

1.0 INTRODUCTION

The following provisions apply to the residential zoned land that make up Regrowth-Kurri Kurri and that are located within the Maitland Local Government Area as identified by **FIGURE 1** (below).

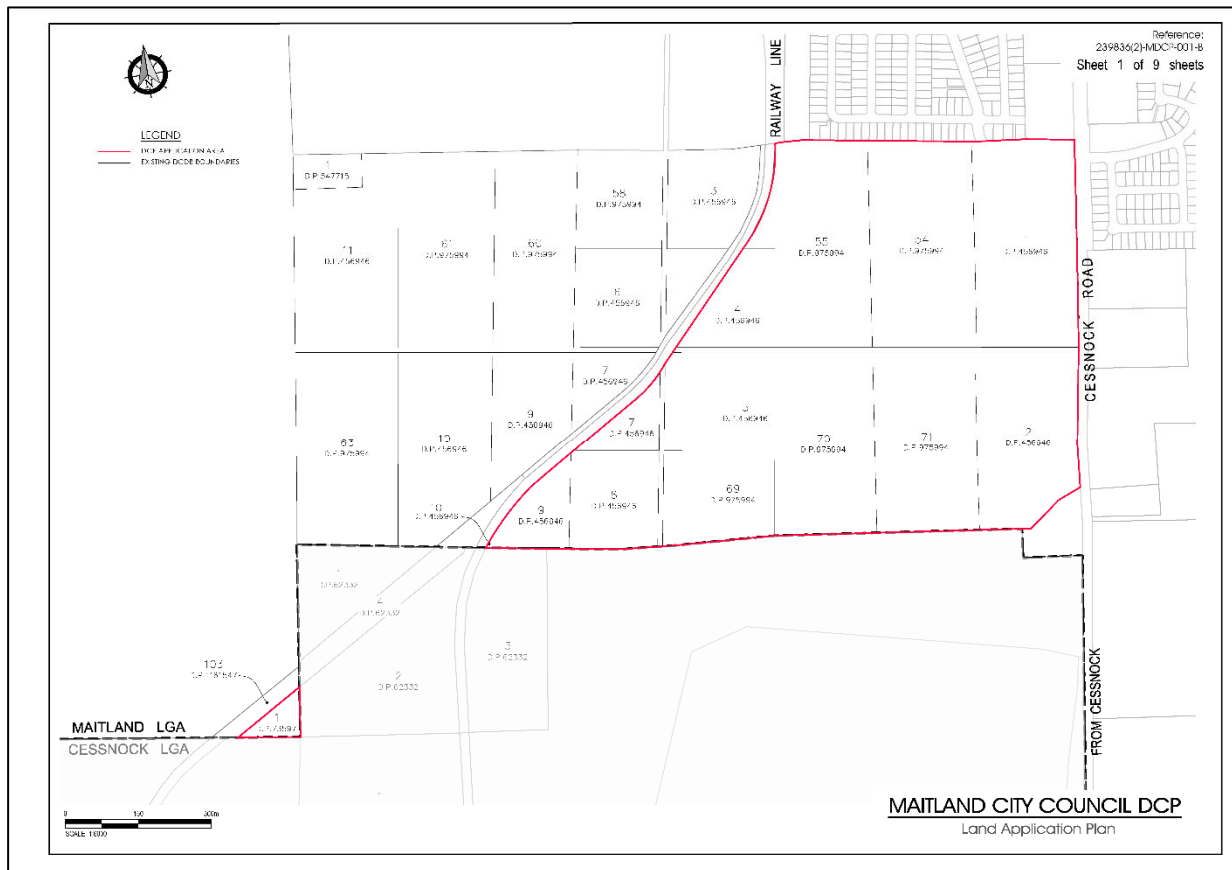


FIGURE 1 (above): Land Application Map

1.1 Description

The desired future character for Regrowth-Kurri Kurri Urban Release Area comprises a mix of residential housing, supported by a central neighbourhood centre, open space, and areas of existing vegetation, which will provide a backdrop to future development. It is the logical southern extension of existing residential development located at Gillieston Heights to the north.

On the eastern side of the Urban Release Area, landscaping will run adjacent to the Cessnock Road frontage to provide separation for future dwellings, effectively denying vehicular access to individual lots, except via new traffic-controlled intersections. The western side of the release area is defined by the South Maitland Railway Line.

The residential areas are to be developed into a series of neighbourhoods defined by the natural landform, shared pathways, and roads. Streets will be defined for safety, connectivity and will provide opportunities for establishing new plantings and attractive streetscapes.

1.2 Precinct Plan

Objectives

1. To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

Development controls

2. Any Development Application prepared for subdivision will provide consideration (e.g., interconnecting roads) to the development of the overall precinct in which the subdivision is located as shown as **FIGURE 2** (below).

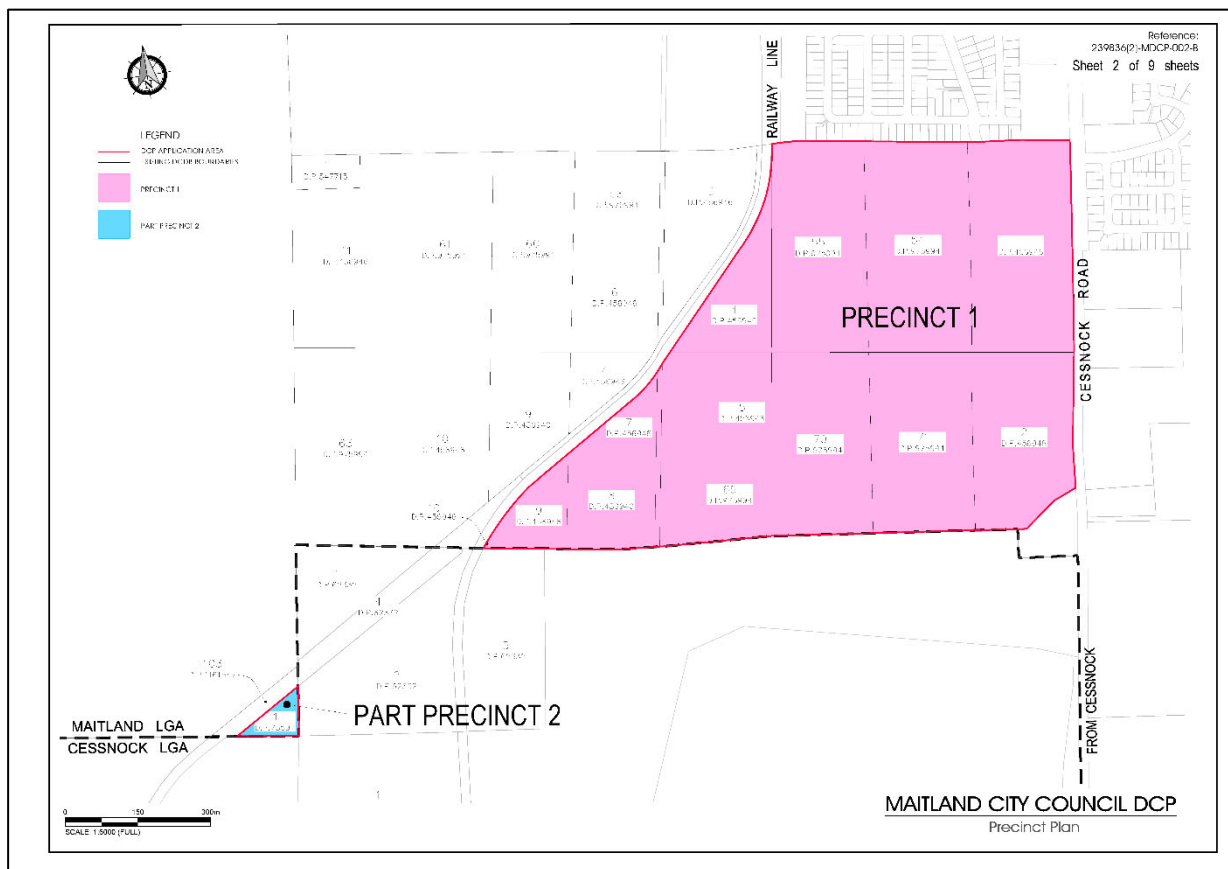


FIGURE 2 (above): Precinct Plan

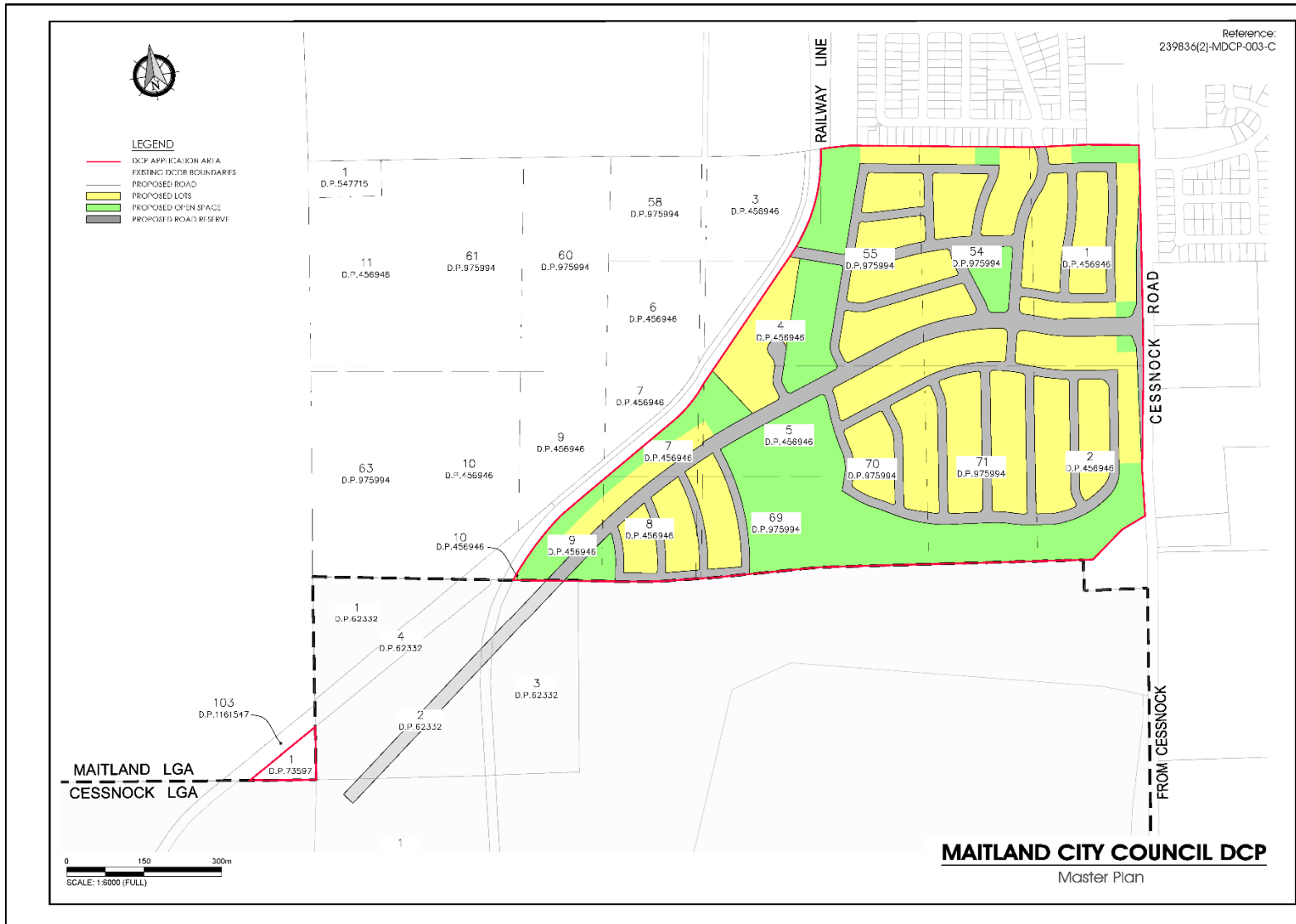


FIGURE 3 (above): MasterPlan for Regrowth – Kurri Kurri

DEVELOPMENT REQUIREMENTS

2.1 Transport and Movement

Objectives

1. To provide a hierarchy of interconnected streets that gives safe, convenient, and clear access.
2. To ensure that the hierarchy of street is clearly discernible through variations in the carriageway width, on-street parking, street tree planting, and pedestrian amenities.
3. To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street network and to accommodate public utilities, drainage systems and the majority of Asset Protection Zones.
4. To encourage the use of streets by pedestrians and cyclists and to allow cars, buses, and other users to proceed safely without unacceptable inconvenience or delay.
5. To promote passive surveillance of publicly accessible areas by thereby increasing safety.
6. To provide an appropriate buffer between the rail corridor and sensitive land uses.

Development controls

1. The street network is generally provided in accordance with the Development Circulation Map **FIGURE 4** (below) and the Road Section **FIGURE 5** (below), which is not covered by the Maitland Council Manual of Engineering Standards.
2. Alternative street designs for local streets and accessways may be permitted on a case-by-case basis to accommodate local features if they preserve the function objectives and requirements of the design standards.
3. No future lot will have direct access to Cessnock Road (MR195).
4. Except where otherwise provided for in this Chapter, all streets and intersections are to be design and constructed in accordance with the Maitland City Council Manual of Engineering Standards.

2.2 Overall Landscaping Strategy

Objectives

1. To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors, and provides visual interest and a suitable backdrop to the built form.

Development controls

1. An Overall Landscaping Strategy is required to accompany any Development Application for subdivision, which provides details on elements such as:
 - Asset protection zones;
 - Plant species and sizes, which includes consideration of street trees;

- Play equipment;
- Utilities and services;
- Public art;
- Hard and soft landscaping treatments;
- Entry statements;
- Sporting fields and equipment; and
- Any other embellishment.

2.3 Passive and Active Recreation Areas

Objectives

1. To provide public open space that meets the recreational needs of residents.
2. To provide an equitable distribution of public open space and recreation opportunities.
3. To ensure good quality of design and embellishment of the public domain.
4. To ensure environmentally and visually sensitive land contributes to the landscape character of the precinct.
5. To ensure that public domain elements contribute to a consistent street character.

Development controls

1. Open space is generally accordance with Council's Maitland Recreation & Open Space Strategy and generally located in accordance with **FIGURE 3** (above).

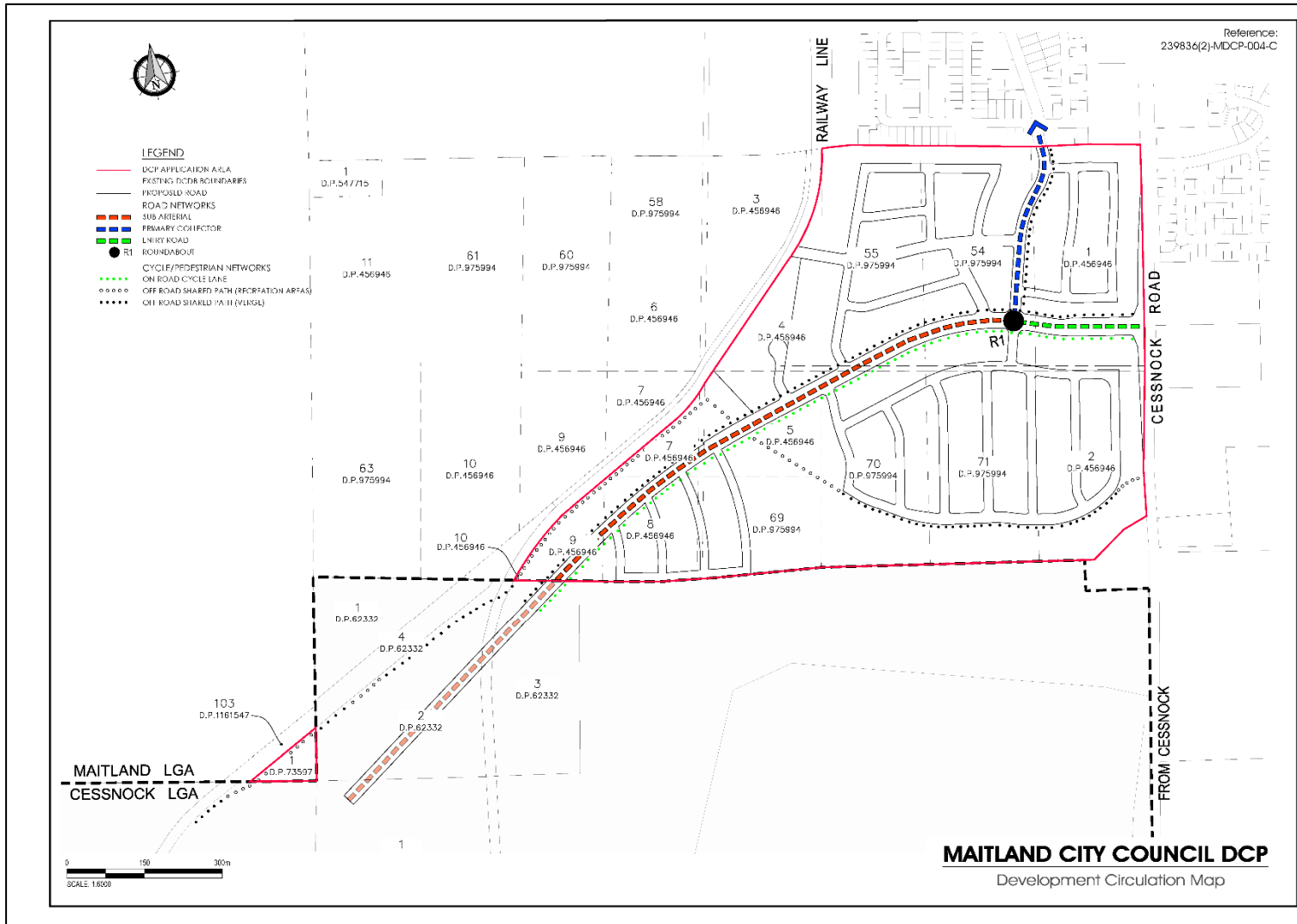
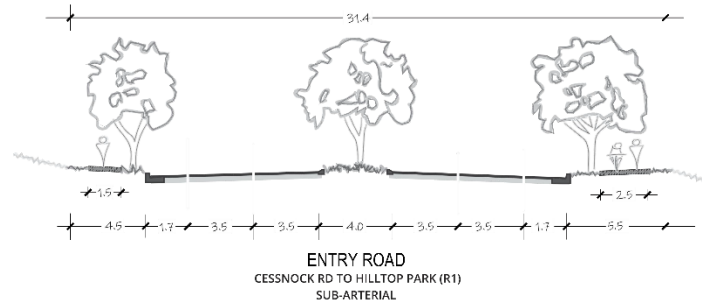


FIGURE 4 (above): Development Circulation Map



MAITLAND CITY COUNCIL DCP
Typical Road Sections

FIGURE 5 (above): Road Section

2.4 Stormwater and Water Quality Management Controls

There are no specific requirements as stormwater and water quality management controls are controlled by other provisions of the Maitland Development Control Plan.

2.5 Amelioration of Natural and Environmental Hazards

Objectives

1. To minimise the potential impact of flooding on development.
2. To ensure flood free access to the site.
3. To achieve consistency with the aims and objectives of the document titled Planning for Bushfire Protection 2019, which seek to mitigate the impacts of bushfire on development.
4. To minimise risk to human health and the environment from the development of potentially contaminated land.

Development controls

1. Development Applications for subdivision provide consideration to the general provisions of the Maitland Development Control Plan for flooding.
2. Flood free access will be eventually achieved for the development and Gillieston Heights through the construction of the sub-arterial road from Cessnock Road within the Maitland Local Government Area to William Tester Drive within the Cessnock Local Government Area.
3. The Bushfire Assessment Report that accompanies the Development Application for subdivision is to be in accordance with the document titled Planning for Bushfire Protection, prepared by the NSW Rural Fire Service.
4. All Development Applications are to demonstrate compliance with State Environmental Planning Policy No.55 – Remediation of Land.

2.6 Key Development Sites

2.6.1 Land fronting Cessnock Road and South Maitland Railway

Objectives

1. To minimise risk to human health from noise at the time of subdivision.

Development controls

1. An acoustic assessment is required to accompany the Development Application for subdivision to demonstrate if any mitigation measures will be required for those lots in proximity to the South Maitland Railway Line and Cessnock Road as identified by **FIGURE 7** (below). The assessment should be undertaken by a suitability qualified

acoustic consultant to ensure that the properties are designed and constructed in accordance with NSW document titled 'Development near Rail Corridors and Busy Roads – Interim Guideline' to achieve acceptable internal noise amenity, regarding the external noise exposure levels.

2. Any proposed fencing shall be located on private land and not on public land.
3. Subdivision in proximity to the South Maitland Railway Line may result in the need for the construction of security fencing to restrict access and improve safety.

2.6.2 Mine Subsidence – Old Mine Workings

Objectives

1. To minimise risk to property arising from development on land with potential mine subsidence issues.
2. To ensure that potential mine subsidence issues are adequately addressed at the subdivision stages.
3. To provide consideration to the relevant NSW Government Subsidence Advisory Development Guidelines.

Development controls

1. Areas of potential mine subsidence are shown on **FIGURE 6** (below). From this, it is understood that the following lots are affected:
 - Lot 3, DP 456946
 - Lot, 4, DP 456946
 - Lot 5, DP 456946
 - Lot 1, DP 1206034
 - Lot 55, DP 975994
 - Lot 69, DP 975994
 - Lot 70, DP 975994
2. Prior to any Development Application for Subdivision within the mine workings or mine zone with limitations as identified by **FIGURE 6** (below), the applicant will undertake further geotechnical assessment to assess the suitability of this land for the development that is proposed (e.g., roads, services, etc.).

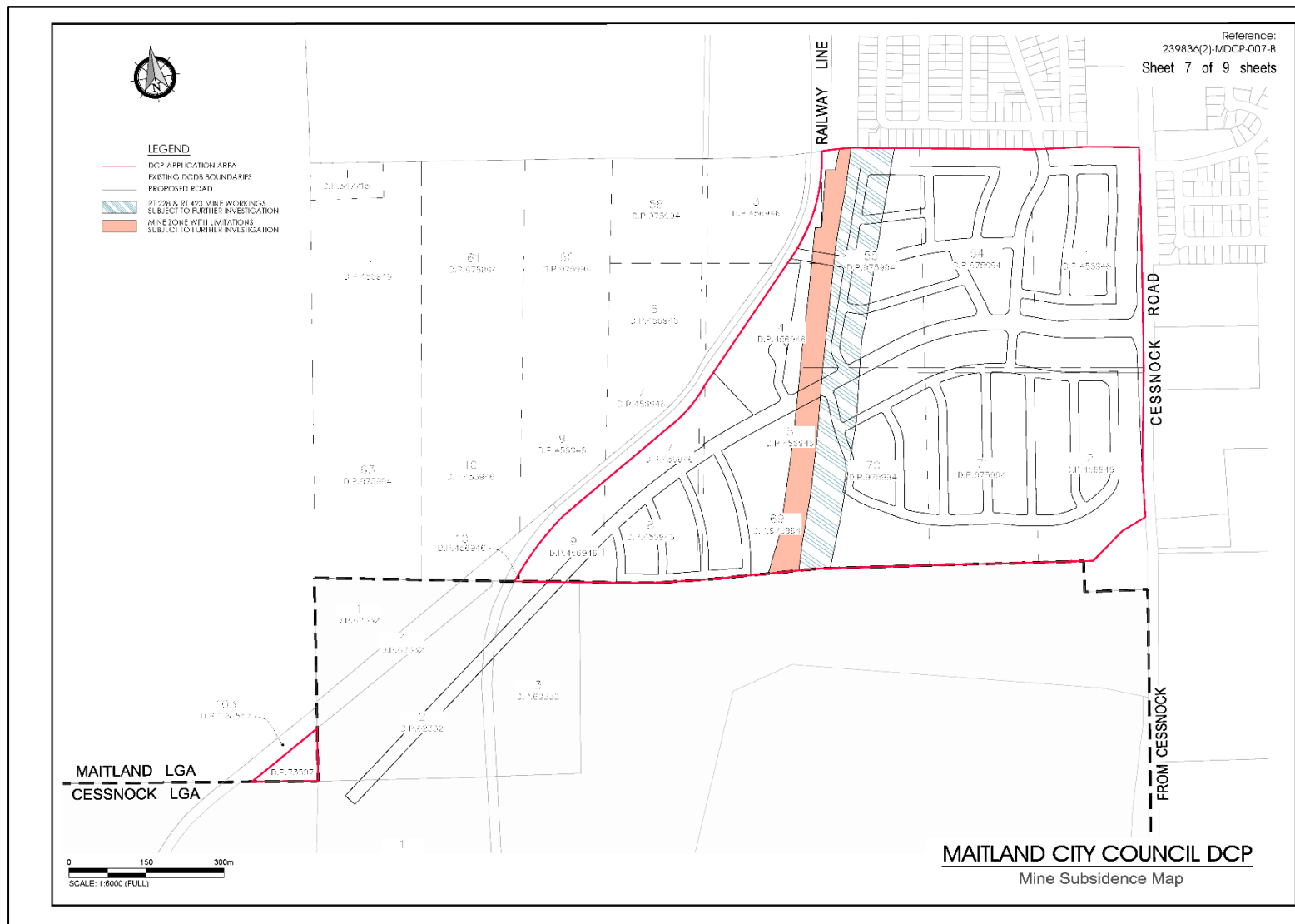


FIGURE 6 (above): Potential Mine Subsidence Map

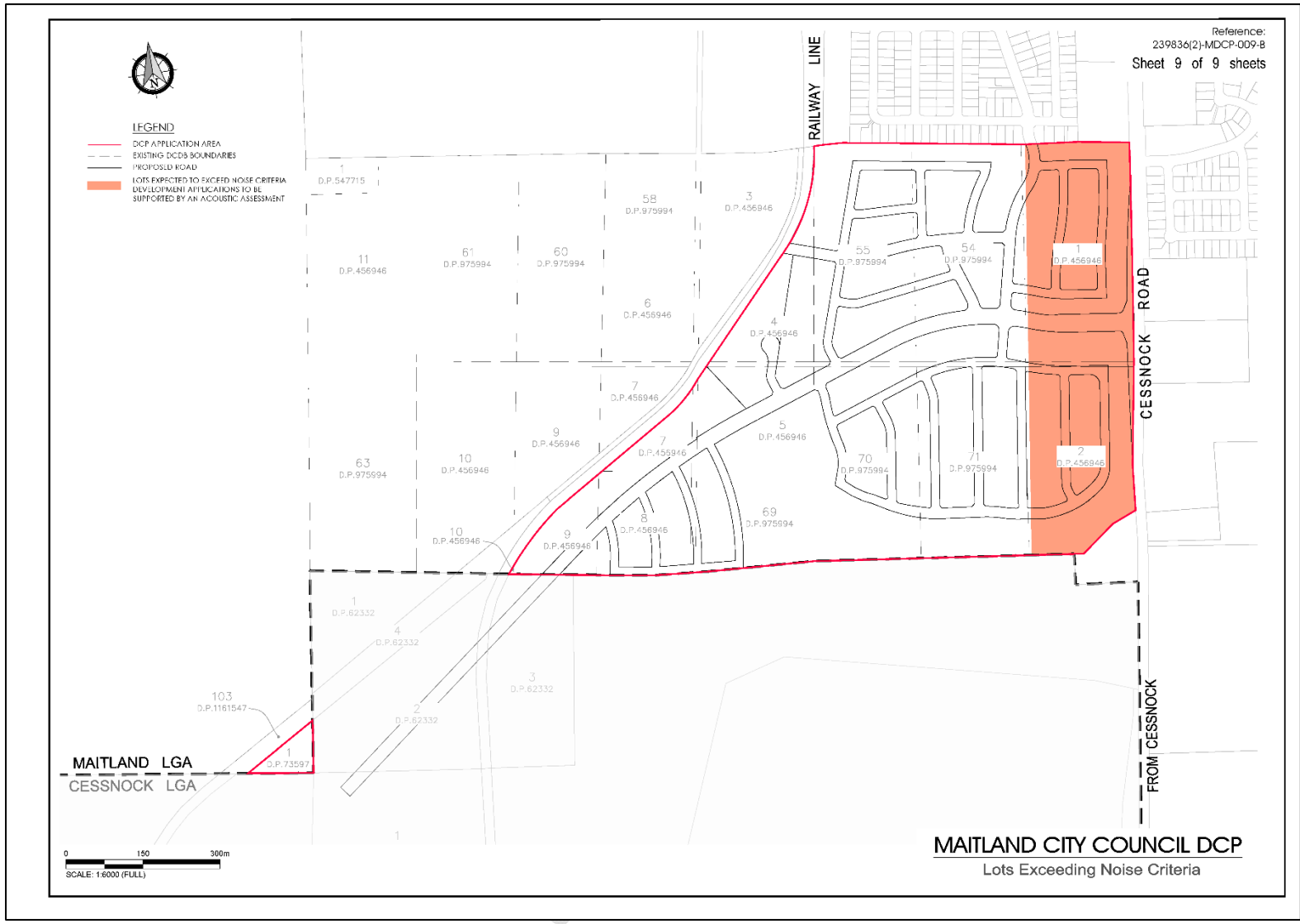


FIGURE 7 (below): Potential Lots that may exceed the noise criteria

2.6.3 Archaeological Significance

Objectives

1. To require further investigation of Aboriginal archaeological identified as significant on lands to be developed for urban purposes.
2. To ensure that any Aboriginal significance is appropriately incorporated into the development of the precinct.

Development controls

1. Known Aboriginal Archaeological Sites are shown on **FIGURE 8** (below). An Aboriginal Heritage Impact Permit (AHIP) issued under Part 6 of the National Parks and Wildlife Act 1974 (NPW Act 197) is required for any works which affect these sites.
2. Areas of high archaeological sensitivity, warrant a full Aboriginal Cultural Heritage Assessment prior to any development works. If impacts to any Aboriginal objects identified through these assessments cannot be avoided, an AHIP issued under Part 6 of the National Parks and Wildlife Act 1974 (NPW Act 1974) will be required. Consultation with relevant Aboriginal persons and organisations' is required under Biodiversity Conservation Division (BCD) policy when an application for an AHIP is considered and should be conducted in accordance with BCD Aboriginal Cultural Heritage Consultation Requirements for Proponents.
3. Areas of low archaeological sensitivity, warrant an Aboriginal archaeological due diligence assessment prior to any development works. This assessment is to be conducted in accordance with BCD Due Diligence Code of Practice for the protection of Aboriginal Objects in New South Wales. Visual inspections undertaken for the purposes of a due diligence assessment should include an Aboriginal community representative. Depending on the results of the due diligence assessment undertaken, a full Aboriginal cultural heritage assessment may be required.
4. Areas of nil archaeological sensitivity do not contain any known Aboriginal heritage constraints. However, Aboriginal objects may still occur in these areas. If any Aboriginal objects are encountered during development, and impacts cannot be avoided, an AHIP issued under Part 6 of the NPW Act 1974 will be required.

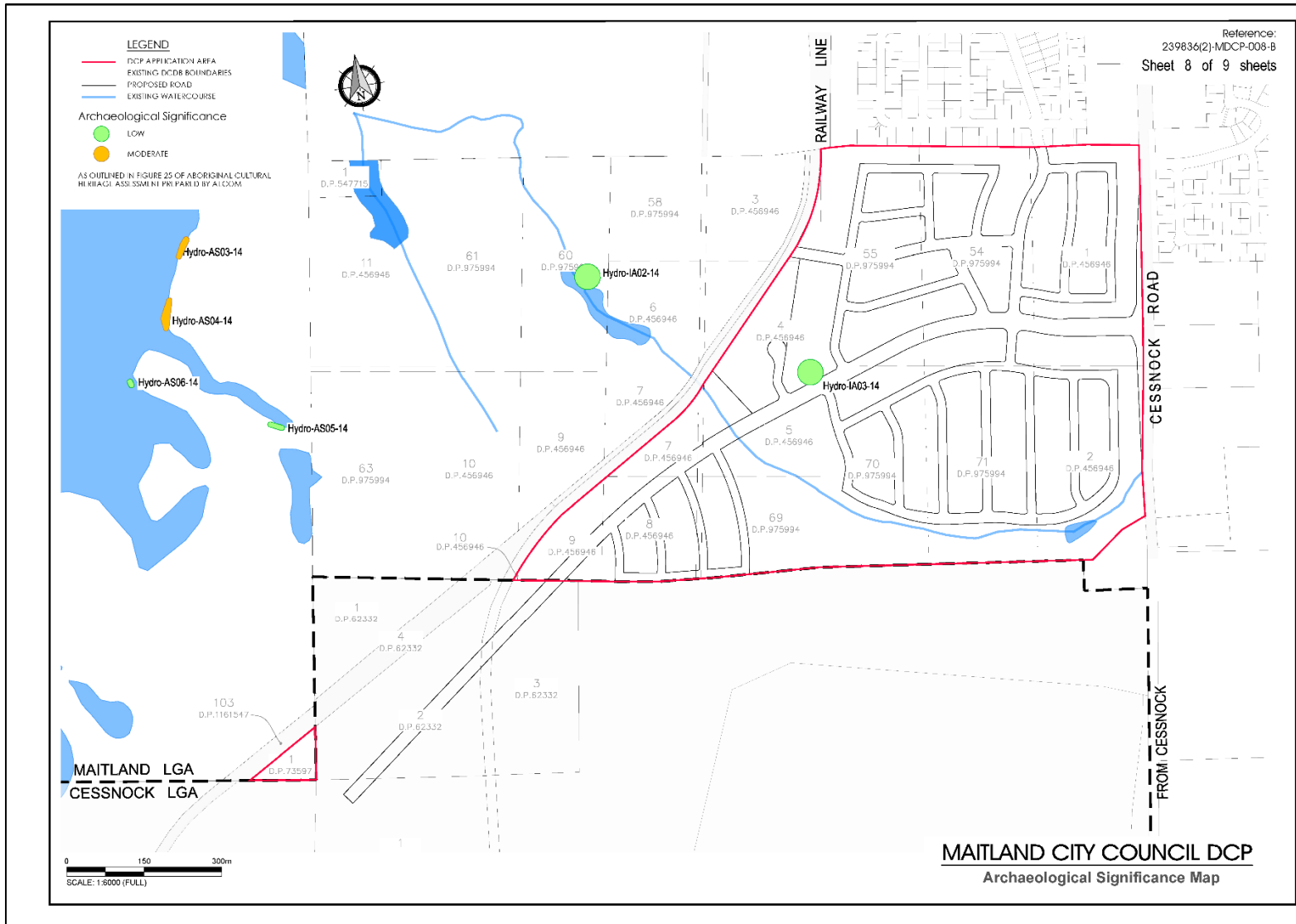


FIGURE 8 (above): Known Aboriginal Archaeological Sites Map

2.7 Residential Densities

There are no specific requirements as residential densities are already controlled by the minimum lot size map contained within the Maitland Local Environmental Plan 2011.

2.8 Neighbourhood Commercial and Retail Uses

There are no specific requirements because there are no lands zoned for commercial or retail purposes within the part of the Urban Release Area, which is within the Maitland Local Government Area.

2.9 Provision of Public Facilities and Services

There are no specific requirements as provision of public facilities and services is already controlled by other provisions within the Maitland Local Environmental Plan and Maitland Development Control Plan.

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