

## **MAITLAND CITY COUNCIL**

# **CITY WIDE DEVELOPMENT CONTROL PLAN**

## **GILLIESTON HEIGHTS 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 11<sup>th</sup> April 2006 to be included in the City Wide Development Control Plan.

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### **REFERENCES**

Maitland City Wide Development Control Plan

Maitland City Council – Manual for Engineering Standards

# **MAITLAND CITY WIDE DCP**

## **GILLIESTON HEIGHTS AREA PLAN**

### **1. PRELIMINARY**

#### **1.1 Introduction**

This document is called the Gillieston Heights Area Plan, and forms part of the Maitland City Wide Development Control Plan. This Area Plan consists of a written statement, a Precinct Plan and the Gillieston Heights Master Plan to guide future development of the area.

#### **1.2 Subject land**

This Area Plan applies to land identified in the Gillieston Heights Master Plan, shown as **Figure 1**.

#### **1.3 Commencement**

This Area Plan (chapter) was adopted by Council on 11 April 2006, and came into force on 20 April 2006.

#### **1.4 Purpose of the Area Plan**

The purpose of the Area Plan is to give detailed guidance to people wishing to carry out development within the Gillieston Heights Urban Release Area. This chapter provides more detailed provisions than those contained in the Maitland Local Environmental Plan 1993, and indicates certain objectives, requirements and development standards for the area, not otherwise included in the broader Maitland City Wide DCP.

#### **1.5 Relationship with other Plans**

Where there is any inconsistency between this Area Plan 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).

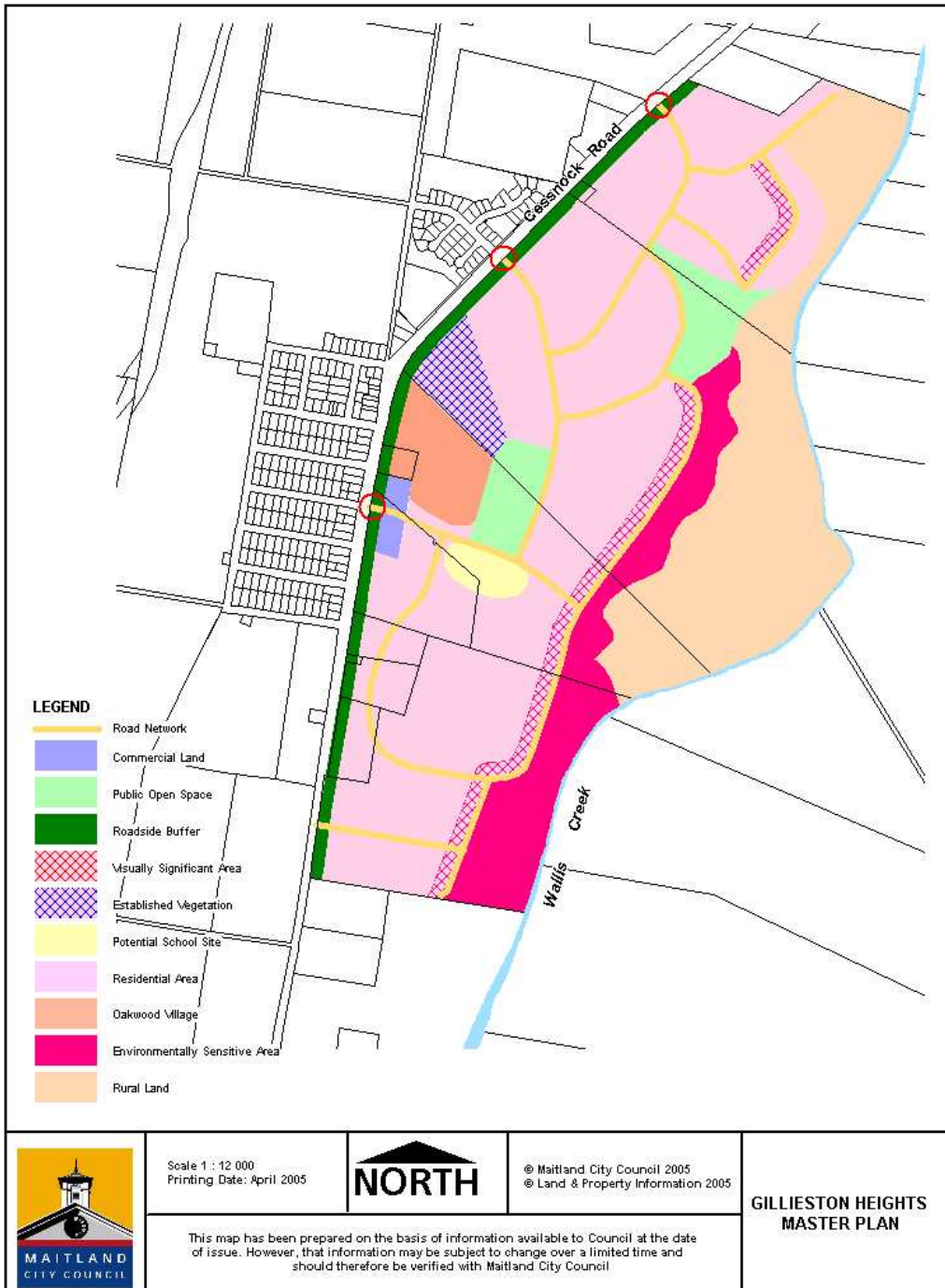
This Area Plan should be read in conjunction with all chapters or sections of the Maitland City Wide DCP and any Council's policies, particularly the Manual for Engineering

Standards.

Where there is an inconsistency between this Plan and any future Development Control Plan or amendments to the Maitland City Wide DCP, the provisions of the later plan shall prevail.

**Figure 1 - Gillieston Heights Master Plan**

Maitland LEP No 81 refers to the Gillieston Heights Master Plan to guide future development of the site. A copy of the Master Plan which sets out the broad land use concepts for the site appears below.



## 2. DESIRED FUTURE OUTCOMES

The objectives and desired future outcomes expected as a result of this Area Plan are for Council and the community to have clear direction and clarity as to the expected residential character and future neighbourhood amenity of the area, and to ensure that all development respects the natural and man-made constraints of the land, and is designed to be sympathetic to the surrounding environment.

This Area Plan includes a Precinct Plan (Figure 2), which also illustrates how the objectives and desired future outcomes are to be achieved.

### Desired Future Outcomes

The principal desired future outcomes for Gillieston Heights Urban Release Area are as follows:

1. To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
2. To foster a sense of community and strong local identity and sense of place in neighbourhoods
3. To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving
4. To ensure active street-land use interfaces, with building frontages to streets to improve personal safety through increased surveillance and activity
5. To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents
6. To facilitate appropriate mixed use development which is compatible with residential amenity, capable of adapting over time as the community changes, and which reflects community standards of health, safety and amenity
7. To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services
8. To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected
9. To provide for an integrated and sustainable approach to the design and provision of open space and urban water management
10. To ensure cost-effective and resource efficient development to promote affordable housing

## **General Outlook**

The Gillieston Heights Urban Release Area comprises residential areas, centrally located neighbourhood shops, a potential school site, open space and areas of existing vegetation, which provide a backdrop to the future development.

On the western side of the release area, a roadside buffer for landscaping and acoustic separation will run adjacent to the Cessnock Road frontage, effectively denying direct vehicular access to the new development, except via new traffic controlled intersections.

The eastern side of the release area is generally defined by an escarpment lined in parts with existing bushland, which must be retained to provide a visual backdrop to new development. Any roads and development along this eastern edge must respond to the topographic constraints of the land, so as to minimise cut and filling.

The residential areas are to be developed into a series of neighbourhoods defined by the natural landform, shared pathways and roads. Streets will be designed for safety, connectivity and to provide opportunities for establishing new plantings and attractive streetscapes. Any school, neighbourhood shops and parks will be located adjacent to bus routes and provide a focal point for community activity.

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, bus routes and the possible neighbourhood shops.

Riparian areas adjacent to existing water courses will be retained and enhanced as part of the water cycle management of the release area and existing dams on site will be used wherever practicable as water quality devices treating water prior to discharge into receiving waterways.

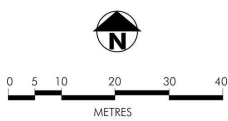
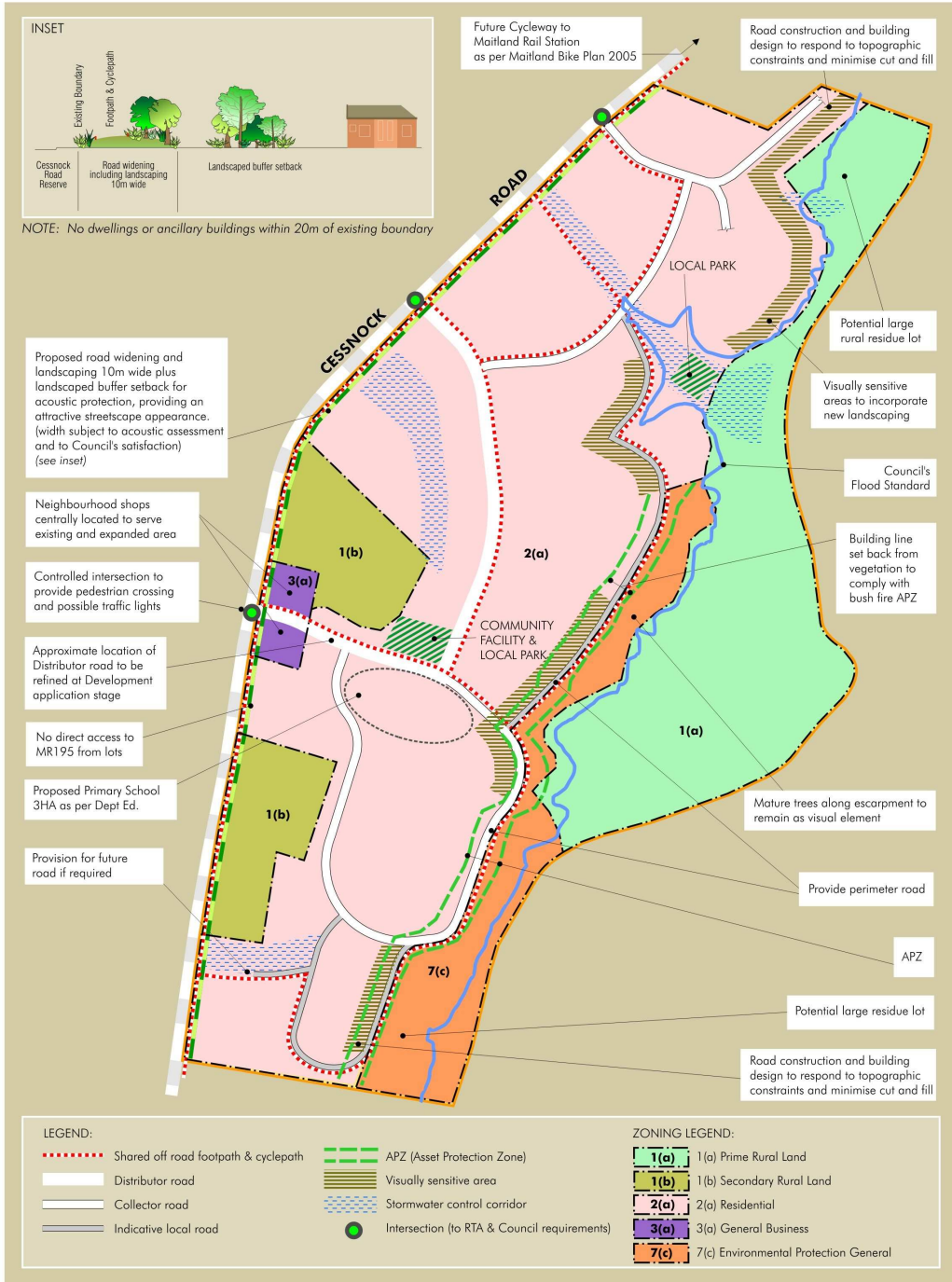
### **3. PRECINCT PLAN**

The Precinct Plan is to be read in conjunction with the desired future outcomes, objectives and requirements of the Area Plan. This Precinct 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 footpath/cyclepath along the entire frontage of Cessnock Road (Main Road No 195), plus internal paths and off-road shared footpath/cyclepaths
- (b) an overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public domain and private land, particularly adjacent to Cessnock Road (Main Road No 195),
- (c) the general location of potential parks, stormwater and water quality and quantity management controls and devices,
- (d) amelioration of natural and environmental hazards, including bushfire, flooding and any archaeological or site contamination constraints,
- (e) identification of any significant development sites within the Gillieston Heights Urban Release Area that require detailed urban design controls,
- (f) the potential school site and neighbourhood shops, including provisions for appropriate traffic management facilities and parking,
- (g) amelioration measures to protect future residential development from fumes, vibration and noise generated by traffic in accordance with the relevant Department of Environment and Conservation criteria and any relevant Australian Standards,
- (h) the establishment of a 20 metre landscaped buffer zone (incorporating 10 metres for road widening) on land fronting Cessnock Road (Main Road No 195) north of Russell Street, with no direct vehicular access to the land from Cessnock Road,
- (i) 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,
- (j) the protection of scenic values and significant vegetation on the site



**Figure 2 - Precinct Plan**



**GILLIESTON HEIGHTS**  
Precinct Plan

## 4 DEVELOPMENT OBJECTIVES AND REQUIREMENTS

All Development Applications shall demonstrate compliance with the following development objectives and requirements.

### 4.1 Traffic, Road Design, Pedestrian/Cycleway Networks

Objectives	Requirements
<ul style="list-style-type: none"> <li>• 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</li> <li>• To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport</li> </ul>	<ul style="list-style-type: none"> <li>• The road pattern for the area should be developed generally in accordance with the Precinct Plan responding to topography, minimising acoustic impacts, earthworks and following detailed survey and subdivision planning</li> <li>• Road layouts, design geometry, intersections and construction should satisfy the requirements of Council's Subdivision Guidelines within the City Wide DCP and the Manual for Engineering Standards</li> <li>• Development shall take into account road widening works and intersection upgrades identified by the Roads &amp; Traffic Authority and in the Draft Maitland Section 94 Contributions Plan (City Wide) 2005</li> <li>• No new future lot shall have direct vehicular access to Cessnock Road (MR No 195)</li> <li>• Flood free access is to be available to all proposed allotments</li> <li>• The road design should allow for passive surveillance and access to public open space from adjoining residences</li> <li>• Traffic and Transport Studies are required with Development Applications for subdivision to determine the extent of road works, intersection upgrades and ancillary vehicular and footpath/cyclepath infrastructure requirements generated by the development</li> <li>• Cycleways must be provided for in accordance with the Maitland Bike Plan 2005</li> <li>• Footpaths and cyclepaths are to be provided within subdivisions that link the community, open space, schools and neighbourhood shops to existing and future residential development. Shared off-road paths shall be located adjacent to stormwater control corridors, open space and the collector road verges (footway)</li> </ul>

## 4.2 Subdivision Design

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure that subdivision provides a safe and positive character, enhances accessibility, minimises visual impacts, compliments the surrounding area, and promotes the principles of ecologically sustainable development</li> <li>• 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</li> </ul>	<ul style="list-style-type: none"> <li>• Development Applications for subdivision must include Staging Plans, an analysis and statement as to the intentions and philosophy of proposed layouts, lot sizes, shapes and likely development densities, so that residents have a clear understanding of the likely future neighbourhood character</li> <li>• A variety of lot sizes and shapes are to be provided to cater for the housing needs of the community, including opportunities for small lots, small lot housing and medium density in areas with high neighbourhood amenity. Allotment yields should be maximised in response to the constraints of the land</li> <li>• Lot sizes and dimensions should be in accordance with the requirements set out in Council's Subdivision Guidelines chapter of the City Wide Development Control Plan</li> <li>• Subdivision design must have regard to minimising any adverse visual impacts of development when viewed from public roads and surrounding properties. Development adjacent to Cessnock Road (MR No 195) must be orientated and dimensioned so as to make provision for housing of a high quality architectural appearance</li> <li>• The buffer setback zone adjacent to Cessnock Road (MR No 195) could include a local subdivision street and landscaping to assist in providing separation to traffic noise and a streetscape view of the front of dwellings and landscaped gardens</li> <li>• Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibration from traffic along Cessnock Road (MR No 195), nor any other adjoining land uses. Acoustic reports must be submitted to Council for approval with Development Applications</li> <li>• Details of any proposed fencing adjacent to Cessnock Road (MR No 195) 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</li> </ul>

## 4.2 Subdivision Design (cont)

Objectives	Requirements
	<ul style="list-style-type: none"> <li>• 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</li> <li>• 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)</li> <li>• Subdivisions must include conveniently located open space areas that compliment the broader city wide open space networks</li> <li>• Statement of Environmental Effects must demonstrate compliance with all of the above requirements</li> </ul>

## 4.3 Building Form

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure that development responds to the constraints of the land, and is integrated with existing development to provide attractive streetscapes and vistas, enhancing the overall character and neighbourhood amenity</li> <li>• To provide for ecologically sustainable building design that is compatible with the scale and character of surrounding development, that maximises privacy, safety and security, and that respects the scenic and visual attributes of the area</li> </ul>	<ul style="list-style-type: none"> <li>• Housing is to be consistent with the standards and requirements of the Lower Hunter Urban Housing Chapter of the Maitland City Wide DCP</li> <li>• Housing design and scale must respond to the site constraints, so as to minimise acoustic impacts, external earthworks and prevent excessive cut/fill and retaining walls</li> <li>• Building bulk is to be broken up by articulating external walls, providing openings, protrusions, verandahs, fenestration and various building materials, finishes and colours, so as to provide for visual relief and attractive streetscapes</li> <li>• Development is to respect the character and amenity of adjoining development, with medium density housing to be provided on suitably orientated and sized allotments that have high amenity near facilities, open space and public transport</li> </ul>

#### 4.3 Building Form (cont)

Objectives	Requirements
	<ul style="list-style-type: none"> <li>• Housing must be designed to be energy efficient through the use of insulation, orientation, passive solar design, cross ventilation and other energy saving techniques, notwithstanding the requirements of BASIX</li> <li>• Development, which is located adjacent to Cessnock Road (MR No 195), including the land zoned 3(a) General Business should be appropriately designed so as to provide a high quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls</li> <li>• Neighbourhood shops or commercial development within the 3(a) General Business zone is not subject to the landscape buffer requirements adjacent to Cessnock Road (MR No 195) as shown in the Precinct Plan, except for the 10 metres of road widening. Notwithstanding this, such development must include appropriate landscaping as part of the overall design</li> <li>• 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 and visually sensitive areas shown on the Precinct Plan shall be unobtrusive, compatible with the rural character, and may include timber post and rail style. Details of fencing is required to be submitted to Council with Development Applications</li> <li>• Car accommodation is to be sited and designed so as to not dominate the streetscape and frontage of allotments, enhancing the areas visual appearance</li> </ul>

#### 4.4 Provision of Essential Infrastructure

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure the provision of essential infrastructure to all development in an efficient and economic manner that minimises environmental impacts</li> </ul>	<ul style="list-style-type: none"> <li>• 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</li> </ul>

	<ul style="list-style-type: none"> <li>• All services are to be placed underground and are to minimise any environmental, visual and safety impacts</li> <li>• All new development shall be connected to a reticulated recycled wastewater system where provided</li> <li>• To ensure that satisfactory disposal of effluent for existing dwellings and the Oakwood Village development is maintained</li> </ul>
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#### 4.5 Visual and Scenic Amenity

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To protect the scenic values of the landscape and environment, particularly by providing for an attractive entrance to the City of Maitland, and encouraging development to be unobtrusive and sympathetic to the surrounding rural setting</li> </ul>	<ul style="list-style-type: none"> <li>• Where practicable, existing vegetation is to be maintained and enhanced (particularly along ridgelines, slopes and the visually sensitive areas), so as to provide buffers and landscaped visual relief within subdivisions and housing development</li> <li>• New landscaping shall be provided in visually prominent locations throughout subdivisions, particularly adjacent to the visually sensitive areas, including road reserves where practicable, to provide visual relief to the built elements and protect the areas scenic amenity</li> <li>• Development adjacent to Cessnock Road is to be suitably landscaped and maintained so as to provide for an attractive streetscape</li> <li>• Development within and adjacent to the visually sensitive areas shall be suitably designed so as to respond to topographic constraints. Fencing in these areas shall be compatible with the adjoining rural character and may include timber post and rail style</li> <li>• Council require that a Visual Impact Assessment be undertaken to accompany Development Applications for subdivisions and development that are likely to have a visual impact on the area. Such assessments may include proposed ameliorative measures to be incorporated within the development, such as dwelling designs, building materials, colour schemes and landscaping. Such assessments are to</li> </ul>

	make reference to the background reports used in the preparation of the Gillieston Heights Master Plan, and the Precinct Plan shown as Figure 2
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#### 4.6 Water Cycle Management and Sediment and Erosion Control

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Wallis Creek and the Hunter River</li> <li>• To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways</li> </ul>	<ul style="list-style-type: none"> <li>• A Stormwater Drainage Analysis, addressing the management of water quality and quantity (having regard to all contributing catchments and downstream water bodies), the 1% AEP Hunter River Flood Level and the 1% AEP storm event, is to be submitted with Development Applications for subdivision</li> <li>• 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 construction. Other detailed plans may be required as a condition of any subdivision approval</li> <li>• 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 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</li> <li>• Stormwater controls must comply with the requirements of Council's Manual of Engineering Standards</li> <li>• All water and drainage management must be consistent with the Draft Maitland Section 94 Contributions Plan (City Wide) 2005</li> </ul>

#### 4.7 Flooding

Objectives	Requirements
<ul style="list-style-type: none"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>Minimum floor level of any habitable space in a residential dwelling constructed on land to which this Area Plan applies must comply with Council's Flood Standard.</li> <li>Development should be consistent with the objectives and guidelines presented in the Citywide DCP No.1 - Development Control Plan 29 - Hunter River Floodplain Management</li> <li>Development Applications for subdivision must demonstrate that suitable flood free access is available to all proposed allotments</li> <li>Existing major natural drainage lines and watercourses are to be retained wherever possible, and preferably rehabilitated through comprehensive re-planting with indigenous plant species, rather than being piped and filled</li> </ul>

#### 4.8 Landscaping, Streetscape and Open Space Areas

Objectives	Requirements
<ul style="list-style-type: none"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>Landscaping Plans are required with Development Application, and must be to the satisfaction of Council</li> <li>Landscaping will be required on land adjacent to Cessnock Road (MR No 195), so as to soften the visual impact of all built elements, creating attractive streetscapes when viewed by passing traffic and pedestrians</li> <li>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</li> <li>Existing trees are to be retained wherever possible within road reserves and along allotment boundaries</li> </ul>



#### 4.8 Landscaping, Streetscape and Open Space Areas (cont)

Objectives	Requirements
	<ul style="list-style-type: none"> <li>• The natural character of all ridgelines, knolls and hillsides are to be protected by retaining any vegetation or introducing new landscaping to ensure the visual impact of development is minimized, particularly within and adjacent to the visually sensitive areas</li> <li>• Natural watercourses are to be protected and revegetated where appropriate to enhance the visual amenity, prevent soil erosion, and to protect the quality of receiving waters</li> <li>• Open space areas, footpaths and cyclepaths are to be suitably located and designed to provide linkages to surrounding development in accordance with this Area Plan and the Draft Maitland Section 94 Contributions Plan (City Wide) 2005. Such areas are to have good surveillance and safety, particularly at night time, and are to be easily maintained and appropriately landscaped</li> </ul>

#### 4.9 Bushfire Protection

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure that development is designed to reduce the risk of bushfire to people and property</li> </ul>	<ul style="list-style-type: none"> <li>• Areas identified as having a bushfire threat are to be managed to minimise potential risk to people and property</li> <li>• All development is to be designed in accordance with the NSW Rural Fire Service (RFS) – Planning for Bushfire Protection 2001</li> <li>• 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</li> </ul>

#### 4.10 Salinity / Acid Sulfate Soils

Objectives	Requirements
<ul style="list-style-type: none"> <li>To manage any risk to the environment in regards to salinity and acid sulfate soils</li> </ul>	<ul style="list-style-type: none"> <li>Subdivision applications should include relevant assessment and geotechnical investigation regarding salinity and acid sulfate management to determine (if any) specific measures are needed</li> </ul>

#### 4.11 Noise and Vibration

Objectives	Requirements
<ul style="list-style-type: none"> <li>To ensure that future residential development is not adversely affected by any noise and vibration from existing or future land uses, including roads</li> </ul>	<ul style="list-style-type: none"> <li>Residential subdivision and development is to be located and designed so as to comply with the relevant standards and criteria for noise and vibration contained within relevant legislation, including the RTA's Environmental Criteria for Road Traffic Noise and the New South Wales EPA Environmental Noise Control Manual</li> <li>Appropriate acoustic and vibration controls are to be provided by means of separating the source and receiver. Acoustic protection shall include building design techniques, landscaping and buffers which do not detract from the streetscape and visual appearance of the area</li> <li>Council require acoustic and vibration assessments with relevant Development Applications that adjoin existing or potentially incompatible land uses, including traffic noise on Cessnock Road (MR No 195)</li> </ul>

#### 4.12 Floodplain and 7(c) Environmental Protection areas

Objectives	Requirements
<ul style="list-style-type: none"> <li>To ensure that the floodplain and environmental protection zone are sustainably managed, with a limited number of large allotments</li> </ul>	<ul style="list-style-type: none"> <li>A limited number of large allotments will be considered in the 1(a) Prime Rural and 7(c) Environmental Protection General zones. Any future dwellings within or adjacent to these lots must be located so as to comply with Council's Flood Standard.</li> <li>Access to such allotments shall be flood free and at appropriate gradients, with minimal earthworks</li> <li>Any fencing of allotments in these areas shall be of timber post and rail style or similar, to minimise any visual impacts and so as to not restrict or divert flood waters</li> </ul>

#### 4.13 Heritage

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure that any areas or sites of indigenous heritage are suitably identified, managed and where necessary conserved</li> <li>• To ensure that development does not adversely impact upon any items of European heritage</li> </ul>	<ul style="list-style-type: none"> <li>• Archaeological investigations and studies are required for subdivision development, to determine the extent of any aboriginal sites, relics or areas of significance, including appropriate management and conservation measures proposed</li> <li>• Appropriate European heritage assessment is required for development in the vicinity of any items of heritage significance contained in the Maitland Local Environmental Plan 1993</li> </ul>

#### 4.14 Key Development Sites

Objectives	Requirements
<ul style="list-style-type: none"> <li>• To ensure that key development sites are properly designed and planned</li> </ul>	<p>The following sites or land uses shall be located and designed so as to comply with the provisions, standards and requirements of the Area Plan and the broader Maitland City Wide DCP.</p> <ul style="list-style-type: none"> <li>• <b>Neighbourhood shops:</b> to include adequate car parking and landscaping, providing for an attractive architectural appearance and streetscape, that will have a positive social and economic impact on the local neighbourhood</li> <li>• <b>Schools and community facilities:</b> to include landscaping, safe pedestrian and traffic management, including bus bays and adequate parking</li> <li>• <b>Existing rural land uses:</b> ensure that existing rural land uses are able to continue to operate, and be managed so as to be compatible with any new development</li> <li>• <b>Exhibition villages:</b> shall comply with Council's policy and requirements, including adequate parking and traffic management</li> <li>• <b>Development adjoining existing urban areas:</b> shall be consistent with, and provide for a compatible interface so as not to adversely impact upon the amenity of existing urban development and residents</li> </ul>