

Minmi Precinct Development Guidelines

- **Village Centre Precinct**
- **Link Road North Precinct**
- **Minmi Extension Precinct**

Minmi Precinct Development Guidelines

Introduction

The Minmi Link Road Precinct Guidelines (herein referred to as the Guidelines) are guidelines prepared under the terms of Concept Approval MP 10_0090 for future development requiring consent on land to the west and south of the Minmi Township, between the M1 Motorway and Blue Gum Hills Regional Park.

The Guidelines relate to three Precincts being:

- Village Centre Precinct;
- Link Road North Precinct (being that portion within the Newcastle Local Government Area); and
- Minmi Extension Precinct.

Together these precincts (inclusive of Link Road North Precinct that also sits within the Lake Macquarie Local Government Area (LGA)) will be developed to allow approximately 2280 dwellings, as well as mixed use and local centre uses.

Relationship with Concept Approval MP 10_0090

Concept Approval MP 10_0090 applies to land within the three Precincts, as well as surrounding lands within the Newcastle, Lake Macquarie and Cessnock local government areas (LGA). The Concept Approval includes approval in summary for:

- A five stage development with up to 3,300 dwellings across the 520 ha development site (Newcastle and Lake Macquarie LGA's);
- Supporting commercial / retail development of up to a total of approximately 8,000 sqm of commercial gross floor area within a new village centre and high street centre;
- Urban design guidelines subject to further modifications;
- Dedication of approximately 1,561 ha of conservation lands to the NSW Government;
- Indicative staging; and
- Associated infrastructure.

The broader Concept Plan Urban Design Guidelines (known as Appendix A dated May 2014 and Appendix B dated November 2014) (herein referred to as the CPUDG) were modified to satisfy the requirements of Condition 1.13 of Concept Approval MP 10_0090, as required by Condition 1.12. Those form part of the Concept Approval (excluding indicative lot layout and indicative road layout).

The CPUDG have been utilised to inform these Guidelines, as relevant, to collectively satisfy Condition 1.13 for the relevant precincts. The Guidelines have been prepared in a form that will enable adoption of the provisions as site specific controls within Newcastle Development Control Plan 2012 (Newcastle DCP 2012) at a future date. While the CPUDG provide higher level background information, these subject Guidelines are to be used for future development assessment.

Part D of the Concept Approval identifies further assessment requirements for subdivision development applications, irrespective of the Guidelines, including matters relating to lots with slopes

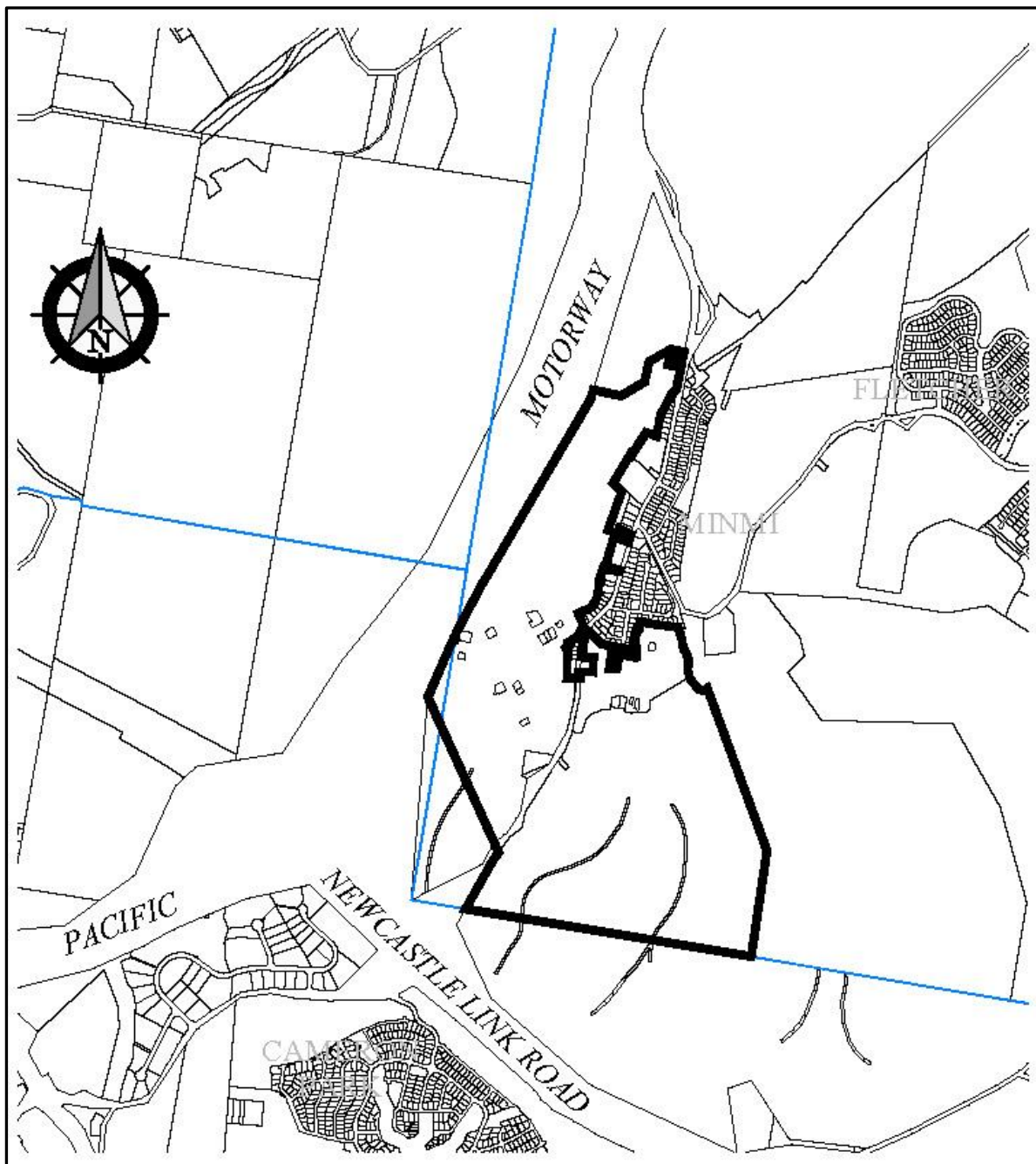
greater than 20%, landscaping and public domain, staging plans, biodiversity, flooding, stormwater management and water quality, groundwater, contamination, mine subsidence, traffic and access, heritage, traffic noise, noise and odour, bushfire management, construction impacts, utilities and perimeter roads. These requirements apply irrespective of the Guidelines and are not necessarily repeated.

The Guidelines are additional information to guide future development applications and are not stand alone.

Land to which the Guidelines Applies

The Guidelines apply to all land within the heavy line marked on **Map 1 – Site Area**

Map 1: Site Area



Development (type/s) to which the Guidelines applies to

The Guidelines apply to all development within the Precincts requiring development consent. The primary purpose is to guide development for the purposes of subdivision (and associated works) on the site, and to also provide guidance for other development types permissible on this land.

Applicable Legislation and Environmental Planning Instruments

The provisions of *Newcastle Local Environmental Plan 2012* also apply to development applications to which the Guidelines apply, other than where those provisions are inconsistent with the Concept Approval, as per the Transitional Arrangements for Part 3A.

In the event of any inconsistency between the Guidelines and the above listed environmental planning instrument, the Concept Approval and these associated Guidelines will prevail to the extent of the inconsistency.

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

Note 2: *State Environmental Planning Policy (Exempt and Complying Codes) 2008 may also apply to development in the Minmi Urban Release Area.*

Note 3: *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 may also apply to development within the site.*

Relationship to Newcastle DCP 2012

The provisions of Newcastle Development Control Plan 2012 (Newcastle DCP 2012) also apply to development applications to which the Guidelines apply, other than where those provisions are inconsistent with the Concept Approval.

The Guidelines identify precinct specific provisions that may be a departure from provisions contained in the Newcastle DCP 2012. In the event that any inconsistency arises from the reading of the Guidelines with the Newcastle DCP 2012, these Guidelines will prevail to the extent of the inconsistency.

The following sections of the Newcastle DCP 2012 and associated technical manuals **may** also apply to development to which the Guidelines apply. However, this is only where they are relevant to a particular development, and only where the provisions are not inconsistent with the terms of the Concept Approval, its further environmental assessment requirements and these Guidelines. It is noted that the Further Environmental Assessment Requirements for subdivision development applications are detailed in the Concept Approval.

- Any applicable land use specific provision under Part 3.00, including 3.01 Subdivision, 3.02 Single Dwellings, 3.03 Residential Development, 3.10 Commercial Uses;
- 4.01 Flood Management;
- 4.02 Bush Fire Protection;
- 4.03 Mine Subsidence;
- 4.04 Safety and Security;
- 4.05 Social Impact;
- 5.01 Soil Management;
- 5.02 Land Contamination;
- 5.03 Tree Management (except only for development other than subdivision);
- 5.04 Aboriginal Heritage;
- 5.05 Heritage Items;
- 5.06 Archaeological Management;
- 7.02 Landscape Open Space and Visual Amenity;
- 7.03 Traffic, Parking and Access;
- 7.04 Movement Networks;
- 7.05 Energy Efficiency;

- 7.06 Stormwater;
- 7.07 Water Efficiency;
- 7.08 Waste Management;
- 7.09 Advertising and Signage;
- 7.10 Street Awnings and Balconies; and
- 7.11 Development Adjoining Laneways.

Associated Technical Manual/s

Nil (there is no technical manual specifically linked to this Guideline, however, a suite of Technical Manuals apply under Newcastle DCP 2012).

Additional Information

- Concept Approval (MP10_0090) for land at Minmi, Link Road and Stockrington, including as modified;
- Coal and Allied Northern Estates Minmi – Link Road Concept Plan Design Guidelines by RPS (Appendix A, dated May 2014); and
- Coal and Allied Northern Estates Minmi – Link Road Urban Design Guidelines by RPS (Appendix B dated November 2014).

Definitions

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

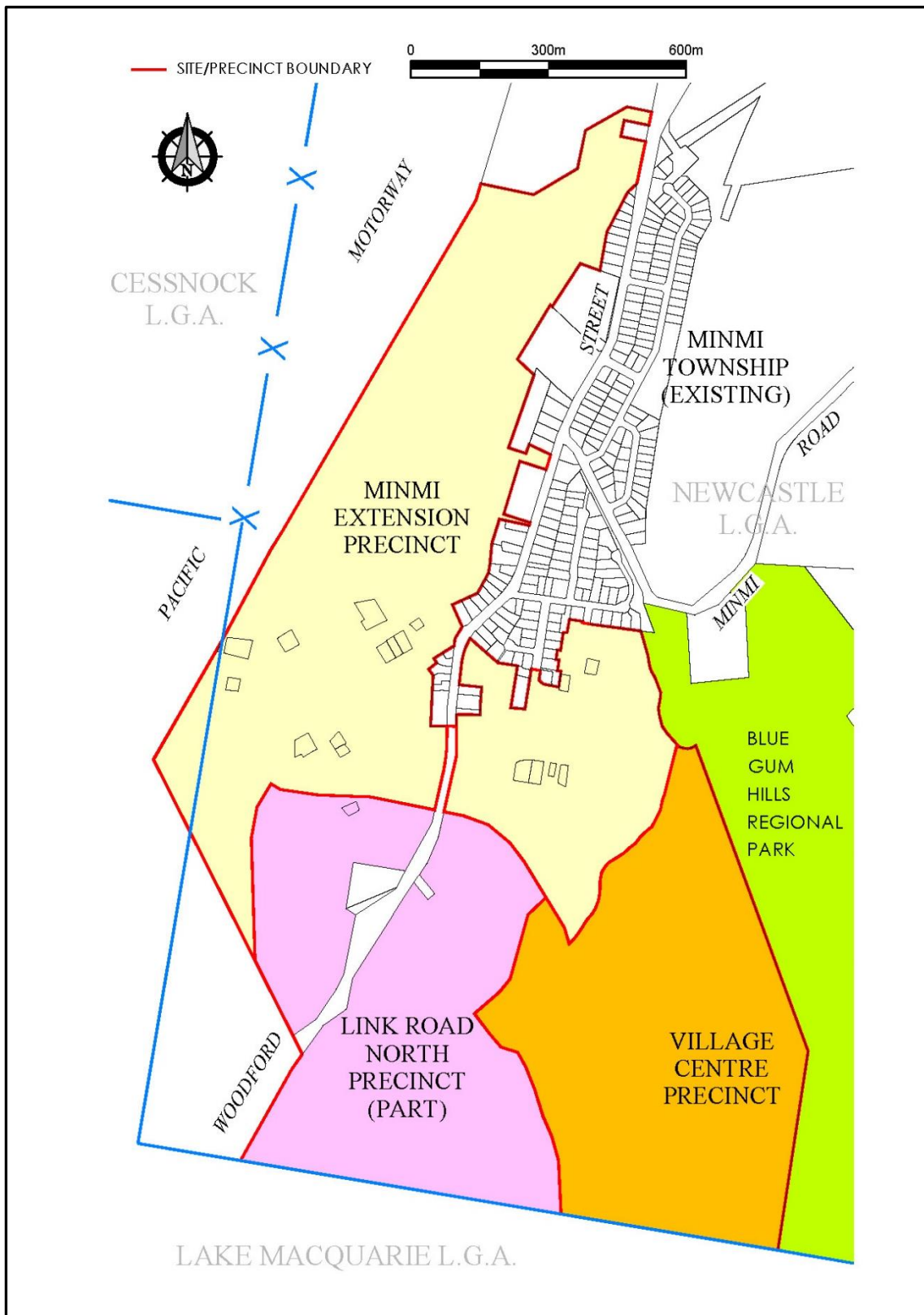
Aims of the Guidelines

1. To provide stage specific Urban Design Guidelines in accordance with Condition 1.13 of the Concept Approval (MP10_0090);
2. To ensure that each Precinct is developed generally consistent with the Concept Approval (MP10_0090), including as modified, applying to the site;
3. To ensure that the development potential of the urban release area is optimised given its strategic location and is efficiently used to contribute to the projected growth of the locality, diversification in housing choice and encourage local centre development;
4. To identify indicative lot layout and access principles for each precinct that are specific to the locality or not otherwise specifically addressed in Part D of the Concept Approval or elsewhere;
5. To acknowledge site topography and past mining constraints, identify principles to guide subdivision earthworks and retaining, and ensure that lots are physically capable of development and have appropriate levels of amenity and access;
6. To identify key requirements relating to other development types that are specific to the locality, to encourage development that enhances the built environment and where not addressed elsewhere; and
7. To acknowledge, respect and respond to the existing built and natural environment within the fabric of the development, having regard to the outcomes of the Concept Approval.

1.0 Character Statement

The Guidelines apply to land within three precincts as shown on **Map 2 – Precincts**.

Map 2: Precincts



A. Village Centre Precinct

The Village Centre Precinct is situated to the centre of the urban release area. Natural watercourses define its northern and western edges, with Blue Gum Hills Regional Park adjoining its eastern boundary. Opportunity exists to provide linkages to the Regional Park. Link Road North Precinct (within Lake Macquarie LGA) borders the precinct to the south. The urban structure on or adjacent to the Local Government Area boundary is to consider positioning of roads and lots and their relationship with local government boundaries, governance and servicing.

This precinct is proposed as a new activity hub for the locality. It includes land zoned for local centre development either side of a new sub-arterial road to and through the precinct, which will form part of the bus network. Future built form is intended to create a cohesive streetscape to the collector road frontage and includes increased density and height.

The activity hub is supported by an area of medium density residential zoned land to the east, and fringing residential on the precincts northern and western extents through to the natural watercourses.

A mix of lot and housing densities will be included across the precinct, with a target dwelling yield of approximately 430 dwellings, inclusive of the yield from the proposed independent living units.

Slopes across the precinct sit primarily between 0-15%, with some localised steeper areas and local higher point to the east of the new bus route. The majority of the precinct is subject to risks and restrictions due to past mining activities. Given these characteristics and in order to optimise use and density in this precinct as identified in the Concept Approval, it is envisaged that targeted bulk earthworks will be undertaken at subdivision stage including over proposed lots, while minimising disturbance within the riparian corridors (as zoned E2)

B. Link Road North Precinct (where within Newcastle LGA)

Link Road North Precinct is located to the north of the Newcastle Link Road and west of the Village Centre Precinct. The majority of the Precinct sits within the Lake Macquarie Local Government Area, which is excluded from these Guidelines. The urban structure on or adjacent to the Local Government Area boundary is to consider positioning of roads and lots and their relationship with local government boundaries, governance and servicing.

This precinct is zoned for low density residential and sits either side of existing Woodford Street, which will function as a collector road dividing the precinct. Land to the west of Woodford Street includes localised steeper areas and shares boundaries to an existing heritage item and the Minmi Extension Precinct to the north. East of Woodford, the land slopes down to a natural watercourse with slopes between 0-20%, with some localised steeper areas. A flatter area of land sits between two natural watercourses, which can include a neighbourhood park. Parts of the precinct are subject to risks and restrictions due to past mining activities. Given these characteristics, and in order to optimise use and density in this precinct as identified in the Concept Approval, it is envisaged that targeted bulk earthworks will be undertaken at subdivision stage including over proposed lots, while minimising disturbance within the riparian corridors (as zoned E2).

A mix of lot and housing densities will be included across the precinct. Together with the precinct that extends into the adjoining LGA, the overall precinct has a target dwelling yield of approximately 1600 dwellings. Approximately 442 of these dwellings are anticipated to be situated in the Newcastle LGA.

C. Minmi Extension Precinct

The Minmi Extension Precinct is located west and south of Minmi township. The M1 Motorway defines its western edge and it adjoins two other development precincts to the south and south-east. A natural watercourse with flooding constraints separates the western part of the precinct generally north to south. Land has been heavily disturbed and constrained from past mining activities, with a former railway line (heritage item) extending along the eastern edge of the natural watercourse into the precinct, which also includes mining heritage and a mapped historic archaeological site. The precinct surrounds numerous individual privately own lots and is in proximity to existing heritage items.

The precinct is zoned for low density residential and includes two historically important parks ('Workshop Park' and 'Garden House Park') and a linear park along the former railway line. The Garden House Park sits at the top of the ridge, east of Woodford Street and is a mapped historic archaeological site.

The precinct otherwise has slopes across the precinct primarily between 0-15%, with some localised steeper areas. The majority of the precinct is subject to risks and restrictions due to past mining activities. Given these characteristics and in order to optimise use in this precinct, it is envisaged that targeted bulk earthworks will be undertaken at subdivision stage over some of the residential zoned land including proposed lots, subject to heritage and archaeological considerations, while minimising disturbance within the riparian corridors (as zoned E2).

Protecting the heritage character and setting of Minmi township is a key consideration for the design and use of land in this precinct. This has included protection and / or interpretation of heritage items and places of historic significance, retention of road linkages and lot size controls. A mix of lot and housing densities will be included across the precinct, with a target dwelling yield of approximately 250 dwellings.

2.0 Subdivision Design and Layout

Objectives

1. To ensure the subdivision of the precincts are undertaken in a coordinated manner that reinforces the desired future character for each precinct;
2. To provide land capable of supporting future residential and commercial land uses;
3. Within the context of Objective 2 above, undertake earthworks that respond to the natural topography of the site, while identifying opportunities for the retention of vegetation particularly within land zoned E2 Environmental Conservation;
4. To provide opportunities for choice in housing to cater for changing demographics within the community; and
5. To consider and incorporate the existing scattered isolated lots and dwellings into the subdivision layout.

Controls

1. A revised road and lot layout for each precinct shall be provided with the first development application for subdivision of any land in each precinct and be generally in accordance with the Overall Urban Structure, Movement and Access and Lot Layout Principles Plans illustrated in **Figures 1, 2 and 3;**

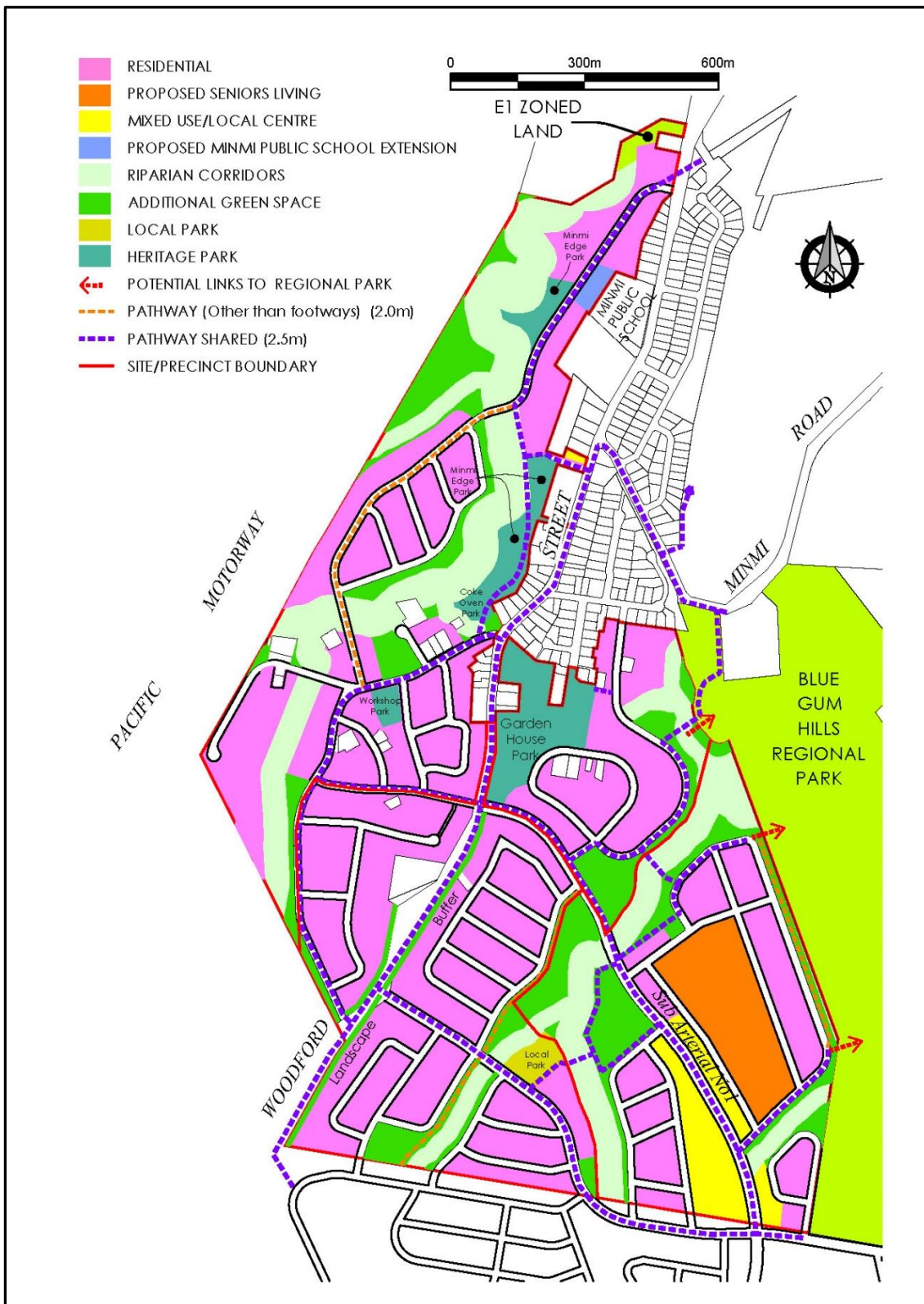


Figure 1: Overall Urban Structure Plan

Notes: Overall Urban Structure is based on Concept Plan only with modification for key initial principles and is subject to further assessment as part of future development applications.

Condition 1.16 of the Concept Approval requires suitable land to be identified for recreation facilities within the development area, unless alternative arrangements can be made to accommodate the required facilities within general proximity to the development site through negotiations with Council. The location of the recreation facilities (or alternative arrangements) are to be submitted to the Director General for approval prior to determination for subdivision of Stage 3, 4 or 5 of the Concept Plan MP10_0090. Should the recreational facilities be provided within the development area, the applicant shall have regard to the above Urban Structure Plan in determining an appropriate location.

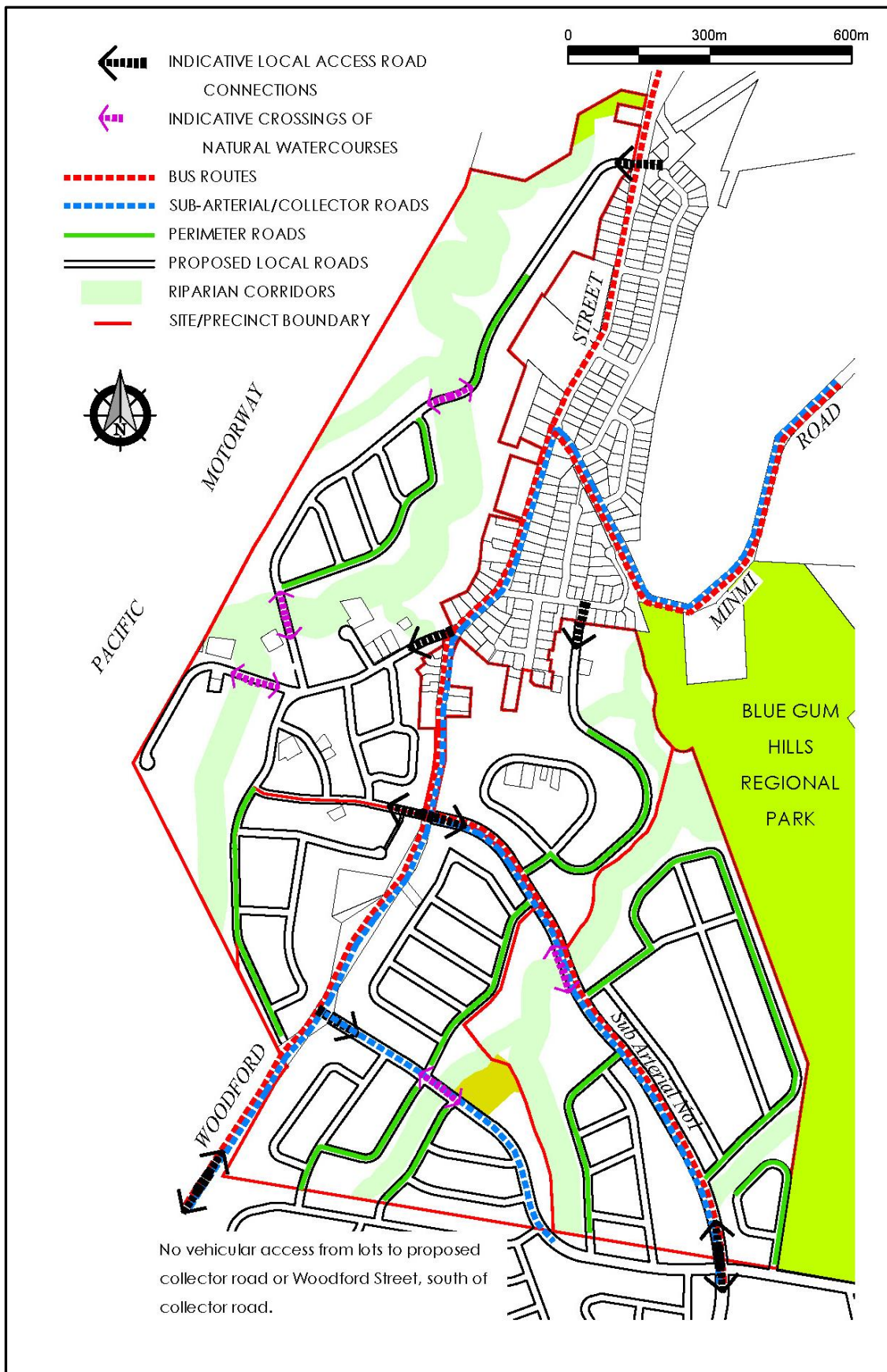


Figure 2: Indicative Movement and Access Principles Plan

Note: Road and Lot Access is based on Concept Plan only with modification for key initial principles and is subject to further assessment as part of future development applications.

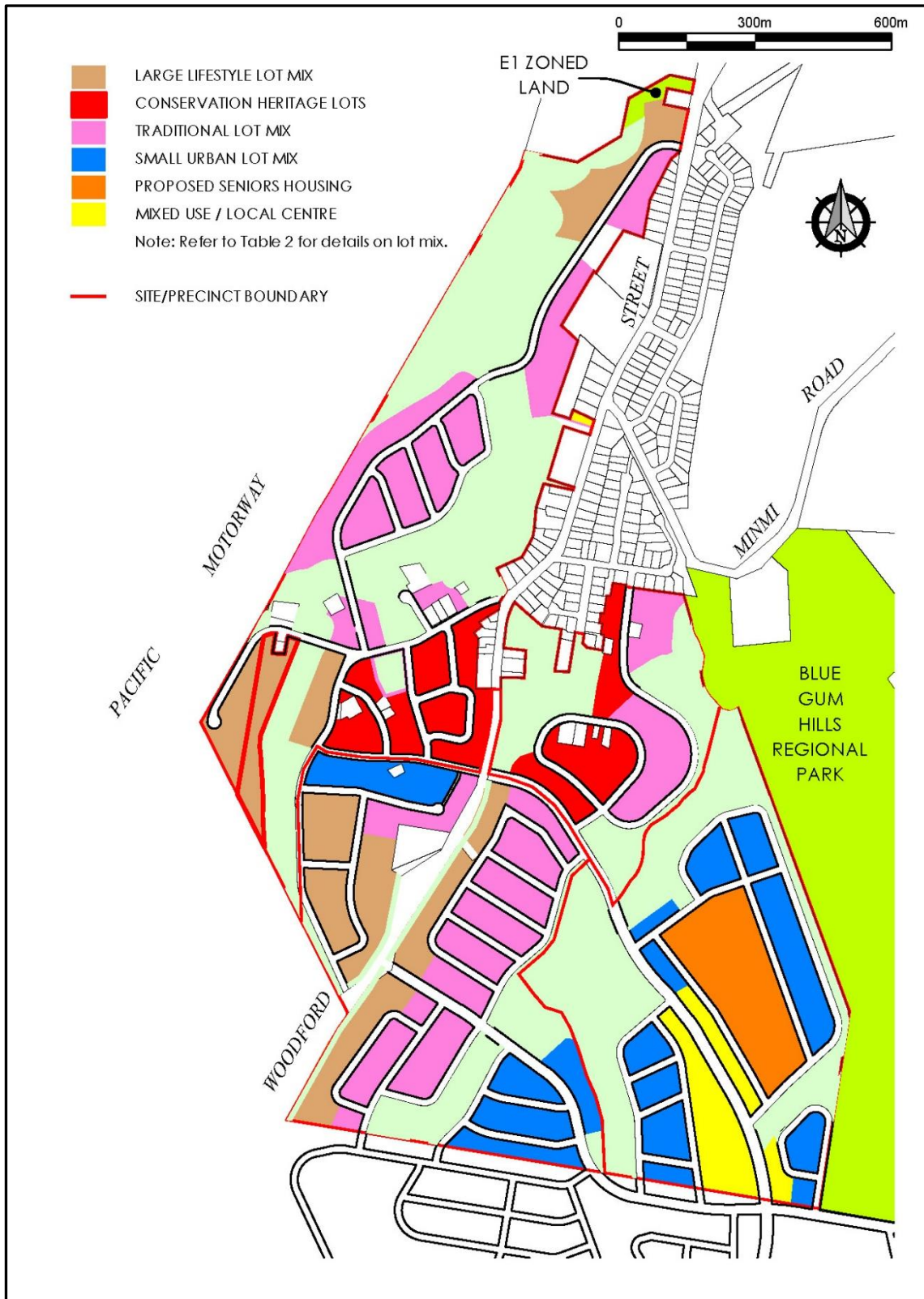


Figure 3: Indicative Lot Type and Diversity Principles Plan

Note: Road and Lot Access is based on Concept Plan only with modification for key initial principles and is subject to further assessment as part of future development applications.

2. Roads shall be designed generally in accordance with *Element 7.04 – Movement Networks* of Newcastle DCP 2012 and having regard to the road types as nominated by the Indicative Movement and Access Plan (**Figure 2**). Exceptions to width and configuration may be acceptable where justified and agreed with Council;
3. Public roads are to be designed with maximum grades of 12% for proposed bus routes, or maximum 16% for all other road types. Site regrading may be required to achieve these maximum gradients. In exceptional circumstances where a maximum longitudinal grade of 16% cannot be achieved, and subject to prior agreement by Council, development applications for subdivision may propose split level carriageways or reinforced concrete roads. Concrete roads shall have an absolute maximum of 20% longitudinal grade for not more than 100m in length and servicing not more than ten (10) dwellings;
4. The road network, including any proposed fire trails, should be designed having regard to the requirements of *Planning for Bushfire Protection 2006*;
5. Vehicular ingress and egress for all residential lots with frontage to Woodford Street or Sub Arterial Road No 1 is to be provided via rear or side roads. This control also applies to sites and development within the B1 and B2 Zones, unless it can be demonstrated through a traffic assessment that direct access to Woodford Street or Sub Arterial Road 1 is acceptable;
6. Residential lots are to be provided that generally reflect the Lot Typologies detailed in **Table 1**. Where a lot type is not specified (for example, a battle axe or fan shaped lot), lots shall be provided in accordance with *Element 3.01 – Subdivision* of Newcastle DCP 2012;

Table 1: Controls for Residential Lot Types

Residential Lot Type	Frontage Range	Typical Frontage	Typical Lot Size Range (m ²)
Terrace / Townhouse Lot	7m – 10.4m	8.5m	200 – 300
Small Courtyard Lot	10.5m – 13.4m	12.5m	300 – 375
Large Courtyard Lot	13.5m – 14.9m	14m	375 -450
Traditional Lot	15m – 19.9m	15 – 17m	450 – 800
Lifestyle Lot	20m +	20m	800 +
Heritage Character Lot	N/A	N/A	600 +
Multi-Dwelling Housing Super Lot	18m	Variable	1000+

Notes:

- Allotment frontage is the primary variable to determine an allotment classification for setbacks;
- Where an allotments depth results in a larger than typical total lot area, the frontage will still be the determining factor to classify setbacks and building type, unless otherwise agreed by Council;
- Heritage Character Lots are controlled by area rather than frontage, refer to Control 7.
- To be classified as a Lifestyle Lot, the allotment must meet both the Minimum Lot Size and Minimum Frontage controls;
- Battle-axe allotment classification is determined by width. The measurement for the front boundary is to be made at the useable part of the lot.

7. Lots identified as Conservation Heritage Character Lots within the Minmi Extension Precinct (as shown in **Figure 3**) shall have a minimum lot size of 600m²;
8. Lots on land with slopes greater than 20% shall have a minimum lot size of 1000m², unless otherwise agreed;
9. Lots on land with slopes greater than 25% shall have an adequate area for a dwelling to be constructed which is not greater than 25% slope, and be capable of providing vehicular access to the dwelling at a grade not greater than 25%;
10. Each precinct is to accommodate a variety of lot types as outlined in **Table 1**, other than the Minmi Extension Precinct – Conservation Heritage Character Area in **Figure 3** which is to be limited to lots with a minimum size of 600m². The allocation and mix of lot types is to be in accordance with the minimum targets outlined in **Table 2** below, having regard to the desired future character for each precinct whilst taking into account slope and site characteristics;

Table 2: Guide for Lot Variety per Precinct for Residential Land

Figure 3 Lot Mix	Minimum % of Lot Typology by Precinct			
	Lot Type	Village Centre Precinct	Link Road North Precinct	Minmi Extension Precinct
Small Urban Lot Mix	Townhouse / Terrace Lots	5	0	N/A – no Blue Area within Minmi Extension Precinct
	Small Courtyard Lots	10	10	
	Large Courtyard Lots	0	0	
	Traditional Lots	30	60	
	Lifestyle Lots	0	0	
Traditional Lot Mix	Townhouse / Terrace Lots	N/A – no Pink Area within Village Centre Precinct	0	0
	Small Courtyard Lots		5	5
	Large Courtyard Lots		0	0
	Traditional Lots		70	90
	Lifestyle Lots		0	0
Large Lifestyle Lot Mix	Townhouse / Terrace Lots	N/A – no Brown Area within Village Centre Precinct	N/A	N/A
	Small Courtyard Lots		N/A	N/A
	Large Courtyard Lots		N/A	N/A
	Traditional Lots		0	0
	Lifestyle Lots		80	80

Notes:

- Council may impose a restriction as to the use of the land (at the time of subdivision) on Super Lots proposed for an intended lot / dwelling type;
- A percentage target of 0% denotes that there is no minimum target for the particular lot typology in the Lot Mix Area. It should not be interpreted to mean that lots of this type are not permissible in that particular Lot Mix Area;
- Lifestyle Lots are permissible in any Lot Mix Area where site constraints necessitate a larger lot type. For example, additional area required to accommodate slope or APZ; and
- Super Lots may be provided for future permissible development in the zone.

11. Development applications for subdivision including vacant Townhouse / Terrace, Small Courtyard or Large Courtyard Lots are to nominate any mandatory and optional built to boundary walls;
12. Cut and fill associated with subdivision development should be responsive to the design constraints associated with the natural site topography, noting that significant earthworks will be required to accommodate required subdivision works. This includes roads, drainage, stormwater management basins, asset protection zones and utility infrastructure, as well as responding to past mining activity constraints where feasible to do so at subdivision stage. Existing slope characteristics are illustrated in **Figure 4**;
13. Extension of the footprint of cut and fill on proposed lots at subdivision stage, including benching, retaining and battering, is permissible where required to achieve land capable of supporting future residential development and in appropriate locations to achieve lot diversity and dwelling yields identified by the Concept Approval. Inclusion and integration of cut and fill on proposed lots in appropriate locations can reduce the vertical extent of cut and fill required otherwise for subdivision works and reduces the need for unco-ordinated cut and fill by future individual lot owners for the construction of dwellings. Earthworks shall be designed at subdivision stage generally in accordance with the principles in as described in **Table 3** and **Figure 5**;

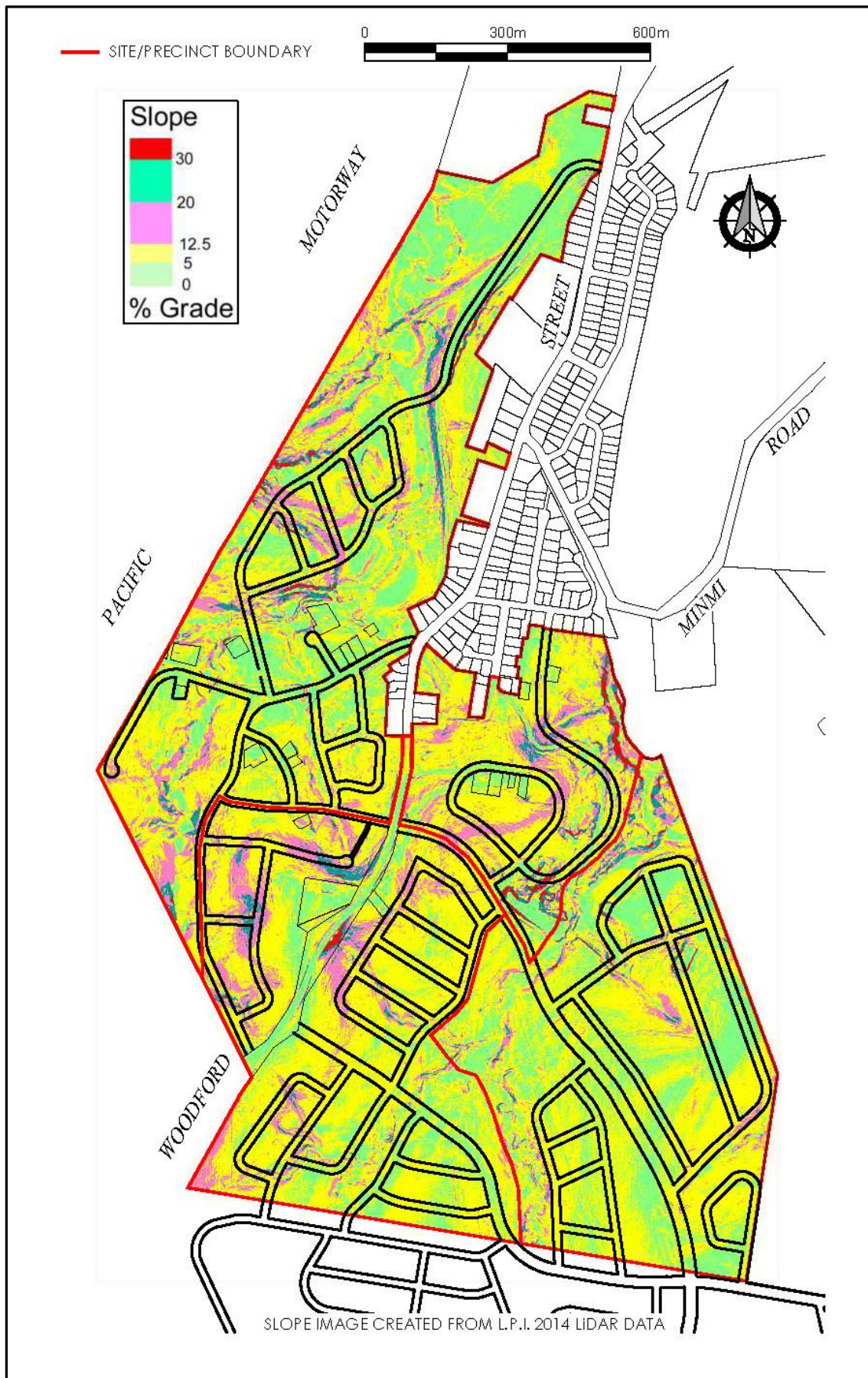


Figure 4: Existing Slope Characteristics

Table 3: Guide for Subdivision Earthworks and Retaining

Slope Category	Subdivision Based Principles
Category A (existing slopes up to 12.5%)	Optional lot benching and retaining at subdivision stage, generally consistent with Table 4 and Figure 4 of these Guidelines.
Category B (existing slopes between 12.5% - 20%)	Earthworks to blend slopes with other civil works and alter slope category to Category A, plus optional lot benching and retaining at subdivision stage as above.
Category C (existing slope greater than >20%)	Other than localised works associated with civil works, limited on lot earthworks, benching or retaining, with future dwelling design and construction to absorb slope, with potential also for retention of some on lot vegetation. Earthworks may be required to achieve an on lot building envelope and lot access less than 25%.

Table 4: Guide for Retaining Wall Heights at Subdivision Stage

	Retaining Walls and Heights (m)
Front Boundary	Max 1m cut or fill
Side Boundary	Where retaining walls are to be constructed as part of the subdivision works, max 1.5m cut or fill (where single face retaining proposed), or as below. Where retaining walls are to be constructed following subdivision stage, max 1m cut or fill on each lot's side boundary. Walls to be contained within the lot being retained with 1m wall on high side requiring no boundary offset and including provision for future fencing and 1m wall on low side to be offset from side boundary by 1m (as illustrated in Figure 5).
Rear Boundary	Max 2m cut or fill

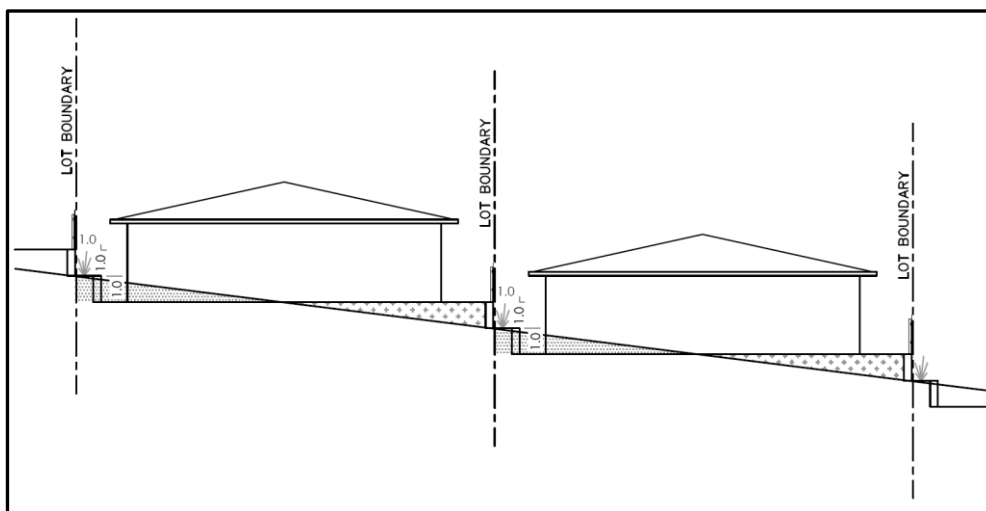


Figure 5: Typical Cut and Fill Principles in Section

14. In some circumstances of cut, retaining walls may exceed those nominated for parts of the retaining wall. In these cases, other than rear boundaries, the retaining wall must not exceed an absolute maximum of 1.8m at a single point and must average heights indicated in **Table 4**;
15. All retaining walls are to include a sub-soil drainage system and are to be constructed of decorative masonry (or similar high-quality material) and natural colours, where retaining walls present to the street / public domain. Retaining walls are to include provision for future fencing;
16. Retaining walls are to be located entirely within the boundaries of the subject property;
17. Core natural watercourse and their riparian widths are mapped in **Figure 6** (per the Concept Plan), and zoned E2. As a general design principle, these core natural watercourses should be retained as part of the character of the precincts and to maximise retention of vegetation, however any proposed works and land uses within the identified riparian corridors are to have regard for the relevant Department of Primary Industry – Office of Water – guidelines relating to works within riparian corridors. In E2 zoned land outside the core natural watercourses and associated riparian corridors subdivision works are to be generally avoided, other than the clearing of vegetation and minor earthworks to accommodate the construction of necessary infrastructure such as detention basins, stormwater outlet structures, road and service crossings, cycleways and paths;
18. Bushfire protection measures, such as Asset Protection Zones, Managed Fuel Zones and fire trails, are to be provided in accordance with *Planning for Bushfire Protection 2006*;
19. Public Open Space shall be located generally in accordance with **Figure 6**, or where otherwise justified and agreed with Council and/or required under the applicable local infrastructure plan and as described in **Table 5**;

Table 5: Public Open Space

Type	Location
Neighbourhood Park	1 x park in Link Road North Precinct
Historic Heritage Parks	1 x park in Minmi Extension Precinct (Garden House Park) 1 x park in Minmi Extension Precinct (Workshop Park) 1 x lineal park associated with former railway line and heritage item, including Coke Oven Park and Minmi edge and entry areas

Note: Land dedication is subject to agreement with Council. Should Council decline dedication of land, other suitable land uses and ownership arrangements may be proposed, provided Council is satisfied that other satisfactory arrangements for Public Open Space will be made.

20. Key pedestrian assets shall be located generally in accordance with **Figure 6**, or where otherwise justified and agreed with Council and include:
 - Potential pathway connections to Regional Park;
 - Shared pathway/cycleway along alignment of heritage railway tracks within the lineal park and connecting to the heritage park (Workshop Park);

Each development application for subdivision is to outline footpaths and shared paths in road verges to be provided relative to overall movement network, open space and activity nodes and road types and character.

21. Development applications for subdivision creating residential lots adjoining Sub Arterial Road No 1 through the Village Centre Precinct and to Woodford Street (north of its intersection with the proposed Sub Arterial Road No 1), must consider the management of urban design outcomes and, where required by a traffic noise impact assessment, acoustic privacy. The following principles should be considered:
- Where possible, residential lots should be designed so that future dwellings are oriented to front those primary roads;
 - Where possible, direct vehicular access from residential lots to those primary roads should be discouraged. In general, vehicular access should be provided by a side or rear road and/or rear access way;
 - Where it is not practicable to orient future dwellings to those primary roads, suitable fencing shall be provided and landscaping shall be incorporated into the road reserve to soften potential visual impacts of fencing along these roads at subdivision stage to ensure a consistent view; and
 - Any setbacks or building requirements required by a traffic noise impact assessment are to be listed on the title of each affected lot.
22. A landscape buffer should be incorporated along Woodford Street, south of its intersection with the proposed Sub Arterial Road No 1 (refer to **Figure 6**), to soften visual impacts. While dwellings are not required to orient to Woodford Street in this location, fencing along this extent is to be provided at subdivision to ensure a consistent view where dwellings will be oriented away from Woodford Street.

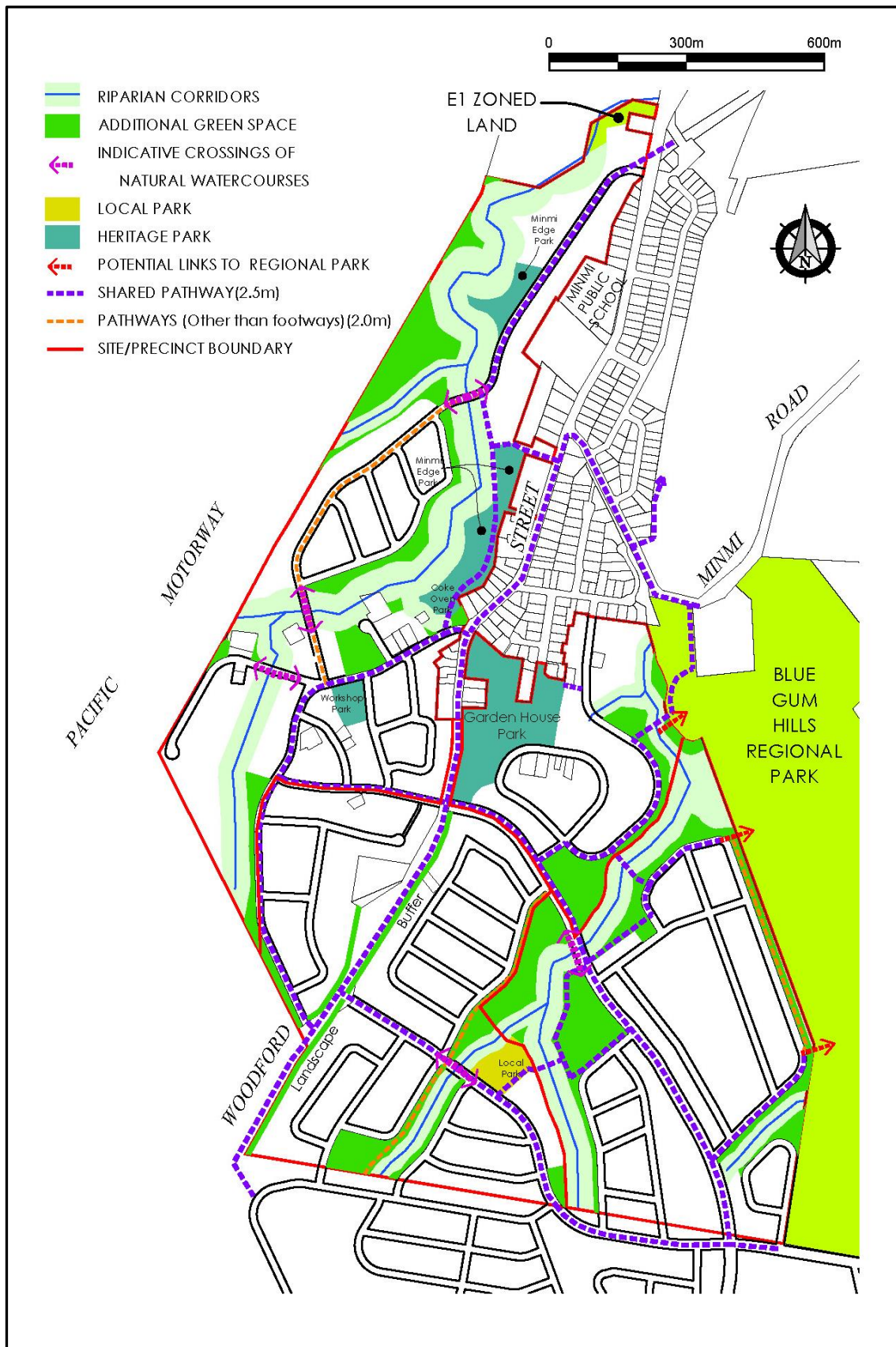


Figure 6: Indicative Open Space and Drainage Principles

Note: Road and Lot Access is based on Concept Plan only with modification for key initial principles and is subject to further assessment as part of future development applications.

3.0 Development Other Than Subdivision

Note: The relationship of these Guidelines to the Concept Approval MP 10_0090, Newcastle LEP 2012 and Newcastle DCP 2012 are explained in the Introduction of these Guidelines, and controls under those documents are not repeated here. It is anticipated that parts of the urban release area may satisfy requirements to become exempt or complying development under the provisions of another Environmental Planning Instrument, including any Housing Code, Greenfield Housing Code or other Code, and may, subject to satisfying relevant provisions, proceed separate to these Guidelines.

A. VILLAGE CENTRE DEVELOPMENT

Objectives

1. To identify any specific development controls for development other than subdivision on B1 Neighbourhood Centre and B2 Local Centre zoned lands, within the Minmi Extension and Village Centre Precincts respectively.

Controls

1. Address the relevant land use specific provisions in accordance with *Elements 3.03 – Residential Development* and *3.10 – Commercial Development* of Newcastle DCP 2012, and where relevant residential development provisions in these Guidelines (refer Section B below);
2. Address the other provisions in accordance with Newcastle DCP 2012 (outlined in the Introduction of these Guidelines), where relevant and not contrary to the Concept Approval;
3. Development on lots fronting Sub Arterial Road No 1 shall be designed to have vehicle access to the side or rear, and not direct from the primary road, unless otherwise supported by a traffic assessment submitted with the development application for the proposed land use. The built form must address the primary road;
4. The allowable Floor Space Ratio (commercial floor space to Site Area) is 1:1 for all commercial / mixed use areas. Non-commercial space is in addition to this ratio; and
5. Building heights are to be in accordance with Newcastle LEP 2012, and any building height and type restrictions identified by Subsidence Advisory NSW to address past mining constraints, following completion of subdivision works.

B. RESIDENTIAL DEVELOPMENT

Objectives

1. To identify any specific development controls for development of R2 and R3 zoned lands within the Precincts.

Controls

1. Address the relevant land use specific provisions in accordance with *Elements 3.02 – Single Dwellings* and *3.03 – Residential Development* of Newcastle DCP 2012, other than where agreed to be inconsistent with the Concept Approval and/or these Guidelines;

2. Address the other provisions in accordance with Newcastle DCP 2012, where relevant and other than where agreed to be inconsistent with the Concept Approval and/or these Guidelines;
3. Building Heights are to be in accordance with Newcastle LEP 2012, and any building height and type restrictions identified by Subsidence Advisory NSW to address past mining constraints, following completion of subdivision works;
4. To design house types that respond to their lot configuration including size, shape and orientation and to promote residential amenity and streetscape. Attached dwellings, semi-attached and detached dwelling houses are to be provided generally in accordance with **Table 7**;
5. A maximum site coverage of 60% applies to Terrace / Townhouse Lots;
6. Development for housing is to be designed to respond to the lot configuration including slope, generally conforming to the post subdivision land form outside of the building footprint with additional cut and fill minimised and the need for retaining walls reduced by not exceeding retaining walls and heights nominated in **Table 6**, particularly when lots have been benched at subdivision stage. Any variations to existing retaining walls will require justification, design and certification by a Structural Engineer;

Table 6: Guide for Retaining Wall Heights

	Retaining Walls and Heights (m)
Front Boundary	Max 1m cut or fill
Side Boundary	Where retaining walls are to be constructed following subdivision stage, max 1m cut or fill on each lot's side boundary. Walls to be contained within the lot being retained with 1m wall on high side requiring no boundary offset and including provision for future fencing and 1m wall on low side to be offset from side boundary by 1m (as illustrated in Figure 7).
Rear Boundary	Max 2m cut or fill

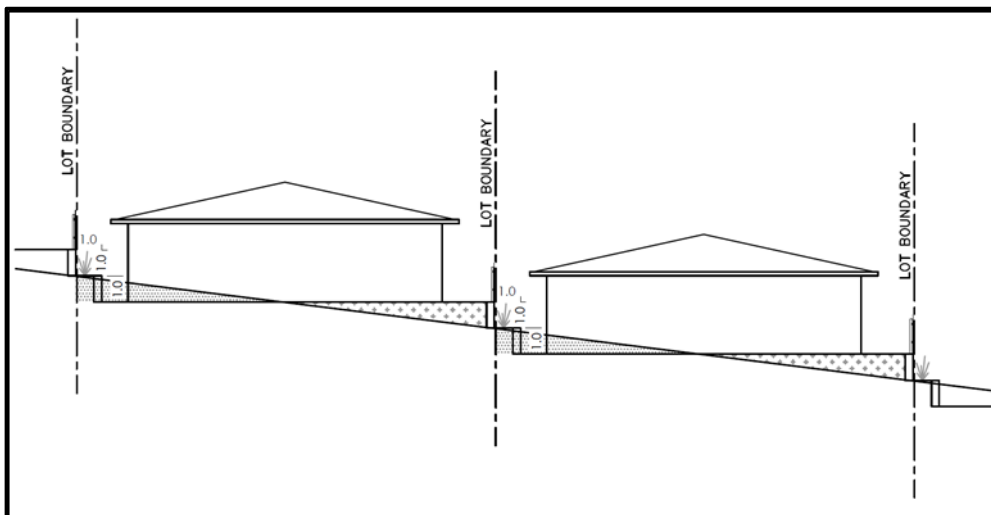


Figure 7: Typical Cut and Fill Principles in Section

7. On sloping sites, if the controls in **Table 6** are unable to be achieved then construction methods other than slab on ground are to be used such as split level, pier foundations or suspended floor house design to minimise cut and fill. If elevated construction is used then underfloor services must be screened, however all construction must meet the relevant bushfire requirements;

8. Development on lots adjoining proposed Sub Arterial Road No 1 through the Village Centre Precinct and to Woodford Street (north of its intersection with proposed Sub Arterial Road No 1), must consider the management of urban design outcomes, and where required by a traffic noise impact assessment, noise mitigation. The following principles should be considered:
- Where possible, dwellings are to be oriented to front those primary roads;
 - Vehicular access should be provided by side or rear road and/or rear access way;
 - Where it is not practicable to orient dwellings to those primary roads, suitable fencing shall be provided and landscaping shall be incorporated into the road reserve to soften potential visual impacts of fencing along these roads. Fencing along these roads must be consistent with any existing fencing installed as part of the Estate subdivision works; and
 - Development must consider any requirements or restrictions on title relating to noise mitigation, unless it can be demonstrated through a traffic noise impact assessment (specific to that lot and development type) is provided with the development application.
9. For controls relating to on-lot stormwater infrastructure, applicants are to refer NDCP *Section 7.06 Stormwater*. Specifically, the requirements for 'Coastal Wetland Catchments' are applicable to land covered by the Guidelines;
10. Having regard to the requirements of NDCP *Section 7.06 Stormwater*, development on Terrace / Townhouse Lots or Small Lots may utilise options such as slimline water tanks (under eaves) or rainwater bladders (which can be stored under houses / decks); and
11. For controls relating to private open space and landscaping requirements, applicants are to refer to NDCP Section 3.02.05 and 3.02.06. For further guidance on appropriate plant species, applicants should refer to Council's Landscape Technical Manual.

Table 7: Controls for Residential Lots (attached dwelling, semi-detached dwelling or dwelling house, excl multi-dwelling and other forms of residential accommodation involving more than one dwelling on individual lot)

Lot Types	Front Setback		Side Setback				Max Length and Height of Built to Boundary Wall	Rear Setback		Max. Garage Type	Max Garage Width		
	Habitable Rooms	Garage	Built to Boundary		Non-built to Boundary			Corner Lots – Secondary Street Frontage	Habitable Rooms			Garage	
			Ground Floor	First Floor	Ground Floor	First Floor							
Terrace / Townhouse Lot	As per NDCP		As per NDCP		For recesses and walls setback from boundary a minimum clearance of 0.9m	For recesses and walls setback from boundary a minimum clearance of 1.2m	1.5m	As limited by building setbacks and building height controls	Nil to access way or local road		Double garage permitted from rear lane	6.5m to rear lane	
			As per NDCP		As per NDCP	1.2m			As per NDCP where not to a rear lane	n/a	Single/tandem garage permitted to primary street	3.2m to a primary street	
Small Courtyard Lot	As per NDCP		One side only	1.2m	As per NDCP	1.2m	As per NDCP	Max. 15m long; Max 3.5m high	Nil to access way or local road		Double garage permitted from rear lane	6.5m to a rear lane	
									As per NDCP	n/a	Single/tandem permitted for single storey dwelling on lots up to and including 11.5m wide double garage permitted for 2 storey dwelling on lots up to and including 11.5m wide		3.2m for single storey and 6.0m for double storey on lots up to 11.5m wide
											Double garage permitted for lots > 11.5m wide		6.5m or 50% of the frontage, whichever is less
Large Courtyard Lot	As per NDCP		One side only	1.2m	As per NDCP	1.2m	As per NDCP	Max. 15m long; Max 3.5m high	Nil to access way or local road		Double	6.5m	
									As per NDCP	n/a			
Traditional & Heritage Character Lots	As per NDCP		Not applicable		As per NDCP	1.5m	As per NDCP	Not applicable	Nil to access way or local road		Double	6.5m	
									As per NDCP	n/a			
Lifestyle Lot	As per NDCP		Not applicable		1.5m for lots up to 20m wide 2.0m for lots > than 20m wide	2.0m for lots up to 20m wide 2.5m for lots > than 20m wide	2.5m	Not applicable	Nil to access way or local road		Double or triple permitted if Garage width design controls are met	6.5m or 9.0m where the third garage opening is setback a further 900mm or oriented with door openings perpendicular to the street	
									As per NDCP	n/a			

- 1. Setbacks are as per the above table unless otherwise dimensioned on an approved plan by Newcastle City Council.
- 2. Mandatory and Optional Built to Boundary Walls are to be nominated on approved subdivision plans.
- 3. Where Optional Built to Boundary Walls are not adopted, standard Non Built to Boundary Setbacks will apply.
- 4. Allotments are to be nominated into the above categories at the time of approval by Newcastle City Council on approved subdivision plans.
- 5. Garages fronting laneways comply with the Australian Standard for vehicles entering and leaving the garage.