical engineer is to certify that the remediation of the mine workings has been achieved.
PC.4 • O.22 • O.23 • O.24	Development is to provide plantings along adjoining lot boundaries to form a buffer, and is to adhere to the following criteria: a. Be at least 10m wide (mature canopy width), inclusive of any existing plantings on the adjoining property, b. Primarily consist of low-lying shrubs or hedging, and c. If utilising tree plantings, space them at least 5m apart to maintain a balance of views and privacy.
PC.5 • O.26	All structures erected on large lot residential zoned land are to be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention is to be given to the style, colour and materials of the external surfaces of the structure.
AS.2 • O.27	Development on the land associated with the Environmentally Sensitive Area should make efforts to enhance the biodiversity and habitat of the area through appropriate native plantings and separation. Any enhancement is to be proportional to the extent of development, as determined by Council.

10.3.6. Thornton (Woodlands Estate)

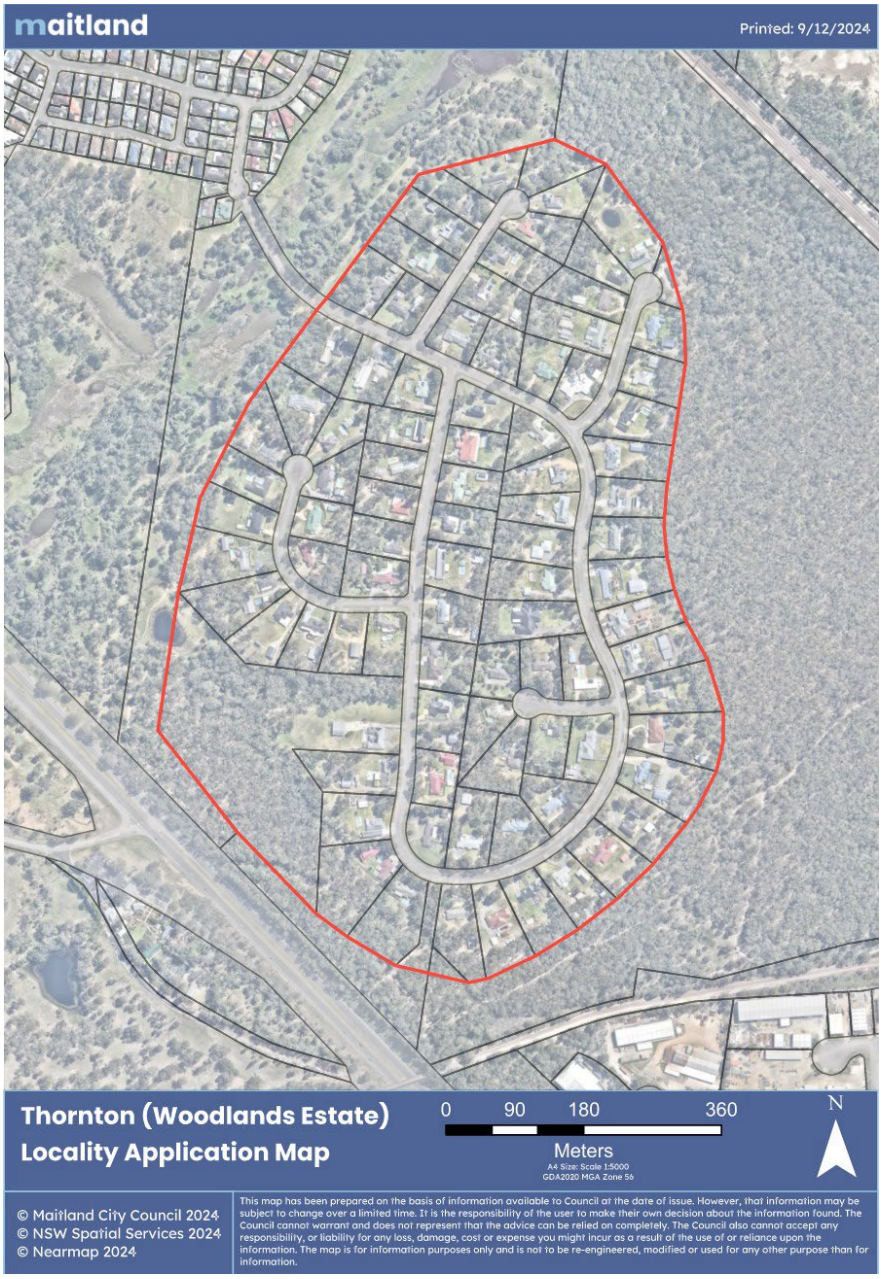


Figure 10-9: Thornton (Woodlands Estate) Locality Map

Locality Statement

The Woodlands Estate Locality lies between the established urban areas of Metford and Thornton, the New England Highway and the North Coast Railway.

The native vegetation within the Locality provides habitat for several vulnerable species under the *Biodiversity Conservation Act 2016*, as well as assisting with the stabilisation of soils, reducing sediment runoff into the nearby Four Mile Creek. Accordingly, the retention of native vegetation has been an integral design principle over the course of the locality's existence, and this has been reflected in the use of the C4 Environmental Living zone for the existing residential development.

This Locality Plan applies to the land indicated as the Subject Area on Figure 10-9.

Objectives

O.29 To assist in the retention of a high proportion of existing habitat in the locality.
O.30 To ensure that development is sited and designed in a manner that limits its potential impact on the surrounding natural environment.
O.31 To protect established long term natural buffers to nearby land uses and noise generating sources.
O.32 To ensure that the contaminant producing historical activities within and surrounding the locality are adequately addressed.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.29	Development must ensure that the habitat values of the site are retained by maximising the retention of existing native vegetation, encouraging the rehabilitation of degraded areas and appropriate management of natural areas.
PC.2 • O.31	Development is to maintain the visual integrity of views from the New England Highway, Raymond Terrace Road, the Main Northern Railway, Thornton Road and the urban areas of Metford and Thornton through the incorporation of buffer zones and the use of landscaping.
PC.3 • O.29 • O.31	Development is to maintain the visual amenity of the site provided by the tree canopy and bushland through the retention of native vegetation and incorporation of appropriately selected landscaping.
PC.4 • O.30	Proposed development footprints are to: a. Have an area of no more than 2000m^2, b. Be located a minimum of 40m from the centreline of watercourses, c. Be in accordance with the vegetation management and landscaping plan for the locality, and d. Be accessible to a public road without requiring significant modifications to a natural drainage line. An indicative building envelope is provided in Figure 10-10 below.

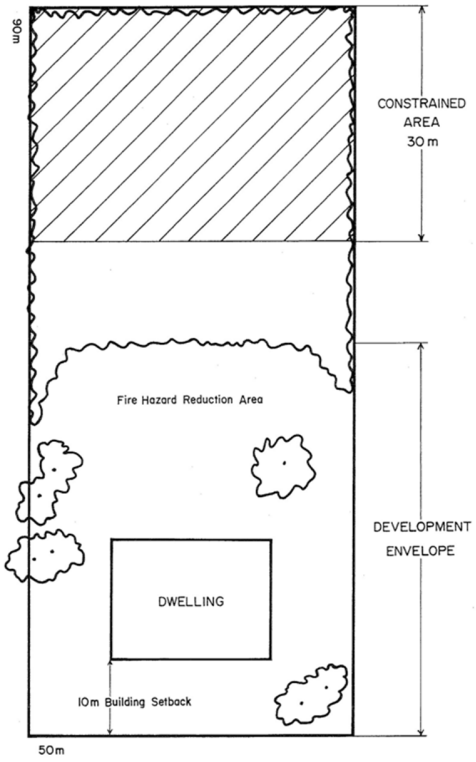


Figure 10-10: Indicative Development Envelope for Thornton (Woodlands Estate)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.29 • O.30	All buildings within the development envelope are to be sited in a manner which allows all necessary bushfire fuel reduction measures to occur within the development envelope. Buildings shall have a minimum setback of 6m from side boundaries and 10m from the front boundary.
AS.1 • O.29 • O.30 • O.31	Development seeking to clear land lying outside an established development envelope or alter the configuration of the envelope are required to provide evidence that such work will not significantly impact upon the habitat of endangered or vulnerable flora/fauna and is consistent with the vegetation management and landscaping plan of the locality.
AS.2 • O.30	All structures, i.e. dwelling-houses, garages, sheds, fencing, are to be designed with consideration to the bushland character of the area, the topography, and the landscape features of the site. Particular consideration is to be given to building location, solar access, form, colour and construction materials.
PC.6 • O.31	A minimum 50m setback is required between dwellings and the boundary of the New England Highway or the Main Northern Railway.
AS.3 • O.30	The use of solid panel fencing, except for the screening of areas around swimming pools and entertainment areas and acoustic fencing adjoining a dwelling, is not supported in a bushland environment. The use of open mesh or rural type (post & wire) fencing is acceptable.
C3 Environmental Management Zone	
PC.7 • O.29 • O.30	If development is proposed on the part of the land zoned C3 Environmental Management, a Vegetation Management Plan for is to be prepared and submitted to Council for approval prior to the release of a construction certificate. The management plan shall indicate details of access, fencing, bushfire hazard reduction measures, weed control, location of buildings, extent of vegetation removal and rehabilitation.
AS.4 • O.30	Buildings and related works should generally be located in areas which contain poor habitat for native fauna due to vegetation removal undertaken in the past. The design of these works is to reflect the environmental sensitivity of the site.
AS.5 • O.29 • O.30	The removal of native trees and understorey is discouraged outside those areas not forming part of the Development Envelope. An exception applies for works associated with bushfire hazard reduction undertaken by authorised persons.
PC.8 • O.32	Detailed investigations are to be undertaken to determine the presence or level of any shallow mine workings, with the results to be submitted with any subdivision application.

10.3.7. Thornton (Radburn Estate)



Figure 10-11: Thornton (Radburn Estate) Locality Map

Locality Statement

This Locality Plan applies to:

- Lots within the Radburn Estate at Thornton which have a property frontage to a public reserve, and
- Lots within the Radburn Estate at Thornton as shown on Figure 10-11 which have a principal frontage to a public reserve.

Objectives

O.33 To establish an appropriate building line for lots within the Radburn Estate at Thornton which have a property frontage to a public reserve.

O.34 To ensure the integrity of the streetscape and character of public spaces through the provision of appropriate building setbacks and the establishment of fencing guidance appropriate for the locality.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34	Where an allotment has a principal frontage to a public reserve, the distance from the property boundary within the reserve to the nearest part of the dwelling (excluding an eaves overhang) are not to be less than 6.0m. **Note:** The principal frontage of an allotment within the context of this section means the frontage of an allotment towards which the main pedestrian address of the dwelling is orientated. In the Radburn subdivision, the frontage of individual dwellings are predominantly oriented towards the pedestrian reserves.
PC.2 • O.33 • O.34	No structures such as sheds, garden sheds, garages or the like are to be constructed between the dwelling and the public reserve inside the building line setback.
PC.3 • O.33 • O.34	No fencing (boundary fencing or otherwise) is to be erected forward of the 6.0m building line setback stated in PC.1.

10.3.8. Thornton (Hermitage Close)

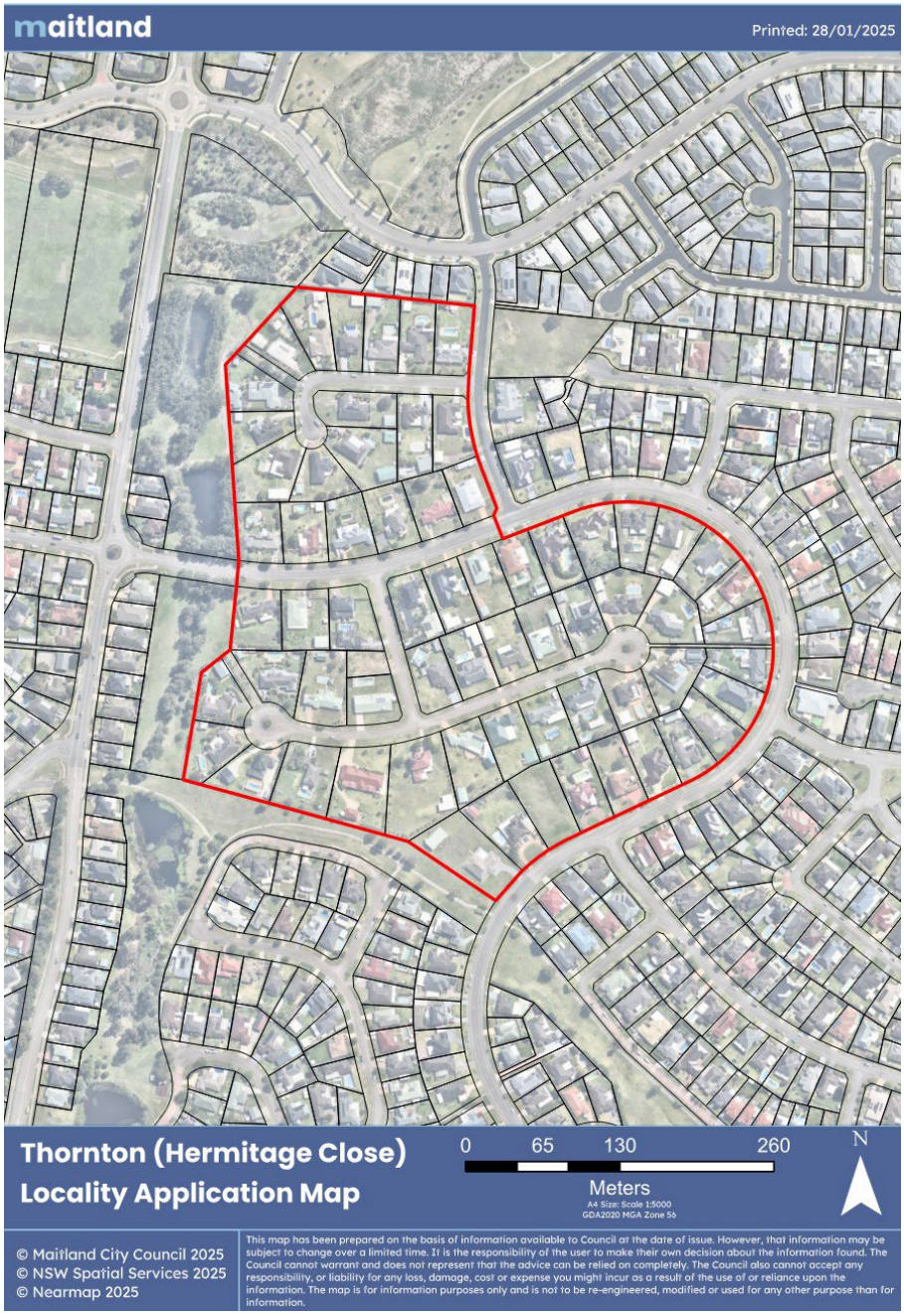


Figure 10-12: Thornton (Hermitage Close) Locality Map

Locality Statement

The Hermitage Close precinct comprises an established large-lot residential estate within the Thornton estate. The precinct is low density in nature, being characterised by single- and two-storey dwelling houses on large lots, with generous setbacks and open-style front fencing.

The re-subdivision of existing residential lots, or the intensification of development beyond dwelling houses, is discouraged. Where re-subdivision is proposed, development must ensure that the resulting lots are consistent with the predominant lot sizes of the immediate precinct.

Proposals for medium-density or dual occupancy development must take into account potential impacts on privacy, solar access, streetscape, visual amenity, traffic management, and compatibility with the surrounding built form.

This Locality Plan applies to all land detailed in Figure 10-12.

Objectives

O.35 To maintain the established streetscape character of Hermitage Close, ensuring generous front setbacks and cohesive visual amenity.

O.36 To maintain the large-lot, low-density character of Hermitage Close by ensuring that new development respects the precinct's established character.

O.37 To ensure that any proposed re-subdivision or higher-density development is consistent with the prevailing lot sizes and large-lot residential character of the area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
• O.35

Setbacks for a development are to be provided in accordance with **Table 10-1**.

Table 10-1: Minimum Setbacks

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK	REAR SETBACK
All Dwelling Types	12m	5m	4m	4m

PC.2
• O.35

Development must reinforce the established streetscape character, providing generous front setbacks and open-style front fencing.

PC.3
• O.36

Any re-subdivision must maintain the large-lot, low-density character, preserving the predominant lot sizes in the immediate precinct.

PC.4
• O.37

Development containing multiple habitable dwellings (e.g. dual occupancy or medium-density housing) must be designed, when viewed from public spaces, to resemble a single dwelling in scale, massing, and overall appearance.

PC.5
• O.35

New developments are to be designed and sited so that its external building materials, colours, and landscaping treatments are sympathetic to the existing natural and built context of Hermitage Close.

AS.1
• O.37

Re-subdivision of existing residential lots should only be undertaken where the resultant lots are consistent with the typical sizes in the surrounding streetscape.

AS.2
• O.35

Where multiple habitable dwellings are proposed, building form and layout should blend with the established local character, ensuring continuity of roof forms, façade treatments, and landscaping that complements the existing streetscape.

10.4. Urban Release Areas

10.4.1. General Requirements

10.4.1.1. Preamble

The Maitland Local Housing Strategy (LHS) provides the broad direction for future growth in the Maitland LGA. The LHS identifies a number of investigation areas for residential expansion, as well as low density residential areas in more constrained localities and areas to support employment growth.

The process to develop investigation areas as identified in the LHS is as follows:

- Preparation of a Structure Plan (if not identified as a current Urban Release Area or Investigation Area)
- Scoping Proposal
- Planning Proposal
- Infrastructure Contributions Plan
- Site-Specific Development Control Plan (this Section)

10.4.1.2. Relationship with Maitland LEP 2011

The purpose of Part 6 in the MLEP 2011 is to ensure that development on land identified as an urban release area occurs in the logical and cost-effective manner. In this regard, Part 6 requires:

- that satisfactory arrangements are to be made for public infrastructure before development in an urban release area can be approved, and
- the preparation of a development control plan for any land so identified, before development consent can be granted for development on land in an urban release area.

Consequently, Part 6, Section 6.3 in the MLEP 2011 requires a development control plan to include all the following:

a. a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
b. an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
c. an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
d. a network of passive and active recreational areas,
e. stormwater and water quality management controls,
f. amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
g. detailed urban design controls for significant development sites,
h. measures to encourage higher density living around transport, open space and service nodes,
i. measures to accommodate and control appropriate neighbourhood commercial and retail uses,
j. suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

Where an Urban Release Area is identified in the MLEP 2011 for a development outcome other than residential, such as commercial or employment purposes, Council may require additional matters to be included in the DCP.

10.4.1.3. Additional DCP Components

Area Plan

An Area Plan may be required by Council to further coordinate the detailed strategic planning of large or complex sites where site constraints, infrastructure provision, existing development and land ownership patterns result in the identification of distinct precincts.

More detailed Precinct Plans may then identify additional specific objectives and requirements for individual areas. Area Plans are not DCPs for the purpose of interpreting Part 6 in the LEP.

Precinct Plan

A plan that is prepared to include the matters outlined in Part 6 of the LEP will be interpreted as a DCP for the purposes of Part 6, Section 6.2 and 6.3. In most cases, this plan will be a Precinct Plan. Additional Precinct Plans or other plans that satisfy Part 6 of the LEP will be prepared as development occurs in accordance with the LHS. These Plans will be included in future amendments to the Maitland DCP 2026.

10.4.2. Aberglasslyn Urban Release Area

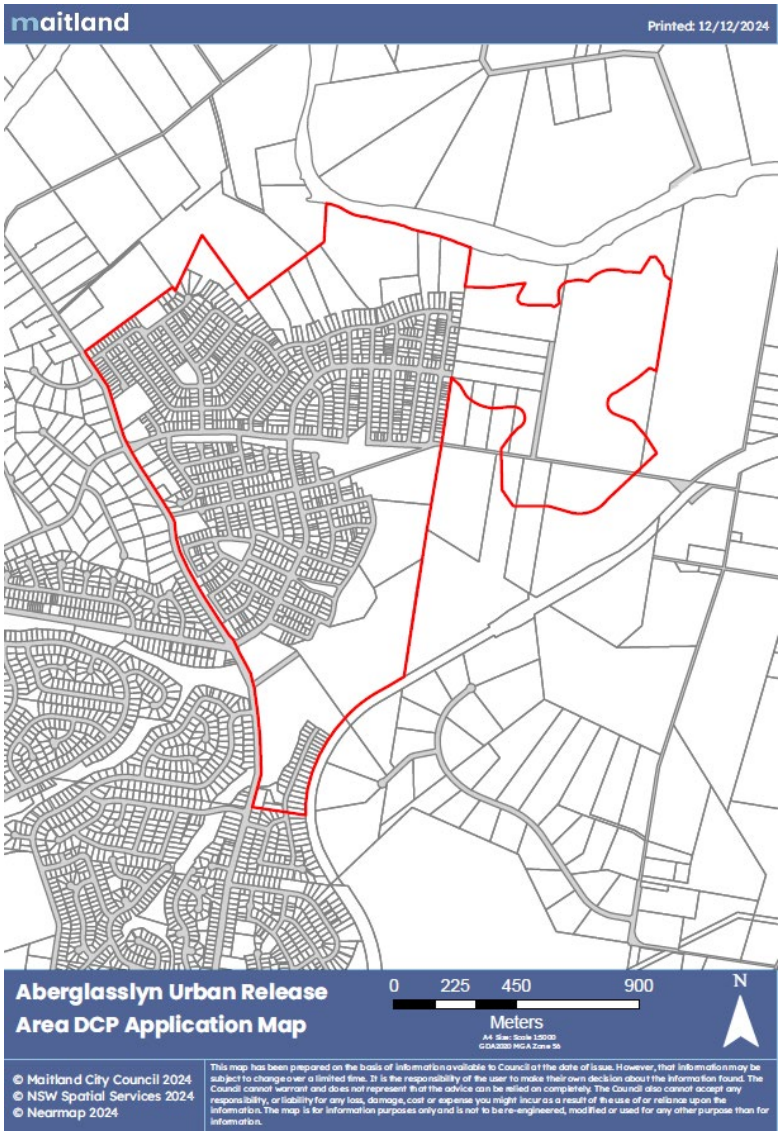


Figure 10-13: Aberglasslyn Urban Release Area

The Aberglasslyn Urban Release Area identifies approximately 200 hectares of land to the north of the existing urban area of Rutherford. Access to the area is via Aberglasslyn and Oakhampton Roads from the New England Highway.

The majority of the land has traditionally been used for grazing. The area adjoins a number of important sites and land uses that required consideration in the strategic planning for this area. In particular, the proximity to Aberglasslyn House, a heritage item of State significance; the adjoining rail corridor, and impacts associated with extractive industries along the Hunter River dictated specific design outcomes for these areas.

Environmental issues associated with flooding and water quality from sub- catchments which flow directly into the Hunter River and the Oakhampton Wetlands required specific development controls. Infrastructure provision (particularly the extension and augmentation of reticulated water and sewer) influences the orderly staging and sequencing of land. The potential for impacts on the road network leading into Central Maitland also requires consideration in the staging of development. Development of the East Precinct may require upgrading and safety improvements to the Oakhampton Road railway level crossing.

Development of this Urban Release Area is well progressed. Precinct Plans and consequent development has already occurred for the East, Central and South Precincts as part of this DCP and land has been rezoned on the corner of Aberglasslyn Road and McKeachie Drive for a neighbourhood centre.

Aberglasslyn Area Plan

The Aberglasslyn Area Plan is comprised of precinct plans as shown in **Figure 10-16**. The provisions of this section apply to the preparation of precincts plans for and staging of the Aberglasslyn Urban Release Area.

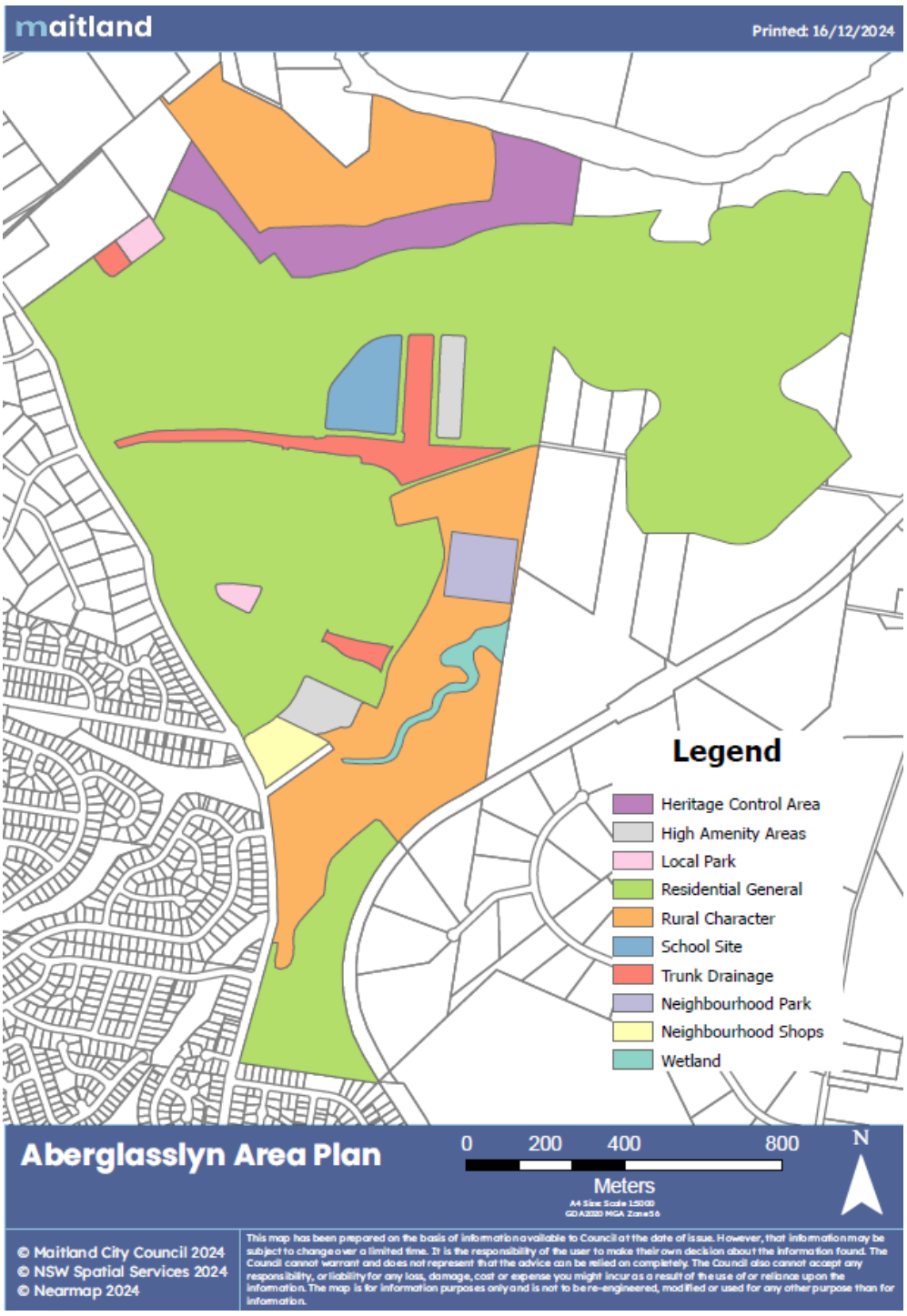


Figure 10-14: Aberglasslyn Area Plan

Staging Plan

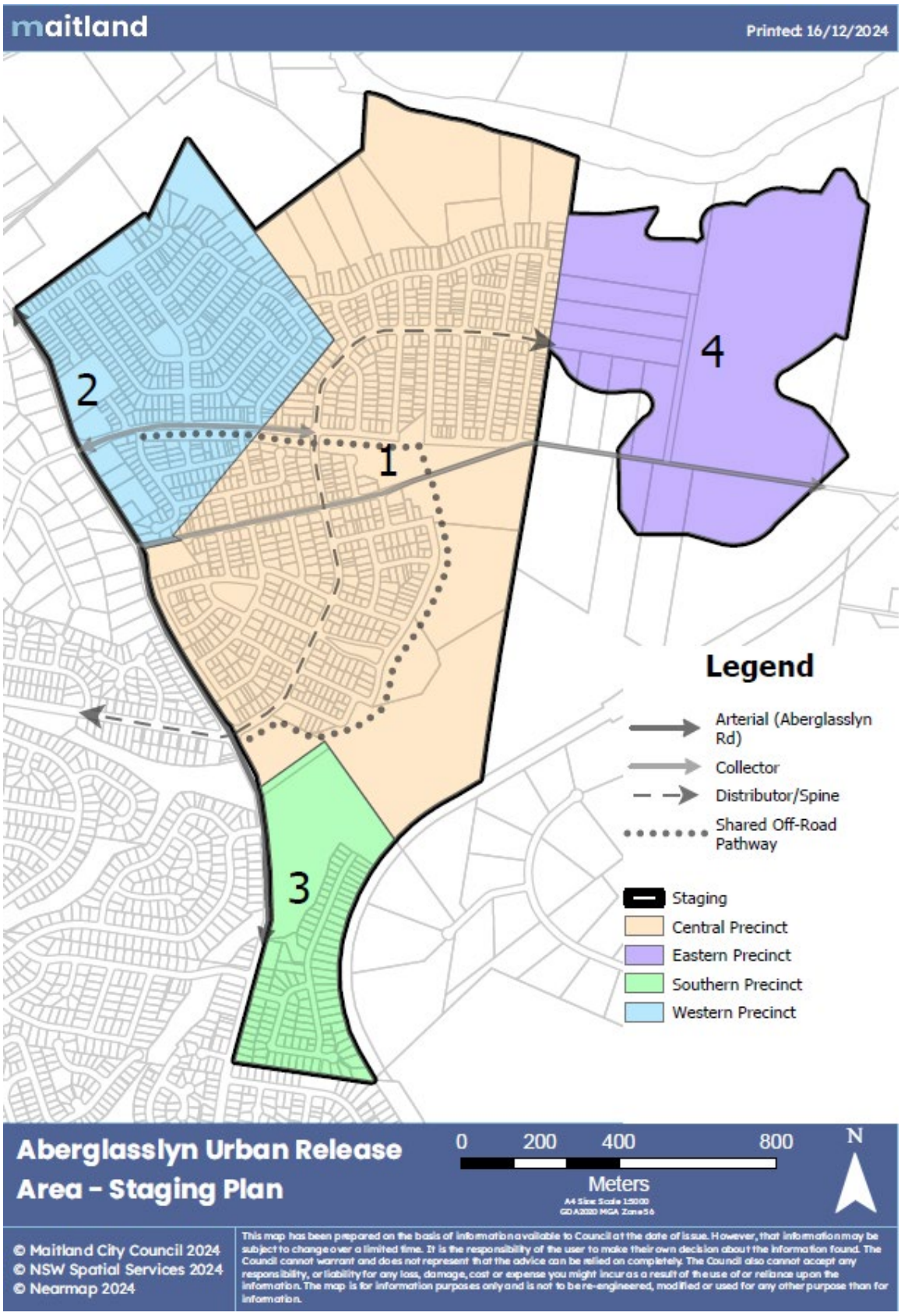


Figure 10-15: Aberglasslyn Staging Plan

Precinct Plan

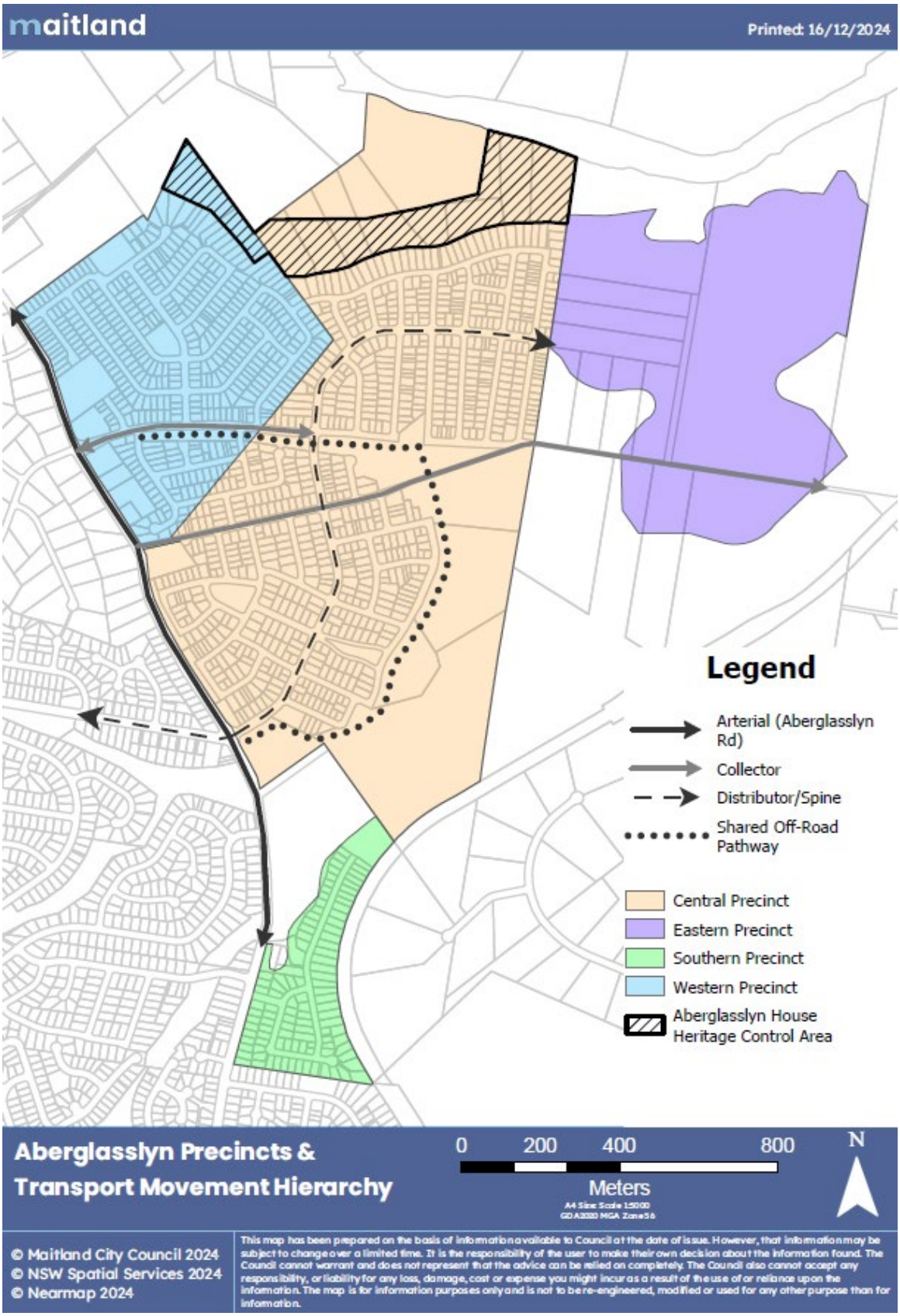


Figure 10-16: Aberglasslyn Precinct Plan & Transport Movement Hierarchy

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Aberglasslyn Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.1. Staging Plan

Objectives

O.38 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.38	Staging of the urban release area should be generally in accordance with Figure 10-15.

10.4.2.2. Precinct Plans – General

Objectives

O.39 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure, sequencing, and tailored land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39	Precinct Plans are to be prepared for each precinct identified in Figure 10-16 before development is to occur.

10.4.2.3. Transport Movement Hierarchy

Objectives

O.40 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.41 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.42 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.43 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40 • O.41 • O.42	Each precinct plan includes an overall transport movement hierarchy showing the major circulation routes and connections. Compliance with Council's MoES is to be achieved in any road design.
AS.1 • O.40 • O.41 • O.42 • O.43	The overall movement hierarchy for each precinct is to be generally consistent with the road hierarchy and pathways identified in Figure 10-16.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40 • O.41 • O.42 • O.43	The transport movement hierarchy is to include off-road paths from the intersection of Denton Park Drive and Aberglasslyn Road running adjacent to the southeastern perimeter road, crossing Oakhampton Road and linking to the spine/distributor road in the northern section of the Central Precinct. The shared off-road path will also travel adjacent to the collector road within the Western Precinct towards the Tea Tree Avenue and Aberglasslyn Road intersection.

10.4.2.4. Overall Landscaping Strategy

Objectives

O.44 To protect and enhance riparian areas and remnant vegetation, including visually prominent locations.

O.45 To protect scenic values and significant vegetation, particularly within, and adjacent to, the Aberglasslyn House Heritage Control Area, Aberglasslyn Road and Oakhampton Wetlands.

O.46 To provide detailed landscaping requirements for both the public and private domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45 • O.46	Landscaping strategies provided for each precinct are to consider landscaping elements identified in Figure 10-14 and are to incorporate street trees along any new road.

10.4.2.5. Passive and Active Recreation Areas

Objectives

O.47 Neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.47	The network of passive and active recreational areas is to be provided generally in accordance with Figure 10-14.

10.4.2.6. Stormwater and Water Quality

Objectives

O.48 Stormwater and water quality management controls shall protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Oakhampton wetlands and the Hunter River.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48	Each precinct plan is to include stormwater and water quality management controls.
AS.1 • O.48	Stormwater and water quality management controls (trunk drainage) are to be provided generally in accordance with Figure 10-14.

10.4.2.7. Amelioration of Natural and Environmental Hazards

Objectives

O.49 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49	Each precinct plan is to include measures to reduce impact for future residential development from activities generated by: • the railway (with Development Applications to provide a Noise and Vibration Assessment including rail noise as an assessment criteria), • vehicular traffic, and • the adjoining extractive industries along the Hunter River, in accordance with relevant *State Environmental Planning Policy (Transport & Infrastructure) 2021*, NSW EPA criteria and any relevant Australian Standards.
PC.2 • O.49	Land within the flood planning area is to address Clause 5.21 of the MLEP 2011.
PC.3 • O.49	All development applications are to demonstrate compliance with the requirements of the *State* Environmental *Planning Policy (Resilience and Hazards) 2021.*

10.4.2.8. Key Development Sites

Objectives

O.50 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50	Precinct Plans include detailed urban design controls (including traffic management requirements and car parking designs) for the following key development sites: • A potential school site, • Aberglasslyn House Heritage Control Area, • A potential neighbourhood centre, and • Any proposed exhibition villages.

10.4.2.9. Residential Densities

Objectives

O.51 To encourage higher density living around transport, open space and service nodes.
O.52 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51 • O.52	Precinct plans are to nominate areas where higher density living may be appropriate. **Note:** Residential densities are controlled by lot size in the Maitland Local Environmental Plan 2011.

Development Requirements – Aberglasslyn West Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the West Precinct.

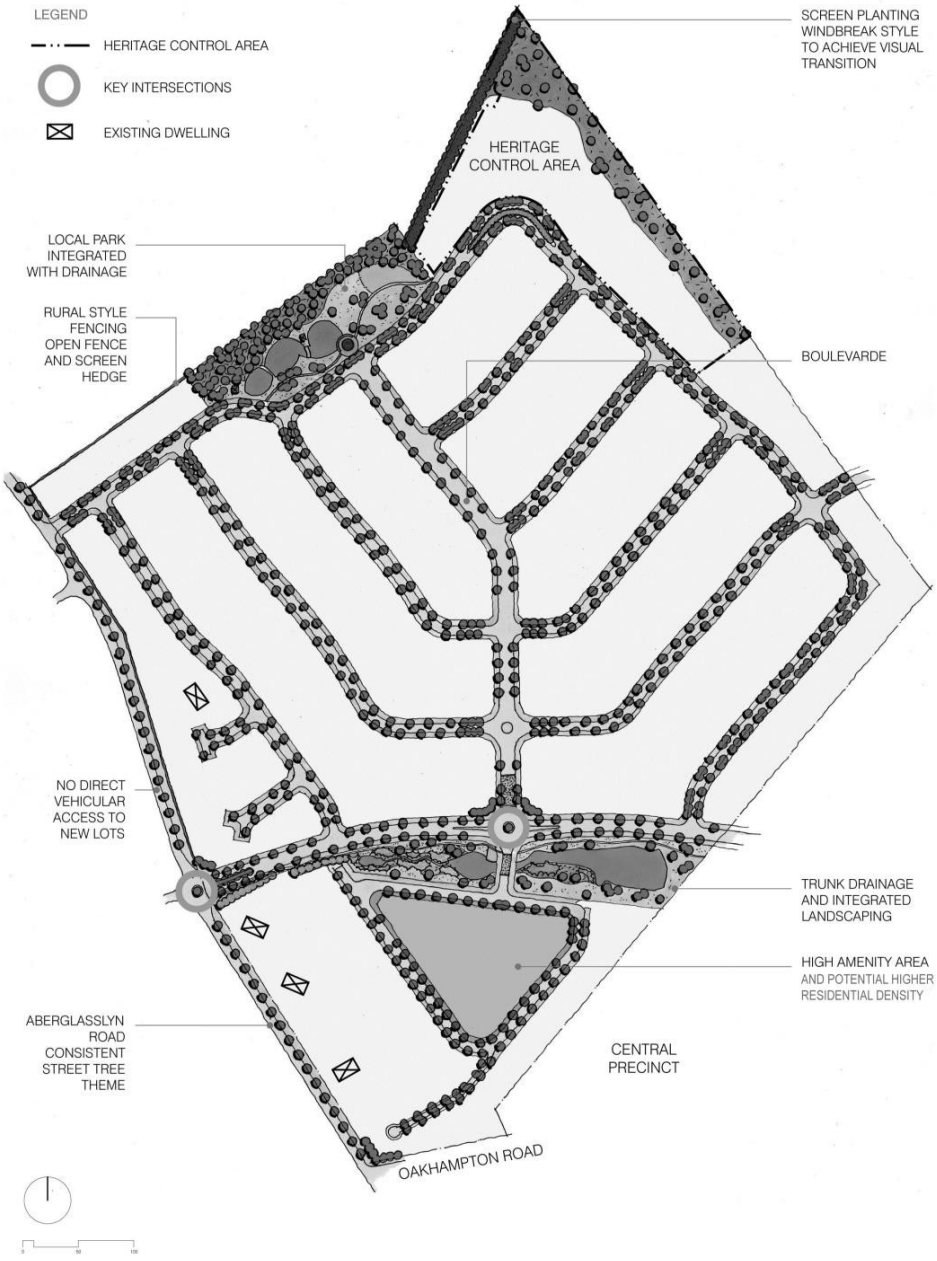


Figure 10-17: Aberglasslyn Urban Release Area - Western Precinct

No specific requirements have been made for the following matters within the West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.10. Transport Movement Hierarchy

Objectives

O.53 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.54 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.55 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.56 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.53 • O.54 • O.55 • O.56	The principal access to the West Precinct will be via a roundabout controlled intersection on Aberglasslyn Road at the existing intersection of Tea Tree Avenue. This collector road will link to the main spine/distributor road through the Central Precinct and if required will accommodate a bus route.
PC.3 • O.54 • O.56	No new future lot shall have direct vehicular access to Aberglasslyn Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.
AS.1 • O.54 • O.56	Residential development in the West Precinct is not to create new allotments with direct access to Aberglasslyn Road but may create shared access ways to service a small number of additional dwellings adjacent to existing dwellings.
PC.2 • O.53 • O.54 • O.55 • O.56	Road layout and street design will be consistent with Figure 10-17 and following detailed survey and subdivision planning. Figure 10-19 shows typical cross sections for roads in this precinct.

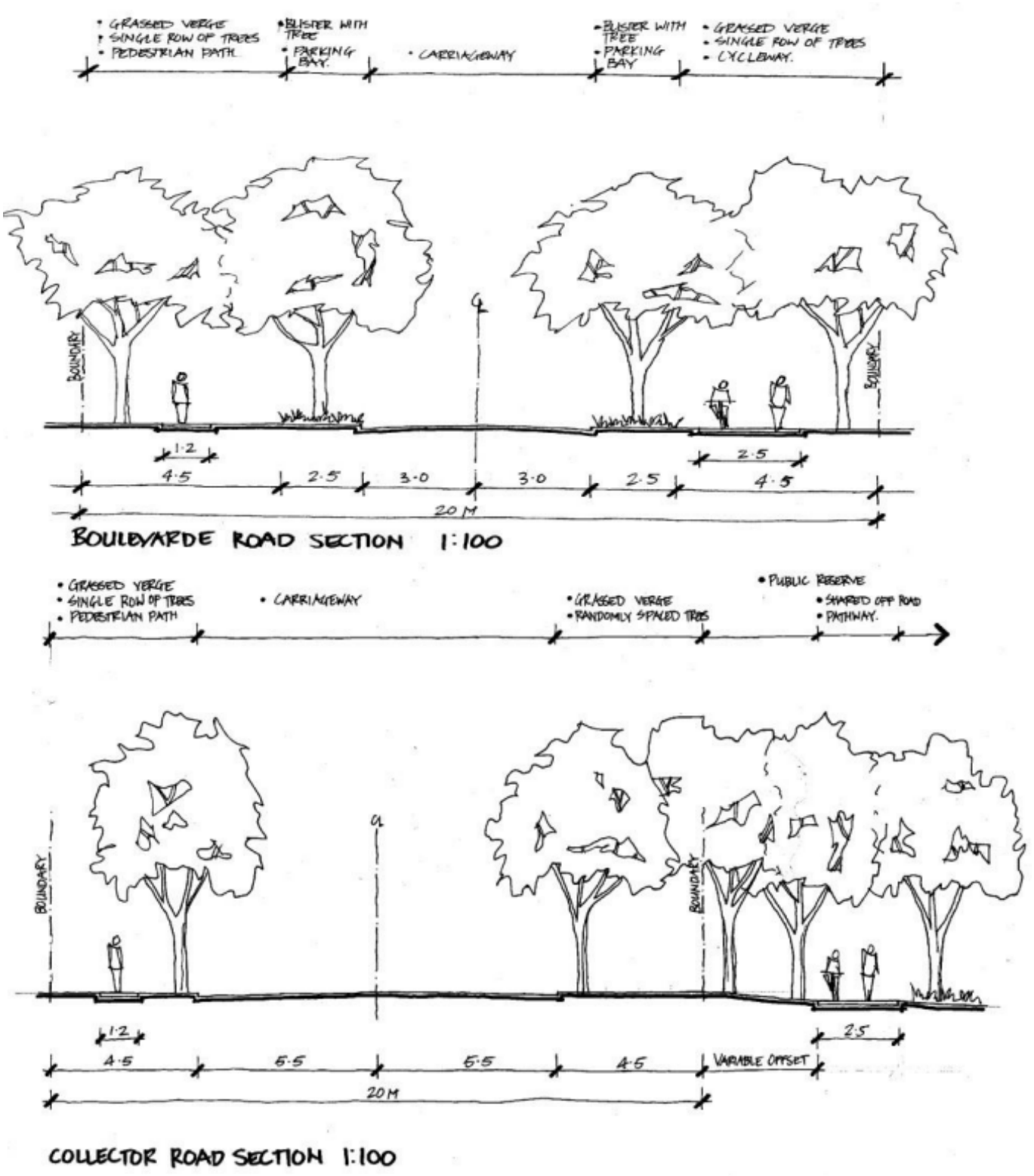


Figure 10-18: Western Precinct Road Sections

10.4.2.11. Overall Landscaping Strategy

Objectives

O.57 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.58 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.57 • O.58	A visual and scenic impact assessment is to accompany development applications for Medium and Large Subdivisions and development that are likely to have a visual impact on the area. Such assessments are to address any development of land containing part of the Heritage Control Area and/or with views to Aberglasslyn House.
PC.2 • O.57 • O.58	Landscaping will be required on land adjacent to Aberglasslyn Road.
PC.3 • O.57 • O.58	Existing trees are to be retained wherever possible within riparian corridors, open space, within and adjacent to the Aberglasslyn Road reserve, and along allotment boundaries.
AS.1 • O.57 • O.58	Re-vegetation proposals should be integrated with landscape plans and include the areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community.
AS.2 • O.57 • O.58	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-17 and Figure 10-19. Development Applications for Medium and Large Subdivision are to include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Aberglasslyn Road and adjoining rural properties to the north-west and north-east, and landscape/threshold treatment of key intersections.
PC.4 • O.57 • O.58	Landscaping plans are to show how open space areas and trunk drainage are to be located and landscaped.

10.4.2.12. Passive and Active Recreation Areas

Objectives

O.59 Neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.60 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.59 • O.60	Passive and active recreational space is to be provided generally in accordance with Figure 10-17.

10.4.2.13. Stormwater and Water Quality

Objectives

O.61 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.62 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.63 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.61 • O.62 • O.63	Stormwater management facilities are to be provided generally in accordance with Figure 10-17.
AS.2 • O.61 • O.62 • O.63	Stormwater facilities are to be generally based on the existing water bodies in accordance with Figure 10-17.
PC.1 • O.61 • O.62 • O.63	Reshaping and resizing of the waterbodies referred to in AS.2 will be required to provide control of both water quantity (detention) and water quality and are subject to the *Maitland City Wide Contributions Plan 2016.*

10.4.2.14. Amelioration of Natural and Environmental Hazards

Objectives

O.64 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.64	Filling of drainage lines is to be limited to that necessary to render flood free all residential land.
AS.1 • O.64	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.64	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways nor any other adjoining land uses including the extractive industry adjacent to the Hunter River.
PC.3 • O.64	Noise and vibration assessments are required to be submitted with relevant Development Applications for subdivisions that adjoin incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.4 • O.64	Land within the flood planning area must address clause 5.21 of the *Maitland Local* Environmental *Plan 2011*.
PC.5 • O.64	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

Aberglasslyn Heritage Control Area

Objectives

O.65 To ensure that development does not adversely impact upon the setting and context of Aberglasslyn House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.65	A Statement of Heritage Impact (SoHI) is required for subdivision that relates to land containing the Heritage Conservation Area and adjacent to Aberglasslyn House.
PC.2 • O.65	Existing vegetation within the Heritage Conservation Area is to be retained so as to provide a visual screen and scenic backdrop for new development. Where practicable, new dwellings should be located adjacent to, or behind established trees.
PC.3 • O.65	Development of dwellings within the Heritage Conservation Area is to be consistent with Figure 10-19 and Figure 10-20.

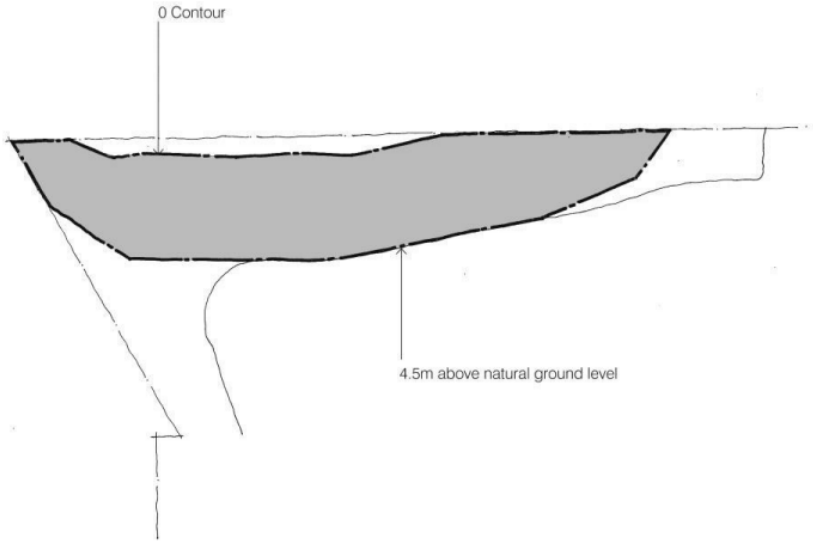


Figure 10-19: West Precinct Structures Limitation Plan

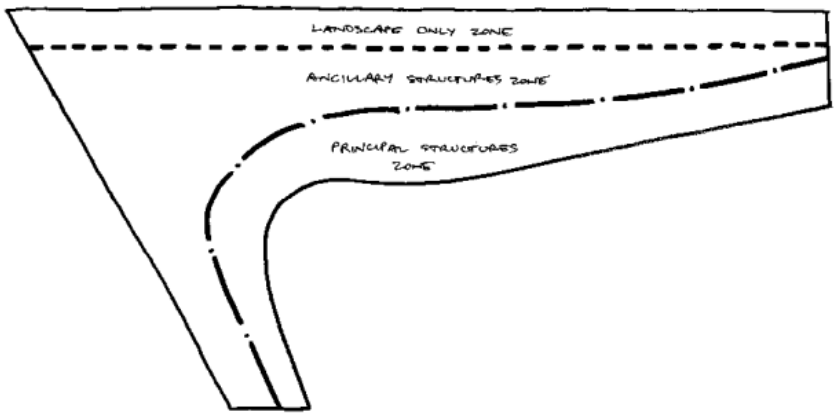


Figure 10-20: West Precinct Building Envelope

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.65	Residential development in the Heritage Conservation Area must include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House.
PC.5 • O.65	All development within the Heritage Conservation Area as shown in Figure 10-14 is to be limited in height to ensure that no structure or element thereof protrudes above the surface defined by the Structures Limitations Plan in Figure 10-19.
PC.6 • O.65	Dwellings and ancillary buildings are to be a maximum of one storey (although they may include habitable rooms within a roof/attic space) and is to only be located within the Principal Structures Zone shown in Figure 10-20.
PC.7 • O.65	Fencing within the Heritage Conservation Area and particularly the Landscape Only Zone shown in Figure 10-20 are to be limited to traditional timber post and wire rural style fencing.
AS.1 • O.65	Ancillary residential buildings including single storey garages or carports (and single storey recreation/community buildings in the case of a specifically designed community title subdivision) may be considered within the Ancillary Structures Zone shown in Figure 10-20, subject to Council's consent.
PC.8 • O.65	A visual transition is to be created between the new Aberglasslyn urban development and the rural landscape setting of Aberglasslyn House by landscaping of the north- western boundary of the West Precinct to create a dense screen planting (windbreak) as a total visual screen for the length of the Heritage Conservation Area boundary. The screened plantings must be of a durable and suitable species to ensure sufficient height and spread is achieved. Such plantings shall be completed in the first stage of subdivision for the West Precinct, to ensure the plantings reach a satisfactory height and maturity prior to any new housing development being completed in that section of the Precinct.
PC.9 • O.65	Landscaping within the Landscape Only Zone as indicated in Figure 10-20 is to be limited to scattered plantings of endemic eucalypts consistent with the historical use of the site for grazing. No other structures or plantings are to be located within the Landscape Only Zone.
PC.10 • O.65	Any dwellings or outbuildings within the Heritage Conservation Area are to be constructed of external materials and finishes with darker colours and tones, so as to limit visibility, protecting the heritage qualities and rural setting of Aberglasslyn House. External building materials and finishes must also be non-reflective.
PC.11 • O.65	A suitable "Schedule of external colours and building materials" must be submitted to Council for approval with a Statement of Heritage Impact and Development Application for subdivision of land within the Heritage Conservation Area. The relevant development consent will subsequently have a restriction as to user on the subdivision, to apply that Schedule on the land title.

10.4.2.16. Residential Densities

Objectives

O.66 To encourage higher density living around transport, open space and service nodes.
O.67 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.66 • O.67	Higher residential densities are encouraged in high amenity areas nominated in Figure 10-17.

Development Requirements – Aberglasslyn Central Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the Central Precinct.

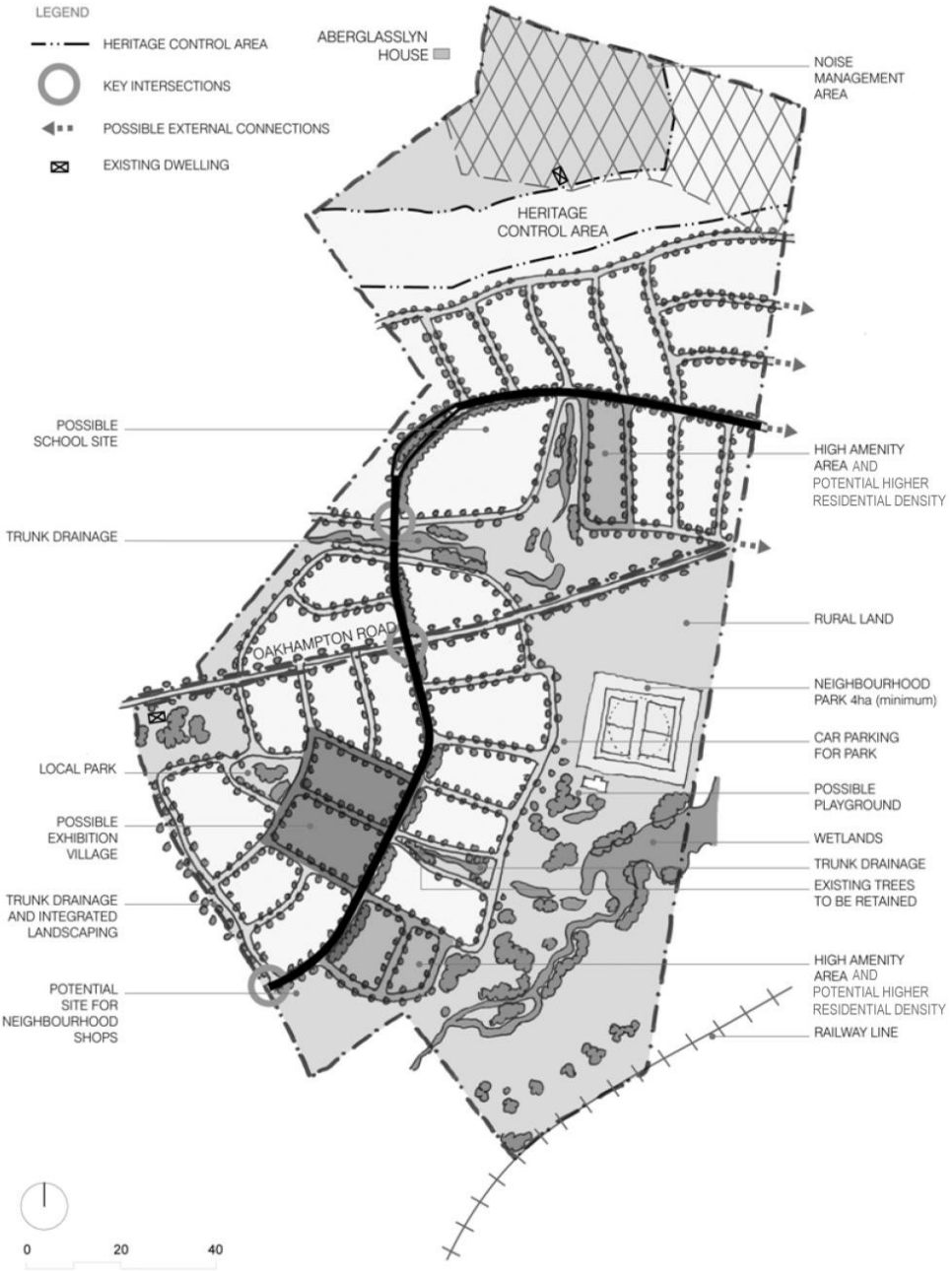


Figure 10-21: Aberglasslyn – Central Precinct and Road Hierarchy

No specific requirements have been made for the following matters within the Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.17. Transport Movement Hierarchy

Objectives

O.68 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.69 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.70 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.71 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.68 • O.69 • O.70 • O.71	The principal access to the Central Precinct will be via a roundabout controlled intersection on Aberglasslyn Road at the existing intersection of Denton Park Drive. This distributor/spine road will link to the northern parts of the site crossing Oakhampton Road. These road links will also accommodate a future bus route.
AS.1 • O.68 • O.69 • O.70 • O.71	Road layout and street design will be generally consistent with Figure 10-21, following detailed survey and subdivision planning.
PC.2 • O.68 • O.70	No new future lot is to have direct vehicular access to Aberglasslyn Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner. Despite this, no new residential development is to have direct access to Aberglasslyn Road.

10.4.2.18. Overall Landscaping Strategy

Objectives

O.72 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.73 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.74 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.73	A visual and scenic impact assessment is to accompany development applications for Medium and Large Subdivisions and development that are likely to have a visual impact on the area. Such assessments are to address any development of land containing part of the Heritage Control Area and/or with views to Aberglasslyn House.
PC.2 • O.74	Landscaping will be required on land adjacent to Aberglasslyn Road.
PC.3 • O.73	Existing trees are to be retained wherever possible within riparian corridors, open space, within and adjacent to the Aberglasslyn Road reserve and along allotment boundaries.
PC.4 • O.74	Street tree planting is to be carried out as part of the subdivision design and road construction. Street trees are to be planted to provide a physical barrier to traffic, to contribute to traffic calming, provide shade on footpaths and enhance the view of corridors in all subdivision designs and housing developments.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.73 • O.74	Retained drainage lines/watercourses are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters. Re- vegetation proposals should be integrated with required landscape plans and include, where possible, those areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community.
PC.6 • O.74	Open space areas and pathways are to be suitably located and designed to provide linkages to surrounding development in accordance with the Maitland City Wide Contributions Plan 2016. Such areas are to have good surveillance and safety, particularly at nighttime, and are to be easily maintained and appropriately landscaped.
AS.1 • O.74	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-21.
PC.7 • O.72 • O.74	Development Applications for subdivision will include detailed landscaping plans identifying the location of landscaping, street tree species and key intersection treatments, together with any fencing treatments to Aberglasslyn Road, Oakhampton Road, the spine/distributor road, and the adjoining rural properties.
PC.8 • O.74	Landscape plans for subdivision will also indicatively show how open space areas and trunk drainage are to be located and landscaped.

10.4.2.19. Passive and Active Recreation Areas

Objectives

O.75 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.76 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.75 • O.76	Passive and active recreational space shall be provided generally in accordance with Figure 10-21.

10.4.2.20. Stormwater and Water Quality

Objectives

O.77 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.78 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.79 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.77 • O.78 • O.79	Stormwater Management facilities and trunk drainage is to be provided generally in Figure 10-21 and in accordance with the *Maitland City Wide Contributions Plan 2016*.

10.4.2.21. Amelioration of Natural and Environmental Hazards

Objectives

O.80 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.80	Filling of drainage lines is to be limited to that necessary to render flood free all residential land.
AS.1 • O.80	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.80	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways nor any other adjoining land uses including the extractive industry adjacent to the Hunter River.
PC.3 • O.80	Noise and vibration assessments are required to be submitted with relevant Development Applications for subdivisions that adjoin incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.4 • O.80	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019.*
PC.5 • O.80	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.6 • O.80	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.2.22. Key Development Sites

Aberglasslyn Heritage Control Area

Objectives

O.81 To ensure that development does not adversely impact upon the setting and context of Aberglasslyn House.

O.82 To provide a visual screen and scenic backdrop for new development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.81 • O.82	A Statement of Heritage Impact (SoHI) is required for subdivision that relates to land containing any part of the Heritage Conservation Area and adjacent to Aberglasslyn House.
PC.2 • O.81 • O.82	Existing vegetation within the Heritage Conservation Area is to be retained.
AS.1 • O.81 • O.82	Where practicable, new dwellings should be located adjacent to, or behind established trees.
PC.3 • O.81 • O.82	All dwelling houses and outbuildings on land containing the Heritage Conservation Area are: a. to be limited to single storey, and b. must be no greater than 5m in height when measured from the existing ground level to the highest point of the ridgeline.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.81 • O.82	Residential development in the Heritage Conservation Area is to include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House.
AS.2 • O.81 • O.82	Development is not generally supported in the Heritage Conservation Area. Where such development is unavoidable, development applications are to accurately demonstrate, using view shed analysis, suitable locations of building sites including special measures to comply with the requirements for the minimisation and management of any heritage impacts on Aberglasslyn House.
PC.5 • O.81 • O.82	Any development consent for subdivision of land within the Heritage Conservation Area will have a restriction as to user on the subdivision restricting dwellings to within the building envelope.
AS.3 • O.81 • O.82	The development of light weight structures, landscaping and/or orcharding within the Heritage Control Area will be considered where it can be demonstrated through siting, design, construction and treatment measures, the structure/improvements do not impact upon the visual amenity of Aberglasslyn House.
PC.6 • O.81 • O.82	Any building located within the Heritage Conservation Area (wholly or partially) is to meet the following design requirements: a. Structures shall be constructed using external materials and finishes of darker colours and tones, so as to limit visibility. Brick and painted surfaces are to be restricted to muted colours such as greys, browns, grey greens and fawns. b. Roofs shall be coloured dark slate grey, grey blue or grey green. No blue, red or orange range steel or tile roofing shall be permitted. c. External building materials and finishes must be non-reflective.
PC.7 • O.81 • O.82	Fencing within or adjacent to the Heritage Conservation Area will be limited to traditional timber post and wire rural style fencing.
PC.8 • O.81 • O.82	Landscaping within the Heritage Conservation Area is limited to plantings of local endemic species and is to include random spacing of trees and shrubs in clusters for an informal effect.

10.4.2.23. Residential Densities

Objectives

O.83 To encourage higher density living around transport, open space and service nodes.
O.84 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.83 • O.84	Higher residential densities are encouraged in high amenity areas nominated in Figure 10-21.

Development Requirements – Aberglasslyn South Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the South Precinct.

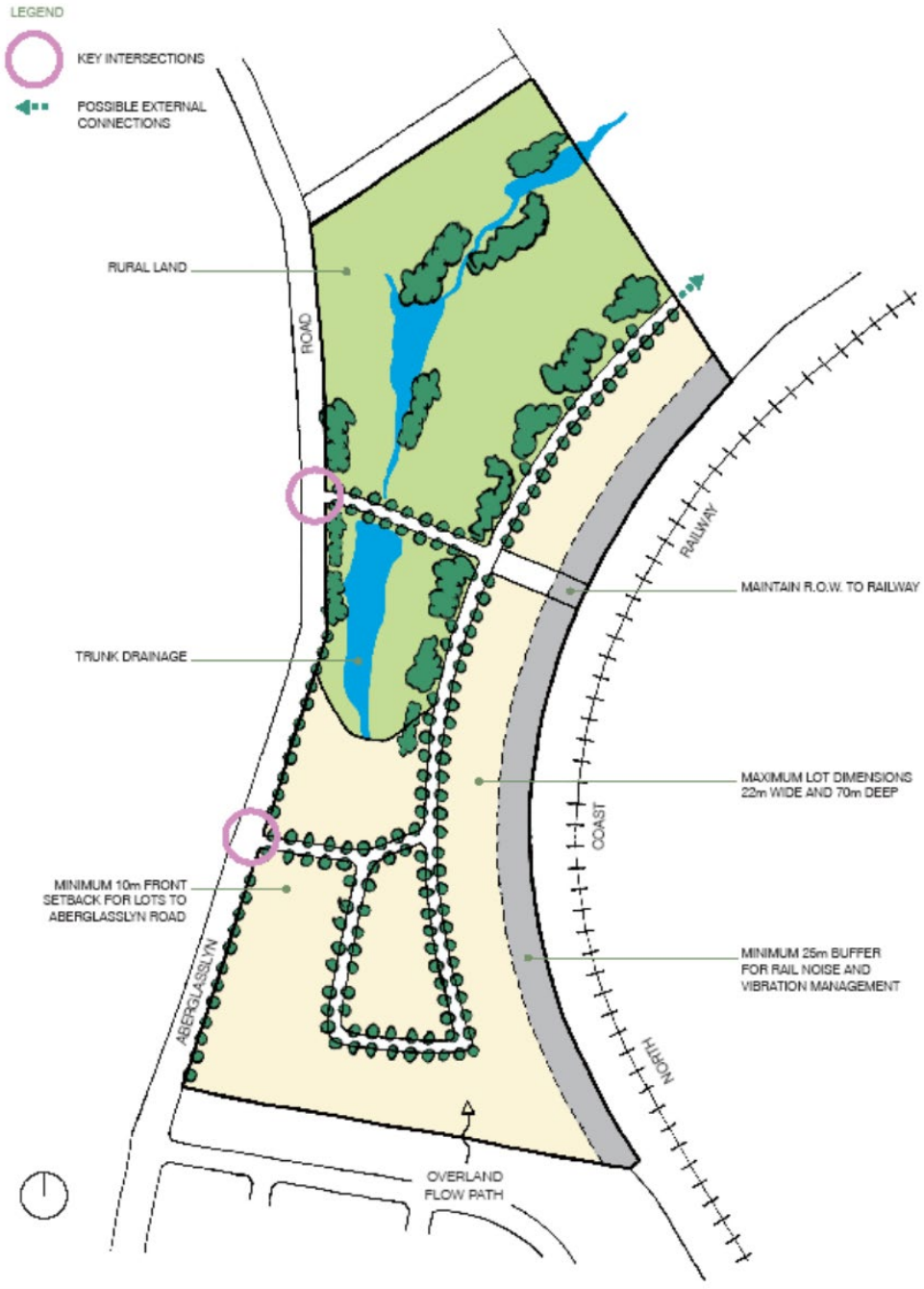


Figure 10-22: Aberglasslyn - South Precinct and Road Hierarchy

No specific requirements have been made for the following matters within the Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services
- Key Development Sites

10.4.2.24. Transport Movement Hierarchy

Objectives

O.85 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.86 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.87 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.88 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.85 • O.86 • O.87 • O.88	Access to the South Precinct will be via two (2) new intersections on Aberglasslyn Road. The main internal road is to run generally north/south adjacent to the North Coast Railway line and form a link to the adjoining residential land to the northeast of the site.
PC.2 • O.85 • O.86 • O.87 • O.88	Road layout and street design is to be generally consistent with the adopted South Precinct and Road Hierarchy Plan in Figure 10-22, following detailed survey and subdivision planning.

10.4.2.25. Overall Landscaping Strategy

Objectives

O.89 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.89	Landscaping is to be provided on land adjacent to Aberglasslyn Road.
PC.2 • O.89	Existing trees are to be retained wherever possible within riparian corridors, open space, within and adjacent to the Aberglasslyn Road reserve and along allotment boundaries.
PC.3 • O.89	Retained drainage lines/watercourses are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters.
AS.1 • O.89	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-22.
PC.4 • O.89	Development Applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, and, where applicable, the following: a. landscaping treatments to Aberglasslyn Road, b. fencing/landscaping treatments within the acoustic buffer running parallel to the railway line, c. landscaping treatments of key intersections, and d. how open space areas and trunk drainage are to be located and landscaped.

10.4.2.26. Passive and Active Recreation Areas

Objectives

O.90 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.91 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.90 • O.91	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-14 and Figure 10-22.

10.4.2.27. Stormwater and Water Quality

Objectives

O.92 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.93 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.94 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.92 • O.93 • O.94	Stormwater Management facilities and trunk drainage are to be provided generally in accordance with Figure 10-22 and the *Maitland City Wide Contributions Plan 2016*.

10.4.2.28. Amelioration of Natural and Environmental Hazards

Objectives

O.95 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.95	Filling of drainage lines is to be limited to that necessary to render flood free all residential land as indicated on Figure 10-22.
AS.1 • O.95	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.95	Lot design of land adjoining the acoustic and vibration buffer is to be consistent with Figure 10-22. Maximum lot dimensions for the affected area are 22m wide and 70m deep.
PC.3 • O.95	Stage 1 of development of the South Precinct is to include the construction of a 3m high solid acoustic barrier along the boundary between the railway line and residential allotments. Details of the acoustic barrier are to be provided to, and approved by, council prior to the construction of the subdivision.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.95	Residential development of allotments adjacent to the railway line and containing the noise and vibration management area must include specific design and construction measures to a level to satisfy AS 3671-1989 Category 3 construction. A separate acoustic engineer's report is required to certify that each dwelling, at the design stage, can meet the requirements of *State Environmental Planning Policy (Transport & Infrastructure) 2021*.
PC.5 • O.95	A minimum front setback of 10m applies to any residential building constructed on land facing Aberglasslyn Road. Design and construction measures are to be to a level to satisfy AS 3671-1989 Category 3 construction. A separate acoustic engineer's report is required to certify each dwelling, at the design stage, can attenuate 27dB(A) at the façade of the dwelling.
PC.6 • O.95	Subdivision and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways or any other adjoining land uses including extractive industries along the Hunter River.
PC.7 • O.95	Noise and vibration assessments are to be submitted with Development Applications for subdivision that adjoins incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.8 • O.95	Development on bushfire prone land will be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019*.
PC.9 • O.95	Land within the flood planning area must address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.10 • O.95	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

10.4.3. Gillieston Heights Urban Release Area

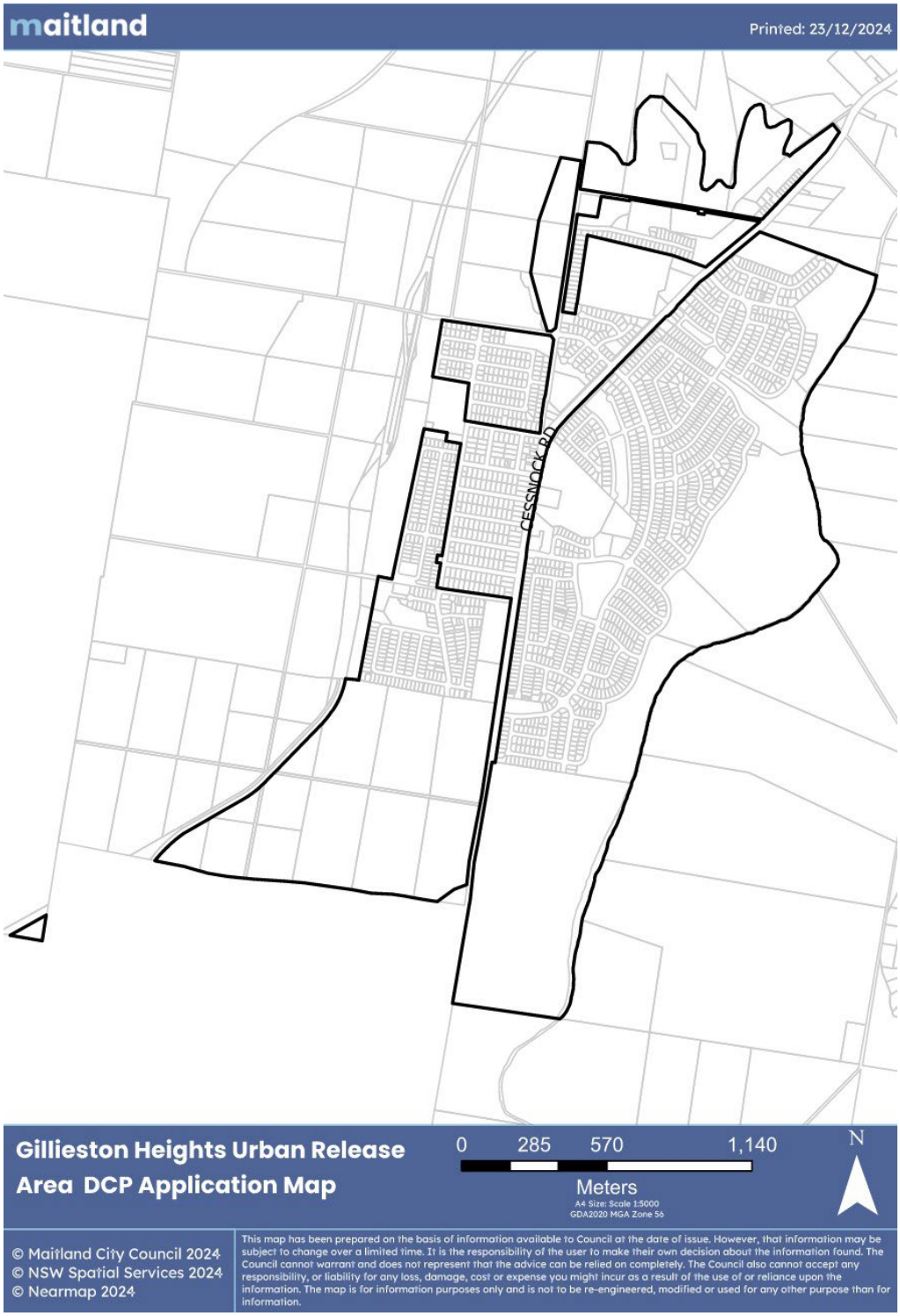


Figure 10-23: Gillieston Heights Urban Release Area

The desired future character for the Gillieston Heights Urban Release Area comprises a mix of residential housing styles and types, supported by a central neighbourhood centre, a potential school site, open space and areas of existing vegetation, which provide a backdrop to the future development.

On the western side of the release area, a roadside buffer for landscaping and acoustic separation will run adjacent to the Cessnock Road frontage, effectively denying direct vehicular access to the new development, except via new traffic-controlled intersections. The eastern side of the release area is generally defined by an escarpment lined in parts with existing bushland, which must be retained to provide a visual backdrop to new development. Any roads and development along this eastern edge must respond to the topographic constraints of the land, so as to minimise cut and fill.

The residential areas are to be developed into a series of neighbourhoods defined by the natural landform, shared pathways and roads. Streets will be designed for safety, connectivity and to provide opportunities for establishing new plantings and attractive streetscapes. Any school, neighbourhood shops and parks will be located adjacent to bus routes and provide a focal point for community activity.

Riparian areas adjacent to existing water courses will be retained and enhanced as part of the water cycle management of the release area and existing dams on site will be used wherever practicable as water quality devices treating water prior to discharge into receiving waterways.

Development within this Urban Release Area is well progressed. The overall Area Plan prepared for this Urban Release Area comprises precinct plans for the East and West precinct. These precincts are bisected by Cessnock Road.

Staging Plan

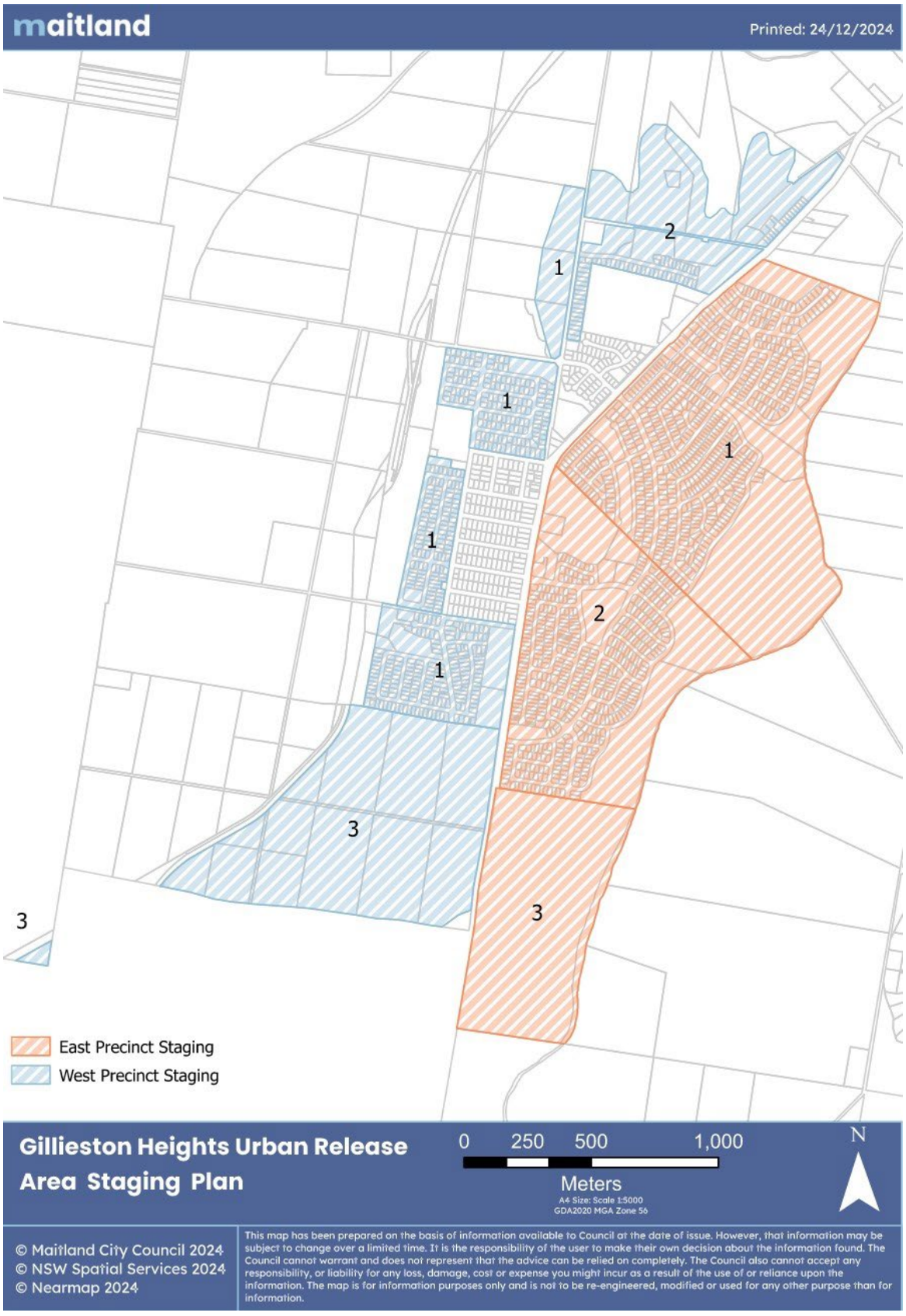


Figure 10-24: Gillieston Heights URA Staging Plan

Precinct Plan



Figure 10-25: Gillieston Heights URA Precinct Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Gillieston Heights Urban Release Area as they are already adequately addressed by other relevant provisions within the Precinct Plans provided for this URA, the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Amelioration of Natural and Environmental Hazards
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.1. Staging Plan

Objectives

O.96 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.96	Staging of the urban release area should be generally in accordance with Figure 10-24.

Development Requirements – Gillieston Heights East Precinct

The following are the Precinct Plan provisions referred to in Figure 10-25 that applies to the East Precinct.

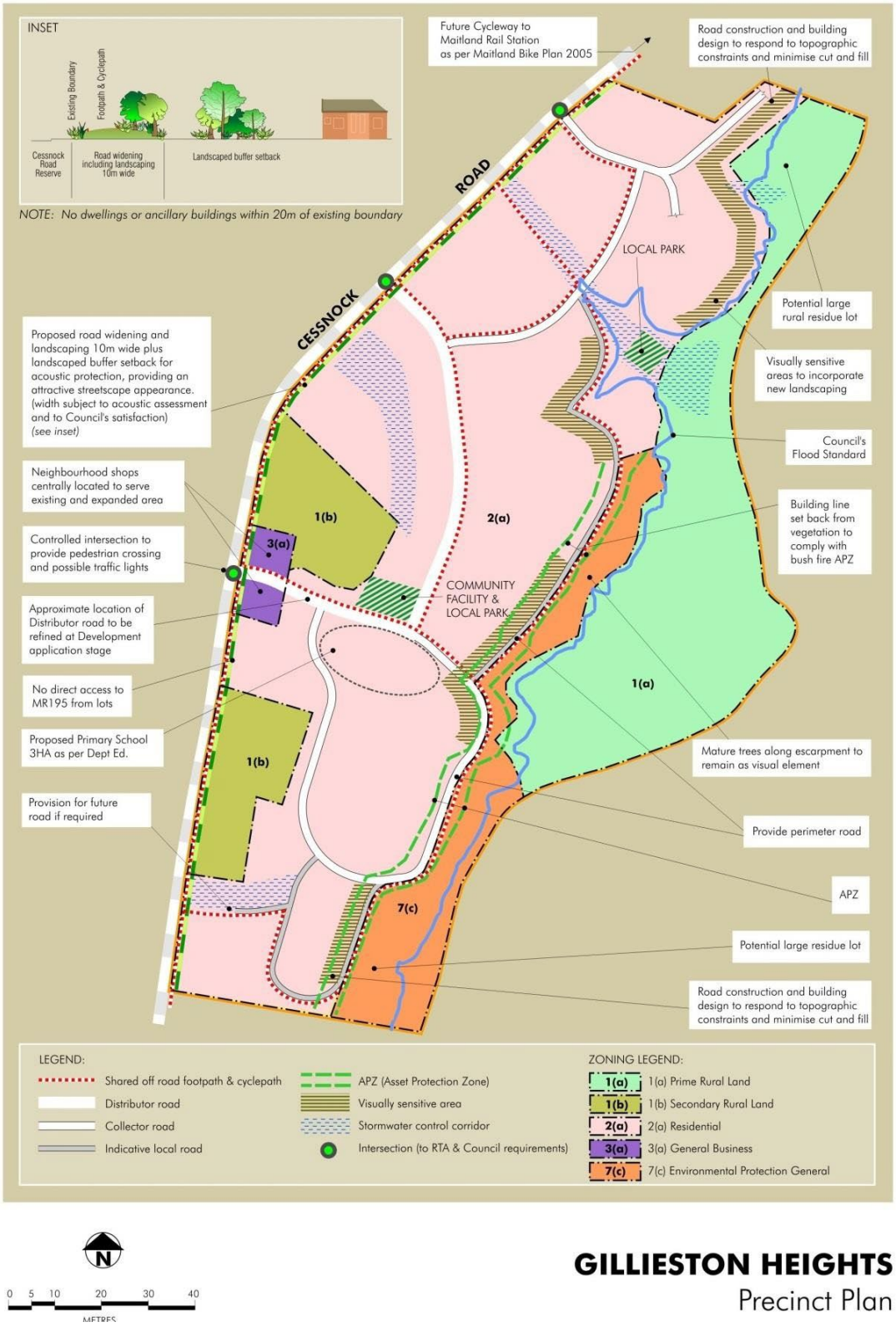


Figure 10-26: Gillieston Heights East Precinct Plan

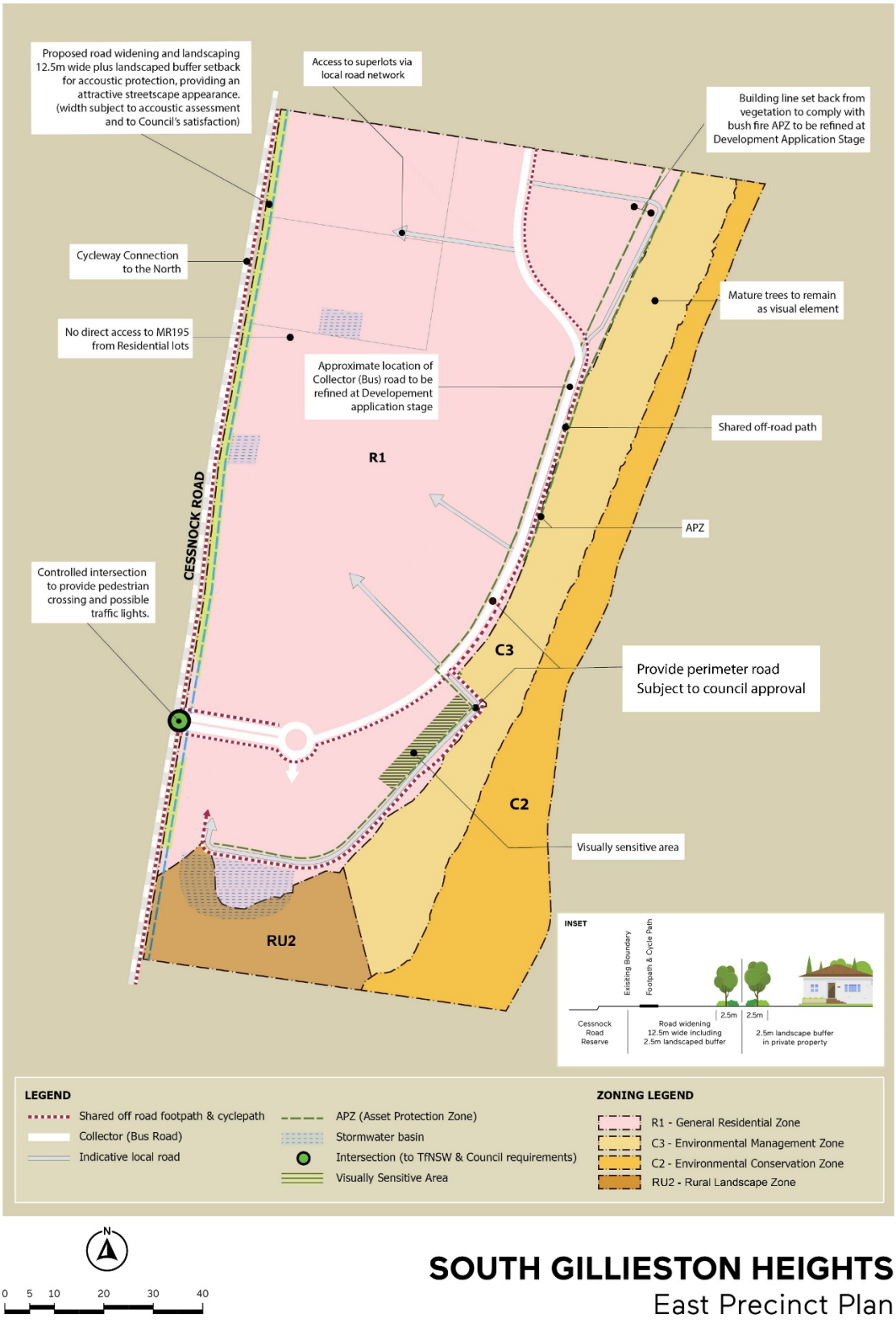


Figure 10-27: South Gillieston Heights East Precinct Plan

No specific requirements have been made for the following matters within the East Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Provision of Public Facilities and Services

10.4.3.2. Staging Plan

Objectives

O.97 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.97	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.3.3. Transport Movement Hierarchy

Objectives

O.98 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.99 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.100 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.101 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.98 • O.99 • O.100	Road layouts should be generally consistent with Figure 10-26 and Figure 10-27.
PC.1 • O.98 • O.99 • O.100 • O.101	Development applications for subdivisions proposing new roads must ensure that road networks are fully constructed to the boundaries of adjoining lots so that they connect to all development areas in a logical hierarchy of street function.
PC.2 • O.98 • O.100	No new future lot is to have direct vehicular access to Cessnock Road (MR 195).
AS.2 • O.98 • O.99 • O.100	Cycleways are to be provided for in general accordance with the Precinct Plan and the *Maitland Bicycle Plan and Strategy 2014*.
PC.3 • O.98 • O.99 • O.100	Pedestrian paths and cycleways links with other precincts are to be provided at the strategic access points on Cessnock Road.

10.4.3.4. Overall Landscaping Strategy

Objectives

O.102 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.103 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.104 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.102	Council may require a Visual Impact Assessment to be undertaken to accompany Development Applications for subdivisions and development that are likely to have a visual impact on the area. Such assessments may include proposed ameliorative measures to be incorporated within the development, such as dwelling designs, building materials, colour schemes and landscaping. Such assessments are to have regard to the background reports used in the preparation of the Precinct Plan.
PC.1 • O.102 • O.103 • O.104	The natural character of all ridgelines, knolls and hillsides are to be protected by retaining any vegetation or introducing new landscaping to ensure the visual impact of development is minimised, particularly within and adjacent to the visually sensitive areas. Details are to be provided with the landscaping plans to be submitted with development applications.
PC.2 • O.104	Applications for subdivision are to provide for lot frontages addressing streets, drainage reserves and open space. Where its use is unavoidable fronting these areas, boundary fencing is to be of an open style and of consistent materials and colour.

10.4.3.5. Amelioration of Natural and Environmental Hazards

Objectives

O.105 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.105	Flood free access is to be available to all proposed allotments.
PC.2 • O.105	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019.*
PC.3 • O.105	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011.*
PC.4 • O.105	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

10.4.3.6. Key Development Sites

Land adjoining Cessnock Road

Objectives

O.106 Detailed urban design controls are provided for significant development sites to assist in providing separation to traffic noise and a streetscape view of the front of dwellings and landscaped gardens.
O.107 To ensure that fencing does not form a prominent element in the landscape along the road corridor.
O.108 To ensure that future residential development is not adversely affected by noise and vibration from Cessnock Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.106 • O.107 • O.108	A buffer (incorporating 10m for road widening and landscaping) is to be established on land adjoining the eastern side of Cessnock Road, north of Russell Street as shown on Figure 10-26 and Figure 10-27. Details of the landscape buffer is to be provided in a landscape plan with any development application for the site.
PC.2 • O.106 • O.108	An independent acoustic assessment is to be submitted with any development application identifying levels of impact and noise attenuating measures for future residential development in accordance with Transport for NSW and DCCEEW requirements.
PC.3 • O.106 • O.108	No future lot is to have direct access to Cessnock Road (MR 195).
PC.4 • O.107	Fencing of allotments along the boundary of Cessnock Road is to be of consistent materials and colour and form an integral part of the landscape plan provided with the development application.

Rural Land / Flood Fringe Interface

Objectives

O.109 To ensure detailed urban design controls are provided for development site adjoining rural and flood-affected lands.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.109	A perimeter road (with development on the inner side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural land or land zoned for environmental protection.
PC.6 • O.109	An off-road shared path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.7 • O.109	Fencing is to make a positive contribution to the visual appearance of development and will be consistent with the overall landscaping strategy. Fencing adjacent to the boundaries of the surrounding rural lands and visually sensitive areas shown on the Precinct Plan must be unobtrusive, compatible with the rural character, and may include timber post and rail style. Details of fencing are required to be submitted to Council with development applications.
PC.8 • O.109	Development adjacent to rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.
PC.9 • O.109	Access to allotments adjacent to rural zones and flood prone lands are to be flood free and at appropriate gradients, with minimal earthworks.
PC.10 • O.109	Any fencing of allotments in flood prone areas is to be designed so as not to restrict or divert flood waters.

10.4.3.7. Neighbourhood Commercial and Retail Uses

Objectives

O.110 To ensure that local commercial and retail uses are provided for relevant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.110	The commercial centre is to be located in generally in accordance with Figure 10-27 and have easy and direct pedestrian, cyclist and vehicle access to the surrounding residential area and good visibility from the main access route.
PC.2 • O.110	The street structure adjoining the commercial centre is to be designed to accommodate or facilitate buses and bus stops.
AS.1 • O.110	Commercial development within land zoned for business purposes is not subject to the landscape buffer requirements adjacent to Cessnock Road (MR 195) as shown on the Precinct Plan, except for the 10m road widening. Notwithstanding this, such development must include appropriate landscaping as part of the overall design.
AS.2 • O.110	Development, which is located adjacent to Cessnock Road (MR 195), including land zoned for business purposes, should be appropriately designed so as to provide a high-quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls.
PC.3 • O.110	The school is to be located on a collector road close to the commercial centre to encourage use of the centre, but is not to have direct access to Cessnock Road.

Development Requirements – Gillieston Heights West Precinct

The following is the Precinct Plan provisions referred to in Figure 10-25 that applies to the West Precinct.

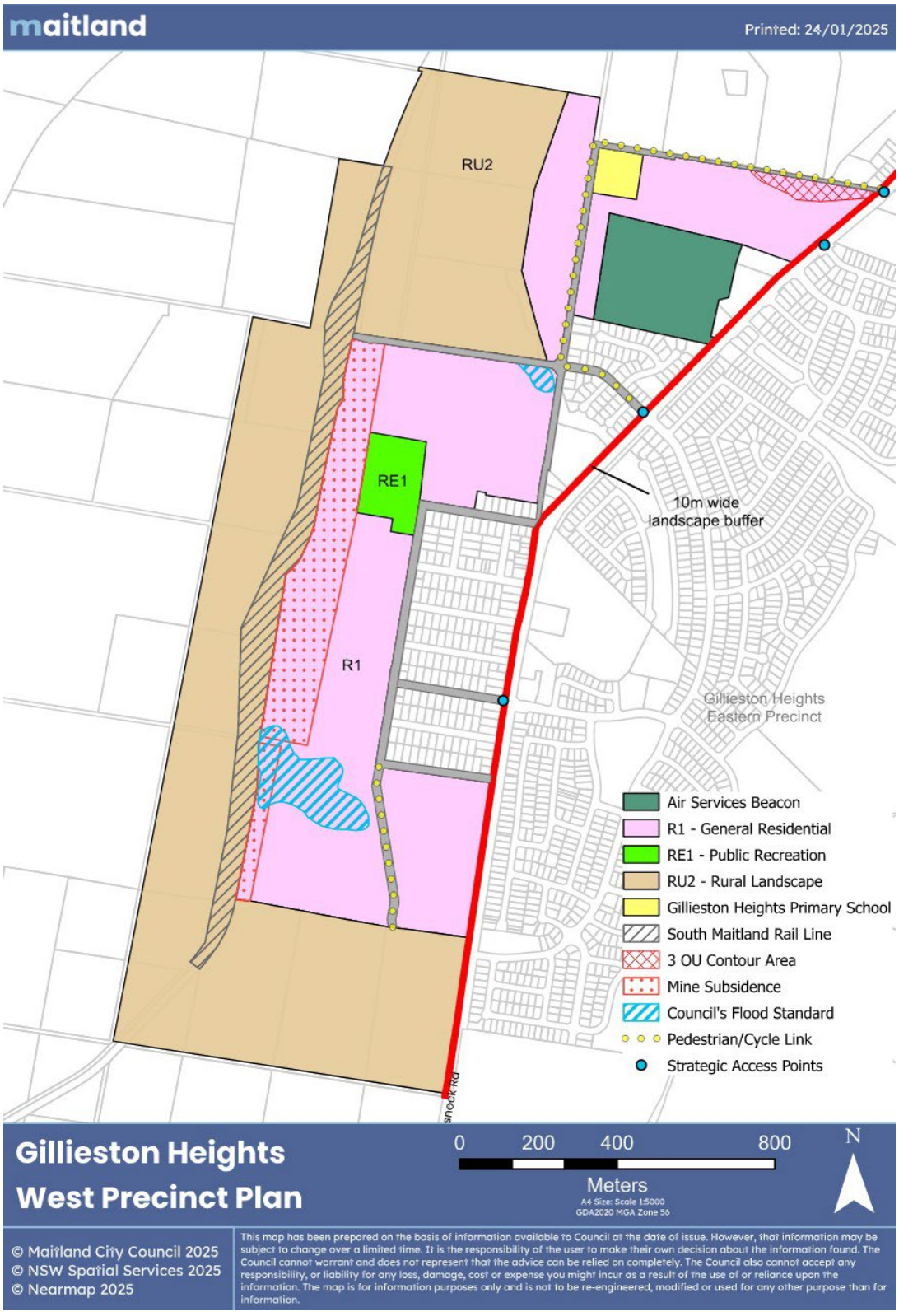


Figure 10-28: Gillieston Heights West Precinct Plan

No specific requirements have been made for the following matters within the West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.8. Staging Plan

Objectives

O.111 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.111	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.3.9. Transport Movement Hierarchy

Objectives

O.112 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.113 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.114 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.115 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.112 • O.113 • O.114	Road layout should be consistent with the Precinct Plan. Development applications for subdivisions must ensure that road networks connect to other development areas in a logical hierarchy of street function.
PC.1 • O.112 • O.114 • O.115	Each development area is required to have access to a minimum of one of the strategic access intersections as identified on the Precinct Plan. The northern development area fronting Gillieston Road is required to have access to Vintage Drive as well as the upgraded intersection at Gillieston Road.
PC.2 • O.112 • O.114	No new future lot is to have direct vehicular access to Cessnock Road (MR 195).
PC.3 • O.112 • O.114	Road widening to 11m carriageway width must be provided for lots fronting Gillieston Road, Kiah Road and Cartwright Street. Reconstruction of these roads for their full length providing continuous access to the intersection points must be undertaken in accordance with Council's MoES. All other roads including Ryans Road, are to be constructed in accordance with Council's MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.112 • O.113 • O.114	Cycleways are to be provided for generally in accordance with the Precinct Plan and the *Maitland Bicycle Plan and Strategy 2014*.
PC.4 • O.113 • O.114	Pedestrian paths and cycleways links with other precincts are to be provided at the strategic access points on Cessnock Road.

10.4.3.10. Overall Landscaping Strategy

Objectives

O.116 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.117 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.118 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.116 • O.117 • O.118	The subdivision design is to provide for lot frontages addressing streets, drainage reserves and open space. Where the need for fencing is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour.

10.4.3.11. Amelioration of Natural and Environmental Hazards

Objectives

O.119 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.119	Flood free access is to be available to all proposed allotments.
PC.2 • O.119	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.3 • O.119	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.4 • O.119	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

Land adjoining South Maitland Railway

Objectives

O.120 To ensure that future residential development is not adversely affected by any noise and vibration from the South Maitland rail corridor.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.120	No residential development is to occur within 60m of the western boundary of Lot 1 DP 986923 as shown on the Precinct Plan.
PC.2 • O.120	A noise and vibration assessment, prepared by a suitably qualified acoustic engineer, is to accompany development applications for land adjoining the South Maitland Railway. Appropriate noise mitigation measures are to be provided, in accordance with recommendations of the acoustic report, for any land adjoining the South Maitland Railway.
PC.3 • O.120	Residential subdivision and development is to be designed so as to comply with the relevant standards and criteria for noise and vibration contained within the *State Environmental Planning Policy (Transport and Infrastructure) 2021* and DCCEEW standards at the time.
AS.1 • O.120	Appropriate noise and vibration controls are to be provided by means of separating the source and the receiver, including utilising landscaping and buffers which do not detract from the streetscape and visual appearance of the area. Applying noise attenuation building design techniques to new housing is strongly encouraged.

Land surrounding Air Services Australia Beacon

Objectives

O.121 To ensure that the Air Services Australia Beacon is not adversely affected by future residential development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.121	No part of any building within 150m of the Doppler VHF Omni Directional Range (DVOR) vector, located on Lot 1 DP 817693 (No. 258 Cessnock Road, Gillieston Heights) is to protrude above a height of RL 42m AHD.
PC.5 • O.121	Any landscaping of lots within 150m of the DVOR vector is to be maintained below a height of RL 42m AHD.

Land fronting Cessnock Road

Objectives

O.122 To ensure that future residential development is not adversely affected by any noise and vibration from Cessnock Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.122	Any development application for subdivision of Lot 1 DP 197680 is to make provision for road connection from Cartwright Street through the site to enable future access to the south of the Precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.122	A 10m wide landscape buffer, wholly contained within the affected lots, is required for lots adjoining Cessnock Road. The landscape buffer setback is to include elements to assist with reducing traffic noise from Cessnock Road with details provided in a landscape plan with any development application for the subject lands.
PC.8 • O.122	Applications for the subdivision of land adjoining Cessnock Road are to include an Acoustic Report identifying the impact in relation to Transport for NSW and EPA standards, and appropriate noise mitigation measures.

Land adjoining Poultry Farm

Objectives

O.123 To ensure that future residential development is not adversely affected by the operation of the poultry farm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.123	No development is to occur in areas subject to odour levels greater than 3 odour units (OU) as identified in the Precinct Plan, unless evidence is provided that the poultry operations have ceased.

Rural Land/Flood Fringe Interface

Objectives

O.124 Development adjacent to rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.

O.125 Fencing is to make a positive contribution to the visual appearance of development and will be consistent with the overall landscaping strategy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.124 • O.125	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural land or land zoned for environmental protection.
PC.11 • O.124 • O.125	Fencing adjacent to the boundaries of the surrounding rural lands is to be unobtrusive, compatible with the rural character, and may include timber post and rail style.
PC.12 • O.124 • O.125	Details of fencing are required to be submitted to Council with development applications.

Development Requirements – Gillieston Heights West Precinct Extension

The following provisions apply to the residential zoned land that make up Regrowth-Kurri Kurri and that are located within the Maitland Local Government Area as identified by Figure 10-29.

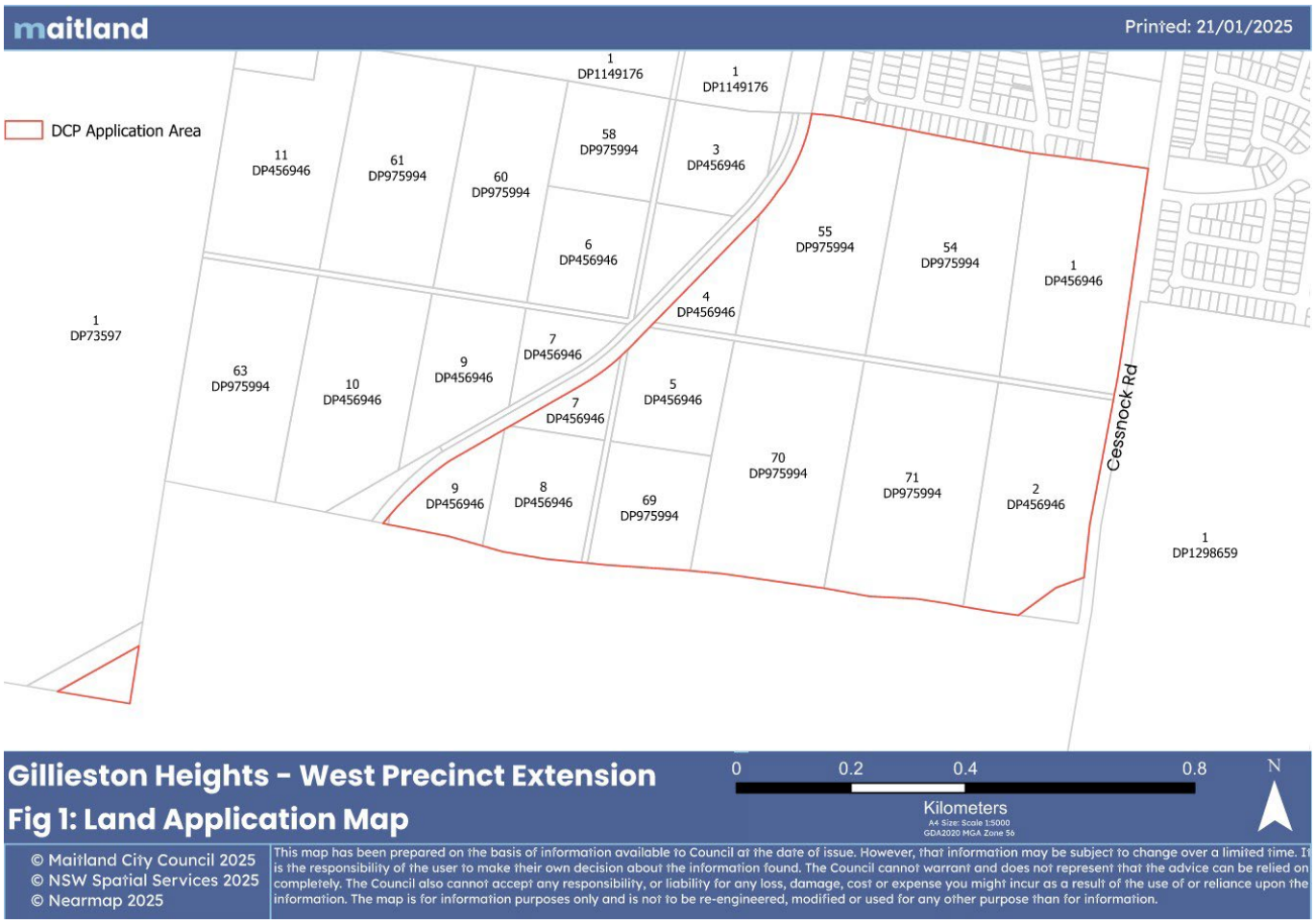


Figure 10-29: Gillieston Heights West Extension Precinct Plan

The desired future character for Regrowth-Kurri Kurri Urban Release Area comprises a mix of residential housing, supported by a central neighbourhood centre, open space, and areas of existing vegetation, which will provide a backdrop to future development. It is the logical southern extension of existing residential development located at Gillieston Heights to the north.

On the eastern side of the Urban Release Area, landscaping will run adjacent to the Cessnock Road frontage to provide separation for future dwellings, effectively denying vehicular access to individual lots, except via new traffic-controlled intersections. The western side of the release area is defined by the South Maitland Railway Line.

The residential areas are to be developed into a series of neighbourhoods defined by the natural landform, shared pathways, and roads. Streets will be defined for safety, connectivity and will provide opportunities for establishing new plantings and attractive streetscapes.

No specific requirements have been made for the following matters within the West Extension Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.13. Staging Plan

Objectives

O.126 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.126	Any Development Application prepared for subdivision will provide consideration (e.g. interconnecting roads) to the development of the overall precinct in which the subdivision is located as shown in Figure 10-30.

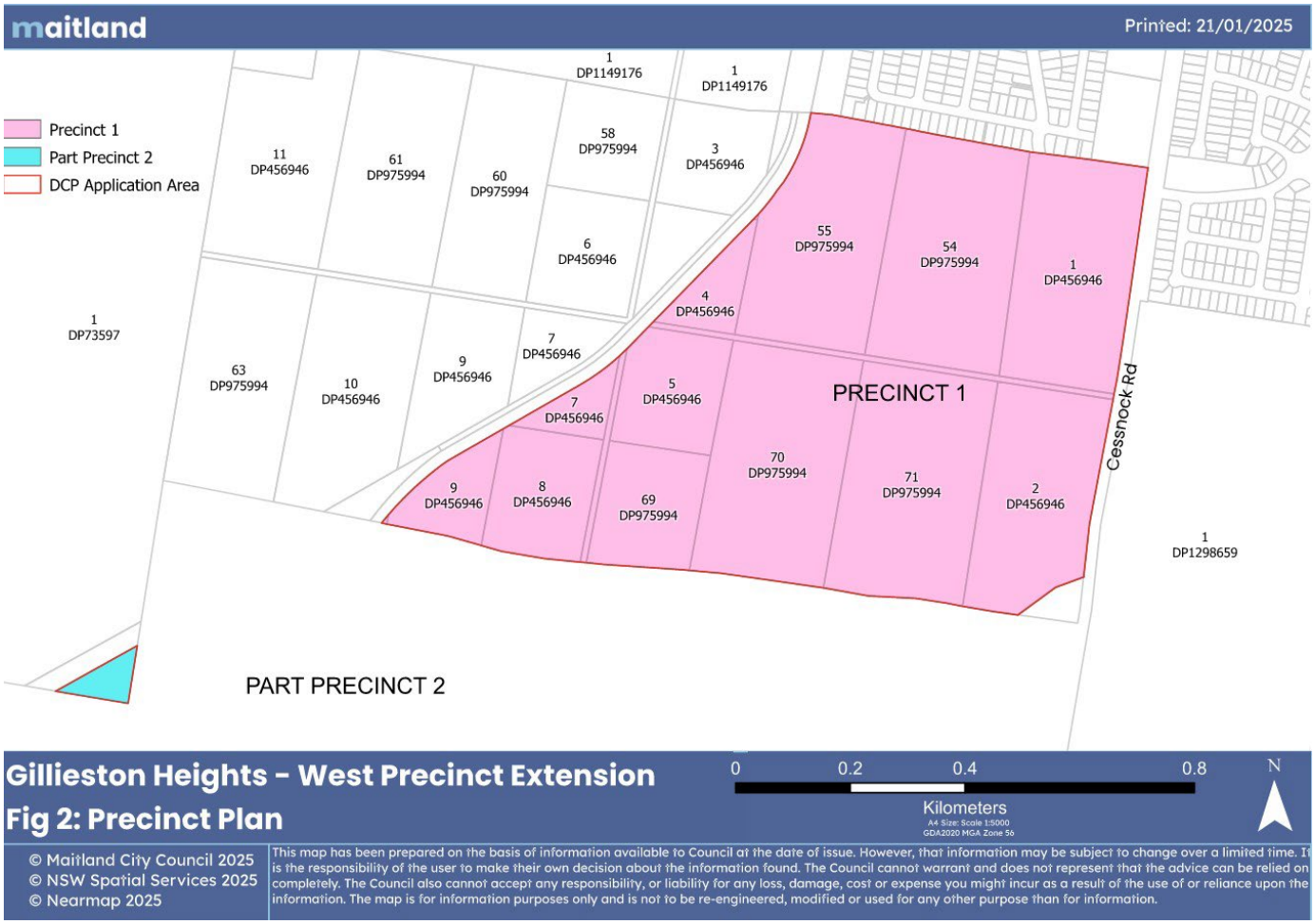


Figure 10-30: Gillieston Heights Western Precinct Extension Staging Plan

10.4.3.14. Transport Movement Hierarchy

Objectives

O.127 To provide a hierarchy of interconnected streets that gives safe, convenient, and clear access.
O.128 To ensure that the hierarchy of street is clearly discernible through variations in the carriageway width, on-street parking, street tree planting, and pedestrian amenities.
O.129 To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street network and to accommodate public utilizes, drainage systems and the majority of Asset Protection Zones.
O.130 To encourage the use of streets by pedestrians and cyclists and to allow cars, buses, and other users to proceed safely without unacceptable inconvenience or delay.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.127 • O.128 • O.129	The street network is to be generally provided in accordance with the Transport Movement Hierarchy in Figure 10-32 and the Road Section in Figure 10-33, which are not covered by the Maitland Council Manual of Engineering Standards.
AS.2 • O.128 • O.129 • O.130	Alternative street designs for local streets and accessways may be permitted on a case-by-case basis to accommodate local features if they preserve the function objectives and requirements of the design standards.
PC.1 • O.127 • O.130	No future lot is to have direct access to Cessnock Road (MR195).
PC.2 • O.128 • O.129	Except where otherwise provided for in this Chapter, all streets and intersections are to be designed and constructed in accordance with the Council's MoES.

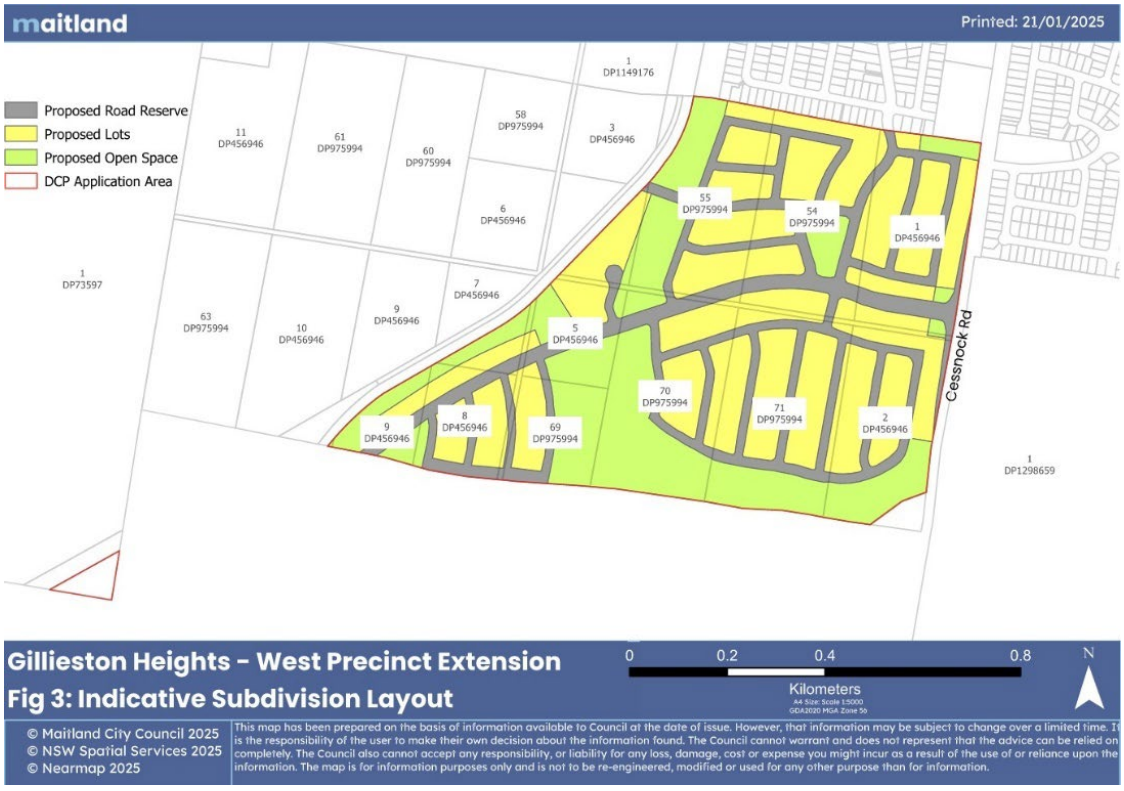


Figure 10-31: Gillieston Heights West Precinct Extension Indicative Subdivision Layout

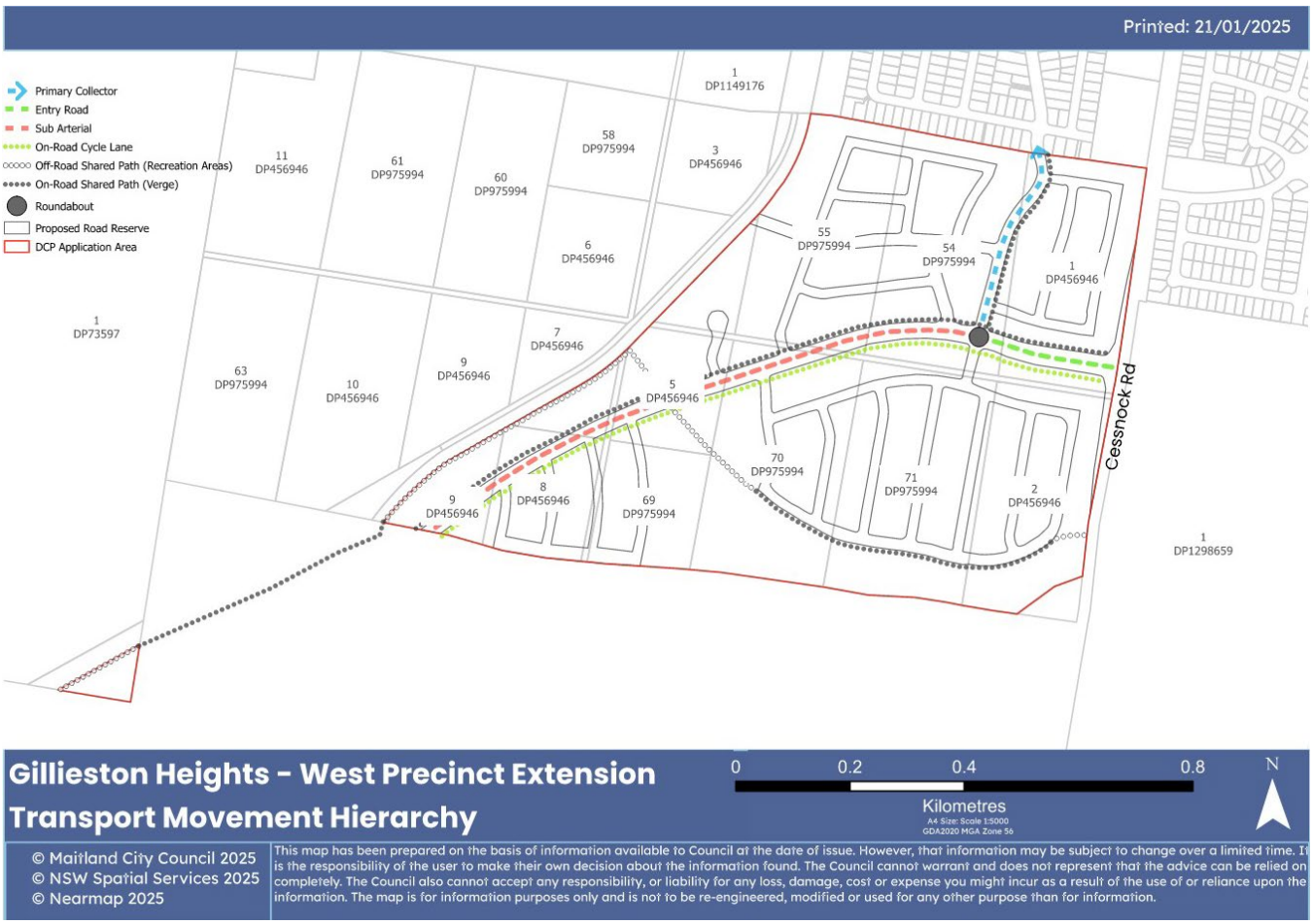


Figure 10-32: Gillieston Heights West Precinct Extension Transport Movement Hierarchy

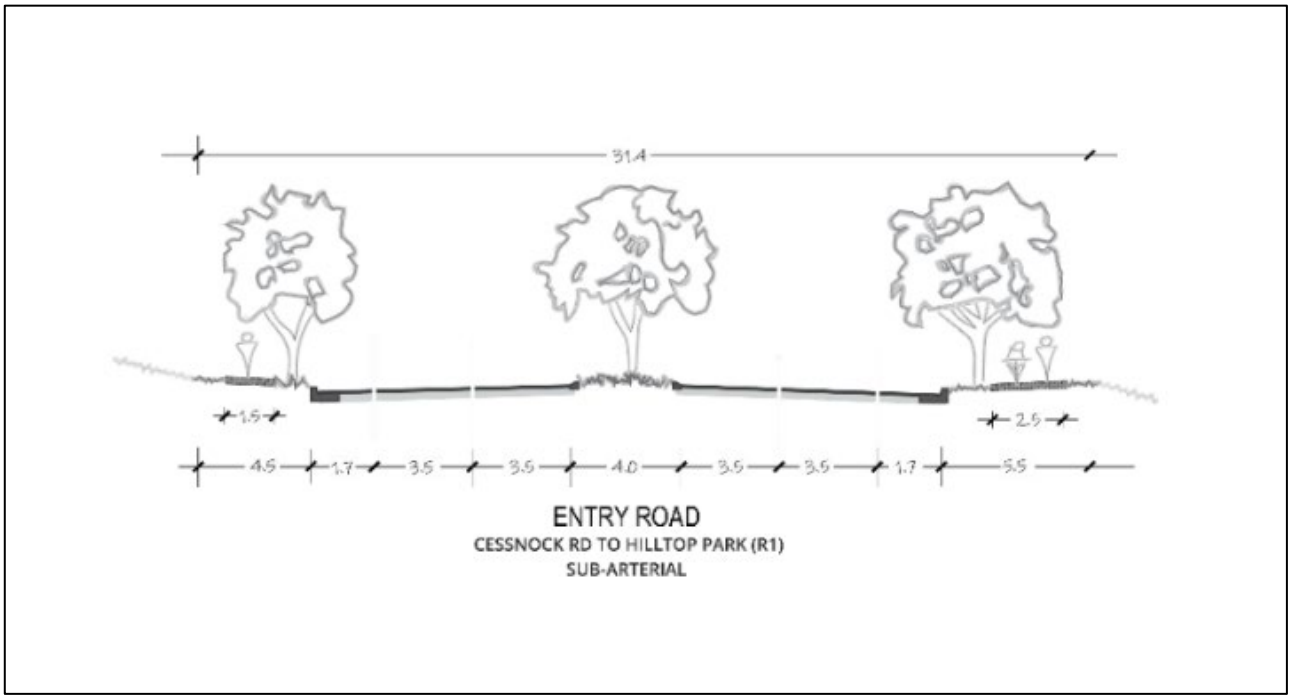


Figure 10-33: Road Section for Cessnock Road to Hilltop Park

10.4.3.15. Overall Landscaping Strategy

Objectives

O.131 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors, and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.131	An Overall Landscaping Strategy is required to accompany any Development Application for subdivision, which is to provide details on elements such as: • Asset protection zones, • Plant species and sizes, which includes consideration of street trees, • Play equipment, • Utilities and services, • Public art, • Hard and soft landscaping treatments, • Entry statements, • Sporting fields and equipment, and • Any other embellishment.

10.4.3.16. Passive and Active Recreation Areas

Objectives

O.132 To provide public open space that meets the recreational needs of residents.
O.133 To provide an equitable distribution of public open space and recreation opportunities.
O.134 To ensure good quality of design and embellishment of the public domain.
O.135 To ensure environmentally and visually sensitive land contributes to the landscape character of the precinct.
O.136 To ensure that public domain elements contribute to a consistent street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.132 • O.133 • O.134 • O.135 • O.136	Open space is to be provided generally in accordance with Figure 10-31.

10.4.3.17. Amelioration of Natural and Environmental Hazards

Objectives

O.137 To minimise the potential impact of flooding on development.
O.138 To ensure flood free access to the site.
O.139 To achieve consistency with the aims and objectives of the document titled Planning for Bushfire Protection 2019, which seek to mitigate the impacts of bushfire on development.
O.140 To minimise risk to human health and the environment from the development of potentially contaminated land.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.137 • O.138	Development Applications for subdivision are to provide consideration to the general provisions of Chapter 2 of the Maitland Development Control Plan for flooding.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.139	Development must comply with the relevant provisions of Planning for *Bush Fire Protection 2019*.
PC.2 • O.137 • O.138	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.3 • O.140	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.3.18. Key Development Sites

Land fronting Cessnock Road and South Maitland Railway

Objectives

O.141 To minimise risk to human health from noise at the time of subdivision.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.141	An acoustic assessment is required to accompany development applications for subdivision to demonstrate if any mitigation measures will be required for those lots in proximity to the South Maitland Railway Line and Cessnock Road as identified by Figure 10-34. The assessment is to be undertaken by a suitability qualified acoustic consultant to ensure that the properties are designed and constructed in accordance with *Development near Rail Corridors and Busy Roads – Interim Guideline* (NSW Department of Planning, 2008) to achieve acceptable internal noise amenity, regarding the external noise exposure levels.
PC.2 • O.141	Any proposed fencing is to be located on private land and not on public land.
AS.1 • O.141	Subdivision in proximity to the South Maitland Railway Line may result in the need for the construction of security fencing to restrict access and improve safety.

Mine Subsidence – Old Mine Workings

Objectives

O.142 To minimise risk to property arising from development on land with potential mine subsidence issues.
O.143 To ensure that potential mine subsidence issues are adequately addressed at the subdivision stages.
O.144 To provide consideration to the relevant NSW Government Subsidence Advisory Development Guidelines.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.142 • O.143 • O.144	Areas of potential mine subsidence are shown on Figure 10-35. From this, it is understood that the following lots are affected: • Lot 3, DP 456946 • Lot, 4, DP 456946 • Lot 5, DP 456946 • Lot 1, DP 1206034 • Lot 55, DP 975994 • Lot 69, DP 975994 • Lot 70, DP 975994 Prior to any Development Application for Subdivision within the mine workings or mine zone with limitations as identified by Figure 10-35, an applicant will undertake further geotechnical assessment to assess the suitability of this land for the development.

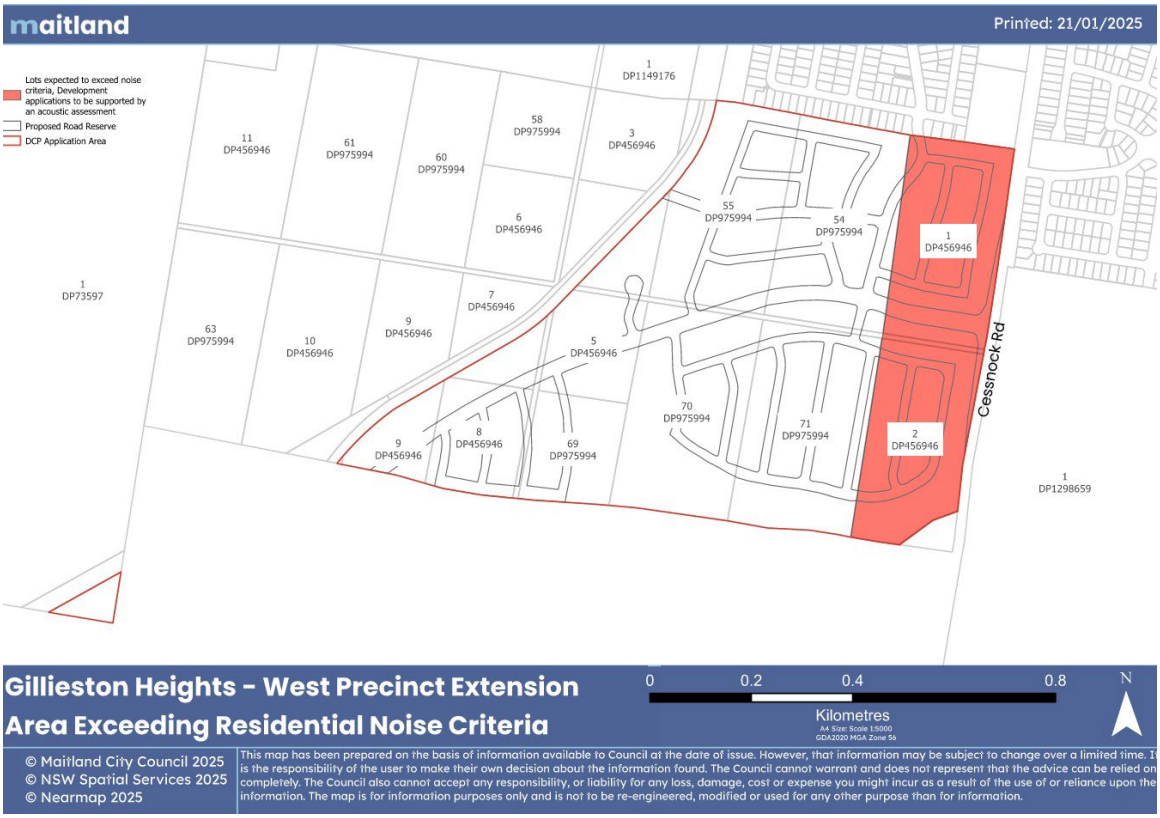


Figure 10-34: Gillieston Heights West Precinct Extension Lots Exceeding Noise Criteria

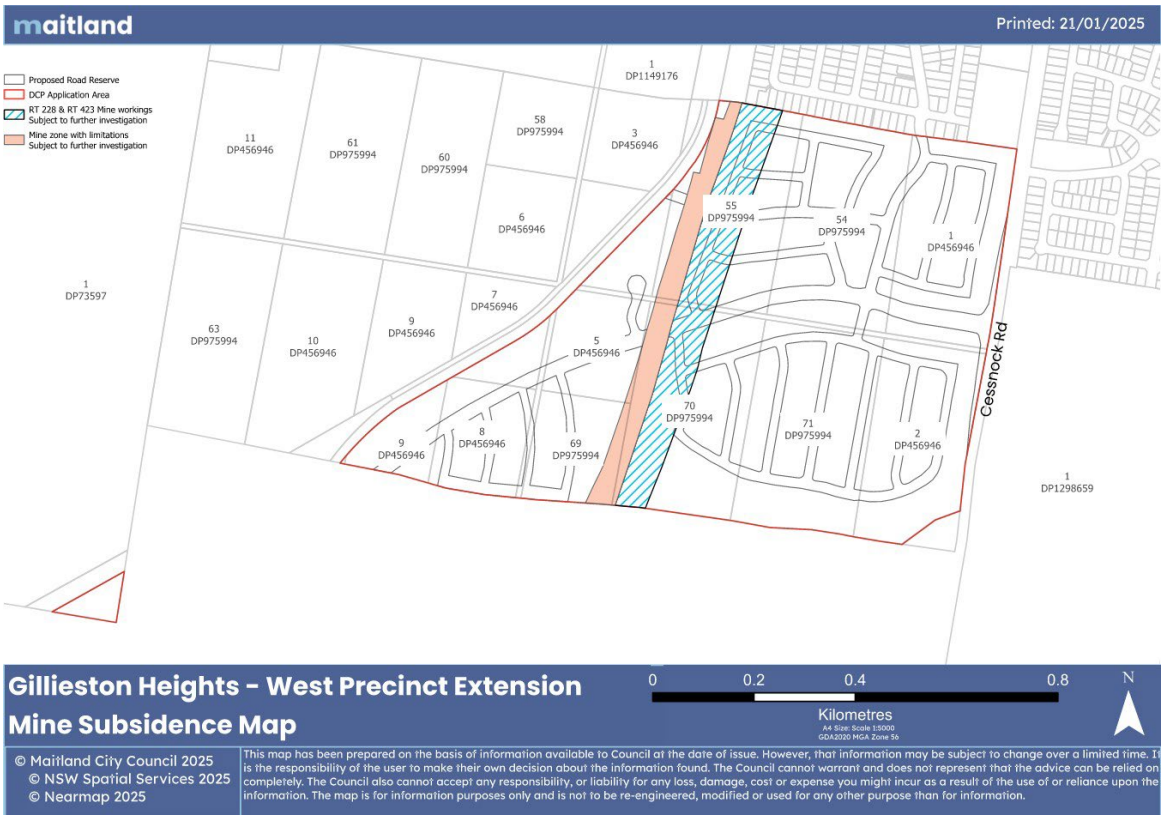


Figure 10-35: Gillieston Heights West Precinct Extension Mine Subsidence Map

10.4.3.19. Archaeological Significance

Objectives

O.145 To require further investigation of Aboriginal archaeological identified as significant on lands to be developed for urban purposes.

O.146 To ensure that any Aboriginal significance is appropriately incorporated into the development of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.145 • O.146	Known Aboriginal Archaeological Sites are shown on Figure 10-36. An Aboriginal Heritage Impact Permit (AHIP) issued under Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act 1974) is required for any works which affect these sites.
PC.2 • O.145 • O.146	Areas of high archaeological sensitivity warrant a full Aboriginal Cultural Heritage Assessment (ACHA) prior to any development works. If impacts to any Aboriginal objects identified through these assessments cannot be avoided, an AHIP issued under Part 6 of the National Parks and Wildlife Act 1974 (NPW Act 1974) will be required. Consultation with relevant Aboriginal persons and organisations' is required under Biodiversity Conservation Division (BCD) policy when an application for an AHIP is considered and should be conducted in accordance with BCD Aboriginal Cultural Heritage Consultation Requirements for Proponents.
PC.3 • O.145 • O.146	Areas of low archaeological sensitivity warrant an Aboriginal archaeological due diligence assessment prior to any development works. This assessment is to be conducted in accordance with BCD *Due Diligence Code of Practice for the protection of Aboriginal Objects in New South Wales*. Visual inspections undertaken for the purposes of a due diligence assessment should include an Aboriginal community representative. Depending on the results of the due diligence assessment undertaken, a full Aboriginal cultural heritage assessment may be required. **Note:** Areas of nil archaeological sensitivity do not contain any known Aboriginal heritage constraints. However, Aboriginal objects may still occur in these areas. If any Aboriginal objects are encountered during development, and impacts cannot be avoided, an AHIP issued under Park 6 of the NPW Act 1974 will be required.

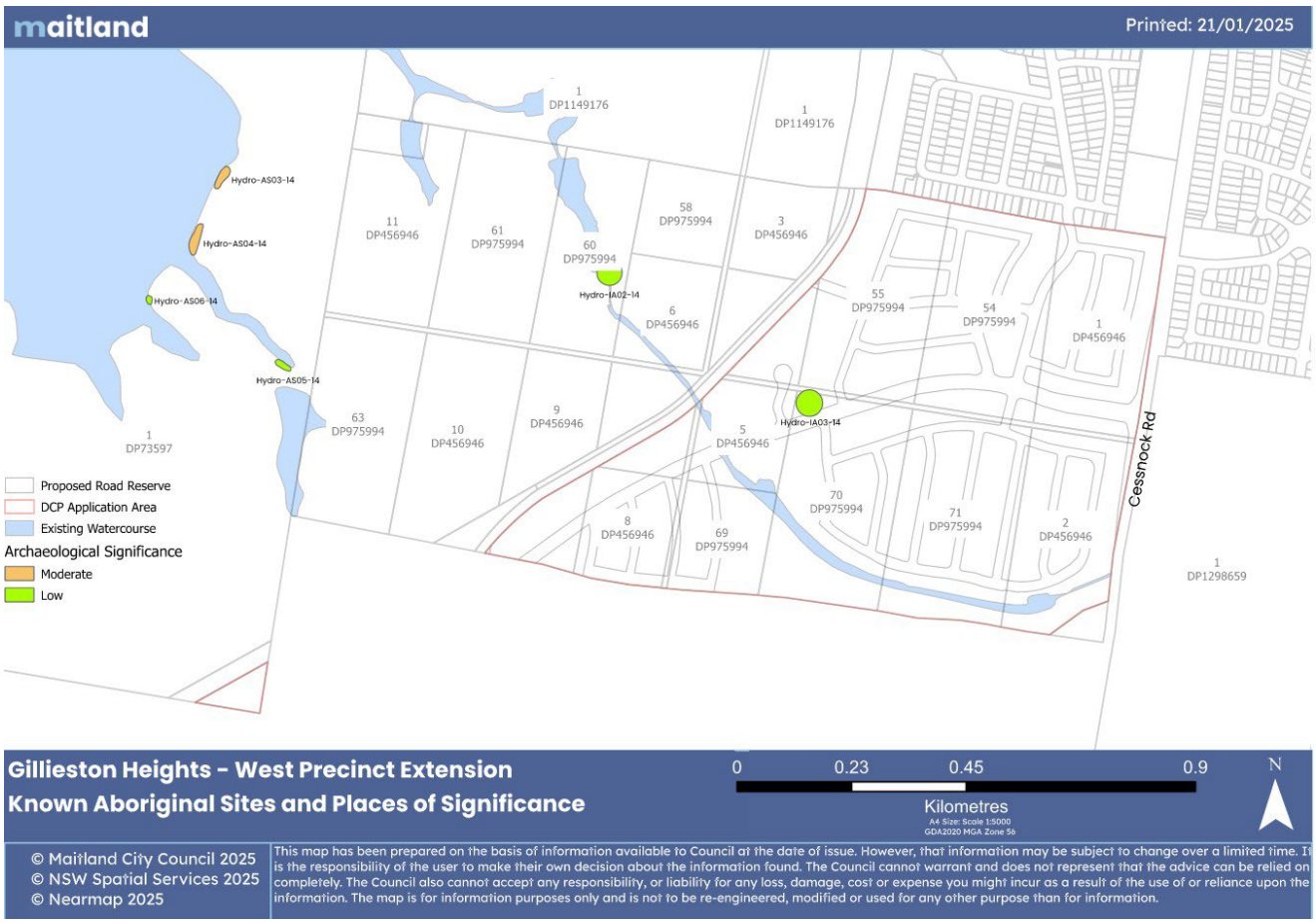


Figure 10-36: Gillieston Heights West Precinct Extension Known Aboriginal Archaeological Sites

10.4.4. Largs Urban Release Area



Figure 10-37 Largs Urban Release Area

The Largs Urban Release Area will be developed as a residential area with a range of lot sizes that reflect the constraints of the site. Individual lots will generally accommodate one and two storey dwellings. Multi dwelling housing or dual occupancy proposals should ensure that potential impacts to privacy, solar access, visual amenity, traffic management and its suitability in relation to the form of adjoining development have been considered.

A high value will be placed on retaining existing vegetation, where public safety is not at risk, and the establishment of additional landscaping will enhance the visual appearance of the area from surrounding urban and rural vantage points.

An overall Area/Precinct Plan has been prepared for this Urban Release Area, as the area is relatively compact in relation to other sites.

Staging Plan



Figure 10-38: Largs Urban Release Area Staging Plan

Area/Precinct Plan

The Largs Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

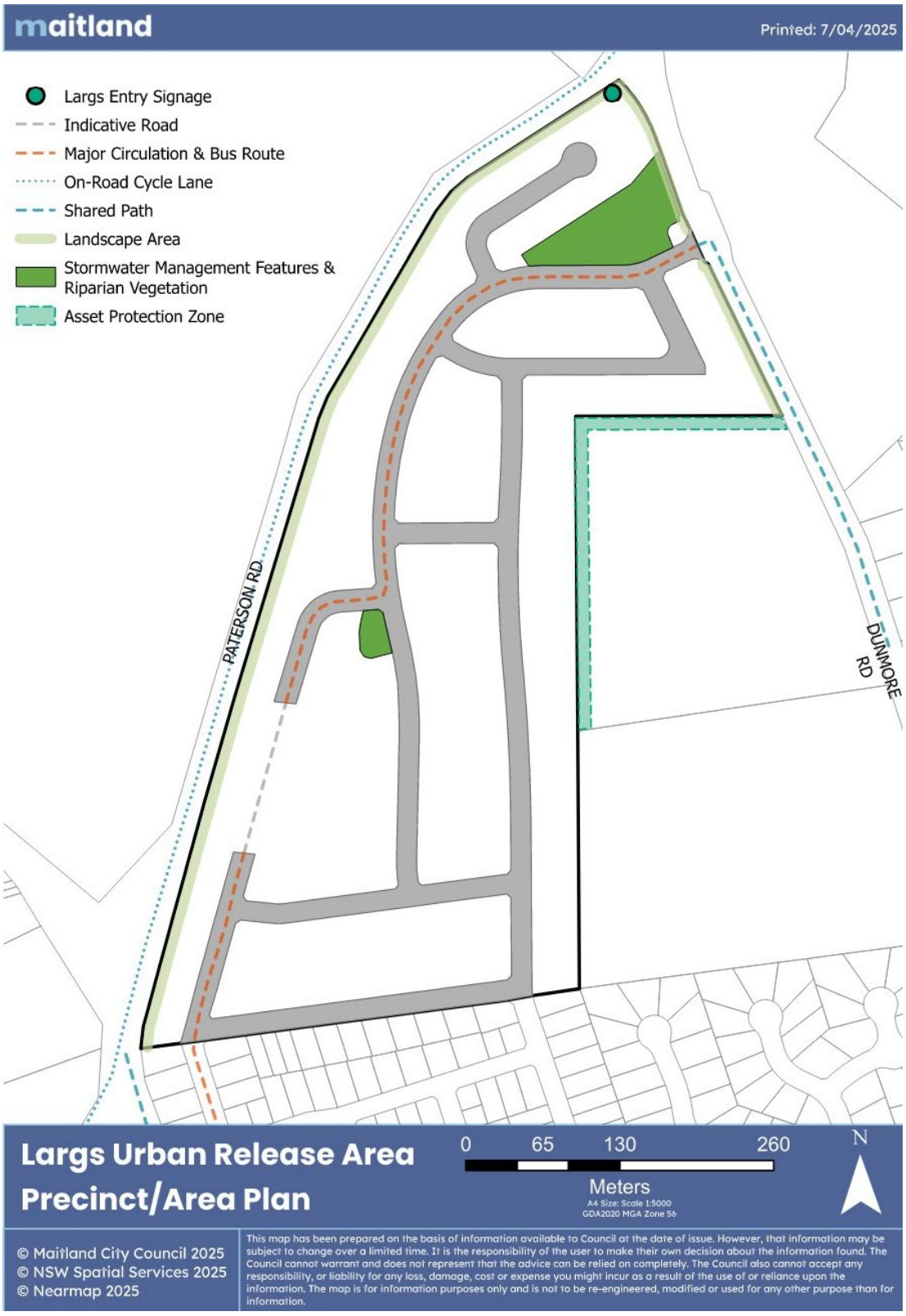


Figure 10-39: Largs Urban Release Area Precinct/Area Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Largs Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026:*

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.4.1. Staging Plan

Objectives

O.147 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.147	Where development is intended to be constructed in stages, development applications for subdivisions are to include a staged construction plan.

10.4.4.2. Transport Movement Hierarchy

Objectives

O.148 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.149 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.150 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.151 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.148 • O.149 • O.150 • O.151	Road layout and street design is to be consistent with Figure 10-39and following detailed survey and subdivision planning.
PC.2 • O.148 • O.150	No lot or development is to have direct access to Paterson Road either via an intersection or driveway access from new residential allotments.
AS.1 • O.148 • O.150	Road design is to take into account the stormwater management strategy and ensure that there will be satisfactory driveway access to new allotments, at a grade less than the maximum provided for in Council's MoES.
AS.2 • O.148 • O.149 • O.150	The transport movement hierarchy should generally be in accordance with the major circulation route, cycleways and shared paths shown on the Precinct Plan.
PC.3 • O.148 • O.151	Provision must be made for a continuous bus route through the area. The bus route shall have a minimum road reserve of 18m and carriageway of 9m.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.148 • O.150 • O.151	Suitable transport access and connectivity within the site and to adjoining areas is to be maintained at all times for motor vehicles, pedestrians, cyclists and public transport providers.

10.4.4.3. Overall Landscaping Strategy

Objectives

O.152 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.153 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.154 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.152 • O.154	Detailed landscaping plans are to be submitted with all development applications for subdivision.
PC.2 • O.153 • O.154	Plantings to achieve visual amenity and landscaping objectives are to be protected via mechanisms such as protective covenants, urban design (building setbacks, road reserves) or other options to the satisfaction of Council.
AS.1 • O.152 • O.154	Landscaping and visual amenity provisions should complement acoustic and bushfire hazard treatments.
AS.2 • O.152 • O.153 • O.154	Lots fronting Paterson and Dunmore Roads immediately adjacent to, and up to 100m from, the Paterson and Dunmore Road intersection should be of sufficient size to provide for substantial setbacks to improve visual quality.
PC.3 • O.153 • O.154	Existing vegetation is to be maintained and enhanced where possible, particularly within riparian areas and public spaces.
AS.3 • O.152 • O.153 • O.154	Gateway signage or gateway elements should be understated and refer to "Largs" rather than "Maitland" and be located at the intersection of Dunmore Road and Paterson Road.
AS.4 • O.152 • O.153 • O.154	Subdivision entry features should be separate from the Largs gateway element to avoid ambiguity.
PC.4 • O.152 • O.153 • O.154	The landscaping area to Paterson Road is to be 7.5m wide and maintained within allotments via a protective covenant. This landscaping area shall include native ground covers and shrubs to a maximum height of 1.5m so as to not hide the development but improve visual amenity. The Planting Cross-Section diagram (Figure 10-40) shows a typical cross section of vegetation plantings for the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.152 • O.153 • O.154	The landscaping area to Dunmore Road is to include the retention of existing native trees as well as additional tree planting. Building setbacks must take into account tree plantings.
AS.5 • O.152 • O.153 • O.154	Fencing within the landscaping areas is to make a positive contribution to the visual appearance of development and not detract from the provision of landscaping. Fencing should also be sensitive to the adjoining rural lands.

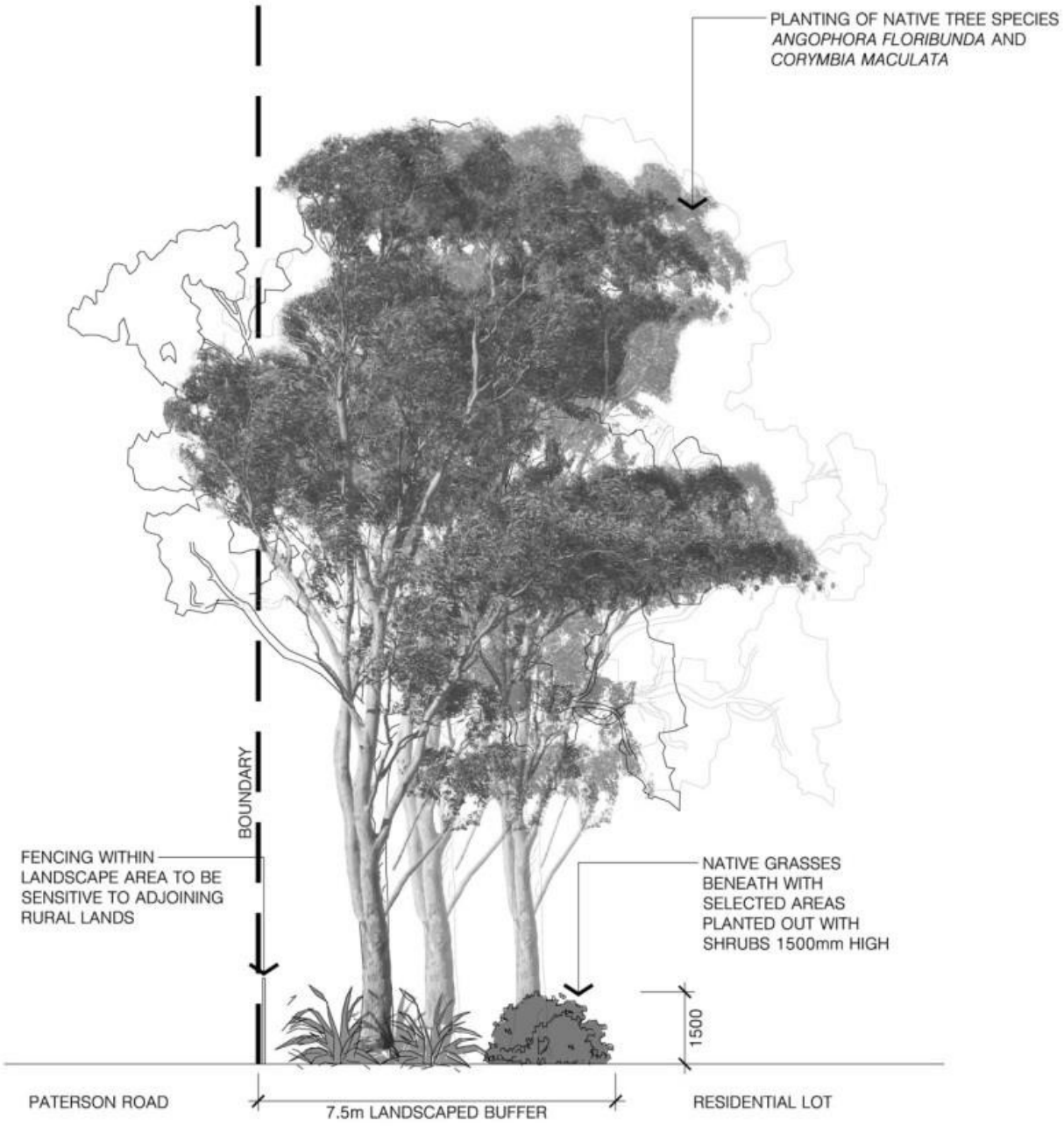


Figure 10-40: Largs - Planting Cross Section

10.4.4.4. Stormwater and Water Quality

Objectives

O.155 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.156 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.157 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

O.158 To ensure Stormwater Management facilities are located in accordance with the details provided on the Precinct Plan, or an alternative co-ordinated stormwater strategy as approved by Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.155 • O.156 • O.158	Stormwater and water quality management measures are to be provided generally in accordance with Figure 10-39.
PC.1 • O.155 • O.156	Rainwater tanks are not to be considered in the calculations for stormwater detention purposes.
PC.2 • O.156 • O.157	Adequate stormwater management measures are to be provided at all times during the sequenced release of land.
PC.3 • O.155 • O.156 • O.157 • O.158	All development applications are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development.

10.4.4.5. Amelioration of Natural and Environmental Hazards

Objectives

O.159 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.159	All constructed roads within the URA are to provide suitable flood free access to residential allotments.
PC.2 • O.159	An Asset Protection Zone (APZ) is to be provided between any development and the boundary of Lot 2 DP 32519 as identified on the Precinct Plan and in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.3 • O.159	Geotechnical investigations and appropriate amelioration responses must be submitted with development applications for subdivision to determine the following: a. Suitability of footing design and road pavement design parameters with respect to rock outcrops, soft/saturated soils, erosion potential and salinity, b. Slope stability assessment of on-site dam embankments, and c. Earthwork procedures and specifications.
PC.4 • O.159	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.4.6. Key Development Sites

Former Largs Military Camp (Lot 80 DP1112497)

Objectives

O.160 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.160	Details of site history and past analysis are to be submitted to Council with any development application for residential development on Lot 80 DP 1112497, to assess the potential for unexploded ordnance associated with the former Largs Military Camp.
PC.2 • O.160	Sub-surface investigations are to be undertaken for Lot 80 DP 1112497 for the presence of relics associated with the former Largs Military Camp, prior to commencing any development work.

10.4.5. Thornton North Urban Release Area

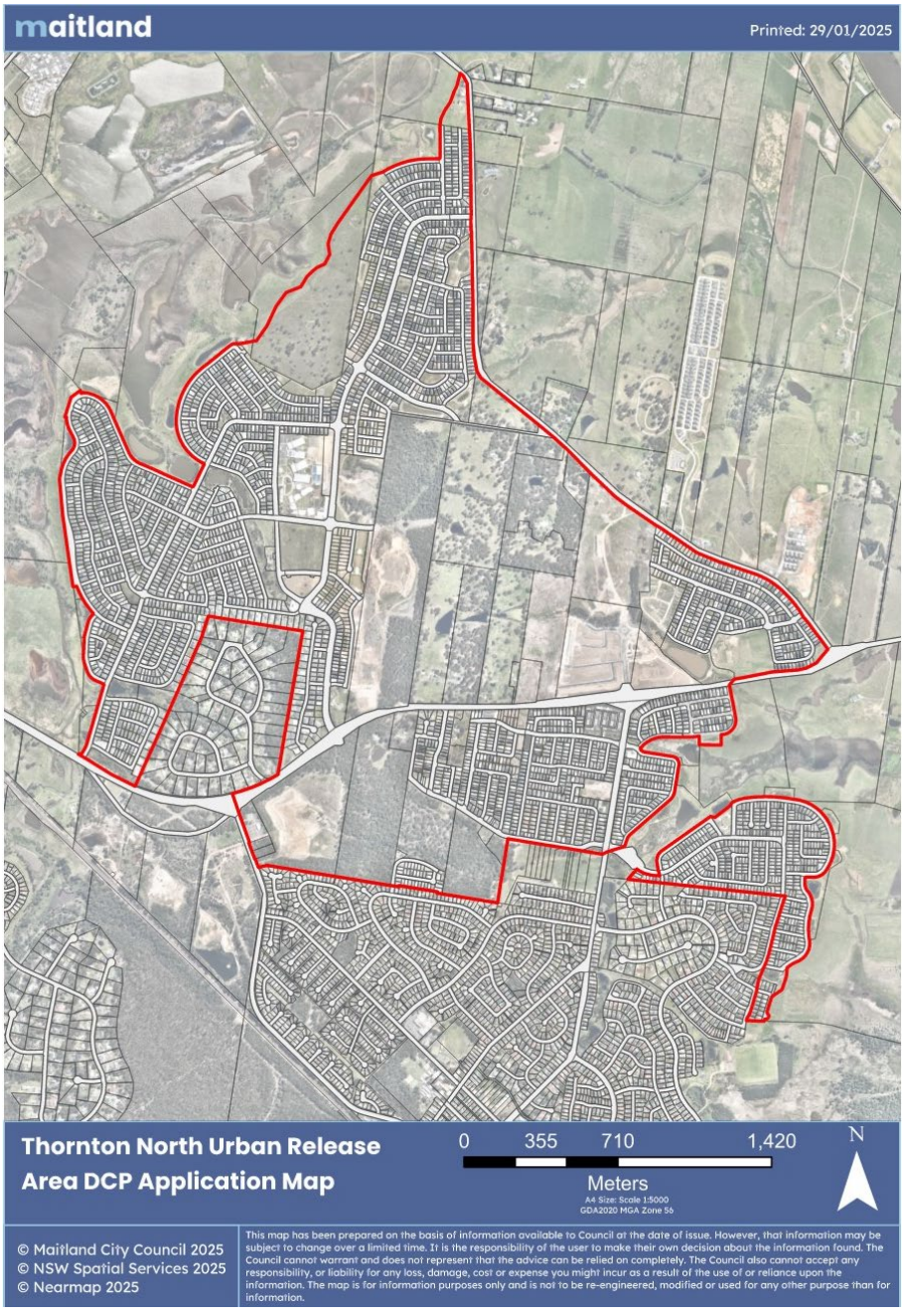


Figure 10-41: Thornton North Urban Release Area

The Thornton North Urban Release Area comprises a total of 900 hectares of land, with an approximate residential yield of 5,000 lots. The Hunter Regional Plan 2041 (NSW Department of Planning, 2022) identifies the Thornton North URA as part of the Hunter Urban Development Program and is a key site to achieve the dwelling targets for population growth in the Lower Hunter.

The proximity of the Thornton North URA to regional transport systems, including the rail corridor, the M1 Motorway and the New England Highway is fundamental to the identification of this area for urban development. A significant balance of the residential zoned land has now been developed into the suburb of Chisholm and also as a prominent urban extension to the well-established area of Thornton.

A Structure Plan and associated Infrastructure Plans (including a specific Section 7.11 Contributions Plan, *Thornton North Infrastructure Contributions Plan 2008*) have been prepared for this URA.

Thornton North Area Plan

The Thornton North Area Plan is comprised of precinct plans as shown in Figure 10-44. The provisions of this section apply to the preparation of precincts plans for and staging of the Thornton North URA.

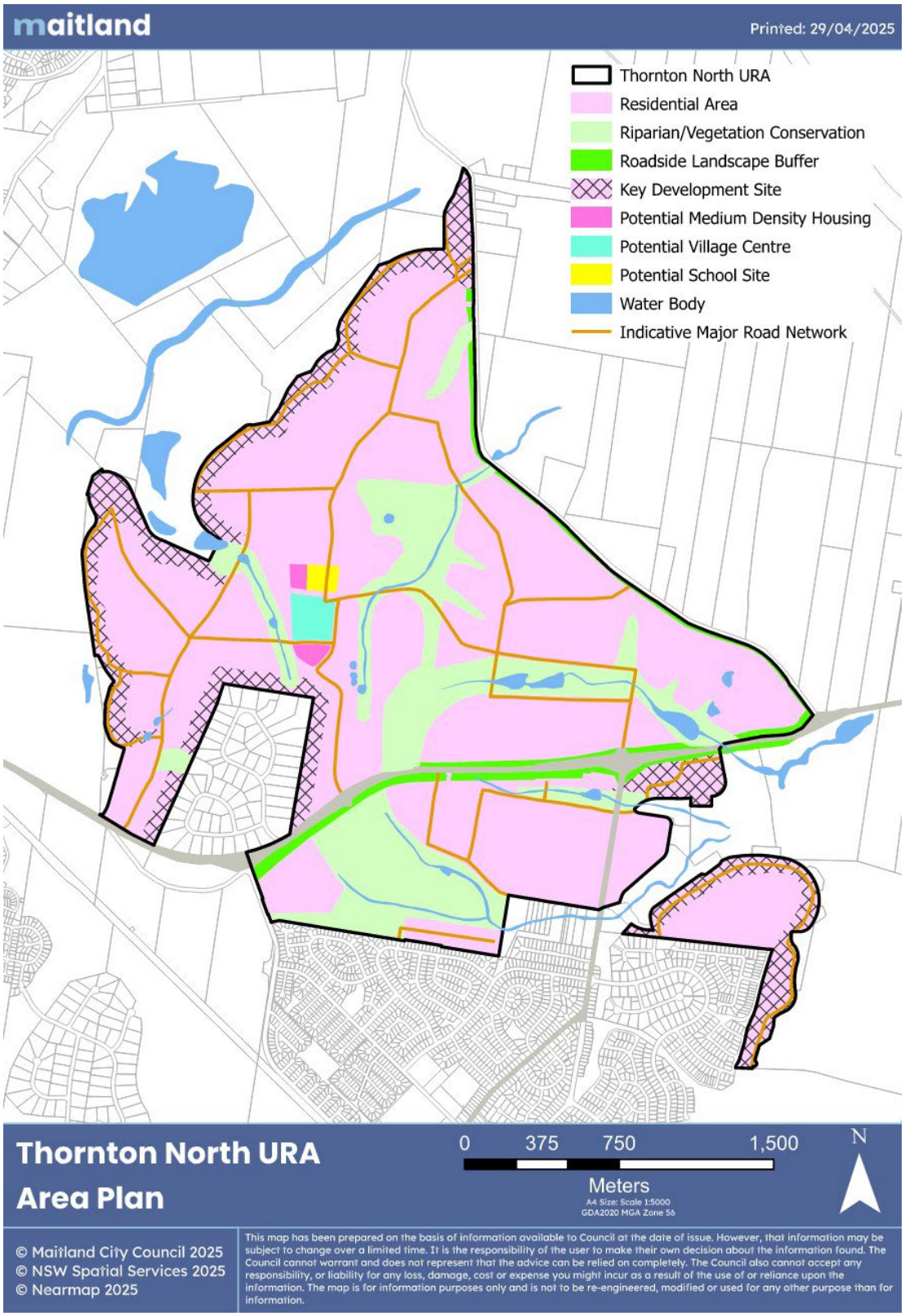


Figure 10-42: Thornton North Area Plan

Staging Plan

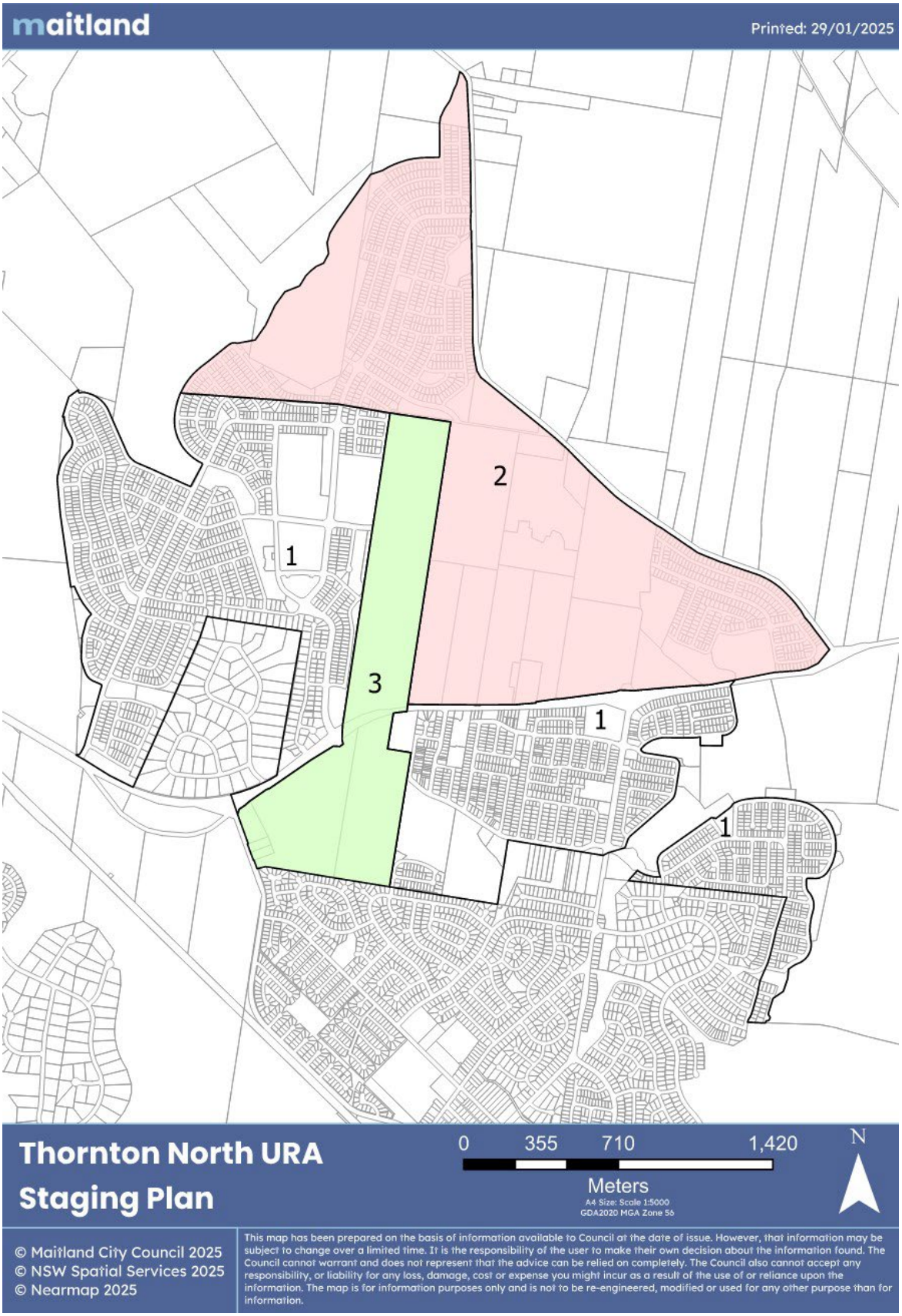


Figure 10-43: Thornton North URA Staging Plan

Precinct Plan

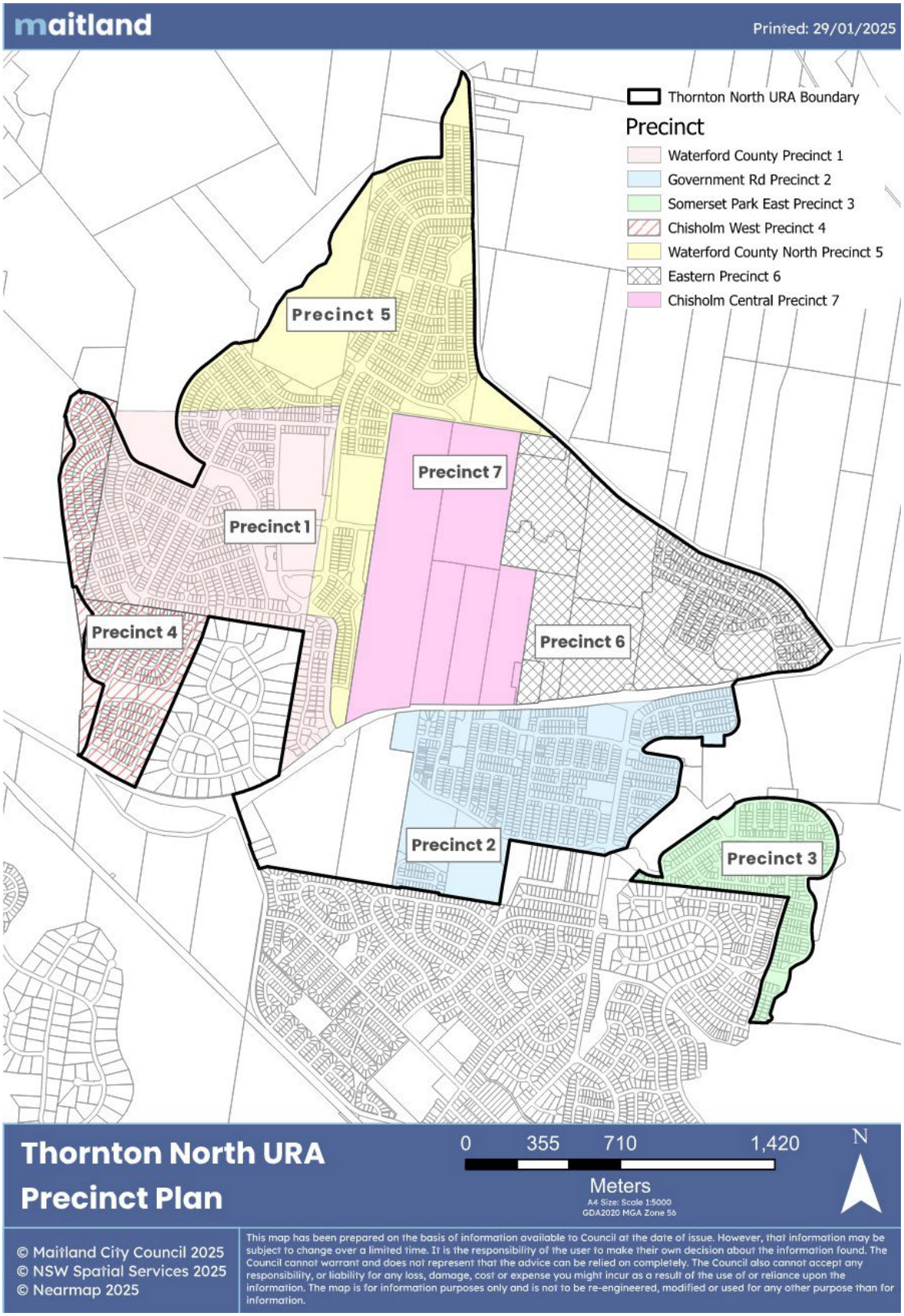


Figure 10-44: Thornton North URA Precinct Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Thornton North Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Provision of Public Facilities and Services
- Neighbourhood Commercial and Retail Uses

10.4.5.1. Staging Plan

Objectives

O.161 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.161	Staging of development should generally be in accordance with the Staging Plan as shown in Figure 10-43. The Staging Plan provides for the timely and efficient release of urban land and aligns with the precinct plans as shown in Figure 10-44.
PC.1 • O.161	Precinct Plans are to be prepared for each development area and are to correspond with the sequencing of land identified in the Thornton North Area Staging Plan. Development consent will not be issued for any development on land within the Thornton North Urban Release Area until a Precinct Plan has been prepared for the land which addresses the key considerations of Clause 6.3 of the MLEP 2011.

10.4.5.2. Transport Movement Hierarchy

Objectives

O.162 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.163 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.164 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.165 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.162 • O.163 • O.164	Each Precinct Plan is to include an overall transport movement hierarchy showing the major circulation routes and connections.
AS.1 • O.162 • O.163 • O.164	The overall movement hierarchy for each Precinct Plan should be generally consistent with Figure 10-42.
AS.2 • O.162 • O.163 • O.164	The overall pedestrian and cycleway links should be generally consistent with Figure 10-45.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.162	The primary access for residential development in Stage 1 of the Thornton North Urban Release Area is to be provided off Raymond Terrace Road or Government Road.
PC.3 • O.162	A perimeter road (with development on one side only) is to be provided around the edge of the Thornton North Urban Release Area where it adjoins flood prone land.
AS.3 • O.162	Perimeter roads should also be used adjacent to open space, and areas of high bushfire risk and visual significance.
PC.4 • O.162 • O.164	No new lot shall have direct vehicular access to Raymond Terrace Road, Government Road or Mcfarlanes Road.
AS.4 • O.162 • O.164	Subdivisions adjacent to main roads such as Raymond Terrace Road should orientate allotments and dwellings to face the main road, with suitable internal roads providing access, and suitable landscaping separating the allotment boundaries and main road.

10.4.5.3. Overall Landscaping Strategy

Objectives

O.166 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.167 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.168 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.166 • O.168	Landscaping will be required on land adjacent to major intersections, all collector roads, the main north/south Boulevard, Raymond Terrace Road and Government Road.
PC.2 • O.166 • O.168	The overall landscaping strategy is to provide for a minimum of 10m deep landscape buffering to Raymond Terrace Road, Government Road and Mcfarlanes Road (Figure 10-42).
PC.3 • O.166 • O.167 • O.168	The overall landscaping strategy is to provide a minimum 5m deep landscape buffer adjoining Timberlane Estate, within the 15m 'no development' buffer.
PC.4 • O.166 • O.167 • O.168	The overall landscaping strategy is to provide extensive tree planting to the wetland edge, with visual breaks where streets terminate in views to the wetlands.
PC.5 • O.167 • O.168	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands by orienting streets and locating public space to capture views.

10.4.5.4. Passive and Active Recreation Areas

Objectives

O.169 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.170 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.169 • O.170	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-45 and the associated *Thornton North Infrastructure Contributions Plan 2008*.

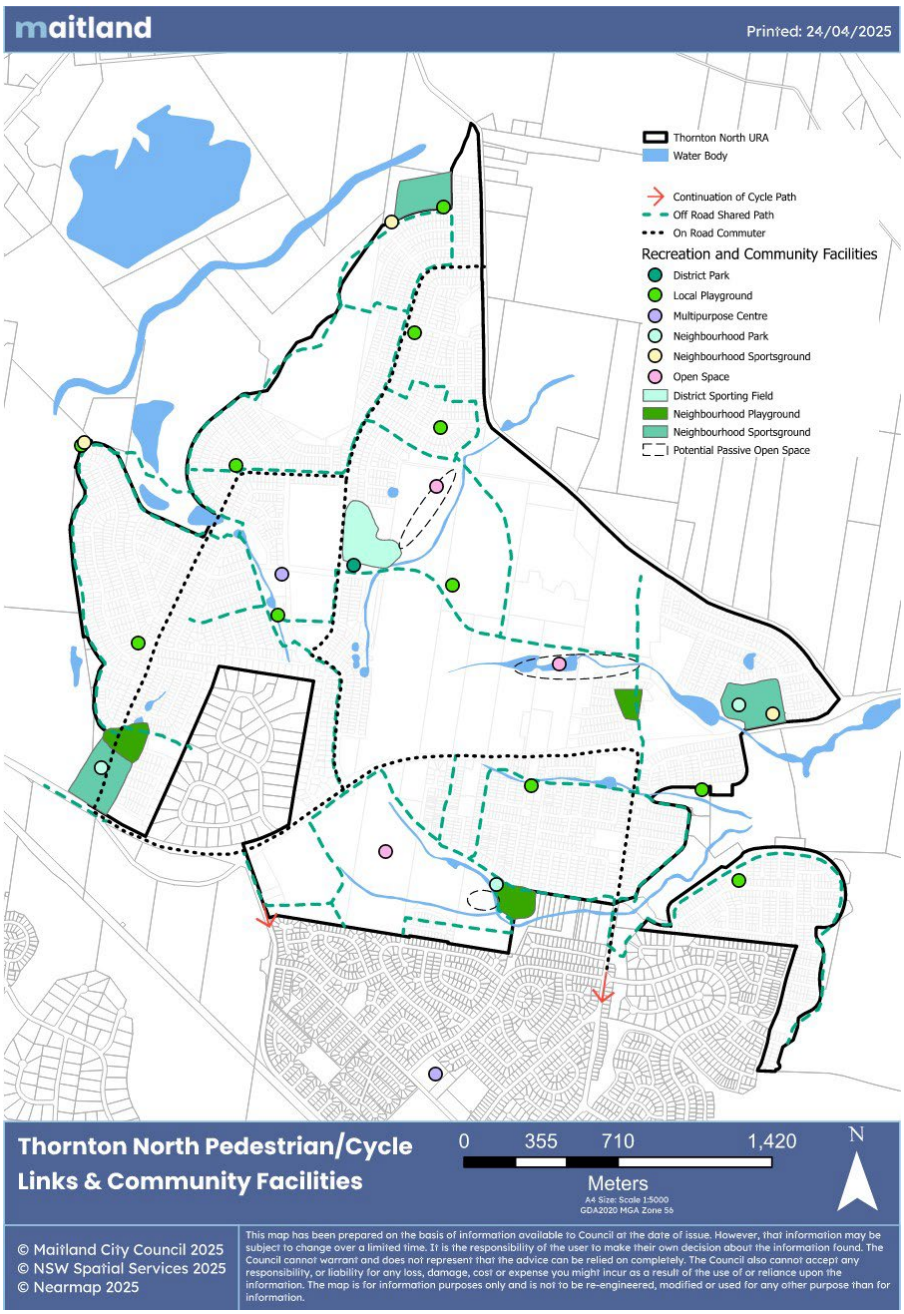


Figure 10-45: Thornton North URA Active Links, Recreation and Community Facilities

10.4.5.5. Stormwater and Water Quality

Objectives

O.171 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.172 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.173 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.171 • O.172 • O.173	The stormwater and water quality management controls are to be consistent with the Thornton North Structure Plan in the use of Water Sensitive Urban Design (WSUD).
AS.1 • O.171 • O.172	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
AS.2 • O.171	Parking areas can be located adjacent to WSUD elements where they are designed to prevent damage by vehicles. Bollards or castellated kerbs are required to allow distributed flow to WSUD elements.
PC.2 • O.171	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
AS.3 • O.171 • O.172 • O.173	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
PC.3 • O.171	No change to the minimum width of roads on account of WSUD will be supported.
PC.4 • O.171 • O.172 • O.173	Flow control measures are to be used where grades in swales exceed 4%.
AS.4 • O.171	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
AS.5 • O.171 • O.172	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage management system incorporating detention basins and/ or wetlands to alleviate stormwater peaks and retain pollutants.
AS.6 • O.171 • O.172	Wetlands should be well-designed creating an attractive and safe amenity and be highly visible for both adjoining residents and passers-by.
AS.7 • O.171	Walking paths should have frequent contact adjacent to the wetland edge.
AS.8 • O.171 • O.172	Vegetation should be designed such that generous unobstructed view of the wetland is available.
AS.9 • O.172 • O.173	Emergent macrophytes should be minimal and manageable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.10 • O.171	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.11 • O.172 • O.173	Flat grassed areas that potentially may be water-logged should be avoided.
AS.12 • O.171 • O.172 • O.173	Gullies intended to be left in their natural state should be assessed, and if necessary enhanced to offset the need for maintenance.
PC.5 • O.171 • O.172 • O.173	In general, grassed areas must be kept to a minimum for maintenance purposes, and wetland and gullies should offer a sense of ownership to the public.

10.4.5.6. Amelioration of Natural and Environmental Hazards

Objectives

O.174 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.175 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors and extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.174 • O.175	Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations, particularly from quarry operations, the railway line and traffic along Raymond Terrace Road and Government Road.
PC.2 • O.175	Independent acoustic and vibration reports are to be submitted with Precinct Plans and Development Applications for subdivision identifying potential impacts and mitigating measures.

10.4.5.7. Key Development Sites

Objectives

O.176 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.176	Each Precinct Plan is to include detailed urban design controls for the following significant development sites: • Schools, libraries and community facilities • Gateway sites • Exhibition villages • Residential areas adjoining the flood fringe • Interface area surrounding Timberlane Estate, and • Clay conservation areas, existing quarry sites and buffers.
PC.2 • O.176	Development or works within, or adjacent to the land zoned C2 Environmental Conservation are to ensure clearing of vegetation is minimised to the satisfaction of Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.176	Mechanisms are to be put in place with development to ensure the integrity and protection of established vegetation and riparian areas zoned C2 Environmental Protection. Details are to be included in all Development Applications affecting the C2 zone.
PC.4 • O.176	Development within residential zones must be designed and planned to ensure any Asset Protection Zones and the like are not required or needed in the C2 Environmental Conservation Zone.
PC.5 • O.176	Precinct Plans are to identify and suitably accommodate large rural allotments to enable the sustainable management of the rural flood fringe areas.
PC.6 • O.176	A limited number of rural dwellings will be considered on flood free areas. In cases where they are proposed, rural dwelling sites are to be located at least 0.5m above the 1% AEP flood level, and access to such dwellings to be flood free with minimal fill or earthworks.
PC.7 • O.176	Fencing of allotments are to be of post and wire style (or similar) so as to minimise any visual impacts of development.
PC.8 • O.176	Development adjacent to the rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.
PC.9 • O.176	Development adjacent to Raymond Terrace Road and Government Road must be orientated and dimensioned so as to make provision for housing of a high-quality architectural appearance.
AS.1 • O.176	Housing adjacent to Raymond Terrace Road and Government Road should be appropriately designed so as to provide a high-quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls.
PC.10 • O.176	Development on land adjoining the existing Timberlane Estate must be suitably located and designed so as to maintain view corridors and minimise any impacts on the existing neighbourhood amenity.

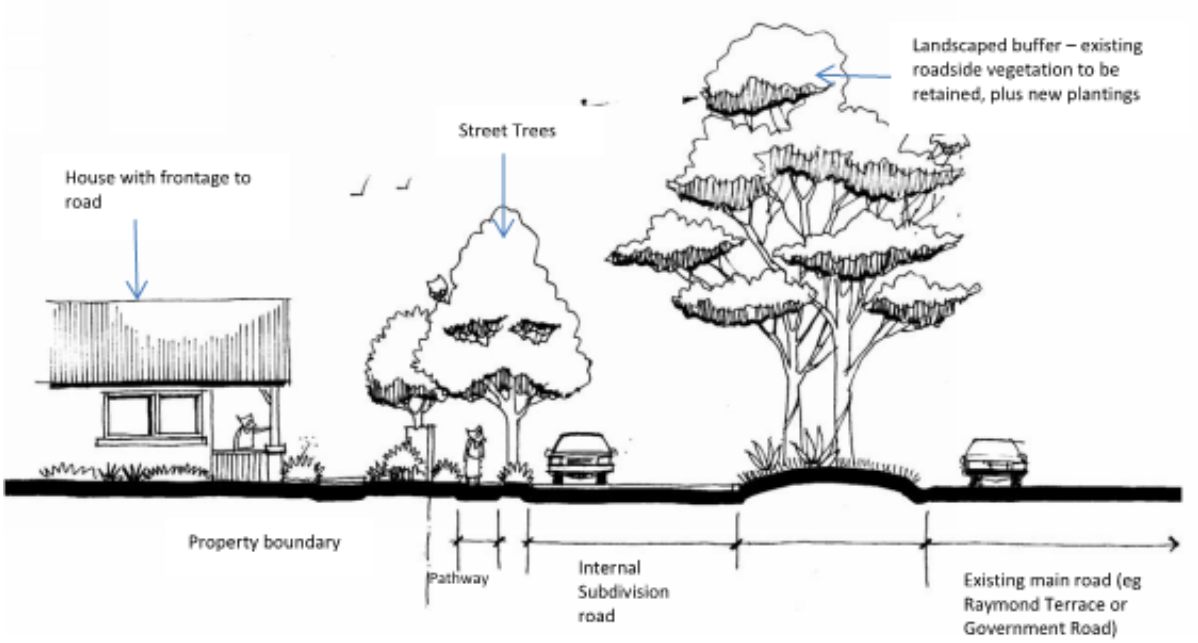


Figure 10-46: Subdivision design adjacent to Raymond Terrace Road and Government Roads.

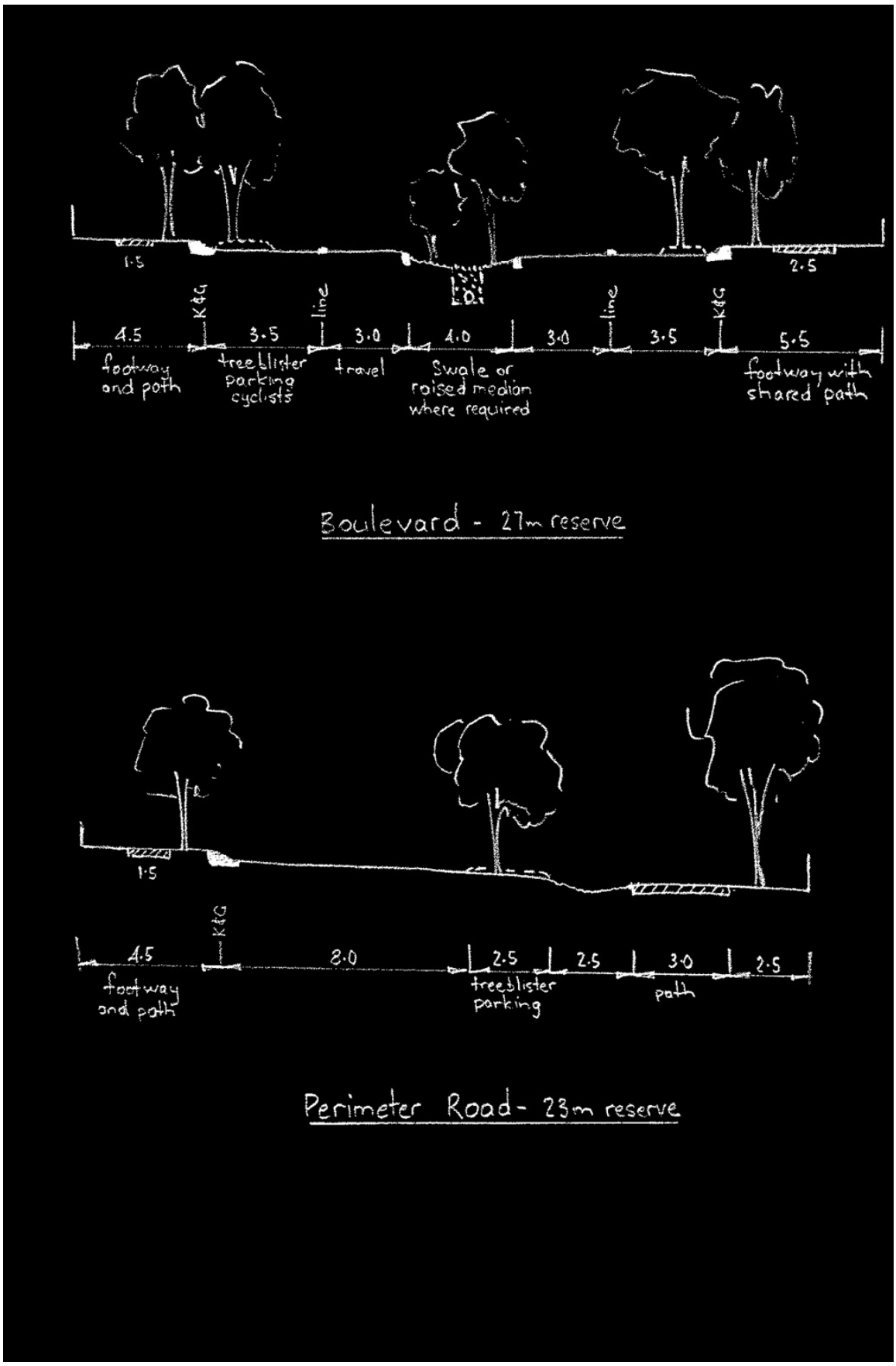


Figure 10-47: Thornton North - Typical cross-sections for WSUD drainage swales.

Development Requirements – Waterford County Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Waterford County Precinct. No specific requirements have been made for the following matters within the Waterford County Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

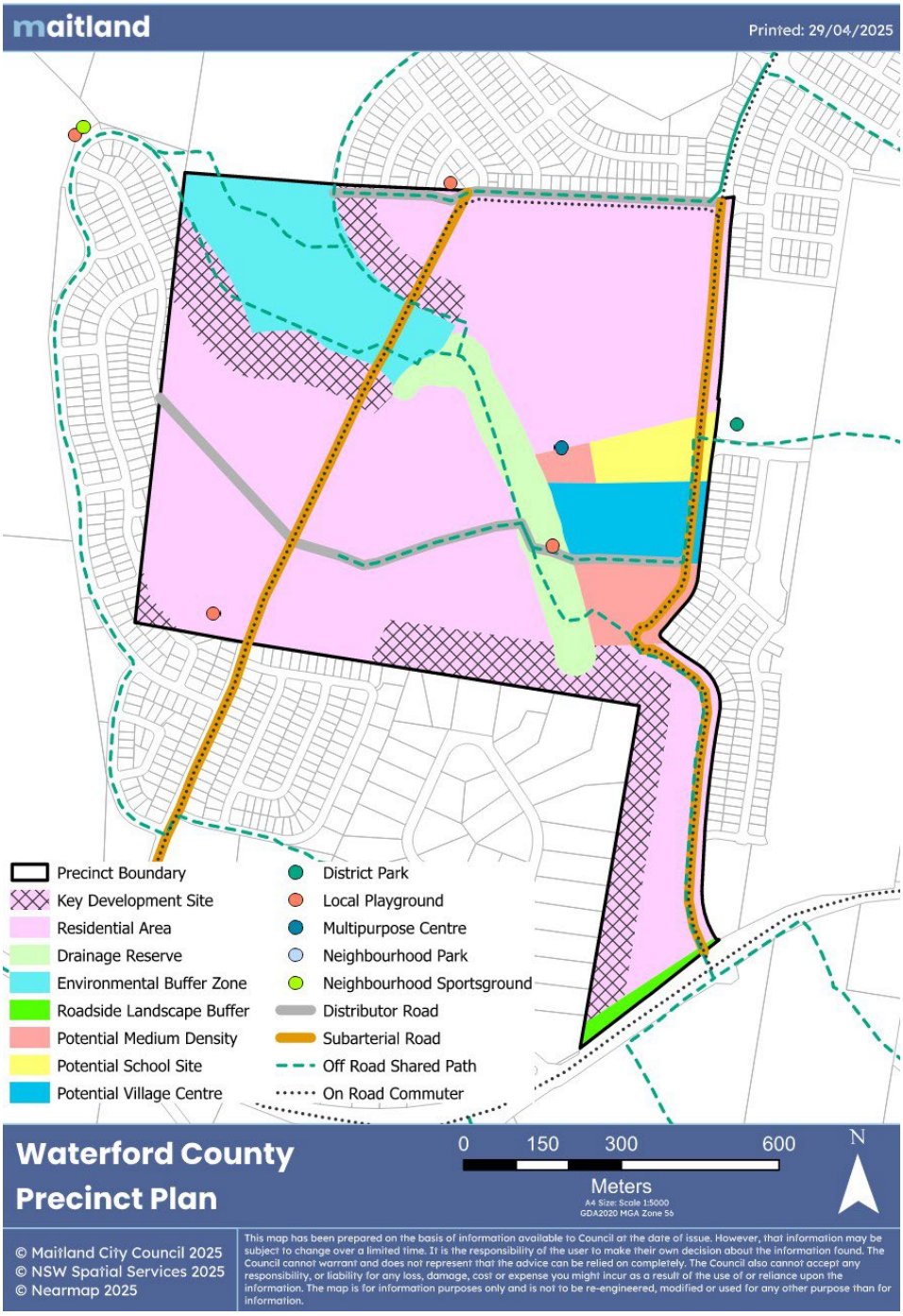


Figure 10-48: Waterford County Precinct Plan

10.4.5.8. Staging Plan

Objectives

O.177 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.177	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.5.9. Transport Movement Hierarchy

Objectives

O.178 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.179 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.180 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.181 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.178 • O.180	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-48.
PC.1 • O.179 • O.180	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the Chisholm Local Activity Centre, open space and community facilities and to link to adjoining precincts generally as shown in Figure 10-48.
PC.2 • O.179 • O.180	No direct vehicular access is to be provided onto Raymond Terrace Road from lots adjoining Raymond Terrace Road.
AS.2 • O.179 • O.181	Medium density and small lot housing should only be provided in locations with high amenity, including land within 400m of the Chisholm Local Activity Centre, land adjoining or adjacent open space and land adjoining or adjacent to a bus route.
PC.3 • O.181	Subdivision design is to provide lot frontages that address streets, reserves, open space and drainage areas.
AS.3 • O.181	Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the landscape of this area.

10.4.5.10. Overall Landscaping Strategy

Objectives

O.182 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.183 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.184 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.182	The overall landscaping strategy within the Precinct should be generally consistent with Figure 10-48.
PC.1 • O.182	A 10-metre-wide landscaped buffer is required to be provided and preserved along Raymond Terrace Road.
PC.2 • O.182 • O.183	Development applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Raymond Terrace Road and adjoining rural properties, and landscape/threshold treatment of key intersections.
PC.3 • O.183	Landscaping plans are to also show how open space areas and trunk drainage are to be located and landscaped.
PC.4 • O.183 • O.184	A Visual and Scenic Impact Assessment is to accompany development applications for subdivisions and development that are likely to have a visual impact on the area and may include proposed ameliorative measures to be incorporated within the development.

10.4.5.11. Passive and Active Recreation Areas

Objectives

O.185 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.186 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.185 • O.186	Passive and active recreational space is to be provided generally in accordance with Figure 10-48.
PC.1 • O.185 • O.186	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

10.4.5.12. Stormwater and Water Quality

Objectives

O.187 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.188 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.189 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.187 • O.189	Stormwater Management facilities are to be generally provided in accordance with Figure 10-48.
PC.2 • O.188 • O.189	Development applications for subdivision are to be accompanied by a Stormwater Management Plan identifying both quantity and quality controls.

10.4.5.13. Key Development Sites

Objectives

O.190 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.190	Key Development Sites are to be located generally in accordance with Figure 10-48.
PC.1 • O.190	Development of, and adjoining Timberlane Estate are to be designed and located so as to minimise bulk and scale, thereby maintaining view corridors and minimising any impacts to the existing rural residential amenity.
PC.2 • O.190	Allotments immediately adjoining the western and northern boundaries of Timberlane Estate must have a minimum lot size of 1500m^2 and average minimum of 1800m^2, with building restrictions placed on the land titles so as not to allow any dwellings and/ or structures within 15m of boundaries adjoining Timberlane Estate and 5m side boundary setbacks, in order to maintain view corridors and minimise and adverse impacts on the rural/residential amenity.
PC.3 • O.190	Detailed landscaping strategies are to be submitted with all development applications for land adjoining Timberlane Estate, including plantings and fencing. A 5m landscape buffer is to be established and maintained along the adjoining boundary to Timberlane Estate.
PC.4 • O.190	Only single-storey dwellings will be permitted on lots adjoining Timberlane Estate. Appropriate building restrictions are to be placed on the title of each lot.
PC.5 • O.190	Building envelopes, detailing the required setbacks, are to be specified in any application to subdivide land adjoining Timberlane Estate.
PC.6 • O.190	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.7 • O.190	An off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.8 • O.190	Fencing of allotments is to be of post and wire style (or similar) so as to minimise any visual impacts of development.

Development Requirements – Government Road Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Government Road Precinct. No specific requirements have been made for the following matters within the Government Road Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

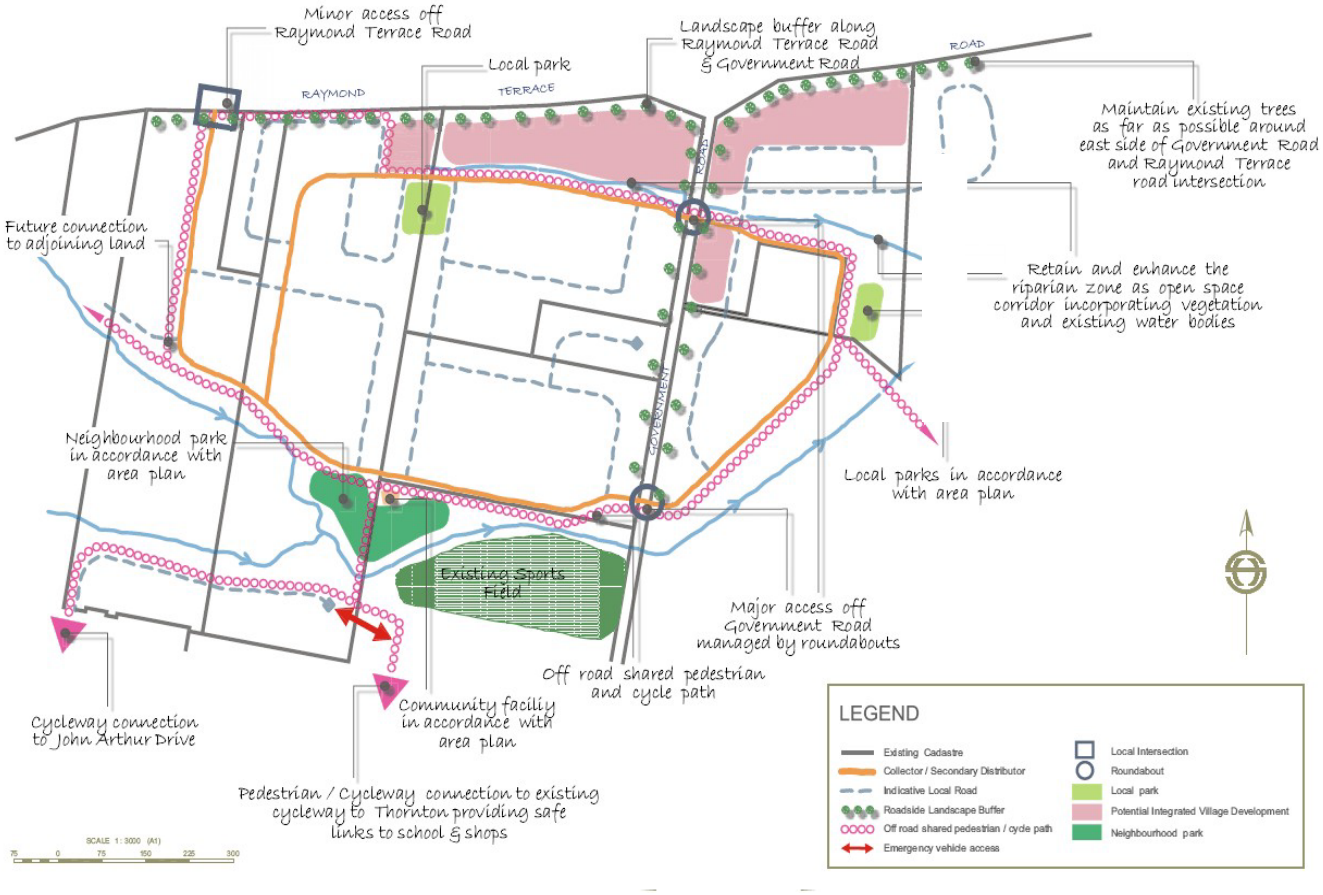


Figure 10-49: Government Road Precinct Plan

10.4.5.14. Staging Plan

Objectives

O.191 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.191	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.15. Transport Movement Hierarchy

Objectives

O.192 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.193 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.194 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.195 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.192	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-49.
PC.1 • O.193	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link open space and community facilities and to link to adjoining precincts generally as shown on Figure 10-49.
PC.2 • O.194	Perimeter roads incorporating landscape buffers are to be provided to Raymond Terrace Road and Government Road as shown on Figure 10-49.
PC.3 • O.194	No direct vehicular access is to be provided onto Government Road or Raymond Terrace Road from lots adjoining these roads.
AS.2 • O.195	Subdivision design is to accommodate lot frontages that address streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing shall be of an open style and of consistent materials and colour. Fencing shall not form a prominent element in the landscape of this area.

10.4.5.16. Overall Landscaping Strategy

Objectives

O.196 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.197 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.198 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.196	The overall landscaping strategy within the Precinct should be generally consistent with Figure 10-50 and landscaping plans.
PC.1 • O.196	A 10m wide landscaped buffer is required along Raymond Terrace Road and Government Road.
PC.2 • O.196	Development Applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Raymond Terrace Road, Government Road and adjoining rural properties, and landscape/threshold treatment of key intersections.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.197 • O.198	Landscaping plans are to also show how open space areas and trunk drainage are to be located and landscaped.
PC.4 • O.197 • O.198	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivisions and development that are likely to have a visual impact on the area, and may include proposed ameliorative measures to be incorporated within the development.

10.4.5.17. Passive and Active Recreation Areas

Objectives

O.199 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.200 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.199 • O.200	Passive and active recreation space are to be provided generally in accordance with Figure 10-50.
PC.1 • O.199 • O.200	Development applications for subdivision that include areas of passive and active recreational space (as identified in the Precinct and Landscaping Plans) are to include detailed designs in the overall landscaping strategy.

10.4.5.18. Stormwater and Water Quality

Objectives

O.201 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.202 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.203 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.201	Stormwater Management facilities are to be generally provided in accordance with the Landscaping Plan.
PC.1 • O.201 • O.202 • O.203	Development applications will be accompanied by a Stormwater Management Plan which is generally consistent with the report by Peter Sullivan and Associates (May, 2008) that established the stormwater management strategy for the Precinct.

10.4.5.19. Key Development Sites

Corner of Raymond Terrace Road and Government

Objectives

O.204 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.204	Any development proposed on land at the intersection of Raymond Terrace Road and Government Road is to be integrated with the existing vegetation community and provide for the retention of the majority of trees. A site-specific landscape plan must accompany any development application for this area addressing retention, integration and enhancement of the vegetation community.
PC.2 • O.204	The 10m wide landscape buffer required for lots adjoining Government Road and Raymond Terrace Road is to be contained wholly within the affected lots and details are to be provided in a landscape plan with any development application. Where a supporting acoustic report for the development of the land identifies a requirement for noise attenuation, it should generally include a combination of earth mounding and fencing and details are also to be provided in the landscape plan.
PC.3 • O.204	Fencing of allotments along the boundary of Raymond Terrace Road or Government Road is to be of consistent materials and colour and must form an integral part of the landscape plan provided with any development application. Fencing should not be a prominent element in the landscape along either road corridor.

Rural Land Flood Fringe Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.204	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.5 • O.204	An off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.6 • O.204	Any fencing of allotments forward of the building line is to be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.
PC.7 • O.204	Additional landscaping to the perimeter of development fronting the floodplain/rural land east of Government Road is to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any development application.

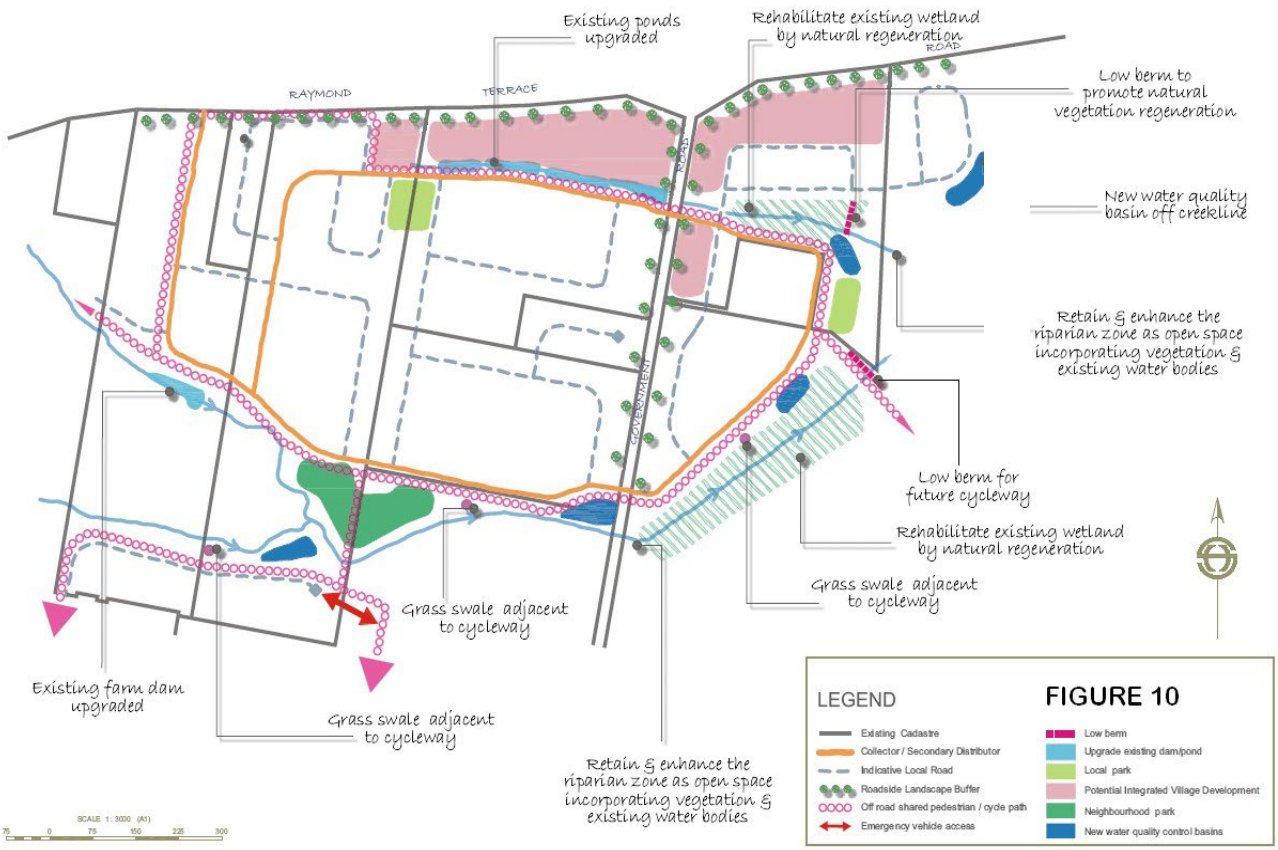


Figure 10-50: Thornton North - Government Road Precinct - Landscaping Plan

Development Requirements – Somerset Park East Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Somerset Park East Precinct. No specific requirements have been made for the following matters within the Somerset Park East Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

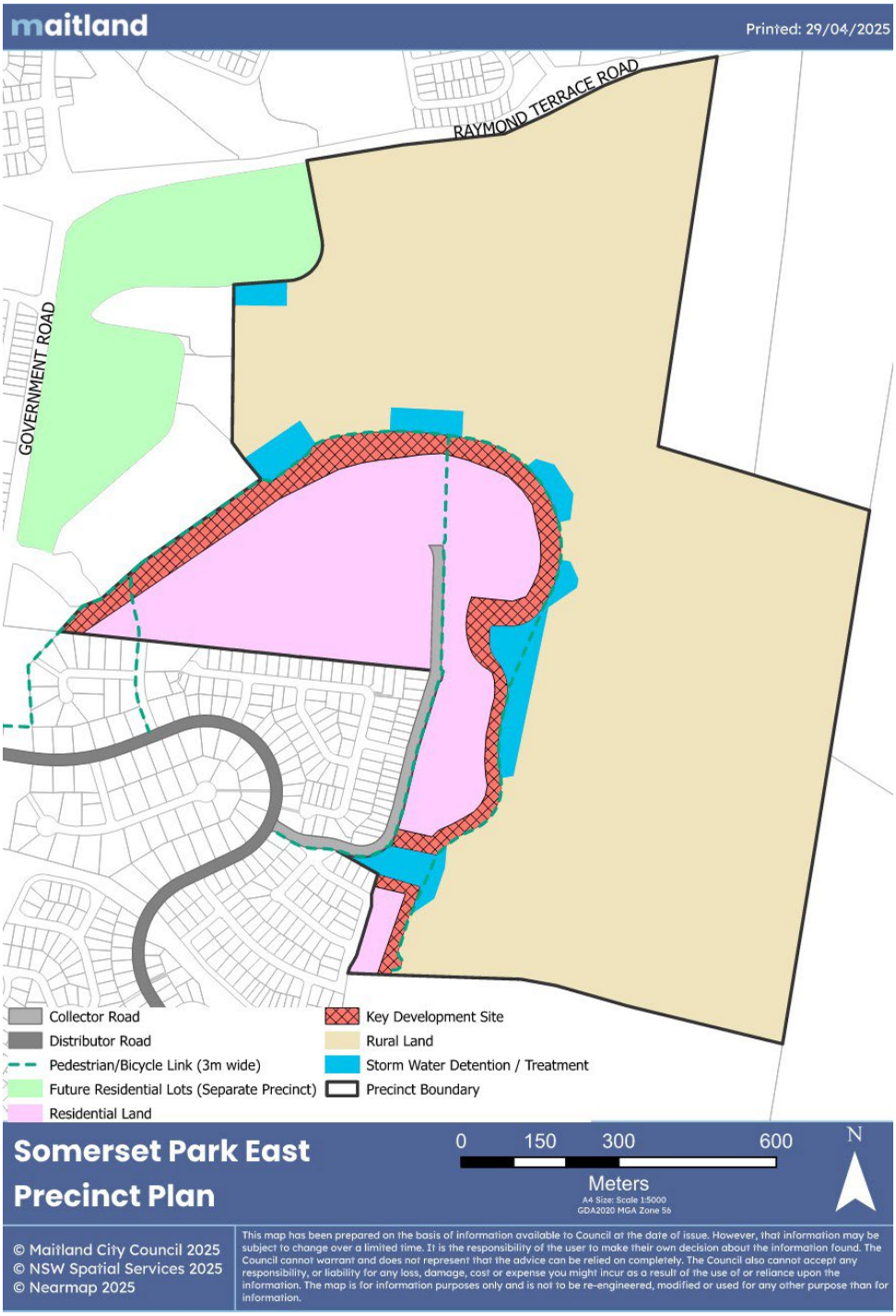


Figure 10-51: Somerset Park East Precinct Plan

10.4.5.20. Staging Plan

Objectives

O.205 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.205	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.21. Transport Movement Hierarchy

Objectives

O.206 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.207 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.208 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.209 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.206	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-51.
PC.1 • O.206 • O.207	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link open space and community facilities and to link to adjoining precincts generally as shown on Figure 10-51.
AS.2 • O.208 • O.209	Medium density and small lot housing should only be provided in locations with high amenity, including land adjoining or adjacent open space and land adjoining or adjacent to a bus route.
PC.2 • O.209	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing will not form a prominent element in the landscape of this area.

10.4.5.22. Overall Landscaping Strategy

Objectives

O.210 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.211 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.212 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.210	Development Applications for subdivision will include detailed landscaping plans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	These are to identify appropriate street tree species, fencing treatments to adjoining rural properties, and landscape/threshold treatment of key intersections.
PC.2 • O.210 • O.211	Landscaping plans are to demonstrate how open space areas and trunk drainage are to be located and landscaped.
PC.3 • O.211 • O.212	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivisions and development that are likely to have a visual impact on the area and may include proposed ameliorative measures to be incorporated within the development.

10.4.5.23. Passive and Active Recreation Areas

Objectives

O.213 Neighbourhoods are conveniently located open space areas that offer recreational opportunities for residents, accessible within walking distance from each residence.

O.214 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.213 • O.214	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-51.
PC.1 • O.213 • O.214	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

10.4.5.24. Stormwater and Water Quality

Objectives

O.215 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.216 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.217 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.215 • O.216	Development applications for subdivisions are to be accompanied by a Stormwater Management Strategy identifying both quality and quantity controls.
PC.2 • O.215 • O.217	Stormwater management facilities such as swales, bio-retention (dry) basins and constructed wetlands are to be positioned and maintained “off-line”.

10.4.5.25. Key Development Sites

Rural Land Flood Fringe Interface

Objectives

O.218 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.218	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.2 • O.218	A 3m wide off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road (except in Stage 1 off Yaldara Avenue where it is to be provided on the upper side) to create a continuous pathway linking with existing and proposed pedestrian networks and public open space.
PC.3 • O.218	Additional landscaping to the perimeter of development fronting the floodplain/rural land and to the proposed water management basins is to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any relevant development application.
PC.4 • O.218	Any fencing of allotments forward of the front building line must be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.

Development Requirements – Chisholm West Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm West Precinct. No specific requirements have been made for the following matters within the Chisholm West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

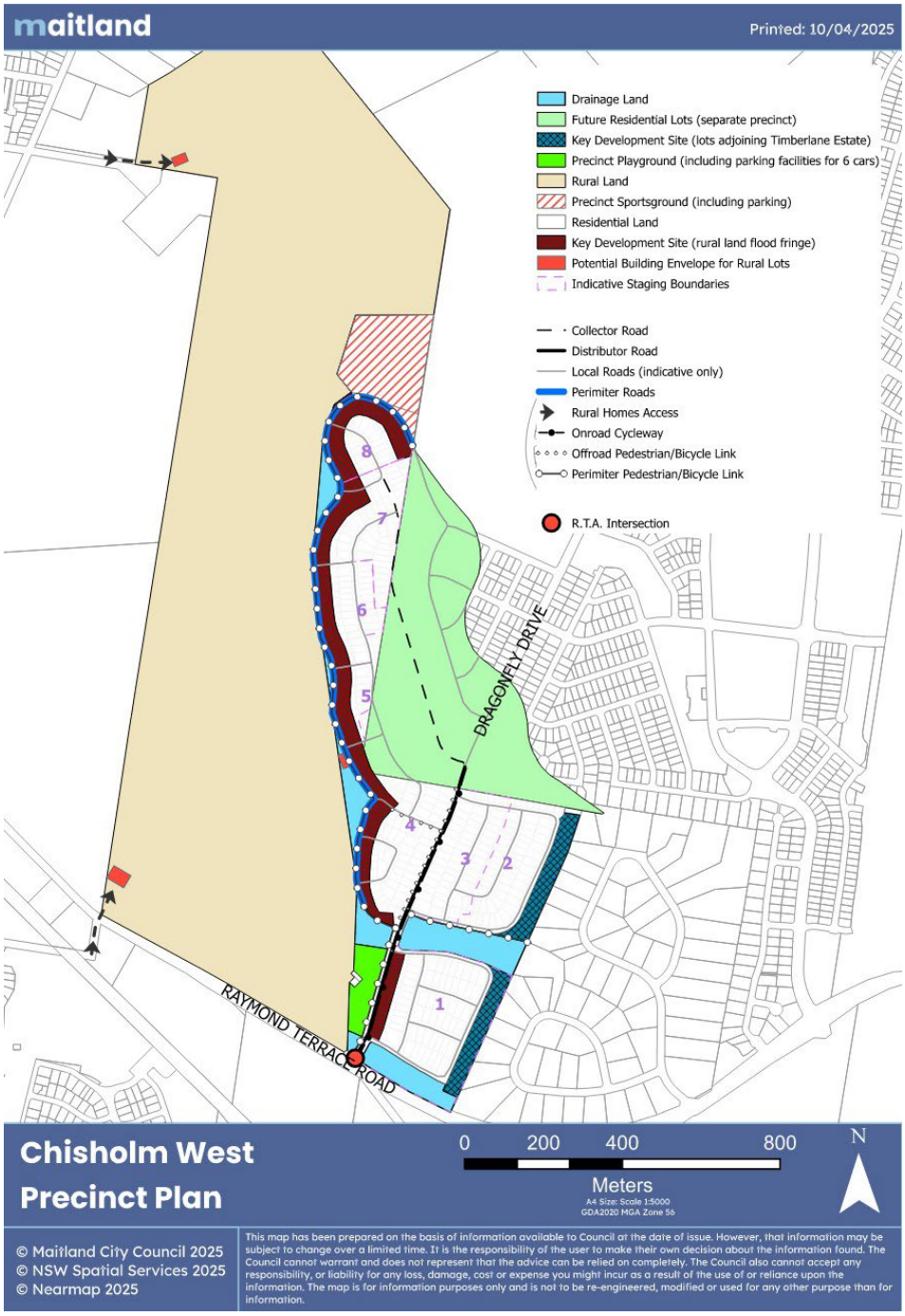


Figure 10-52: Chisholm West Precinct Plan

10.4.5.26. Staging Plan

Objectives

O.219 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.219	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.27. Transport Movement Hierarchy

Objectives

O.220 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.221 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.222 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.223 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.220	The layout, hierarchy and design of major streets within the Precinct is to be generally consistent with Figure 10-52.
AS.2 • O.220 • O.223	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions and greater regard to the topography.
PC.1 • O.221 • O.222	A distributor road is to be provided through the site in the location identified in Figure 10-52. The road is to have a total minimum width of 23m (4.5m/13m/5.5m) and is to make provision for services, recycled water (within a suitable footway allocation), a 2.5m off-road cycleway on the western side, a 1.5m footpath on the eastern side and an on-road commuter cycleway.
PC.2 • O.222	A signalised intersection is to be provided at the intersection of Raymond Terrace and the distributor road in accordance with the Thornton North Contributions Plan 2008 and the requirements of the NSW Roads and Traffic Authority, generally in the location shown on Figure 10-52.
PC.3 • O.220 • O.222	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to the proposed playground and sports field and to link to adjoining precincts generally as shown on Figure 10-52.
PC.4 • O.223	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the visual landscape of this area.
AS.3 • O.223	Subdivision layout and lot orientation should maximise privacy, private open space areas, solar access and energy efficiency. In this regard, minor streets should generally be aligned east/west, subject to site constraints such as topography.

10.4.5.28. Overall Landscaping Strategy

Objectives

O.224 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.225 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.226 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.224 • O.225	Development Applications for subdivision are to include a general design of how the open space areas are to be incorporated into the subdivision of the precinct.
PC.2 • O.226	Landscaping of the drainage land adjacent to Raymond Terrace Road is be undertaken in accordance with the landscape plan for the Chisholm West Precinct.

10.4.5.29. Passive and Active Recreation Areas

Objectives

O.227 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.228 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.227 • O.228	A precinct sportsground at 4.2ha, a precinct playground at 1.8ha and a local playground at 0.5ha are to be provided within this Precinct in accordance with the Thornton North Section 7.11 Contributions Plan and the general locations identified in the Precinct Plan.

10.4.5.30. Stormwater and Water Quality

Objectives

O.229 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.230 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.231 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.229 • O.230 • O.231	Stormwater Management facilities such as swales, detention basins and constructed wetlands are to be provided generally within the areas identified on Figure 10-52.
PC.1 • O.229 • O.231	Development applications for subdivision are to be accompanied by a Stormwater Management Plan identifying both quantity and quality controls in accordance with Council's Manual of Engineering Standards (MoES).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.230 • O.231	All stormwater facilities are to be dedicated to Council as part of the relevant development application.

10.4.5.31. Key Development Sites

Land adjoining Timberlane Estate

Objectives

O.232 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.232	Development of land adjoining Timberlane Estate should be designed and located to minimise bulk and scale, thereby maintaining view corridors and minimising any impacts to the existing rural residential amenity.
PC.1 • O.232	Allotments immediately adjoining the western and northern boundaries of Timberlane Estate must have a minimum lot size of 1500m^2 and average minimum of 1800m^2. Building restrictions are to be placed on the land titles of the affected properties prohibiting the erection of any dwellings within 15m of boundaries adjoining Timberlane Estate and 5m side boundary setbacks, in order to maintain view corridors and minimise any adverse impacts on the rural/residential amenity.
PC.2 • O.232	Building envelopes, detailing the required setbacks, are to be specified in any application to subdivide land adjoining Timberlane Estate.
PC.3 • O.232	Detailed landscaping strategies are to be submitted with all development applications for land adjoining Timberlane Estate, including plantings and fencing. A 5m landscape buffer is to be established and maintained along the adjoining boundary to Timberlane Estate. A restriction is to be placed on the title of affected properties indicating no structures are to be located within this area.
PC.4 • O.232	Only single storey dwellings will be permitted on lots adjoining Timberlane Estate to maintain view lines and amenity. Appropriate building restrictions are to be placed on the title of each lot.

Rural Land Flood Fringe Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.232	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural or drainage land in accordance with Figure 10-52, Figure 10-53, and Figure 10-54.
PC.6 • O.232	A 3m wide shared pathway are to be provided on the lower (non-development) side of the perimeter road in accordance with Figure 10-53 and Figure 10-54. This pathway is to extend through to the boundary of the Timberlane Estate as shown on Figure 10-52.
PC.7 • O.232	Any fencing of allotments forward of the front building line are to be an open style of consistent design, material and colour so as not to dominate the landscape and minimise visual impact.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.232	Landscaping is to be provided along the perimeter road and to development fronting the floodplain/rural land and the proposed water management basins to filter views of the new development across the floodplain. Details are to be provided in the landscape plan submitted with the applicable development application.

Flood Fringe Rural Allotments

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.232	The Precinct Plan identifies suitable sites (building envelopes) for future dwellings on large rural allotments, which have been located to maximise views, amenity and effective management of the floodplain.

Land adjoining Raymond Terrace Road and Main Northern Railway

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.232	A 10m wide landscape buffer is to be provided within the drainage reserve adjoining Raymond Terrace Road and is to include a combination of earth mounding, acoustic fencing and vegetation. Plans showing details of this treatment are to be submitted with any development application to subdivide Stage 1 of this Precinct.
PC.11 • O.232	Residential subdivision and associated development is to be designed so as to comply with the relevant standards and criteria for noise and vibration.
PC.12 • O.232	An acoustic report is to be submitted with any development application for the subdivision of land adjacent to Raymond Terrace Road detailing the necessary measures to mitigate the impact of noise from Raymond Terrace Road and the Main Northern Railway line.

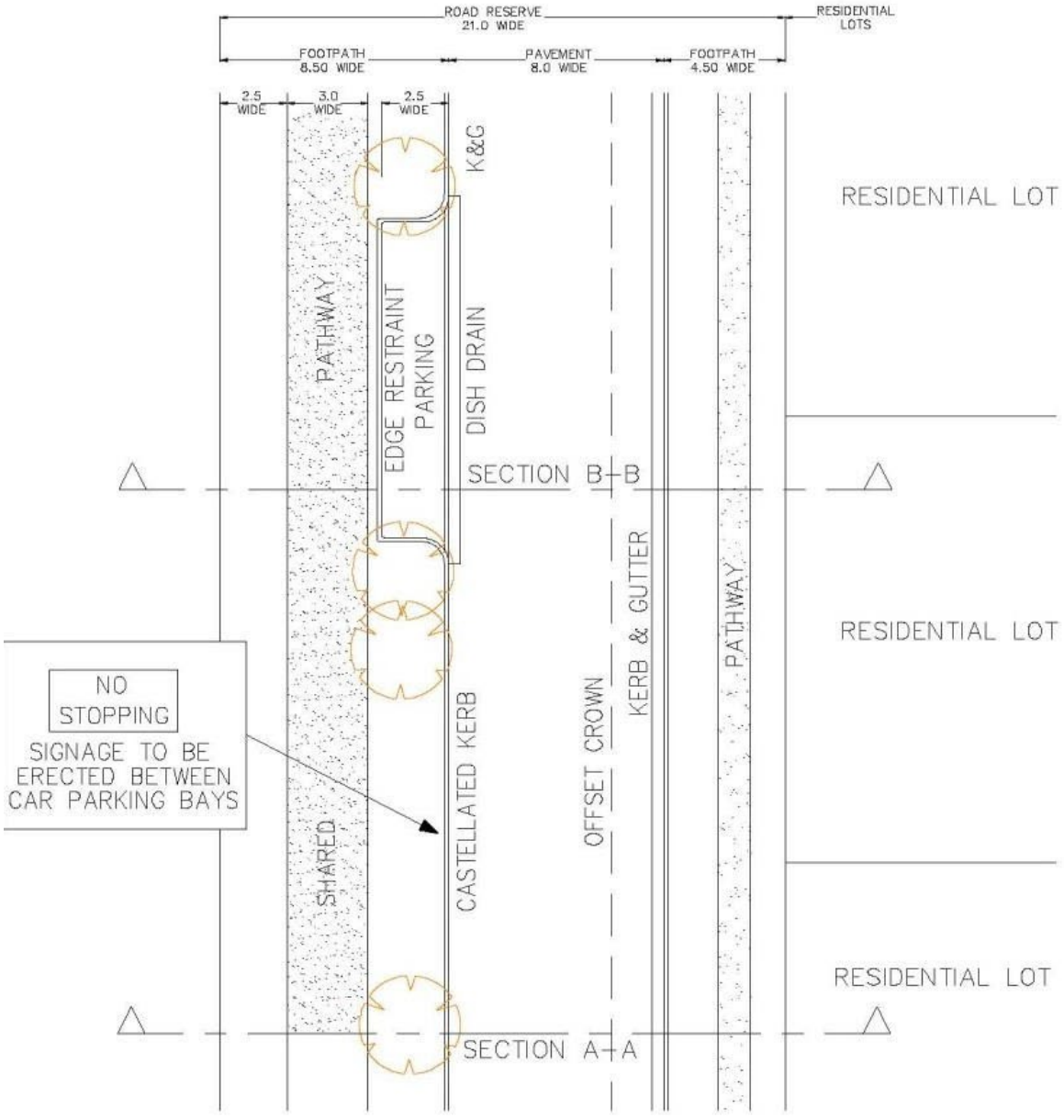
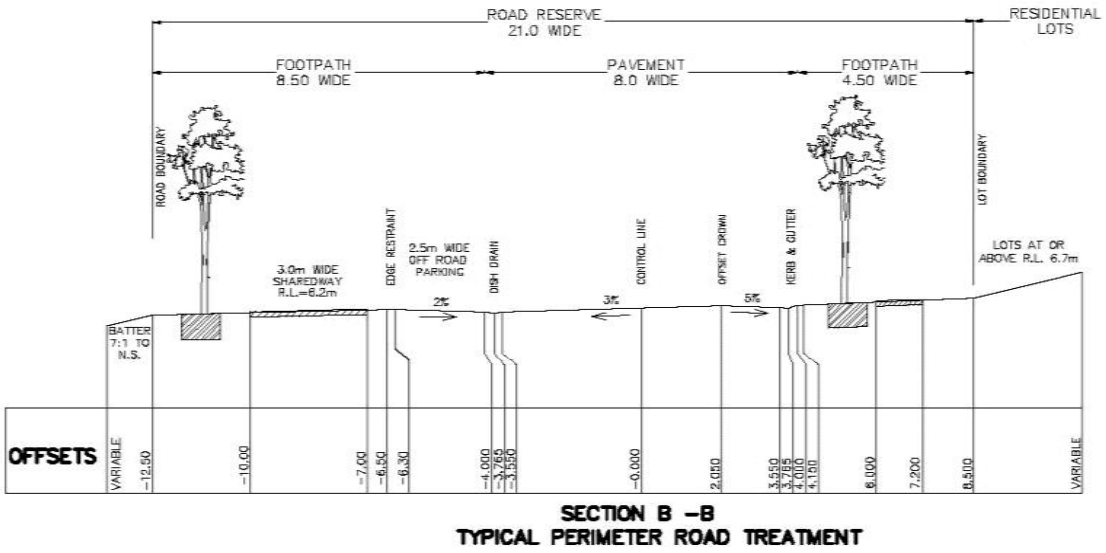
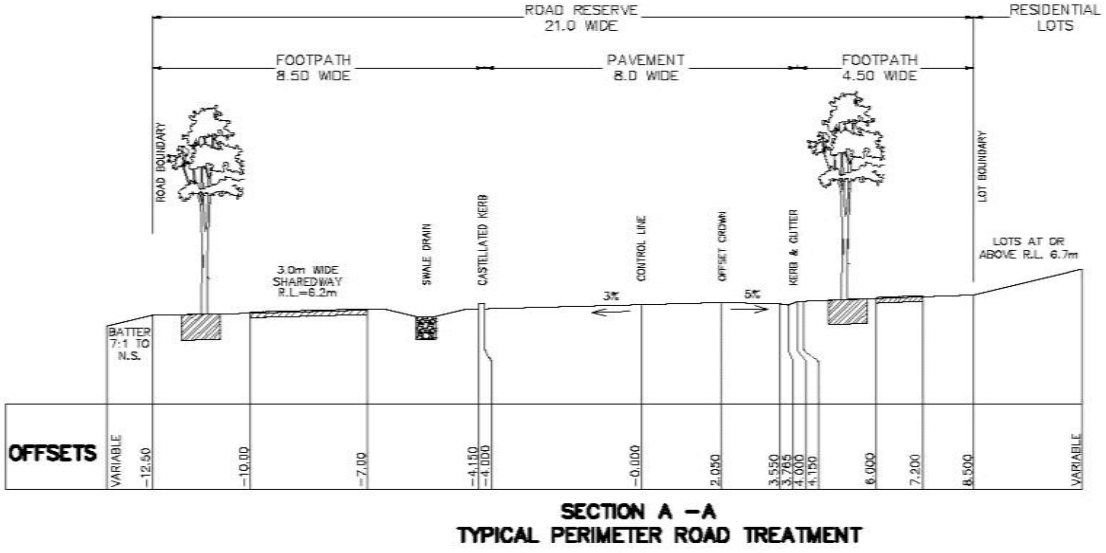


Figure 10-53: Chisholm West Precinct Plan – Perimeter Road Section



SECTION B –B
TYPICAL PERIMETER ROAD TREATMENT



SECTION A –A
TYPICAL PERIMETER ROAD TREATMENT

Figure 10-54: Chisholm West Precinct Plan Perimeter Road Cross Section.

Development Requirements – Waterford County North Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Waterford County North Precinct. No specific requirements have been made for the following matters within the Waterford County North Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

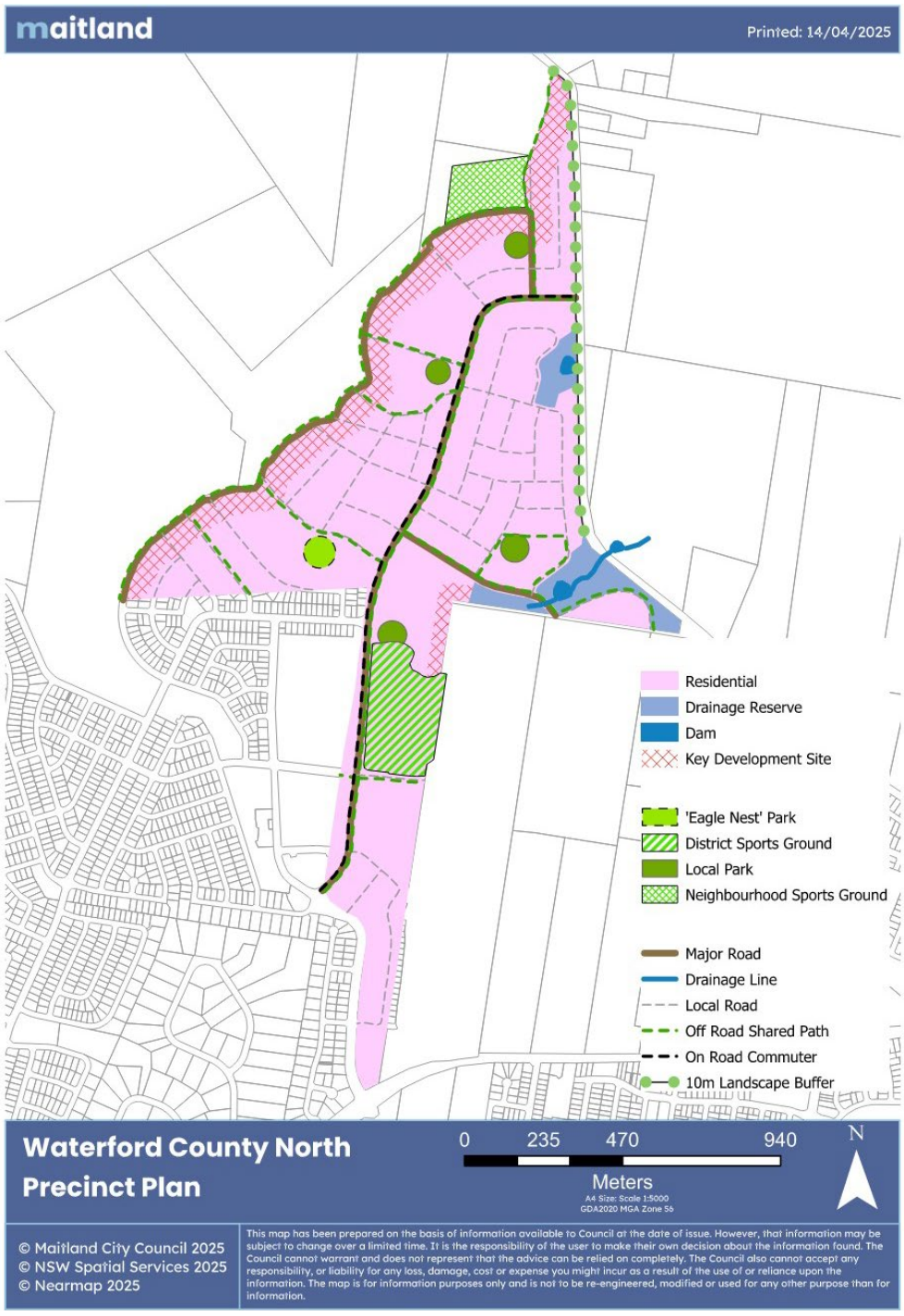


Figure 10-55: Waterford County North Precinct Plan

10.4.5.32. Staging Plan

Objectives

O.233 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.233	All development applications for subdivisions are to include a staging plan, where the development is intended to be released sequentially.

10.4.5.33. Transport Movement Hierarchy

Objectives

O.234 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.235 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.236 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.237 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.234	The layout, hierarchy and design of major streets within the precinct should be generally consistent with the precinct plan and Figure 10-56.
PC.1 • O.235 • O.236	Pedestrian paths, cycle ways and off-road shared pathways are to be provided within the precinct generally as shown on the precinct plan. The pedestrian and cycle network should link the Chisholm local activity centre with open space and community facilities and link to adjoining precincts.
PC.2 • O.236 • O.237	Subdivision design is to provide for lot frontages that address streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space, environmental land and drainage areas are discouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing must not form a prominent element in the landscape of this area.
PC.3 • O.236 • O.237	Suitable transport access and connectivity within the site and to adjoining areas are to be maintained at all times for motor vehicles, pedestrians, cyclists and public transport providers.
PC.4 • O.237	The transport movement hierarchy must identify bus transport routes within the precinct.

10.4.5.34. Overall Landscaping Strategy

Objectives

O.238 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.239 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.240 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.238 • O.239	The overall landscaping strategy within the precinct should be generally consistent with the precinct plan.
PC.1 • O.240	A 10m wide landscaped buffer is to be provided within the rear of properties adjoining Mcfarlanes Road (refer to Figure 10-57). Existing mature trees within the buffer are to be retained.
PC.2 • O.240	The respective landscaped buffer adjoining the McFarlane Road is to be wholly located within the affected allotments, with the maintenance of the landscape buffer being the responsibility of the individual owners of the respective allotments. Covenants are to be placed on affected land ensuring ongoing preservation and maintenance of the approved landscaping and fencing treatments on all lots that adjoin Mcfarlanes Road.
PC.3 • O.239 • O.240	Fencing of allotments along the boundary of Mcfarlanes Road are to use consistent materials and colour and be landscaped both forward and behind the fence, as shown on Figure 10-58. **Note:** Fencing is not required where the boundary coincides with a proposed drainage reserve.
PC.4 • O.240	Side boundary fencing located within the landscaped buffer is to be similar to Mcfarlanes Road's boundary fencing treatment.
PC.5 • O.240	Private maintenance gates are to be provided in the boundary fence within each of the proposed lots that adjoin Mcfarlanes Road.
PC.6 • O.239 • O.240	Development applications for subdivision will include detailed landscaping plans that: a. identify appropriate street tree species, b. illustrate fencing treatments to adjoining rural properties, c. illustrate landscape/threshold treatment of key intersections, d. demonstrate how open space areas and trunk drainage are to be located and landscaped, and e. demonstrate how existing mature trees are retained and protected in the landscape.
AS.2 • O.239	Existing significant mature trees should be retained where possible.

10.4.5.35. Passive and Active Recreation Areas

Objectives

O.241 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.242 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.241 • O.242	Development applications for subdivision that include areas of passive and active recreational space as identified in the precinct plan are to include detailed designs in the overall landscaping strategy.
PC.2 • O.241 • O.242	The "Eagle Nest" local park is to be developed for passive open space recreational purposes. Development associated with the land for 'Eagle Nest' is to provide a landscape plan, which includes enhancement (through plantings) of the area with local tree species.

10.4.5.36. Stormwater and Water Quality

Objectives

O.243 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.244 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.245 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.243 • O.244 • O.245	Development applications for subdivision must be accompanied by a stormwater management plan identifying both quantity and quality controls.

10.4.5.37. Amelioration of Natural and Environmental Hazards

Objectives

O.246 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.247 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors and extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.246 • O.247	Subdivision design and lot layout must ensure that any future dwelling will not be adversely affected by noise, dust or vibration from activities generated by the adjoining quarry operations. Development applications for dwellings are to address mitigating measures where appropriate and required.
PC.2 • O.246	Development Applications for subdivision are to include subdivision designs that consider the bushfire risk in the locality, in accordance with the NSW Rural Fire Service guidelines

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	current at that time. Submission of a bushfire risk assessment will be a minimum requirement for any development application involving bushfire prone land within the plan.
PC.3 • O.246 • O.247	Subdivision design is to ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads where considered safe and practical), and do not extend into environmentally zoned areas where clearing would be required.
PC.4 • O.247	Development adjoining the C3 Environmental Management zone must be designed and planned to ensure any Asset Protection Zones and the like are not required or needed in the C3 zone.
PC.5 • O.247	Development Applications will need to investigate soil salinity levels, soil structure/ stability and Acid Sulphate Soils as part of geotechnical investigations associated with the site.

10.4.5.38. Key Development Sites

Flood Fringe/Rural and Environmental Zoned Land Interface

Objectives

O.248 To ensure a detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.248	A perimeter road (with development on one side only) is to be provided around the edge of the precinct where it adjoins flood prone land or rural land.
PC.2 • O.248	A 3m wide off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway linking with existing and proposed networks and public open space.
PC.3 • O.248	Additional landscaping to the perimeter of development fronting the floodplain/rural land and to the proposed water management basins are to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any relevant development applications.
PC.4 • O.248	Any fencing of allotments forward of the front building line is to be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.

Clay Quarry Site Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.248	An impact assessment is to be undertaken by a suitably qualified consultant to assess the impact of the quarry and associated activities on the precinct. Any mitigation measures necessary to address noise, vibration and dust impacts on the precinct must be incorporated in any development application and apply to affected development.

10.4.5.39. Residential Densities

Objectives

O.249 To encourage higher density living around transport, open space and service nodes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.249	Any dual occupancy, medium density or integrated housing developments within the precinct are encouraged to be located and designed around areas of high amenity, being sites adjacent to open space, water bodies and bus routes.

10.4.5.40. Flora and Fauna

Objectives

O.250 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.250	Development Applications that affect native vegetation communities are to include a detailed assessment of the flora and fauna characteristics of the site prepared by a suitably qualified ecologist. Such an assessment is to consider retention of hollow bearing trees, where practicable.
PC.2 • O.250	Riparian buffers are to be maintained around identified watercourses, in accordance with relevant NSW Department of Water guidelines pertaining to minimum buffer widths.

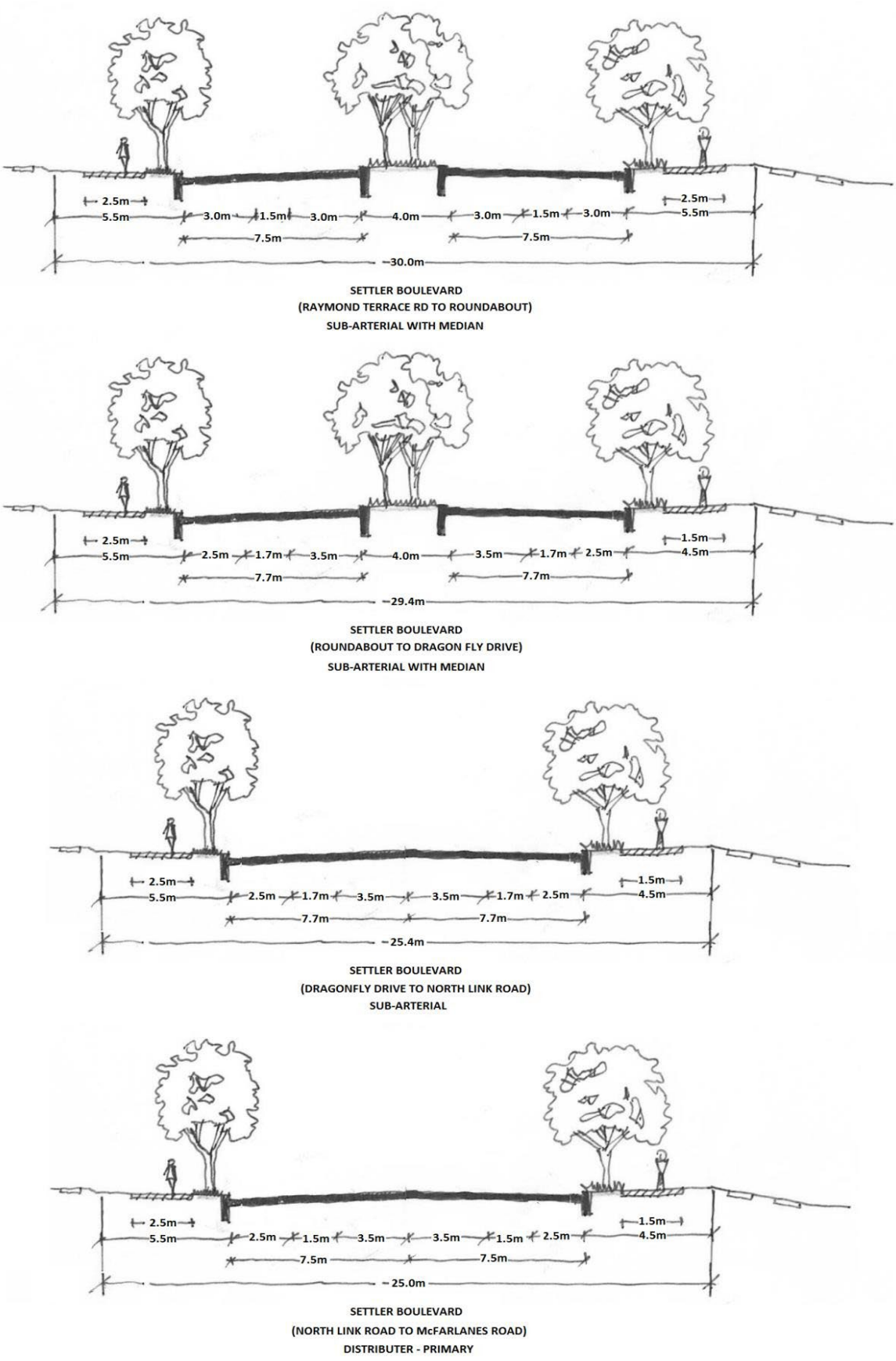


Figure 10-56: Settlers Boulevard cross sections

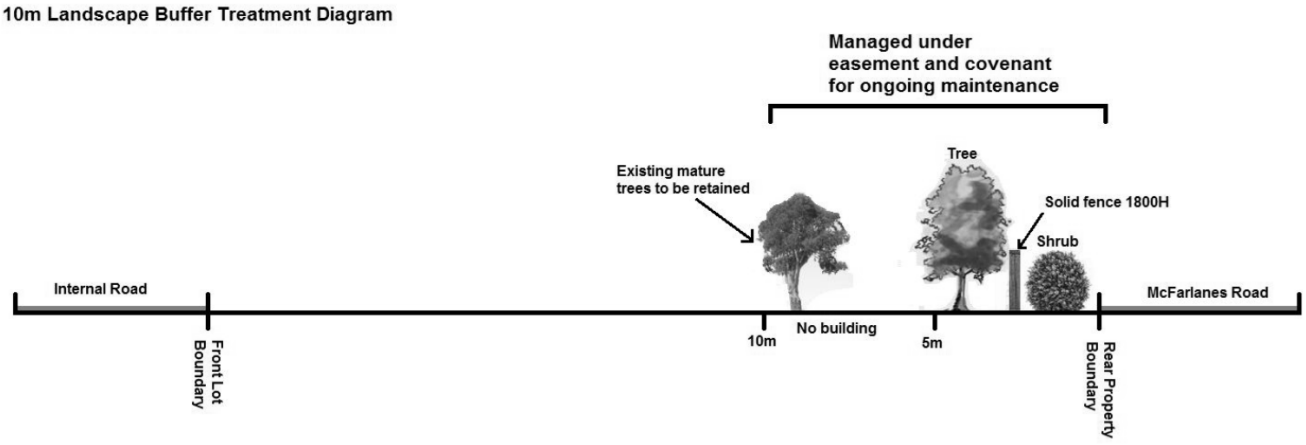


Figure 10-57: 10m Landscape Buffer Treatment (Mcfarlanes Road)

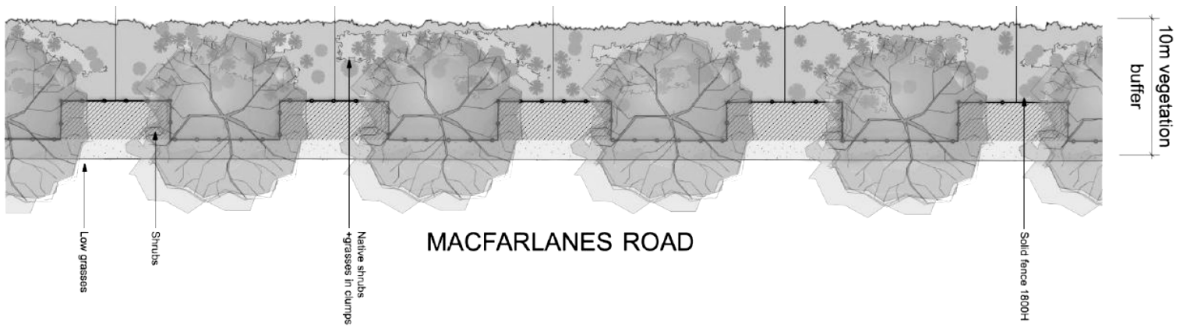


Figure 10-58: Boundary Fencing Treatment (Mcfarlanes Road)

Development Requirements – Raymond Terrace Road Eastern Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Raymond Terrace Road Eastern Precinct. No specific requirements have been made for the following matters within the Raymond Terrace Road Eastern Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

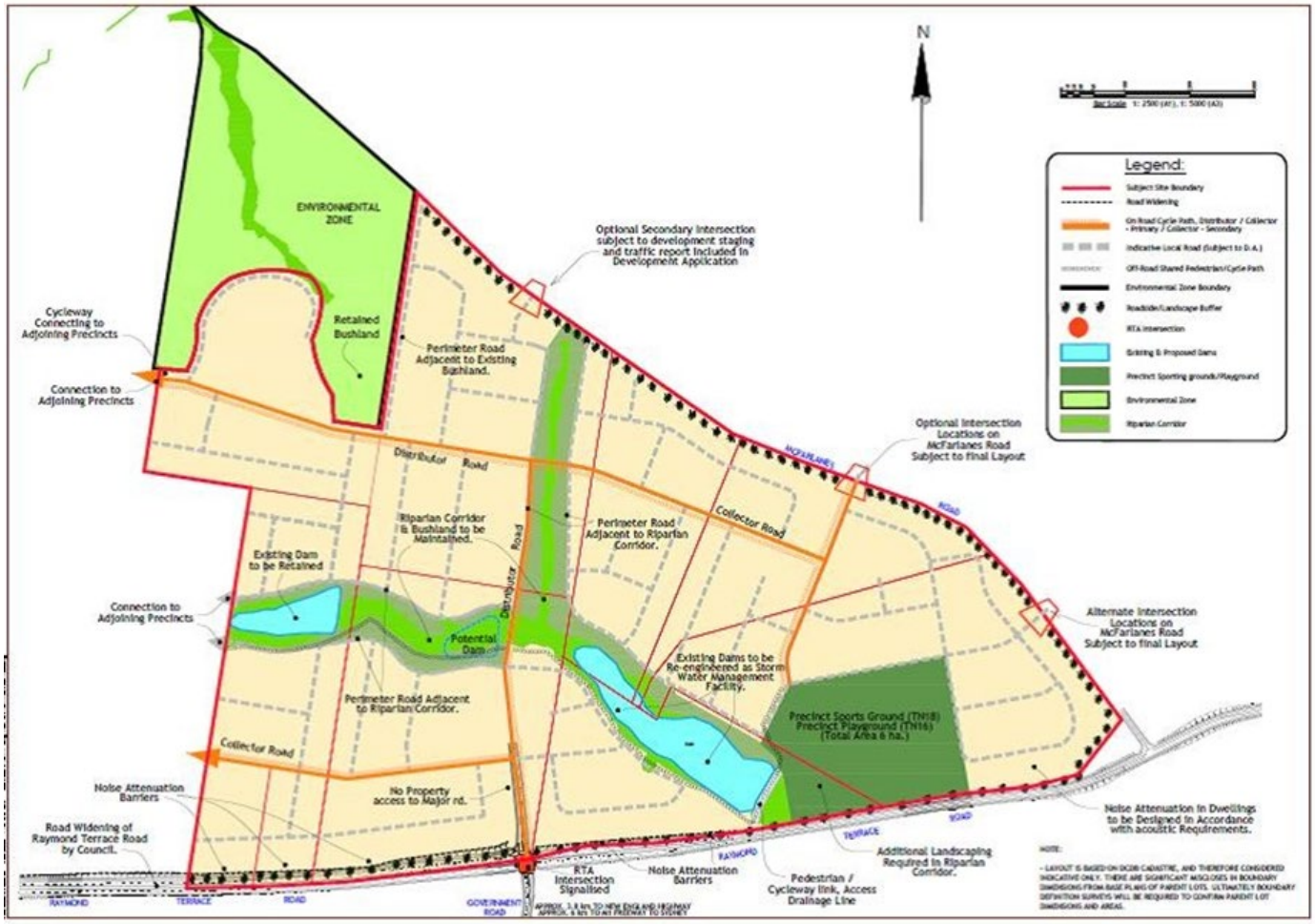


Figure 10-59: Raymond Terrace Road Eastern Precinct Plan

10.4.5.41. Staging Plan

Objectives

O.251 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.251	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.42. Transport Movement Hierarchy

Objectives

O.252 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.253 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.254 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.
O.255 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.252	The layout, hierarchy and design of major streets within the precinct should be generally consistent with Figure 10-59.
AS.2 • O.252	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions and greater regard for the natural environment.
PC.1 • O.253 • O.254	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to proposed playground and sports field and to link to adjoining precincts generally as shown on Figure 10-59.
PC.2 • O.254 • O.255	A distributor road must be provided through the site in the location identified on Figure 10-59.
PC.3 • O.254 • O.255	A perimeter road incorporating pedestrian and cycle facilities is to be provided adjacent to the edge of the riparian corridors, C3 Environmental Management zone and open space in accordance with Figure 10-59.
PC.4 • O.255	A signalised intersection is to be provided at the intersection of Raymond Terrace Road, Government Road and the distributor road in accordance with the *Thornton North Contributions Plan 2008*.
AS.3 • O.255	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage land. Allotments backing onto reserves, open space and drainage land are not encouraged.

10.4.5.43. Overall Landscaping Strategy

Objectives

O.256 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.257 To establish an attractive visual appearance to the development by street tree planting and providing additional landscaping in public areas.
O.258 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.259 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.
O.260 To provide landscaped buffers around the site perimeter adjoining major roads.
O.261 To provide a quality landscaped gateway to this part of the Thornton North Release Area.
O.262 To retain appropriate riparian corridors and integrate them with open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.256 • O.259 • O.260 • O.261	Landscaping should be provided generally in accordance with Figure 10-59.
PC.1 • O.257 • O.258 • O.259	A detailed landscape strategy is to be provided to address key entry points to the development, buffer areas, drainage and open space areas.
PC.2 • O.257 • O.258	A vegetation management plan is to be developed for the riparian corridors detailing management and enhancement of vegetation communities and habitat.
PC.3 • O.259 • O.260 • O.261 • O.262	The vegetation management plan is to specifically address feed tree species associated with the squirrel glider habitat and include a “nest box” program.

10.4.5.44. Passive and Active Recreation Areas

Objectives

O.263 Neighbourhoods contain conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.264 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.263 • O.264	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-59.
PC.1 • O.263 • O.264	A neighbourhood sportsground, a neighbourhood playground, and community facilities building are to be provided within the East Precinct in accordance with the Thornton North Contributions Plan 2008 and general locations identified in Figure 10-59.

10.4.5.45. Stormwater and Water Quality

Objectives

O.265 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.266 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.267 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

O.268 To provide a coordinated stormwater management system for the whole of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.265 • O.266	Development applications for subdivisions are to be accompanied by a stormwater management strategy identifying both quality and quantity controls in accordance with Council’s MoES and to address timing of construction.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.267 • O.268	Stormwater management facilities such as swales, detention basins and constructed wetlands are to be provided as necessary within areas designated as drainage land on Figure 10-59.
PC.3 • O.267 • O.268	All stormwater facilities are to be dedicated to Council as part of the subdivision process.

10.4.5.46. Amelioration of Natural and Environmental Hazards

Objectives

O.269 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.270 To ensure that future residential development is not adversely affected by any noise and vibration from road traffic associated with Raymond Terrace Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.269 • O.270	Residential subdivision and associated development are to be designed to comply with the relevant standards and criteria for noise and vibration.
PC.2 • O.270	A 10m wide landscape buffer is to be provided within the rear of properties adjoining Raymond Terrace Road and must include a combination of earth mounding, acoustic fencing and vegetation. Details are to be submitted with any DA for subdivision of the land. Covenants are to be placed on affected land ensuring ongoing maintenance of the required landscaping and associated structures.
PC.3 • O.270	Individual developments adjacent to Raymond Terrace Road will require an acoustic report for the development of the land that identifies detailed requirements for noise attenuation, including earth mounding, fencing and building controls.
PC.4 • O.269	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.5 • O.269	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.6 • O.269 • O.270	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.5.47. Key Development Sites

Raymond Terrace Road/Government Road Intersection Entry

Objectives

O.271 To ensure detailed urban design controls are provided for significant development sites.

O.272 To ensure that development does not result in significant detrimental visual impact at a key gateway to the Thornton North release area.

O.273 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.271	The 10m wide landscape buffer required for lots adjoining Raymond Terrace Road is to be contained wholly within the affected lots and details is to be provided in a landscape plan with any development application. Where a supporting acoustic report for the

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.272	development of the land identifies a requirement for noise attenuation, this is generally to include a combination of earth mounding and fencing with details to be provided in landscape plan.
PC.2 • O.272 • O.273	Fencing of allotments along the boundary of Raymond Terrace Road are to be of consistent materials and colour and must form an integral part of the landscape plan provided with any development application. Fencing is not to be a prominent element in the landscape along the road corridor.
PC.3 • O.271 • O.273	Landscaping is to integrate with proposed open space and community facilities to be provided on both sides of the entry road.

C3 Environmental Management Zoned Land

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.273	A vegetation management plan is to be developed and produced to the satisfaction of Council for the C3 Environmental Management zone, detailing maintenance and enhancement of the existing vegetation community on site. Such a plan is to incorporate mechanisms to support and improve the squirrel glider population of the area in association with any use of the land.

Development Requirements – Chisholm Neighbourhood Centre Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm Neighbourhood Centre Precinct. No specific requirements have been made for the following matters within the Chisholm Neighbourhood Centre Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Overall Landscaping Strategy
- Stormwater and Water Quality
- Amelioration of Natural and Environmental Hazards
- Key Development Sites
- Residential Densities

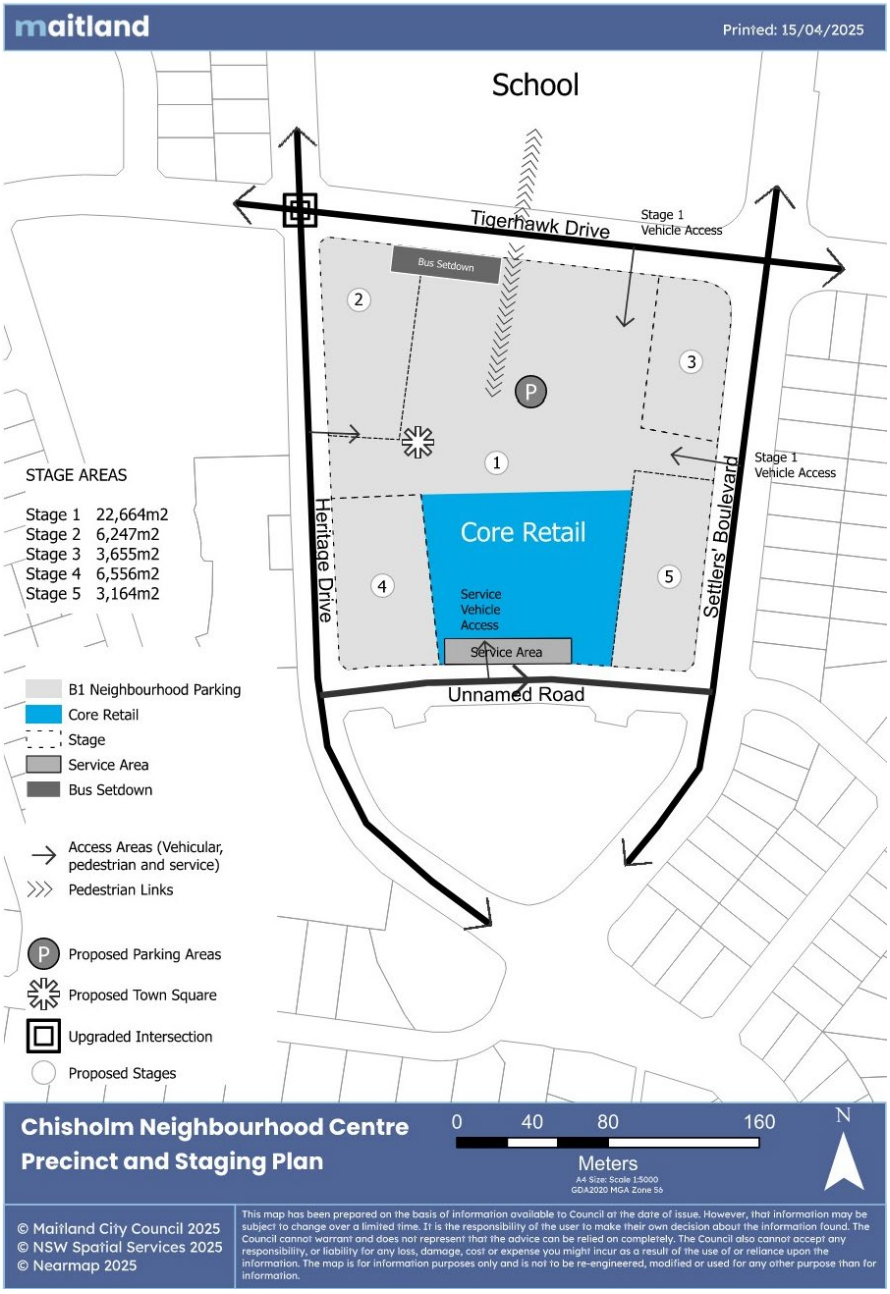


Figure 10-60: Chisholm Neighbourhood Centre Precinct and Staging Plan

Located within one of Maitland's newest residential neighbourhoods, the Chisholm Neighbourhood Centre is important to contribute to the development of a sustainable community. The Chisholm Neighbourhood Centre will provide for the convenience needs of the Thornton North Urban Release Area. The centre is located on the street block bound by Settlers Boulevard, Tigerhawk Drive, Heritage Drive, and an unnamed and unformed southern road.

The centre's central location will enhance accessibility supported by public transport, an adequate road network and safe, pleasant pedestrian and cycleway links. The centre will provide a central place where residents can meet and connect will foster a strong sense of place. The centre will help defined the character and identify of the suburb and urban release area.

Guiding design principles

The following guiding principles are to inform the future design of the neighbourhood centre:

- Spaciousness, reflective of local/regional character.
- Accessibility and convenience.
- Innovative architecture and an urban design which integrates with the master planned nature of the Precinct.
- Creation of a distinctive sense of place reflective of its topography, outlook and enhances the Centre's relationship to neighbouring land uses.

10.4.5.48. Staging Plan

Objectives

O.274 A new planned neighbourhood centre is created to support the growing residential population of the Thornton Urban Release Area by providing a range of convenience-based retail facilities and other complementary land uses.

O.275 The development staging is to be responsive to market demands and reflective of the growing population and needs of the Chisholm Release Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.274	The precinct should be staged generally in accordance with Figure 10-60.
PC.1 • O.274 • O.275	A full line supermarket and other core retail uses are to be provided in Stage 1 of the neighbourhood centre.
PC.2 • O.274 • O.275	The proposed town square is to be developed within the Stage 1 of the neighbourhood centre.
PC.3 • O.275	The surrounding street network and centre interface is to facilitate bus access with the proposed bus set down area on Tigerhawk Drive to be provided as part of Stage 1.

10.4.5.49. Economic Impact Assessment

Objectives

O.276 The centre will grow and evolve in a sustainable manner that reflects the needs and demands of the population, whilst respecting the Centre's role in Council's adopted centres hierarchy.

O.277 To ensure that both the Thornton and Chisholm centres remain commercially viable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.276	An Economic Impact Assessment (EIA) is to be submitted with the development application for each stage of the Chisholm Neighbourhood Centre.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.277	The EIA must consider the potential mix of retail and commercial offerings and the scale of any to ensure the continued viability of both the Thornton and Chisholm centres.

10.4.5.50. Transport Movement Hierarchy

Objectives

O.278 A simple and safe movement system for private vehicles, public transport, pedestrians and cyclists is achieved.
O.279 Centres are conveniently located and easily accessible by private vehicles, public transport, pedestrians and cyclists.
O.280 The release of urban land and necessary infrastructure is logically sequenced.
O.281 Excellent connectivity and integration between the neighbourhood centre and the Thornton North Urban Release Area is achieved.
O.282 Pedestrian and cycle routes connect the neighbourhood centre to the surrounding residential neighbourhood and local features such as the primary school; open spaces and community uses.
O.283 Good connectivity with public transport is provided.
O.284 Connections are logical and well defined.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.278 • O.280 • O.281	The link between the Investa and Waterford estates via Harvest Boulevard and Dragonfly Drive is to be completed prior to the issue of an occupation certificate for development in the neighbourhood centre.
PC.2 • O.280	The development application for Stage 1 is to include a Traffic Impact Assessment and Access Strategy prepared by a suitably qualified consultant.
PC.3 • O.280 • O.281	The Traffic Impact Assessment and Access Strategy is to consider the full development scenario of the centre.
PC.4 • O.279 • O.281	This assessment is to include details relating to the overall traffic and pedestrian management, access to parking areas, pedestrian access provisions, assessment of the proposed car parking designs and traffic generation including an assessment on the surrounding road network and key intersections.
PC.5 • O.279 • O.281 • O.283	The intersection of Tigerhawk and Heritage Drives is to be upgraded to cater for pedestrian safety, bus and heavy vehicles and traffic movements. Traffic lights are envisaged for this intersection.
PC.6 • O.282	Pedestrian linkages are to be provided in every direction.
PC.7 • O.282 • O.283	The assessment is to consider the safety and functionality of the pedestrian focal point and the public and school bus services that will congregate on Tigerhawk Drive.
PC.8 • O.282	Development applications are to include a shared path connectivity plan linking all external paths to the entry point of the development.
PC.9 • O.278 • O.284	Regrading of the kerb return and verge on the Heritage Tigerhawk Drives intersection is to occur in order to provide adequate longitudinal and transverse cross falls.
PC.10 • O.284	Development applications are to include details of recommended regulatory signage for existing and proposed roads. i.e. parking controls, loading zones, bus and taxi zones, etc

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.284	Driveway entry points on Settlers Boulevarde and Tigerhawk Drive are to be left-in/left-out with concrete median separation on the centreline.
PC.12 • O.282	A pedestrian/access assessment is to be submitted with development applications for connectivity into the site.
PC.13 • O.282	Pedestrian/cycle refuges, or greater, is to be provided on public roads including a central connection across Heritage Drive to the Riparian Corridor.
PC.14 • O.283	Internal taxi and mini bus pickup point is to be provided at front of shopping centre entry.
PC.15 • O.282	Internal pedestrian network and bicycle racks / facilities are to be provided.

10.4.5.51. Passive and Active Recreation Areas

Objectives

O.285 To establish the neighbourhood centre as the focal point for the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.285	An urban design masterplan is to be submitted with the development at Stage 1 of centre. The masterplan is to provide opportunities for: a. An informal meeting place that can be used by local residents and parents of children attending nearby local schools and child care centres, b. Formal and informal outdoor seating areas, c. Outdoor dining, d. A space for activities which support the local community such as charity fundraising stalls, donation tables etc, and e. Landscaping and design features which encourages use and activity throughout the day and into the evening, including safe areas for children to play whilst being supervised from adjacent outdoor seating areas.

10.4.5.52. Stormwater and Water Quality

Objectives

O.286 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.287 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.288 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.286 • O.287	Stormwater Management facilities are to be generally provided in accordance with the Landscaping Plan.
AS.2 • O.287 • O.288	Development applications will be accompanied by a Stormwater Management Plan which is generally consistent with the report by *Peter Sullivan and Associates* (May, 2008) establishing the stormwater management strategy for the Precinct.

10.4.5.53. Neighbourhood Commercial and Retail Uses

Building Design

Objectives

O.289 The design of the centre (including the height of buildings) should respond to the existing topography and capture important local views including views to adjacent open space.
O.290 The centre should be scaled to positively contribute to the surrounding neighbourhood and open space areas.
O.291 Buildings are sited and designed in a manner that present a unified, coherent appearance that integrates with its context and takes advantage of its physical attributes.
O.292 Visually interesting, harmonious roof scapes and skylines are provided.
O.293 Roofs are used for recreation where practical and desirable.
O.294 A positive sense of space, safety and openness is created in the public domain.
O.295 Building security is achieved without compromising the streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.289	Where more than 2-storeys are proposed, the third and higher storeys are to be setback further by a minimum of 3m compared to the ground floor.
PC.2 • O.291 • O.292 • O.293	Variations in roof form including the use of skillions, gables and hips are to be provided in the development or between developments.
PC.3 • O.292	Flat roofs are to be avoided unless they are behind a parapet.
PC.4 • O.292	Lift over-runs and service plant must be concealed within roof structures.
PC.5 • O.290	All roof plant is to be shown on plans and elevations.
PC.6 • O.293	Outdoor recreation areas on flat roofs are to be landscaped and incorporate shade structures and wind screens to encourage use.
AS.1 • O.294 • O.295	Security grills (e.g. for roll-up doors) should be avoided. If installed, security grilles are to be provided within the building, behind the glazing and be constructed of material that allows the interior to be visible.

Setbacks

Objectives

O.296 The established character of the street is reinforced.
O.297 The existing rhythm of the street and its built form is maintained.
O.298 The development provides adequate pedestrian areas and integrates into the adjoining sites.
O.299 A consistent streetscape is achieved.
O.300 Structures and queues do not impede pedestrian movement.
O.301 Any ramps are to be integrated into the overall building and landscape design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.296 • O.297	Development along identified active streets must be built-to-boundary.
PC.2 • O.297 • O.299	In all other cases, buildings are to be setback within 20% of the average of the adjoining buildings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.298 • O.300	All pedestrian paved areas along an active street are to have a minimum paved width of 3.5m and is to adhere to the following design criteria: a. is clear and accessible for pedestrians for its entire length and width, b. is clear of columns (other than awning posts where provided) and other obstructions, c. may include outdoor dining where a minimum footway clearance width of: i. 1.8m for high volume pedestrian areas, or ii. 1.5m in all other circumstances; is maintained. d. has a pavement matching the gradient of the adjoining footpath and connects to pedestrian areas on neighbouring sites, and e. connects without any lip or step to adjoining footpaths or abutting pedestrian areas on neighbouring sites.
PC.4 • O.299	Pavements, furniture and landscaping are to be designed in accordance the Council's requirements.
PC.5 • O.301	Steps, escalators, ramps or lifts are not to be located within the 3.5m paved pedestrian area.
PC.6 • O.299	Any automatic teller machine provided is to be: • inset 1.5m into the building line, and • well illuminated at all times.
PC.7 • O.301	Ramps are constructed and finished with materials that are similar or complementary to those used on the building or in the street.

Active Frontages

Objectives

O.302 To provide active uses along identified frontages.
O.303 To promote uses that attract pedestrian traffic along certain ground floor street frontages.
O.304 To ensure a vibrant and safe public domain is provided.
O.305 To ensure direct contact (visual and physical) between the street and the interior of a building is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.302	Active frontages are to consist of one or more of the following: a. a shop front, b. commercial and residential lobbies, c. café or restaurant, or d. a public building if accompanied by an entry from the street.
PC.2 • O.303	A minimum of 80% of the ground floor level front facade must be clear glazed.
PC.3 • O.303	The reflexivity index for glass is not to exceed 20%.
PC.4 • O.304 • O.305	Restaurants and cafés are to provide openable shop fronts (for e.g. bi-fold doors) where practical to the public domain.
PC.5 • O.304 • O.305	Colonnade structures are not to be used unless it is demonstrated that the design: • would not restrict visibility into the shop or commercial premises; and • not limit natural daylight along footpaths; and • does not create opportunities for concealment.

Arcades

Objectives

O.306 Connections to enhance the pedestrian network and to link between shopping areas, public spaces and car parking are provided.
O.307 Parking at the rear of the development is encouraged by providing good permeability to the front of the site.
O.308 Activity within arcades is encouraged.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.306 • O.307 • O.308	Arcades are to: a. Be obvious and direct through-ways for pedestrians. b. Have a minimum width of 3m clear of all obstructions unless it includes arcade dining where a minimum footway clearance width of 1.8m for high volume pedestrian areas or 1.5m in all other circumstances; is maintained. c. Be accessible to the public for the duration of activity in the centre. d. Where practical, have access to natural light for part of their length and at openings at each end. e. Have clear glazed entry doors at least 50% of the entrance, where the arcade is air-conditioned. f. Have signage at the entry indicating public accessibility and to where the arcade leads. g. Have clear sight lines and no opportunities for concealment. h. Where arcades or internalised shopping malls are proposed, those shops at the entrance are to have direct pedestrian access to the street.

Awnings

Objectives

O.309 Weather protection is provided along key streets.
O.310 A consistent and complementary streetscape is maintained.
O.311 Active streets are well lit at all times.
O.312 Awnings are structurally sound.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.309	Continuous shelter from the weather is to be provided for the full extent of the active street frontage.
PC.2 • O.309	Awnings are to be horizontal or near horizontal (maximum pitch of 10%).
PC.3 • O.310 • O.312	Awnings heights shall be no less than 2.7m high at any point measured above the existing ground level.
PC.4 • O.310 • O.312	A minimum awning width of 2.5m-3.0m is required unless this cannot be achieved because of narrow pavements and street tree planting, traffic signals, traffic signage or utility poles.
PC.5 • O.310 • O.312	New awnings must be set back a minimum of 450mm from the kerb line.
PC.6 • O.310 • O.312	Awnings along sloping streets must step down in horizontal steps (a maximum of 700mm per step) to follow the slope of the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.310	All contiguous awnings are to be of consistent height and depth and of complementary design and materials.
PC.8 • O.310	Awnings and/or canopies are to be provided elsewhere to define public entrances to buildings, including residential flat buildings.
PC.9 • O.310	Awnings must wrap around street corners and contribute to the articulation and focal design of corner buildings.
PC.10 • O.310	New awning fascias have a vertical depth not greater than the average of the vertical depths of the immediately adjoining awning fascias or, if there are no adjoining awning fascias, 350mm.
PC.11 • O.311	Under awning lighting shall comply with AS/NZS1158 - Lighting for roads and public spaces.
PC.12 • O.312	Awnings are to be designed and certified by a professional engineer.

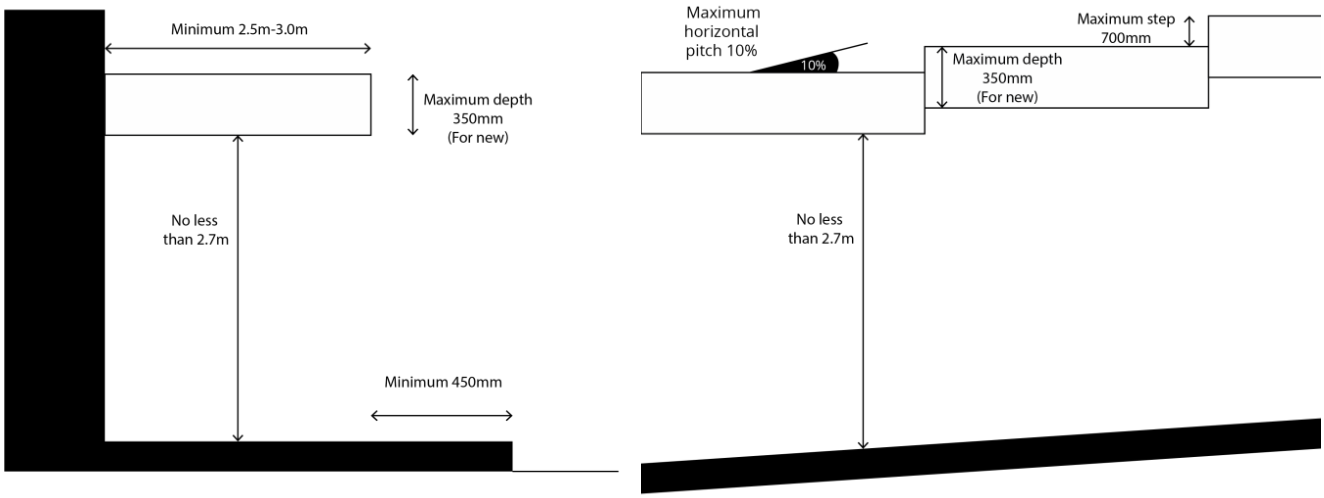


Figure 10-61: Chisholm Neighbourhood Centre - Awning details

Gateway, corner and landmark sites

Objectives

O.313 An innovative architectural style is achieved with building heights that emphasise prominent corners of the development to promote a unique sense of identity for the centre.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.313	The design of buildings on corner sites or at the ends of business or commercial zones must emphasise the importance of the corner as a focal point.
PC.2 • O.313	Corner sites or at the ends of business or commercial zones are to be constructed to boundary with no car parking or servicing between the street boundary and the building.
PC.3 • O.313	Corner buildings are to include design devices such as: • Increased wall heights, • Splayed corner details, • Expression of junction of building planes, • Contrasting building materials, and • Other architectural features, To reinforce the prominence and distinctiveness of the building.
PC.4 • O.313	Shopfronts are to wrap around corners and entrances located centrally to the corner.
PC.5 • O.313	The tallest portion of the building is to be on the corner.

Pedestrian Entries and Access

Objectives

O.314 Equity for all street users is provided.
O.315 Pedestrian and vehicle access ways are separated where possible and visually distinguishable.
O.316 Conflict between pedestrians and vehicles is minimised during the day and at night.
O.317 The design of buildings and spaces shall promote legibility to help users find their way.
O.318 To encourage walking and cycling.
O.319 To ensure that secure and convenient parking is provided for bicycles.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.314	The development complies with *AS1428 - Design for Access and Mobility*.
PC.2 • O.315 • O.316	Pedestrian and vehicle movement areas are to be separated and defined by changes in pavement material, levels, lining or tactile treatments.
PC.3 • O.317	Parking areas are illuminated (naturally and/or artificially) during the time period the centre is open.
PC.4 • O.317	Signage is provided at the entries to the development detailing the services available within the centre and where they are located.
PC.5 • O.317	Signage to key public spaces accessible from the centre such as car parks, food courts are to be provided within the centre.
PC.6 • O.317	Signage to key facilities such as rest rooms, centre management, baby change rooms shall be provided within the centre.
PC.7 • O.318 • O.319	Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.

Parking, Loading and Servicing

Objectives

O.320 Parking, loading and servicing areas are provided that are functional, safe and do not dominate the site or streetscape.
O.321 Vehicular conflicts are minimised through the separation of delivery vehicle access from the main public spaces and car park areas.
O.322 Servicing areas are appropriately screened to minimise amenity impacts on nearby sensitive land uses.
O.323 The established structure of town centre streetscapes is maintained.
O.324 Car parking provision does not undermine an existing streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.320 • O.322	Garage doors and loading docks shall be located at the rear of development, so that they are not a dominant element in the overall presentation of the development to key streets.
PC.2 • O.320	Signage shall be provided to direct visitors to the centre and to car parking areas.
PC.3 • O.322	Rear or internalised car parks shall be designed and constructed in a manner which enables future expansion and connection with potential future car parks in neighbouring sites. This includes consideration of levels, drainage and location of existing and future driveways and crossovers.
PC.4 • O.322	All vehicles must be able to enter and leave any development in a forward direction.
PC.5 • O.321	Loading and manoeuvring areas for service vehicles shall be separated from car parks and pedestrian paths. Where shared access is provided, no loading or unloading shall be carried out over car parking spaces and access aisles.
PC.6 • O.320 • O.322 • O.323	External service areas (for e.g. areas for rubbish storage, cardboard compacting etc) shall not be visible from roadways or public open space areas.
PC.7 • O.320 • O.322 • O.323	External storage and service areas shall be suitably screened from view from roads, parking areas and pedestrian areas.
PC.8 • O.323	Deep soil planted landscaped setback areas must be provided.
PC.9 • O.324	Basement car parks are to be setback a minimum of 3m from the street boundary.

Vehicular Access

Objectives

O.325 In centres, pedestrians are prioritised over vehicles.
O.326 Conflict points between pedestrians and vehicles are minimised.
O.327 Car parking does not deactivate public space, including streets, laneways and share ways.
O.328 Underground car parking is integrated into the building design and streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.326	The number of vehicular crossovers are to be kept to a minimum.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.325 • O.326	Access and egress points are to be designed so that exiting vehicles have clear sight of pedestrians and cyclists.
PC.3 • O.327	Any car park ramps are to be located within the building footprint.
PC.4 • O.326	Access and egress to car parks is to be in a forward direction.
PC.5 • O.327 • O.328	Vehicular entrances to underground car parks are: a. located on minor streets, b. have a maximum crossover width of 6.0m, c. signed and lit appropriately, and d. designed so that exiting vehicles have clear sight of pedestrians and cyclists.
PC.6 • O.326	All stairs and elevators in the parking structure are clearly visible.
PC.7 • O.327	The street level frontage of car parking structures (including multi-level car parks) where adjoining public places, including active streets, share ways and laneways, are to present an active frontage along the entire frontage less any car park entry.
PC.8 • O.327	Internal finishes of underground car parks shall be consistent with the external materials where they are visible from the public realm.
PC.9 • O.328	Underground car parks are to be designed to utilise natural ventilation rather than mechanical.
PC.10 • O.328	Ventilation ducts/grilles are to integrate with the streetscape and be unobtrusive and/or appropriately screened.
PC.11 • O.328	Garage doors to underground parking are to be designed to complement the materials used elsewhere on the development.

Public Art, Landscaping and Domain Works

Objectives

O.329 To ensure that planting is provided to shade, soften built form and enhance its appearance from public viewpoints.
O.330 To ensure that medium and large trees are retained or planted to improve the amenity of the site.
O.331 To ensure that undeveloped areas of the site positively contribute to the quality of the development.
O.332 To ensure that plant species that minimises Council's maintenance and liability responsibility are used in landscaping.
O.333 To ensure that Water sensitive urban design is used where appropriate to assist with stormwater management and water quality.
O.334 To ensure that fencing does not detract from the streetscape or internal areas.
O.335 To ensure that street furniture is coordinated with existing street furniture and that it does not create clutter and obstacles in the public realm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.329 • O.330 • O.331 • O.332 • O.333 • O.334	A landscape plan is to be submitted with any development application for initial commercial development that shows: a. Existing vegetation, b. Vegetation proposed to be removed, c. Proposed general planting landscape treatment, d. Design details of hard landscaping elements, e. Major earth cuts, fills and any mounding,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.335	f. Street trees, and g. Existing and proposed street furniture including proposed signage.
PC.2 • O.329 • O.330 • O.331 • O.332 • O.333 • O.334 • O.335	The landscape plan for the site achieves the following minimum standards: a. Large trees and spreading ground covers are provided in all landscape areas within the site. b. Where screening is required, large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building are provided. c. At grade car parking areas shall be provided with one tall, branching, mature shade tree for every 4 linear car spaces. d. All areas less than 1m in width are to be paved. e. Where car parking cannot be provided under or behind the building and Council has agreed to permit some or all of the parking in the front setback, a landscaped strip with a minimum width of 3.0m is provided along the entire frontage/s of the site. f. Any area of the site that remains undeveloped shall be landscaped with turf and scattered planting at a minimum. g. All street plantings are to be selected from Council's landscaping policy or with the agreement of Council's Coordinator Recreation and Tree Services. h. Water sensitive urban design facilities (such as swales, bio-detention ponds and rain gardens) are used to treat stormwater for at-grade car parking areas. i. Water sensitive urban design facilities are designed in accordance with Council's Manual of Engineering Standards (MoES). j. Fencing for security or privacy shall not be erected between the building line and the front boundary of a site. k. Where fences are erected, landscaping of an appropriate height and scale shall be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place. l. Street furniture (including seats, bollards, signage, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains) and streetscape treatments are provided in accordance with Council's Public Domain Design Manual or with agreement of the Executive Manager Appearance and Infrastructure.

10.4.5.54. Waste Management

Objectives

O.336 Waste generation is minimised through design, material selection and building practices.
O.337 Waste management minimisation is encouraged by including source separation, reuse and recycling facilities.
O.338 Efficient storage and collection of waste and quality design of facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.336 • O.337	Separate storage bins for collection of organic waste and recyclable waste are to be provided within the development.
PC.2 • O.338	Bulk waste is to be stored in a designated area that is physically and visually integrated into the development at ground or sub-basement level that: a. is not visible from the street or public domain, b. is easily accessible to businesses, c. may be serviced by collection vehicles, d. has water and drainage facilities for cleaning and maintenance, e. does not immediately adjoin any onsite employee recreation area, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. is maintained to be free of pests.
PC.3 • O.337	Cardboard compactors are to be provided for large retail and commercial developments.
AS.1 • O.338	Where waste cannot be collected at the street, evidence that the site can be serviced by a waste collection service is to be provided.

Development adjoining Sensitive Land Uses

Objectives

O.339 Commercial and retail development does not unreasonably affect the amenity of adjoining sensitive uses.

O.340 The interface between business and commercial development and adjoining residential areas is of a high quality and achieves adequate visual and acoustic privacy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.339 • O.340	The development is to be designed so that all vehicle movement areas and servicing areas are located away from adjoining residential areas. Where this cannot be achieved, visual and acoustic treatment of the interface is required.
PC.1 • O.339 • O.340	The building elevation adjoining the residential area is to be: a. articulated, with changes in setback at intervals no greater than 10m; b. designed with a variety of materials and treatments; c. setback a minimum of half the height of the wall or a minimum of 3m, whichever is greater.

Mixed Use Development

Note: This section applies to **mixed-use** development within the Chisholm Neighbourhood Centre.

Objectives

O.341 Residential development is integrated with compatible retail and commercial uses.

O.342 To ensure that the design of mixed-use developments maintains a reasonable level of residential amenity and preserves compatibility between uses.

O.343 Flexible building design to accommodate a range of uses and to allow for changes to uses over time is encouraged.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.342	Mixed-use developments are to be designed so that loading bays, garbage collection areas, noise and odour generating aspects of buildings are located away from residential components.
PC.2 • O.342	Vehicular circulation systems are to differentiate between commercial service requirements, such as loading docks, and residential access.
PC.3 • O.341	All mixed-use buildings are to be provided with a separate entry to the residential component of the development. The entry must be directly visible from a trafficable street and clearly demarcated from entries to commercial premises.
PC.4 • O.342	Secure entrances are to be provided to all entrances into private areas, including car parks and internal courtyards.
AS.1 • O.343	Where possible, acoustic separation between loud commercial uses (such as cafés and restaurants) and residential uses is to be achieved by utilising an intermediate quiet-use barrier, such as offices.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.342	Plant is to be located on the roof or visually and acoustically isolated from any residential uses.
PC.6 • O.343	Ceiling heights for the ground and first floors are to be 3.3m.

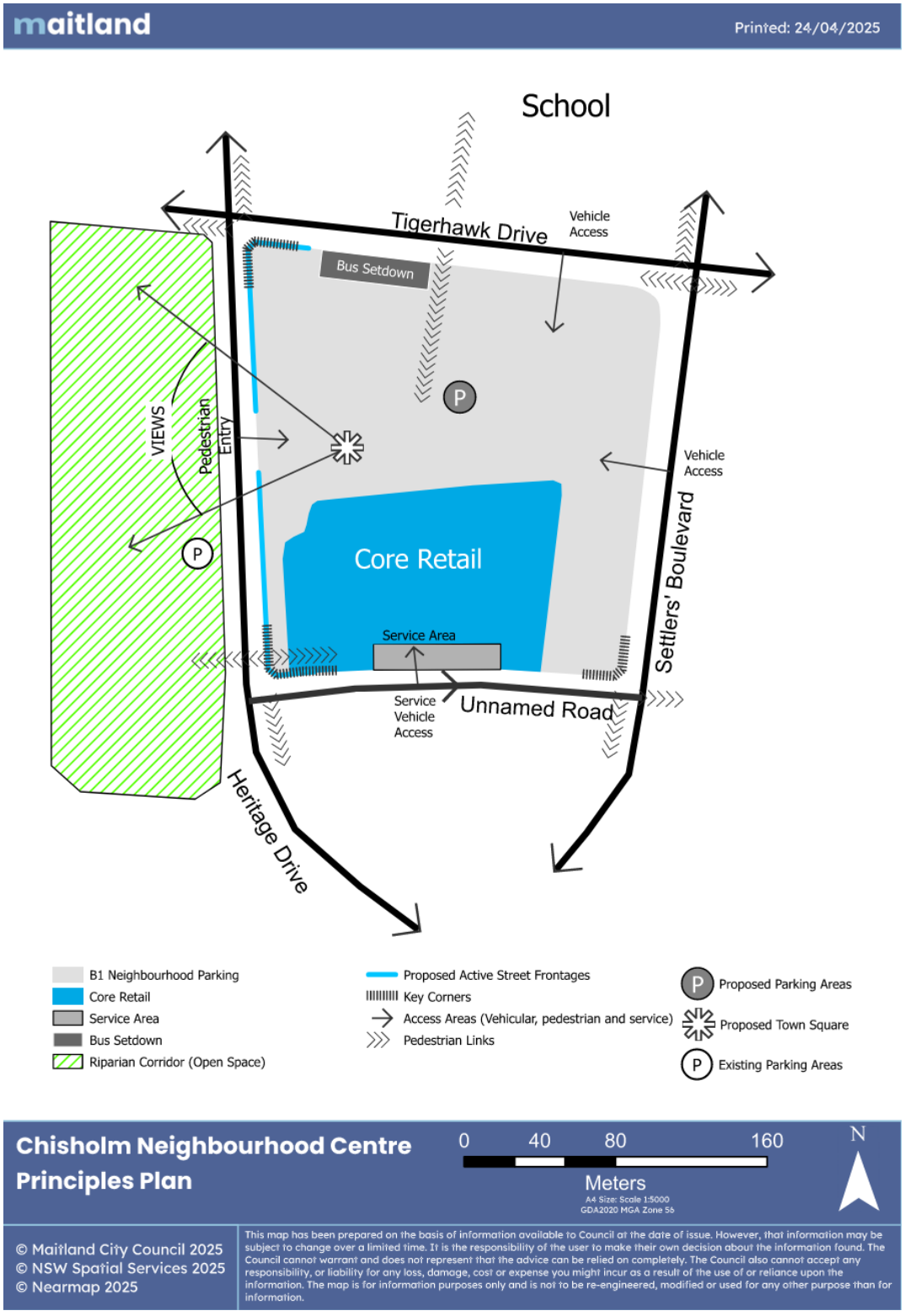


Figure 10-62: Chisholm Neighbourhood Centre Principles Plan

Development Requirements – Chisholm Central Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm Central Precinct. No specific requirements have been made for the following matters within the Chisholm Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

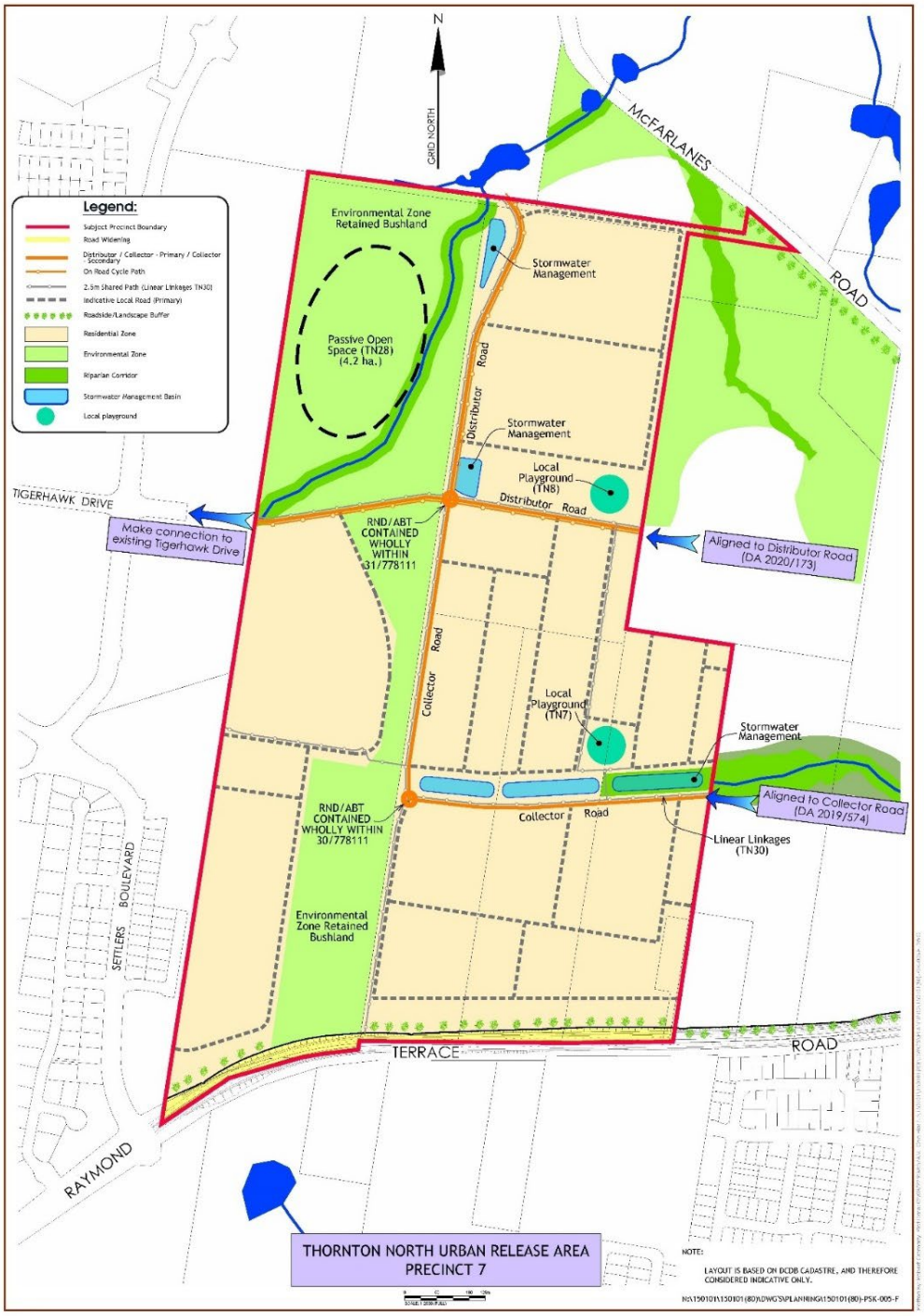


Figure 10-63: Chisholm Central Precinct Plan

10.4.5.55. Staging Plan

Objectives

O.344 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.344	All development applications for subdivisions are to include a staged construction plan in cases where the development is intended to be constructed in stages.

10.4.5.56. Transport Movement Hierarchy

Objectives

O.345 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.346 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.347 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.348 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.345	The layout, hierarchy and design of major streets within the precinct should be generally consistent with Figure 10-63.
AS.2 • O.345	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions, improved pedestrian movements and greater regard for the natural environment.
PC.1 • O.346 • O.347	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to proposed playground and passive open space and to link to adjoining precincts generally as shown on Figure 10-63.
PC.2 • O.347	A distributor road including on road cycleway and off-road shared pathway are to be provided through the site from Tigerhawk Drive through to the approved developments to the east within the Thornton North – Raymond Terrace Road – Eastern Precinct generally in the location identified on Figure 10-63 (“East/West Distributor Road”).
PC.3 • O.347	A distributor road including on road cycleway and off-road shared pathway, but excluding a dedicated on-road parking lane opposite C3 Environmental Management zoned land, is to be provided from the East/West Distributor Road through to the approved development to the north within the Waterford County North Precinct in the location identified on Figure 10-63 (“North/South Distributor Road”).
PC.4 • O.347	A collector road is to be provided through the site from the approved developments to the east within the Thornton North–Raymond Terrace Road– Eastern Precinct through to the distributor road in the location identified on Figure 10-63.
PC.5 • O.347	Roundabouts, including concrete islands, are to be provided at the intersections of distributor and/or collector roads as shown on Figure 10-63. These are to be contained wholly within one development site.
PC.6 • O.348	Subdivision design is to provide for lot frontages that address streets, reserves, open space and drainage areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.3 • O.347	Lots backing onto reserves, open space, environmental land and drainage areas are discouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the landscape of this area.
AS.4 • O.348	The Distributor and Collector Roads on Figure 10-64 and Figure 10-65 represent the proposed bus route. Bus stops are to be provided to ensure that each allotment is generally within a 400m walking radius to them.
PC.7 • O.348	Local streets are to be orientated towards trunk roads/bus routes to assist walking distances to bus stops and assist wayfinding.

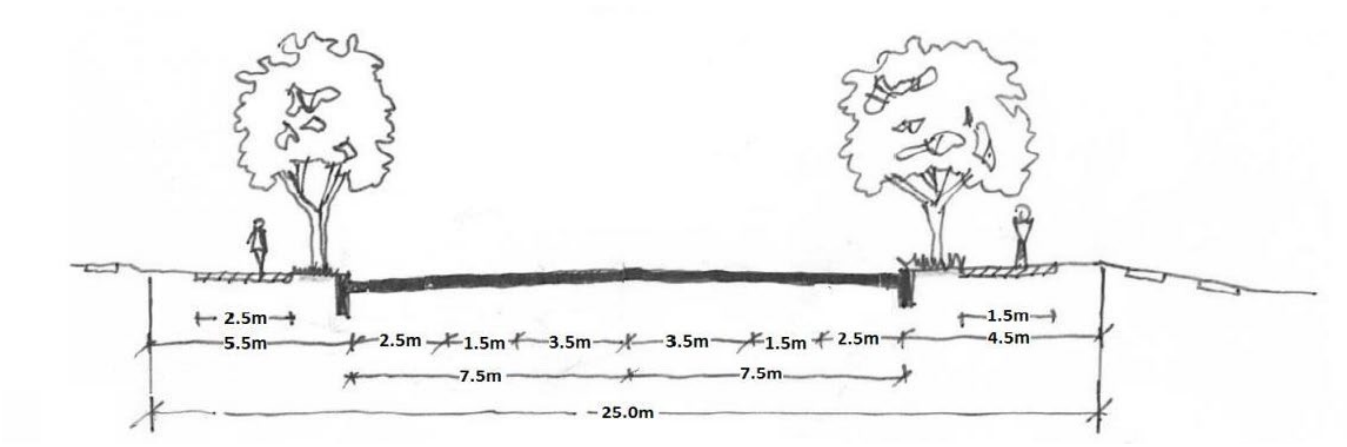


Figure 10-64: Chisholm Central - Distributor Road Section

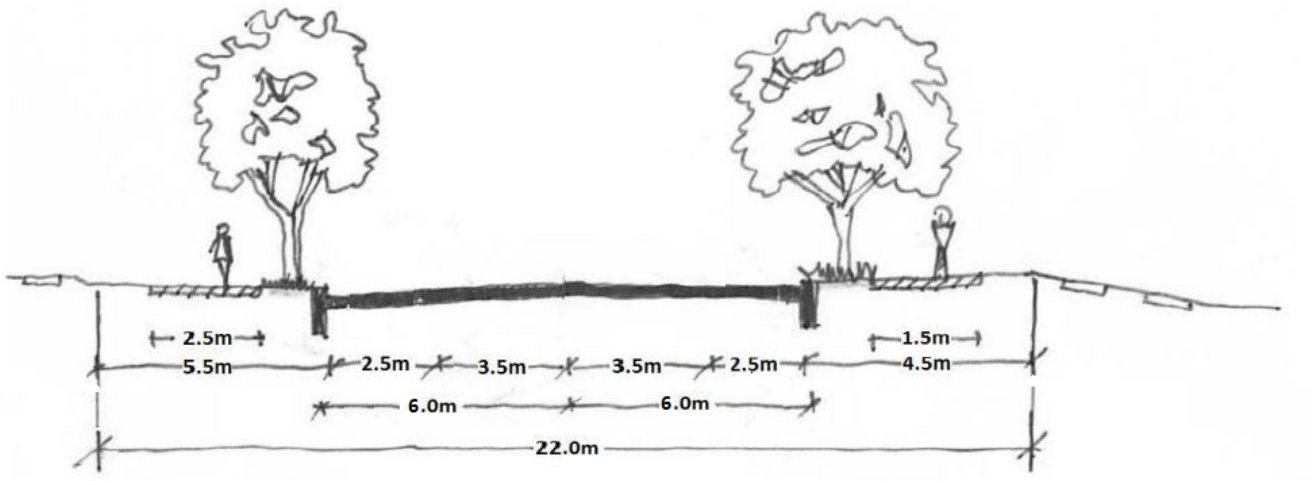


Figure 10-65: Chisholm Central - Collector Road Section

10.4.5.57. Overall Landscaping Strategy

Objectives

O.349 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.350 To establish an attractive visual appearance to the development by street tree planting and providing additional landscaping in public areas.
O.351 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.352 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.
O.353 To provide landscaped buffers around the site perimeter adjoining major roads.
O.354 To provide a quality landscaped gateway to this part of the Thornton North Release Area.
O.355 To retain appropriate riparian corridors and integrate them with open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.349 • O.350	Landscaping is to be provided in locations generally in accordance with Figure 10-63.
PC.1 • O.351 • O.352 • O.353 • O.355	A detailed landscape strategy is to be provided to address acoustic buffer areas; riparian/drainage corridors; and open space areas generally in accordance with Figure 10-63.
PC.2 • O.351 • O.355	A vegetation management plan is to be developed prior to the issue of a Subdivision Works Certificate for the riparian/drainage corridors detailing management and enhancement of vegetation communities and habitat.
PC.3 • O.354 • O.355	The vegetation management plan is to specifically address feed tree species associated with the squirrel glider habitat and include a 'nest box' program.

10.4.5.58. Passive and Active Recreation Areas

Objectives

O.356 Neighbourhoods must be conveniently located near open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.
O.357 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.
O.358 To formalise connections and passive open space as provided for under the Thornton North Contributions Plan.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.356	A network of passive and active recreational areas should be provided in general accordance with Figure 10-63.
PC.1 • O.356 • O.358	4.2 hectares of passive open space is to be provided in accordance with the Thornton North Contributions Plan item TN28 within the C3 Environmental Management zoned area. Any Development Application lodged over this land is to be accompanied by information detailing proposed management/improvement measures for this land including (but not limited to):

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• weeding, • re-vegetation, • treatment of the first order watercourse, and • walking tracks and passive recreation nodes (i.e. viewing platform/signage).
PC.2 • O.358	A passive open space linkage in accordance with the Thornton North Contributions Plan item TN30 is to be provided in the form of a 2.5m wide off-road shared pathway meandering along the riparian drainage corridor adjacent to the East/West Collector Road as shown on Figure 10-63.
PC.3 • O.357	A 2.5m wide off-road shared pathway is to be provided adjacent to the C3 Environmental Management Zone connecting the Distributor Road to Raymond Terrace Road.
AS.2 • O.357	Additional linkages, including crossing of the drainage/riparian corridor may also be provisioned in consultation with Council.
PC.4 • O.357	A 2.5m wide off-road shared pathway is to be provided along the Distributor Road.
PC.5 • O.358	Neighbourhood playgrounds are to be provided in accordance with the Thornton North Contributions Plan items TN7 & TN8, generally in the locations identified within Figure 10-63.

10.4.5.59. Stormwater and Water Quality

Objectives

O.359 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.360 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.361 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

O.362 To provide a coordinated stormwater management system for the whole of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.359 • O.360	Development applications for subdivisions are to be accompanied by a stormwater management strategy identifying both quality and quantity controls in accordance with Council's MoES and to address timing of construction.
PC.2 • O.361	Stormwater management facilities are to be provided as necessary within areas designated as drainage land on Figure 10-63.
PC.3 • O.362	All stormwater facilities are to be dedicated to Council as part of the subdivision process.
AS.1 • O.362	Stormwater treatment for Lot 4 DP1145348 is to be provided within this land, unless it can be accommodated by other approved/proposed basins in accordance with Council's MoES.
PC.4 • O.362	The three detention basins are to be designed together to demonstrate the solution achieves discharge requirements for the stormwater catchment at the precinct discharge point on the eastern edge of Lot 100 DP847510.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.362	A coordinated approach to sequencing, design and construction of those basins that relocate the natural watercourse will be required to demonstrate practical and legal implementation of the stormwater management strategies.

10.4.5.60. Amelioration of Natural and Environmental Hazards

Objectives

O.363 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.364 To ensure that future residential development is not adversely affected by any noise and vibration from road traffic associated with Raymond Terrace Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.363	Development Applications are to include a detailed assessment of the flora and fauna characteristics of the site prepared by a suitably qualified ecologist.
PC.2 • O.363	Riparian buffers are to be maintained around identified watercourses, in accordance with relevant NSW Natural Resources Access Regulator guidelines pertaining to minimum vegetated riparian zone widths.
PC.3 • O.364	Residential subdivision and associated development is to be designed so as to comply with the relevant standards and criteria for noise and vibration.
AS.1 • O.363	To minimise clearing within the C3 Environmental Management Zone, the Distributor Road may be reduced in width to remove on-street parking within the C3 zone portion of the site.
PC.4 • O.363	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.5 • O.363	Land within the flood planning area is to address Clause 5.21 of the MLEP 2011.
PC.6 • O.363 • O.364	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.5.61. Key Development Sites

Raymond Terrace Road

Objectives

O.365 To ensure that detailed urban design controls are provided for significant development sites.

O.366 To ensure that development does not result in significant detrimental visual impact at a key gateway to the Thornton North release area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.365 • O.366	A 10m wide landscape buffer is to be provided within the rear of properties adjoining Raymond Terrace Road and can include a combination of earth mounding, acoustic fencing and vegetation in accordance with Figure 10-66 and Figure 10-67. Details are to be submitted with any DA for subdivision of the land. Covenants are to be placed on affected land ensuring ongoing maintenance of the required landscaping and associated structures.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.365 • O.366	Individual developments adjacent to Raymond Terrace Road will require an acoustic report for the development of the land that identifies detailed requirements for noise attenuation.

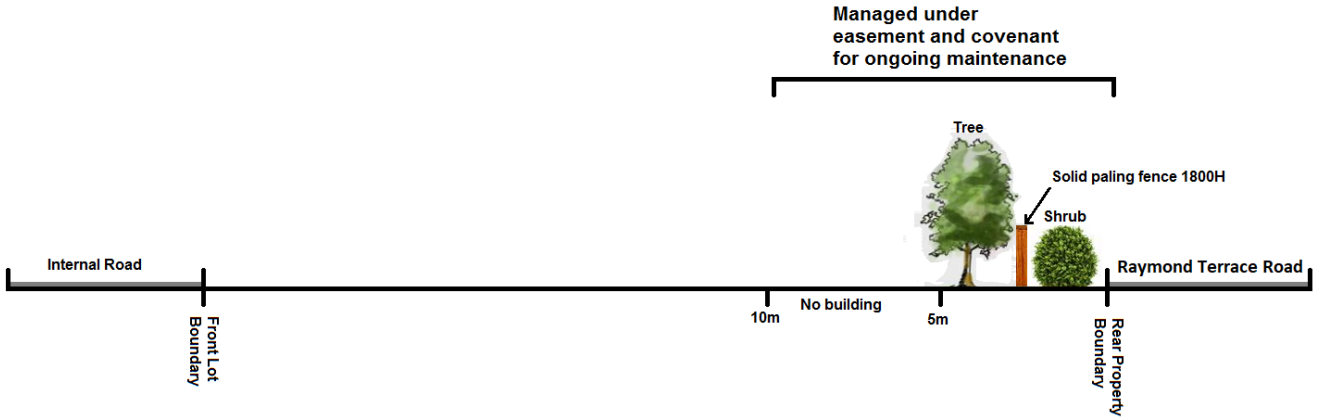


Figure 10-66: Chisholm Central - Raymond Terrace Road Landscape Treatment Section

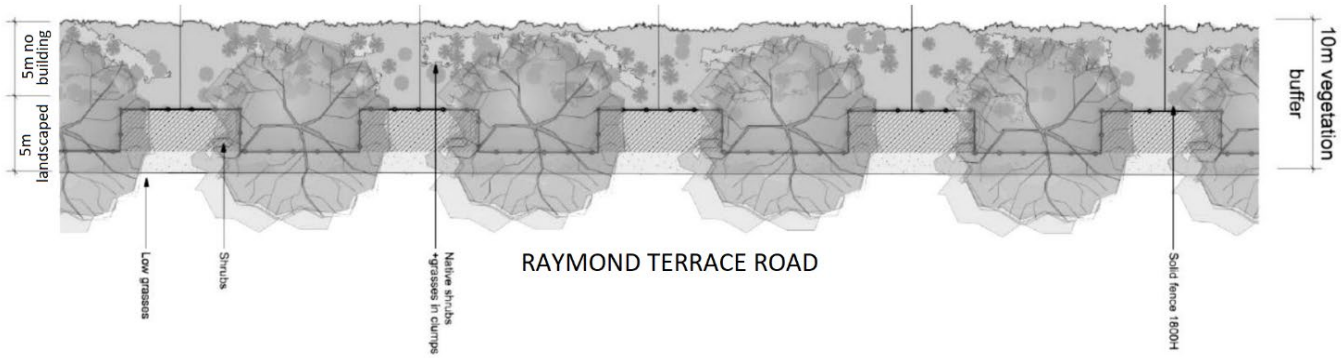


Figure 10-67: Chisholm Central - Raymond Terrace Road Landscape Treatment Plan

C3 Environmental Management and Rural Landscape Zoned Land

Objectives

O.367 To ensure that detailed urban design controls are provided for significant development sites.
O.368 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.367	A perimeter road (with development on one side only) is to be provided around the edge of the precinct where it adjoins C3 Environmental Management or RU2 zoned land.
PC.2 • O.367 • O.368	Batters for perimeter roads adjoining the C3 Environmental Management zoned land are to be contained entirely within the residential zoned portion of the land. Additional verge width may be required to accommodate grades in such circumstances.
PC.3 • O.367	Retaining walls are not permitted within road reserve.
PC.4 • O.367 • O.368	A vegetation management plan is to be developed by a suitably qualified person for any applicable C3 Environmental Management zone affected by development, detailing maintenance and enhancement of the existing vegetation community on site prior to the issue of a Subdivision Works Certificate or Construction Certificate. Such a plan is to incorporate mechanisms to support and improve the squirrel glider population of the area in association with any use of the land.
PC.5 • O.367 • O.368	Subdivision design is to ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads), and do not extend into the C3 Environmental Management zone where clearing would be required.

10.4.5.62. Residential Densities

Objectives

O.369 To encourage higher density living around transport, open space and service nodes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.369	Any dual occupancy, medium density or integrated housing developments within the precinct are strongly encouraged to be located and designed around areas of high amenity, being sites adjacent to open space, water bodies and bus routes.

10.4.6. Anambah Road Urban Release Area

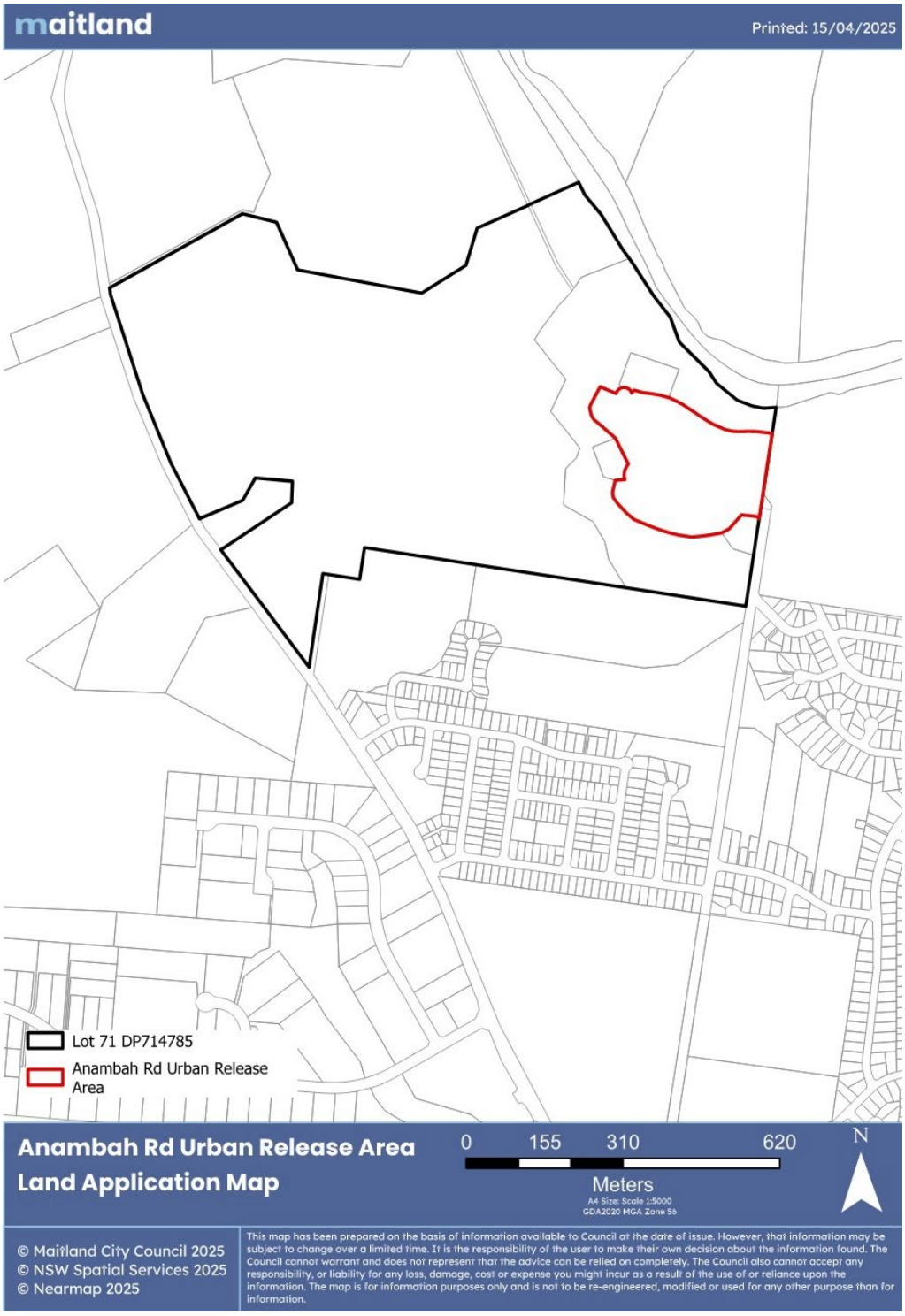


Figure 10-68: Anambah Road Urban Release Area

The Anambah Road Urban Release Area has been developed as a low-density residential area with a range of lot sizes that reflect the constraints and opportunities of the site. Multi-dwelling or dual occupancy housing is to ensure that potential impacts to privacy, solar access, visual amenity, and its relationship to the form and type of adjoining development have been taken into account.

As there is a scarcity of native vegetation on site, the establishment of additional landscaping will enhance the visual appearance of the area from surrounding urban and rural vantage points.

Precinct Plan

The Anambah Road Urban Release Area is made up of one precinct, which utilises the general provisions of this section.



Figure 10-69: Anambah Road Urban Release Area Precinct Plan

Staging Plan



Figure 10-70: Anambah Road Urban Release Area Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Road Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Passive and Active Recreation Areas
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses

10.4.6.1. Staging Plan

Objectives

O.370 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.370	Staging of the urban release area should be generally in accordance with Figure 10-70.

10.4.6.2. Overall Landscaping Strategy

Objectives

O.371 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.372 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.373 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.371 • O.372	A landscape concept plan is to be submitted with all development applications for subdivision.
PC.2 • O.371	Plantings to achieve visual amenity provisions and objectives are to be protected via mechanisms such as protective covenants, use of road or drainage reserves or other options to the satisfaction of the Council.
AS.1 • O.372	Landscaping and visual amenity provisions should be consistent with drainage designs and archaeological constraints.
PC.3 • O.373	Tree and shrub planting, utilising locally occurring native species, are to be in accordance with Figure 10-69 and the Landscaping Cross Sections in Figure 10-71 and Figure 10-72.
AS.2 • O.371	The use of lightly coloured and/or highly reflective roofing and fencing materials should be avoided to assist in minimising the visual impacts of new development. Consideration is to be given to the use of timber fencing or fencing materials with the following colours preferred: browns; greens; muted yellow; reds and terracotta. Whites and creams should be avoided.
PC.4 • O.372	Boundary planting to be in accordance with the Precinct Plan and the Landscaping Cross Sections in Figure 10-71 and Figure 10-72, with reference to the provisions of screen

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.373	planting between new development and the existing urban development to the east and Anambah House to the west of the Urban Release Area.
PC.5 • O.372	Re-establishment of native vegetation in drainage lines is to be undertaken in accordance with detailed drainage design and in keeping with archaeological finds and requirements.
PC.6 • O.373	Fencing within the landscaping areas is to make a positive contribution to the visual appearance of development and not detract from the provision of landscaping. Fencing should also be sensitive to the adjoining rural lands.

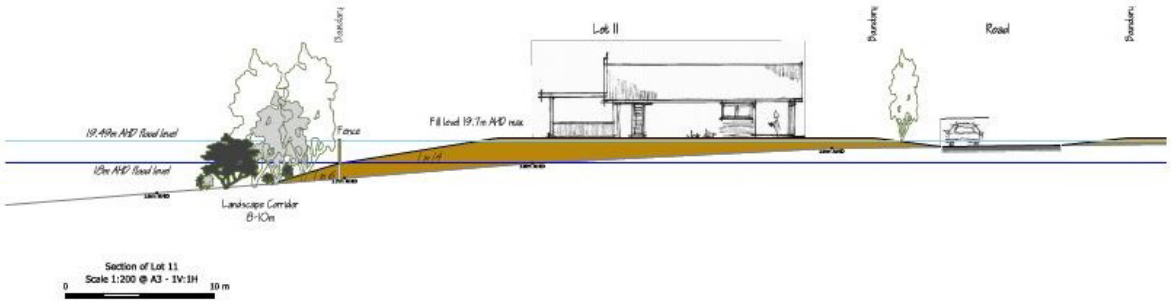


Figure 10-71: Anambah Road Landscaping Cross Section (Section 1)

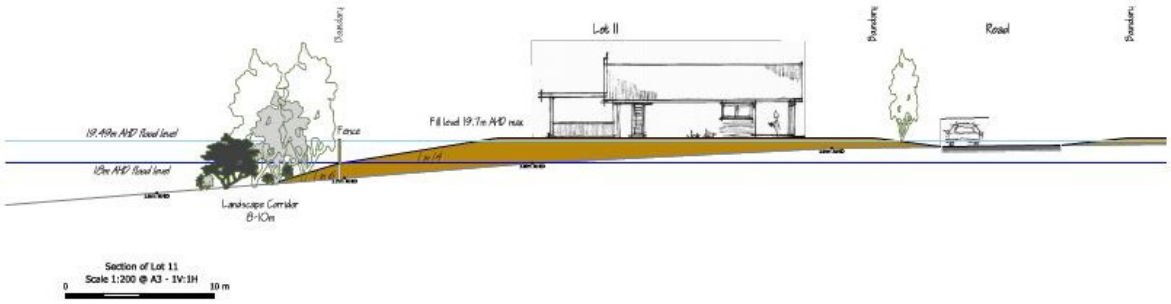


Figure 10-72: Anambah Road Landscaping Cross Section (Section 2)

10.4.6.3. Stormwater and Water Quality

Objectives

O.374 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.375 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.376 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.374	Stormwater management facilities are to be located in accordance with a stormwater strategy to be submitted with any development application proposing stormwater management facilities and approved by Council.
PC.2 • O.375 • O.376	All development applications are to demonstrate that there will no detrimental impacts on receiving waters, namely Anambah Lagoon and Hunter River, as a result of new development.

10.4.6.4. Amelioration of Natural and Environmental Hazards

Objectives

O.377 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.377	Constructed subdivision roads are to provide suitable flood free access to residential allotments.
PC.2 • O.377	Each lot is to provide development envelopes that enable all habitable floor levels to be constructed to the minimum flood planning level.
PC.3 • O.377	A bulk earthworks plan is to be submitted with any development application where bulk earthworks are proposed showing the location, extent and tonnage of proposed fill in accordance with Figure 10-71 and Figure 10-72.
PC.4 • O.377	Only 'virgin excavated natural material' (VENM), 'excavated natural material' (ENM) or waste derived material the subject of a resource recovery exemption (includes ENM) within the meaning of the Protection of the Environment Operations Act or Regulations should be used for the purposes of filling of the land.
AS.1 • O.377	Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised, and erosion controlled to prevent sedimentation runoff and protect the Anambah Lagoon.
PC.5 • O.377	All development applications shall demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.6.5. Provision of Public Facilities and Services

Objectives

O.378 Suitably located public facilities and services are provided, including provision for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.378	Roads are to be dedicated to Council. Stormwater management facilities such as detention basins are to be dedicated to Council as Drainage Reserve.

10.4.7. Lochinvar Urban Release Area



Figure 10-73: Lochinvar Urban Release Area

The Lochinvar Urban Release Area (URA) comprises a total of 650 hectares of land, with an approximate residential yield of 5,000 lots. The Lower Hunter Regional Strategy (Department of Planning, 2006) identified the Lochinvar URA as a regionally significant development area and as a key site to achieve the dwelling targets for population growth in the Lower Hunter. This identification has been transformed as part of the Hunter Regional Plan 2041 (Department of Planning & Environment, 2022) into forming the western end of the 'New England Growth Corridor', an area of concentrated urban release areas that stretch from Lochinvar to Rutherford.

The proximity of the Lochinvar URA to regional transport systems, including the Main Northern Railway Line, the New England Highway and the Hunter Expressway, are key elements to the identification of this area for urban development. A Structure Plan was adopted by Council in 2007 for the Lochinvar URA, while a site-specific Section 7.11 Contributions Plan has also been prepared for this URA.

Lochinvar Area/Precinct Plan

The Lochinvar Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

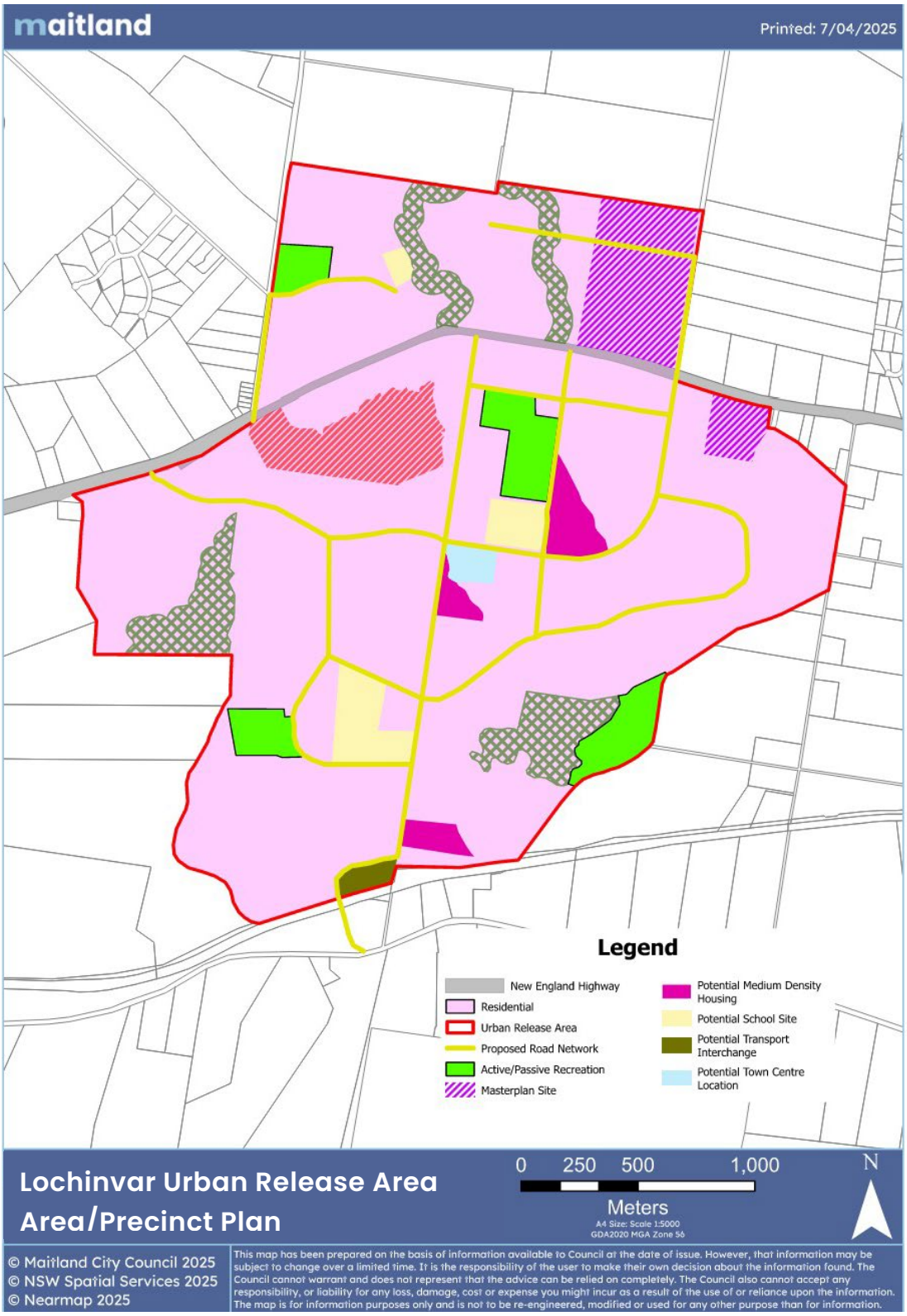


Figure 10-74: Lochinvar URA Area/Precinct Plan

Staging Plan

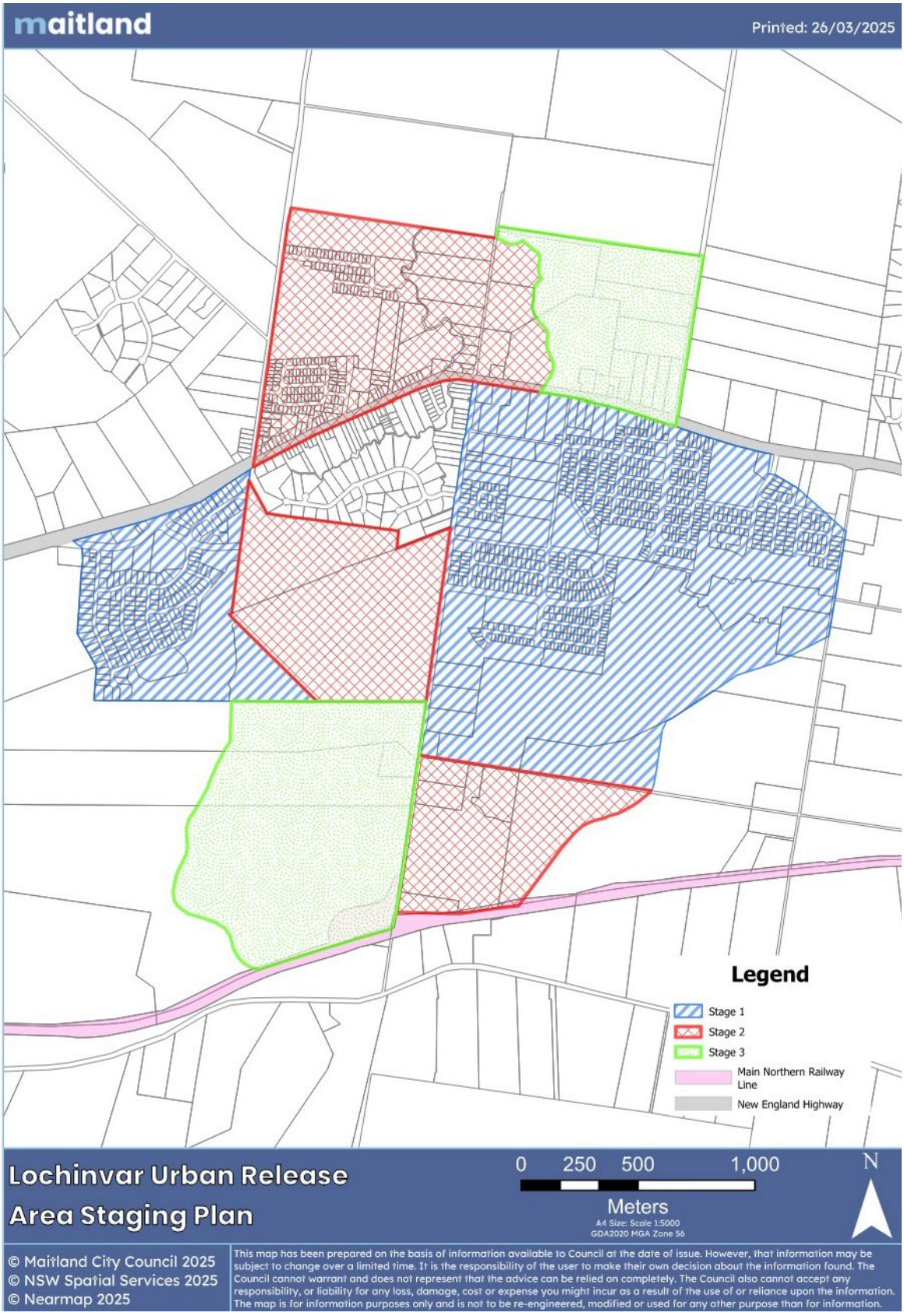


Figure 10-75: Lochinvar Urban Release Area Staging Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Lochinvar Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities

10.4.7.1. Staging Plan

Objectives

O.379 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

O.380 To provide for the logical development of the URA based on the cost-effective provision and availability of infrastructure and servicing arrangements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.379 • O.380	Staging of the urban release area should be generally in accordance with Figure 10-75.
PC.1 • O.379 • O.380	The Lochinvar URA Staging Plan is to be read in conjunction with the Lochinvar Structure Plan and the Lochinvar Contributions Plan 2014 (Lochinvar Contributions Plan).
PC.2 • O.379 • O.380	Development Applications will need to consider road and drainage infrastructure connection and sequencing in accordance with threshold limitations.
PC.3 • O.379 • O.380	Development Applications will require evidence of satisfactory arrangements for essential services, including water and wastewater servicing. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services.
PC.4 • O.379 • O.380	Development Applications are to incorporate road networks, stormwater detention areas, active and passive recreation areas, consistent with the overall staging and intended development outcomes for the Lochinvar URA.
PC.5 • O.379 • O.380	Where any proposal is made to amend the proposed Lochinvar URA Staging Plan (Figure 10-75) for reasons relating to infrastructure upgrades that may increase capacities within each stage of the Lochinvar URA, any such proposal is to be communicated to, and accepted by, Hunter Water Corporation.

10.4.7.2. Transport Movement Hierarchy

Objectives

O.381 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.382 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.383 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.384 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.381 • O.382	The overall movement hierarchy for each Development Application for urban development should be consistent with Figure 10-77 and Figure 10-78.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.383 • O.384	
AS.2 • O.381 • O.382 • O.383	The overall pedestrian and cycleway links should be consistent with Figure 10-78, and the Recreation and Community Facilities Plan, which is identified in the associated Lochinvar Contributions Plan.
PC.1 • O.381 • O.383	The primary access for residential development in Stage 1 of the Lochinvar Urban Release Area is to be provided off the New England Highway, in accordance with Figure 10-77.
PC.2 • O.381 • O.382 • O.383 • O.384	Perimeter roads as per Figure 10-79 are to have a minimum pavement width of 8m. Pavement width may need to be increased subject to lot catchment yield. Additional parking in between the road pavement and off-road shared path are to be provided at points of interest, e.g. parks, open space.
PC.3 • O.381 • O.383 • O.384	No new lot is to have direct vehicular access to the New England Highway or Winders Lane.
AS.3 • O.381 • O.382 • O.384	Subdivisions adjacent to the New England Highway should orientate allotments and dwellings to face the main road, with suitable internal roads providing access, and suitable landscaping separating the allotment boundaries and main road.
PC.4 • O.382	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified in the subject DCP chapter and the relevant Lochinvar Contributions Plan when designing subdivision layouts and movement linkages between adjoining sites.
PC.5 • O.382 • O.384	Land is to be developed in walkable distances of up to 400m to a bus route, pedestrian network and local park, to promote sustainable communities.
PC.6 • O.381 • O.382 • O.383	Development Applications must incorporate road networks that support the overarching traffic study for the Lochinvar URA in accordance with Figure 10-77, Figure 10-78 and Figure 10-79 of this DCP.
PC.7 • O.381	Traffic management facilities for the Lochinvar URA are to be provided in accordance with Figure 10-77 and the relevant provisions of the Lochinvar Contributions Plan.
PC.8 • O.381 • O.382 • O.383 • O.384	The subdivision layout is to provide well connected and multiple route options for all modes of transport (pedestrian, cycle, bus and vehicle). The design of pedestrian, cycle and bus routes will take precedence over vehicle routes. The provision of roads suitable for bus services is to provide for an adaptable growing network.
PC.9 • O.381 • O.384	Bus routes are to be provided in a manner that facilitates 400m maximum walking distance for primary routes, with bus stop locations generally being spaced 300m apart.
PC.10 • O.381 • O.382 • O.383 • O.384	Proposed **Medium or Large subdivision** is to provide transport infrastructure such as pedestrian facilities (i.e. refuges/crossing points, footpath and cycle routes) and bus facilities (i.e. laybys, stops, shelters) for future and current school and public bus services.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.381 • O.382 • O.383 • O.384	Public infrastructure is to be upgraded on public land as deemed necessary as a result of: • increased demand, or • to connect to nearby urban areas, or • as listed in council documents. i.e. footpaths, road and drainage infrastructure, pedestrian and bus facilities.
AS.4 • O.381 • O.383	Some existing roads are subject to road widening as shown in Figure 10-77. Consultation with Council is required to determine relevant widths and if the subject road is identified in the Lochinvar Contributions Plan 2014. **Note:** The following roads are noted to have pavement and verge widths that are substandard to MoES as they are retrofitting existing laneways to residential streets: • Station Lane to Robert Road from New England Highway to Christopher Road, and • Christopher Road to Gregory Street from Station Lane to Robert Road.

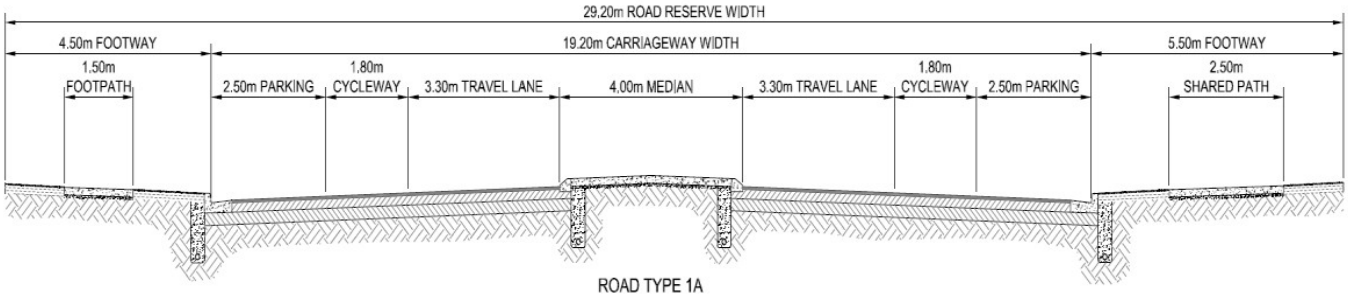


Figure 10-76: Lochinvar URA - Cross-Section for Divided Carriageway.

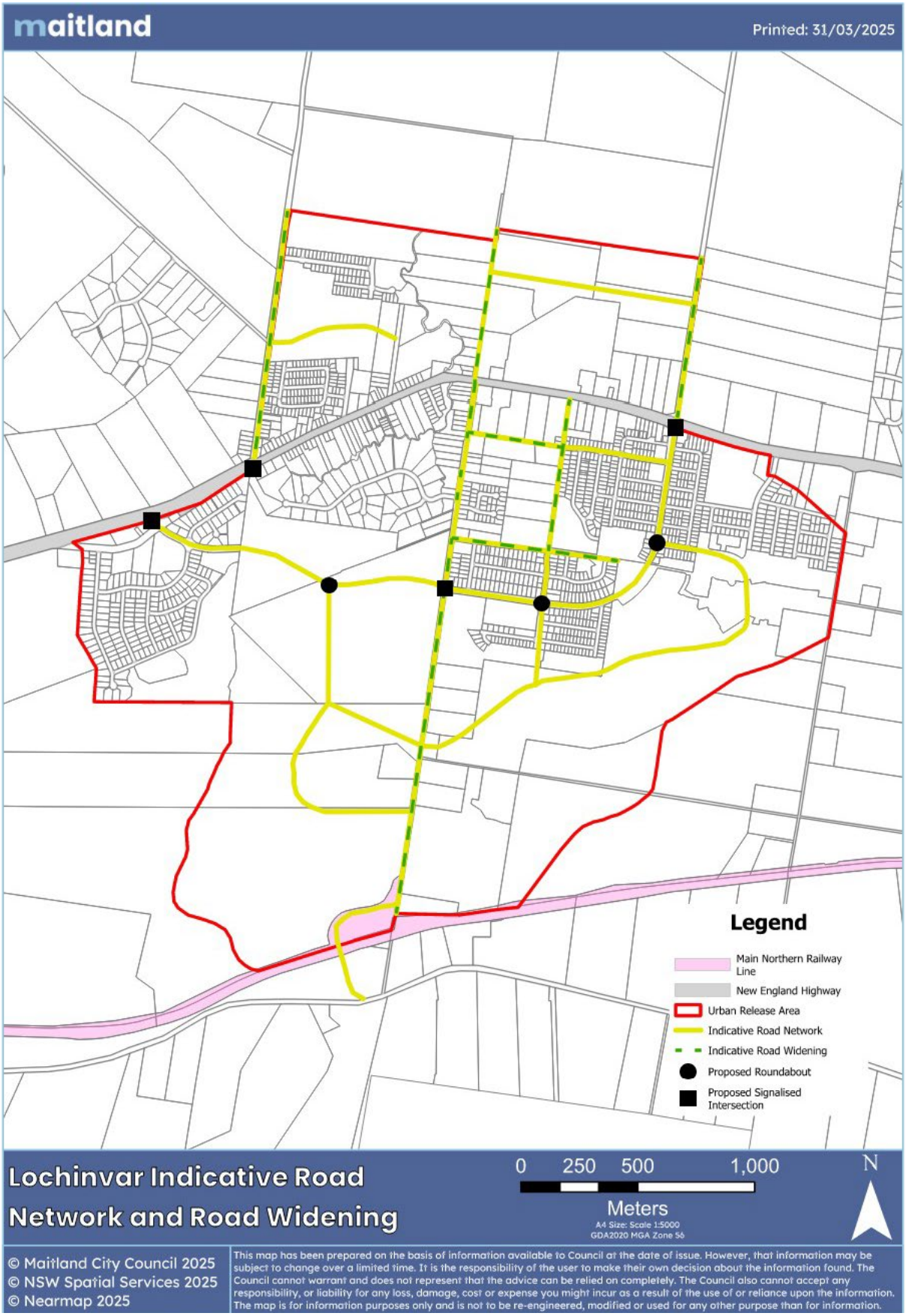


Figure 10-77: Lochinvar URA Proposed Road Network and Road Widening

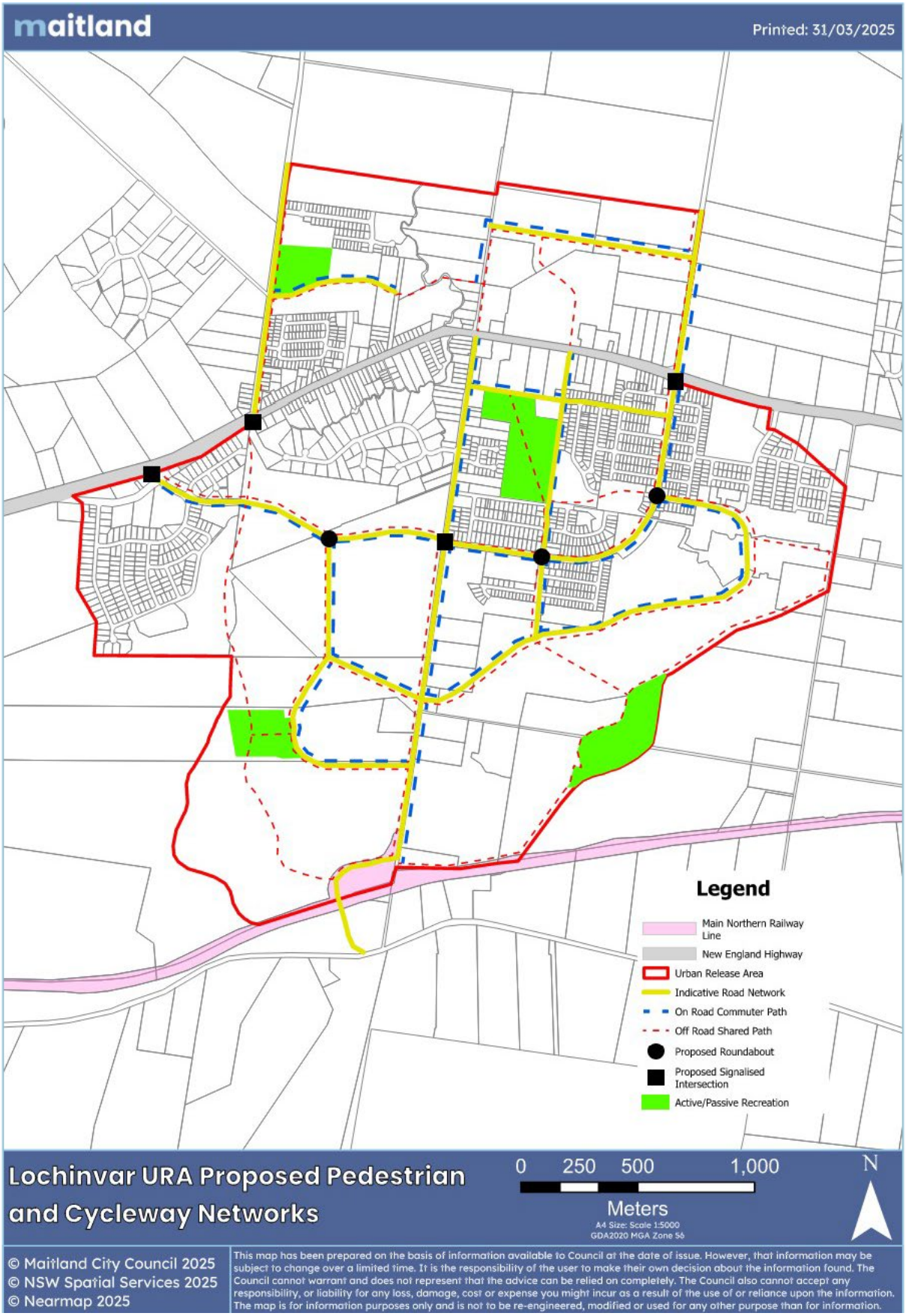


Figure 10-78: Lochinvar URA Pedestrian and Cycleway Networks

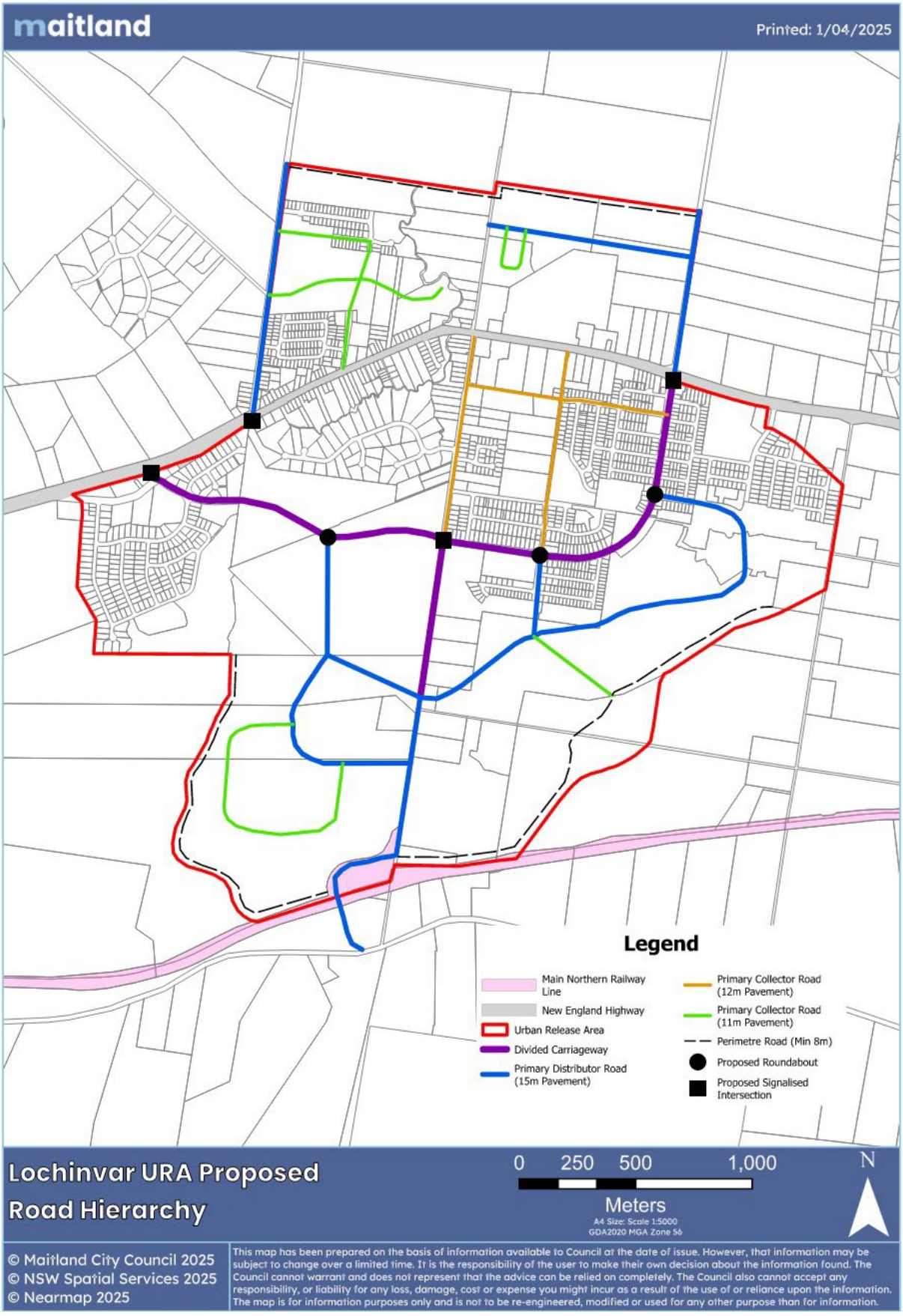


Figure 10-79: Lochinvar URA Proposed Road Hierarchy and Bus Routes

10.4.7.3. Overall Landscaping Strategy

Objectives

O.385 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.386 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.387 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

O.388 A series of residential neighbourhoods are to be designed throughout the Urban Release Area to create a sense of identity, through distinct landscape and built form elements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.385 • O.386 • O.387	Each Development Application for a new **Medium or Major subdivision** is to include a landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, visually prominent locations, noise sensitive areas, and detailed landscaping requirements for the public and private realm. **Note:** Medium subdivisions are defined as the creation of 10 – 49 new lots, and/or where a new road is required. Major subdivisions are defined as the creation of 50 or more new lots. Refer to Chapter 5: Subdivision for further information.
PC.2 • O.385	Landscaping is to be provided on land adjacent to major intersections, all collector roads, Station Lane, Northern access roads and Southern Ring Road so as to soften the visual impact of all built elements, creating attractive streetscapes when viewed by passing traffic and pedestrians.
AS.1 • O.385 • O.387 • O.388	Avenue type plantings should be provided on the western and eastern approaches into Lochinvar along the New England Highway.
PC.3 • O.387 • O.388	Where applicable, the landscaping strategy is to provide a 15m landscaping buffer adjoining the Southern extent of the Freeman Drive large lot residential subdivision, within the nominated 'Freeman Drive 15m vegetation buffer' shown in Figure 10-81.
PC.4 • O.386	The landscaping strategy is to provide extensive tree planting to the edge of existing riparian areas, with visual breaks where streets terminate in views to the riparian areas.
PC.5 • O.385 • O.387	Subdivision design is to have regard to the integration of existing residences within the Lochinvar URA with any new development, including, where deemed necessary, the provision of suitable landscape treatments to provide visual relief and minor separation distance between existing and future residential developments.
PC.6 • O.385 • O.386	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands by orienting streets and locating public space to capture views.
PC.7 • O.386 • O.387	Future subdivision design is to incorporate the remnant areas of native vegetation within the Lochinvar URA into the character and design of the development and provide for links between areas of remnant vegetation, creating improved habitat value and filter strips along watercourses.
PC.8 • O.386 • O.387	Future development and landscaping is to recognise the cultural plantings located at St Helena (along the New England Highway) and Clifton, and where necessary, is to be designed to complement rather than compete with established features.

10.4.7.4. Passive and Active Recreation Areas

Objectives

O.389 To ensure that neighbourhoods have conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.390 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.389	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-78.
AS.2 • O.389 • O.390	Subdivision of land and the network of passive and active recreational areas should be consistent with that identified in Figure 10-78 and the Community Facilities Plan, which is identified in the associated Lochinvar Contributions Plan.

10.4.7.5. Stormwater and Water Quality

Objectives

O.391 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.392 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.393 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.391 • O.392 • O.393	The stormwater and water quality management controls are to be consistent with the principles of Water Sensitive Urban Design (WSUD) Targets in accordance with Council's MoES.
AS.1 • O.391 • O.392	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design and wider catchment.
PC.2 • O.391 • O.392	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
PC.4 • O.391 • O.392	Development applications are to identify stormwater detention areas in accordance with the nominated locations identified in Figure 10-80. **Note:** the locations of the stormwater detention basins form part of the wider trunk drainage network, to which developers will be required to make contributions under the *Lochinvar Contributions Plan 2014*.
PC.5 • O.391 • O.392	Stormwater calculations are to be based upon the ultimate development state of the catchment. The time of concentration is the time from the most remote section part of the catchment to the catchment outlet. (i.e. from the top of Greedy Creek and Lochinvar Creek to the New England Highway).
PC. 6 • O.392	No development is to occur in the Greedy Creek or Lochinvar Creek catchments unless sufficient regional basin(s) are constructed to mitigate any impacts on Hunter Close catchment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.392 • O.393	Minimum road widths may need to be increased on account of WSUD features such as swales.
AS.3 • O.392 • O.393	Swales may be accepted where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
AS.4 • O.392 • O.393	Swales may be considered on the outside of perimeter roads where no residential access is provided. These swales are not to exceed 4% gradient.
PC.7 • O.392 • O.393	Flow control measures are to be used where grades in swales exceed 4%.
AS.5 • O.392 • O.393	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
AS.6 • O.391 • O.392	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage management system. Detention basins and / or wetlands to alleviate stormwater peaks and retain pollutants can be considered on-line only for 1st and 2nd order streams.
AS.7 • O.391 • O.392	Wetlands should adhere to the following design criteria: a. be designed to create an attractive and safe amenity, and be highly visible for both the adjoining residents and passers-by, b. walking paths should have frequent contact adjacent to the wetland edge, c. vegetation should be planted such that generous unobstructed view of the wetland is available, d. emergent macrophytes should be minimal and manageable, e. slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access, and f. flat grassed areas that potentially may be water-logged should be avoided.
PC.8 • O.391 • O.392 • O.393	Gullies intended to be left in their natural state are to be assessed, and if necessary enhanced in a manner that reduces the need for maintenance.

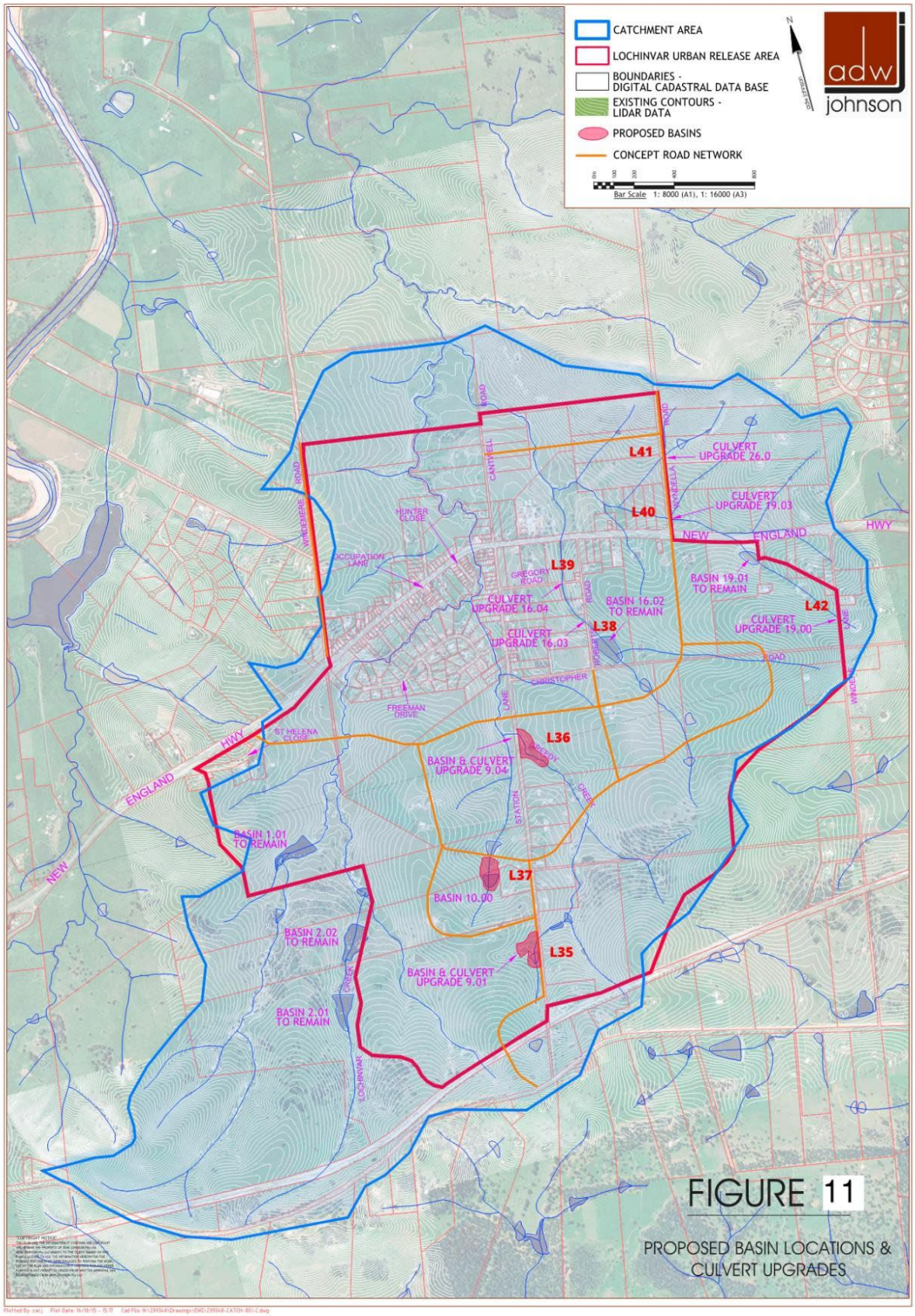


Figure 10-80: Proposed basin locations and culvert upgrades

10.4.7.6. Amelioration of Natural and Environmental Hazards

Objectives

O.394 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.395 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.394	Development Applications are to provide for the amelioration of natural and environmental hazards, including bushfire, flooding and site contamination.
PC.2 • O.394	Development Applications will need to consider the safe occupation and evacuation from any natural hazards relating to the site.
PC.3 • O.394	Submission of a bushfire threat assessment prepared by a qualified person is a requirement for any Development Application involving bushfire prone land within the Lochinvar URA. The assessment is to be of a quality to the satisfaction of Council.
PC.4 • O.394	Development Applications will need to prepare a geotechnical investigation report for the site investigating soil salinity levels, soil structure/stability and Acid Sulfate Soils.
PC.5 • O.394	Development Applications for **Medium and Major Subdivisions** are to include a Preliminary Site Investigation (PSI) for the development. Any PSI undertaken should have regard to the site contamination assessment completed by Barker Harle Pty Ltd submitted with the rezoning proposal for the Lochinvar URA. **Note:** A Detailed Site Investigation (DSI) and Remediation Action Plan (RAP) may be required based on the PSI's findings.
PC.6 • O.394	The affected areas of those sites in the Northern extent of the Lochinvar URA that are prone to inundation as a result of either: a. the 1:100 Annual Exceedance Probability (AEP) plus 0.5m freeboard, or b. localised storm event flooding from Lochinvar Creek, are not to be further developed for residential purposes.
PC.7 • O.394	Impacts from localised storm event flooding generated from Lochinvar Creek are to be considered as part of relevant Development Applications within the Lochinvar Creek Catchment, with reference to the overarching stormwater and flood study for the Lochinvar URA prepared by ADW Johnson (2015) as a basis for determining impacts from future development in the URA.
PC.8 • O.395	Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations from rail movements along the Main Northern Railway Line or from vehicle movements along the New England Highway.
PC.9 • O.395	Rail noise is expected to impact the Southern extent of the Lochinvar URA, predominantly to the South of Cow Hill Road. The following design criteria is required for houses located in this region: a. Future residential buildings will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.100 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*: • In any bedroom in the building – 35dB(A) at any time between 10pm and 7am, and • Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time. b. An external amenity noise target of 80dB Lamax.
AS.1 • O.395	Figure 10-81 shows the extent of the 60dB(A) Leq 9hr (night-time 2022) noise contour as extracted from the Australian Rail and Track Corporation *Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)* (June 2013)[2].

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	For land to the North of the 60dB(A) contour, conventional residential construction will most likely enable the internal noise goals of Section 2.100 of State *Environmental Planning Policy (Transport and Infrastructure) 2021* to be achieved. For land within, or in close proximity to, the 60dB(A) contour (closer to the rail corridor), specialised acoustic treatments are likely to be needed in the form of improved noise attenuation treatments to individual residences or mitigation in the form of noise barriers adjacent to the rail corridor – or perhaps a combination of these. **Note:** The purpose of including this noise contour in the DCP is to give a potential developer a spatial appreciation of where specialised acoustic controls are likely to be required in the development of the URA. [2]The Eastern end of the 60dB(A) contour is shown as an indicative contour only given the termination point of the survey and modelling undertaken under the "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)".
PC.10 • O.394 • O.395	For habitable development occurring on land to the South of Cowhill Road, including the land South of the 60dB(A) indicative rail noise contour, an acoustic report is to be provided that identifies potential impacts and mitigating measures associated with development located in proximity to the Main Northern Railway Line. **Note:** While rail vibration must be properly assessed as part of the development application process, the Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public) (ARTC, 2013) suggests that vibration impacts are not likely to be significant outside the range of 40-50m from the nearest rail line.
PC.11 • O.394 • O.395	Given the potential impacts from coal dust and pollution/emissions from rail movements, development applications proposing residential lots and/or buildings within 50m of the Main Northern Railway Line is to include a detailed air quality assessment carried out by a suitably qualified consultant. The air quality assessment zone is shown in Figure 10-81.[3] **Note:** The ARTC's Maitland to Minimbah Third Track Environmental Assessment (May 2010) identifies the residential areas of Telarah, Rutherford, Farley, Greta and Branxton as sensitive receptors in relation to air quality. Given the location of the Lochinvar URA adjacent to the rail corridor, the locality is also considered a sensitive receptor and is to be treated the same way as the abovementioned localities in determining air quality impacts.
PC.12 • O.394 • O.395	Development Applications that include development on land within 120m of the New England Highway will require preparation of an acoustic assessment to determine individual construction standards for residential buildings within the performance- based area shown in Figure 10-81.
PC.13 • O.395	Future residential buildings within 120m of the New England Highway will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.120 of State Environmental Planning Policy (Transport and Infrastructure) 2021: • In any bedroom in the building – 35dB(A) at any time between 10pm and 7am, and • Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.
AS.2 • O.394	Reference should be made to Figure 10-81 of this chapter, and the adopted Lochinvar Structure Plan 2007, in identifying key sites and visually sensitive areas within the Lochinvar URA that are of particular importance and should be considered when preparing Visual Impact Assessments to support Development Applications. This includes land to the East of Windermere Road extending to Lochinvar Creek, that has been identified as a visually sensitive area (see Figure 10-81).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.3 • O.394	Consideration should also be given to any nearby master planned sites (see Figure 10-74) and visually prominent features from the New England Highway, including: • Airds of Lochinvar, • St Helena Homestead and cultural tree plantings, • All Saints College St Joseph's Campus, • St Patrick's Church, • Holy Trinity Church, • Davron Hill/Jacobs Hill/Winders Hill/Summer Hill, and • Greta Reserve.
PC.14 • O.394	Development Applications that include land adjoining the New England Highway are to employ appropriate mechanisms for managing the interface between residential development and the New England Highway. This is to be informed by a visual impact assessment (the complexity of which is determined by the scale of the proposed development), in order to preserve the rural amenity and entrance into Lochinvar.

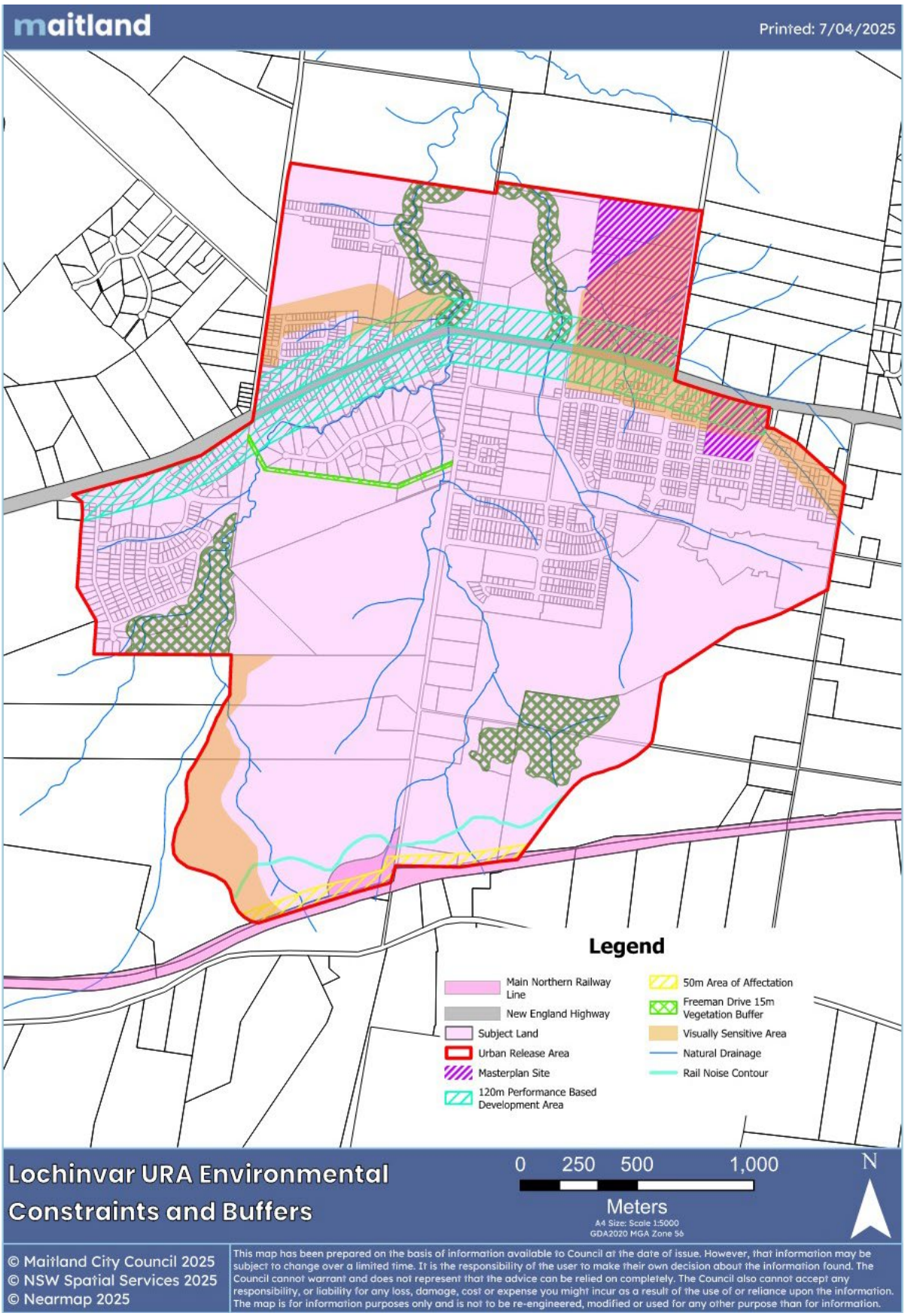


Figure 10-81: Lochinvar URA Constraints and Buffers

10.4.7.7. Heritage

Objectives

O.396 To ensure that heritage items, buildings with heritage significance and Heritage Conservation Areas are protected.

O.397 To ensure that matters relating to Aboriginal heritage are adequately assessed and, where necessary, protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.397	Development Applications for **Medium and Major Subdivisions** are to be supported by appropriate Aboriginal heritage assessment in the form of an Aboriginal Heritage Due Diligence Assessment or, if necessary, an Aboriginal Cultural Heritage Assessments (ACHA) to determine the presence and locations of any Aboriginal artefacts or sites of significance, including methods for providing any necessary buffers within the site. When preparing an ACHA, reference is to be made to the recommendations of the *Aboriginal Heritage Assessment and Management Plan* by Mary Dallas Consulting Archaeologist Pty Ltd (August 2010), with specific attention paid to any Potential Archaeological Deposits identified in that assessment. **Note:** Other development may require an Aboriginal Heritage Due Diligence Assessment and/or ACHA to be prepared, subject to relevant provisions under the *National Parks and Wildlife Act 1974.*
AS.1 • O.397	In cases where development has triggered PC.1, Development Applications are to include documented evidence of consultation with Local Aboriginal Land Councils and relevant government agencies.
PC.2 • O.396	Development Applications are to consider Heritage Items identified in the Lochinvar Structure Plan, and the visual significance of these items. Identified items include (but are not limited to): • Victoria House, Cantwell Road, • St Helena Cottage, • Holy Trinity Church, • Catholic Cemetery, • Police Station, • Clifton, Station Lane, and • Government railway.
PC.3 • O.396	Where required due to proximity to a Heritage Item or as required by Heritage NSW, any Statement of Heritage Impact prepared for development is to incorporate an assessment of curtilage (including a map showing curtilage) for identified items and must include recommendations for the recognition and protection of any other items, should any be exposed as a result of further planning or construction processes.

10.4.7.8. Key Development Sites

Objectives

O.398 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.398	Detailed urban design controls (including traffic management requirements and car parking designs where appropriate) are to be provided for the following Key Development Sites: • Schools, libraries and community facilities, • Gateway sites, • St Helena Village,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• Airds of Lochinvar, • Sisters of St Joseph Convent and surrounds, • Lochinvar Police Station, • Interface area adjoining Freeman Drive, • Development adjoining the New England Highway and Main Northern Railway Line, • Transport interchange, • Civic precinct, and • Lochinvar Town Centre.

Adjoining land zoned for environmental protection

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.398	Any development or works within, or adjacent to the land zoned C3 Environmental Management are to ensure clearing of vegetation is minimised, to the satisfaction of Council.
PC.3 • O.398	Mechanisms are to be put in place with development to ensure the integrity and protection of established vegetation and riparian areas zoned C3 Environmental Management. Details of how vegetation and riparian areas are proposed to be managed are to be included in all Development Applications affecting the C3 Environmental Management zone.
PC.4 • O.398	Development within residential zones must be designed and planned to ensure any Asset Protection Zones (APZs) and the like are not required or needed in the C3 Environmental Management zone.
PC.5 • O.398	Any APZs must be accommodated wholly within residential zones and are not to extend into the C3 Environmental Management zone.

Interface area south of Freeman Drive

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.398	Development on land adjoining the existing Freeman Drive subdivision to the South must be suitably located and designed so as to maintain view corridors and minimise any impacts on the existing neighbourhood amenity.
PC.7 • O.398	A vegetation buffer for the purposes of screening and visual amenity must be provided and maintained for a depth of 15m (within the 'no development' buffer) from the rear of existing allotments currently serviced by Freeman Drive identified in Figure 10-81.

Land adjoining the New England Highway and Winders Lane

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.398	No direct access will be permitted to the New England Highway or Winders Lane for new residential allotments.
PC.9 • O.398	A landscape buffer, wholly contained within the allotments to be developed adjoining the New England Highway and Winders Lane, is to be implemented for: a. all allotments adjoining the New England Highway between Robert Road and the Eastern extent of the Lochinvar Urban Release Area that adjoins the New England Highway, and b. all allotments adjoining Winders Lane.
PC.10 • O.398	The landscape buffer adjoining the New England Highway is to include design elements and construction materials that assist with reducing traffic noise generated from vehicles

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	along the New England Highway. These design elements and construction materials must be identified in a landscape plan supporting any Development Application upon land so affected.
PC.11 • O.398	The respective landscape buffers adjoining the New England Highway and Winders Lane are to be wholly contained within the affected allotments, with maintenance of the landscape buffer being the responsibility of the individual owners of the respective allotments. Figure 10-82 and Figure 10-83 illustrate the typical cross-section and possible fencing arrangements for the affected land.
PC.12 • O.398	The dimensions of the New England Highway landscape buffer will be dependent on the results of acoustic modelling undertaken for land within the '120 metre performance-based area' illustrated in Figure 10-81 of this DCP chapter, and, where applicable, the results of any Visual Impact Assessment relating to the land.
PC.13 • O.398	Dwellings are to be set back from the New England Highway a minimum distance of 30m. Residential allotments in this locality are to be designed to be of sufficient depth to accommodate this set back and dwelling footprint.

Airds of Lochinvar

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.14 • O.398	Any Development Application involving the 'Airds of Lochinvar' site is to incorporate appropriate mechanisms to enable the continued functioning of the 'Airds of Lochinvar' building as a locally significant commercial premises, as the building and its surrounds are identified as a masterplan site (Figure 10-74). Only limited commercial activities at the site are supported (as permitted in the R1 General Residential zone).

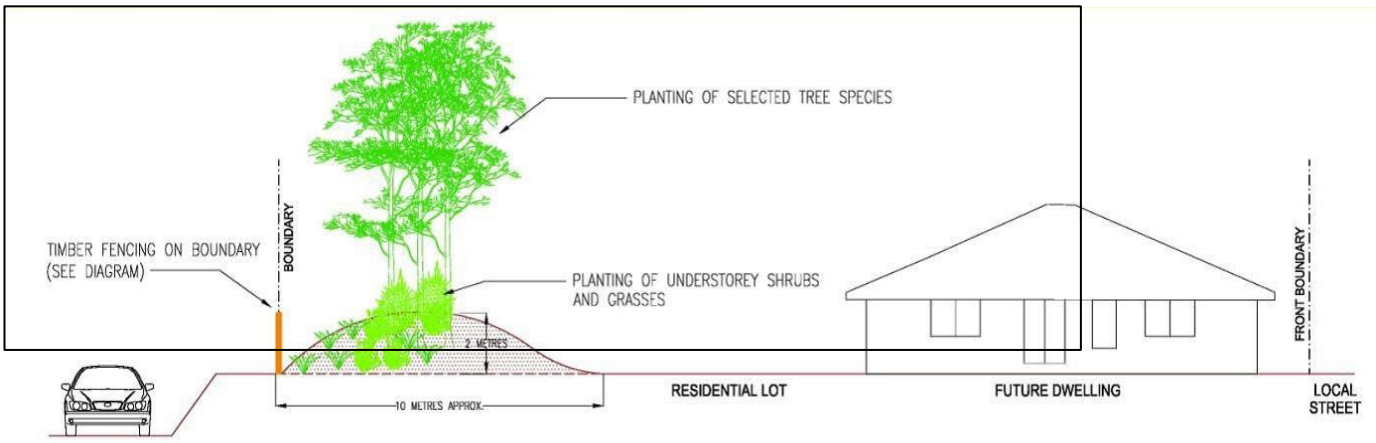


Figure 10-82: Landscape Buffer Typical Cross Section for Allotments Adjoining the New England Highway and Winders Lane.



Figure 10-83: Typical Timber Boundary Fencing for Allotments Adjoining the New England Highway and Winders Lane.

10.4.7.9. Neighbourhood Commercial and Retail Uses

Objectives

O.399 To accommodate and control appropriate neighbourhood commercial and retail uses.
O.400 To foster a sense of community and strong local identity and sense of place in neighbourhoods.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.399	Development Applications that propose commercial and retail uses adjacent to residential uses are to consider buffers or screening to reduce noise, vibration and/or lighting impacts.
PC.2 • O.399 • O.400	Any Development Application that includes the land nominated for neighbourhood shops north of the New England Highway will need to address issues such as traffic and access, potential intersection locations, carparking, signage and other pertinent elements associated with commercial development in the locality.
PC.3 • O.399 • O.400	The Development Application for the future Lochinvar Town Centre is to include detailed urban design controls (including traffic management requirements and carparking designs).

10.4.7.10. Provision of Public Facilities and Services

Objectives

O.401 To ensure that suitably located public facilities and services are provided, including provisioning for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.401	Each Development Application for **Medium or Major Subdivision** is to include suitably located public facilities and services, including provision for appropriate traffic management facilities and parking (see Key Development Sites above), as required by Council.
AS.1 • O.401	Public transport should be addressed in Development Applications, with consideration made for overall network connectivity and access to bus stops and the Lochinvar Railway Station.
PC.2 • O.401	Development Applications that include land in the Southern extent of the Lochinvar URA are to account for future expansion of the Lochinvar Railway Station and the potential for a transport interchange in this part of the site.
PC.3 • O.401	Development Applications are to incorporate indicative road networks (Figure 10-79), stormwater detention areas, active and passive recreation areas and evidence of satisfactory arrangements for essential services.
PC.4 • O.401	Provision of community facilities and open space areas will be in accordance with the associated Lochinvar Contributions Plan.

10.4.8. Farley Urban Release Area

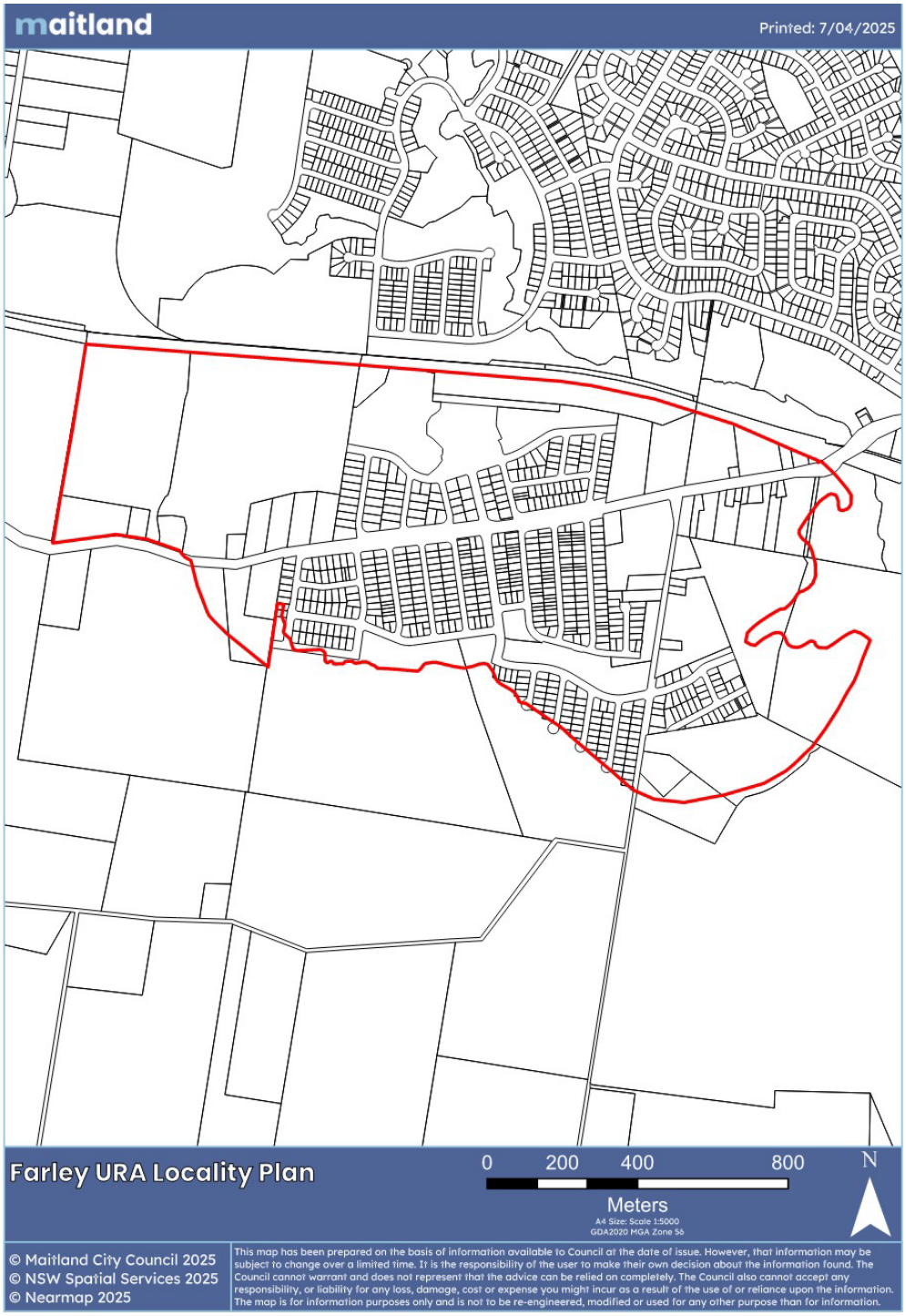


Figure 10-84: Farley Urban Release Area

The Farley Urban Release Area (URA) comprises of a total of 160 hectares of land, with an approximate residential yield of 1,500 lots. The Lower Hunter Regional Strategy (Department of Planning, 2006) identified the Farley URA as a regionally significant development area and a key site to achieve the dwelling targets for population growth in the Lower Hunter. Further development within the Maitland LGA and the establishment of Farley as a residential suburb in years since has seen the URA integrated into the New England Growth Corridor as part of the *Hunter Regional Plan 2041* (Department of Planning and Environment, 2022).

The Farley URA is located immediately South of the Main Northern Railway Line. While no railway station currently exists at Farley, the proximity of the Farley URA to regional transport systems including the New England Highway and the Hunter Expressway are key elements to the identification of this area for urban development.

Farley Area/Precinct Plan

The Farley Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

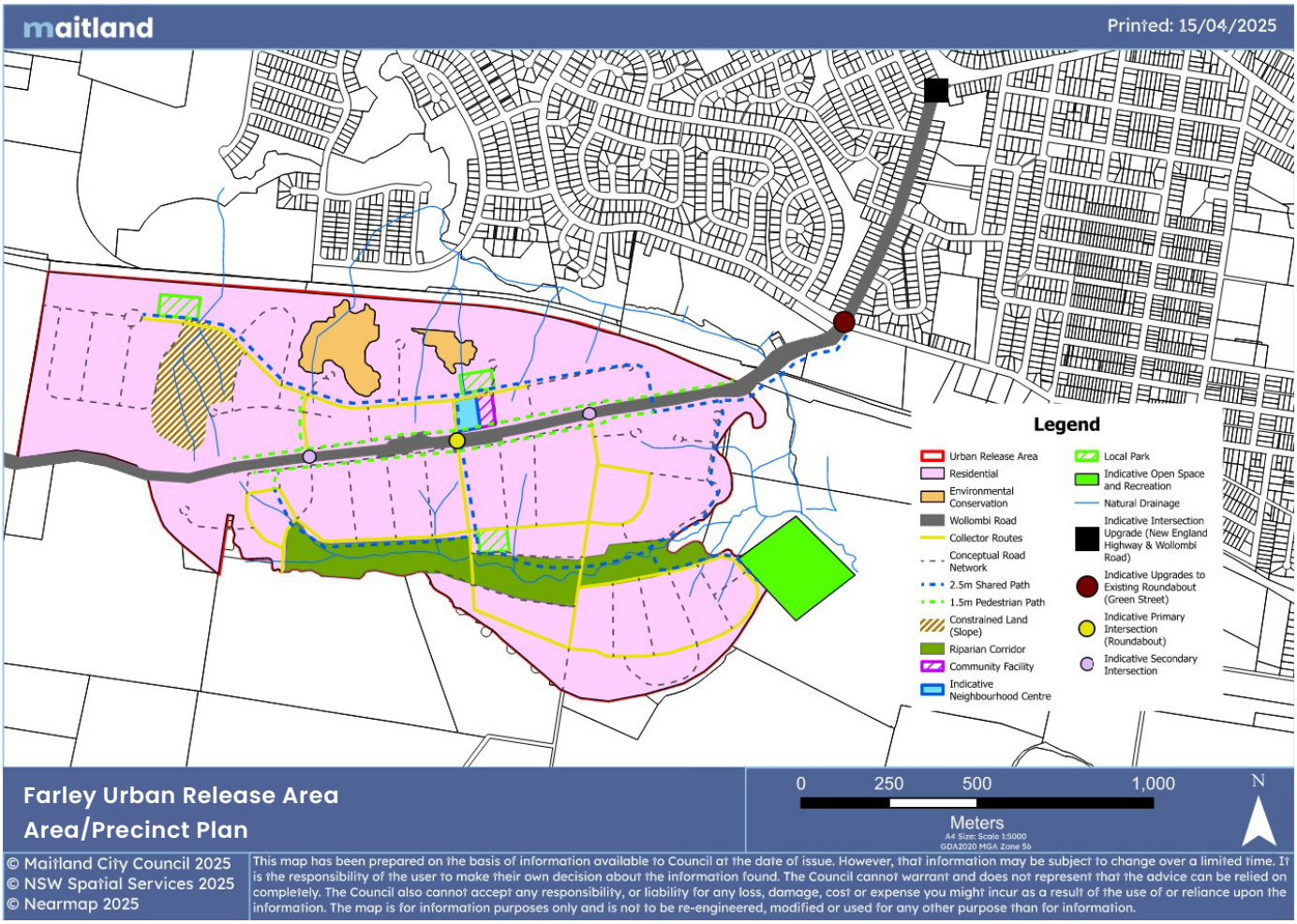


Figure 10-85: Farley Area/Precinct Plan

Staging Plan

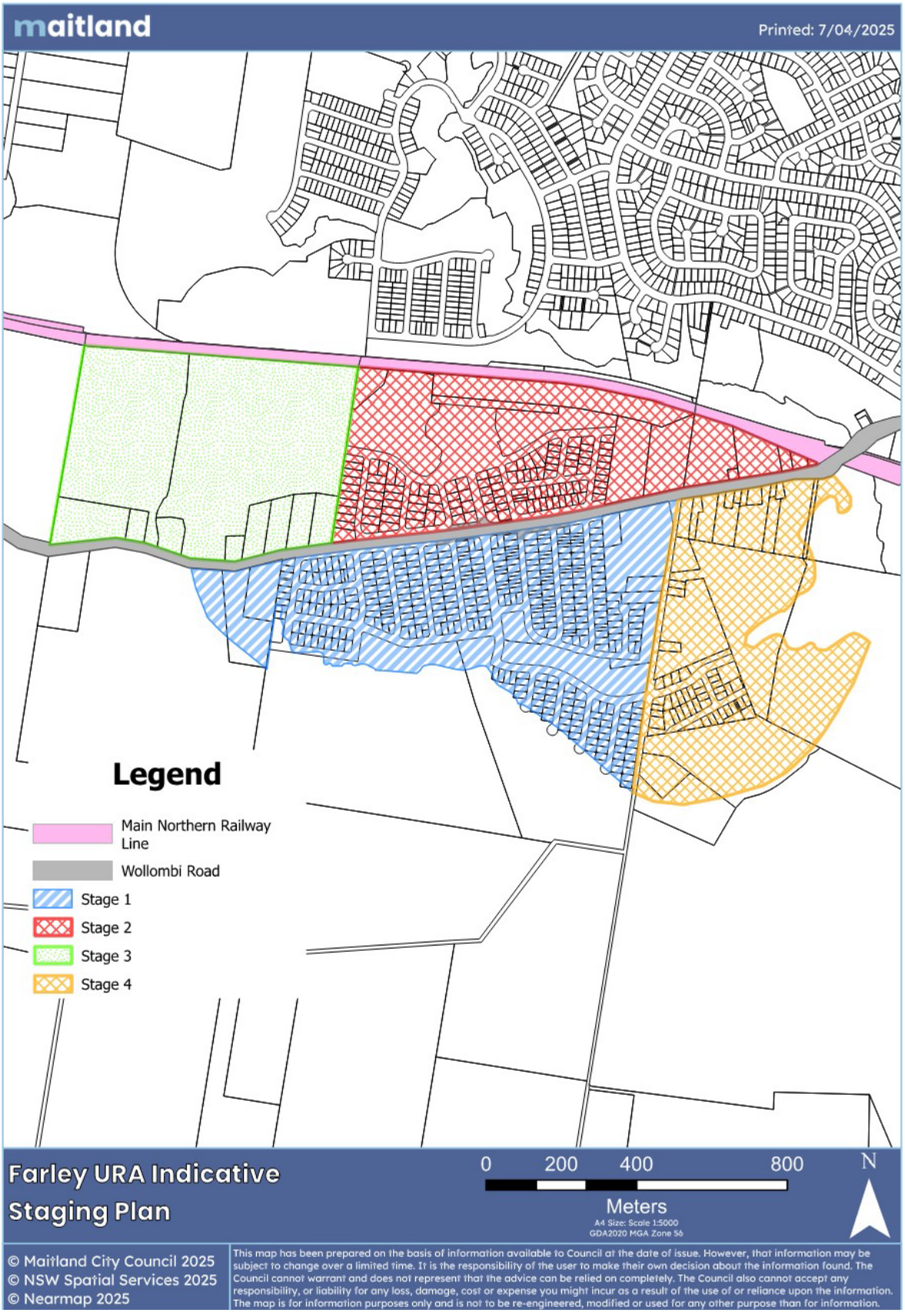


Figure 10-86: Farley URA Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Farley Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities

10.4.8.1. Staging Plan

Objectives

O.402 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

O.403 To provide for the logical development of the URA based on the cost-effective provision and availability of infrastructure and servicing arrangements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.402	Staging of the urban release area should be generally in accordance with Figure 10-86.
PC.1 • O.403	The Farley URA Staging Plan is to be read in conjunction with the relevant Contributions Plan applying to land within the Farley URA.
PC.2 • O.403	Development Applications for subdivision are to incorporate road networks, stormwater detention areas, active and passive recreation areas, consistent with the overall staging and intended development outcomes for the Farley URA.
PC.3 • O.403	Land is to be developed in such a way that allows for walkable distances of up to 400m to a bus route, pedestrian network and local park to promote the establishment of sustainable communities. .

10.4.8.2. Transport Movement Hierarchy

Objectives

O.404 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.405 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.406 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.407 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.404	Development applications are to incorporate a transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. The transport movement hierarchy is to be generally in accordance with Figure 10-87.
PC.2 • O.404	The subdivision staging must consider the timely connection of the road network to adjoining properties and/or stages generally before completion of 75% of the developable lot area.
PC.3 • O.404 • O.407	Any future residential subdivision will require a Transport Impact Assessment that demonstrates sufficient capacity at the intersection of the New England Highway and Wollombi Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: if the intersection does not have sufficient capacity to cater for future residential subdivision proposals a suitable traffic solution will need to be determined that satisfies both Transport for NSW and Council.
AS.1 • O.405 • O.406	The overall pedestrian and cycleway links including pedestrian refuges on Wollombi Road should be consistent with Figure 10-88.
AS.2 • O.406	On-road cycleways addressing finer grain network design are to be provided generally in accordance with the Council's MoES.
AS.3 • O.404	Staging of intersection construction may be considered by the Council having regard to the number of allotments being serviced, the location of the intersection, practicality of staging construction, the provisions the Farley Contributions Plan , and any requirements of Transport for NSW where relevant.
PC.4 • O.406	Roads having frontage to and servicing a neighbourhood centre, community facility and local park on the northern side of Wollombi Road are to comprise a pavement width capable of accommodating turning movements (dedicated right-in and left-in turning lanes) at the required access locations.
AS.4 • O.406	Perimeter roads should be incorporated, as far as is practical, adjacent to open space and recreation areas, flood prone areas, and areas of bushfire risk and visual significance.
AS.5 • O.406	A key road network design principle for the URA is the control of access to Wollombi Road. Parallel subdivision service roads are designed to ensure that direct access from individual lots to a significant section of Wollombi Road does not occur. Figure 10-87 details the required treatments for the nominated sections of Wollombi Road as follows: **Section A (railway underpass to Owl Pen Lane)** Existing road width and pavement is generally satisfactory with some minor shoulder widening/improvements required on the northern side along with kerb and guttering. Direct access to Wollombi Road permitted from fronting lots. **Section B (Owl Pen Lane to proposed western intersection)** Service roads running adjacent and parallel to Wollombi Road will provide access to individual allotments. Direct access from lots to Wollombi Road will not be permitted. The centreline of the existing road pavement may be adopted as the centreline for new works subject to the landowners being aware of and accepting the road widening and potential service relocation implications for the northern side of the road. The ultimate pavement alignment for Wollombi Road will be detailed within the relevant Section 94 Plan applying to the URA. **Section C (proposed western intersection to 'the bends')** Parallel service road treatment will be required on the southern side of Wollombi Road only as for Section B. **Section D ('The Bends')** Maintain consistent road pavement configuration (excluding service roads) as for Sections B and C along with table drain treatment. No new subdivision access permitted.
AS.6 • O.406	Three intersections are to be provided on Wollombi Road generally in the locations shown on Figure 10-89. **Wollombi Road / Owl Pen Lane (secondary intersection – southern catchment)**

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Realignment of Owl Pen Lane will be required to accommodate this intersection. The intersection will likely be in a 'T' configuration and initially be required to accommodate all movements. Council may however choose to restrict certain movements in the future depending on traffic volumes and intersection performance. **Primary Intersection on Wollombi Road servicing both northern and southern catchments** This intersection will be in the form of a single lane circulating roundabout. **Wollombi Road / proposed western intersection (secondary intersection – northern catchment)** This intersection will likely be in a 'T' configuration and initially be required to accommodate all movements. Council may however choose to restrict certain movements in the future depending on traffic volumes and intersection performance.
PC.5 • O.406	Road widening will be required on Owl Pen Lane - this widening will occur predominantly on the western side of the road at the intersection to minimise impact on existing dwellings, then generally equally along the rest of the road. While the road will generally need to be upgraded to meet Council's Manual of Engineering Standards for a 12m pavement, some 'squeeze' points may necessitate a narrower footway and/or pavement. These squeeze points occur where existing dwellings are located close to the road and potentially where the road crosses the watercourse/gully.
PC.6 • O.406	Any new subdivision directly adjoining Owl Pen Lane is to be oriented and have access to the lane.
PC.7 • O.406 • O.407	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified in the subject Area Plan and the relevant Contributions Plan applying to the Farley URA when designing subdivision layouts and movement linkages between adjoining sites.
PC.8 • O.407	Bus routes for both local and school bus services are shown on Figure 10-87 along with locations for both bus stops and bus shelters. These bus stop/shelter locations have been based on achieving a walkable neighbourhood where walking distances to stops are in the order of 400m. Bus shelters are to be placed generally at the locations shown and hard stand pads are to be placed at other stops with seating as directed. Development applications are to ensure that subdivision design is generally consistent with Figure 10-87.
PC.9 • O.404 • O.407	Development Applications are to incorporate road networks that support the overarching requirements of Council as identified within this DCP as well as the Council's MoES and Transport for NSW's requirements.
PC.10 • O.404	Traffic management facilities for the Farley URA are to be provided in accordance with Figure 10-89 and any relevant Contributions Plan that applies to the land.
PC.11 • O.404 • O.407	Development Applications are to be supported by appropriate Traffic Impact Assessments (as required by TfNSW), to ensure that capacity exists at the New England Highway intersection with Wollombi Road and on the local road network to accommodate for the anticipated overall development yield for the land in which each Development Application applies.

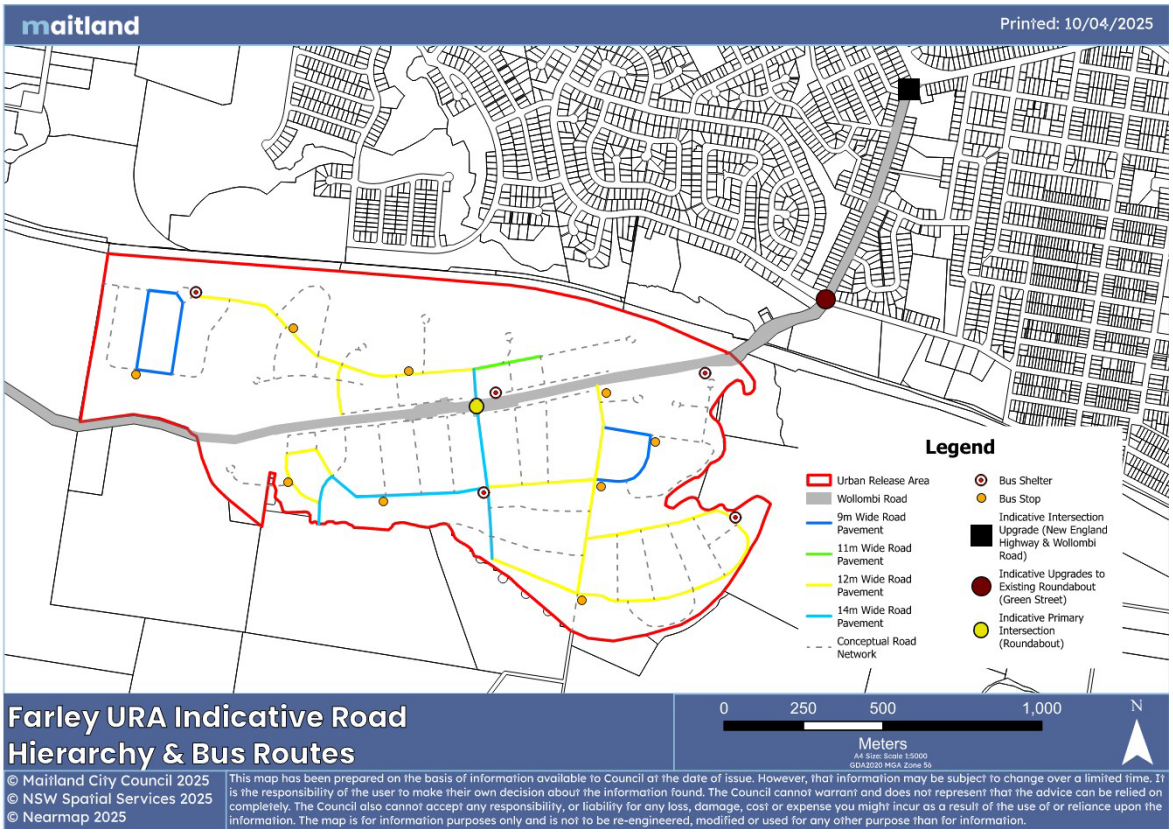


Figure 10-87: Farley URA Road Hierarchy and Bus Routes

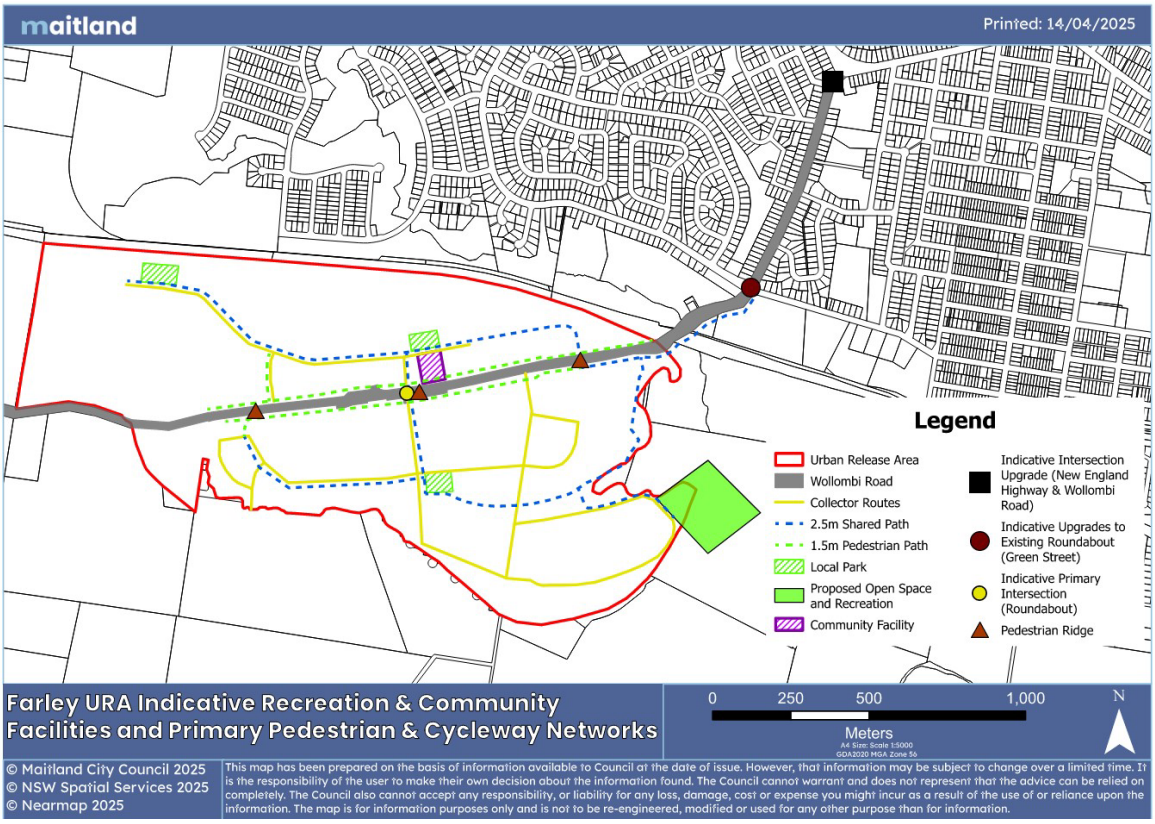


Figure 10-88: Farley URA Proposed Recreation and Community Facilities and Active Links

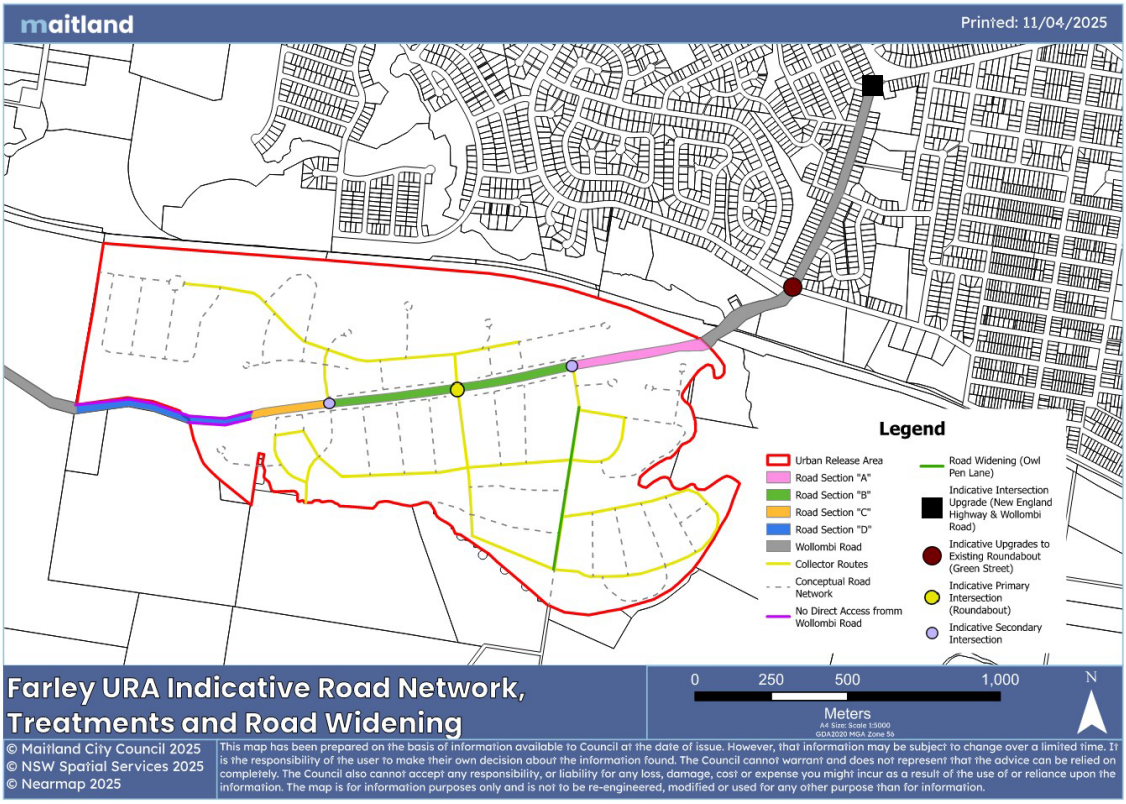


Figure 10-89: Farley URA Proposed Road Network, Treatments and Road Widening

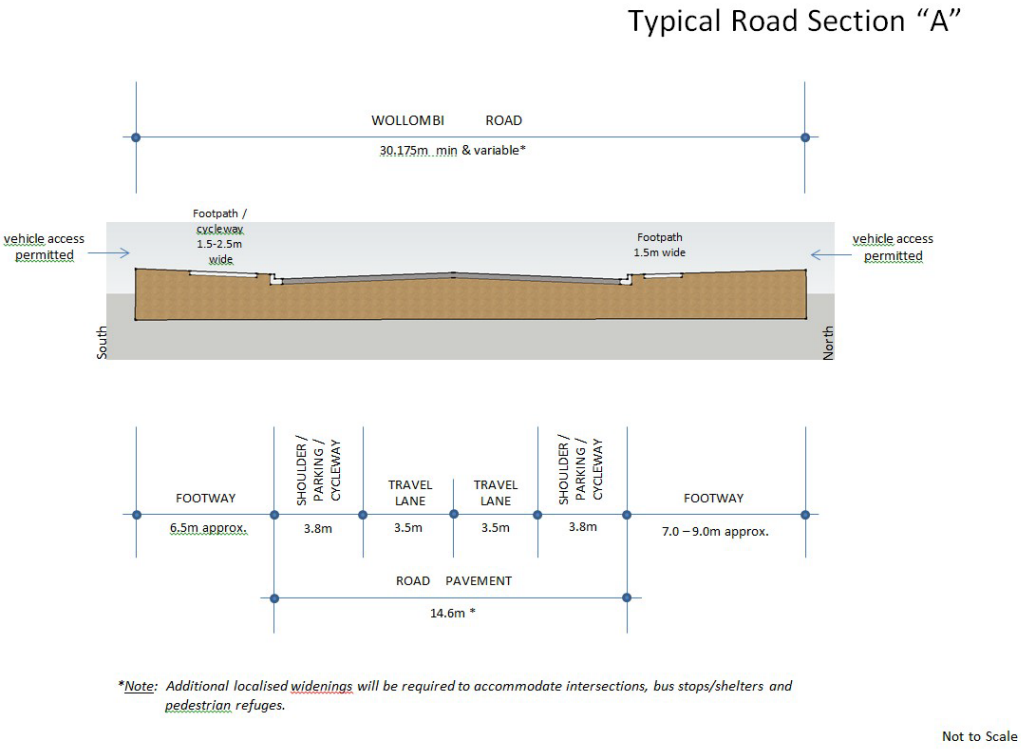


Figure 10-90: Typical cross sections "A" Wollombi Road, Farley

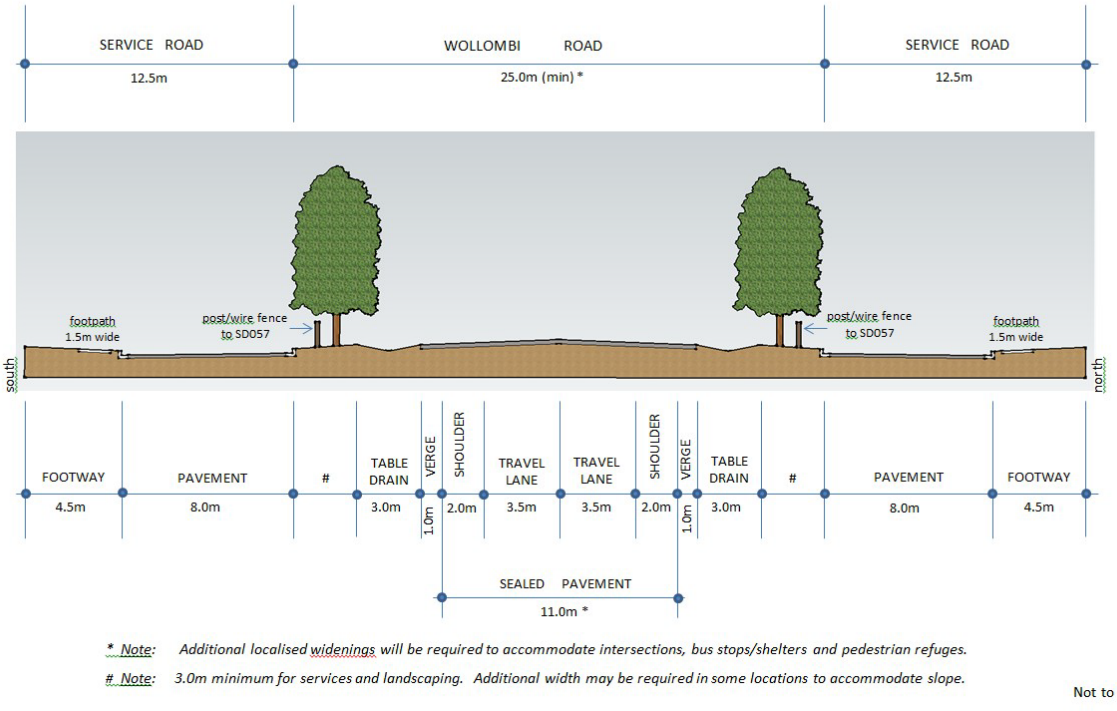


Figure 10-91: Typical cross sections "B" Wollombi Road, Farley

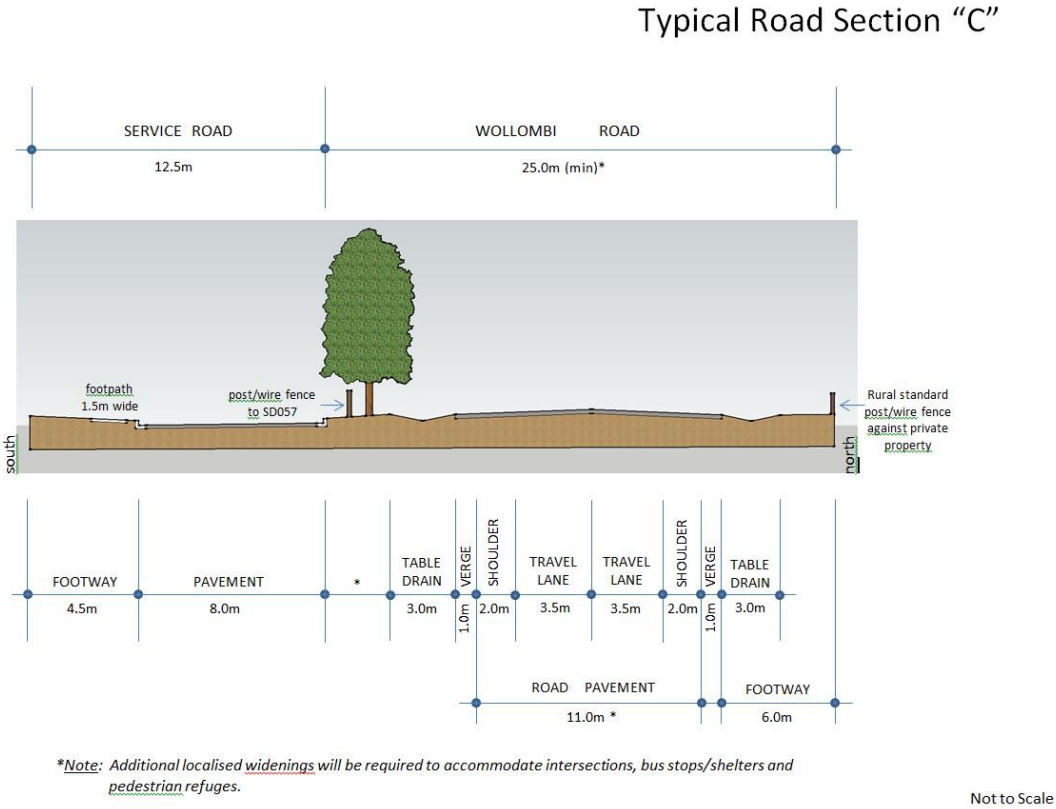


Figure 10-92: Typical cross sections "C" Wollombi Road, Farley

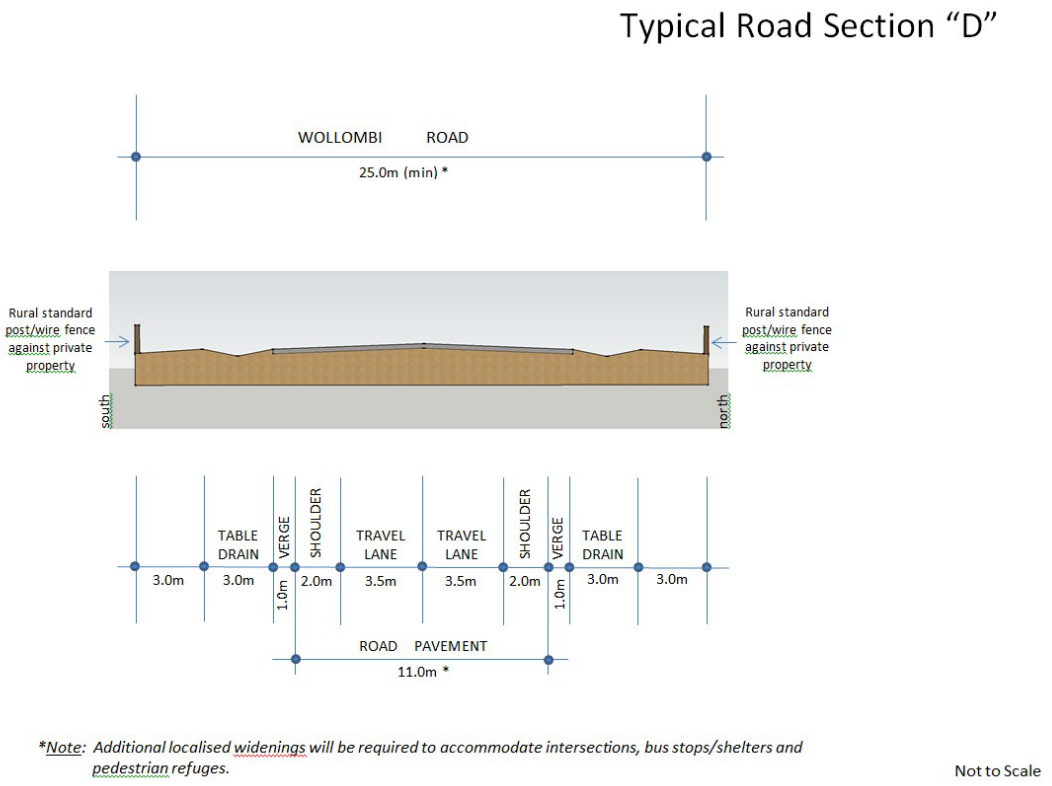


Figure 10-93: Typical cross sections "D" Wollombi Road, Farley

10.4.8.3. Overall Landscaping Strategy

Objectives

O.408 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.409 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.410 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.408	Each Development Application is to include an overall landscaping strategy that meets the requirements for the protection and enhancement of the public and private realm. This includes, but is not limited to, riparian areas, remnant vegetation and noise sensitive areas.
PC.2 • O.410	A series of residential neighbourhoods are to be designed throughout the Farley URA to create a sense of identity, through distinct landscape and built form elements.
PC.3 • O.408	The overall landscaping strategy must be to be based on the visual management principles identified in the Visual Impact Assessment prepared by ADW Johnson (which informed the rezoning of the Farley URA).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.408	Landscaping is required to be provided in the following locations: • along Wollombi Road in accordance with Road Sections B and C at Appendix A, • on land adjacent to major intersections, and • on all collector roads to soften the visual impact of all built elements and create attractive streetscapes when viewed by passing traffic and pedestrians.
PC.5 • O.409	The overall landscaping strategy is to provide for revegetation opportunities within the existing riparian areas and the identification and reconnection of biodiversity corridors identified in the Maitland Ecological Sustainability Strategy 2030. This must include the provision of extensive tree planting to the edge of existing riparian areas, which visual breaks where streets terminate views to the riparian areas.
PC.6 • O.409	The overall landscaping strategy is to include provisions to protect the scenic values and heritage significance of any listed heritage items, including Owl Pen House.
PC.7 • O.409 • O.410	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands through street orientation and strategically locating public spaces that capture the views.

10.4.8.4. Passive and Active Recreation Areas

Objectives

O.411 Neighbourhoods are conveniently located, open space areas that offer a range of recreational opportunities for residents that are accessible within walking distance from each residence.

O.412 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.411	Subdivision of land and the network of passive and active recreational areas should be consistent with that identified in Figure 10-88, and any such land or facilities within the relevant contributions plan.
PC.1 • O.411 • O.412	Neighbourhoods must include conveniently located open space areas that offer a range of recreational opportunities for residents, accessible generally within 400m walking distance from each residence.
PC.2 • O.411 • O.412	The amount of land to be provided for the neighbourhood sportsground is to be either: • 6ha to accommodate two playing fields with a monetary contribution for a third field at Council's future Anambah Sportsground made under the Farley Contributions Plan 2015, or • 8ha to accommodate three fields.

10.4.8.5. Stormwater and Water Quality

Objectives

O.413 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.414 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.415 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.413 • O.414	Development Applications will require evidence of satisfactory arrangements for essential services, including water and wastewater servicing. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services.
PC.2 • O.414	Each Development Application is to include stormwater and water quality management controls, having particular regard to the proximity of the nearby regionally significant Wentworth Swamp to the South of the Farley URA.
AS.1 • O.414	Where it can be demonstrated that only a minor upgrade is required to existing water and wastewater infrastructure in order to enable any proposed urban development within the Farley URA to be serviced, Council will require evidence of satisfactory arrangements from Hunter Water Corporation to support any Development Application for that land. In such circumstances, adherence to the Farley URA Staging Plan will be unnecessary.
PC.3 • O.413 • O.414	Where any proposal is made to amend the proposed Farley URA Staging Plan for reasons relating to infrastructure upgrades that may increase capacities within each stage of the Farley URA, any such proposal would need to be informed by variations to the water and wastewater servicing strategies prepared by GCA Pty Ltd in May 2014, and shall be endorsed by Hunter Water Corporation.
PC.4 • O.414 • O.415	Development Applications are to be supported by a stormwater study for the relevant land, which shall illustrate the connectivity to stormwater catchments within the wider Farley URA and locality. Stormwater detention areas are to be located in accordance with the stormwater study that supports each Development Application.
PC.5 • O.413 • O.414	The stormwater and water quality management controls shall be consistent with the principles of Water Sensitive Urban Design (WSUD).
PC.6 • O.413 • O.414	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
AS.2 • O.413	Parking areas can be located adjacent or interspersed between WSUD elements where they are designed to prevent damage by vehicles.
PC.7 • O.414 • O.415	Water quality and detention facilities are to be located to ensure the operational function of the facilities are not impacted by environmental constraints.
PC.8 • O.415	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
PC.9 • O.414 • O.415	Riparian corridors are to be maintained around identified watercourses, in accordance with Section 2.2.2 Riparian Land and Waterways of Chapter 2: Environmental Considerations, and relevant NSW Department of Water guidelines pertaining to minimum buffer widths.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.413 • O.414 • O.415	Stormwater design is to be considered in association with stormwater studies prepared for Development Applications.
AS.4 • O.415	Swales may be acceptable on grades under 4% where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
PC.11 • O.413 • O.415	No change to the minimum width of roads on account of WSUD is supported.
AS.5 • O.415	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
PC.12 • O.415	Development Applications are to demonstrate that post-development stormwater flows do not exceed pre-development stormwater flows for events up to and including the 1 in 100-year flood.
AS.6 • O.414 • O.415	Wetlands should be well-designed creating an attractive and safe amenity and be highly visible for both the adjoining residents and passers-by.
AS.7 • O.413	Walking paths should have frequent contact adjacent to the wetland edge.
AS.8 • O.413 • O.414	Vegetation should be designed such that generous unobstructed views of the wetland is available.
AS.9 • O.413 • O.414	Emergent macrophytes should be minimal and manageable.
AS.10 • O.413 • O.415	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.11 • O.415	Flat grassed areas that potentially may be water-logged should be avoided.
AS.12 • O.415	Existing natural gullies should be retained where possible and if necessary enhanced to offset the need for maintenance.
PC.13 • O.413 • O.415	In general, grassed areas must be kept to a minimum for maintenance purposes, and wetland and gullies should offer a sense of ownership to the public.

10.4.8.6. Amelioration of Natural and Environmental Hazards

Objectives

O.416 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.417 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.416	Future subdivision design is to incorporate the existing areas of native vegetation into the character and design of the development and provide for links between areas of remnant vegetation creating improved habitat value and filter strips along watercourses.
PC.2 • O.416	Future development and landscaping must recognise the cultural plantings located at Owl Pen House and where necessary, are to be designed to complement rather than compete with established features.
PC.3 • O.416	Development Applications for Medium or Major Subdivision must include subdivision designs that consider the bushfire risk in the locality, in accordance with the NSW Rural Fire Service guidelines current at that time. Submission of a bushfire risk assessment will be a minimum requirement for any Development Application involving bushfire prone land within the Farley URA.
PC.4 • O.416	Subdivision design must ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads, where considered safe and practical to the satisfaction of Council), and do not extent into vegetated areas where clearing would be required.
PC.5 • O.416	Development Applications for Medium or Major Subdivision will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.
PC.6 • O.416	Phase 1 site contamination studies are required for each Development Application for Medium or Major Subdivision, with Phase 2 site contamination studies required where deemed necessary through the Phase 1 process. Any Phase 1 or Phase 2 site contamination studies should have regard to the site contamination assessment completed by Douglas Partners Pty Ltd submitted with the rezoning proposal for the Farley URA.
PC.7 • O.416	The Eastern boundary of the Farley URA generally reflects the extent of land inundated during the 1:100 Annual Recurrence Interval (ARI) flood event. Areas in the Eastern extent of the site that are inundated during the 1:100 ARI flood event are not to be further developed for residential purposes. Development within this locality must consider the potential flood hazard and flood behaviour adjoining this part of the Farley URA.
PC.8 • O.416	Impacts from localised flooding are to be considered as part of Development Applications for Medium or Major Subdivision in the Farley URA, including any alternative access arrangements to lower lying areas of the Farley URA during times of storm events and localised flooding.
PC.9 • O.417	Development applications within 50m of the rail corridor either north of Wollombi Road and/or north of the 60dB(A) indicative rail noise contour are to prepare an acoustic and vibration impact assessment. **Note:** The Farley URA Constraints and Buffers Map (Figure 10-94) shows the extent of the 60 dB(A) Leq 9hr (night-time 2022) noise contour as extracted from the Australian Rail and Track Corporation "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)" dated June 2013. For land to the north of the 60dB(A) contour (closer to the rail corridor) specialised acoustic treatments are likely to be

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	needed in the form of improved noise attenuation treatments to individual residences or mitigation in the form of noise barriers adjacent the rail corridor – or perhaps a combination of these. While rail vibration must be properly assessed as part of the development application process the "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)" suggests that vibration impacts are not likely to be significant outside the range of 40-50m from the nearest rail line. Independent acoustic and vibration reports are to be prepared in accordance with the NSW Department of Planning "Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)".
PC.10 • O.417	Rail noise is expected to impact the URA and in particular the part of the release area to the north of Wollombi Road. All development needs to adequately address Section 2.100 of the Transport and Infrastructure SEPP 2021.
PC.11 • O.417	Future residential buildings will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.100 of the Transport and Infrastructure SEPP 2021: • in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am • anywhere else in the building (other than a garage, kitchen, bathroom or hallway)— 40 dB(A) at any time.
PC.12 • O.417	Subdivision development on the northern side of Wollombi Road is to achieve an external amenity goal of 80LAmax as recommended by ARTC when larger scale new residential release areas are proposed near a rail corridor.
PC. 13 • O.417	In cases where a Development Application proposes residential lots and/or buildings within 50m of the Main Northern Railway Line, Council will require an Air Quality assessment undertaken by a suitably qualified consultant during the Application process. The air quality assessment zone is shown in Figure 10-94.
PC.14 • O.417	Visual impact mitigation measures identified in the Visual Impact Assessment prepared by ADW Johnson (which informed the rezoning of the Farley URA) will be incorporated into subdivision layout and design. These measures include: a. Consideration shall be given to Owl Pen House, the Government railway (Station Master's House), and the associated heritage curtilage required in these locations. b. Vegetation in the elevated areas of the URA should be retained. c. Native local species shall be used for landscaping. d. Streetscape planting along Wollombi Road to mitigate visual impact and provide a vegetated skyline for views from below the Wollombi Road ridgeline. e. Subdivision design should facilitate North and East outlooks.

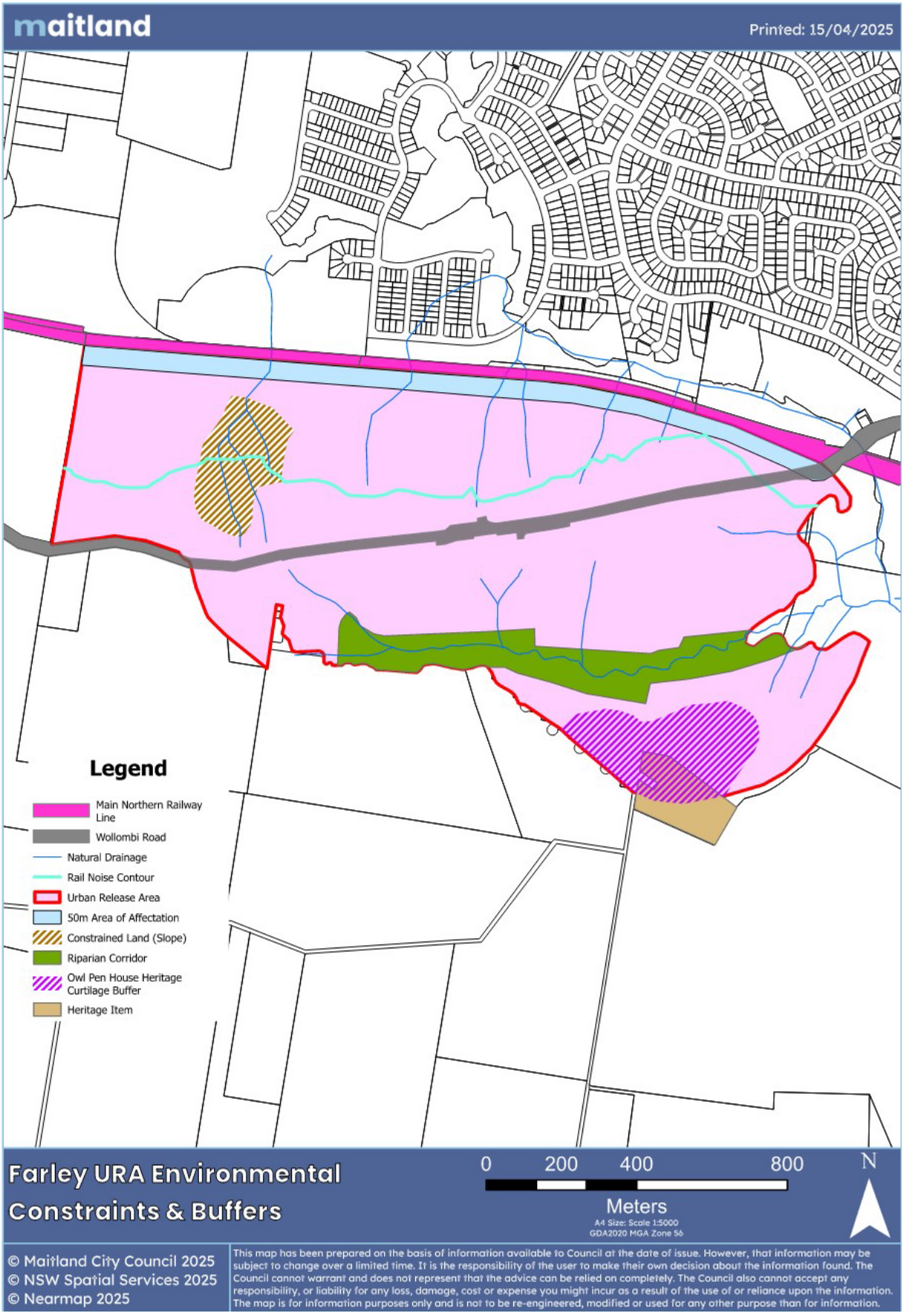


Figure 10-94: Farley URA Environmental Constraints and Buffers

10.4.8.7. Heritage

Objectives

O.418 Heritage items, buildings with heritage significance and conservation areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.418	Development Applications shall be supported by appropriate Aboriginal Heritage Impact Studies to determine the presence and locations of any Aboriginal artefacts or sites of significance, including methods for providing any necessary buffers within the site. Reference should also be made to the Indigenous Archaeological Due Diligence Assessment completed by McCardle Cultural Heritage Pty Ltd, which informed the rezoning of the Farley URA.
PC.2 • O.418	Development Applications shall be referred to NSW Office of Environment and Heritage, Mindaribba LALC and Lower Hunter Wonnarua LALC for comment as part of the public and government agency exhibition process for assessing Development Applications.
PC.3 • O.418	Development Applications will be prepared, having considered items identified in the European Heritage study prepared by Nexus Archaeology and Heritage for the rezoning of the Farley URA. Identified items include: • Owl Pen House, and • Government railway (Station Master's House)
PC.4 • O.418	A European Heritage Study will be required to incorporate an assessment of the appropriate heritage curtilage for Owl Pen House where the subdivision is within the preliminary Heritage Curtilage Buffer is proposed within Figure 10-94. The study must consider options for reducing the impact of the new development within and/or adjacent to the existing identified curtilage. Additionally, European Heritage studies are to also include further recommendations for the recognitions and protection of any other significant heritage items that may be exposed as a result of further investigation, planning on construction processes within the development area.

10.4.8.8. Key Development Sites

Objectives

O.419 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.419	Development Applications are to include detailed urban design controls such as, but not limited to, traffic management requirements and carparking design for the following Key Development Sites: • Owl Pen House • Government Railway (Station Master's House) • Development adjoining the Main Northern Railway Line • Future neighbourhood centre

Adjoining land zoned for environmental protection

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.419	Any development or works within, or adjacent to the land zoned C3 Environmental Management are to ensure clearing of vegetation is minimised to the satisfaction of Council. Details of how vegetation and riparian areas are proposed to be managed are to be included in all Development Applications affecting the C3 Environmental Management zone.
PC.2 • O.419	Development within the R1 General Residential zone must be designed and planned to ensure any Asset Protection Zones (APZs) or buffers are contained wholly within that zone, and do not extend into the C3 Environmental Management zone.

Land fronting Wollombi Road

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.419	Development adjacent to Wollombi Road should be appropriately designed so as to provide a high-quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls.
PC.4 • O.419	Vehicular access to Wollombi Road will be controlled via the road design (Sections A to D) contained in Figure 10-90, Figure 10-91, Figure 10-92, and Figure 10-93.

10.4.8.9. Neighbourhood Commercial and Retail Uses

Objectives

O.420 To accommodate and control appropriate neighbourhood commercial and retail uses.
O.421 To foster a sense of community and strong local identity and sense of place in neighbourhoods.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.420 • O.421	Development Application(s) for a future neighbourhood centre will need to be undertaken in accordance with Chapter 7 Commercial Uses of the Maitland Development Control Plan 2011.

10.4.8.10. Provision of Public Facilities and Services

Objectives

O.422 To ensure that suitably located public facilities and services are provided, including provision for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.422	Provision of community facilities and open space areas will be in accordance with the *Farley Contributions Plan 2015.*
PC.2 • O.422	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified within this DCP chapter and the *Farley Contributions Plan 2015* when designing future subdivisions layouts and movement linkages to adjoining sites.
PC.3 • O.422	Medium and Major Subdivision Development Applications are to include suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

10.4.9. Anambah Urban Extension Site (Windella)

The Anambah Urban Extension Site (Windella) is made up of one precinct, which utilises the general provisions of this section.

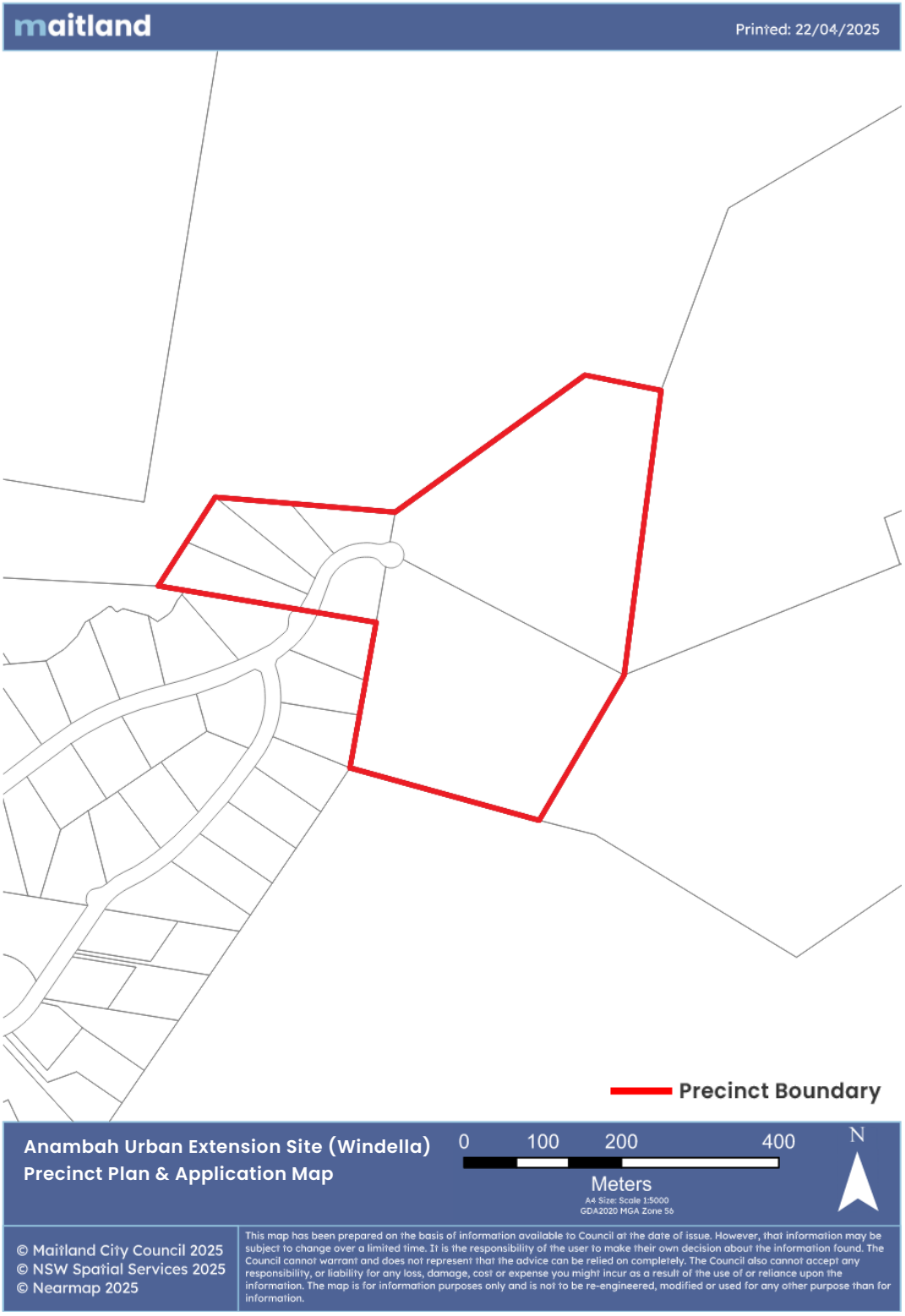


Figure 10-95: Anambah Urban Extension Site (Windella) Precinct Plan & Application Map

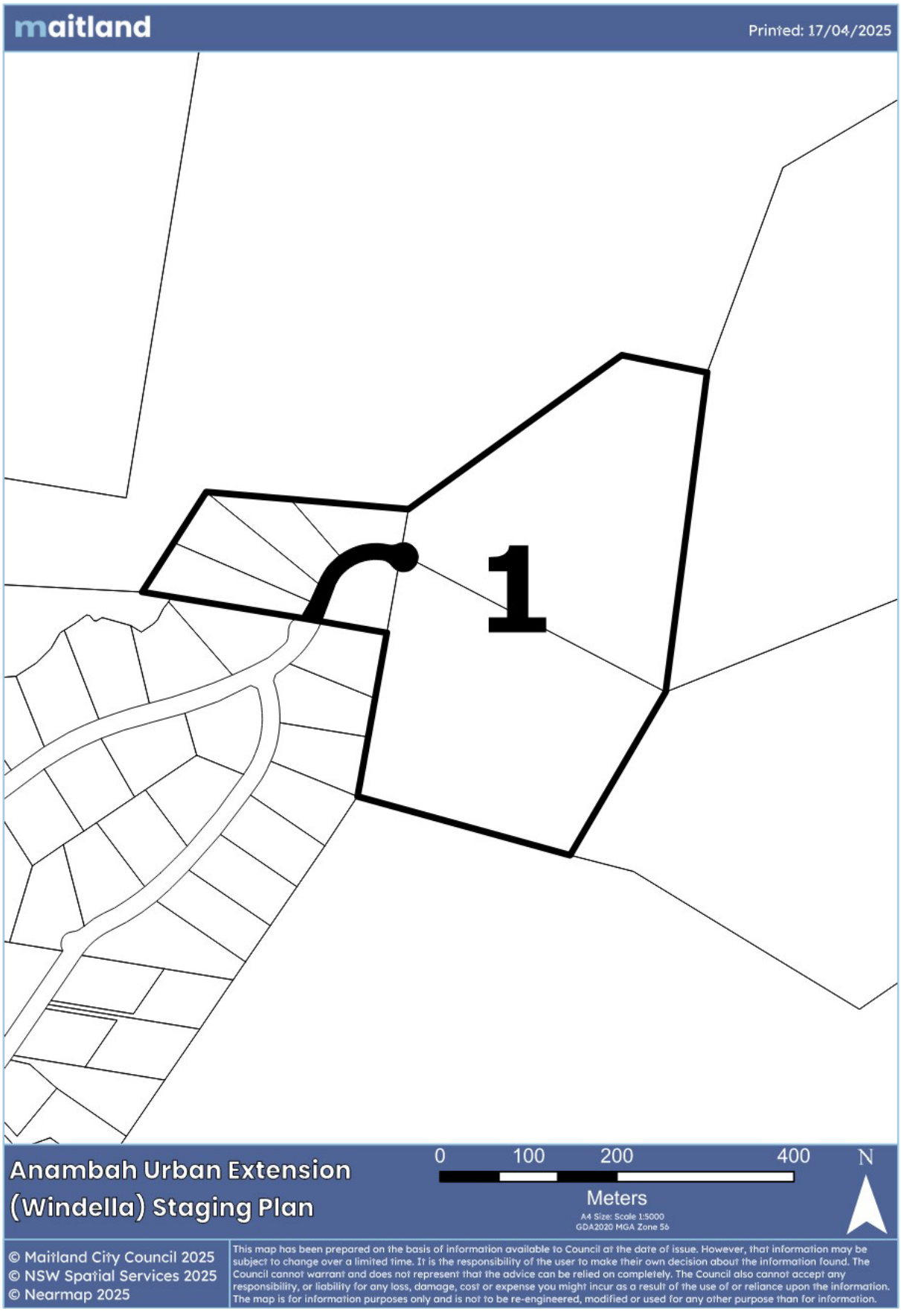


Figure 10-96: Anambah Urban Extension Site (Windella) Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Urban Extension Site (Windella) as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.9.1. Staging Plan

Objectives

O.423 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.423	Staging of the urban release area should be generally in accordance with Figure 10-96.

10.4.9.2. Amelioration of Natural and Environmental Hazards

Objectives

O.424 To protect residential dwellings from aircraft noise associated with the Maitland Airport.
O.425 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.424	Building envelopes will be provided generally in accordance with Figure 10-97.
PC.2 • O.425	Land within the flood planning area shall address Section 5.21 of the MLEP 2011.
PC.3 • O.425	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

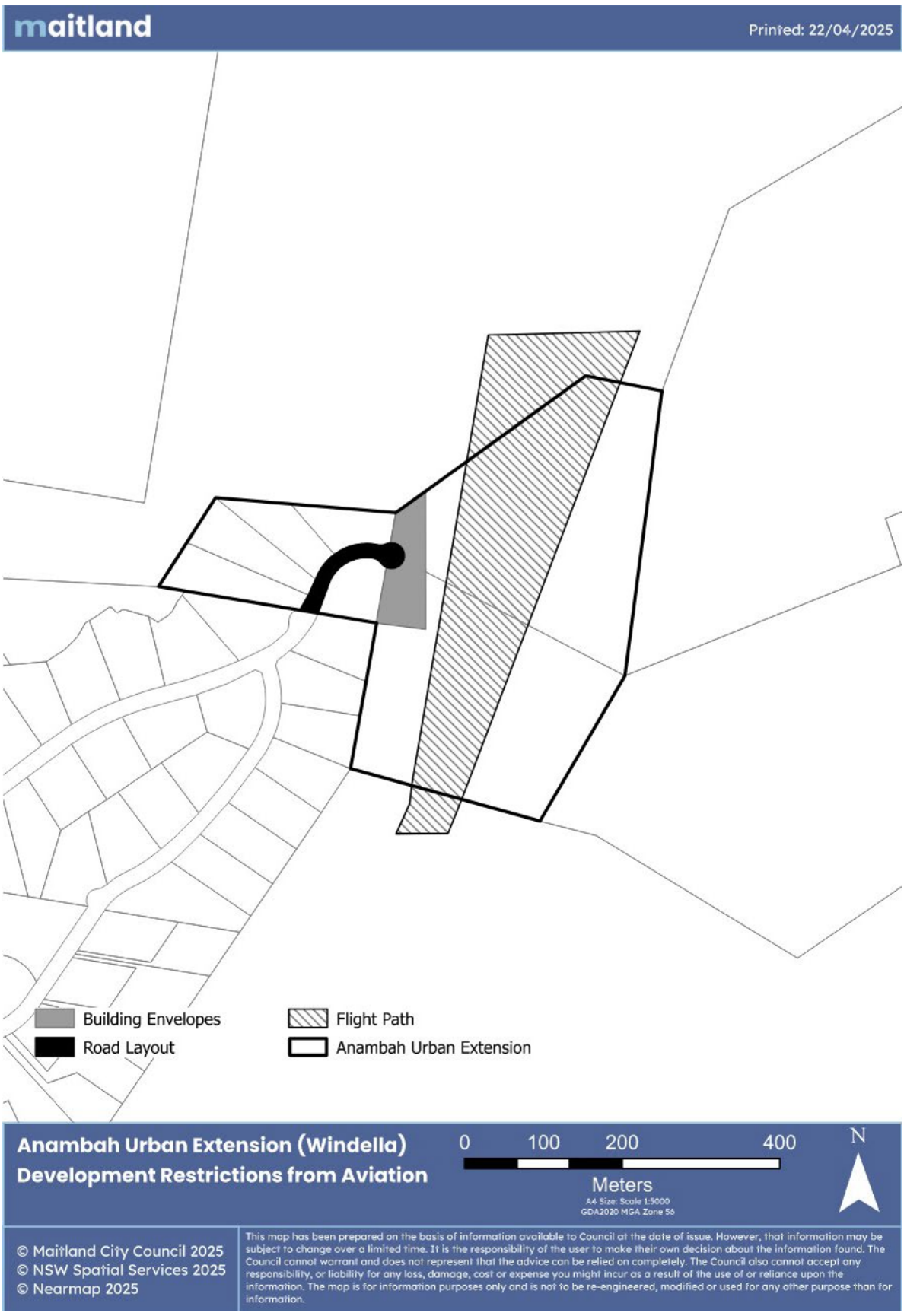


Figure 10-97: Building envelope restrictions for lots affected by aircraft noise and flight paths

10.4.10. Glebe Paddock Urban Release Area

The Glebe Paddock Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

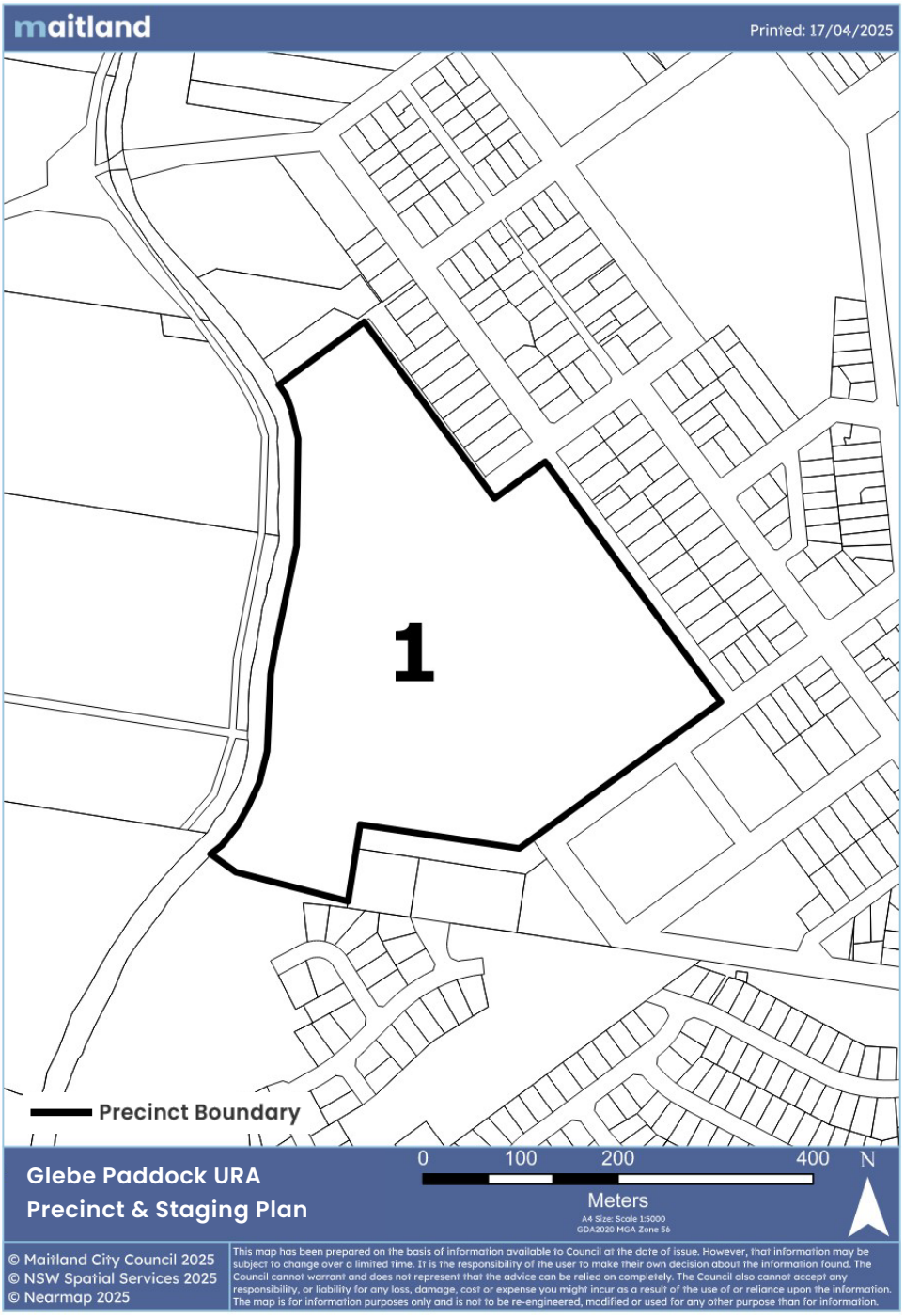


Figure 10-98: Glebe Paddock URA Precinct and Staging Plan

The Glebe Paddock refers to the land at Wallis Street, East Maitland. It is bounded by Wallis Street to the north-east, the unformed extension of George Street to the south-east and Wallis Creek to the west.

The site is 16.76Ha in area. 4.35ha has been rezoned for general residential purposes. The residual area is zoned environmental conservation. It contains sites of Aboriginal cultural heritage, an endangered

ecological community and hollow-bearing trees. The proposed curtilage to the State listed Glebe Cemetery is mostly contained within the environmental land. The area is also partially affected by flooding. These following development controls were informed by several key investigations. These should be consulted when assessing a development application for the site.

a. "Glebe Gully Burial Ground, East Maitland" prepared by Richard Lamb and Associates dated November 2012.
b. "Aboriginal Cultural Heritage Assessment" prepared by Archaeological Risk Assessment Services dated December 2010.
c. "Flora, Fauna and Threatened Species Assessment" prepared by Ecological (undated).

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Glebe Paddock Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.10.1. Staging Plan

Objectives

O.426 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.426	Staging of development should generally occur in accordance with Figure 10-98.
PC.1 • O.426	All development applications for subdivisions are to include a staged construction plan, in cases where the development is intended to be constructed in stages.

10.4.10.2. Overall Landscaping Strategy

Objectives

O.427 Impacts of any action affecting threatened species, populations and ecologically endangered communities (EEC) is properly assessed and compensated.
O.428 Any loss of endangered ecological community (EEC) must be offset in accordance with the Office of Environment and Heritage EEC offset requirements and provided within the environmental land.
O.429 The habitat of those threatened species and populations that are dependent on hollow-bearing trees for their lifecycle is protected.
O.430 To ensure that the VMP retains the area of prominent vegetation.
O.431 The risk to people and property from hollow-bearing trees is minimised.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.427	A revised flora and fauna assessment and vegetation management plan (VMP) must be prepared with any application to subdivide the C2 Environmental Conservation or RU1 Primary Production land within the release area. The assessment and VMP is to be prepared by an appropriately qualified person.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.428 • O.429 • O.431	A hollow bearing trees (HBT) protocol must accompany any application for subdivision affecting C2 Environmental Conservation or RU1 Primary Production land. The protocol must be informed by a comprehensive assessment prepared by a qualified ecologist and include; • A survey of all HBTs on the site, • Retention of HBTs where possible, • An assessment of the value of any HBT proposed to be removed based on: a. status of the tree (i.e. living or dead), b. diameter Bole Height (living trees only), c. number of visible hollows, d. location of HBT in the landscape, and e. expected longevity of the hollow. • A strategy for tree removal (timing and methodology) that minimises impacts on native wildlife, and • A strategy to compensate for the loss of HBTs by: a. identifying compensatory recruitment trees within the site, b. installing nesting boxes of similar number and size as those hollows to be removed, and c. replacing any trees lost on the site.
PC.3 • O.427 • O.429 • O.430	Nesting boxes are: • to be installed like for like (both type and number, and host tree to genus level) and must be located within the environmental lands, • to be installed and maintained within environmental lands in accordance with the VMP for period until recruitment trees are established, and • to be inspected and maintained by a qualified ecologist.
PC.4 • O.429 • O.431	All felled trees must be relocated to the environmental land to supplement existing terrestrial fauna habitat.

10.4.10.3. Amelioration of Natural and Environmental Hazards

Objectives

O.432 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.433 The development responds to the geotechnical characteristics of the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.432 • O.433	Any development application for subdivision must include a geotechnical assessment undertaken by a qualified geotechnical engineer that assesses the conditions of the site for building. Where applicable, the geotechnical assessment must include building specifications to ensure residential development adequately responds to geotechnical conditions.

10.4.10.4. Heritage

Objectives

O.434 The interface between the residential area and the environmental area is sympathetic to the State heritage item.
O.435 Fencing is low-impact, rural-type fencing.
O.436 Unauthorised access to the environmental area is discouraged.
O.437 The subdivision design maintains the open nature of the curtilage of the Glebe Cemetery.
O.438 The Aboriginal cultural heritage of the site is protected and maintained.
O.439 The Local Aboriginal Land Council is involved the future management of the Aboriginal cultural heritage on the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.434	Development must be in accordance with the Glebe Historic Cemetery Conservation Management Plan.
PC.2 • O.434 • O.436 • O.437	A 'restriction as to user' under Section 88B of the Conveyancing Act will be created over lots within the curtilage of the Glebe Cemetery requiring that no dwelling be constructed within 15m of the rear boundary.
PC.3 • O.435	For properties immediately adjoining the environmental zoned area, rear fences and side fences up to the rear building line of the main dwelling are to be constructed of post and wire or post and rail, transparent, "rural type" fencing.
PC.4 • O.438	An updated Aboriginal cultural heritage impact assessment (ACHA) must be undertaken before consent is given to the subdivision.
PC.5 • O.438	Subdivision design must respond to the outcomes of an ACHA.
PC.6 • O.438	An Aboriginal cultural heritage management plan must be prepared for the environmental area.
PC.7 • O.438 • O.439	The Aboriginal cultural heritage impact assessment must be undertaken in consultation with the Mindaribba Local Aboriginal Land Council and Traditional Owners.

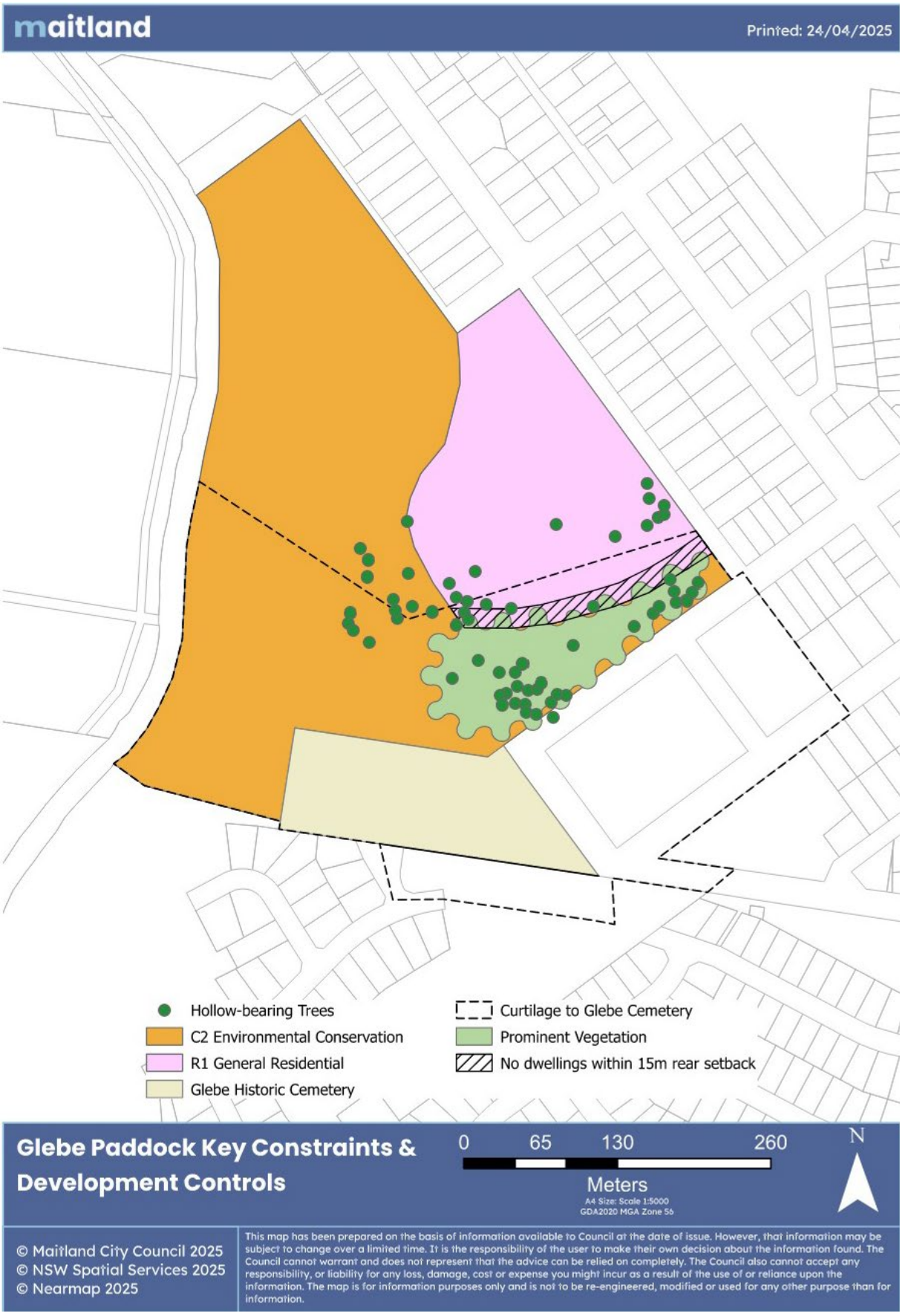


Figure 10-99: Glebe Paddock key constraints and development controls

10.4.11. Mount Harris Urban Release Area

The Mount Harris Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

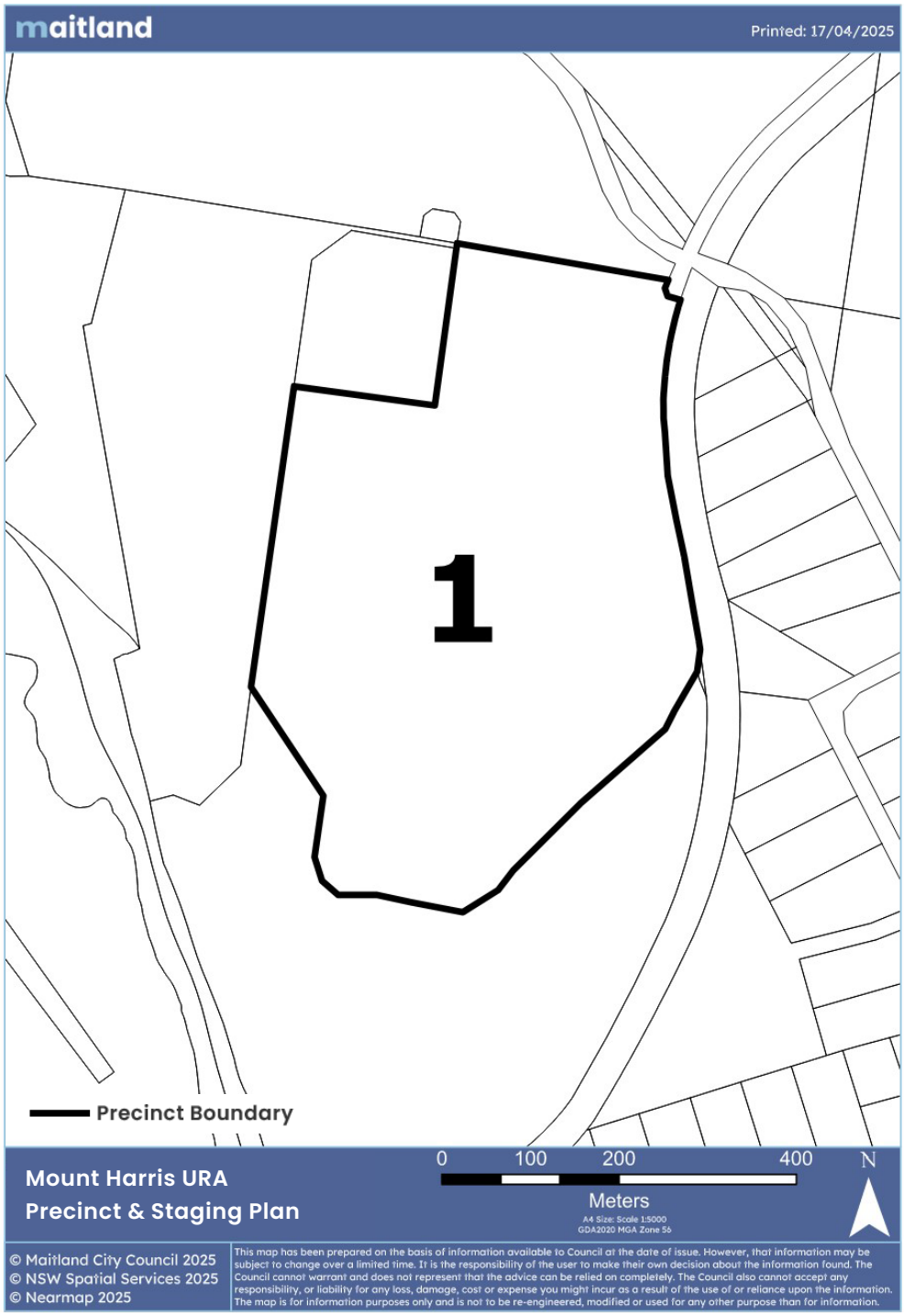


Figure 10-100: Mount Harris URA Precinct and Staging Plan

The Mount Harris Urban Release Area (URA) is located along Maitland Vale Road, northwest of Bolwarra Heights. Encompassing approximately 23 hectares, it is bounded by the Hunter River to the west and the locally heritage-listed Main Northern Railway to the east. Rezoned to R5 Large Lot Residential in 2011 (minimum lot size 2,000 m²), significant subdivision has taken place within the URA.

The area is rural residential in character, featuring single- and two-storey dwellings on large lots, generous setbacks, and open-style front fencing. Any future subdivision or new dwellings must address noise impacts from the railway, as well as flooding and bushfire risk.

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Mount Harris Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Staging Plan
- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.11.1. Amelioration of Natural and Environmental Hazards

Objectives

O.440 To ensure subdivision and dwelling design near the railway corridor mitigate noise and vibration impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.440	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from the railway line.
PC.2 • O.440	A separate acoustic engineer's report is required to certify that each dwelling within 50m of the railway line, at the design stage, can meet the requirements of *State Environmental Planning Policy (Transport & Infrastructure) 2021*.

10.4.11.2. Key Development Sites

Objectives

O.441 To maintain the established streetscape character of the Mount Harris URA, ensuring generous front setbacks and cohesive visual amenity.

O.442 To maintain the large-lot, low-density character of the Mount Harris URA by ensuring that new development respects the precinct's established character.

O.443 To ensure fencing of dwellings maintains the existing rural residential character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.441	Setbacks for a development are to be provided in accordance with Table 10-2. **Table 10-2: Minimum Setbacks – Mount Harris URA**

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK	REAR SETBACK
All Dwelling Types	12m	5m	4m	4m

PC.2 • O.441 • O.442	Development must reinforce the established streetscape character, providing generous front setbacks and open-style front fencing.
PC.3 • O.443	Fencing of allotments are to be of post and wire style (or similar) so as to reflect the existing visual and rural amenity.

10.4.12. Mala Close Urban Release Area

The Mala Close Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

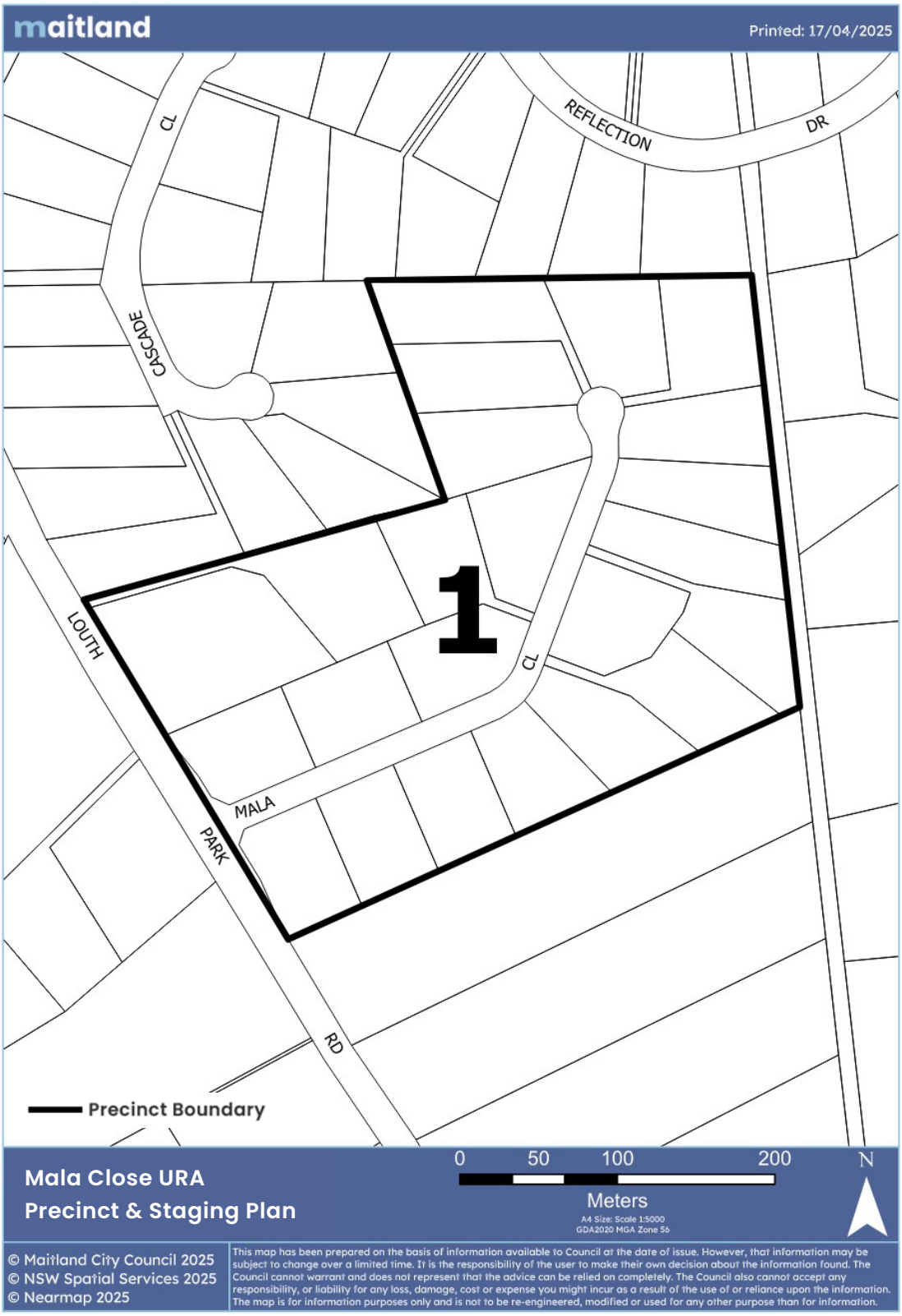


Figure 10-101: Mala Close URA Precinct and Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Mala Close Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.12.1. Amelioration of Natural and Environmental Hazards

Objectives

O.444 To ensure mine subsidence matters are adequately addressed.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.444	All development within the Mala Close Urban Release Area is to be referred to Subsidence Advisory NSW due to the potential presence of shallow mine workings. **Note:** A geotechnical report may be required if shallow mine workings or mine subsidence activity is found.

10.4.13. Anambah Road Urban Extension Site (106 Anambah Road)

The Anambah Road Urban Extension Site (106 Anambah Road) Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

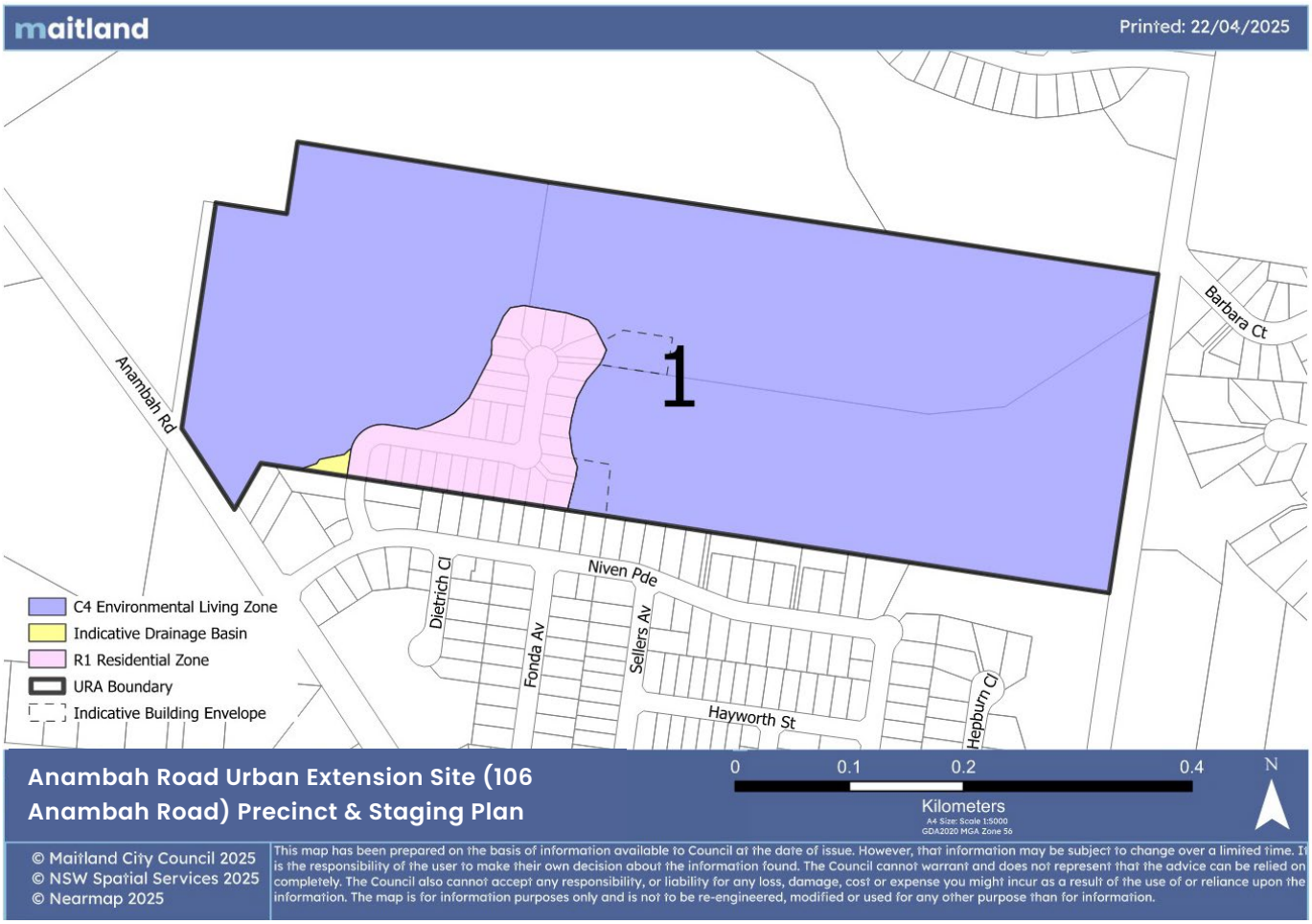


Figure 10-102: Anambah Road Urban Extension Site (106 Anambah Road) Precinct & Staging Plan

The Urban Release Area known as Anambah Road Urban Extension Site is located at 106 Anambah Road, Anambah, adjoining to an existing urban residential area. The desired future character of this site is for low-density residential development which responds to the topography and environmental constraints of the site. This development makes efficient use of existing infrastructure and services to provide housing that accommodates future population growth.

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Road Urban Extension Site (106 Anambah Road) as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.13.1. Staging Plan

Objectives

O.445 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.445	Staging of the urban release area should be generally in accordance with Figure 10-102.
PC.1 • O.445	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.13.2. Amelioration of Natural and Environmental Hazards

Objectives

O.446 To minimise the flood risk to life and property.
O.447 To minimize the visual impacts on the State significance heritage item Anambah House and its rural landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.446	Each allotment to be created by subdivision is to provide road access that is trafficable in a flood.
PC.2 • O.446	Flood free land is to be provided for each building envelope.
PC.3 • O.447	For residential properties immediately adjoining the C4 Environmental Living zone, rear boundary fencing is to be of an open style, rural type fencing, constructed of post and wire or post and rail or similar.

10.4.14. Louth Park Urban Release Area



Figure 10-103: Louth Park Urban Release Area Plan

The Louth Park Urban Release Area (URA) is located off Louth Park Road and Dagworth Road, adjoining the existing R5 Large Lot Residential subdivision known as Waterforde Estate and other rural allotments (Figure 10-103). The subject area is a natural extension to the adjacent large lot residential environment and is contained within the same visual catchment with a surrounding rural character. The URA has traditionally been used for grazing and is within the visual catchment of the Waterforde Estate, and is also visible from the north, south and west.

The area has several important characteristics and constraints that must be considered with any new development, including visual amenity, mines subsidence, road infrastructure standards, flooding, water quality, established vegetation, ecology and bushfire.

Precinct Plan

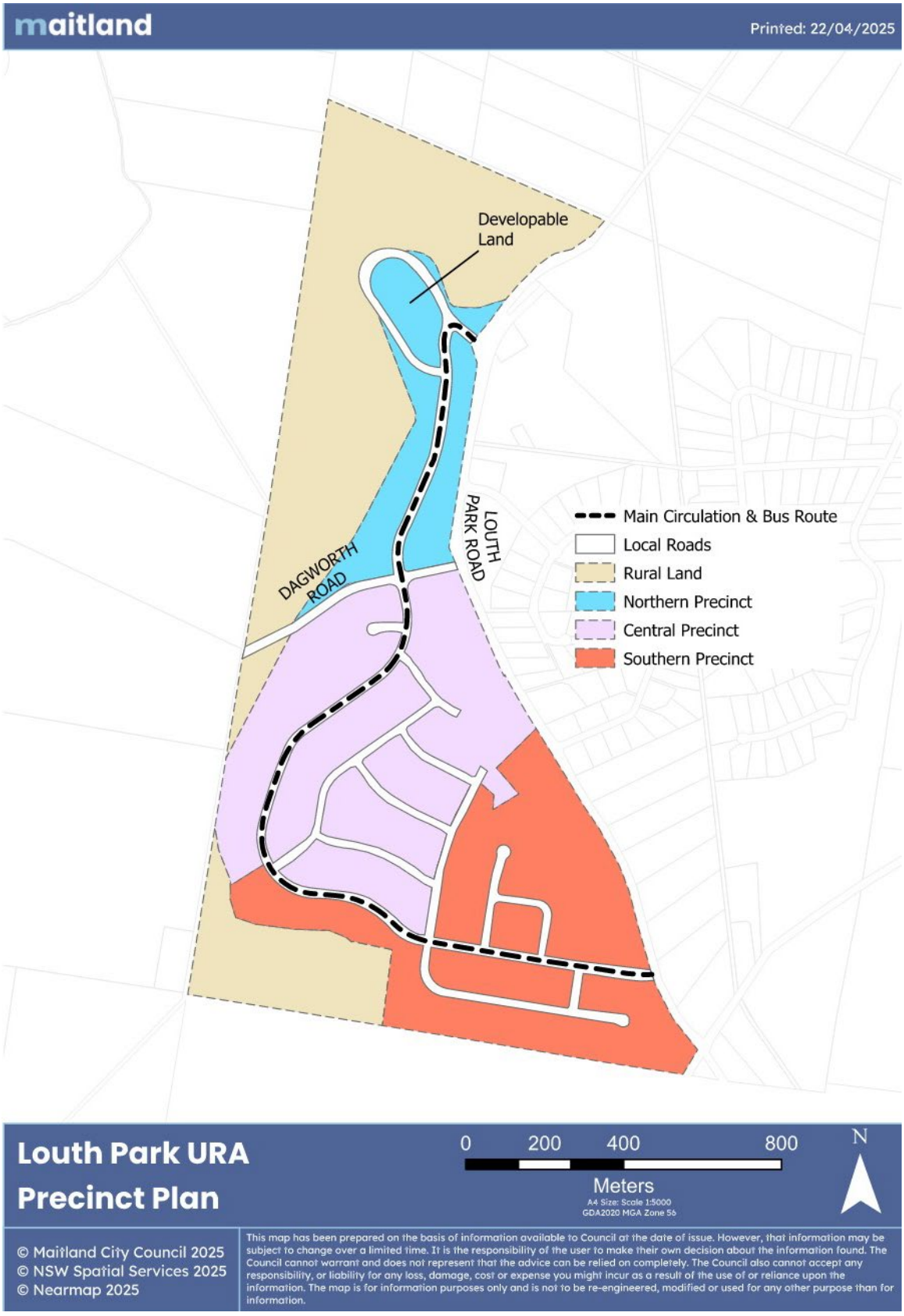


Figure 10-104: Louth Park Precincts and Road Hierarchy

Staging Plan

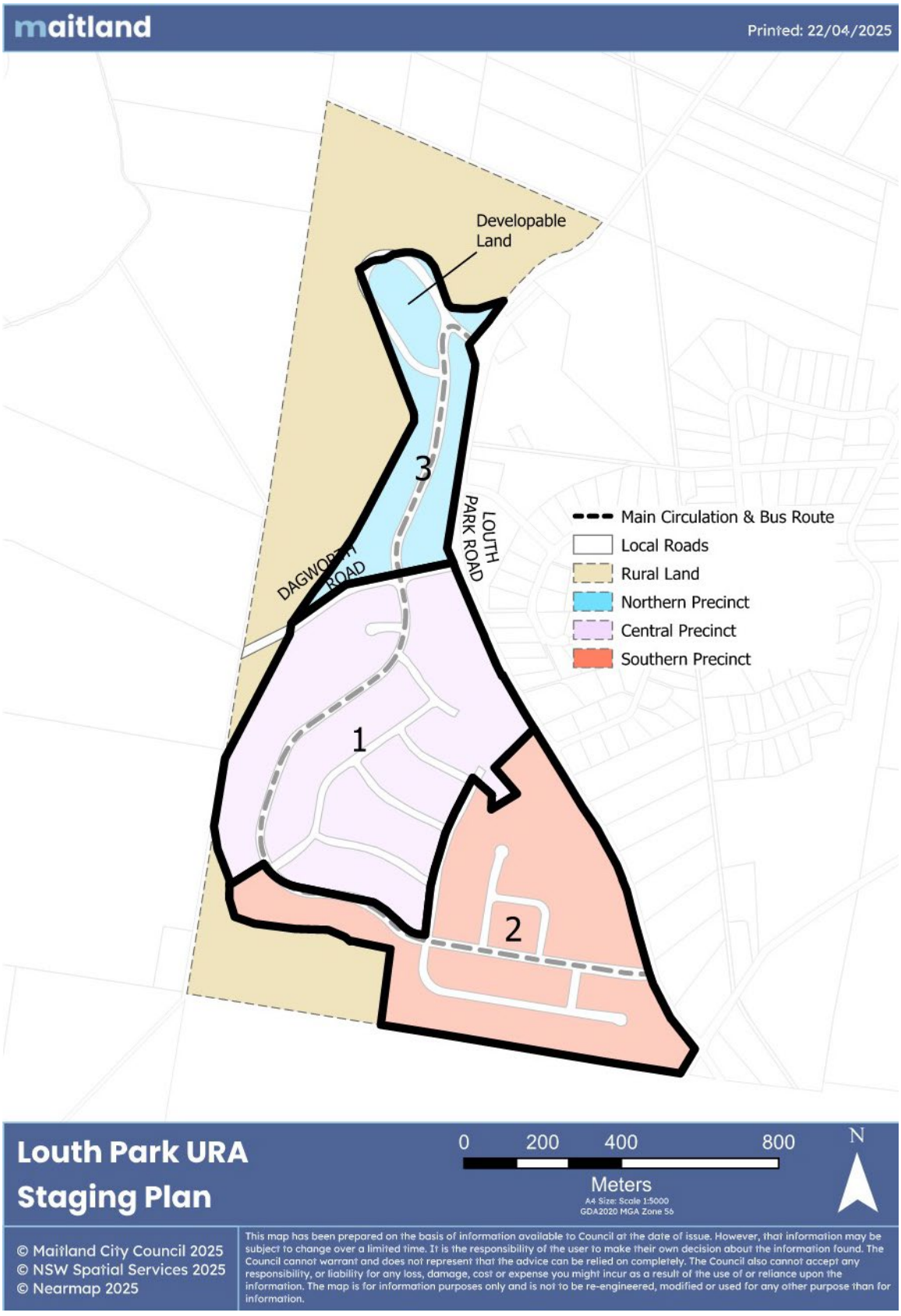


Figure 10-105: Louth Park Staging Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.14.1. Staging Plan

Objectives

O.448 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.448	Staging of the Urban Release Area and sequencing of urban development should be generally in accordance with Figure 10-105.

10.4.14.2. Precinct Plans

Objectives

O.449 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing within specific areas of the Louth Park Urban Release Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.449	Development is to be in accordance with the precincts identified in Figure 10-104.

10.4.14.3. Transport Movement Hierarchy

Objectives

O.450 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.451 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.452 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.453 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.450	Each Precinct Plan is to include an overall transport movement hierarchy showing the major circulation routes and connections that demonstrate the achievement of, to the satisfaction of Council, a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. **Note:** The overall movement hierarchy for each Precinct Plan is shown in the Road Hierarchy and pathway identified in Figure 10-104.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.451 • O.452	Transport movement hierarchies prepared for precincts are to provision for pedestrians and cyclists connecting the northern, central and southern precincts and Louth Park Road.
PC.3 • O.453	Each transport movement hierarchy is to identify a bus transport route that logically connects to the bus transport routes provided in other precincts within the URA.

10.4.14.4. Overall Landscaping Strategy

Objectives

O.454 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.455 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.456 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.454 • O.455	Each Precinct Plan is to include an overall landscaping strategy for the protection and enhancement of any significant riparian area, hollow bearing trees and remnant vegetation, including visually prominent locations.
PC.2 • O.455 • O.456	The overall landscaping strategy for each precinct is to include provisions to protect scenic values and existing significant vegetation within the site, particularly within, and adjacent to, the western ridgeline of the central precinct, and the northern ridgeline of the northern precinct.

10.4.14.5. Stormwater and Water Quality

Objectives

O.457 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.458 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.459 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.460 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Wallis Creek and the Hunter River.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.457 • O.458	Each Precinct Plan is to include stormwater and water quality management controls.
PC.2 • O.458 • O.459 • O.460	Stormwater and water quality management controls are to include the general location of any trunk drainage, including any potential stormwater and water quality and quantity management controls and devices.

10.4.14.6. Amelioration of Natural and Environmental Hazards

Objectives

O.461 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.462 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.461 • O.462	Precinct Plans are to provide for the amelioration of any significant natural and environmental hazards, including mines subsidence, geotechnical, bushfire, flooding and site contamination, along with the safe occupation of, and the evacuation from, any land so affected.

10.4.14.7. Key Development Sites

Objectives

O.463 To ensure detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.463	There are parts of the Louth Park Urban Release Area that require specific design consideration to address site specific constraints. These are addressed in the Area Plan as Key Development Sites and include: • ridgelines and prominent rural skyline, • riparian areas, • shallow mine workings, and • bushfire prone areas.

Development Requirements – Northern Precinct

No specific requirements have been made for the following matters within the Northern Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2026:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

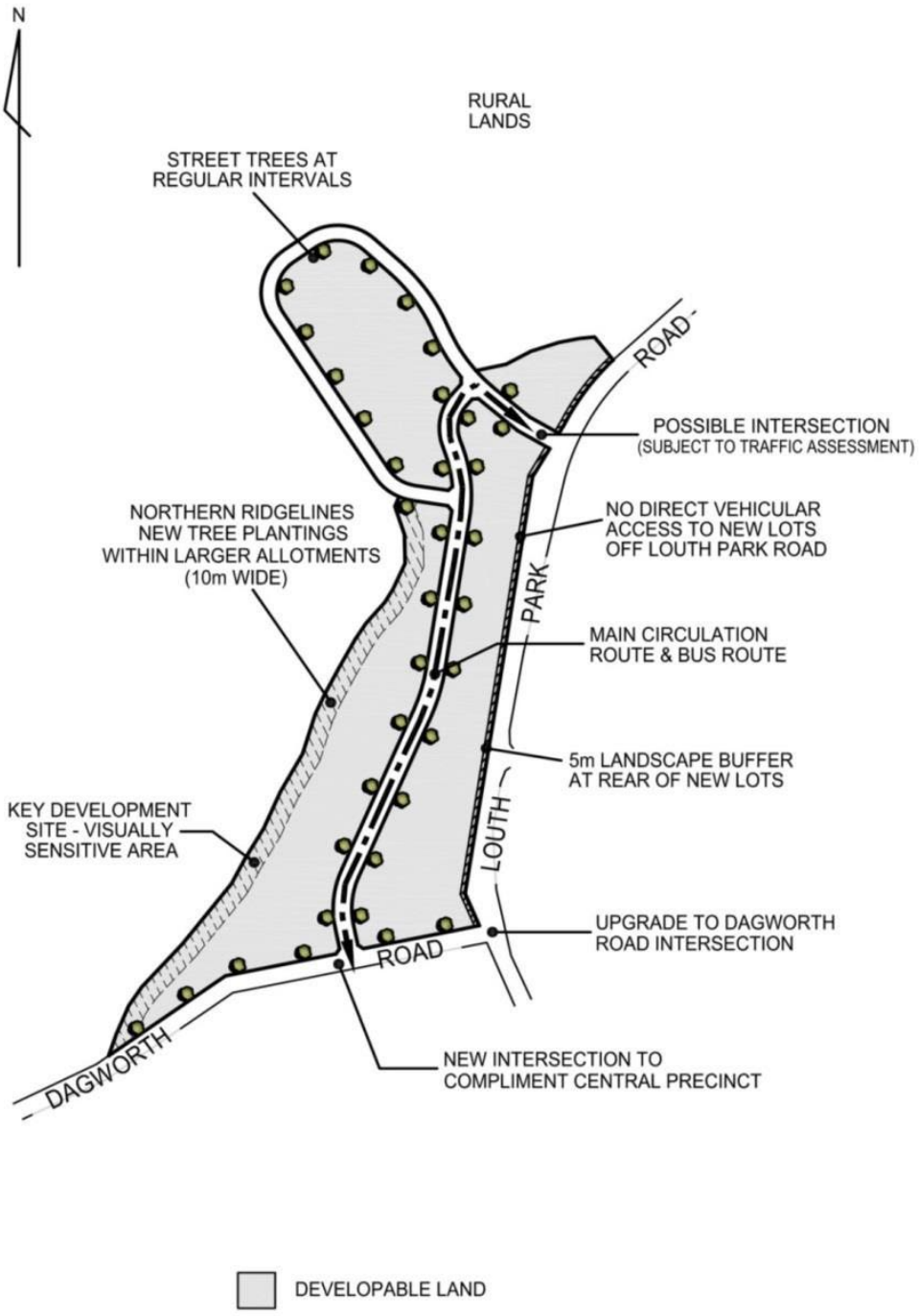


Figure 10-106: Louth Park Northern Precinct and Road Hierarchy

10.4.14.8. Staging Plan

Objectives

O.464 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.464	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.9. Transport Movement Hierarchy

Objectives

O.465 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.466 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.467 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.468 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.465	The principal access to the North Precinct will be via a controlled intersection on Dagworth Road to coincide with or complement the access to the Central Precinct. This main circulation route may be permitted to connect with Louth Park Road in the northern extent of the precinct, dependent upon detailed traffic assessment reports, particularly safety at any new intersection.
AS.1 • O.466 • O.468	The main circulation route should accommodate a bus route.
PC.2 • O.467	The main circulation route is to include a landscaped entry and planted median adjacent to the Dagworth Road intersection and provide street tree plantings at regular intervals along its full length, in accordance with Figure 10-107.
PC.3 • O.466 • O.467	Road layout and street design will be consistent with the adopted Northern Precinct and Road Hierarchy Plan as shown on Figure 10-106, and take into consideration detailed survey and subdivision planning. Road design and widths in this precinct are to satisfy the aims and objectives of Council's MoES, while also creating attractive streetscapes through landscaping and street furniture.
PC.4 • O.465 • O.467	No new lot is to have direct vehicular access to Louth Park Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

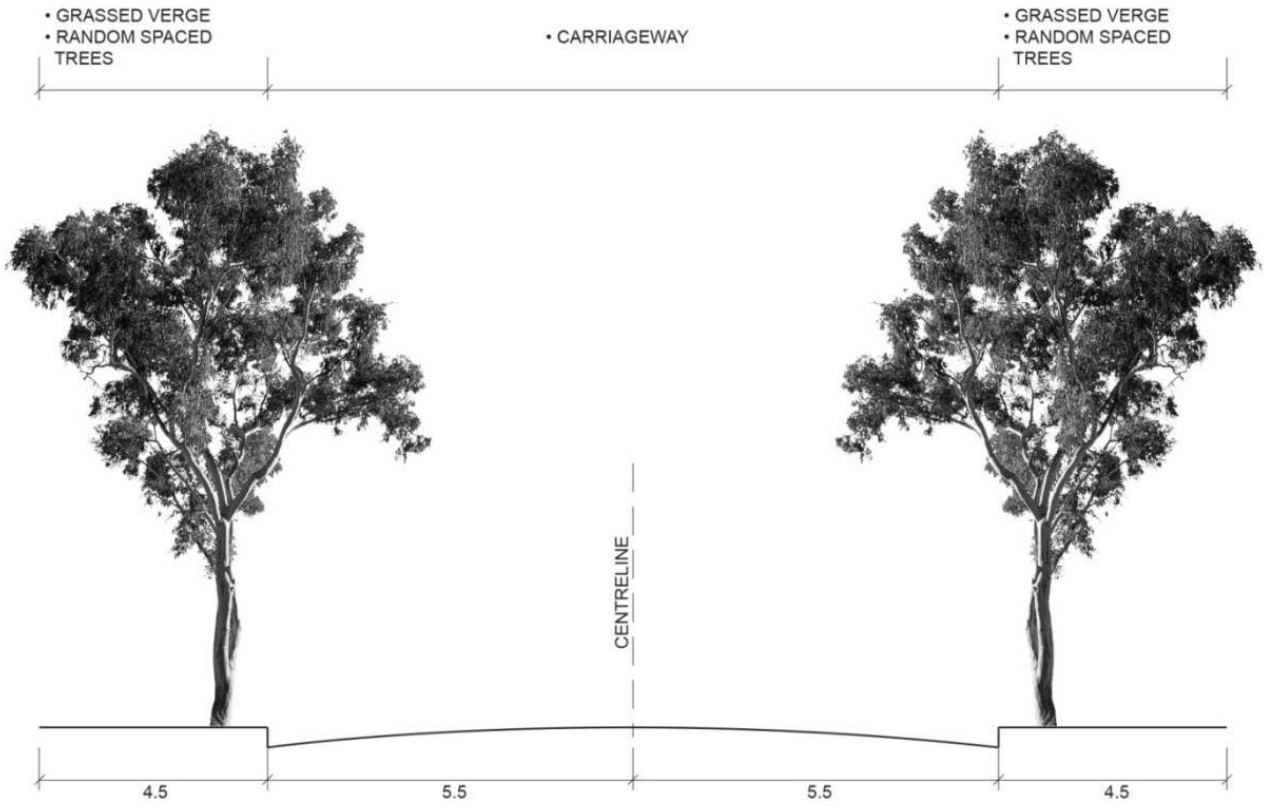


Figure 10-107: Road Section for Main Circulation Route

10.4.14.10. Overall Landscaping Strategy

Objectives

O.469 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.470 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.471 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

O.472 To enhance the natural landscape character of the area.

O.473 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.469	Detailed landscaping plans are to be submitted with all development applications for subdivision.
PC.2 • O.470 • O.471	New landscaping will be required on residential allotments immediately adjacent to Louth Park Road, forming a 5m wide landscape buffer. This landscaping buffer is to be provided within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant. The landscaping is to include native ground covers and shrubs to a maximum height of 1.5m so as to not hide the development but improve visual amenity. Figure 10-108 shows a typical cross section of the buffer.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.470 • O.471	Existing trees that are not affected by proposed new roads, infrastructure or buildings should be retained unless dead or dying within riparian corridors, flood liable lands, road reserves and open space.
AS.1 • O.470 • O.471 • O.472	Existing mature trees within and adjacent to the Louth Park and Dagworth Road reserves should be retained.
AS.2 • O.470 • O.471	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, those areas supporting Endangered Ecological Communities (EEC).
PC.4 • O.471	Landscaping plans for subdivision are to include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road.
PC.5 • O.471	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and Dagworth Road frontages where fencing is needed for safety, security or visual enhancement.
PC.6 • O.471	Suitable landscaping is to be provided at key intersections on Louth Park Road and Dagworth Road and provide attractive entrance statements.
PC.7 • O.471	Any individual allotment boundary fencing within the precinct is to be of timber post and rail style, or similar open style rural fencing. Such requirements are to be reinforced and protected through mechanisms such as restrictions to user on titles and covenants. Refer to Figure 10-109 of typical fencing detail. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanized mesh.
PC.8 • O.471 • O.472 • O.473	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivision development within the precinct and must include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline.
PC.9 • O.471	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road. A 5m landscape buffer is to be provided along the boundary between the property and Louth Park Rd.
PC.10 • O.472 • O.473	Where practical, building envelopes are to be positioned to retain existing vegetation and hollow bearing trees.
PC.11 • O.470 • O.472 • O.473	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the “improve or maintain” threshold will be required with the development application.

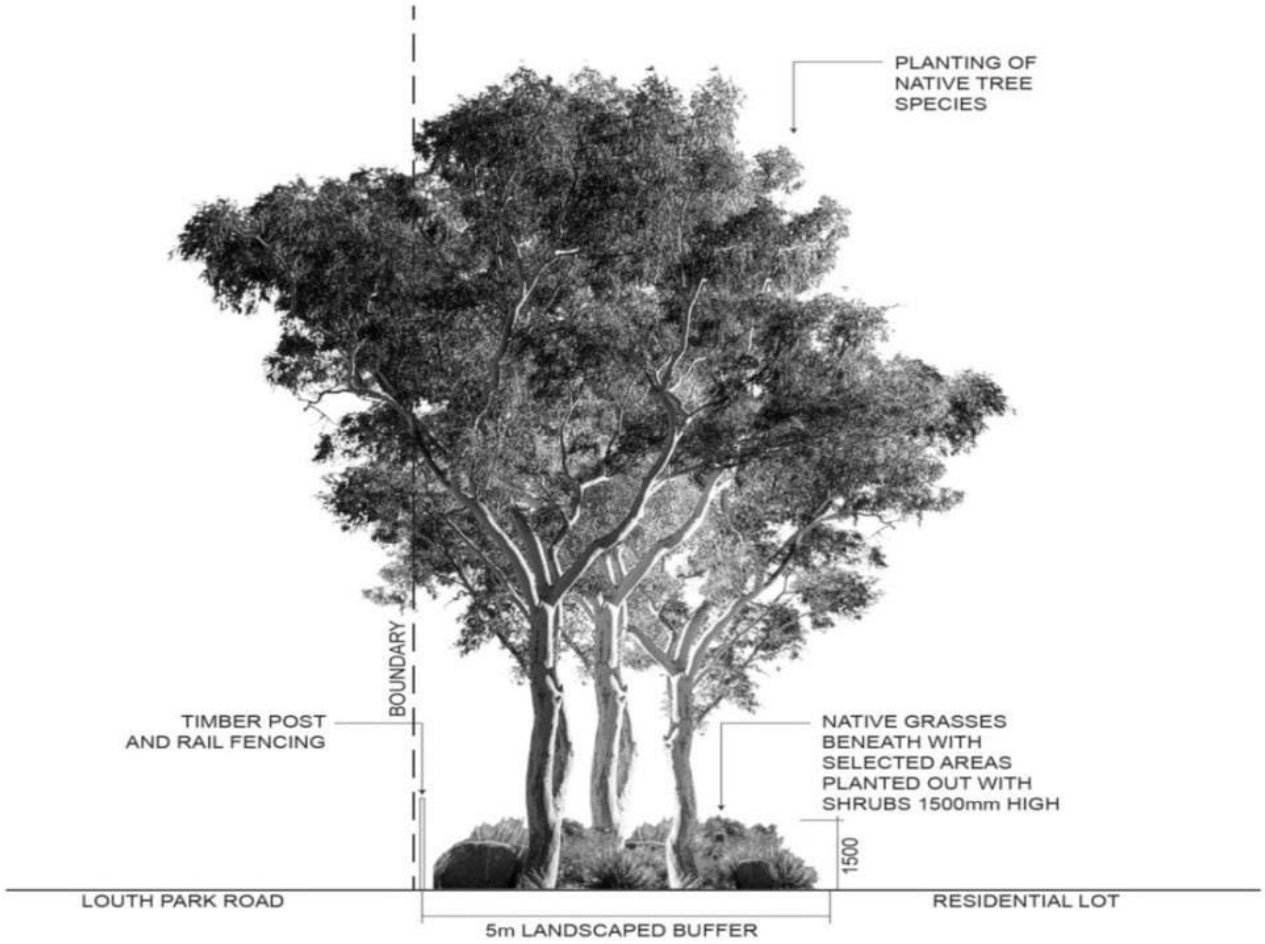


Figure 10-108: Landscape Buffer to Louth Park Road

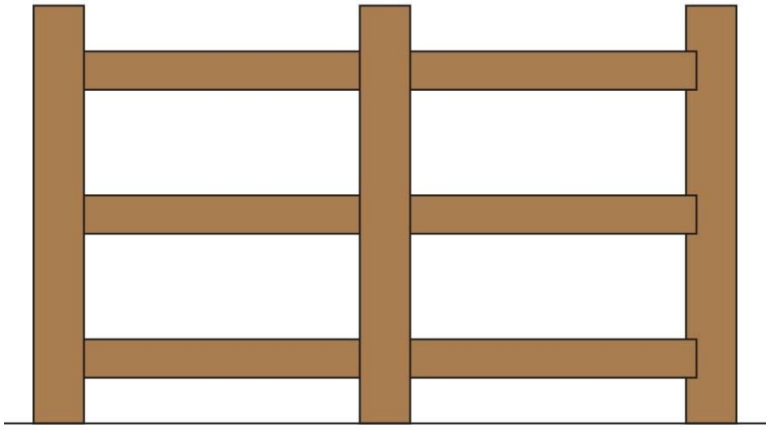


Figure 10-109: Typical Timber Boundary Fencing or Similar

10.4.14.11. Stormwater and Water Quality

Objectives

O.474 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.475 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.476 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.474 • O.475	Applications for subdivision are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.474 • O.475	The number and location of WSUD elements are to be determined by modelling, which is to assist in developing the SWMP for the site and be integrated with the overall design.
PC.3 • O.474	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.474 • O.475 • O.476	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.474 • O.475 • O.476	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
PC.4 • O.474 • O.475	Wetlands should be well designed, creating an attractive and safe amenity.
AS.3 • O.474	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.4 • O.474 • O.475 • O.476	Gullies intended to be left in their natural state should, if necessary, be enhanced through landscaping (including riparian vegetation) and riprap/rock armour to offset the need for maintenance.

10.4.14.12. Amelioration of Natural and Environmental Hazards

Objectives

O.477 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.478 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.477	Development applications for subdivision are to provide suitable Flood Impact Assessments to determine the impacts of development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.477	Any flood liable lands are to form part of overall stormwater management and should not be filled to provide for new allotments and future dwelling sites. Any filling of drainage lines for subdivisions and roads is to be limited to that necessary to provide a practical and desirable urban design outcome which also satisfies Council's water quality and quantity standards. Written approval from the Office of Water is required for the filling of any gullies and drainage lines.
PC.2 • O.477	Any future dwelling sites must be located at least 0.5m above the 1% AEP flood level, and access to such dwellings is to be adequate and safe at appropriate gradients.
AS.2 • O.477	Any subdivision applications may require approval from the NSW Rural Fire Service and applicable measures addressed, such as Asset Protection Zones (APZ), in accordance with the NSW RFS *Planning for Bushfire Protection 2019*.
PC.3 • O.477 • O.478	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic along Louth Park Road. In this regard, new dwellings are to be setback a minimum of 15m from Louth Park Road, and a landscaping buffer 5m wide provided adjacent to Louth Park Road to physically separate passing traffic.
PC.4 • O.477	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.13. Key Development Sites

Objectives

O.479 To ensure that detailed urban design controls are provided for significant development sites. Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.479	A Visual and Scenic Impact Assessment is to be prepared to help inform the subdivision design and layout and must include landscaping measures to protect the prominent skyline.
PC.2 • O.479	Development along and near ridgelines and slopes are to retain existing vegetation to screen and break up visual impacts.
PC.3 • O.479	Areas along the ridgelines are to include larger allotments of a minimum 3000m², so as to provide adequate land area to include new buildings, generous setbacks and appropriate landscaping.
PC.4 • O.479	Subdivision design plans are to include cross-section plans for lots adjoining the ridgeline detailing building envelopes and buildings below the ridgeline.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.479	A limited number of large allotments will be considered so as to sustainably maintain and manage the residual rural lands in accordance with the current Maitland LEP zoning.
PC.5 • O.479	Fencing of such allotments is to be of timber post and rail style (or similar) so as to minimise any visual impacts of development.

10.4.14.14. Archaeological Heritage

Objectives

O.480 Heritage items, buildings with heritage significance and conservation areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.480	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.480	If site LP1 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.3 • O.480	If site LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (collect) is required prior to any works.
PC.4 • O.480	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

Development Requirements – Central Precinct

No specific requirements have been made for the following matters within the Central Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2026:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

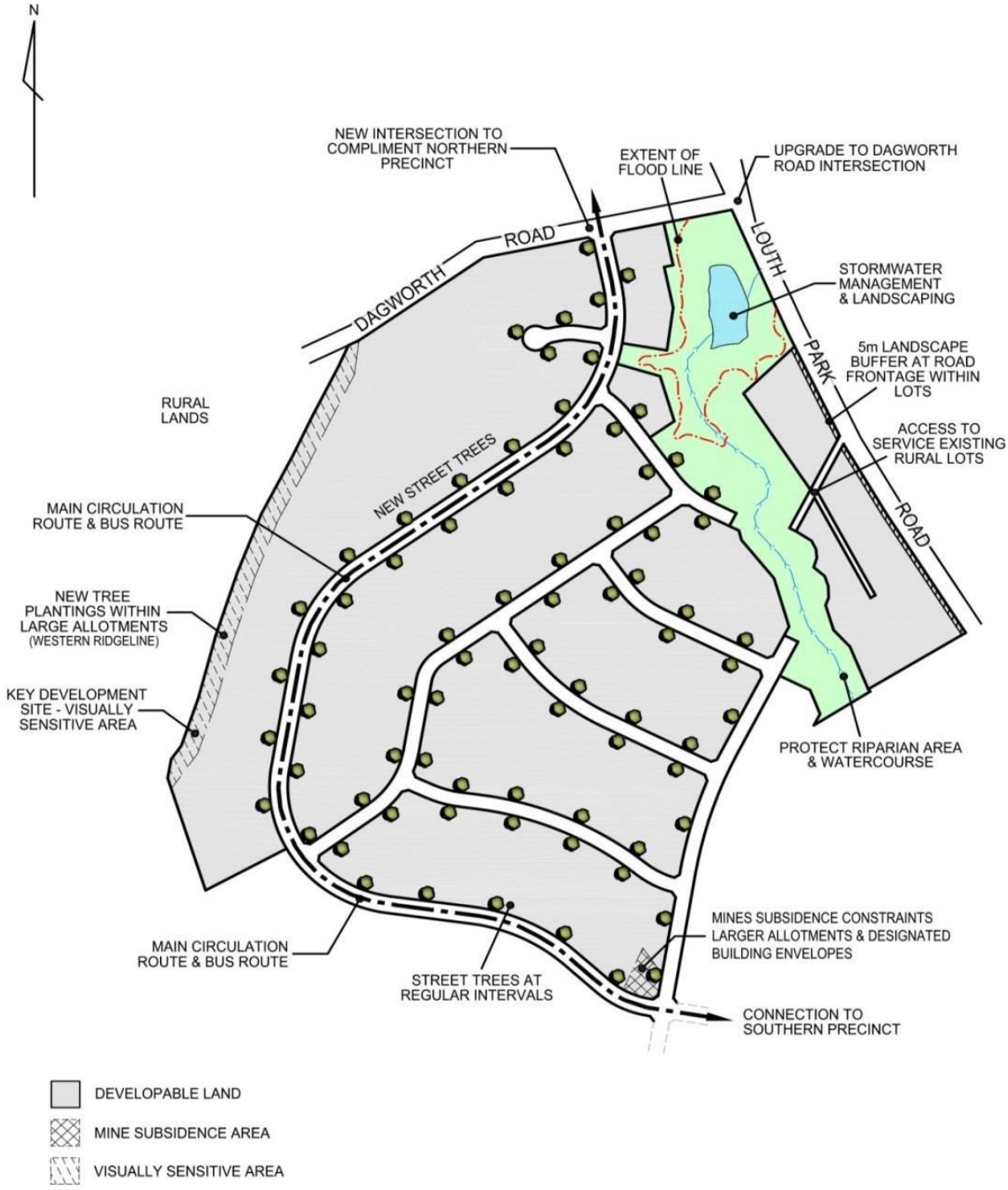


Figure 10-110: Central Precinct and Road Hierarchy

10.4.14.15. Staging Plan

Objectives

O.481 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.481	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.16. Transport Movement Hierarchy

Objectives

O.482 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.483 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.484 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.485 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.482 • O.484 • O.485	Road layout and street design will be consistent with the adopted Central Precinct and Road Hierarchy Plan provided in Figure 10-110 and following detailed survey and subdivision planning. Road design and widths in this precinct are to satisfy the aims and objectives of Council's MoES, but importantly provide for attractive streets.
PC.2 • O.483 • O.485	The main circulation route must include a landscaped entry and planted median adjacent to the Dagworth Road intersection.
PC.3 • O.483	The main circulation road is to have street tree plantings at regular intervals along its full length. Figure 10-111 provides a typical road section.
PC.4 • O.482 • O.483 • O.485	No new lots are to have direct vehicular access to Louth Park Road, except where traffic safety can be demonstrated, and existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

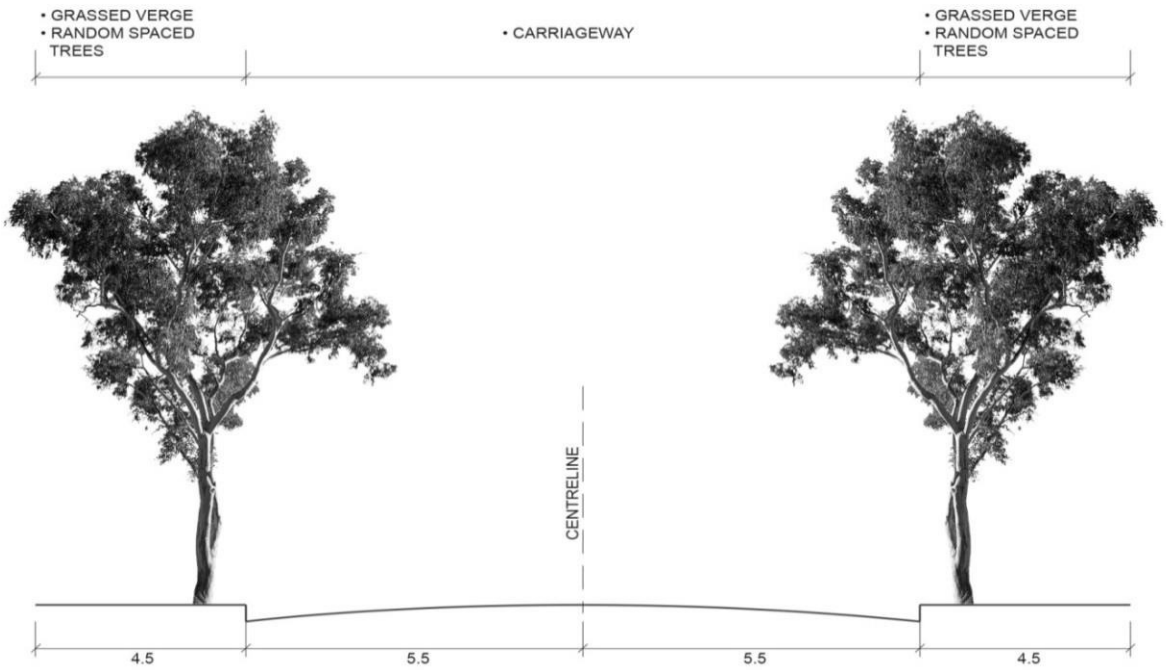


Figure 10-111: Road Section for Main Circulation Route

10.4.14.17. Overall Landscaping Strategy

Objectives

O.486 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.487 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.488 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

O.489 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.486 • O.487 • O.488 • O.489	Landscaping will be required on any new allotment immediately adjacent to Louth Park Road, consisting of a 5m wide buffer. This landscaping buffer is to be practical, integrated with any vehicular access, safe sight distances and traffic safety in general. Such buffer landscaping will be within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant. The diagram in Figure 10-112 shows a typical cross-section of the buffer.
AS.1 • O.486 • O.487 • O.489	Existing trees that are not affected by proposed new roads, infrastructure or buildings are to be retained where possible within riparian corridors, flood liable lands, road reserves and open space. Existing mature trees within and adjacent to the Louth Park Road and Dagworth Road reserves should additionally be retained to enhance the natural landscape character of the area.
AS.2 • O.486 • O.488 • O.489	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, areas supporting Endangered Ecological Communities (EEC).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.486 • O.488 • O.489	Landscaping plans will include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road. Similarly, landscaping is to be provided at key intersections on Louth Park Road and Dagworth Road.
PC.3 • O.486 • O.488 • O.489	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and Dagworth Road frontages where fencing is needed for safety, security or visual enhancement.
PC.4 • O.486 • O.488 • O.489	Any individual allotment boundary fencing within the precinct shall be timber post and rail style, or similar open style rural fence and such requirements will be reinforced and protected via mechanisms such as restrictions as to user on titles and covenants. Figure 10-113 provides a reference fencing design. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanised mesh.
PC.5 • O.486 • O.488 • O.489	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivision development within the precinct and shall include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline in accordance with the Precinct Plan.
PC.6 • O.486 • O.489	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road.
PC.7 • O.486 • O.488	A 5m landscape buffer is to be provided along any boundary adjoining Louth Park Road.
PC.8 • O.487 • O.489	Building envelopes are to be positioned to retain existing vegetation and hollow bearing trees where practicable.
PC.9 • O.487 • O.488	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the “improve or maintain” threshold will be required with the development application.

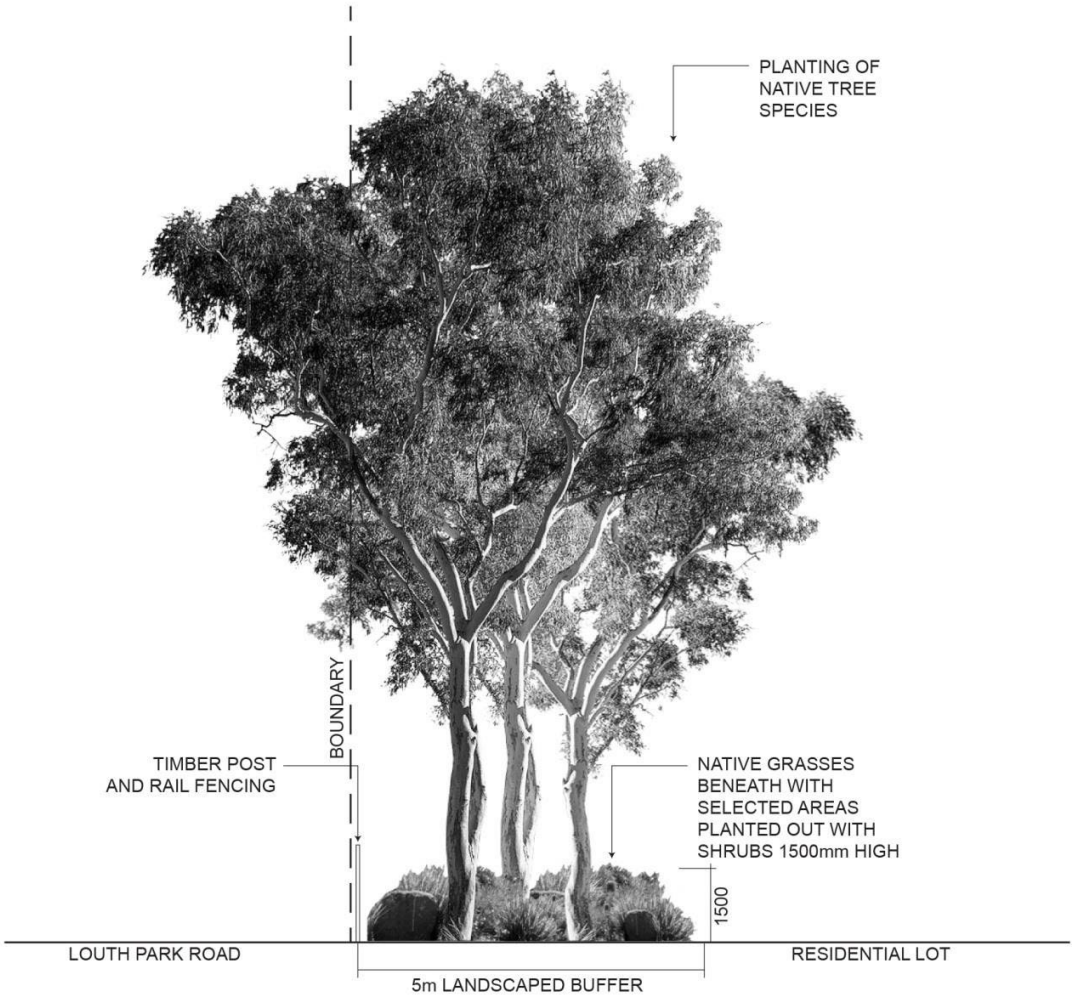


Figure 10-112: Landscape Buffer to Louth Park Road.

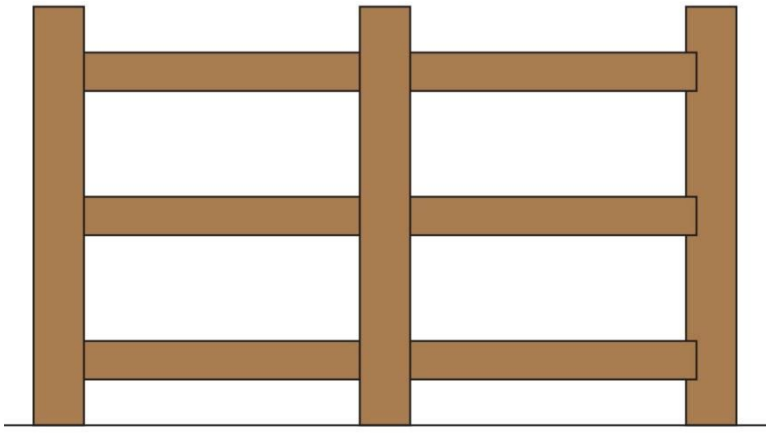


Figure 10-113: Typical Timber Boundary Fencing or Similar.

10.4.14.18. Stormwater and Water Quality

Objectives

O.490 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.491 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.492 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.490	Applications for subdivision involving new or upgraded roads are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.490 • O.492	The number and location of WSUD elements are to be determined by modelling to develop the SWMP for the site and be integrated with the overall design.
PC.3 • O.490 • O.492	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.490 • O.492	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.492	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
AS.3 • O.492	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.4 • O.492	Gullies intended to be left in their natural state should be assessed, and if necessary enhanced to offset the need for maintenance.
PC.4 • O.491	Any proposed alteration/modification to existing dams are to be supported by a Flora and Fauna Assessment by a suitably qualified consultant targeting the Green and Golden Bell Frog. The target search is to be conducted during the appropriate months for this species.

10.4.14.19. Amelioration of Natural and Environmental Hazards

Objectives

O.493 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.494 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.493	Development applications for subdivision are, where flood-affected, to provide suitable flooding assessment reports to determine the impacts of development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.493	Any flood liable lands are to form part of overall stormwater management and should not be filled to provide for new allotments and future dwelling sites. Any filling of drainage lines for subdivisions and roads is to be limited to that necessary to provide a practical and desirable urban design outcome which also satisfies Council's water quality and quantity standards. Written approval from the Office of Water is required for the filling of any gullies or designated drainage lines.
PC.2 • O.493	Any future dwelling sites must be located at least 0.5m above the 1% AEP flood level, and access to such dwellings shall be adequate and safe at appropriate gradients.
PC.3 • O.493	Subdivision applications require approval from the NSW Rural Fire Service and any applicable measures required are to be addressed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.4 • O.494	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic along Louth Park Road.
PC.5 • O.493 • O.494	New dwellings are to be setback a minimum of 15m from Louth Park Road, and a 5m wide landscaping buffer is to be provided adjacent to Louth Park Road to physically separate passing traffic and provide a visual screen.
PC.6 • O.493 • O.494	The Central Precinct is partly affected by mines subsidence issues, and accordingly detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW and be supported by a Geotechnical report.
PC.7 • O.493 • O.494	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.20. Key Development Sites

Objectives

O.495 Detailed urban design controls are provided for significant development sites.

Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.495	A Visual and Scenic Impact Assessment is required to help inform the subdivision design and layout and include landscaping measures to protect the prominent skyline. This must include, but is not exclusive to, the following: a. The development is to retain existing vegetation to screen and break up visual impacts, b. The area along the western ridgeline shall include larger allotments of a minimum 4000m², so as to provide adequate land area to include new buildings, generous setbacks and appropriate new tree plantings, c. Roof lines of dwellings are not to protrude above the ridgeline, and d. Dwellings associated with lots adjoining the ridgeline are to be single story design.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.495	A limited number of large rural allotments will be considered so as to sustainably maintain and manage the residual rural lands and wetlands. Fencing of such allotments is to be of timber post and rail style or similar open style rural fence so as to minimise any visual impacts of development.

10.4.14.21. Archaeological Heritage

Objectives

O.496 Heritage items, buildings with heritage significance and conservation Areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.496	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.496	If site LP1 or LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.3 • O.496	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

Development Requirements – Southern Precinct

No specific requirements have been made for the following matters within the Southern Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

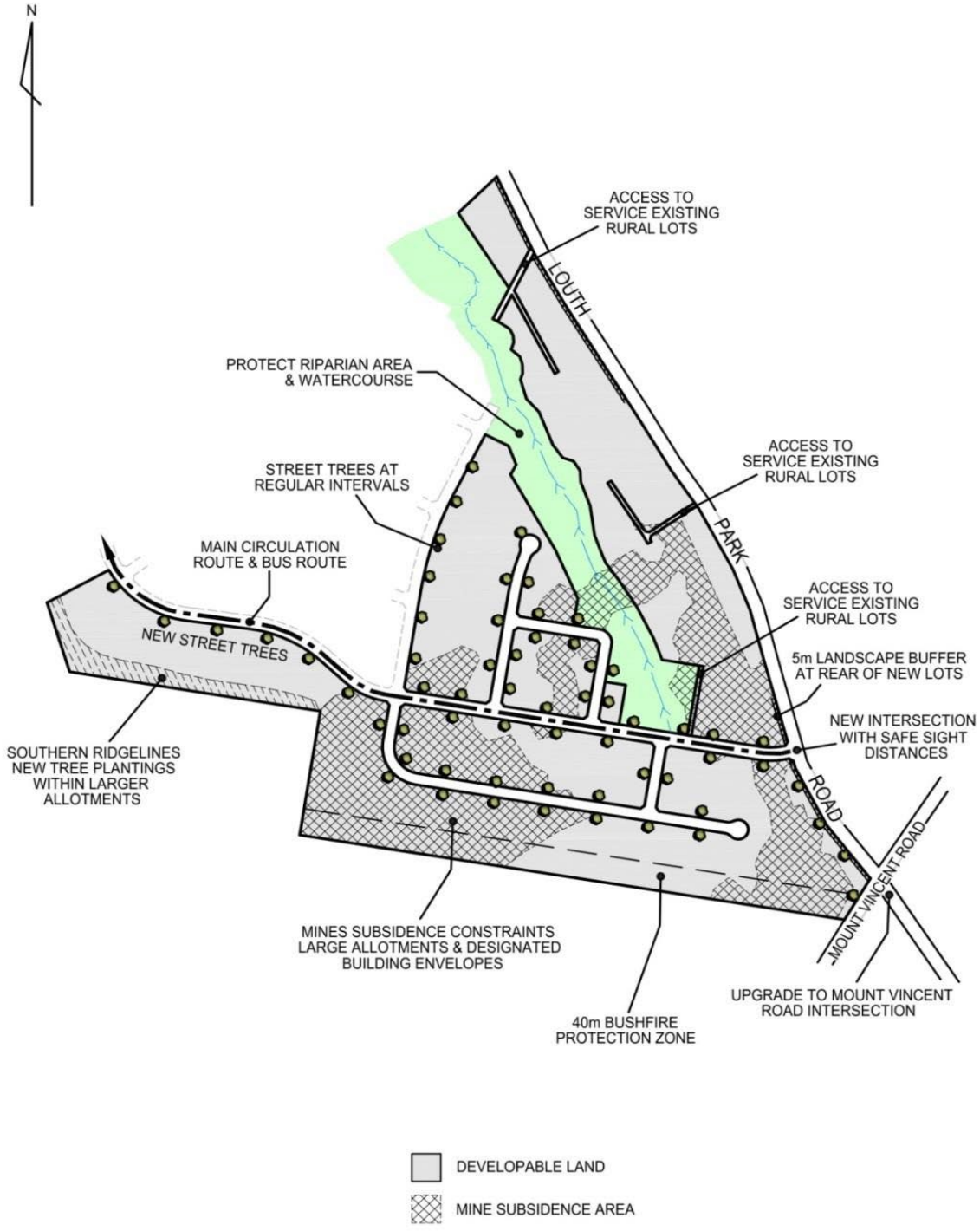


Figure 10-114: Southern Precinct and Road Hierarchy

10.4.14.22. Staging Plan

Objectives

O.497 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.497	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.23. Transport Movement Hierarchy

Objectives

O.498 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.499 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.500 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

O.501 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.498 • O.500	The main access to the Southern Precinct will be via a new intersection at a suitable location with adequate sight distance on Louth Park Road. That access road is to connect with the main circulation route in the Central Precinct. See Figure 10-115 for a typical road section.
PC.2 • O.498 • O.499 • O.500	Road layout and street design will be consistent with the adopted Southern Precinct and Road Hierarchy Plan (Figure 10-114) and following detailed survey and subdivision planning.
PC.3 • O.501	No new future lot is to have direct vehicular access to Louth Park Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

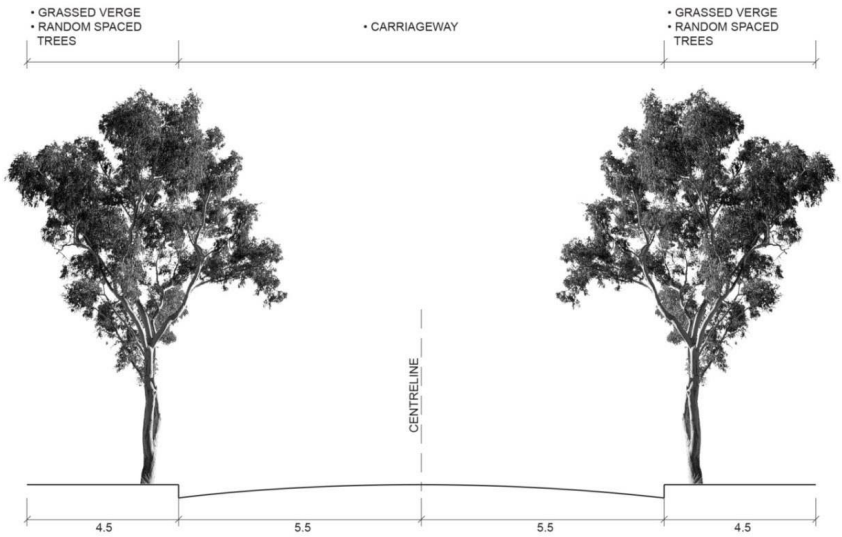


Figure 10-115: Main Circulation Route Cross-Section

10.4.14.24. Overall Landscaping Strategy

Objectives

O.502 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.503 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.504 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

O.505 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.502	Detailed landscaping plans will be submitted with all development applications for subdivision.
PC.2 • O.502	New landscaping will be required on residential allotments immediately adjacent to Louth Park Road, being a 5m wide buffer to soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic, pedestrians and properties to the northeast. This landscaping buffer is to: a. be within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant, and b. include native ground covers and shrubs to a maximum height of 1500mm. Figure 10-116 shows a typical cross section of the buffer.
PC.3 • O.503 • O.505	Existing trees that are not affected by proposed new roads, infrastructure or buildings are to be retained where possible within riparian corridors, flood liable lands, road reserves and open space.
AS.1 • O.503 • O.505	Existing mature trees within and adjacent to the Louth Park Road and Mount Vincent Road reserves should also be retained to enhance the natural landscape character of the area.
AS.2 • O.503 • O.504	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, those areas supporting Endangered Ecological Communities (EEC).
PC.4 • O.503 • O.504	Landscaping plans will include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road.
PC.5 • O.504 • O.505	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and any Mount Vincent Road frontages where fencing is needed for safety, security or visual enhancement.
PC.6 • O.504 • O.505	Any individual allotment boundary fencing within the precinct is to be of timber post and rail style or similar open style rural fence and such requirements will be reinforced and protected via mechanisms such as restrictions as to user on titles and covenants. Please refer to Figure 10-117 of typical fencing detail. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanised mesh.
PC.7 • O.504 • O.505	Given the surrounding rural landscape and the adjoining rural allotments, a Visual and Scenic Impact Assessment is to accompany development applications for subdivision development within the precinct and shall include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline in accordance with the Precinct Plan.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.505	Design plans for proposed allotments adjoining the ridgeline are to include the location of building envelopes and cross-sections showing finished rooflines in regard to the ridgeline and appropriate treatment where necessary.
PC.9 • O.502 • O.504 • O.505	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road or 50m of Mount Vincent Road.
PC.10 • O.504	Building envelopes are to be positioned to retain existing vegetation and hollow bearing trees where practicable.
PC.11 • O.504	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the "improve or maintain" threshold will be required with the development application.

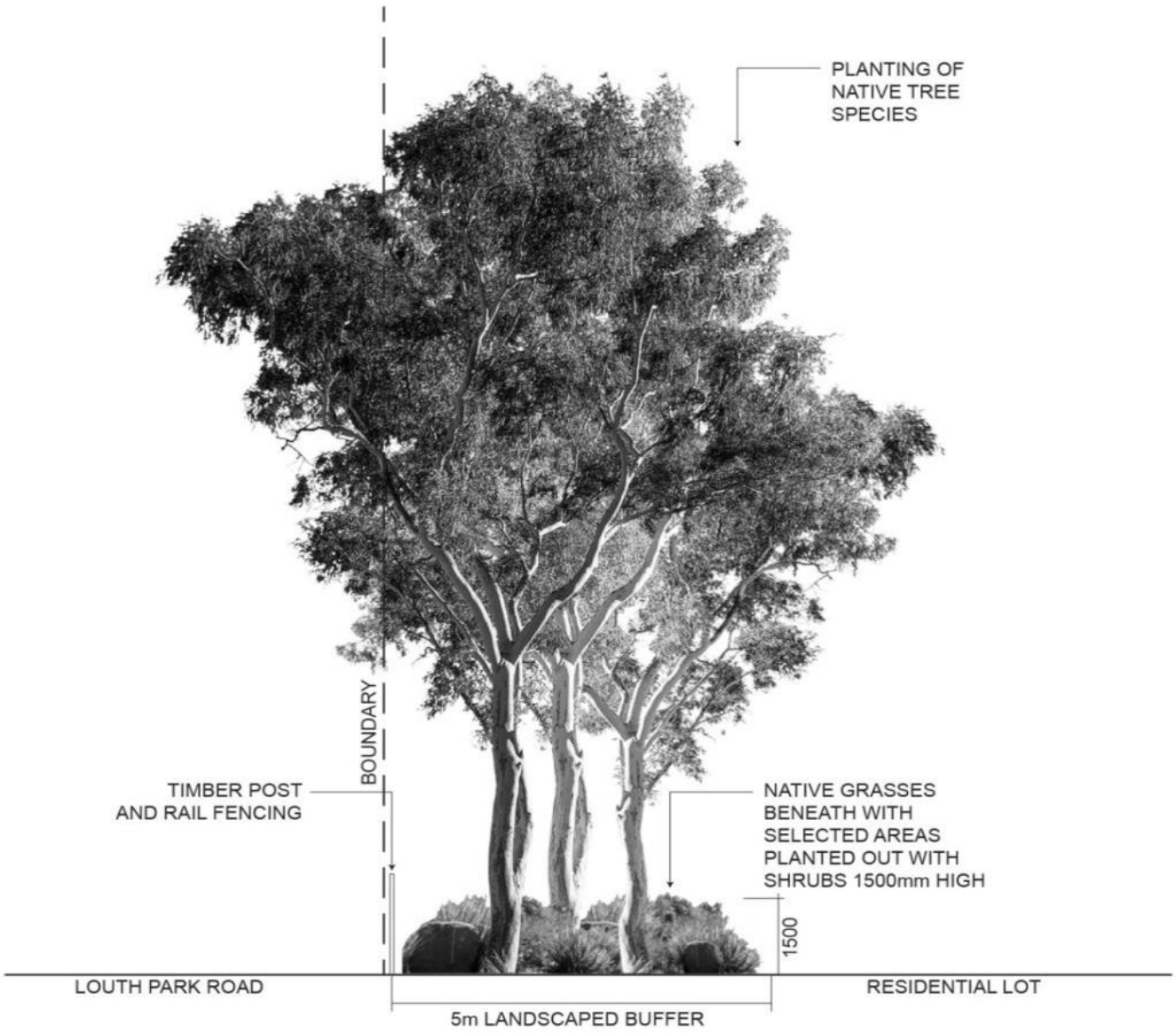


Figure 10-116: Landscape Buffer to Louth Park Road

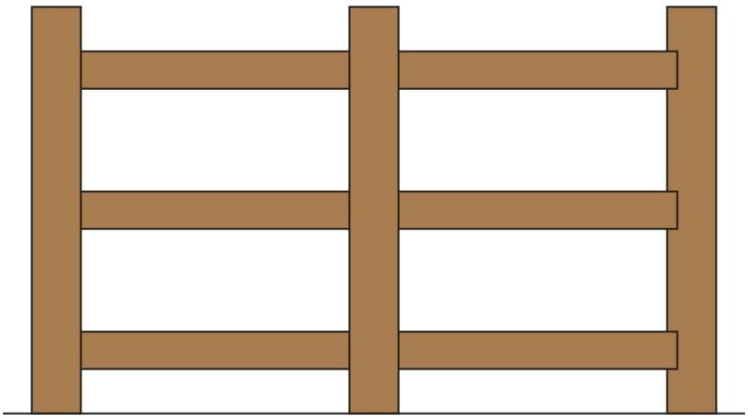


Figure 10-117: Typical Timber Boundary Fencing or Similar

10.4.14.25. Stormwater and Water Quality

Objectives

O.506 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.507 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.508 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.506	Applications for subdivision are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.506 • O.507	The number and location of WSUD elements is to be determined by modelling to develop the SWMP for the site and be integrated with the overall design.
PC.3 • O.508	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.507 • O.508	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
PC.4 • O.507 • O.508	Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.508	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
AS.3 • O.508	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.

10.4.14.26. Amelioration of Natural and Environmental Hazards

Objectives

O.509 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.510 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park and Mount Vincent Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.509	Any subdivision applications may require approval from the NSW Rural Fire Service and applicable measures addressed, such as Asset Protection Zones (APZ), in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.2 • O.509	Building envelopes are not to encroach upon the identified 40m Bushfire Protection Area as detailed in the southern precinct plan in Figure 10-114.
PC.3 • O.510	Subdivision design and lot layout must identify and ensure that any future residential lots and housing will not be adversely affected by noise or vibration from traffic along Louth Park Road or Mount Vincent Road.
PC.4 • O.510	Development involving new dwellings are to undertake a noise and vibration assessment report to determine any impacts due to the nearby mining activities at Bloomfield Colliery.
PC.5 • O.510	New dwellings are to be setback a minimum of 15m from Louth Park Road and 50m from Mount Vincent Road, and a landscaping buffer 5m wide (which may include existing vegetation) is to be provided adjacent to both roads to physically separate passing traffic.
PC.6 • O.509 • O.510	The Southern Precinct is partly affected by shallow mine workings, and accordingly detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW.
PC.7 • O.509 • O.510	Geotechnical investigations are to include details of the depth of coal seam, height of workings, floor conditions and thickness of competent rock over mine workings to the satisfaction of Subsidence Advisory NSW. At the completion of any geotechnical remediation works, a qualified geotechnical engineer is to certify that the remediation of the mine workings has been achieved.
PC.8 • O.509 • O.510	No development over mine shafts or entry tunnels will be supported. Shafts and tunnels are to be filled and capped to comply with guidelines provided by NSW Trade and Investment – Division of Resources and Energy.
PC.9 • O.509 • O.510	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.27. Key Development Sites

Objectives

O.511 To ensure detailed urban design controls are provided for significant development sites.

Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.511	A Visual and Scenic Impact Assessment is required to help inform the subdivision design and layout and is to include landscaping measures to protect the views from the south along the southern ridgeline.
PC.2 • O.511	Development is to retain existing vegetation to screen and break up visual impacts.
PC.3 • O.511	The area along the southern ridgeline is to include larger allotments, so as to provide adequate land area to include new buildings, generous setbacks and appropriate landscaping, notwithstanding any mine subsidence constraints and requirements.
PC.4 • O.511	Design plans for proposed allotments adjoining the ridgeline are to include the location of building envelopes and cross-sections showing finished rooflines in regard to the ridgeline and appropriate treatment where necessary.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.511	A limited number of large allotments will be considered so as to sustainably maintain and manage the residue rural lands.
PC.5 • O.511	Fencing of such allotments are to be of timber post and rail style (or similar), so as to minimise any visual impacts of development.

10.4.14.28. Archaeological Heritage

Objectives

O.512 Heritage items, buildings with heritage significance and Conservation Areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.512	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.512	If site LP1 and/or LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.4 • O.512	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

10.4.15. Anambah Employment Area

The Anambah Employment Area Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

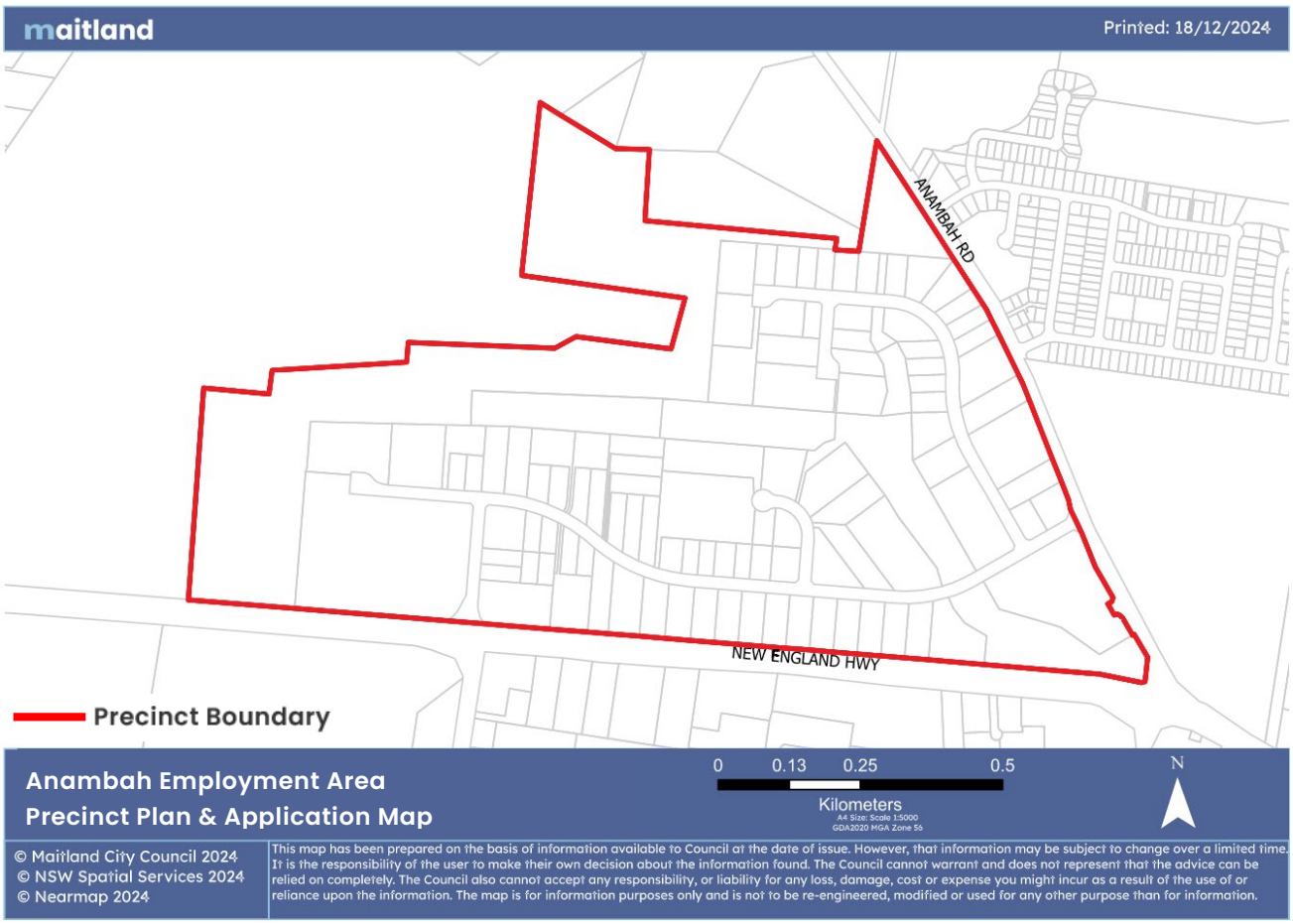


Figure 10-118: Anambah Employment Area Precinct Plan & Application Map

The Anambah Employment Area lies along the northern side of the New England Highway at its junction with Anambah Road as identified in Figure 10-118.

The land use zones over the site provide for a mix of industrial and business development. Co- location of complementary businesses to service industry, such as research and technology-based businesses should result in a high amenity centre.

The site also includes the introduction of an environmental management area which will require ongoing maintenance and management to protect identified threatened species and endangered ecological communities.

The proximity of the site to the Maitland Airport necessitates specific height and noise control criteria. Specific landscape and visual amenity controls are also included to ensure that the appearance of the development when viewed from both the New England Highway and Anambah Road is satisfactory.

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Employment Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.15.1. Staging Plan

Objectives

O.513 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.513	Staging of the urban release area should be generally in accordance with Figure 10-119.

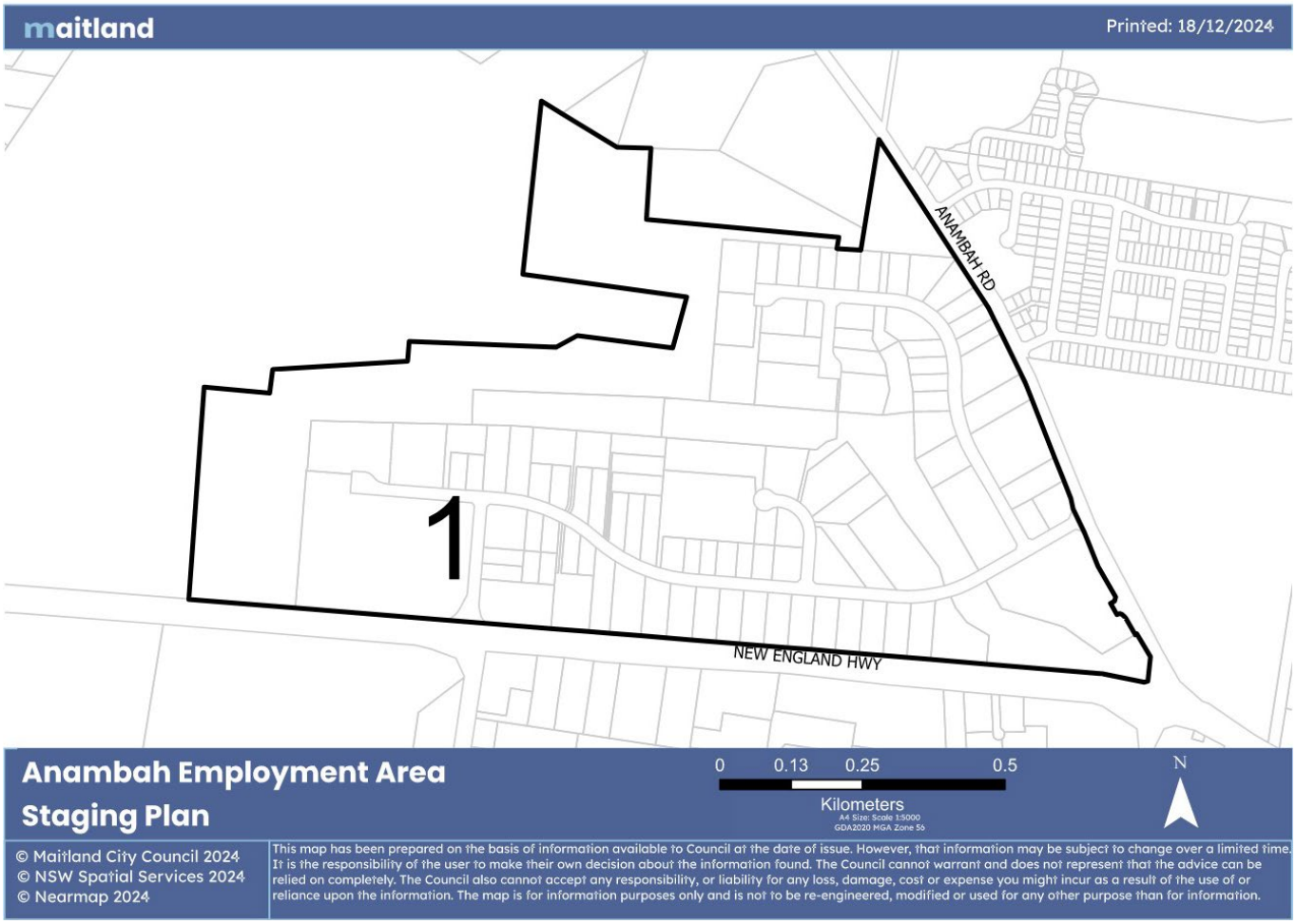


Figure 10-119: Anambah Employment Area Staging Plan

10.4.15.2. Transport Movement Hierarchy

Objectives

O.514 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.515 To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.514 • O.515	The major circulation route and intersections with the New England Highway and Anambah Road should be in accordance with Figure 10-120.
PC.1 • O.514 • O.515	The major circulation route is to make provision for a public bus service, on-road cyclists and a pedestrian footpath.
PC.2 • O.514 • O.515	No new future lot is to have direct vehicular access to Anambah Road or the New England Highway, except where the development satisfies the requirements of Section 2.119 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

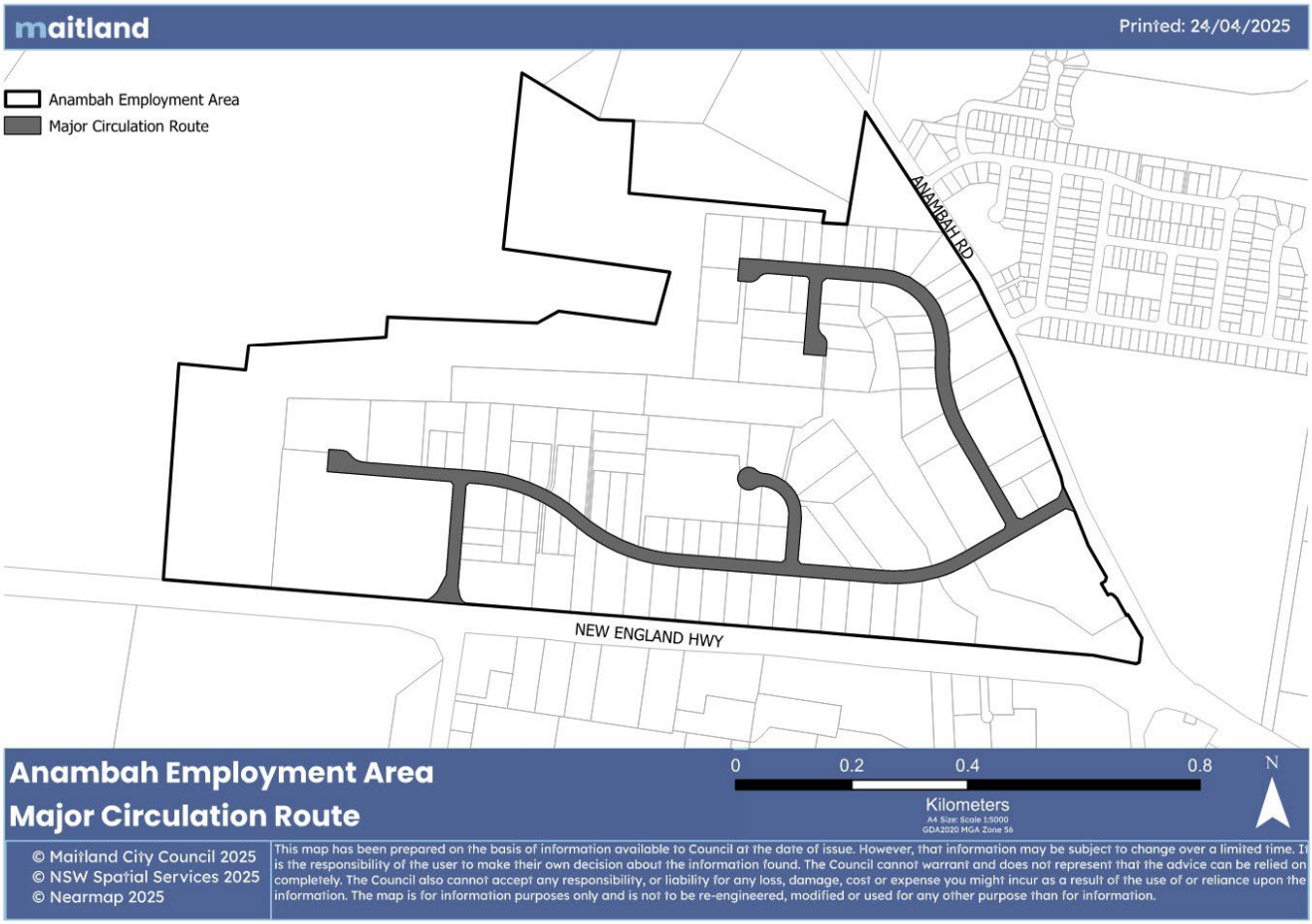


Figure 10-120: Major Circulation Routes and Intersections

10.4.15.3. Overall Landscaping Strategy

Objectives

O.516 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.517 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.518 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form.

O.519 To protect significant vegetation and habitat adjoining the Anambah Employment Area, especially for Squirrel Gliders, Grey-Crowned Babblers and threatened bat species.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.516 • O.517 • O.518	Provision is to be made for a 10m wide landscaped area adjoining the New England Highway and Anambah Road. The landscape strip is to be incorporated into the development lots.
PC.2 • O.516 • O.517 • O.518	A landscaping strategy is to be submitted with the first development application to subdivide land adjoining the New England Highway or Anambah Road, to identify a theme for the landscaping strips that will create a pleasant and consistent visual appearance for the Anambah Employment Area. The landscaping strategy is to include information about the fencing treatment for land fronting the New England Highway and Anambah Road.
PC.3 • O.516 • O.517 • O.518	All subsequent development applications are to be consistent with the approved landscaping strategy.
PC.4 • O.516 • O.517 • O.518	Native and low maintenance plant species are to be used in the landscaping and must be installed as part of the subdivision works.
PC.5 • O.517 • O.519	A vegetation management plan is to be submitted with any development application on land in Zone C3 Environmental Management that intends to clear vegetation.
PC.6 • O.517 • O.519	Development on land in Zone C3 Environmental Management must be consistent with the recommendations and objectives of the vegetation management plan.
PC.7 • O.517 • O.519	A vegetation management plan is to include timing of clearing and re-vegetation processes, area and type of vegetation removal, re-vegetation, and program for monitoring of vegetation management to achieve: • No net loss of vegetation (on an area basis) for the development of the Anambah Employment Area, • Year-round flowering resources for Squirrel Gliders, • Habitat for Grey-crowned Babblers, • Bat nesting boxes and salvaged hollows, • Use of endemic plant species.

10.4.15.4. Stormwater and Water Quality

Objectives

O.520 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.521 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.522 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.523 To protect the function of nutrient control ponds and ensure consistency for stormwater management in the Anambah Employment Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.520 • O.521 • O.522 • O.523	The individual lot stormwater management system is to be designed to include on-site stormwater detention in accordance with Council's MoES, as well as "at source" sediment, nutrient, oil and grease removal.

10.4.15.5. Amelioration of Natural and Environmental Hazards

Objectives

O.524 To ensure buildings, structures and uses are compatible with the ongoing operation of the adjoining aircraft facility.
O.525 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.524	Any building, structure or landscaping should not be erected or installed to a height above the obstacle height limitation surface for the aircraft facility.
PC.1 • O.524	Proposed uses and building design must give consideration to exposure to aircraft noise for land within the hatched area on Figure 10-121.
PC.2 • O.524	Buildings within this area are to be designed in accordance with the requirements of *Australian Standard AS021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Design*.
PC.3 • O.524	Land located within the obstacle height limitation zone up to the 400m chainage line, within the eastern take-off/approach path to Runway 08/26 (as indicated on Figure 10-122): • Height of Buildings is a maximum of 12m.
PC.4 • O.524	Land located within the obstacle height limitation zone beyond the 400m chainage line, within the eastern take-off/approach path to Runway 08/26 (as indicated on Figure 10-122): • Height of Buildings is a maximum of 16m. Assessment of any development application in this area will include consideration of the overall proposal inclusive of lot area, height, form, site coverage, setbacks and landscaping, having particular regard to appearance as viewed from the New England Highway and Anambah Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.524	Land located outside of the obstacle height limitation zone: • No Height of Building limitation. Assessment of any development application in this area will include consideration of the overall proposal inclusive of lot area, height, form, site coverage, setbacks and landscaping, having particular regard to appearance as viewed from the New England Highway and Anambah Road.
PC.6 • O.525	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.7 • O.525	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.
PC.8 • O.525	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.

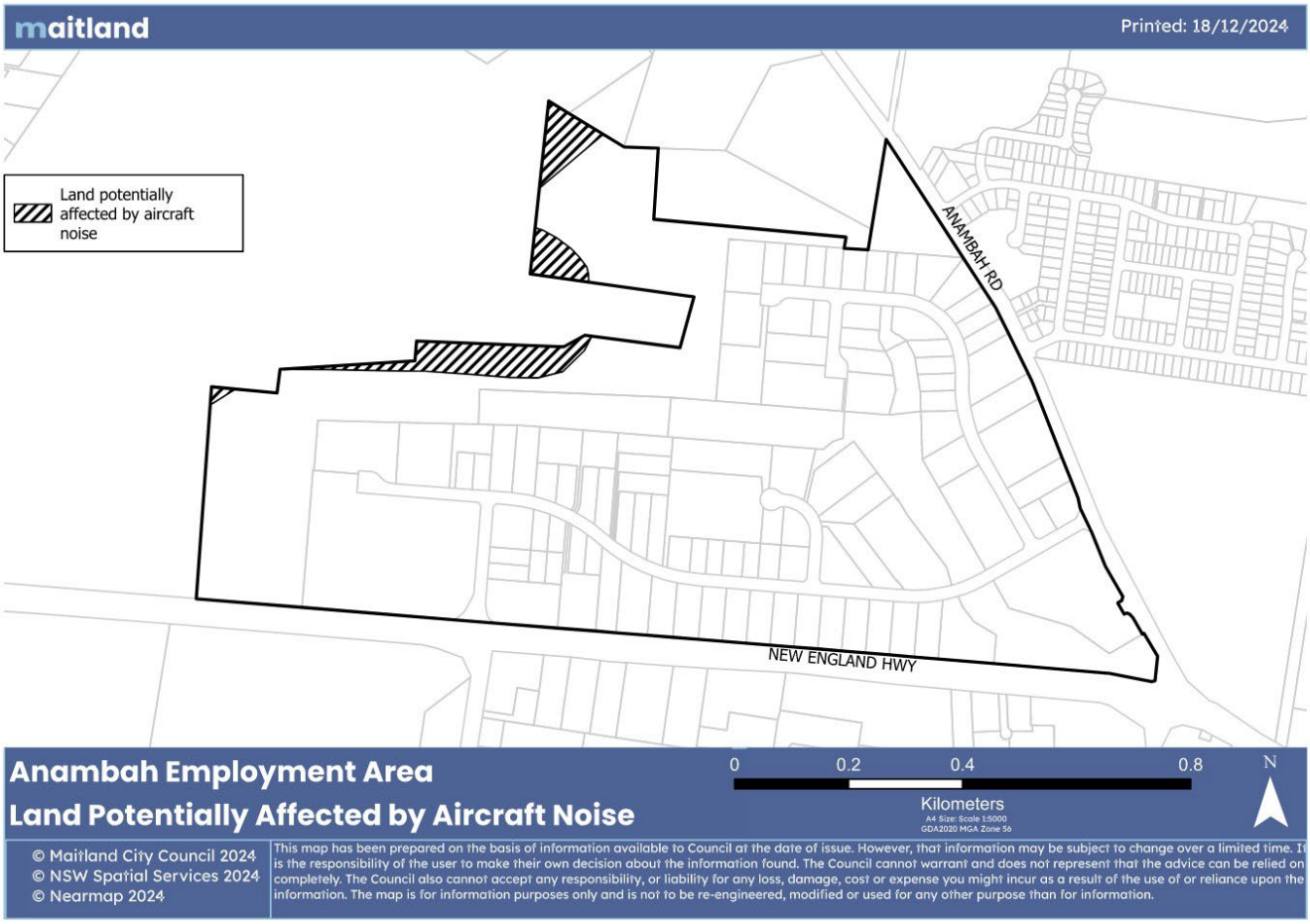


Figure 10-121: Land potentially affected by aircraft noise (ANEC-20)

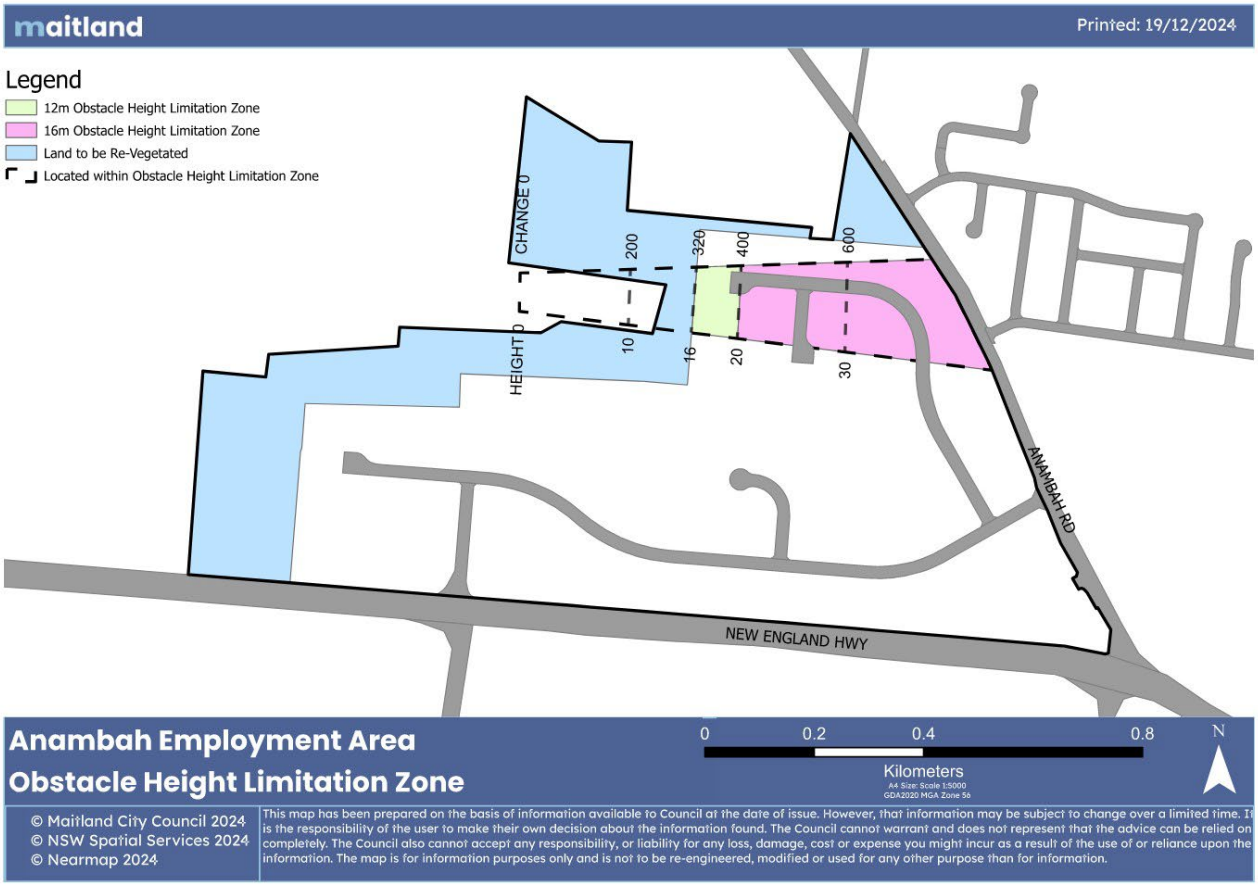


Figure 10-122: Obstacle Height Limitation Zone

10.4.15.6. Key Development Sites

Presentation to New England Highway and Anambah Road

Objectives

O.526 To ensure detailed urban design controls are provided for significant development sites.
O.527 To encourage development that contributes to a good quality streetscape, when viewed from the New England Highway or Anambah Road.
O.528 To provide for industrial buildings and development which is both functional to meet the user's needs, as well as having a good quality external appearance when viewed from public places.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.526 • O.527 • O.528	All proposed outdoor storage or display areas are to be identified in a development application, including details of the type of materials or goods to be stored or displayed.
PC.2 • O.526 • O.527 • O.528	All outdoor storage or display areas are to be screened from the New England Highway and Anambah Road, unless it can be demonstrated that it will have a tidy and attractive appearance.
AS.1 • O.528	Buildings should be constructed using brick, masonry, pre-coloured metal cladding, appropriately finished 'tilt-slab' concrete or a combination of these materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.528	Building facades are to be predominantly muted colours such as stone and other pale brown shades, greys, greens, terracotta and off-white. Bright colours such as red, yellow, blue, white, purple, pink and orange will only be permitted where they form minor elements of the façade and represent corporate identification or highlights.
AS.3 • O.528	Use of multiple zones of complementary colour to break up vertical height and overall mass are encouraged.
PC.3 • O.527 • O.528	Major walls – where building facades are visible from a public road and include walls greater than 30m in length or 6.5m in height, variations in colour, materials or landscaping are to be used to provide interest.
PC.4 • O.527 • O.528	Any external plant and equipment (including reuse storage and other visually obtrusive activities) is to be screened from public roads.
PC.5 • O.528	Any roof mounted equipment and structures that protrude above the roof line are to be integrated into the building design or screened.
PC.6 • O.527 • O.528	Where sited forward of the building frontage to a public road, fencing is to be a black coated or painted metal chain-wire fence.
AS.3 • O.528	Solid boundary fencing materials will only be permitted forward of the building frontage to a public road where they will be screened by landscaping or are demonstrated to be of quality and varied materials that do not detract from the streetscape.
PC.7 • O.528	The size and placement of advertising structures are to be consistent with Chapter 3 Advertising and Signage of the *State Environmental Planning Policy (Industry and Employment) 2021* and the relevant provisions of this DCP.
PC.8 • O.528	Only one pylon sign or pole sign is permitted per lot.
PC.9 • O.527 • O.528	No advertising signs are to be installed in the landscaping strip adjoining the New England Highway or Anambah Road.

10.4.16. Mount Vincent Urban Release Area

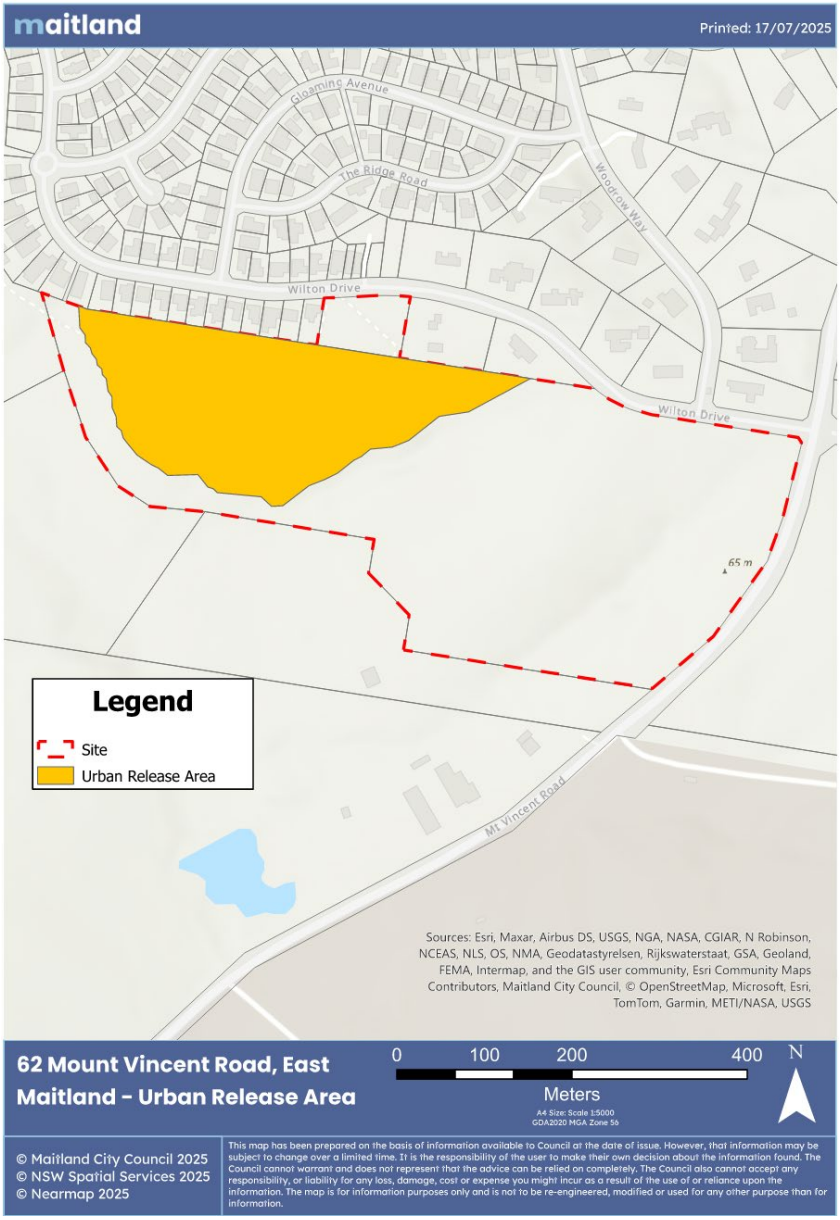


Figure 10-123: Mount Vincent URA Precinct Plan

The subject of this DCP is the land currently known as Mount Vincent Road Urban Release Area (Mount Vincent Road URA) and its adjoining lands that formed part of the Planning Proposal for rezoning of land at East Maitland. The Mount Vincent Road URA is bound by Wilton Drive and existing residential homes to the north, rural lands to the south and west, and Mount Vincent Road to the east. The site is 2.5km from the East Maitland Strategic Centre and 3.3km from Lawes Street Shops that form the East Maitland local centre.

The Mount Vincent Road URA will be a modern neighbourhood incorporating urban design principles aligned with Council's strategic objectives. It will serve as an extension to the existing suburban context of the southern areas of East Maitland, interfacing with the transition to Maitland's rural environment. The natural and artificial water flows existing onsite will be reconfigured to meet modern standards, with additional stormwater infrastructure constructed to service the neighbourhood.

Development of the Mount Vincent Road URA will be complemented by a high-quality public domain, which will include new interconnected streets, pedestrian pathways, an active transport link, and a public parkland. The area will also see significant landscaping and bolstering of its biodiversity, with a mixture of trees and vegetation being provided as part of the active transport network and within the C3 Environmental Management zone. Street tree plantings will additionally offer greening and shading of the residential environment.

Land Application

This DCP chapter applies to the land as marked on the Land Application Map in Figure 10-124 below. The URA and associated lands have been demarcated separately.

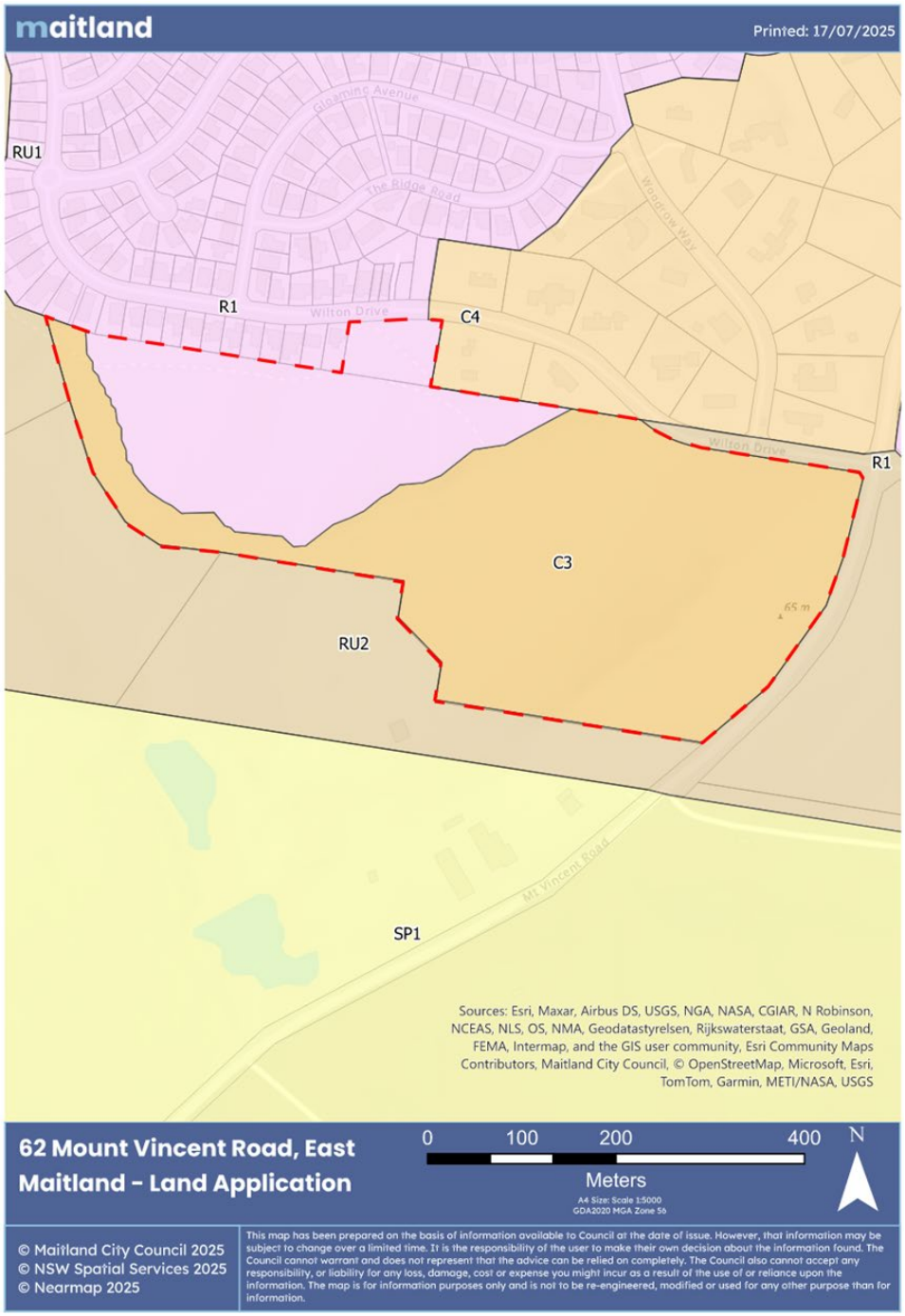


Figure 10-124: Mount Vincent URA Land Application Map

Development Requirements – General Provisions

10.4.16.1. Staging Plan

Objectives

O.529 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.529	Where development is proposed to be constructed in stages, DAs for Subdivision shall include a staged construction plan.
AS.1 • O.529	Staging for a DA for Subdivision is to generally be in accordance with the Staging Plan in Figure 10-125.

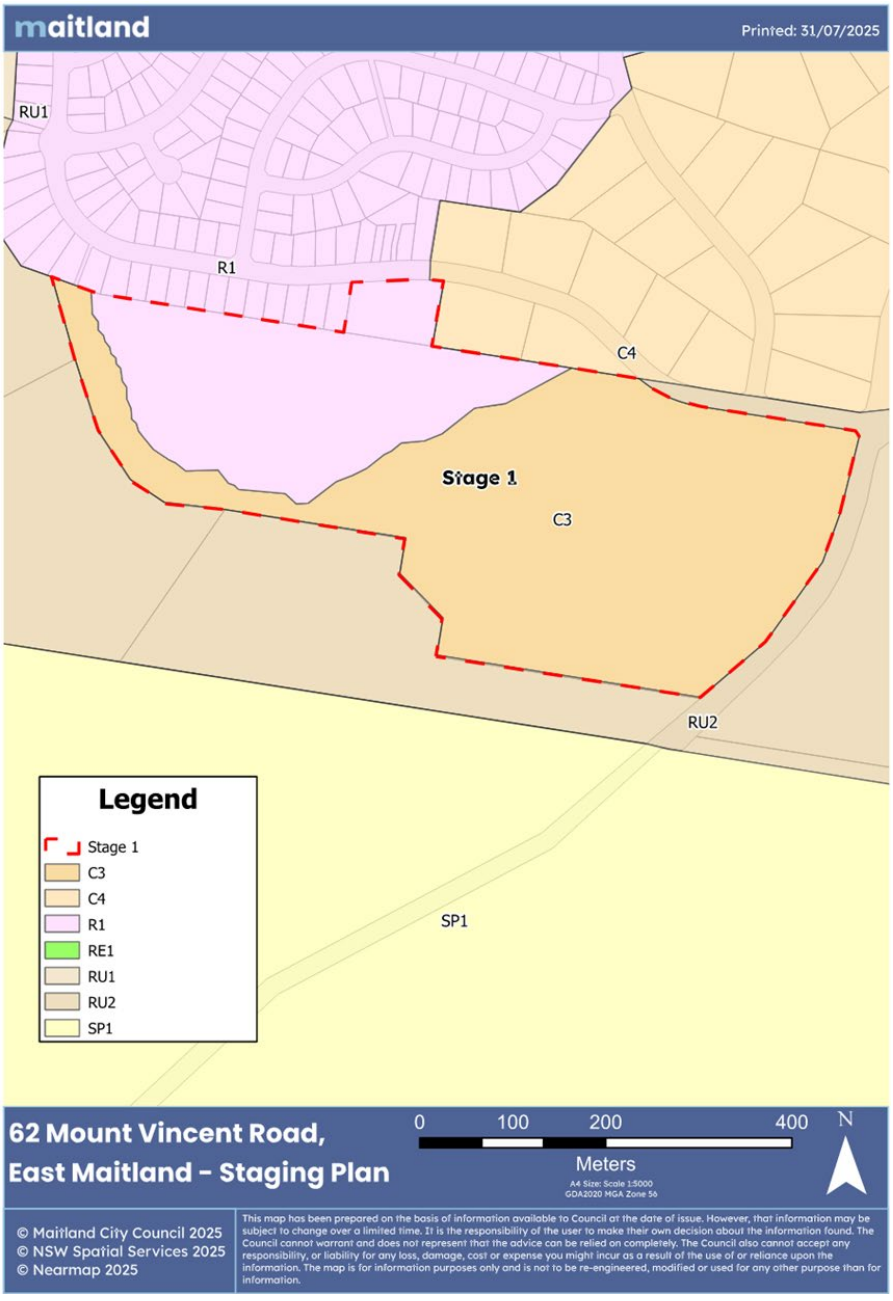


Figure 10-125: Mount Vincent URA Staging Plan

10.4.16.2. Transport Movement Hierarchy

Objectives

O.530 To ensure effective and multi-modal transport access that is amenable to the local context.
O.531 To provide multiple accesses to any future subdivision to assist emergency services.
O.532 To create access generally through an interconnected network of streets and paths which facilitate safe and amenable walking, cycling, and driving experiences.
O.533 To facilitate development that synergises with public bus service network and provides safe and easy access to these systems.
O.534 To provide a clear hierarchy of roads and active transport within the local transport network.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.530 • O.531 • O.532 • O.533 • O.534	Primary road hierarchy is to be generally consistent with the Area Plan in Figure 10-126, including two (2) access points back to Wilton Drive.
PC.1 • O.530 • O.531 • O.533 • O.534	The perimeter road and the primary access road indicated in Figure 10-126 is to be in compliance with Maitland City Council Manual of Engineering Standards and bushfire requirements.
PC.2 • O.530 • O.531 • O.532 • O.533	Any development application for subdivisions must ensure that road networks are fully constructed to ensure any future development can be connected into the existing network.
PC.3 • O.531 • O.532 • O.534	No new future lots are to have direct vehicular access to Mount Vincent Road.
AS.2 • O.530 • O.532 • O.534	Shared paths are to be provided in general accordance with the Area Plan provided on Figure 10-126.
PC.4 • O.530 • O.532 • O.533 • O.534	The shared pathway throughout the site must connect back through to Wilton Drive on the northwestern side of the site as shown in Figure 10-126.
PC.5 • O.530 • O.531 • O.532	Preparation of a Traffic Impact Assessment is to be undertaken to determine capacity at the intersection of Wilton Drive / Mount Vincent Road. The right-turn storage capacity of the intersection is to be revised accordingly to accommodate the development.

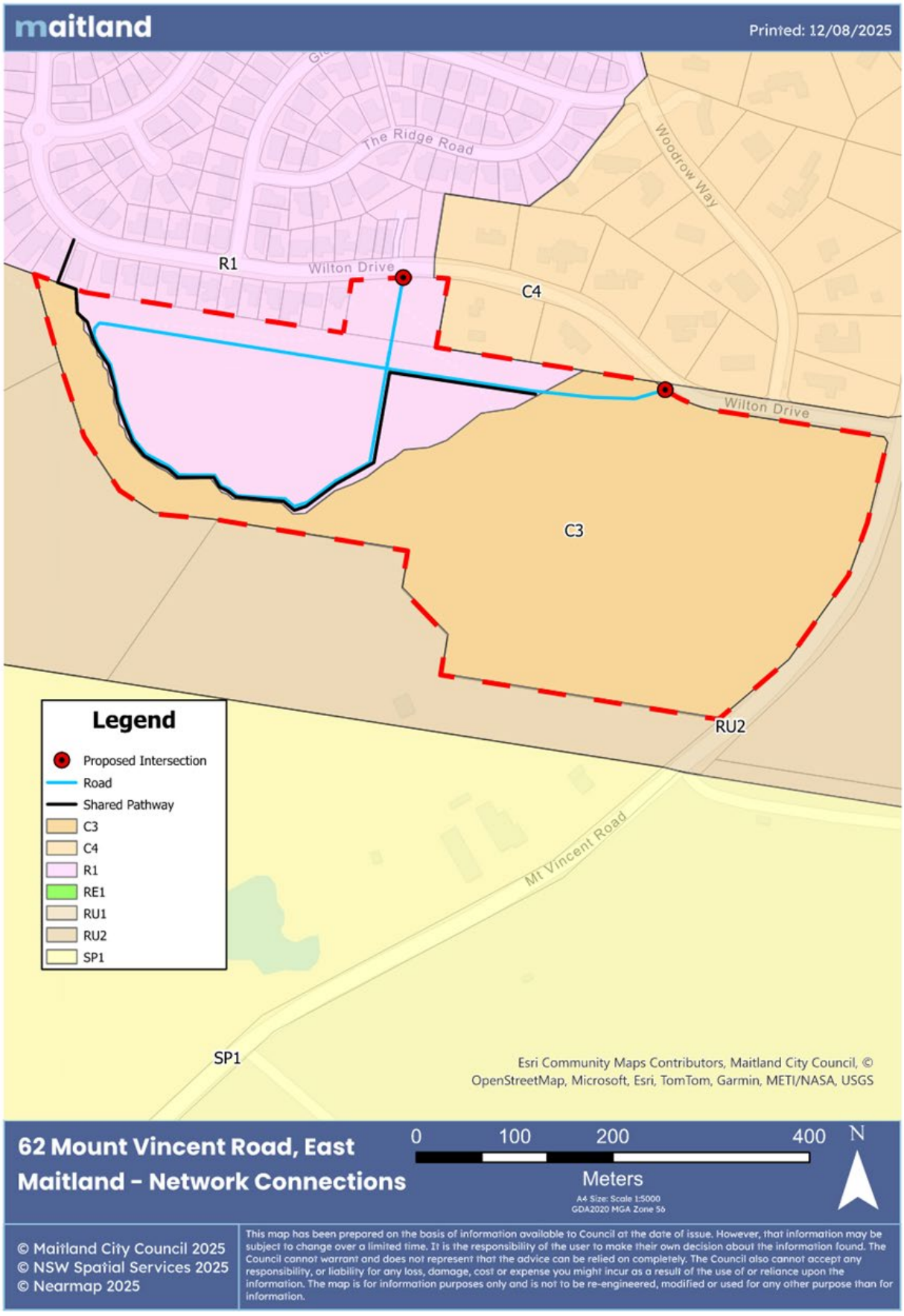


Figure 10-126: Mount Vincent URA Network Connections

10.4.16.3. Overall Landscaping Strategy

Objectives

O.535 To assist in the new residential precinct in achieving a 30% canopy cover, in alignment with Council's Environmental Sustainability Strategy 2030.

O.536 To continue activation of green space within new greenfield residential areas through the provision of new active transport infrastructure, vegetation planting, and enhanced public domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.536	Subdivision design is to take advantage of views overlooking the surrounding rural lands by orientating streets and public space to capture views.
AS.1 • O.535 • O.536	Existing trees and landscape elements which make a positive contribution to the character of the area, especially semimature/mature shade trees, should be retained and integrated into the proposal. Note: Where removal of a mature shade tree is proposed, this must be accompanied by sufficient justification.

10.4.16.4. Passive and Active Recreation Areas

Objectives

O.537 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.538 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.537 • O.538	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-127.
PC.1 • O.537 • O.538	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

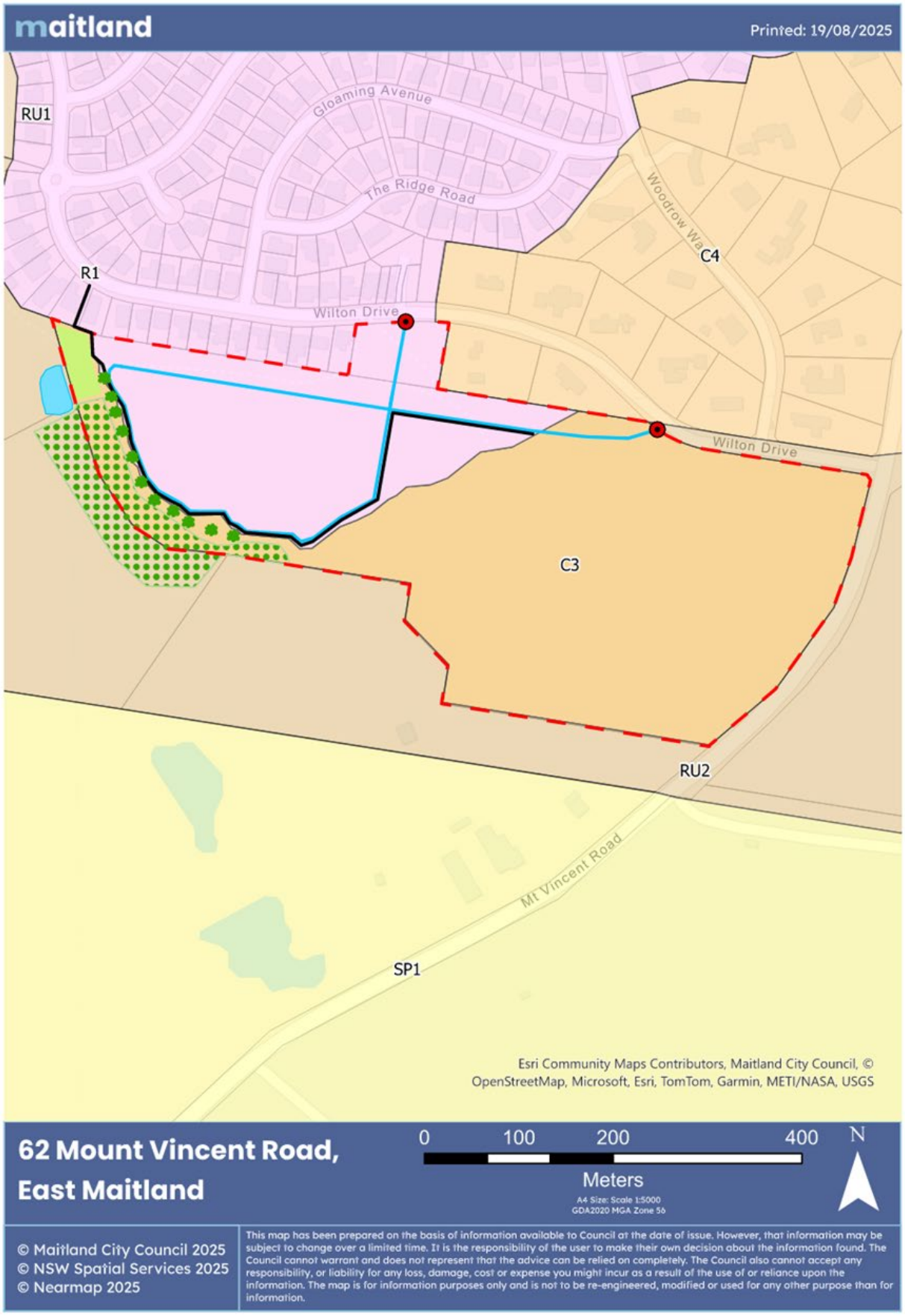


Figure 10-127: Mount Vincent URA Vegetation and Infrastructure Map

10.4.16.5. Stormwater and Water Quality Management

Objectives

O.539 To manage stormwater flows in a manner that minimises the risk of flooding, erosion, and environmental degradation through the appropriate placement of stormwater detention and water quality basins.

O.540 To ensure a Neutral OR Beneficial Effect on waterbodies extant on the subject land and the waterway to the south of the area. To ensure that all development maintains or enhances water quality, hydrology, and ecological function, resulting in a Neutral or Beneficial Effect on existing waterbodies within the site and the waterway to the south.

O.541 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management by prioritising water-sensitive urban design (WSUD).

O.542 To ensure that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development.

O.543 To ensure stormwater detention and water quality basins are located in safe, accessible, and environmentally appropriate areas, avoiding locations that create land use conflicts, require removal of significant vegetation, disrupt ecological corridors, or create long-term maintenance challenges.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.539 • O.540 • O.541 • O.542 • O.543	Stormwater runoff will be controlled by the provision of a stormwater detention and water quality basins, which are to be located in the areas indicated in Figure 10-127. These basins must be designed to integrate with the natural drainage system and be located away from sensitive ecological areas and habitats to minimise environmental disturbance.
PC.2 • O.539 • O.541 • O.542 • O.543	Stormwater and water quality facilities must be located adjacent to a road reserve to ensure casual surveillance, ease of maintenance, and safe access. The design must provide adequate setbacks, clear sightlines, and appropriate landscaping to balance security, functionality, and environmental integration.
PC.3 • O.539 • O.540 • O.541 • O.542	To support the basins, Gross Pollutant Traps are to be an integral part of the stormwater network. This will be required as a part of stormwater treatment solutions at the DA for Subdivision phase.
PC.4 • O.539 • O.540 • O.541 • O.542	A Stormwater and Water Quality Management Strategy, including MUSIC modelling, is to be submitted at the DA for Subdivision phase. The strategy must demonstrate how the development will meet water quality targets, manage stormwater runoff, and minimise the environmental impact of runoff on downstream ecosystems.
PC.5 • O.539 • O.540 • O.541 • O.542 • O.543	The natural drainage lines on the site must be utilised to the maximum extent possible as part of a stormwater and runoff drainage management system. The system must incorporate soil conservation measures, including detention basins, to alleviate stormwater peaks and retain sediments and pollutants.
PC.6 • O.539 • O.540 • O.541 • O.542	Rainwater tanks will not be considered in the calculations for stormwater detention purposes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.539 • O.540 • O.541 • O.542	Adequate stormwater management shall be provided at all times during the sequenced release of land.
AS.1 • O.539 • O.540 • O.541 • O.542	All stormwater facilities should be dedicated to Council as part of the subdivision process.

Amelioration of Natural and Environmental Hazards

This section provides controls designed to guide the environmental assessment and management of the land to which this part applies. It provides clear guidance as to the rigour required for development applications while creating beneficial environmental outcomes for a future residential community. The key environmental constraints of the subject land are:

- Aboriginal Heritage
- Contamination
- Mine Subsidence
- Visual Impact and Local Interface
- Biodiversity
- Flooding
- Bushfire
- Acid Sulfate Soils
- Odour

10.4.16.6. Aboriginal Heritage

Objectives

O.544 To ensure proper consultation occurs with relevant Aboriginal stakeholders and heritage authorities in line with the applicable guidance under the *National Parks and Wildlife Act 1974* and the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) (or any successive legislation or enforceable guidelines).

O.545 To conduct detailed and thorough assessment of the site, focusing on determining the nature of the potential grinding groove site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.544 • O.545	Known Aboriginal places and/or objects lie within 200m of the subject land of this DCP. A site has additionally been disputed previously on the subject land, with its status yet to be resolved. As such, a modification to the previous Aboriginal Cultural Heritage Assessment (ACHA) is to be undertaken in line with the guidance of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). The Mindaribba Local Aboriginal Land Council (LALC) must be directly approached and offered to be engaged as a Registered Aboriginal Party for the purposes of the ACHA consultation process.
PC.2 • O.544 • O.545	The Potential Archaeological Deposit (PAD) is required to be managed in accordance with the outcomes of the ACHA and in consultation with the Mindaribba LALC and Heritage NSW.

10.4.16.7. Contamination

The R1 (General Residential) zoned land located at the Mount Vincent Road URA has been utilised (in a post-colonial context) as primarily pastoral lands, with the C3 (Environmental Management) land in the east retaining its bushland character in a disturbed state. Surrounding land uses have also included now defunct coal mining operations and the existing subdivision of Rathluba Estate to the north, from which stormwater is currently drained in a free flow pattern down the Mount Vincent Road URA.

The Mount Vincent Road URA component of the subject site was identified to have various concentrations of different contaminants across the area. Further detailed investigation has been identified to be undertaken as a result.

Objectives

O.546 To limit impacts from historic contaminant generating agricultural and extractive industry activities on the planned residential precinct.
O.547 To properly remediate the subject land for intensified land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.546 • O.547	The proponent must provide information to state that the land is, or can be made, suitable for all the uses permissible under the approval. Information must follow the steps for contaminated land outlined in NSW EPA (2020) "*Consultants Reporting on Contaminated Land, Contaminated Land Guidelines*", and be undertaken in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure* (ASC NEPM, amended in 2013), Maitland City Council's "*Contaminated Land Policy – Land Use Planning*" (current version 3.1, or any updates thereof), and any other relevant guidelines made or adopted by NSW EPA under Section 105 of the *Contaminated Land Management Act 1997*. Note: Based on previous studies on the site, additional sampling is required within the former gully area. A minimum of a Detailed Site Investigation will be required.

10.4.16.8. Mine Subsidence

The area of the subject land of this DCP is located within a mineral exploration area known as the Maitland Coalfields, which formed part of the extensive coal mining areas in the Hunter Valley during the late 1800s into the mid-1900s. The subject land is located approximately a kilometre north from the main arm of the Rathluba seam, an underground coal bed that offshoots from the Four Mile Creek coal seam subgroup.

A series of former underground coal mine workings are located throughout the centre and east of the area, consisting of three distinct mines at depths varying between 10m-70m. The area ceased producing coal by the 1960s, with some workings having been blown. Most of the mine workings are either still intact today or have collapsed in on themselves. Previous geotechnical investigations of the site have determined that the full extent of mine workings is not mapped, and further testing is required.

Objectives

O.548 To reduce possible impacts of mine subsidence and shallow mine workings on future development and infrastructure within the Mt Vincent Road URA.
O.549 To ensure that potential mine subsidence and shallow mine working issues are adequately addressed at the subdivision stage.

O.550 To ensure consultation occurs with Subsidence Advisory NSW and consideration in given to the applicable Subsidence Advisory NSW Development Guidelines.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.548 • O.549	Areas of potential mine subsidence and potential shallow mine workings are illustrated on Figure 10-128.
PC.2 • O.548 • O.549 • O.550	Prior to any Development Application for subdivision being lodged for the lands subject to the indicated areas of potential mine subsidence and/or potential shallow mine workings, the Applicant shall undertake a geotechnical investigation and report to determine whether the lands indicated will be suitable for the proposed land uses e.g. roads, services, dwellings, etc.
PC.3 • O.548 • O.549 • O.550	Areas where surface cover over mine workings is known to be less than 25m will require remediation due to pothole subsidence risks. Remediation measures will be determined by the geotechnical investigation and report under PC.2 and in consultation with NSW Subsidence Advisory.

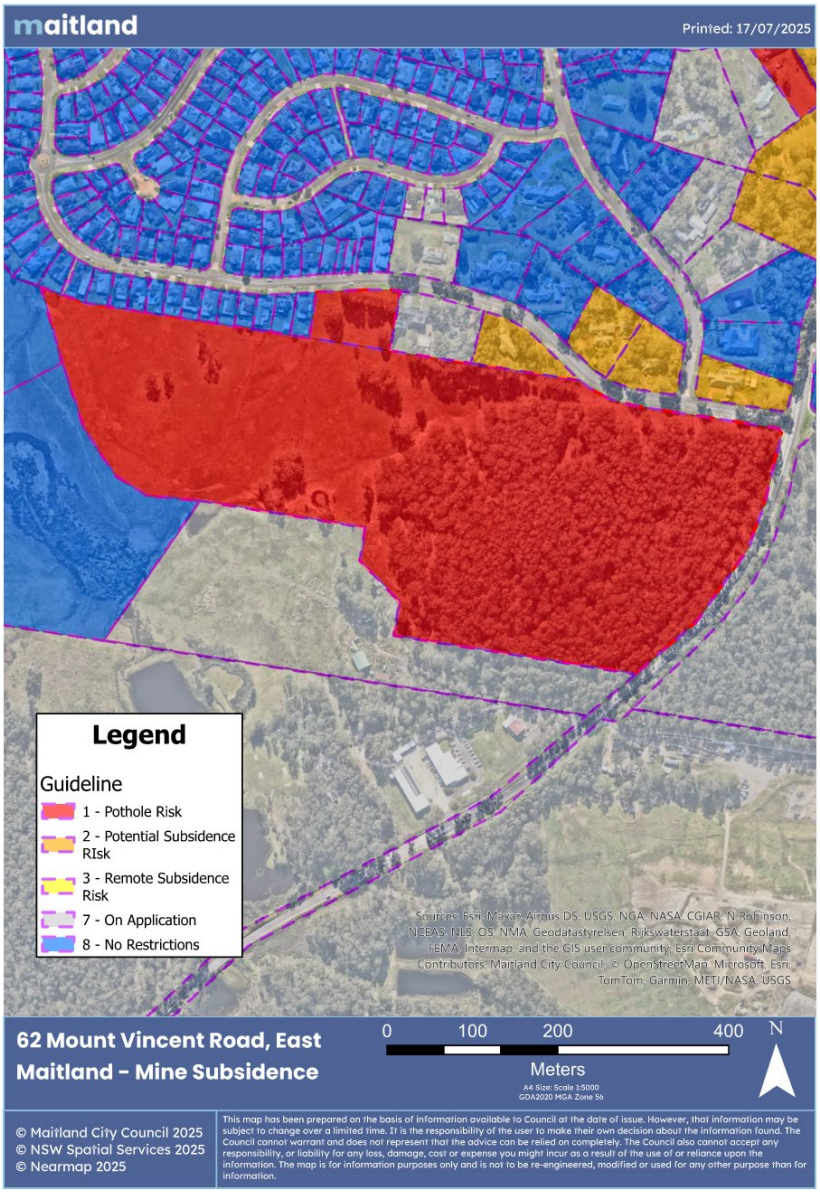


Figure 10-128: Mount Vincent URA Mine Subsidence

10.4.16.9. Visual Impact and Local Interface

Objectives

O.551 To create a smooth transition between the residential and rural environments through landscaping and plantings.

O.552 To reduce overall visual bulk of the new residential precinct within the Wallis Creek view corridor.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.551 • O.552	Any future buildings within the Mount Vincent Road URA will be sited to ensure that the interface with the existing dwellings to the north are both complimentary and in a clearly integrated format. This includes any future lots with frontage to Wilton Drive.
PC.2 • O.551 • O.552	Shared boundaries between new lots abutting existing lots along the southern side of Wilton Drive are to be fenced. This will be at the Proponent's expense and to a style consistent with new fencing proposed within the Mt Vincent Road URA OR the existing fencing treatments in other areas of the Rathluba Estate.
PC.3 • O.551 • O.552	An Arborist Report is to be developed and submitted as part of the DA for Subdivision phase, and will include: a. Location of each tree within the R1 zone, b. Tree value and condition, c. Trees identified for removal, d. Justification for removal, e. Extent of the proposed impact, f. Details on how tree impacts will be offset, g. Locations for replacement trees, to be identified within the Landscape Plan, and h. Proposed monitoring and maintenance actions.
PC.4 • O.551 • O.552	Street tree plantings are to utilise the Maitland Tree Species List.

10.4.16.10. Biodiversity

The Mount Vincent URA in its current state has some significant and valuable biodiverse habitat. An initial Statement of Effect on Threatened Flora and Fauna was undertaken in 2016 and identified two Threatened Ecological Communities (TECs), these being Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin Bioregion (12.06ha) and Hunter Lowlands Redgum Forest (0.18ha). 154 plant species were identified, with the site being identified as having suitable habitat for five threatened and rare flora species. Additionally, six regionally significant fauna and four threatened fauna species were identified, alongside the site having suitable habitat for 37 more fauna species native to the region.

A subsequent Stage 1 Biodiversity Development Assessment Report (BDAR) was produced in late 2019, which reaffirmed the presence of the previously identified TECs, alongside hollow bearing tree survey. A series of recommendations were made, including further targeted survey, forest areas for retention, and preservation of the well-preserved parts of the Lower Hunter Spotted Gum – Ironbark Forest.

These studies informed the formation of the current C3 – Conservation Management land zoning within the Mount Vincent URA, which sees the part of the east of the site preserved as retained vegetation. A full BDAR must now be undertaken to comply with the requirements of the Biodiversity Conservation Act 2016.

Objectives

O.553 To enhance the quality and quantity of native vegetation communities present within the Mount Vincent URA.
O.554 To protect native vegetation where feasible and conduct additional native plantings to encourage biodiversity.
O.555 Limit impacts on existing natural environments through effective flora and fauna management.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.553 • O.554 • O.555	A Biodiversity Development Assessment Report (BDAR) is to be submitted at the DA for Subdivision phase, and is to include, in addition to other findings and recommendations made by the report, mitigation and management measures for: a. Weeds, b. Dam dewatering protocols, c. Pre-clearance and clearance surveys of fauna, d. Log and hollow salvage and reuse, e. Invasive species, f. Cattle, and g. Kangaroos.
PC.2 • O.553 • O.554 • O.555	The BDAR is to give consideration to the draft mitigation measures proposed in the *Stage 1 Biodiversity Development Assessment Report – Land Rezoning Proposal* by Peak Land Management (September 2019).
PC.3 • O.553 • O.554 O.555	A 5-year Vegetation Management Plan (VMP) must be developed for the areas identified for rehabilitation as per the vegetation corridor marked on Figure 10-127. The VMP must be prepared by a qualified ecologist with experience in bush regeneration, or a bush regenerator who holds a minimum Diploma Conservation and Land Management (or equivalent) and a minimum 3 years' experience in practical ecosystem restoration, in consultation with Council. Works should aim to reinstate the historical vegetation community that existed prior to clearing. Revegetation that is inconsistent with the historical vegetation community shall not be undertaken unless supported by a documented justification and approved in writing by Council's Manager Environment and Sustainability. Any revegetation proposed under the Vegetation Management Plan must be reflected in the bushfire assessment, taking into consideration the growth and characteristics of mature vegetation.
PC.4 • O.553 • O.554 • O.555	The VMP shall include (but not be limited to) the following minimum detail: • Goals, objectives, and completion criteria, • Identification of management zones in text and on a site plan, including: ○ identification of management actions and outcomes for each management zone ○ existing vegetation condition including existing weed density, • Detailed works schedule for a minimum of five (5) years including species list, planting density, timing, • Proposed weed management strategies, • Monitoring and reporting requirements for a period of five years, • Adaptive management actions to be employed if completion criteria are not met within five years. This shall include continuation of VMP management until actions and outcomes are achieved (or a suitable alternative is approved by Council's Manager Environment and Sustainability). • The VMP shall be submitted to and approved by Council's Manager Environment and Sustainability prior to issue of any Subdivision Works Certificate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• Annual monitoring reports are to be provided to Council's Manager Environment and Sustainability for a minimum period of five (5) years.
PC.5 • O.553 • O.554 • O.555	The subject land is known to contain the cryptic orchid Pterostylis chaetophora in the heavily vegetated eastern portion of the subject land of this DCP, close to Mount Vincent Road. A reference population of Pterostylis chaetophora is to be identified to monitor the species health and distribution within the area and appropriate times of the year to ensure surveys are undertaken during the flowering period.
PC.6 • O.553 • O.554 • O.555	As part of vegetation clearing marked for the site, seeds are to be collected where possible to assist in vegetating the environmental management flood fringe buffer.

10.4.16.11. Flooding

Objectives

O.556 To manage the risk to human life, damage to property and provision of essential services by ensuring development on all areas of the site is appropriately sited and designed such that it is compatible with the flooding potential and hazard.

O.557 To ensure negligible flood impacts on adjoining property or infrastructure as a result of any development or work on site for regional flooding and local catchment runoff events.

O.558 To regulate development that may reduce the ability of the floodplain to carry water and so increase the flood hazard.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.556 • O.557 • O.558	Any application for the subdivision of the site must demonstrate that the subdivision design incorporates measures to mitigate against potential extreme floodway hazard conditions.
AS.1 • O.556 • O.557 • O.558	Infrastructure including roads, pathways and/or cycleways within the flood extent should limit changes to natural topography as far as practicable to avoid changes to flood impacts.
PC.2 • O.556 • O.557 • O.558	No filling of Flood Prone land (see Figure 10-129) is to be undertaken without hydraulically equivalent compensatory cut and assessment of impacts.
PC.3 • O.556 • O.557 • O.558	Any future development within the subject land of the DCP is to take into consideration the most current versions of the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Risk Management Manual 2023.

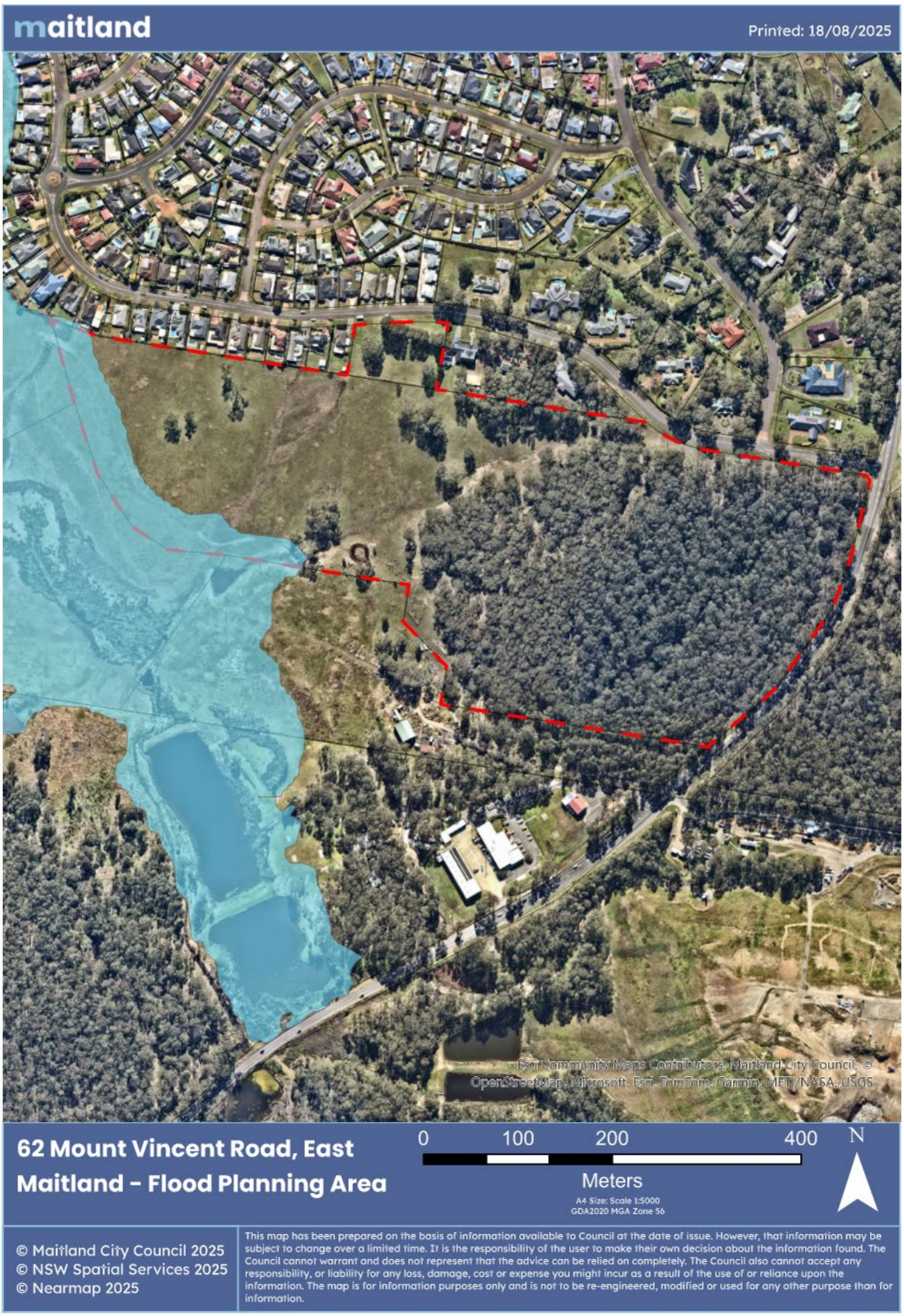


Figure 10-129: Mount Vincent URA Flood Map

10.4.16.12. Bushfire

Objectives

O.559 That adequate Asset Protection Zones are provided in areas adjacent to Bushfire Prone Land and that relevant statutory controls, including the *Rural Fires Act 1997* and *Planning for Bushfire 2019,* are considered.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.559	Development on bushfire prone land shall be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guideline.

10.4.16.13. Acid Sulfate Soils

Objectives

O.560 To manage and mitigate the impacts of land development in relation to acid sulfate soils, where present in the landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.560	Development Applications will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.

10.4.16.14. Key Development Sites

Objectives

O.561 To provide detailed urban design controls for properties on the flood fringe.
O.562 To create an activated and aesthetically pleasing streetscape that respects the environmental constraints of the rural and flood interface.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.561 • O.562	A perimeter road (with development on the internal side only) is to be provided within the R1 General Residential zoned land abutting the C3 Environmental Management zoned land.
PC.2 • O.561 • O.562	An off-road shared path shall be provided on the outer side of the perimeter road. This will switch variably between the environmental management and residential zoned land, as indicated within Figure 10-126 and Figure 10-127. This must extend to the Mount Vincent Road path network to the east.
PC.3 • O.561 • O.562	Fencing is to positively contribute to the visual aesthetic of development, particularly between the residential and environmental zones. Details of fencing is required to be submitted to Council with development applications.

10.4.16.15. Residential Densities

There are no specific requirements as residential densities are already controlled by lot size in the *Maitland Local Environmental Plan 2011*.

10.4.16.16. Provision of Public Facilities and Services

Objectives

O.563 To ensure that future dwellings in the Mount Vincent URA are able to be adequately connected to utility infrastructure.

O.564 Limit visual bulk and prominence new utility infrastructure will have within the new residential neighbourhood.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.563 • O.564	Electrical kiosks are to have decorative screening and/or housing established to reduce unappealing visual intrusion onto the streetscape and neighbouring residences.
AS.1 • O.563 • O.564	Street lighting shall be planned (lighting categories), designed, and implemented to relevant Australian standards for vehicle and pedestrian networks (including pedestrian crossings).
PC.2 • O.563 • O.564	Ausgrid is to be consulted on the design solution for electricity servicing and the treatment for the existing transmission lines presently over the site. An in-ground electrical transmission solution is to be used where possible.

10.4.17. Anambah Urban Release Area

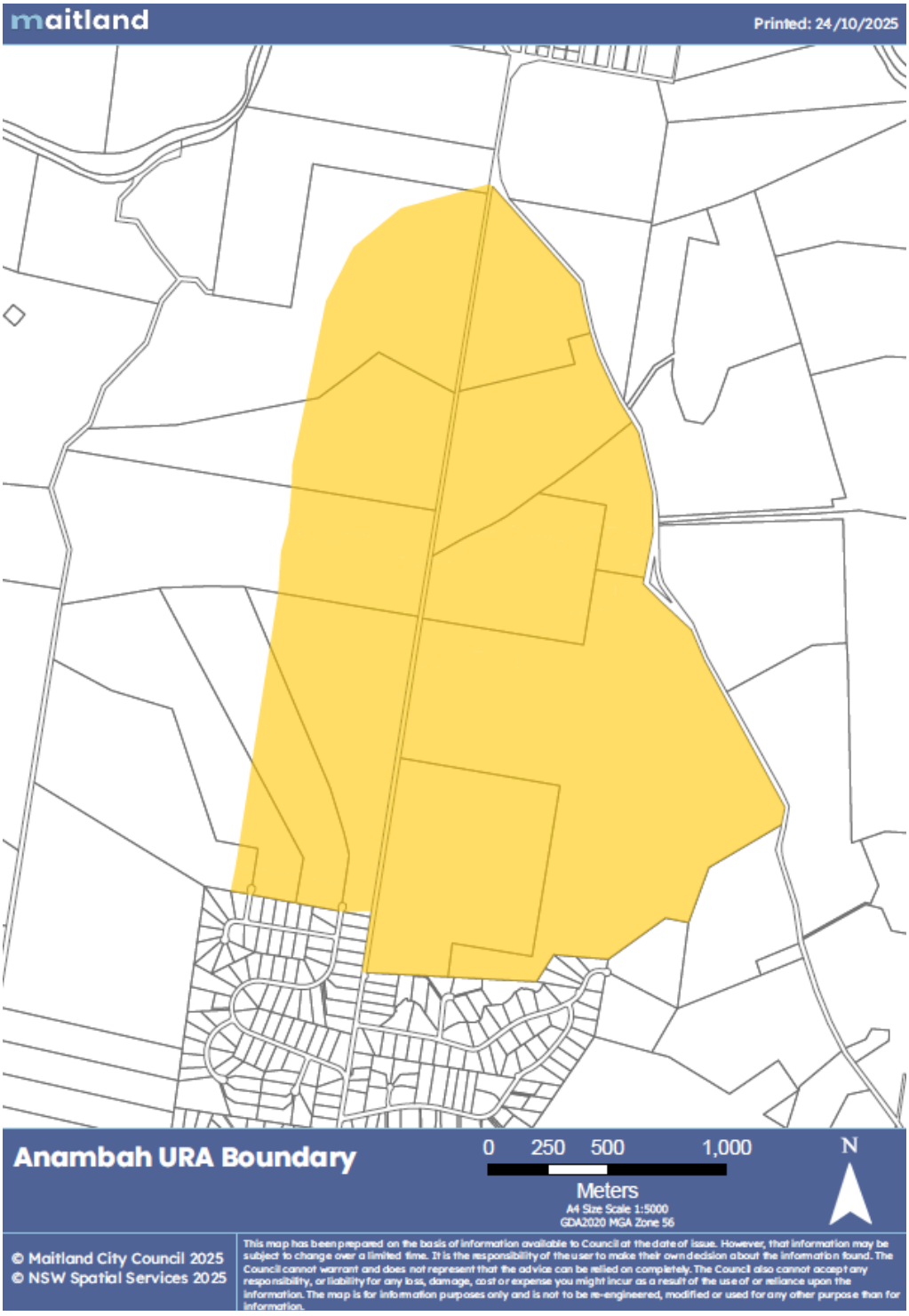


Figure 10-130: Anambah Urban Release Area

The Anambah Urban Release Area (AURA) (Figure 10-130) encompasses approximately 500 hectares of land and is anticipated to yield approximately 4,200 dwellings. The URA is located within the Anambah to Branxton Regionally Significant Growth Area as identified in the Hunter Regional Plan 2041. Situated approximately 10 km north-west of Central Maitland and 3 km north-west of the Anambah Employment Area, the site is bound by rural land to the north, west and east. The area fronts Anambah Road along its eastern boundary, and the Windella rural residential estate to the south.

The URA will feature a mix of residential, commercial, and environmental living zones. Key elements include a commercial precinct, a proposed school site, playing fields, community facilities, parks, and public recreation areas along several riparian corridors. The development aims to create walkable neighbourhoods with convenient access to amenities, supported by a well-linked pedestrian and cycle network.

Access to the URA will primarily be via a flood free Western Link Road, with secondary access from Anambah Road. The Western Road Link is required to be in place before the 1200 lot is released. Until this time, flood-free access must be provided to support development of the AURA, in accordance with the Flood Risk Management Manual 2023 and Clause 5.21 of the *Maitland Local Environmental Plan (MLEP) 2011*. Any connection to and/or use of River Road, outside the Anambah URA, is subject to additional Traffic Impact Assessment(s) to determine whether River Road and its intersection with the New England Highway can accommodate the increased traffic.

Future exploration of movement opportunities along the River Road corridor may enhance connectivity within the region. This could include improvements to support pedestrian and cycle networks, subject to feasibility studies and infrastructure planning.

Water and sewer services will require a level of augmentation and extension to service the release area. The development and staging of precincts within the release area are linked to the provision of these services as development progresses. Another factor in the staging of the development is limitations with road infrastructure, and the construction of a planned flood free “western link” to the New England Highway via Wyndella Road in Lochinvar.

Anambah Precinct/Area Plan

The purpose of the Precinct/Area Plan is to give detailed guidance to people wishing to carry out development within the Anambah Urban Release Area. The Anambah Area Plan provides objectives, requirements and development standards for the area, not otherwise included in the broader *MDCP* 2011.

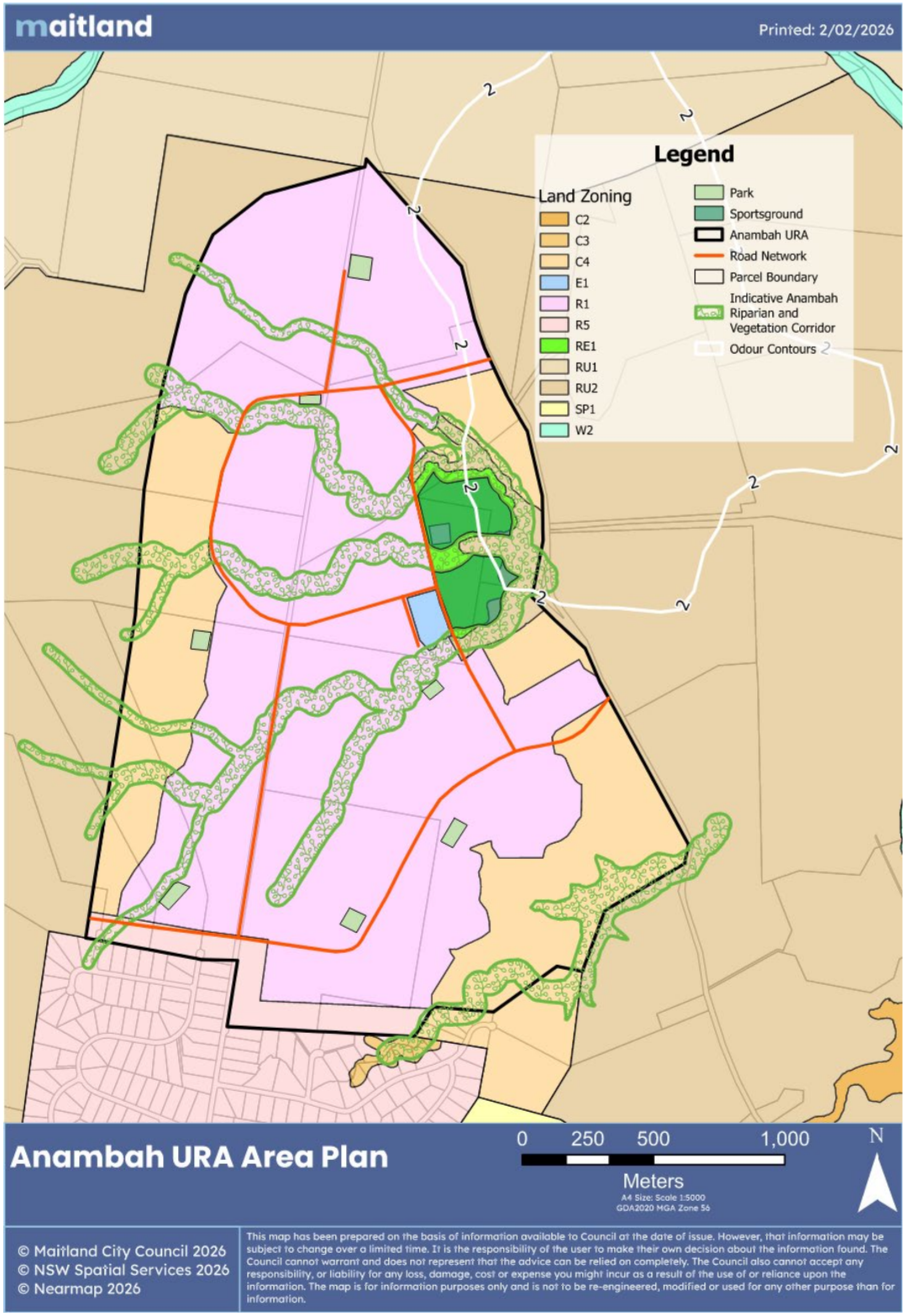


Figure 10-131: Anambah Precinct/Area Plan

Staging Plan

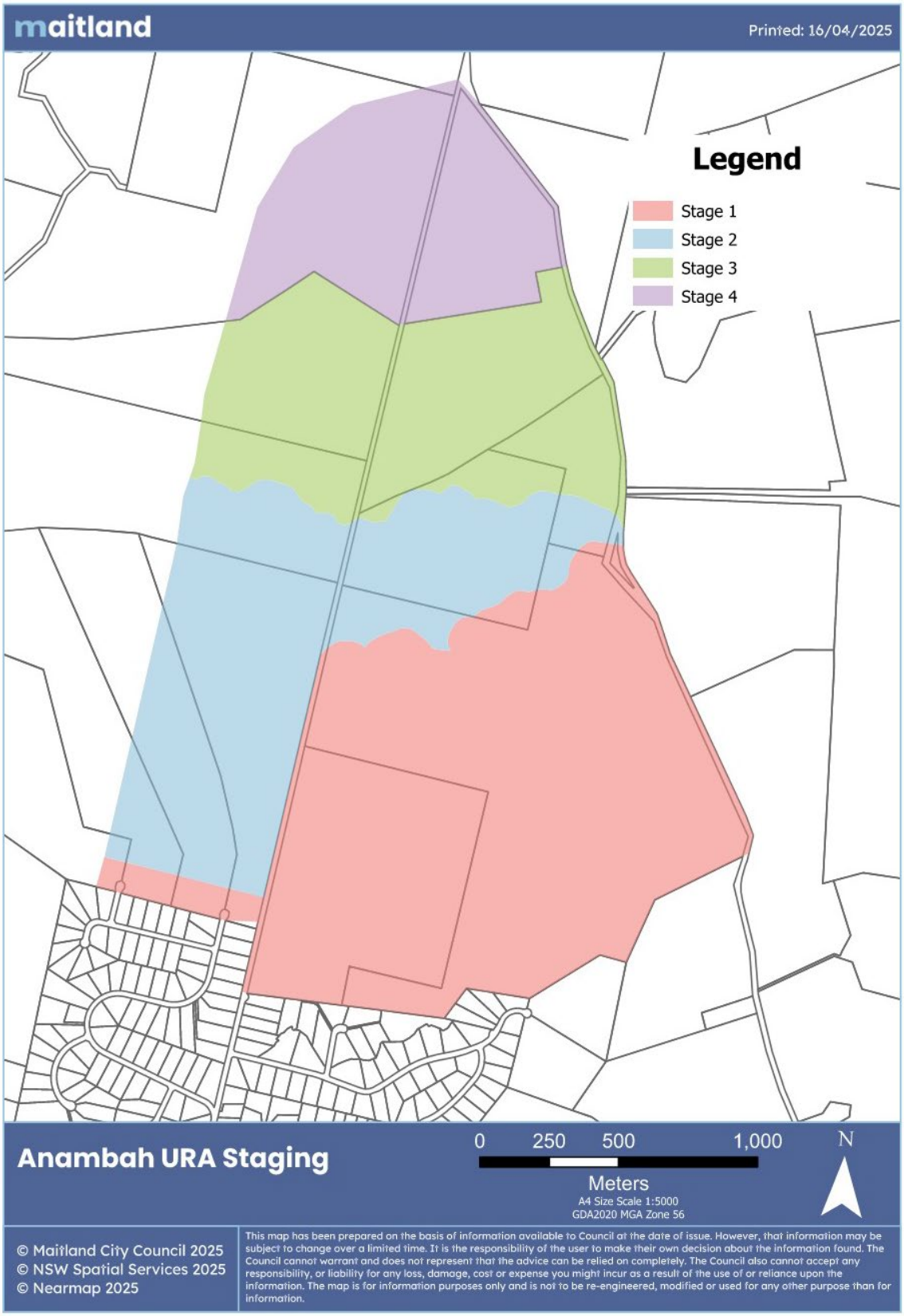


Figure 10-132: Anambah URA Staging Plan

Development Requirements – General Provisions

This Area Plan provides general development objectives and controls for the overall Anambah Urban Release Area (Anambah URA). The M DCP 2011 applies to the Anambah URA. Any development applications for the development of the area are required to address the provisions of the M 2011.

No specific requirements have been made for the following matters within the General Provisions for the Anambah Urban Release Area as they are already adequately addressed by other relevant provisions within the *MLEP 2011* and the *MDCP 2011*:

- Provision of Public Facilities and Services
- Neighbourhood Commercial and Retail Uses

10.4.17.1. Staging Plan

Objectives

O.565 To provide for the timely and efficient release of urban land, ensuring necessary infrastructure is in place.
O.566 To ensure that infrastructure is sequenced and provided in a logical and cost-effective manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.565 • O.566	Development should be generally in accordance with the Staging Plan in Figure 10-132. Where development is proposed that is inconsistent with the Staging Plan, detailed justification must be provided demonstrating how the proposed staging maintains orderly and economic development and infrastructure provision of water, sewer, electricity and roads.
AS.1 • O.565 • O.566	Development must demonstrate that the provision and sequencing of essential infrastructure adequately services the proposed development and are strategically designed to support the continued growth and development of the Anambah Urban Release Area.

10.4.17.2. Subdivision Design

Objectives

O.567 To ensure that subdivision provides a safe and positive character, enhances accessibility, minimises visual impacts, compatible with the surrounding area, and promotes the principles of ecologically sustainable development.
O.568 To ensure that development respects the constraints of the site and provides for a range of lot sizes and shapes appropriate to the community's housing needs.
O.569 To create a series of residential neighbourhoods with a distinct landscape and built form character to create a sense of identity.
O.570 To provide a range of public facilities in appropriate locations and in sequence with the land development.
O.571 To allow view sharing and to ensure privacy between lots.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.570	Development Applications for subdivision must include Staging Plans. This is to include an analysis and statement as to the intentions and philosophy of the sequencing of stages to demonstrate expansion of infrastructure networks/corridors to adjoining development lots within a reasonable timeframe/lot yield.
PC.2 • O.568	Sequencing is to include connection to lots within the precinct followed by lots in any adjoining precinct/s. Applications for subdivision are to clearly show proposed layouts, lot sizes, shapes and likely development densities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.567 • O.571	A variety of lot sizes and shapes are to be provided to cater for the housing needs of the community, including opportunities for small lots, small lot housing and medium density in areas with high neighbourhood amenity consistent with cl.7.8 of the *MLEP 2011*.
PC.3 • O.569	Subdivision design should have regard to minimising any adverse impacts of development when viewed from public roads and surrounding properties.
AS.2 • O.567	Appropriate measures should be incorporated in landscape plans and include buffer zones, landscape plantings, and avoidance of the tops of ridgelines for buildings and structures.
PC.4 • O.570	Lots are to be designed to have frontage to streets or public open spaces to enhance dwelling presentation, passive surveillance and activation of the public areas.
AS.3 • O.567 • O.571	Subdivision designs should incorporate crime prevention strategies and principles to promote personal safety and casual surveillance, utilising Crime Prevention Through Environmental Design (CPTED) principles.

10.4.17.3. Transport Movement Hierarchy

Objectives

O.572 To establish a well-structured and interconnected network of roads, cycleways, and shared pathways.
O.573 To ensure road design reflects the function of the road, the needs of the road user, with sound engineering practice and connectivity to existing and future development.
O.574 To facilitate convenient and efficient access for public transport services.
O.575 To ensure that flood-free access to the URA is provided to all dwellings.
O.576 To provide a permeable and interconnected street structure to offer a choice of routes and to distribute traffic load through a number of connection points.
O.577 To ensure that intersections with regional and state road networks are designed and delivered in coordination with relevant authorities.
O.578 To ensure that all access routes to the URA are provided to a public road standard that supports permanent, equitable access for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.572 • O.573 • O.574 • O.575 • O.576 • O.577 • O.578	The primary road hierarchy is to be consistent with the Transport Movement Hierarchy Plan in Figure 10-133, Appendix A: Road Cross-Sections, and Council's Manual of Engineering Standards (MoES).
PC.2 • O.572 • O.573 • O.574 • O.575 • O.576	Vehicular access must not be provided to road frontages identified as Access Denied on the Anambah URA Area Plan – Including Bus Routes and Access Denied Roads in Figure 10-134, Appendix A: Road Cross-Sections, and MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.572 • O.573 • O.574 • O.575 • O.576	The agreed timing / trigger point for the construction of the northern Primary Distributor from Anambah Road is to be clearly described within Precinct Plan 6. **Note:** Any associated construction and upgrades to deliver this road and intersection are to be undertaken at no cost to Council.
PC.4 • O.572 • O.573 • O.574 • O.575 • O.576	A perimeter road, with development on the inner side only, is to be provided around the edge of the Urban Release Area where it adjoins flood prone land. Perimeter roads are also to be used adjacent to open space areas, areas of high bushfire risk, riparian networks and visual significance areas. Dwellings associated with C4 zoned allotments can be on the outer, down slope side of the perimeter road.
PC.5 • O.572 • O.573 • O.574 • O.575 • O.576	In accordance with Clause 7.8 of the *MLEP 2011,* the Western Road Link via Wyndella Road is to be fully constructed and operational prior to the release of the 1,200th lot. Alternatively, where the Western link road is provided first, a threshold for the linkage to Anambah Road needs to be demonstrated with each DA for subdivision
PC.6 • O.573 • O.575 • O.578	Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements, associated with expected use, in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. **Note 1:** Any upgrade to the intersection of Anambah Road and the New England Highway must be at no cost to Council. **Note 2:** Council, at its discretion, may consider alternative levels of flood resilience for Anambah Road where it can be demonstrated that alternative, flood free access is provided for all dwellings within the relevant precinct.
PC.7 • O.573 • O.574	River Road must not be used as restricted or emergency-only vehicular access from the Anambah Urban Release Area. If that part of River Road outside of the Anambah URA is proposed for emergency vehicular access, River Road must be upgraded to a public road standard, with full-time access available to all residents at the developer's cost. The upgrade of River Road must be delivered in accordance with Council's Manual of Engineering Standards (MoES). The applicant must consult with Transport for NSW to determine the extent and timing of intersection upgrades at the River Road and New England Highway intersection. **Note:** Any upgrade to the River Road and New England Highway intersection must be at no cost to Council.
PC.8 • O.572 • O.573 • O.576 • O.578	No new future lot is to have direct vehicular access to Anambah Road.
PC.9 • O.572 • O.573 • O.574 • O.578	School location/site must provide suitable transport routes around all boundaries in accordance the standards contained with MoES. Driveways and drop off/pick up locations must not be located on major trunk roads to reduce impacts on surrounding road networks.

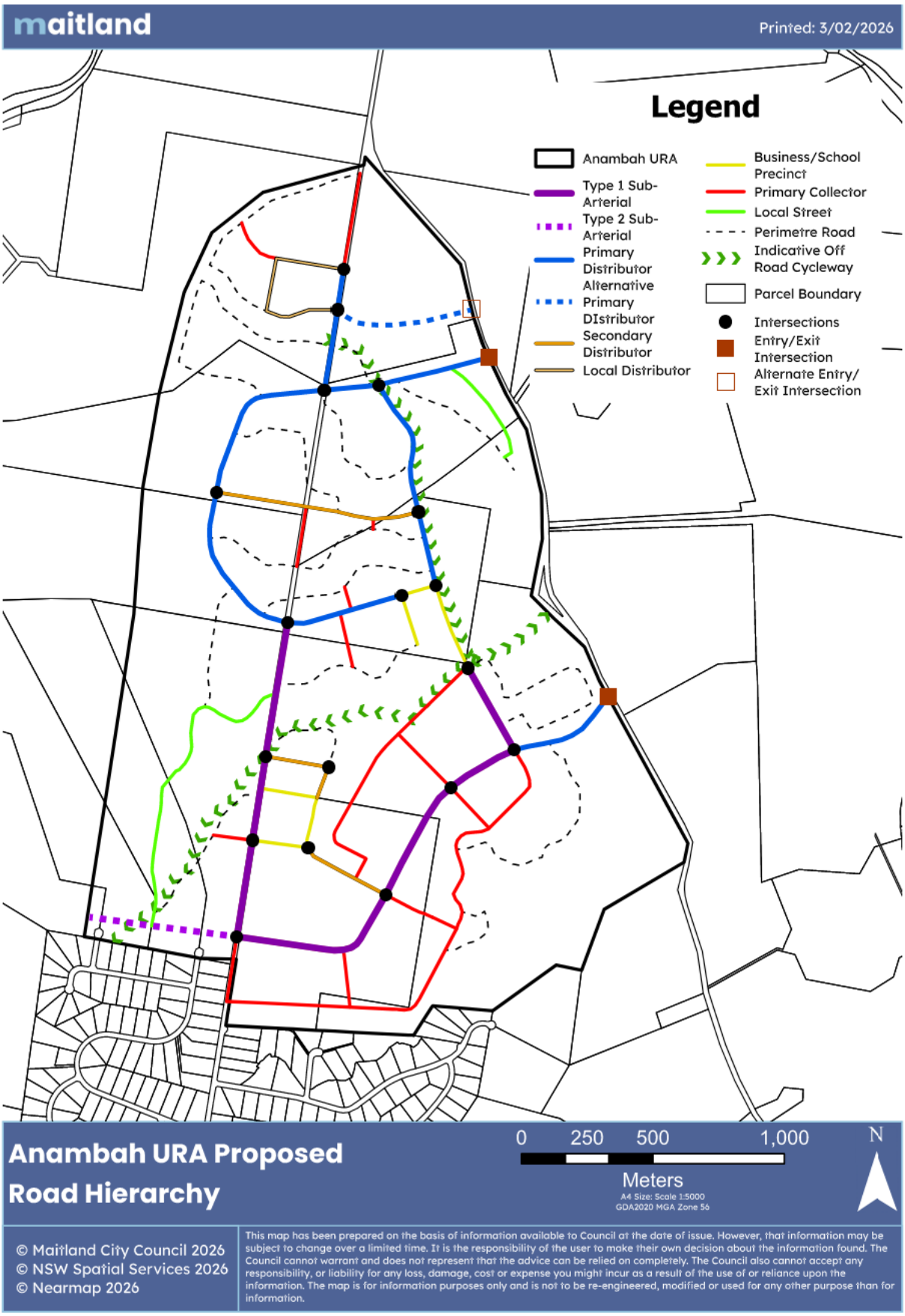


Figure 10-133: Anambah URA Transport Movement Hierarchy Plan

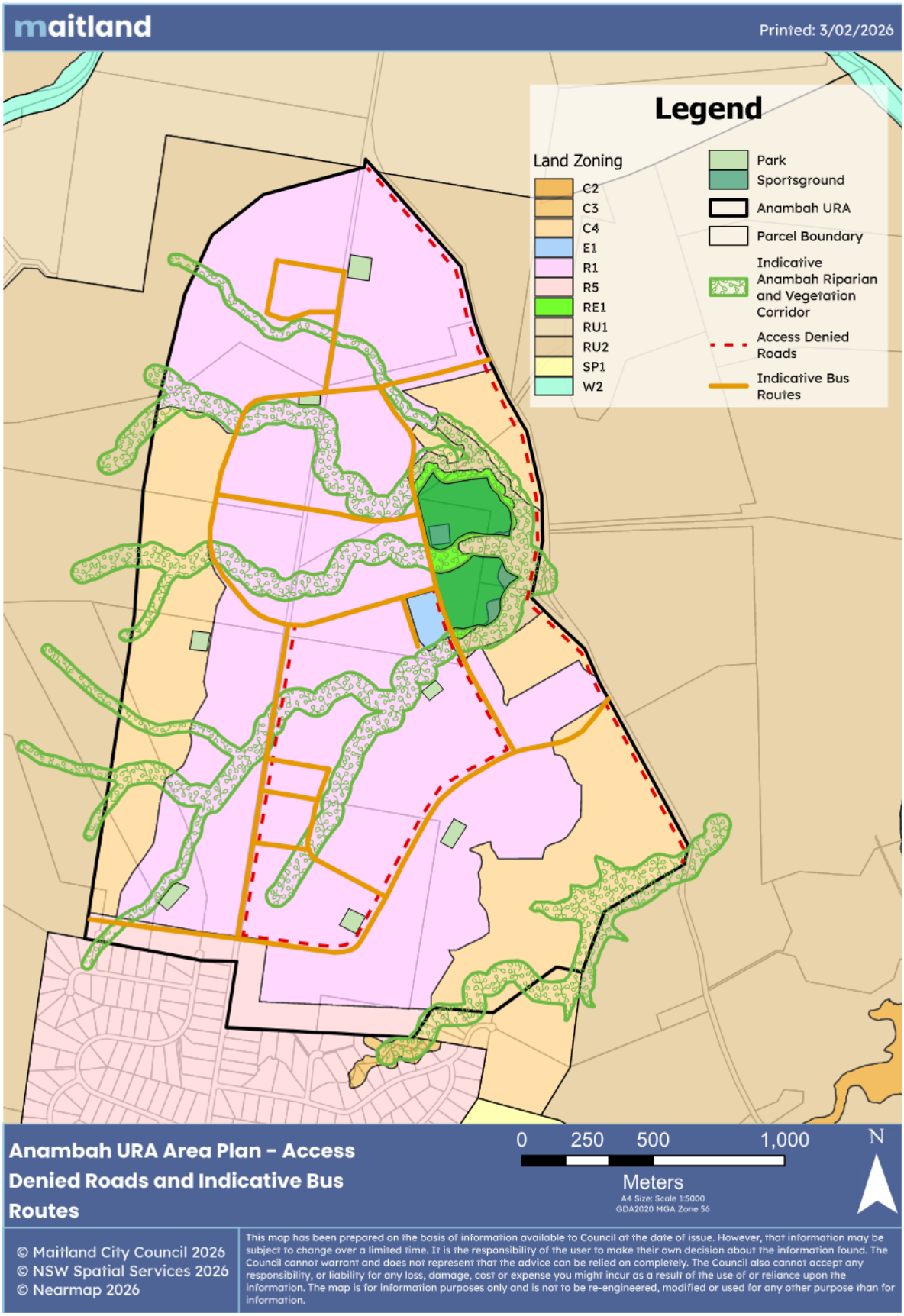


Figure 10-134: Anambah URA Area Plan (Access Denied Roads and Indicative Bus Routes)

10.4.17.4. Road Design

Objectives

O.579 To embellish particular roads within the urban release area with distinct design and typology to optimise functions.
O.580 To ensure road design reflects the function of the road, the needs of the road user, with sound engineering practice and connectivity to existing and future development.
O.581 To ensure that the design of the streets indicates their position in the street hierarchy, their function and reflect the uses within the street in their character and detail.
O.582 To provide a permeable and interconnected street structure to offer a choice of routes and to distribute traffic load through a number of connection points.
O.583 To provide a safe, continuous and appropriate level of pedestrian and cycleway access linking residential development with schools, commercial areas, recreational areas, public transport and the wider community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.579 • O.580 • O.581 • O.582 • O.583	Roads within the Anambah URA are to be designed and constructed in accordance with MoES and any road cross sections and plans detailed in this Area Plan, Appendix A: Road Cross-Sections, and relevant Precinct Plans.
AS.1 • O.582 • O.583	Road designs should allow for passive surveillance and access to public open space from adjoining residences.
AS.2 • O.580 • O.581 • O.582 • O.583	A modified grid network must be provided for the road network and other transport networks. Cul-de-sac and dead-end routes are discouraged unless no other practical solution can be designed.

10.4.17.5. Aboriginal Cultural Heritage

Objectives

O.584 To manage Aboriginal cultural heritage values, assisting in protecting sensitive Aboriginal landforms, items, and places of heritage significance.
O.585 To ensure enduring heritage conservation outcomes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.584 • O.585	An Aboriginal Cultural Heritage Assessment (ACHA) is to be provided with any DA for the initial subdivision of land within each precinct of the Anambah URA.
PC.2 • O.584 • O.585	Development within or adjacent to land that contains a known Aboriginal cultural heritage site will consider and comply with the requirements of the *National Parks and Wildlife Act 1974*.
PC.3 • O.584 • O.585	Proposals must identify any areas of Aboriginal cultural heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that will be retained and protected with appropriate management protocols.

10.4.17.6. Overall Landscaping Strategy

Objectives

O.586 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscapes.
O.587 To support retention and regeneration of ecological corridors.
O.588 To assist in providing visual interest and suitable backdrops to the built form of the Urban Release Area.
O.589 To provide a landscaped buffer along Anambah Road that softens the visual impact of development and helps reduce traffic noise.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.586 • O.587 • O.588	Detailed landscape plans are to be submitted with the development application for initial subdivision of any site. The landscape plans must include, where applicable, details for all streets and public spaces, identifying appropriate street tree species and number, fencing details, landscape elements, water bodies and street furniture.
PC.2 • O.586 • O.587 • O.588	Primary landscaping works will be required for all: • major intersections, including connections to Anambah Road, • areas of open space, • riparian corridors, • playing fields, • local parks, and • identified vegetation buffer areas within the relevant Precinct Plan.
AS.1 • O.586 • O.587 • O.588	Existing trees are to be retained wherever possible within open space/ riparian areas, or in the front setback of lots fronting streets.
PC.3 • O.586 • O.587 • O.588	Natural watercourses are to be protected and revegetated where appropriate to enhance the visual amenity, prevent soil erosion, and to protect the quality of receiving waters.
PC.4 • O.589	A 10-metre-wide landscaped buffer must be provided wholly within the boundaries of lots adjoining Anambah Road starting from RL14.0m AHD at the south east boundary of the URA. Any fencing is to be of an open style rural fence located on the dwelling side of the landscape buffer. Details of the buffer must be shown in the landscape plan.
PC.5 • O.586 • O.588	Street planting and planting within public spaces should prioritise locally endemic native species, where suitable, having regard to site conditions, infrastructure constraints, and public safety requirements.

10.4.17.7. Passive and Active Recreation Areas

Objectives

O.590 To ensure that neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents.
O.591 To provide an equitable distribution of public open space and recreation opportunities.
O.592 To ensure good quality of design and embellishment of the public domain.
O.593 To ensure that passive and active recreation areas are linked through an adequate active transport network.
O.594 To establish linear parks within riparian corridors that provide connected, high-quality passive recreation opportunities integrated with the natural landscape.

O.595 To ensure that linear parks are designed and landscaped to enhance biodiversity, support flood resilience, and bushfire threat management and contribute to tree canopy to complement their public purposes for active movement, open space and recreation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.590 • O.591 • O.592 • O.595	The network of passive and active recreational areas is to generally be in accordance with that identified in Figure 10-131, and any such land or facilities within the relevant contributions plan.
AS.2 • O.590 • O.591	Neighbourhoods should include accessible open space areas that offer a range of recreational opportunities for residents, accessible within 400m walking distance from each residence within the R1 General Residential zone.
AS.3 • O.593	Linear parks and passive open space corridors connecting linear parks are encouraged along riparian corridors and are to be identified and detailed in the relevant Precinct Plan.
PC.1 • O.590 • O.591 • O.593	Linear parks must be located within riparian corridors identified for public open space, and must provide continuous passive recreation opportunities, such as shared paths, seating, and natural play areas.
AS.4 • O.594 • O.595	Linear parks within riparian corridors should have a minimum width of 10 metres (excluding the core riparian zone) to ensure safe use, functionality, and landscape integration.
PC.2 • O.594	Linear parks must incorporate native landscaping that complements the riparian corridor, provides shade and habitat, and contributes to the tree canopy targets for the URA.
AS.5 • O.595	All recreation infrastructure within linear parks should be designed to withstand flooding and be located outside of the core riparian zone, except where limited crossings are unavoidable and required at strategic locations to facilitate essential pedestrian and cycle connectivity within the urban structure.
PC.3 • O.594 • O.595	Passive and active recreation areas must be located and designed to minimise impacts on biodiversity conservation objectives for riparian corridors and other areas of High Environmental Value (HEV).

10.4.17.8. Stormwater and Water Quality

Objectives

O.596 To protect and enhance the water quality and habitat value of downstream waterways.
O.597 To prevent erosion and sediment runoff during site preparation, construction, and ongoing use.
O.598 To integrate Water Sensitive Urban Design (WSUD) into open spaces and streetscapes.
O.599 To ensure there is no detrimental impact on downstream waterways, wetland environments, or agricultural productivity as a result of new development.
O.600 To manage stormwater runoff at the precinct level so that flows outside any precinct remain at pre-development levels.
O.601 To identify and manage existing natural trunk drainage paths.
O.602 To reduce potable water consumption, stormwater pollution and manage flow attenuation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.596 • O.597 • O.598	A Stormwater and Water Quality Report and Strategy is to be provided for each stormwater catchment and submitted with the first development application for subdivision for each precinct. The number and location of WSUD elements are to be

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.600 • O.601 • O.602	assisted by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
PC.2 • O.596 • O.597 • O.598 • O.599	A Stormwater and Water Quality Report, including MUSIC modelling, must be submitted with Medium or Major subdivision applications to demonstrate water quality objectives are met. **Note:** Medium subdivisions are defined as the creation of 10 – 49 new lots, and/or where a new road is required. Major subdivisions are defined as the creation of 50 or more new lots.
PC.3 • O.596 • O.599	Stormwater management facilities must be designed to enhance ecological values (e.g. native plantings), and where possible, utilise or improve existing water bodies.
PC.4 • O.598 • O.599 • O.600	The location of stormwater detention basins and water quality controls structures should, where practical, avoid riparian corridors, particularly areas identified as threatened ecological communities.
PC.5 • O.597 • O.598 • O.599 • O.600	Stormwater runoff from each precinct must be managed so that flows outside the precinct do not exceed pre-development levels, as verified by appropriate modelling.
PC.6 • O.596 • O.597 • O.598 • O.599 • O.601	Gross Pollutant Traps (GPTs) must be integrated into the stormwater network and sized to accommodate the pollutant load.
PC.7 • O.596 • O.598 • O.599	All development must incorporate WSUD principles to demonstrate the site and catchment is achieving water quality targets. Private systems (e.g., bio-retention swales, vegetated swales, rain gardens). may be needed to supplement the public system where a site exceeds requirements including impervious coverage or pollutant loads (nutrient, etc)
AS.1 • O.598 • O.601	Developments are encouraged to implement additional WSUD measures (e.g., stormwater harvesting, reuse schemes, green roofs) to reduce potable water demand and improve stormwater quality.
PC.8 • O.597 • O.599 • O.600	Erosion and sediment control plans are required to be submitted as part of subdivision and are to incorporate, where appropriate, measures like temporary sediment basins, vegetated buffer strips, and stabilised site access points to minimise runoff.
AS.2 • O.598 • O.600 • O.601	Wherever possible, the existing riparian areas could form part of a stormwater and runoff drainage management system incorporating detention basins and/or wetlands to alleviate stormwater peaks and retain pollutants. Stormwater structures including basins, are to be positioned where the operational maintenance of the structure is not impeded by environmental constraints and plantings.
PC.9 • O.598 • O.600 • O.601	Basins must be positioned offline from 3rd order of higher waterways.

10.4.17.9. Amelioration of Natural and Environmental Hazards

Objectives

O.603 To manage the risk to human life, property, and essential services by ensuring development is compatible with flood behaviour.
O.604 To ensure negligible flood impacts on adjoining property or infrastructure.
O.605 To ensure overland flow paths are appropriately identified and managed through comprehensive flood modelling.
O.606 To conserve biological diversity and protect threatened species/ecological communities.
O.607 To ensure development is designed to avoid, minimise and manage impacts on land containing high environmental values.
O.608 To ensure that site planning and design responds appropriately to areas of high environmental value through layout, building location and design.
O.609 To ensure that development is designed to reduce the risk of bushfire to people and property.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.603 • O.604 • O.605	Development must comply with the NSW Flood Risk Management Manual 2023.
PC.2 • O.603 • O.604	Development must demonstrate that it does not result in an increase in flood levels on adjoining or surrounding land.
PC.3 • O.603	Internal roads are to be designed to provide flood free access to proposed allotments.
PC.4 • O.603	Each stage of development must demonstrate how flood free access up to and including the 1% AEP flood level will be provided.
PC.5 • O.605	An overland flow flood model is to be submitted for each precinct to identify and manage potential overland flow catchments.
PC.6 • O.603 • O.604	Where cut and fill and the construction of roads is proposed in the 1% Annual Exceedance Probability (AEP) floodway or within flood storage areas, a flood impact risk assessment is required. This is to be prepared in accordance with LU01 - Flood Impact and Risk Assessment of the NSW Flood Risk Management Manual 2023.
AS.1 • O.603 • O.604	Pedestrian and cycle pathways and open space may extend into the 1% AEP flood level, provided the safe access criteria contained in the NSW Flood Risk Management Manual 2023 are met and there is no impact on the flood behaviour.
PC.7 • O.606 • O.607 • O.608	Where development results in direct or indirect impacts on Threatened Ecological Communities (TECs) listed under the *Biodiversity Conservation Act 2016* or the *Environment Protection and Biodiversity Conservation Act 1999*, or habitat patches for threatened species listed under the same Acts, a Vegetation Management Plan (VMP) must be prepared and implemented to protect, manage, and improve biodiversity values. The VMP must be prepared by a suitably qualified ecologist or bush regenerator and implemented in a manner that effectively safeguards and enhances biodiversity values. **Note:** This control complements, but does not replace, obligations under the Biodiversity Offset Scheme (BOS), the *BC Act*, or the *EPBC Act*.
PC.8 • O.606 • O.607 • O.608	Riparian corridors identified in an adopted Area Plan must be retained, protected, and restored in accordance with the indicative location and intent shown in the Area Plan, irrespective of stream order classification. Where a riparian assessment or stream order analysis identifies a watercourse as a first-order stream that would otherwise be exempt from restoration or setback requirements under State legislation, this does not remove the obligation to protect and restore the riparian corridor identified in the Area Plan.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.606 • O.607 • O.608	Significant trees must be retained and protected, being trees that meet either of the following criteria: a. Have a diameter at breast height (DBH) greater than 80 cm; or b. Contain more than five (5) tree hollows, or any hollow with an opening greater than 20 cm. and that also meet both of the following criteria: i. Have a safe useful life expectancy (SULE) of greater than 40 years, as determined by a suitably qualified arborist in accordance with AS 4970 – Protection of Trees on Development Sites; and ii. Are assessed as being in good structural condition, or capable of being retained in a structurally sound condition through appropriate arboricultural management or remedial pruning, consistent with AS 4970. Despite the above, this control does not apply where a significant tree is demonstrated to be in direct and unavoidable conflict with essential infrastructure identified in the adopted Area Plan, including but not limited to the road network shown in **Figure 10-133**, and where the conflict cannot be reasonably avoided through alternative design, alignment, or layout.
PC.10 • O.606 • O.607 • O.608	Remnant vegetation patches are retained and, where practicable, connected to adjoining riparian corridors and larger off-site remnant patches to maintain functional ecological linkages, and protected from impacts during construction. **Note:** For the purposes of this control, a remnant vegetation patch means a discrete area of native vegetation comprising a minimum of five (5) native canopy trees, each with a diameter at breast height (DBH) greater than 20 cm, where the horizontal canopy separation between adjacent trees does not exceed 30 metres.
PC.11 • O.606 • O.607 • O.608	If artificial nest boxes are required to offset hollow-bearing tree removal and cannot be installed on retained trees within or adjacent to the site, an alternative location within the local area or region must be identified and agreed with Council. As an alternative, nest-box poles may be installed within riparian areas where ecologically appropriate.
PC.12 • O.606 • O.607 • O.608	Future residential subdivision is to incorporate the areas of native vegetation into the character and design of the development and provide linkages between areas of remnant vegetation creating improved habitat value and filter strips along watercourses.
PC.13 • O.609	All development is to be designed in accordance with the NSW Rural Fire Service (RFS) – Planning for Bushfire Protection guidelines applicable at the time of application.
PC.14 • O.609	Fire protection measures must be capable of being maintained by owners and users. Asset protection zones must be contained wholly within the subject development site.
PC.15 • O.606 • O.607 • O.608	Areas of High Environmental Value include land that contains one or more of the following characteristics: a. important habitat for species subject to serious and irreversible impacts, b. koala habitat, c. native vegetation of high conservation value, including vegetation types that are over-cleared, occur within over-cleared landscapes, or comprise old-growth forest or rainforest, d. key habitat for threatened species, threatened populations or threatened ecological communities, e. watercourses and wetlands, including their riparian buffers, and f. areas of geological significance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.16 • O.606 • O.607 • O.608	Avoided High Environmental Value (HEV) land is to be protected and enhanced in perpetuity. Appropriate mechanisms to secure these outcomes may include section 88B Instruments.
PC.17 • O.606 • O.607 • O.608	Where the development of a Vegetation Management Plan or Biodiversity Management Plan is required, the application must demonstrate how they have engaged with local Aboriginal knowledge holders to identify shared approaches that support the health and wellbeing of Country.
PC.18 • O.606 • O.607 • O.608	All development applications are required to assess for relevant prescribed impacts on biodiversity, as outlined in the *Biodiversity Conservation Regulation 2017*. This requirement applies irrespective of whether the Biodiversity Offset Scheme (BOS) is triggered.

10.4.17.10. Key Development Sites

Objectives

O.610 To ensure that key development sites are properly planned for within Precinct Plans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.610	The following key development sites are to be included and appropriately addressed in the relevant precinct plans which are to include concept designs, site plans and development guidelines: • Commercial/shopping precinct and Community facilities • Windella Estate surrounds • C4 Environmental Living zone • Management of TEC's located within C4 zoned private land • School • Quarry site buffer (north) • Composting facility buffer (C4 Environmental Living zoned land) • Gateway site (Western Link Road Entrance) • Small lot housing • Recreational Sports Fields

10.4.17.11. Residential Densities

Objectives

O.611 To design laneways that enhance safety, reduce maintenance liabilities, and support positive community behaviour through Crime Prevention Through Environmental Design (CPTED) principles.
O.612 To ensure laneway configurations facilitate efficient property access without compromising the integrity of the overall road network.
O.613 To align laneway design with the broader road network criteria, promoting walkability and connectivity within the AURA.
O.614 To ensure the equitable distribution of small lot housing proposals across the AURA precincts.
O.615 To ensure a mix of lot sizes and housing types.
O.616 To promote diverse and varied streetscapes through the integration of small lot housing.
O.617 To ensure that built form reflects the intended outcomes of permitting small lots as an important part of the mix of lot sizes available for varied housing needs.
O.618 To maximise private open space, visual and acoustic privacy, views, natural ventilation, and solar access for the subject site and adjoining properties through optimised setback configurations.
O.619 To provide opportunities for the planting of vegetation to enhance privacy and environmental quality.

O.620 To reduce the visual impact of garages, carports, and sheds on the streetscape and improve dwelling presentation.
O.621 To ensure garages do not dominate the streetscape, maintaining the aesthetic quality of the neighbourhood.
O.622 To minimize the visual impact of driveways on the streetscape.
O.623 To provide practical and safe access and egress to dwellings.
O.624 To minimise the impact of driveways on on-streetcar parking and utilities.
O.625 To ensure laneways are only used to facilitate access to access denied road frontages on high order roads, or to support vehicle access rear loaded small lot development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Laneways

PC.1
- O.611
- O.612
- O.613
- O.625

Laneways must have a minimum width of 5.5m within a minimum 8.5m road reserve in accordance with Figure 10-135 and in accordance with MoES requirements and typology.

Residential Laneways are to only be used as follows:

a. To service Vehicle access for dwellings on access denied roads
b. To service small lot product that creates rear loaded housing product
c. Designed in accordance with the Laneway typology in MoES
d. Lot frontages shall be located on a local street (10m wide) or greater to ensure on-street parking is provided on the primary frontage

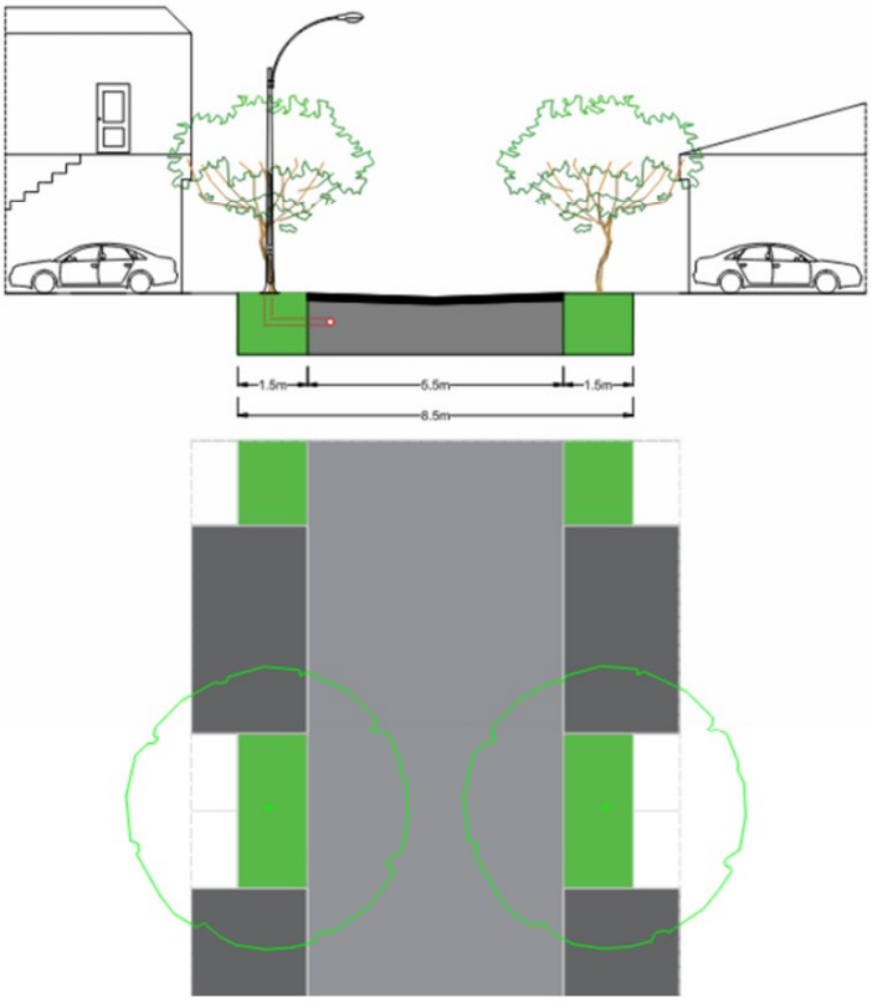
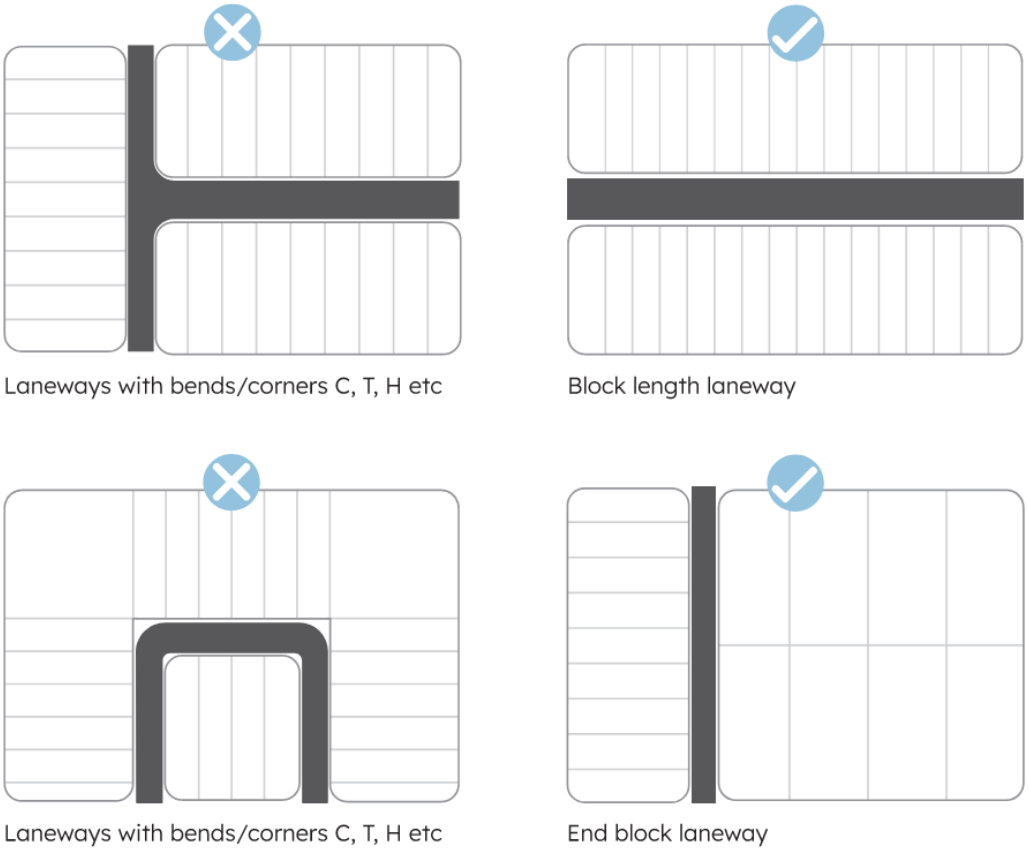


Figure 10-135: Residential Laneway Section

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.611 • O.612 • O.613	Laneways must have a clear line of sight from each end of the lane i.e. no bends or corners,), as shown in Figure 10-136.  **Figure 10-136: Acceptable and Unacceptable Laneway Configurations**
PC.3 • O.611 • O.612 • O.613	Four-way intersections that incorporate laneways are permitted on local roads only and are subject to site-specific considerations and ensuring alignment with safety standards. Where two laneways create a four-way intersection they can only be on a local road (i.e. not on a trunk road)
PC.4 • O.611 • O.612 • O.613	Laneways are to be a maximum of 100m in length between intersections with other road typologies. Proposals seeking to exceed the 100m maximum length shall use local street types instead of a laneway (i.e. yield street or local street as appropriate to minimum lot sizing.
PC.5 • O.611 • O.612 • O.613	Development must be designed to ensure garbage collection occurs on the primary road frontage, including any access denied roads.
Distribution of Small Lot Housing **Note:** The sections (streetscape, side-setback, rear-setback and garages/driveways) below apply to proposals utilising Clause 7.8 of the *MLEP 2011*.	
PC.6 • O.614 • O.615	The number, size and location of small lot housing is to be consistent with Clause 7.8 of the *MELP 2011*.
AS.1 • O.614	Each Precinct Plan should indicate the general location of lots which may be created with a minimum area greater than or equal to 200m^2 and less than 450m^2. These smaller lots

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.615	are to be located within areas of high amenity and 200m walking distance to commercial premises, recreation areas or community facilities and matched to the appropriate road types on a Precinct map.
Streetscape	
PC.7 • O.616 • O.617	Articulation of the front facades of small lot housing must be varied rather than uniform to enhance visual interest and encourage housing diversity.
AS.2 • O.616 • O.617	Developments are encouraged to incorporate innovative facade treatments (e.g., varied materials, colours, and architectural features) to enhance streetscape diversity and reflect the character of small lot housing.
Side Setbacks	
PC.8 • O.618 • O.619	If the lot has a width, measured at the front building line, of at least 6m but not more than 8m, the building may be constructed to both side boundaries.
PC.9 • O.618 • O.619	If the lot has a width, measured at the front building line, of more than 8m but not more than 12.5m, the building may be constructed to only one side boundary.
PC.10 • O.618 • O.619	Where an existing boundary wall on a neighbouring lot adjoins the subject site, the new boundary wall must match the length of the existing boundary wall.
PC.11 • O.618 • O.619	Where no adjoining boundary wall exists, the boundary wall must not exceed a maximum of 50 per cent of the lot length or a maximum length of 12 metres, whichever is lesser.
PC.12 • O.618 • O.619	Walls built to the side boundary must not exceed a maximum height of 3.5 metres above existing ground level unless: a. They abut another higher existing or simultaneously constructed wall, in which case the wall must not exceed the boundary wall on the adjoining lot. b. They abut a side or rear lane, in which case the maximum height is 5.5m.
Rear Setbacks	
PC.13 • O.618	Structures built to the rear boundary must not exceed a maximum height of 3.5 metres above existing ground level unless: a. They abut another higher existing or simultaneously constructed structure, in which case the height must not exceed that of the adjoining structure. b. They abut a rear lane, in which case the maximum height is 5.5 metres.
PC.14 • O.618	Structures built to the rear boundary must be designed and constructed to allow for easy maintenance, including access for repairs and upkeep of drainage systems.
AS.3 • O.618	Developments are encouraged to incorporate integrated landscaping (e.g. shared gardens, green walls) to enhance visual continuity and provide additional outdoor living spaces.
Garages and Driveways	
PC.15 • O.620 • O.621 • O.622 • O.623 • O.624	Where a development is located on a site with rear laneway access, garages must be located fronting the rear lane with 1.0m minimum setback to garage doors. Driveway access from the primary road frontage will not be considered.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.16 • O.620 • O.621 • O.622 • O.623 • O.624	Garage doors must be visually recessive through the use of materials, colours, overhangs, and similar design elements to reduce their visual impact on the streetscape.
PC.17 • O.620 • O.621 • O.622 • O.623 • O.624	Where the lot width is greater than 12m, dwellings may have a double garage on the primary street frontage provided they do not dominate the streetscape and are visually recessive and either in line or setback from the front building line.
PC.18 • O.620 • O.621 • O.622 • O.623 • O.624	Where the lot width is less than 12m, only single-width garages are permitted on the primary street frontage.
PC.19 • O.620 • O.621 • O.622 • O.623 • O.624	Garages and carports are to be designed to blend with the architectural style of the dwelling through the use of compatible materials and colours, thereby reducing their visual dominance on the streetscape.
PC.20 • O.620 • O.621 • O.622 • O.623 • O.624	The location of driveways must be determined with regard to the location of utilities infrastructure, safe and unobstructed kerbside space for waste bin placement, street tree planting, and to maximize the availability of on-street parking and in accordance with any MoESS requirements.

10.4.17.12. Visual and Scenic Amenity

Objectives

O.626 To protect the scenic values of the landscape and environment.
O.627 Encouraging development to be unobtrusive and sympathetic to the surrounding rural setting.
O.628 To ensure that residents benefit from views to the surrounding landscape when using public streets and open spaces.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.626 • O.627 • O.628	Where practicable, vegetation is to be maintained and enhanced, particularly along ridgelines and gullies, so as to provide buffers and landscaped visual relief to subdivisions and housing development.

Precinct Plan Requirements - General

The Anambah Urban Release Area is characterised by a number of precincts or catchments informed by site attributes and constraints, infrastructure provisions, development outcomes and land ownership.

Precinct Plans must be adopted by Council prior to determination of any development application for subdivision of land within that precinct. The Precinct Plans shall be consistent with and relate to land areas included within specific stages as shown in the Staging Plan.

The precincts and staging of development are closely linked to the requirements of major infrastructure providers such as Hunter Water Corporation in respect to water and sewer, road infrastructure provisions and upgrades, and extension and augmentation of power supply.

Each Precinct Plan lodged by a Proponent must include:

a. A clear description and spatial layout of proposed land uses (e.g. residential, schools, recreation, community facilities, centres, utilities),
b. A housing typology framework, supported by a fine-grain density plan demonstrating how a diversity of housing types will be delivered,
c. Controls for key development sites, including flood fringe land, recreational areas (including any proposed linear open space), and urban land adjoining rural or environmental zones, commercial and community hub,
d. Concept design for any centres or employment land, ensuring integration with surrounding uses and transport links,
e. A visual character assessment, including measures for retaining/protecting significant landscape features and native vegetation,
f. A tree canopy strategy consistent with the Maitland *Environmental Sustainability Strategy 2030*,
g. The road network and hierarchy (sub-arterial, collector, local roads) and connections to adjoining precincts, in accordance with the Transport Movement Hierarchy Plan in **Figure 10–133**,
h. Proposed routes or corridors for public transport, bicycles, and pedestrians,
i. A water cycle management plan addressing stormwater drainage, riparian corridors, and WSUD opportunities,
j. The location of proposed Bushfire Asset Protection Zones (APZs), identified flood levels, and emergency evacuation routes for flooding and bushfire.
k. The subdivision stages of development within each precinct
l. A landscaping concept plan for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and typical landscaping requirements for both the public domain and private land, particularly adjacent to the major roads and intersections, including a perimeter road network adjacent to flood prone lands, riparian corridors and rural interface.

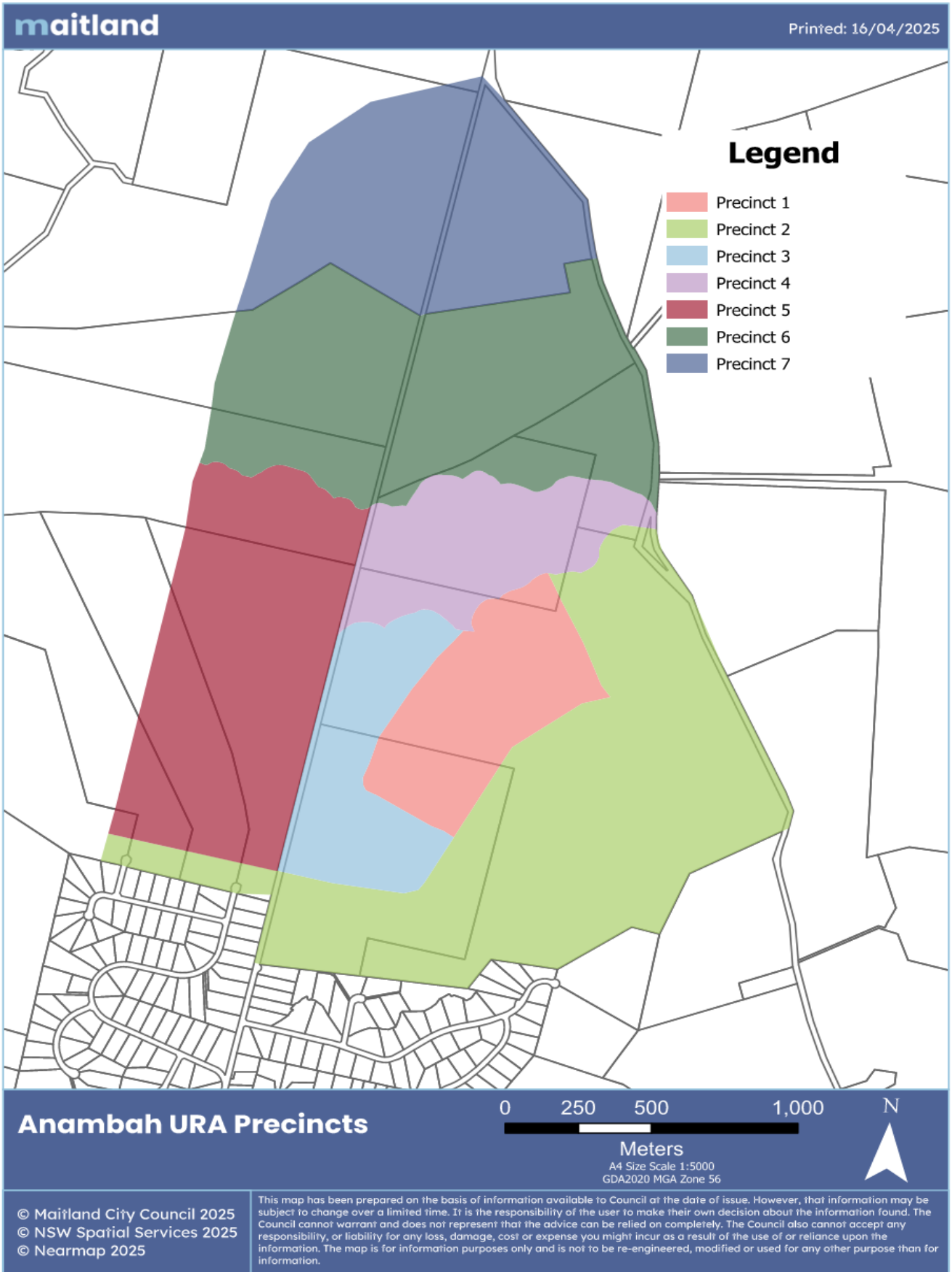


Figure 10-137: Anambah URA Precincts

Development Requirements – Anambah URA Precinct 1

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to Precinct 1. No specific requirements have been made for the following matters within the Anambah URA Precinct 1 as they are already adequately addressed by other relevant provisions within the *MLEP 2011* and the *MDCP 2011*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

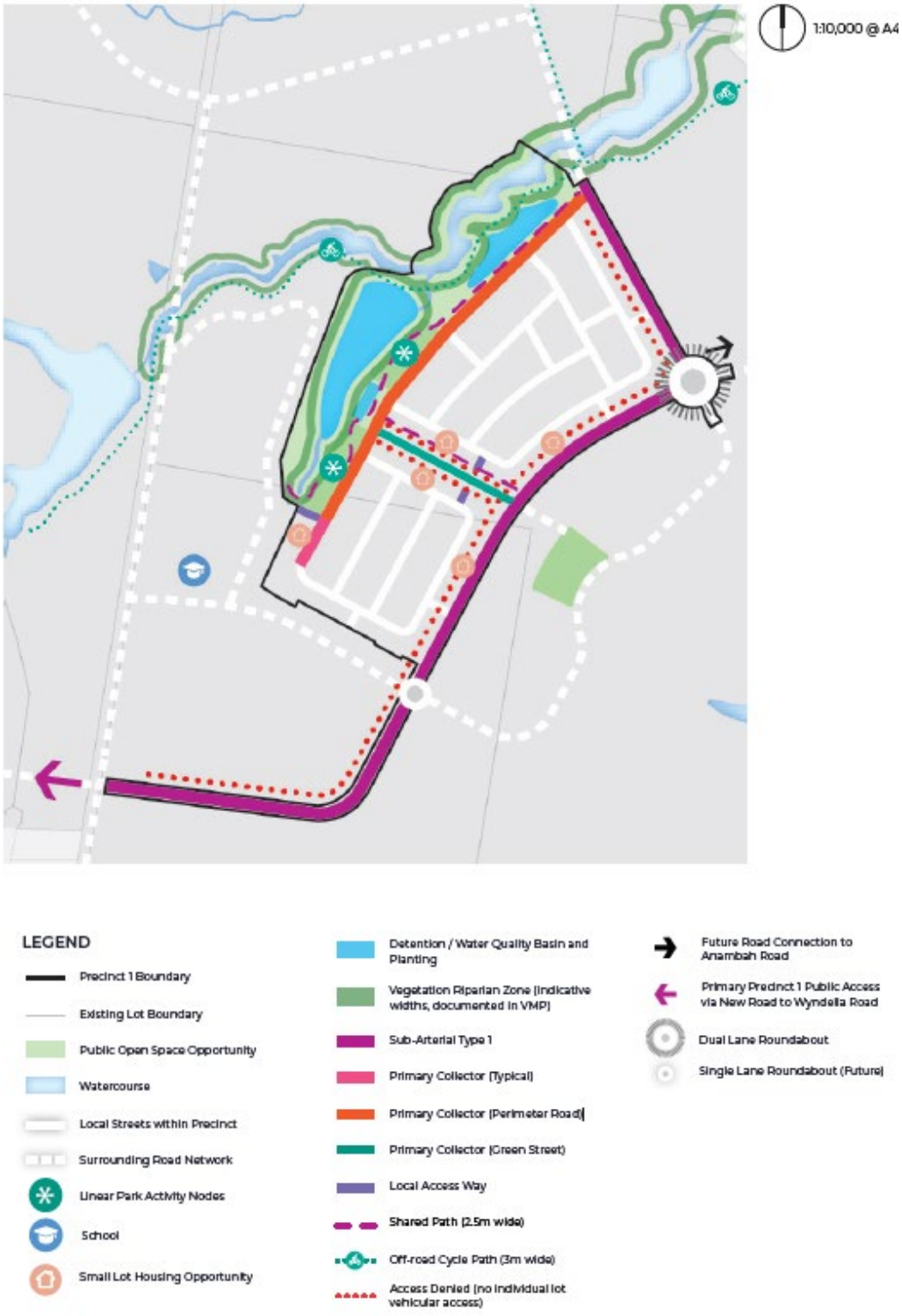


Figure 10-138: Anambah URA Precinct 1 - Overall Plan

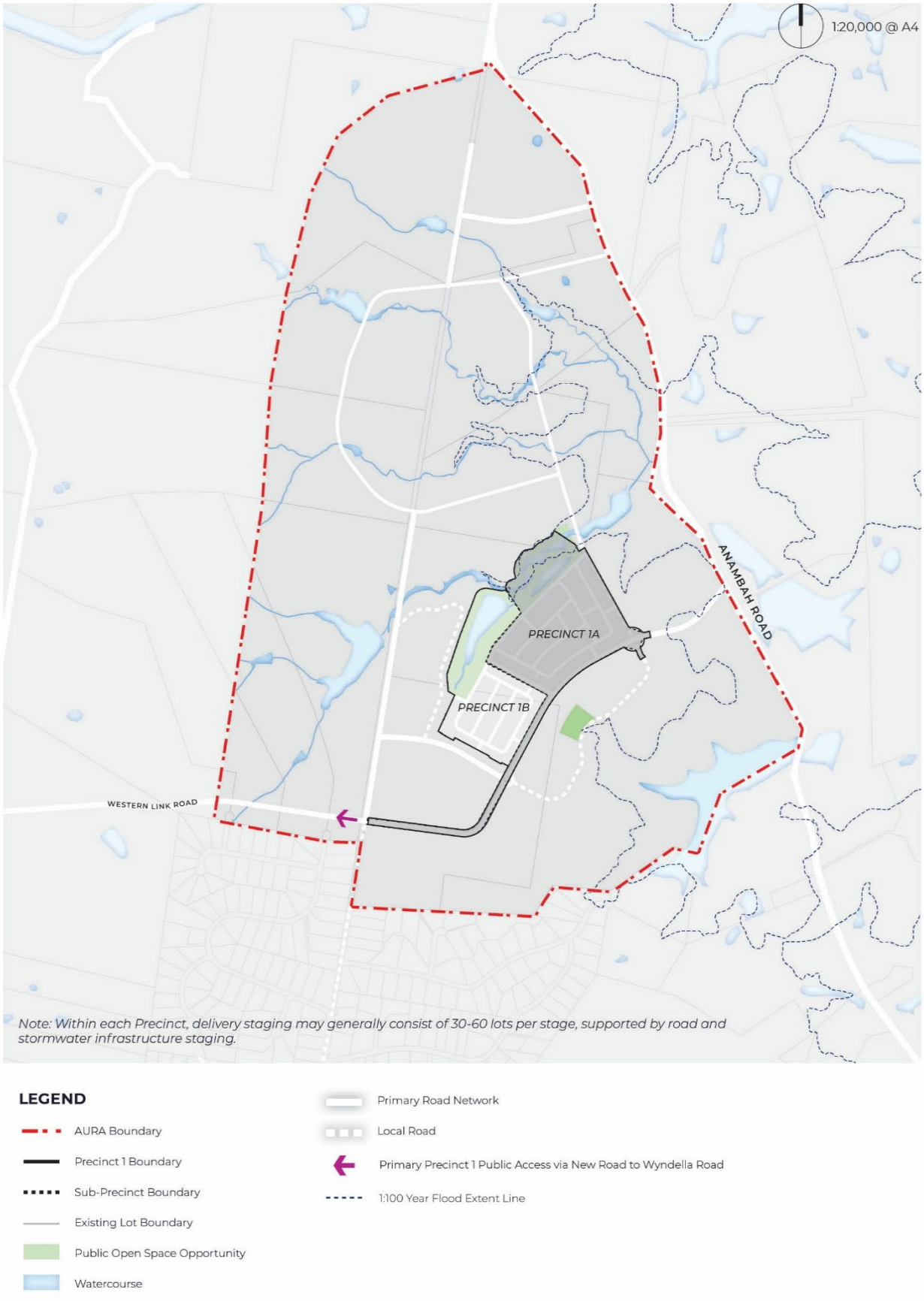


Figure 10-139: Anambah URA Precinct 1 Staging Plan

10.4.17.13. Staging Plan and Infrastructure Delivery

Objectives

O.629 To provide for the timely and orderly efficient release of Precinct 1, ensuring necessary infrastructure is in place.

O.630 To ensure that infrastructure for Precinct 1 is sequenced and provided in a logical and cost-effective manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.629	Precinct 1 comprises two sub-precincts identified in Figure 10-138. The development of each sub-precinct (and staging within those) must provide essential infrastructure such as utility, road and drainage infrastructure connection.
PC.2 • O.630	Where development is for the purpose of subdivision that is intended to be constructed and released in stages, a staging plan for delivery is to be provided.
PC.3 • O.630	Staging and infrastructure delivery is to demonstrate logical and timely connection with adjoining precincts. Applications for subdivision are to clearly show staging and connection points.

10.4.17.14. Transport Movement Hierarchy and Road Design

Objectives

O.631 To provide permanent, safe and suitable new public road access to and from Precinct 1.

O.632 To achieve a simple and safe movement system within Precinct 1 for private vehicles, public transport, pedestrians and cyclists.

O.633 To ensure road design reflects the function and hierarchy of the street, the needs of the road user, with sound engineering practice and connectivity to existing and future development.

O.634 To ensure that the design of the streets indicates their position in the street hierarchy, their function and reflect the uses within the street in their character and detail.

O.635 To provide a permeable and interconnected internal street structure to offer a choice of routes and to distribute traffic load through a number of connection points, with road design to allow for passive surveillance and access to the linear park and corridor.

O.636 To provide a safe, continuous and appropriate level and mix of pedestrian and cycleway access and connectivity to future development.

O.637 To provide an active verge to the sub-arterial road in Precinct 1 with future residential dwellings addressing this street.

O.638 To provide a Green Street which links with a shared path and additional street tree canopy between the linear park in Precinct 1 to future public open space to its south.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.631 • O.632 • O.633	Access to Precinct 1 is to be provided via either a new public road that connects west to Wyndella Road and its connection to the New England Highway, or connection with Anambah Road. Construction of the new road and dedication of it as a public road are required to be completed prior to registration of the 1200th residential lot. Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. **Note:** In accordance with Clause 7.9 of the *MLEP 2011*, development consent must not be granted unless the consent authority is satisfied that suitable vehicular access is available or that adequate arrangements have been made to make it available when required.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.631 • O.632	Prior to the release of any residential lot within Precinct 1, any requirement for a secondary access point is to be to the satisfaction of RFS and Council. Any secondary access point will need to consider its impact on its connection point and the wider road network. No gating (temporary or permanent) of public roads will be permitted.
PC.3 • O.632 • O.633 • O.634 • O.635 • O.636 • O.637	The layout, hierarchy and design of the primary street and active movement network within Precinct 1 should be generally consistent with: a. Precinct 1 Street Hierarchy Plan in Figure 10-140 b. Precinct 1 Street Characteristics in Table 3, c. Typical precinct specific Street Sections included in Figure 10-142 to Figure 10-146, as well as the AURA specific sub-arterial type 1 street in Figure 10-154), and d. Precinct 1 Pedestrian/ Cycle Hierarchy Plan in Figure 10-141.
PC.4 • O.632 • O.633 • O.635	A dual lane circulating roundabout is to be provided at the intersection of the Sub-Arterial streets in Precinct 1, as shown on Figure 10-140.
PC.5 • O.632 • O.633 • O.635 • O.636 • O.637 • O.638	An active verge is to be provided along the Sub-Arterial Type 1 street. The active verge is to include a 3m wide dual directional cycleway and an adjoining 1.5m wide pedestrian path. To support the outcome: a. Direct vehicular access to residential dwellings is to be provided from local streets within the Precinct. b. No new lot is to have direct vehicular access and crossovers to the active verge identified as "Access Denied" in the Precinct 1 Street Hierarchy Plan. c. The number of intersections to the Access Denied verge is to be limited, with designs including appropriate intersection thresholds to maximise cyclist convenience. d. Street tree canopy will sit within a widened landscape verge allocation with mature canopies generally touching (excluding offsets to streetlight/intersections).
PC.6 • O.632 • O.633 • O.634	The Sub-Arterial Type 1 street through Precinct 1 is to be designed to allow for a primary bus route and incorporate pedestrian refuges and bus stop locations at strategic locations.
PC.7 • O.632 • O.633 • O.638	The Green Street is to be designed to: a. Include 2.5m wide shared path in a widened verge, b. Provide additional street tree canopy planting with mature canopies generally touching (excluding offsets to streetlight/intersections, and c. Have 'Access Denied' verges on both sides of the street and no local vehicular intersections.
PC.8 • O.632 • O.633	The perimeter road, adjoining the Linear Park, provides access to a low-risk bushfire interface, with parking restricted on its outer (corridor) edge and provided in designated parking bays outside the main carriageway.
PC.9 • O.632 • O.635 • O.636	Shared paths and footpaths must connect to the linear park.
PC.10 • O.632 • O.635 • O.636	A section of dedicated 3m wide off-road cyclist-only path is to be provided in Precinct 1 (in stages) as shown in Figure 10-141, and to link to adjoining precincts.
PC.11 • O.632	Allocation of utilities and spacing in verges is subject to offsets to streetlights and trees as provided in Council's MoES.

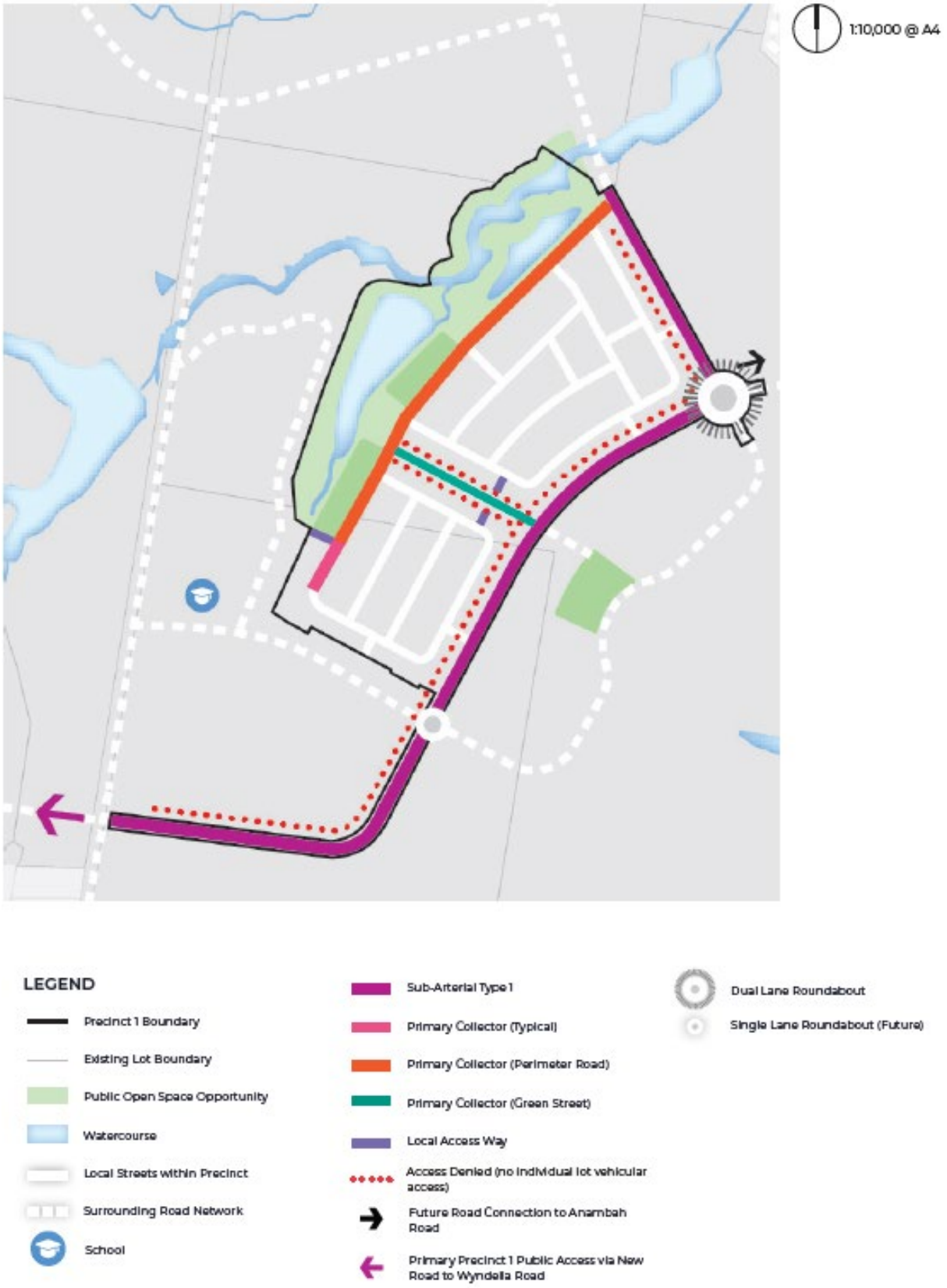


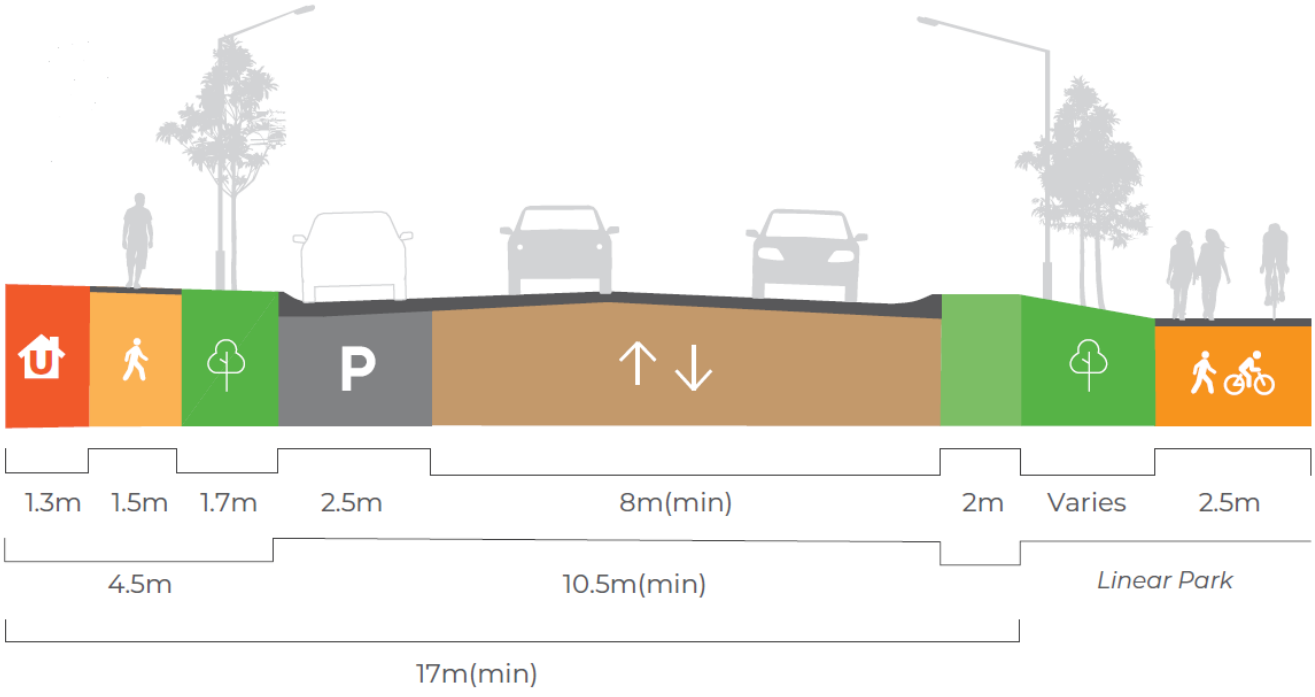
Figure 10-140: Anambah URA Precinct 1 Street Hierarchy Plan



Figure 10-141: Anambah URA Precinct 1 Pedestrian & Cycle Hierarchy Plan

Table 3: Proposed Road Network Details

ROAD NAME/TYPE	ROAD RESERVE WIDTH	FOOTPATH WIDTH	CARRIAGEWAY AND PARKING LANE	VERGE
Local Collector (Typical Road – LT11)	20m	1.5m pedestrian path one side	11m pavement 2 x 3m travel lanes 2 x 2.5m parking lanes	2 x 4.5m
Primary Collector (Perimeter Road)	16m (minimum & variable where indented parking provided)	1.5m pedestrian path lot side (2.5m shared path in adjoining linear park)	10.5m pavement (min) 1 x 2.5m parking lane (lot side only)	1 x 4.5m (lot side) 1 x 2.0m (perimeter side, other than widened where indented parking bays provided)
Green Street	22.5m	1.5m pedestrian path one side 2.5m shared path in widened verge	11m pavement 2 x 3m travel lanes 2 x 2.5m parking lanes	1 x 4.5m 1 x 7m
Yield Street (L8 – MoES)	17m	1.5m pedestrian path one side	8m pavement	2 x 4.5m
Local Access Way	12m	n/a, 2.5m shared path from end of accessway pavement to street	6m pavement 3m carriageway both ways	1 x 4.5m 1 x 1.5m



Note: Parking bays may be included along the linear park edge, clear of the carriageway.

Figure 10-142: Primary Collector (Perimeter Road)

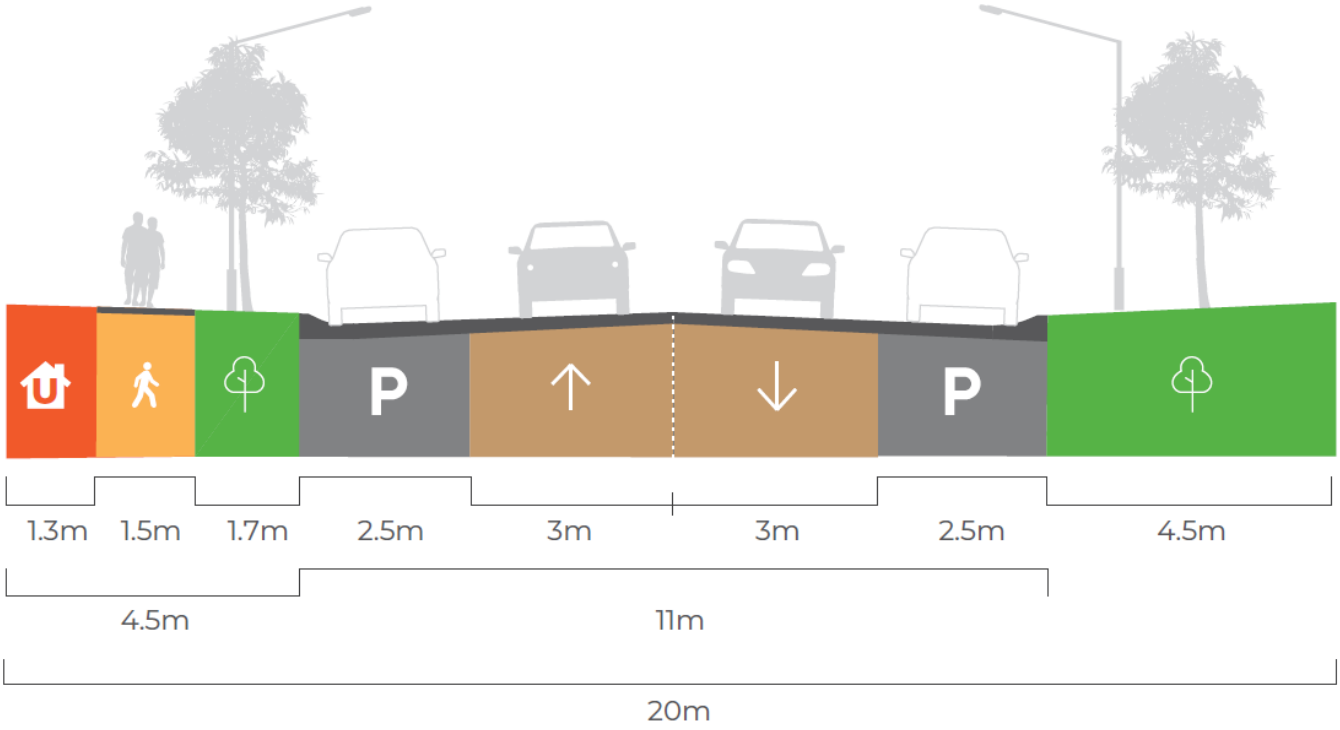


Figure 10-143: Local Collector (Typical Road – LT11)

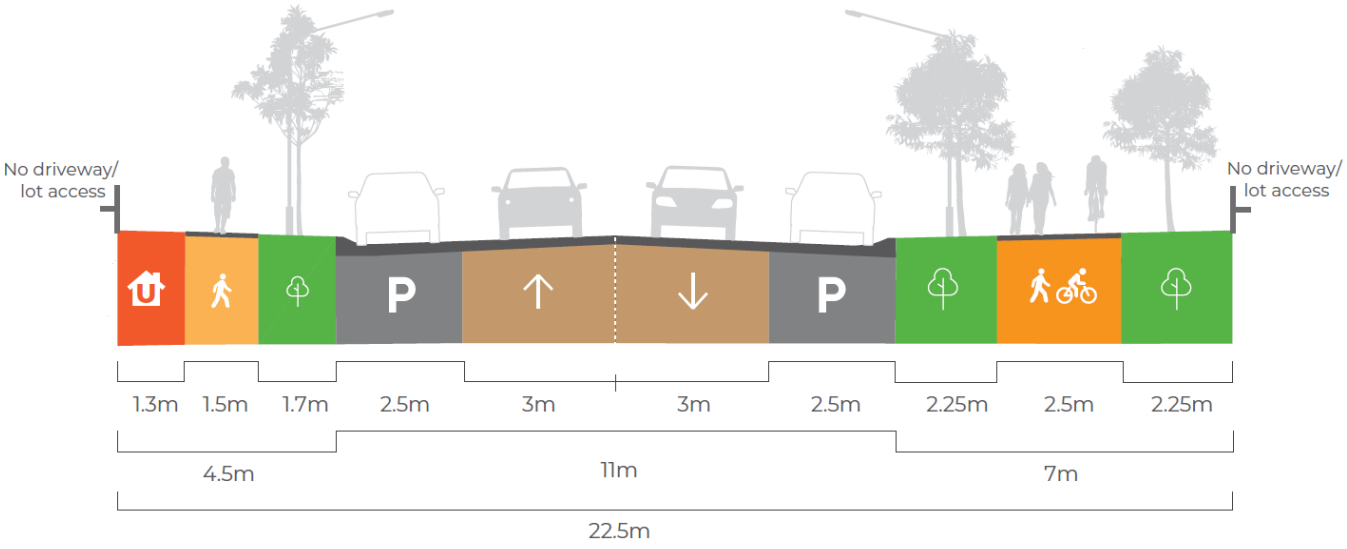
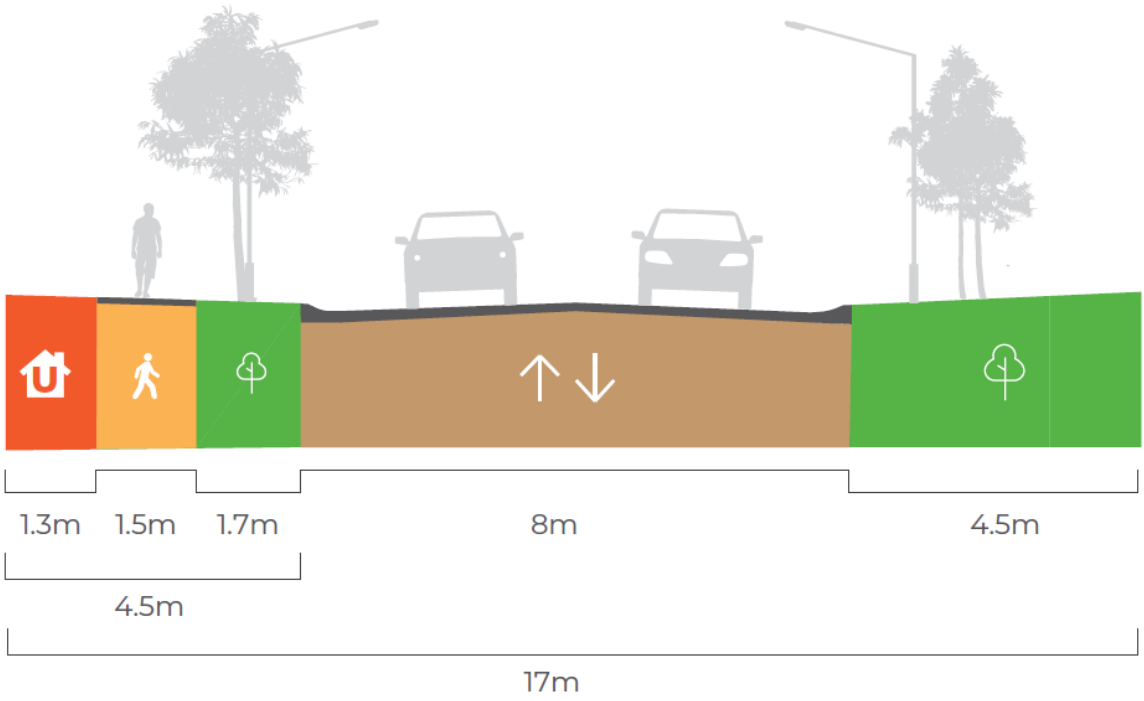


Figure 10-144: Green Street



Note: Parking within carriageway not allocated, 2m either side, with variable sides to match street pattern.

Figure 10-145: Yield Street (L8)

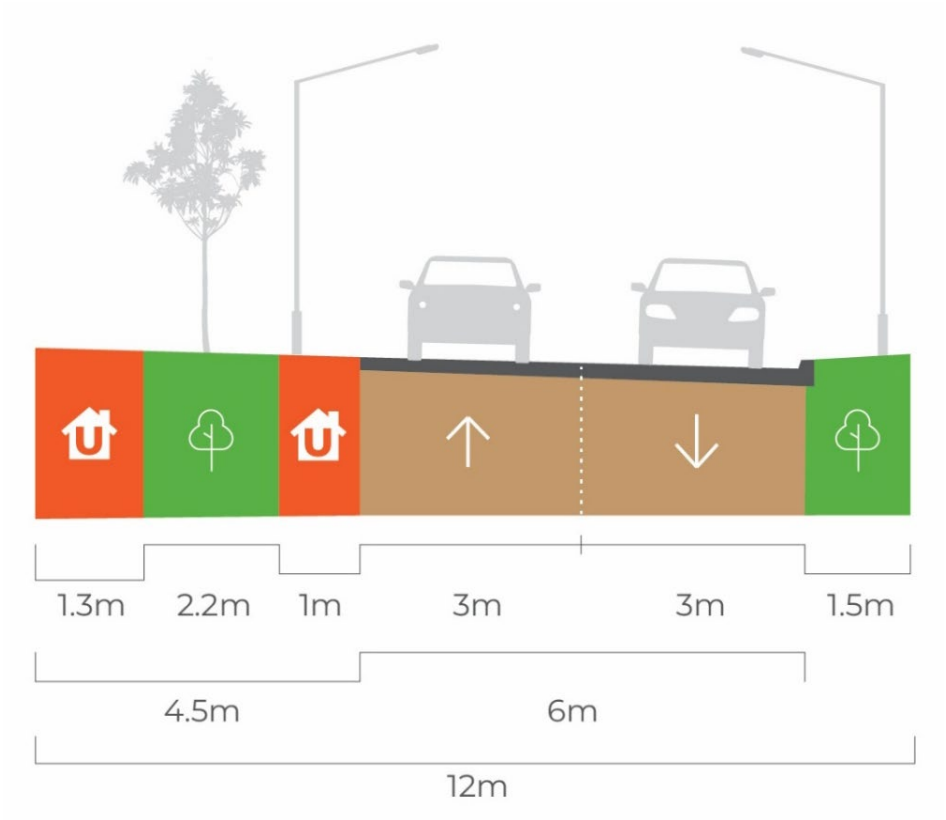


Figure 10-146: Local Access Way

10.4.17.15. Subdivision Design

Objectives

O.639 To create a Precinct with a distinct landscape and subdivision character that creates a sense of identity, promotes housing diversity by identifying key development sites for future small lot housing and provides opportunities for dwelling presentation, passive surveillance and activity of streets and public areas.

O.640 To promote diverse and varied streetscapes through the integration of future small lot housing opportunities in the Precinct.

O.641 To ensure that dwellings are of high quality and respond to the topography of the site.

O.642 To provide a range of public facilities in appropriate locations and in sequence with the land development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.639	Applications for subdivision are to clearly show proposed layouts, lot sizes, shapes and likely development densities. Allotment yields should be maximised in response to the constraints of the land.
PC.2 • O.639 • O.640 • O.642	Applications for subdivision are to identify opportunities for small lots and small lot housing in areas with high neighbourhood amenity. The location of these opportunities is to be consistent with the Precinct 1 Housing Diversity Opportunities Plan in Figure 10-147.
PC.3 • O.639 • O.640	Subdivision and development for small lots may be sought through provisions of: a. Clause 4.1A of the *MLEP 2011*, where 2 or more lots with areas of 300-450m^2 may be provided on land zoned R1 General Residential; or b. Clause 7.8 of the *MLEP 2011*, where 2 or more lots with areas of 200-449m^2 may be provided on land zoned R1 General Residential within 200 metres from a community facility, recreation area or commercial premises, and subject to numerical limits within *MLEP 2011*.
PC.4 • O.639 • O.641 • O.642	Development Applications for subdivision submitted pursuant to 7.8 of the *MLEP 2011* are to include the following information (other than if the DA also includes application for dwellings to be approved and constructed on each lot), prepared consistently with the specific development controls outlined in any other applicable controls of this Precinct Plan and broader *MDCP 2011*: a. Character statement b. A Site Analysis Plan c. Building Envelope Plans and Subdivision Design Plans are to provide the following detail: i. The front, side and rear building setbacks, including articulation zones, ii. Lot widths and depths, iii. The location of any zero lot lines, iv. The locations for principal private open space, v. The ground floor and second floor building zones, vi. The locations for garages and driveways, vii. Where it is proposed to build dwellings to the boundary on both sides, consideration must be given to the construction sequencing and how this will be achieved, viii. Utility and stormwater easements, and ix. The location of any benching or retaining walls. d. An indication of the subdivision design and proposed building zones respond to site topography and landscape features; and e. Any site-specific development controls for the area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.641	Where PC.4 applies, the Subdivision Design Plan is to be included on the Section 88B instrument attached to the lot.
PC.6 • O.639 • O.641	For development applications involving the construction of small-lot housing, lot registration may occur prior to the commencement of construction. The requirement to construct the approved dwelling is to be included on the S88B instrument attached to the lot until an Occupation Certificate of the dwelling is issued.
PC.7 • O.639 • O.640 • O.641	Subdivision design is to balance cut and fill as far as practicable. Development applications must include an Earthworks Plan, detailing: a. The proposed cut and fill strategy, b. How the design manages cut and/or fill including any area where fill depth exceeds 2m, and c. Justification for the proposed changes to the landform.



Figure 10-147: Anambah URA Precinct 1 Housing Diversity Opportunities Plan

10.4.17.16. Overall Landscaping Strategy

Objectives

O.643 To provide landscaping and public domain works that are appropriate to the scale and nature of development, enhance local character, support establishment of tree canopy, and mitigate bushfire threat while promoting cooler, more comfortable microclimates

O.644 To protect and regenerate riparian corridors, through revegetation and sensitive landscape design that complements the built form and public domain.

O.645 To create accessible corridors of public open space that integrate pedestrian and cycle networks, enhance connectivity, and provide visual and recreational benefits.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.643	Detailed landscape plans are to be submitted with subdivision Development Applications.
PC.2 • O.643 • O.644	Landscape plans are to be generally consistent with Precinct 1 Landscaping and Tree Canopy Strategy in Figure 10-148 and must include details for all streets and public spaces that form part of the development application, including street verges, interfaces to riparian corridors and linear parks as listed in Figure 10-148 Precinct 1 Landscaping and Tree Canopy Strategy Plan as (1), (2), (3), (4), (5).
PC.3 • O.643	Development is to demonstrate a contribution toward the aim of 30% tree canopy in residential areas within the LGA.
PC.4 • O.643	Street tree planting is to be carried out as part of subdivision design and road construction (where roads adjoin proposed lots in Precinct 1). Street trees are to be designed to: a. Provide shade on footpaths, shared paths and cycleways, and b. Soften streetscapes and provide a backdrop for future built form within the Precinct. Street tree planting of sub-arterial type 1 road, identified as (5) in Precinct 1 Landscape and Tree Canopy Strategy Plan, is to be generally consistent with Figure 10-149.
PC.5 • O.644	Vegetated riparian zones shall be established and maintained around identified watercourses, in accordance with Riparian Vegetation Management Plan/s, consistent with relevant State Government Riparian Guidelines.
AS.1 • O.645	Pedestrian and cycle linkages within Precinct 1, as illustrated in Figure 10-141, may be provided, including crossings of the drainage or riparian corridor, subject to consultation and agreement with Council.



Figure 10-148: Anambah URA Precinct 1 Landscaping and Tree Canopy Plan

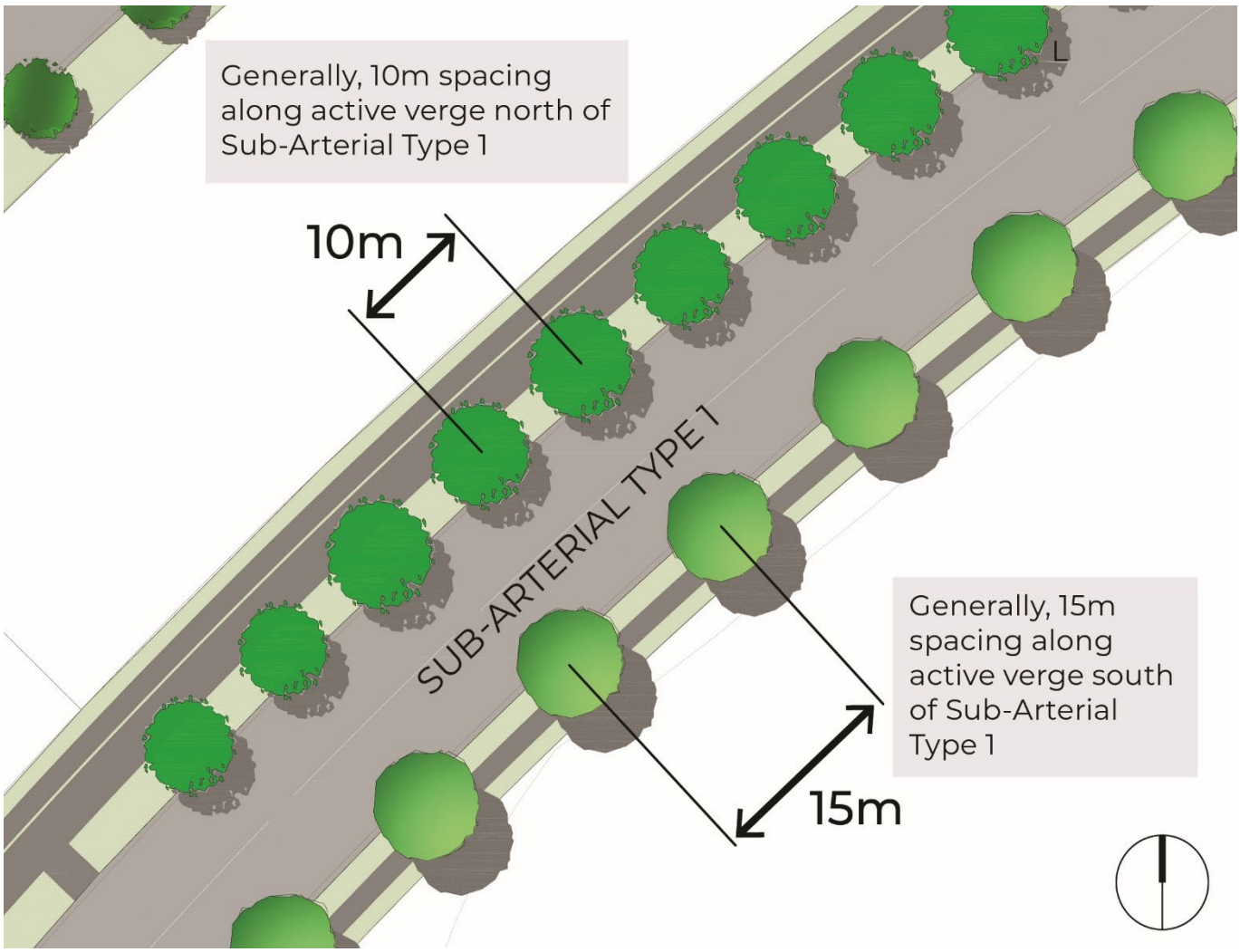


Figure 10-149: Street Tree Planting – Sub-Arterial Type 1

10.4.17.17. Visual and Scenic Amenity

Objectives

O.646 To protect views to and from Anambah House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.646	Residential development within 1.8km of Anambah House are to be limited to neutral roof colours that assist to blend development into the natural environment. The range of colours proposed for this area are to be included with development applications for residential subdivisions with relevant covenants placed on the titles of the lots created.
PC.2 • O.646	Supplementary vegetation planting along the western boundaries of Anambah House is to be negotiated between the developer and owner of Anambah House. Outcomes of the agreed supplementary vegetation are to include agreed species, timing of planting and maintenance schedule. Details are to be included in landscape plans for precinct 1 and 2 and/or associated DA's.

10.4.17.18. Passive and Active Recreation Areas

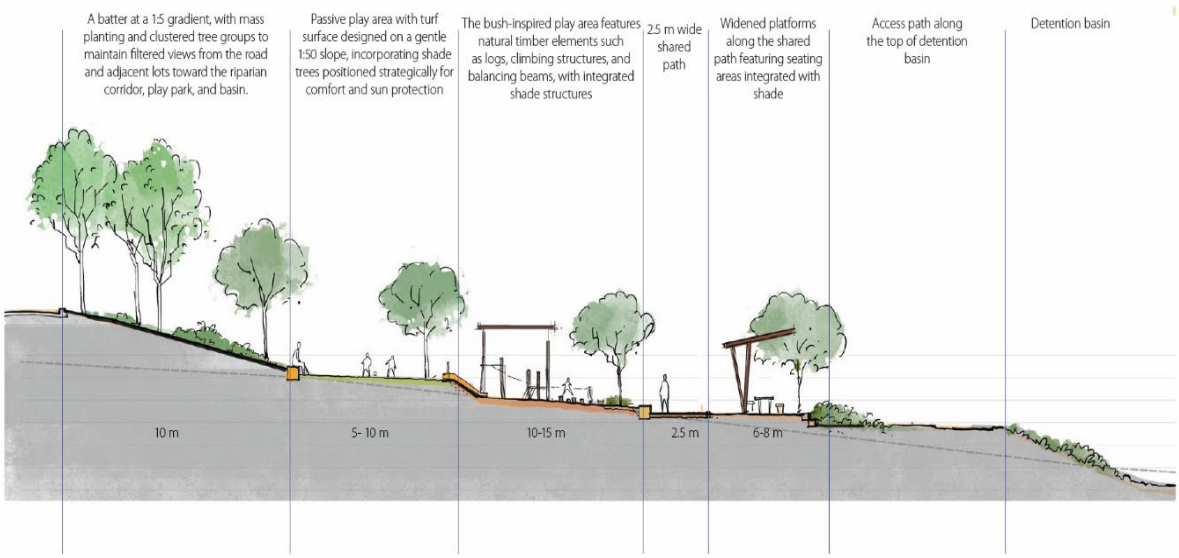
Objectives

O.647 To provide public open space land that meets the active and passive recreational needs of residents.
O.648 To provide an equitable distribution of public open space land and recreation opportunities.
O.649 To establish a linear park in Precinct 1 that includes the riparian corridor (where not part of the drainage reserve) and provides connected, passive recreation opportunities integrated with the natural landscape and supported by usable, functional and safe nodes for good quality design and embellishment for passive and active recreation.
O.650 To create linkages between areas of passive and active recreation through an adequate pedestrian and cycle network.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.647 • O.648 • O.649	Treatment of the riparian Linear Park is to be generally in accordance with **Figure 21.** **D**etails of opportunities for passive and active recreation, including integration with any drainage reserves is to be submitted with the first development application in the relevant Precinct. Embellishment will be a matter for any adopted Contributions Plan or Voluntary Planning Agreement.
AS.1 • O.647 • O.648 • O.649 • O.650	Passive and active recreational space are to be designed to include: a. Accessible paths and linkages, b. Areas for play and fitness equipment, c. Landscaping, including select tree canopy cover, d. Seating and shading structures, e. Park furniture, and f. Wayfinding signage.
AS.2 • O.647 • O.649	Passive and active recreation areas are to be designed to promote comfortable microclimates through the selection of durable materials and lighter colours for play equipment and park furniture.

Linear Park Sections

Section A-A



Section B-B

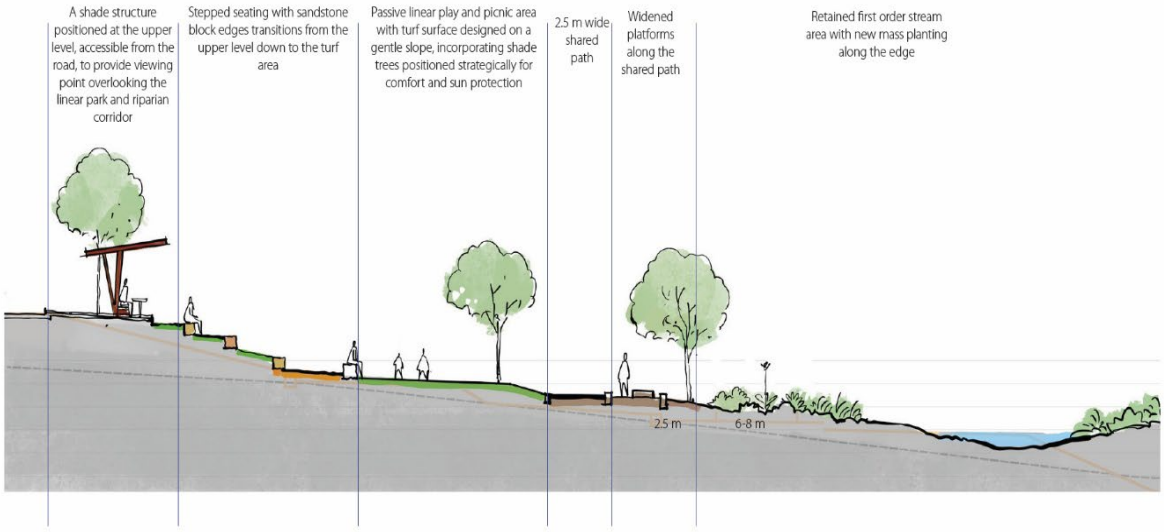


Figure 10-150: Indicative Linear Park Riparian Land Cross-Section

10.4.17.19. Stormwater and Water Quality

Objectives

O.651 To protect and enhance the water quality and habitat value of downstream waterways.
O.652 To prevent erosion and sediment run-off during site preparation, construction and the ongoing use.
O.653 To manage stormwater runoff at the precinct level so that flows outside any precinct remain at pre-development flows.
O.654 To identify and manage existing natural trunk drainage paths.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.651 • O.653 • O.654	The network of stormwater management areas in Precinct 1 is to be generally consistent with the Precinct 1 Open Space and Stormwater Management Plan in **Figure 10-151** and integrated with the overall design of the Precinct.
AS.1 • O.651 • O.653 • O.654	Wherever possible, the existing and identified riparian areas should form part of a stormwater and runoff drainage management system incorporating detention basins and/or wetlands to alleviate stormwater peaks and retain pollutants.
PC.2 • O.651 • O.652 • O.653 • O.654	Precinct 1B is to provide for the resizing and reshaping of the existing dam to provide control of water quantity for a wider catchment that includes it and future development within adjoining Precinct 3. Further detailed design is to be provided in a stormwater management plan submitted with the first DA proposing subdivision within Precinct 1B. The stormwater management plan must also outline details of any offline water quality treatment required for Precinct 1B.
PC.3 • O.651 • O.652 • O.653	Stormwater structures, including basins, are to be positioned where the operational maintenance of the structure is not impeded by environmental constraints and plantings.



Figure 10-151: Anambah URA Precinct 1 Open Space and Stormwater Management

10.4.17.20. Key Development Sites and Residential Densities

Objectives

O.655 To facilitate the efficient use of land that accommodates the Anambah Urban Release Area's predicted population capacity.
O.656 To ensure that built form on parallel road lots and small lot housing lots present positively to all street frontages.
O.657 To maintain the continuity and safety of parallel road lots by prohibiting vehicle access from access-denied frontages.
O.658 To ensure sufficient landscaped areas and principal private open space is provided for parallel road lots and small lot housing.
O.659 To provide safe access arrangements for parallel road lots and small lot housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Parallel Road Lots **Note:** Parallel Road Lots are lots (of any size) where one frontage is to an access denied street verge (primary frontage), with the other frontage/s to a parallel road / local street (secondary frontage/s). These provisions do not apply to standard corner lots	
Primary Frontages	
PC.1 • O.656 • O.657	No vehicular access is permitted to the access denied road.
PC.2 • O.655	Dwellings must provide a positive and legible address through the incorporation of entry features, such as porticos, porches, balconies, decks, vehranda's, bay windows, eaves and awning. Dwellings must provide at least one door with direct pedestrian access from the dwelling to the street and at least one habitable room window facing the street.
PC.3 • O.655	A minimum street setback of 4.5m, with a 1.5m articulation zone forward of the 4.5m minimum setback for features listed in PC.2, for up to the full width of the front façade. Where a 4.5m setback is provided to the secondary frontage, the primary frontage street setback can be reduced to 3.0m.
PC.4 • O.658	At least 25% of the area forward of the building line is to be landscaped.
PC.5 • O.658	Principal private open space (PPOS) may be located forward of the 4.5m front building line.
PC.6 • O.655	For any fencing forward of the front building line: a. Sheet metal fencing is not supported, b. Fencing is limited to 1.2m in height, c. Fencing forward of the front building line may be permitted up to a maximum height of 1.8 metres, where it is used to enclose PPOS. That fencing: i. Must not occupy more than 50% of the lot frontage, ii. Is to be setback a minimum 3.0m from the street boundary iii. Is to provide 50% transparency and be integrated with landscaping.
Secondary Frontages	
PC.7 • O.655 • O.659	Dwellings must provide a positive and legible alternate pedestrian access to the dwelling and at least one habitable room window facing the street.
PC.8 • O.655	A minimum street setback of 3.0m, unless for a garage. Garaging is to be setback a minimum 5.5m from the street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.659	
PC.9 • O.655 • O.658 • O.659	Principal private open space (PPOS) may be located forward of the building line facing the (secondary) street.
PC.10 • O.655 • O.656	For any fencing forward of the building line facing the street: a. Sheet metal fencing is not permitted. b. Fencing is limited to 1.2m in height c. Fencing may be permitted up to a maximum height of 1.8 metres, where it is used to enclose PPOS. That fencing: i. May be provided to the property boundary, ii. May be solid to 1.2m in height, iii. Is to achieve a minimum 50% transparency above 1.2m in height to permit casual surveillance, and iv. Is to be of a high-quality material and finish.
Additional Street Frontages	
PC.11 • O.655	Where a lot has a third street frontage to a local street that is not used for vehicle access, that frontage is to be treated as a secondary setback with a minimum setback of 2.0m from the property boundary and designed consistent with standard corner lot provisions contained in Part C Section 8 of the *MDCP 2011*. Building envelopes and access denied locations will be required at DA stage and supported with 88b restrictions.
Small Lot Housing (Lot size 200m2 - <450m2)	
PC.12 • O.655 • O.658	Principal private open space (PPOS) for small lot housing is to be 16m2 and at least 3m wide, and an additional balcony or ground level alfresco area (immediately adjacent to the PPOS) with a minimum width of 2.5m.
PC.13 • O.655 • O.656 • O.658	The minimum landscaped area for small lot housing development is 15% of the lot area, which may reduce to a minimum 10% of the lot area for any lot with an area less than 300m^2.
PC.14 • O.655 • O.656	Where no adjoining boundary wall exists, the maximum length of a boundary wall is not to exceed a maximum of 50% of the lot length.

Appendix A: Road Cross-Sections

L10 – Local Street. used for all small lot subdivision including development lots and partnering roads (minimum size) for residential laneways.

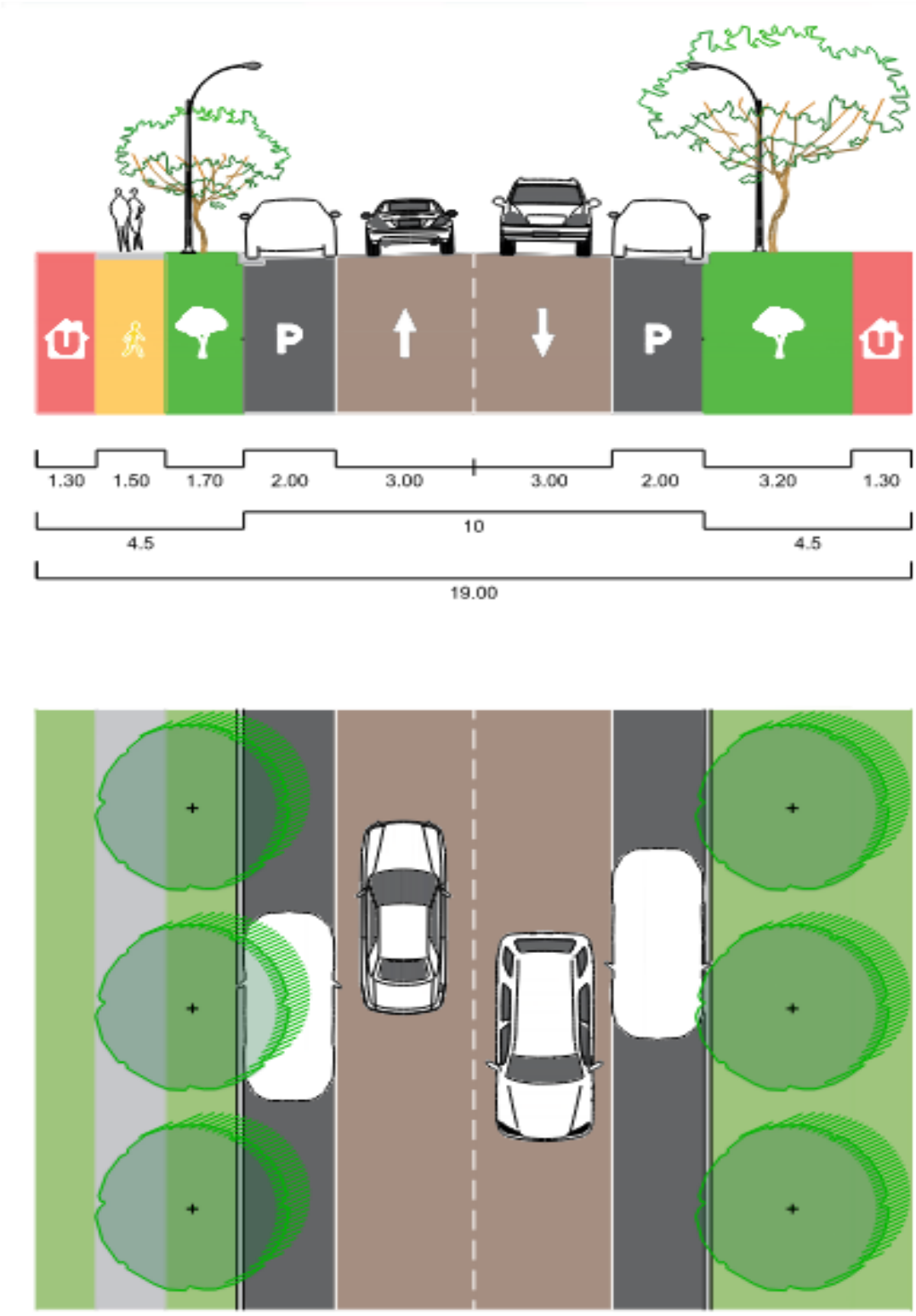


Figure 10-152: L10 Local Street Typology

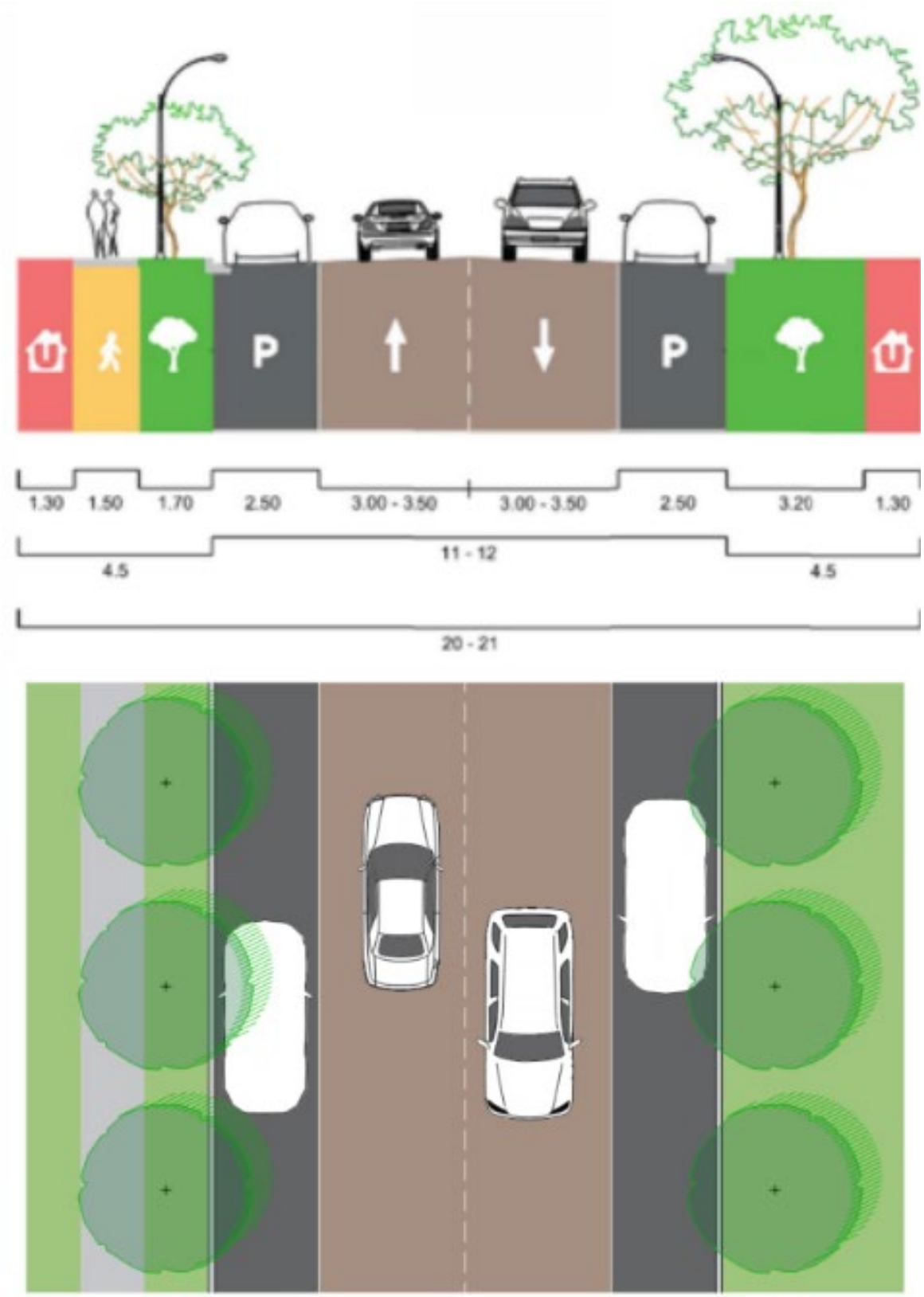


Figure 10-153: LT11 Local Trunk Collector & T12 Local Distributor Typology

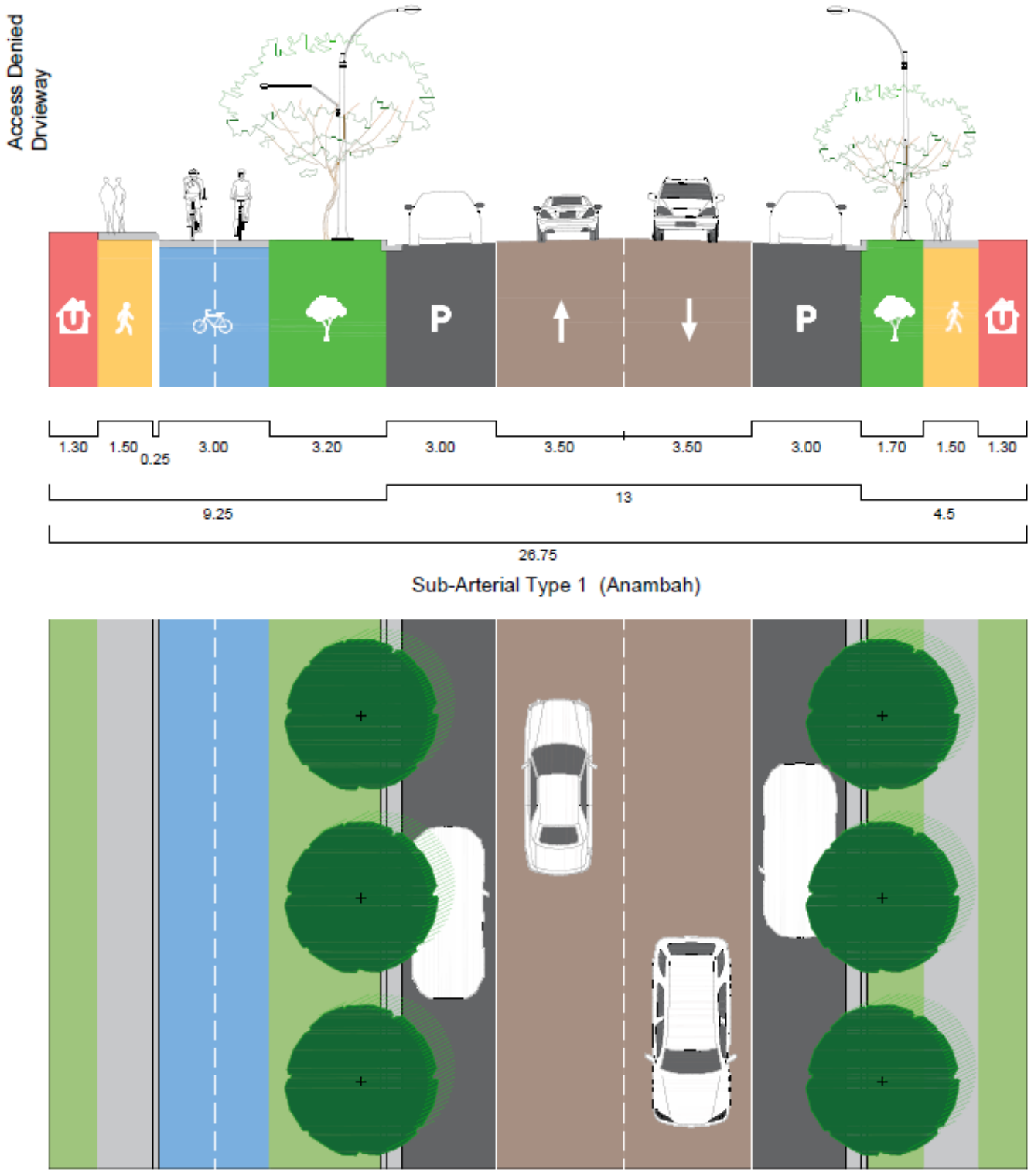


Figure 10-154: Sub-Arterial Type 1 (Anambah)

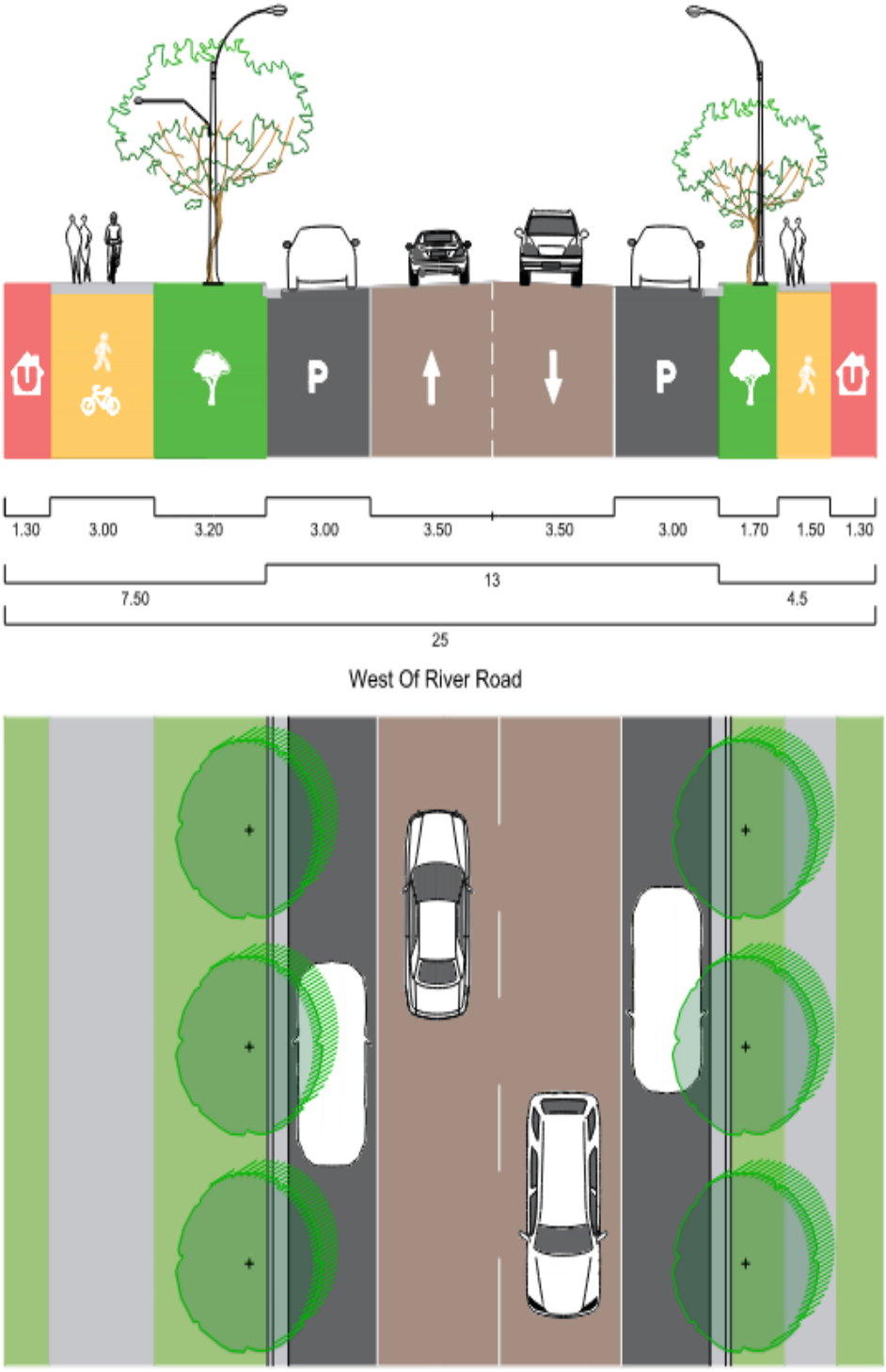


Figure 10-155: Sub-Arterial Road Type 2 – Anambah West of River Road


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Appendix A:

Application Requirements – Other Development

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VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

Supporting document requirements – Matrix – All other Development

Application requirements matrix

This Application Requirement Guideline shows documentation that must or may be provided with your Development Application based on the development type, as demonstrated in the Matrix below. Details on what is to be provided as part of each documentation is provided in the **Supporting information and documentation guide** section. The key for this is provided below and at the end of the matrix:

✓	O	X
Information required. Application will not be accepted without this documentation	Information may be required	Information not required

Note: Council at its discretion may request additional studies either not being identified under a specific development type or not identified at all within the matrix. This occurrence may be due to the unique elements of a proposed development or its scale and/or size.

Further information on development application requirements

The Department of Planning, Housing and Infrastructure (or current equivalent) has prepared an Application Requirements (2022) guideline for all development applications. This document provides explanation and additional information regarding conditions within the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* applying to all development. This document should be read in conjunction with Council's Application Requirements and be considered as a **baseline only** for supporting information to support development applications.

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Aboriginal Cultural Heritage Assessment Report (ACHA)	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Aboriginal Heritage Due Diligence Assessment	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Access Audit Report	O	✓	✓	O	✓	X	O	✓	X	X	X	O	X	O
Acoustic and/or Vibration Report	O	O	O	O	O	O	O	O	X	X	O	O	O	O
Agricultural Property Management Plan	X	X	X	O	X	X	X	X	X	X	X	X	X	X
Air Quality Report	O	O	O	O	✓	O	O	O	X	X	O	X	O	O
Arborist Report	O	O	O	X	O	X	O	O	O	O	O	X	O	O
Archaeological report	X	X	X	X	X	X	X	X	X	O	O	X	O	O
BASIX Certificate	✓	✓	X	O	X	X	X	X	X	X	X	X	X	O
Biodiversity Development Assessment Report (BDAR)	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Bulk Earthworks Plan	✓	✓	✓	X	✓	X	✓	O	X	O	✓	X	✓	O
Bushfire Assessment Report (BAR)	O	O	O	X	O	X	O	O	X	X	X	O	O	O
Civil Plans	✓	✓	✓	X	✓	X	✓	O	O	X	O	O	✓	✓
Colour, Materials and Finishes Schedule	✓	✓	✓	X	✓	X	✓	O	✓	X	X	X	X	O
Construction Waste Management Plan	✓	✓	✓	O	✓	O	✓	O	✓	✓	✓	O	✓	✓

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Contamination Report (PSI or DSI)	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Cost Estimate Report	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
CPTED Statement	O	✓	✓	O	O	X	✓	O	X	X	X	O	X	O
Demolition Plan	O	O	O	X	O	X	O	O	O	✓	O	X	O	O
Design Verification Statement	X	✓	X	X	X	X	X	X	X	X	X	X	X	X
Driveway Profile	✓	✓	O	X	✓	X	O	O	X	X	X	X	O	O
Economic Impact Assessment (EIA)	X	X	O	X	O	X	O	O	X	X	X	X	O	X
Elevation Plans	✓	✓	✓	X	✓	O	✓	O	✓	X	O	O	X	✓
Erosion and Sediment Control Plan (ESCP) **(if site is between 250m² and 2,500m²)**	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Flood Impact Assessment	O	O	O	X	O	X	O	O	X	X	O	O	O	O
Floor Plans	✓	✓	✓	✓	✓	✓	✓	O	X	X	X	O	X	✓
Flora and Fauna Assessment (FFA)	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Geotechnical Report	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Landscape plan	✓	✓	✓	X	✓	X	✓	O	X	X	X	X	✓	✓
National Construction Code Assessment Report	X	X	O	O	O	X	O	O	X	X	X	X	X	O

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Odour Report	O	O	O	X	O	O	O	O	X	X	X	X	O	X
Operational Plan of Management	X	X	O	O	✓	O	O	✓	X	X	X	✓	X	O
Operational Waste Management Plan	✓	✓	✓	X	✓	✓	✓	O	X	✓	✓	✓	✓	✓
Owner(s) Consent	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Photomontage	O	O	O	X	O	X	O	O	O	X	X	X	X	O
Preliminary Hazard Analysis	X	X	O	X	O	X	X	X	X	X	X	X	X	O
Remediation Action Plan	O	O	O	O	O	X	O	O	X	O	O	X	O	O
Riparian Land Assessment	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Section Plans	✓	✓	✓	X	✓	X	✓	O	O	X	O	O	O	✓
Section J report	X	X	O	X	O	X	O	O	X	X	X	X	X	O
Shadow Diagrams	O	✓	O	X	O	X	O	O	O	X	X	X	X	O
Signage Plan	X	O	✓	O	O	O	O	O	✓	X	X	O	O	O
Site Analysis Plan	✓	✓	✓	✓	✓	✓	✓	✓	O	✓	✓	✓	✓	✓
Site Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Social Impact Assessment (SIA)	X	O	O	X	O	X	O	O	X	X	X	X	O	O
Soil and Water Management Plan (SWMP) **(if site is >2,500m²)**	A	A	A	A	A	A	A	A	A	A	A	A	A	A

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Statement of Environmental Effects (SEE)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Statement of Heritage Impact (SoHI)	O	O	O	X	O	O	O	O	O	O	O	O	O	O
Stormwater Management Plan	✓	✓	✓	X	✓	X	✓	O	X	X	X	O	✓	✓
Structural Assessment Report	X	X	X	O	X	O	X	X	X	O	X	X	X	O
Subdivision Plan	O	O	X	X	X	X	X	X	X	X	X	X	✓	X
Surface Water Assessment Report	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Survey Plan	✓	✓	✓	O	✓	✓	✓	✓	O	✓	✓	O	✓	O
Swept path diagram	O	✓	✓	X	✓	X	O	O	X	X	X	X	O	O
Transport Impact Assessment (TIA)	O	O	O	X	O	X	O	O	X	O	O	O	O	O
Traffic Management Plan	O	O	O	X	O	X	O	O	X	O	O	O	O	O
Vegetation Management Plan	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Visual Impact Assessment (VIA)	O	✓	O	X	O	X	O	O	O	X	O	X	O	O
Wastewater Report	O	O	O	X	O	X	O	O	X	X	X	O	O	X

✓	O	X
Information required. Application will not be accepted without this documentation	Information may be required	Information not required

Supporting information and documentation guide

1. ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT (ACHA/ACHAR)

A report which provides a detailed investigation and assessment of Aboriginal cultural heritage that may be affected by the development in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Heritage Culture in NSW. The report typically results from a recommendation of an Aboriginal Heritage Assessment Due Diligence Report and is a requirement of the Environment, Energy and Science Group before granting general terms of approval to a development application. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant.

Note: Not required if Heritage NSW has previously issued an Aboriginal Heritage Impact Permit for the site that remains valid and whose conditions will be complied with.

2. ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT

A report that provides a due diligence assessment of the site's Aboriginal heritage in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant. If the consultant recommends the preparation of an Aboriginal Cultural Heritage Assessment Report it must be submitted with the application.

Generally required for developments that are an initial disturbance of the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.

3. ACCESS AUDIT REPORT

An audit to establish how well a building performs in relation to access and ease of use by a wide range of potential users, including people with physical mobility and sensory impairments. It seeks to ensure that non-discriminatory access is to be provided to and from a building from adjoining roads and paths.

The report is to be commensurate to the scope of the proposed works / land use and is to have specific regard to the relevant Environmental Planning Instrument provisions, the *Disability Discrimination Act 1992*, the relevant Australian Standards and provisions of the National Building Code Construction Code of Australia. Specific detail is to be provided as to how the development will ensure equitable access (including any required building upgrade works for change of use and alteration and addition applications) for persons with a disability or less mobile persons.

4. ACOUSTIC AND/OR VIBRATION REPORT

A report carried out to detail the noise and/or vibration intrusion related to aircraft, railway, restaurants, childcare centres, industrial buildings and any noise emitting uses. It must address Australian Standards and be prepared by a suitably qualified person.

5. AGRICULTURAL PROPERTY MANAGEMENT PLAN

A plan prepared for agricultural uses that includes the following information:

a. Existing development within the property boundary.
b. Any machinery to be used during the use of the land for the proposed agricultural purpose.
c. Any handling, processing, and storage facilities.
d. Any internal fencing.
e. Adequacy of road access to and within the lot.
f. The location of any existing and/or proposed dwelling.
g. The economic impact and any benefits of the proposal.
h. Annual water demand for the proposed use, the preferred water supply, and any alternative source of water supply.
i. Irrigation system and how any impact on waterways and ground water will be managed.
j. Measures proposed to mitigate adverse impacts on ground water aquifers.
k. Any proposed drainage works and measures to mitigate pollutants entering waterways and/or aquifers.
l. The impact of bushfire, flooding and any other hazards.
m. The location of any ground water, dam, river, creek, or other water source.
n. Potential impact on ground water levels and water quality and methods to mitigate impacts.
o. Details of potential odours, vibration and noise.
p. Possible exclusion zones around chemical or flammable liquid storage.
q. Safety measures for spill containment and backup provisions.
r. Details of the quantity, use, and management of chemicals and fertilisers.

6. AIR QUALITY IMPACT ASSESSMENT

An air quality impact assessment is to be provided for development that has the capacity to measurably deteriorate air quality of its surrounds during construction and/or operation. It is to:

- Address construction, operation and occupational impacts,
- Identify emissions and measures to mitigate against impact on any nearby residences, especially on sensitive receivers, and
- Be prepared in accordance with the NSW Environmental Protection Agency 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2022)'.

7. ARBORIST REPORT

A technical report prepared by a AQF Level 5 qualified arborist that adequately assesses the health of a tree or other vegetation. This report is to detail:

- Tree health
- Tree characteristics
- Tree location, including Tree Protection Zones and Structural Root Zones
- Arborist impact assessment and recommendations.

Further information can be found in Section 3 of this guide pertaining to information on tree pruning and removal.

8. ARCHAEOLOGICAL REPORT

An archaeological report is to be prepared by a qualified archaeologist. An archaeological report is a document that summarises the results of an archaeological investigation and provides an objective account of the findings. It includes information about the research questions, methods, data, and artifacts, and uses this information to draw conclusions about past human life.

Additional information can be found at the NSW Heritage's Archaeological Assessments: Guidelines.

9. BASIX CERTIFICATE

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

The applicant must submit the BASIX Certificate with the Development Application or Complying Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction.

It is required for the following categories of development:

- All new residential dwellings and residential components of mixed commercial/residential buildings
- Residential alterations and additions over $50,000 estimated value
- Swimming pools over 40,000 litres or more

Note: Applicants can generate the BASIX Certificate at the BASIX website: http://www.basix.nsw.gov.au or contact the BASIX Help line on 1300 650 908.

10. BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT (BDAR)

A Biodiversity development assessment report (BDAR) is an official document that identifies how you (as the developer or their delegate) will propose to avoid, minimize and offset impacts from your proposed development upon native vegetation or biodiversity listed under the *Biodiversity Conservation Act 2016.* A BDAR is required when certain vegetation clearing thresholds are triggered.

Additional information can be found on the Department of Environment and Heritage's Guidance for the Biodiversity Development Assessment Report Template.

11. BULK EARTHWORKS PLAN

A bulk earthworks plan involves the removal, moving, or adding of large amounts of soil or rock to prepare land for construction. The plan typically includes:

- Setout, such as ground levels (existing and finished)
- Clearing vegetation
- Removing topsoil (cut and fill)

11. BULK EARTHWORKS PLAN

- Removing and replacing unsuitable material
- Cuttings and embankment construction
- Spoil or borrow activities
- Processing selected material
- Total cubic metres of fill import
- Total cubic metres of fill export

12. BUSHFIRE ASSESSMENT REPORT (BAR)

A bushfire prone area is an area of land that can support a bush fire or is likely to be subject to bush fire attack. Bush fire prone areas are identified on a bush fire prone lands map, the map identifies bush fire hazards and associated buffer zones within a local government area. Bush fire prone land maps are prepared by local councils across the State of NSW and are certified by the Commissioner of the NSW Rural Fire Service (RFS). Planning law in NSW now requires new development on bush fire prone land to comply with the provisions of *Planning for Bush Fire Protection 2019* and must be designed to improve the survivability of the development and the occupants that are exposed to a bush fire hazard.

The assessment report determines the suitability of a proposal with regards to bushfire through consideration of the requirements contained within the *Planning for Bush Fire Protection 2019* document prepared by the RFS.

The bushfire assessment report must demonstrate how the proposal will comply with *Planning for Bushfire Protection 2019* and contain:

- Aim and objectives
- Specific objectives for the development type
- Performance criteria for the bushfire protection measures
- A site plan indicating the proposed asset protection zones on the land

A Single Dwelling Application Kit (available from the NSW RFS website www.rfs.nsw.gov.au/) can be used for residential infill development (dwellings and alterations/additions in pre-existing subdivisions).

A suitably qualified person must prepare the bushfire assessment report for:

- Developments which have been identified as being a Special Fire Protection Purpose (Section 4.2 of the *Planning for Bushfire Protection 2019*); or
- Any other development type which proposes an alternate solution as part of the design.

If the development has been certified by an Accredited Certifier, under the *Planning for Bush Fire Protection 2019*, then a written declaration and supporting information may be submitted in place of a report.

13. CIVIL PLANS

Civil Engineering Plans encompass all information relating to the in-ground services of a site. This includes storm water connections, pumps, pits, and drains. Civil plans can include section views, which are detailed cross sections, providing further clarification on the height positions of elements. In conjunctions with the plan views, these are necessary for an accurate positioning of the many components and their relation to each other.

14. COLOUR, MATERIALS AND FINISHES SCHEDULE

The schedule shall specify colours and finishes and include the manufacturer's details.

15. CONSTRUCTION WASTE MANAGEMENT PLAN

A Construction Waste Management Plan (CWMP) is required to be submitted with every development application which includes physical work, including demolition works and must:

- identify waste streams likely to be generated onsite,
- provide estimate volumes of the identified waste streams (generally by cubic metres),
- identify the condition of materials and any possible contamination by hazardous items such as asbestos containing material,
- detail any opportunities to reuse and recycle excess construction materials,
- provide a site plan identifying:
    a. the location of sorting area/s onsite where waste will be sorted for disposal or recycling, and
    b. the location of storage area/s where waste, soil, and material stockpiles will be stored onsite, and
    c. the location of a collection area clear of any obstructions, including associated swept path diagrams with indicated clearances for the relevant waste collection vehicle/s,
- describe how construction waste will be removed to an appropriate waste management facility, including a mapped route to the facility,
- provide a waste and materials collection procedure for any materials unexpectedly removed from the site by weather conditions, such as wind or rain, and demonstrate how site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of development.

16. CONTAMINATION REPORT (PSI OR DSI)

Where land is contaminated or potentially contaminated, the following information will be provided:

- A report specifying the finding of a preliminary site investigation (PSI) of the land carried out by an Environmental Protection Authority (EPA) accredited person and in accordance with the Contaminated Land Planning Guidelines.
- If the findings of the PSI indicate contamination a, detailed site investigation (DSI) as referred to in the Contaminated Land Planning Guidelines must be submitted and carried out by a suitable qualified EPA accredited person.
- The investigation is to demonstrate that, if the land is contaminated, the land is suitable in its contaminated state (or will be suitable after remediation), for the purpose for which the development is proposed.

16. CONTAMINATION REPORT (PSI OR DSI)

- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, a remediation action plan (RAP) is to be prepared.

Note: For more information refer to Maitland City Council's Contaminated Lands Policy.

17. COST ESTIMATE REPORT

A cost estimate report is utilised to ensure the correct application fees are applied to developments and to provide an accurate reading of the Estimated Development Cost (EDC) of a proposed development. There are three different assessment tiers with varying requirements for each:

ESTIMATED DEVELOPMENT COST (EDC) RANGE	REQUIREMENTS FOR COST ESTIMATE REPORT
Under $100,000	To be estimated by an applicant or a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA.
$100,000 - $3,000,000	To be estimated by a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA.
Over $3,000,000	A detailed cost report is to be prepared by a registered quantity surveyor who is a member of a relevant professional body, and is to be submitted with a DA.*

*Further details around cost estimate reports, including requirements and suitably qualified persons, are provided in Planning Circular PS 24-002 Changes to how development costs are calculated for planning purposes.

18. CPTED STATEMENT (CRIME RISK ASSESSMENT)

A CPTED Statement, or Crime Risk Assessment report, is an evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and appropriate mix of Crime Prevention Through Environmental Design (CPTED) strategies.

A CPTED Statement generally includes the following features:

- An overview of the existing site and its surrounding context,
- Description of the proposed development,
- Existing crime profile of the local context (through BOCSAR Crime Statistics)
- Matters to consider through the lens of the four CPTED Principles, and
- A crime risk rating and recommended mitigation measures to reduce risk.

19. DEMOLITION PLAN

A demolition plan should contain the following details:

- The location of the structure to be demolished, shown via a dotted line
- Elevations indicating the height of the structure above ground level and the distance from the structure to the boundary, or alternatively, a series of photographs indicating this information
- A description of the type of building, e.g. house, shops
- A description of the methods of demolition proposed to be used, and the number of types of major items of equipment to be used in demolition
- A description of the methods proposed for handling and disposing of demolished materials and any hazardous materials
- A description of the proposed sequence of carrying out the demolition works, and an estimate of the time, in days, that it is likely to take to complete all or each of the stages of the work
- Details of the proposed hoardings, fencing, overhead protection and scaffolding

20. DESIGN VERIFICATION STATEMENT TEMPLATE

Required for residential flat building development to which *State Environmental Planning Policy (Housing) 2021* Chapter 4 Design of residential apartment development (Housing SEPP) applies.

The following will be submitted:

- Design verification statement from a qualified designer, addressing the requirements of the Housing SEPP and Apartment Design Guidelines.
- Additional details contained within the Statement of Environmental Effects, as required in accordance with Housing SEPP and Apartment Design Guidelines.

21. DRIVEWAY PROFILE

Plan to address, at a minimum, detailed sections of gradients and levels for assessment purposes. This may necessitate long sections of the footpath or sections to the centre line of the road reserve. It is important that driveway locations and grades comply with Council's requirements, and that the level of the garage floor in relation to the road kerb allows vehicle access that complies with Council's Standards within MOES.

22. ECONOMIC IMPACT ASSESSMENT

Economic impact assessments are typically required for industrial or commercial developments that have the capacity to generate significant employment opportunities and/or require significant infrastructure, support services and facilities. The key considerations are:

- The Economic Impact Assessment report should be written so that any conclusions reached can be independently assessed and should focus on the salient features of the proposal and the economic issues associated with it.
- The Economic Impact Assessment should include references and list individuals and organisations consulted.
- Relevant maps, diagrams and figures should also be included where necessary and detailed technical information contained in the report should be clearly cross-referenced.
- An economic impact assessment may be requested at the discretion of Council.

23. ELECTROMAGNETIC ENERGY REPORT

For telecommunications facility developments. A report which calculates the maximum level of radiofrequency electromagnetic radiation that will emanate from the development in accordance with the Guide to the Environmental EME Report.

24. ELEVATION PLANS

Elevation plans must be provided for all four views of the building labelled with relevant orientation (e.g. north, southwest) and show:

- Building façade.
- Windows.
- Roof profile and calculated roof pitch.
- External finishes (including wall, roof, window, door and fence materials, and paint colour) and building finishes.
- Existing buildings if they are near development or if development involves extensions to existing buildings.
- Natural ground levels, floor levels and ceiling levels to AHD.
- Any services located on the roof of the proposed buildings.
- Any air conditioning services or gas systems located on balconies or external walls.

25. ENVIRONMENTAL IMPACT STATEMENT

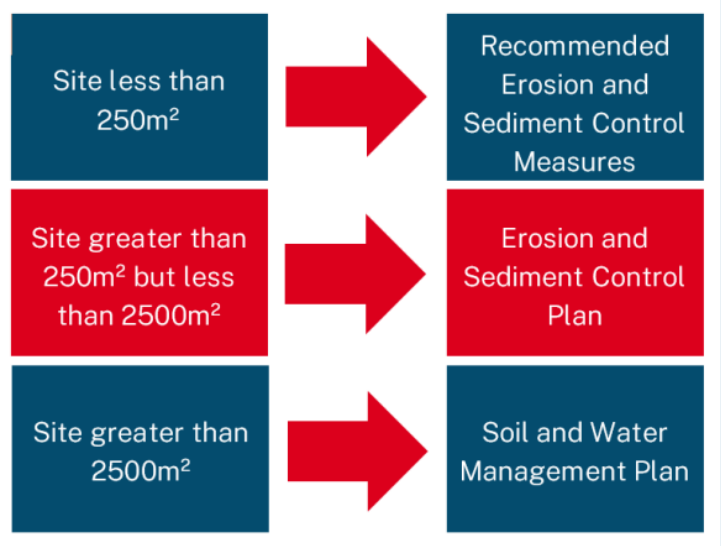
An Environmental Impact Statement (EIS) provides a comprehensive assessment of the impacts of the proposal. Prior to preparing the EIS you are required to consult with the Director General of the Department of Planning, Housing and Infrastructure and in completing the EIS must have regard to the Director General's requirements in relation to the form, content and public availability of the EIS. A consultation form can be found on the Department's website at www.planning.nsw.gov.au.

26. EROSION AND SEDIMENT CONTROL PLAN (ESCP)

To be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments. In general, it is required where development proposes clearing or excavation of existing soil surface (including demolition, alterations/additions, or new development), stockpiling or landfill.

The size of the site will trigger a number of different plan requirements:

26. EROSION AND SEDIMENT CONTROL PLAN (ESCP)



The following additional information should be provided for large development sites:

- A soil and water management plan rather than an ESCP
- Details on the staging of works.
- Location of any vegetation to be removed.
- Integration with on-site detention/infiltration.

27. FLOOD EVACUATION / MANAGEMENT PLAN (FEMP)

It is important that you are prepared in the event of a flood. Emergency flood evacuation / management plans should be developed for your household or business in high hazard flood areas. It is important to know your local area, particularly if there is a history of flooding and you should also be aware of the specific flood risk to your property. The plan should consider matters such as:

- Evacuation route and emergency relief.
- Area of highest ground where it is safe to move vehicles and/or equipment.
- Hazardous substances management.
- Power, water and gas.
- Insurance.
- Emergency kits.
- Communication.

Refer to the NSW Flood Risk Management Manual 2023 for further information.

28. FLOOD IMPACT ASSESSMENT (FIA)

A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant.

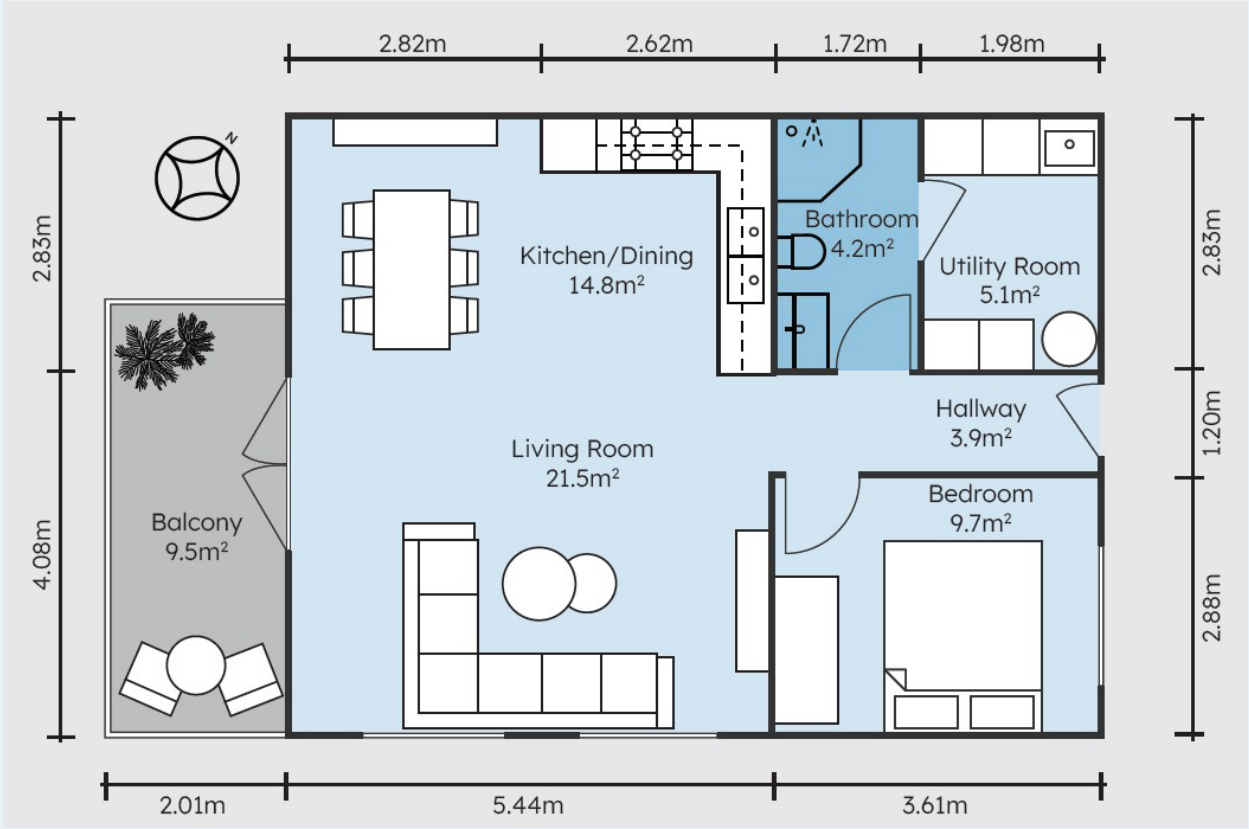
Flood Impact Assessments are to be prepared in accordance with the 'Flood Impact and Risk Assessment' – Flood Risk Management Guideline LU01 of the NSW Flood Risk Management Manual.

29. FLOOR PLANS

Floor plans must show:

- Room layout and usage.
- Partitioning.
- Location of windows and doors.
- Disabled access where appropriate.
- Room and courtyard dimensions and areas.
- The finished ground levels and finished floor levels.
- BASIX commitments e.g. skylight, rainwater tank.
- Layout of building, all processes, storage areas, location of machinery, racking layout and height.
- Existing and proposed fire safety measures.
- Shop fitout details.

An example of a floor plan is shown in the following figure:



30. FLORA AND FAUNA ASSESSMENT (FFA)

The purpose of the Flora and Fauna Assessment is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies. A Flora and Fauna Assessment is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation.

Note: For more information on who can prepare a FFA and what will be required, refer to Appendix C: Biodiversity Guidelines.

31. GEOTECHNICAL REPORT

This report should be prepared by a qualified geotechnical engineer and include the following information:

- Proposed method of excavation.
- Shoring or pile construction vibration emissions.
- Any possible damage to adjoining/nearby premises.
- Include recommendations of measures to prevent/minimise structural damage to nearby premises.

Prior to the footings and/or slab for a structure being designed by a suitably qualified person, it will be necessary to undertake an assessment of the site to determine its geotechnical classification for construction purposes in accordance with Australian Standards.

The site assessment should be undertaken by a qualified Geotechnical Engineer. If it is proposed to install an on-site wastewater management system (sewage management facility) a Geotechnical Engineer must undertake an assessment of the site in accordance with Australian Standards. This assessment will determine the suitability of the site to accommodate an on-site sewage management facility and may also include recommendations for soil improvement.

32. LANDSCAPE PLAN

A plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development.

It must be prepared by a qualified Landscape Designer (TAFE Diploma of Landscape Design or equivalent) or a Landscape Architect. The plan should be prepared at the same scale as the site plan and site analysis plan and must be consistent with the drainage plan. Do not plant large shrubs/trees over the top of infiltration systems, etc.

The Landscape Plan must clearly document and detail:

- Height, spread and species and condition of existing trees and vegetation, nominating those to be removed and those to be retained.
- Proposed method of protection of trees to be retained on site during construction.
- Proposed earthworks including mounding, filling and retaining walls.
- Proposed surface treatments (such as turf, paving, planting beds) and proposed fencing or and retaining wall materials and construction.
- Location, numbers, stock size and species of trees and vegetation to be introduced.
- Drainage and irrigation details.
- Dimensions and volumes of all planter boxes.
- Finished surface levels of paving, fences, walls, embankments.
- Extent and depth of cut and fill.
- Details of any structures or footings, or level changes more than 100mm within the drip zone of any tree to be retained.
- Details and specifications are to be provided for all elements of the design.

Note: Any fill material must be Virgin Excavated Natural Material (VENM) as defined by the *Protection of the Environment Operations Act 1997*.

33. NATIONAL CONSTRUCTION CODE ASSESSMENT REPORT

For complex developments or those on constrained sites where the ability to comply without significant modification is unclear. A report which demonstrates how the development will comply with the requirements of the National Construction Code (including any performance solutions to the deemed to satisfy provisions). The report must be prepared by a suitably qualified and experienced accredited certifier.

34. NOTIFICATION PLANS

Notification plans are required in order to inform adjoining property owners and other relevant stakeholders of your development proposal. Notification plans are to be A3 or A4 in size and must show a site plan and elevations. They must not show interior layouts/floor plans of residential development. Additionally, they must include the following details:

- A site plan indicating:-
    a. The dimensions of each boundary of the allotment;
    b. The distance between each part of the building and the allotment boundary; and,
    c. The effect of the proposed building on any existing building, trees, landscaping and fences.
- An elevation of each side of the proposed building indicating:-
    a. The gradient of the land adjacent to the elevation and the existing ground surface;
    b. The overall height of the wall measured from the existing ground level;
    c. The height of the proposed roof measured for the top of the wall to the ridgelines or highest point;
    d. The size, position and shape of any openings, windows and doors, whether such windows or doors are openable and the type of glass used; and
    e. The position, size and shape of any verandahs, landings and decking.

35. ODOUR REPORT

For developments on sites in areas with odour producing sources including poultry farms, piggeries and horticulture. A report which assesses the odour impact to the development in accordance with the Technical Notes and Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW. The report is to include, where necessary, level 2 or 3 assessment involving dispersion modelling. The report must be prepared by a suitably qualified and experienced odour consultant.

36. OPERATIONAL PLAN OF MANAGEMENT

A document which details how the development will be operated after the construction stage, which specifies hours of operation and how other operational impacts (such as noise etc.) will be mitigated and monitored. This may include, but is not limited to, the following:

a. Maximum capacity of people,
b. Range of facilities offered including meals and entertainment,
c. Management and booking system,
d. Vehicle access, traffic and parking impacts and requirements,
e. Disabled accessibility and parking (as required),

36. OPERATIONAL PLAN OF MANAGEMENT

f. Environmental impacts, natural hazards & safe refuge or evacuation routes,
g. Drinking water provision & safety,
h. Food preparation and safety (if required),
i. Wastewater (effluent) management,
j. Solid waste management,
k. Electricity provision (grid or solar power), and
l. Fire safety and smoke detector systems (if required).

37. OPERATIONAL WASTE MANAGEMENT PLAN

A plan that details the amount, type and disposal of waste through the ongoing management of the facility.

This plan should include the following information:

- Volume and type of waste to be generated.
- How waste is to be stored and treated on site.
- How residue is to be disposed of.
- How recyclable materials will be separated and managed.
- On-going management strategies.

38. OWNERS CONSENT

A document providing owner(s) consent of the land to which the development application relates.

39. PHOTOMONTAGE

Photomontages are to show the key contextual streetscape and neighbourhood settings of the proposed development and other relevant images, such as impacts on critical/sensitive views from both the public and private domain.

40. PRELIMINARY HAZARD ANALYSIS (PHA)

A Preliminary Hazard Analysis is to be prepared and submitted with any DA for a potentially hazardous industry. A PHA methodology is to include:

- Hazard analysis
- Consequence analysis
- Frequency analysis
- Risk assessment and reduction
- Reporting

Further information and guidelines can be found at the Department of Planning, Housing, Infrastructure website:

https://www.planning.nsw.gov.au/policy-and-legislation/hazards

41. REMEDIATION ACTION PLAN (RAP)

For developments on sites that require contaminated land to be remediated.

A report which details a strategy to remediate contaminated land in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* and Council's Contaminated Lands Policy. The report must be prepared by a suitably qualified and experienced geotechnical consultant. If the consultant recommends the preparation of a remediation action plan this must be submitted with the application.

42. RIPARIAN LAND ASSESSMENT

A Riparian Land Assessment is to be prepared by a suitably qualified and experienced person and assess the following matters:

a. Impacts on water quality and stream flow
b. Impacts on aquatic and riparian species, habitats and ecosystems
c. Impacts on stream bed and stream bank stability
d. Impacts on Key Fish Habitat, including the free passage of fish and other aquatic organisms
e. Any required future rehabilitation of the watercourse and riparian areas
f. Impacts on water extraction from the watercourse
g. Proposed measures to avoid, minimise or mitigate the above impacts.
h. Consultation with relevant NSW Government agencies (currently Department of Primary Industries (Fisheries) and NSW Office of Water) in relation to proposed works within riparian corridors or buffers
i. Evidence of water licences and other entitlements where this is relevant to achieving the objectives of this part and LEP requirements, particularly in relation to subdivisions creating additional dwelling entitlements.

43. SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)

Applicants must obtain the Secretary's Environmental Assessment Requirements from the Department of Planning, Housing and Infrastructure for the preparation of an Environmental Impact Statement (EIS) for designated developments.

Applicants must obtain the SEARs requirements from the NSW Department of Planning, Housing and Infrastructure for the preparation of any Species Impact Statement (SIS) for threatened species developments.

44. SECTION PLANS

Section plans must show:

a. Section names and location on plan, e.g. A/A, B/B etc. and room names.
b. A structural section through the building and parallel to the street.
c. Structural section from front to back of the building.
d. Outline of existing building/development on site (shown dotted).
e. Undisturbed Natural Ground Levels (NGL).
f. Finished Floor Levels (FFL).
g. Finished Ground Levels (FGL).
h. Ceiling levels.

44. SECTION PLANS

i. Roof levels.
j. Retaining wall levels (top).
k. Fence heights at front, side and rear.
l. Footway and kerb/road levels.
m. Longitudinal section of proposed driveway/ramp, including transitions, levels and height clearance, where basement parking is proposed.
n. Insulation details (where applicable).

45. SECTION J REPORT

Section J Reports relate to Energy Efficiency measures for new commercial developments. They are typically required for National Construction Code (NCC) Classification 2 to 9. Residential developments which are classified as 2-9 under the NCC will also require Section J reports.

46. SHADOW DIAGRAMS

Shadow diagrams seek to display the overshadow from development on the proposed development and surrounding urban environment.

Shadow diagrams are to demonstrate that:

- Shadows cast at midwinter (22 June) at 9am, 12noon and 3pm in plan form, at a scale of 1:200.
- Shadows in plan and elevation form on an hourly basis, if shadows fall on neighbouring windows.
- Location of proposed development and the location of existing development on adjoining site/s.
- Where shadows affect habitable room windows, details of the percentage of the window to receive sunlight at each hour at midwinter (22 June) between 9am and 3pm.
- Where shadows affect principal areas of private open space, details of the area and percentage of the open space to be overshadowed, at each hour at midwinter (22 June) between 9am and 3pm - calculations to include details of existing overshadowing.
- Diagrams to be drawn to true north.

47. SIGNAGE PLAN

Required where signage is proposed. The following shall be submitted:

- Details of the proposed structure and construction materials.
- Size, colours, type and overall design of the sign, including overall height dimension.
- Proposed sign wording and method of any illumination.
- Location/s of proposed signs to be shown on a site plan.

48. SITE ANALYSIS PLAN

The site analysis plan must show the relevant details of the site and its relationship to the street and neighbouring development. A site analysis is essential in order to understand the site and its

48. SITE ANALYSIS PLAN

context and should be undertaken before the design of a building. For development that is two storeys or more the site analysis should also include a street elevation that shows the proposal and the street elevation of two neighbouring buildings on each side, drawn to scale.

For larger development or visually prominent sites, site analysis must include photomontages that show each of the key perspective views of the proposal from the street and nearby open space.

The site analysis plan must be drawn to the same scale as the site plan and include:

a. Orientation, north point (true solar north)
b. Scale
c. Property boundaries and dimensions
d. Site area
e. Easements and services
f. Contour information
g. Differences in ground levels between the site and adjoining land
h. Stormwater drains, flow paths, drainage easements, watercourses and channels
i. Extent of any known filling or contaminated soil
j. Landscape features such as cliffs, rock outcrops, retaining walls
k. Views to the site from adjoining land and views from the site to adjoining land
l. Existing vegetation on the site and adjoining land, along roads and any sensitive areas (showing location, height, canopy spread, species and relevant communities)
m. Roads, laneways and pathways
n. Driveways, parking areas and loading bays
o. Buildings on the site and on adjoining land showing location, distance from the boundary
p. Overshadowing by adjoining buildings
q. Wall locations, heights and materials of construction
r. Adjoining private open spaces, doors and windows
s. Noise, odour and light spillage sources
t. Street/road frontage features (e.g. poles, trees, crossings street furniture etc)
u. Heritage or archaeological features

49. SITE PLAN

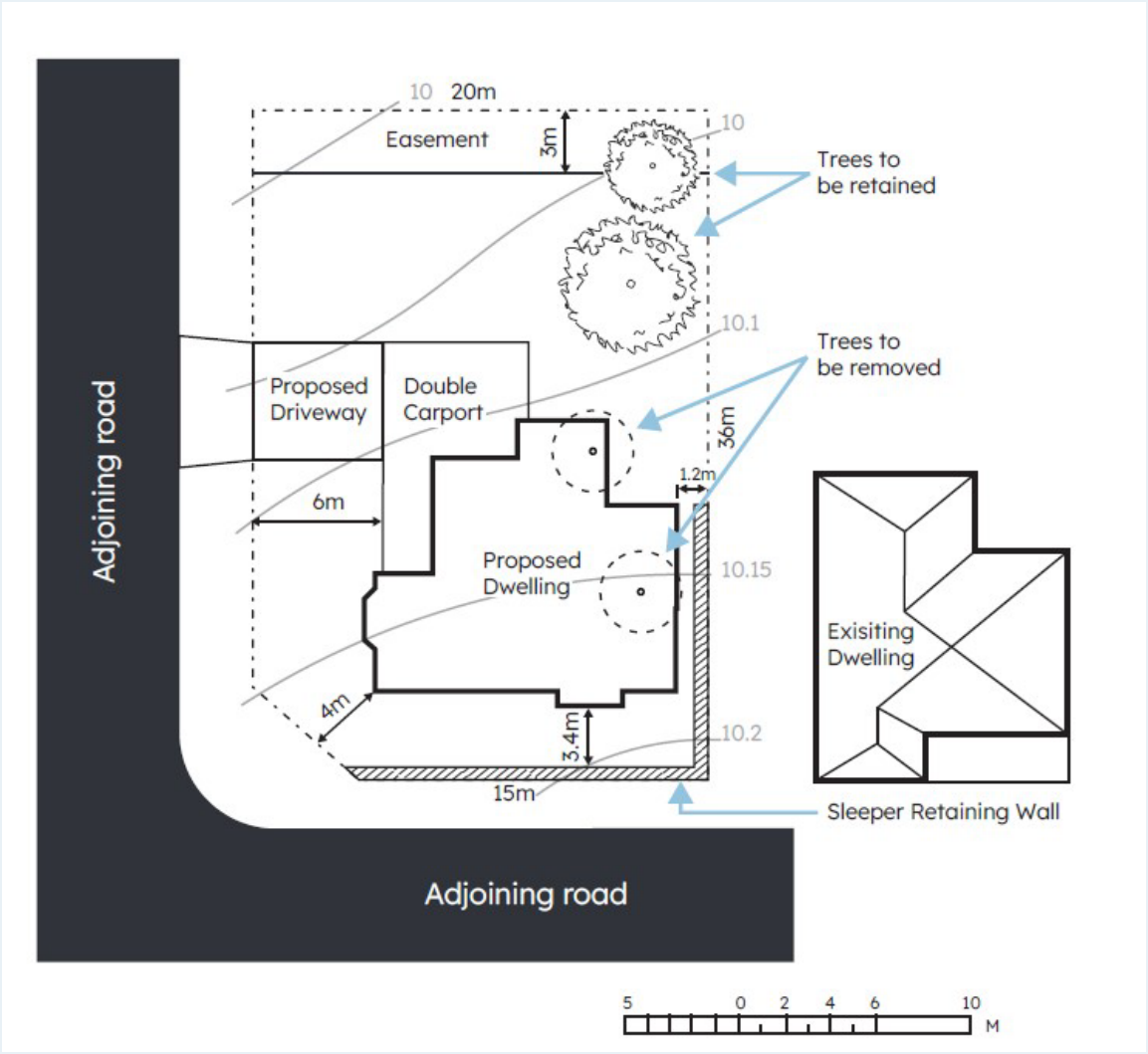
The site plan must be drawn to scale at either 1:100 or 1:200 and include:

a. North point
b. The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m^2) and any easements, rights of way or sewer mains.
c. Location of proposed new building/development with outline of existing building/development on site, shown dotted.
d. Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings.
e. Details of existing and proposed fencing.
f. Distance from external walls and outermost part of proposed building to all boundaries.
g. Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties).
h. Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues.
i. Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels.
j. Location of proposed and existing driveways and vehicle parking and manoeuvring areas.
k. Extent of any existing landfill and retaining walls and any contaminated soil areas.

49. SITE PLAN

l. BASIX commitments e.g. rainwater tank.
m. Summary table calculations of site area, floor area, landscaped area etc.
n. A Hunter Water Corporation endorsement stamp.
o. For sites within a mine subsidence area, endorsement from Subsidence Advisory NSW.

An example of a typical site plan for a new dwelling house is shown in the following figure:



50. SOCIAL IMPACT ASSESSMENT (SIA)

A Social Impact Assessment includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of proposed development. Broadly, it should include:

a. A description of the project
b. The site's immediate context
c. The development's social locality and baseline (being the local area's demographics)
d. Stakeholder engagement and associated methodology (if any)
e. Assessment of the positive and negative social impacts
f. Mitigation, enhancement, and residual impacts.

51. SOIL AND WATER MANAGEMENT PLAN (SWMP)

A soil and water management plan is a set of specific site plans or drawings that detail sediment and erosion control measures on building and construction sites. The Soil and Water Management Plan (SWMP) shows the type, location, design, installation and maintenance schedule for all these measures and should be considered as the blueprint for controlling all anticipated erosion and for preventing sediment from leaving a site.

Soil and water management plan apply to sites that are over 2,500m^2.

To be prepared in accordance with Council's MoES, the Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

This is a written statement that addresses the matters for consideration contained within Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The Statement of Environmental Effects must indicate the following matters:

a. The environmental impacts of the development.
b. How the environmental impacts of the development have been identified.
c. Details of requirements under Council's Development Control Plan.
d. Justification for variation to development standards under the MLEP 2011.
e. Justification for variations to Development Control Plan.
f. The steps to be taken to protect the environment or to lessen the expected harm to the environment.
g. Any matters required to be indicated by any guidelines issued by the Director-General.
h. If an environmental planning instrument requires arrangements for any matter, such as arrangements for the provision of utility services, to be made before development consent may be granted, documentary evidence that such arrangements have been made.
i. In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant, a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

A Statement of Environmental Effects (SEE) is required for all development applications (apart from Designated Development, which requires an Environmental Impact Statement). The information required will vary according to the type of development. If you are not sure what details to include, please contact Council for advice.

The SEE must demonstrate that you have considered the environmental impact of the development and it should set out any steps to be taken to mitigate any likely adverse environmental impact.

The type of details that should be included in a Statement of Environmental Effects is provided below:

Pre-existing uses

Any pre-existing uses on the land need to be identified. You should provide details of the date that the present use commenced and any previous uses of the site. If there are existing buildings on the site that are to be demolished, the age and condition of these buildings should be included.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Operational details

A description of the proposed use is required. This may include:

a. The type of activity involved and the equipment to be used.
b. The number of employees.
c. Hours of business/use.
d. Maximum numbers of customers or clients.
e. How many people expected on site at any one time.
f. Type of goods/raw materials/finished products.
g. Areas set aside for storage and waste disposal whether internal or external to a building.

Access and traffic

Provide details on:

a. Location, number and dimensions of car parking bays, and manoeuvring areas.
b. Access arrangements including driveways, and footway crossovers.
c. Details of any street features such as trees, footpaths, pipes and drainage pits, should be shown.
d. For major traffic generating proposals a traffic and parking impact assessment (TIA) report prepared by a consulting traffic engineer is likely to be required.
e. Impacts on pedestrian movements, and access for disabled persons should be considered.

Utility service and waste

Waste collection, treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

Privacy, views and overshadowing

You need to demonstrate how your building/proposal will relate to your neighbours' buildings. Issues to consider include:

a. Visual privacy – positioning of windows, views between living areas and private adjoining spaces.
b. Acoustic privacy – noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal.
c. Views – impact of the development on views from adjoining properties as well as views from the proposed development.
d. Overshadowing – where overshadowing is possible or likely you should provide diagrams where the shadows will cast, such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows.

Flooding and drainage

Detail how your proposal is compatible with flooding levels and demonstrate that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site and where relevant, calculations prepared by a consulting engineer (see Stormwater Drainage Plan).

Erosion, sediment and nutrient control

Detail measures for general erosion and sediment control, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Heritage conservation

Identify if the site includes a heritage item or is within a heritage precinct or if there is any heritage significance associated with the land or any buildings located on the site. Detail measures to address any impact your proposal would potentially have on heritage items on site, on neighbouring sites or within the Heritage Conservation Area. To check if the site is affected by heritage considerations you can look at the Maitland Local Environmental Plan 2011 for the area or obtain a 10.7 Certificate for the site.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation Area, you will need to demonstrate design measures that will retain the heritage significance of the site.

It is recommended that you consult with Council's Heritage Advisor. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

Construction traffic management

The purpose of a Construction Traffic Management Plan is to ensure that the impact of construction works on the public domain, in particular with respect to temporary interruptions to vehicular and pedestrian traffic are considered by the proponent and reviewed by Council. The Construction Traffic Management Plan must ensure that public safety is maintained at all times and that whenever possible interruption to the use of public space is minimised.

Other environmental impacts

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

Other impact mitigation measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include an acoustic assessment, preliminary hazard analysis or a flora and fauna assessment.

53. STATEMENT OF HERITAGE IMPACT (SOHI)

A statement that conveys what impact or impacts the proposed development will have on the item of heritage significance.

The statement addresses:

a. What impact the proposed works will have on that significance.
b. What measures are proposed to mitigate negative impacts.
c. Why more sympathetic solutions are not viable.
d. Why the item is of heritage significance.

The heritage impact statement demonstrates how the proposed development conserves and mitigates for the protection of the identified heritage significance, based on the following principles:

a. Development is consistent with the statement of heritage significance for that item.
b. Development protects the setting of the heritage item.

53. STATEMENT OF HERITAGE IMPACT (SOHI)

c. Development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements.
d. Development avoids facadism by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials.
e. Development removes alterations and additions that are unsympathetic to the heritage significance of the heritage item.
f. Reinstates missing building elements and details.
g. Uses materials, finishes and colours that are appropriate to the architecture, stylistic period of the heritage item.
h. Reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the heritage item.
i. Maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with the statement of heritage significance.

Reference to the *Heritage Act 1977* is required where potential to yield highly significantly archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation.

The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Heritage's Consultants Directory.

54. STORMWATER MANAGEMENT PLAN

The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales).

The stormwater drainage plan and written description must include information on:

a. Catchment boundaries.
b. Existing surface conditions.
c. Proposed surface contours.
d. Proposed building flood or floor levels.
e. Location and levels of discharge points.
f. Overland flow paths and flood liable areas.
g. Location of drainage pits and lines.
h. Location and area of on-site detention easements.
i. Calculations for any proposed stormwater system.
j. Methods of draining the land.
k. Water quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling.
l. Operational plan.
m. Maintenance plan.

If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised.

Note: Hydrological/hydraulic calculations and designs are to be prepared in accordance with the approaches outlined in the current Australian Rainfall and Runoff Guidelines. Other current Australian published design guides may also be applied to particular design situations.

55. STRUCTURAL ASSESSMENT REPORT

A structural assessment report is a document that evaluates a building or structure's condition and safety. The report is to be prepared by a qualified structural engineer who examines the building's structural elements, including the foundation, walls, roof, and floors. The report also includes the building's history, such as any past renovations.

A structural assessment report's purpose is to identify any potential safety hazards or structural deficiencies. It outlines the building's construction, load-bearing capacity, materials used, and any existing damage or defects. The report also makes recommendations for necessary repairs or modifications.

56. SUBDIVISION PLAN

A subdivision plan must include:

a. The existing and proposed boundaries.
b. Accurate areas of proposed lots and access handles.
c. All existing structures on site.
d. All existing vegetation on site.
e. Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. The north point, drawn to true north.
g. The location of any easements/restrictions/services affecting the site.
h. The location of any traffic devices within proximity of the subject site, and any services within the footpath area.
i. Details of preliminary engineering drawings of the work to be carried out.

57. SURFACE WATER ASSESSMENT REPORT

A surface water assessment report is a comprehensive evaluation of the quality and condition of surface water bodies, such as rivers and lakes. It includes monitoring the physical, chemical, and biological aspects of the water to: Assess water quality, identify potential sources of pollution, and determine the health of aquatic ecosystems.

Surface water assessment reports can help with identifying emerging issues, managing surface water resources, making informed water resource management decisions, and planning future water needs.

58. SURVEY PLAN

A survey plan and reference levels prepared by a surveyor must:

a. Be at a scale of 1:100 or 1:200.
b. Clearly nominate property boundaries.
c. Show all existing structures on site.
d. Show all existing vegetation on site.
e. Include levels to Australian Height Datum, including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.

58. SURVEY PLAN

f. Show north point, drawn to true north.
g. Show the location of any easements/restrictions/services affecting the site.
h. Show the location of any traffic devices within proximity of the subject site, and any services within the footpath area.

Council reserves the right to request a Survey Plan be signed off by a Registered Surveyor.

59. SWEPT PATH DIAGRAM

For developments that require access by commercial or industrial size vehicles.

Diagrams which demonstrate that the largest vehicle that will access the site can manoeuvre into, through and out of it in accordance with Australian Standard.

60. TRANSPORT IMPACT ASSESSMENT

An assessment to quantify the traffic impacts and associated parking requirements that result from proposed development. This assessment is to be prepared by a suitably qualified professional.

61. TRAFFIC MANAGEMENT PLAN

For certain temporary events. A report which details temporary traffic control for the development.

62. VEGETATION MANAGEMENT PLAN (VMP)

For developments on sites containing natural areas or waterfront land to be rehabilitated.

A report which details a strategy to rehabilitate natural areas. Reports for riparian areas must be prepared in accordance with the Guidelines for Vegetation Management Plans on Waterfront Land. The report must be prepared by a suitably qualified and experienced ecological consultant.

Note: For more information on who can prepare a VMP and what will be required, refer to Appendix C: Biodiversity Guidelines.

63. VISUAL IMPACT ASSESSMENT (VIA)

A report that examines the visual impact of a development in situations where a development presents significant bulk, height or variations to setbacks. To be prepared by a suitably qualified person. The analysis should also provide a photographic and/or elevation view analysis based on survey data prepared by a registered surveyor demonstrating the impact of the proposed first floor addition or two or more storey building on views currently available from potentially affected properties.

64. WASTEWATER REPORT

When a lot does not have access to the reticulated sewer system an on-site wastewater management system (or on-site sewerage management system) is required to treat and dispose of wastewater effluent associated with the development.

For the purposes of development application assessment, Council must be satisfied that the lot is capable of accommodating an on-site wastewater management system based on the circumstances of the proposed development and constraints of the site. To demonstrate this (at DA stage) an applicant may elect to either:

a. Submit a Section 68 application concurrently with the DA, or;
b. Provide evidence in the form of a report and plans within the Statement of Environmental Effects which demonstrates to Council that there is sufficient area available for effluent disposal from the development. Include the required buffer distances to watercourses, boundaries, buildings.

Option B is suitable only for lots which are not significantly constrained. In the event Council considers the lot to be heavily constrained for the development in question, a Section 68 application will be requested to be lodged at DA stage. When assessing Section 68 applications for non-domestic systems, Council will consider these applications on a site-specific basis and will require a wastewater management report to be prepared by a suitably qualified and experienced designer.


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Appendix B:

Application Requirements-Minor Development

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Supporting Document Requirements Matrix – Minor Development

Application requirements matrix

This Application Requirement Guideline shows documentation that must or may be provided with your Development Application based on the development type, as demonstrated in the Matrix below. Details on what is to be provided as part of each documentation is provided in the **Supporting Information and Documentation Guide** section.

Note: Council at its discretion may request additional studies either not being identified under a specific development type or not identified at all within the matrix. This occurrence may be due to the unique elements of a proposed development or its scale and/or size.

Further information on development application requirements

The Department of Planning, Housing and Infrastructure (or current equivalent) has prepared an Application Requirements (2022) guideline, for all development applications. This document provides explanation and additional information regarding conditions within the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* applying to all development. This document should be read in conjunction with Council's Application Requirements and be considered as a **baseline only** for supporting information to support development applications.

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Aboriginal Heritage Due Diligence Assessment	O	O	X	O	O	X	O	O
Arborist Report	O	O	O	O	O	O	O	O
Archaeological report	X	X	X	X	X	X	O	O
BASIX Certificate	✓	✓	O (B)	✓	✓	X	O	X
Bulk Earthworks Plan	✓	✓	✓	✓	✓	✓	✓	✓
Bushfire Assessment Report (BAR)	O	O	O	O	O	O	O	O
Civil Plans	✓	✓	✓	✓	✓	✓	✓	✓
Colour, Materials and Finishes Schedule	✓	✓	✓	✓	✓	O	X	X
Construction Waste Management Plan	✓	✓	✓	✓	✓	✓	✓	✓
Contamination Report (PSI or DSI)	O	O	O	O	O	O	O	O
Demolition Plan	O	O	O	O	O	O	O	O
Driveway Profile	✓	O	X	✓	✓	X	X	O
Elevation Plans	✓	✓	✓	✓	✓	✓	X	✓
Erosion and Sediment Control Plan (ESCP) **(if site is between 250m² and 2,500m²)**	(A)	(A)	(A)	(A)	(A)	(A)	(A)	(A)

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Flood Impact Risk Assessment	O	O	O	O	O	O	O	O
Floor Plans	✓	✓	✓	✓	✓	✓	O	X
Flora and Fauna Assessment (FFA)	O	O	O	O	O	O	O	O
Landscape Plan	✓	✓	✓	✓	✓	✓	✓	✓
Notification Plans	✓	✓	✓	✓	✓	✓	✓	✓
Operational Waste Management Plan	✓	✓	✓	✓	✓	X	X	X
Owner(s) Consent	✓	✓	✓	✓	✓	✓	✓	✓
Photomontage	X	X	X	O	O	X	X	O
Section Plans	✓	✓	✓	✓	✓	✓	X	X
Shadow Diagrams	O	O	O	O	O	X	X	X
Site Plan	✓	✓	✓	✓	✓	✓	✓	✓
Soil and Water Management Plan (SWMP) **(if site is >2,500m²)**	(A)	(A)	(A)	(A)	(A)	(A)	(A)	(A)
Statement of Environmental Effects (SEE)	✓	✓	✓	✓	✓	✓	✓	✓
Statement of Heritage Impact (SoHI)	O	O	O	O	O	O	O	O

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Stormwater Management Plan (Minor)	✓	✓	✓	✓	✓	✓	✓	(C)
Structural Assessment Report	X	X	O	X	X	X	X	X
Subdivision Plan	X	X	X	O	O	X	X	✓
Surface Water Assessment Report	O	O	O	O	O	X	X	O
Survey Plan	O	O	O	✓	✓	O	O	✓
Visual Impact Assessment (VIA)	O	O	O	O	O	O	X	O

✓	O	X
Information required. Application will not be accepted without this documentation	Information may be required (refer to Information Guide)	Information not required

Notes:
A: Required before issue of construction certificate stage.
B: BASIX certificate is also required for residential alteration/additions with a value greater than $50,000 and pools with more than 40,000 litres.
C: Any subdivision over 3,000m^2 and/or impacting on the public stormwater system will require a full Stormwater Management Plan in accordance with Item 54 of Appendix A.
*: Minor subdivision may also be subject to additional studies within Appendix B: Application Requirements – Other Development (Subdivision (over 10 + Lots)).

Supporting Information and Documentation Guide

1. ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT

A report that completes a due diligence assessment of the site's Aboriginal heritage in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant. If the consultant recommends the preparation of an Aboriginal Cultural Heritage Assessment Report it must be submitted with the application.

For developments that will disturb the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.

2. ARBORIST REPORT

A technical report prepared by a AQF Level 5 qualified arborist that adequate assesses the health of a tree or other vegetation. This report is to detail:

- Tree health
- Tree characteristics
- Tree location, including Tree Protection Zones and Structural Root Zones
- Arborist impact assessment and recommendations.

Further information can be found in Section 3 of this guide containing to information on tree pruning and removal.

3. ARCHAEOLOGICAL REPORT

An archaeological report is to be prepared by a qualified archaeologist. An archaeological report is a document that summarises the results of an archaeological investigation and provides an objective account of the findings. It includes information about the research questions, methods, data, and artifacts, and uses this information to draw conclusions about past human life.

Additional information can be found at the NSW Heritage's Archaeological Assessments: Guidelines.

4. BASIX CERTIFICATE

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

The applicant must submit the BASIX Certificate with the Development Application or Complying Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction.

It is required for the following categories of development:

4. BASIX CERTIFICATE

- All new residential dwellings and the residential component of mixed commercial/residential buildings
- Residential alterations and additions over $50,000 estimated value
- Swimming pools over 40,000 litres or more

Note: Applicants can generate the BASIX Certificate at the BASIX website: http://www.basix.nsw.gov.au or contact the BASIX Help line on 1300 650 908.

5. BULK EARTHWORKS PLAN

A bulk earthworks plan involves the removal, moving, or adding of large amounts of soil or rock to prepare land for construction. The plan typically includes:

- Setout, such as ground levels (existing and finished)
- Clearing vegetation
- Removing topsoil (cut and fill)
- Removing and replacing unsuitable material
- Cuttings and embankment construction
- Spoil or borrow activities
- Processing selected material
- Total cubic metres of fill import
- Total cubic metres of fill export

6. BUSHFIRE ASSESSMENT REPORT (BAR)

A bushfire prone area is an area of land that can support a bush fire or is likely to be subject to bush fire attack. Bush fire prone areas are identified on a bush fire prone lands map, the map identifies bush fire hazards and associated buffer zones within a local government area. Bush fire prone land maps are prepared by local councils across the State of NSW and are certified by the Commissioner of the NSW Rural Fire Service (RFS). Planning law in NSW now requires new development on bush fire prone land to comply with the provisions of *Planning for Bush Fire Protection 2019* and must be designed to improve the survivability of the development and the occupants that are exposed to a bush fire hazard.

The assessment report determines the suitability of a proposal with regards to bushfire through consideration of the requirements contained within the *Planning for Bush Fire Protection 2019* document prepared by the RFS.

The bushfire assessment report must demonstrate how the proposal will comply with Planning for Bushfire Protection 2019.

A Single Dwelling Application Kit (available from the NSW RFS website www.rfs.nsw.gov.au/) can be used for residential infill development (dwellings and alterations/additions in pre-existing subdivisions).

A suitably qualified person must prepare the bushfire assessment report for:

a. developments which have been identified as being a Special Fire Protection Purpose (Section 4.2 of the *Planning for Bushfire Protection 2019*); or

6. BUSHFIRE ASSESSMENT REPORT (BAR)

b. any other development type which proposes an alternate solution as part of the design.

If the development has been certified by an Accredited Certifier, under the *Planning for Bush Fire Protection 2019,* then a written declaration and supporting information may be submitted in place of a report.

7. CIVIL PLANS

Civil Engineering Plans encompass all information relating to the in-ground services of a site. This includes storm water connections, pumps, pits, and drains. Civil plans can include section views, which are detailed cross sections, providing further clarification on the height positions of elements. In conjunctions with the plan views, these are necessary for an accurate positioning of the many components and their relation to each other.

8. COLOUR, MATERIALS AND FINISHES SCHEDULE

The schedule shall specify colours and finishes and include the manufacturer's details.

9. CONSTRUCTION WASTE MANAGEMENT PLAN

A Construction Waste Management Plan (CWMP) is required to be submitted with every development application which includes physical work, including demolition works and must:

- identify waste streams likely to be generated onsite,
- provide estimate volumes of the identified waste streams (generally by cubic metres),
- identify the condition of materials and any possible contamination by hazardous items such as asbestos containing material,
- detail any opportunities to reuse and recycle excess construction materials,
- provide a site plan identifying:
    a. the location of sorting area/s onsite where waste will be sorted for disposal or recycling, and
    b. the location of storage area/s where waste, soil, and material stockpiles will be stored onsite, and
    c. the location of a collection area clear of any obstructions,
- describe how construction waste will be removed to an appropriate waste management facility,
- provide a waste and materials collection procedure for any materials unexpectedly removed from the site by weather conditions, such as wind or rain.

10. CONTAMINATION REPORT (PSI OR DSI)

Where land is contaminated or potentially contaminated, the following information should be provided:

- A report specifying the finding of a preliminary site investigation (PSI) of the land carried out by an Environmental Protection Authority (EPA) accredited person and in accordance with the Contaminated Land Planning Guidelines.
- If the findings of the PSI indicate contamination a, detailed site investigation (DSI) as referred to in the Contaminated Land Planning Guidelines must be submitted and carried out by a suitable qualified EPA accredited person.
- The investigation is to demonstrate that, if the land is contaminated, the land is suitable in its contaminated state (or will be suitable after remediation), for the purpose for which the development is proposed.
- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, a remediation action plan (RAP) is to be prepared.

Note: For more information refer to Maitland City Council's Contaminated Lands Policy.

11. DEMOLITION PLAN

A demolition plan should contain the following details:

a. The location of the structure to be demolished, shown via a dotted line.
b. Elevations indicating the height of the structure above ground level and the distance from the structure to the boundary, or alternatively, a series of photographs indicating this information.
c. A description of the type of building, e.g. house, shops.
d. A description of the methods of demolition proposed to be used, and the number of types of major items of equipment to be used in demolition.
e. A description of the methods proposed for handling and disposing of demolished materials and any hazardous materials.
f. A description of the proposed sequence of carrying out the demolition works, and an estimate of the time, in days, that it is likely to take to complete all or each of the stages of the work.
g. Details of the proposed hoardings, fencing, overhead protection and scaffolding.

12. DRIVEWAY PROFILE

Plan to address, at a minimum, detailed sections of gradients and levels for assessment purposes. This may necessitate long sections of the footpath or sections to the centre line of the road reserve. It is important that driveway locations and grades comply with Council's requirements, and that the level of the garage floor in relation to the road kerb allows vehicle access that complies with Council's Standards within MOES.

13. ELEVATION PLANS

Elevation plans must be provided for all four views of the building labelled with relevant orientation (e.g. north, southwest) and show:

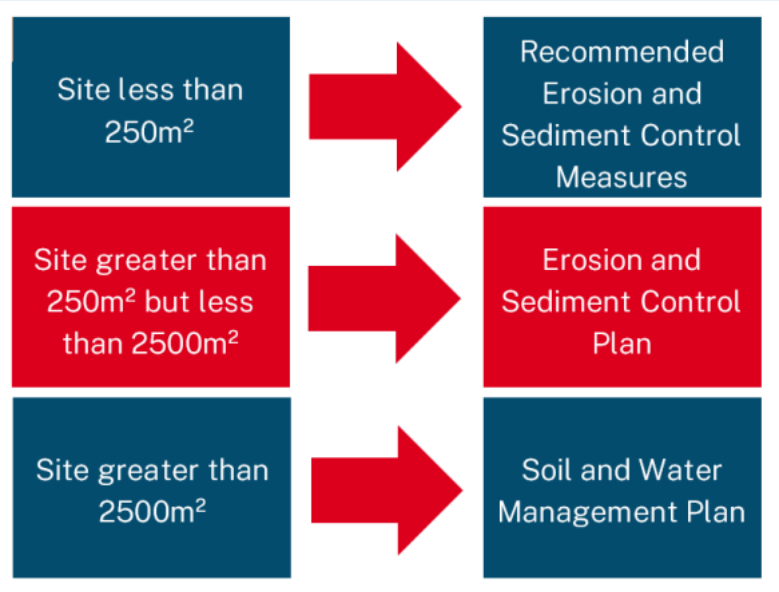
13. ELEVATION PLANS

a. Building façade.
b. Windows.
c. Roof profile and calculated roof pitch.
d. External finishes (including wall, roof, window, door and fence materials, and paint colour) and building finishes.
e. Existing buildings if they are near development or if development involves extensions to existing buildings.
f. Natural ground levels, floor levels and ceiling levels to AHD.
g. Any services located on the roof of the proposed buildings.
h. Any air conditioning services or gas systems located on balconies or external walls.

14. EROSION AND SEDIMENT CONTROL PLAN (ESCP)

To be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments. In general, it is required where development proposes clearing or excavation of existing soil surface (including demolition, alterations/additions, or new development), stockpiling or landfill.

The size of the site will trigger a number of different plan requirements:



15. FLOOD IMPACT ASSESSMENT (FIA)

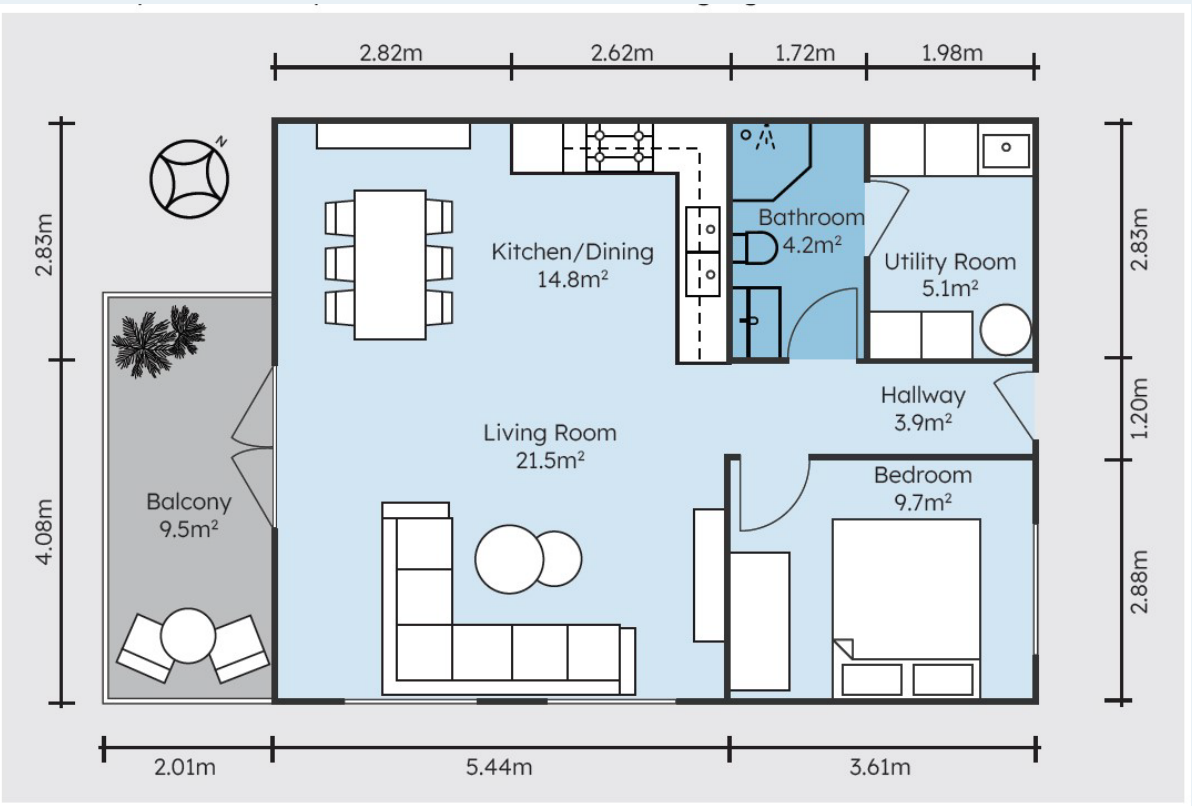
A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant. Flood Impact Assessments are to be prepared in accordance with the 'Flood Impact and Risk Assessment' – Flood Risk Management Guideline LU01 of the NSW Flood Risk Management Manual.

16. FLOOR PLANS

Floor plans must show:

a. Room layout and usage.
b. Partitioning.
c. Location of windows and doors.
d. Disabled access where appropriate.
e. Room and courtyard dimensions and areas.
f. The finished ground levels and finished floor levels.
g. BASIX commitments e.g. skylight, rainwater tank.
h. Layout of building, all processes, storage areas, location of machinery, racking layout and height.
i. Existing and proposed fire safety measures.
j. Shop fitout details.

An example of a floor plan is shown in the following figure:



17. FLORA AND FAUNA ASSESSMENT (FFA)

The purpose of the Flora and Fauna Assessment (FFA) is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies. An FFA is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation.

Note: For more information on who can prepare a FFA and what will be required, refer to Appendix C: Biodiversity Guidelines.

18. LANDSCAPE PLAN

A plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development.

Drawings of the proposed landscape area must be submitted, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context.

19. NOTIFICATION PLANS

Notification plans are required in order to inform adjoining property owners and other relevant stakeholders of your development proposal. Notification plans are to be A4 in size and must show a site plan and elevations. They must not show interior layouts/floor plans of residential development.

20. OPERATIONAL WASTE MANAGEMENT PLAN

A plan that details the amount, type and disposal of waste through the ongoing management of the facility.

This plan should include the following information:

- Volume and type of waste to be generated.
- How waste is to be stored and treated on site.
- How residue is to be disposed of.
- How recyclable materials will be separated and managed.
- On-going management strategies.

21. OWNERS CONSENT

A document providing owner(s) consent of the land to which the development application relates.

22. PHOTOMONTAGE

Photomontages are to show the key contextual streetscape and neighbourhood settings of the proposed development and other relevant images, such as impacts on critical/sensitive views from both the public and private domain.

23. SECTION PLANS

Section plans must show:

a. Section names and location on plan, e.g. A/A, B/B etc. and room names.
b. A structural section through the building and parallel to the street.
c. Structural section from front to back of the building.
d. Outline of existing building/development on site (shown dotted).
e. Undisturbed Natural Ground Levels (NGL).
f. Finished Floor Levels (FFL).
g. Finished Ground Levels (FGL).
h. Ceiling levels.
i. Roof levels.
j. Retaining wall levels (top).
k. Fence heights at front, side and rear.
l. Footway and kerb/road levels.
m. Longitudinal section of proposed driveway/ramp, including transitions, levels and height clearance, where basement parking is proposed.
n. Insulation details (where applicable).

24. SHADOW DIAGRAMS

Shadow diagrams seek to display the overshadow from development on the proposed development and surrounding urban environment. **Shadow diagrams are to demonstrate that:**

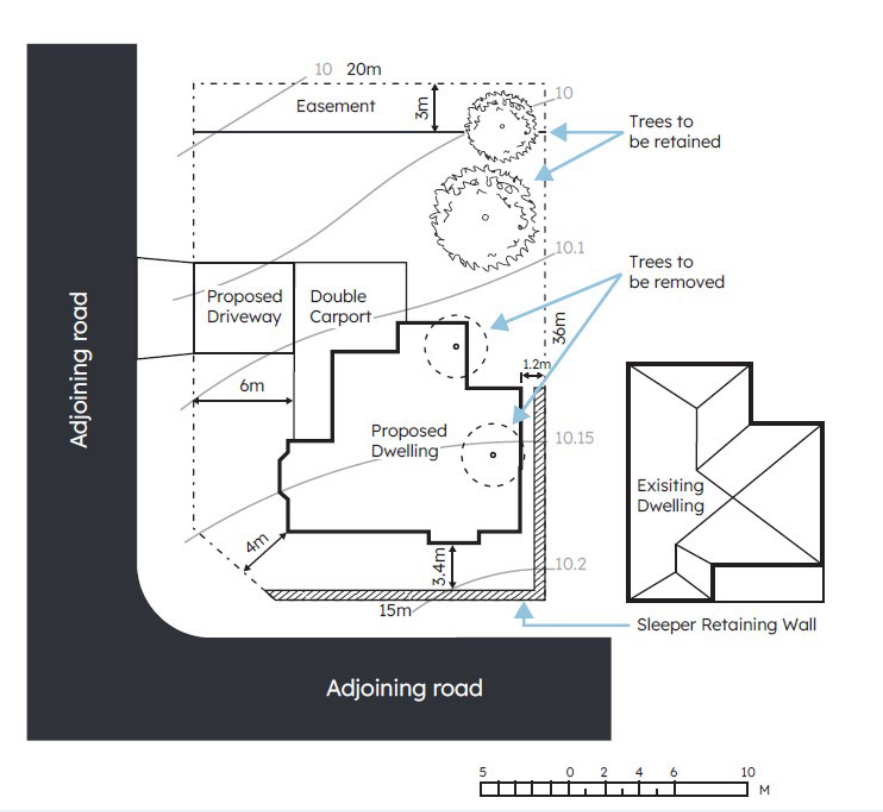
a. Shadows cast at midwinter (22 June) at 9am, 12noon and 3pm in plan form, at a scale of 1:200.
b. Shadows in plan and elevation form on an hourly basis, if shadows fall on neighbouring windows.
c. Location of proposed development and the location of existing development on adjoining site/s.
d. Where shadows affect habitable room windows, details of the percentage of the window to receive sunlight at each hour at midwinter (22 June) between 9am and 3pm.
e. Where shadows affect principal areas of private open space, details of the area and percentage of the open space to be overshadowed, at each hour at midwinter (22 June) between 9am and 3pm - calculations to include details of existing overshadowing.
f. Diagrams to be drawn to true north.

25. SITE PLAN

The Site plan must be drawn to scale at either 1:100 or 1:200 and include:

a. North point
b. The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m²) and any easements, rights of way or sewer mains.
c. Location of proposed new building/development with outline of existing building/development on site, shown dotted.
d. Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings.
e. Details of existing and proposed fencing.
f. Distance from external walls and outermost part of proposed building to all boundaries.
g. Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties).
h. Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues.
i. Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels.
j. Location of proposed and existing driveways and vehicle parking and manoeuvring areas.
k. Extent of any existing landfill and retaining walls and any contaminated soil areas.
l. BASIX commitments e.g. rainwater tank.
m. Summary table calculations of site area, floor area, landscaped area etc.
n. A Hunter Water Corporation endorsement stamp.
o. For sites within a mine subsidence area, endorsement from Subsidence Advisory NSW.

An example of a typical site plan for a new dwelling house is shown in the following figure:



26. SOIL AND WATER MANAGEMENT PLAN (SWMP)

A soil and water management plan is a set of specific site plans or drawings that detail sediment and erosion control measures on building and construction sites. The Soil and Water Management Plan (SWMP) shows the type, location, design, installation and maintenance schedule for all these measures and should be considered as the blueprint for controlling all anticipated erosion and for preventing sediment from leaving a site.

A SWMP is to be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments.

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

This is a written statement that addresses the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act 1979.

The Statement of Environmental Effects must indicate the following matters:

a. The environmental impacts of the development.
b. How the environmental impacts of the development have been identified.
c. Details of requirements under Council's Development Control Plan.
d. Justification for variation to development standards under the MLEP 2011.
e. Justification for variations to Development Control Plan.
f. The steps to be taken to protect the environment or to lessen the expected harm to the environment.
g. Any matters required to be indicated by any guidelines issued by the Director-General.
h. If an environmental planning instrument requires arrangements for any matter, such as arrangements for the provision of utility services, to be made before development consent may be granted, documentary evidence that such arrangements have been made.
i. In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant, a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

A Statement of Environmental Effects (SEE) is required for all development applications (apart from Designated Development, which requires an Environmental Impact Statement). The information required will vary according to the type of development. If you are not sure what details to include, please contact Council for advice.

The SEE must demonstrate that you have considered the environmental impact of the development and it should set out any steps to be taken to mitigate any likely adverse environmental impact.

The type of details that should be included in a Statement of Environmental Effects is provided below:

Pre-existing uses

Any pre-existing uses on the land need to be identified. You should provide details of the date that the present use commenced and any previous uses of the site. If there are existing buildings on the site that are to be demolished, the age and condition of these buildings should be included.

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Operational details

A description of the proposed use is required. This may include:

- The type of activity involved and the equipment to be used.
- The number of employees.
- Hours of business/use.
- Maximum numbers of customers or clients.
- How many people expected on site at any one time.
- Type of goods/raw materials/finished products.
- Areas set aside for storage and waste disposal whether internal or external to a building.

Access and traffic

Provide details on:

- Location, number and dimensions of car parking bays, and manoeuvring areas.
- Access arrangements including driveways, and footway crossovers.
- Details of any street features such as trees, footpaths, pipes and drainage pits, should be shown.
- For major traffic generating proposals a traffic and parking impact assessment report prepared by a consulting traffic engineer is likely to be required.
- Impacts on pedestrian movements, and access for disabled persons should be considered.

Utility service and waste

Waste collection, treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

Privacy, views and overshadowing

You need to demonstrate how your building/proposal will relate to your neighbours' buildings. Issues to consider include:

a. visual privacy – positioning of windows, views between living areas and private adjoining spaces.

b. acoustic privacy – noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal.

c. views – impact of the development on views from adjoining properties as well as views from the proposed development.

d. overshadowing – where overshadowing is possible or likely you should provide diagrams where the shadows will cast, such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows.

Flooding and drainage

Detail how your proposal is compatible with flooding levels and demonstrate that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site and where relevant, calculations prepared by a consulting engineer (see Stormwater Drainage Plan).

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Erosion, sediment and nutrient control

Detail measures for general erosion and sediment control, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance.

Heritage conservation

Identify if the site includes a heritage item or is within a heritage precinct or if there is any heritage significance associated with the land or any buildings located on the site. Detail measures to address any impact your proposal would potentially have on heritage items on site, on neighbouring sites or within the Heritage Conservation Area. To check if the site is affected by heritage considerations you can look at the Maitland Local Environmental Plan 2011 for the area or obtain a 149 Certificate for the site.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation Area, you will need to demonstrate design measures that will retain the heritage significance of the site.

It is recommended that you consult with Council's Heritage Advisor. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

Construction traffic management

The purpose of a Construction Traffic Management Plan is to ensure that the impact of construction works on the public domain, in particular with respect to temporary interruptions to vehicular and pedestrian traffic are considered by the proponent and reviewed by Council. The Construction Traffic Management Plan must ensure that public safety is maintained at all times and that whenever possible interruption to the use of public space is minimised.

Other environmental impacts

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

Other impact mitigation measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include an acoustic assessment, preliminary hazard analysis or a flora and fauna assessment.

28. STATEMENT OF HERITAGE IMPACT (SOHI)

A statement that conveys what impact or impacts the proposed development will have on the item of heritage significance.

The statement addresses:

- What impact the proposed works will have on that significance.
- What measures are proposed to mitigate negative impacts.
- Why more sympathetic solutions are not viable.
- Why the item is of heritage significance.

28. STATEMENT OF HERITAGE IMPACT (SOHI)

The heritage impact statement demonstrates how the proposed development conserves and mitigates for the protection of the identified heritage significance, based on the following principles:

a. Development is consistent with the statement of heritage significance for that item.
b. Development protects the setting of the heritage item.
c. Development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements.
d. Development avoids facadism by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials.
e. Development removes alterations and additions that are unsympathetic to the heritage significance of the heritage item.
f. Reinstates missing building elements and details.
g. Uses materials, finishes and colours that are appropriate to the architecture, stylistic period of the heritage item.
h. Reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the heritage item.
i. Maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with the statement of heritage significance.

Reference to the *Heritage Act 1977* is required where potential to yield highly significantly archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation.

The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Heritage's Consultants Directory.

29. STORMWATER MANAGEMENT PLAN (MINOR)

The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales).

The stormwater drainage plan and written description must include information on:

a. Catchment boundaries.
b. Existing surface conditions.
c. Proposed surface contours.
d. Proposed building flood or floor levels.
e. Location and levels of discharge points.
f. Flood liable areas.
g. Location of drainage pits and lines.
h. Location and area of on-site detention easements.
i. Calculations for any proposed on-site detention system.
j. Methods of draining the land.

29. STORMWATER MANAGEMENT PLAN (MINOR)

If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised. Any subdivision over 3,000m^2 and/or impacting on the public stormwater system will require a full Stormwater Management Plan in accordance with Item 54 of Appendix A.

30. STRUCTURAL ASSESSMENT REPORT

A structural assessment report is a document that evaluates a building or structure's condition and safety. The report is to be prepared by a qualified structural engineer who examines the building's structural elements, including the foundation, walls, roof, and floors. The report also includes the building's history, such as any past renovations.

A structural assessment report's purpose is to identify any potential safety hazards or structural deficiencies. It outlines the building's construction, load-bearing capacity, materials used, and any existing damage or defects. The report also makes recommendations for necessary repairs or modifications.

31. SUBDIVISION PLAN

A subdivision plan must include:

a. The existing and proposed boundaries.
b. Accurate areas of proposed lots and access handles.
c. All existing structures on site.
d. All existing vegetation on site.
e. Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. The north point, drawn to true north.
g. The location of any easements/restrictions/services affecting the site.
h. The location of any traffic devices within proximity of the subject site, and any services within the footpath area.
i. Details of preliminary engineering drawings of the work to be carried out.

32. SURFACE WATER ASSESSMENT REPORT

A surface water assessment report is a comprehensive evaluation of the quality and condition of surface water bodies, such as rivers and lakes. It includes monitoring the physical, chemical, and biological aspects of the water to: Assess water quality, identify potential sources of pollution, and determine the health of aquatic ecosystems.

Surface water assessment reports can help with identifying emerging issues, managing surface water resources, making informed water resource management decisions, and planning future water needs.

33. SURVEY PLAN

A survey plan and reference levels prepared by a surveyor must:

a. Be at a scale of 1:100 or 1:200.
b. Clearly nominate property boundaries.
c. Show all existing structures on site.
d. Show all existing vegetation on site.
e. Include levels to Australian Height Datum, including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. Show north point, drawn to true north.
g. Show the location of any easements/restrictions/services affecting the site.
h. Show the location of any traffic devices within proximity of the subject site, and any services within the footpath area.

Council reserves the right to request a Survey Plan be signed off by a Registered Surveyor.

34. VISUAL IMPACT ASSESSMENT (VIA)

A report that examines the visual impact of a development in situations where a development presents significant bulk, height or variations to setbacks. To be prepared by a suitably qualified person. The analysis should also provide a photographic and/or elevation view analysis based on survey data prepared by a registered surveyor demonstrating the impact of the proposed first floor addition or two or more storey building on views currently available from potentially affected properties.


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Appendix C: Biodiversity Guidelines

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VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

Introduction

The Biodiversity Guidelines (this Guideline) have been developed to support Chapter 2: Environmental Considerations, Appendix A: Application Requirements – Other Development, and Appendix B: Application Requirements – Minor Development of the Maitland Development Control Plan 2026 (DCP). The Guideline provides supporting explanatory information and guidance for a series of different assessments and plans required by Council for a series of biodiversity and conservation matters throughout the Maitland Local Government Area (LGA). In summary, these are:

- Flora and Fauna Assessments
- Vegetation Management Plans
- Biodiversity Management Plans
- Squirrel Glider Assessment Considerations

1. Flora and Fauna Assessments

This section outlines the minimum requirements for preparing a Flora and Fauna Assessment (FFA) to support development applications under Council's DCP. The purpose of the Flora and Fauna Assessment is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies.

1.1. When is a Flora and Fauna Assessment required?

A Flora and Fauna Assessment is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation. Council's DCP provides the following triggers that determine whether a Flora and Fauna Assessment should be included as part of a development application:

a. Development which involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees, or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow-bearing trees, watercourses, wetlands, or dams; or
b. Development which involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors; or
c. Potential significant biodiversity impacts which are identified by Council following a site inspection.

1.2. Who can prepare a Flora and Fauna Assessment?

The report must be prepared by a qualified and experienced ecological consultant who holds:

- Tertiary qualifications in an ecological field obtained from an accredited institution; and
- Relevant experience in flora and fauna survey and impact assessment; and
- A current Scientific Licence issued under section 132C of the *National Parks and Wildlife Act 1974*, and an Animal Research Authority under section 25 of the *Animal Research Act 1985*, if conducting any fauna survey.

1.3. What should the report include?

1.3.1. Site Summary

All proposals must include a summary of the study area which includes all areas likely to be (directly and indirectly) impacted by the development.

The report must include a map of the study area clearly showing site locality, Subject Area boundaries, Impact Area (including Asset Protection Zones), and important environmental features including:

a. Council's Green & Blue Grid and Biodiversity Corridors (as per Council's Environmental Sustainability Strategy 2030)
b. Watercourses, waterbodies, and wetlands
c. Steep slopes
d. Significant habitat features including hollow-bearing trees, stick nests, termitaria, rock outcrops, waterbodies, and caves
e. Location of all survey locations such as vegetation plots and monitoring devices
f. Known threatened species records
g. Distribution of vegetation on site including non-native vegetation and Plant Community Types (PCTs), including the total area of each PCT and the area to be impacted

1.3.2. Summary of the Proposal

The report must provide an overview of the proposal, including details of activities during and after construction, as well as any potential direct and indirect impacts. These may include vegetation clearing for construction or asset protection zones, future 10/50 clearing entitlements, loss of habitat connectivity, risk of fauna-vehicle collisions, sedimentation and erosion, and reduced ecosystem health due to edge effects.

Also required is a summary of legislation and Council policy relevant to biodiversity conservation, outlining their relevance and application to the development. At minimum this should include evidence that the biodiversity offsets scheme is not triggered in accordance with the *Biodiversity Conservation Act 2016*. Further consideration may be required for the following, depending on the potential impacts of the proposal:

- Council's *Environmental Sustainability Strategy 2030*, with particular reference to the Green & Blue Grid and Biodiversity Corridors
- *Maitland Local Environmental Plan 2011*
- *Fisheries Management Act 1994*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Maitland Development Control Plan 2026*

1.3.3. Survey Methodology

The scope and type of survey required are determined by the likelihood of threatened species occurring on site or relying on its habitat, along with the expected extent of impacts from the proposed development. The following should be considered when determining survey scope:

- Threatened fauna: Where the impact area is greater than 0.5 ha or significant habitat features, such as hollow-bearing trees or aquatic habitat, are impacted, targeted surveys for threatened species with the potential to occur on site must be completed. In other cases, assumed presence/absence for threatened fauna is acceptable with adequate justification. The flow chart in Figure 1 should be used to determine whether targeted squirrel glider surveys are required.

- **Threatened flora**: Where the site is potential habitat for threatened flora, parallel transects no less than 5 metres apart must be completed at an appropriate time of year for the target species. Otherwise, 2 hours random meander per 0.5 ha is suitable.
- **Native vegetation**: A minimum of one BAM plot is required per vegetation zone unless the proposal does not impact mature trees or threatened ecological communities.

Surveys must be conducted in accordance with available taxa-specific guides, including peer reviewed guidelines, survey guidelines published by state or commonwealth agencies, and any additional guidelines produced by Council. Any variation from the guidelines requires adequate justification which must be detailed in the assessment.

Surveys must also consider the detectability of the species that have the potential to occur and be undertaken in the most appropriate season for the species being targeted.

1.3.4. Survey Results

Details of the survey methodology undertaken must be provided including:

- Sampling dates, times and weather conditions.
- Methods used to determine sampling units.
- Survey techniques utilised and the intensity of sampling for each entity, including targeted survey efforts for threatened species.
- Map(s) indicating the precise location for all sampling efforts.

The results of surveys must be provided including:

a. A list of all flora and fauna species detected in the including scientific and common name and conservation status.
b. Map(s) of environmental features, vegetation types and habitat types; location of threatened species.
c. Description of vegetation types in terms of structure and floristics, and a list of the dominant plant species in each growth stratum.
d. For each vegetation type, a description of disturbance, weeds present and their density, and comments on the suitability of the area as habitat.
e. Populations or communities; areas of high biodiversity or other areas of special significance.
f. Photos of the study area and subject site.
g. Raw data including floristics data from any BAM plots completed.

1.3.5. Assessment of Impacts

The report should include an assessment of both direct and indirect impacts of the proposal on biodiversity values including threatened entities, habitat supporting threatened entities, connectivity, as well as Council's Green & Blue Grid including Council's biodiversity corridors.

Test of Significance

The report should include a Likelihood of Occurrence table to determine which entities have low, moderate, high, or known likelihood of occurring on the site. The table must include all threatened entities within a 10km search of the NSW Bionet database. Other databases such as the Atlas of Living Australia may also need to be searched, particularly for bird records. Appropriate justification must be provided for any species considered to have a low likelihood of occurrence.

All entities with a moderate, or greater likelihood of occurrence must be assessed within a Threatened Species Test of Significance (ToS) in accordance with Section 7.3 of the *Biodiversity Conservation Act 2016*. Aggregate ToS should only be completed for species with similar ecological requirements.

Conclusions drawn within ToS should be supported by evidence rather than by opinion. Where there is a lack of scientific certainty about the potential impacts on a threatened species or ecological community, the precautionary principle should be applied.

Matters of National Environmental Significance

When a threatened entity under the *Environment Protection and Biodiversity Conservation Act 1999* has a moderate or greater likelihood of occurring on site, likely impacts must be assessed under Significant Impact Guidelines 1.1 - Matters of National Environmental Significance.

1.3.6. Reducing Impacts

All proposals must make reasonable and genuine attempts to avoid any impacts areas of high biodiversity value. If this is not possible, then options to minimise impacts should be recommended. Providing a genuine and robust exploration of avoid and minimise measures is particularly important on properties with an environmental zoning or for developments that impact Council's Green and Blue Grid.

Where it is not possible to avoid or minimise impacts on areas of high biodiversity value, any residual impacts should be offset. The type and scale of offset is dependent on the extent of residual impacts and will be assessed on a case-by-case basis. Suitable offsetting measures may include the implementation of a Vegetation Management Plan to compensate for the loss of environmentally sensitive land, or installation of artificial/augmented hollows where hollow-bearing trees are removed.

1.3.7. Conclusion

The conclusions must summarise the results of the assessment and legislative compliance with relevant assessment criteria. This must include whether the proposal is likely to significantly affect threatened species or ecological communities, or their habitats according to Section 7.3 of the BC Act. It must also summarise the recommendations to avoid, minimise and offset impacts to threatened entities and areas of high biodiversity value.

2. Vegetation Management Plans

This guideline provides the minimum requirements for preparing a Vegetation Management Plan (VMP) when required for development applications in Maitland LGA. It ensures that vegetation is managed sustainably, maintaining ecological integrity while allowing for responsible development.

2.1. When is a VMP required?

A VMP may be required where retention or rehabilitation of native vegetation and/or habitat is required within:

a. Council's Green and Blue Grid,
b. Council's Biodiversity Corridor, or
c. where works subject to a Controlled Activity Approval will be undertaken within 40m of the top-of-bank of a mapped watercourse, or
d. when outlined through the development approvals process.

2.2. Who can prepare a VMP?

The VMP must be prepared by a qualified ecologist with experience in bush regeneration, or a bush regenerator who holds a minimum Diploma Conservation and Land Management (or equivalent) and a minimum 3 years' experience in practical ecosystem restoration.

2.3. What should the VMP include?

The document should be clear, concise, and site specific while maintaining detail in which a non-experienced person can understand the issues and practical management strategies to be implemented on site to meet objectives.

2.4. Site Description

The existing site context must be clearly described with references to a range of mapping, including historical, if relevant. At a minimum the site description should include:

a. Location details, including property description and Lot/DP numbers
b. Aerial imagery and site photographs
c. Existing plant community types and conditions
d. The extent of weed cover accompanied with weed density mapping that categorises areas of the site into classes according to the condition of bushland when considering percentage native cover, percentage weed cover, and level of intervention required
e. Presence of threatened species, ecological communities, or habitat features
f. Site constraints (e.g., erosion risk, weed infestations, bushfire risks)

2.5. Aims and Objectives

The aims and objectives are to be site specific and led by the following principles:

a. Maintain or enhance biodiversity, habitat and natural values
b. Manage, control and eliminate invasive species
c. Establish a low-maintenance, self-sustaining vegetation community that supports long term ecological resilience and minimal intervention
d. Promote and educate on native ecological sustainability through revegetation and restoration

2.6. Management Zones

All areas covered within the VMP must be separated into management zones to reflect the extent and type of management required, with consideration given to the different plant community types and ongoing land uses. Examples of management zones include:

- **Conservation Zones -** Protection and enhancement of remnant vegetation with low to no weed cover or management issues
- **Rehabilitation Zone -** Areas requiring active restoration of degraded vegetation, separated by level of management required
- **Revegetation Zone -** Areas for mass revegetation, separated by targeted vegetation communities
- **Recreational Zone -** Managed park/reserves integrated within the urban design
- **Asset Protection Zone -** Areas of managed Asset Protection Zones as per development plans
- **Buffer Zone –** management of edge effects between development and natural vegetation

Each management zone must be clearly mapped and described within the VMP with the following information:

a. General description of the zone
b. Plant Community Type and overview of dominant native and exotic flora species
c. Photo points
d. Estimated exotic cover
e. Estimated native vegetation cover
f. Habitat features
g. Erosion point
h. Rubbish/litter
i. Other management issues.

2.7. Management Actions

Management actions required to meet the objective of each zone must be described in sufficient detail including where each task will be undertaken, how each task will be completed and the responsible persons/team responsible for carrying out each task. Tasks may include, but are not limited to:

- Site management (i.e., site cleanup, soil remediation, stabilisation of disturbed areas etc.)
- Target weed species and weed control methods (manual removal, herbicide use, etc.)
- Erosion and sediment control measures including stabilisation of watercourses
- Revegetation strategies (species selection, planting techniques, areas of mass planting and infill plantings)
- Fauna habitat enhancement (ground log and rock relocations, frog hibernacula)
- Bushfire hazard reduction techniques (in compliance with Rural Fire Service guidelines)
- Fencing and access control to prevent unauthorised disturbance
- Signage to educate public on restoration area

All species included in the revegetation must be associated with the target Plant Community Type and be of local provenance with a focus on locally sourced seeds.

All boundaries between the development and the natural areas/revegetation area of the VMP must be fenced with fauna friendly materials. Signage is to be placed along the fence line to educate on the restoration efforts.

2.8. Performance Criteria and Monitoring

Completion criteria must be set as a benchmark for regular monitoring. Targets are to be prescriptive, and percentage based.

Unless otherwise agreed by Council, standard completion criteria target for the end of a 5-year program will require:

- Woody weed/priority weed cover of <1%
- Other weeds at <5%
- Revegetation survival rate of >80%

The completion criteria are to include a trending target for the end of each year's maintenance period. End of year targets may be management zone specific to allow for individual challenges across the site.

Monitoring is to be consist with the follow methods:

- Photo point monitoring within each management zone
- 10x10m flora monitoring plot within each natural area management zone (i.e. conservation, rehabilitation and revegetation or equivalent)
- Details of results against completion criteria and trends against previous years

- Whole site weed inventory and mapping
- Details of ongoing and new management issues
- General site conditions
- Recommendations

Monitoring methodologies must be detailed within the VMP. A monitoring report is to be submitted annually to Council. At the submission of each annual monitoring report, Council may require a site walkover with relevant stakeholders.

2.9. Costing

Council may require a security for the cost of the maintenance of the VMP works by way of bond or bank guarantee. Where required, the VMP must include an estimation of costs for the implementation of the works program provided. A security bond will be accepted enabling a Subdivision Certificate to be issued as an alternative to full implementation of the VMP. The value of the bond will be 120% of a cost estimate to implement the first 5 years of the VMP. Release of the bond will be staged subject to certification that VMP milestones have been met. All price estimates are to be itemised. The bond will generally be progressively released in accordance with the below:

a. 12 months after the completion of primary weeding (50% of bond);
b. 36 months after the completion of primary weeding (25% of bond);
c. 60 months after the completion of primary weeding (25% of bond).

Council reserves the right to vary bond releases on a case-by-case basis.

3. Biodiversity Management Plans

A Biodiversity Management Plan (BMP) provides details on the practical actions required to minimise and mitigate impacts on biodiversity during development activities. It may be integrated into Construction Environmental Management Plans (CEMP) or be a standalone document used by personnel on site during development works.

3.1. When is a BMP required?

A BMP is required when development will likely result in direct or indirect impacts to biodiversity values, such as significant habitat features, fauna connectivity, and Council's Green & Blue Grid. It may be requested prior to development consent being issued in order for Council to consider potential impacts and mitigation measures for development. In some cases, a BMP may be required as a condition of development consent subject to review and approval by Council prior to issue of a subdivision works or construction certificate

3.2. Who can prepare a BMP?

Council requires that BMPs are to be developed and implemented by a suitably qualified and experienced person with a minimum 3 years relevant experience as a qualified ecologist. The supervision of on ground works should also be undertaken by a qualified ecologist preferably with formal spotter catcher training. Project ecologists with lesser experience may assist under the direct on ground supervision from a person with the aforementioned experience.

3.3. What should the BMP include?

The scope of the BMP should be commensurate with the size, type and location of the development. Where impacts to biodiversity are minimal (e.g., no threatened entities are likely to be impacted) a scaled-back version may be suitable.

It is recommended that advice on the applicability of the guidelines to specific sites and development activities in Maitland be sought from Council and a qualified ecologist prior to lodgement of the development application.

3.4. Minimum Requirements

At minimum, the BMP document should include the following content:

a. Introduction and site description
b. Identification of likely direct and indirect impacts to biodiversity values including nature and extent of proposed activities
c. Work schedule including timing/staging of tasks, and timing of monitoring and reporting
d. Performance targets that include clear criteria against which the achievement of the outcomes or objectives can be assessed
e. Monitoring strategy to evaluate BMP tasks against performance targets

Reporting on the progress of the BMP should be provided annually and at completion of BMP works. At minimum, reporting should include:

a. Summary of works completed including location details for any compensatory hollows or connectivity structures installed
b. Monitoring results and evaluation against performance targets
c. Adaptive management measures if required
d. Any other management issues

3.5. Site-specific Requirements

Each development presents distinct features, such as the presence of threatened entities, sensitive habitats, or water bodies which must be carefully considered and integrated into the BMP. The site-specific requirements of a BMP are crucial for addressing the unique impacts of each development. Where relevant, the BMP should include provision for and description of the following management measures:

Protection of Ecological Features

The BMP must detail protective measures for retained ecological features through the establishment of exclusion zones during the construction phase. Ecological features requiring protection during construction include:

- Vegetation outside of the clearing footprint
- Individual native and amenity trees to be retained
- Threatened flora
- Aquatic habitats

The required level of protection is based on the risk of intrusion and the sensitivity of the excluded area, ranging from reflective bunting for low-risk zones to chain-wire fencing for highly sensitive sites. Determining the most suitable method of establishing exclusion zones should generally be in accordance with Guide 2: Exclusion Zones within Transport for NSW Biodiversity Management Guidelines (2024).

Tree Protection Zones (TPZs) must be established for all trees at risk of being impacted during construction works. This may include trees on land adjacent to the development site. TPZs are to be consistent with Australian Standard (AS 4970). This includes installation of fencing to prevent access by machinery to the TPZ and signs clearly identifying the TPZ. Storage of materials and parking of plant or vehicles should be avoided within the TPZ.

Exclusion zones including TPZs must be marked on a clearly labelled plan and made available on site during construction works. Plans should also be included in the CEMP and provided in the site induction.

Monitoring of exclusion zones and TPZs should be undertaken at least weekly and repairs to fencing made as required. Advice from an AQF5 arborist is required where vegetation shows signs of stress.

Clearing Protocol

Where hollow-bearing trees or other important fauna habitat features are proposed for removal, the BMP must detail a clearing strategy to mitigate impacts on fauna. The clearing protocol should generally be in accordance with *Guide 1: Pre-clearing process, Guide 4: Clearing of vegetation and removal of bushrock* and *Guide 9: Fauna handling* within *Transport for NSW Biodiversity Management Guidelines* (2024). At minimum, the clearing protocol should ensure the following:

a. A pre-clearing survey is undertaken to identify fauna and fauna habitat potentially impacted. These must be identified on a plan and physically marked on site prior to clearing.
b. Clearing during key breeding periods of species likely to inhabit the site is avoided
c. Best practice clearing methods are used to minimise impacts on fauna. This may include staged clearing and soft fall techniques.
d. A qualified ecologist or licensed handler supervises removal of habitat features and inspects felled/cleared habitat immediately for fauna.
e. Captured fauna not requiring care are immediately released at a pre-identified release site. The release site should be identified for long-term conservation (e.g., Council bushland or C2-zoned land).
f. Captured fauna requiring care are taken to a veterinary clinic by a project ecologist or wildlife carer
g. Cleared native vegetation is re-used on site including placement of hollow logs in retained natural areas, and use of mulch in revegetation area

Where squirrel gliders have been detected on site, the following additional clearing measures are required:

- A corridor of trees should be maintained between potential squirrel glider den trees to surrounding native vegetation (outside of the area to be cleared) for a period of three (3) weeks following the clearing of surrounding habitat.
- Felled hollow-bearing trees should be left in adjacent habitat until the following day. After this period, sectional dismantling with an ecologist present must be undertaken for all potential squirrel glider den trees.

Mitigating the loss of Tree Hollows

Compensatory hollows are required when the removal of a hollow bearing-tree occurs as a result of the development. Where compensatory hollows are required, the BMP must include the following information:

- Size, type and quantity of natural tree hollows to be removed
- Number and type of artificial hollows required
- Maps of existing natural hollows and planned artificial hollow installation locations
- Monitoring and reporting requirements

Location - Suitable areas for compensatory hollow installation should be broadly identified with more specific installation and placement requirements that allows for flexibility on the ground. Compensatory hollows should be installed as close as possible to the location of the removed hollow-bearing tree with an orientation that considers the target species' needs. Installing hollows on trees

with existing hollows or in areas with existing high density of hollows should be avoided. Where no suitable trees exist within the subject site, hollows may be installed within adjacent bushland providing future access for monitoring and maintenance can be ensured. Where augmented hollows are proposed, a pre-installation survey should be undertaken by a suitably experienced ecologist and a suitably qualified arborist (AQF5).

Design - Design of replacement hollows must be appropriate for the fauna species likely to occur on site or mimic the hollow being removed. The table below outlines Council's preferred types of compensatory hollows and the corresponding replacement ratios. Method of attachment must be appropriate for each artificial hollow type and may need to consider location-specific factors. Attachment design must allow for tree growth.

Table 1: Preferred types of compensatory hollows and required replacement ratios when hollow-bearing trees are removed as part of development

PREFERENCE OF USE	ARTIFICIAL HOLLOW TYPE	REPLACEMENT RATIO FOR EACH REMOVED HOLLOW
1st	Hollow augmentation using hollow hog or similar[1]	1:1
2nd	Salvaged hollow from felled hollow bearing trees as a result of the development	1:1
3rd	Nest box (min. 19mm walled)	2:1

[1] Due to potential impacts on tree health, hollow augmentation should only be undertaken under the supervision of an AQF Level 5 arborist experienced in hollow creation. The arborist should provide guidance on measures to minimise any adverse effects on the tree.

Timing - unless otherwise agreed by Council, 70% of compensatory hollows must be installed prior to clearing. The remaining 30% must be installed during or immediately following clearing.

Monitoring and maintenance – compensatory hollows must be monitored annually for fauna use and maintenance requirements. Monitoring should continue for a minimum of five (5) years following installation unless otherwise agreed by Council. Compensatory hollows must be maintained for a minimum of five (5) years following installation unless otherwise agreed by Council. Maintenance includes repairing, repositioning, re-installing, and relocating damaged hollows, as well as removing pests including non-native bees.

Dewatering Aquatic Habitat

A Dewatering Plan must be detailed in the BMP where development results in the dewatering of aquatic habitat such as farm dams, ponds, and watercourses. The Plan should include measures to protect aquatic fauna and may require species-specific controls based on the species present or likely to occur on site. Relocation sites for turtles should consider potential for inadvertent vehicle strike of dispersing individuals.

Fauna Connectivity

The purpose of a Fauna Connectivity Plan is to ensure that connectivity gaps created by the development are mitigated with fauna crossings and/or bush restoration. A Fauna Connectivity Plan may be required as part of a BMP where:

- Development impacts the functionality of Council's biodiversity corridors
- Habitat connectivity for threatened fauna is severed by development
- There are opportunities to improve functional connectivity for threatened species

The plan should include the following minimum detail:

a. Identification of likely direct and indirect impacts to existing fauna connectivity including likely species impacted
b. Measures to reinstate and/or protect fauna connectivity (e.g., glider poles, fauna-friendly culverts, revegetation, fencing)
c. Detailed works schedule for connectivity structure installation, revegetation works (where replacement planting of suitable canopy species may enhance connectivity in the long term), and maintenance of vegetation for five (5) years following planting. Revegetation and weed management works may be included as part of a VMP.
d. Monitoring plan for minimum five (5) years to be undertaken by suitably qualified personnel to determine fauna usage

Connectivity structures installed to mitigate impacts on connectivity must be appropriately designed for the target fauna species. For instance, if development impacts connectivity for squirrel gliders, glider poles should be of sufficient height and design to accommodate the species' average glide distance.

Where connectivity is being severed by tree removal, connectivity structures are to be installed prior to the tree removal to ensure connectivity for resident fauna.

Ecological Buffers

Development adjoining environmentally significant features should provide for, and ensure the management of, an ecological buffer to minimise ongoing impacts of development on those features. The BMP must identify environmentally significant features on or directly adjacent to the development site and provide an ecological buffer of an appropriate width to effectively minimise ongoing impacts of development. Where required, management of the ecological buffer, such as fencing, revegetation and/or weed management, should be outlined in the BMP.

Examples of environmentally significant features include:

- Threatened ecological communities
- Wetlands
- Known den or nesting trees for hollow-dependent threatened fauna (e.g., squirrel glider, powerful owl)
- Flying-fox camps
- Biodiversity corridors identified within Council's Environmental Sustainability Strategy 2030
- Raptor nests
- Core koala habitat

The type of buffer and level of management required is dependent on the sensitivity of the feature and risk of impacts from ongoing development. Types of ecological buffers include:

Setback buffer – involves establishing a physical separation between ongoing development impacts and environmentally significant features. Setback buffers help to reduce impacts solely by distance separation, rather than by any physical means such as vegetation planting. Appropriate examples of setback buffers include perimeter roads that prevent residential dwellings from backing onto riparian areas, or the exclusion of residential development near flying-fox colonies.

Vegetated buffer – refers to the use of existing vegetation, landscaping, or revegetation to help reduce the impacts from development. They are mostly used to protect a sensitive feature by maintaining or enhancing habitat. Management of the buffer may fall under a VMP or landscape plan. Appropriate examples of a vegetated buffer include retention of native vegetation surrounding a squirrel glider den tree, revegetation along the boundary of a biodiversity corridor, or the use of native plantings in recreational areas adjacent to native bushland.

Appropriate buffer distances should be determined on a site-specific basis and must consider the likely impacts of ongoing development. Minimum buffer distances for the most commonly encountered environmentally significant features are provided in Table 2.

Table 2: Minimum recommended ecological buffers for environmentally significant features commonly encountered in the Maitland LGA

ENVIRONMENTALLY SIGNIFICANT FEATURE	MINIMUM RECOMMENDED BUFFER
Threatened ecological community	20m
Coastal wetlands	50m
Other wetlands	20m
Year round or intermittently occupied flying fox camp	100m (setback buffer)
Core koala habitat	20m
Squirrel glider den trees	30m

Minor incursions into an ecological buffer may be allowable to achieve practical outcomes. This must be accompanied by justification and assessment of the implications of the variation of the buffer distance on the environmentally significant feature.

Other statutory or recommended buffers, such as Vegetated Riparian Zones, may also apply. Any applicable minimum distances and management requirements for these buffers must be adhered to in accordance with relevant legislation and guidelines.

4. Squirrel Glider Assessment Considerations

The squirrel glider is listed as a threatened (vulnerable) species under the NSW *Biodiversity Conservation Act 2016*. This species is commonly found in Maitland's urban growth areas and is particularly vulnerable to the impacts of urban development, including habitat loss, degradation, and fragmentation. This section of the guidelines outlines special requirements for squirrel glider assessment and impact mitigation.

These guidelines are intended to supplement, rather than override, any statutory requirements or approved guidelines. All relevant legal obligations, including those outlined in the NSW *Biodiversity Conservation Act 2016* and other applicable regulations, must be adhered to. In cases where these guidelines may conflict with statutory requirements, the statutory requirements take precedence.

4.1. Targeted survey requirements

Targeted surveys for squirrel glider must be completed where suitable habitat is available on or adjacent to the study site, regardless of Plant Community Type. The flow chart in Figure 1 has been developed to make this determination and should be addressed within the Flora and Fauna Assessment or Biodiversity Development Assessment Report.

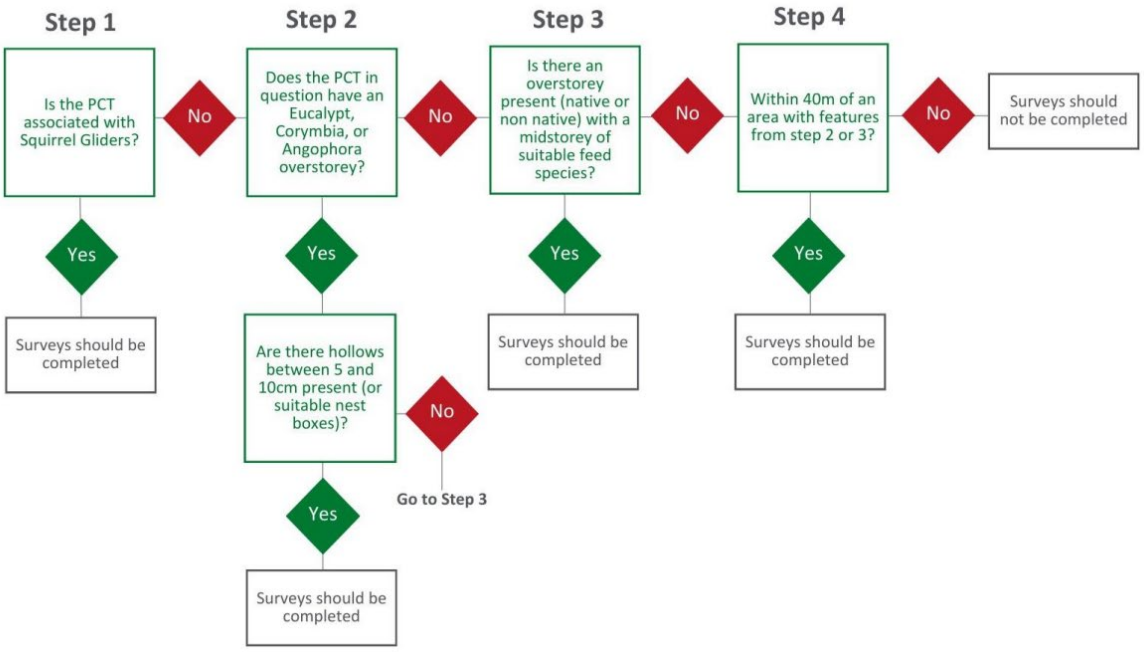


Figure 1: Flow chart used to determine survey requirements for Squirrel Gliders

When targeted surveys are required, the following minimum survey effort must be met:

- **Remote camera trapping** must be conducted for a minimum of four (4) weeks, with cameras checked and baits replaced every two (2) weeks. For areas of one hectare or less, a minimum of four (4) traps should be deployed. An additional two cameras should be installed for every additional hectare of habitat.
- **Active trapping** is recommended as a supplement to camera trapping, using either Elliot traps or pipe traps (see Figure 2). Six (6) arboreal traps should be installed per hectare of suitable vegetation, with each trap placed on a separate tree containing an appropriate hollow. The traps should remain in place for four (4) consecutive nights and be checked within one hour of dawn to allow for the prompt assessment and release of any captured gliders.

4.2. Determining a significant localised impact

Where squirrel gliders have been detected on site, a significant localised impact is assumed under the following circumstances:

- The extent of clearing will create a connectivity gap in native vegetation which is considered an unpassable barrier to squirrel glider, or
- Hollow-bearing trees within a patch of vegetation is reduced to fewer than four (4) per hectare, or
- An existing connectivity corridor is narrowed to less than 60 meters in width.

If a significant localised impact is determined, appropriate avoid and minimise measures must be implemented to reduce the impact to an acceptable level.

Determining a significant localised impact on squirrel gliders under these guidelines does not exempt the need to assess whether a 'significant impact' occurs under Part 5 of the NSW *Environmental Planning & Assessment Act 1979*, or any other applicable legislation or statutory frameworks.

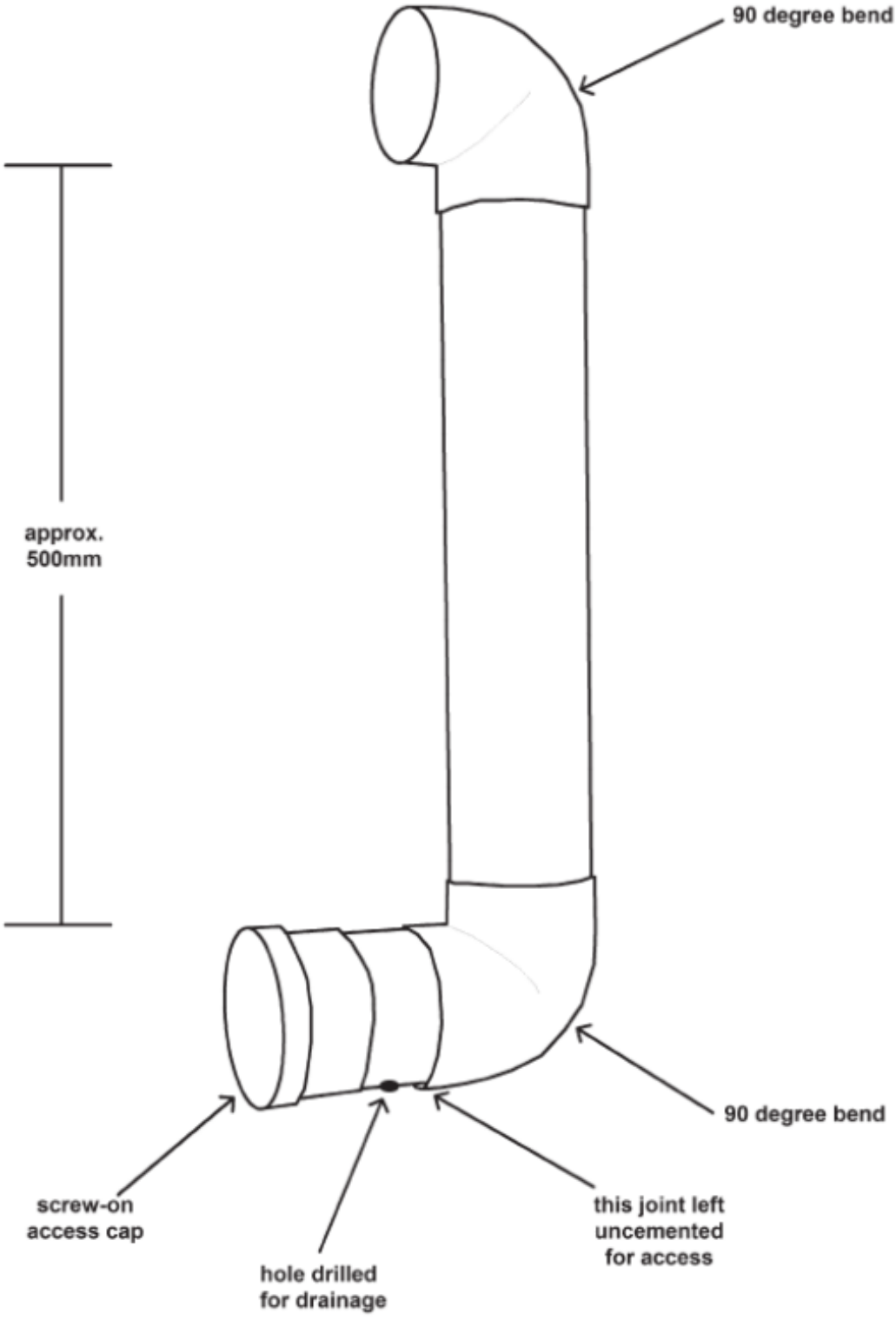


Figure 2: Pipe trap design (Winning and King, 2007)

Source: Winning G. King J. (2007) A new trap design for capturing squirrel gliders and sugar gliders. Australian Mammalogy 29, 245-249.


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Appendix D: Canopy Cover Guidelines

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1. Strategic Context

Council's adopted Environmental Sustainability Strategy 2030 includes a target to achieve 30% canopy cover in urban areas. This target supports outcomes related to urban heat mitigation, amenity, health and wellbeing, and biodiversity.

While canopy cover potential varies across different sites—particularly between existing and new release areas—Council's Canopy Cover Guidelines (this Guideline) provide background context for related controls in the Development Control Plan (DCP) and outlines strategies that, when applied collectively, form a practical framework for achieving targeted canopy outcomes.

In brief, this Guideline details potential methods in which to achieve an average of 30% canopy cover across a variety of land uses. For further information around the provision of street trees within the Maitland Local Government Area, please refer to Council's Manual of Engineering Standards (MoES) Technical Guideline – Street Trees.

2. Importance of Public Domain Canopy

Healthy, viable tree canopy in the public domain is fundamental to creating liveable urban environments. It has been demonstrated that public land can contribute significantly to canopy goals. However, public canopy cannot be the sole contributor. Targets for public domain planting work in conjunction with private land requirements to achieve overall canopy goals.

This guidance draws on best-practice principles and references such as the NSW Department of Planning, Industry and Environment (2021) Urban Tree Canopy Targets and Development Controls Report.

3. Canopy Cover Targets by Land Use

The following tables set out **recommended** canopy cover targets across key land types, including streets, parks, residential lots, and business parks. They are **advisory only** and designed to guide design processes for applicants. Specific controls related to tree provision are found throughout the Maitland DCP.

These targets are to be read alongside the accompanying technical guidance, including planting specifications provided within Council's MoES, the Technical Guideline – Street Trees and Standard Drawings. Additional reference is to also be made to Council's Tree Species List, which provides details as to canopy areas and sizes.

Table 1: Public Land - Roads

STREET CATEGORY	POWER INFRASTRUCTURE	TYPICAL RESERVE WIDTH	CANOPY COVER TARGET
Existing Residential	Overhead	12–30m	40%
	Underground	12–30m	50%
Existing Industrial	Overhead	20–25m	35%
	Underground	20–25m	45%
New Residential	Underground	12–35m	50%
New Industrial	Underground	20–35m	50%

Table 2: Public Open Space (Community Land)

PARK TYPE	DESCRIPTION	CANOPY COVER TARGET
Without Active Use E.g. Reserve	-	≥ 45% of total site area
With Active Use E.g. Playground, Fields, Courts	10–20% of total site area being fields/courts	≥ 45 of total site area
	15-30% of total site area being fields/courts	≥ 40% of total site area
	>30% of total site area being fields/courts	≥ 30% of total site area

Table 3: Residential Lots (Private)

LOT SIZE/TYPE	CANOPY TARGET	RECOMMENDED TREE PLANTING REGIME
300–600 m^2	20% of site	1 small/medium tree in front yard, 1 small/medium tree in backyard (in accordance with Chapter 6: Residential Uses of the DCP).
>600 m^2	30% of site	2 medium or 1 large tree per every 350m^2
C3 Environmental Management	50% of site	1 50m^2 predicted canopy area tree per 100m^2 OR 1 75m^2 predicted canopy area tree per 150m^2

Note: Chapter 6: Residential Uses, Section 6.2.6 Landscaping & Landscaped Area, provides the tree planting controls for residential accommodation in the Maitland LGA, **and takes precedence to the event of any inconsistency with the above recommended tree planting regime.**

Table 4: E3 Productivity Support and E4 General Industrial

CATEGORY	CANOPY TARGET	SOIL PROVISION	RECOMMENDED TREE PLANTING REGIME
All Lots	10% of site	N/A	2 medium or 1 large tree per 300 m^2
Car Parking[1]	–	13.2m^2 x 1m depth/tree	1 medium tree every 10 spaces

Note 1: Car parking contributes to the canopy target of the site.

4. Achieving 30% Canopy Cover in Urban Areas

While land use distributions vary, the following scenario is typical for new urban residential areas such as Aberglasslyn (Figure 1). Modelling indicates that achieving over 30% canopy cover is possible, as demonstrated in Table 3. This analysis is also consistent with case studies outlined in the NSW Department of Planning, Industry and Environment (2021) *Urban Tree Canopy Targets and Development Controls Report*.

Figure 2 illustrates a typical residential road cross-section designed to achieve 50% canopy cover, highlighting the spatial arrangement and tree planting strategy that may be used to meet this canopy target. Figure 3 depicts a typical canopy cover scenario for a residential lot with an estimated canopy cover of 18-20%, showing the tree planting configuration and space allocation required to achieve this level of cover. In this scenario, it is assumed that a hedge is included along most back fences for dwellings to support the canopy cover.

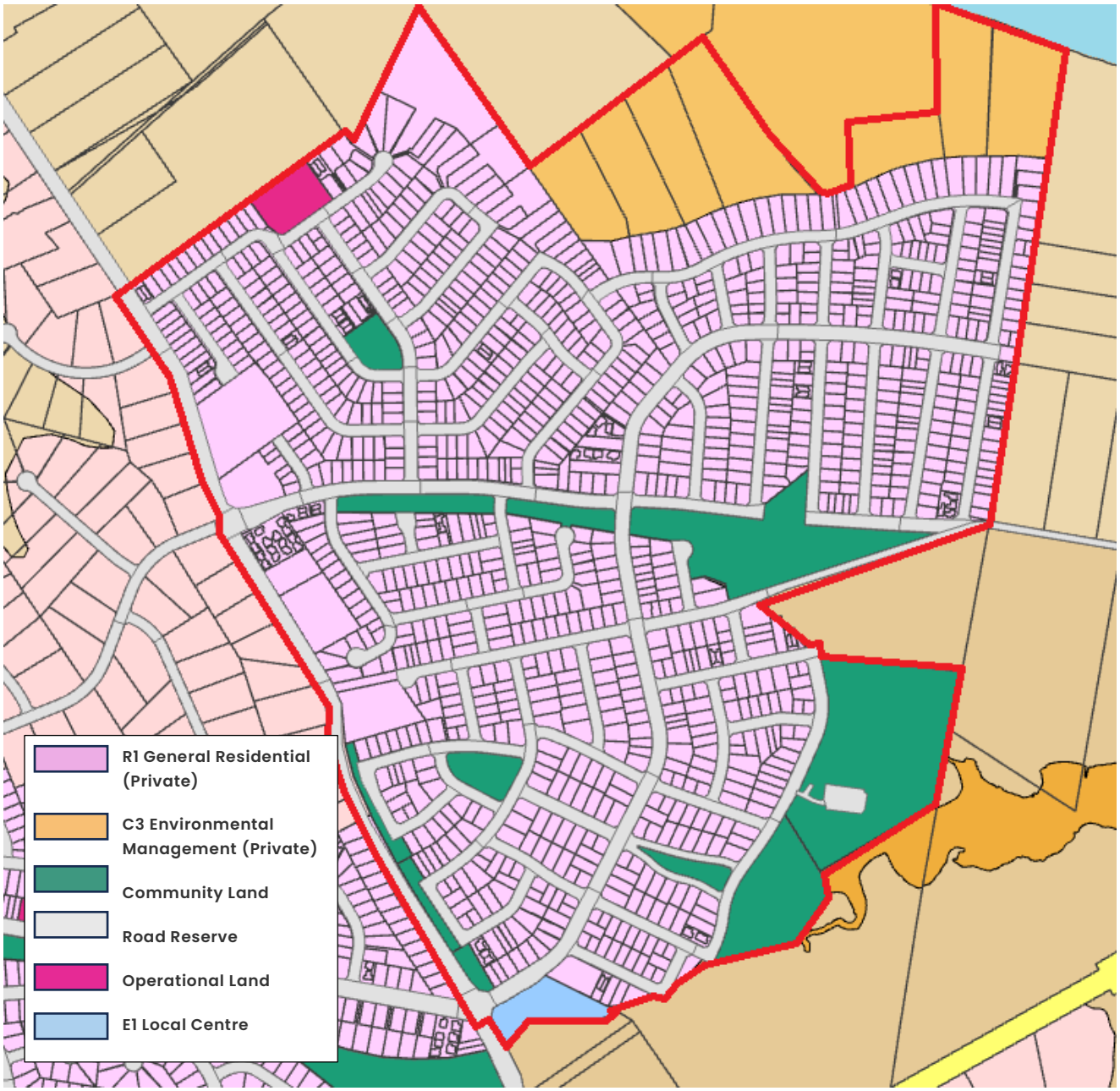


Figure 1: Typical Urban Land Classification – Aberglasslyn

Table 5: Modelled 30% Canopy Cover Scenario for Aberglasslyn

LAND TYPE	AREA (M²)	% OF LAND AREA	TARGET COVER %	CANOPY CONTRIBUTION	REFERENCE
Public Open Space (Community Land)	142,666	10.6%	40%	4.2%	Table 2
E1 Local Centre	8,582	0.6%	0%*, car park plantings required	0%	-
R1 General Residential (Private)	756,437	56.4%	18%	10.2%	Table 3
C3 Environment Management (Private)	119,550	8.9%	50%	4.5%	Table 3
Road Reserve	314,730	23.5%	50%	11.8%	Table 1
Total	1,341,965	100%	-	30.7%	–



Figure 2: Typical Residential Road Scenario Achieving 50% Canopy Cover



Figure 3: Typical Canopy Cover Scenario for Residential Lot (18–20%)

5. Implementation Guidance

To support the achievement of canopy cover targets and ensure resilient, healthy urban landscapes, the following guidance should be integrated into all planning, design, and assessment processes:

5.1 Example Methodology for Estimating Canopy Cover

To estimate canopy cover for a road reserve:

1. Identify tree species and planting locations using Council's Tree Species List.
2. Use the predicted mature canopy radius to generate a circular canopy area for each tree.
3. Calculate the cumulative canopy area over the total road reserve space to determine the projected coverage percentage.

5.2 Soil Volume Requirements

For the purposes of this guideline, 'soil volume' refers to the **unobstructed root zone**—a continuous area of suitable soil that supports healthy root development and is free from physical barriers such as utilities, foundations, or compacted materials. Adequate soil volume is critical for tree establishment, long-term health, and canopy development.

Soil volume should be equivalent to one-third of the projected canopy area, with a minimum soil depth of 1 metre.

Tree size and respective soil volumes are provided for each species in Council's Tree Species List. For street trees, the Technical Guideline – Street Trees associated with Council's MoES provides further details regarding soil volumes, discount soil rates, and configurations.

5.3 Soil Quality and Amendment

The ultimate size of a tree is influenced by the quality and quantity of growing media available for root growth. Prior to planting, existing soil conditions should be assessed and appropriate remediation should be implemented as required.

Imported soil may be required in areas where in-situ soils are compacted, poorly structured, or chemically unsuitable. For street trees, Council's Manual of Engineering Standards provides imported soil requirements within the Technical Guideline – Street Trees. To improve soil quality and structure, organic amendments such as compost or gypsum may be incorporated into existing site soils where feasible.


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Appendix E: Heritage Guidelines

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1. Introduction

Maitland City Council acknowledges Aboriginal peoples as the First Peoples of this Country and the Wonnarua People as the Traditional Custodians, Owners and knowledge holders of the land and waterways within the Maitland Local Government Area. Council pays respect to all Aboriginal Elders, past and present and respects the unbroken deep cultural and spiritual connection Aboriginal people have with this Country.

1.1. Application

This Guideline is to be read in conjunction with Chapter 4: Heritage, Appendix A: Application Requirements – Other Development, and Appendix B: Application Requirements – Minor Development. The Guideline provides supporting explanatory information for the management of heritage items and heritage conservation areas in the Maitland Local Government Area (LGA).

1.2. Maitland's heritage context

The Maitland LGA comprises an extensive collection of heritage items and heritage conservation areas, including:

- 207 local items listed under Schedule 5 of the Maitland Local Environment Plan 2011 (MLEP 2011)
- 42 state items listed on the State Heritage Register (SHR)
- 7 heritage conservation areas listed under Schedule 5 of the MLEP 2011:
    1. Bolwarra Heritage Conservation Area
    2. Central Maitland Heritage Conservation Area
    3. East Maitland Heritage Conservation Area
    4. Lorn Heritage Conservation Area
    5. Regent Street Heritage Conservation Area
    6. Morpeth Heritage Conservation Area
    7. Aberglasslyn House Heritage Conservation Area

1.3. Legislation and other guiding documents

Heritage legislation in Australia and NSW regulates the conservation and development of heritage at national, state and local levels. Some heritage places, items or areas may have significance to the nation, while other places may have significance to the state, or within a local area. The following legislation broadly applies:

- The *Environmental Protection and Biodiversity and Conservation Act 1999* (Commonwealth) regulates matters of World, National and Commonwealth heritage values.
- The NSW Government's *Heritage Act 1977* conserves the state's heritage through the SHR and provides for the protection and regulation of archaeological relics.
- The *Environmental Planning and Assessment Act 1979* (EPA Act) in New South Wales regulates the conservation, management and development of Aboriginal, built and cultural heritage.
- The *National Parks and Wildlife Act 1974* provides the framework for the conservation of natural, cultural, and Aboriginal heritage within New South Wales, directly governing care and management of natural environments and First Nations cultural places, objects, and artefacts of significance.

Heritage items and heritage conservation areas are identified under:

- The National Heritage List
- The Commonwealth Heritage List
- The Stage Heritage Register
- Schedule 5 of local environmental plans (such as the MLEP 2011)
- Section 170 of the *Heritage Act 1977*; and
- Non-statutory heritage lists (such as the National Trust Register).

In addition, Chapter 4: Heritage of the Maitland DCP 2026 has been prepared based on the best-practice management guidelines for conservation of heritage items and heritage conservation areas in NSW. These include:

- The Burra Charter
- The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance
- Assessing Heritage Significance: Guidelines for Assessing Places and Objects Against the Heritage Council of NSW Criteria (assessing heritage significance guidelines)
- Guidelines for Preparing a Statement of Heritage Impact
- NSW Government Architect and Heritage Council of NSW's Better Placed: Design Guide for Heritage (Better Placed guidelines).

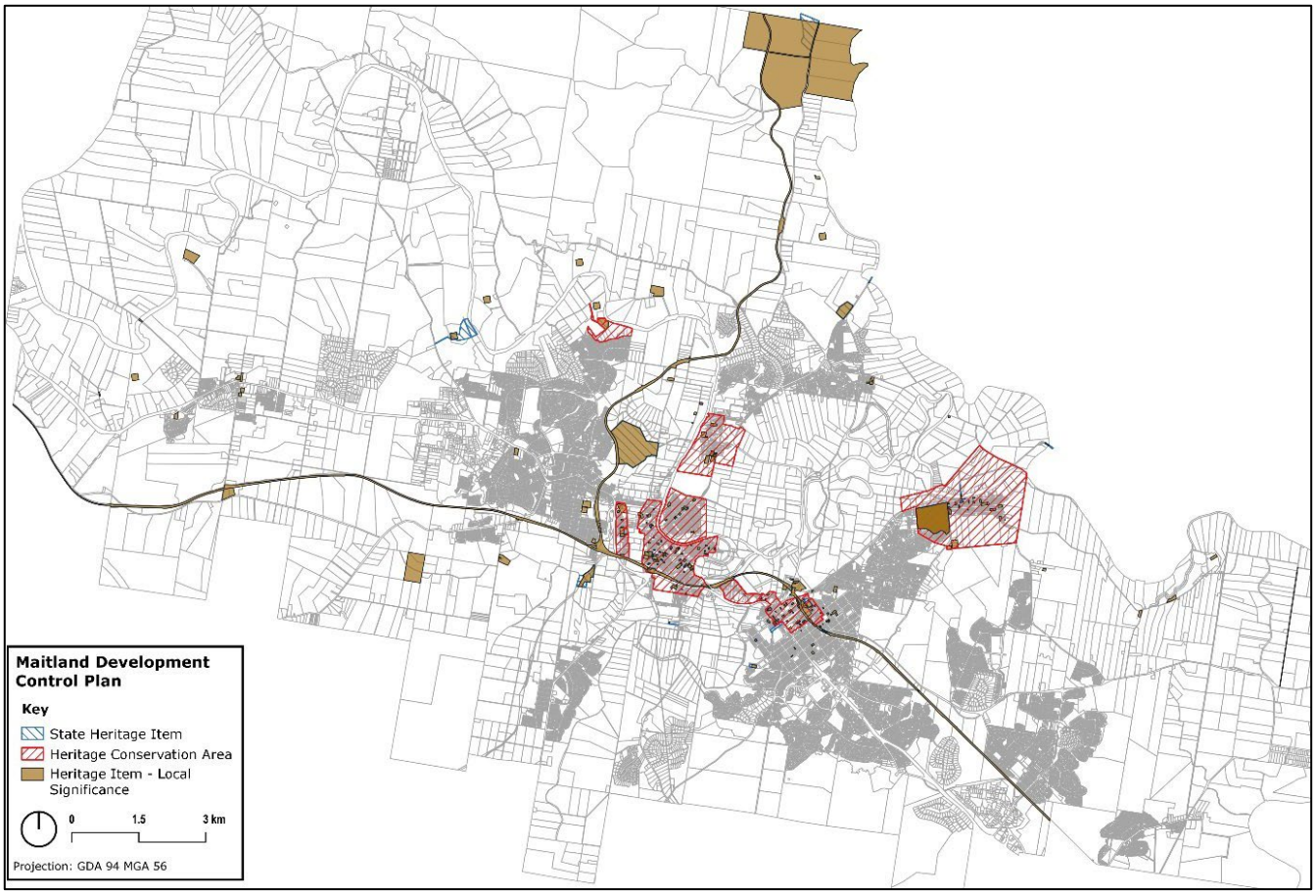


Figure 1: Heritage Items and Heritage Conservation Areas in the Maitland LGA.

1.4. Explaining heritage significance

In Australia, heritage conservation is guided by the principles and guidelines of the Burra Charter. The Burra Charter defines 'cultural significance' as the historic, aesthetic, scientific, social or spiritual value for past, present or future generations. The term brings together all the cultural values of a place or object. In the Burra Charter, the heritage values of an item or place are considered to be embodied in its fabric, setting and use, as well as associations, meanings, records, and related places and objects. Importantly, heritage values are demonstrated by the physical evidence of an item and through other non-physical values such as meanings and associations.

'Heritage significance' or 'cultural significance' refers to the entirety of the most important cultural values of a place, building, work, relic, movable object, precinct or landscape in a community.

In NSW, there are criteria that are used to assess heritage significance.

1.5. Heritage Items

Heritage items are individual sites or places that are recognised by the community for their cultural value and heritage significance. The value of the item may be historic, scientific, social or spiritual.

Heritage items may be an object, monument, building, landscape, or place. They may be particularly fine examples of an architectural period or style, or may have significance for their association with a particular person or group of people which distinguishes them from other places.

1.6. Heritage Conservation Areas

Heritage Conservation Areas (HCAs) are streetscapes, suburbs, areas, landscapes and precincts that are recognised by a community for their distinctive historic character.

They often provide evidence of a particular historical period of development and/or a distinct architectural style, and generally have a high proportion of original buildings. HCAs are protected because they create a cohesive sense of place and character that is valued by the community. More than a cohesive group of buildings and a distinctive landscape setting, HCAs have a special character and sense of place that is assessed as being of significance to current and future generations.

Important elements that contribute to the heritage significance and character of a HCA may include:

- a historic town plan
- historic subdivision patterns
- historic buildings demonstrating architectural styles and periods
- harmonious building forms, scales, siting, heights and materials
- public and private landscapes, including parks and gardens and historic landscape elements
- a mix of land uses reflecting a particular period in the growth and development of an area
- characteristic elements such as monuments and moveable heritage items
- a cohesive character and streetscape.

Maitland's HCAs are situated on the floodplain of the Hunter River, which has a rural open character. Each heritage conservation area in Maitland has a distinctive character and heritage significance.

1.6.1. Bolwarra Heritage Conservation Area

The heritage significance of the Bolwarra Heritage Conservation Area is attributed to its historic, social, aesthetic, and technical values related to the residential core of the suburb and its broader floodplain landscape. The suburb retains evidence of the place's early nineteenth century settlement,

subsequent subdivisions, economic, social, and agricultural history, and technical advancements regarding flood mitigation. Many properties are of aesthetic significance, as is the overall setting of the suburb.

The HCA sits on the original subdivision of Bolwarra House Estate and its farm. Bolwarra Farm was referred to from the 1820s for its beauty and economic value, its hops and tobacco reputedly the best the colony had produced. The timber and soil on this part of the Estate was equally held in the highest esteem, the latter directly driving settlement on and agrarian use of this landscape from the early nineteenth century.

A subdivision of the Bolwarra Estate in 1847 resulted in the development of lots east of Paterson Road, measuring mostly between 18 and 55 acres. West of Paterson Road, a more irregular allotment subdivision occurred, in the vicinity of Bolwarra House. By 1876, Westbourne Road and the southern arm of Kensington Road had been laid out, as had part of Bayswater Road. These streets likely formed part of the original accessways for Bolwarra House.

Various properties through the Bolwarra residential core, farms on the abutting floodplain and embankment design are living records of historic land use and development on the northern side of the Hunter River, this history integral to the growth and workings of abutting commercial 'hubs', like Maitland, and the use of the Hunter River for commercial transport.

With the exception of a handful of properties, the majority of residential Bolwarra is situated to the west of Paterson Road, on a roughly rectangular spur of land above the floodplain. These lands were owned in 1876 by Messrs. Price, Vickery, Bowden, Meyer, and Ferris. These estates are known as the "gentlemen's houses".

Due to the retention of much of the nineteenth century street pattern west of Paterson Road, and the Paterson Road alignment itself, some of the early subdivision history of the suburb remains identifiable. This interpretability is assisted by being able to identify the relatively defined edges of Bolwarra, principally from the floodplain, on Ekert Lane, Flat Road and from Oakhampton Road to the west.

Bolwarra has changed markedly since the 1955 flood, after which substantial further residential subdivision and development occurred. That development has neither been uniform in scale or style, with the prevailing nineteenth and early twentieth century timber clad properties ceasing to be constructed. Additionally, residential development has been denser, on smaller lots, which is evident along Paterson Road, Victoria Street and Canna Street, alongside the post 1970s streets within the old Victorian area of the village.

The urban setting starts and stops abruptly at the northern and southern inclines to the town, each approach being a narrow carriageway through open rural landscape. In the south, the town edge is marked by magnificent trees, including a large Bunyah Pine. In the north, an attractive bend in the road marks the entrance to the town.

The Paterson Street arterial corridor skirts the eastern side of the core of Bolwarra and is separated from it by some distance courtesy of the large Maitland Road lagoon, an appreciation of the character of Bolwarra's residential streets and the setting of its building stock is rather hidden by dense landscaping and traffic from and to West Maitland. Whilst not principally of a commercial nature, the section of Paterson Road between Westbourne Road and Maitland Road presents as a compact 'high street', with a handful of quite grand late nineteenth and early twentieth century residential properties fronting this section of roadway. Its western side has formalised guttering and footpath, linking with the pedestrian walkway across the floodplain to Lorn.

Landscape setting

The Heritage Conservation Area also contains a small section of floodplain land around the southern and eastern perimeter of the Bolwarra spur, land which generally was vital to the workings of the original Estate and to the agricultural history of the Maitland basin.

Most of Bolwarra's streets are concrete kerb and guttered, lawn verges containing a spartan and inconsistent palette and layout of street trees, many of which appear to be specimens planted by abutting property owners. These includes Eucalypts (some of which may be endemic regrowth), Bottlebrush, Pepper trees, Jacarandas and various other exotics. The most significant verge feature in Bolwarra is the WWI memorial at the junction of Westbourne Road and Addison Road.

Bolwarra's residential core contains an extensive palette of mature cultural plantings, in both front and rear gardens of private properties. Some of these specimens date from the late nineteenth and early twentieth centuries and include Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels. Some properties, especially along Kensington Road, Westbourne Road and Paterson Road contain grand street-facing and floodplain-facing large old gardens or remnants thereof. Various properties retain deep frontages to the river and floodplain in the western portion of the Heritage Conservation Area. This includes the site of Bolwarra House. The floodplain landscape along the eastern perimeter of the Heritage Conservation Area contains few landscape features and cultural plantings of particular landmark value.

The residential core of the suburb retains remnants of late nineteenth century and early twentieth century landscape layouts – principally in the survival of various landmark trees, garden features and access drives in some of the area's most prominent properties. Most of the historically significant tree stock is located in and around the northern arm of Kensington Road and the suburban block framed by that road, Bayswater, Westbourne and Paterson Roads and should be retained in any future development.

Buildings

The heritage conservation area comprises the original subdivision of Bolwarra House representing the area's agricultural and commercial use of the Hunter River from the early nineteenth century. The second phase of development in Bolwarra HCA is evident in the collection of "gentlemen's houses" constructed in the late nineteenth century situated on large, landscaped estates, such as Gowan Brae and Shenstone. The eastern and southern areas of the heritage conservation area include examples of High Victorian and Late Victorian houses on Kensington Road and Westbourne Road, including Virgina House set in landscape gardens.

The commercial buildings on Westbourne Road and Maitland Road are of smaller scale and sophistication. These building are a continuation of the high street in Lorn Heritage Conservation Area and small neighbourhood centre.

The later subdivision following the flood in 1955 resulted in the development of single storey detached dwellings in garden settings that dominate the heritage conservation area. This era of development is consistent in scale and form but has changed the historic streetscape, particularly the siting and orientation of buildings, front setback, and materiality. Many of the properties comprise heavily landscaped front gardens, however fencing and tree species are varied and inconsistent.

Characteristic Elements

- Well defined boundary located above floodplain in a broader agricultural setting.
- Late nineteenth century land subdivision and street pattern comprising "gentleman's houses" on large estates.
- Examples of High Victorian villas and Late Victorian cottages in garden settings.
- WWI War Memorial at the junction of Westbourne Road and Addison Road.
- Compact high street comprising small scale commercial buildings on Paterson Road.
- Predominant single storey detached residential character.
- The view to the HCA, rural landscape and landmark trees including a large Bunyah Pine, on approach from the southern entrance to the town.

- Mature cultural plantings dating from the late nineteenth and early twentieth centuries, including Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels.

1.6.2. Central Maitland Heritage Conservation Area

The first European settlement at Maitland was for convict cedar cutters who built thatched huts in the bush. The now open plain at Maitland was covered in dense vegetation consisting of giant red cedars, fig trees, myrtle, and softwood brush, with tall gums and swamp oaks along the river. In 1818, the Governor Macquarie allowed a number of people to occupy land on the river flats naming the area Wallis Plains. One of these tenants was Mary Hunt, commonly known as Molly Morgan, whose subsequent land grant comprised much of the area now known as Central Maitland.

Unlike East Maitland or Morpeth, Central Maitland developed on the floodplain, initially around what would appear to have been an adventitious bullock track abutting the Hunter River – now High Street. A plan of Central Maitland in 1858 captures just how precariously High Street was formalised adjacent to the river. The setting of the township and its presentation to the river has changed markedly since the establishment of the existing high river embankments and the river's realignment in the Horseshoe Bend area of the heritage conservation area – both of which have severely restricted visual access from the town to the river. Due to the scale of the embankment, the town now treads along its northern edge in much the same way as Lorn, as an encased island on the floodplain.

The Central Maitland HCA is a large area covering the Central Maitland urban centre, between Horseshoe Bend in the east and the floodplain over which Long Bridge stretches in the west. It includes a part of South Maitland, immediately abutting the New England Highway.

Especially from high ground in East Maitland and from the spur of land on which Maitland Hospital is located, towers and spires of key buildings in Central Maitland are visible in the landscape. The visual prominence of the township is considerably less in views from Lorn and South Maitland, which are likewise low density.

The Central Maitland HCA has an irregular layout creating a compact, intimate character. Its main arteries are relatively narrow and have traditionally been bordered by impressive, commercial, religious, and civic buildings. The irregular pattern of streets branching off High Street follow original tracks and land grants that vary in width and character.

The intactness of the mid-nineteenth century street pattern has been impacted by various major government works during both the nineteenth and twentieth centuries. This includes the incision of the northern rail line, Hunter River realignment works and the construction of the by-passing Ken Tubman Drive and New England Highway, the latter two of which resulted in the township's High Street no longer being part of the region's primary arterial road corridor. Between the 1950s and the 1990s, lot amalgamation and streetscape upgrades within the centre of the city, altered its homogeneous mid-nineteenth century scale and form.

Landscape Setting

The first public landscape in Central Maitland was a racecourse, which was sited between Devonshire Street and Catherine Street, extending over the land on which the railway was built into what is now Maitland Park. Maitland Park was opened in 1884 and has been Central Maitland's principal passive and active recreation space since that time. The siting of Maitland Park, on the southern side of the rail-line has unfortunately meant that unimpeded access to the park from the commercial centre has never been available.

Other public landscapes have existed (and continue to exist) in Central Maitland, most notably on lands owned by the Cohen family behind their High Street premises (now the Maitland Regional Athletics Centre) and on land that is now the Harold Gregson Reserve. Contemporary small parks in the township, including the Turner Rest Park on Church Street and Queen Elizabeth II Park (east of the heritage conservation area), are rare in relation to availability of pocket parks in Central Maitland.

Some institutional and religious buildings in the township were developed within vast garden and planted settings and these remain. This includes the sites of Maitland Public School, Maitland Regional Museum, St. Mary's on Church Street, St. John the Baptist primary school and All Saints College on Victoria Street.

There remain few street tree plantings of heritage significance in Central Maitland. Most of the township's key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens. Historical research suggests that during the early to mid-decades of the twentieth century various street tree and park planting events occurred. Apart from Maitland Park, there are few discernible examples of this period of landscape beautification in the town. One of those are the several remaining large Jacarandas in Carrington Street (Horseshoe Bend) which were recorded in newspaper articles from the 1940s. This species was a preferred street, institutional and private garden tree in the 1920s and 1930s. Historic newspaper articles also record that Kurrajongs had been planted somewhere in Central Maitland's streets during the 1930s, no doubt in association with the same specimen being deployed in Lorn's main street.

100 Red Flowering Gums were proposed to be procured by Central Maitland Council from the Botanic Gardens, Sydney in 1927 for planting in the parks of the town. These plantings were likely largely made in Maitland Park, the site of a reputed planting of 1500 trees from the Botanic Gardens in 1885. An article in the Maitland Weekly Mercury dated 29 March 1919 referred to the 'very general neglect of tree planting' in Central Maitland until that time.

There exists a commonality in the palette of historic cultural plantings throughout the heritage conservation area. Many of the specimens in street verges, institutional properties and in private gardens are common to landscape treatments in public and private settings across New South Wales made from the late nineteenth century through to the mid-twentieth century.

Existing mature trees in institutional settings throughout the heritage conservation area include Holm Oak, Jacaranda and Fig (Church Street), Camphor Laurel and Eucalypt (Elgin Street), Brushbox, Pepper tree, Silky Oak and Camphor Laurel (Victoria Street), Silky Oak and Hills Fig (Bent Street), Silky Oak and Jacaranda (James Street). The quite limited number of mature trees in street verges include Washingtonia palms (Mount Pleasant Street), Jacaranda and Norfolk Island Pine (Grant Street) and Camphor Laurels (Raglan Street and Radford Street).

Mature trees in private gardens throughout the heritage conservation area are somewhat more numerous. They include Cypress pines (Hannan Street), Jacaranda (Hannan Street), Washingtonia palms (Hannan Street), Liquidambar (High Street), Moreton Bay Figs, Silky Oak and Liquidambar (Sempill Street), Jacaranda and Camphor Laurel (Elgin Street), English Oak and Camphor Laurel (Catherine Street), Jacaranda and Washingtonia (Lee Street), Jacaranda (Nicholson Street), Cedar (Grant Street), Washingtonia and Norfolk Island Pine (Old Rose Street), Pines and Washingtonia (Devonshire Street), Jacaranda (Odd Street) and Araucaria species (Carrington Street).

Development through Central Maitland expanded south from High Street and into the Horseshoe Bend area during the middle of the nineteenth century. Some of the nineteenth century subdivisions were proposed to cover land both north and south of the rail corridor and several of the earliest north-south roads through the suburb extended from High Street into South Maitland. The incision of the railway unfortunately severed these streetscapes.

Historical paintings and photographs suggest that since the time of the establishment of Central Maitland, the core of the township has always been particularly spartan in terms of its landscape treatment. Street tree planting programs from the early decades of the twentieth century look to have never been comprehensively considered and small residential lots sizes through much of the heritage conservation area meant that the inclusion of canopy trees and elaborate gardens in backyards was often not feasible.

Historical references suggest that much of the landscape preoccupation in Central Maitland during the nineteenth and early twentieth centuries related to river flood planning, removal and replacement of Willow trees along the riverbanks, competing interests for horse racing and public park sites and the establishment and beautification of Maitland Park.

By the middle of the twentieth century, the only locations in Central Maitland which supported a mature or maturing tree canopy were institutional and religious sites, sections of several streets (e.g. Jacarandas on Carrington Street), several prominent residences and public sites including Maitland Showground and Maitland Park. Trees in private settings were very scarce and most private gardens through the heritage conservation area would have been largely utilitarian in nature.

The early to mid-nineteenth century river setting and presentation of the township was markedly changed with the development of levees and embankments along the Hunter River and with the realignment of the river away from High Street in the Horseshoe Bend area. Endemic vegetation of the floodplain landscape was also lost, courtesy of wholesale felling (for urban and agricultural purposes) through Central Maitland in the early decades of the nineteenth century.

Heritage landscape attributes of the heritage conservation area (including original street alignments, remnants of non-extant bridges, public recreational sites, key cultural plantings and examples of significant landscape design) should be retained in future town planning and institutional and residential development approvals. This is so that, in association with built heritage assets in the heritage conservation area, the significance of Central Maitland's historic urban development is retained and interpretable.

Buildings

High Street is characterised by a remarkable collection of early buildings which reflect the growth of the town as a centre of commerce in the Hunter Valley. Banks, shops, and offices, together with churches and houses, date from every period of development and exhibit a variety of architectural styles.

High Street is the spine from which the majority of streets branch off at an acute angle. The original bullock track became fixed as the line of the main street enclosed by buildings of two and three storeys and punctuated along its length by landmark buildings. Throughout its development, the two-storey building has dominated the streetscape with only a few instances of one or three storey buildings occurring.

Maitland's prominence as a trading centre meant that development and redevelopment was always taking place and, in many areas, the present buildings might be the third or fourth buildings on the site. This process of growth and redevelopment has caused some unusual groups of buildings - each building being different from one another in style and period - occurring in various parts of the town: for example, Bourke Street, in the heart of the residential area, contains buildings dating from the 1850s, 1880s, 1890s and twentieth century.

The earliest buildings are residential buildings including modest slab huts and masonry cottages and they have survived largely because they are on the edge of town, away from the commercial centre. Cottages and houses from the 1850s to 1910 occur in sufficient numbers for a recognisable sequence of styles to be identified, including fashions peculiar to Maitland. The buildings dispersed along Ken Tubman Drive remain as the earliest evidence of development, in the town centre.

Each of the residential areas in Central Maitland has its own special character, however they do share some common features. These include an irregular street pattern, predominance of old buildings, many vacant allotments, a scattering of rural uses and few trees. Church Street consists of major residences and private landscapes, and major cultural buildings and public landscapes.

Most residential buildings are detached with pairs and terraces being unusual. The two- storey single fronted house with full height verandah built in brick or timber is a particularly special feature of Maitland.

The majority of the cottages and houses were commissioned by their first occupants, many of whom were businessmen or traders in the High Street. The existence of several architects in the town suggests that a considerable number of these buildings were designed by architects, particularly those built after 1870.

The character of Maitland's commercial architecture is very strong and is comprised of two distinct building types. High Street is typified by those buildings having parapets which conceal the roof. Areas away from High Street are typified by buildings having a visible hipped or gable roof. Central Maitland has retained most of its landmark public and private buildings which continue to dominate the skyline. Many buildings in High Street were built before World War I and display recognisable styles characteristic of the locality including examples from each period of Maitland's growth. Individually, many of these buildings have special architectural and historical significance because of Maitland's 19th century commercial significance.

Together, they represent both the history of the development of High Street and a catalogue of late 19th century facades. Importantly, from a streetscape viewpoint, the smaller buildings complement the larger buildings in both scale and design.

The earliest commercial buildings remaining appear to date from the 1850s-1860s. It is possible that the rear timber portions on the buildings on the northern side of High Street backing on to the Hunter River might date from this time, although the facades are much later.

The more recent introduction of Maitland Central Shopping Mall and other large scale bulky goods shops to the south of High Street has not only altered the original fine grain grid subdivision pattern but also changed the commercial character of the centre. Large commercial lots are also evident along the southeastern end of High Street, which has changed the historic appearance of the heritage conservation area upon entering.

Characteristic Elements

- Maitland's commercial, civic, and religious centre and largest centre in the Hunter Region.
- An early colonial settlement located on the southern side of the Hunter River.
- A predominant grid street pattern.
- An excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- High Street has a largely intact streetscape, including many original shopfronts and landmark buildings.
- Residential character varies from early modest slab huts and cottages to two storey single fronted housing.
- The key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens.
- Public recreation and walking path along the Hunter River.
- Maitland Park and Maitland Showground.
- Central Maitland Railway Station.
- The southern portion of the HCA is physically separated by Les Darcy Drive and the New England Highway.
- Views to important buildings, spires and other architectural features from the surrounding HCAs and broader district.

1.6.3. East Maitland Heritage Conservation Area

The East Maitland HCA covers a broad area between Les Darcy Drive in the west and George Street in the east and includes land which forms a junction between East Maitland HCA and Central Maitland HCA, around Wallis Creek. The HCA extends from Markey Lane in the north to Park Street in the south, covering the core of the historic East Maitland town centre and including most of the heritage listed items in the suburb. A large proportion of East Maitland is not covered by the heritage conservation area, including most of the streets south of Newcastle Street.

The regular grid pattern of East Maitland's street layout remains as per 1829 town plan. The grid pattern is emblematic of the preoccupation of early colonial town planning in NSW and Australia to impose formal street overlays onto the landscape.

The plan for the township overlaid a largely symmetrical axial street template between two ridgelines – the spurs on which Maitland Gaol was built and the one where Stockade Hill Heritage Park is located. A ridge extending broadly north-south, between those two spurs was planned as the eastern extent of the original town, where High Street was sited. The western extent of street layout in the original plan was less defined, as the township approached the floodplain. George Boyle White's town plan (also of 1829), whilst having the same fundamental design as Mitchell's, indicated a more expansive street network, extending further west, north and east. Of note is that the 1829 Mitchell and White schemes did not include subdivision in the Pitnacree Road and Fitzroy and Anne Street areas.

The early nineteenth century street grid of East Maitland remains a defining characteristic of the suburb. Newcastle Street (and the New England Highway) is a dominant principal thoroughfare through the town, with its contemporary scale, and the volume of traffic it supports, spatially dividing East Maitland in two. Multiple of the suburb's north-south cross streets are 'severed' by the function of Newcastle Street as the region's principal arterial road, courtesy of traffic islands in that road corridor. This has impacted the 'pedestrian- ability' of the township. The incision of the rail line through East Maitland in the 1850s also dramatically impacted the integrity of the township, with the William Street corridor being cut, roads requiring bridging and the surrounds of the courthouse precinct being separated from the town.

William Street is the broadest of the 'cross streets' of East Maitland, purposefully dimensioned as a dramatic cross-axial corridor between a public park on Stockade Hill and the site of the courthouse and gaol. Historic photographs of East Maitland suggest that William Street may have originally been planned and remained for many years, a pedestrian boulevard or linear park, not designed to support horse and cart or later, motor vehicles. A very small amount of original sandstone kerb and guttering remains through the town, similar to that extant in front of the East Maitland Post Office building in Day Street. This guttering form and scale can also be found in the Morpeth and Central Maitland heritage conservation areas.

Landscape Setting

The three principal public landscapes envisioned in the 1829 town plan for East Maitland were the park at Stockade Hill, the surrounds to the public buildings where the goal was sited and the planted feature cross-axis 'boulevard' of William Street. These landscapes look to have been formally planted by the 1850s, the surrounds of the courthouse and goal supporting very dense and established conifers and exotic canopy trees by the time photographic panoramas over the town were produced in the 1880s.

Photographic evidence shows that various residential and institutional properties through East Maitland supported maturing cultural plantings from the mid to late nineteenth century. By the mid twentieth century, much like Central Maitland, East Maitland was particularly barren in terms of its landscape composition. Many plantings in its main public parks had senesced or been removed for stylistic or maintenance reasons and Fig trees in the southern half of the William Street tree lined corridor had also failed and been taken out.

The streets of East Maitland are quite spartanly planted. With the exception of William Street, planted with Fig trees in the late nineteenth century (with subsequent infills), most of the streets within the heritage conservation area are unlikely to have ever been the subject of a comprehensive street tree planting program. Most of the landmark trees which make a key visual contribution to the streetscapes of Maitland lie along the edges of public parks and private gardens – for example Silky Oaks abutting East Maitland cricket ground, Phoenix palms skirting Kind Edward Park and historic Sonte Pines at Cooks Square Park. Anzac Park, fronting the historic courthouse, contains a large number of mature landmark cultural plantings including large Bunya Pines.

A photograph of East Maitland gaol from 1880 shows that what is now Anzac Park and the western surrounds of the gaol had already been planted with a quite extensive palette of pines and feature trees by that time. Assorted species can be found today in the verges of East Maitland's street, including Jacarandas, Paperbarks, Bottlebrush, Watergums, Waterhousia, Eucalypts and Photinia. There is little consistency in species selection and layout.

The East Maitland HCA contains very few historic landmark cultural plantings in private gardens. Several old specimens around Bridge House on Wallis Creek, including a Pepper tree, are rare in the township. There are a smattering of landmark cultural plantings in East Maitland outside the current boundaries of the heritage conservation area, but these are also few in number. Possible old Privet and African Olive windbreak plantings can be found abutting High Street and the rail-line at Pitnacree Road. Historic properties on Old Pitnacree Close support very mature Araucaria pines and Washingtonia palms, as well as other common period plantings.

The barren condition of many of East Maitland's streets is rather at odds with what appears to be a long history in all of Maitland's townships of active interest and action regarding the landscape fashioning of these suburbs. Historic newspapers articles indicate numerous Arbor Days conducted through the municipality during the early to mid-1900s and various proposals for tree plantings in parks and along streets from the late 1800s. This includes a proposal for planting of an avenue of trees between Victoria Bridge and the East Maitland town centre in 1932 and the recommendation for planting of Stone Pines and Pepper tree varieties in Cooks Square Reserve in 1897. As some Stone Pines do remain in Cooks Square Park, it would seem that a large number of specimens planted either reached senescence or were removed for reasons of poor health.

Buildings

The built character of the East Maitland HCA is significant because of its origins as an administrative centre. Although it has experienced a degree of change to its buildings and streetscapes, there is still abundant evidence of its original layout and government functions.

The heritage conservation area comprises a collection of residential, commercial, and government and institutional buildings, particularly dating from the mid-nineteenth century. On Banks Street and King Street, adjacent to the rail corridor, the early nineteenth century residential character of town is evident. Melbourne Street retains much of its early nineteenth century commercial precinct character.

There is a mix of period, type, and scale of dwellings with the mid-nineteenth century masonry dwellings of one and two storeys strongly represented in and around Banks and William Streets. Smaller timber dwellings are more common on the western and northwestern edges of the heritage conservation area. More substantial Californian Bungalow cottages and later twentieth century infill development are located adjacent to the highway and in High Street. There are also intrusive light industrial developments on the western edge of the heritage conservation area and in King Street. These buildings, including supermarkets and car repair and sales buildings are of inconsistent scale and design.

The character of East Maitland HCA is determined by the contribution of streetscape elements, such as the parks at the terminations of its major vistas and wide streets, street plantings on William and Banks streets, and the natural landform. The character of William Street is defined by its central avenue of trees, as well as the domestic scale of its early buildings, while Banks Street is defined by the eastern edge of early commercial development.

Characteristic Elements

- A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms.
- Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district.

- A predominant grid street pattern and town plan established in 1829 by government surveyor Thomas Mitchell, with wide streets that terminate at public parks.
- Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office.
- A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century.
- Predominant single storey detached residential character.
- Large non-contributory commercial and light industrial buildings along the highway.
- Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
- Intact early colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.

1.6.4. Lorn Heritage Conservation Area

The Lorn Heritage Conservation Area comprises the western-most portion of the suburb, which in totality extends to Flat Road from Pitnacree in the east and Ekert Lane in the north. The HCA straddles the extent of the early 1900s 'garden suburb', established by Bolwarra Council as a key urban centre for the municipality.

The Lorn HCA is characterised by an expansive sweeping frontage to the Hunter River, the central transit artery of Belmore Road (predating the early 1900s subdivision), a formal street pattern and various vestiges of historical designed- landscape treatments to its streets and private properties. Within views along the Hunter River, from the floodplain and from Central Maitland levee, Lorn appears an almost submerged island, this sense is magnified by its expansive river embankment and distinct northern floodplain edge. Lorn appears as "an urban island in the flood plain", contained by a series of levee banks. Due to the high levee banks, the village does not have views to or from the river and countryside beyond.

Prior to the laying out of the suburb, this area would have been part of the agricultural working landscape between West Maitland and Bolwarra – cleared of its Cedar forest in the early 1800s and sought after for its rich alluvial soils. A lithograph of Maitland and district from 1878 suggests that Lorn House in Roy Street and two properties fronting Belmore Road may have been the only prominent buildings that had been erected in this area by that date. That image suggests that various fenced paddocks were also in operation on both sides of Belmore Road.

The suburb was evidently laid out using the pre-existing artery of Belmore Road as its spine, with proximity to Central Maitland no doubt a consideration. The location of late nineteenth century river embankment works may have also contributed to the suburb siting decision by Bolwarra Council.

The original suburb was fashioned essentially as an irregular grid within an overall triangular shape – edged by Melrose Street, Sharkey Lane and The Esplanade. The original format of the suburb remains today, with the exception of its western extent which now includes land within the Nillo Estate subdivision which occurred in 1922.

Landscape Setting

Whilst not identifiable from within much of Lorn, its broader floodplain and river-abutting setting is nevertheless a fundamental part of the suburb's sense of place. Much of Lorn's charm is a result of remnants of its Garden Suburb composition and sympathetic built and landscape infills in subsequent decades. This includes a portion of its housing stock that dates from the early decades of the twentieth century, remnants of early to mid- twentieth century public space landscape treatments and mature and complementary private gardens.

The suburb's siting, immediately abutting the Belmore Bridge, provides a landmark entry from West Maitland in the south. From Bolwarra in the north, the arrival experience into Lorn is quite non-descript, with subdivisions from the second half of the twentieth century framing that approach. However, what is distinct is the defined residential and rural boundary that makes the setting of Lorn very distinct.

A fragmented arrangement of street trees is present in Lorn, some of these dating from the early decades of the twentieth century, other infill plantings from subsequent decades. Jacarandas are the prevailing street tree through the suburb – this species a common selection in urban and garden landscape planning from the 1920s and 1930s. Various other mature street trees frame Lorn's roads, including Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.

Historic aerial photographs suggest that much of the first phase of street tree planting in Lorn may have failed by the late 1950s, with only Belmore Road and King Street containing prominent alignments of verge plantings in the early 1960s. Only a handful of the original plantings of Kurrajongs in Belmore Road now remain. Several very large Eucalypts may be remnants of the endemic vegetation.

Some of the garden suburb planning ideals for Lorn have been lost as a result of past street tree failure and patchy replacement. A selection of current street trees appears to have been private plantings rather than as a result of Council planning. Private gardens in Lorn, a selection of which are quite grand, support mature landmark and canopy plantings – these including Araucaria pines, Washingtonia palms and Cedars. There exist some good examples of Federation-era residential grounds layouts in Lorn, including the plant palettes, garden configurations, garden detailing and original fencing. Some of Lorn's streets retain their original distinctive rolled kerb and gutter edging, this is complementary to the broad lawn verges.

Buildings

The built character of Lorn is predominantly single storey Victorian, Federation and Californian Bungalow cottages with generously landscaped front gardens. The street layout is arranged in an irregular grid pattern of wide streets with on-street parking and generous street tree plantings. There are various public parks providing recreational areas along the river and at Lorn Park Oval and Keith Smith Reserve to the north of the heritage conservation area.

The northern portion of the HCA, along Melrose Street and Brisbane Street, retains late nineteenth century weatherboard dwellings and some one and two storey late Victorian dwellings. Along Belmore Road, northeast of Nillo Street, are remnants of larger estates such as 'Warrane' and its grounds which have been subdivided for new development. The remainder of the heritage conservation area is characterised by late Federation and Californian Bungalow cottages on generous sized lots.

Lorn's Federation and Californian Bungalow style cottages are of high-quality construction and detailing, with consistent front and side setbacks and front gardens. This is especially notable in Roxburgh Street, Allan Street and Queen Street which are characterised by chimneys and tiled roofs, bay windows, low fences, and interesting variations in scale of building elements. Later dwellings constructed between the 1940s and 1950s are less detailed. Overall, the streetscape character has a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.

Single storey cottages and shops provide services along Belmore Road. Infill development is evident along Belmore Road in the introduction of small carparks providing vehicular access to new commercial development. More recent infill development has occurred at the northern end of Melrose Street including amalgamation of sites for villa development. These dwellings are very large and many mimic the period elements and features of heritage items and contributory building which should be avoided.

Characteristic Elements

- An early twentieth century example of a purposefully planned garden suburb.
- Well defined boundary being located behind the river levees along the northern side of the Hunter River.
- Small commercial high street comprising mixture of commercial building typologies on Belmore Road.
- Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.
- An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds.
- Wide streets with:
    - Wide grassed verges and informal driveway crossovers, including gravel and tyre strips.
    - Informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.
- Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.
- Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.

1.6.5. Regent Street Heritage Conservation Area

The Regent Street Heritage Conservation Area includes residential properties, commercial sites and the former Maitland Hospital. This heritage conservation area has been a prominent part of the Central Maitland township since the mid-1800s. The Regent Street HCA is a precinct essentially in two parts – a long largely residential sector on a 'finger' of elevated land between the Telarah Lagoon and the floodplain (which Long Bridge straddles) and the institutional site of the former Maitland Hospital (on the flank of Campbell's Hill). The heritage conservation area comprises residential properties along Bonar Street, High Street and Regent Street. Various properties within this HCA contain either intact nineteenth century gardens or remnants features of nineteenth century landscape compositions.

Landscape Setting

The principal landscape attributes of the Regent Street HCA is the Jacaranda street tree avenue in Regent Street, mature gardens and landmark plantings of prominent residential properties along that roadway and remnants of nineteenth and twentieth landscape design on the Maitland Hospital site.

A number of the Jacaranda trees in Regent Street are likely to date from the original Council street tree program in the 1930s, with a large number of infill trees being planted in subsequent decades.

Some of the properties in Regent Street contain established gardens, elements within which date from the nineteenth century, for example, the landmark plantings in 'Cintra'. Some properties on the eastern side of Regent Street retain deep rear gardens extending onto the floodplain. It is worth noting that all of the housing stock on the eastern side of Regent Street was designed to face the street, rather than the expansive view across the floodplain – the latter an attraction in the siting of the first two principal Maitland Hospital buildings. A selection of mature cultural plantings lies within the gardens of properties north of Ledsam Street, this sub-precinct land-locked between the High Street and the New England Highway.

The section of High Street fronting the Maitland Hospital site is a very spartan section of road corridor and creates a visual separation within the heritage conservation area.

Buildings

The built character of Regent Street HCA includes medical, commercial, and residential building typologies. The northern portion of the heritage conservation area contains the site of the former Maitland Hospital established in 1849. Various phases of infill development on the grounds of the hospital have compromised its original setting and frontage to the floodplain. To the north of the hospital, along Mount Pleasant Street, is a collection of Federation and early twentieth century dwellings that have been adapted for medical and allied services uses to support the hospital.

High Street physically separates this portion of the heritage conservation area from the southern commercial sites and residential area. Regent Street has a small but cohesive collection of residential buildings on Regent Street which includes excellent examples of High Victorian mansions, late Victorian and Federation cottages and early twentieth century dwellings. Later development constructed during the early twentieth century have introduced Art Deco features and details. These buildings have contributed to the character of the heritage conservation area by maintaining the consistent building form, scale, and setbacks along Regent Street.

Later development constructed between 1930s and 1950s, particularly along Bonar Street, has weakened the cohesive character of the heritage conservation area.

Characteristic Elements

- The former Maitland Hospital and grounds established in 1849.
- The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge.
- Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street.
- Fine grain residential subdivision pattern along High Street and Regent Street.
- An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings.
- Semi-rural use of sites along Regent Street and Bonar Street.
- A cohesive building typology of one and two storey detached dwellings, with established gardens and eclectic front fencing styles.
- Mature trees, landmark plantings, and Jacarandas on Regent Street.
- The location of the former Regent Street Mill.

1.6.6. Morpeth Heritage Conservation Area

The boundary of the Morpeth Heritage Conservation Area comprises part of the land grant of the early settlement established in 1823 and the Georgian period town plan. The HCA extends west along the Hunter River to Raworth and extends east to Morpeth Common and Morpeth Oval. Morpeth Bridge provides access from Swan Street to the rural flats on the northern side of the Hunter River. The surrounding agricultural land forms the agricultural setting of the HCA, extending from Butchers Lane in the south to Lawlers Road and Phoenix Park Road in the north.

Morpeth is sited on the southern side of the Hunter River on a high ridge above the floodplain. Morpeth retains the original ordered grid street plan drawn up in 1834, including three main streets with lanes between, and five minor cross streets. A key factor in the plan is the location of the church at the top of the ridge, within clear view of Closebourne, at the end of High Street and visible from many parts of the town. High Street is close to the top of the ridge, and James Street is at the top of the rise. The allotments between Swan Street and High Street are greater in depth than those between High Street and James Street.

Historical paintings and photographs indicate that during the nineteenth century, Morpeth expanded north and east from the initial village which was framed by Tank, High and Northumberland streets.

High Street projected considerably further north by the end of the 1840s, by which time various other cross-streets had been established. The river punt at the northern tip of Swan Street (now Brisbane Fields Road) was evidently also in operation by this time.

A photograph of the township, likely from the 1870s or 1880s, indicates that cultural plantings (including conifers) had been made in the town during the early to middle decades of the nineteenth century – amid a landscape completely clear-felled of its endemic forest. Large canopy trees, like Moreton Bay Figs, had also been planted in some residential properties in that period. Several grand residential and institutional garden settings remain in the township, for example at The Villa, Marlborough House and in churchyards – these retaining components of their nineteenth century configuration.

Street trees were not a feature of Morpeth during the late nineteenth and early twentieth centuries – streetscapes and the townscape, generally, being quite barren in terms of canopy cover and mature garden settings. The only formal historic street tree alignments established in Morpeth would appear to be the Brushbox avenue in High Street and the line of Fig trees at the southern and northern town entries in Swan Street and Morpeth Road. Brushbox were a common choice for Council verge plantings in the early decades of the twentieth century and Fig trees were a popular street tree and park planting of the late 1800s.

The sandstone drainage and swale drain system of Morpeth constitutes one the most significant elements of the Morpeth streetscape due to its intact nature throughout the township. It remains uninterrupted in the principal streets of the town and sandstone swale drains are present in some secondary streets. The lack of formed drains in some areas, where grassed drains exist, is equally as significant. In more recently developed areas of the town, concrete kerb and guttering is predominant.

The streets within Morpeth have traditionally had unformed edges. Gravel shoulders to principal streets and bitumen running to grass swale drains on minor streets characterize the town, except for Swan Street where bitumen runs to the sandstone gutter.

Sandstone kerb and guttering is located along the principal streets of Morpeth that include Swan, High and Tank Streets with parts of Northumberland, Robert and Close streets also featuring sandstone kerb and guttering and stone swale drains.

The footpaths within Morpeth take three forms:

- hard paving generally full width in the Commercial precinct of Swan Street
- narrow paved paths with grass verges in adjoining streets to the Commercial precinct, and
- grass with small sections of formed paths in the remainder of the residential area.

There is diversity within the paving types in the commercial precinct. The paving types include sandstone flagging, brick pavers, bitumen and concrete with sandstone flagging. This last type is typically located adjacent to original shopfronts, identifying it as an important characteristic of this commercial area.

Wharves on the Hunter River and a train line from East Maitland were prominent utilitarian features of Morpeth's nineteenth century landscape - these were fundamental for trade, supply and distribution throughout the region. With the development of Queens Wharf in 1833 opening the trade route with Sydney, the town soon became a major industrial and agricultural hub.

Landscape Setting

Morpeth's axial and regular grid layout is the prevailing town planning characteristic of the township, a pattern borne from the alignment of the original river-abutting Swan Street. The grid was extended to the north in regular increments from the extent of Closebourne House to the site of Morpeth Common, the latter sited on the tip of the Morpeth spur of land. From Swan Street, the offsets to the grid were made up onto the ridge of the Morpeth spur, where High Street and Princess Street were aligned. As the landscape began to fall away to the east, the town grid stopped. There remain

considerable lengths of the original sandstone kerb and guttering in Morpeth's streets. Archetypal sections of this are present in Tank Street, Swan Street and High Street.

The townscape supports a variety of old and prominent cultural plantings, including Araucaria pines and large Fig trees, in both public and private settings. Many of these are visible from the floodplain, from within Morpeth's streets and from nearby suburbs. The most prominent of these are located at the entries to the town on Morpeth Road, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes. A line of lopped Brushbox extends along the majority of High Street, some of these plantings present in a 1930 aerial photograph of the town. This monoculture street tree planting is the only one of its type in Morpeth, which otherwise contains a random mix of verge specimens – accretions since at least the middle of the twentieth century. Street tree species include Silky Oak, Paperbark, Eucalypts, Crepe Myrtle, Casuarina and Waterhousia. Various tall shrubs are also present in various streets, some of these likely to have been plantings made by nearby residents. These include dwarf Magnolias, Callistemon, Wattle, Murraya and Hibiscus.

Swan Street in quite spartan in terms of street trees. The large Fig trees which provide a grand entry into Morpeth from East Maitland and which line the north end of Swan Street (from the former river punt) do not appear to have ever existed comprehensively through the central section of Swan Street, likely for reasons of convenience in front of commercial properties. That central section of Swan Street contains an ad-hoc collection of verge plantings including Jacaranda, Eucalypt, Crepe Myrtle, Agonis, Oleander and Leptospermum – which collectively do not contribute to the sense of place for Morpeth's main road.

Some mature trees evident in gardens from historic aerial photo assessment no longer remain – due to subdivision, senescence and / or general property development. Many gardens of the nineteenth century and early twentieth century in Morpeth appear to have been unembellished in form and detailing – except in the case of the town's grandest homes. Today, as across all of the LGA's townships, there are many different types of private gardens in Morpeth. Some of these contain old mature shrubs and trees, some have been fashioned with contemporary layouts, some retain various overlays of historic garden design on the property, some are well tended to, and others are in a neglected state. Likewise with front boundary fence typologies and treatments which are numerous. Various examples of steel and timber picket, timber paling, woven wire, brick, Colorbond are present in Morpeth, as are front boundaries which are just demarcated by hedges.

Expansive views over the Hunter River floodplain are available from highpoints in Morpeth's landscape, particularly from the surrounds of Closebourne House, from the streets extending east-west across the ridge, from sections of Swan Street and from James and Little James Street.

Buildings

Morpeth HCA contains civic, commercial, industrial, and residential buildings of various ages and architectural periods and styles. The civic, commercial, and industrial buildings are primarily located along Swan Street which fronts the Hunter River and reflects the township's commercial use of the river. Landmark buildings on Swan Street include the former Courthouse, the former Bond Store group, the former CBC Bank, and former Post Office.

The buildings are complemented by modest houses, churches, and schools arranged in a Georgian grid pattern south of Swan Street. The pattern and age of houses broadly reflects the development of the town south of the river. The earliest buildings were constructed from 1830. With a second layer of buildings constructed in the nineteenth and twentieth centuries. More than half of the residential buildings in Morpeth were constructed since the 1950s. These houses are generally sympathetic in form and scale to the heritage items and earlier contributory buildings.

Other landmark buildings include Morpeth House and Closebourne House including the adjoining chapels, Diocesan Registry and extensive grounds and avenue of Brush Box trees. More information about Morpeth's buildings is provided under Precincts.

Characteristic Elements

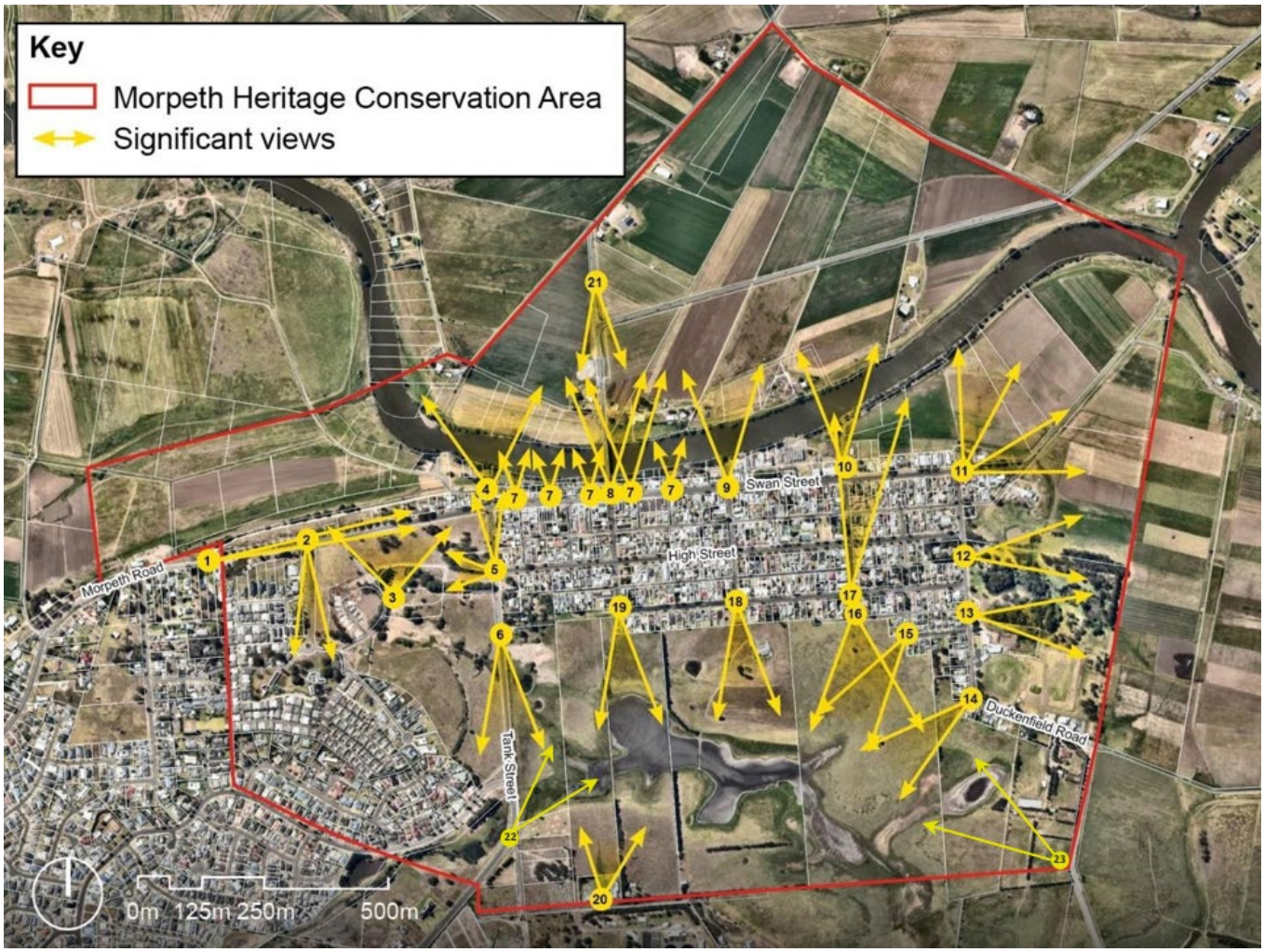
- Early settlement on the Hunter River, established in the 1820s.
- Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive village form in its rural landscape setting.
- Continuous relationship to the Hunter River.
- Large industrial buildings along the Hunter River, evidence of the early settlement and industry on the river.
- Queens Wharf.
- Morpeth Bridge.
- Landmark civic buildings designed by Government architects.
- Commercial streetscape character containing one, two and three storey examples of shops on Swan Street.
- Morpeth House and Closebourne House.
- A variety of dwelling types constructed from the 1830s to the present.
- Predominant single storey detached residential character.
- Eclectic fencing types and garden layouts in residential development.
- Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- A line of mature lopped Brushbox on High Street.
- Morpeth Common and Morpeth Oval.
- Sandstone gutters, kerbing, and swale drain system.
- Expansive views over the Hunter River floodplain are available from numerous vantage points in Morpeth.

Significant Views

The significant views to and from the Morpeth Heritage Conservation Area include:

1. View from Morpeth Road to Morpeth Heritage Conservation Area on entry to the town.
2. View from Morpeth Road to Morpeth House.
3. View from Closebourne House towards Hunter River and northern rural landscape.
4. View from Queens Wharf Road to Hunter River.
5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape.
6. View to the cemetery from Tank Street.
7. Views between buildings on Swan Street to the Hunter River.
8. View from the Morpeth Bridge to the northern rural landscape.
9. View from the intersection of Robert and Swan streets to the northern rural landscape.
10. View from the intersection of George and Swan streets to the northern rural landscape.
11. Views from the intersection of Swan and Edward streets to the rural landscape.
12. View from Edward Street to Morpeth Common and western rural landscape.
13. View from Edward Street to Morpeth Oval and the western rural landscape.

14. View from Duckenfield Road to the southern rural landscape and lake.
15. View from the corner of John Street and Duke streets to the southern rural landscape and lake.
16. View from Little James Street to the southern rural landscape.
17. View from the intersection of George and James streets looking north.
18. View from the intersection of James and Robert streets to the southern rural landscape.
19. View from the intersection of James and Northumberland streets to the southern rural landscape.
20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lake.
21. View from the floodplain to Morpeth Bridge and the township.



Above: Significant views within the Morpeth HCA

1.6.7. Aberglasslyn Heritage Conservation Area

The Aberglasslyn House Heritage Conservation Area surrounds Aberglasslyn House, a grand eighteenth century two storey Greek revival villa on the Hunter River, constructed between 1840 and 1842 and designed by John Verge. Aberglasslyn House is an individual heritage item listed on the State Heritage Register. The HCA includes the item's extended curtilage, which includes the immediate surrounds of the historic house, its principal garden (to the immediate north-west of the house) and a driveway providing vehicular access from Aberglasslyn Lane.

The boundary of the HCA extends east roughly to the line of Dunnart Street in the adjoining residential development abutting Warbler Road and south to the ridgeline, which screens the residential development from the Aberglaslyn House. A small section of the heritage conservation area projects north of Plover Circuit.

The HCA does not include vast sections of the former estate. This includes a large zone supporting an orangery and vineyard further towards Aberglasslyn Lane and large paddocks, some cropped, which were likely integral to the operations of the property during the nineteenth century.

A survey from 1840 of the Aberglasslyn Estate, indicates the original property covered a very large tract of land. This extended south to Aberglasslyn Road, west to the Melville Ford bridge, included all the lands to the river west of Aberglasslyn Lane and projected east to roughly the line defined by the current eastern extent of the heritage conservation area. The eastern portion of the heritage conservation area appears to contain remnants of a variety of agricultural elements, including animal holding yards.

Landscape Setting

Owing to almost two centuries of timber felling, land clearing and pastoral use on the former Aberglasslyn Estate lands (and through the adjoining properties), the setting of Aberglasslyn House is a very denuded one. The immediate grounds of the mansion support two enormous Fig trees to its west, which screen and frame the building in views from Aberglasslyn Lane. Several features in the immediate surrounds of the residence are likely contemporaneous with the building's construction, chiefly the retaining / ha-ha wall in front of the house.

Assorted other cultural plantings, trees and shrubs surround the residence. This includes display and utilitarian specimens, like wind break and bordering shrubberies and fruit trees, many likely installed by the current owners. Built garden fixtures have also been recently added to the surrounds of the house including large retaining sandstone blocks to form northern terraces, sculptural elements and gravel paths (some of which are located over nineteenth century pathway alignments).

With the exception of a quite dense belt of riverbank vegetation to the immediate north and west of the house, much of the edges of the river toward Aberglasslyn Lane are reasonably bare. As is the expansive grass hillside south of the house, which supports only a scattered handful of Eucalypts – which are likely regrowth of the endemic Eucalypt Forest which existed in this landscape pre-European settlement. It is an archetypal pastoral landscape, representative in layout and function of a typology of colonial and mid to late nineteenth century rural estates in terms of its establishment, evolution and workings. It is one of a diminishing number of properties of its type in NSW on which nineteenth century land grants can be easily interpreted and on which the sequence and facets of its nineteenth century estate planning and farming remain identifiable.

As the immediate surrounds of Aberglasslyn House remain agricultural land, the form and function of this rural landscape and colonial estate can be readily appreciated. Whilst some of the detail of the nineteenth century arcadian composition of the place has been lost, remnant cultural plantings of the homestead, utilitarian features of the grounds and the open rural setting of the property's larger landscape add considerably to the significance of the place.

Buildings

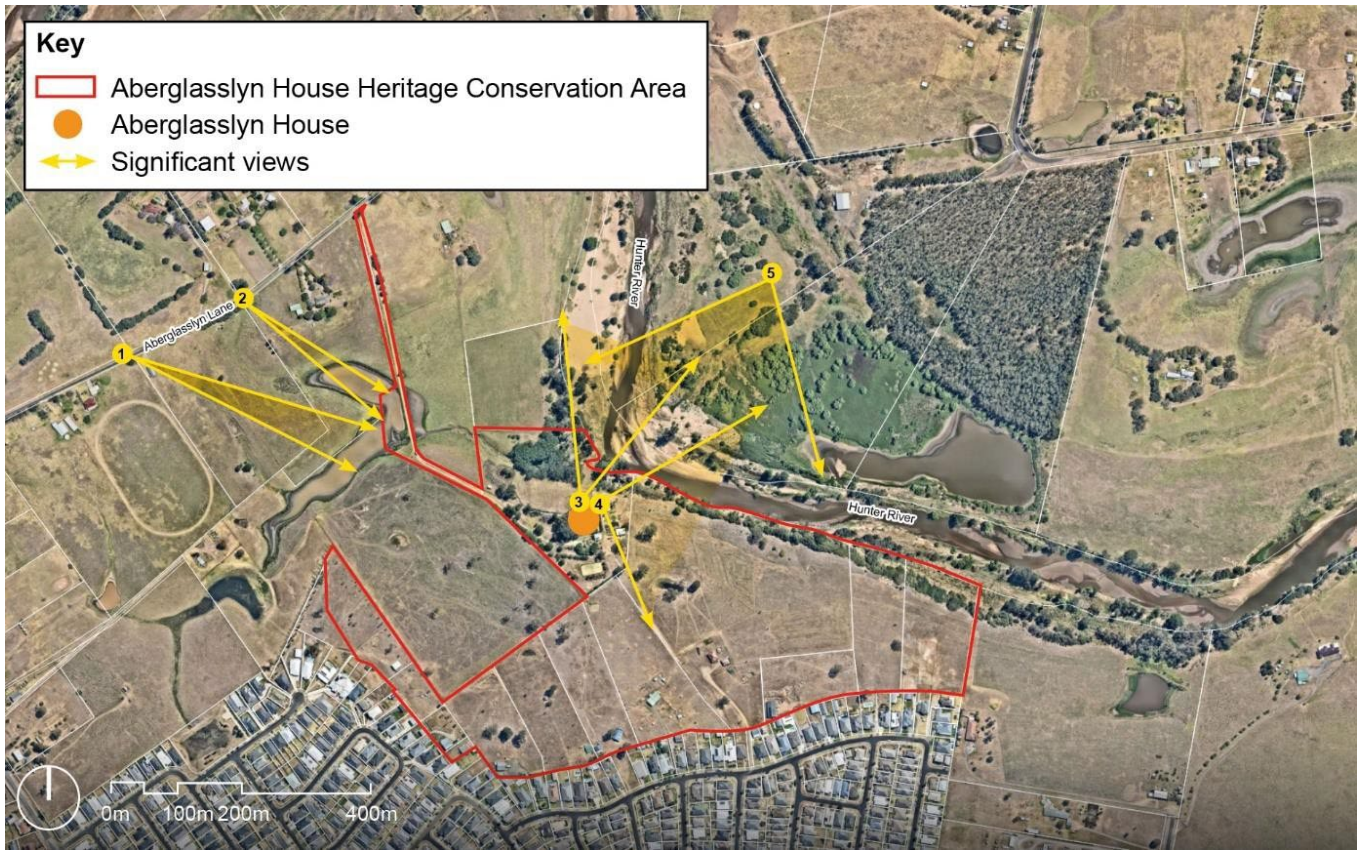
Aberglasslyn House is a fine example of a Greek revival villa and a local landmark in Aberglasslyn. It is built of Ravensfield sandstone with a slate roof. It is a large rectangular house with well-proportioned rooms arranged around a central square hall containing a geometric staircase describing a circular wall beneath a hemispherical dome.

The house was not finished to the original plan and is incomplete. The planned rear single storey wings containing offices were not built and only part of the interior detailing was completed. In the late 1850s, most of the unfinished detailing was made good in a simple manner with moulded architraves instead of the elaborate aedicular forms of the original work. At this time, two storied verandahs of

cast iron columns on sandstone plinths were built instead of the single storey colonnade originally planned, for which sandstone columns had been quarried and moulded.

Characteristic Elements

- Aberglasslyn House, its principal garden and grounds.
- The pastoral landscape setting surrounding Aberglasslyn House, which is partially included in the boundary of the HCA.
- The historic relationship to the Hunter River.
- The natural landform to the south of the HCA.
- Views to and from Aberglaslyn House and the heritage conservation area from the Aberglasslyn Lane and the northern side of the Hunter River.



Above: Significant views within the Aberglasslyn House Heritage Conservation Area

1.7. Classification of buildings within heritage conservation areas

Buildings within each heritage conservation area will in future be identified by these guidelines as contributory, neutral or non-contributory. Heritage listed items are separate to these definitions.

- **Contributory buildings** generally originate from a significant era of historical development of a heritage conservation area and display key characteristics of the area through their architectural style, building typology, use, scale, form, features and materials. Contributory buildings contribute to the public domain and this can be appreciated from the street.

- **Non-contributory buildings** are usually buildings from a later era, or buildings that have been so altered, that are inconsistent with the setbacks, scale, bulk, form or materials of characteristic historical development. They are considered to detract from the heritage significance of the area.

The desired future character of each classification is provided below:

CLASSIFICATION	DESIRED FUTURE OUTCOME
Contributory	• To ensure that contributory buildings are retained and conserved. • To ensure new development does not adversely impact the heritage significance of the heritage conservation area. • To ensure that alterations and additions to contributory buildings are designed to conserve original form, scale and fabric where visible from the public domain. • To allow change to occur in areas where it is not visible from the public domain, including to the interiors of buildings.
Non-contributory	• To allow for the redevelopment and replacement of non-contributory buildings and elements. • To ensure development of non-contributory buildings does not adversely impact the heritage significance of the heritage conservation area. • To ensure new development is of a scale, form and character that is consistent with the significance of the heritage conservation area. • To ensure that alterations and additions to non-contributory buildings are designed to conserve original form, scale and fabric where extant and visible from the public domain. • To allow change to occur in a contemporary style in areas where it is not visible from the public domain, including to the interior of buildings.

1.8. Requirements for development consent

Heritage items and heritage conservation areas listed in local environmental plans, or covered by heritage orders under the *Heritage Act 1977*, are regarded as environmental heritage. To ensure that the heritage significance of items and areas is not adversely impacted, proposed works are subject to assessment and determination by Council.

The following types of work will require lodgement of a development application (DA) and Council approval prior to the commencement of work:

- new development, including new structures
- subdivision
- alterations and additions
- change of use
- full or partial demolition
- removal of significant vegetation
- disturbance to the pattern, form and arrangement of historic landscapes
- disturbance of relics protected under the *Heritage Act 1977*
- alterations to historic interiors (where included in the listing)
- alterations to historic landscape fabric (where included in the listing).

In addition to the standard requirements for a DA application (refer to Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development), works to, or within the vicinity of, a heritage item or heritage conservation area will generally include:

- a Statement of Heritage Impact (SoHI) prepared in accordance with the Guidelines for Preparing a Statement of Heritage Impact, by a suitably qualified heritage professional;
- architectural drawings, including a site plan, floorplans, sections, and elevations. Title boundaries must be shown along with boundaries for the heritage item or the heritage conservation area. Drawings must be to scale, clearly identifying north points and the existing fabric and proposed new works in colour. Fabric to be removed must be noted with dashed lines, or as per other technical standards;
- details of how the proposed works will affect the heritage item or conservation area, existing structures, landscape elements, trees and other features, including views and vistas.
- a schedule of the proposed works, including external finishes, materials and colours, cross referenced to the architectural drawings;
- photographs of the heritage item or property illustrating it within the heritage conservation area from the street and within its boarder setting from a range of viewing points within the public domain;
- identification and documentation of measures to minimise any adverse impacts to the item and area;
- an outline of the future use of the item or property; and
- a subdivision plan, where subdivision is proposed.

1.9. Exemptions for minor works, repair and maintenance

There are exemptions for minor works, repair and maintenance to heritage items at both local and state levels provided the proposed works will not give rise to any adverse impacts on the heritage significance of the item or area.

Minor works include activities such as maintenance and repair to buildings, structures and the upkeep of landscapes or gardens. Minor works applications for local and state government can be found at:

- Maitland City Council
- Heritage NSW

1.10. Local heritage items

Some minor works, such as repairs, maintenance and repainting, will not require a DA but will require a heritage exemption request under Clause 5.10 of the MLEP 2011 to be lodged with Council for approval. A minor works application should be submitted to Council, supported by the following information:

- a statement describing the proposed works.
- a short statement addressing how the proposed development is of a minor nature, or how the repairs or maintenance will not adversely affect the heritage significance of the item or conservation area.
- a set of coloured photographs that clearly show the area of the item being affected by the proposal, and
- a location plan (a map indicating the location of site).

1.11. State Heritage Register listed items

Minor works and maintenance to State Heritage Register listed items or places subject to an interim heritage order may be exempt from approval under the *Heritage Act 1977*. Provided the proposed works do not give rise to a heritage impact, the standard exemptions allow owners and site managers to undertake minor works such as the installation of fire alarms, maintenance, cleaning, subdivision of non-significant buildings and painting.

All exempt works are subject to compliance with general conditions. Works performed under standard exemptions should be recorded using the self-assessment template provided on the Heritage NSW website.

Some state heritage items may have site-specific exemptions that also apply to the item. Site-specific exemptions are detailed on the inventory sheet of the listing and found on the State Heritage Inventory database.

1.12. Guidelines for the preparation of heritage management documents

Council may request the preparation of a heritage management document under Clause 5.10(6) of MLEP 2011 as a requirement for a DA or as a condition of development consent.

The preparation of a heritage management document is required to guide the ongoing management of a heritage item or conservation area, and to understand the impacts of new works on an item or within a heritage conservation area.

Heritage management documents should be prepared by qualified heritage professionals and be written in accordance with relevant standards and guidelines. The use of diagrams, maps, plans, drawings and photographs is encouraged to ensure a thorough assessment.

Other specialist reports may be required by Council to assess a DA relating to a heritage site, such as an arborist assessment of significant trees. Refer to Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development for further information on supporting documents.

1.13. Character assessment

To assist in applications where, in the opinion of Council, proposed works do not warrant the preparation of a formal Statement of Heritage Impact, a Character Assessment should be provided within the Statement of Environmental Effects. A Character Assessment may be prepared by the applicant/owner.

The Character Assessment should include the following, and be identified by the property description and the author's name and contact details:

- How old is the building/s proposed for alteration or additions, and what is known about its history? Try to ascertain the age of the building from any documents you may have such as the Land Title, or from the style of the building.
- Describe the main architectural features and characteristics of the building. List features such as what materials the building is made of.
- What the roof style is (i.e. hipped, gabled), the style of windows, whether it has a verandah.
- What is around the building or land? Describe the buildings that surround it and what they are used for.
- Describe what is proposed. Outline what alterations are proposed – what will the building be used for if the use is changing. Describe all structural and non-structural alterations required.

- Describe what efforts have been made to ensure the changes are sympathetic with the original building. List in point form. List also any previous work if appropriate. Outline if the proposal will improve the function of the building. Are the materials, colour and design compatible with the design of the original structure?
- Describe any impact of the proposal on any surrounding developments, and on the character of the locality. Outline if the changes are in keeping with the character of the locality. Have you taken into consideration the information in this Chapter that relates to the area in which your development is located?
- Describe any sympathetic solutions which were considered, but discounted for particular reasons. List alternatives such as different materials, colours, etc. and outline why these cannot be implemented.

1.14. Statement of Heritage Impact

A Statement of Heritage Impact (SoHI) is required as part of a DA that affects the following:

- a heritage item identified under Schedule 5 of the MLEP 2011
- an item subject to an interim heritage order under the *Heritage Act 1977*
- external works in the vicinity or view of a heritage item identified under Schedule 5 of the MLEP 2011.

A Statement of Heritage Impact (SoHI) may be required as part of a DA that affects the following:

- a property within a heritage conservation area identified under Schedule 5 of the MLEP 2011

The SoHI must be prepared in accordance with the Guidelines for Preparing a Statement of Heritage Impact and include:

- a cover page
- background information about the heritage item or site, including a site description, a summary history and physical analysis
- an assessment of significance using the seven criteria, including a statement of significance
- an outline of the proposed works
- an impact assessment detailing how the works will impact the heritage significance of the item or area and the measures implemented to minimise or mitigate any adverse impacts
- a summary of the impacts and recommendations.

1.15. Heritage assessment

A heritage assessment is prepared to understand and assess the significance of a place. It should be prepared in accordance with the assessing heritage significance guidelines and include:

- background research and information about the heritage item or area, including a physical description, a summary history and physical analysis
- a description of the evolution and details of the place or object, its previous and current uses, its associations with individuals or groups and its meaning for those people
- a comparative analysis of the place or object against similar examples
- an assessment of significance under the heritage assessment criteria
- an assessment of the integrity and condition of the place or object
- an assessment against the threshold indicators
- a summary statement of significance
- a recommendation on whether the item or area has heritage significance.

1.16. Conservation Management Plan

A Conservation Management Plan (CMP) outlines the heritage significance of a place and provides policies and guidelines to manage change to a place over time. The preparation of CMP is considered best-practice management for state heritage items or complex sites including local heritage items.

A CMP should be prepared in accordance with the conservation principles outlined in the Burra Charter, The Conservation Plan and the NSW Department of Planning and Environment best-practice guidelines. A CMP should include:

- background information about the heritage item including a description of the site and its setting
- a historical background
- physical analysis
- an assessment of opportunities and constraints pertaining to the site
- conservation and management policies
- an implementation plan.

1.17. Structural Assessment

A structural assessment will be required where a heritage item or a building within an HCA is proposed for partial or total demolition or substantive change. If retaining the item or property will give rise to undue financial hardship on the owner, evidence must be provided to justify such claims.

A structural assessment must be undertaken by a suitably qualified structural engineer with experience dealing with heritage buildings and structures. The report must include:

- a detailed list of the structural defects or problems identified
- the likely causes of each defect or problem
- a comprehensive range of solutions
- an analysis of the proposed solutions and, where solutions are rejected, the rationale underpinning the rejection
- a recommended approach for repairing the building
- adequate justification if partial or total demolition is proposed.
- If total or partial demolition is approved, a demolition report and photographic archival record will likely be a condition of consent.

1.18. Demolition report

Generally, demolition of a heritage item, contributory building or contributory landscape element is not permitted. Where a heritage item is considered to be a danger to the public, beyond repair by an engineering assessment (or arboricultural treatment in the case of trees), or a non- contributory or neutral building that is being replaced with a sympathetic building. A demolition report or arboricultural report may be required to assess the impact of the demolition works.

If demolition of a heritage item or within a conservation area is approved, a photographic archival report and measured drawings may be required. An archaeological assessment may also be a condition of consent.

Where a building or property is the subject of an interim heritage order under the *Heritage Act 1977*, demolition is not permitted. Trees and other vegetation on the land subject to the interim heritage order must not be removed. Exceptions to this apply to State Significant Development, Crown development and places under heritage agreement.

1.19. Photographic archival recording

A photographic archival recording to document the construction of new works to a heritage item may be requested as a condition of consent. A digital copy of the report and the photographs should be provided to Council for archiving. Also see the demolition report section above.

1.20. Where to get heritage advice and further information

Council can provide information and advice about heritage conservation and management.

Council also has a dedicated webpage 'Heritage development works' which provides information on development to heritage places, alteration works to heritage places and the Maitland Local Heritage Fund.

When considering works or actions to a heritage item, or within a heritage conservation area, Council's heritage officer may recommend a pre-lodgement development application (pre-DA) meeting to assist applicants in preparing a DA that is consistent with the controls in this chapter.

A list of qualified heritage professionals can be found on the heritage consultants directory on the NSW Department of Planning, Housing and Infrastructure website.

Information about a particular heritage item and heritage conservation area can be found on the State Heritage Inventory database. Each item will have an inventory sheet including its historical background, listing information, an assessment against the significance criteria, a statement of significance, management recommendations, photographs and maps. It is important to remember that not all records in the State Heritage Inventory are complete or up to date. In such instances, additional investigation and research may be required to understand the history and significance of the item.

Various forms of evidence and resources can help in establishing the history and significance of heritage items and conservation areas. It is usually necessary to undertake land titles research, and online research platforms such as Trove can assist. Local historical societies and local studies collections may also hold records that would be helpful in developing an understanding of the history and significance of a property.

Organisations and institutions such as the Australian Institute of Architects, the National Trust, the Royal Australian Historical Society and the State Library of NSW may hold relevant historical records.

Historic landscapes can be complicated to research. While key dates for the development of public landscapes are often traceable in historic Council minute books or works files, sources that conclusively evidence historic landscape design and plantings on private properties may not exist. Plans for both public and private landscapes were often not prepared or may be held in private collections.

Aboriginal heritage resources can be found on the Aboriginal Heritage Information Management System (AHIMS) and the Mindaribba Local Aboriginal Land council represents the Aboriginal community in Maitland.


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Appendix F: CPTED Guidelines

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VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

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Introduction

A CPTED (Crime Prevention Through Environmental Design) report/statement is an important study in the planning process, particularly for certain types of development. It assesses how the design and layout of a development can influence safety and reduce opportunities for crime or anti-social behaviour.

A CPTED report/statement is required in the Maitland Local Government Area if a proposed development falls within the scope of Section 3.7 Crime Prevention Through Environmental Design in Chapter 3: Site Requirements of the Maitland DCP 2026. This includes the following:

DEVELOPMENT TYPE	WHEN A CPTED REPORT/STATEMENT IS REQUIRED
Dwellings and accommodation	• Any form of residential development with 20 or more dwellings on the site • Boarding Houses, Group Homes, Manufactured Home Estates, Caravan Parks and Hostels
Social Infrastructure	• Educational Establishments • Centre-based Childcare Facilities • Community Facilities • Recreation (areas and facilities of any size or capacity) • Entertainment Facilities and Function Centres • Hospitals
Commercial and Industrial	• Service Stations • New Licensed Premises • Food and Drink Premises and Shops trading between 11:00pm and 5:00am • Extension of Licensed Premises trading hours past 11:00pm
Other development	• Health Service Facilities • Carparks of any size or capacity • Amusement Centres of any size or capacity • Temporary Events with an expected attendance of 5,000 or more people

The following guidelines provide a series of recommendations for the design of development to ensure that principles of CPTED can be adequately addressed in design and application preparation before lodgement of a Development Application. The intent is for these recommendations to be referenced within a CPTED Report/Statement for a development that requires one to be prepared.

CPTED Principles

There are four key principles of CPTED, which are as follows:

Surveillance

People feel safe in public areas when they can see and interact with others, particularly people connected with that space, such as shop owners or adjoining residents. Criminals are often deterred from committing crime in places that are well supervised. There are three main types of surveillance:

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting – it is a by-product of well-planned, well-designed and well-used space.

Technical/mechanical surveillance is achieved through mechanical/electronic measures such as CCTV, help points and mirrored building panels.

Formal (or Organised) surveillance is achieved through the tactical positioning of guardians, such as security guards, to communicate active ongoing surveillance.

Access Control

Access control are treatments restrict, channel and encourage people and vehicles into, out of and around development. Wayfinding, desire-lines and formal/informal routes are important crime prevention considerations. Effective access control can be achieved by using physical and symbolic barriers that channel and group pedestrians into areas, therefore increasing the time and effort required for criminals to commit crime. There are three main forms of access control:

Natural access control includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens.

Technical/Mechanical access control includes the employment of security hardware, such as CCTV or access-selective doors.

*Formal (or Organised) access contro*l includes on-site guardians such as employed security guards.

Space/Activity Management

Space/Activity Management strategies are an important way to develop and maintain natural community control. Space management involves the formal supervision, control and care of development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

Territorial Re-enforcement

The concept of community ownership of public space sends positive signals to the community. Places that feel owned and cared for are likely to be used, enjoyed and revisited. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers and criminals rarely commit crime in areas where the risk of detection and challenge are high. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it.

Consequently, Territorial Re-enforcement uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should and should not be and what activities are appropriate.

Objectives of this Guideline

O.1 To ensure that the four principles of Crime Prevention Through Environmental Design (CPTED), being Surveillance, Access Control, Territorial Reinforcement and Activity/Space Management are applied to development.
O.2 To ensure habitable buildings create natural surveillance of the space around it by occupants and users.
O.3 To assist in ensuring that building and communal areas are designed in a manner that creates a sense of ownership and responsibility from occupants and users.
O.4 To assist in limiting opportunities for unauthorised access to buildings and communal areas through the use of appropriate security measures.
O.5 To employ materials in buildings that limit the risk of vandalism.
O.6 To ensure entrances, exits, service areas, communal spaces, pathways, car parks, and other areas that are used after dark are adequately lit.

Building Design and Orientation

F.1. Building entrances should be located in prominent, street-facing positions whenever possible.

F.2. Entrances should be designed to allow people to see inside before entering with the number of entry points being minimised as much as possible.

F.3. Blank walls facing or adjacent to the street, especially in commercial or industrial developments, should be avoided.

F.4. Entrances should be easily identifiable through design and clear signage.

F.5. Dwelling entrances should face the street, or both streets if the property is on a corner.

F.6. For medium-density residential developments, the primary dwelling(s) should face the street or both streets if on a corner. Other dwellings should face the access driveway, with entrances visible from the street, or at least visible from another dwelling if street visibility isn't possible.

F.7. Rear lanes should not be the main access point for vehicles or pedestrians to residential or commercial properties.

F.8. Habitable rooms should be positioned at the front of dwellings, or in medium-density developments, towards the access driveway to encourage passive surveillance.

F.9. Windows, doors, and balconies should be arranged in a way that allows for surveillance while maintaining privacy, with offsets between them.

F.10. In industrial developments, office and administration spaces should be placed at the front of the building, overlooking the street and parking areas.

F.11. If separate staff entrances are needed, they should be positioned to benefit from passive street surveillance.

F.12. Stairwells should feature materials like glass, stainless steel, or open-panel designs.

F.13. Pathways should be straightforward, with any barriers along them kept low or transparent (such as see-through fencing or landscaping).

F.14. Mirrors should be placed to help users see ahead and around corners.

F.15. Street numbers should be made from durable materials, ideally reflective or luminous, and positioned in a way that prevents obstruction by plants or foliage.

F.16. Every building should prominently display its street number.

F.17. Street numbers should be at least 150mm in height and placed between 600mm and 1.5m above ground level on the street-facing side.

Shared and Communal Spaces

F.18. Open spaces should be clearly defined and placed where they can be easily observed by passersby. Parks and playgrounds should be situated in front of buildings, shopping centres, etc., facing streets rather than rear lanes.

F.19. Facilities like toilets should be located near activated areas and should not be hidden by vegetation or any other obstruction.

F.20. Active spaces and living areas should be positioned so that their windows overlook communal and public areas.

F.21. Pathways should be direct and follow natural pedestrian movement. Blind corners should be avoided.

F.22. Different spaces should be separated by physical or psychological boundaries, such as low fences, gardens, lawn strips, or different textured surfaces.

F.23. Seating should be placed in convenient, visible locations.

F.24. The frequent use of open spaces and public areas should be encouraged by including amenities such as seating, shade, play equipment, landscaping and barbecues.

F.25. Barriers along pathways should be low or transparent (e.g., see-through), including landscaping and fences.

F.26. Communal areas and utility spaces, like laundries and waste collection points, should be well-lit and easily visible.

F.27. If lifts and stairwells are included, they should feature an open design with transparent materials (where fire safety regulations permit).

Lighting

F.28. Brighter lights should be used in areas with high foot traffic.

F.29. Lights should be aimed at access and exit routes to illuminate and discourage potential offenders, rather than being directed at buildings or observation points.

F.30. Pathways and entrances to open spaces and public areas should be well-lit.

F.31. Lighting should provide a broad beam of light that extends to the next light source or covers the entire length of any pathway or perimeter being monitored.

Security and Anti-Vandalism

F.33. High-quality locks should be fitted on all external windows and doors.

F.34. Intruder alarm systems, security screens, locks for doors and windows, and materials resistant to intrusion must meet the relevant Australian Standards.

F.35. Main entrances to multi-occupancy buildings should be equipped with intercoms, code or card access systems.

F.36. Dwellings should have viewers installed on entry doors so residents can identify visitors.

F.37. External storage areas and yards should be secure and well-lit.

F.38. Security grilles and doors should be see-through, allowing visibility.

F.39. Skylights and roof tiles should be designed to prevent easy removal or opening from the outside.

F.40. Lockable gates should be installed on side and rear access paths.

F.41. External lighting should be vandal-proof, installed at a high point, or shielded to prevent damage.

F.42. Large blank walls should be screened with planting or other feature materials to prevent vandalism.

F.43. The risk of vandalism should be minimised by using durable materials such as tough, wear-resistant laminates, glazed ceramics, treated masonry, stainless steel, anti-graffiti paints, or clear protective coatings.

F.44. Communal or street furniture should be constructed from tough, vandal-resistant materials and secured with strong anchor points or removed after hours.

Shopfronts

F.45. Adequate lighting should be provided under awnings to ensure proper illumination of the footpath and shopfront.

F.46. Merchandise should not be displayed on the footpath if it could obstruct visibility between the shop and the street.

F.47. Shopfronts should use toughened or laminated glass instead of roller shutters or security grilles to prevent creating a fortress-like atmosphere.

F.48. Clear sightlines between shop premises should be maintained, such as by limiting promotional materials on or in shop windows, to ensure effective surveillance.

F.49. If roller shutters are necessary, they should be designed as open-style grilles or made of transparent materials.

F.50. Blank walls along the footpath should be avoided to promote surveillance and discourage graffiti.

Public Facilities and Carparks

F.52. Directional signage should be provided to guide the public to key services and landmarks like railway stations, taxi ranks, and libraries.

F.53. ATMs should include mirrors or reflective materials to allow users to see if anyone is behind them.

F.54. Public facilities should be situated in well-lit, highly visible areas, ideally near places with extended trading hours like restaurants and convenience stores.

F.55. Toilets and parents' rooms should be located near active areas or places that are regularly staffed, such as reception desks or building entrances.

F.56. Public facilities should not be placed in recessed or hidden areas.

F.57. Car parks should be designed in a way that allows them to be observed from adjacent areas.

F.58. The number of entry and exit points should be minimised wherever possible.

F.59. Staff parking areas should be separated and secured, with lighting designed to avoid glare or dark shadows.

F.60. Large, uninterrupted car park areas should be avoided. If they are necessary, surveillance features like security cameras should be installed.

F.61. Entry and exit points should be located near each other and close to adjacent active spaces such as shops, cafes, and other uses.

F.62. Lighting in open car parks must adhere to the Australian Standard AS/NZS 1158.3.1:1999 for road lighting and pedestrian area lighting.

F.63. Concealed recesses that could hide intruders or create areas where users are out of sight should be avoided.

F.64. Lift access, stairwells, and pedestrian pathways should be easily visible.

F.65. Car park lighting should be bright enough to allow users to see into the rear seat of their car before getting in.


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Glossary

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Disclaimer

The definitions used in this glossary only reflect the usage of the word or term within the context of this DCP unless otherwise stated.

Glossary Definitions

#

1% Annual Exceedance Probability (AEP) Flood Event refers to a flood that has a 1% chance of occurring or being exceeded in any given year, based on statistical analysis of historical flood and rainfall data. This type of event is often called a "1 in 100 year flood", meaning that, on average, such a flood is expected to happen once every 100 years—though it can occur more or less frequently, refer to **Average Recurrence Interval (ARI)** in this Glossary.

2008 Australian Noise Exposure Concept (ANEC) means a map that forecasts aircraft noise levels around an airport, based on runway direction and flight paths. It represents the average noise exposure from an average day's aircraft movements over a twelve-month period. Higher contour numbers indicate higher levels of noise exposure for the area of land subject to aircraft noise related development controls. This is used for the Maitland Airport to identify and mitigate any potential impact on surrounding development from aircraft noise.

A

Aboriginal Heritage Impact Permit (AHIP) is the statutory instrument that Heritage NSW issues under section 90 of the *National Parks and Wildlife Act 1974* to manage harm or potential harm to Aboriginal objects and places.

Aboriginal Object means any deposit, object or material evidence (not being a handicraft made for sale) relating to Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of the area by persons of non-Aboriginal extraction. This includes Aboriginal remains.

Aboriginal Place means any place declared to be an Aboriginal place under Section 84 of *National Parks and Wildlife Act 1974*, as amended.

Acceptable Solutions are controls that have language more in line with that of the **objectives** of the DCP. Alternatively, they have content that provide a method to meeting the objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code 'AS.', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', and 'possible'.

Access Driveways are the crossings over the nature strip that provide legal access to a site, and on which vehicles move between the external frontage of the road and the site boundary.

Acid Sulfate Soils means actual or potential acid sulfate soils, as defined in the Acid Sulfate Soil Manual (1998) published by the Acid Sulfate Soils Management Advisory Committee.

Active Street Frontage consists of a street frontage that enables direct visual and physical contact between the street and the interior of the building. Clearly defined entrances, windows and shop fronts are elements of the building façade that contribute to an active street frontage.

Activity Centres are the local and regional hub for community activity. They are places providing a diverse mix of activities where people can socialise, shop, work, meet, relax and often live. Activity centres range in size, scale and development intensity from a neighbourhood centre, like Largs or Tenambit through to a major regional centre, like Central Maitland. Activity centres are usually well-

served by public transport, offering a highly accessible location for commercial, personal and retail services, community, entertainment and recreational facilities as well as a mix of housing options to attract for a diverse population.

'Adjoining Land' comprises -

a) Land identified in Map 1 as being land which shares a common boundary with the development site, or is separated only by a pathway, driveway, laneway or public road or,
b) Land identified in Map 2 as being the closest land that is not owned by the registered proprietor of the development site.

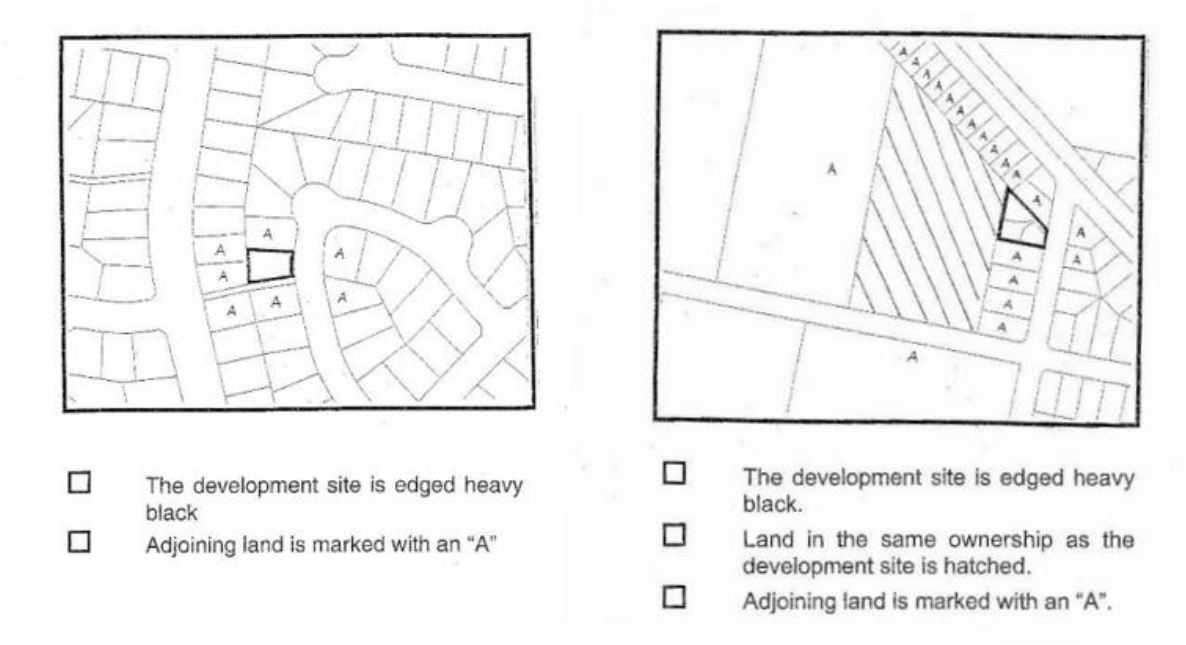


Figure 1: Example of Adjoining Properties

Note: Council applies discretion in relation to sub-clause (b). For example, development within the State Rail Authority corridor would not require all those properties adjoining the corridor to be notified.

Adversely Impact means a negative effect that goes against desired conditions.

Amenity means the degree of positive attributes and appeal of a place.

Ancillary Structure is a group term that covers a variety of minor types of development that would ordinarily be associated with a dwelling. They generally have minimal environmental impact and cannot contain a habitable room. Many of these forms of development can be undertaken as **Exempt Development** or Complying Development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. These includes things such as swimming pools, sheds, fencing, and retaining walls.

Annual Exceedance Probability (AEP) is the chance of a flood of a given or larger size occurring in any one year (for example, the **1% AEP flood event** has a 1% chance of occurring every year; the 5% **AEP** flood event has a 5% chance of occurring every year).

Arterial Road is characterised by the features detailed by the current version of the Maitland Manual of Engineering Standards.

Articulation means the change in the external alignment of walls, or other elements, that expresses the way that the parts of the building fit together.

Asset Protection Zone (APZ) means a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack. The width of an APZ varies based upon a range of conditions, including slope and aspect.

> **Note:** Asset Protection Zone has the same meaning as in NSW Rural Fire Service's Planning for Bush Fire Protection 2019, or as amended.

Australian Height Datum (AHD) means the setting of the mean sea level as zero elevation. Mean sea level was determined by the Surveyor General from observations recorded by 30 tide gauges around the Australian continent for the period 1966-1968, and formally adopted in 1971.

Australian Rainfall and Runoff Guidelines (ARR) is the national guideline document for the estimation of design flood characteristics in Australia.

Australian Standard (AS:) is a published document, developed by Standards Australia, that outlines specifications, procedures, and guidelines to ensure the safety, quality, performance, and consistency of products, services, and systems within Australia. While voluntary in nature, many Australian Standards are incorporated into legislation or regulations, making compliance mandatory in certain cases, particularly in areas like work health and safety.

Average Recurrence Interval (ARI) means the average period between the recurrence of a storm event of a given rainfall intensity. The ARI represents a statistical probability.

> **Note:** For example, a 100-year ARI indicates an average of 100 years between exceedance of a given storm magnitude. The AEP (probability of such an event being exceeded in any year) is therefore 1%.

Average Setback is utilised to determine front setbacks for new structures in established streetscapes. It is calculated by the average distance of the front setbacks of the nearest 2 buildings that have a boundary with the same parallel road and are located within 40 metres of the lot on which the building is erected.

B

Balcony is an upper storey platform projecting from the wall of a building supported by posts or brackets and enclosed by a balustrade. A balcony can also be recessed into a building.

Basement is a storey either below ground level, or no more than 1.2 metres above finished ground level.

Battle-axe Lot means a lot of land behind another, with access from the street through a narrow drive known as a handle. The minimum area specified for battle-axe lots excludes the battle-axe access handle.

Biodiversity has the same meaning as in the ***MLEP 2011***.

Biodiversity Corridors are connections across the landscape that link up areas of habitat. They support natural processes that occur in a healthy environment, including the movement of species to find resources like food, water and shelter. They also store carbon and enable conservation.

Biodiversity Offsets are measures that benefit biodiversity by compensating for the adverse impacts elsewhere of an action, such as clearing for development.

Buffer is a distinct separation between two developments or land-uses that require distance from one

another due to factors such as environmental concerns, or conflicts resulting from their proximity.

Building Envelope means a three-dimensional diagram drawn on a lot of a subdivision plan. It defines the limits for the siting and/or wall height of any dwellings and/or buildings/structures, private outdoor areas, driveways and/or garages/carports.

Building Frontage is the façade of the building that faces the street.

Building Height (or height of building) has the same meaning as in the ***MLEP 2011***.

Building Line or **Setback** has the same meaning as in the ***MLEP 2011***.

Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance) provides guidance for the conservation and management of places of cultural significance. It is based on the knowledge and experience of Australian ICOMOS (International Council on Monuments and Sites) members.

Bush Fire Prone Land consists of land recorded and mapped by the NSW Rural Fire Service as having a heightened potential for bush fire or as being subject to bush fire attack.

Bush Fire Risk is the chance of a bushfire igniting, spreading and causing damage to assets of value to the community and the environment. Risk is rated as being high, medium or low, and is related to the level of the potential threat of bushfire.

C

Cantilevered is a projecting structure, such as a beam, that is supported at one end and carries a load at the other end along its length.

Clearing Vegetation is defined as the destruction of a sufficient proportion of one or more strata (layers) within a stand or stands of native vegetation so as to result in the loss, or long-term modification, of the structure, composition and ecological function of a stand or stands.

Collector Road is characterised by the features detailed by the current version of the Maitland Manual of Engineering Standards **(MOES)**.

Commercial Premises has the same meaning as in the ***MLEP 2011***.

Communal Open Space (COS) are areas of joint private use for the recreation and relaxation of residents. COS are under the control of a body corporate or similar organisation.

Community Title Subdivision is the subdivision of land under the *Community Land Development Act 1989* and the *Community Land Management Act 1989.*

Compensatory Excavation means the excavation of material to offset the placement of fill, so that there is no net reduction in the flood storage capacity in a hydraulically linked part of the floodplain defined by a specified flood event.

Note: this means that the area of compensatory excavation must be available to accommodate flood waters during a specified flood event and, for example, cannot therefore be prematurely filled with ground water or local overland flows.

Compensatory Tree Planting is the planting of a tree to mitigate and offset for the removal of another tree.

Connectivity relates to the number and quality of connections in a network. For example, in the movement network, it comprises streets, pedestrian/cycles paths/links and public buildings, or any type of open space that enables movement around or through an area.

Consent Authority are certain statutory authorities, by provision in their respective Acts, declared to be the consent authority for land within their control. This includes Council assessing development applications for development within land of their Local Government Area.

Construction Certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the regulations.

Note: construction certificate has the same meaning as in the *Environmental Planning and Assessment Act 1979* ***(EP&A Act)***.

Contaminated Land is land in, on or under which any substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Note: contaminated land has the same meaning as in Schedule 6 of the ***EP&A Act***.

Controlled Activity means:

- the erection of a building or the carrying out of a work (within the meaning of the ***EP&A Act***), OR
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, OR
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, OR
- the carrying out of any other activity that affects the quantity or flow of water in a water source.

Note: controlled activity has the same meaning as in the Water Management Act 2000.

Corner Lot means a lot that has a frontage to two roads that intersect.

Crime Prevention Through Environmental Design (CPTED) is a multi-disciplinary approach to deterring criminal behaviour through environmental design by managing the built and natural environment. Refer to Appendix F: CPTED Guidelines.

Crossfall is also known as cross-slope or camber, refers to the transverse slope of a road or other surface, typically at right angles to the direction of travel. It's designed to help drain water off the surface and is crucial for safety and road longevity.

Cultural Significance (or Heritage Significance, or Significance of Places of Cultural Significance) is an item, object, place or landscape that holds historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Culvert is a structure that channels water past an obstacle or to a subterranean waterway, generally consisting of precast reinforced concrete.

Curtilage means the geographical area that provides the physical context for an identified heritage property, and which contributes to its heritage significance.

Note: Land title boundaries and heritage curtilage do not necessarily coincide.

Cut is the removal of soil or rock, whether moved to another part of the same site or to another site

but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of land.

D

dB(A) means an expression of the relative loudness of sounds in air as perceived by the human ear.

Declared Vegetation is any form of vegetation named under the definition of vegetation in this DCP, for the purposes of Section 2.9 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, or as amended.

Deep Soil is an area of natural ground with relatively natural soil profiles within a development site. Deep soil areas should be free of conflicts with building footings, infrastructure and services.

Demolition includes demolishing or dismantling a structure or part of a structure that is either load bearing or related to the physical integrity of the structure.

Demolition (Heritage) means to demolish or destroy a heritage item or a building, work, archaeological site, tree or place within a **Heritage Conservation Area**. It means to wholly or partly destroy, dismantle or deface the **heritage item**, or the building work, archaeological site, tree, or place.

Design Vehicle means the vehicles for which a given development must make on-site provision for their circulation.

Desire Lines are a path that represents the shortest and easiest navigated route between an origin and destination.

Development has the same meaning as in the ***EP&A Act***.

Development Consent means consent under Part 4 of the ***EP&A Act*** to carry out development and includes, unless expressly excluded, a complying development certificate.

Note: Development consent has the same meaning as in the ***EP&A Act***.

Development Type means the definition given to a proposed land-use under the Dictionary of the ***MLEP 2011***.

Drainage Reserve means a parcel of land set aside for drainage purposes. Drainage **reserves** usually contain either a drainage basin or an open drain. A **drainage reserve** is a type of **overland flow path**.

Driveway is the vehicle access between the property boundary and the development. The driveway is generally on private property and is an extension of the **access driveway**.

Dual Occupancy has the same meaning as in the ***MLEP 2011***.

Dwelling has the same meaning as in the ***MLEP 2011***.

Dwelling House has the same meaning as in the ***MLEP 2011***.

E

Earthworks has the same meaning as in the ***MLEP 2011***.

Easement is a legislative instrument that can either be for an individual or a company, known as a grantee, that has the right to use land for a particular purpose, or an **easement** can restrict how the owner of the land, known as the granter, can use their property. Common **easements** include:

- Pathways and walkways
- For the supply of utilities
- Access roads
- The right to park a vehicle

Ecological Communities are a group of different species (plants, animals, and other organisms) living in a specific area and interacting with each other and their environment. These communities are characterised by their unique habitat and the interdependencies between species. They are vital for ecosystem services, biodiversity, and the well-being of native species.

Ecologically Sustainable Development (ESD) means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.

Ecosystem means a dynamic complex of plant, animal, fungal and microorganism communities and associated non-living environment, interacting as an ecological unit.

Effective Warning Time is the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to raise furniture, evacuate people, and transport their possessions.

Effluent Treatment and Disposal Area, also known as a Land Application Area (LAA) or Effluent Dispersal Area (EDA), is a designated area where treated wastewater (effluent) from a wastewater treatment plant or on-site sewage management system is discharged. This area is carefully designed and managed to ensure safe and effective disposal of the treated water, often through methods like sub-surface irrigation, evapotranspiration beds, or surface irrigation.

Electrical kiosk are small form transformers, that are compact and prefabricated, with protective housing. They are typically smaller than 8m^2 in footprint. Within the Maitland LGA, under the Ausgrid classification standards, it typically refers to Ausgrid type descriptors L, K, and R.

Electrical substation are larger electrical infrastructure, generally on their own dedicated lot. They typically involve exposed power lines, transformers, a switching yard, and other elements designed to generate, transmit, and distribute electricity.

Emergency Wayfinding refers to the process of orienting oneself and navigating safely through a space, particularly during an emergency, to reach a designated exit or safety area. It involves the effective use of signage, visual cues, and environmental features to guide individuals, especially during stressful situations. Emergency wayfinding signage examples are provided below:



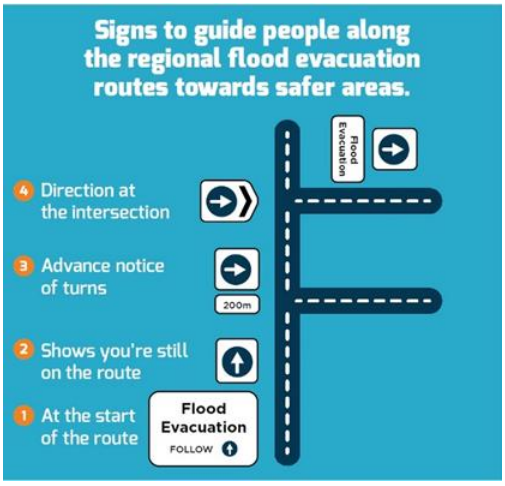


Figure 2: Emergency Wayfinding Signage

Endangered Ecological Communities, also known as threatened ecological communities (TECs), are naturally occurring groups of native plants, animals, and other organisms that interact in a unique habitat and are facing a high risk of collapse or extinction. They are classified as endangered, vulnerable, or critically endangered under laws like the *Biodiversity Conservation Act 2016* (*BC Act*).

Energy and Water Efficiency is any action that minimises energy use and/or water consumption through subdivision and building design.

Environment means components of the earth, including:

- Land, air and water;
- Any layer of the atmosphere;
- Any organic or inorganic matter and any living organism;
- Human-made or modified structures or areas; and
- Includes interacting natural ecosystems.

Environmental heritage has the same meaning as in the MLEP 2011.

Environmental Planning Instrument (EPI) means an **environmental planning instrument** (including a **SEPP** or **LEP** but not including a **DCP**) made, or taken to have been made under Part 3 of the ***EP&A Act*** and in force.

Note: Environmental planning instrument has the same meaning as in the ***EP&A Act***.

Environmental Significance means threatened species and communities, listed migratory species, wildlife corridors, **wetlands** or **riparian corridors**.

Environmentally Sensitive Area means an area deemed to have significant environmental value by Council, including such areas as terrestrial biodiversity, **riparian corridors** or wildlife corridors.

Essential Services means reference to the supply of water, the supply of electricity, the disposal and management of sewage, and the provision of telecommunications.

Estimated Development Cost (EDC) estimates the cost of a proposed development and are used in planning for various purposes, including for determining development approval pathways, calculating assessment fees and for applying development application (**DA**) requirements. **EDC** estimates should capture the cost to carry out the development. This includes costs:

- To design and erect a building and associated infrastructure
- To carry out a work
- To carry out demolition of a building or work
- Associated with any fixed or mobile plant equipment.

Evacuation is the transfer of people and or stock from areas where flooding is likely, either close to, or during a flood event. It is affected not only by effective warning time, but also the suitability of the road network, available infrastructure, and the number of people that must evacuate during floods.

Exempt Development means **development** that is specified in an **exempt development** code that meets the standards specified for that **development** and that compiles with the requirements of **exempt development** under *SEPP (Exempt and Complying Development Codes) 2008.*

F

Fabric means the variety of natural and human made materials (the 'fabric') used for buildings, structures and objects. In heritage contexts, "fabric" refers to the physical material of a place,

including all its components, fixtures, contents, and living elements like trees that have cultural heritage values. This could be visible, like in a building, or hidden, like in an archaeological site.

Facadism means an architectural and construction practice where the façade of a building was designed or constructed separately to the rest of a building. More often it refers to the practice where only the face of a building is preserved with new buildings erected behind or around it.

False Windows means windows that do not link a habitable room and therefore do not provide passive surveillance.

Farm Experience Premises has the same meaning as in the ***MLEP 2011***.

Farm Gate Premises has the same meaning as in the ***MLEP 2011***.

Fill has the same meaning as in the ***MLEP 2011***.

Fill Pad also known as a flood mound, means a raised mound that is constructed from imported fill or material excavated from the development site, to accommodate a dwelling, rural building or agricultural activity (such as a stock refuge or storage of agricultural equipment) in a non-urban zone, to provide increased flood immunity for those uses.

Note: A **fill pad** is exclusive of any access driveway which is assessed separately.

Finished Floor Level (FFL) is the completed floor level of the premises following construction.

Flood is relatively high stream flow which:

- Overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or
- Local overland flooding associated with major drainage before entering a watercourse and/or
- Coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.

Flood Certificate means a Council prepared flood certificate not more than 12 months old.

Flood Evacuation Strategy - The proposed strategy for the evacuation of areas within effective warning time during periods of flood as specified within any policy of Council, the **Floodplain Risk Management Plan (FRMP)**, the relevant State Government disaster plan, the Maitland City Local Flood Plan or by advice received from the State Emergency Services (SES).

Flood Fringe Area is the remaining land in the **flood planning area** after the **floodway** area and flood storage area have been defined.

Flood Hazard means a source of potential harm or a situation with a potential to cause loss.

Flood Liable Land is synonymous with **flood prone land**, being land susceptible to flooding by the **probable maximum flood (PMF)** event.

Note: The term **flood liable land** covers the whole of the **floodplain**, not just that part below the **flood planning level**.

Flood Planning Area is that part of the flood liable land within the Maitland LGA that is the **1% AEP flood event** plus 0.5 metre **freeboard**.

Flood Prone Land means land susceptible to inundation by the **probable maximum flood (PMF)**.

Flood Resilient Construction are the combination of measures incorporated in the design and/or construction/alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.

Note: Guidance as to appropriate construction measures and materials may be provided by Council and can also be found in documents such as "Reducing Vulnerability of Buildings to Flood Damage - Guidance on Building in Flood Prone Areas" (Department of Environment and Climate Change NSW, 2006) and "Flood Resilient Building Guidance for Queensland Homes" (The State of Queensland (Queensland Reconstruction Authority) February 2019).

Flood Safe Access refers to ensuring safe and reliable routes for people to evacuate or be rescued during a flood event, typically within a defined **flood planning area.** This means the access routes should be free from floodwater, even during the most extreme flood scenarios, and not impede evacuation efforts.

Flood Storage Areas are those parts of the **floodplain** that are important for the temporary storage of floodwaters during the passage of a flood. The loss of storage areas may increase the severity of flood impacts by reducing natural flood attenuation. These are indicated on the flood planning maps provided by Council's online mapping system.

Floodplain means an area of flat land adjacent to a river, creek, lake, estuary, dam or artificial channel which is subject to flooding during high rainfall periods. For flood planning purposes, this is an area of land that is subject to inundation by floods up to, and including the **probable maximum flood** event, that is **flood prone land**.

Floodplain Risk Management Plan is developed from the **floodplain risk management study** and details how **flood prone land** within the study areas are to be managed. The primary aim of the Plan is to reduce the **flood hazard** and risk to people and property in the existing community and to ensure future development is controlled in a manner consistent with **flood hazard** now and in the future. The Plan consists of prioritised and costed measures for implementation.

Floodplain Risk Management Study is a study of the risks across the floodplain and evaluates management options for both existing and proposed development. A **floodplain risk management study** needs to be developed in accordance with the principles and guidelines contained in the **Flood Risk Management Manual**.

Floodway refers to land that is a pathway taken by major discharges of floodwaters, the partial obstruction of which would cause a significant redistribution of floodwaters, or a significant increase in flood levels. **Floodways** are often aligned with natural channels, are usually characterised by deep and relatively fast flowing water and have major damage potential. These are indicated on the flood planning maps provided by Council's online mapping system.

Floor Space Ratio of buildings on a site is the ratio of the **gross floor area** of all buildings within the site to the **site area**.

Footway is a path or way for pedestrians and is generally referred to as a footpath.

Freeboard means the height of **finished floor level** above the **1% AEP flood event** level. It is used as a safety margin to compensate for uncertainties such as wave action, localised hydraulic behaviour (e.g. flow path blockages caused by natural and urban debris such as trees, 'wheelie' bins, cars, containers) and changes in rainfall patterns and ocean water levels as a result of the changing climate.

Front Property Boundary means the legal boundary of a parcel of land adjoining the primary **road reserve** frontage.

Front Setback is the minimum distance from a lot's **frontage** to which the outermost projection of a structure may be built.

Frontage is a boundary of a lot that abuts a public or private road.

Function Centre has the same meaning as in the ***MLEP 2011***.

G

Green and Blue Grid maps and shows how native vegetation, wetlands and waterways can link together throughout the Local Government Area to provide an interconnected network of green and blue spaces. When protected and enhanced, these spaces:

- Protect biodiversity and provide wildlife movement corridors
- Help the urban environment to cool
- Contribute to cleaner air and waterways
- Provide new opportunities for community recreation and
- Support improved physical, social and psychological health.

The Green and Blue Grid map includes a hierarchy of **'biodiversity corridors'**, that is, connections across the landscape that link up areas of habitat.

Greenfield means a site in a locality which has not been previously developed or used for other urban purposes.

Gross Floor Area has the same meaning as in the ***MLEP 2011***.

Ground Level (existing) has the same meaning as in the ***MLEP 2011***.

Ground Level (finished) has the same meaning as in the ***MLEP 2011***.

Ground Level (mean) has the same meaning as in the ***MLEP 2011***.

Groundwater means the water located beneath the earth's surface in soil pore spaces and in the fractures of rock formations. A unit of rock or an unconsolidated deposit is called an aquifer when it can yield a usable quantity of water.

H

Habitable Room as defined by the current National Construction Code means a room used for normal domestic activities, and -

a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but -

b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Habitat is the natural home or environment of a plant, animal, or other organism. It provides the organisms that live there with food, water, shelter and space to survive. Habitats consist of both biotic and abiotic factors. Biotic factors are living things. Abiotic factors are nonliving things.

Heritage Conservation Area has the same meaning as in the ***MLEP 2011***.

Heritage Impact Statement, also known as a **Statement of Heritage Impact (SoHI)**, has the same meaning as in the ***MLEP 2011***.

Heritage Item has the same meaning as in the ***MLEP 2011***.

Hollow Bearing Tree Assessment means an assessment undertaken to uncover the quality and quantity of tree hollows present on a site.

Home Business has the same meaning as in the ***MLEP 2011***.

Home Industry has the same meaning as in the ***MLEP 2011***.

Hydro Line Spatial Data contains mapped information about watercourses and waterbodies in NSW, Australia. It is based on the Spatial Services (Department of Finance, Services & Innovation) NSW Hydro Line dataset. The purpose of the Hydro Line spatial data is to determine the **Strahler stream order** of a stream. This information can help identify:

- Exemptions from water licences/approvals i.e. determine whether a watercourse is exempt from requiring a water licence or approval under the *Water Management (General) Regulation 2018*.
- Links for harvestable rights dams to identify suitable locations on a property for constructing harvestable rights dams.

I

Identified Heritage Property means any place identified in a document held by Council which suggests that the place has heritage or cultural significance. It includes a **heritage item**, provisional heritage item, and any property identified in a plan or in a list within this document, or in the heritage guidelines.

Impervious Area means the proportion of a site area covered by surfaces that water is unable to penetrate, such as concrete.

Industry has the same meaning as in the ***MLEP 2011***.

Infill Development refers to **development** in areas already used for urban purposes. Specifically, the reuse of a site within the existing urban footprint for new housing, businesses or other urban development.

Integrated Development means **development** (not being State Significant Development or Complying Development) that, in order for it to be carried out, requires **development consent** and the listing approvals under section 4.46 of the ***EP&A Act.***

L

Land Application Map has the same meaning as in the ***MLEP 2011***.

Land Use Types means the definitions of development as listed under ***MLEP 2011***.

Landscaped Area means a part of a site used for growing plants, grasses and trees, including lawns, but does not include any building, structure or hard paved area.

Laneway means a quiet, narrow street aligned to the rear of residential or commercial properties for service access, paired with parallel residential streets that can be designed for safer and more continuous links for walking and cycling.

Legibility in design means that the movement system provides a sense of direction and connection, and gives clear signals regarding the spatial layout and topography of an area.

Light Industry has the same meaning as in the ***MLEP 2011***.

Light Spill means light emitted by a lighting installation which falls outside the boundaries of the property on which the installation is sited.

Living Area means a room used for normal communal domestic activities, and -

c) includes a living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but -

d) excludes a bedroom, bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Loading Dock is the area for loading and unloading of vehicles, generally incorporating a raised platform to facilitate operations. Loading and unloading can, however, take place from ground level.

Local Environmental Plan (LEP) means the local environmental plan applying to the land to which this plan applies, being the ***Maitland Local Environmental Plan 2011 (MLEP 2011)***.

Local Street means a local street as defined by the current version of the **Maitland Manual of Engineering Standards**.

Locality Plan is a strategic document that outlines future development and infrastructure for a specific area. It sets the stage for growth by providing a framework for land use, transportation, and other aspects of the local environment.

Lot is a parcel of land or space described in a land title. Within this plan, **lot** also means "a development lot" as defined by the *Community Land Development Act (1989).*

Lot Width means the length of the perpendicular line between the side boundaries of a **lot**, as measured at the front boundary of the **lot**.

M

Manoeuvring Area is the part of a service area, adjacent to service bays, required by service vehicles to manoeuvre into the bays or to a position beside a loading dock.

Manual of Engineering Standards (MOES) refers to the **Maitland Manual of Engineering Standards**. The **MOES** is a suite of documents that provides engineering requirements for developments and subdivisions.

Merit-based approach is the means of achieving an **objective** based on the desired outcome, rather than specific numerical standards.

Minor/Major Drainage System is defined within Council's MoES.

Mixed Use Development has the same meaning as in the ***MLEP 2011***.

Multi Dwelling Housing has the same meaning as in the ***MLEP 2011***.

N

Native Vegetation means any of the following types of plants native to New South Wales:

- Trees (including any sapling or shrub or any scrub),
- Understorey plants,
- Groundcover (being any type of herbaceous vegetation), or
- Plants occurring in a wetland.

Natural Heritage means:

- Natural features consisting of physical and biological formations or groups of such formations, which are of identifiable value from an aesthetic or scientific point of view,
- Geological and physiographical formations and delineated areas, which constitute the habitat of threatened species of animals and plants of identifiable value, from the point of view of science or conservation, or
- Natural sites or delineated natural areas of identifiable value from the point of view of science, conservation or natural beauty, regardless of evidence of human intervention.

Neighbourhood is an urban area within a five-minute walk (400 metre) of a centre. Neighbourhoods are generally residential areas with a central activity node in the form of a centre.

Nodes mean focal points, intersections or loci. Examples include train stations, neighbourhood centres, bus depots or intersections.

Non-habitable Room means a room not defined as a **habitable room** under this Development Control Plan.

Non-urban Area/Zone is a RU1 Primary Production, RU2 Rural Landscape, R5 Large Lot Residential, C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living, or W2 Recreational Waterways zone as identified by the **LEP**. All other zones under the **LEP** are considered to be urban zones.

O

Objectives are the broad metrics that proposed **development** is to achieve under this **DCP**. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'.

Occupation Certificate means a certificate that authorises:

- The occupation and use of a new building in accordance with a development consent, or
- A change of building use for an existing building in accordance with a development consent.

Note: Occupation certificate has the same meaning as in the ***EP&A Act***.

Offensive Noise has the same meaning as in the *Protection of the Environment Operations Act 1997.*

On-site Parking refers to parking available directly at the destination or property, like within a residential area or at a business. For residents, it often means having parking spaces available on the property itself, while for businesses, it might include designated parking areas for employees and customers.

On-site Stormwater Detention means a way of ensuring that land-use changes does not cause increased downstream flooding: both in the local drainage system immediately downstream and along the creeks and rivers further downstream. **On-site detention** usually consists of a discharge control pit, storage and collection network. For further detail refer to Council's **MOES**.

Open Space means either **private open space** or **public open space.**

Outbuilding means an unattached building or structure that includes a bird aviary, cubby house and other play equipment, cabana, garden shed and greenhouse and the like.

Outdoor Lighting any form of permanently installed exterior lighting and interior lighting systems that emits light impacts on the outdoor environment.

Overland Flow means water that flows down to a water course as opposed to flooding that is water that rises from a water source.

Overland Flow Path are the areas of inundation by local runoff rather than inundation created by overbank flows discharging from a watercourse.

P

Parking Aisles are the aisles used by cars to gain access to a parking space.

Pest has the same meaning as in the *Biosecurity Act 2015.*

Place means a site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Plant Nursery has the same meaning as in the ***MLEP 2011***.

Precinct Plan means a plan prepared to address the matters set out for specific land within the context of Part 6 (Urban release areas) of the ***MLEP 2011***.

Prescriptive Controls are requirements that an applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each section of this DCP.

Primary Road Frontage is the road fronting a development from which access is gained via a driveway. Some developments will have more than one frontage road.

Principal Private Open Space has the same definition as in *State Environmental Planning Policy Exempt and Complying 2008*.

Privacy Screen is a visual barrier, typically a wall or structure, designed to limit the view between a property and an adjoining area, or between a habitable room and an adjoining lot. It's used to enhance privacy and prevent unwanted views, often while still allowing some light and air to pass through.

Private Open Space has the same meaning as in the ***MLEP 2011***.

Probable Maximum Flood (PMF) refers to the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation, and where applicable, snow melt, coupled with the worst flood producing catchment conditions.

Public means a person who accesses a building or premises who are not owners or staff.

Public Domain means land to be considered public property and would generally be understood to be streetscapes or **public open space.**

Public Infrastructure means infrastructure, such as sewerage, electrical, water or similar that is under the ownership of a public authority, such as Council.

Public Open Space means a social space that is generally open and accessible to people, including drainage reserves, public domain, parks and sportsgrounds.

Public Road for the purposes of this plan is a road that is controlled by a public authority.

Pump station are systems designed to transport liquids, such as water or wastewater, from one location to another. They are typically utilised in cases where gravity-fed systems are unable to be used.

Q

Qualified Arborist means:

a. A person who holds the Australian Qualifications Framework Diploma in Horticulture (Arboriculture) or other qualifications to the satisfaction of Council (Level 5 or higher), and

b. Who has been registered with the Council as a qualified person for the proposes of the preparation of an arborist report.

Qualified Professional is someone who possesses the necessary skills, knowledge, and experience to effectively perform a particular job or task. They are considered competent and trustworthy in their field, often having completed specific training, education, or professional certifications.

Note: A qualified professional can include (but not limited to) a qualified consultant, acoustic consultant, geotechnical engineer, heritage professional, access consultant, ecologist etc.

Qualified Professional Engineer means a practicing professional with accreditations received from a university recognised by Engineers Australia or equivalent international accreditation.

R

Rail Line means infrastructure or area reserved for the purpose of rail transport, whether for goods or passengers.

Recreation is the act of passive (e.g. walking, reading) or active (e.g. jogging, cycling) relaxation. Recreation takes place in locations that are designed for either unstructured (random) recreation or structured (sports, such as football) activities. Sport fields are designed for structured recreation but also allow passive activity. Likewise, parkland may be designed for passive activity but provides cycle paths for structured recreation.

Recreation Area has the same definition as in the ***MLEP 2011***.

Recreation Facility (indoor) has the same definition as in the ***MLEP 2011***.

Recreation Facility (outdoor) has the same definition as in the ***MLEP 2011***.

Residential Accommodation has the same meaning as in the ***MLEP 2011***.

Residential Flat Building has the same meaning as in the ***MLEP 2011***.

Restricted Premises has the same meaning as in the ***MLEP 2011***.

Retail Premises has the same meaning as in the ***MLEP 2011***.

Riparian Corridor means a transition zone between the land (also known as the terrestrial environment) and the river or watercourse or aquatic environment. **Riparian corridors** perform a range of important environmental functions.

Riparian Vegetation is vegetation that grows on water surfaces, below water surfaces, on waterway banks, and along the edges of waterways.

Road Reserve means a legally described area within which facilities such as roads, footpaths, and associated features may be constructed for public travel.

Road/Street Hierarchy refer to Council's **MOES**.

Roadside Stall has the same meaning as in the ***MLEP 2011***.

Run-off is rainwater that does not soak into the soil, but flows across surfaces, generally hard surfaces, to the nearest drain, water body or waterway.

Rural Areas means the following land-use zones under the ***MLEP 2011***:

- RU1 Primary Production
- RU2 Rural Landscape

S

Scale of Subdivision is dependent on the size and complexity of a subdivision. The differing scales include:

- Minor Subdivision: The creation of 1 – 9 new lots, where no new roads are required.
- Medium Subdivision: The creation of 10 – 49 new lots, OR the creation of 1 – 9 new lots, where a new road is required.
- Major Subdivision: The creation of 50 or more new lots.

Secondary Dwelling has the same meaning as in the ***MLEP 2011***.

Secondary Setback relates to a building situated on a corner lot that faces to two streets and therefore requires two setbacks. The secondary setback is provided to the non-primary street, being the street which carries less traffic load.

Section 88B means section 88B of the *Conveyancing Act 1919.*

Seniors Housing has the same meaning as in the ***MLEP 2011***.

Sensitive and Hazardous Development includes the following land uses (refer to ***MLEP 2011*** Dictionary for definitions of each):

a. boarding houses
b. caravan parks
c. correctional centres
d. early education and care facilities
e. eco-tourist facilities
f. educational establishments
g. emergency services facilities
h. group homes
i. hazardous industries
j. hazardous storage establishments
k. hospitals
l. hostels
m. information and education facilities
n. respite day care centres
o. seniors housing
p. sewerage systems
q. tourist and visitor accommodation; and
r. water supply systems

Sensitive Receptors are places or individuals that are more susceptible to the adverse effects of environmental factors. This may include an area where significant flora and fauna species, vegetation communities, ecological and/or riparian corridors and other significant habitat are part of land in a residential zone. They may also be on the site of an education establishment, hospital, childcare facility, community facility and the like.

Setback or Building Line has the same meaning as in the ***MLEP 2011***.

Setting means the area around a 'place', which may include the visual catchment.

Sex Services Premises has the same meaning as in the ***MLEP 2011***.

Shared Pathway means a path designed to provide a travel area separate from motorised traffic for bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users.

Side Boundary means the property boundaries connected to the front property line.

Sight Distance is the distance over which visibility occurs between a driver and an object, or between two drivers, at specific heights above the ground.

Sight Line is a straight line of clear view between two objects over which a sight distance is measured.

Signage has the same meaning as in the ***MLEP 2011***.

Significant Trees Register means the Maitland Council's Significant Tree Register. This Register is available from the Maitland City Council Website.

Site Analysis means the preparatory step for developing a site analysis plan. The results of this analysis are illustrated by a **site analysis** plan submitted as part of a Statement of **Environmental Effects.** Refer to Appendix A & B Applications Requirements for further details.

Site Area means the area contained within the boundaries of the site.

Solar Access means the amount of the sun's energy available to a building.

Specialised Retail Premises has the same meaning as in the ***MLEP 2011***.

Splay Corners means the corners of a road intersection.

Statement of Environmental Effects (SEE) means a document that examines the potential environmental impact of a development and details how these impacts will be managed and mitigated.

Stormwater is the run-off from rainfall events.

Strahler Order Water Courses are channels of watercourses that are classified under the Strahler System. A 1st order water course has no other watercourses flowing into it, a 2nd order has one watercourse flowing into it, and so on.

Strata Title Subdivision is a type of subdivision made under the *Strata Titles Act 1973*.

Streetscape is what is within view of a person, including buildings and natural forms, related to the street.

Structure Plan is a plan that provides a comprehensive planning approach to the subdivision of land. It identifies the road network, open space network, services, environmental issues, pedestrian/cyclist links, mix of land uses and approximate density yields, among other attributes. These are provided as part of an Urban Release Area under Chapter 10 of the DCP.

Sub-Arterial Roads are roads that connect Arterial Roads to areas of development, carry traffic directly from one part of the city to another, and may also relieve traffic on **arterial roads**. Smooth and safe traffic flow is the main priority of these roads. In many instances, these roads travel through centres and should safely facilitate pedestrian and cycle movement.

Subdivision means an area or lot of land being subdivided into smaller lots. Refer to **scale of subdivisions** in this Glossary.

Subdivision Certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Note: Subdivision certificate has the same meaning as in the ***EP&A Act***.

Subdivision Works Certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the regulations.

Note: Subdivision works certificate has the same meaning as in the ***EP&A Act***.

Swimming Pool has the same meaning as in the *Swimming Pools Act 1992.*

T

Telecommunications Facility has the same meaning as in the ***MLEP 2011***.

Traffic Generating Development means **development** defined as **traffic generating development** under Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

Transport Movement Hierarchy is to be provided for any subdivision that creates new roads. The hierarchy is to include:

- Major circulation routes and connections
- Proposed bus routes and its pedestrian connectivity
- On & off-road cycling and pedestrian networks
- Strategic access points
- Intersection hierarchy

Treatment Train is a term describing a stormwater treatment in which various devices and methods are used in sequence to treat polluted run-off water from sites.

Tree see definition of **native vegetation** under in *Local Land Services Act 2013.*

U

Universal Accessible Design means design suitable for people of all ages and abilities, including people with a disability.

Urban Design is a process that concentrates on the appearance of the built environment, how it works, including its relationship to the natural environment and human behaviour, and its ability to provide, safe, equitable, stimulating and enterprising environments for all people.

Urban Release Area has the same meaning as in the **MLEP 2011**.

Urban Areas/Zones are any land zones within the Maitland LGA that do not fall under the definition of a **non-urban zone.**

V

Vegetated Riparian Area means the **vegetated riparian zone** that adjoins the channel comprising the bed and banks of the watercourse of a **riparian corridor.**

Vegetation means a tree or other vegetation, whether or not it is native vegetation as defined under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021***.**

Virgin Excavated Natural Material (VENM) has the same meaning as in the *Protection of the Environment Operations Act 1997.*

Vistas means a view corridor to a distant view.

W

Walkable Perimeter is the actual area served within a five-minute (400 metre) or 10-minute (800 metre) walking distance along a movement network.

Waste has the same meaning as in the *Protection of the Environment Operations Act 1997.*

Waste Storage and Recycling Area means a designated area or a combination of designated areas upon the site of a building for the housing of approved containers to store all waste material

(including recyclable material) likely to be generated by the building's occupants.

Water Catchment is an area that drains water to a common point.

Watercourse has the same meaning as in the ***MLEP 2011***.

Waterway has the same meaning as in the ***MLEP 2011***.

Water Cycle Management means the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various sources, and its use and transport in the natural and built environment. Sustainable **Water Cycle Management** incorporates the principles and practice of Water Smart and **Water Sensitive Urban Design** philosophies.

Waterfront Land has the same meaning as in the *Water Management Act 2000.*

Water Quality Targets are outlined in the **MOES**.

Water Sensitive Urban Design (WSUD) is a design approach that is intended to:

- Enhance water quality in receiving waters,
- Reduce the risk of flood damage in developed areas,
- Reduce stormwater run-off volumes, peaks and velocity,
- Prevent erosion of waterways, slopes and banks,
- Protect riparian and littoral vegetation,
- Minimise water-borne pollutants,
- Improve efficiency in the use of water, and reduce reliance for imported mains water,
- Reduce sewer overflows in wet weather, and
- Promote scenic landscape and recreation values.

Weeds means a plant that is a pest and has the same meaning as in the *Biosecurity Act 2015.*

Wetland means a location identified as 'wetland' on the Wetlands Map under the ***MLEP 2011***.

Written Notice in relation to advising of a proposed development shall contain the following information:

- A description and address of the site
- The proposed use of the building and a description of the building
- The name of the applicant
- The time period within which written submissions may be made, and
- A notification plan.

Acronyms

ACRONYM	DEFINITION
AEP	Annual Exceedance Probability (flood event)
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
APZ	Asset Protection Zone
AQF	Australian Qualifications Framework
AS	Australian Standard
BAM	Biodiversity Assessment Method
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
BEWP	Bulk Earthworks Plan
BMP	Biodiversity Management Plan
COS	Communal Open Space
CPTED	Crime Prevention Through Environmental Design
CRZ	Core Riparian Zone
CWMP	Construction Waste Management Plan
DA	Development Application
dB(A)	A-weighted Decibels
DCP	Development Control Plan
DSI	Detailed Site Investigation
EEC	Endangered Ecological Communities
EP&A Act	Environmental Planning and Assessment Act 1979
EPI	Environmental Planning Instrument
ERSED	Erosion and Sediment
ESCP	Erosion and Sediment Control Plan
ESD	Ecologically Sustainable Development
ESS	(Maitland) Environmental Sustainability Strategy 2030
EV	Electric Vehicle
FERP	Flood Emergency Response Plan
FFAR	Flora and Fauna Assessment Report

ACRONYM	DEFINITION
FIRA	Flood Impact and Risk Assessment
FPL	Flood Planning Level
FRP	Flood Risk Precinct
GFA	Gross Floor Area
HCA	Heritage Conservation Area
LALC	Local Aboriginal Land Council
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
MLEP	Maitland Local Environmental Plan 2011
MoES	Manual of Engineering Standards
NBN	National Broadband Network
NCC	National Construction Code
OWMP	Operational Waste Management Plan
PHA	Preliminary Hazard Analysis
PMF	Probable Maximum Flood
POS	Private Open Space
PPOS	Principal Private Open Space
PSI	Preliminary Site Investigation
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SIA	Social Impact Assessment
SIP	Statutory Infrastructure Provider
SoHI	Statement of Heritage Impact
SWMP	Soil and Water Management Plan
TIA	Traffic Impact Assessment
VENM	Virgin Excavated Natural Material
VMP	Vegetation Management Plan
VRZ	Vegetated Riparian Zone
WSUD	Water Sensitive Urban Design