Appendix B – DCP Assessment Table

3.3 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- Maitland Development Control Plan (MDCP) 2011.

The following chapters of the MDCP are relevant to the assessment of the proposal:

- Part A – A.4 Notification;
- Part B – B.3 Hunter River Floodplain, B.5 – Tree and Vegetation Management, B.7 – Environmentally Sensitive Land;
- Part C – C.10 – Subdivision, C.12 CPTED;
- Part F.2 – Residential Urban Release Area.

'Comply' column code:

Y	Yes
N	No
FIR	Further information required

Part A – Administration		
A.4 - Notification		
Control	**Consideration**	**Comply**
4.2.2 – Development Controls - Subsection 5 and 7.	The application was initially placed on public exhibition for a period of 28 days from 13 November 2025 to 10 December 2025 in accordance with the *EP&A Act, EP&A Regs* and MDCP 2011.	**Y**

Subdivision of residential land into more than 2 allotments are to be advertised and notified.		

Part B – Environmental Guidelines		
B.3 – Hunter River Floodplain		
Performance Criteria	**Consideration**	**Comply**
2.3 Filling of the Flood Storage and Flood Fringe Areas An application for filling within the flood storage or flood fringe areas must be supported by a fully dynamic computer flood model unless: a) There is no net importation of fill within the 1:100 ARI flood extent; or b) Filling up to 7,000m3 or 20% of the total 1:100 ARI flood storage/flood fringe volume of the lot (whichever fill volume is lower) that; (i) is associated with construction of a dwelling in rural zones, and (ii) where construction of a dwelling is permitted; and	The submitted engineering plans identify the 1% AEP flood extent and flood planning levels across the site. Council's Flood Engineers are satisfied the proposed subdivision will not be impacted directly by the 1% AEP flood extent and flood planning levels across the site.	**Y**

(iii) all of other flood requirements (such as evacuation) is achieved; and/or c) Filling up to 3,500m3 or 10% of the total 1:100 ARI flood storage/flood fringe volume of the lot (whichever fill volume is lower) associated with construction of a mound to provide refuge for stock during floods.		
2.3 – General Requirements 1. All habitable finished floors shall be no lower than the FPL. 2. Parts of buildings and structures at or below the FPL shall be constructed in accordance with Table 1: Flood Aware Design Requirements for Residential Development on Flood Prone Land. The development shall be certified by a qualified Structural Engineer that the building has been designed to withstand the depth of inundation, buoyancy and flow velocity forces (including potential for debris impact) at the development site for a 1:100 ARI event. 3. Flood-free access shall be provided from the development to an appropriate evacuation facility (as identified in the Maitland Local Flood Plan), at the 1:20 ARI flood level or higher. 4. Provision shall be made for the safe evacuation of people from the development in accordance with the Maitland Local Flood Plan.	1. All residential lots will be above the FPL. 2. Noted. Can be addressed with conditions where required. 3. The applicant proposes the use of River Road as a flood free access. This is not supported in its current form as the proposal includes privately accessed and managed automated gate systems for flood emergency access and egress which is not supported by SES nor Council. Noting this, if that part of River Road outside of the Anambah URA is proposed for flood free vehicular access, River Road must be upgraded to a public road standard, with unrestricted access available to all residents at the developer's cost. The current plans do not depict this or demonstrate that this is even possible through land acquisition or what impacts this may have due to the topography through the road corridor. The current design is not supported as it does not satisfy Council's requirements for a public road. This raises design, sequencing and delivery issues regarding upgrades and potential road widening. Further consultation with TfNSW and Council is required before this option can be pursued. 4. Non-compliant, noting the above.	**N**
B.5 – Tree and Vegetation Management		
1.1 Consent from Council is required prior to clearing or pruning the following:		**Y**

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) a tree that is required to be retained or planted as a condition of a complying development certificate or development consent, or c) a tree that was planted as a replacement tree, or d) 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 e) all trees and shrubs, regardless of size, on land managed by a public authority including Council, or f) all other trees or shrubs that are not listed in (a) to (f) above, unless they meet an exemption under (i) to (ix).	The proposal triggers the Biodiversity Offset Scheme under the Biodiversity Conservation Act (BC Act) 2016 due to exceeding the area clearing threshold. Consent is therefore being sought.	
1.5 Council will require a hollow-bearing tree assessment prepared by a suitably qualified ecologist to remove hollow bearing trees.	Council's ecological review confirms that no revised BDAR, Arborist assessment or updated landscape plans have been submitted to substantiate the suggested improvements or to demonstrate the long-term protection of retained vegetation.	**N**
1.6 A request to remove 5 or more native trees must be accompanied by a Biodiversity Management Plan (BMP). The BMP must be prepared by a qualified ecologist and include: a. A weed and hygiene protocol;	BMP / VMP will be required prior to development of each stage, that of which can be enforced via conditions.	**Y**

b. Protection of any retained trees or vegetation onsite including considerations of AS 4970 – Protection of trees on development sites c. Clearing protocol; d. Protection and relocation of potentially occurring resident fauna; and e. Offsetting the loss of hollows		
1.6 A request to remove 5 or more native trees must be accompanied by a Biodiversity Assessment Report (BAR). The BAR must: a. Be prepared by a qualified ecologist; b. Includes fauna and flora surveys targeting potentially occurring threatened biota; c. Include a 5-part test of significance under the BC Act 2016; and d. Include a significant impact assessment on Matters of National Environmental Significance (MNES) under the EPBC Act 1999.	The proposal triggers the Biodiversity Offset Scheme under the BC Act 2016 due to exceeding the area clearing threshold. The applicant asserts in their Section 8.2 Review that additional avoidance measures have been incorporated; however, these claims are not supported by updated ecological documentation. Council's ecological review confirms that no revised BDAR, arborist assessment or updated landscape plans have been submitted to substantiate the suggested improvements or to demonstrate the long-term protection of retained vegetation. The Concept Masterplan, Landscape Plan and civil plans do not consistently reflect the avoidance outcomes described in the covering material. As a result, the claimed biodiversity avoidance measures cannot be independently verified.	**N**
B.7 – Environmentally Sensitive Land		
Control	**Consideration**	**Comply**
1. Introduction and section objectives	The proposal does not satisfactorily demonstrate compliance with the riparian land objectives of the DCP. Inconsistencies between the originally submitted VMP, the amended Bushfire Assessment and the subdivision layout prevent Council from being satisfied that the development will protect, reinstate or enhance the ecological and functional values of the riparian corridor.	**N**

2. Access & Pathways 3. Development Location	Reason 16 arose from Council's concern that the bushfire assessment and riparian Vegetation Management Plan (VMP) were inconsistent. The amended Bushfire Assessment Report (Version 8) has only partially addressed this consistency. As requested in the first review, references to 'Freshwater Wetlands' have been appropriately replaced with 'Forested Wetland'. However, the canopy targets for the riparian area remain inconsistent between the updated Bushfire Assessment Report and VMP. The Bushfire Assessment states that tree canopy within the riparian corridor shall be planted 'with tree canopy less than 10% at maturity', whereas the VMP states that planting densities for stream banks shall target 50% canopy cover (equal to 20% Projected Foliage Cover). It is important that the applicant resolves the inconsistencies within the amended bushfire assessment, particularly in relation to the proposed Riparian Vegetation Management Plan and its alignment with Council's DCP requirements. Any updates to the vegetation classification of the riparian corridor may alter the required Asset Protection Zone distances and could subsequently impact the overall development layout.	**N**
4. Riparian Watercourses & Flooding	Engineering plans satisfactorily identify the 1% AEP flood extent and demonstrate that stormwater detention and treatment devices can function without increasing flood risk to the riparian corridor. Council's Flood Engineer raises no objection to the flood behaviour or civil design near the riparian area.	**Y**
5. Other Environmental Considerations	Refer to comments against subclause 1, 2 and 3 above. The DCP 2011 requires that VMPs 'recreate the original vegetation present prior to disturbance'. Accordingly, it is recommended that the Bushfire Assessment is amended to align with the VMP canopy targets, which have been developed to reflect the benchmark canopy cover of the target Plant Community Type (PCT 4042). This change may impact compliance with Planning for Bush Fire Protection	**N**

	2019 and the NSW RFS GTAs (26 November 2025).	

Part C – Design Guidelines		
C.10 – Subdivision		
EC.1 Flora and Fauna EC.1.1 Areas of significant habitat must be protected. EC.1.2 Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones. EC.1.3 Retain existing natural drainage lines and watercourses where practicable, revegetate where necessary and incorporate into open space areas (including pedestrian and/or cycleway corridors) or include in common property.	The site supports extensive native vegetation, threatened species habitat and high-value ecological features, including habitat for Squirrel Glider and Brush-tailed Phascogale. Council's ecologists identified that, while the original layout incorporated some improvements, additional feasible avoidance opportunities remained – particularly the retention of canopy patches and a known Barn Owl roosting tree. These unresolved matters formed the basis of Reason 15 in the original refusal. In the Section 8.2 Review, the applicant asserts that further avoidance has been achieved. However, Council's ecological review confirms that these claims are not demonstrated in the submitted material. The updated Concept Masterplan, Landscape Plan and Civil Plans do not reflect the asserted retention of additional vegetation; the Barn Owl roosting tree is absent from all plan sets; and no updated BDAR, arborist assessment or revised Vegetation Management Plan has been provided to substantiate improved outcomes. As a result, the Section 8.2 Review does not demonstrate that avoidance and minimisation measures have been strengthened, nor that the ecological impacts identified in the original refusal have been resolved. Inconsistencies across the ecological, bushfire and landscape documentation further prevent Council from concluding that the requirements of EC.1 have been met.	**N**

EC.1.4 Provide link to existing vegetation corridors through open space provision and appropriate planting. EC.1.5 Lot boundaries should be located to incorporate the whole of any significant stand of vegetation that is not included in common areas. EC.1.6 Land title choices should reflect the need to protect and enhance vegetation. For example, Community Title may be appropriate where degraded areas need to be rehabilitated and maintained as part of the consent. EC.1.7 The location of all natural drainage lines, wetland areas and significant stands of vegetation are to be mapped. Any vegetation to be removed must be identified and quantified. The subdivision application is required to address appropriate mechanisms for retention and protection of native vegetation. EC.1.8 Where a subdivision proposal is likely to result in the loss of vegetation, or is likely to impact upon any environmentally sensitive area (such as a watercourse, wetland etc), it is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the 7 Part Test referred to in clause 1.7 of the Environmental Planning and Assessment Act, 1979, and the requirements of SEPP (Biodiversity and Conservation) 2021. As a result of this report a subsequent Species Impact Statement may be required. EC.1.9 Where environmental enhancement is required, a planting and vegetation management scheme is to be prepared and implemented, indicating the reinstatement or enhancement of vegetation in riparian areas adjoining water courses, major drainage lines, significant areas of native vegetation, habitat, or proposed vegetation corridors and land use buffer areas. EC.1.10 Planting should consist of species indigenous to the locality, and those which will enhance bio-diversity and provide wildlife habitat. Suitable species can be sourced from local nurseries, or seed collected from plants already growing in the area. Species and planting guidelines are available from Council and/or Greening Australia.		

EC.2 Heritage and Archaeology E2.1 Clause 5.10 in the Maitland LEP 2011 and Parts C.4: Heritage Conservation and E.3: Heritage Conservation Areas in this DCP contain provisions which require investigation and protection of heritage items in certain circumstances. These provisions apply in some cases to subdivision and must be complied with. EC.2.2 Where a subdivision proposal affects any listed heritage item, the impact on the curtilage or immediate context of a heritage item must be evaluated in the Statement of Environmental Effects. Part C.4: Heritage Conservation should be considered to determine whether the preparation of a Character Statement or Statement of Heritage Impact is required. EC.2.3 Preparation of an Archaeological Assessment may be required where there is no previous investigative study, or where such study was so broad that Council is unable to reasonably predict the likelihood of European or Aboriginal sites of significance (such as a site that is the location of an Aboriginal place or relic, within the meaning of the National Parks and Wildlife Act 1974). If in doubt, applicants should consult with the NSW National Parks and Wildlife Service or Council. Part C.4: Heritage Conservation provides information and requirements for Initial Assessments (to determine the need for an Archaeological Assessment) and Archaeological Assessments. Applicants should refer to this information, and must consult with Council staff prior to undertaking such work should an assessment be required. It is an offence to destroy an Aboriginal Archaeological site without the consent of the Director of National Parks and Wildlife. Even where studies have been undertaken, if a place or relic is discovered during construction of a subdivision, all work in that area must cease until such consent is obtained. Similarly, the consent of the Heritage Office is required for destruction of significant nonaboriginal sites.	The subject site does not contain, nor is in proximity, to any European heritage sites. Three Aboriginal artefact sites were identified during site investigations undertaken for the original DA. Further targeted investigation (July 2024) confirmed: • Previously recorded sites are present near—but largely outside—the proposed River Road corridor; and • Pne site (AHIMS 37-6-3568) contains a PAD that partially overlaps the corridor. The updated Aboriginal Cultural Heritage Assessment provides appropriate management measures, including obtaining an AHIP where impacts are unavoidable. GTAs from Heritage NSW have now been issued, resolving the prior referral issue. On this basis, Aboriginal cultural heritage impacts are considered capable of being appropriately managed, subject to implementation of the ACHA and statutory permitting.	**Y**
EC.3 – Hazards		**N**

Flooding EC.3.1 All lots within new residential subdivisions shall have safe access made available to satisfy Clauses 5.21 and 5.22 of Maitland Local Environmental Plan. EC.3.2 All new residential lots are to be wholly above Council's adopted flood standard (the 1% AEP or 1 in 100 flood event). Parts of the lot may be permitted below the adopted flood standard, where lot sizes have been increased to provide sufficient flood free area for erection of a dwelling and associated structures. Bushfire prone land EC.3.5 The development must comply with the NSW Planning for Bushfire Protection Guidelines. EC.3.6 A bushfire threat assessment must form part of all development applications for subdivision where the land is identified as 'bush fire prone land' on Council's map. The threat assessment is an integral part of the subdivision design, and affects lot shape, size, orientation and road layout. Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access. EC.3.7 Assessment of threat from bushfire must examine impacts of the proposal both within and external to the site, including the capacity of the existing road network serving the site to accommodate traffic in emergency situations. Preparation of an assessment of threat from bushfire should include reference to: • NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for EC.3.8 land use planners, fire authorities, developers and homeowners. • Consultation with Council and RFS staff. Fire protection measure must be capable of being maintained by owners and users.	As noted elsewhere in the Planner's assessment report, the development does not demonstrate safe access requirements pursuant to Clause 5.21 of the MLEP. The development is located on bushfire-prone land and must comply with Planning for Bushfire Protection 2019 (PBP), the RFS GTAs and the relevant DCP controls. A revised Bushfire Assessment has been submitted and GTAs have been issued; however, several key matters remain unresolved. There are inconsistencies between the Bushfire Assessment and the Riparian Vegetation Management Plan (VMP). The Bushfire Assessment assumes riparian canopy cover of less than 10% at maturity, whereas the VMP requires significantly higher canopy targets (approximately 50%) to recreate the target vegetation community. These conflicting assumptions directly affect the feasibility of compliant APZs and indicate that bushfire protection measures have not been adequately integrated with ecological and riparian restoration requirements. Accordingly, the proposal does not currently satisfy the DCP requirements for development on bushfire-prone land.	

EC.3.9 Bushfire protection measures and Asset Protection Zones must be: i. contained wholly within the site of the subdivision unless the most extraordinary circumstances apply; ii. capable of being maintained by owners and users; iii. located outside areas of ecological value and the buffers necessary to protect them. Note: Asset Protection Zones may incorporate fire trails, perimeter roads, cleared road verges and fixed building lines. EC.3.10 The proposed measures to reduce risk of bushfire to an acceptable level should be achieved (for both the subdivision works and the resultant development) without significant loss of vegetation. EC.3.11 In instances where the balance between bushfire protection and environmental and social impact cannot be achieved, the proposal may not be supported. EC.3.12 To ensure effectiveness of the fire protections measures, restrictions may be placed upon the titles of the affected lots. These restrictions may relate to: i. Habitable storage structures being excluded from within the Fire Protection Zone. ii. Level at which the fuel loading is to be maintained within the Fire Protection Zone. iii. Responsibility for and nature of maintenance of fire trail, hazard reduction and Fire Protection Zone.		
<u>Landslip</u> EC.3.13 Where a subdivision proposal is on land identified as being subject to landslip, the applicant shall engage a geo-technical consultant to prepare a report on the viability of subdividing the land and, if viable, provide	N/A	

recommendations as to the siting and the type of buildings which could be permitted on the land. Land contamination EC.3.14 All development applications for subdivision shall provide documentation to satisfy the requirements of the following policies. The provisions in these policy documents will be used by Council to determine if and how land must be remediated. Comments will be sought from the Environment Protection Authority, where required. i. The relevant State Environmental Planning Policies ii. Maitland Council's Contaminated Land Policy, iii. Managing Land Contamination Planning Guidelines (1998), iv. The relevant NSW environment Protection Authority Guidelines-Guidelines for Consultants Reporting on Contaminated Sites. v. National Environment Protection (Assessment of Site Contamination) Measures. Geotechnical EC.3.15 Development applications for subdivision must include relevant assessment and geotechnical investigation regarding the potential for the presence of salinity and acid sulfate soils to determine if any specific measures are required. (Note: The Maitland LEP 2011 includes specific requirements with regard to acid sulfate soils).	A Preliminary Site Investigation ('PSI') has been prepared for the site, which has been reviewed by Council's Contaminated Land Officer who finds the report conclusion to be reasonable: *Based on the results of the site history review, site inspection and analytical results, the Site is considered to present a low risk of contamination and is suitable for residential land use, subject to the development and implementation of an unexpected finds protocol during redevelopment*. The site has been used as grazing land, which is authenticated by historical records, aerial photos, historical maps, site walkover, and results from sampling. There does not appear to have been any structures or infrastructure within the site, and the site walkover and test pitting did not show any fly tipping or imported fill material. The PSI outlines samples taken for analysis from some of the 40 test pits, which were below adopted criteria (analytes were Heavy metals, OCP, PCB, Phenols, PAH, TRH and BTEXN AF/FA and Bonded Asbestos). The PSI has been reviewed and concluded the land is suitable for residential use in terms of soil contamination. The Site is considered to present a low risk of contamination and subject to the development and implementation of an unexpected finds protocol during redevelopment, and ongoing assessment on new activities at each DA stage, is considered suitable for the intended use. Preliminary details considered acceptable however subject to further information to be provided at SWC stage, subject to conditions.	

DC.1 Lot Size and Dimensions Residential lot design DC.1.1 Provide a range of lot sizes to suit a variety of dwelling and household types. No more than 40% of the lot frontages within each street block may have the same lot width type. For the purpose of this control a lot width type is determined by any range of plus or minus 1.0m (for example, lots between 17m and 19m might be classed as one width type). Provide a lot width table for each street block including lot width groups, percentage and number. Other variables such as access and configuration can be considered as creating variation in the street. DC.1.2 Provide a subdivision structure plan which reflects the site's opportunities and constraints. DC.1.3 Provide a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes. DC.1.4 Ensure the design of any proposed residential subdivision considers natural landform features including outlook and proximity to public and community facilities, parks and public transport. DC.1.5 Residential lots shall be able to accommodate a suitable building envelope with minimum dimensions of approximately 15m by 10m behind the building line. DC 1.14 Access ways to hatchet shaped or battle axe lots will serve a maximum of 2 lots, have a maximum grade of 25% (4H:1V) at any point.	**Note:** DC provisions have been considered for Stage 1 only, noting detailed plans would be assessed against DCP provisions for each individual stage. **DC.1** The applicant has provided a lot width table for Stage 1, which demonstrates a broad range of lot frontages and areas capable of accommodating a variety of dwelling and household types. Council's review of the submitted subdivision plan and lot width schedule confirms the proposal offers an appropriate diversity of lot sizes. However, when applying the DCP requirement that no more than 40% of lots within each street block fall within the same lot-width type (±1.0 m), Council's analysis indicates that several street blocks continue to exhibit clustering of similar frontage types. While the overall subdivision includes a suitable mix, this variation is not consistently distributed within individual street blocks, with some blocks dominated by a single width type. Notwithstanding this, the inclusion of a complete lot width table and the demonstrated overall mix of lot types means the development generally satisfies the intent of providing a varied lot product, though further refinement may be required to fully meet the street-block distribution provisions of the DCP. **DC1.2 to DC1.4** Generally compliant. **DC1.5** – Generally compliant with the exception of small lot housing product of which feature approximately 10m (or less) frontage. **DC1.14** – There are no battle-axe lots proposed in Stage 1.	**Y**
DC.2 Solar Access and Energy Efficiency		**Y**

DC.2.1 80% of new lots are to have 5-star solar access, and the remainder either 4 or 3 star. DC.2.2 Lot sizes are to reflect reasonable consideration of the impact of topography, aspect and other constraints so as to maximize solar access. DC.2.3 Where possible lots should be oriented to provide one axis within 30 degrees east and 20 degrees west of true solar north. DC.2.4 Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling. DC.2.5 Proposals for street planting or open space planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.	Lots generally comply with the provisions of this chapter.	
DC.3 Drainage, Water Quality & Soil Erosion DC.3.1 Existing topography and natural drainage lines should be incorporated into drainage designs for larger proposals, and enhanced through provision of additional landscaping, detention areas, artificial wetlands and the like. DC.3.2 Drainage from proposed lots should be consistent with the pre-development stormwater patterns. An analysis of the downstream drainage system, to the receiving area or waters, may be required. DC.3.3 Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land to ensure there is no net impact on down stream water quality. The quality of runoff water from the subject land should be the same or better than the quality of water prior to the subdivision taking place. DC.3.4 Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands and detention basins.	Civil design detail package generally addresses these controls. Council's Development Engineer is satisfied conditions of consent can be provided to require detailed assessment at SWC.	**Y**

DC.3.5 The subdivision should be designed so as to minimise disturbance of the subject land especially in circumstances where there are topographical constraints. DC.3.6 Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised and erosion controlled. DC.3.7 All trunk drainage is to be located in publicly owned land, (reserves), in open space land or in an appropriate easement. DC.3.8 Where the drainage impacts of the subdivision proposal cannot be limited to predevelopment stormwater levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate. DC.3.9 Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run off from all existing or future parcels of land. The design and construction of the inter allotment drainage system should be in accordance with the requirements of Council's Manual of Engineering Standards. DC.3.10 Where inter-allotment drainage is required, easements having a general minimum width of 1.5m are to be identified on plans submitted. DC.3.11 A soil and water management plan (SWMP) should be prepared by a properly qualified practitioner with the aim of minimising erosion and maximising the quality of any water leaving the site. Applicants should refer to Council's Manual of Engineering Standards.		
DC.4 Landscape, Streetscape & Visual Impact DC.4.1 Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional	DC 4.1 – Being the first subdivision DA in a URA, there is no established streetscape.	**Y**

landscaping and selection of other streetscape items including surface treatments and street furniture. DC.4.2 The visual impact of rural residential subdivisions must be considered especially in areas where they can be viewed from a distance or from above. Landscaped buffers may be required. DC.4.3 Submission of a Landscape Plan will be required for residential and rural residential subdivisions, indicating the location of street trees and any other required landscaping. DC.4.4 The developer will also be required to submit a detailed landscape plan for all reserve areas incorporating fencing detail and will be required to construct all fencing for residential and rural residential lots where the lots share a common boundary with a proposed public reserve. Fencing shall be carried out as an integral part of the subdivision works and will be required to be completed prior to Council releasing the relevant Subdivision Certificate. Council may require that the fencing be of open style/pool type depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscape quality of the reserve. Fencing shall comprise materials of darker colour/tones which blend more effectively with the landscape.	DC.4.2 – The development includes landscape buffers to Anambah Road to assist with visual and noise attenuation and limit visual impact to the adjacent RU2 land, of which is supported. DC.4.3 to 4.4 – A Landscape masterplan is provided with the application.	
DC.6 Roads & Access, Pedestrian & Cycleways DC.6.1 Road design should take account of the location of existing vegetation and other natural features and minimise loss of vegetation and soil disturbance through excessive cut and fill. DC.6.2 All of the components of residential streets (including kerbing, pavement type, and width, street tree planting, footpath paving, lighting, seating and the like) should be considered in an integrated approach to ensure that attractive, safe living environments are created.	DC 6.1 and DC 6.2 – This has been discussed under Clause 7.2 of the MLEP in the report. Further information is required to determine extent of earthworks proposed.	**N**

DC.6.3 Traffic control devices such as refuges, parking blisters, roundabouts, and on grade thresholds are encouraged to reduce traffic speeds in residential streets, but require separate approval from Council's Traffic Committee. DC.6.4 Road widths and geometry in all subdivisions must accommodate necessary service and emergency vehicles. DC.6.5 Roads and access to public roads shall be designed and constructed in accordance with Council's Manual of Engineering Standards (MOES). DC.6.6 Direct vehicular access to classified roads such as the State highway, or main roads may be prohibited in favour of an alternative access arrangement subject to consultation with Council, and Transport for NSW (TfNSW). DC.6.8 Public transport infrastructure shall comply with 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', including but not limited to: Bus stops shall be designed so that: • Opposing bus stops shall be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters. • Placed on departure side of refuge/crossings, and from intersections • preference against parks/public land where possible. • Vehicle access to lots shall be demonstrated, driveway construction and 88b restrictions may be warranted • proposed stops shall be marked on sales plan to notify buyers • Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks/public land where possible. DC.6.9 Public Road access is required to all new lots in Torrens Title	DC 6.3 – Long road lengths shall include Local Area Traffic Management (LATM) devices at regular intervals to control vehicle speeds. This may include kerb extension/blisters at intersections, raised intersection thresholds, etc. Amended application comments advise this has been addressed, however details not shown on plans. This could be conditioned appropriately. DC 6.4 – Amended bushfire report depicts all non-perimeter roads are now nominated as 10m wide on the 'road hierarchy plan', however this does not translate to the overall concept engineering plans or landscape plans. Wider road corridors will affect lot sizes and layouts. DC 6.5 – Internal subdivision road network should comply with this control subject to detailed plans at SWC stage. However, the submitted plans show WPS located in the road reserve, this is not road related infrastructure and shall be located outside the road reserve. The proposed location will prohibit or make difficult any future road widening that may be necessary within the vicinity to achieve an ultimate road configuration. DC 6.6 – TfNSW have issued an RFI with regard to the River Road, Anambah Road and NEH intersection, noting insufficient details provided in the submitted TIA (February 2026). DC 6.8 – Bus routes and bus stop provided in the Urban Design Report (dated: 30 May 2025) provide high level detail to suggest development would adhere to this control. Where information lacking, it may be conditioned. DC 6.9 – The site as existing has predominate access to the existing public road network via Anambah Road. The development includes proposed roads to be dedicated to Council under the relevant stages, providing future public road access to newly created allotments. Concerns remain relating to the management of River Road where the development proposes restricted gated access from Stage 1 for flood evacuation purposes. DC 6.10 – General compliance achieved. DC 6.11 – Road design requirements, including Anambah Road and River Road, has not been satisfactorily addressed in the proposal. However, Council could	

subdivision.	apply conditions outlining design requirements to be addressed at SWC.	

DC.6.10 Subdivisions must be designed having regard to network/hierarchy requirements and be designed and constructed to an appropriate standard for their intended use. DC.6.11 Detailed requirements for design, construction and sealing of roads shall be in accordance with Council's MOES. DC.6.12 On-street parking is provided on all streets for convenience and to contribute to surveillance and street life. DC.6.13 Road widths in Council's MOES are minimum design standards. Additional design requirements, above and beyond these minimum requirements would have to be accommodated within the subdivision design (I.e., road widening to comply with Planning for Bushfire Protection). DC.6.14 Create a permeable layout based on modified grid layout. DC.6.15 Cul-de-sacs and pedestrian laneways shall be avoided, where unavoidable cul-de- sac should be less than 200m in length and able to see the end bulb from the intersection. Greater lengths will require increased road widths and bulb radius. DC.6.16 Maximise connectivity to bus stops, community facilities, open space and attractors through orientation of street blocks and public land. DC.6.17 Orientation of street blocks is preferrable east-west, then north-south where exception requires. Exceptions are considered where slope exceeds 6%, trunk drainage, or where existing boundaries or roads prevent achievement. Refer to Figure 3. DC.6.18 Alternative block orientation may consider direct emergency/trunk routes and other amenity views to bushland, floodplain, community spaces and areas of interest nominated by council. DC.6.19 Land slopes of 6% or greater shall generally run downhill unless demonstrated that earthworks will be minimized for the development.	DC 6.12 to DC 6.13 – Details submitted in the supporting bushfire report (October 2025) and concept masterplan (October 2025) suggest road-width designs are capable of achieving on-street parking for the subdivision. However, this does not translate to the overall concept engineering plans or subdivision plans. Wider road corridors will affect lot sizes and layouts. DC 6.14 to 6.21 – Generally compliant.	

DC.6.20 Roads shall provide surveillance and safety to items such as along drainage corridors, bushfire and flood plains, around public areas like parks and community lands (see DC.7). DC.6.21 Public parks shall be located on trunk roads for easy wayfinding and be surrounded by roads on 3 to 4 sides. DC.6.22 Intersection spacing shall follow best practice including: • minimum 40m stagger of intersections on opposing sides, 60m on same side • minimum 100m stagger on opposing sides, 120m on same side for trunk roads on trunk road, • four-way intersections on trunk roads shall be roundabouts, T-intersections, or lights <u>Residential Subdivisions</u> DC.6.23 Street block lengths shall be a maximum length of: • 180m desirable, 250m maximum for local streets • 180m for residential streets running parallel against trunk roads • Generally 70m deep for residential DC.6.24 A network of constructed (i.e. not grass) footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's Manual of Engineering Standards, and in view of streets wherever possible to allow surveillance. DC.6.24 A network of constructed (i.e. not grass) footpaths and cycleways will be required in all residential subdivisions, located, designed and constructed in accordance with Council's Manual of Engineering Standards, and in view of streets wherever possible to allow surveillance. DC.6.25 Particular attention should be paid to pedestrian links to schools, with regard to their width, lighting (to Australian Standard) and the appropriateness of landscaping and related safety issues.	DC 6.23 – Stage 1 block lengths generally comply with the intent of this control. With the exception of the entry street leading into Stage 1, all blocks are within 180m-250m in accordance with this section of the DCP. The entry street block measures approximately 300m. Block widths average at 70m in accordance with this control. DC 6.24 to DC 6.26 – Details of footpaths and cycleways are provided in civil and landscape details – however these details may differ due to previously noted changes to road widths which have not been reflected in amended civil and landscape details. No pedestrian links to school sites, community facilities or commercial areas proposed. It is noted that these key sites have been flagged for inclusion in the southern portion of the URA.	

DC.6.26 The road, footpath and cycleway network should facilitate walking and cycling throughout neighbourhoods and provide links to schools, community facilities and other activity centres.		

DC.7 Crime Prevention – Safer By Design DC.7.1 Clear sightlines between public and private places. DC.7.2 Landscaping that makes places attractive, but does not provide offenders with places to hide or entrap victims. DC.7.3 Dense vegetation or structures should not be located beside bicycle routes or pedestrian walking paths. A safety convention is to have 3-5 metres of cleared space on either side of pathways and bicycle routes. Pedestrians feel more comfortable sharing wide paths than narrowpaths. DC.7.4 Natural surveillance should focus on orientation of buildings and strategic use of windows, balconies, entrances, permeable fencing and street design. Tactical location of living areas, workstations, offices and recreation areas help surveillance opportunities. DC.7.5 Lots created should be designed so buildings face outwards towards public and semi-public areas to provide natural surveillance opportunities. DC.7.6 Lighting of public places such as public streets, car parks and pedestrian areas should meet the relevant Australian Standards. Effective lighting reduces fear and can increase community activity. The types of lighting should also be considered (different lights are used in different situations). DC.7.7 Council may require a report from a suitably qualified lighting engineer for lighting of public areas within subdivisions. DC.7.8 Design subdivision layouts with clear transitions and boundaries between public and private space. This can be achieved through landscaping, natural barriers such as waterways or topographic features and by the use of gates, bollards and fencing. DC.7.9 In some cases public areas may need to have restricted access, particularly at night, to prevent vandalism and anti-social behaviour.	DC 7.1 to DC 7.9 – The supporting CPTED Report provides an appropriate assessment of all public open spaces, including the Central Park and riparian parks, and satisfactorily addresses key CPTED principles relating to sightlines, natural surveillance, access, landscaping and lighting. The report confirms that open spaces are clearly defined and legible, with movement networks that support safe use and passive oversight from surrounding development. Council's Community and Recreation Team have noted the removal of the amenities building from the Central Park concept as it is not required for a local playspace, and the need to select screening vegetation that avoids concealment opportunities along residential interfaces; these matters can be resolved during detailed design specific to those later stages. Cross-sections for the riparian park demonstrate that although passive surveillance from the road is limited by level differences, surveillance from the adjacent playspace is adequate, and the variation in play offerings between the Central Park and riparian park can be addressed at later concept design stages. Subject to the implementation of the CPTED recommendations and refinement of landscape and interface treatments at detailed design, CPTED considerations are satisfactorily addressed and the proposal is acceptable under this section.	**Y**

DC.8 Site Filling DC.8.1 Earthworks require development consent of Council under the provisions of the Maitland LEP 2011, unless either exempt or complying development. DC.8.2 Where site filling is necessary or proposed, the materials used and extent and depth of fill must be detailed in the development application for the approval of Council prior to issue of a Construction Certificate. Council will take into account the provisions of AS 3798-1990, which provides guidelines on the specifying, execution and control testing of earthworks and associated preparation works within commercial and residential developments. DC.8.3 An absolute maximum fill depth of 2m will be considered by Council	DC 8.1 – Refer to assessment under Clause 7.2 of the MLEP 2011, noting the proposed earthworks cannot be supported in its current form as the development has not ensured proposed earthworks will not have a detrimental impact on environmental functions and processes and future land uses (small lot housing product). DC 8.2 – Noted and could be conditioned accordingly. DC 8.3 - Cut and fill amounts are estimated up to +/-3m throughout proposed stage 1, and +/-5m for riparian and road works within the broader concept plan, exceeding the maximum requirements of this control.	**N**
DC.9 Reticulated Services (Water/Sewer/Electricity/ Telecommunications) <u>Water and Sewer</u> DC.9.1 Reticulated water and sewer supply is required for all new urban lots (residential, commercial, industrial) in accordance with the requirements of the Hunter Water Corporation. <u>Electricity</u> DC.9.3 Underground low voltage electricity supply to all new residential lots (including land zoned C4 Environmental Living) to the requirements of Energy Australia or other approved electricity provider, unless Council and provider determine that overhead supply is permitted due to flood liability of land or the land fronts a road supplied by existing overhead electricity reticulation. DC.9.6 Pad mounted substations, if and where required, should be placed within pedestrian walkways, behind landscaped screens or otherwise sympathetically treated to reduce visual impact.	DC 9.1 – The applicant has not demonstrated how water and sewer services can be delivered in an orderly, coordinated manner given that servicing is expected to extend from the southern URA, nor submitted a current formal Notice of Arrangements from HWC. The review material does not resolve concerns regarding premature or fragmented infrastructure delivery for the northern cell. Further, the proposed placement of water and sewer mains within the River Road corridor is not supported. River Road does not meet Council's minimum road reserve standards to service urban residential land and is unlikely to accommodate long-term utility infrastructure without future relocation. This presents risks of avoidable cost, redundancy and constraints on future URA servicing. Accordingly, adequate and timely water and sewer arrangements have not been demonstrated. DC 9.3 to DC 9.6 – Correspondence from Ausgrid indicates new allotments can be serviced by underground electricity supply. DC 9.7 to DC 9.10 – This can be conditioned. DC 9.11 – Preliminary Civil plans for stage 1 indicate each lot can drain to the street frontage or to an IAD.	**N**

DC.9.7 Written evidence from the provider that installation of all services is complete and meets requirements must be submitted to Council prior to issue of the Subdivision Certificate. Street Lighting DC.9.8 Street lighting shall not be provided for low-density residential subdivisions, unless special circumstances (consistent withAS1158) warrant installation. Telecommunications DC.9.10 Telephone connection to be available to all new lots in accordance with the requirements of Telstra or other approved provider. Low density residential lots. DC.9.11 All new low-density residential lots (including land zoned C4 Environmental Living) to be capable of draining to the street frontage or to an inter- allotment drainage easement (see also “Drainage and Water Quality” Design Element below).		
IC.1 Entry Features IC.1.1 Entry features will only be considered and approved with the development application for subdivision and all details should be included with the detailed landscaping plans. IC.1.2 Entry features will only be permitted in conjunction with residential subdivisions of 50 lots or more. Entry features for industrial and commercial subdivisions will be considered on merit. IC.1.3 Entry features shall be limited to one pair at the primary entrance to a new subdivision. IC.1.4 Entry features can only display the name of the estate NOT street names.	IC 1.1 to 1.5 Landscape Masterplan shows high level detail for proposed entry feature at the Primary entrance (Anambah Road) to the proposed subdivision. Plans show entry feature on private allotment. IC 1.6 – The proposed entry feature complies with the maximum 2-metre height control and is acceptable. Other identity controls can be satisfied through conditions of consent. IC 1.7 – Noted.	**Y**

IC.1.5 Entry features shall only be located on privately owned land. IC.1.6 Entry features for residential subdivisions shall be limited to a size of20m2 with a maximum height of 2m. The size of entry features for industrial and commercial estates will be considered on merit. IC.1.7 In certain circumstances the erection of entry features may be considered at a later stage but must comply with the guidelines.		
IC.2 Street Names Proposed street names must be submitted to Council for approval in accordance with Council's policy at the time of lodgement of the development application. Street name signs will be required at the junction of any roads in the subdivision in accordance with Council's Manual of Engineering Standards.	Noted and subject to standard conditions.	**Y**
IC.3 House/Lot Numbering Council supplies a number for all new urban and rural lots created and has an adopted policy in this regard. A fee applies for this service.	Noted and subject to standard conditions.	**Y**
C.12 - CPTED.		
Control	**Consideration**	**Comply**
CPTED employs four key strategies: 1. Territorial re-enforcement 2. Surveillance 3. Access control 4. Space/activity management.	An amended CPTED Report has been submitted and now provides a satisfactory assessment of all public open spaces, addressing key principles including natural surveillance, access control, territorial definition and activity support. The report demonstrates that the park network is legible, well-connected and capable of achieving safe use through passive surveillance from surrounding streets and dwellings, subject to detailed design. Council's Community and Recreation Team has reviewed the updated design and advised that the proposed amenities building in the Central Park is unnecessary and should be removed at this stage. Minor refinements relating to planting selection, screening, and surveillance of the riparian park interface can be resolved during detailed design. The proximity of the kickabout space to the	**Y**

The following developments shall include a detailed Crime Prevention through Environmental Design assessment that is prepared by an accredited person. • New centres • Mixed use residential/commercial development • Medium and high-density residential development • Subdivisions involving newly developing areas • Parks and open space or publicly accessible areas • Community uses • Sport, recreation and entertainment areas Other high use areas or developments where crime may be an issue.	playspace provides adequate passive surveillance. With the implementation of the CPTED report recommendations and the noted refinements, the proposal is considered acceptable with respect to Chapter C12 of the DCP.	
Part F – Urban Release Areas		
F.2 Residential Urban Release Areas		
Control	**Consideration**	**Comply**
Part F.2 – Residential Urban Release Area 1. Desired future outcomes 2. Design considerations	*Desired Future Outcomes* The concept plan establishes some foundational elements – such as an internal street network and an open space framework – but does not yet demonstrate a coordinated or integrated response to the desired future outcomes for the Urban Release Area. Critical strategic matters including flood evacuation, access sequencing, traffic capacity on the State and local road network, water and sewer servicing arrangements, and alignment between bushfire, vegetation and riparian objectives remain unresolved. Until these issues are addressed, the proposal cannot be considered to achieve the neighbourhood, environmental or infrastructure outcomes intended under Chapter F.2.	**N**

	Design Considerations Although a concept plan may substitute for Area and Precinct Plans under Clause 6.3 of the LEP, it must still demonstrate coordinated staging, integrated infrastructure delivery, safe and reliable access, and consistent environmental and hazard management. The current concept plan does not fully respond to these design considerations, with unresolved issues relating to emergency access, out-of-sequence staging, unconfirmed utility servicing, and inconsistencies within bushfire, ecological and riparian documentation. Further refinement and clearer demonstration of compliance with Chapter F.2 design criteria are required before the concept can be supported.	