

**MAITLAND CITY WIDE DEVELOPMENT CONTROL PLAN 2011**

**PART B ENVIRONMENTAL GUIDELINES**

**B.2 DOMESTIC STORMWATER**

**Performance Criteria**

See Part C Design Guidelines – C.10 Subdivision

**Complies?**

**N/A**

**B.3 HUNTER RIVER FLOODPLAIN**

**1. Introduction**

*This chapter applies to the area of the City of Maitland that has the potential to be inundated by floodwaters of the Hunter River up to the 1% AEP flood event.*

**Complies?**

✓  
A flood study has been prepared as part of the Stormwater Management Plan which concluded that all proposed lots were above the 1% AEP flood event.

**B.4 ON-SITE SEWAGE MANAGEMENT SYSTEMS**

**N/A**

The site will be serviced by connection to Hunter Water's sewer system.

**B.5 TREE AND VEGETATION MANAGEMENT**

**1. Introduction**

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

**Complies?**

✓  
An Ecological Assessment Report (EAR) has been prepared by Anderson Environmental and Planning (AEP).

**B.6 WASTE NOT – SITE WASTE MINIMISATION & MANAGEMENT**

*This chapter applies to the following types of development that may only be carried out with development consent within the Maitland LGA:*

- *Single dwellings; residential additions/alterations and ancillary structures*
- *Dual occupancies*
- *Multi dwelling housing*
- *Residential flat buildings*
- *Commercial development and change of use*
- *Industrial development*

**N/A**

Subdivisions are not listed as being required to address Section B.6

<b>B.7 ENVIRONMENTALLY SENSITIVE LAND RIPARIAN LAND AND WATERWAYS</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<i>This DCP chapter applies to all land within the Maitland Local Government Area (LGA) that rural and urban land use and development can have significant direct impacts on environmentally sensitive land such as riparian land and waterways, wetlands, wildlife corridors, threatened ecological communities and habitat of threatened and listed migratory species.</i>	<p style="text-align: center;">✓</p> <p>The proposed development has considered the impacts to environmentally sensitive lands such as the riparian lands and waterways. A Riparian Assessment and EAR has been prepared by AEP in this regard.</p>
<b>PART C DESIGN GUIDELINES</b>	
<b>C.1 ACCESSIBLE LIVING</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<i>This chapter applies primarily to new buildings. However, where Council considers practicable and reasonable to do so, access to existing buildings will be required in connection with proposals for changes of use or alteration which will result in an increased level of public usage.</i>	<p style="text-align: center;"><b>N/A</b></p> <p>No buildings proposed as part of this application.</p>
<b>C.2 CHILD CARE CENTRES</b>	
<b>N/A</b>	
<b>C.3 EXHIBITION HOMES &amp; VILLAGES</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<i>This chapter applies to all land within the Maitland Local Government Area where exhibition homes and exhibition villages are permissible with development consent under the provisions of the Maitland Local Environmental Plan 2011.</i>	<p style="text-align: center;"><b>N/A</b></p> <p>No exhibition homes proposed as part of this application.</p>
<b>C.4 HERITAGE CONSERVATION</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<p><i>This chapter applies to all heritage items, including heritage conservation areas, to which clause 5.10 in the Maitland LEP 2011 applies.</i></p> <p><i>Matters relating to Aboriginal heritage significance are addressed in clause 5.10(8) in the Maitland LEP 2011, but are not specifically addressed in this chapter.</i></p>	<p style="text-align: center;"><b>N/A</b></p> <p>The site contains no items of heritage significance, is not located adjacent to any such items and is not located within a heritage conservation area as depicted under Clause 5.10 of the LEP.</p>

<b>C.5 INDUSTRIAL LAND</b>	
N/A	
<b>C.6 SIGNAGE</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<i>To provide detailed guidelines for signage.</i>	<b>N/A</b> Whilst an entry feature is proposed, Chapter C.6 is more relevant advertisements.
<b>C.7 OUTDOOR DINING</b>	
N/A	
<b>C.8 RESIDENTIAL DESIGN</b>	
<b>1. Introduction</b>	<b>Complies?</b>
<i>This chapter applies to the whole of the Maitland Local Government Area where residential development is permitted. The chapter provides guidelines for the development of the following forms of housing:</i> <ul style="list-style-type: none"> <li>• <i>Single detached dwelling house</i></li> <li>• <i>Dual occupancy housing (attached or detached)</i></li> <li>• <i>Multi dwelling housing (attached or detached)</i></li> <li>• <i>Residential Flat Building (other than buildings to which State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development applies)</i></li> <li>• <i>Senior Living Accommodation (to the extent of providing guidelines which supplement the standards prescribed under State Environmental Planning Policy 2004 – Housing for Seniors or People with a Disability)</i></li> </ul>	<b>N/A</b> No residential buildings proposed as part of this application.
<b>C.9 SEX SERVICES PREMISES &amp; RESTRICTED PREMISES</b>	
N/A	

<b>C.10 SUBDIVISION</b>	
<b>Introduction</b>	<b>Complies?</b>
<p><i>This chapter applies principally to the design and construction of new subdivisions on all land to which the Maitland Local Environmental Plan 2011 applies.</i></p> <p><i>Design requirements for Geometric Road design, Road widths and detailed drainage requirements are found in council's Manual of Engineering Standards. Detailed Subdivision Works Certificate and Engineering Plan requirements, construction standards and Subdivision Certificate requirements are also contained in the Manual of Engineering Standards.</i></p> <p><i>There are other chapters within this DCP that also contain controls over subdivision design and development, such as Urban Release Areas and Heritage Conservation. These chapters should be reviewed in conjunction with these general guidelines.</i></p> <p><i>Where no site-specific Chapter or Locality Plan exists, Council may require that one is prepared prior to approving subdivisions, especially where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.</i></p>	<p style="text-align: center;">✓</p> <p>This Chapter contains generic provisions that apply to all areas of the Council not covered by a Site Specific Area Plan (which this site is). As such, the majority of the standards and criteria contained in this Chapter are not relevant to the proposed development and so are addressed only where required.</p>
<b>1. Title Systems for Subdivision</b>	<b>Complies?</b>
<p><b>1.2 Conventional or Torrens Title Subdivision</b></p> <p><i>This is the traditional or "single lot" form of subdivision, common in many residential estates. It applies to both "Old System" and "Torrens Title" on freehold land. Any buildings and structures erected on the land effectively become part of the land by definition.</i></p>	<p style="text-align: center;">✓</p> <p>The allotments proposed within this application are for Torrens Title lots.</p>
<b>2. Subdivision Design Process</b>	<b>Complies?</b>
<p><i>All applications for subdivision must be accompanied by evidence of a thorough Site Assessment, addressing the physical characteristics of the subject land and that land surrounding it which is likely to affect, or be affected by, its development. The site assessment should form the basis of the Statement of Environmental Effects (SEE) which must be submitted with every application, as required by the Environmental Planning and Assessment Regulation 2000.</i></p> <p><i>The information collected through site assessment is often best presented on a plan, accompanied where necessary by written information. However,</i></p>	<p style="text-align: center;">✓</p> <p>The proposed subdivision has been designed around the various site constraints and opportunities including the topography of the site as well as the Site Specific Area Plan. The project has also been afforded significant input from numerous expert consultants to ensure the lot layout, road design and other supporting aspects of the subdivision provide an ecologically sustainable development.</p>

<p>written information alone, as part of the SEE, may be sufficient in some circumstances. The level of investigation required for a site assessment will vary depending upon the nature and size of the subdivision proposal and its location in the local government area. Pre-consultation with Development Assessment staff is essential.</p> <p>Following the Site Assessment, the design of the subdivision can be undertaken to suit particular site needs. For detailed Construction Certificate and Engineering Plan requirements, construction standards and Subdivision Certificate requirements applicants must refer to Council's Manual of Engineering Standards.</p>	
<p><b>3. Design Elements</b></p>	<p><b>Complies?</b></p>
<p><b>EC.1 Flora and Fauna</b> <u>General – Requirements</u></p> <ul style="list-style-type: none"> <li>o EC.1.1 Areas of significant habitat must be protected.</li> <li>o 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.</li> <li>o 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.</li> <li>o EC.1.4 Provide link to existing vegetation corridors through open space provision and appropriate planting.</li> <li>o 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.</li> <li>o 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.</li> <li>o 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.</li> <li>o 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</li> </ul>	<p style="text-align: center;">✓</p> <p>The subject site comprises generally cleared land that has been used for grazing. It is not mapped as containing Biodiversity Values. The vegetation is dominated by pasture grasses, exotics and weeds with remnant native vegetation dominated by scattered paddock trees. Several small to medium sized trees are located in the northern portion of the site along with a stand of trees located near the western boundary.</p> <p>Lochinvar Creek runs in a west direction at the southern end of the site and is well vegetated and contains a clump of Plant Community Type (PCT) 1592 Spotted Gum - Red Ironbark - Grey Gym shrub - grass open forest of the lower Hunter. With this section proposed to be retained as a riparian corridor and passive open space.</p> <p>A full assessment in this regard is provided within the EAR, including recommendations surrounding the retained riparian corridor which will be detailed further within a Vegetation Management (VMP) as part of the Subdivision Works Certificate (SWC).</p>

<p>(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.</p> <ul style="list-style-type: none"> <li>o EC.1.9 Where environmental enhancement is required, a planting and vegetation management scheme is to be prepared and implemented, indicating the re- instatement 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.</li> <li>o 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.</li> </ul>	
<p><u>Rural and environmental zones (including land zoned R5 Large Lot Residential)</u></p> <ul style="list-style-type: none"> <li>o EC.1.11 New development is not to result in the removal of remnant vegetation. Subdivision design should incorporate native vegetation into the character of the development.</li> <li>o EC.1.12 Significant areas of vegetation, existing or proposed vegetation/wildlife corridors, riparian areas, habitat, major drainage lines and land use buffers should desirably be contained in separate environmental buffer allotments with satisfactory provision made for their ongoing maintenance and management.</li> <li>o EC.1.13 Environmental enhancement may be required in areas that have previously become degraded, or are near areas of special conservation value or significant areas of native vegetation.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p> <p>The proposed residential lots are located within the R1 zone.</p>
<p><b>EC.2 Heritage and Archaeology</b> <u>General Requirements:</u></p> <ul style="list-style-type: none"> <li>o EC.2.1 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.</li> <li>o 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</li> </ul>	<p style="text-align: center;">✓</p> <p>As discussed above, the site is not impacted by any matters of European heritage.</p>

<p>Conservation should be considered to determine whether the preparation of a Character Statement or Statement of Heritage Impact is required.</p>	
<p>o 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.</p> <p>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.</p> <p>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 non- aboriginal sites.</p>	<p style="text-align: center;">✓</p> <p>A Draft Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared and concludes an Aboriginal Heritage Impact Permit (AHIP) will be required prior to construction commencing over existing sites and further investigation is required within a potential archaeological deposit (PAD).</p>
<p><b>EC.3 Hazards</b> <u>General Requirements</u> All new subdivisions are to be designed to provide adequate, safe access for future users.</p>	<p style="text-align: center;">✓</p> <p>The subject subdivision has been designed to provide for safe access for future users.</p>
<p>Each new lot created must have adequate site area/building envelope which is free from hazard and can accommodate future development on the site without costly site works on individual lots and without the necessity for loss of significant areas of vegetation.</p>	<p style="text-align: center;">✓</p> <p>All proposed allotments are over the minimum lot size of 450m<sup>2</sup>. The subject development also involves lot benching which would remove costly works for the future residents. The majority of the site is cleared with the vegetation within the riparian corridor being retained.</p>
<p>Buffer zones, exclusion zones and/or remediation works may be required by Council to ameliorate any or all of the below mentioned or identified hazards.</p>	<p style="text-align: center;">Noted.</p>
<p>Subdivisions must take account of any hazards identified in the Maitland LEP 2011 (such as acid sulfate soils), this DCP, or otherwise identified by Council or by Government gazette (e.g. unhealthy building land).</p>	<p style="text-align: center;">✓</p> <p>This has been outlined within the SEE.</p>
<p><b>EC.3 Hazards</b> <u>Flooding</u></p> <ul style="list-style-type: none"> <li>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</li> </ul>	<p style="text-align: center;">✓</p> <p>All proposed lots have adequate freeboard to the 100-year ARI flood. The most affected lot has approximately 0.9m of freeboard to the 100-year ARI flood which substantially exceeds Council's</p>

<p><i>Environmental Plan.</i></p>	<p>minimum requirement of 0.5m. The proposed channel in the site's south sufficiently contains the 1% AEP flood with freeboard in accordance with Council's MOES. Full details in this regard are provided within the Stormwater management Plan (SWMP).</p>
<ul style="list-style-type: none"> <li>• <i>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.</i></li> </ul>	
<ul style="list-style-type: none"> <li>• <i>EC.3.3 Rural subdivision in floodways is not permitted. Where part of the land may be affected by flood waters (such as back-water), all lots must have a suitable building envelope, above the 1% AEP flood standard, of sufficient size to allow development of improvements, with any required effluent disposal area, and must have safe flood-access to a public road. Specific provisions in the Maitland LEP 2011 and the requirements of Chapter B.1: Hunter River Floodplain Management must be considered.</i></li> </ul>	<p><b>N/A</b> The subject DA is residential only.</p>
<ul style="list-style-type: none"> <li>• <i>EC.3.4 New industrial/commercial lots will generally be required to be flood free and free from other hazards.</i></li> </ul>	
<p><u>Bushfire Prone Land</u></p> <ul style="list-style-type: none"> <li>• <i>EC.3.5 The development must comply with the NSW Planning for Bushfire Protection Guidelines.</i></li> <li>• <i>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.</i></li> <li>• <i>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:</i> <ul style="list-style-type: none"> <li>○ <i>NSW Rural Fire Service (RFS) – Planning for Bushfire Protection – a guide for land use planners, fire authorities, developers and home owners.</i></li> <li>○ <i>Consultation with Council and RFS staff.</i></li> </ul> </li> <li>• <i>EC.3.8 Fire protection measure must be capable of being maintained by owners and users.</i></li> <li>• <i>EC.3.9 Bushfire protection measures and Asset Protection Zones must be:</i> <ol style="list-style-type: none"> <li>i. <i>contained wholly within the site of the subdivision unless the most extraordinary circumstances apply;</i></li> <li>ii. <i>capable of being maintained by owners and users;</i></li> </ol> </li> </ul>	<p style="text-align: center;">✓</p> <p>A Bushfire Assessment Report (BAR) has been prepared which provides various recommendations to reduce the bushfire risk to the subdivision and future dwellings in accordance with Planning for Bushfire Protection 2019 (refer to Appendix 8). These include implementing APZs along the property boundaries and providing reticulated water and access throughout. Temporary APZs are not required on neighboring properties.</p>



<p>iii. located outside areas of ecological value and the buffers necessary to protect them.</p> <p>Note: Asset Protection Zones may incorporate fire trails, perimeter roads, cleared road verges and fixed building lines.</p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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: <ul style="list-style-type: none"> <li>i. Habitable storage structures being excluded from within the Fire Protection Zone.</li> <li>ii. Level at which the fuel loading is to be maintained within the Fire Protection Zone.</li> <li>iii. Responsibility for and nature</li> </ul> </li> </ul>	
<p><u>Landslip</u></p> <ul style="list-style-type: none"> <li>• 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 recommendations as to the siting and the type of buildings which could be permitted on the land.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p> <p>A Preliminary Geotechnical Assessment (PGA) has been undertaken and has not identified any significant slope instability issues.</p>
<p><u>Land Contamination</u></p> <ul style="list-style-type: none"> <li>• 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. <ul style="list-style-type: none"> <li>i. The relevant State Environmental Planning Policies</li> <li>ii. Maitland Council's Contaminated Land Policy,</li> <li>iii. Managing Land Contamination Planning Guidelines (1998),</li> <li>iv. The relevant NSW environment Protection Authority Guidelines - Guidelines for Consultants Reporting on Contaminated Sites.</li> <li>v. National Environment Protection (Assessment of Site Contamination) Measures.</li> </ul> </li> </ul>	<p style="text-align: center;">✓</p> <p>A Contamination Assessment (CA) has been undertaken by Qualtest which includes two (2) areas of concern which would require remediation.</p>
<p><u>Geotechnical</u></p> <ul style="list-style-type: none"> <li>• EC.3.15 Development applications for subdivision must include relevant assessment and geotechnical investigation regarding the potential for the</li> </ul>	<p style="text-align: center;">✓</p> <p>Contamination, geotechnical considerations and acid sulfate soils have been considered as part of the CA and PGA.</p>

<p>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).</p>	
<p><b>DC.1 Lot Size and Dimension</b> <u>General Requirements</u></p> <ul style="list-style-type: none"> <li>Part 4 in the Maitland LEP 2011 includes development standards for the subdivision of certain land. The standards are presented as minimum lot sizes and are depicted on the associated Lot Size Map. The minimum lot sizes vary between locations and land use zones.</li> </ul>	<p style="text-align: center;">✓</p> <p>All proposed lots achieve the minimum 450m<sup>2</sup> LEP lot standard.</p>
<ul style="list-style-type: none"> <li>Council requires that all new lots are of a size and shape suitable for their future use. Matters for consideration, in addition to any minimum lot sizes that may apply, are the need to allow for solar access, on-site effluent disposal (if permitted), access and parking, location of ancillary buildings such as garages and sheds, vegetation retention and soil conditions.</li> </ul>	<p style="text-align: center;">✓</p> <p>The proposed subdivision provides regular shaped lots of a compliant size to suit a wide range of dwelling styles.</p>
<ul style="list-style-type: none"> <li>Where Part 4 in the Maitland LEP 2011 also regulates the development outcome on certain land by fixing maximum Floor Space Ratios and overall Building Heights, these provisions should also be considered in the design of the subdivision.</li> </ul>	<p style="text-align: center;">N/A</p>
<ul style="list-style-type: none"> <li>Lot boundaries should follow natural features such as water courses and ridges (rather than cut across them) to minimise the potential for soil erosion.</li> </ul>	<p style="text-align: center;">✓</p> <p>The propose development has followed the natural feature of the site and retained the vegetation along the watercourse that traverses the site.</p>
<ul style="list-style-type: none"> <li>Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.</li> </ul>	<p style="text-align: center;">✓</p> <p>The proposed lots adjoining the NEH have been made larger to account for a proposed landscaped mound.</p>
<ul style="list-style-type: none"> <li>Lot size and dimensions are to be suitable for the existing or proposed use, including any requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent.</li> </ul>	<p style="text-align: center;">✓</p> <p>The proposed lot sizes and dimension of the residential developments are suitable for the future use.</p>
<ul style="list-style-type: none"> <li>Lots should be rectangular in shape. Where irregular shall accommodate the minimum building envelope and setback requirements.</li> </ul>	<p style="text-align: center;">✓</p> <p>Consideration has been given to Lots 205, 206, 1010, 401 and 607, owing to their irregular configuration, confirming each lot can accommodate a 10x15m building footprint. Refer to <b>Appendix 1C</b>.</p> <p>With regards to Lots 401 402, 607 and 608, the configuration of these lots has been designed to face the park, with driveways at the front and no fence on western side. This would allow future residents to overlook the park, essentially providing casual surveillance on all sides. This arrangement was discussed with Council's Urban Designer who was supportive to this arrangement.</p>

<ul style="list-style-type: none"> <li>Minimum lot frontage of 12.5m at the road frontage for rectangular lots.</li> </ul>	<p style="text-align: center;">✓</p> <p>All rectangular shaped lots have a minimum frontage over 12.5m.</p>
<ul style="list-style-type: none"> <li>Minimum lot frontage of 10.0m chord length around sharp bends and cul-de-sacs to provide for access, service and garbage collection in accordance with Figure 2.</li> </ul>	<p style="text-align: center;"><b>No</b></p> <p style="text-align: center;">Discussed within the SEE.</p>
<ul style="list-style-type: none"> <li>Lot access adjoining roundabouts and center refuges/splitter island shall not provide access within 10m of the splitters/facilities. 88b restrictions should be provided.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p> <p>No roundabouts or centre refuges/splitter island within the proposed development.</p>
<ul style="list-style-type: none"> <li>In assessing the re-subdivision of an existing lot, Council will have regard to the circumstances and planning rationale that formed the basis for the creation of the parent lot the subject of the application. This includes the consideration of any existing dwellings or structures on the land being assessed against relevant plans and policies.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p>
<ul style="list-style-type: none"> <li>Subdivision proposals must not conflict with the requirements of any existing approvals.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p>
<p><u>Rural and environmental protection zones (including land zoned R5 Large Lot Residential)</u></p> <ul style="list-style-type: none"> <li>Subdivisions are to be designed to maintain and enhance the rural character and scenic attraction of the Maitland local government area, particularly in low lying areas and valleys which may be viewed from above.</li> <li>Lots are to be designed to conserve prime agricultural land and/or agriculturally productive lands.</li> </ul>	<p style="text-align: center;"><b>N/A</b></p>
<p><u>Residential lot design</u></p> <p>DC.1.1 Provide a subdivision structure plan which reflects the site's opportunities and constraints.</p>	<p style="text-align: center;">✓</p> <p>The subdivision has been undertaken to address the sites constraints with the detailed within the SEE.</p>
<p>DC.1.2 Provide a clear urban structure that promotes a 'sense of neighbourhood' and encourages walking and cycling both recreationally and for transport purposes.</p>	<p style="text-align: center;">✓</p> <p>The subdivision includes a clear road hierarchy with footpaths and shared paths provided to encourage walking and cycling and in particular to connect the distributor road (potential bus route) with proposed open spaces.</p>
<p>DC.1.3 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.</p>	
<p>DC.1.4 Residential lots shall be able to accommodate a suitable building envelope with minimum dimensions of approximately 15m by 10m behind the building line.</p>	<p style="text-align: center;">✓</p> <p>The majority of lots proposed provide a minimum widths of 13m and depth of 30m, easily accommodating a 10x15m building envelope. Where these dimensions are not proposed, the lots have been larger to continue to accommodate a complying building envelope.</p>

<p><u>Rural and environmental protection zones (including land zoned R5 Large Lot Residential)</u></p> <ul style="list-style-type: none"> <li>DC.1.5 Each new lot shall contain a building envelope with a minimum area of 2000 square metres and a minimum dimension of 20 metres, to be flood free in a 1% AEP event, and free of significant vegetation, significant topographical /natural features, and more than 40 metres from a watercourse. The building envelope is to contain any dwelling, outbuildings, landscaping and on-site effluent treatment and disposal areas.</li> <li>DC.1.6 When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation.</li> </ul>	<p>N/A</p>
<p><u>Industrial and Commercial</u></p> <ul style="list-style-type: none"> <li>DC.1.7 Subdivisions of existing commercial developments must maintain compliance with any minimum floor space ratio contained in Maitland LEP 2011.</li> </ul>	<p>N/A</p>
<p><u>Access handles</u></p> <ul style="list-style-type: none"> <li>DC.1.8 Access handles and carriageways over them shall be in accordance with the table and associated notes below (Table 1 and Figure 1).</li> </ul>	<p>✓ Access handles have been designed in line with Table 1 and Figure 1.</p>
<ul style="list-style-type: none"> <li>DC.1.9 No more than 2 lots may be serviced by a reciprocal right-of-carriageway (ROC) which shall be centrally located within both access handles.</li> </ul>	<p>✓ Lot 206: &gt;3m Lots 318 &amp; 319: 6.7m Lot 512: 4m Lot 516: 4m Lot 1007: &gt;3m Lots 1008 -1009:6m</p>
<ul style="list-style-type: none"> <li>DC.1.10 Battle-axe lots without public frontage (i.e., road, park, reserve) are discouraged unless part of an integrated approval.</li> </ul>	<p>N/A None proposed</p>
<ul style="list-style-type: none"> <li>DC.1.11 When calculating lot size area where battle-axe or hatchet shaped allotments are permitted, the area of the access handle is to be excluded from the area calculation.</li> </ul>	<p>✓ All battle-axe lots are significantly over 450m<sup>2</sup>.</p>
<ul style="list-style-type: none"> <li>DC.1.12 Shared use handles are to be incorporated into the 10.0m chord frontage around sharp bends and cul-de-sacs to facilitate access width, parking and garbage collection. See Figure 2 and Table 1 below.</li> </ul>	<p>x Discussed in detail within SEE.</p>
<ul style="list-style-type: none"> <li>DC.1.13 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.</li> </ul>	<p>✓ No access ways service more than 2 lots.</p>
<p><b>DC.2 Solar Access and Energy Efficiency</b> <u>General Requirements</u></p>	<p>✓ Over 80% of the new lots have 5-star solar access.</p>

<ul style="list-style-type: none"> <li>• DC2.1 80% of new lots are to have 5-star solar access, and the remainder either 4 or 3 star.</li> </ul>	<p>The size, orientation, and shape of the lots is sufficient to ensure that future dwellings can get ample solar access to living and outdoor areas through the implementation of good design.</p>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	
<p><b>DC.3 Drainage, Water Quality &amp; Soil Erosion</b> <u>General Requirements</u></p> <ul style="list-style-type: none"> <li>• DC.3.1 – DC.3.11</li> </ul>	<p style="text-align: center;">✓</p> <p>Addressed within the compliance table within the SWMP.</p>
<p><b>DC.4 Landscape, Streetscape &amp; Visual Impact</b> <u>General Requirements:</u></p> <ul style="list-style-type: none"> <li>• DC.4.1 Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping and selection of other streetscape items including surface treatments and street furniture.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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</li> </ul>	<p style="text-align: center;">✓</p> <p>The specific landscaping elements proposed as part of this development include street tree planting along all proposed roads; basin appropriate planting; riparian corridor enhancement; buffer landscaping and fencing along the New England Highway; and inclusion of an open space lot retaining a large mature tree at the corner of NEH and Wyndella Road. Full details in this regard are provided within the Landscape Report and plans.</p>

<p>landscape quality of the reserve. Fencing shall comprise materials of darker colour/tones which blend more effectively with the landscape.</p>	
<p><b>DC.5 Effluent Disposal</b> <u>Residential Lots</u></p> <ul style="list-style-type: none"> <li>• DC.5.1 All new residential, industrial and commercial lots are to be connected to a reticulated sewerage system supplied by the Hunter Water Corporation or other approved supplier, unless there are unavoidable constraints.</li> <li>• DC.5.2 Lot size and layout must be adequate to allow appropriate effluent disposal systems to be provided for likely subsequent development.</li> <li>• DC.5.3 Effluent and wastewater should be disposed of in a manner which is consistent with the land capability of the property and in a manner that will not cause unhealthy or unsanitary conditions. There are to be no net cumulative effects on the environment.</li> <li>• DC.5.4 Where sewer is not available in rural areas (including Large Lot Residential areas or environmental zones) lots must be of sufficient size and containing suitable and to ensure that all effluent can be retained and disposed of on-site. Comprehensive site investigation will be required prior to any approval being granted for on-site disposal.</li> </ul>	<p style="text-align: center;">✓</p> <p style="text-align: center;">All residential allotments will be connected to a sewer reticulation system.</p>
<p><u>Rural and environmental zones (including land zoned R5 Large Lot Residential)</u></p> <ul style="list-style-type: none"> <li>• DC.5.5 The preferred method of effluent disposal for all new lots is by way of reticulated sewerage system. This can include the use of a community package treatment plant if Hunter Water Corporation reticulation is not available.</li> <li>• DC.5.6 Where a reticulated sewerage system is not envisaged in the long term, on- site disposal may be considered by Council. Detailed modelling will be required to assess the ability of land to accept the wastewater and consequently determine minimum lot sizes.</li> <li>• DC.5.7 All subdivision applications in unsewered areas must include an analysis of the feasibility of utilising innovative or centralised sewerage schemes that reuse waste water wherever possible as an alternative to single on-site sewage management facilities.</li> <li>• DC.5.8 Where areas of the site are unsuitable for on-site disposal, clustering of lots and provision of a common effluent system on a suitable area under a group title must be considered. On-site disposal where site characteristics are unsuitable will not be approved.</li> <li>• DC.5.9 No pump out systems will be permitted.</li> <li>• DC.5.10 All studies must be undertaken by persons with demonstrable</li> </ul>	<p style="text-align: center;">N/A</p>

<p>expertise in on-site effluent management and the capacity to incorporate catchment modelling techniques which are acceptable to Council.</p>	
<p><b>DC.6 Roads &amp; Access, Pedestrian &amp; Cycleways</b> <u>General Requirements</u> 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.</p>	<p style="text-align: center;">✓</p> <p>The road design has taken into account the natural features such as the riparian corridor on the southern portion of the site.</p>
<p>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.</p>	<p style="text-align: center;">✓</p> <p>The components within the control have been considered during design phase.</p>
<p>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.</p>	<p style="text-align: center;">✓</p> <p>To be assessed as part of the SWC.</p>
<p>DC.6.4 Road widths and geometry in all subdivisions must accommodate necessary service and emergency vehicles.</p>	<p style="text-align: center;">✓</p> <p>The roads have been designed to allow for emergency vehicles to manoeuvre around the subdivision.</p>
<p>DC.6.5 Roads and access to public roads shall be designed and constructed in accordance with Council's Manual of Engineering Standards (MOES).</p>	<p style="text-align: center;">✓</p> <p>The roads have been designed in accordance with Council's Manual of Engineering Standards (MOES).</p>
<p>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).</p>	<p style="text-align: center;">✓</p> <p>No direct access to NEH.</p>
<p>DC.6.7 Roads and intersections serving new rural and large lot residential subdivisions may require upgrading in accordance with the provisions of Council's MOES.</p>	<p style="text-align: center;"><b>N/A</b></p> <p>The proposed does not involve any rural or large lot residential.</p>
<p>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:</p> <ul style="list-style-type: none"> <li>• Opposing bus stops shall be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters.</li> <li>• Placed on departure side of refuge/crossings, and from intersections</li> <li>• preference against parks/public land where possible.</li> <li>• Vehicle access to lots shall be demonstrated, driveway construction and 88b restrictions may be warranted</li> <li>• proposed stops shall be marked on sales plan to notify buyers</li> <li>• Provide public stops with centre refuge and concrete blisters in parking</li> </ul>	<p style="text-align: center;">✓</p> <p>A bus route will be provided along Wyndella Road and the proposed east-west primary distributor road. An existing bus route exists on NEH. Accordingly, all future allotments will be located within 400m of a bus route. Final bus stop locations will be subject to the requirements of TfNSW and local bus operator, which is typically determined as part of the detailed design phase.</p>

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 subdivision.	✓ Provided.
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.	✓ The subdivision has been designed consistent with the Lochinvar URA. This is discussed in greater detail below.
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.	✓ Provided within concept engineering plans and discussed within the Bushfire Assessment Report.
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.	✓ The layout has been largely based on a permeable grid layout.
DC.6.15 Cul-de-sacs and pedestrian laneways shall be avoided, where unavoidable cul-desac 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.	✓ MC08 is less than 200m in length.
DC.6.16 Maximise connectivity to bus stops, community facilities, open space and attractors through orientation of street blocks and public land.	✓ All proposed lots will be within 400m of a bus route, pedestrian network and local park.
DC.6.17 Orientation of street blocks is preferable 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.	✓ Discussed above.
DC.6.19 Land slopes of 6% or greater shall generally run downhill unless demonstrated that earthworks will be minimized for the development.	
DC.6.20 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).	✓ The proposed open space lots and riparian corridor are surrounded by at least three roads, with the basins bound by two roads.



<p>DC.6.21 Public parks shall be located on trunk roads for easy wayfinding and be surrounded by roads on 3 to 4 sides.</p>	
<p>DC.6.22 Intersection spacing shall follow best practice including:</p> <ul style="list-style-type: none"> <li>• minimum 40m stagger of intersections on opposing sides, 60m on same side</li> <li>• minimum 100m stagger on opposing sides, 120m on same side for trunk roads on trunk road,</li> <li>• four-way intersections on trunk roads shall be roundabouts, T-intersections, or lights</li> </ul>	<p style="text-align: center;">✓</p> <p>All intersections have a 40m stagger on opposing sides from the centreline of the road on local roads.</p> <p>All intersections on the same side of the road are 60m or more from the centreline of the cross road.</p> <p>No four-way intersections are proposed on the distributor road.</p> <p style="text-align: center;">x</p> <p>The distributor road does not meet the minimum 100m stagger on opposing sides, 120m on same side for trunk roads on trunk road. This is discussed within the SEE.</p>
<p><u>Residential Subdivisions</u></p> <ul style="list-style-type: none"> <li>• DC. 6.23 Street block lengths shall be a maximum length of: <ul style="list-style-type: none"> <li>○ 180m desirable, 250m maximum for local streets</li> <li>○ 180m for residential streets running parallel against trunk roads</li> <li>○ Generally 70m deep for residential</li> </ul> </li> </ul>	<p style="text-align: center;">✓</p> <p>All streets blocks are less than 250m in length.</p> <p style="text-align: center;">x</p> <p>Roads south of the distributor running parallel to this road achieve a maximum length of 180m, with the exception of the blocks bordered by MC02/MC10/MC4/MC9. This is discussed within the SEE.</p> <p style="text-align: center;">✓</p> <p>Block widths are generally between 60-65m, with the exception of one block which exceeds 70m. The block bordered by MC05/MC14/MC16/MC13 has a depth of 90m, which results in two battle-axe lots: Lots 512 and 516. To achieve the maximum depth of 70m, the adjoining blocks could all be increased in size, or an additional road could be provided. Each of these solutions would result in a reduction of lots which is considered to represent an inefficient use of residentially zoned land. It is noted this control is a preference only, owing to the word “generally”, and as such deviation in this regard is considered acceptable without further consideration within the SEE.</p>
<ul style="list-style-type: none"> <li>• 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</li> </ul>	<p style="text-align: center;">✓</p> <p>The footpaths and cycleways have been designed in accordance with Council's Manual of Engineering Standards.</p>

<p><i>Standards, and in view of streets wherever possible to allow surveillance.</i></p>	
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p style="text-align: center;">✓</p> <p>Pedestrian links to the various schools along NEH are provided via the shared pathways on the distributor road and Wyndella Road.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p style="text-align: center;">✓</p> <p>A comprehensive footpath and shared pathway network has been provided to connect future bus routes and the proposed open spaces.</p>
<p><b>DC.7 Crime Prevention – Safer By Design</b> <u>General Requirements</u></p> <ul style="list-style-type: none"> <li>DC.7.1 Clear sightlines between public and private places.</li> </ul>	<p style="text-align: center;">✓</p> <p>Clear sightlines are available between public and private places. Lots are oriented so that future dwellings will face the street allowing for natural surveillance opportunities. Roads adjoin the open spaces on three sides.</p>
<ul style="list-style-type: none"> <li>DC.7.2 Landscaping that makes places attractive, but does not provide offenders with places to hide or entrap victims.</li> </ul>	<p style="text-align: center;">✓</p> <p>Street trees proposed will all mature to have a clear trunk at eye level. Riparian corridor planting will include lower shrubbery for rehabilitation purposes. Further details in this regard will be provided at SWC stage where Council can consider whether it is appropriate to have access controls. This; however, is unlikely to be necessary given both sides of the corridor will be bordered by pedestrian footpaths, as well as the 4.5m wide fire access track and shared pathway long Wyndella Road.</p>
<ul style="list-style-type: none"> <li>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 narrow paths.</li> </ul>	<p>Conditions of consent are able to be applied in this regard to be incorporated into the VMP and SWC landscape plans.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	
<ul style="list-style-type: none"> <li>DC.7.5 Lots created should be designed so buildings face outwards towards public and semi-public areas to provide natural surveillance opportunities.</li> </ul>	
<ul style="list-style-type: none"> <li>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</li> </ul>	<p style="text-align: center;">✓</p> <p>Lot orientation and casual surveillance from the street network has been addressed above. Further specific controls with regards to landscaping, fencing and lighting can be added as conditions of consent if deemed necessary.</p>

<p>situations).</p>	
<ul style="list-style-type: none"> <li>DC.7.7 Council may require a report from a suitably qualified lighting engineer for lighting of public areas within subdivisions.</li> </ul>	
<ul style="list-style-type: none"> <li>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.</li> </ul>	
<ul style="list-style-type: none"> <li>DC.7.9 In some cases public areas may need to have restricted access, particularly at night, to prevent vandalism and anti-social behaviour.</li> </ul>	
<p><b>DC.8 Site Filling</b></p> <ul style="list-style-type: none"> <li>DC.8.1 Earthworks require development consent of Council under the provisions of the Maitland LEP 2011, unless either exempt or complying development.</li> <li>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.</li> </ul>	<p style="text-align: center;">✓</p> <p>Details in this regard are provided within the Concept Engineering plans.</p>
<ul style="list-style-type: none"> <li>DC.8.3 An absolute maximum fill depth of 2m will be considered by Council.</li> </ul>	<p style="text-align: center;">✗</p> <p>Some areas of fill will exceed 2m. This is discussed within the SEE.</p>
<p><b>DC.9 Reticulated Services (Water/Sewer/Electricity/Telecommunications)</b></p> <p><u>Water and Sewer</u></p> <ul style="list-style-type: none"> <li>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.</li> <li>DC.9.2 Council's preference is for all new large residential lots (including land zoned C4 Environmental Living) to be connected to reticulated sewer. This can include the use of a community package treatment plant if Hunter Water Corporation reticulation is not available. If no reticulated sewer, effluent disposal to be undertaken in accordance with requirements contained in "Effluent Disposal" Design Element below. Submission to Council of a Section 50 Certificate from the Corporation prior to issue of Subdivision Certificate (Endorsed "linen" plan).</li> </ul>	<p style="text-align: center;">✓</p> <p>An internal reticulated service system is proposed as part of the DA. Any WWPSs required will be assessed by Hunter Water as a separate process to the DA.</p>
<p><u>Electricity</u></p> <ul style="list-style-type: none"> <li>DC.9.3 Underground low voltage electricity supply to all new residential lots (including land zoned C4 Environmental Living) to the requirements of</li> </ul>	<p style="text-align: center;">✓</p> <p>Underground electricity facilities will be provided within the footpath reservation throughout the subdivision. Full details of these facilities</p>

<p>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.</p> <ul style="list-style-type: none"> <li>• DC.9.4 For industrial and commercial lots, underground electricity supply shall be provided to all new lots, to the requirements of Energy Australia or other approved electricity provider, unless Council and the provider determine otherwise.</li> <li>• DC.9.5 Low voltage electricity supply must be available to the boundary of all new rural lots in accordance with requirements of Energy Australia or other approved provider.</li> <li>• 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.</li> <li>• 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;</li> </ul>	<p>will be provided with the engineering design as part of the SWC.</p>
<p><u>Street Lighting</u></p> <ul style="list-style-type: none"> <li>• DC.9.8 Street lighting shall not be provided for low-density residential subdivisions, unless special circumstances (consistent with AS1158) warrant installation.</li> <li>• DC.9.9 Street or road lighting shall not be provided for rural subdivisions.</li> </ul>	<p style="text-align: center;">✓</p> <p>Full details with regards to street lighting will be provided with the engineering design as part of the SWC.</p>
<p><u>Telecommunications</u></p> <ul style="list-style-type: none"> <li>• DC.9.10 Telephone connection to be available to all new lots in accordance with the requirements of Telstra or other approved provider.</li> </ul>	<p style="text-align: center;">✓</p> <p>Underground telephone facilities will be provided within the footpath reservation throughout the subdivision. Full details of these facilities will be provided with the engineering design as part of the SWC.</p>
<p><u>Low density residential lots</u></p> <ul style="list-style-type: none"> <li>• 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).</li> </ul>	<p style="text-align: center;">✓</p> <p>Where stormwater cannot be captured by rainwater tanks, it will be collected either by the road drainage system or the inter-allotment drainage network and disposed of through outlets into the proposed basins.</p>
<p><b>IC.1 Entry Features</b></p> <ul style="list-style-type: none"> <li>• 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.</li> </ul>	<p style="text-align: center;">✓</p> <p>A simple entry feature is proposed. Details in this regard are provided within the Landscape plans.</p>
<ul style="list-style-type: none"> <li>• 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.</li> </ul>	<p style="text-align: center;">✓</p> <p>The development proposed more than 50 lots.</p>

<ul style="list-style-type: none"> <li>IC.1.3 Entry features shall be limited to one pair at the primary entrance to a new subdivision.</li> </ul>	<p style="text-align: center;">✓</p> <p>The entry feature is proposed on either side of the entry to the development from Wyndella Road.</p>
<ul style="list-style-type: none"> <li>IC.1.4 Entry features can only display the name of the estate NOT street names.</li> </ul>	<p style="text-align: center;">✓</p> <p>The entry feature proposed a stone wall with the words "Wyndella Road Estate" atop.</p>
<ul style="list-style-type: none"> <li>IC.1.5 Entry features shall only be located on privately owned land.</li> </ul>	<p style="text-align: center;">✓</p> <p>The entry feature is located on the corners of Lots 602 and 609.</p>
<ul style="list-style-type: none"> <li>IC.1.6 Entry features for residential subdivisions shall be limited to a size of 20m<sup>2</sup> with a maximum height of 2m. The size of entry features for industrial and commercial estates will be considered on merit.</li> </ul>	<p style="text-align: center;">x</p> <p>The height of the proposed entry feature is 2.275m with a length of approximately 30m. This is discussed within the SEE.</p>
<ul style="list-style-type: none"> <li>IC.1.7 In certain circumstances the erection of entry features may be considered at a later stage but must comply with the guidelines.</li> </ul>	<p style="text-align: center;">N/A</p>
<p><b>IC.2 Street names</b> 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.</p>	<p style="text-align: center;">✓</p> <p>Can be added as condition of consent.</p>
<p><b>IC.3 house/Lot Numbering</b> 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.</p>	<p style="text-align: center;">✓</p> <p>Noted</p>
<b>C.11 VEHICLE ACCESS &amp; CAR PARKING</b>	
<b>1. General Requirements</b>	<b>Complies?</b>
<p><u>1.2 Calculation of Parking Requirements</u> The minimum number of parking spaces to be provided for a particular development is to be calculated in accordance with <b>Appendix A</b> of this policy.</p>	<p style="text-align: center;">N/A</p> <p>No parking facilities are proposed or required as part of this subdivision.</p>
<b>2. Guidelines for the Design, Layout and Construction of Access and Parking Areas</b>	<b>Complies?</b>
	N/A
<b>3. Loading/Unloading Requirements</b>	<b>Complies?</b>
	N/A
<b>4. Car Parking for Persons with a Disability</b>	<b>Complies?</b>
	N/A
<b>5. Bicycle Parking</b>	<b>Complies?</b>
	N/A

<b>6. Major Traffic Generating Development</b>	<b>Complies?</b>
Where it is considered that a traffic generating development may have a major impact on the traffic movement within a given locality, Council may require the applicant to arrange for the preparation and submission of a Traffic and Parking Study, by a qualified professional. In this regard, the Roads and Traffic Authority's publication "Guide to Traffic Generating Developments" provides relevant information.	<p style="text-align: center;">✓</p> <p>The subdivision proposes more than 200 allotments and is therefore considered to represent traffic generating development pursuant to Schedule 3 of SEPP (Transport and Infrastructure) 2021. A TIA has been prepared in this regard.</p>
<b>7. State Environmental Planning Policy (Infrastructure) 2007</b>	<b>Complies?</b>
Council is required to consult with Transport for New South Wales to obtain advice on traffic and safety aspects for certain traffic-generating developments.	Noted
<b>C.12 – CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN</b>	
<p>The following developments shall include a detailed Crime Prevention through Environmental Design assessment that is prepared by an accredited person.</p> <ul style="list-style-type: none"> <li>• New centres</li> <li>• Mixed use residential/commercial development</li> <li>• Medium and high-density residential development</li> <li>• Subdivisions involving newly developing areas</li> <li>• Parks and open space or publicly accessible areas</li> <li>• Community uses</li> <li>• Sport, recreation and entertainment areas</li> <li>• Other high use areas or developments where crime may be an issue.</li> </ul>	<p style="text-align: center;">✓</p> <p>A CPTED assessment has been included within the SEE.</p>
<b>PART D LOCALITY PLANS</b>	
<p><b>N/A</b></p> <p>The site is not located within the locality of Ashtonfield South, Bolwarra Heights, Greta (Orient Street), Lochinvar (St Helena Village), Louth Park (Waterford Estate), Tenambit, Thornton (Woodlands Estate), West Bolwarra Heights or West Rutherford.</p>	
<b>PART E SPECIAL PRECINCTS</b>	
<p><b>N/A</b></p> <p>The subject site is not within any of the special precincts within Part E.</p>	
<b>PART F URBAN RELEASE AREAS</b>	
<b>F.2 RESIDENTIAL URBAN RELEASE AREAS</b>	
<b>1. Desired Future Outcomes</b>	<b>Complies?</b>
All development should demonstrate consistency and consideration of the following principal desired future outcomes for Residential Urban Release	<p style="text-align: center;">✓</p> <p>The subdivision has been designed in accordance with the Lochinvar Area Plan and Structure Plan which was adopted by</p>

Areas...	Council and is recognised as providing for desired future outcomes in terms of walkability, sense of place, street amenity, public transport, allotment variety, environmental sensitivity and affordability.
<b>2. Design Considerations</b>	<b>Complies?</b>
<i>The preparation of Area Plans and Precinct Plans (where required) for land within an Urban Release Area shall demonstrate compliance with the following general Objectives and Design Criteria. Precinct Plans may include additional objectives and design criteria for site-specific issues.</i>	✓ The subject site is located within an urban release area which is subject to the Lochinvar Area Plan.
<b>2.1 Traffic &amp; Connectivity</b> Submission Requirements: <i>Independent Traffic and Transport Studies are required with Development Applications for subdivision to determine the extent of road works, intersection upgrades and ancillary vehicular and pedestrian/cycleway infrastructure requirements generated by the development.</i>	✓ The TIA has been prepared for the subject DA addressing these requirements.
<b>2.2 Subdivision Design</b> Submission Requirements: <i>Development applications for subdivision must include Staging Plans, an analysis and statement as to the intentions and philosophy of proposed layouts, lot sizes, shapes and likely development densities, so that residents have a clear understanding of the likely future neighbourhood character.</i>	✓ Staging Plans have been provided within Subdivision plans. Discussion on site analysis, the intentions and philosophy of the proposed layout, lot sizes, shapes and densities is provided within the SEE.
<b>2.3 Building Form</b> Submission Requirements: <i>Fencing details for all fencing that fronts rural or environmental land, a public space or road are required to be submitted to Council for approval with Development Applications for subdivision. Fencing adjacent to classified roads must be installed at the subdivision development stage to the satisfaction of Council.</i>	✓ Rural style fencing is proposed along the interface of NEH which is documented in the Landscape Plans.
<b>2.4 Visual &amp; Scenic Amenity</b> Submission Requirements: <i>Council may require that a Visual Impact Assessment be prepared to accompany Development Applications for subdivisions and other development that are likely to have a visual impact on the area, and to include proposed ameliorative measures.</i>	✓ The comprehensive landscape design and significant setback to NEH will ensure that the development has minimal impact on the visual amenity of the area taking into consideration, the sites location within an urban growth area.  Consideration to visual impacts is also provided within the SEE.
<b>2.5 Water Cycle Management &amp; Sediment &amp; Erosion Control</b> Submission Requirements: <i>S.1 Developers will be required to produce a "Sediment and Erosion Control Plan" in accordance with the NSW Department of Housing guidelines Managing Urban Stormwater: Soils and Construction – the "Blue Book" as part</i>	✓ A SWMP has been prepared which includes proposed erosion and sedimentation control measures as well as an assessment of water quality and quantity, and flooding.

<p>of any development application for subdivision. The plan will also include practical measures for mitigating erosion and controlling sediment during construction. Other detailed plans may be required as a condition of any subdivision approval.</p> <p>S.2 A Stormwater Drainage Analysis, addressing the water quality and quantity (having regard to all contributing catchments and downstream water bodies), the 1% AEP Hunter River Flood Level (where relevant) and the 1% AEP storm event, is to be submitted with Development Applications for subdivision.</p>	
<p><b>2.6 Landscaping, Streetscape &amp; Open Space Areas</b> Submission Requirements:</p> <p>S.1 Landscaping Plans are required to be submitted with Development Applications for subdivision for approval by Council. Landscape plans must include details for all streets and public spaces, identifying appropriate street tree species, fencing requirements, landscape elements, water bodies and street furniture.</p> <p>S.2 The Landscape Plans are to be accompanied by a Landscape Strategy that demonstrates how the proposed landscaping achieves the identified outcomes for the development.</p>	<p style="text-align: center;">✓</p> <p>Landscape plans including this detail have been provided.</p>
<p><b>2.7 Noise &amp; Vibration</b> Submission Requirements Council will require independent acoustic and vibration assessments to be submitted with relevant Precinct Plans and Development Applications that adjoin incompatible land uses.</p>	<p style="text-align: center;">✓</p> <p>A road traffic noise assessment has been undertaken with respect to NEH. The assessment concluded no mitigation measures are required as part of the proposed development, aside from setbacks which can be easily accommodated as part of the layout.</p>
<p><b>2.8 Key Development Sites</b> Precinct Plans are to include concept designs and site plans for any Key Development Sites identified in the Area Plan.</p>	<p style="text-align: center;">✓</p> <p>Development facing NEH has been identified as a key development site. Additional controls have been applied to this area and these have been addressed within Chapter F9.</p>
<b>F.9 LOCHINVAR URBAN RELEASE AREA</b>	
<b>1. Development Requirements</b>	<b>Complies?</b>
<p><b>1.1 Staging Plan</b> 1. Staging of the urban release area should be generally in accordance with Figure 58.</p>	<p style="text-align: center;">✓</p> <p>The site is identified within Stage 3 of the Lochinvar URA Staging Plan. Although adjoining lands are identified as Stage 2, and yet to be developed, this development application demonstrates that the proposed development is not dependent on Stage 2 lands to proceed, particularly in relation to the provision of services, utility infrastructure, drainage, and open space. This is discussed in greater detail within the SEE.</p>
<p>2. The Lochinvar URA Staging Plan is to be read in conjunction with the</p>	Noted



<p><i>Lochinvar Structure Plan, the Lochinvar Section 94 Contributions Plan and the Maitland Section 94 Contributions Plan (Citywide).</i></p>	
<p>3. Development Applications will need to consider road and drainage infrastructure connection and sequencing in accordance with threshold limitations.</p>	<p style="text-align: center;">✓</p> <p>The proposed development considers road and drainage infrastructure connection and sequencing in accordance with threshold limitations. The necessary road and drainage infrastructure will be provided to mitigate the impacts of the development. Refer to SWMP and TIA for further detail.</p>
<p>4. Development Applications will require evidence of satisfactory arrangements for essential services, including water and wastewater servicing. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services.</p>	<p style="text-align: center;">✓</p> <p>The HWC Strategies for sewer and water was approved in 2007 and 2011 for the Lochinvar URA, which confirmed the site can be serviced. More recent consultation with HWC has occurred to determine site specific requirements, which will be refined in due course in consultation with HWC.</p> <p>All allotments will be connected to water and wastewater services, prior to registration.</p>
<p>5. Development Applications shall incorporate road networks, stormwater detention areas, active and passive recreation areas, consistent with the overall staging and intended development outcomes for the Lochinvar URA.</p>	<p style="text-align: center;">✓</p> <p>The proposed development incorporates a road network, stormwater detention and land for passive recreation areas, that does not compromise the overall staging and development outcomes of the Lochinvar URA, and having regard to the s7.11 Plan and mapping contained in F.9.</p>
<p>6. Where it can be demonstrated that only a minor upgrade is required to existing water and wastewater infrastructure in order to enable any proposed urban development within the Lochinvar URA to be serviced (irrespective of Figure 58), Council shall require evidence of satisfactory arrangements from Hunter Water Corporation to support any Development Application for that land. In such circumstances, adherence to the Lochinvar URA Staging Plan (Figure 58) will be unnecessary.</p>	<p>New water and wastewater infrastructure will be required in order to enable the proposed development to be serviced. Such infrastructure will be delivered by the Developer, in accordance with the requirements of HWC. As the infrastructure will be delivered by the developer, and to the satisfaction of HWC, it is considered adherence to Figure 58 is not necessary.</p>
<p>7. Where any proposal is made to amend the proposed Lochinvar URA Staging Plan (Figure 58) for reasons relating to infrastructure upgrades that may increase capacities within each stage of the Lochinvar URA, any such proposal would need to be informed by variations to the water and wastewater servicing strategies prepared by Parsons Brinckerhoff in August 2011, and would need to be endorsed by Hunter Water Corporation, as occurred with those previous strategies.</p>	<p style="text-align: center;">N/A</p>
<p><b>1.2 Transport and Movement</b></p> <p>1. Development Applications are to include an overall transport movement</p>	<p style="text-align: center;">✓</p> <p>Details of the overall transport movement hierarchy are contained in the Concept Engineering Plans.</p>

<p>hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.</p>	
<p>2. The overall movement hierarchy for each Development Application for urban development should be consistent with Figure 57 and Figure 59.</p>	<p style="text-align: center;">✓</p> <p>The overall movement hierarchy is consistent with Figures 57 and 59, as the proposed development will:</p> <ul style="list-style-type: none"> <li>• Provide key north-south and east west road linkages, including on- and off-road cyclist infrastructure;</li> <li>• Include road widening along Wyndella Road; and</li> <li>• Accommodate the future construction of the fourth leg to the NEH signalised intersection.</li> </ul>
<p>3. The overall pedestrian and cycleway links should be consistent with Figure 59, and the Recreation and Community Facilities Plan, which is identified in the associated Lochinvar Section 94 Contributions Plan.</p>	<p style="text-align: center;">✓</p> <p>Pedestrian and cycleway links comply with Figure 59.</p> <p>The only cycleway / shared path facility identified within the s7.11 Plan is an off-road trail (L35). This infrastructure is not located within or within the vicinity of the development site.</p>
<p>4. The primary access for residential development in Stage 1 of the Lochinvar Urban Release Area is to be provided off the New England Highway, in accordance with Figure 57.</p>	<p style="text-align: center;"><b>N/A</b></p>
<p>5. Perimeter roads as per Figure 60 shall be a minimum pavement of 8 metres wide. Pavement widening may need to be increased subject to lot catchment yield. Additional parking in between the road pavement and off road shared path shall be provided at points of interest, e.g. parks, open space.</p>	<p style="text-align: center;">✓</p> <p>A perimeter road is proposed along the northern boundary of the site, as per Figure 60. The perimeter road carriageway has a minimum width of 8m.</p>
<p>6. No new lot shall have direct vehicular access to the New England Highway or Winders Lane</p>	<p style="text-align: center;">✓</p> <p>No lots will have direct vehicular access to the NEH. Access will be via a local road.</p>
<p>7. Subdivisions adjacent to the New England Highway should orientate allotments and dwellings to face the main road, with suitable internal roads providing access, and suitable landscaping separating the allotment boundaries and main road.</p>	<p style="text-align: center;">✓</p> <p>Future dwelling orientation will be assessed under future DAs. A landscape buffer has been provided to the interface of NEH which would screen dwelling frontages from this point. It is also considered that it would be more appropriate to orient future dwellings towards the internal road in order to overlook the riparian corridor, similar to those approved in the development to the south (Hereford Hill).</p>
<p>8. Development Applications shall consider the proximity of the nominated community facilities and recreation areas identified in the subject DCP chapter and the relevant Section 94 Contributions Plan applying to the Lochinvar URA when designing subdivision layouts and movement linkages</p>	<p style="text-align: center;">✓</p> <p>Consideration has been given to the community and recreation areas nominated in the s7.11 Plan. Linkages are provided to the two park locations required within the development site (identified as L2</p>

<p>between adjoining sites.</p>	<p>and L3 in the s7.11 Plan). Future development of adjoining sites will have the ability to connect to the road and shared path network.</p>
<p>9. Land is to be developed in walkable distances of up to 400m to a bus route, pedestrian network and local park, to promote sustainable communities.</p>	<p style="text-align: center;">✓</p> <p>All proposed lots will be within 400m of a bus route, pedestrian network and local park.</p>
<p>10. Development Applications shall incorporate road networks that support the overarching traffic study for the Lochinvar URA in accordance with Figure 57, Figure 59 and Figure 60 of this DCP.</p>	<p style="text-align: center;">✓</p> <p>The proposed road network is generally consistent with Figures 57, 59 and 60 of the DCP.</p> <p>It is noted that Wyndella Road is proposed to be constructed as a Primary Collector Road under this development application, rather than a Primary Distributor Road (as identified in Figure 60 of the DCP). This is on the basis that the development only generates demand for a Primary Collector Road. However, the proposed roads upgrades to Wyndella Road have been designed in a manner that allows the remainder of the upgrade to occur by others, if and when surrounding development proceeds. In this regard, it is considered to be consistent with the intent of the DCP.</p>
<p>11. Traffic management facilities for the Lochinvar URA are to be provided in accordance with Figure 57 and the relevant provisions of the Lochinvar Section 94 Contributions Plan.</p>	<p style="text-align: center;">✓</p> <p>The relevant traffic management facilities will be provided in accordance with Figure 57 and the s7.11 Plan, namely the proposed NEH intersection (L26), to be constructed under a separate process to the subject DA.</p>
<p>12. Development Applications are to be supported by appropriate Traffic Impact Assessments (as required by the NSW Roads and Maritime Services), in order to ensure that capacity exists in the local road network to accommodate the anticipated overall development yield for the Lochinvar URA.</p>	<p style="text-align: center;">✓</p> <p>It is understood that TfNSW has designed the NEH intersection to accommodate all traffic associated with the LURA. Notwithstanding, a traffic impact assessment has been prepared to inform this development application, confirming that the local road network has sufficient capacity to accommodate the proposed development.</p>
<p>13. The subdivision layout shall provide well connected and multiple route options for all modes of transport (pedestrian, cycle, bus and vehicle). The design of pedestrian, cycle and bus routes shall take precedence over vehicle routes. The provision of roads suitable for bus services shall provide for an adaptable growing network.</p>	<p style="text-align: center;">✓</p> <p>The proposed subdivision layout provides well-connected and multiple route options for all modes of transport. This includes a network of pathways and shared pathways for pedestrians and cyclists, a bus route and a logical road network that responds to site constraints for motorists.</p>
<p>14. Bus routes shall be provided to facilitate 400 metres maximum walking distance for primary routes with bus stop location generally around 300m spacing.</p>	<p style="text-align: center;">✓</p> <p>A bus route will be provided along Wyndella Road and the proposed east-west primary distributor road. An existing bus route exists on NEH. Accordingly, all future allotments will be located</p>

	within 400m of a bus route. Final bus stop locations will be subject to the requirements of TfNSW and local bus operator, which is typically determined as part of the detailed design phase.
15. Subdivision shall provide transport infrastructure such as pedestrian facilities (i.e. refuges/crossing points, footpath and cycle routes) and bus facilities (i.e. laybys, stops, shelters) for future and current school and public bus services.	✓ Discussed above.
16. Public infrastructure shall to be upgraded on public land as deemed necessary as a result of; the increased demand, to connect to nearby, or as listed in council documents. i.e. footpaths, road and drainage infrastructure, pedestrian and bus facilities.	✓ The proposed development has been designed in accordance with the relevant LURA planning documents, including this Area Plan and the s7.11 Plan, which accommodate the subject development and all future development in the vicinity of the site. Upgrade to additional existing public infrastructure is not deemed necessary.
17. Some existing roads are subject to road widening as shown in Figure 57. Consultation with Council is required to determine relevant widths and if the subject road is identified in the Lochinvar Section 94 Contributions Plan.	✓ Figure 57 shows road widening along Wyndella Road. Road widening is proposed along the western side of Wyndella Road, as part of this development application.  The Applicant sought feedback from Council regarding the required width; however, advice was not provided. Notwithstanding, the proposed development provides road widening to accommodate the roads proposed under this development.
18. The following roads have pavement and verge widths that are substandard to MOES as they are retrofitting existing laneways to residential streets: • Station Lane to Robert Road from New England Highway to Christopher Road; • Christopher Road to Gregory Street from Station Lane to Robert Road.	N/A
<b>1.3 Overall Landscaping Strategy</b> 1. Each Development Application is to include a landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, visually prominent locations, noise sensitive areas, and detailed landscaping requirements for the public and private realm.	✓ Landscape design has been prepared which incorporates the protection and enhancement of riparian corridors, a landscape buffer along the visually prominent and noise sensitive NEH interface, and detailed landscaping treatments for other public domain areas proposed under this application, including street tree planting throughout the subdivision and planting for the bioretention basins.
2. Landscaping will be required on land adjacent to major intersections, all collector roads, Station Lane, Northern access roads and Southern Ring Road so as to soften the visual impact of all built elements, creating attractive streetscapes when viewed by passing traffic and pedestrians.	✓ Landscaping can be provided at the NEH / Wyndella Road intersection, once the design parameters are known. Landscape treatment will be incorporated into the relevant planning

	application for those works.
3. From the Western approach into Lochinvar, avenue type plantings are to be provided on the approach to the St Helena intersection and continue on towards the Windermere Road intersection. On the Eastern approach, it is recommended that avenue type plantings be provided from the Wyndella Road intersection, representing the gateway into Lochinvar from Rutherford, through to the civic precinct, taking care not to screen the buildings or their visual catchment not to screen the buildings or their not to screen the buildings or their visual catchment.	<p><b>N/A</b></p> <p>The proposed development provides a landscape buffer along its NEH interface, consistent with the approved Hereford Hill development on the southern side of NEH. A uniform outcome is considered appropriate for the setting.</p> <p>If Council wish to pursue a different landscape outcome in addition to the proposed and approved landscape treatments, to ensure a coordinated approach, it is recommended that this be designed and co-ordinated by council so that the same species and timing are all co-ordinated and not done in a piecemeal manner as it would be if done by individual developers.</p>
4. The landscaping strategy shall provide a 15-metre landscaping buffer adjoining the Southern extent of the Freeman Drive large lot residential subdivision, within the nominated 'Freeman Drive 15m vegetation buffer' shown in Figure 56.	<p><b>N/A</b></p> <p>The site does not adjoin Freeman Drive.</p>
5. The landscaping strategy shall provide extensive tree planting to the edge of existing riparian areas, with visual breaks where streets terminate in views to the riparian areas.	<p>✓</p> <p>The Landscape Plans detail tree planting of the existing riparian corridor is proposed, appropriate to its setting.</p>
6. Subdivision design shall have regard to the integration of existing residences within the Lochinvar URA with any new development, including, where deemed necessary, the provision of suitable landscape treatments to provide visual relief and minor separation distance between existing and future residential developments.	<p><b>N/A</b></p> <p>The site does not directly adjoin any existing residences within the LURA.</p> <p>One existing residence occurs approximately 25m to the east (880 New England Highway). Given the separation distance and the fact it will be adjoined by large residential lots and the vegetated riparian corridor, further design consideration is not warranted.</p>
7. Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands by orienting streets and locating public space to capture views.	<p>✓</p> <p>Future dwellings along Wyndella Road and the northern perimeter road will have the ability to take advantage of surrounding rural landscapes through the proposed orientation of streets.</p> <p>The proposed local parks will also capture views. The northern park is located on an elevated position within the subdivision, allowing for views of Lochinvar. The southern park will benefit from outlooks to the rural landscape to the east and the riparian corridor to the north.</p>

<p>8. Future subdivision design is to incorporate the areas of native vegetation into the character and design of the development, and provide for links between areas of remnant vegetation creating improved habitat value and filter strips along watercourses.</p>	<p style="text-align: center;">✓</p> <p>Minimal vegetation and linkages exist on the site. The proposal involves the retention of and supplementary planting of riparian vegetation, which will result in an improvement to the biodiversity values on the site.</p>
<p>9. Identification and retention of hollow bearing trees and mature trees is necessary when preparing Development Applications and considering future subdivision design.</p>	<p style="text-align: center;">✓</p> <p>As outlined in the Ecological Assessment Report, the site is comprised predominately of pasture improved grass lands with scattered native canopy trees. No hollow bearing trees were found on site. Riparian vegetation will be retained and supplemented, representing an improvement to the biodiversity value of the site.</p>
<p>10. Riparian buffers shall be maintained around identified watercourses, in accordance with relevant State Government guidelines pertaining to minimum buffer widths.</p>	<p style="text-align: center;">✓</p> <p>The proposed subdivision has been designed having regard to the relevant NRAR Guidelines. The southern watercourse has been identified as a first order stream through ground-truthing by AEP, the project ecologist. Accordingly, a minimum buffer width of 10m has been adopted.</p>
<p>11. Future development and landscaping is to recognise the cultural plantings located at St Helena (along the New England Highway) and Clifton, and where necessary, shall be designed to complement rather than compete with established features.</p>	<p style="text-align: center;">N/A</p>
<p><b>1.4 Passive &amp; Active Recreational Areas</b> 1. The network of passive and active recreational areas should be provided generally in accordance with Figure 59.</p>	<p style="text-align: center;">N/A</p> <p>Figure 59 does not show any recreation or active recreational areas shown within the site.</p>
<p>2. Subdivision of land and the network of passive and active recreational areas should be consistent with that identified in Figure 59 and Community Facilities Plan, which is identified in the associated Lochinvar Section 94 Contributions Plan.</p>	<p style="text-align: center;">✓</p> <p>The s7.11 plan identifies two local parks within the development site, identified as L2 and L3 in the s7.11 plan. The proposed development provides two 5,000m<sup>2</sup> park locations, in the general locations nominated by Map 2 of the s7.11 Plan</p>
<p><b>1.5 Stormwater &amp; Water Quality Management Controls</b> Controls 1 – 21.</p>	<p style="text-align: center;">✓</p> <p>Addressed within the compliance table within the SWMP.</p>
<p><b>1.6 Amelioration of Natural &amp; Environmental Hazards</b> 1. Development Applications are to provide for the amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected.</p>	<p style="text-align: center;">✓</p> <p>Refer to individual responses below.</p>
<p>2. Submission of a bushfire threat assessment is a requirement for any Development Application involving bushfire prone land within the Lochinvar URA.</p>	<p style="text-align: center;">✓</p> <p>A Bushfire Assessment Report has been prepared confirming that the bushfire risk can be mitigated through the implementation of</p>

	bushfire protection measures, including APZs and perimeter roads. The recommended measures have been adopted as part of the subdivision design.
3. Development Applications will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.	✓ A geotechnical assessment has been undertaken in this regard.
4. Phase 1 site contamination studies are required for each Development Application, with Phase 2 site contamination studies likely to be required in some areas of the site. The areas required for Phase 2 site contamination assessment shall be determined by the outcomes and recommendations of Phase 1 site contamination studies prepared for each Development Application. Any Phase 1 or Phase 2 site contamination studies should have regard to the site contamination assessment completed by Barker Harle Pty Ltd submitted with the rezoning proposal for the Lochinvar URA.	✓ A contamination assessment has been undertaken in this regard.
5. The affected areas of those sites in the Northern extent of the Lochinvar URA that are prone to inundation as a result of either (i) the 1:100 ARI plus 0.5m flood event; or (ii) localised storm event flooding from Lochinvar Creek, are not to be further developed for residential purposes.	✓ The development site is affected by localised flooding. This will be addressed through upgrades to Wyndella Road. No proposed lots are affected by the 1:100 event. Full details in this regard are provided within the SWMP.
6. Impacts from localised storm event flooding generated from Lochinvar Creek are to be considered as part of relevant Development Applications within the site, with reference to the overarching stormwater and flood study prepared by ADW Johnson as a basis for determining impacts from future developments in the URA.	✓ As above.
7. Rail noise is expected to impact the Southern extent of the Lochinvar URA, predominantly to the South of Cow Hill Road.	
8. Future residential buildings will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Clause 87 of State Environmental Planning Policy (Infrastructure) 2007: <ul style="list-style-type: none"> <li>• In any bedroom in the building – 35dB(A) at any time between 10pm and 7am;</li> <li>• Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.</li> </ul>	<b>N/A</b> The site is in the northern extent of the URA, and unlikely to be impacted by rail noise due to the significant separation distances.
9. ARTC also recommend that external amenity be considered when larger scale new residential release areas are proposed near a rail corridor and suggest that an appropriate noise goal in this regard should be 80L <sub>A</sub> max.	

<p>10. Figure 56 shows the extent of the 60dB(A) Leq 9hr (night-time 2022) noise contour as extracted from the Australian Rail and Track Corporation "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)" dated June 2013. The purpose of including this noise contour in the DCP is to give a potential developer a spatial appreciation of where specialised acoustic controls are likely to be required in the development of the URA. For land to the North of the 60dB(A) contour, conventional residential construction will most likely enable the internal noise goals of the SEPP to be achieved. For land within, or in close proximity to, the 60dB(A) contour (closer to the rail corridor), specialised acoustic treatments are likely to be needed in the form of improved noise attenuation treatments to individual residences or mitigation in the form of noise barriers adjacent to the rail corridor – or perhaps a combination of these.</p>	
<p>11. Independent acoustic and vibration reports prepared in accordance with the NSW EPA "Rail Infrastructure Noise Guideline 2013" shall be submitted with Development Applications for all land to the South of Cowhill Road, which includes land South of the 60dB(A) indicative rail noise contour, to identify potential impacts and mitigating measures associated with development located in proximity to the Main Northern Railway Line.</p>	
<p>12. While rail vibration must be properly assessed as part of the development application process, the "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)" suggests that vibration impacts are not likely to be significant outside the range of 40-50m from the nearest rail line.</p>	
<p>13. Appropriate subdivision design and lot layout together with mitigation works (where necessary) can help reduce the impacts of rail noise and vibration on residential buildings and outdoor private spaces.</p>	
<p>14. Given the potential impacts from coal dust and pollution/emissions from rail movements development applications proposing residential lots and/or buildings within 50m<sup>3</sup> of the Main Northern Railway Line shall include a detailed air quality assessment carried out by a suitably qualified consultant. The air quality assessment zone is shown in Figure 56.</p>	
<p>15. Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations from rail movements along the Main Northern Railway Line or from vehicle movements along the New England Highway.</p>	✓
<p>16. Development Applications that include development on land within 120m of the New England Highway will require preparation of an acoustic assessment to determine individual construction standards for residential buildings within the performance- based area shown in Figure 56.</p>	<p>An acoustic report has been prepared by Spectrum Acoustics confirming the proposed development can achieve this criteria through the separation distances between NEH and the future dwellings achieved through the 30m buffer. The assessment did not require any further mitigation measures such as acoustic mounds and confirms standard dwelling design is adequate.</p>



<p>17. Future residential buildings within 120m of the NEH will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Clause 102 of State Environmental Planning Policy (Infrastructure) 2007:</p> <ul style="list-style-type: none"> <li>• In any bedroom in the building – 35dB(A) at any time between 10pm and 7am;</li> <li>• Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.</li> </ul>	
<p>18. Reference should be made to Figure 56 of this chapter, and the adopted Lochinvar Structure Plan 2007, in identifying key sites and visually sensitive areas within the Lochinvar URA that are of particular importance and should be considered when preparing visual impact assessments to support Development Applications.</p>	
<p>19. Consideration should also be given to masterplan sites (see Figure 55) and visually prominent features from the New England Highway, including:</p> <ul style="list-style-type: none"> <li>• Airds of Lochinvar</li> <li>• St Helena Homestead and cultural tree plantings</li> <li>• All Saints College St Joseph's Campus</li> <li>• St Patrick's Church</li> <li>• Holy Trinity Church</li> <li>• Davron Hill/Jacobs Hill/Winders Hill/Summer Hill</li> <li>• Greta Reserve</li> </ul>	<p style="text-align: center;">✓</p> <p>The site is identified as being within a visually sensitive area and is also identified as a masterplan site. Consideration has been given to the visual impact of the proposal through master planning of the site and a comprehensive landscaping design to manage the interface with NEH and the development.</p>
<p>20. Land to the East of Windermere Road extending to Lochinvar Creek has been identified as a visually sensitive area (see Figure 56) and Development Applications for this land should address and respond to this visual sensitivity.</p>	<p>Further details in this regard are provided within the SEE, Landscape Plans and Urban Design report.</p>
<p>21. Development Applications that include land adjoining the New England Highway shall employ appropriate mechanisms for managing the interface between residential development and the New England Highway, informed by either a visual impact study or statement (determined by the scale of the proposed development), in order to preserve the rural amenity and entrance into Lochinvar.</p>	
<p>22. Development shall incorporate appropriate measures to prevent and control the impacts of erosion and sedimentation that may occur as a result of earthworks, localised development, subdivision works or the like within the Lochinvar URA. The relevant chapters of the Maitland Citywide DCP shall be considered in adhering to this requirement.</p>	<p style="text-align: center;">✓</p> <p>An erosion and sediment control plan is provided with the Concept Engineering Plans.</p>
<p><b>1.7 Aboriginal and European Heritage</b></p> <p>1. Development Applications shall be supported by appropriate Aboriginal Heritage Impact Studies to determine the presence and locations of any Aboriginal artefacts or sites of significance, including methods for providing</p>	<p style="text-align: center;">✓</p> <p>An Aboriginal Cultural Heritage Assessment Report (ACHAR) has been prepared and concludes an Aboriginal Heritage Impact Permit (AHIP) will be required prior to construction commencing</p>

<p>any necessary buffers within the site. When preparing an AHIS, reference shall be made to the recommendations of the Aboriginal Heritage Assessment and Management Plan completed by Mary Dallas Consulting Archaeologist Pty Ltd (dated August 2010), with specific attention paid to any Potential Archaeological Deposits identified in that assessment.</p>	<p>over existing sites and further investigation is required within a potential archaeological deposit (PAD).</p>
<p>2. Development Applications shall include documented evidence of consultation with Local Aboriginal Land Councils and relevant government agencies.</p>	<p style="text-align: center;"><b>N/A</b></p> <p>The site does not contain, nor is it in close proximity to any European heritage listed sites. The nearest heritage listed sites are Holy Trinity Church and Lochinvar Cemetery, which are located in excess of 450m and 500m from the site respectively.</p>
<p>3. Development Applications shall be prepared having consideration for items of European heritage identified in the Lochinvar Structure Plan, given the presence of heritage items throughout (and within close proximity to) the Lochinvar URA, and the visual significance of these items. Identified items include:</p> <ol style="list-style-type: none"> <li>1. Victoria House, Cantwell Road</li> <li>2. St Helena Cottage</li> <li>3. Holy Trinity Church</li> <li>4. Catholic Cemetery</li> <li>5. Police Station</li> <li>6. Clifton, Station Lane</li> <li>7. Government railway</li> </ol>	
<p>4. Where required, any European heritage study shall incorporate an assessment of curtilage (including a map showing curtilage) for identified items, and shall include recommendations for the recognition and protection of any other items, should any be exposed as a result of further planning or construction processes.</p>	
<p><b>1.9 Key Development Sites (Land adjoining the New England Highway and Winders Lane)</b></p> <p>1. No direct access shall be permitted to the New England Highway or Winders Lane for new residential allotments. Access to new residential allotments adjoining the New England Highway or Winders Lane shall only be via internal local roads.</p>	<p style="text-align: center;">✓</p> <p>No direct access to NEH for new residential allotments is proposed. Access will be obtained via the proposed internal local road.</p>
<p>2. A landscape buffer wholly contained within the allotments to be developed adjoining the New England Highway and Winders Lane shall be implemented for (i) all allotments adjoining the New England Highway between Robert Road and the Eastern extent of the Lochinvar Urban Release Area that adjoins the New England Highway, and (ii) all allotments adjoining Winders Lane.</p>	<p style="text-align: center;">✓</p> <p>A landscape buffer is proposed within the allotments adjoining NEH. It will be wholly contained within the residential allotments. Refer to the Landscape Plans for further detail.</p>

<p>3. The landscape buffer adjoining the New England Highway shall include design elements and construction materials that assist with reducing traffic noise generated from vehicles along the New England Highway. These design elements and construction materials shall be identified in a landscape plan supporting any Development Application upon land so affected.</p>	<p style="text-align: center;"><b>N/A</b></p> <p>The acoustic assessment confirms that provided the nominated separation distances are achieved, no additional noise attenuation measures are required.</p>
<p>4. The respective landscape buffers adjoining the New England Highway and Winders Lane are to be wholly contained within the affected allotments, with maintenance of the landscape buffer being the responsibility of the individual owners of the respective allotments. Figure 62 and Figure 63 illustrate the typical cross-section and possible fencing arrangements for the affected land.</p>	<p style="text-align: center;">✓</p> <p>The landscape buffer will be wholly contained within the residential allotments, with maintenance obligations being the responsibility of the individual landowners. The treatment is consistent with Figures 62 and 63. Refer to the Landscape Plans for further detail.</p>
<p>5. The dimensioning of the New England Highway landscape buffer will be dependent on the results of acoustic modelling undertaken for land within the "120 metre performance-based area" illustrated in Figure 56 of this DCP chapter, and, where applicable, the results of any visual impact study relating to the land. Dwellings are to be set back from the New England Highway a minimum distance of 30 metres. Residential allotments in this locality are to be designed to be of sufficient depth to accommodate this set back and dwelling footprint.</p>	<p style="text-align: center;">✓</p> <p>A 30m dwelling setback from the NEH has been adopted and will be registered on title. The acoustic report confirms that this setback is suitable for acoustic mitigation. The proposed landscaped buffer will occur within this setback, as per the Landscape Plans.</p>
<p><b>1.10 Residential Densities</b> There are no specific requirements as residential densities are already controlled by lot size in the Maitland Local Environmental Plan 2011.</p>	<p style="text-align: center;">✓</p> <p>All lots comply with the minimum lot size of 450m<sup>2</sup>.</p>
<p><b>1.11 Neighbourhood Commercial and Retail Uses</b> Development Controls 1 - 3.</p>	<p style="text-align: center;"><b>N/A</b></p>
<p><b>1.12 Provision of Public Facilities and Services</b> 1. Each Development Application is to include suitably located public facilities and services, including provision for appropriate traffic management facilities and parking (see Key Development Sites above).</p>	<p style="text-align: center;"><b>N/A</b></p> <p>Parking and traffic management facilities are not required on this site.</p>
<p>2. Public transport should be addressed in Development Applications, with consideration made for overall network connectivity and access to bus stops and the Lochinvar Railway Station.</p>	<p style="text-align: center;">✓</p> <p>Wyndella Road and MC03 can accommodate a bus route when demand within the LURA is reached. Developments further south will provide access links to the train station.</p>
<p>3. Development Applications that include land in the Southern extent of the site shall account for future expansion of the Lochinvar Railway Station and the potential for a transport interchange in this part of the site.</p>	<p style="text-align: center;"><b>N/A</b></p>
<p>4. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services. Development Applications will therefore require evidence of satisfactory arrangements for water and wastewater servicing.</p>	<p style="text-align: center;">✓</p> <p>Water and wastewater services will be provided in accordance with the preliminary servicing advice provided by HWC.</p>

<p>5. Development Applications shall incorporate indicative road networks (based on Figure 55 and the overarching traffic study prepared by URaP), stormwater detention areas, active and passive recreation areas and evidence of satisfactory arrangements for essential services.</p>	<p style="text-align: center;">✓</p> <p>The proposed development provides a road network consistent with Figure 55, stormwater management facilities, local parks as per the s7.11 plan and will provide sewer and water services in accordance with HWC prior to registration of each lot.</p>
<p>6. Provision of community facilities and open space areas will be in accordance with the associated Lochinvar Section 94 Contributions Plan.</p>	<p style="text-align: center;">✓</p> <p>Local parks are proposed in the general locations provided by the s7.11 Plan.</p>
<p>7. The location of a future secondary school within the site shall be located within an 800m walking distance of the transport interchange identified adjoining the Main Northern Railway Line.</p>	<p style="text-align: center;"><b>N/A</b></p>