2011

Maitland Development Control Plan

Part D

Locality Plans

Part D – Locality Plans

D.1 Introduction

This Part of the DCP contains specific design requirements for the development of certain Localities within the Maitland Local Government Area. Essentially, this Part collates previously adopted DCPs prepared for residential and rural-residential estates across the LGA. These DCPs were necessary to ensure that development outcomes responded to the natural and man-made constraints of the site. In some areas, constraints analysis has identified specific environmental qualities that warrant sympathetic development outcomes including conservation.

The Locality Plans provide a framework that enables development potential to be realised for a specific Locality while recognising the need to integrate the development of these sites within existing urban areas, or within rural landscapes.

Council may request the preparation of a Locality Plan before it will assess a development application for subdivision of land, in circumstances where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.

The strategic planning undertaken in the preparation of these previous DCPs has informed the preparation of the Maitland LEP 2011, particularly in the allocation of land use zones, minimum lot sizes for subdivision and dwelling entitlements, where relevant.

Each Locality Plan contains a Locality Statement that provides the local context for assessment of development within these areas.

The following Statement of Intent describes the desired residential densities for the various land use zones.

NOTE: Development within these localities must still have regard to the general guidelines contained in the preceding parts of this DCP. Where there is an inconsistency, Part D will prevail.

Statement of Intent

A number of the Locality Plans include a mixture of residential densities. Residential density contributes to the establishment of a recognisable urban character within a particular locality and reflects the development capabilities of the land. Varying residential densities by the use of minimum lot sizes for subdivision also provides the general public with an increased housing choice and diverse property market.

Large Lot Residential Subdivision and Environmental Living

Large lot residential subdivisions will typically be developed as low density residential areas with large residential lots generally accommodating substantial one or two storey residences. Any dual occupancy development will appear as a single residential building or cluster/complex of buildings. Re-subdivision of existing large residential lots will not occur unless the resultant lots are consistent with the lot sizes predominant to the estate.

All lots will be provided with a full range of services – reticulated sewer (or equivalent to the requirements of the Hunter Water Corporation and Maitland Council), water, electricity and telecommunications. . A variety of both energy efficient design and building materials will occur and will result in a built environment that integrates effectively with the natural/physical characteristics of the land. Major drainage lines will be retained in their natural form where possible and the layout of the subdivision will respect the topography of the land.

Non-residential use of land will not be widespread and will be of small scale with negligible impact on the environment and amenity of the area. A high value will be placed on retaining existing vegetation and the development of individual lots, over time, will see the establishment of additional landscaping and an improvement in vegetation diversity over the subdivision estate.

The street system and the location of individual access drives will optimise both convenience and safety for the community and stormwater from roads, driveways and building structures will be managed to ensure a high standard of water quality as well as minimising the potential for erosion and sedimentation.

Residential Subdivision

These subdivisions will be developed as typical residential areas with a range of lot sizes that reflect the constraints across the site. Individual lots will generally accommodate one or two storey residences. Re-subdivision of existing residential lots will not be encouraged and medium density housing or dual occupancy proposals should ensure that potential impacts related to privacy, solar access, visual amenity, traffic management and its suitability in relation to the form of adjoining development have been taken into account.

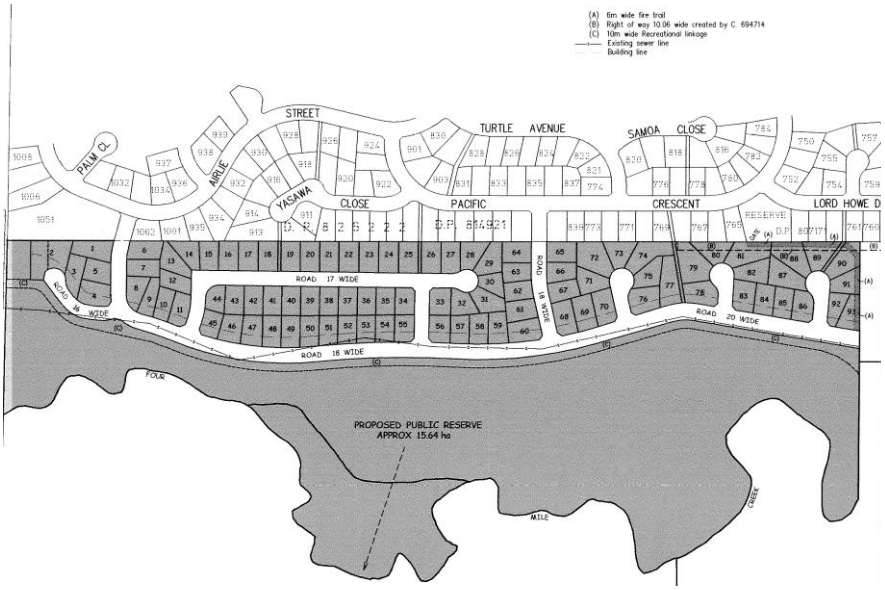
Re-subdivision of existing residential lots where proposed, shall ensure that the resultant lots are consistent with the lot sizes predominant to the immediate precinct in which the parent lot is located. Smaller lots (approaching minimum lot size) will occur in specific clusters or precincts which are nominated at initial subdivision stage. Such intensive development should be located within walking distance (approximately 400m) of activity nodes such as schools, shops, recreational facilities, and regular public transport routes, based on Neighbourhood Planning Principles.

All lots within the subdivision will be provided with a full range of services – reticulated sewer (or equivalent to the requirements of the Hunter Water Corporation and Maitland Council), water, electricity and telecommunications. A variety of both energy efficient design and building materials will occur and will result in a built environment that integrates effectively with the natural/physical characteristics of the land. Major drainage lines will be retained in their natural form where possible and the layout of the subdivision will respect the topography of the land.

Non-residential use of land will not be widespread and will be of small scale with negligible impact on the environment and amenity of the area. A high value will be placed on retaining existing vegetation due to its flora and fauna conservation value and the development of individual lots, over time, will see the establishment of additional landscaping and an improvement in vegetation diversity over the subdivision estate.

Reserves and road layout will provide linkages for pedestrian/cycleway purposes throughout the estate and will provide connection to key facilities within and/or at the perimeter of the subdivision. The street system and the location of individual access drives will optimise both convenience and safety for the community (both vehicular and pedestrian) and stormwater from roads, driveways and building structures will be managed to ensure a high standard of water quality as well as minimising the potential for erosion and sedimentation.

D.2 Ashtonfield South



Locality Plan

1. Locality Statement

The Ashtonfield South Locality comprises a parcel of cleared and semi cleared land lying south of an existing residential area. Located south of the subject land is an area of bushland stretching either side of Four Mile Creek. The vegetation is identified as Lower Hunter Spotted Gum Ironbark Forest and Alluvial Tall Moist Forest. A Flora and Fauna Survey and Threatened Species Assessment were prepared on the Locality and bushland to the south. The vegetation within the Locality and the adjoining bushland provides habitat for the Squirrel Glider and requires special considerations. The majority of the recommendations from this report have been incorporated into the Locality Plan. However, individual assessments will still be required for development of the site.

The Locality Plan also recognises the proximity of the Four Mile Workshop to a number of proposed lots, and incorporates recommendations from the Environmental Noise Assessment (Advitech, 2004) to mitigate any potential noise impacts. The report notes that the potential noise impacts are most likely to occur after 7pm, when background noise levels from the highway traffic noise and the surrounding residential community decrease.

The Locality Plan provides for the development of up to 95 dwellings. Future development of the subject land will involve the creation of approximately 15 hectares of bushland reserve to provide for the long-term management and conservation of an area of native vegetation. This reserve also forms an important element in the linkage pathway along Four Mile Creek.

The development provides an opportunity for Council to improve the quality of existing urban stormwater emanating from the existing residential development adjoining the

subject site. It will be incumbent on the developer of the land to manage existing stormwater flows across the site so as to ensure discharge into Four Mile Creek complies with Council's standards.

Council anticipates the creation of a high quality residential estate that is environmentally sustainable and forms a harmonious extension to the existing urban fabric.

2. Design Principles

P1 The development will be designed to maximise tree retention in the wooded portions of the Locality, through subdivision design (including varying lot sizes) and siting of built forms.

P2 The development will provide adequate measures to ensure the protection of downstream water bodies and waterways from increases in water borne pollution and rate of runoff.

P3 The development will respect the proximity of the Four Mile Workshop by incorporating noise mitigation strategies for the potentially affected lots.

2.1 Design Requirements - Subdivision

Access and Traffic

1. Access to the Locality is to be constructed off the two existing access points and the road pattern is to provide a link between these two points as indicated on the Locality Plan.
2. Pedestrian and cycle paths should be constructed in locations generally shown on the Locality Plan and should provide direct routes for movement between the existing residential development and the open space/bushland areas.
3. A defined pedestrian pathway (1.5m wide gravel - walking trail) should be constructed extending generally along the northern boundary of the Environmental Management zoned land to form a circular route for pedestrians. The precise location of this pathway is to be undertaken in consultation with Council's Recreation Services Section prior to the finalisation of engineering plans.
4. Special pavement and landscape materials may be used to distinguish different street functions.
5. Pedestrian pathways and road design/treatment shall be sympathetic to the need to retain native vegetation. All pathways connecting to the existing street network shall be identified as pedestrian/cycle links and constructed to Council's requirements.
6. All costs associated with the construction of roads within the site are to be borne by the developer. This may include, subject to further investigation,

the upgrading of the acceleration lane at the SH9 New England Highway – South Seas Drive intersection.

7. The engineering/landscape plans should incorporate the design of a vehicular barrier along the edge of the roadway so as to restrict motorised vehicles from entering the Environmental Management zoned land.

Stormwater Drainage

8. All surface and stormwater from the development on the residential zoned land is to be collected and treated in the stormwater management system prior to release into watercourses in the Environmental Management (E3) zoned land. Council may consider water quality and detention facilities located within the E3 zone, provided that it can be demonstrated that there will be no significant adverse medium or long term impacts on the natural drainage lines and riparian habitat values of Four Mile Creek.
9. Where stormwater is to travel to natural watercourses over adjoining land, suitable easements for drainage may be required.

Flora and Fauna Protection

10. Further development of the land for subdivision and residential development will need to demonstrate consideration of the recommendations of the Ecological Assessment (HWR Ecological, May 2005) and undertake further environmental assessment in accordance with the requirements of the EP&A Act 1979.
11. Where possible, understorey vegetation and those trees identified as potential habitat trees should be retained. Where such trees are required to be removed, an ecologist is to be engaged to be present to supervise tree removal. Any hollows removed are to be retained and attached where possible to large trees located in the E3 zone. Where hollows cannot be recovered, artificial nest boxes are to be provided.

    Nest boxes are best erected before the annual dispersal of newly independent young. In this area, boxes should be erected in winter or early spring (Menkhorst 1984). Box usage appears highest at sites with few natural hollows provided that hollow -using species occur nearby. Boxes should be placed on the trunk or major branch of a tree and not in fork. The preferred method of attaching nest boxes to trees is outlined in Menkhorst (1984). Suckling & Macfarlane (1983) and Menkhorst (1984) recommended that nest boxes for Sugar Gliders be clumped at densities of three to five per hectare (often as close as 20 metres) with about 150 to 200 metres between clumps. Nest box durability can be increased through the use of rot-resistant timber, liberal use of caulking compound, primer, undercoat and flat outdoor acrylic paint and regular maintenance (Menkhorst 1984). Nest boxes should be erected prior to habitat removal within the Four Mile Creek Corridor, in order to provide immediate nest site compensation for any displaced

animals. Squirrel Glider nest boxes should have an entrance diameter of 5 - 7 cm; and a depth of 18 - 48 cm.

12. Wherever lopping provides an appropriate option to tree removal to preserve community safety and retain habitat features, this should be undertaken. Through appropriate lopping, the ecological features of retained habitat tree can be conserved, while minimising safety risks associated with these trees.
13. An information brochure for new landowners is to be prepared by the proponent setting out the sensitivity of the adjoining bushland, the flora and fauna species which are likely to habitat the area, appropriate management of domestic cats and dogs, and a list of native species which are suitable food trees for native fauna. Information on access to the bushland and responsible use by residents should be included. Details on bushfire risks would also be appropriate. A copy of the brochure is to be submitted to Council prior to the release of the linen plan of subdivision. The brochure is to be provided to all prospective purchasers of land.
14. The information brochure to landowners should highlight the risks posed to wildlife by cats. Controls on the keeping of cats may involve encouraging cat curfews and responsible ownership, or complete prohibition of cats from the development. Cats are known to be a significant predator of Sugar Gliders, and other fauna, including threatened species.
15. There is potential for Koalas to be present on the site. If Koalas are detected during the construction phase of the development, all clearing work is to cease and the NPWS and Council be notified. Clearing work should not resume until the local population has been investigated, and measures devised and adopted to protect habitat.
16. Site clearing works should be restricted to areas required for roads and infrastructure, removal of unsafe trees, and those trees and vegetation likely to be removed during home building.

<u>Landscaping</u>

17. Landscape/tree planting plans, after consultation with Council's Planning Staff, are to be lodged for approval as part of the application for the development of the land.
18. The retention of existing established trees, particularly habitat trees, shall form part of any plan.
19. The denuded areas of E3 zoned lands, or areas disturbed through road and drainage construction, shall be rehabilitated with suitable locally indigenous species (see Appendix 1 of Ecotone's Flora/Fauna Assessment). The use of Grey Gum, Swamp Mahogany and Green Wattle together with other species are recommended.
20. Denuded portions of the subject site which are not required for infrastructure and which occur outside private lots are to be landscaped and revegetated using suitable locally indigenous species. The use of Koala food trees such as Grey Gum and Swamp Mahogany are recommended. Swamp Mahogany is also a suitable winter feed tree for the Squirrel Glider. The

shrub (Green Wattle) is a known Squirrel/ Sugar Glider feed tree (the Wattle is incised for Gum). These species should be a component of the landscape plantings.

21. Landowners are encouraged to plant trees well before any development takes place to give the landscaping an immediate impact.

Bushfire Management

22. 22 Any required Asset Protection Zones provided for development shall not encroach into the E3 zoned land, with the exception of the 10m wide Recreational Linkage.

Noise Impacts

23. 23 Proposed Lots 77 to 93 may be subject to noise impacts from the nearby Four Mile Workshop. In order to minimise potential noise impacts, dwellings should be designed to be in accordance with the noise minimisation guidelines as set out in Appendix A.
24. 24 A vegetation barrier should be established between the proposed residential area and the workshop. In addition, any future subdivision of the land should include an investigation on the potential for an acoustic barrier adjacent to the Four Mile Workshop.

2.2 Design Requirements - Subdivision

Setbacks

25. Setbacks from rear boundaries of existing dwellings and proposed roadways, may be required to be greater than the minimum to ensure that the residential amenity and privacy of the area is maintained and also provide for Bushfire Asset Protection Zones in those areas adjacent to Bushland.

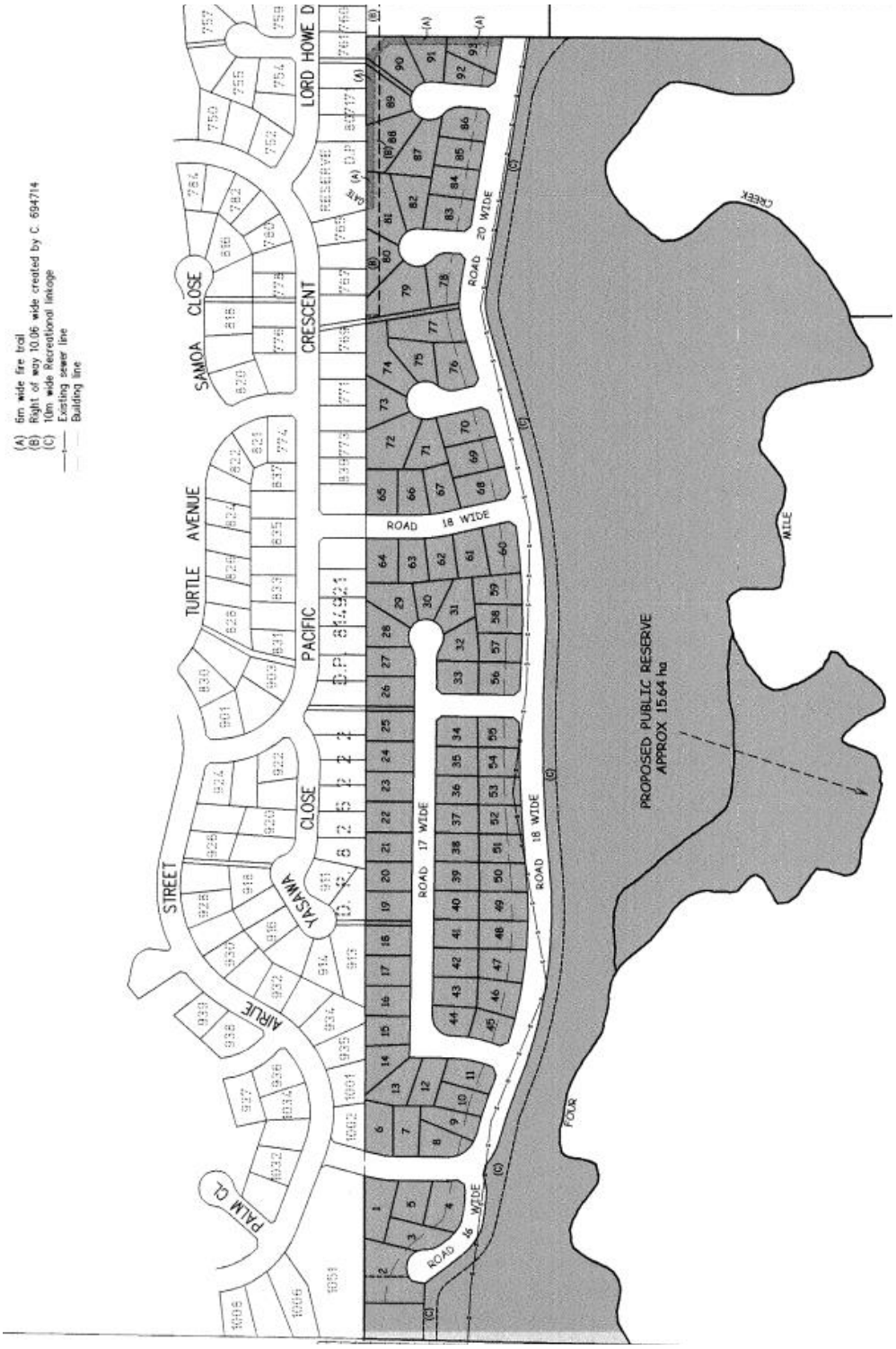
Height and Appearance

26. Single storey dwellings are preferable having regard to the site constraints. Two storey townhouses, semi-attached and detached dwellings will only be considered if the applicant demonstrates to Council's satisfaction that adequate consideration has been given to the following:

    a) The existing density of the surrounding land,
    b) The external appearance of the proposed building,
    c) Distance to adjoining dwellings and their private open space areas, and
    d) The provision of landscape screening.

Landscaping

27. Existing dwellings should be appropriately screened from the new development particularly with buffer landscaping.
28. Landscape plans are to be lodged for the approval of Council as part of an application for the development of the land.



APPENDIX A
NOISE MINIMISATION GUIDELINES

Noise Control Measures

Options to be considered include:

- The construction of a noise barrier between the workshop and the residential area; and
- The design and construction of residential dwellings with good sound attenuation properties.

Barriers

Barriers can be installed between houses and the workshop to reduce noise levels received at the residence. These could include barriers such as outdoor living areas, garages, gardens, fences or mounds. Where fences or mounds are used, it is recommended that they be placed close to the noise source or receiver. If built halfway, the noise tends to pass over the barrier.

Vegetation

Although vegetation is not as effective in reducing noise levels as a solid barrier, it has the advantage of softening the amenity of the site and can also act as a wind break and reduce dust levels in the area. Ideally, vegetation should be 15 to 30 metres deed and 4 to 5 metres high, with dense foliage. Evergreen and drought resistant vegetation is preferred, because it is effective all year round. Although a vegetative area is currently present, this could be supplemented with additional planting within the natural drainage area between the workshop and proposed residential area.

Building Design and Orientation

The workshop is to the north east of the proposed residential subdivision. To assist in achieving a reduction in noise levels within dwellings in the proposed residential subdivision less noise sensitive rooms such as the garage, bathroom, laundry and kitchen could be situated closer to the noise source, to act as a shield to more sensitive rooms such as bedrooms, living rooms and studies. Minimising the number or doors and windows on the noisy side of the house also assists in reducing noise levels.

Building Materials

The use of building materials which insulate or absorb sound is an effective method of minimising noise in the home. Most ceiling and roof insulation provide reasonable insulation against noise, although ventilated eaves can decrease these insulation properties. The addition of thermal insulation in the ceiling can reduce noise levels by

around 7 to 8 dB. Thermal insulation can be added to the eaves in houses with brick veneer construction to reduce noise entering at the weakest point where the outer wall meets the eaves.

Dwellings of double brick or concrete construction have better noise insulation properties than other methods of construction. The installation of 100mm thick thermal insulation bats placed between the wall studs can further decrease noise levels by approximately 5 dB.

It should be noted that the insulation capacity of any wall is severely reduced by the installation of doors, windows or ventilators with a lesser insulation capacity, or if the doors or windows are open.

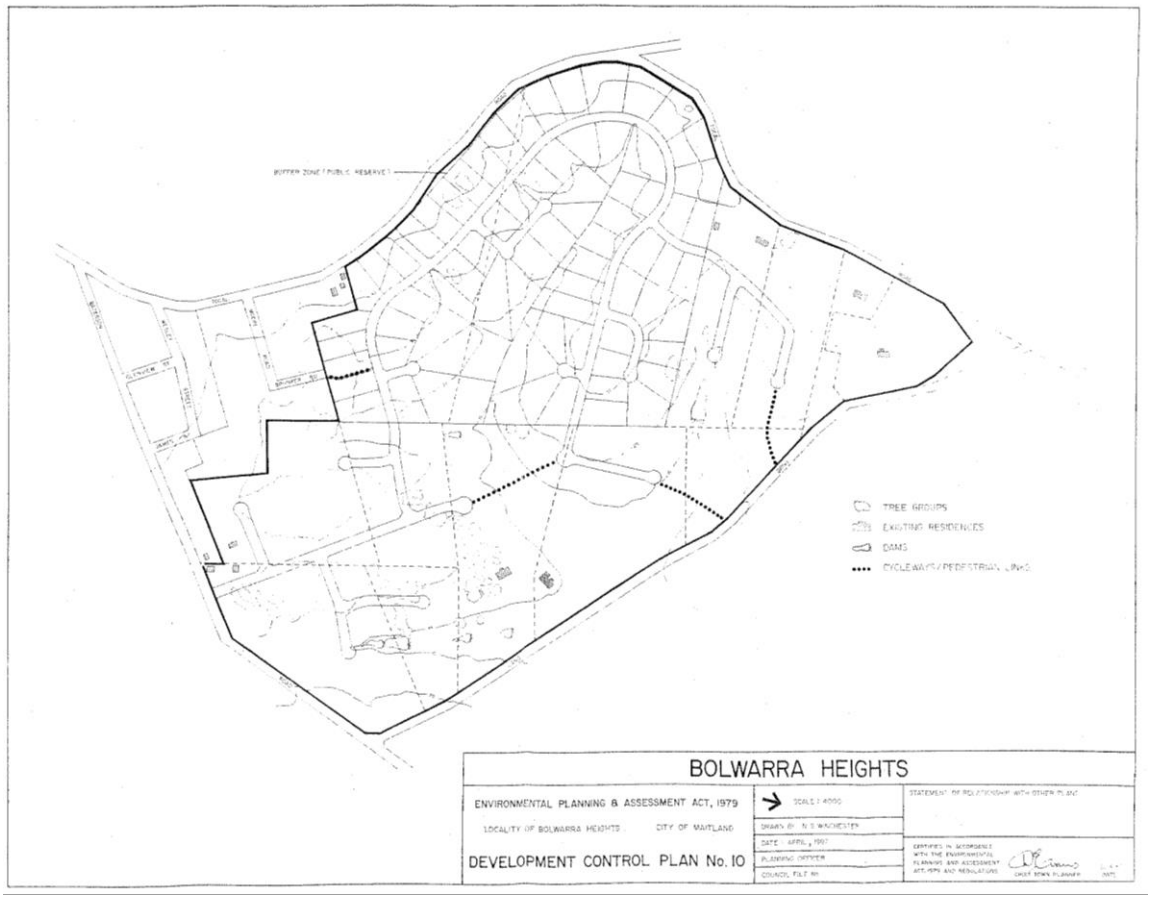
To reduce the effect of windows on noise levels in a room, the window may be sited on another external wall, which is not directly in line with the noise source. Double glazing can also reduce noise penetration. External doors should be 'solid core' and well sealed around the frame and closing surfaces.

Floors in most types of construction do not usually need to be modified, however in conventional weatherboard houses, enclosing the underfloor area can assist in reducing noise levels inside the house.

Room Furnishings and Fittings

Using sound absorbing furnishings and fittings, such as heavy curtains, carpets and soft furniture can also reduce the effect of workshop noise.

D.3 Bolwarra Heights



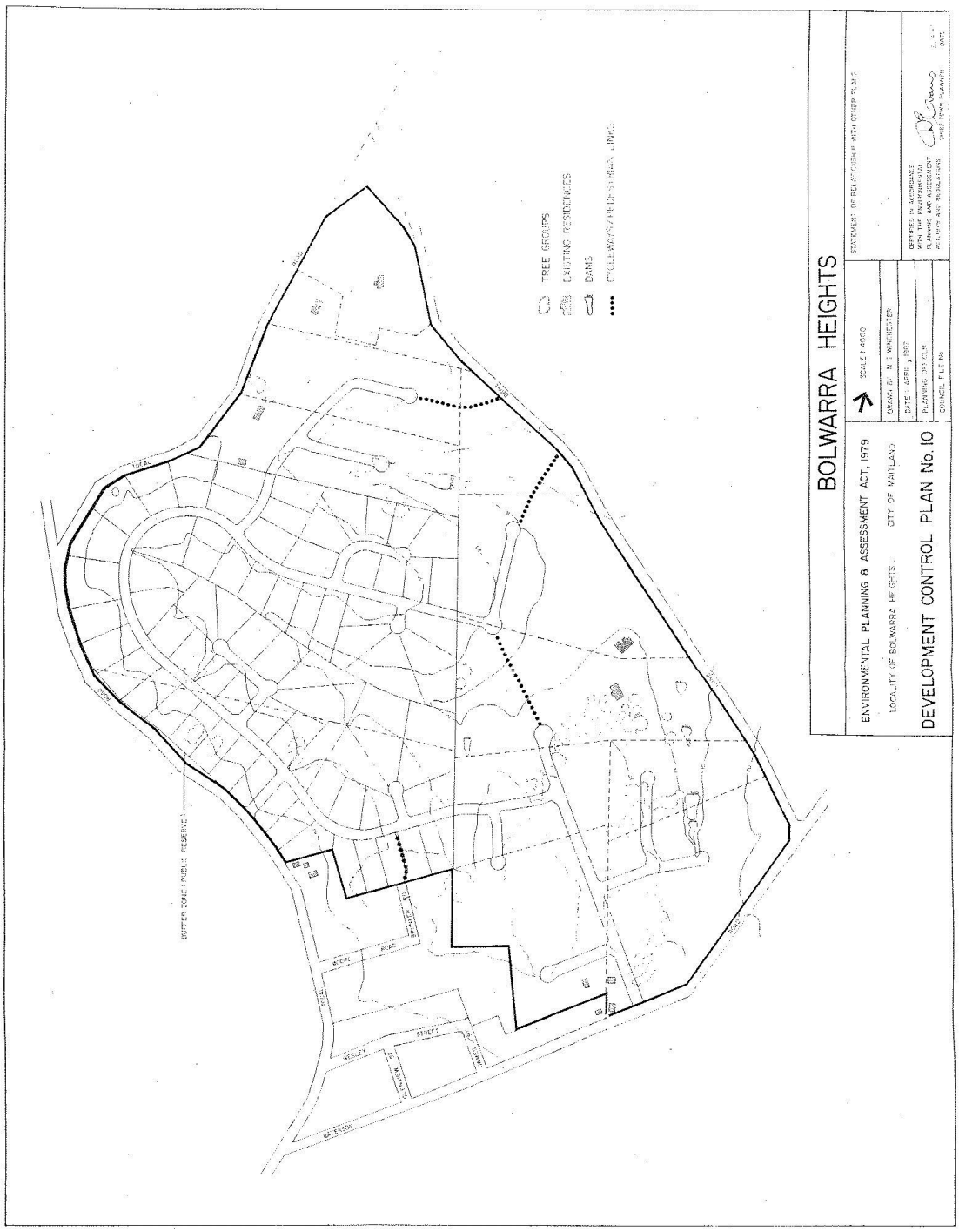
1. Locality Statement

The land is located in Bolwarra Heights and is bounded by Tocal Road, Lang Drive and Paterson Road. The area sits north of the established residential area of Bolwarra and is characterised by large residential lots generally accommodating substantial single or two storey residences. Any dual occupancy development will appear as a single residential building or cluster/complex of buildings.

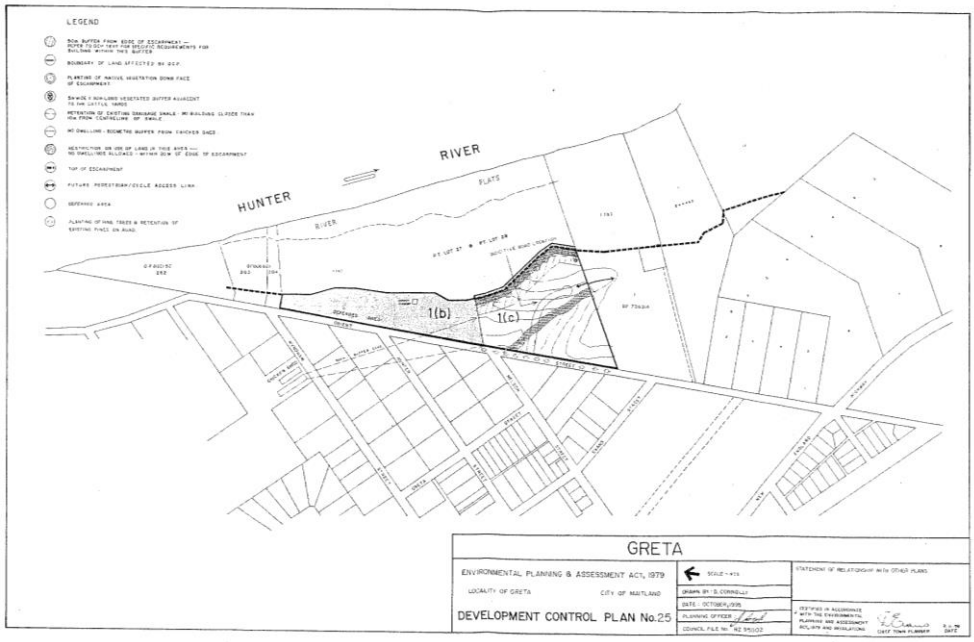
Large pockets of vegetation are located in the undeveloped areas of the site, predominately identified as Lower Hunter Spotted Gum Ironbark Forest, which is identified as an Endangered Ecological Community (EEC). A number of drainage paths also run through the site connecting to the flood plain in the east. Future development shall have regard to the retention of natural vegetation and with respect to the natural topography of the land. Additional landscaping and revegetation is promoted to maintain the rural character of the area.

2. Design Requirements

1. Major Collector Roads shall be located generally in the position shown on the Locality Plan. Minor roads as shown on the Locality Plan are indicative only. New lot boundaries are to be located at the time of development application and should be based on the analysis shown in the supporting document.
2. Utility Services to all lots shall include reticulated water, electricity, telephone and waste water infrastructure to the satisfaction of the relevant authorities.
3. A comprehensive landscape plan shall be prepared for the subject land. This plan must meet with the approval of Council prior to engineering plans being approved by Council. This plan may be developed in stages consistent with the land ownership pattern of the subject land.
4. The minimum front building setback for the subject land shall be 20 metres. A lesser setback may be permitted only if it can be shown that no other suitable building site is available on the allotment, and that a lesser setback would not detrimentally affect the streetscape. Setbacks may also be required from drainage channels and area subject to flooding.
5. All structures erected on the subject land shall be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention shall be given to the shape, colour and materials of the external surfaces of the structure.
6. Consideration shall be given at the design stage of both subdivision and individual dwellings to the requirements of *Planning for Bush Fire Protection 2006*.


BOLWARRA HEIGHTS
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
DEVELOPMENT CONTROL PLAN No. 10
LOCALITY OF BOLWARRA HEIGHTS
CITY OF MAITLAND
SCALE 1:4000
DRAWN BY N.B WINCHESTER
DATE APRIL, 1987
PLANNING OFFICER
COUNCIL FILE No:
STATEMENT OF RELATIONSHIP WITH OTHER PLANS
CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AND REGULATIONS
TREE GROUPS
EXISTING RESIDENCES
DAMS
CYCLEWAYS / PEDESTRIAN LINKS
BUFFER ZONE / PUBLIC RESERVE
STREET

D.4 Greta (Orient Street)



1. Locality Statement

The land is located on the western boundary of the Maitland LGA with access off the New England Highway through Orient Street, Greta within the Cessnock LGA. The land sits on the edge of the escarpment overlooking the Hunter River and across Lochinvar and Luskintyre.

The area is characterised by small rural allotments and small scale rural and agricultural activities. The site is intended to be primarily developed for large lot residential living with lots generally accommodating single detached housing.

2. Design Principles

P1 The siting of buildings and building form, materials and colours will be combined to ensure the visual impact of the development is kept to a minimum in this visually sensitive escarpment area. The rural character of the Locality will be maintained as well as views to and from the Hunter River and surrounding Luskintyre and Greta areas.

P2 Development outcomes for the Locality will have regard to the natural and man-made constraints of the land, in particular:

Natural constraints include:

a) Potentially unstable land near the edge of the steep escarpment;

b) The natural drainage swale through the site. Disturbance of this drain may present problems and inappropriately located buildings may suffer local flooding and/or drainage problems; and
c) Potential for high visual impact of development along the escarpment and on rural vistas and scenic quality generally.

Man - made constraints include:

a) The need to maintain the rural and heritage characteristics of the locality;
b) The proximity of a poultry farm to the north-west of the site;
c) The proximity to an old disused piggery to the west of the site;
d) The proximity of the cattle yards to the south of the site; and
e) The standard and layout of the existing local road network.

2.1 Design Guidelines – Subdivision

Water and Sewerage

1. A reticulated water and sewerage service shall be provided to all lots on the site to the requirements and satisfaction of the Hunter Water Corporation. The Developer shall liaise with the Hunter Water Corporation to ensure that the requirements of the Corporation are met.

Development Envelope

2. A development envelope is an area or areas designated for the erection of a dwelling-house and outbuildings. Details of Development Envelopes are to be provided with any development application for subdivision, based on a geo-technical assessment of the land, site characteristics and expected user requirements.

   As a guide, a development envelope will:

   a) be no closer than 10 metres from the centreline of natural drainage swales;
   b) have a minimum setback of 10 metres from all lot boundaries;
   c) be no closer than 20 metres from the edge of the escarpment;
   d) be accessible to a public road;
   e) have a minimum area of 500 square metres and be positioned to encourage energy efficient housing design; and
   f) respect the privacy of existing and future residences.

Flora and Fauna Preservation

3. The planting of additional trees will be required where practical.

4. Any fencing which will prohibit the movement of native fauna will not be supported except around swimming pools and small house yards.

Landscaping

5. Landscaping shall be in accordance with the general principles illustrated on the Locality Plan and the principles outlined in this plan.

6. Landscape plans are to be lodged for the approval of Council as part of any development application for the subdivision the land. Plantings should be of locally indigenous species unless otherwise specified by Council.

7. Where subdivision of the land is requested, developers will be required as a condition of subdivision approval, to provide the necessary landscaping prior to Council's release of the linen plan.

8. Conditions of consent may specify requirements for the provision of 88B instruments to ensure maintenance of such landscaping. Particular attention will need to be paid to the maintenance of the landscaping within the first 12 months of establishment.

9. The planting of pine trees of similar genus to those already present, shall occur along Orient Street fronting the subdivision in keeping with the theme already established.

10. Shrubs, ground covers and scattered trees shall be planted 10 metres either side of the edge of the escarpment to reduce erosion and maintenance problems and to re-establish a vegetated skyline along the escarpment.

Drainage Lines

11. Existing drainage lines on the site should be revegetated wherever possible to minimise any future erosion and salinity problems.

Traffic Requirements

12. All costs associated with the construction of roads within the site and the new intersection with Orient Street are to be borne by the developer.

13. The developer shall construct a bitumen sealed road the full frontage of the land to which this Locality Plan applies in accordance with Council's construction standards.

14. Council may consider the need for the construction of a concrete kerb and gutter as part of the subdivision approval process.

15. Pedestrian access - provision is to be made for a walkway/cycleway connecting the lots within the subdivision to land to the south to allow safe passage to future subdivisions and destinations within Greta and surrounding areas. Details are to be submitted for approval with the development application for the subdivision.

Development on Deferred land

16. Development or subdivision of land identified as the Deferred Area is subject to further consideration and environmental assessment. The following existing constraints over the land are required to be addressed:

    a) The operations of the piggery have ceased and rights to reopen have been lost; and
    b) An assessment of soil on and in the vicinity of the piggery and its associated operations for contamination as a result of these activities has been conducted by a suitably qualified person and any remediation works required have been undertaken.

2.2 Design Guidelines – Residential Development

Height and Appearance

1. All structures are to be designed having consideration to the rural character of the area, the topography, and landscape features of the site. Particular consideration will be given to building location, energy efficient design, form, colour, and construction materials. Details are to be submitted for approval with the development application and/or building application as required by Council.

2. External building materials, including outbuildings and fences located within 50 metres of the escarpment, are to be natural colours in the mid-tonal range or darker, to blend into the natural landscape, and are to be of non-reflective finish.

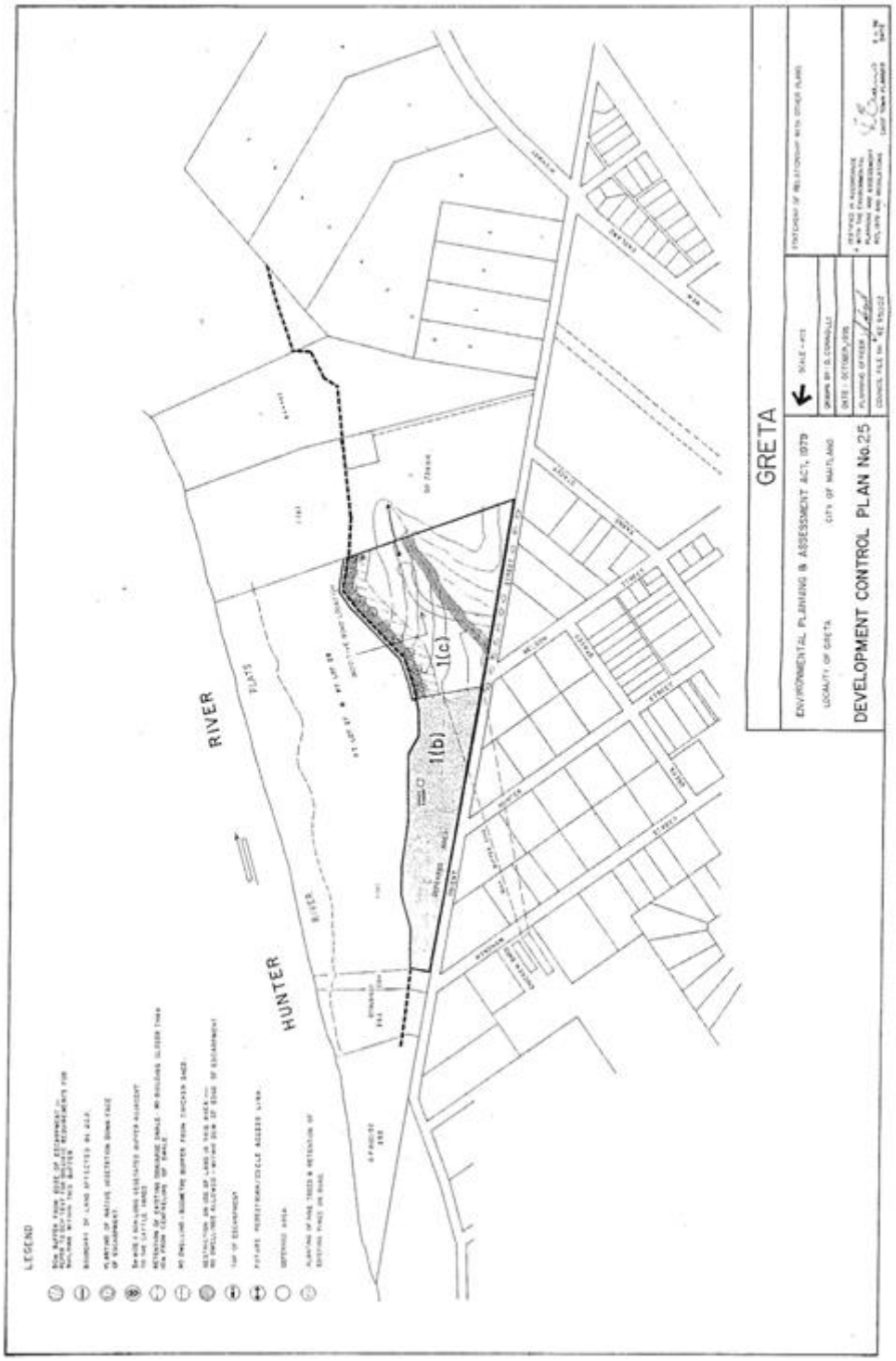
Landscaping

3. Landscaping should be used to create a visual environment consistent with the rural character of the area.

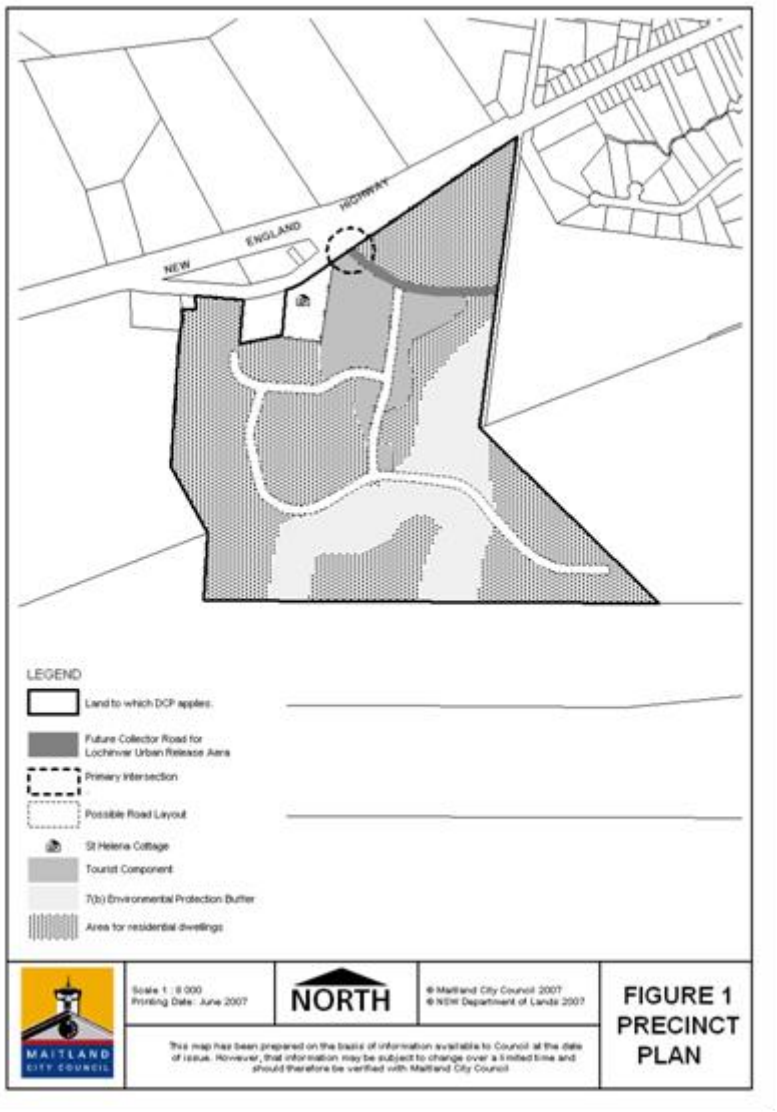
    - Where buildings are proposed within 50 metres of the escarpment, the planting of a backdrop of trees is required to soften the skyline along the escarpment. Planting should include locally indigenous species with mature height in excess of 10 metres.
    - A 5 metre wide and 30 metre long vegetated buffer will be provided along the southern boundary, starting from the escarpment, in order to provide a visual screen from new buildings to the cattle yards. The

buffer will primarily consist of native shrubbery however also include some native trees.

In this regard, a landscaping plan is to be lodged for the approval of Council as part of the development/building application.



D.5 Lochinvar (St Helena Village)



1. Locality Statement

The **St Helena Village Locality** is located off the New England Highway west of Lochinvar and lies on the western boundary of the Lochinvar Investigation Area for future urban growth. This Locality however, has been designed as a unique French-themed village, with a mixture of residential, tourism and viticulture development.

Whilst this Locality provides a vehicular link through to the Lochinvar Urban Release Area, it is otherwise intended to be developed independently.

2. Development Objectives and Requirements

All development applications for land to which this Locality Plan applies must address the Objectives and as a minimum demonstrate consistency with the Requirements.

2.1 Development staging

Objectives

O.1 To achieve integration of dwellings with tourist accommodation, commercial activities and residential areas.

O.2 To coordinate the development staging so that the tourist component is retained and is integral to the site context.

Requirements

1. The development shall generally be in accordance with the ***St Helena Village Precinct Plan***.
2. A staging plan is to be prepared that provides for the commercial and retail components of the tourist accommodation facility to be completed at the same time, or before, all dwellings.
3. All development is to demonstrate its response to the site and its support of the locality plan and staging plan.
4. All development must enhance the context of the site, strengthen local character and identity and promote a sense of community.
5. Public utilities and essential infrastructure are to be provided in a timely, cost efficient and effective manner.

2.2 Transport movement hierarchy

Objectives

O.1 To ensure road design reflects the function of the road, the needs of the road user and connectivity to existing and future development.

O.2 To provide a safe level of pedestrian and cyclist access to existing and future urban areas, parks and public transport facilities.

Requirements

1. An overall transport movement hierarchy shall be established, which must demonstrate major circulation routes and connections in accordance with the Precinct plan.
2. Provision must be made for a road connection to the Lochinvar Investigation Area.

3. A traffic and transport study must be prepared to assess impacts on the New England Highway with recommendation for potential intersection upgrade.
4. A simple and safe movement system for private vehicles, public transport, pedestrians and cyclists with consideration to future urban areas of Lochinvar must be provided.

2.3 Landscaping Strategy

Objectives

O.1 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape and is consistent with a gateway setting.
O.2 To protect and enhance riparian areas and remnant vegetation.

Requirements

1. A landscaping strategy is to be prepared that provides for the following:

    - Protection of visually prominent locations from obtrusive development
    - Treatment of land fronting the highway to create an attractive appearance that is consistent with the character of the area
    - Creation of a village entry and a strong theme for the site
    - Retention of existing trees wherever possible
    - Enhancement of remnant native vegetation in riparian areas
    - Management of interface with adjoining land that is compatible with the land use and zoning.

2. All development is to be consistent with the landscaping strategy.
3. Drainage lines are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters. Re-vegetation proposals should include where possible those areas supporting Ecological Endangered Communities (EEC).
4. Advertising structures are to be low-scale, consistent with the character of the area and well-maintained.

2.4 Urban Design

Objectives

O.1 To ensure that the design and appearance of buildings and the structure of the site do not detract from St Helena Cottage, the local character of the area, and are attractive when viewed from the highway.

Requirements

1. Any development visible from the New England Highway is to create an attractive appearance by use of building design, layout and landscaping.
2. Development within the vicinity of St Helena Cottage is to be consistent with its setting, context, views and vistas and not impact on its heritage significance.
3. Fences fronting public domain and common areas are to be appropriate to the nature of the area.

2.5 Heritage

Objectives

O.1 To ensure that development does not adversely impact upon the setting and context of St Helena Cottage

Requirements

1. A Heritage Impact Assessment is required for development in the vicinity of St Helena Cottage, so as to ensure that development, in the opinion of the consent authority, does not adversely impact upon the setting and context, views and vistas associated with St Helena Cottage.

2.6 Viticulture

Objectives

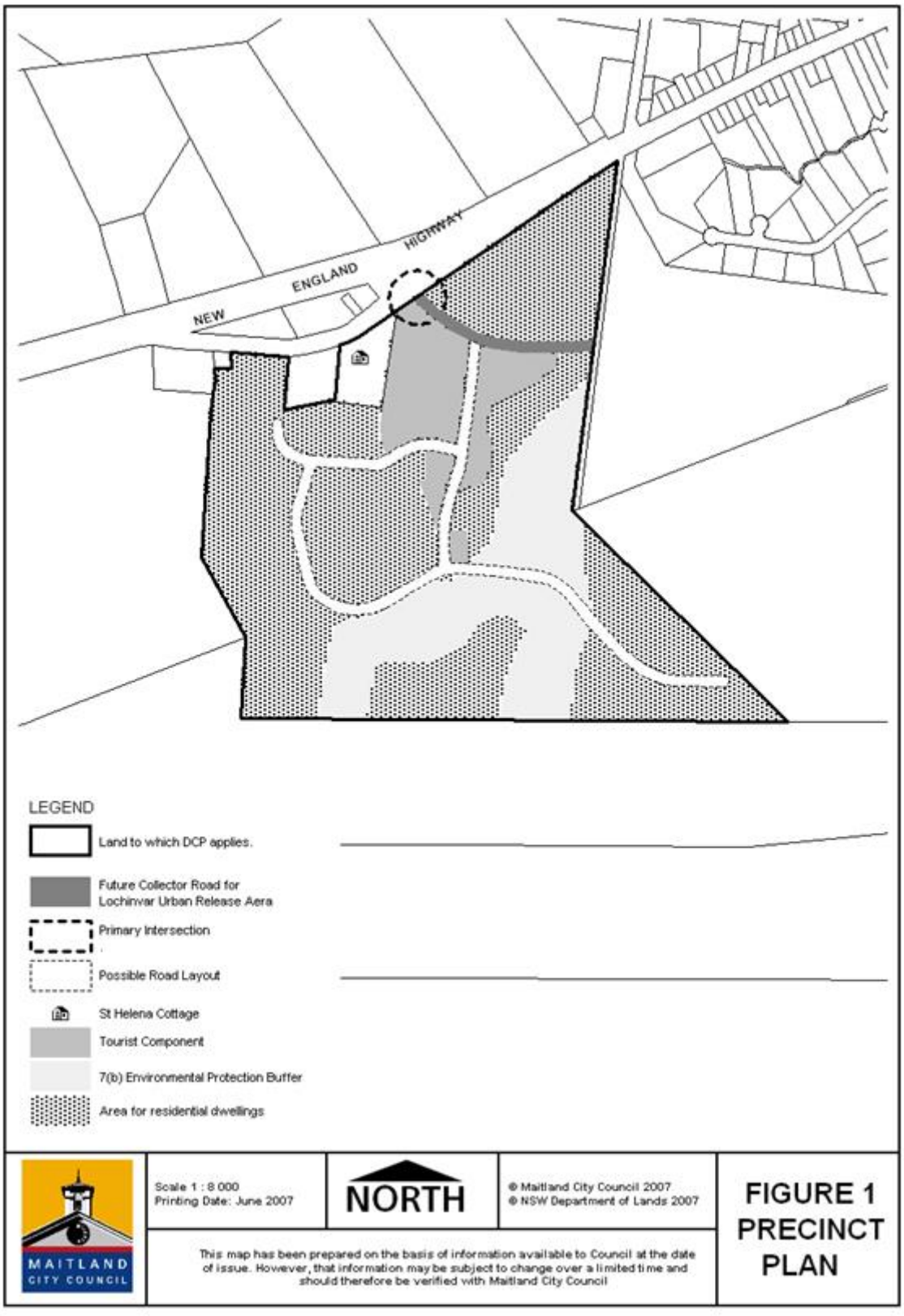
O.1 To manage the interaction between grape production and residential activities so as to not adversely affect residents or visitors to St Helena Village or residents of adjoining areas.

Requirements

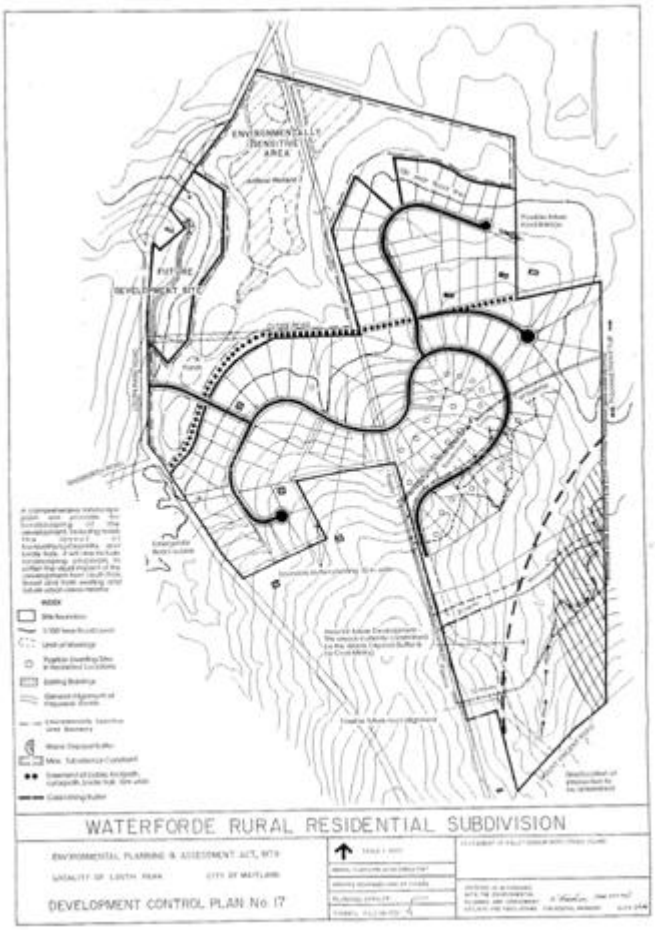
1. A viticulture management plan shall be submitted with any development application that proposes grapevine planting to address the following:

    - Area of grapevines
    - Proximity to residential dwellings, including future dwellings on site and proposed urban areas adjoining the site
    - Amelioration of noise, chemical drift or odours associated with grape production within a residential environment.

2. All development applications must demonstrate consistency with the viticulture management plan.


NEW ENGLAND HIGHWAY
LEGEND
Land to which DCP applies.
Future Collector Road for Lochinvar Urban Release Aera
Primary Intersection
Possible Road Layout
St Helena Cottage
Tourist Component
7(b) Environmental Protection Buffer
Area for residential dwellings
MAITLAND CITY COUNCIL
Scale 1 : 8 000
Printing Date: June 2007
NORTH
© Maitland City Council 2007
© NSW Department of Lands 2007
This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland City Council
FIGURE 1
PRECINCT PLAN

D.6 Louth Park (Waterforde Estate)



1. Locality Statement

The land is located south of Maitland CBD along the southern boundary of the Maitland LGA adjoining Cessnock LGA. The site has frontage to Louth Park Road and Mount Vincent Road.

The land is relatively flat and characterised by scattered vegetation. It is surrounded by the Wallis Creek floodplain in the east, the Mt Vincent Waste Disposal Depot in the west, and the Bloomfield Colliery to the southwest. A number of constraints affect the land including flooding, mine subsidence, buffer to the waste disposal facility, and coal mining buffer to Bloomfield Collieries.

The locality is intended to be developed as a low density residential area with large residential allotments. Development is to respect the topography of the land and retain major drainage lines in their natural form where possible. Dwellings are to be located clear of the 1% AEP flood.

2. Design Principles

P1 The siting of buildings and building form, materials and colours will be combined to ensure the visual impact of the development is kept to a minimum in this visually sensitive rural landscape.

P2 The subdivision design and location of buildings will have regard to the various constraints which affect the land – flooding, mine subsidence, buffer to Council's waste disposal facility and the coal mining buffer to Bloomfield Collieries.

3. Design Requirements

Flooding

1. Every lot shall include a dwelling site of a minimum of 700 square metres above the appropriate flood level adopted by the Council at the time of application.
2. Every allotment shall have flood free access.
3. The floor of every dwelling shall be a minimum of 0.5 metres above the appropriate flood level adopted by Council at the time of application.

Mine Subsidence

4. This clause applies to the area shown on the Locality Plan as 'Mine Subsidence Constraint'. The land affected by this clause has been subject to shallow underground mining and mine subsidence may occur. Development of this area may therefore be constrained.
5. No improvements are to be erected between the 20m isopach and the extent of mine workings as shown on the Locality Plan.
6. Development between the 20m and 30m isopachs is to be limited to lightweight-type structures only (clad frame), to the requirements of the Mine Subsidence Board.
7. Any application for subdivision in the area designated as "Mine Subsidence Constraint" shall be accompanied by a geotechnical report providing:

    - site classification of building lots
    - subgrade investigation
    - pavement design
    - an assessment of the exact location of workings and filled open cut areas to ensure that every lot has a suitable site for the erection of a dwelling
    - other requirements of the Mine Subsidence board, as necessary.

8. Development/building proposals shall comply with Mine Subsidence Board requirements.

Coal Mining Buffer Area

9. No dwellings may be erected within the area shown as "Coal Mining Buffer Area" on the Locality Plan.

Waste Disposal Buffer Area

10. Consideration must be given to that part of the land shown hatched and nominated on the Locality Plan as Waste Disposal Buffer. Restrictions may apply to development which will support human habitation located within 500m from either the existing or future tipping face of the waste disposal depot located within this buffer.

Landscaping

11. The landscape masterplan for the site will create an ordered, open rolling landscape that preserves views from surrounding properties and provides an attractive outlook from the rural-residential areas. The low lying area in the north-western section of the site, shown as an environmentally sensitive area on the Locality Plan, shall be developed as a wetland area to provide sanctuary for native birds, in particular, by redesigning formal areas into an informal, natural state.

    The perimeter of the site bounded by roadway will have clump and windbreak planting to buffer westerly winds and provide a living hedge to the development. Strategic open view sections will be left to give selective views to passers-by of wetlands and distant views of rolling rural-residential development.

    The boundaries adjoining other rural-residential development areas will be selectively planted with low growing varieties to preserve views to, and from, the site.

    Specifically:

    (i) **Wetland areas within the Environmentally sensitive area**. The species should withstand waterlogging and periodic inundation. The soil is heavy and deep.

    (ii) **Windbreak**. A range of species, from low shrubs to tall trees will be selected. A three-row windbreak is recommended, with shrubs forming the roadside (west side) planting, melaleucas and casuarinas forming the middle road, and eucalypts and other tree species comprising the third row. The windbreak crosses all soil types, so species should be placed according to their suitability for the soils.

(iii) **Clumps**. These plantings will be placed on the flood-prone areas of the rural-residential allotments and scattered in the lower open areas. They should be diverse in colour, texture, height and flowering.

(iv) **Contour bank/catchment drain**. A low contour bank is to be constructed using spoil from the pond excavations. The bank will follow the lower contour of the rural-residential allotments, and plantings will be made on the bank to form a low screen.

(v) **Avenue**. This feature area will form the entrance to the estate and will be a single row formal planting of Hills Weeping Fig and Melaleucas alternatively. The bridge will be flanked on either side by four feature Moreton Bay Figs.

(vi) **Feature trees**. These will be planted in the vicinity of the entry to the Subdivision, and in other areas in the landscape to provide a contrast to the eucalypt/native plants. No introduced species will be planted in the wetland areas of the estate.

(vii) **Kerbside plantings**. The plantings in these areas will provide a wide range of colours and foliage contrasts to enhance the estate. Species chosen will be both bee and bird attractants and represent the best selection of native trees and shrubs proven for ridge soil plantings.

(viii) **Boundary buffer plantings**. A 10 metre wide buffer area will be planted with low shrubs to prevent structures being erected closer than 10 metres to adjoining property boundaries. Low planting will allow views across this buffer area and any tall planting in it will be positioned selectively so as not to interfere with views from adjoining properties.

12. Existing trees are to be retained where possible.
13. Landscape plans for separate stages of subdivision shall adhere to the landscape master plan approved by Council for the site, and are to be prepared by a professional skilled in landscape design.
14. In the case of the subdivision of the land to which this plan applies, landscape plans are to be lodged for the approval of Council as part of the development application for subdivision of the land. Developers will be required to provide landscaping, as deemed appropriate by Council, prior to Council's release of the linen plan.
15. In the case of the development of the land for the purpose of permitted uses, landscape plans are to be lodged as part of the development application for the approval of Council. Conditions of consent are likely to impose controls on landscaping.
16. Conditions of consent may also specify requirements for the provision of 88B or 88E Instruments, or relevant alternatives acceptable to Council, to ensure maintenance of landscaping and exclusion of stock from the environmentally

sensitive area. Particular attention will need to be paid to the maintenance within the first 12 months of establishment.

Water Management and Sedimentation/Erosion Control Plan

17. The natural drainage lines on the site will be utilised to the maximum extent possible as part of a stormwater and runoff drainage management system which uses soil conservation measures, including detention basins, to alleviate stormwater peaks and retain sediments and pollutants.

Water Supply and Sewerage

18. A reticulated water supply and sewerage service shall be provided to all lots on the site to the requirements and satisfaction of the Hunter Water Corporation.
19. The Developer shall liaise with the Hunter Water Corporation to ensure that the requirements of the Corporation are met.

Road Pattern/Traffic Issues

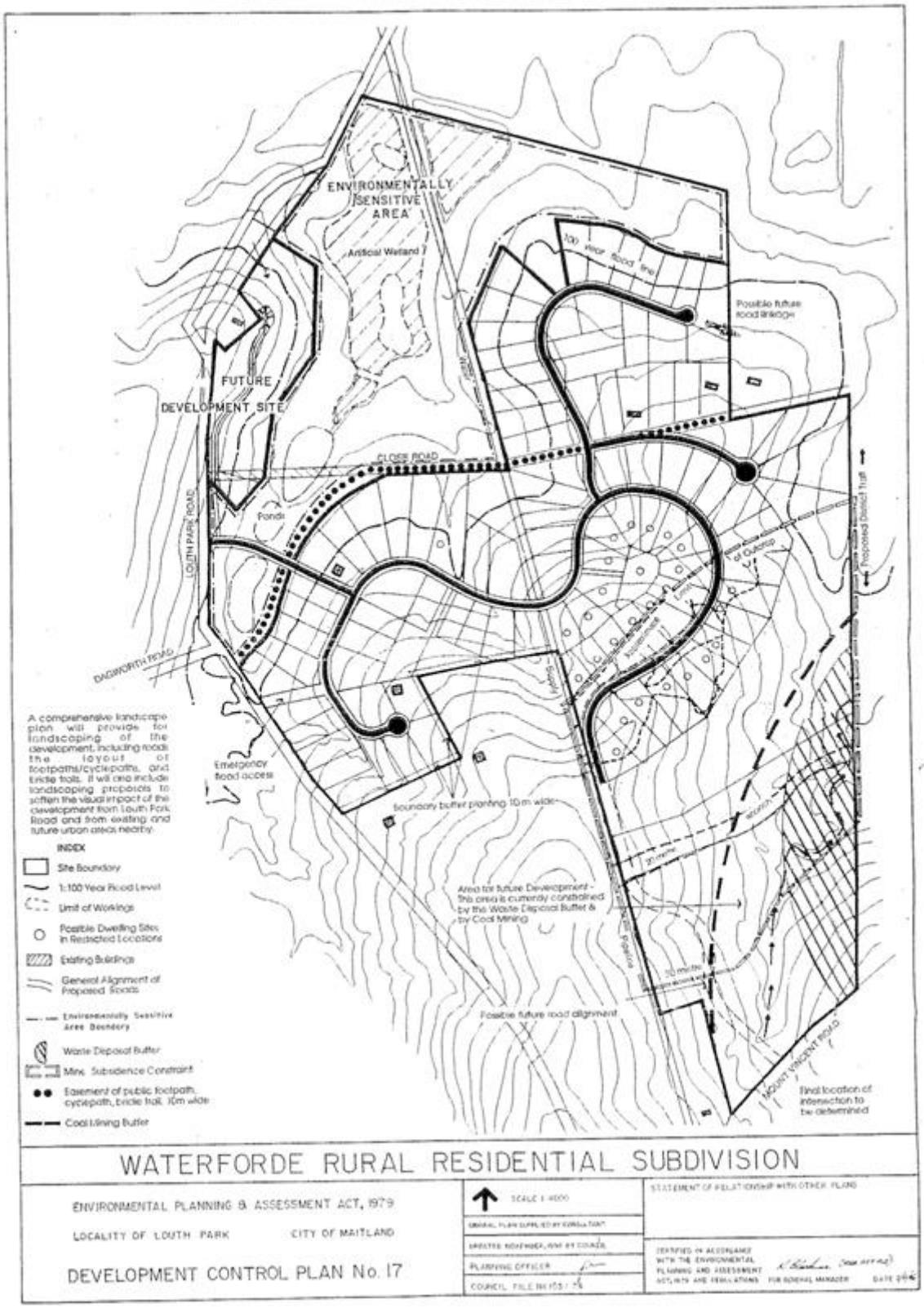
20. The road pattern shall be developed generally in accordance with the Locality Plan but the layout is indicative only and may be varied in the course of detailed subdivision planning.

Public Amenities and Services

21. The Developer shall provide a pedestrian, bicycle and horseriding trail from the eastern boundary of the site to Louth Park Road generally as shown on the Locality Map and a right of way in favour of the public for that part of the trail which passes over private land.

Large Lot Residential Provisions

22. All structures erected on large lot residential zoned land shall be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention shall be given to the style, colour and materials of the external surfaces of the structure.
23. Conditions of Consent may also specify requirements for the provision of 88B Instruments or relevant alternative acceptable to Council to maintain the view from existing dwellings in the locality. Council may require the provision of building envelopes for the specific siting of new development.
24. Dwellings should be designed to maximise exposure to winter solar radiation and to locate living rooms to take advantage of winter solar radiation. Dwellings should be designed to minimise the extent that summer solar radiation enters windows on the northern and western facades of the building. Dwellings should be designed to permit cross ventilation to allow benefit from cool summer breezes.


ENVIRONMENTALLY SENSITIVE AREA
Artificial Wetland
100 year flood line
Possible future road linkage
FUTURE DEVELOPMENT SITE
CLOSE ROAD
LOUTH PARK ROAD
Ponds
DAGWORTH ROAD
Emergency Road access
boundary buffer planting 10 m wide
Area for future Development - This area is currently constrained by the Waste Disposal Buffer & by Coal Mining
Possible future road alignment
MOUNT VINCENT ROAD
final location of intersection to be determined
A comprehensive landscape plan will provide for landscaping of the development, including roads the layout of footpaths/cycleways, and bridle trails. It will also include landscaping proposals to soften the visual impact of the development from Louth Park Road and from existing and future urban areas nearby.
INDEX
Site Boundary
1:100 Year Flood Level
Limit of Workings
Possible Dwelling Sites in Restricted Locations
Existing Buildings
General Alignment of Proposed Roads
Environmentally Sensitive Area Boundary
Waste Disposal Buffer
Mine Subsidence Constraint
Easement of public footpath, cycleway, bridle trail. 10m wide
Coal Lining Buffer
WATERFORDE RURAL RESIDENTIAL SUBDIVISION
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
LOCALITY OF LOUTH PARK CITY OF MAITLAND
DEVELOPMENT CONTROL PLAN No. 17
SCALE 1:4000
PLANNING OFFICER
COUNCIL FILE No.

D.7 Tenambit

1. Locality Statement

This land is located within the established residential area of Tenambit. The locality will be developed as a conventional residential area with lot sizes generally being consistent with those around the perimeter of the site fronting Robert, Goldingham, Collinson, Maize and Edward Streets and Metford Road. Larger lots may be created for the purposes of dual occupancy or multi dwelling housing, taking into account the potential impacts from such development on adjoining properties.

The development of this locality will ultimately result in the through connection of Bradbury Street and Floral Close, Lavinia and Pont Closes and Alpine Close with a further exit onto the eastern end of Robert Street.

2. Design Principle

To facilitate urban consolidation of vacant land in a co-ordinated manner to ensure that no unreasonable financial burdens are placed on the developer or Council.

3. Design Requirements

1. The development of the site should incorporate the preferred access and approximate location of the road as indicated on the Locality Plan.

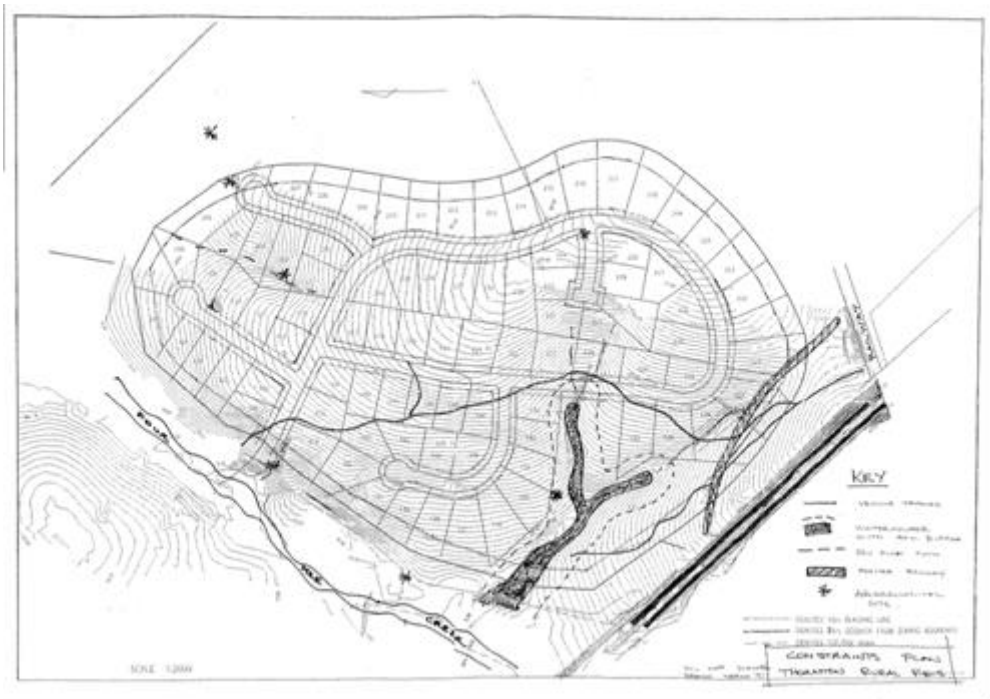
2. Suitable legal access is to be provided to all land shown on Locality Plan to the satisfaction of Council following the preferred access.
3. Where existing drainage pipelines are not covered by drainage easements then such easements shall be created when any single or collective development or subdivision occurs.

4. Where new drainage pipelines are necessary to service discharge from the site development and/or new road, the drainage works shall be constructed from a point of connection that discharges to a public road to the development site and be covered by an easement in favour of Council.

5. Drainage and stormwater will require new residential lot development to commence from Pont Close, in respect of the area bounded by Metford Road, Maize, Goldingham, and Collinson Streets, and from the eastern extremity of the preferred road access linking Alpine Close to Robert Street and Floral Close with Bradbury Street.


DEVELOPMENT CONTROL PLAN No: 27 - AMENDED
TENAMBIT
Metford Road, Robert, Edward, Collinson, Goldingham & Maize Streets Residential Precincts
LEGEND
Proposed Pedestrian Access
Preferred Road
NORTH
Scale 1 : 3 000
Printing Date: September 2008
© Maitland City Council 2003
© Land & Property Information 2003
This map has been prepared on the basis of information available to Council at the date of issue. However, that information may be subject to change over a limited time and should therefore be verified with Maitland
MAITLAND
Notional Stormwater Easement & Overland Flowpath (Min 3m wide)
METFORD ROAD
COLLINSON STREET
GOLDINGHAM AVENUE
ROBERT STREET
MAIZE STREET
EDWARD STREET
CLARENCE STREET
HOUSTON STREET
CENTRE STREET
BYNG STREET
BRADBURY ST
FLORAL CLOSE
ALPINE CLOSE
LAVINIA CLOSE
PONT CLOSE
TROY CLOSE
RONALD AVENUE
CRAWFORD AVENUE
BURLEY STREET
PATRICK STREET
THURSO STREET
GOLDING CLOSE
468
270
271

D.8 Thornton (Woodlands Estate)



1. Locality Statement

The **Woodlands Estate Locality** lies between the established urban areas of Metford and Thornton, the New England Highway and the North Coast Railway. Constraints analysis undertaken in the preparation of the original Development Control Plan (DCP 28) informed the design of the subdivision and the preparation of design guidelines for residential development.

The constraints analysis identified that the native vegetation within the Locality provides habitat for several vulnerable species under the *Threatened Species Conservation Act 1995* as well as assisting with the stabilisation of soils, thereby reducing sediment runoff into the nearby Four Mile Creek. Accordingly, the retention of native vegetation is an integral design principle in the development of the overall Locality and is reflected in the use of the E4 Environmental Living zone for the development component in this Locality.

There is a potential for traffic movements on the New England Highway and for train movements along the Main Northern Railway to generate noise nuisance. The impacts of noise generally lessen with increased distances of separation. Minimum separation distances are incorporated into the design requirements for dwelling-houses.

The subdivision has been completed in this Locality. Accordingly, only the Design Requirements for development of individual lots are provided for in this Plan.

2. Design Principles

P1 Development of the Locality shall ensure that the habitat values of the site are retained by maximising the retention of existing native vegetation, encouraging the rehabilitation of degraded areas and appropriate management of natural areas.

P2 Development of the Locality shall maintain the visual integrity of views from the New England Highway, Raymond Terrace Road, the Main Northern Railway, Thornton Road and the urban areas of Metford and Thornton through the incorporation of buffer zones, the use of landscaping and by controlling the external appearance of buildings.

P3 Development of the Locality shall retain the visual amenity of the site provided by the tree canopy and bushland through the retention of native vegetation and incorporation of appropriately selected landscaping.

P4 The habitat values of land not subject to development shall be protected, through the maintenance and enhancement of existing vegetation, including the understorey.

P5 Development of the Locality shall have regard to the constraints of the land as shown on the Locality Plan.

Natural constraints include:

a) Native vegetation which is habitat for several Vulnerable Species under the *Threatened Species Conservation Act 1995,*
b) Erosion potential of watercourses and soils,
c) Flooding potential in Four Mile Creek,
d) Natural drainage patterns; surface water from the site discharges into Four Mile Creek, moist gullies along the northern and southern boundaries of the site and Woodberry Swamp, all sensitive to increased levels of sediments, nutrients and salinity,
e) Existing urban bushland provides an attractive visual amenity for adjoining areas and should be retained where possible. Degraded areas not set aside for development should be enhanced through landscaping with local native species,
f) Potential bushfire hazard, and
g) Potential acid sulfate soils along Four Mile Creek.

Man-made constraints include:

h) Potential site contamination from previous uses,
i) Potential subsidence and safety issues arising from old mining and mine exploration works,
j) Noise levels emanating from the North Coast Railway Line and the New England Highway,
k) The potential conflict of land uses e.g. proximity of industrial to residential, environmental protection and rural residential.

3. Design Requirements – Residential Development

Development Envelope

1. Landowners are required to submit a plan indicating the development envelope for their allotment at the time of lodging an application for the approval of a dwelling. Landowners should aim to retain high proportion of native vegetation, including understorey vegetation. The location of the development envelope will be guided by the constraints plan and vegetation management and landscaping plan approved as part of the subdivision application.

   As a guide a Development Envelope will:

   a) Have an area of no more than 2000 m^2;
   b) Be located a minimum of 40m from the centreline of watercourses;
   c) Not contain land zoned E3 Environmental Management or RE1 Public Recreation or be located closer than 30m to land in these zones;
   d) Not contain land identified as constrained in the subdivision application;
   e) Be in accordance with the vegetation management and landscaping plan;
   f) Be accessible to a public road without requiring significant modifications to a natural drainage line; and
   g) Be above the level of Councils currently adopted flood standard (1% AEP flood level).

   A plan showing an indicative development layout is provided as Plan 3.

2. All buildings shall be located within the development envelope in a manner, which allows all necessary bushfire fuel reduction measures to also occur within the development envelope. Buildings shall have a minimum setback of 6 metres from side boundaries and 10m from the front boundary.
3. Applicants are encouraged to retain as much native vegetation with in the development envelope as practical, while ensuring the safety of proposed structures and adequate bushfire fuel reduction.
4. Applicants seeking to clear land lying outside the development envelope or alter the configuration of the envelope are required to provide evidence that such work will not significantly impact upon the habitat of endangered or vulnerable flora/fauna and is consistent with the vegetation management and landscaping plan.

Building Design

5. All structures, i.e. dwelling-houses, garages, sheds, fencing, shall be designed having consideration to the bushland character of the area, the topography and landscape features of the site. Particular consideration will need to be given to building location, solar access, form, colour and construction

materials. Applicants will be required to demonstrate that these considerations have been taken into account.

6. Council encourages the construction of non-obtrusive structures to reduce their visibility from the New England Highway, the Main Northern Railway or Metford. Roofs are to be of low-reflective tile or pre-coloured metal sheeting.
7. Dwellings should be designed to accommodate the topography of the site and should not require cut or fill in excess of 1000mm in depth or height respectively.

Bushfire Protection

8. Measures indicated in the bushfire hazard assessment submitted with the subdivision application are to be incorporated in the design of buildings and treatment of their surrounds.

Noise

9. A minimum 50 metre setback is required between dwelling-houses and the boundary of the New England Highway or the Main Northern Railway. Certain building materials and designs offer better sound insulation qualities and should be investigated for use in new house designs.

Fencing

10. The use of solid panel fencing, except for the screening of areas around swimming pools and entertainment areas and acoustic fencing adjoining a dwelling, is not acceptable in a bushland environment. The use of open mesh or rural type (post & wire) fencing is acceptable.

Landscaping

11. Landscaping associated with new dwellings shall be in accordance with any matters specified in the Vegetation Management and Landscaping Plan.

Domestic Animals

12. Given the bushland setting of the site and the proximity of the land zoned E2 Environmental Protection, E3 Environmental Management and RE1 Public Recreation, the co-operation of residents is sought in relation to responsible pet ownership. Residents should refer to Council's *Guide to Responsible Pet Ownership* for more information, however, a responsible owner would ensure that their cat or dog is under effective control at all times to reduce harassment or attacks on other domestic pets, people or native wildlife.

4. Design Requirements – E3 Environmental Management Zone

Landuse/Management

1. Where landuses requiring the consent of Council are proposed, a management plan for the land zoned E3 Environmental Management shall be prepared and submitted to Council for approval prior to the release of building plans. The management plan shall indicate details of access, fencing, bushfire hazard reduction measures, weed control, location of buildings, extent of vegetation removal and rehabilitation.

Building works

2. Buildings and related works shall generally be located in areas which contain poor habitat for native fauna due to vegetation removal undertaken in the past. The design of these works is to reflect the environmental sensitivity of the site.

Flora and Fauna Habitat Preservation

3. In order to assist in the retention of a high proportion of existing habitat, the removal of native trees and understorey will be discouraged outside those areas not forming part of the Development Envelope, with the exception of works associated with bushfire hazard reduction undertaken by authorised persons.
4. Unless a *critical habitat tree* is considered by Council to be a danger to human life or is no longer considered to be of high habitat value, request for removal will be denied.
5. The *Threatened Species Conservation Act 1995* requires a 7-part test to be undertaken to determine the impact significance of development upon threatened species, populations and ecological communities. Such a test of significance will be required to be submitted with development (including subdivision) and TPO applications. If this test indicates that a significant impact will occur then a Species Impact Statement (SIS) and the concurrence of the National Parks and Wildlife Service is required.

Site Contamination

6. Prior to development of land identified as being contaminated (as shown on Plan 1), remediation plans are to be prepared in accordance with the requirements of SEPP 55 – Remediation of Land and associated guidelines.
   (Note: Potential contamination includes areas used for previous tip operations, the brickworks tailing dam, overflow drains, coal storage areas and the brickworks, sawmill and demolition and junk yard building sites. The actual extent of contamination is to be determined by detailed geotechnical survey).

7. The site has been the subject of coal mining and exploration in the past. As a result hidden mining shafts and tunnels may be present on the site. Detailed investigations are to be undertaken to determine the presence or level of any related hazard, with the results to be submitted with any subdivision application. The result will indicate the actions necessary to rehabilitate the site to minimise damage to future buildings and works or minimise risk of injury to people. Information may be available from the Department of Mineral Resource's Library/Archives.

Access/Linkages

8. Vehicle and pedestrian access to the E3 Environmental Management land shall be restricted to those designated access points as shown on Plan 2.
9. In order to assist in ecological management and improve biodiversity of the land, access is to be managed. The landowner has no obligation to provide access for adjoining landowners or members of the general community who may wish to traverse the land for the purposes of recreation or private study.

Fencing

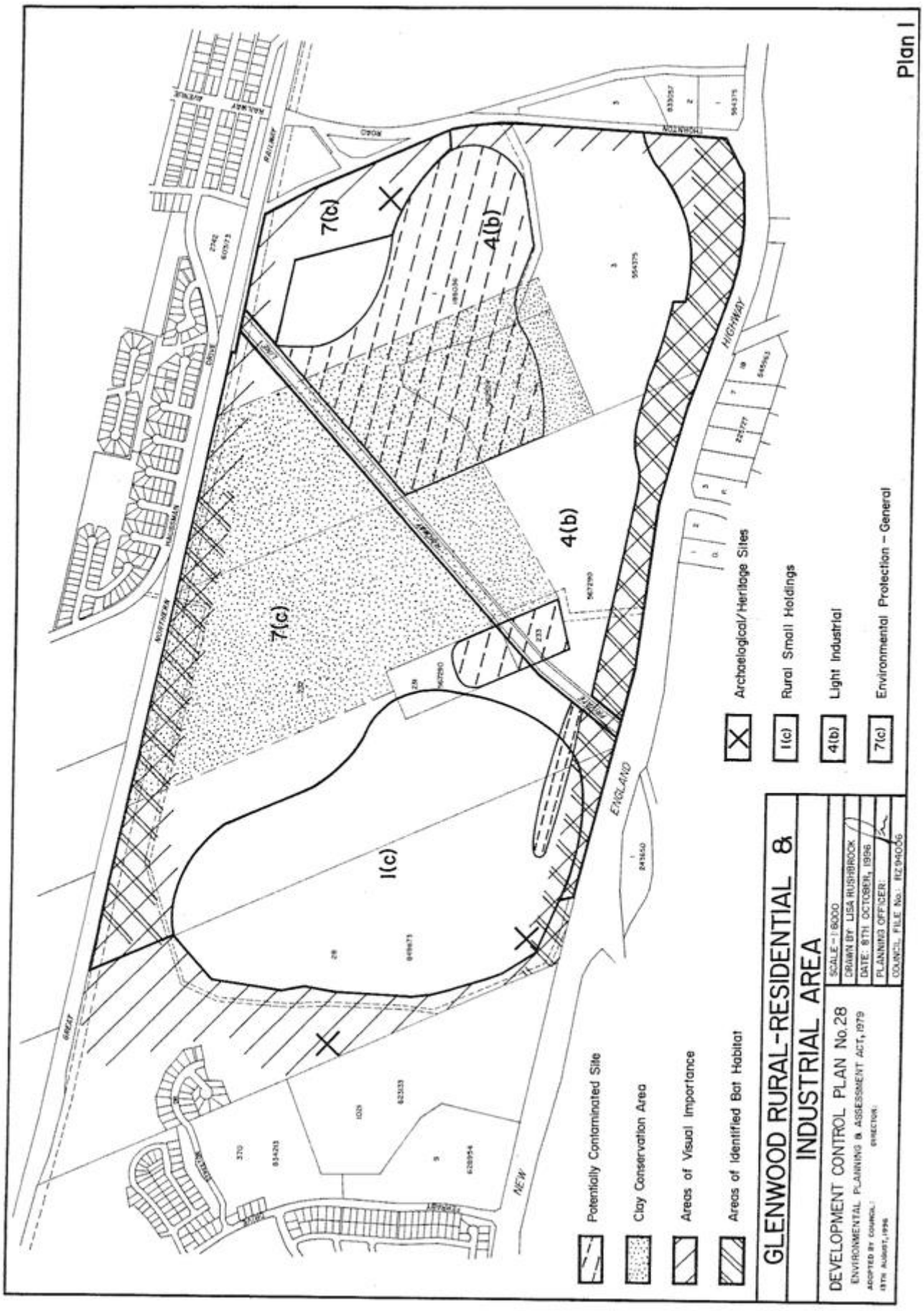
10. The benefits and impacts of erecting of feral and manproof fencing (including electric fencing) will be considered with any development proposals for the site. The erection and maintenance of such fencing would be the responsibility of the landowner.

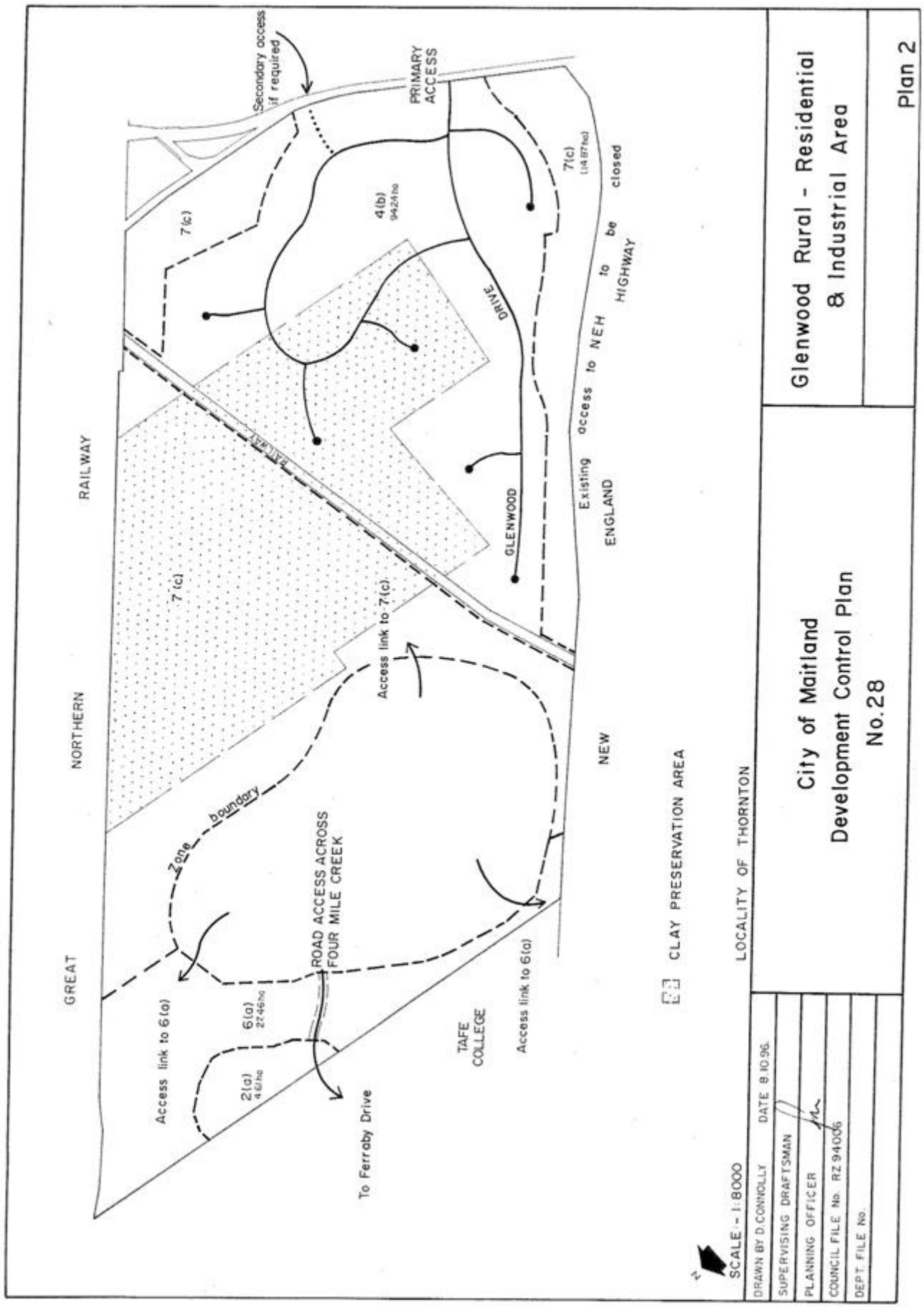
Bushfire

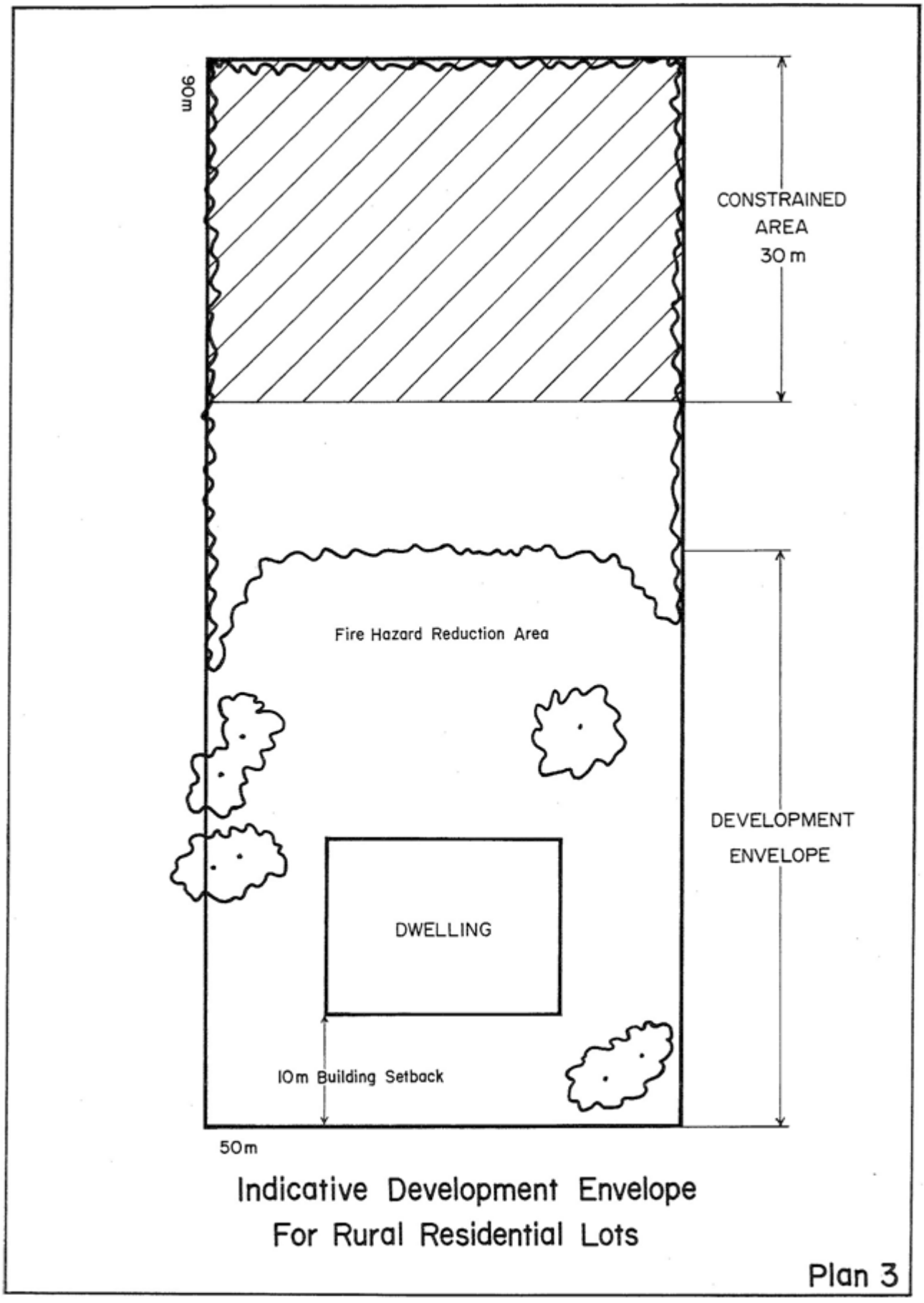
11. Controlled burning of the land may be required from time to time in order to reduce the build-up of fuel. Such burning is to be undertaken with the assistance of the local bushfire brigade in accordance with an approved fire management plan.

Archaeology

12. Development proposals should be designed so that Aboriginal and non-Aboriginal heritage items and archaeological sites are not disturbed (see Locality Plan) unless an archaeological survey has been completed and the survey indicates that the items are of minor significance.


Plan I
GLENWOOD RURAL-RESIDENTIAL & INDUSTRIAL AREA
DEVELOPMENT CONTROL PLAN No.28
ENVIRONMENTAL PLANNING & ASSESSMENT ACT, 1979
SCALE - 1:6000
DRAWN BY: LISA RUSHBROOK
DATE: 8TH OCTOBER, 1996
PLANNING OFFICER:
COUNCIL FILE No.: 82/940/06
Potentially Contaminated Site
Clay Conservation Area
Areas of Visual Importance
Areas of Identified Bat Habitat
Archaeological/Heritage Sites
1(c) Rural Small Holdings
4(b) Light Industrial
7(c) Environmental Protection – General
7(c)
4(b)
1(c)
HIGHWAY
EAGLAND
NEW

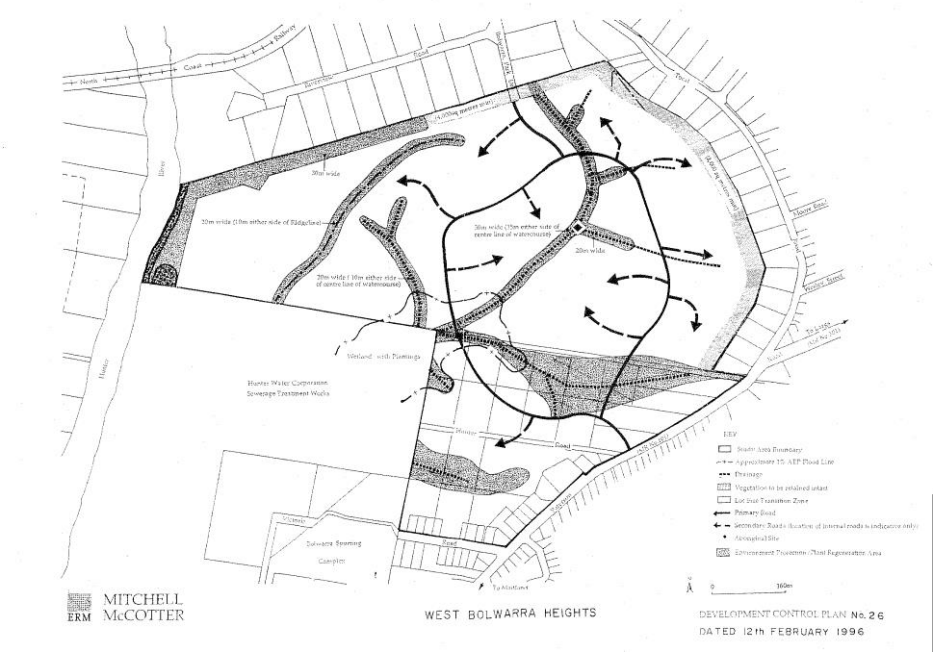

Secondary access if required
PRIMARY ACCESS
7(c)
4(b) 9.42ha
7(c) 1.487ha
DRIVE
GLENWOOD
Existing access to NEW ENGLAND HIGHWAY to be closed
GREAT NORTHERN RAILWAY
7(c)
Access link to 7(c)
Zone boundary
ROAD ACCESS ACROSS FOUR MILE CREEK
6(a) 27.46ha
2(a) 4.6ha
Access link to 6(a)
TAFE COLLEGE
Access link to 6(a)
To Ferraby Drive
CLAY PRESERVATION AREA
LOCALITY OF THORNTON
City of Maitland
Development Control Plan
No.28
Glenwood Rural - Residential & Industrial Area
Plan 2
SCALE - 1:8000
DRAWN BY D.CONNOLLY DATE 8.10.96.
SUPERVISING DRAFTSMAN
PLANNING OFFICER
COUNCIL FILE No. RZ 94006
DEPT. FILE No.



Indicative Development Envelope
For Rural Residential Lots

Plan 3

D.9 West Bolwarra Heights



1. Locality Statement

This land is located north of the established area of Bolwarra and to the west of Tocal Road extending across to the Hunter River. The site is dominated by undulating slopes and creeklines with cleared areas that have been used for grazing. The north-eastern sector and riparian zone of the site contain remnant native vegetation of varying maturity.

Council seeks to encourage both innovation and a variety of housing types on the site, and would consider a range of lot sizes to enable this to occur. It is expected that lots will generally be 800sqm or greater in area as demand will be from the 2nd, 3rd and 4th home owner market. To provide a transition zone between the existing rural-residential development and new development along the northern and eastern boundaries of the site, larger lot sizes will be required.

This Locality Plan has been informed by previous studies, including the *Bolwarra-Largs Urban Capability Study* December, 1982, the *Bolwarra Heights Planning Study*, March 1984, and the *West Bolwarra Heights Planning Study Review*, July 1995. Council may have regard to the content of these documents in the assessment and determination of development applications applying to land subject to this Locality Plan.

2. Design Principles

P1 Development of the area must take into account existing constraints of the site. These constraints are shown on the Constraints Map.

The natural constraints include:

a) potential flooding of the site;
b) proximity to and natural drainage into wetlands and the Hunter River;
c) remnant vegetation. The native vegetation in the riparian zone adjacent to the Hunter River in particular should be protected and vegetation elsewhere on-site should be retained where possible;
d) Salinity. The drainage lines on the site exhibit saline characteristics which will influence the development and management of these drainage lines;
e) the moderate to steep undulations of the site combined with soil types provides for potential erosion and sedimentation problems and requires deliberate storm water management; and
f) Prominent ridgelines and knolls which form part of the existing skyline.

The man-made constraints include:

a) land ownership patterns on the site and for land adjoining the site;
b) the amenity and character of the Bolwarra Heights area based on present development patterns;
c) road access from the existing local road network;
d) the sewage treatment plant to the south of the site; and
e) Aboriginal artefacts, such as the 'scarred tree' identified in the archaeological study undertaken in 1984, require protection and should be accommodated within public community land;

3. Design Requirements - Subdivision

<u>Lot Layout</u>

1. Lots should be designed to be capable of containing a building envelope measuring a minimum of 10m by 15m. Building envelopes are to be located a minimum of 10m from the edge of any environmental protection/plant regeneration areas identified on the Locality Plan.
2. Lot boundaries shall not dissect the riparian vegetation zone.
3. Lot boundaries generally should not cross the main ridgeline or watercourses.
4. Lots which include part of an environmental protection/plant regeneration area identified on the Locality Plan, shall generally be larger to enable the planting and/or retention of larger trees.

Access and Transport

5. A Traffic Impact Study is required to be submitted identifying the impact of the development on the existing road network and the appropriate road standards for complete and partial development of the site.
6. Although the road layout indicated on the Locality Plan is indicative, the primary road layout should generally be in accordance with the layout shown.
7. The main access to the site, from the first stage of development, is to be provided via a new intersection with Paterson Road, generally as shown on the Locality Plan. Upgrading of the intersection may be staged to correspond with the level of development proposed, traffic levels in Paterson road and the results of the Traffic Impact Study.
8. Generally lots and roads are designed to allow 90% of dwellings to be located within 400m straight line distance of an existing or potential bus route and 500m of an existing or potential bus stop.
9. The road network shall be designed to ensure that the bus routes efficiently connect with existing or likely future bus routes, provide for ease of movement of buses between developments, and link major activity centres within and external to the development. Buses should be able to safely gain access to the development and cross arterial roads when travelling between developments without complicated turning manoeuvres.
10. The road network shall be designed so that bus routes are as direct as possible. The alignment and geometry of the streets that form the bus route should allow for the efficient and unimpeded movement of buses without facilitating high traffic speeds.
11. Where access streets or places form part of a pedestrian or cycle network, access links should generally provide suitable connections to adjoining access streets or open space systems so that the pedestrian and cycle networks are functional, cost-effective and have visual supervision.
12. The subdivision design for Lot 1 DP 583650 shall incorporate land contained in the two triangular parcels to the east and should provide direct road frontage to at least one point along the boundary of the north-eastern most parcel.
13. Subdivision designs shall take the existing access lane off Hunter Road into consideration and should, where possible, link this lane to the new internal road network to allow the closure of the Hunter Road/Paterson Road intersection.

Landscaping, Street Tree Planting and Site Revegetation

14. A Species Impact Statement is required to be submitted, where vegetation is proposed to be removed. This report should include an assessment under SEPP44 – Koala Habitat Protection.
15. Landscaping plans should generally include the planting of indigenous trees and shrubs in the environmental protection/plant regeneration areas indicated on the Locality Plan.

16. Tree planting recommended in the landscaping plans, or required as a condition of approval, shall be provided prior to Council's release of the final plan of subdivision.

17. Conditions of consent may specify requirements for the provision of Section 88B instruments to ensure the preservation of vegetation and to restrict the erection of structures within environmental protection/plant regeneration areas.

18 Existing vegetation on the site shall be retained as far as possible.

Aboriginal Archaeology

19. An archaeological survey conducted by a qualified archaeologist in consultation with the Mindaribba Local Aboriginal Land Council and the National Parks and Wildlife Service is required to be submitted. The results of the survey are to be detailed in a report noting the location and nature of artefacts or sites and proposed actions to be taken in relation to artefacts and sites;

Community Facilities

20. Any required site for community facilities shall be located in a position accessible from Bolwarra Heights and Largs, without resulting in unsatisfactory traffic movements along residential streets.

21. Any required site for community facilities should be linked by pedestrian and cycle paths to the Bolwarra Sports Oval.

Drainage Network

22. A water management plan for the sub-catchment involved is to be submitted with any subdivision application. The report should address the collection, storage and discharge of urban stormwater runoff from the site; the location of detention structures, and timing of detention and discharge rates having regard to adjoining residential developments and downstream activities; the 1% AEP storm event and the local 1 in 100 year flood level.

Minor Stormwater Flows

23. The minor drainage system shall have the capacity to control stormwater flows under normal operating conditions, from a storm with an annual exceedance probability (AEP) of 50%. In this case control means the management of flows to ensure the system's performance, under a specific rainfall event, will act in a pre-determined manner.

24. The minor drainage system shall prevent ponding, occurring from flows associated with a storm with an AEP of 50%, for a prolonged period (i.e., greater than one hour after cessation of rainfall, unless otherwise specified).

25. The minor drainage system shall be designed to provide fail safe mechanisms to ensure that blockages or failure of the system will not cause damage to property nor affect the safety of people.
26. The minor drainage system shall be designed to ensure that existing downstream drainage and ecological systems are not adversely affected.

27. The minor drainage system shall enable the safe passage of vehicles at reduced operating speeds on streets which have been affected by runoff from storms with an AEP of 50%.
28. The drainage network shall be accessible and readily maintainable.
29. The drainage networks shall be designed to prevent accumulation of silts and blockages by debris.
30. The drainage networks are to be well defined to ensure there are no hidden flow paths.
31. The materials used in drainage networks are to be durable, maintainable and cost-effective.
32. The design of drainage systems shall be undertaken by properly qualified personnel, using recognised hydrologic, hydraulic and residential parameters and design methodology.
33 Where a portion of the drainage system lies within an allotment, access shall be made available for maintenance.

Major Stormwater Flows

34. Where trunk drainage systems utilise existing drainage lines, the existing drainage lines are maintained as closely as possible to their natural state or in accordance with the landscaping planned prepared for the proposal.
35. The drainage reserves are to be of sufficient width to wholly contain flows from a storm with a 1% AEP.
36. The major drainage network is to be designed to have the capacity to control stormwater flows under normal and minor system blockage conditions for flows from a storm with a 1% AEP.
37. The drainage system shall be designed so that no dwelling is inundated during a flood with a 1% AEP.
38. Gross pollutant traps and first flush systems shall be provided to protect downstream wetlands, waterbodies and waterways.
39. Floodways should generally be restricted to areas where there is no damage to property, and discharge all gap flows.

4. Design Requirements – Development

Building Siting and Design

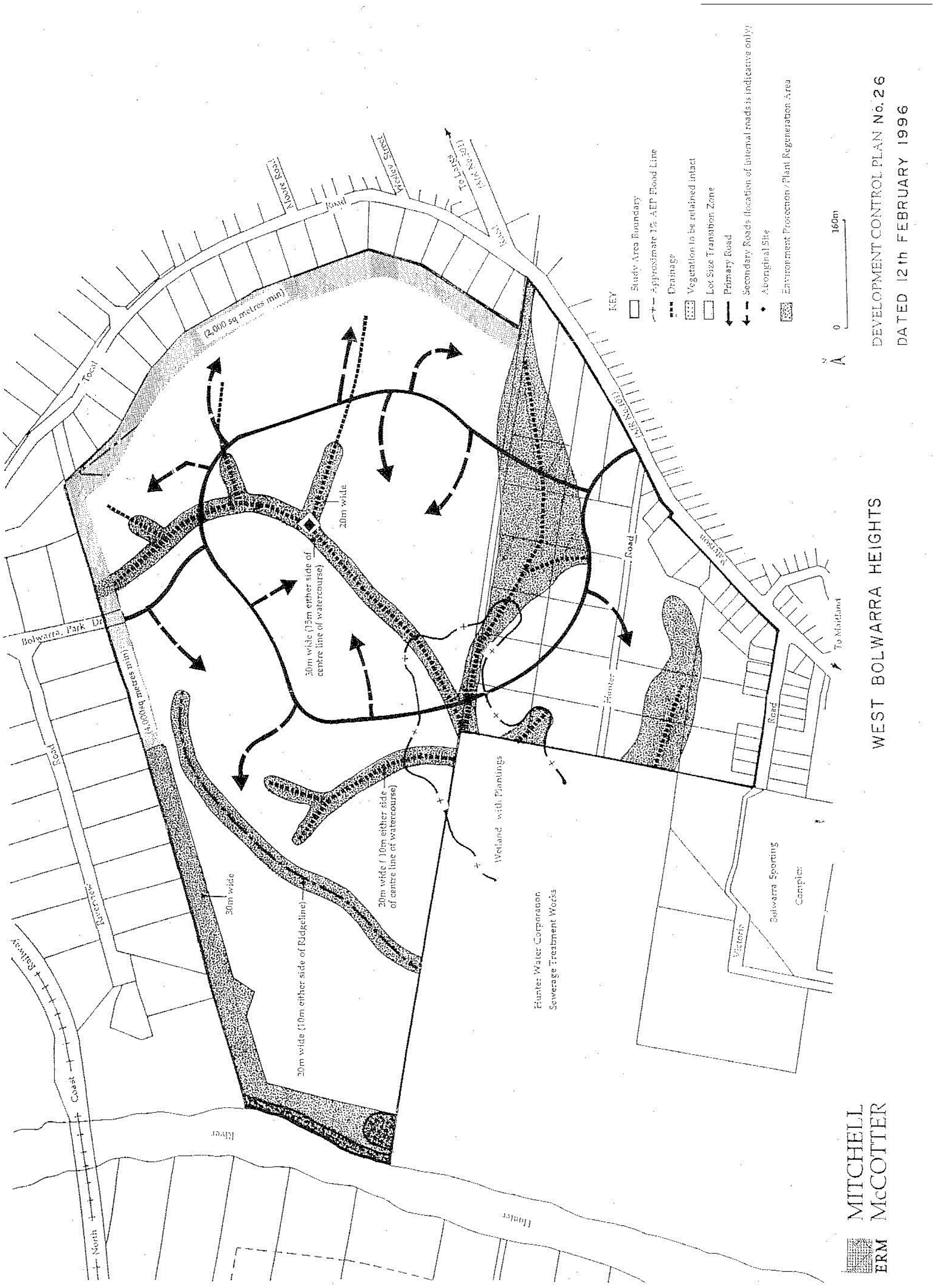
40. Dwellings should generally not be located along the main ridgeline and knolls in the north western section of the site (see constraints map).
41. Dwellings located in close proximity to the main ridgeline and knolls shall be single storey in scale.
42. Dwellings should generally be designed to accommodate the topography of the site and should do not require cut or fill in excess of 1000mm in depth or height respectively.

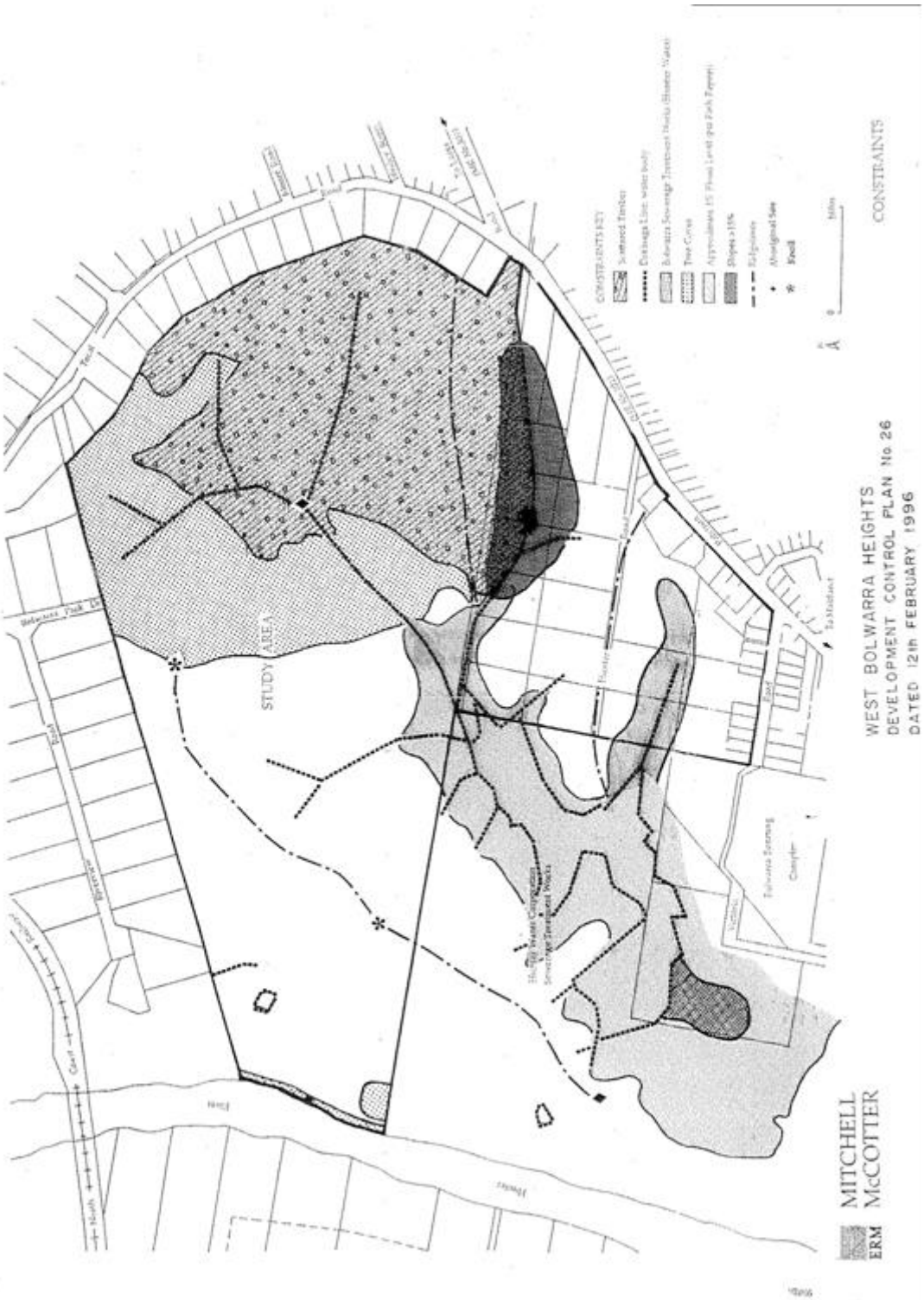
Streetscape

43. A streetscape plan shall be submitted where an integrated housing development or allotments with areas less than 450sqm are intended to be created.

External Building Materials

44. Buildings should be designed so that, through the selection of building materials and landscaping, the total development will be sympathetic with surrounding development and natural features of the site.


KEY
Study Area Boundary
Approximate 1% AEP Flood Line
Drainage
Vegetation to be retained intact
Lot Size Transition Zone
Primary Road
Secondary Roads (location of internal roads is indicative only)
Aboriginal Site
Environment Protection/Plant Regeneration Area
0
160m
DEVELOPMENT CONTROL PLAN No. 26
DATED 12th FEBRUARY 1996
WEST BOLWARRA HEIGHTS
MITCHELL McCOTTER
ERM
Hunter Water Corporation Sewerage Treatment Works
Wetland with Plantings
Bolwarra Sporting Complex
30m wide
20m wide
20m wide (10m either side of Ridgeline)
30m wide (10m either side of centre line of watercourse)
30m wide (15m either side of centre line of watercourse)
(2,000 sq metres min)
(4,000sq metres min)
Bolwarra Park Dr
Moore Road
Hunter Road
To Maitland
North Coast Railway
Hunter River


WEST BOLWARRA HEIGHTS
DEVELOPMENT CONTROL PLAN No 26
DATED 12th FEBRUARY 1996
CONSTRAINTS
STUDY AREA
MITCHELL McCOTTER
ERM

D.10 West Rutherford

1. Locality statement

The West Rutherford Locality is a natural extension of the existing Rutherford residential area, conveniently located near the New England Highway, public transport, Rutherford shopping centre, schools and open space. The land also adjoins the former Anambah waste facility, which is proposed to be rehabilitated and used for open space purposes in the future.

The western boundary of the area is defined by Anambah Road. No new lots or dwellings shall have direct vehicular access to Anambah Road, with all traffic confined to new intersections. In order to present an attractive streetscape appearance, an internal subdivision street shall run adjacent to Anambah Road, with opportunities for landscaping and a shared footpath/cyclepath leading towards the future open space and Highway. The northern extent of the area is defined by the 100 year flood contour, with all development to be confined to flood free land.

The land adjacent to the New England Highway contains an existing 30 metre drainage easement. It is proposed that the land affected by the easement will be enhanced for

the additional purpose of containing landscaping to provide a buffer to traffic noise. This easement area shall also incorporate a shared footpath/cyclepath that will link the new residential area to the existing footpath and cycleway networks.

An internal subdivision street will also be required adjacent to the Highway frontage, providing separation to traffic noise, and an attractive streetscape of new housing and landscaped front yards. No direct vehicular access is permitted to/from the Highway.

The new residential area shall connect internally from Anambah Road to Denton Park Drive via Daniel Avenue, with Darby Lane and Turin Terrace able to be extended to link southwards.

A local park is required within the area which, in conjunction with the proposed open space on the former waste facility site, provides ample open space to satisfy the needs of the community.

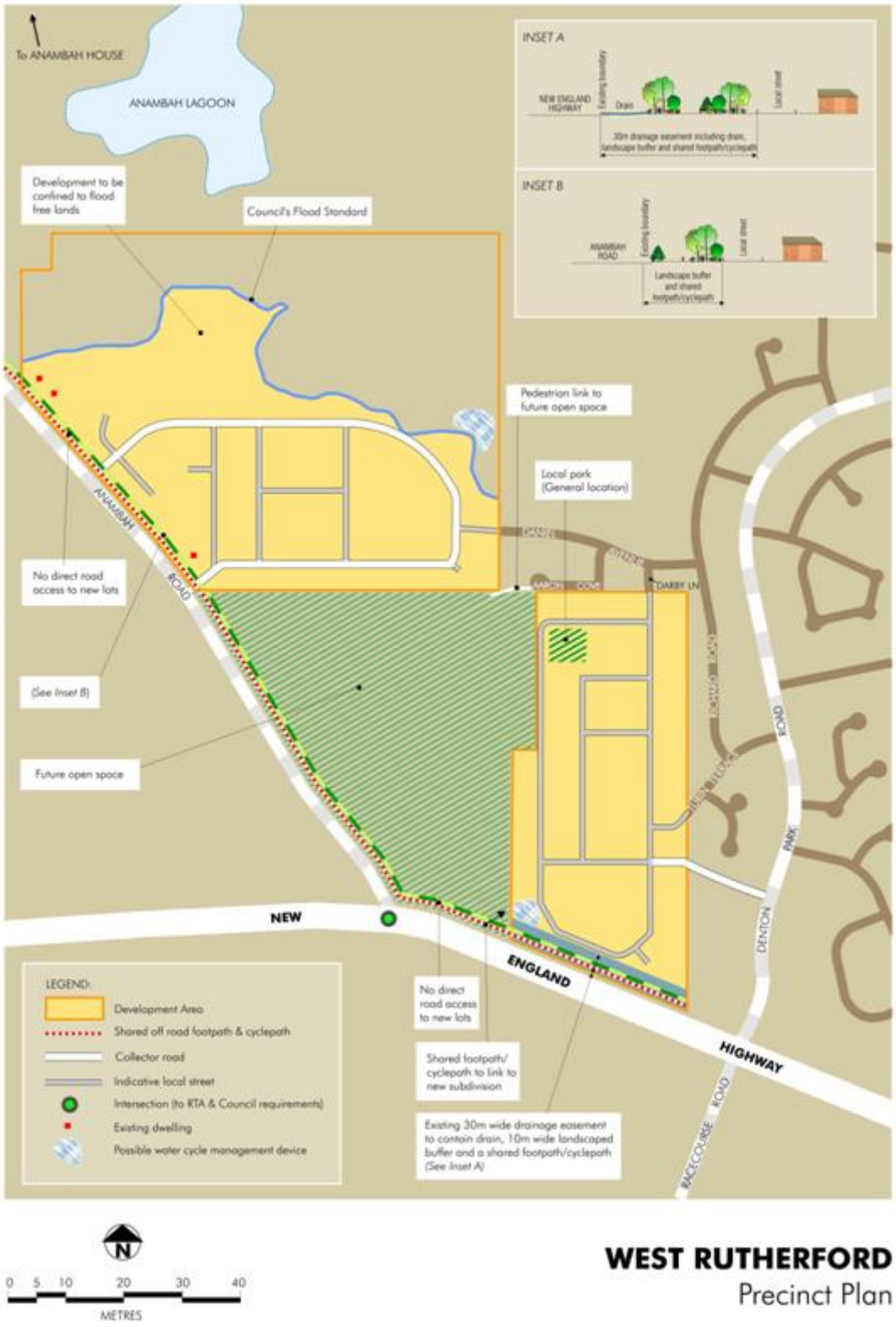
Development in the area will comprise a range of housing forms including single dwellings on individual lots, small lot housing and medium density housing to meet the needs of all sectors of the community. Medium density housing should be focused in areas of flat topography, with good solar orientation, in close proximity to the areas of high amenity such as adjacent to parks and bus routes.

2. Precinct Plan

The Precinct Plan (see Figure 1) illustrates how development outcomes can be achieved. This Plan provides for:

a) a transport movement hierarchy showing the major circulation routes and connections to achieve a simple and logical movement system for vehicles, public transport, pedestrians and cyclists, including an off-road shared footpath/cyclepath along the Anambah Road and New England Highway frontages, plus any internal paths;
b) the general location of potential parks, stormwater and water quality and quantity management controls and devices;
c) amelioration of any natural and environmental hazards, including bushfire, flooding and any archaeological or site contamination constraints;
d) amelioration measures to protect future residential development from fumes, vibration and noise generated by traffic in accordance with the relevant criteria and standards of the RTA and NSW Environment Protection Authority;
e) the establishment of a landscaped buffer area adjacent to the New England Highway and Anambah Road, with no direct vehicular access to the land;
f) a mixture of residential development that reflects the capabilities and constraints of the site including slope, drainage, noise and vibration, as well as bushfire risk.

Figure 1 – West Rutherford Precinct Plan



3. Design Requirements

Traffic, Road Design, Pedestrian/Cycleway Networks

1. No new future lot shall have direct vehicular access to Anambah Road or the New England Highway.
2. A shared off-road path shall be located adjacent to Anambah Road and the New England Highway.

Subdivision Design

3. Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibration from traffic along the New England Highway and Anambah Road, nor any other adjoining land uses. Acoustic reports must be submitted to Council for approval with Development Applications.
4. Details of any proposed fencing adjacent to Anambah Road and the New England Highway shall be submitted to Council for approval with Development Applications. Such fencing must be installed at the subdivision development stage to the satisfaction of Council.

Building Form

5. Housing which is adjacent to the New England Highway and Anambah Road should be appropriately designed so as to provide a high quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls.
6. Fencing is to make a positive contribution to the visual appearance of development, and will be consistent with the objectives of this Area Plan. Fencing adjacent to the boundaries of the surrounding rural lands, the New England Highway and Anambah Road shall be unobtrusive. Details of fencing is required to be submitted to Council with Development Applications.

Visual and Scenic Amenity

7. New landscaping shall be provided in visually prominent locations throughout subdivisions, particularly adjacent to the New England Highway and Anambah Road, including road reserves where practicable, to provide visual relief to the built elements and to soften any impacts in relation to the adjoining rural landscape.

Landscaping, Streetscape and Open Space Areas

8. Landscaping will be required on land adjacent to Anambah Road and the New England Highway, so as to soften the visual impact of all built elements, creating attractive streetscapes when viewed by passing traffic and pedestrians.

D.11 Glebe Paddock

LOCALITY DESCRIPTION

The Glebe Paddock refers to the land at Wallis Street, East Maitland. It is bounded by Wallis Street to the north-east, the unformed extension of George Street to the south-east and Wallis Creek to the west.

The site is 16.76Ha in area. 4.35ha has been rezoned for general residential purposes. The residual area is zoned environmental conservation. It contains sites of Aboriginal cultural heritage, an endangered ecological community and hollow-bearing trees. The proposed curtilage to the State listed Glebe Cemetery is mostly contained within the environmental land. The area is also partially affected by flooding.

References

These following development controls were informed by several key investigations. These should be consulted when assessing a development application for the site.

1. "Glebe Gully Burial Ground, East Maitland" prepared by Richard Lamb and Associates dated November 2012.
2. "Aboriginal Cultural Heritage Assessment" prepared by Archaeological Risk Assessment Services dated December 2010.
3. "Flora, Fauna and Threatened Species Assessment" prepared by Ecobiological (undated).

DEVELOPMENT CONTROLS

Staging

Performance criteria	Acceptable solutions
The timely and efficient release of urban land, making provision for necessary infrastructure and sequencing is encouraged.	Staging of development shall generally occur in accordance with Figure 2.

Residential/environmental lands interface

Performance criteria	Acceptable solutions
The interface between the residential area and the environmental area is sympathetic to the State heritage item. Fencing is low-impact, rural-type fencing.	For properties immediately adjoining the environmental zoned area, rear fences and side fences up to the rear building line of the main dwelling are to be constructed of post and wire or post and rail, transparent, "rural type" fencing.

Unauthorised access to the environmental area is discouraged.	Fencing must be provided along the interface between the environmental zoned area and the residential area.

Curtilage to Glebe Cemetery

Performance criteria	Acceptable solutions
The subdivision design maintains the open nature of the curtilage of the Glebe Cemetery.	Development must be in accordance with the Glebe Historic Cemetery Conservation Management Plan.
	A 'restriction as to user' under Section 88B of the Conveyancing Act shall be created over lots within the curtilage of the Glebe Cemetery requiring that no dwelling be constructed within 15m of the rear boundary.

Ecological endangered community and hollow-bearing trees

Performance criteria	Acceptable solutions
Impacts of any action affecting threatened species, populations and ecologically endangered communities (EEC) is properly assessed and compensated.	A revised flora and fauna assessment and vegetation management plan (VMP) must be prepared with any application to subdivide the site.
	The assessment and VMP is to be prepared by an appropriately qualified person.
	The VMP retains the area of prominent vegetation.
	Any loss of endangered ecological community (EEC) must be offset in accordance with the Office of Environment and Heritage EEC offset requirements and provided within the environmental land.

Performance criteria	Acceptable solutions
The habitat of those threatened species and populations that are dependent on hollow-bearing trees for their lifecycle is protected. The risk to people and property from hollow-bearing trees is minimised.	A hollow bearing trees (HBT) protocol must accompany any application to subdivide the site. The protocol must be informed by a comprehensive assessment prepared by a qualified ecologist and include; • A survey of all HBTs on the site; • Retention of HBTs where possible; • An assessment of the value of any HBT proposed to be removed based on; a. Status of the tree (i.e. living or dead) b. Diameter Bole Height (living trees only) c. Number of visible hollows d. Location of HBT in the landscape e. Expected longevity of the hollow • A strategy for tree removal (timing and methodology) that minimises impacts on native wildlife. • A strategy to compensate for the loss of HBTs by; a. identifying compensatory recruitment trees[1] within the site b. installing nesting boxes of similar number and size as those hollows to be removed c. replacing any trees lost on the site.

[1] A tree can be considered to be a compensatory recruitment tree under the following criteria;
- Does not have any major structural defects or is suffering from disease that would lead to premature death and;
- Is from the same vegetation community and same genus and;
- Are located within environmental lands and managed in accordance with a vegetation management plan (VMP) and;
- Have a diameter bole height (DBH) of 50cm or greater and do not possess hollows or 100cm for Blackbutt - *Eucalyptus pilularis.*

Performance criteria	Acceptable solutions
	Nesting boxes are; • to be installed like for like (both type and number, and host tree to genus level) and must be located within the environmental lands • to be installed and maintained within environmental lands in accordance with the VMP for period until recruitment trees are established • to be inspected and maintained by a qualified ecologist
	All felled trees must be relocated to the environmental land to supplement existing terrestrial fauna habitat.

Aboriginal Cultural Heritage Impact Assessment

Performance criteria	Acceptable solutions
The Aboriginal cultural heritage of the site is protected and maintained. The Local Aboriginal Land Council is involved the future management of the Aboriginal cultural heritage on the site.	An updated Aboriginal cultural heritage impact assessment (ACHIA) must be undertaken before consent is given to the subdivision.
	Subdivision design must respond to the outcomes of ACHIA.
	An Aboriginal cultural heritage management plan must be prepared for the environmental area.
	The Aboriginal cultural heritage impact assessment must be undertaken in consultation with the Mindaribba Local Aboriginal Land Council and Traditional Owners.
	The Aboriginal cultural heritage management plan must be prepared in consultation with the Mindaribba Local Aboriginal Land Council and Traditional Owners.

Geotechnical

Performance criteria	Acceptable solutions
The development responds to the geotechnical characteristics of the site.	Any development application for subdivision must include a geotechnical assessment undertaken by a qualified geotechnical engineer that assesses the conditions of the site for building.
	Where applicable, the geotechnical assessment must include building specifications to ensure residential development adequately responds to geotechnical conditions.

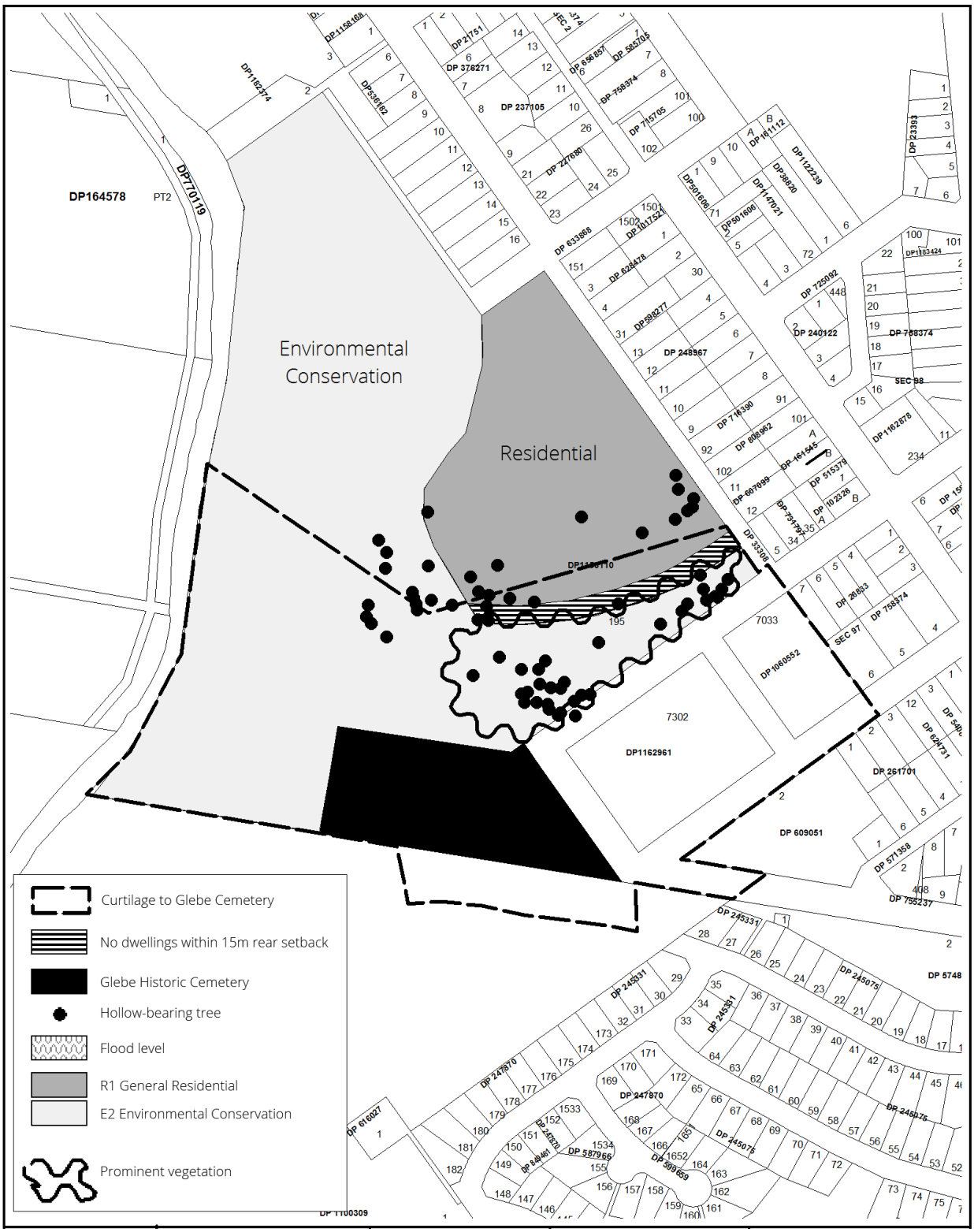


Figure 1: Glebe Paddock key constraints and development controls.

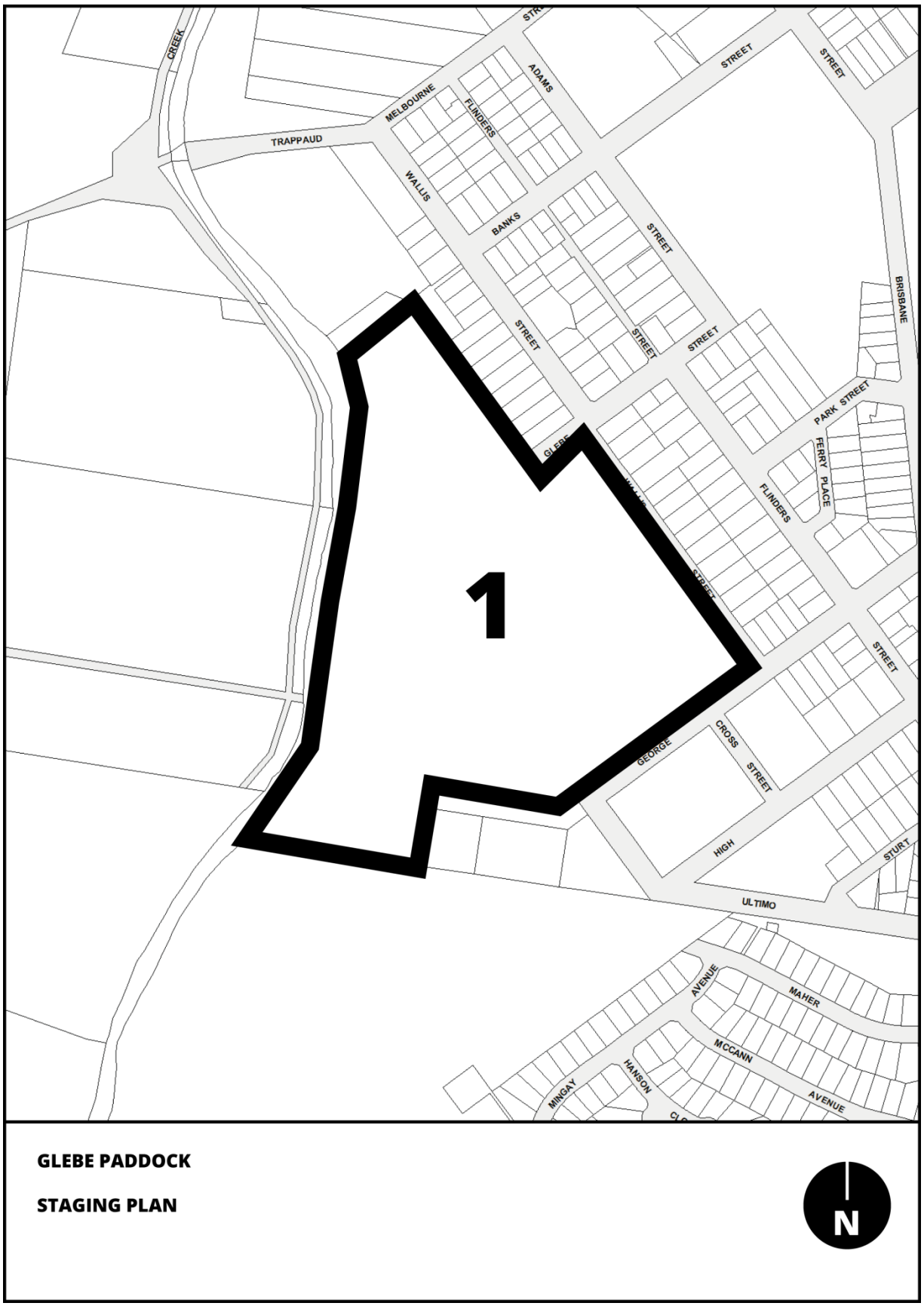


Figure 2: Glebe Paddock Staging Plan.