

MAITLAND

**CITY WIDE DEVELOPMENT CONTROL
PLAN**

ABERGLASSLYN AREA PLAN

This chapter comprises part of the Maitland City Wide Development Control Plan and has been prepared in accordance with the provisions of the Environmental and Planning Assessment Act, 1979. This chapter is to be read in conjunction with the whole document.

This chapter was adopted 24th April 2007 to be included in the City Wide Development Control Plan.

TABLE OF CONTENTS

PART A – PRELIMINARY

Section 1 Introduction

1.1	Name of the Chapter	1
1.2	Land to which Plan applies	1
1.3	Commencement	1
1.4	The Purpose of the Chapter	1
1.5	Relationship with other Plans, Policy or Chapters	1

PART B – PRECINCT PLANS 3

Section 2 – Western Precinct 5

Development Objectives and Requirements 5

2.1	Traffic, Road Design, Pedestrian/Cycleway Networks	5
2.2	Subdivision Design	6
2.3	Provision of Essential Infrastructure	7
2.4	Visual and Scenic Amenity	8
2.5	Water Cycle Management and Sediment and Erosion Control	8
2.6	Flooding	9
2.7	Landscaping, Streetscape and Open Space Areas	10
2.8	Bushfire Protection	11
2.9	Salinity/Acid Sulfate Soils	11
2.10	Noise and Vibration	12
2.11	Floodplain and Environmental Protection areas	12
2.12	Heritage	13
2.13	Key Development Sites	14

Section 3 – Central Precinct 17

Development Objectives and Requirements 17

3.1	Traffic, Road Design, Pedestrian/Cycleway Networks	17
3.2	Subdivision Design	18
3.3	Provision of Essential Infrastructure	19
3.4	Visual and Scenic Amenity	20
3.5	Water Cycle Management and Sediment and Erosion Control	20
3.6	Flooding	21
3.7	Landscaping, Streetscape and Open Space Areas	22
3.8	Bushfire Protection	23
3.9	Salinity/Acid Sulfate Soils	24
3.10	Noise and Vibration	24
3.11	Floodplain and Environmental Protection areas	25
3.12	Heritage	25
3.13	Key Development Sites	26

Section 4 – Southern Precinct	30
Development Objectives and Requirements	30
4.1 Traffic, Road Design, Pedestrian/Cycleway Networks	30
4.2 Subdivision Design	31
4.3 Provision of Essential Infrastructure	32
4.4 Visual and Scenic Amenity	33
4.5 Water Cycle Management and Sediment and Erosion Control	33
4.6 Flooding	34
4.7 Landscaping, Streetscape and Open Space Areas	35
4.8 Bushfire Protection	36
4.9 Salinity/Acid Sulfate Soils	36
4.10 Noise and Vibration	37
4.11 Floodplain and Environmental Protection areas	38
4.12 Key Development Sites	38
Section 5 – Eastern Precinct	40

CITY WIDE DEVELOPMENT CONTROL PLAN

ABERGLASSLYN URBAN RELEASE AREA

PART A PRELIMINARY

SECTION 1. INTRODUCTION

1.1 Name of the Chapter

This Chapter of the Maitland City Wide Development Control Plan is known as “Aberglasslyn Urban Release Area”. The Chapter consists of a written statement, Precinct Plans, and the Aberglasslyn Structure Plan.

1.2 Land to which the Plan Applies

This Chapter applies to land identified in the Aberglasslyn Structure Plan, shown as Figure 1.

1.3 Commencement

This Chapter was incorporated into the Maitland City Wide DCP and adopted by Council on 24 April 2007, and came into force as of 30 April 2007.

1.4 Purpose of the Chapter

The purpose of this Chapter is to give detailed guidance to people wishing to carry out development within the Aberglasslyn Urban Release Area. This Chapter provides more detailed provisions than those contained in the Maitland Local Environmental Plan 1993, and indicates Council’s objectives and development standards for the area.

1.5 Relationship with other Plans, Policy and Chapters

Where there is any inconsistency between this Chapter and any environmental planning instrument, the provisions of the environmental planning instrument shall prevail. An environmental planning instrument includes a State Environmental Planning Policy (SEPP), a Regional Environmental Plan (REP), and a Local Environmental Plan (LEP).

This Chapter should be read in conjunction with all Chapters within the Maitland City Wide DCP and Council Policies, in particular the following:

- Lower Hunter Urban Housing Chapter
- Subdivisions - Chapter

All development must also be consistent with the Maitland City Council’s Manual for Engineering Standards.

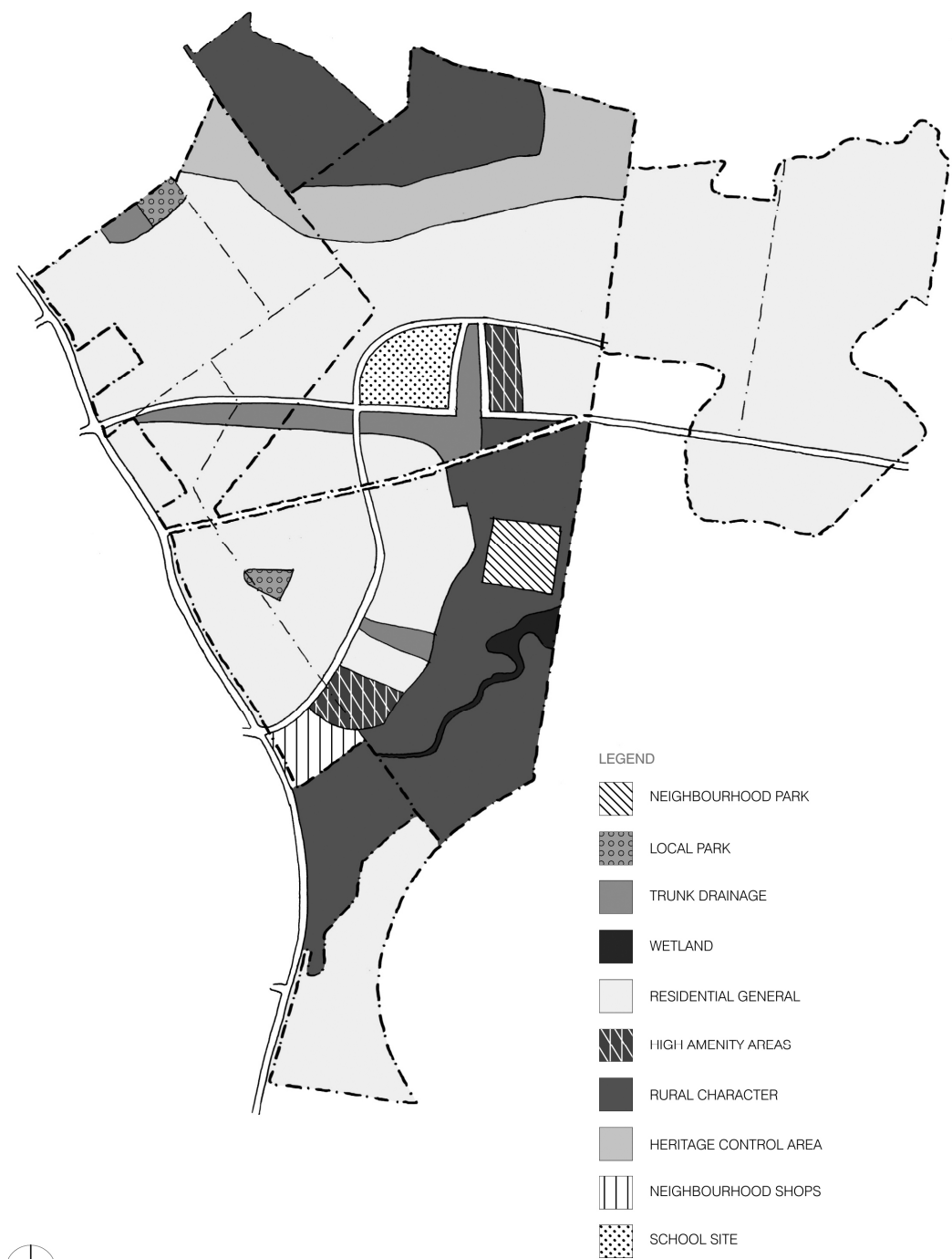
Where there is an inconsistency between this Chapter and any future amendments to

the City Wide DCP, the provision of the later plan or chapter shall prevail.

Figure 1 - Aberglasslyn Structure Plan

Maitland LEP No 92 refers to the Aberglasslyn Urban Release Area Structure Plan adopted by Council on April 2007

Aberglasslyn - Structure Plan



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PART B

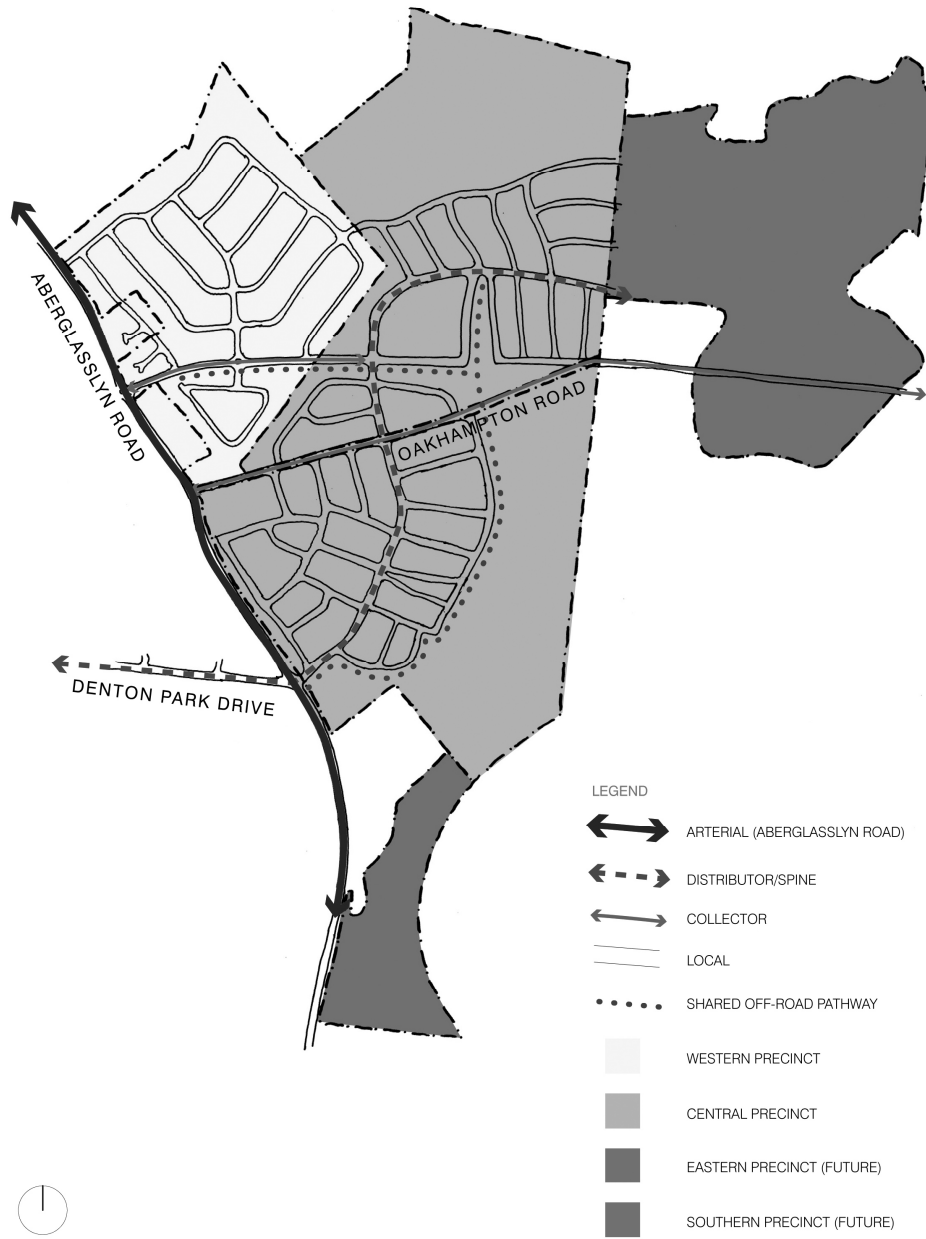
PRECINCT PLANS

Figure 2 Aberglasslyn Precincts and Road Hierarchy identifies the areas to which the Precinct Plans apply. These Precinct Plans provide 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 shared off-road paths from the intersection of Denton Park Drive and Aberglasslyn Road running adjacent to the south eastern perimeter road, crossing Oakhampton Road and linking to the spine/distributor road in the northern section of the Central Precinct. The shared off-road path will also travel adjacent to the collector road within the Western Precinct towards the Tea Tree Avenue and Aberglasslyn Road intersection,
- (b) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including the heritage control area, visually prominent locations, and detailed landscaping requirements for both the public domain and private land, particularly adjacent to Aberglasslyn Road,
- (c) the general location of trunk drainage, including potential stormwater and water quality and quantity management controls and devices,
- (d) identification and amelioration of any natural and environmental hazards, including bushfire, flooding, and any archaeological or site contamination constraints,
- (e) identification of any significant development sites within the Aberglasslyn Urban Release Area that require detailed urban design controls,
- (f) a potential school site and potential neighbourhood shops, including appropriate traffic management provisions and car parking,
- (g) amelioration measures to reduce impact for future residential development from fumes, vibration and noise, generated by the railway, vehicular traffic, and the adjoining extractive industries along the Hunter River, in accordance with the relevant Department of Environment and Conservation criteria and any relevant Australian Standards,
- (h) a mixture of residential densities and forms that reflects the capabilities and constraints of the site including slope, drainage, noise and vibration, access, amenity and any flooding or bushfire risk.
- (i) the protection of scenic values and significant vegetation on the site, particularly within, and adjacent to the Heritage Control Area, Aberglasslyn Road and Oakhampton wetlands

Figure 2

Aberglasslyn - Precincts and Road Hierarchy



SECTION 2 - WESTERN PRECINCT

DEVELOPMENT OBJECTIVES AND REQUIREMENTS

2.1 Traffic, Road Design, Pedestrian/Cycleway Networks

Objectives	Requirements
<ul style="list-style-type: none">• To ensure road design reflects the function of the road, the needs of the road user, with sound engineering practice and connectivity to existing and future development• To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport	<ul style="list-style-type: none">• The principal access to the West Precinct will be via a roundabout controlled intersection on Aberglasslyn Road at the existing intersection of Tea Tree Avenue. This collector road will link to the main spine/distributor road through the Central Precinct and if required will accommodate a bus route• Road layout and street design will be consistent with the adopted Western Precincts and Road Hierarchy Plan (Figure 3). and following detailed survey and subdivision planning• Road layouts, design geometry, intersections and construction should satisfy the requirements of Council's Subdivisions Chapter within the Maitland City Wide Development Control Plan and the Manual of Engineering Standards. Figure 4 has typical cross sections for roads in the West Precinct• Development shall take into account road widening works and intersection upgrades identified by Council, the Roads & Traffic Authority and the Maitland Section 94 Contributions Plan (Citywide) 2006• No new future lot shall have direct vehicular access to Aberglasslyn Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner,• Residential development in the West Precinct shall not create new allotments with direct access to Aberglasslyn Road, but may create shared access ways to service a small number of additional dwellings adjacent to existing dwellings• Roads are to be designed to provide adequate and safe flood access to any proposed allotments

	<ul style="list-style-type: none"> • The road designs should allow for passive surveillance and access to public open space from adjoining residences • Traffic and Transport Reports, as part of the Statement of Environmental Effects, are required with Development Applications for subdivision to determine the extent of road works, intersection upgrades and ancillary vehicular and pedestrian/cycleway infrastructure requirements generated by development • Pedestrian paths, cycleways and shared off road pathways are to be provided within subdivisions that link the community, open space, schools and neighbourhood shopping areas to existing and future residential development
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2.2 Subdivision Design

Objectives	Requirements
<ul style="list-style-type: none"> • To ensure that any proposed subdivision provides a safe and positive character, enhances accessibility, minimises visual impacts, compliments the surrounding area, and promotes the principles of ecologically sustainable development • To ensure that development respects the constraints of the site, and provides for a range of lot sizes and shapes appropriate to the community's housing needs 	<ul style="list-style-type: none"> • Lot sizes and dimensions should be in accordance with the requirements set out in Council's Maitland City Wide Development Control Plan – Subdivisions Chapter • A variety of lot sizes and shapes are to be provided in all subdivisions to cater for the housing needs of the community, including small lots and medium density housing in areas with high neighbourhood amenity. Lot yields should be maximised in response to the constraints of the land • Development Applications must include Staging Plans, an analysis and statement as to the intentions and philosophy of proposed lot sizes, critical dimensions and likely development densities, so that residents have a clear understanding of the likely future neighbourhood character • There will be no resubdivision of allotments created in the West Precinct, with the exception of subdivisions for approved dual occupancy or medium density developments • Subdivision design must have regard to

	<p>minimising any adverse visual impacts of development when viewed from public roads and surrounding properties</p> <ul style="list-style-type: none"> • Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways nor any other adjoining land uses including the extractive industry adjacent to the Hunter River. • Subdivision layout and lot orientation should maximise privacy, private open space areas, solar access and energy efficiency. In this regard streets should generally be aligned north/south and east/west, subject to site constraints such as topography • Subdivision designs should incorporate crime prevention strategies and principles to promote personal safety and casual surveillance such as those adopted within CPTED (Crime Prevention Through Environmental Design) • Subdivisions must include conveniently located open space areas that compliment the broader citywide open space networks in accordance with the Maitland Section 94 Contributions Plan (Citywide) 2006. • Development Applications are to include, within the Statement of Environmental Effects, an analysis of any subdivision designs, demonstrating compliance with all of the objectives and requirements of Section 3 of this DCP
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2.3 Provision of Essential Infrastructure

Objectives	Requirements
<ul style="list-style-type: none"> • To ensure the provision of essential infrastructure to all development in an efficient and economic manner that minimises environmental impacts 	<ul style="list-style-type: none"> • The provision of energy, communications, water supply and sewage management to all development. Evidence that relevant agency approvals and/or satisfactory arrangements have been obtained, shall be provided to Council with Development Applications for subdivision • Where available, recycled waste water should be provided to new residential development

	<ul style="list-style-type: none"> All services are to be placed underground and are to minimise any environmental, visual and safety impacts
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2.4 Visual and Scenic Amenity

Objectives	Requirements
<ul style="list-style-type: none"> To protect the scenic values of the landscape and environment, particularly by providing for an attractive entrance to the Aberglasslyn Urban Release Area, and encouraging development to be unobtrusive and sympathetic to the surrounding rural setting 	<ul style="list-style-type: none"> Where practicable, existing vegetation is to be maintained and enhanced so as to provide buffers and landscaped visual relief within subdivisions and housing development A Visual & Scenic Impact Assessment is to accompany Development Applications for subdivisions and development that are likely to have a visual impact on the area, and may include proposed ameliorative measures to be incorporated within the development. Such assessments are to include any development of land containing part of the Heritage Control Area and/or adjacent to Aberglasslyn House

2.5 Water Cycle Management and Sediment and Erosion Control

Objectives	Requirements
<ul style="list-style-type: none"> To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Oakhampton wetlands and the Hunter River To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways 	<ul style="list-style-type: none"> A Stormwater Drainage Analysis, addressing the management of water quality and quantity (having regard to all contributing catchments and downstream water bodies) for the 1% AEP storm event, within local catchments, taking into account the 1% AEP Hunter River Flood Level is to be submitted with Development Applications for subdivision Developers will be required to produce a "Sediment and Erosion Control Plan" in accordance with the NSW Department of Housing guidelines <i>Managing Urban Stormwater: Soils and Construction – the "Blue Book"</i> as part of the application for subdivision. The plan will also include practical measures for mitigating erosion and controlling sediment during

	<p>construction. Other detailed plans may be required as a condition of any subdivision approval</p> <ul style="list-style-type: none"> Existing natural drainage lines should form part of a stormwater and runoff drainage management system utilising soil conservation measures (including detention basins and or wetlands) to alleviate stormwater peaks and retain sediments and pollutants. Any water control structures installed on the site are to be used solely for the purpose of stormwater detention, sedimentation and pollution control purposes. No harvesting of water from any watercourse may occur without a license issued by the NSW Department of Natural Resources Stormwater controls must comply with the requirements of Council's Manual of Engineering Standards All water and drainage management must be consistent with the Maitland Section 94 Contributions Plan (Citywide) 2006 Stormwater Management facilities are to be based on the existing water bodies in accordance with Figure 3. Reshaping and resizing of the waterbodies will be required to provide control of both water quantity (detention) and water quality, and are subject also to Council's Maitland Section 94 Contributions Plan (Citywide) 2006.
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2.6 Flooding

Objectives	Requirements
To ensure that residential land is flood free for the 1% AEP storm event, and to provide safe access/egress for residents in times of flooding	<ul style="list-style-type: none"> Minimum floor level of any habitable space in a residential dwelling constructed on land to which this Plan applies must be at least 0.5m clear of the 1% AEP flood level Development should be consistent with the objectives and guidelines presented in Council's Development Control Plan - Hunter River Floodplain Management

	<ul style="list-style-type: none"> Filling of drainage lines is to be limited to that necessary to render flood free all residential land as indicated on the relevant Precinct Plan. Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species
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2.7 Landscaping, Streetscape and Open Space Areas

Objectives	Requirements
<p>To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscape, supports retention and regeneration of ecological corridors and provides visual interest and a suitable backdrop to the built form</p>	<ul style="list-style-type: none"> Landscaping will be required on land adjacent to Aberglasslyn Road, so as to soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians Street tree planting is to be carried out as part of subdivision design and road construction. Street trees are to be planted to provide a physical barrier to traffic, to contribute to traffic calming, provide shade on footpaths and enhance the view of corridors in all subdivision designs and housing developments Existing trees are to be retained wherever possible within riparian corridors, open space, within and adjacent to the Aberglasslyn Road reserve and along allotment boundaries Retained drainage lines/water courses are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters. Re-vegetation proposals should be integrated with landscape plans and include, where possible, those areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community Open space areas and pathways are to be suitably located and designed to provide linkages to surrounding development in accordance with the Maitland Section 94 Contributions Plan (Citywide) 2006. Such areas are to have good surveillance and safety, particularly at night time, and are to

	<p>be easily maintained and appropriately landscaped</p> <ul style="list-style-type: none"> Landscaping of the private and public domain shall be generally consistent with the landscape concepts shown in Figure 3. Development Applications for subdivision will include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Aberglasslyn Road and adjoining rural properties to the north-west and north-east, and landscape/threshold treatment of key intersections. Landscaping plans shall also show how open space areas and trunk drainage are to be located and landscaped.
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2.8 Bushfire Protection

Objectives	Requirements
To ensure that development is designed to reduce the risk of bushfire to people and property	<ul style="list-style-type: none"> Areas identified as having a bushfire threat are to be managed to minimise potential risk to people and property All development is to be designed in accordance with the applicable Bushfire Protection guidelines. Fire protection measures must be capable of being maintained by owners and users Asset protection zones must be contained wholly within the subject development site

2.9 Salinity, Acid Sulfate Soils and Contamination

Objectives	Requirements
<ul style="list-style-type: none"> To manage any risk to the environment in regards to salinity and acid sulfate soils 	<ul style="list-style-type: none"> Low lying areas are potentially affected by saline soils and iron sulfate sediments. Development Applications shall include relevant assessment and geotechnical investigation regarding salinity and acid sulfate management to determine if any specific measures are needed, or if certain parts of a site should not be disturbed

	<ul style="list-style-type: none"> Any potentially contaminated lands (including building waste, fill and rubbish dump areas) shall be investigated and measures proposed as part of Development Applications to suitably remediate in accordance with relevant standards
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2.10 Noise and Vibration

Objectives	Requirements
<ul style="list-style-type: none"> To ensure that future residential development is not adversely affected by any noise and vibration from existing or future land uses, including rail and roads 	<ul style="list-style-type: none"> Residential subdivision and development is to be designed so as to comply with the relevant standards and criteria for noise and vibration contained within the New South Wales EPA Environmental Noise Control Manual or any current standards Appropriate noise and vibration controls are to be provided by means of separating the source and receiver, including any landscaping and buffers which do not detract from the streetscape and visual appearance of the area Council will require that noise and vibration assessments be submitted with relevant Development Applications for subdivisions that adjoin existing or potentially incompatible land uses, including traffic and rail noise, and sand and gravel extraction activities within the Hunter River

2.11 Floodplain, wetlands and rural lands

Objectives	Requirements
<ul style="list-style-type: none"> To ensure that the floodplain, environmental protection zone (wetlands) and rural lands are sustainably managed, with a limited opportunity for some dwellings on large allotments 	<ul style="list-style-type: none"> A limited number of large allotments will be considered so as to sustainably maintain and manage the residue rural lands and wetlands. Community title subdivision is encouraged to achieve this Any future dwelling sites must be located at least 0.5m above the 1% AEP flood level, and access to such dwellings shall be adequate and safe at appropriate gradients, with minimal fill or earthworks

	<ul style="list-style-type: none"> Fencing of such allotments shall be of post and wire style (or similar), so as to minimise any visual impacts of development
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2.12 Heritage

Objectives	Requirements
<ul style="list-style-type: none"> To ensure that archaeological sites and places of indigenous heritage significance are suitably identified, managed and where necessary conserved To ensure that development does not adversely impact upon the setting and context of Aberglasslyn House 	<ul style="list-style-type: none"> Archaeological investigations and studies are required for any subdivision development, to determine the extent of any aboriginal sites, relics or areas of significance, including appropriate management and conservation measures proposed, in accordance with the requirements of the National Parks & Wildlife Act (1974) and the Environmental Planning & Assessment Act A Statement of Heritage Impact is required for subdivision that relates to land containing the Heritage Control Area and adjacent to Aberglasslyn House, to ensure that development, in the opinion of the Council, does not adversely impact upon the setting and context of Aberglasslyn House Existing vegetation within the Heritage Control Area is to be retained so as to provide a visual screen and scenic backdrop for new development. Where practicable, new dwellings should be located adjacent to, or behind established trees. Development of dwellings within the Heritage Control Area is to be consistent with Figure 5. Western Precinct Structural Limitations Plan and Figure 6. Western Precinct Building Envelope Residential development in the Heritage Control Area shall include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House All development within the Heritage Control Area as shown in Figure 3 shall be limited in height to ensure that no structure or element thereof protrudes above the surface defined by the

	<p>Structures Limitations Plan Figure 5.</p> <ul style="list-style-type: none"> • Dwellings and ancillary buildings shall be a maximum of one storey (although they may include habitable rooms within a roof/attic space) and shall only be located within the Principal Structures Zone shown in Figure 5. • Fencing within the Heritage Control Area and particularly the Landscape Only Zone shown in Figure 5 shall be limited to traditional timber post and wire rural style fencing • Ancillary residential buildings including single storey garages or carports (and single storey recreation/community buildings in the case of a specifically designed community title subdivision) may be considered within the Ancillary Structures Zone shown in Figure 6, subject to Council's consent • A visual transition shall be created between the new Aberglasslyn urban development and the rural landscape setting of Aberglasslyn House by landscaping of the north-western boundary of the West Precinct to create a dense screen planting (windbreak) as a total visual screen for the length of the HCA boundary. The screened plantings must be of a durable and suitable species to ensure sufficient height and spread is achieved. Such plantings shall be completed in the first stage of subdivision for the West Precinct, to ensure the plantings reach a satisfactory height and maturity prior to any new housing development being completed in that section of the Precinct • Landscaping within the Landscape Only Zone as indicated in Figure 5 shall be limited to scattered plantings of endemic eucalypts consistent with the historical use of the site for grazing. No other structures or plantings are to be located within the Landscape Only Zone • Any dwellings or outbuildings within the Heritage Control Area shall be constructed of external materials and finishes with darker colours and tones, so as to limit visibility, protecting the heritage qualities and rural setting of Aberglasslyn House. External building materials and finishes must also be non
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	<p>reflective</p> <ul style="list-style-type: none"> • A suitable “Schedule of external colours and building materials” must be submitted to Council for approval with a Statement of Heritage Impact and Development Application for subdivision of land within the Heritage Control Area. The relevant development consent will subsequently have a restriction as to user on the subdivision, to apply that Schedule on the land title
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2.13 Key Development Sites

Objectives	Requirements
<ul style="list-style-type: none"> • To ensure that key development sites are properly designed and planned 	<ul style="list-style-type: none"> • Any dual occupancy, medium density or integrated housing development within the West Precinct must be located and designed around areas of high amenity, being sites adjacent to open space, water bodies and bus routes • Residential development within the West Precinct shall comprise detached dwellings of one or two storeys, dual occupancy, medium density or integrated housing development in accordance with Council’s Urban Housing Chapter of the Maitland City Wide DCP • The following sites or land uses shall be located and designed so as to comply with the provisions, standards and requirements of the Maitland Citywide DCP. In particular, development must be consistent with the relevant Precinct Plans, and the objectives and requirements within this Plan <ul style="list-style-type: none"> • Neighbourhood shops • Schools and community facilities, including safe access, bus bays and adequate parking • Existing rural land uses • Exhibition villages

Figure 3

Aberglasslyn - West Precinct Plan

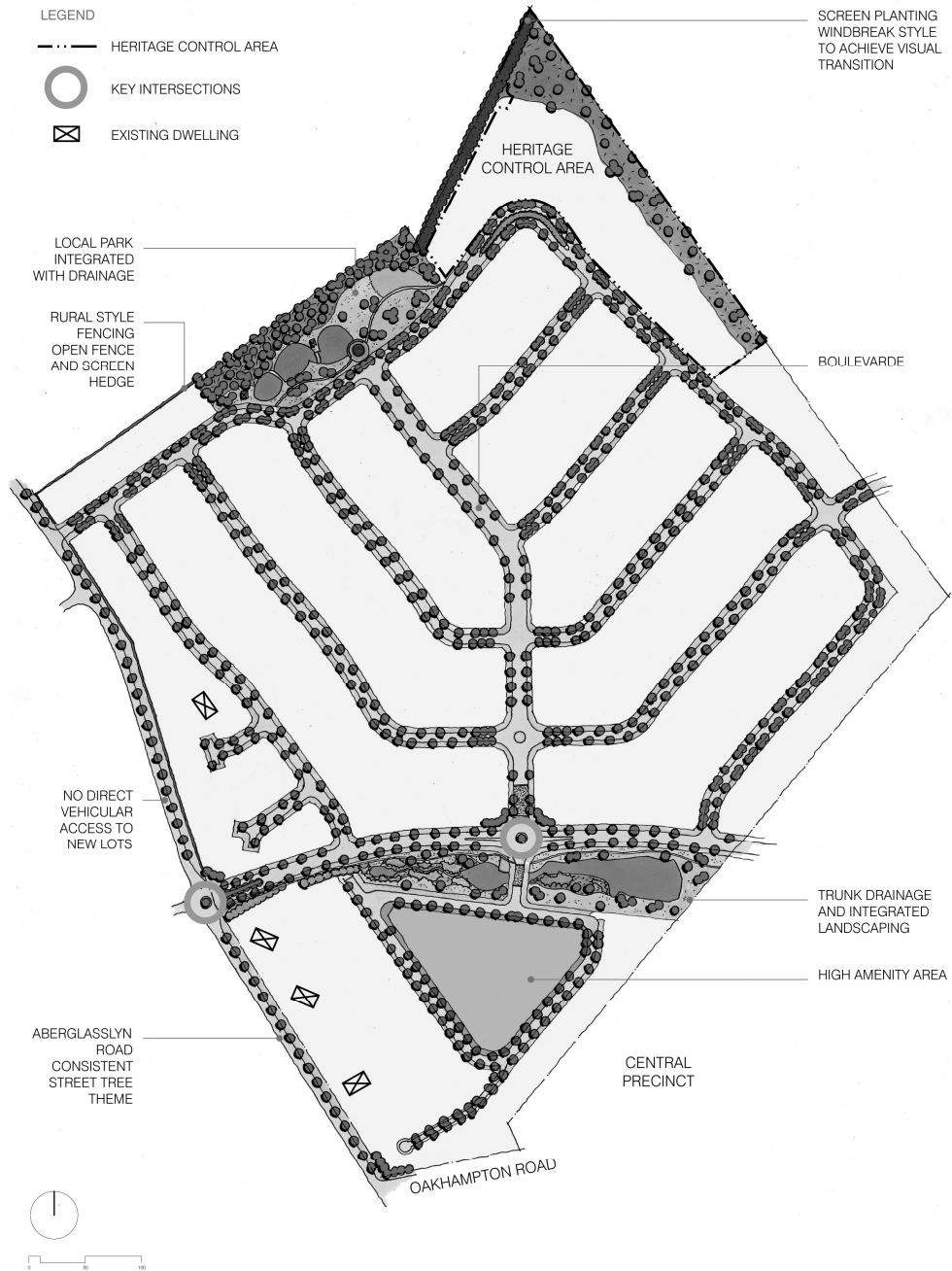


Figure 4 - West Precinct Road sections

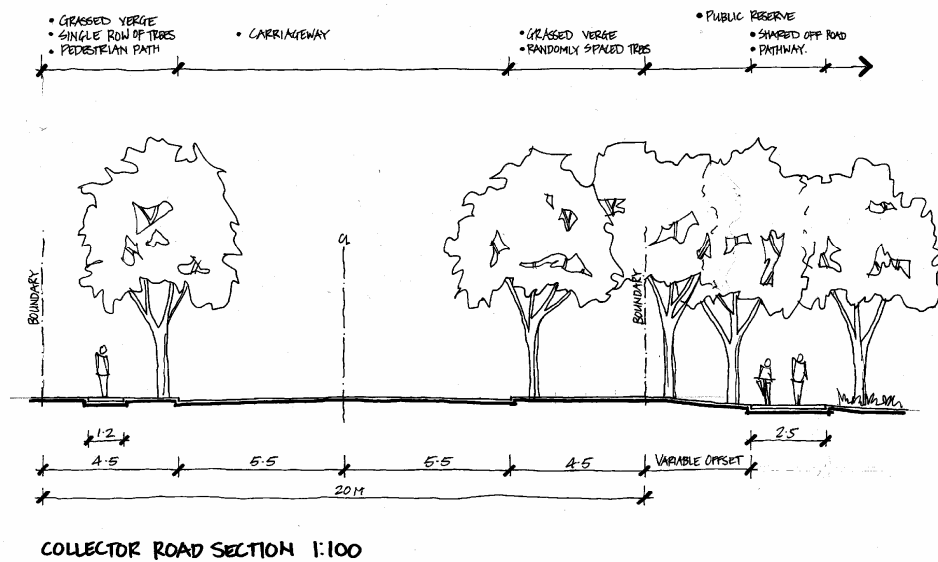
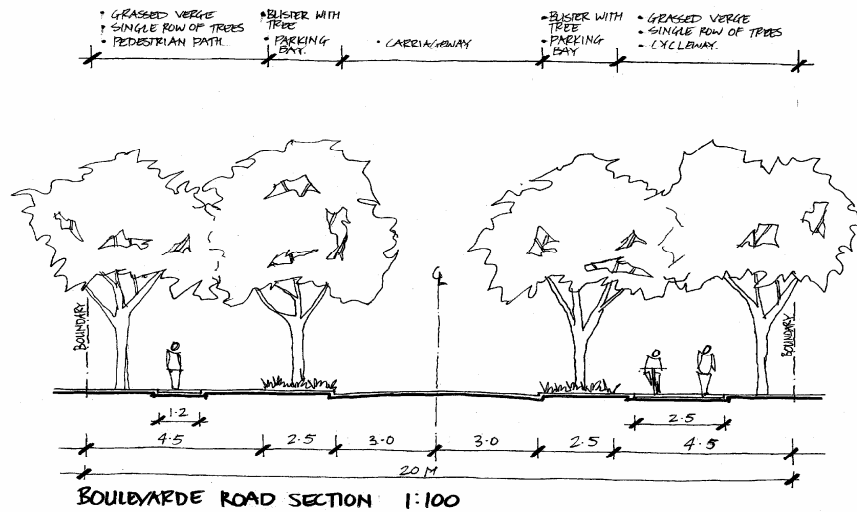
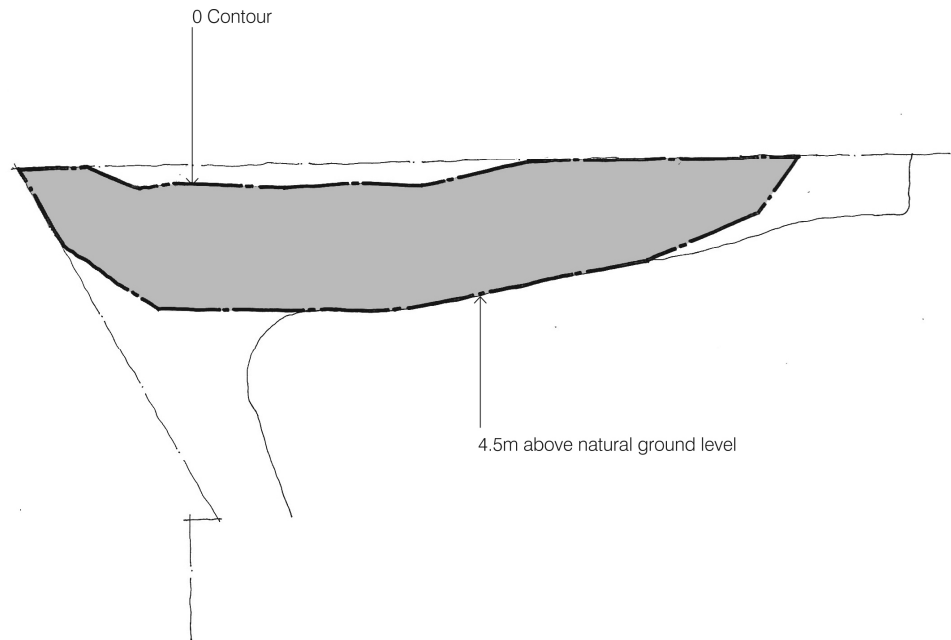


Figure 5 – West Precinct Structures Limitations Plan



Structures Limitations Plan 1:3000

Figure 6 – West Precinct Building Envelope

