

6.17 Minmi Road, Fletcher

Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	-	-	New

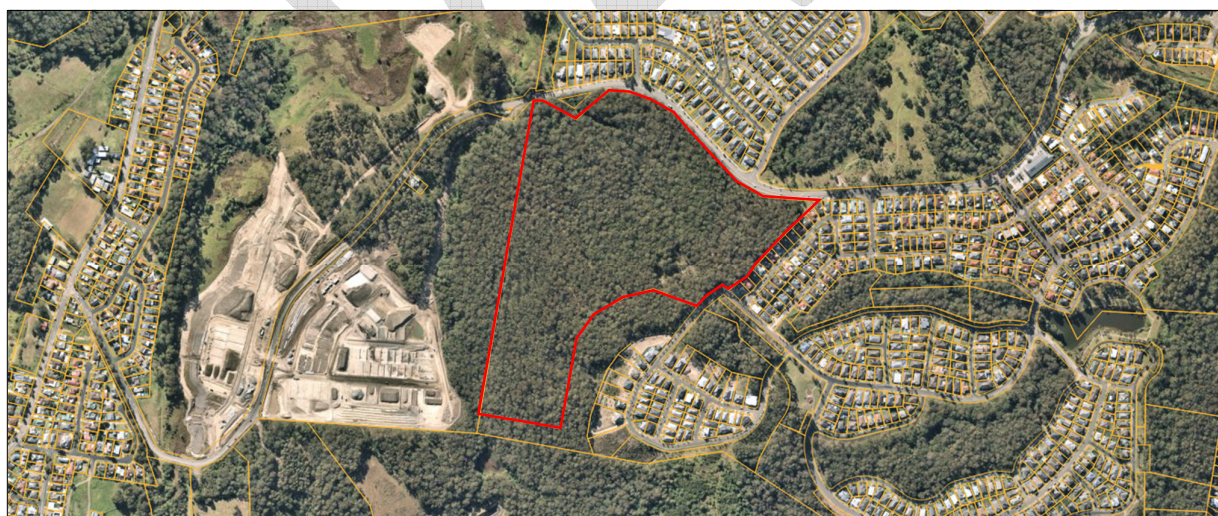
Saving provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to the land identified as Lot 23 DP 1244350, being 505 Minmi Road, Fletcher as shown in Figure 6.17-01 below.

Figure 6.17-01: Minmi Road, Fletcher Land Application Map



Development (type/s) to which this section applies

This section applies to all development consisting:

- New buildings or structures
- Additions or alterations to existing buildings or structures

Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Building Sustainability Index: BSAIX) 2004
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Related sections

The following sections of this DCP **will** also apply to development to which this section applies:

- Any applicable land use specific provision under Part 3.00

Note: Any inconsistency between the locality specific provision and a land use specific provision, the locality specific provision will prevail to the extent of the inconsistency.

- 7.03 Traffic, Parking and Access
- 7.06 Stormwater
- 7.08 Waste Management

The following sections of this DCP **may** also apply to development to which this section applies:

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood.
- 4.02 Bush Fire Protection – which mapped bushfire area/zone
- 4.03 Mine Subsidence – which mine subsidence area
- 4.04 Safety and Security – development with – accessibility to general public, access to laneways, communal areas, or residential with three or more dwellings
- 4.05 Social Impact – where required under ‘Social Impact Assessment Policy for Development Applications’, 1999
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill

- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Vegetation Management – trees within 5m of a development footprint of those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items – known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required.

Associated technical manual/s

- Stormwater and Water Efficiency for Development Technical Manual
- Subdivision Technical Manual
- Waste Management Technical Manual

Additional information

- *Biodiversity Certification Assessment Report, MJD Environmental July, 2023*
- *Biodiversity Certification Certificate, Biodiversity Conservation Division, 2023*
- *Aboriginal Cultural Heritage Assessment Report, Heritage Now, October 2023*
- *Urban Design Study, Moir Landscape Architects, 2021*
- *Strategic Bushfire Study, MJD Environmental, 2021*

Definitions

A word or expression used in this development control plan has the same meaning as it has in the *Newcastle Environmental Plan 2012*, unless it otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 – Glossary of this plan.

Aims of this section

1. To ensure a general contemporary urban village character, within a setting characterised by natural waterways and native vegetation within the area is provided.
2. To contribute to the supply of housing to meet the projected housing demands at a density which integrates with the existing urban village character.
3. To ensure land is developed to maximise the efficiency of existing infrastructure.
4. To ensure connectivity is achieved through a network of open space and pedestrian routes within the site.
5. To provide attractive streetscapes which promote passive and active recreation.
6. To manage nutrient or stormwater flow rates to ensure the health of Minmi Creek and other waterways.
7. To conserve reasonably undisturbed bushland in accordance with the Biodiversity Certification.
8. To ensure the ongoing management of C2 Environmental Conservation land is achieved by incorporating best practice environmental management and water sensitive urban design methods.

6.17.01 Urban structure

A. Subdivision within Minmi Road, Fletcher

Objectives

1. To reinforce the desired character for Fletcher and surrounding development.
2. To provide opportunities for choice in housing to achieve a diversity of housing types.
3. To provide a staged development for the timely and efficient release of urban land.
4. To allow for the necessary infrastructure and sequencing.
5. To protect and enhance riparian corridors and biodiversity.

Controls

1. A revised staging plan for the entire precinct shall be provided with the first development application for subdivision generally in accordance with the staging plan as shown in **Figure 6.17-02**.
2. A revised lot layout for the entire precinct shall be provided with the first development application for subdivision of any land and be generally in accordance with the urban design study as shown in **Figure 6.17-03** and the indicative lot typologies as shown in **Figure 6.17-04**.
3. Lot typology, lot frontage, minimum lot size and depth shall be provided in accordance with Table 6.17-01.
4. Buildings on lots with a slope greater than 15% are to employ construction techniques to ensure the dwelling is responsive to the topography and minimises cut and fill within lots.

Figure 6.17-02 – Indicative staging plan

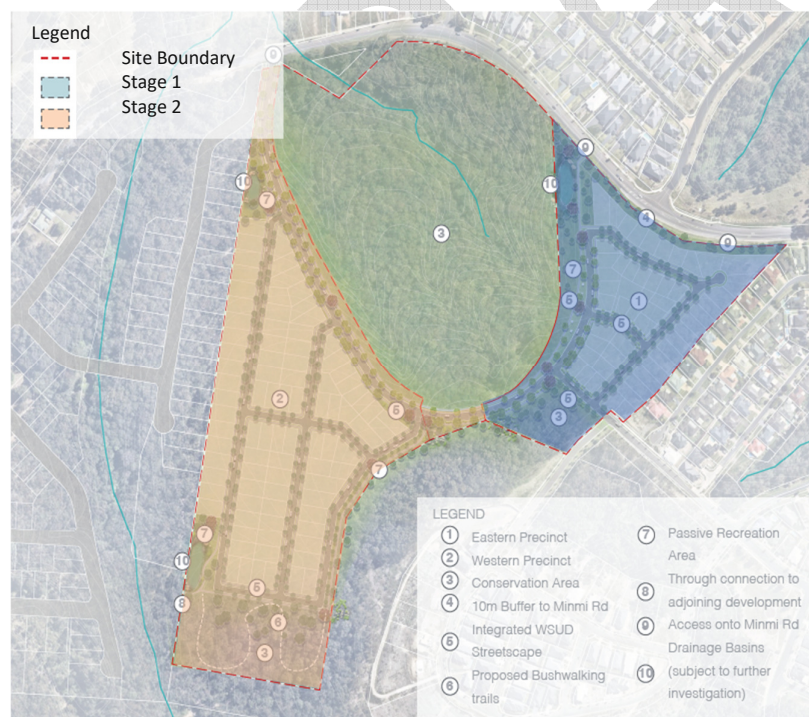


Figure 6.17-03 – Indicative lot layout



Figure 6.17-04 – Indicative lot typology plan

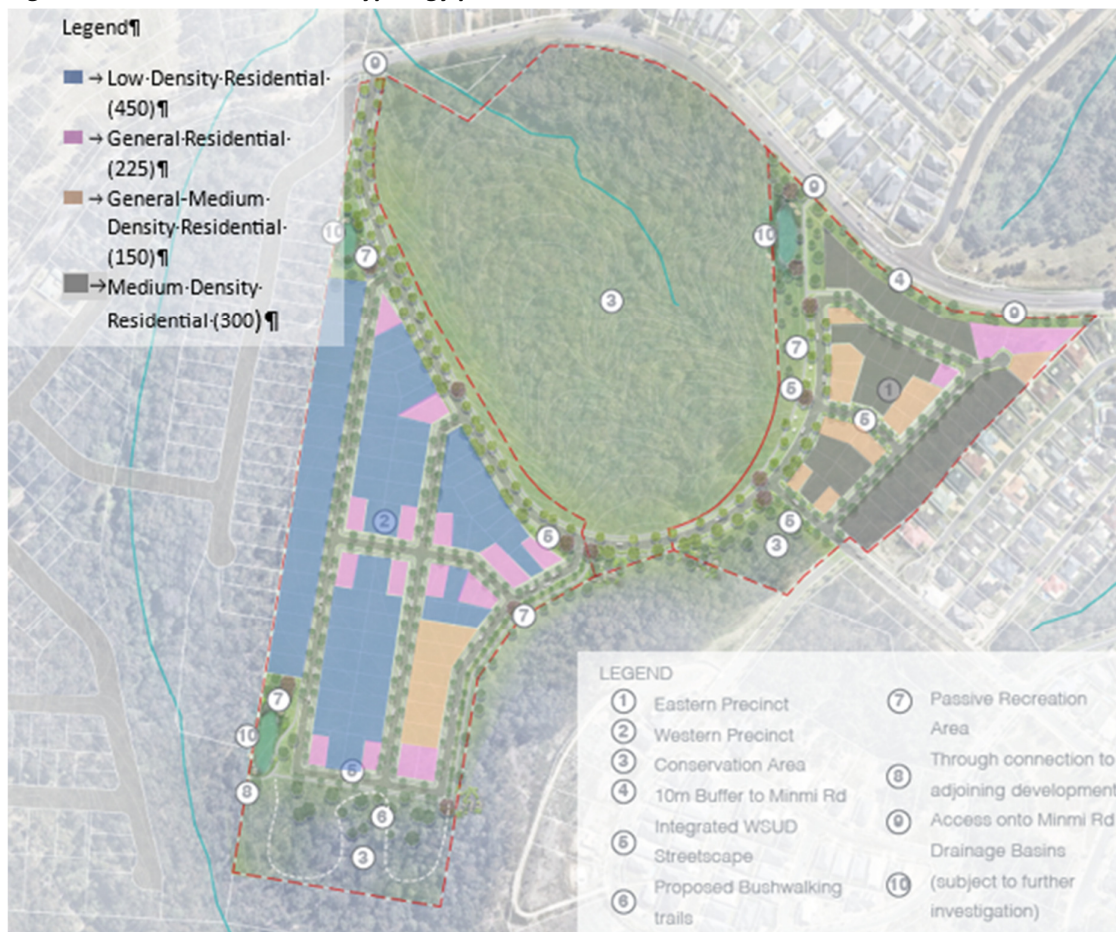


Table 6.17-01 – Controls for Lot Typology, lot frontage, minimum lot size and depth

Lot Typology	Frontage Range	Minimum Lot Size	Minimum Lot Depth	Housing	Storeys	Vehicle Access	Site Coverage
Medium density residential	6m-10m	150	25m	Attached/multi dwelling	Up to two	Shared driveway or front	90%
General – Medium density residential	10m-13m	225	25m	Attached/detached dual occupancy	Up to two	Front	85%
General residential	13m-15m	300	25m	Detached single dwelling	Up to two	Front	85%

Low density residential	15m-17.5m	450	30m	Detached single dwelling/ attached or detached dual occupancy	Up to two	Front	80%
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Note:

1. Allotment is the primary variable to determine an allotments classification for setbacks and building type
2. When an allotment's depth result in a larger than typical total lot area the frontage will still be the determining factor to classify setbacks and building type

B. Access and movement

Objectives

1. To provide a hierarchy of interconnected streets that gives safe, convenient and legible access within and beyond the precinct.
2. To ensure that the hierarchy of the streets is clearly discernible through variations in carriageway width, on-street parking, incorporation of water sensitive urban design measures, street tree planting, and pedestrian amenities.
3. To provide adequate and safe vehicle access to sites without compromising pedestrian access and streetscape qualities.
4. To ensure a high quality, functional, safe, legible and visually attractive public domain.

Controls

1. The street network is to be provided generally in accordance with **Figure 6.17-05**.
2. Road widths are to be in accordance with Chapter 7.04 – Movement Networks of Newcastle DCP 2012.
3. All proposed future lots are to be serviced by internal roads. No driveway access points are permitted onto Minmi Road.
4. The pedestrian network is to be provided generally in accordance with **Figure 6.17-06**.
5. The principles of walkability, connectivity, permeability, legibility and safety shall apply to all subdivision and access system design.
6. Public transport is permitted along the Boulevard and to connect with services with Kingfisher Drive.

Figure 6.17-05 – Road hierarchy



Figure 6.17-06 Pedestrian path network



6.17.02 General Residential

Note: Concept planning for the Minmi Road, Fletcher precinct has identified four (4) lot typologies and ideal dwelling types. This structure responds to the site characteristics, interfaces with surrounding development typology and reinforces the preferred character of the Minmi and Fletcher.

Note: The following controls are in addition to the development specific controls outlined in Sections 3.02 and 3.03 of the NDCP. To the extent of any inconsistency, this Chapter prevails.

A. Lot typology, lot frontage, minimum lot size and site coverage

Objectives

1. To provide housing that responds to the site's characteristics.
2. To provide housing that appropriately interface with the form and scale of the existing low density residential environment surrounding the site.
3. To provide housing that reinforces the preferred character of the area.
4. To provide housing choice that caters for a diverse demographic.

Controls

1. Lot typology, lot frontage, minimum lot size and depth and site coverage will generally be in accordance with **Table 6.17-01**.
2. Lot typology will be located generally in accordance with **Figure 6.17-04**.

B. Street frontage appearance

Objectives

1. Development complements the existing development in the street.
2. Setbacks are compatible with the intended street hierarchy.

Controls

1. In established residential zones the proposed building is to be set back the average distance of buildings within 40m either side of the lot on the same primary road.
2. If there is no established setback the minimum front setback (building line) to a road is:

Table 6.17-02 Minimum front setbacks

Road Type	Lots with an area of less than 300m ²	Lots with an area of 300m ² or more
Boulevard	3m	4.5m
Minor road	2.5m	3.5m
Corner lot	2m	2m

3. Garages for the minor road should be setback behind the building line and at least 4.5 metres from the boundary.

Figure 6.17-07 Examples of setbacks





C. Private open space and landscaping

Objectives

1. To promote landscaping on individual lots
2. To encourage and attractive street frontage
3. To ensure private open space useable.

Private open space controls

1. Private open space is to be in accordance with Element 7.02 Landscape Open Space and Visual Amenity of Newcastle DCP 2012 except for medium residential density lot typologies and general – medium density residential which shall comply with the following:
 - Medium density residential lot – minimum area of 16m² and a minimum dimension of 3m.
 - General-medium density residential lot - minimum area of 24m² and a minimum dimension of 4m.
2. Private open space is to be directly accessible from a principal living area.

Fencing controls

1. Dwellings with frontage to Minmi Road are permitted fencing on lot boundaries facing Minmi Road 1.8m high.
2. Dwelling with frontage to a boulevard or minor road are permitted a front fence 1.2m high with 50% transparency.

3. Fencing is to be of bushfire proof standard.
4. Fencing is to be of a colour that blends with the natural environment.
5. The use of sheet-metal fencing is not permissible to any street boundary, and must not be visible from the street or public space.

Landscaping controls

1. Use of native plant species is encouraged.
2. The provision of landscaping to the street frontage of new development is to be substantial, enhance the appearance of the development and assist with streetscape integration.
3. Where a 4.5m front setback is nominated, the area between the street front boundary and the building line is to be used as a prime deep soil zone for taller tree planting.

D. Sloping sites

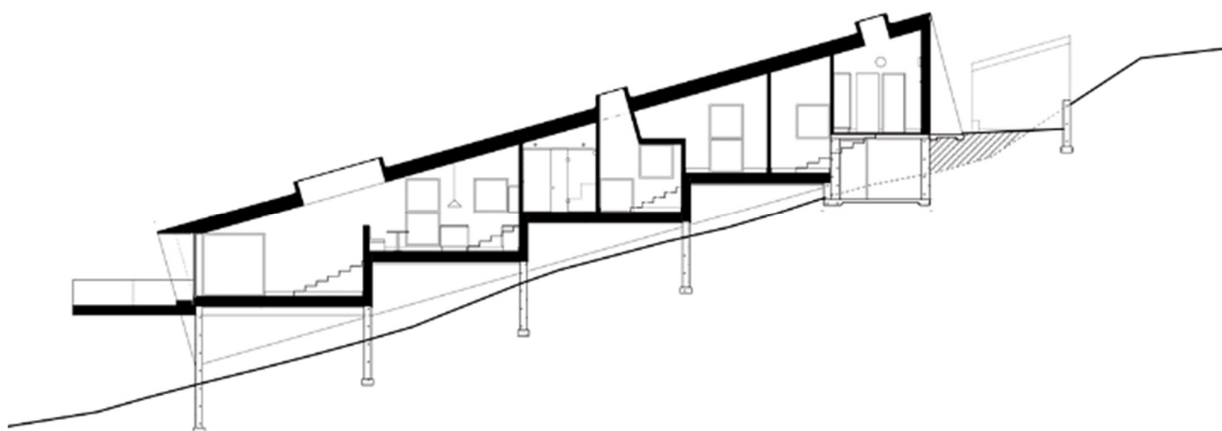
Objectives

1. To encourage the design of dwellings to conform to the natural topography.
2. To minimise cut and fill and reduce the need for retaining walls.

Controls

1. Where practical, development should respond to the topography of the land generally in accordance with **Figure 6.17-08**.
2. Development should minimise cut and fill where practical.

Figure 6.17-08 – Development should respond to the topography.



6.17.03 Landscaping

A. Landscape generally

Objectives

1. To ensure the new development respects and enhances the local character and amenity.
2. Ensure significant landscape elements are retained and protected.
3. Ensure the visual amenity is maintained to nearby residential development.

Controls

1. Landscaping is to generally be in accordance with **Figure 6.17-09**.
2. A minimum 10-metre-wide strip of native vegetation land fronting Minmi Road is to be retained to maintain the landscape character and local amenity. Existing mature native vegetation is to be prioritised for retention.
3. Streetscape elements utilise regional materiality such as sandstone, hardwood and steel and are detailed in the landscape plan. These elements will weave through the entry signage, fencing, street tree planting, furniture elements, paving and wayfinding signage to create a site wide character that integrates within and reflects the surrounding landscape and character.
4. Use feature planting, signage and controlled views, to create a gateway, sense of arrival and to reinforce the distinctiveness of the estate to other urban development and surrounding bushland.
5. Street trees are required on all streets. Street planting is to:
 - a. be used consistently to distinguish between public and private spaces and between different classes of street within the street hierarchy,
 - b. minimise risk to utilities and services,
 - c. be durable and suited to the street environment and include endemic species,
 - d. maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners,
 - e. provide appropriate shade, and
 - f. provide an attractive and interesting landscape character without blocking the potential for street surveillance.

Figure 6.17-09 – Landscape Strategy



B. Biodiversity

Objectives

1. Support habitat for native flora and fauna.
2. To preserve and enhance the biodiversity values of C2 Environmental Conservation lands adjoining the residential zoned land.

Controls

1. A Vegetation Management Plan (VMP) is to be prepared by a suitably qualified person for approval the development application stage for subdivision. The VMP shall be prepared in accordance with CN's specifications and include, but not be limited to, the following:
 - a. Meets the Urban Forest Policy goals and objectives

- b. A site assessment detailing vegetation communities present and management objective for the vegetation
- c. Management zones including bushfire asset protection zones.
- d. Site management including weed management, bushfire asset protection zone management and bush regeneration activities.
- e. Hydrological characteristics and flood probability for riparian areas and downstream wetlands
- f. Location of stormwater detention structures or water –sensitive urban design works
- g. Full list of existing plant species for revegetation work
- h. Maintenance periods and timeframe for implementation of the VMP
- i. Monitoring, performance criteria and reporting for the VMP.

The VMP will cease action at the time land is dedicated to Council.

- 2. Road batters are not to encroach into C2 Environmental Conservation land.
- 3. An Urban Interface Area (UIA) will be required for on land that contains and/or adjoins significant vegetation.
- 4. CN will consider dedication of environmental conservation land and drainage corridor at no cost after the subdivision works have been carried out and the VMP established and maintained for a specified period of time to CN's satisfaction. CN may not accept the dedication of the asset and other alternatives such as placing the asset under community title in accordance with the Local Government Act 1993 and the Community Land Management Act 1989 may be required.

C. Open space

Objective

- 1. Development provides for passive and active recreation opportunities.

Controls

- 1. Open space is to be provided in accordance with CN Parkland and Recreation Strategy, 2014.
- 2. Open space is to be provided within 400m of dwellings.

D. Bush fire protection

Objectives

- 1. Ensure risks associated with bush fire are appropriately and effectively managed.

Controls

- 1. Development is to comply with the RFS Guidelines *Planning for Bushfire Protection 2019*.
- 2. All bushfire Asset Protection Zones are to be located outside C2 Environmental Conservation Zones.
- 3. Road batters within Asset Protection Zones need to be configured so their grade and length supports maintenance.

6.17-04 Stormwater and water quality management

Objective

1. To provide direction with regard to CN's requirements for the management of both the quality and quantity of stormwater runoff.

Controls

1. Stormwater is to be design and managed in accordance with CNs *Technical Manual - Stormwater and Water Efficiency for Development*.
2. Proposed site discharge points to waterways consider site acceptance criteria for CN's Standard Rock Outlet for Headwalls.
3. Water-sensitive urban design elements are incorporated into the subdivision, utilising land within Asset Protection Zones

6.17-05 Aboriginal cultural heritage

Objectives

1. Manage Aboriginal cultural heritage values to ensure enduring conservation outcomes.
2. To preserve, where practical, known Aboriginal cultural heritage sites.

Controls

1. Development is to be carried out in accordance with the recommendations of the Aboriginal Cultural Heritage Assessment Report prepared by Heritage Now dated xx/10/2023.