<table>
<tr><th>Control</th><th>Requirement</th><th>Comment</th><th>Compliance</th></tr>
<tr><td colspan="4">3.00 Land use Specific Provisions</td></tr>
<tr><td colspan="4">3.01 Subdivision</td></tr>
<tr><td>3.01.03 Lot layout, sizes and dimensions</td><td>5 Where an application for subdivision proposes to subdivide land which contains: i) an existing dual occupancy, semi-detached dwellings, attached dwellings, multi dwelling housing or residential flat buildings, OR ii) the land has consent for, or consent is being sought for, the erection of a dual occupancy, semi-detached dwellings, attached dwellings, multi dwelling housing or a residential flat buildings; it must be demonstrated that each dwelling on each proposed allotment will comply with Section 3.03 Residential Development.</td><td>The subdivision is proposed in conjunction with residential accommodation. The proposal's compliance with Section 3.03 Residential Development is detailed below.</td><td>Y</td></tr>
<tr><td></td><td>12. Roof and gutter systems are graded such that each lot drains independently of each other. In the event that an approved development has other stormwater management systems, such as a detention tank, appropriate easements are established to preserve the legal rights of owners and to ensure that maintenance obligations are clearly defined.</td><td>The proposal is for strata subdivision.</td><td>Y</td></tr>
<tr><td colspan="4">3.03 Residential Development</td></tr>
<tr><td>3.03.01 Principal Controls</td><td>A. Frontage Widths
1. The minimum site frontage width is:
<table><tr><th>Residential development Type</th><th colspan="2">Site Frontage Width</th></tr><tr><th>Zone</th><th>R2*</th><th>R3, R4 or B4</th></tr><tr><td>Dual Occupancy /attached dwellings</td><td>12m</td><td>12m</td></tr><tr><td>Multi-dwelling with basement car park</td><td>15m</td><td>15m</td></tr><tr><td>Multi-dwelling row housing</td><td>18m</td><td>15m</td></tr><tr><td>Residential Flat Building</td><td></td><td></td></tr></table></td><td>As the site is zoned R3, the minimum site frontage is 15m wide. The proposed development provides a frontage that exceeds the 15m minimum.</td><td>Y</td></tr>
<tr><td></td><td>2. The minimum site frontage for boarding houses, group homes, hostels and seniors housing is consistent with the minimum frontage in clause 1 based on the type of building proposed. For example, a seniors housing development in the form of a residential flat building would require a frontage of 18m in the R2 zone and 15m in the R3 zone.</td><td>The proposed development does not consist of boarding houses, group homes, hostels and seniors housing.</td><td>N/A</td></tr>
</table>

<table>
<tr><td></td><td>3. In the R3, R4 and B4 zones the development does not result in the creation of an isolated lot. Where a development will result in an isolated lot, the Planning Principles outlined by the NSW Land and Environment Court for redevelopment resulting in isolated sites are satisfied.</td><td>The proposed development does not result in an isolated lot.</td><td>Y</td></tr>
<tr><td></td><td>B. Front Setbacks
1. Compliance with the locality specific controls in section 6 of this DCP. Where there are no locality specific controls front setbacks are: (a) In established areas the proposed building is setback the average distance of buildings within 40m either side of the lot on the same primary road (see Figure 1). The setback on a corner lot (secondary road) is 2m.

(b) If there is no established building line, the front setback is:

<table>
<tr><th>Road Type</th><th colspan="2">Front Setback</th></tr>
<tr><th>Zone</th><th>R2</th><th>R3, R4 or B4</th></tr>
<tr><td>Primary road</td><td>4.5m</td><td>4.5 m</td></tr>
<tr><td>Corner lot (secondary road)</td><td>2m</td><td>2m</td></tr>
<tr><td>Classified road</td><td colspan="2">As defined in any applicable Environmental Planning Instrument, or if none exists 9m.</td></tr>
</table>

2. Entries to a basement car park, garage or carport are setback at least 1m behind the front building line. Where the building line is less than 4.5m, the entry to the basement car park, garage or carport is setback at least of 5.5m from the boundary with the road.

3. An articulation zone that extends 1.5m from the building line into the setback from the primary road may be provided where the setback from the primary road is 3m or greater. The articulation zone is a maximum 25% width of the lot at the building line.</td><td>The proposal relates to a large parcel of land, with an unusual street alignment to Mosbri Crescent. In this regard, it is considered that the proposed front setback will facilitate a strong streetscape presence, that appropriately responds to the intent of the specific DCP Chapter for the site.

The locality specific setback controls are discussed in Section 7.17.1 of the SEE in accordance with Section 6.14 of the DCP.

Basement car park entry is set behind the front building line compliant with the control. The entry to the basement carpark has been designed to avoid vehicle queuing on the street and minimises visual impacts to the street.

Noted.</td><td>Y

Y</td></tr>
<tr><td></td><td>C. Side and Rear Setbacks
1. Compliance with the locality specific controls in section 6 of the DCP. Where there are no locality specific controls, side and rear setbacks are:
(a) In the R2 Low Density Residential Zone:
(i) Side setbacks are a minimum of 900mm from each boundary up to a height of 4.5m, then at an angle of 4:1 up to the maximum permitted height</td><td>The locality specific setback controls are discussed in Section 7.17.1 of the SEE accordance with Section 6.14 of the DCP.</td><td></td></tr>
</table>

<table>
<tr>
<td></td>
<td>under Newcastle Local Environmental Plan 2012 (see Figure 3).
(ii) Rear setbacks are a minimum of 3m for walls up to 4.5m in height and 6m for walls greater than 4.5m height.
(b) In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones:
<table>
<tr><th>Wall height</th><th>Side and rear setbacks</th></tr>
<tr><td>Up to 4.5</td><td>1.5m</td></tr>
<tr><td>4.5 - 8.5m</td><td>3m</td></tr>
<tr><td>Over 8.5m</td><td>6m</td></tr>
</table>
2. In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones side or rear boundary setbacks may be reduced/built to the boundary where:
(a) the wall height and length match an existing or similarly constructed wall on the adjoining site; and
(b) the proposed wall and the wall on the adjoining property do not contain any openings; and
(c) the wall will not impede the flow of stormwater or overland flow paths.

3. In the R3 Medium Density Residential, R4 High Density Residential and B4 Mixed Use zones, side and rear boundary setbacks are increased, where the site directly adjoins a site in the R2 Low Density Residential Zone.

4. Where a rear boundary adjoins a lane, development complies with Section 7.11 - Development adjoining laneways, of this DCP.

5 On corner lots, the boundary opposite the primary road frontage is taken to be the rear boundary for the purposes of applying setbacks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>D. Landscaped Area
1. Landscaped areas are provided as follows:
<table>
<tr><th>Zone</th><th>Minimum landscaped area (% of site area)</th><th>Minimum deep soil zone (% of site area)</th></tr>
<tr><td>R2 zone</td><td>30%</td><td>15%</td></tr>
<tr><td>R2 zone - Moderate Growth Precinct</td><td>25%</td><td>12%</td></tr>
<tr><td>R3 zone</td><td>25%</td><td>12%</td></tr>
<tr><td>R4 and B4 zones</td><td>20%</td><td>10%</td></tr>
</table>
</td>
<td>The proposed landscaping provides a minimum of 25% landscaped area with deep soil zones exceeding 10% of the site area.</td>
<td>Y</td>
</tr>
</table>

	2. Landscaped areas have a minimum width of 1.5m and the following items are excluded from the landscaped area calculation: (a) paving wider than 1m, impervious or otherwise (b) structures such as air conditioning units, awnings, decks, patios, garden sheds, hot water systems, LPG storage tanks, water tanks and the like.	Noted, all landscape areas meet the stipulated requirements.	**Y**
	3. A minimum 25% of the front setback is landscaped area.	The proposal is designed in response to the site specific controls contained in Section 6.14 of the DCP.	**Y**
	4. A minimum 3m wide landscaped area is located along the rear boundary.	The rear boundary is afforded a minimum 3m wide landscaped area.	**Y**
	5. Landscaped areas are distributed throughout the site and incorporated into both private open space and communal open space areas.	The proposed landscaping scheme includes landscaped areas distributed throughout the site within both communal and private open spaces.	**Y**
	6. Landscaped areas take advantage of existing site conditions and respond to significant site features such as: (a) significant landscape features including existing trees (b) change of levels (c) views.	The proposed landscaping makes use of existing site features where possible.	**Y**
	7. One large tree or two medium sized trees are provided for every 90m^2 of landscaped area.	An appropriate amount of large and medium sized trees based on the landscaped area has been proposed.	**Y**
	8. A medium sized tree with a minimum mature height of 5m is provided in the front setback, where the setback is greater than 3m.	The Mosbri Street terraces are designed to address the street frontage, however larger trees are proposed where obtainable.	**N/A**
	9. Landscaping is consistent with Section 7.02 Landscape, Open Space and Visual Amenity of this DCP.	The proposed landscaping is consistent with Section 7.02 of the Newcastle DCP.	**Y**
3.03.02 Siting the development	**A. Local character and context** <u>The following controls apply to all forms of residential development except for dual occupancies and attached dwellings</u> 2. A detailed site analysis is undertaken to understand all issues and considerations including:	A site analysis including the desired items has been provided within the both the	**Y**

	(a) relationship to the public domain and surrounding development (b) existing vegetation and trees (c) boundary treatments (d) retaining walls, fences, overshadowing impacts and privacy considerations (e) orientation (f) slope (g) geology (h) contamination (i) infrastructure (j) access arrangements (k) stormwater management (l) views.	SEE and the Architectural Plans at Appendix A. Supporting documents included within this application provide the referenced details.	
	B. Public Domain Interface <u>The following controls apply to all forms of residential development</u>		
	1. Private open space is located behind the building line of the primary road frontage, but may be partially located within an articulation zone.	Private open space areas have been provided behind the building line of the primary road frontage.	**Y**
	2. Windows and balconies overlook the public domain.	Windows and balconies have been oriented to look over the public domain.	**Y**
	3. Direct visibility is provided along pathways and driveways from the public domain.	The proposed design implements measures to improve visibility along pathways and driveways when viewed from the public domain.	**Y**
	4. Fences and walls forward of the building line of the primary road frontage: (a) have an average height of 1.2m, with a maximum height of 1.5m and are constructed using materials such as slats or pickets with at least 50% of the fence area open. (b) may use high solid acoustic fencing to shield dwellings from the noise from classified roads. These walls may have a maximum height of 2.1m and a setback of at least 1.5m from the boundary. Landscape planting with a mature height of at least 1.5m is provided between the wall and the front boundary. (c) do not use unfinished timber paling and metal panel fences forward of the building line.	Elements located forward of the proposed building line along the primary road frontage incorporate the required design parameters compliant with the control.	**Y**

	(d) have courtyard fences and walls to secondary street frontages align with the facade facing the street. Solid fencing components are finished with the same material as the building facade.		
	5. Retaining walls within the front setback that have a height greater than 600mm are softened by landscape planting with a minimum width of 600mm on the low side of the retaining wall.	No retaining walls greater than 600mm are proposed within the front setback area.	**Y**
	6. Where development adjoins public parks, open space or bushland, or is a corner site, the design positively addresses this interface by: (a) street access, pedestrian paths and building entries which are clearly defined; or (b) paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space; or (c) walls fronting the public spaces have openings that are at least 25% of the surface area of the wall.	The site adjoins Arcadia Park which includes bushland. Where possible, the proposal addresses the adjoining park.	**Y**
	C. Pedestrian and Vehicle Access <u>The following controls apply to all forms of residential development</u>		
	1. Internal streets, lanes, driveways and parking spaces and circulation comply with AS 2890.1.	All internal vehicle paths are compliant with AS 2890.1.	**Y**
	2. Battle-axe driveways, internal streets, lanes and visitor car parking spaces are setback: (a) at least 1m from a fence; (b) at least 1m from another dwelling; (c) at least 2.5m from a window to a habitable room that has 1m2 or larger in size.	Proposed vehicle paths implement sufficient setbacks compliant with the control.	**Y**
	3. Landscape planting is incorporated into the driveway, street and lane setbacks.	Landscaping is provided along the proposed driveway, street and lane setbacks.	**Y**
	4. Driveways that are adjacent to a tree are located outside of the dripline or comply with the recommendations in a report prepared by a qualified arborist.	Proposed driveway has been located as to avoid tree dripline areas.	**Y**

	The following controls apply to all forms of residential development except for dual occupancies and attached dwellings		
	5. All internal driveways, streets and lanes are overlooked by windows from habitable rooms or private open space.	Windows from habitable rooms overlook the proposed driveway.	**Y**
	6. Open space or the window of a dwelling is provided at the termination point of an internal driveway, street or lane.	N/A, underground car parking proposed.	**N/A**
	7. Multi dwelling developments that contain 20 or more dwellings include pedestrian paths that are separated from the internal road or lane by a kerb or landscaped area.	Proposed pedestrian pathways are separated from internal roadways.	**Y**
	8. Where pedestrian circulation is separated from vehicle circulation, the paths still function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear lines of sight to create a legible and safe network.	The proposed pedestrian pathways are at least 1.5m wide with all dwelling entrances clearly identifiable with clear sight lines. The design implements principles of CPTED into the design to ensure safe pedestrians networks.	**Y**
	9. Lighting is provided in accordance with AS 1158.3 to roads and pedestrian spaces and avoids light spill into private open space or habitable rooms.	Lighting is to be implemented in accordance with AS 1158.3 for all road and pedestrian spaces. The lights avoid light spill into dwellings and private open space.	**Y**
	10. The maximum length of a dead end lane or driveway is 40m and serves a maximum of 10 dwellings.	The proposed driveway does not exceed 40m and services the underground car parks.	**Y**
	11. Lanes and driveways including pedestrian paths are straight and all parts have a clear line of sight from internal or public streets.	The proposed driveway is straight. Pedestrian pathways have been designed to be straight with clear sightlines established.	**Y**
	The following controls apply to all forms of residential development that incorporate basement car parking		
	12. Basement car parking: (a) does not protrude more than 1m above finished ground level, except at the entrance to the car park (b) car park entrances have a maximum width of 3.5m where there	The proposed basement car parking has been designed to ensure minimal protrusion above ground level, and is	**Y**

	are less than 10 dwellings served by the car park (c) the car park entry has a maximum height of 2.7m.	further mitigated by landscaped setbacks.	
	D. Orientation and siting <u>The following controls apply to all forms of residential development</u>		
	1. The principal area of private open space and the window to a living room of an adjoining dwelling receives greater than 2 hours of solar access between 9am and 3pm on the winter solstice. Where the window or principal area of private open space is already overshadowed, solar access is not reduced by more than 20%.	The private open space and living area window of the adjoining properties receive adequate solar access, and have been discussed in accordance with SEPP65 requirements.	**Y**
	2. On sloping sites the buildings respond to the topography with changes in floor level to minimise the need for cut and fill.	The design of the development appropriately responds to the site topography and minimises cut and fill requirements.	**Y**
	3. Fill outside the building footprint does not exceed a height measured from existing ground level of: (a) 600mm if located within 1m of a boundary, and (b) 1m if located greater than 1m from a boundary.	The design of the development appropriately responds to the site topography and minimises cut and fill requirements.	**Y**
	4. Dwellings are orientated to maximise solar and daylight access to living rooms and private open space	The orientation and design of the dwellings maximise solar access to living rooms and private open space.	**Y**
	<u>The following controls apply to multi dwelling housing, dual occupancies and attached dwellings</u>		
	9. Each dwelling has a frontage to a public street, internal street or lane.	The front townhouses address Mosbri Crescent.	**Y**
	10. Dwellings facing the street have a covered entry door and a window of a habitable room facing the street.	All dwellings facing the street have been afforded a covered entry door with windows from habitable rooms.	**Y**
	<u>The following controls apply to all forms of residential development except for dual occupancies and attached dwellings</u>		

	11. Ground floor levels are not more than 1.3m above existing ground level and not more than 1m below existing ground level.	Ground floor levels are situated within 1.3 above and 1m below the existing ground level.	**Y**
	12. Excavation does not exceed a depth measured from existing ground level of: (a) 600mm if located within 1m of a boundary and (b) 1m if located greater than 1m from a boundary.	Excavation works for the underground car park exceed those outlined within the control. However, the design responds to the topography of the site.	**Y**
	13. Fill outside the building footprint does not exceed a height measured from existing ground level of: (a) 600mm if located within 1m of a boundary and (b) 1m if located greater than 1m from a boundary.	Fill located external to the building footprint will not exceed the requirements of the control.	**Y**
	E. Building Separation The following controls apply to all forms of residential development except for dual occupancies and attached dwellings		
	2. The minimum separation between two or more buildings on the same lot is: (a) 3m where a wall height is less than 7.5m (b) 6m where a wall height is 7.5m or greater.	Building separation has been discussed in accordance with SEPP65 requirements.	**Y**
	3. Buildings are broken into a series of massing elements. Each massing element has a maximum wall length of 25m and is separated by a minimum 6m x 6m landscaped area. The landscaped area between each massing element may incorporate open car parking spaces and driveways, only where a minimum 3m wide deep soil zone is provided adjacent to the boundary.	The development is broken up into five (5) massing elements including two rows of townhouses and three residential towers. Adequate landscape area is afforded between buildings.	**Y**
3.03.03 Amenity	**A. Solar and daylight access** 1. Compliance with the standards for 'Solar and daylight access' detailed in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.	The proposal meets the requirements for solar and daylight access as outlined within the ADG, see Appendix B of the SEE for ADG assessment report.	**Y**

	<u>The following controls apply to all forms of residential development</u>		
	3. The living room and private open space receives a minimum of 2 hours direct sunlight between 9am and 3pm at the winter solstice for: (a) Each dwelling in a dual occupancy or attached dwelling (b) At least 70% of dwellings in all other forms of residential development.	The proposal meets the requirements of the ADG, see Appendix B of the SEE for ADG assessment report. Analysis of the townhouse solar access has been undertaken in accordance with Newcastle Development Control Plan 2012, which applies to this aspect of the development. On 21 June, 7 of the 11 townhouses (63.6%) achieve solar compliance. At least 70% of the townhouses achieve solar compliance between 21 August to 21 April, with 90% solar compliance achieved by 21 August and 100% solar compliance being achieved by the 21 September. It is noted that the UDCG have previously acknowledged that the proposed design has achieved better solar access than the layout identified within the site specific DCP.	**Y**
	4. Direct sunlight is achieved when $1m^2$ of direct sunlight on the glass is achieved for at least 15 minutes. To satisfy 2 hours direct sunlight, 8 periods of 15 minutes will need to be achieved - the periods do not need to be consecutive.		**Y** **Y**
	5. Every habitable room has a window in an external wall with a total minimum glass area of at least 15% of the floor area of the room.	The proposed glazing for each habitable room meets the 15% of floor area requirement for glazing.	**Y**
	6. Daylight is not borrowed from other rooms, except where a room has a frontage to a classified road.	Daylight is not borrowed between rooms.	**Y**
	7. No part of a habitable room is more than 8m from a window. 8. No part of a kitchen work surface is more than 6m from a window or skylight.	The distance from a window within habitable rooms does not exceed 8m. Kitchens have been located in proximity to windows.	**Y**
	9. Courtyards are fully open to the sky, have a minimum dimension of one third of the perimeter wall height and a minimum area of $3m^2$.	Courtyards are open to the sky and exceed $3m^2$ in area and one third the perimeter wall height.	**Y**

<table>
<tr><td></td><td>B. Natural Ventilation
1. Compliance with the standards for 'Apartment size and layout' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development:
(a) each habitable room is naturally ventilated
(b) each dwelling is cross ventilated
(c) the area of unobstructed window openings is equal to at least 5% of the floor area served.</td><td>The proposed apartments meet the requirements for apartment size and layout outlined within the ADG, see Appendix B of the SEE for ADG assessment report.

Each townhouse dwellings have been designed to have natural ventilation to each habitable room, are cross ventilated, and provided unobstructed window openings greater than the minimum 5% of floor area served.</td><td>Y

Y</td></tr>
<tr><td></td><td>C. Ceiling Heights
1. Compliance with the standards for 'Ceiling heights' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.
2. For all other residential development the ceiling height measured between finished floor level and finished ceiling level are:
(a) 2.7m to all ground floor habitable rooms
(b) 2.7m to first floor living rooms
(c) 2.4m to all first floor bedrooms.</td><td>The proposed apartments comply with the standards for ceiling heights provided by the ADG, see Appendix B of the SEE for ADG assessment report.

The proposed townhouses are afforded ceiling heights of 2.7m for the ground and first floor.</td><td>Y

Y</td></tr>
<tr><td></td><td><u>D. Dwelling Size and Layout</u>
1. Compliance with the standards for 'Apartment size and layout' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

3. For all other residential development:
(a) Dwellings have the following minimum internal areas:
<table><tr><th>No. Bedrooms</th><th>Size</th></tr><tr><td>1</td><td>65m^2</td></tr><tr><td>2</td><td>90m^2</td></tr><tr><td>3</td><td>115m^2</td></tr></table>(b) The minimum internal areas include only one bathroom. An additional 5m2 floor area is provided for each additional bathroom.</td><td>The proposed apartments meet the requirements for apartment size and layout outlined within the ADG, see Appendix B of the SEE for ADG assessment report.

The proposed townhouses contain three (3) bedrooms with each townhouse exceeding the 115m^2 minimum floor area.

Additional area has been afforded for additional bathrooms in all proposed townhouses.</td><td>Y

Y

Y</td></tr>
</table>

	(c) An additional 12m^2 is provided for any bedroom in excess of three. (d) Kitchens are not part of the circulation space, except in 1 bedroom dwellings. (e) A window is visible from any point in a habitable room. (f) One bedroom is a minimum area of 10m^2 and other bedrooms are a minimum of 9m^2 (excluding wardrobe space) with a minimum dimension of 3m (excluding wardrobe space). (g) Combined living/dining areas have a minimum dimension of 4m (excluding fixtures) and are a minimum of 24m^2 for dwelling with up to 2 bedrooms and 28m^2 for dwellings with 3 or more bedrooms.	N/A, maximum three (3) bedrooms proposed. Noted, kitchens not included in circulation space calculations. Windows are visible from any point of habitable rooms. All bedrooms proposed meet the requirement for bedroom area. Combined living and dining areas within the proposed townhouses meet the minimum floor space requirements for three (3) bedroom dwellings.	**N/A** **Y** **Y** **Y** **Y**
	E. Private Open Space 1. Compliance with the standards for 'Private open space and balconies' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard. 4. For all other residential development: (a) All dwellings have at least 16m2 private open space. (b) The minimum dimension of the included area is 3m, excluding any storage space, rainwater tanks, air-conditioning units or other similar structures. (c) Primary private open space and balconies are located adjacent to the living room, dining room or kitchen. (d) 50% of the minimum required private open space is covered to provide shade and protection from rain.	Proposed apartments have been provided with the required private open space or balcony space in accordance with the ADG, see Appendix B of the SEE for ADG assessment report. The proposed townhouses have been afforded sufficient open space exceeding 16m^2 in area with a minimum dimension of 3m. The location of the private open space is adjacent to living rooms and dining rooms. Private open space is provided with adequate weather protection.	**Y** **Y** **Y** **Y**
	F. Storage 1. Compliance with the standards for 'Storage' in the Apartment Design Guide, for all residential flat buildings required to comply with that standard. 2. For all other residential development (a) In addition to storage in kitchens, bathrooms and bedrooms, storage is to be provided as follows:	Proposed apartments have been provided with the storage in accordance with the ADG, see Appendix B of the SEE for ADG assessment report. The proposed townhouses have been provided with the minimum 10m^3 of storage space.	**Y** **Y**

<table>
<tr><td></td><td>
<table>
<tr><th>Dwelling size</th><th>Storage size volume</th></tr>
<tr><td>1 bedroom</td><td>6m^3</td></tr>
<tr><td>2 bedrooms</td><td>8m^3</td></tr>
<tr><td>3+ bedrooms</td><td>10m^3</td></tr>
</table>
(b) At least 50% of the required storage is located in the dwelling.

(c) Storage not located in a dwelling is secure and clearly allocated to specific dwellings if located in a common area.
</td><td>50% of the storage space has been provided within the dwelling.

Storage space has been provided with the townhouses car park area.</td><td>Y

Y</td></tr>
<tr><td></td><td>
G. Car and bicycle parking
1. Car and bicycle parking comply with Section 7.03 Traffic, Parking and Access of this DCP.

2. Entries to a basement car park, garage or carport are set back at least 1m behind the front building line. Where the building line is less than 4.5m, the entry to the basement car park, garage or carport is setback at least of 5.5m from the primary road.

3. The maximum aggregated garage door width that has a frontage to a primary road is:
<table>
<tr><th>Lot width</th><th>Aggregate garage door width</th></tr>
<tr><td>7.5 - 12.5m</td><td>3.2m</td></tr>
<tr><td>>12m</td><td>6m</td></tr>
</table>
4. Where a lot width is less than 7.5m, car parking is provided from a secondary road, parallel road or lane.

5. Facilities for car washing are provided and a dedicated car wash bay is provided for developments containing 20 or more dwellings.
</td><td>Sufficient parking has been provided meeting the requirements of Section 7.03 of the DCP.

Entries to the basement car park area has been setback behind the building line in excess of 1m.

The garages do not front a roadway.

N/A, lot width exceeds 7.5m.

Car washing can be accommodated within the car park area.</td><td>Y

Y

Y

Y

Y</td></tr>
<tr><td></td><td>
<u>H. Visual Privacy</u>
1. Compliance with the standards for 'Visual privacy' detailed in the Apartment Design Guide, for all residential flat buildings required to comply with that standard.

2. For all other residential development, new development is located and orientated to maximise visual privacy between buildings on site and for neighbouring buildings. This is to be achieved by:
</td><td>Proposed apartments have been designed with elements enhancing visual privacy in accordance with the ADG, see Appendix B of the SEE for ADG assessment report.

The proposed townhouses have been oriented to maximum visual privacy between townhouses with sufficient separation distance to the residential towers.</td><td>Y

Y</td></tr>
</table>

	(a) Inclusion of privacy screens where the distance from the window of a habitable room to the boundary is: (i) less than 3m, and the habitable room has a finished floor level greater than 1m above existing ground level, or (ii) less than 6m, and the habitable room has a FFL greater than 3m above ground level. (b) A privacy screen is not required to: (i) a bedroom window with an area less than 2m2 ; or (ii) any window that has a sill height of 1.5m or greater, or (iii) any window that has a frontage to a road or public open space. (c) Provision of a privacy screen on the edge of a terrace, balcony or verandah, where the edge is: (i) less than 3m from the boundary, and the habitable room has a finished floor level greater than 1m above existing ground level, or (ii) less than 6m and the habitable room has a finished floor level greater than 2m above ground level. (d) A privacy screen is not required to a balcony or terrace that has an area less than 3m2 , or a balcony or terrace of any size that has a frontage to a road or public space. (e) Separation distances between windows and balconies of dwellings on the same site are double the distances above. (f) Where privacy screens are provided to windows, they do not cover part of the window required to meet the minimum daylight or solar access requirements, or restrict ventilation.	Privacy screens will be provided where appropriate.	**Y**
	I. Acoustic Privacy 1. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters are designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment does not exceed an LAeq (15 min) of 5dB(A) above background noise at the property boundary.	All required equipment will be suitably located and acoustically screened within equipment rooms where possible to ensure the acoustic privacy of all residents and neighbours.	**Y**

	2. Noise sources not associated with the dwelling such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment are located at least 3m from any bedroom.	Garage doors and equipment rooms have been located further than 3m from any bedroom.	**Y**
	J. Noise and Pollution 1. Dwellings that are within 100m of a road corridor with an annual daily traffic (AADT) volume of more than 40 000 vehicles (based on traffic volume data published on the website of the RMS) or 80m from a rail corridor have LAeq measures not exceeding: (a) in any bedroom: 35dB(A) between 10pm - 7am (b) anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time.	N/A, Mosbri Crescent does not receive 40,000 vehicles per day with the site located further than 80m from a rail corridor.	**N/A**
	2. This can be achieved by: (a) a full noise assessment prepared by a qualified acoustic engineer; or (b) complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of Draft Guide to Infrastructure development near rail corridors busy roads.	N/A, the controls criteria do not apply to the site.	**N/A**
	3. Dwellings within 25m of a rail corridor have a vibration assessment carried out by a qualified structural engineer.	N/A, the controls criteria do not apply to the site.	**N/A**
3.03.04 Configuration	**A. Universal Design** 1. Seniors housing development complies with the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.	The proposed development does not include seniors housing and as a result the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 does not apply.	**Y**
	2. All other dwellings include the Liveable Housing Design Guidelines Silver Level universal design features.	The proposed dwellings meet the Silver Level requirements outlined within the Liveable Housing Design Guidelines.	**Y**
	B. Communal Area and Open Space 1. Where 10 or more dwellings are proposed, a communal open space with a minimum area of 5% of the site area and with a minimum dimension of	The proposed development includes communal areas and exceeds the 5% minimum of	**Y**

	8m is provided for active communal open space.	site area and minimum dimensions of 8m.	
	2. The active communal open space is not less than 3m from private open space or 6m from windows of a habitable room.	The communal open spaces achieve appropriate privacy to private open space and windows of habitable rooms.	**Y**
	3. The active communal open space area receives at least 2 hours of direct sunlight between 9am and 3pm at the winter solstice to 50% of the required area.	Greater than 50% communal open spaces receive greater than 2 hours of direct sunlight between 9am and 3pm at the winter solstice.	**Y**
	4. Communal areas and open space are visible from habitable rooms and private open space while maintaining visual privacy.	The main landscaped communal area is visible from habitable rooms and private open space and does not impact visual privacy.	**Y**
	5. Where open space is provided as public open space it has a direct connection to the internal street along the longest edge.	Direct access to the landscaped communal area is provided from the internal street.	**Y**
	6. Public through site links have direct line of sight between public streets.	Public pathways have direct line of sight between Mosbri Crescent and Kitchener Parade.	**Y**
	7. Daylight and natural ventilation is provided to all common circulation spaces above ground.	Daylight and natural ventilation is provided to all above ground common circulation spaces.	**Y**
	8. Lighting is provided to common spaces.	All common spaces have been provided lighting.	**Y**
	C. Architectural Design and roof form 1. The roof design is integrated with the overall building form.	The roof design has been integrated with the built form.	**Y**
	2. Skylights and ventilation systems are integrated into the roof design.	Ventilation has been integrated with the roof design.	**Y**
	D. Visual appearance and articulation 1. Provision of an articulation zone forward of the building line.	The proposal includes articulation at the building line.	**Y**
	2. Facades contain a balanced composition of elements including a mix of solid and void.	The proposed façade balances elements with a mix of solid and void areas.	**Y**

	3. Building services are integrated within the overall façade.	Building services have been integrated within the façade and roof design.	**Y**
	4. Building facades relate to key datum lines of adjacent buildings through upper level setbacks, parapets, cornices, awnings or colonnade heights.	The building facades design elements align with the key datum lines of surrounding development.	**Y**
	5. Building entries are clearly defined and include a covered entry.	Building entries are clearly defined and include covered entries.	**Y**
	6. All building elements, including shading devices and awnings are coordinated and integrated into the overall façade design.	All building elements have been considered and integrated within the façade design.	**Y**
	7. A variety of materials and colours are used.	Variety of materials and colours are employed to enhance the visual design.	**Y**
	E. Pools and ancillary development		
	1. Swimming pools and spas are located in the rear yard.	A swimming pool is located on the roof of Building B to the rear of the site.	**Y**
	2. The coping around a swimming pool or spa is not more than 1.4m above existing ground level.	N/A, a rooftop pool is proposed.	**N/A**
	3. The decking or paved area around a swimming pool or spa (excluding coping less than 300mm wide) is not more than 0.6m above existing ground level.	N/A, a rooftop pool is proposed.	**N/A**
	4. Water from a swimming pool or spa is connected to the sewage disposal system.	Noted, water from swimming pool will be connected to sewage.	**Y**
	5. The pump is housed in a soundproofed enclosure.	Pool equipment such as pumps are located within an enclosed equipment area.	**Y**
	6. A detached studio or outbuilding: (a) has a maximum building height of 3.6m. Where the outbuilding is within 0.9m of a lane, the maximum building height is 6m. (b) may have a 0m setback from a side or rear boundary where it adjoins a lane. In all other cases, it has a minimum rear setback of 3m and 0m side setbacks. (c) has a maximum floor area of 36m2 and is included in the gross floor area	N/A, no detached studios or outbuildings proposed.	**N/A**

	(unless it is required for car parking). (d) all windows have a maximum size of 2m2 where the floor level is greater than 1.5m above ground level.		
3.03.05 Environment	**A. Energy Efficiency** 1. Development provides an outdoor area for clothes drying that can accommodated at least 16 lineal metres of clothes line per dwelling. 2. Clothes drying areas are screened from public and communal areas.	Clothes drying areas are integrated into the balcony or private open space areas and afforded visual privacy.	**Y**
	B. Water management and conservation 1. Each dwelling is provided with an individual meter for hot or cold water consumption. 2. Stormwater treatment and disposal is provided in accordance with Section 7.06 of this DCP.	Each dwelling is provided with a meter for hot and cold water consumption. Stormwater management plan has been provided at Appendix D of the SEE. The design is in accordance with Council requirements including Section 7.06 of the DCP.	**Y** **Y**
	C. Waste Management 1. Waste management facilities comply with the requirements of Section 7.08 Waste Management of this DCP. 2. Where a communal bin storage area is provided, it is located behind the building line of the primary street frontage and appropriately screened from public places and adjoining properties. 3. Where the site characteristics or the number of bins and length of street frontage are not appropriate for kerbside collection of waste and recycling, developments are designed and constructed to facilitate onsite waste collection.	The proposed waste management facilities have been designed in accordance with Section 7.08 of the DCP. Communal bin storage areas have been located behind the primary building line and screened form public places. Refer to Waste Management Plan at Appendix G of this SEE. Collection of waste is to be undertaken by a private contractor.	**Y** **Y** **Y**
4.00 Risk Minimisation Provisions			
4.02 Bush Fire Protection			
	The following controls apply to all development to which this section applies 1. All development on, or subdivision of land identified as being bush fire prone must comply with the requirements of the NSW Rural Fire Service publication: Planning for Bush Fire Protection 2019, or subsequent versions.	Portions of the site are located within Category 2 and Bushfire Buffer areas. The design complies with NSW RFS Planning for Fire Protection. A Bushfire Report has been provided at Appendix BB of the SEE.	**Y**

	The following controls apply to subdivision		
	2. Bushfire protection measures are placed wholly within the development site. All proposed Asset Protection Zones are within the property to be subdivided and incorporated into affected lots or within the existing or proposed road reserve, or a combination of both. Asset Protection Zones will not be accepted on existing Council reserves, other public lands or in reserves proposed to be dedicated through the subdivision. An Asset Protection Zone imposed by a development consent condition must be maintained for the lifetime of the development, unless modified by a subsequent consent.	The proposal includes subdivision and is accordingly integrated development' in requiring a bushfire safety authority from the RFS. Bushfire protection measures are located wholly within the lot boundaries.	**Y** **Y**
	3. Fire trails, if required, are not accepted on existing Council owned land or any land proposed to be dedicated through the subdivision.	N/A, no fire trails proposed.	**N/A**
	4. In any instance where the NSW Rural Fire Service requires Asset Protection Zones or Fire Trails to be the subject of an easement, restriction, or covenant registered against the title of existing or future lots pursuant to section 88 of the Conveyancing Act, 1919 Council is not to be identified as a Prescribed Body having benefit of such an easement, restriction, or covenant. However, Council should be noted as a party whose consent is needed to release, vary or modify the easement, restriction, or covenant.	N/A, development does not include the erection of a dwelling house.	**N/A**
	5. Applications for subdivision that are proposed to be constructed in stages should demonstrate how effective bushfire protection measures can be temporarily established, maintained and then released when future stages are completed, and those temporary measures are made redundant.	Noted, a Bushfire Report has been provided at Appendix BB of the SEE.	**Y**
	<u>The following controls apply to Integrated Development – Section 4.46 of the Environmental Planning and Assessment Act 1979 and Section 100B of the Rural Fire Act 1997</u>	Noted, the relevant Bushfire Report has been provided at Appendix BB of the SEE.	**Y**
	<u>7. Any Integrated Development Application is accompanied by a Bush Fire Assessment report prepared by a</u>	Noted, the relevant Bushfire Report has been provided at Appendix BB of the SEE.	**Y**

<table>
<tr><td></td><td>suitably qualified and experienced bush fire consultant. Search http://www.fpaa.com.au/bpad for a list of Accredited Practitioners.
8. The Bush Fire Assessment report outlines the proposed development's consistency with the NSW Rural Fire Service's Planning for Bush Fire Protection 2019 Guidelines and Australian Standard AS3959 –2018, Construction of buildings in bush-fire prone areas, and any other documents that have been adopted by NSW Rural Fire Service.
9. All Integrated Development Applications on bush fire prone land will be referred to the Rural Fire Service Headquarters for appropriate review and determination as to whether a Bush Fire Safety Authority will be authorised.</td><td></td><td></td></tr>
<tr><td colspan="4">4.03 Mine Subsidence</td></tr>
<tr><td></td><td>1. All developments located in areas affected by mine subsidence must have approval from the Mine Subsidence Board prior to lodgement with The City of Newcastle.</td><td>The site is identified in a mine subsidence area, and the proposal will be referred to NSW Subsidence Advisory as Integrated Development'.</td><td>Y</td></tr>
<tr><td colspan="4">4.04 Safety and Security</td></tr>
<tr><td>4.04.01 Crime Prevention through Environmental Design (CPTED)</td><td>1. Developments incorporate the CPTED Principles into the design of the proposed development.</td><td>The proposed development incorporated design principles outlined within CPTED. A Crime Risk Assessment has been provided at Appendix K of the SEE.</td><td>Y</td></tr>
<tr><td>4.04.02 General Principles</td><td>1. A Crime Risk Assessment (in accordance with figure 1 below) may be required for developments which are: major developments; involve an increased risk to public safety; and/or include a component to serve, sell or supply alcohol.
<table><tr><th colspan="2">Information to be included in a Crime Risk Assessment</th></tr><tr><td>Introduction</td><td>· Describe the proposed development.</td></tr><tr><td>Site Analysis</td><td>· Describe the physical surrounds & topography of proposed development.</td></tr><tr><td>Crime Risk & Opportunity</td><td>· Identify existing and possible crime risks.
· Analyse the types of crime that may be prevalent in the area, and to which the development may be susceptible.</td></tr><tr><td>CPTED</td><td>· Describe how the proposed development addresses each of CPTED principles.</td></tr><tr><td>Specific Uses</td><td>· If applicable, identify how the proposed development addresses the key principles (as outlined in Section 4.04.03 below).</td></tr><tr><td>Recommendations & Mitigation Measures</td><td>· Outline whether the proposed development will have an impact on crime and safety, and why.
· Describe risk assessment recommendations and mitigation measures to be implemented as part of the development.</td></tr></table>
2. A Crime Risk Comment included within the Statement of Environmental Effects (where a Crime Risk Assessment is not required).</td><td>The proposed development does not pose an increased risk to public safety or includes any component which may serve, sell, or supply alcohol. A Crime Risk Assessment has been provided at Appendix K of the SEE.</td><td>N/A

Y</td></tr>
</table>

	3. Exterior design and layout: (a) Building entrances are orientated to face public areas, are clearly identified and visible from the street.	Building entrances are oriented to face public areas.	**Y**
	(b) Development is designed so as not to include entrapment locations and blind corners.	The development has been designed to not include entrapment locations or blind corners.	**Y**
	(c) Building facades are designed so as not to include external indentations, projections or regular features that provide footholds allowing access to private property.	Development has been designed to not include footholds which may allow access to private property.	**Y**
	(d) Building walls located adjacent to carparks or other public spaces include features such as windows and/or balconies, allowing casual surveillance to these areas.	Windows from habitable spaces along with private open spaces look over the public and communal areas facilitating surveillance.	**Y**
	(e) Building entrances, walkways and connecting paths, are clearly defined, visible from the street, and well-lit at night.	Building entrances, walkways and connecting paths are well defined, visible and well lit at night.	**Y**
	(f) Public places incorporate features to attract people in a safe manner, rather than discourage people from gathering.	Communal opens spaces attract people in a safe manner and do not discourage people from gathering.	**Y**
	(g) Development is designed so that it reduces the opportunity for graffiti and vandalism.	The design of the development minimises opportunities for graffiti and vandalism.	**Y**
	(h) Cues, symbols and signs are used to assist people to navigate their environment and define appropriate use of spaces.	Signage is to be implemented to assist navigation through the development.	**Y**
	4. Surveillance and sightlines:		
	(a) Buildings are designed to overlook public areas.	Windows from habitable spaces along with private open spaces look over the public and communal areas facilitating surveillance.	**Y**
	(b) Ground and near-ground levels of buildings are occupied by active land uses that overlook public areas.	Ground and near-ground levels are proposed to be dwellings.	**Y**

	(c) New development maximises visibility and sightlines to destination points (eg. street frontage, car parks, stairwells etc).	Sightlines to the street frontage and car park entrances have been enhanced to improve visibility.	**Y**
	(d) Fence designs maximise natural surveillance between the street and the building.	Fencing is designed to facilitate natural surveillance.	**N/A**
	(e) Landscaping, walls and fences maintain clear sight lines between public and private areas and do not block fields of vision.	The proposed landscaping has been designed to improve sightlines and visibility from private spaces to public spaces.	**Y**
	(f) Mechanical/electronic surveillance systems are installed in compliance with Australian Standard 806.1: Closed Circuit Television (CCTV) Management and operation (where required by Council and/or Police).	CCTV is to be installed where required.	**Y**
	5. Lighting: (a) Lighting is provided in accordance with Australian Standard 1158 - Lighting for roads and public spaces and Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting.	Proposed lighting is in accordance with AS1158 and AS 4282.	**Y**
	(b) All areas intended to be used at night to provide appropriate lighting and visibility.	Appropriate lighting is provided to areas intended to be used at night enhancing visibility.	**Y**
	(c) Lights are directed towards access/egress routes, and illuminate possible entrapment locations/places to hide.	Lights are provided to access/egress points and routes and provided to any potential entrapment locations.	**Y**
	(d) Lighting is to provide a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site or area being traversed; reduces light shadow contact; and is not unshielded at eye level.	Wide beams which reach the next light are to be implemented. Light shadow is minimised with no shielding of light at eye level.	**Y**
	(e) Lighting is designed so that it reduces the opportunity of vandalism (eg. anti-graffiti, anti-breakage, and scratch resistant materials).	Lighting proposed reducing opportunities for vandalism.	**Y**
	(f) Lighting is located so that there is no spillage to neighbouring properties.	Lighting has been located and oriented to prevent spillage to neighbouring properties.	**Y**

	(g) Growing and mature vegetation does not obscure lighting.	Species selection in the proposed landscaping has been selected to be of an appropriate size for its location.	**Y**
	6. Signage / Wayfinding (a) Clear signage and wayfinding devices are incorporated into developments, including audible, tactile, graphic and/or architectural cues.	Signage and wayfinding devices are to be implemented throughout the development.	**Y**
	(b) Information and directional signs are strategically located at entrances and near activity nodes (eg. intersections of corridors and paths, landmarks).	Information and directional signs to be located at intersections of corridors and paths.	**Y**
	(c) Information and directional signs are legible and where appropriate include standard symbols and/or simple graphics.	Directional signage are to be legible and incorporate standard symbols and simple graphics.	**Y**
	(d) Location maps and directional signage are provided for larger developments.	Location maps are to be provided where necessary.	**Y**
	(e) Signposting is provided clearly identifying public amenities and hours of access (eg. toilets, carparking, lifts, ATM's).	Signage identifying public amenities are to be provided.	**Y**
4.04.03 Principles for Specific Use	<u>Carparks (or developments including carparks)</u>	CCTV to be provided as required. Pedestrian Access points provided at ground level. Car park is private only, no attendant booth required. Clear sightlines established along pedestrian path links. Good lighting provided to pedestrian paths. Landscaping, walls, and fences maintain clear sightlines between public and private spaces. Concealment areas minimised through design. Car park ceilings are greater than 2.2m high. Lighting provided allows for sight into cars and eliminate shadows between cars. Vandal resistant materials are to be implemented. Stairwells are located in visible areas. Stairwells and corridors to be painted light colours.	**Y**

	Residential accommodation (10+ dwellings), Group Homes or Boarding Houses	Habitable rooms within dwellings which face public roads and spaces along with internal driveways provided windows. Access controls to be implemented on car park entrances and common areas. Pedestrian paths, parking areas, building entries, and communal spaces provided with lighting. Dwelling door and locks comply with AS 4145. Dwelling entrances and numbering clearly visible from roadways where necessary. Entrances to dwellings have been designed to ensure minimal number of dwellings for each lobby. Entries include list accessed dwellings. Sightlines are unobstructed to open space and community areas.	**Y**
4.05 Social Impact			
4.05.01 Social Impact	1. Development applications comply with the requirements of the 'Social Impact Assessment Policy for Development Applications, 1999', The City of Newcastle.	The proposed development complies with the requirements of "Social Impact Assessment Policy for Development Applications, 1999" with comments regarding social impact provided within the SEE.	**Y**
5.00 Environmental Protections Provisions			
5.01 Soil Management			
5.01.01 Erosion Prevention	General controls applying to all development where site disturbance is greater than 2,500m2 and involving construction, demolition or earth works 7. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	An Erosion and Sediment Control Plan compliant with 'Managing Urban Stormwater: Soils and Construction' provided at Appendix D of the SEE.	**Y**
5.01.02 – Sediment Control	General controls applying to all development where site disturbance is greater than 2,500m2 and involving construction, demolition or earthworks 6. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	An Erosion and Sediment Control Plan compliant with 'Managing Urban Stormwater: Soils and Construction' provided at Appendix D of the SEE.	**Y**

5.01.03 Cut and Fill	1. A site plan prepared by a registered surveyor is submitted demonstrating the existing levels of the property and proposed levels of the landfill.	A site survey plan has been provided at Appendix A of the SEE.	**Y**
	2. Development minimises the amount of cut and fill required by: (a) maximum cut of 3m within the building envelope (b) maximum fill within building envelope of 1m (c) maximum cut external to building envelope of 1m (d) maximum fill external of building envelope of 1m (e) variation to (a), (b), (c) or (d) above will require justification, design and certification by a Structural Engineer.	Proposed levels have been provided within the Civil Plans at Appendix D of the SEE.	**Y**
	3. No cut or fill is to take place within easements.	Cut and fill is designed to address easements through the site.	**Y**
	4. If landfill is to be used it is preferred that it is virgin excavated natural material (VENM). If landfill contains material other than VENM, a licence may be required from the Office of Environment and Heritage.	Imported fill to be either VENM or ENM supported with a licence from OEH.	**Y**
	5. Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties so as to cause a nuisance.	Stormwater and surface water to be managed and directed away from adjoining properties.	**Y**
	6. Buildings are designed to relate to the existing topography with minimal excavation or fill and with the height of foundations kept to a minimum.	The proposed development responds to the existing topography with excavation utilised to facilitate the development within the existing topography.	**Y**
5.02 Land Contamination			
5.02.01 Plan making and development assessment	**A. Initial evaluation** The following controls apply when preparing or determining a Local Environmental Plan, a Development Control Plan, a Plan of Management for Community Land, a Development Application (including modification) or an activity under Part 5 of the Environmental Planning and Assessment Act 1979 1. Where the proposal involves a change of use of land, or the carrying	Further to the considerations made in the Preliminary Contamination Assessment dated 14 December 2018 (Appendix P of SEE), a 'Phase 2 Detailed Site Investigation' prepared by Coffey Services Australia dated 23 June 2019 has been submitted to Council, refer to Appendix Q of the SEE. The Preliminary and Detailed Site Investigations concluded	**Y**

	out of earthworks, Council is to undertake an initial evaluation generally in accordance with the relevant Contaminated Land Planning Guidelines. 2. The initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or determination of the matter and whether a site investigation process is required to be carried out. 3. The evaluation is to be based upon records held by Newcastle City Council that are readily accessible, and may also be based upon factual information gained from a site inspection. There is no requirement to research or consider records held by other agencies. Matters to be considered are described in the Technical Manual for this section (Newcastle Contaminated Land Management Technical Manual).	that there was "*little evidence of chemical contamination*" and the site is suitable for the proposed residential land use.	
	B. Determining if a site investigation is required The following controls apply when preparing or determining a Local Environmental Plan, a Development Control Plan, a Plan of Management for Community Land, a Development Application (including modification) or an activity under Part 5 of the Environmental Planning and Assessment Act 1979 1. If after initial evaluation there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may proceed without further reference to this Section 5.02 Land Contamination. 2. If there are indications that: (a) the land is or may be contaminated land, or (b) there is insufficient information on which to make a decision, a site investigation process is to be carried out in accordance with the	Further to the considerations made in the Preliminary Contamination Assessment dated 14 December 2018, a 'Phase 2 Detailed Site Investigation' prepared by Coffey Services Australia dated 23 June 2019 has been submitted to Council, refer to Appendix Q of the SEE. The Preliminary and Detailed Site Investigations concluded that there was "little evidence of chemical contamination" and the site is suitable for the proposed residential land use.	**Y**

	Contaminated Land Planning Guidelines. 3. The circumstances in which a site investigation process is required also include those specified in clauses 6 and 7 of State Environmental Planning Policy No 55 - Remediation of Land. In accordance with these clauses, Council will require a preliminary investigation to be submitted with zoning and rezoning applications or a subdivision or development application where the land concerned is: (a) land that is within an investigation area (b) land on which potentially contaminating land use is being, or is known to have been carried out (c) land on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for a hospital: (i) where there is no knowledge (or incomplete knowledge) as to whether potentially contaminating development has been carried out on the land, and (ii) where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge (or incomplete knowledge).		
	C. Site investigation process <u>The following controls apply when preparing or determining a Local Environmental Plan, a Development Control Plan, a Plan of Management for Community Land, a Development Application (including modification) or an activity under Part 5 of the Environmental Planning and Assessment Act 1979</u> 1. The appropriate level of investigation will depend on the specific circumstances and may involve one or more of the following stages as described in Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA) and section 3.4 of the Contaminated Land Planning Guidelines. ▪ Stage 1 - Preliminary investigation ▪ Stage 2 - Detailed investigation ▪ Stage 3 - Remedial action plan	Further to the considerations made in the Preliminary Contamination Assessment dated 14 December 2018, a 'Phase 2 Detailed Site Investigation' prepared by Coffey Services Australia dated 23 June 2019 has been submitted to Council, refer to Appendix Q of the SEE. The Preliminary and Detailed Site Investigations concluded that there was "little evidence of chemical contamination" and the site is suitable for the proposed residential land use.	**Y**

	▪ Stage 4 - Validation and site monitoring. The proponent is responsible for undertaking and paying for the site investigation process. 2. Reports submitted to Council must include an electronic copy consisting of a single PDF document or similar. Reports consisting of multiple files will not be accepted. Reports and associated drawings and tables must be legible when printed in black and white.	An electronic copy of the assessment has been provided.	**Y**
	E. Determination of development applications <u>The following controls apply when determining a Development Application (including modification) or an activity under Part 5 of the Environmental Planning and Assessment Act 1979</u> 1. Following consideration of the findings of the site investigation process, Council may grant consent or otherwise authorise the matter only if it is satisfied that: (a) the land is suitable (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and (b) the land will be remediated before it is subdivided or used for the proposed purpose where remediation is necessary to make the land suitable for that purpose. 2. In determining development applications, Council is to consider: (a) the need to impose conditions relating to the remediation issues outlined in Section 5.02.03, (b) whether it would be appropriate to issue a deferred commencement consent or a staged consent, and (c) the management of below surface contamination to ensure that the community is not unduly disadvantaged by accepting the dedication of public assets that have increased human health or environmental risks or have potentially higher asset management costs due to contamination.	Further to the considerations made in the Preliminary Contamination Assessment dated 14 December 2018, a 'Phase 2 Detailed Site Investigation' prepared by Coffey Services Australia dated 23 June 2019 has been submitted to Council, refer to Appendix Q of the SEE. The Preliminary and Detailed Site Investigations concluded that there was "little evidence of chemical contamination" and the site is suitable for the proposed residential land use. Noted.	**Y**

5.02.03 Remediation Work	1. Remediation of land to be subdivided or developed is completed consistent with the proposed or current zoning and land use, so that it does not place any future land owner or occupier in a position where further remediation of contaminants is required. In the case of subdivision, all remediation work including site capping is to be completed on the development lots prior to the issue of a subdivision certificate. 2. Remediation of land to be subdivided or developed does not place a public agency in a position where it may have to become involved in any future management or monitoring of contaminated land. In this regard, any ongoing management and monitoring requirements need to be clearly and legally assigned to the proprietors of newly created lots. It will need to be demonstrated, to the satisfaction of Council, that any further remediation required as a result of ongoing management or monitoring requirements can be legally and practically enforced. 3. Remediation of land is carried out in accordance with this section, unless specific Council consent is granted for the remediation proposal which allows a variation. 4. Remediation of land aims to remediate land to the highest land use possible under the current or proposed zoning without the need for site specific ongoing management controls such as capping. 5. Remediation of land is carried out and completed in a manner which will not result in an unacceptable level of risk to human health or the environment. 6. Remediation of land aims to remediate groundwater to a level that allows the maximum reuse of the resource into the future.	Recommendations of the submitted Contamination Reports will be implemented during the construction phase.	**Y**

5.03 Vegetation Management			
5.03.01 Declared vegetation	1. A permit from Council is required prior to clearing or pruning the following: (a) vegetation in a threatened ecological community or a threatened plant species listed under the Biodiversity Conservation Act 2016 or Fisheries Management Act 1994; or (b) vegetation that is or forms part of a heritage item, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, or (c) a tree that is required to be retained or planted as a condition of a complying development certificate or development consent, or (d) a tree that was planted as a replacement tree, or (e) any other native vegetation including understorey plants, groundcovers and plants occurring in a wetland and is less than the biodiversity offsets scheme threshold identified under the Biodiversity Conservation Act 2016, or (f) all trees and shrubs, regardless of size, on land managed by a public authority including Council, or (g) all other trees or shrubs that are not listed in (a) to (f) above, unless the tree or shrub: (i) is located within 3m of the wall of an existing principal building (excluding carports, garages, pergolas, fences, retaining walls and the like); or (ii) the tree is less than 3m in height, or with a circumference (measured at 1.4m above ground level), less than 450mm for a single trunk tree, or less than 300mm for each trunk of a multi-trunk tree; or (iii) the shrub is less than 5m in height.	A number of trees are proposed to be removed as part of this development application which require a permit to be removed. The Amended Application is supported by an Arborist Report which assesses the state and significance of the existing trees on the site, see Appendix X of the SEE.	**Y**
5.03.05 Clearing or pruning of declared vegetation associated with a	General controls applying to all development (excluding greenfield sites) 1. Where the development including any ancillary development, or associated excavation, affects declared vegetation located on the site, or where the trunk of a tree is located within 5m of the development footprint,(including any ancillary	A report from a consulting arborist (AQF5) has been submitted with the development application, see Appendix X of the SEE.	**Y**

development application	development or associated excavation, the following information is to be submitted with the development application: (a) a report from a consulting arborist (AQF5) that: (i) incorporates a tree retention value assessment in accordance with section 4.1 of the Urban Forest Technical Manual, and (ii) defines tree protection zone offsets and protection requirements in accordance with section 7 of Urban Forest Technical Manual, and (iii) is prepared in accordance with Part A, section 6 of the Urban Forest Technical Manual. (b) where it is demonstrated that the development design cannot retain trees, a landscape concept plan for the site that identifies suitable locations and species for compensatory tree planting within the site. 2. Trees retained as part of a development consent are to be protected in accordance with the tree protection plan, during the demolition and construction phase.	A Landscape Concept Plan, demonstrating compensatory planting has been provided, see Appendix E of the SEE. Noted.	
5.03.06 Declared vegetation on public land	B. Clearing or pruning of public trees associated with a development application The following controls apply to the clearing or pruning of trees or shrubs on public land associated with other works that require development consent 1. Where a public tree is located within 5m of the development property boundary the following information is to be submitted with the development application: (a) identify the location of public trees and street tree vacancy sites within 5m of the property boundary on the site plans (contact Council to obtain location/s of street tree vacancy sites), and (b) consider design options and feasibility to achieve the required offsets in accordance with Part B, section 2 of Council's Urban Forest Technical Manual, and 2. Council will specify the tree protection requirements for public	Any requirements of the Council, in relation to the upgrading of infrastructure in the road reserve, will be the subject of a future application to the Council in accordance with Section 138 of the Roads Act 1993. Further discussion is contained in Section 9.14 of the SEE.	**Y**

	trees that are to be retained as part of the conditions of consent. Note: Public trees are assessed by Council and an Arborist report is not required to consider impacts on public trees.		
5.04 Aboriginal Heritage			
5.04.01 Due diligence and development assessment	1. Where a development will disturb the ground surface, provide documentation to satisfy the consent authority that the due diligence process has been followed. The documentation should include (but is not limited to) the following: ▪ A statement indicating the results of the AHIMS database search and any other sources of information considered. ▪ A statement indicating whether there are landscape features that indicate the presence of Aboriginal objects. ▪ A statement indicating whether the proposed development is likely to harm Aboriginal objects. ▪ A statement indicating whether an Aboriginal Heritage Impact Permit (AHIP) is required. 2. Where required, prepare an Aboriginal cultural heritage assessment to assess the impact of the proposed development on Aboriginal cultural heritage consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW. 3. Where required, prepare an Aboriginal cultural heritage assessment report consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW that includes strategies to avoid or minimise harm to Aboriginal objects and places of cultural significance. 4. Where the investigation and assessment requires the preparation of an Aboriginal cultural heritage assessment report, provide documentation to satisfy the consent authority that the relevant Aboriginal community and stakeholders have been involved in the decision making	A search of the AHIMS database revealed there are no Aboriginal sites or places recorded in or near the subject site. An Aboriginal Due Diligence Assessment is attached at Appendix Z, prepared in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (DECCW 2010). During the site inspection, two pieces of flaked tuff were observed, with these objects considered to form part of the newly identified NBN_AS1 Aboriginal site. Both objects that comprise the NBN_AS1 were considered to be heavily weathered, likely due to being exposed on the surface through topsoil erosion. Subsequently a draft Aboriginal Cultural Heritage Assessment (ACHA) has been prepared (refer Appendix AA). Further discussion is made at Section 9.12 of the SEE.	

	process.		
5.05 Heritage Items			
5.05.01 General principles	1. Any development application for works to a heritage item is accompanied by a Heritage Impact Statement, Conservation Management Plan, or Conservation Management Strategy, as required by the Newcastle Local Environmental Plan 2012. 2. Development of a heritage item: (a) is consistent with the Heritage Impact Statement, Conservation Management Plan or Conservation Management Strategy (b) is consistent with the Statement of Heritage significance for the item (c) protects the setting of the heritage item (d) retains the significant internal and external spaces and to recycle, re-purpose and reuse fabric and building elements (e) 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 (f) removes alterations and additions that are unsympathetic to the heritage significance of the heritage item (g) reinstates missing building elements and details (h) uses materials, finishes, and colours that are appropriate to the architecture, style and age of the heritage item (i) reinforces the dimensions, pattern and style of the original window and door openings of the heritage item (j) maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with its heritage significance.	The Newcastle Recreation Reserve was listed on the State Heritage Register, effective 21 May 2021. The listing including both Lot 7003 (unmade road) and Lot 7004 (Arcadia Park). The Addendum SOHI has been updated to address the state listing. The proposal does include mine grouting works at a significant depth below Arcadia Park. The mine grouting below Arcadia Park will require a Section 57 submission to Heritage NSW. Accordingly, the 2021 Amended Application is integrated development pursuant to s4.46 of the Environmental Planning and Assessment Act 1979 (NSW) and Section 58 of the Heritage Act 1977. No other works are proposed in Arcadia Park.	
5.05.04 Conserving significant elements of adjoining public domain	9. Landscaping, including trees, gardens and horticultural elements of heritage significance are retained. Replacement species are to be selected based on the heritage significance of the heritage item.	Any works in the road reserve will be undertaken in accordance with the requirements of Council, and will be the subject of a future application in accordance with the Roads Act.	
5.05.06 Developme	1. New development and alterations and additions in the vicinity of heritage	The site adjoins The Hill and Cooks Hill Heritage	**Y**

nt in the vicinity of a heritage item	items respects and enhances the setting and significance of the heritage item with regard to the following elements: (a) building envelope (b) proportions (c) setbacks (d) material and colours.	Conservation Areas and individual listed heritage items. As such, a Statement of Heritage Impact has been prepared by John Carr Heritage Design and provided at Appendix CC, and further considered in the Addendum SOHI (refer Appendix DD).	
	2. Development in the vicinity of heritage items respect the heritage item by: (a) retaining adequate space around the heritage item to enable its interpretation (b) conserving significant landscaping including horticultural features, trees, and outbuildings (c) enabling archaeological sites to be conserved in accordance with relevant approvals (d) retaining significant views and lines of sight to the heritage item.	The proposed development has been designed to respect the surrounding heritage items by providing adequate setbacks, building envelop, massing, and materials and colours proposed. The proposed development affords adequate space from heritage items preserving views and sightlines to the items. Landscaping has been designed to respond to the surrounding heritage items and areas.	**Y**
5.06 Archaeological Management			
5.06.01 Archaeological management	1. Establish potential archaeological significance and location of archaeological sites or potential archaeological sites during the design development process. 2. Assess archaeological significance of the potential or known archaeological site during the design development process.	The site is not an identified archaeological site, and is unlikely that the site holds archaeological significance.	**N/A**
5.07 Heritage Conservation Areas			
Adjoining heritage conservations areas have been considered in the Statement of Heritage Impact prepared by John Carr Heritage Design and provided at Appendix CC, and further considered in the Addendum SOHI (refer Appendix DD). It is noted that following the lodgement of the DA, this Chapter has been relabelled Section 6.02.			
6.00 Locality Specific Provisions			
6.14 - 11 Mosbri Crescent The Hill *Note: Further discussion of this DCP chapter is contained in the SEE and Addendum SEE.*			
6.14.01 Land use and development	1. The preferred development layout and building typology for the Site is shown in Map 2 – Preferred site layout plan and building typology.	The objective of this layout was to ensure that the future development of the site supported the aims of the DCP section. Following more detailed design, the current proposal, while varying from the preferred site layout, achieves the aims of the DCP.	**Y**

6.14.02 Building Form	**A. Floor Space ratios** 1. Refer to Newcastle Local Environmental Plan 2012 for floor space ratio controls.	Noted, the floor space ratio complies with the requirements of the LEP 2012.	**Y**
	B. Height 1. Refer to the Newcastle Local Environmental Plan 2012 for building height controls.	A clause 4.6 variation has been prepared in support of the proposed height variation.	**N**
	2. Taller buildings are located and designed to maintain views from the Obelisk in King Edward Park.	The proposed development is designed to maintain sightlines to significant heritage items such as the Obelisk.	**Y**
	C. Building Setbacks 1. Building setbacks are consistent with those shown on Map 3 – Building setbacks and Figures 1 - 5 – Building Cross sections.	The proposed setbacks have been discussed in detail within the SEE. It is considered that the current design achieves the aims of the DCP.	**Y**
	2. Rooftop access is provided to the rooftop communal open space for Buildings A and B (as indicated on Map 4 - Landscape concept plan). This habitable space is limited in area to 20% of the roof plane of the floor below, is contained within the maximum height limit and is integrated with any rooftop architectural features.	Rooftop access is provided to a rooftop communal area provided on Building B. The area exceeds the 20% roof plane of the floor below however it is considered to provide a high level of amenity to residents, without impacting on adjoining properties.	**N**
	D. Building Design Elements 1. Building facades incorporate a range of balconies and fenestration for visual interest and improved amenity.	Balconies and fenestrations incorporated into the design to provide visual interest and improved amenity.	**Y**
	2. Utilise potential open space on upper levels by including roof gardens and terraces.	A communal area is located on the roof area of Building B.	**Y**
	3. The selection of materials used for new development considers and respects the character of existing buildings in the surrounding streetscape.	The selected materials has been chosen to respect the character of the existing area and surrounding streetscape.	**Y**
	4. Exterior colour schemes are co-ordinated and consistent with existing local character. Avoid bright extravagant colour schemes that do not contribute to an integrated streetscape and the local character.	The proposed colour scheme is consistent with the local character and avoids bright extravagant colours.	**Y**

	5. Mechanical, service and telecommunication equipment are discreetly enclosed on roof tops so as not to diminish the aesthetic qualities of the precinct and the building.	Service equipment have been located atop the roof areas to minimise aesthetic impacts.	**Y**
6.14.03 Public Domain	**A. Traffic and Transport** 1. Vehicular access to the site should be provided from Mosbri Crescent in the general locations shown in Map 2 – Preferred Site layout plan.	Access is proposed from Mosbri Crescent in proximity to the access demonstrated on Map 2.	**Y**
	2. Car, motorcycle and bike parking is provided as per Section 7.03 Traffic, Parking and Access.	Proposed parking rates comply with Section 7.03 of the DCP.	**Y**
	3. At grade car parking is only provided where: (a) it is set back or sleeved behind other uses (b) it is integrated into the built form and covered by upper levels of the development or upper level open space/landscape provision (c) it is not within front building setbacks (d) it is not impeding ability to meet minimum on-site landscape requirements.	The proposed parking consists of understorey carparking and as a result is integrated within the building and does not impede the ability to meet landscaping requirements.	**Y**
	4. New pedestrian footpaths are provided along street frontages.	Pedestrian footpaths are provided along the street frontages.	**Y**
	5. New street tree planting is provided along Mosbri Crescent frontage and Kitchener Parade frontage.	The proposed landscaping includes street trees along the street frontages.	**Y**
	B. Open Space and Landscaping 1. Landscape elements are to be provided generally in accordance with Map 4 – Landscape concept plan.	The proposed landscaping has been designed inline with the desired layout of Map 4 however suited to the new proposed development layout.	**Y**
	2. Deep soil areas to be located around the site's northern, eastern and southern boundaries, incorporating existing trees and new tree planting.	Deep soil areas are located around the northern, eastern, and southern boundaries of the site.	**Y**
	3. Private amenity space is to be provided at the ground floor of each building and accessed directly by the adjacent dwelling. In the case of terraces (Building E), it will include the front and rear gardens.	The design of the private open spaces ensures a high level of amenity to dwellings.	**Y**

	4. Green roofs/soft landscaping treatments are to be provided on the roof planes of key buildings to reduce the visual impact of the development from key vantage points, in particular the Obelisk in King Edward Park.	Landscaping treatments are integrated with the proposed buildings.	**Y**
	5. Site fencing adjacent to Arcadia Park should be permeable (eg. metal picket) to enable surveillance and avoid graffiti.	Fencing along Arcadia Park is to be permeable.	**Y**
	6. Key pedestrian access throughout the site is separated from vehicular driveways. Public pedestrian access through the site is provided between Mosbri Crescent and Kitchener Parade (Refer Map 1). The access shall observe CPTED principles, including clear delineation from private open space areas.	Pedestrian pathway between Mosbri Crescent and Kitchener Parade is provided separate from vehicle access paths. CPTED principles have been integrated in the design of the pathway.	**Y**
6.02 Heritage Conservation Areas			
Adjoining heritage conservations areas have been considered in the Statement of Heritage Impact prepared by John Carr Heritage Design and provided at Appendix CC, and further considered in the Addendum SOHI (refer Appendix DD). It is noted that following the lodgement of the DA, this Chapter has been relabelled Section 6.02.			
7 Development Provisions			
Section 7.02 Landscape, Open Space and Visual Amenity			
7.02.01 Categories of Development	For the purpose of this section development proposals are grouped into three categories, which determine the level of information required with a development application: ▪ Category 1 - small scale development with relatively little impact on surrounding development. No landscape plan is required for Category 1 development. ▪ Category 2 - medium scale development with potential visual significance and impact on the amenity of the host neighbourhood. ▪ Category 3 - large scale development or development on prominent or ecologically sensitive sites with a high degree of visual significance and environmental impact. <u>Controls applying to landscape categories for development types to which this section applies</u> 1. Landscape plan documentation for categories 2 and 3 development applications is in accordance with the following table:	The due to the number of dwellings proposed the development is classed as Category 3.	**Y**

	<table><tr><th></th><th colspan="2">Category</th></tr><tr><th></th><th>2</th><th>3</th></tr><tr><td>Site Survey and Analysis</td><td>3 copies at DA stage</td><td>3 copies at DA stage</td></tr><tr><td>Landscape Concept Plan/Master plan</td><td>3 copies at DA stage</td><td>3 copies at DA stage</td></tr><tr><td>Preliminary Landscape Design Report</td><td>N/A</td><td>1 copy at DA stage</td></tr><tr><td>Comprehensive Landscape Plan, Specifications</td><td>3 copies at CC stage</td><td>3 copies at CC stage</td></tr><tr><td>Landscape Practical Completion Report by Landscape Architect or design consultant</td><td>1 copy at occupation certificate stage</td><td>1 copy at occupation certificate stage</td></tr><tr><td>Landscape Establishment Report</td><td>1 copy at completion of maintenance period</td><td>1 copy at completion of maintenance period</td></tr></table> 3. All documentation for Category 3 development is prepared by a Landscape Architect or similar qualified professional practising at the membership level of Registered Landscape Architect of the Australian Institute of Landscape Architects, or as determined by Council. 4. All required landscape works are implemented by members of the Landscape Contractors Association of NSW and/or similar qualified contractors. In the case of Category 3 development, implementation is under the supervision of the landscape consultant responsible for the design.	Due to the number of dwellings proposed, the requirements for Category 3 apply. The required items have been provided within the landscape plan at Appendix E. Site survey and site analysis provided within the architectural plans at Appendix A of the SEE. The Category 3 documentation have been prepared by suitably qualified and experienced professions with the relevant registrations.	**Y** **Y**
7.02.02 General Controls	1. Landscaping is in scale and context with the proposed development, street reserve width, other buildings and landscape elements within the streetscape, ie. it is not appropriate to plant a large tree in the front garden of a small terrace or to landscape a large industrial structure with ground covers. 2. Existing trees and vegetation should be preserved particularly street trees and those within the front setback. The existing tree canopy is retained and enhanced wherever possible. 3. Where possible integrate on-site stormwater management with the design of landscaped areas. 4. Plant species are selected and located to avoid structures, services and paths. 5. Undesirable species are not selected (See Appendix 1 of Urban Forest Technical Manual and Appendix B Landscape Technical Manual).	The proposed landscaping has been designed in respect to the scale and context of the proposed development, surrounding development, and the streetscape. Trees are proposed to be removed. Suitable landscaping is proposed throughout the site. Refer to stormwater management plan (Appendix D of the SEE). Plant species selection and their location avoid encroachment on structures, services and pathways. No undesirable species have been selected.	**Y** **Y** **Y** **Y** **Y**

	6. Deep soil zones are optimised within a site by: (a) the design of basement and sub-basement car parking, so as not to fully cover the site and conflict with tree planting	The proposed car parking has been limited in coverage to facilitate appropriate landscaping.	**Y**
	(b) ensuring appropriate front and side setbacks are provided for tree planting	Front and side setbacks are provided.	**Y**
	(c) that the soil profile is free draining	The soil profile is free draining. Infrastructure, services, and works avoid the deep soil zone.	**Y**
	(d) works, excavations, infrastructure, services and drainage pipes are located away from the deep soil zone	Deep soil zones align with adjoining property deep soil zones where possible.	**Y**
	(e) optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjacent properties.	The proposed front setback landscaping integrates the development with the streetscape and enhances the overall appearance.	**Y**
	7. Landscape treatment within the front setback is substantial enough to enhance the appearance and integration of the development with the streetscape.	Species selected are of low maintenance and enhances the social, recreational, and aesthetic quality of the development.	**Y**
	8. Landscape design responds to user requirements, taking into account maintenance, social / recreational needs and aesthetic quality.	Native species have been selected with care given to the interface with Arcadia Park.	**Y**
	9. Plant species are suitable for site conditions, using native species where possible, and local indigenous species adjoining environmentally sensitive sites, such as waterways and bushland.	The proposed landscaping has focused plantings to enhance energy efficiency and amenity where possible by providing shade to northerly and westerly elevations of the building.	**Y**
	10. Landscape design is used to enhance the amenity and energy efficiency of the development where possible by providing shade to the northerly and westerly elevations of buildings in summer and adequate solar access in winter.	Landscaping has been located to assist in establishing privacy between dwellings.	**Y**
		Proposed landscaping are incorporated throughout the communal and public spaces with linkages to the surrounding area where possible.	**Y**
	11. Landscape areas to address privacy issues between dwellings.	N/A, site is not located along major road corridors.	**Y**

<table>
<tr><td></td><td>12. Significant site vegetation, landscape features incorporated in the public landscape areas of the development and linked to the local open space network where possible.

13. Adequate provision is made for planted buffer zones between major road corridors and nearby development.</td><td></td><td></td></tr>
<tr><td>7.02.06 Green Walls and Roof Space</td><td>1. Planting on structures is designed for optimum conditions for plant growth by:
(a) providing soil depth, soil volume and soil area appropriate to the size of the plants to be established
(b) providing appropriate soil conditions and irrigation methods
(c) providing appropriate drainage.

2. Planters are to be designed to support the appropriate soil depth and plant selection by:
(a) ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure healthy tree and shrub growth
(b) providing square or rectangular planting areas where possible, rather than narrow linear areas.

3. Provide sufficient soil depth and area to allow for plant establishment and growth. The following minimum standards are recommended:
<table><tr><th>Plant Type</th><th>Minimum Soil Depth (m)</th><th>Minimum Soil Volume (m³)</th></tr><tr><td>Large trees (over 8m high)</td><td>1.3</td><td>150</td></tr><tr><td>Medium trees or shrubs(2m to 8m high)</td><td>1.0</td><td>35</td></tr><tr><td>Small trees or shrubs (up to 2m high)</td><td>0.8</td><td>9</td></tr><tr><td>Small shrubs and ground cover</td><td>0.5</td><td>Not applicable</td></tr></table>
4. Green walls are used to enliven blank facades.

5. Water filtration is optimised by green roofs through the use of permeable paving.

6. Utilities such as plant rooms, lift overruns or air conditioning units are screened with green cover to improve the aesthetic quality of the development.</td><td>The rooftop landscaping areas have been designed to provide optimal conditions for plant growth. Refer to details on the Landscape Plans at Appendix E of the SEE.</td><td>Y</td></tr>
<tr><td colspan="4">7.03 Traffic, Parking and Access</td></tr>
<tr><td>7.03.01</td><td>1. The Statement of Environmental Effects addresses the following issues:</td><td>Details of the proposed onsite parking facilities, access</td><td>Y</td></tr>
</table>

Traffic Studies and Plans	(a) parking facilities provided, with details of calculations, types, number and arrangement (b) proposed access arrangements and their compliance with design standards outlined in this Section (c) identification of public transport services, stops and shelters in the vicinity of the development (d) traffic generation, impacts expected and proposed traffic management measures.	arrangement, traffic generation, and public transport options have been discussed within both the SEE and the Traffic Impact Assessment provided at Appendix V of the SEE and an Addendum Traffic Report is at Appendix W of the SEE.	
	2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.		**Y**
	3. Issues addressed in the Traffic Impact Study include: (a) review of the existing and proposed traffic network, traffic operating conditions and flows (b) likely car parking supply and demand, as well as servicing requirements (c) estimates of trip generation of the development (d) public transport services in the vicinity of the proposed development (e) impacts of generated traffic on the surrounding road network and the locality (f) safety of access between the site and the adjacent road network (g) pedestrian infrastructure, generation and movements (h) recommended improvement works (i) linkages with existing and proposed bicycle and pedestrian routes.	The Traffic Impact Assessment includes the required detail including review of existing and proposed traffic conditions, car parking demands, trip generation, public transport options, access safety, pedestrian facilities, and comment on required upgrades if required.	**Y**
	4. Further to (3) above, the Traffic Impact Study also includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.	Details of the available public transportation options have been discussed within the Traffic Impact Assessment.	**Y**

	5. A Traffic Impact Study, prepared by a suitably qualified and experienced transport professional, is submitted with the Development Application. 6. The Traffic Impact Study is prepared in accordance with the RTA's Guide to Traffic Generating Developments (2002). The Traffic Impact Study includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.	The Traffic Impact Assessment has been prepared by a suitable qualified and experienced professional. The Traffic Impact Assessment has been prepared in accordance with the RTA's Guide to Traffic Generating Developments (2002) and includes the relevant discussion points.	**Y** **Y**
	B. Construction traffic Management Plan 1. Council requires submission of a draft Construction Traffic Management Plan, where it is likely that the demolition and construction phases of a development will significantly impact traffic movement, pedestrians and/or parking. 2. The draft Construction Traffic Management Plan is prepared in accordance with Australian Standard 1742.3 by a Roads and Traffic Authority qualified person as defined under the RTA's Traffic Control at Work Sites. 3. The draft Construction Traffic Management Plan clearly sets out: a) traffic generation associated with demolition and construction b) heavy vehicle routes c) impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures d) proposed hours of operation in demolition and construction phases. 4. Provision is made for safe, continuous movement of traffic and pedestrians on public roads and for the erection of traffic warning signs conforming to the RTA's General Specifications. Traffic control is carried out only by flagmen with certification of	A construction traffic management plan will be implemented prior to the commencement of works. Reference is made to the Construction Management Plan at Appendix KK of the SEE.	**Y**

	training in accordance with Australian Standard 1742.3. 5. The conditions of consent for development outline requirements of the Construction Management Plan.		
7.03.02 Parking Provision	1. Car parking is generally provided in accordance with the rates set out in Table 1 – Parking Rates, except for car parking for non-residential development in the Newcastle City Centre, which is provided at the rate of one space per 60m2 gross floor area. Council reserves the right to vary the rates, subject to merit assessment of the proposal. 2. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to: (a) likely peak usage times (b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations (c) the likely use of public transport. 3. Parking provision for developments not listed in Table 1 is assessed having regard to RTA guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria: (a) the proportion of visitors or patrons likely to arrive by car (b) the availability and level of service of public transport relative to the site (c) the number of employees and their likely spread of work hours (d) the hours of operation (e) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities (f) the number of occasions during the year when the proposed development is likely to be fully utilised (g) the availability and affordability of public parking within a reasonable distance of the proposed development (h) the availability of additional parking facilities to cover peak demands.	Parking provision has been discussed in the Traffic Report at Appendix V of the SEE and Appendix W of the SEE. The proposed development provides ample parking to meet the demand of the development.	**Y**

	4. Provision of car parking and associated internal vehicular access and manoeuvring areas above the maximum rates nominated in Table 1 are included in the gross floor area for the purpose of calculating floor space ratio, except where provided in association with controls 5 and/or 6.		
	5. Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed by Council. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation. Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future development application for a change of use.	N/A, proposal consists of a new development.	
	6. Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), Council may require for such spaces to be replaced on site.	Noted, proposal ensures no loss to on street parking.	
	7. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.	No stack parking is proposed.	
	8. Service vehicle parking, courier facilities and loading and unloading facilities are provided on site in a manner that is conveniently accessible for all developments likely to generate a need for such facilities. The submitted plans clearly indicate that the proposed facilities will be adequate, having regard to: (a) intended use of the site	Due to the nature of the development, no ongoing deliveries are to occur. Other service vehicle requirements can be accommodated for in the car park design.	

	(b) frequency of deliveries and collections (c) size and bulk of goods (d) size of vehicles (e) ease of access. 9. Table 2 shows indicative standards for provision of service vehicles for various types of development.		
	10. Council may require the provision of taxi, private vehicle and bus/coach drop off/set down areas where warranted by the proposed development. Specifically, bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000m2 , convention and exhibition centres, and other development as deemed appropriate by Council.	N/A, proposed development not a listed type requiring bus or taxi zones.	
	<u>The following controls apply only to the Newcastle City Centre</u> 11. Except for residential development, car parking for development in the Newcastle City Centre is provided at the rate of one space per 60m2 gross floor area.	N/A, the proposed development is not located within the Newcastle City Centre.	
	<u>The following controls apply only to Attached Dwellings, Multiple Dwelling Housing and Residential Flat Buildings as defined within Newcastle Local Environmental Plan 2012</u> 12. Visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.	Visitor parking is to be clearly marked and signposted.	
	<u>The following controls apply only to Mixed Use Development</u> 13. The total number of parking spaces for a mixed-use development is generally calculated on the basis of the sum of the required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur. 14. The total number of spaces to be provided for each type of parking is rounded to the nearest whole number.	N/A, the proposed development does not include multiple uses on the site.	

	B. Variations to Parking Rates 1. Applicants comprehensively justify any departure from the parking rates set out in Table 1 in the Statement of Environmental Effects or Traffic Impact Study. 2. Council has regard to the following when considering any departures from the parking rates set out in Table 1: (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated (b) the applicability of other Council policies (c) the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand (d) results of any comprehensive parking survey submitted in support of the application (e) whether a Green Travel Plan has been provided and a written agreement between Council and the owner/occupier is established for implementation of the Green Travel Plan (f) whether a car sharing scheme is proposed to be implemented (g) access to public transport services and the probable transport mode of staff and patrons or customers of the development (h) availability and accessibility of public parking facilities in the vicinity of the proposed development (i) the availability of kerb-side parking opportunities in the vicinity of the proposed development (j) continuity, streetscape and heritage significance (k) existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety (l) the impacts of providing on-site parking (m) anticipated impacts of not providing for adequate on-site car parking	N/A, no variation required.	

	3. For alterations, additions or change of use of an existing building, a departure from the rates set out in Table 1 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site. 4. In certain circumstances, Council may consider entering into a voluntary planning agreement to accept a monetary contribution in lieu of on-site car parking provision. A monetary contribution in lieu of on-site provision will not be accepted for bicycle parking/storage.		
	C. Bike Parking 1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking. 2. Bicycle parking complies with the relevant Australian Standard (AS2890.3). 3. Bicycle parking is clearly marked and signposted. 4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users. 5. Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided. 6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development. 7. Where shower facilities and change rooms are provided for cyclists, convenient access to such facilities is to	Bike parking of 1 space per dwelling is required unless separate storage is provided (Council determine the required class of security) 1 space per 10 dwellings (Class 3) for visitors. Bike parks proposed meet the requirement of the DCP. Bike parking is compliant with AS 2890.3. Signposting and marking is provided for bike parking. Sightlines provided to ensure visibility of bicycle facilities. N/A, Bike parking is communal in nature. Visitor bike parking is provided near access points. N/A, shower and change rooms are not proposed to be provided.	**Y**

	be considered in the siting of bicycle parking. 8. Access to bicycle parking is provided in accordance with the RTA's NSW Bicycle Guidelines, which reference Austroads Guide to Traffic Engineering Practice. Slotted drainage grates, longitudinal joint cracks and sharp gradient transitions, which provide hazards to riders, are avoided.	 The proposed bike parking is provided in accordance with RTA's NSW Bicycle Guidelines. Hazardous features to cyclists are avoided in the design of the proposed development.	
	D. Motorbike Parking 1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances. 2. Motorbike parking complies with the relevant Australian Standard (AS2890.3) and Council's Guidelines for Motorbike Parking in Newcastle.	Motorbike parking provided in accordance with the DCP requirements. Motorbike parking provided comply with AS2890.3.	**Y**
	E. Parking for people with a disability 1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia. 2. Parking for people with a disability is designed and constructed in accordance with current relevant Australian Standards (AS2890 and AS1428) and the Building Code of Australia. 3. Parking spaces for people with a disability are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park. 4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts. 5. A continuous accessible path of travel is provided from each parking	Accessible parking is identified on the architectural plans at Appendix A. Disabled parking bays are to be constructed in accordance with AS2890 and AS1428 along with the BCA. Disabled parking bays to be appropriately signposted and line marked. The location of disabled parking bays are in proximity to wheelchair accessible entrances and/or lifts. Disabled parking bays are to be constructed in accordance with	**Y**

	space for people with a disability to the closest accessible public entrance. 6. The minimum floor to ceiling clearance above parking spaces for people with a disability is 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m. 7. The applicant is required to demonstrate, to the satisfaction of Council, how parking restrictions are enforced. Council may enter into an agreement with the owner/operator of the premises to allow Council's Compliance Officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent.	AS2890 and AS1428 along with the BCA. The height above disabled parking bays and accessible pathways meet the minimum height requirements. The proposed development includes private parking only.	
7.03.03 Travel Demand Management	**A. Public Transport** <u>The following controls apply to major development, as identified</u> 1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community centres, entertainment venues, aged persons' accommodation or other development deemed appropriate by Council, a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400m of an existing bus stop with shelter. Alternatively, Council may accept a monetary contribution in lieu of provision of a bus stop with shelter, through a voluntary planning agreement. 2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements. 3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath. 4. Signage is installed directing patrons to public transport stops facilities, with	The proposed development is located within 400m of a bus stop. The proposal is centrally located to enable access to diverse transport options . N/A Signage displaying public transport options and locations	**Y**

	timetable information displayed in a prominent location.	provided within the development.	
	B. Green Travel Plan The following controls apply only to major development, as defined in this DCP 1. A Green Travel Plan is prepared and submitted to Council in support of applications for major new development. Components/strategies of a Green Travel Plan will likely vary according to the nature of the development, but may include: (a) identification and promotion of public transport options to access the site (for example, on a web site and/or business cards) (b) preparation of a Transport Access Guide (TAG) for the site/venue (c) encouragement of a car pool system for employees (d) encouragement of cycling and walking to the workplace through provision of bicycle parking, showers and lockers (e) incentive schemes to encourage employees to commute using sustainable transport modes (such as provision of public transport vouchers/subsidised public transport tickets) (f) allocation of designated parking spaces for a car sharing scheme, and/or (g) prominent display of a large map of cycling routes (for example, in the foyer of a residential complex). The undertakings made in the submitted Green Travel Plan will be included as conditions of consent to the development.	The proposal is centrally located to enable access to diverse transport options, and incorporates sufficient measures including bicycle parking to ensure various transport options are available to future residents.	**Y**
	C. End of Trip Facilities The following controls apply only to development with an estimated cost of more than $250,000, involving employment of staff. 1. For new development that has an estimated cost of more than $250,000, "end of trip" facilities for employees are provided at the following rates: (a) one personal secure locker for each bicycle parking space	N/A, the proposed development does not include the employment of staff.	**N/A**

	(b) one shower cubicle, with ancillary change rooms, per 12 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility. 2. Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking. Facilities may be unisex.		
	D. Parking Permit Schemes 1. Resident and Visitor Parking Permits are not issued to occupants of new residential developments, including dwelling houses, that have been approved by Council in accordance with this DCP, irrespective of the amount of provision of on-site parking. Similarly, permits are not issued to occupants of new development approved by any other determining authority. 2. All intending owners, tenants and occupiers of new developments are notified by the owners of the building or individual units (once on-sold) that residents are ineligible for participation in a Council on-street parking scheme, prior to entering a purchasing, lease or occupancy agreement. 3. Signage with words to the effect that all owners, tenants and occupiers are ineligible to obtain an on-street parking permit from Council is displayed prominently, in such a way that it can be easily observed by persons entering the building. Signage is erected within the completed buildings prior to the release of an occupancy certificate or issue of strata subdivision approval, whichever occurs first, and is maintained in good order.	Noted.	**Y**
7.03.04 Design and Layout of Parking and Access	**A. Siting** <u>Controls applying to all development to which this section applies</u> 1. Parking facilities are sited and designed to be properly integrated within the overall development/building to minimise their visual impact and any adverse impact on the continuity and amenity of street frontages.	The proposed car parking is integrated within the building footprint minimising site coverage and visual impact maintaining street frontage amenity.	**Y**

	2. Parking is located so that it is within a reasonable distance of access to the premises it serves.	Access points are provided within the car park areas.	**Y**
	3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.	Parking spaces do not obstruct access to the building.	**Y**
	4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation. The following controls apply only to Residential Accommodation as defined within the Newcastle Local Environmental Plan 2012, where not complying development	No loading areas required for type of development.	**Y**
	5. Generally, car parking structures are set back a minimum distance of 5.5m from the street frontage providing access to the car parking space.	Proposed parking is appropriately setback from the street frontages.	**Y**
	B. Parking areas and structures 1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.	Proposed parking area is designed in accordance with AS2890 Parking Facilities.	**Y**
	2. Wherever possible, car parking structures such as multi-level car parks, enclosed half basement or single-storey car parks, incorporate active uses along the ground level frontage.	Townhouse development presents to the Mosbri Crescent frontage minimising visual impact of carparking structures.	**Y**
	3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6m at the ground level and 3.3m for the next two floors above, to enable it being adapted to an alternative use in future.	The nature and location of the carparking does not warrant future adaptability.	**N/A**
	4. The facade of an above ground parking structure is: (a) designed and finished to complement the architecture of the building (b) designed to avoid domination of ramps or strong horizontal and/or vertical features.	The design of the car parking areas ensures that there is minimal visibility to public streets.	**Y**
	5. Covered or enclosed parking areas have adequate provision of lighting and	Sufficient lighting is to be afforded to the car park area	**Y**

	ventilation. Natural lighting is preferred.	with opportunities for natural light incorporated.	
	6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.	N/A, understorey private parking is proposed.	**Y**
	7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.	Appropriate traffic management signage and line marking is proposed to be implemented to ensure site safety.	**Y**
	8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.	Reflective signage and line markings to be implemented.	**Y**
	9. Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.	Pedestrian and bicycle segregation measures to be implemented through the car park space where possible. Multiple access points are provided to minimise distance travelled by residents to their vehicles.	**Y**
	C. Access 1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.	The proposed vehicle crossover is designed and located in accordance with AS2890 and Council's requirements.	**Y**
	2. Vehicular crossings are located having regard to driver and pedestrian safety, and impacts on traffic movement. Vehicular crossings are avoided in the following areas: (a) in areas of high pedestrian movement (b) on major roads (c) close to intersections (d) where the use of the driveway may significantly obstruct through traffic or the operation of bus stops.	The proposed vehicle crossover is located in a singular location and is clearly visible to ensure safety for pedestrians and vehicles. The crossover is not located on a major road, close to any intersection, is not in an area of high pedestrian movement, and does not obstruct traffic or bus stop operation.	**Y**
	3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.	Vehicle access not proposed on a classified road.	**Y**
	4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Roads and	N/A, vehicle access not proposed on a classified road.	**Y**

	Traffic Authority pursuant to s138 of the Roads Act 1993.		
	5. Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).	Proposed vehicle crossover located to ensure adequate sightlines to traffic on Mosbri Crescent. The sight distances are in accordance with AS2890.	**Y**
	6. Access ways and structures are designed so that vehicles are able to enter or exit in a single turning movement in a forward direction.	Parking is designed to allow vehicles to enter and exit the site.	**Y**
	7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.	The use of a singular vehicle crossover maximises on-street parking.	**Y**
	8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.	N/A, no rear lane.	**Y**
	9. No additional vehicular crossings (other than from rear lanes) are provided in heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.	N/A, site not located in heritage conservation area.	**Y**
7.05 Energy Efficiency			
7.05.01 Business development	The following controls apply only to "registered club, veterinary hospital, child care centre, community facilities, public administration building, health service facilities, tourist and visitor accommodation, business premises, office premises, retail premises, environmental facilities, sex service premises," as defined within Newcastle Local Environmental Plan 2012, where not complying development 1. Development is to meet a minimum 4 Star Green Star Rating in the Green Building Council of Australia rating system where applicable. 2. An energy efficiency report from a suitably qualified consultant should accompany any development application for new commercial office development over $5 million in estimated cost. The required report is to demonstrate that the building would	N/A, proposed development is not a listed land use.	**N/A**

<table>
<tr><td></td><td>achieve a rating of not less than 4 Star Green Star Rating in the Green Building Council of Australia Rating System where applicable.

3. The placement of glassing on new buildings and facades does not result in glare that causes discomfort or threatens safety of pedestrians or drivers, or negatively impact on adjoining development.
4. Building materials used on the facades of new buildings are low reflectivity.

5. Subject to the extent and nature of glazing and reflective materials used, a reflectivity report may be required that analyses potential solar glare from the proposed development on pedestrians or motorists.

<u>The following controls apply only to "change of use applications over 2000m2" as defined within Newcastle Local Environmental Plan 2012, where not complying development</u>
6. Development is to achieve a minimum 3.5 Star Energy Rating with NABERS.</td><td>N/A, Development does not include a change of use.</td><td>N/A</td></tr>
<tr><td colspan="4">7.06 Stormwater</td></tr>
<tr><td>7.06.01 Plan Requirements</td><td>1. For the purpose of this section, the following documents are submitted with a development application for the development type listed in Table 1.
<table>
<tr><th>Development type</th><th>Required documents</th><th>Modelling</th></tr>
<tr><td>1. Development proposals that are the scale of a dual occupancy or smaller (see note 2)</td><td>• Stormwater management plan
• Erosion and sediment control plan</td><td>Not required</td></tr>
<tr><td>2. Development proposals that:
• Incorporate 20 or more dwellings; or
• Accommodate 50 or more employees or clients, or
• Involves the use of more than 1 hectare of land for commercial, industrial or special use purposes.</td><td>• Water cycle management plan
• Soil and water management plan
• Broad scale development assessment checklist for water sensitive urban design (see Note 2)</td><td>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC link.</td></tr>
<tr><td>3. All other development</td><td>• Stormwater management plan
• Erosion and sediment control plan
• Broad scale development assessment checklist for water sensitive urban design (see Note 2)</td><td>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.</td></tr>
</table></td><td>A stormwater management plan has been provided at Appendix D.</td><td>Y</td></tr>
<tr><td>7.06.02 All Development</td><td>1. The water cycle management plan or stormwater management plan (whichever is submitted with the development application) includes the following items:</td><td>The provided stormwater management plan includes the relevant detail as required by the control.</td><td>Y</td></tr>
</table>

	(i) the location of all buildings, driveways and impervious surfaces (ii) the location of any watercourses or bushland passing through or adjacent to the property (iii) any overland flowpaths which drain through the property or adjacent to the property (iv) the location, size and depth of easements or drainage pipelines (v) the discharge point of the site into the public drainage system. (vi) cross section and long sections of major drainage structures	The provided civil engineering plans include the location of buildings, driveways, and any other impervious surfaces. The location of the adjacent bushland has been provided within the Arborist Report at Appendix X of the SEE and Architectural Plans at Appendix A.	
	The water cycle management plan or stormwater management plan shows the appropriate design elements to achieve compliance with the requirements set out in the following subclauses relating to:	See Stormwater Management Plan at Appendix D for further detail.	
	(a) Stormwater collection i) surface levels are to be graded such that sites are generally free draining with sufficient overflow capacity to ensure that waters do not enter buildings when underground drainage systems are beyond their capacity ii) drainage pits are to be installed so that nuisance water does not collect at low points iii) gutters, down pipes and pits are to be connected to the stormwater management system for the site.	See Stormwater Management Plan at Appendix D for further detail.	
	(b) Flooding and runoff regimes i) Development is to be designed so that runoff from low intensity, common rainfall is equivalent to the runoff from a natural catchment. This can be achieved by intercepting and storing 12mm of rainfall from a minimum of 90% of the impervious area of the site. ii) Runoff generated by more intense rainfall needs to be managed so that downstream drainage systems are not compromised beyond their design criteria. In general runoff from the development up to and including the 5% AEP shall be collected and drained underground. Public drainage (minor system) has a design capacity of the 10% AEP and connections from private development shall be made subject to	See Stormwater Management Plan at Appendix D for further detail.	

	the 10% AEP hydraulic grade line of the public drainage being lower than the property drainage system. iii) Runoff from the development up to the 1% AEP shall be drained to the major drainage system in a manner that poses nil adverse impact to neighbouring property. iv) Development is to be designed so that peak runoff from the site for all events is not greater than the 'natural' drainage conditions of the site. (c) Storage i) General For sites of less than 50% impervious area, development shall provide 12mm of storage to meet the peak runoff requirements. Where the proposed development covers 100% of the site area, the interception and storage of 25mm of rainfall will achieve the peak runoff requirement. The rainfall depth storage can be linearly interpolated between 12mm and 25mm for sites between 50% and 100% of the impervious area of the site. Where there is a change in the impervious area of an existing site, the entire site is to be considered as pre developed or in a natural condition in regard to impervious areas for design purposes. For a single dwelling house, a rainwater tank with a minimum capacity of 4,000L is required in order to reduce mains water demand and to assist in minimising stormwater discharge from the site. In some cases BASIX will require a larger tank that will further reduce mains water demand. The roof area directed to a rainwater tank should be maximised, to both increase the effectiveness and reliability of the reuse system, and reduce the degree of stormwater treatment required for those areas not draining to the rainwater tank. Rainwater tanks are not required for additions to existing houses, however, where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. For	See Stormwater Management Plan at Appendix D for further detail.	

	large scale development it will be necessary to undertake a more rigorous hydrologic and hydraulic assessment to demonstrate that the flooding and runoff regimes are being satisfied in accordance with Council's requirements and the Stormwater and Water Efficiency for Development Technical Manual. ii) Coastal wetland catchments To meet the hydrology objectives for development draining to coastal wetlands a deemed to comply solution has been developed where specific rainwater tank configurations are required. The tank sizes shall be adopted for all small scale development and can be used as a guide for large scale development. Rainwater tanks to be configured such that: • all roofs greater than 10m2 drain to a rainwater tank • 100% of the roof area drains to the rainwater tank • only roof areas are connected to the tank • 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 is to drain to the overflow pipe for the rainwater tank. (d) Storage drawdown i) General In order to provide sufficient capacity to accommodate subsequent rainfall events, the stored water must be drawn down at a minimum rate of 2mm of rainfall per day (0.023L per second per 1000m2 contributing catchment). In general, this can be achieved by using the water internally in the development by connection to toilet cisterns and washing machine taps, or by disposing to groundwater. While the stored water can be used for garden irrigation, there are few additional benefits to stormwater management due to the intermittent nature of garden watering (especially during rain). Notwithstanding the above, use of stored water for garden irrigation is encouraged. Alternatively, the stored	The proposed development is not located in proximity to coastal wetlands and will have no impact on any coastal wetlands. Appropriate controls for discharge are proposed to be implemented and are detailed within the stormwater management plan at Appendix D.	

	water may be released back to the catchment. In order to ensure flows do not form erosive velocities downstream, the maximum discharge rate must not exceed 2mm of rainfall per hour (0.5L per second per 1000m2 contributing catchment). ii) Coastal wetlands catchments The rainwater tanks must be plumbed into the following non potable uses with a separate pipe connection to that of the potable water supply: ▪ irrigation ▪ outside taps ▪ all toilets ▪ washing machine taps and all laundry basin taps ▪ hot water service Stored water shall not be released back to coastal wetlands catchments (e) Site discharge controls i) General The above requirement relating to storage and drawdown can be achieved by installing 'site discharge controls'. Selection of appropriate 'site discharge controls' will largely depend on the constraints and opportunities presented by the site and are a matter for the applicant to integrate with the development proposal. Alterations and additions within the existing building footprint, such as building a second floor, do not require additional discharge controls. The requirement to manage runoff regimes does not apply for additions less than 50m2 or 20% of the existing ground floor area (whichever is greater), up to a maximum addition of 150m2 . For additions larger than 50m2 , additional discharge controls are required at a rate of 1.8m3 for every 100m2 of additional impervious area. Additional discharge controls may be selected from a combination of one or more of the following measures: • rainwater tanks • absorption trenches • on-site retention • swales • bioretention rain gardens or biobasins • bioretention swales or bioswales	The proposed development is not located in proximity to coastal wetlands and will have no impact on any coastal wetlands. Appropriate controls for discharge are proposed to be implemented and are detailed within the stormwater management plan at Appendix D.	

	• porous paving (this is not a discharge control but it reduces the overall impervious area on a site) • Sand filters with basins (not recommended for single dwelling houses) • Constructed wetlands (not recommended for small scale development) • Sediment basins (not recommended for small scale development) Details for certain 'site discharge controls' can be found in Part 4 of the 'Stormwater and Water Efficiency for Development Technical Manual'. Site discharge controls are to be designed and installed for each impervious segment of a site's catchment and include appropriate storage and water quality devices for that segment. ii) Coastal wetland catchments In order to meet the hydrology objectives in Table 4, site discharge controls are required for the following: • Rainwater tanks only for single dwelling houses having a lot area of less than 600m2. • For other small scale development either bioretention systems or on-site retention systems with sandfilter in addition to the rainwater tanks. • For large scale development a site specific solution is to be prepared. Rainwater tanks are to be provided at a lot scale and additional site discharge controls are required in other areas. All controls shall be located within the site boundary of the development. Details for certain site discharge controls can be found in Part 4 of the Stormwater and Water Efficiency for Development Technical Manual. (f) Water Quality and Quantity Targets i) All development covered by this section of the DCP is to achieve the targets set out in Table 4. These targets relate to post-construction. The site discharge controls in Part 4 of the 'Stormwater and Water Efficiency for Development Technical Manual' have been designed with inbuilt mechanisms to filter pollutants. Where one or more of the prescribed site discharge controls are applied according to the	As demonstrated by the stormwater management plan at Appendix D, the proposed development meets the requirements of Table 4 and the 'Stormwater and Water Efficiency for Development Technical Manual'.	

	technical manual, the pollutant load in stormwater runoff is reduced and is deemed to comply to the pollutant targets. The reduction in loads is relative to the stormwater pollution loads expected from conventional urban development without stormwater treatment measures. The stream forming flow is defined as 50% of the 2-year flow rate estimated for the catchment under natural conditions. For developments larger than 5,000m2 , or development which will become a Council asset, it will be necessary to undertake a more rigorous modelling assessment to demonstrate that the pollutant (water quality and water quantity) reduction targets in Table 4 will be met. ii) Gross Pollutant Traps. The objective of Gross Pollutant Traps (GPT's) is to remove contaminants such as sediment, oil and other pollutants before it discharges into the receiving system. GPTs must be installed for the following developments: ▪ residential developments with more than four dwellings ▪ all commercial developments that may involve the use, storage or transportation of contaminants ▪ commercial developments on allotments greater than 2,000m2 ▪ all industrial developments ▪ upstream of all bioretention devices. (g) Overflow disposal The objective of overflow disposal is to ensure that development is designed so that overflows do not adversely affect neighbouring properties by way of intensification, concentration or inappropriate disposal across property boundaries. This can be achieved by securing appropriate easements over downstream properties or discharging overflows directly to the street system where feasible. Overflows from paved areas adjacent to the property boundary are to be directed by a kerb or formed gutter to drain away from neighbouring properties. A dwelling house that drains to the rear of the property is not required to obtain an easement over downstream lands.	Gross pollutant traps are proposed to be implemented as the site involves greater than 4 dwellings and it will effectively control gross pollutants such as sediment. See Stormwater Management Plan at Appendix D for further detail.	

	Dispersion trenches may be used where an easement cannot be obtained for single dwelling houses only. (h) Existing drainage systems Where a drainage system serving other lands is located on the development site, that system is to be protected by an easement in favour of the beneficiary of the drainage system in order to permit the continued use of the drain. At the same time, a drainage easement gives the beneficiary the right to maintain the pipes contained in the easement. Where necessary, upstream lots are to be given a legal right to drain through a development site. New buildings are not to be constructed over or compromise the integrity of drainage lines or easements including those originating from outside the site. Where an existing drainage line runs under a proposed building, the drainage line and any associated easement is to be diverted around the building. Redundant easements are to be extinguished and new easements are to be created. Where an existing drainage system across the site is retained, access to the existing system is not to be affected by the proposed development. The development is to be designed so as not to degrade the structural integrity of the system. Pollution reduction devices are to be retrofitted to existing development where practical. Preliminary advice should be sought from Council should the applicant believe such measures are impractical. (i) Installation and maintenance requirements i) Erosion and sediment controls are to be installed prior to the commencement of work, maintained throughout the course of the work and are not to be removed until the site is stable with all bare areas supporting an established vegetative cover. ii) All drainage elements and water saving fixtures and appliances nominated in the application or required by conditions of consent are to be installed and operational prior to the	See Stormwater Management Plan at Appendix D for further detail. A proposed easement and stormwater line are detailed on the Stormwater Management Plan at Appendix D, to convey upstream catchment flows. Erosion and sediment controls are to be implemented prior to works with an erosion and sediment control plan provided within the civil plans at Appendix D. Drainage and water saving fixtures are to be implemented prior to the issue of an Occupation Certificate. These features will be maintained	

	issue of the occupation certificate for the new building. Drainage elements and water saving fixtures and appliances must be appropriately maintained throughout the life of the building.	throughout the life of the building.	
	2. Structures are not to be located within a drainage easement or where there is no easement, within 1.5m of the centreline of a drainage pipe. Eave overhangs are permitted subject to at least 4.5m clearances to ground level. Footings for buildings should not be founded on material that is shallower than a line drawn at 45o to the vertical from the bottom edge of the existing drainage system.	No structures are located within existing drainage easements. Sufficient distance is afforded to drainage pipes.	
	3. Maintenance manuals are to be provided for all devices in large scale development and selected devices for other types of development that include on-site retention, bioretention rain gardens, bioretention swales, porous paving and sand filters within basins. The manual is to address maintenance issues including routine monitoring and maintenance as well as any associated components (such as vegetation, subsurface drainage, filter material, flush outs, etc) of the system that could impact on device performance. Periodic monitoring and maintenance is to ensure the system functions as designed, and meets water quality and quantity targets as indicated in the DCP (see Table 4) over the life cycle of the device. The manual is to be kept onsite.	Maintenance manuals for onsite devices are to be kept onsite to allow for effective maintenance of all equipment on the site. Routine maintenance is to occur on the site.	
	4. Each on site stormwater management system shall be indicated on site by fixing a marker plate or sign in a prominent position. The marker plate or sign is to be provided in accordance with the Stormwater and Water Efficiency for Development Technical Manual.	Marker plates and signage are to be implemented in prominent locations ensuring the stormwater system is clearly marked on the site.	
	5. First order streams within Newcastle LGA require assessment for their riparian corridor function and proposed development is designed to protect such first order streams and their	N/A, no streams located on the site.	

	contribution to reduction of stream erosion index (SEI). 6. Stormwater treatment measures are integrated into the urban design and landscaped areas. 7. Stormwater treatment measures are located, and configured, to maximise the impervious area that is treated. Devices are to be located within the property boundary. 8. Structural stormwater treatment measures must be able to bypass flows in excess of the design discharge with negligible concentrated flows resulting from overtopping or blockage of the device to protect property life and maximise infrastructure performance and useful life. 9. Water use within open spaces (for uses such as irrigation and water features) is supplied from non-potable sources such as recycled water, roof water, harvested stormwater or other non-licensed water sources to meet a minimum of 50% of the demand and treated to an appropriate standard in accordance with NSW State Government and Commonwealth Standards.	Where possible, elements of the stormwater system are integrated into the urban design and landscaped areas. Treatment devices are located within the property boundary. See Stormwater Management Plan at Appendix D for further detail. Rainwater storage is to be implemented and utilised for internal irrigation where possible.	
7.06.03 Infrastructure	<u>The following controls apply to development that creates a Council (public) stormwater asset</u> 1. A maintenance plan is submitted to Council as part of the development application. The maintenance plan addresses the issues described in Part 4c of the Stormwater and Water Efficiency for Development Technical Manual. 2. All weather access is provided to site discharge controls for maintenance purposes. 3. Site discharge controls designed in accordance with the Stormwater and Water Efficiency for Development Technical Manual.	Works relating to the proposed drainage easement shall be undertaken in accordance with Council's requirements.	**Y**

	4. Devices are designed to be easily accessible and avoid the need for fencing. 5. Hydrologic and hydraulic assessment modelling is required to demonstrate that the flooding and runoff regimes are being satisfied in accordance with Council's requirements and the Stormwater and Water Efficiency for Development Technical Manual. 6. Discharge controls are to be considered and incorporated into a development as early as possible to ensure a holistic, integrated and economical design. 7. Devices are designed in accordance with the Newcastle City Council Standard Drawings. 8. All new subsurface drainage assets shall be inspected by CCTV following construction. CCTV footage and associated reports are to be provided to Council prior to asset hand-over . in accordance with any consent conditions and Council specifications. 9. Works as executed plans are to be provided to Council prior to asset handover for all drainage assets in accordance with any consent conditions and Council specifications. <u>The following controls apply to development that creates a shared private asset such as stormwater devices, discharge controls and riparian corridors</u> 10. A maintenance plan is to be submitted to Council as part of the development application. 11. All weather access tracks are to be provided to private assets for maintenance purposes. 12. Where fencing is installed it shall not preclude access for maintenance. 13. All stormwater devices shall be designed and constructed to meet the water quality and quantity targets of this DCP.	Stormwater infrastructure shall be managed as part of the strata.	**Y**

	14. All stormwater devices and riparian corridors shall observe any additional requirements of the NSW Office of Water.		
7.07 Water Efficiency			
7.07.01 Water efficiency	<u>General controls applying to all development (other than residential development)</u> 1. Where plumbing fixtures and water appliances are proposed to be installed, such are to be of the following types: (a) a minimum WELS 3 Star Water Rating (b) maximum 6L dual flush toilet cisterns where they are not supplied by a roof water tank. 2. Where washing appliances are installed, they are WELS 3 Star (or better) Water Rated where they are not supplied by a roof water tank. 3. Where installed, garden water hoses are fitted with trigger nozzles in order to maximise the efficiency of garden watering. 4. A rainwater tank is installed for the dual purposes of mains water demand management and reducing the volume of stormwater discharge from sites. The rainwater tank must be connected to roof areas and not be connected to possible contaminating water sources. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. Rainwater tanks should be designed to cater for maintenance and cleaning. Where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. Rainwater tanks are to supply water for toilets, watering systems and other reuse devices and be designed and installed in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual. 5. Toilets and watering systems for landscaping are connected to rainwater supply.	N/A, development consists of residential development.	**N/A**

	6. Where devices in Table 1 are installed, they are to be of the type indicated. Where water is supplied to washing appliances from roof water tanks, this requirement does not apply Table 1: **Device** / **Requirement** Shower heads — WELS 3 Star or better Toilet Cisterns — 6L – 3L dual flush Basin Taps — WELS 3 Star or better Dishwasher — WELS 3 Star or better Washing Machine — WELS 3 Star or better		
	The following controls apply only to "change of use applications over 2000m2 ", where not complying development 7. Development achieves a minimum 3.5 Star Water Rating with NABERS.	N/A, the proposal consists of a new development and not a change of use.	**N/A**
7.08 Waste Management			
7.08.01 General Requirements	1. All development applications (including demolition, construction and the ongoing use of a site/premise) are to include a SWMMP within their Statement of Environmental Effects demonstrating compliance with this section's requirements.	A waste management plan for the proposed development has been provided at Appendix G of the SEE	**Y**
	2. In addition to submission of a SWMMP (as part of the Statement of Environmental Effects), the waste management facilities, proposed as part of the development, clearly illustrated on the plans of the proposed development, accompanying the development application (DA).	Waste management facilities within the proposed development have been noted on the provided architectural plans at Appendix A.	**Y**
	3. The SWMMP nominates: (a) volume and type of waste and recyclables to be generated (b) storage and treatment of waste and recyclables on site (c) disposal of residual waste and recyclables (d) operational procedures for ongoing waste management once the development is complete.	The provided waste management plan includes expected volumes, recycling details, disposal details, and continued generation management.	**Y**
	4. The SWMMP details the method of recycling or disposal and the waste management service provider.	The provided waste management plan includes details of recycling and disposal procedures along with a potential service provider.	**Y**

7.08.02 Demolition and Construction	1. The SWMMP within the Statement of Environmental Effects includes details which demonstrate an allocated area for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, and access and handling requirements).	Details of the waste storage area is provided within the architectural plans provided at Appendix A. Further discussion is provided within the SEE and waste management plan provided at Appendix G of the SEE.	**Y**
	2. Site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of developments.	The proposed excavation of the site has been minimised where possible.	**Y**
	3. The SWMMP incorporates the following requirements:		**Y**
	(a) separate collection bins or areas for the storage of residual waste are provided and clearly signposted	Waste areas are to be clearly signposted.	
	(b) footpaths, public reserves, street gutters are not used as places to store demolition waste or materials of any kind without Council approval	Demolition waste is to be directed to a designated storage area away from public places/reserves.	
	(c) any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997	Waste moved offsite is to be undertaken in accordance with the POEO Act 1997.	**Y**
	(d) waste is only transported to a place that can lawfully be used as a waste facility	Waste will be directed to approved and appropriately licenced facilities.	**Y**
	(e) generation, storage, treatment and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the Office of Environment and Heritage and relevant Occupational Health and Safety legislation administered by WorkCover NSW	Handling of hazardous waste is to be undertaken in accordance with the relevant waste and safety legislation.	**Y**
	(f) evidence such as weighbridge dockets and invoices for waste disposal or recycling services are retained and are readily accessible for inspection by regulatory authorities such as Council, NSW Office of Environment and Heritage or WorkCover NSW	Records detailing waste disposal/recycling are to be kept and accessible for Council and government agencies.	**Y**
	(g) arrange contractors for the transport, processing and disposal of waste and recycling and ensure that all contractors are aware of the legal requirements for disposing of waste	Appropriately licenced contractors will handle the transport, processing and disposal of waste and recycling.	**Y**
	(h) estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the	Purchasing policy for the proposed development will incorporate estimated waste	**Y**

	correct quantities are purchased. For small-scale building projects see the rates in the 'Waste Management Technical Manual' for a guide	volumes to minimise waste generation.	
	(i) identify potential reuse/recycling opportunities of excess construction materials	Where possible, construction materials are to be reused.	**Y**
	(j) incorporate the use of prefabricated components and recycled materials	Prefabricated components and recycled materials are to be preferred.	**Y**
	(k) arrange for the delivery of materials so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage	Deliveries are to be as needed.	
	(l) measures shall be implemented to prevent damage by the elements, odour and health risks, and windborne litter.	Material stockpiles and storage are to handled to minimise damage, litter, odour and health risks.	**Y**
	4. Any demolition necessary is carried out in accordance with 'AS 2601—2001, The Demolition of Structures'.	Demolition is to be undertaken in accordance with AS 2601—2001.	**Y**
	5. Handling, management and disposal of asbestos complies with WorkCover NSW requirements. The NSW WorkCover Authority's Working with Asbestos Guide 2008 recommends a range of work procedures for dealing with bonded asbestos material including asbestos cement. This document may be obtained from the following NSW WorkCover Authority website: www.workcover.nsw.gov.au	If any asbestos is encountered, it will be handled in accordance with WorkCover requirements to ensure a safe work environment.	**Y**
	6. A garbage receptacle is provided at the work site before works begin and must be maintained until the works are completed.	Appropriate provisions for garbage disposal will be provided prior to works and maintained until completion of works.	**Y**
7.08.03 Operational Waste	**A. Residential Development** Controls applying to all residential development to which this section applies 1. The required SWMMP includes plans which show location of:		
	(a) an indoor waste/recycling cupboard (or other appropriate storage space) for each dwelling	Location of dwelling waste storage provided on architectural plans at Appendix A.	**Y**
	(b) an identified on-site location for a compost container	Collection is to be undertaken by a private contractor, as detailed within the waste	**Y**

	(c) an identified kerbside collection point for the collection and emptying of Council's waste, recycling and garden waste bins (d) storage of waste containers to avoid vandalism, nuisance and adverse visual or odour impacts (e) easily accessible waste storage area with unobstructed access to Council's usual collection point, minimising the distance of travel. 2. The placement of bins for collection at the nominated collection point should ensure adequate traffic and pedestrian safety is maintained.	management plan at Appendix K. Waste storage areas are internal to the car park minimising impacts. The waste storage area is located to provide unobstructed access to collection points and minimises distance. The bin collection point maintains vehicle and pedestrian safety.	**Y** **Y** **Y**
	<u>Controls applying to all residential development to which this section applies (excluding dwelling houses)</u> 3. Demonstrate on plans submitted with the SWMMP the following details: (a) the location of individual waste/recycling storage areas (such as for townhouses and villas) or communal waste/recycling storage facilities in the form of a waste/recycling storage room/s is provided and designed in accordance with the 'Waste Management Technical Manual' and the 'Better Practice Guide for Waste Management in Multi-Unit Dwellings' (indicative bin sizes are shown in the Technical Manual) (b) the waste/recycling storage area(s) or room(s) are of a size that can comfortably accommodate separate garbage, recycling and garden waste containers at the rate of Council provision (c) space is provided for an individual compost container for each dwelling (such as in townhouse and villa developments) or for a communal compost container; the siting of which will have regard to potential amenity impacts (d) the location of any garbage chute(s), interim storage facilities and any service rooms (for accessing a garbage chute) for waste and recyclable materials (e) the on-site path of travel for collection vehicles (if collection occurs	Location of dwelling waste storage provided on architectural plans at Appendix A. Location of waste storage areas provided on architectural plans at Appendix A. Each kitchen will be able to accommodate a compost container. Garbage storage areas are identified on the plans. Collection shall be facilitated by a private contractor.	**Y** **Y** **Y** **N/A**

	on-site), taking into account accessibility, width, height and grade (f) waste management systems are designed and operated to prevent the potential risk or injury or illness (g) for multi-storey developments that include 10 or more dwellings, a dedicated room or caged area is provided for the temporary storage of discarded bulky items which are awaiting removal. The storage area is readily accessible to all residents and must be located close to the main waste storage room or area. (h) service rooms and storage areas is located for convenient access by users and must be well ventilated and well lit (i) residents have access to a cold water supply for the cleaning of bins and the waste storage areas. Storage areas are constructed and designed to be weather proof and easy to clean, with wastewater discharged to sewer.	Waste management systems are clearly visible and designed to minimise risk of injury. A dedicated waste storage area is proposed as indicated in the architectural plans at Appendix A. Waste service rooms are convenient for access and incorporate ventilation and lighting.	**Y** **Y**
	4. Where site characteristics, number of bins and length of street frontage allow, bins may be collected from a kerbside location. In instances where kerbside bin collection is not appropriate, bins are collected on-site. Bins that are collected on-site are to be collected either from their usual storage point or from an on-site temporary holding area located inside the property boundary and close to a property entrance. 5. Where bins cannot be collected from a kerbside location or from a temporary holding area located immediately inside the property boundary, the development is designed to allow for on-site access by garbage collection vehicles (of dimensions detailed in the 'Waste Management Technical Manual'). In these instances, the site is configured so as to allow collection vehicles to enter and exit the site in a forward direction and so that collection vehicles do not impede general access to, from or within the site. Access driveways to be used by collection vehicles is of sufficient strength to support such vehicles.	Collection shall be facilitated by a private contractor. Collection shall be facilitated by a private contractor.	**Y** **N/A**

	6. Where a collection vehicle is required to enter a property, access driveways and internal roads are designed in accordance with 'Australian Standard 2890.2 Parking Facilities – Off-Street Commercial Vehicle Facilities – 2002'.	Collection shall be facilitated by a private contractor.	**N/A**
	7. The design and location of waste storage areas/facilities compliments the design of both the development and the surrounding streetscape.	Waste storage areas are located inside the parking area and not visible from the streetscape.	**Y**
	8. Developments containing four or more storeys are provided with a suitable system for the transportation of waste and recyclables from each storey to waste storage/collection areas.	Future occupants will be responsible for the transportation of waste to the collection areas.	**Y**
	9. Garbage chutes where included, are designed in accordance with the 'Waste Management Technical Manual', the 'Building Code of Australia' and 'Better Practice Guide for Waste Management in Multi- Unit Dwellings'. Garbage chutes are not suitable for recyclable materials and are therefore clearly labelled to discourage improper use. Alternative interim disposal facilities for recyclables should be provided at each point of access to the garbage chute system.	Garbage chutes are not proposed as part of the development.	**N/A**