

MAITLAND DEVELOPMENT CONTROL PLAN 2014	
REQUIREMENT	RESPONSE
<b>PART B: ENVIRONMENTAL GUIDELINES</b>	
<b>B5 TREE AND VEGETATION MANAGEMENT</b>	
	All vegetation on site will be removed as part of the works associated with the Loxford Subdivision development (under DA/2022/193:2 and DA/2022/912).
<b>B6 SITE WASTE MINIMISATION AND MANAGEMENT</b>	
	An Operational Waste Management Plan has been prepared in support of the development and is included in <b>Appendix O</b> . Management of construction waste will be addressed by the construction contractor, and incorporated into the construction environmental management plan ( <b>CEMP</b> ), which will be prepared prior to commencement of works. To support DA submission, a Construction Waste Management Plan ( <b>CWMP</b> ) has been prepared, and is included as <b>Appendix R</b> .
<b>B7 ENVIRONMENTALLY SENSITIVE LAND</b>	
	As the development site is not categorised as environmentally sensitive land, this section does not apply.
<b>PART C: DESIGN GUIDELINES</b>	
<b>C2 CHILDCARE CENTRES</b>	
<i>This chapter has been repealed. All Child Care Centre developments shall comply with the requirements and matters for consideration under the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, the Education and Care Services National Regulations and Child Care Planning Guidelines.</i>	An assessment against the relevant provisions of the <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i> (now the <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> ) has been included in <b>Appendix E</b> , the <i>Education and Care Services National Regulations</i> in <b>Appendix D</b> , and the <i>Child Care Planning Guidelines</i> in <b>Appendix H</b> .
<b>C6 SIGNAGE</b>	
	<p>The proposed development incorporates flush wall signs on three (3) of its elevations. The proposed signage is consistent with the Guidelines for Signage listed in Section C6, in that:</p> <ul style="list-style-type: none"> <li>• It is simple, clear and concise;</li> <li>• It fits the structure and complements the building, integrating into the overall façade and design of the structure;</li> <li>• It does not exceed 25% of the visible wall surface;</li> <li>• It does not project from the building façade and obstruct streetscape views, nor will it affect sightlines.</li> </ul>

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	It is considered that the proposed signage is appropriate for the site and its setting, meeting the desired aesthetic for signage within a residential area.
<b>C8 RESIDENTIAL DESIGN</b>	
This Chapter applies to the entirety of the LGA where residential development is permitted and provides guidelines for the development of dwelling houses, secondary dwellings, dual occupancy housing, semi-detached dwellings, multi-dwelling housing, residential flat buildings, and seniors housing. It is noted that the proposed development, being a childcare centre, is not covered within this Chapter. However, noting that the childcare centre will be located within a residential zone, the relevant provisions of this Chapter have been assessed to maintain consistency with future development in the zone (e.g. setbacks, etc).	
<b>4. Bulk Earthworks and Retaining Walls</b>	Whilst majority of the bulk earthworks and retaining walls will be delivered under the DA/2022/912, a retaining wall is proposed along the western boundary as well as minor regrade works to facilitate the building and site levels. The proposed civil works are provided in <b>Appendix L</b> , and identify the proposed finished levels, drainage, location of retaining walls and batter slopes.
<b>5. Street Building Setbacks</b>	The proposed childcare centre is setback 4.5 metres from the front boundary (being the southern boundary). Compliance is therefore achieved.
<i>5.1 The minimum setback from the principal street frontage to the building line in an urban residential zone is 4.5 metres.</i>	
<i>5.2 The minimum setback from the principal street frontage to articulation or entry features (ie. portico) in an urban residential zone is 3.0 metres and must not be more than 25% of the width of the front facade of the building and must not be more than the maximum height of the building. Note that articulation elements do not constitute the 'building line'.</i>	The proposal does not seek reduced setbacks to account for articulation or entry features, and the entirety of the childcare centre is setback 4.5 metres from the front boundary (being the southern boundary). As such, compliance with the minimum setback for articulation features is achieved.
<i>5.3 Where an allotment is located on a corner in an urban residential zone, and a single dwelling is proposed, the minimum building line setback to the secondary street frontage is 3.0 metres.</i>	The childcare centre is located on a corner allotment. The centre is setback at least 3 metres from the secondary street frontage (being the western boundary). As such, compliance is achieved.
<b>6. Side and Rear Setbacks</b>	This clause would be applicable to the rear boundary (northern) and side boundary (eastern).
<i>6.1 Minimum side and rear setbacks for residential buildings, including detached outbuildings such as garages, sheds or carports, in urban zones shall be in accordance with Figure 10 and described as follows:</i>	The primary building is in the order of 5.3m in height, and would require a setback of 1.5m to each of these boundaries. Given the building's siting in the south west of the site, this is readily achieved.
<i>a) 0.9m for walls up to 3.0m in height (to underside of eaves);</i>	
<i>b) 0.9m plus 0.3m for every metre of wall height over 3.0m and less than 7.2m;</i>	The ancillary structures are in the order of 3m in height, thus requiring a 0.9m setback. As shown on the architectural plans, a setback of 1.2m is achieved.

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c) <i>For that part of a wall over 7.2m in height, the minimum setback should be increased by 1.0m for every metre of height over 7.2m.</i>	
<b>7. Site Coverage and Unbuilt Areas</b>	<p>This section provides maximum site coverage controls for specific types of residential development, ranging from 60 – 70%. As outlined previously, Section C8 does not apply to child care centres thus strict compliance is not required.</p> <p>Notwithstanding, the site coverage for the proposed development is in the order of 59.1%, which is less than with range provided in the DCP.</p>
<b>8. Building Height, Bulk and Scale</b> <i>8.1 Maximum building height shall be in accordance with Table 4.</i>	<p>Similar to site coverage controls detailed above, Table 4 stipulates maximum building heights for specific types of residential development. In the R1 zone, this ranges between 8.5m and 11m. Noting the proposed childcare centre will be approximately 5.3m in height, it is consistent with the height controls established for residential development.</p>
<b>9. External Appearance</b> <i>9.1 The building design and the Statement of Environmental Effects that accompanies the proposal should demonstrate that the following matters have been addressed:</i>	<p>The SEE suitably addresses the consistency of the development with the future and emerging character of the area. The proposed childcare centre is of a high-quality architectural design and is commensurate with a residential area and the building typology of a residential area.</p>
<i>a) Consideration of the existing character, scale and massing of development in the immediate area, including the surrounding landscape.</i>	
<i>b) Architectural interest encouraged by:</i> <ul style="list-style-type: none"> <li><i>the use of finishes which are textured rather than bland;</i></li> <li><i>providing stepping of walls, pergolas, eaves, verandahs and blade walls etc. to establish articulation and create light and shadow to a building</i></li> <li><i>the coordinated use of diverse materials and appropriate decorative treatments</i></li> </ul>	<p>The proposed development encourages architectural interest through a varied use of finishes, articulation of street-facing facades, and the incorporation of diverse materials and decorative treatments.</p>
<i>c) Consideration of both typical and rare fenestration (door and window patterns) and the relationship between glazed and solid wall areas.</i>	<p>The proposal includes suitable door and window treatments.</p>
<i>d) Consideration of traditional relationship of roof mass to wall ratio, roof pitch and design, length of unbroken ridgelines, parapets, eaves and roof water guttering detailing.</i>	<p>The proposed design incorporates suitable articulation to break up the roof mass-to-wall ratio, and does not include any aspects that would result in unreasonable wall length or unbroken sections.</p>

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e) <i>The design shall provide a variety of experiences for the residents and passers by thorough attention to silhouette, pattern, texture and colour. The amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form should be minimised.</i>	The facades of the centre that can be viewed from the public domain (being along the western and southern boundaries) encourage the visual interest of passers-by through varying textures and treatments. The repetitive form is minimised.
i) <i>Corner sites shall be developed such that the building(s) addresses both streets and has a well expressed side elevation that does not dominate the streetscape.</i>	As established, the façades of the structure that have a street frontage (being along the western and southern boundaries) both address the street and do not dominate the streetscape.
<b>10. Open Space</b>	This section relates to the provision of open space for residential development and therefore has no relevance to the proposed development.
<b>13. Landscape Design</b>	A Landscape Plan has been prepared in support of the development and is included in <b>Appendix N</b> . The Landscape Plan suitably addresses the relevant sections of this part.
<b>14. Fencing and Walls</b>	The Architectural Plans ( <b>Appendix C</b> ) detail the proposed fencing. Fencing as proposed is of a suitable height (1.8m), noting the future residential character of the area, and is intended to provide privacy for the children and minimise acoustic impacts to nearby future dwellings. Timber fencing is proposed along street frontages.
<b>16. Views, Visual and Acoustic Privacy</b>	<p>The proposed development will not adversely impact the views, visual and acoustic privacy of any future dwelling within proximity to the centre. This is ensured through the location of the childcare centre on the lot (e.g. towards the southern boundary), the inclusion of perimeter fencing and locating mechanical plant away from sensitive receivers.</p> <p>Further details on how acoustic impacts will be managed are contained in the acoustic assessment (<b>Appendix M</b>).</p>
<b>18. Stormwater Management</b>	Refer to discussion in Section 5.1.5 of the SEE and the civil plans ( <b>Appendix L</b> ) for details on proposed stormwater management. An erosion and sediment control plan is also provided in <b>Appendix L</b> .
<b>19. Security, Site Facilities and Services</b>	A CPTED Report has been prepared in support of the development and is included as <b>Appendix P</b> , which addresses matters identified within this section.
<b>C11 VEHICULAR ACCESS &amp; CAR PARKING</b>	
<b>1.2 Calculation of Parking Requirements</b>	As per Appendix A of the DCP, the parking rate for childcare centres is 1 space per 4 children or part thereof. As the centre will have capacity for 110 children, 28 car spaces are required. This is achieved, as the proposed development will provide 29 car spaces.

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<b>2 Guidelines for the Design, Layout and Construction of Access and Parking Areas</b>	<p>The proposed access and parking arrangements are consistent with the requirements of Section 2 on the basis that:</p> <ul style="list-style-type: none"> <li>• Vehicle manoeuvring areas have been designed to satisfy AS2890, enabling vehicles to enter and exit the site in a forward direction;</li> <li>• The driveway is positioned where it will cause the least interference to vehicular and pedestrian traffic along the road frontage;</li> <li>• Sight distances can be achieved in accordance with AS2890.1;</li> <li>• The driveway and carpark has been designed to cater for the types of vehicles likely to enter the site, including a medium rigid vehicle for servicing;</li> <li>• Parking facilities are clearly visible from the street so their use is encouraged;</li> <li>• 90-degree angle parking is proposed. As demonstrated on Sheet DA120 of the Architectural Plans, the carpark achieves the minimum dimensions set out in the DCP, including 5.5m x 2,6m car spaces and a 7.3m wide driveway entry;</li> <li>• The parking area will be appropriately landscaped to soften the appearance of the hardstand area from the street;</li> <li>• Wheel stops will be provided to prevent damage to buildings and fences;</li> <li>• Parking areas will be clearly signposted and line-marked. Parking spaces for specific uses (eg. disabled and staff) will be clearly delineated; and</li> <li>• CPTED principles have been considered and adopted, where deemed applicable by the CPTED consultant.</li> </ul> <p>Further details of the above are contained in the civil plans (<b>Appendix L</b>), Traffic and Parking Impact Assessment (<b>Appendix J</b>), CPTED Report (<b>Appendix P</b>) and Landscape Plans (<b>Appendix N</b>).</p>
<b>3 Loading / Unloading Requirements</b>	<p>Allowance has been made for a Medium Rigid Vehicle (<b>MRV</b>) to access the site, with loading / unloading areas located at the rear of the car park area. As shown on the civil plans, the MRV will be able to manoeuvre into and out of all loading areas without causing conflict to the movement of traffic on site or the adjacent streets.</p>
<b>4 Carparking for Persons with a Disability</b>	<p>As per the DCP requirements, one (1) designated car space for people with disabilities is provided within the carpark, conveniently located at the entrance to the building.</p>
<b>5 Bicycle Parking</b>	<p>There is sufficient space on-site for bicycle parking.</p>
<b>6 Major Traffic Generating Development</b>	<p>Not applicable. The proposed development does not constitute major traffic generating development.</p>
	<p>Not applicable. The proposed development is not defined as Traffic Generating Development under the SEPP.</p>

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<b>7 SEPP Transport &amp; Infrastructure 2021</b>	
<b>PART F: URBAN RELEASE AREAS</b>	
<b>F.5 GILLIESTON HEIGHTS URBAN RELEASE AREA</b>	
<b>GILLIESTON HEIGHTS—WEST PRECINCT (REGROWTH KURRI KURRI)</b>	
<b>1.2 Precinct Plan</b>	The development is not for a subdivision. This section does not apply.
<b>2.1 Transport and Movement</b>	The development does not impact any approved transport movement hierarchies or approved road layouts.
<b>2.2 Overall Landscape Strategy</b>	The development does not impact the overall landscape strategy of the west precinct.
<b>2.3 Passive and Active Recreational Areas</b>	The development does not impact any approved passive and active recreational areas.
<b>2.4 Stormwater and Water Quality Management Controls</b>	There are no specific requirements as stormwater and water quality management controls are controlled by other provisions of the Maitland Development Control Plan.
<b>2.5 Amelioration of Natural and Environmental Hazards</b>	Aspects under this section were considered as a component of the broader western precinct subdivision DA's (DA/2022/912 and DA/2022/193:2), whereby the risks associated with flooding, bushfire and contamination were dealt with at subdivision stage. Notwithstanding, a bushfire assessment report has been prepared for this DA to address site- and development-specific matters, and provided as <b>Appendix I</b> .
<b>2.6 Key Development Sites</b>	The development site is not a key development site as it does not adjoin the railway, does not front Cessnock Road, does not adjoin the poultry farm, and is not located within the mine subsidence exclusion area.
<b>2.6.2 Mine Subsidence- Old Mine Workings</b>	Although the site is identified in Figure 6 of the DCP, the requirements of 2.6.2 apply to DAs for subdivision. The necessary geotechnical investigations occurred with DA/2022/912, which will precede this development. Noting this application is not for a subdivision, there is no requirement to consider this control further.
<b>2.6.3 Archaeological Significance</b>	Although a there is a known Aboriginal site identified west of the development site on Figure 8 of the DCP, it is located in excess of 40m from the development site and would likely be impacted by the works associated with Precinct 1B. As the development site is located in an area with no archaeological sensitivity, and any potential for sites will be impacted by the bulk earthworks associated with Precinct 1B, it is unlikely the proposed development will impact on matters relating to Aboriginal cultural heritage.
<b>2.7 Residential Densities</b>	N/A
<b>2.8 Neighbourhood Commercial and Retail Uses</b>	N/A
<b>2.9 Provision of Public Facilities and Services</b>	N/A