Attachments

Under Separate Cover

(Part 1 of 2)

17 March 2026

maitland
CITY COUNCIL

Table of Contents

ITEM	SUBJECT	PAGE NO
10.1	**Site Masterplan for the Former Anambah Landfill**	
Attachment 1	Community Consultation Report (Under Separate Cover)	1
10.2	**Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - For Adoption**	
Attachment 1	Response to Submissions Report (Under Separate Cover)	25
Attachment 2	Draft Maitland Development Control Plan 2026 (Under Separate Cover)	67
Attachment 3	Draft Maitland Development Control Plan 2026 - Supporting Documents (Under Separate Cover)	640
Attachment 4	Draft Maitland Manual of Engineering Standards 2026 (Under Separate Cover)	759
Attachment 5	Draft Maitland Manual of Engineering Standards 2026 - Supporting Documents (Under Separate Cover)	928
Attachment 6	Register of Changes (Under Separate Cover)	986
Attachment 8	Submissions (Under Separate Cover)	1115
10.3	**Adoption of Draft Development Control Plan – Anambah Urban Release Area**	
Attachment 1	Submissions (Under Separate Cover)	1117
Attachment 2	Response to Submissions Report (Under Separate Cover)	1197
Attachment 3	Anambah Urban Release Area Draft Area Plan (Under Separate Cover)	1215
10.4	**DA2024/568 For Rural Industry - Demolition of Existing Structures and Construction of Three Sheds at 41 Cracknell Lane, South Maitland**	
Attachment 3	Assessment Report (Under Separate Cover)	1266
11.4	**Local Transport Forum Meeting Minutes (February 2026)**	
Attachment 1	Local Transport Forum Minutes (5 February 2026) (Under Separate Cover)	1286
Attachment 3	9 December 2025 Item 12.2 LTF Council Report and Minutes (Under Separate Cover)	1371

Table of Contents

ITEM	SUBJECT	PAGE NO
14.1	**Draft Procurement Policy**	
Attachment 1	Draft Procurement Policy 4.0 (Under Seperate Cover)	1427
Attachment 2	Adopted Procurement Policy 2022 (Under Seperate Cover)	1439

City Planning

Site Masterplan For The Former Anambah Landfill

Community Consultation Report (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 1

Number of Pages: 23

maitland CITY COUNCIL

Engagement Report

ANAMBAH FUTURE USE

Date: 1 August 2024

1. PROJECT ADMIN

ROLE	RESPONSIBLE
Project contacts	Senior Contaminated Land Officer – Malcolm Adrien Manager Environment & Sustainability – Catherine Pepper
Engagement lead	Strategic Engagement Officer – Elizabeth Hill Technical Director – Communications & Stakeholder Engagement, GHD – Michael Ulph
Comms and marketing leads	Team Leader Communications – Rhys Pascoe

2. PROJECT BACKGROUND

A report presented to Maitland City Council in February 2024 recommended a remediation plan that balances environmental management with revenue generation as future use options for the former Anambah Landfill site, which operated from 1976 to 1993 without modern environmental management systems.

The report proposed a combination of commercial light industrial use and a solar farm.

Council consulted with the community on these proposed options between 24 June and 26 July 2024. Council provided the community, including affected residents and businesses with the opportunity to view the options report and view the concept plans for the site.

This engagement report details the results from online feedback received during this period. In person consultation was undertaken by GHD on Council's behalf.

Outcomes of this engagement will inform Council's decision on potential future use options and identify which additional feasibility and other studies are required to progress the option.

RELATED MATERIALS

- Engagement Plan
- Maitland Your Say page - yoursay.maitland.nsw.gov.au/anambah-landfill-site-future-use
- Survey - yoursay.maitland.nsw.gov.au/anambah-landfill-site-future-use/anambah-former-landfill-site-future-use-feedback

3. METHODOLOGY

In meeting the listed objectives of the engagement, the following methods were applied.

ENGAGEMENT METHODS

METHODS	STAKEHOLDER/S	ENGAGEMENT LEVEL	TIMING	REACH
Social Pinpoint page	• Wider community • Residents and businesses local to the site	Consult	24 June – 22 July	620 views 422 visits 137 downloads*
Online Survey	• Wider community • Residents and businesses local to the site	Consult	24 June – 22 July	64 survey responses 59 contributors**
Drop in sessions	• Residents and businesses local to the site	Consult	1 - 3 July	9 attendees

** 89 downloads of the Final land use and remediations options assessment and 48 downloads of the Fact Sheet June 2024.*

*** Contributors refers the unique number of visitors who have left feedback or contributions using the participation tools.*

COMMUNICATION METHODS

METHODS	AUDIENCE	ENGAGEMENT LEVEL	TIMING	REACH
MYS alert campaign to Maitland Your Say subscribers – location and interest	Maitland Your Say subscription lists: • Anambah • Environment and sustainability • Planning and development	Inform	24 Jun 2024	261 recipients 162/261 opens (62.1%) 14.6% link clicks
Letterbox drops	Businesses, residents and land owners surrounding the site Cagney Road, Aaron Cove, Darby Lane and Richard Road Rutherford	Inform	19-20 Jun 2024	Letterbox drops to 31 businesses and 92 residences
Media	Wider community	Inform	24 Jun – 24 Jul 2024	Generated four media mentions, between 24 June and 6 July, including: 2 radio mentions 2 online Reached a potential audience of 21,000 people

METHODS	AUDIENCE	ENGAGEMENT LEVEL	TIMING	REACH
Social posts	Wider community	Inform	24 Jun – 22 Jul 2024	
	Corporate Facebook		24 Jun	Impressions 14,500 Reach 14,475 Engagement: 1,865 Comments: 103 Link clicks: 60
	Corporate Facebook		15 Jul	Impressions 7,543 Reach 7,254 Engagement: 937 Comments: 50 Link clicks: 26
			TOTAL SOCIALS	Impressions 22,040 Reach 21,729 Engagement 2,802 Comments 153 Link clicks 86
Staff Good Work	Staff	Inform	11 July	141 views
Councillor Good Work	Councillors	Inform	11 July	7/13 opened 0 clicks

SUMMARY OF ENGAGEMENT AND COMMUNICATION EFFECTIVENESS

The Anabah future use campaign reached a total audience of approximately 44,000 across various platforms, achieving 3,000 engagements, effectively informing and involving the community through a mix of organic social media, media coverage, and targeted communication efforts.

Social Media Engagement:

The organic (non-paid) social media posts were particularly effective, reaching 21,729 people and generating 2,802 interactions, including 153 comments. The high comment volume demonstrates active community dialogue, highlighting the campaign's success in fostering public discussion.

Media coverage:

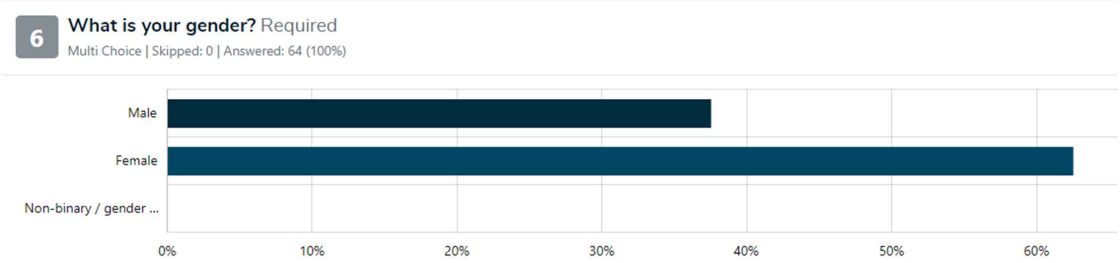
With four media mentions, including two on radio, the campaign reached a potential audience of 21,000 people. This coverage underscores the campaign's effectiveness in raising awareness and driving public interest across multiple channels.

Impact:

The strong social media engagement combined with light media coverage indicates that the campaign effectively captured community attention and facilitated informed discussions on the future use of the Anambah site.

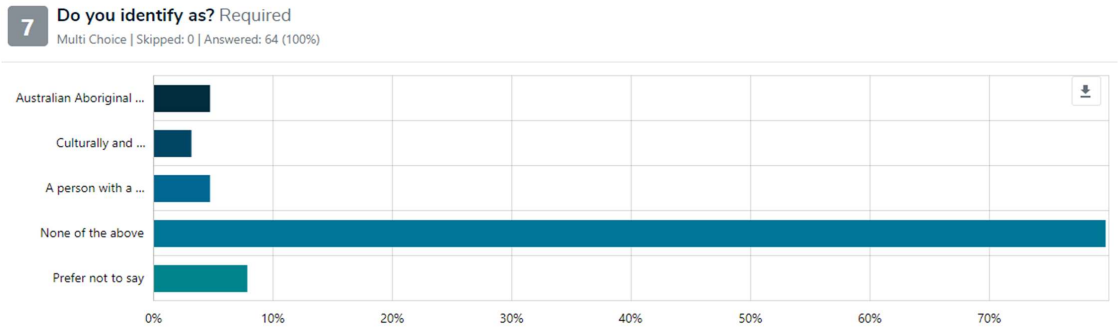
4. DEMOGRAPHICS

Of 64 survey respondents, 62.50% were female, 37.50% were male. No respondents identified as non-binary or gender diverse.

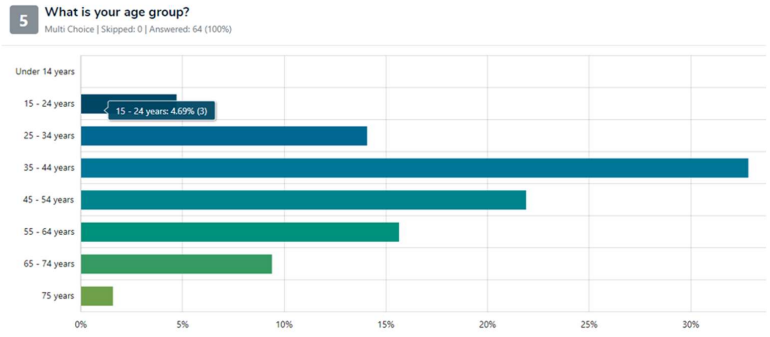


Almost 5% of respondents identified as Aboriginal or Aboriginal and Torres Strait Islander, almost 5% identified as a person with a disability and 3% identified as being from a culturally and linguistically diverse background. This is a slightly lower representation of diversity in the LGA based on the ABS 2022 Census, which shows that 8% of the total population in Maitland identify as Aboriginal and Torres Strait Islander, 11% identify as a person with a disability and 9% identify as being from a culturally and linguistically diverse background.

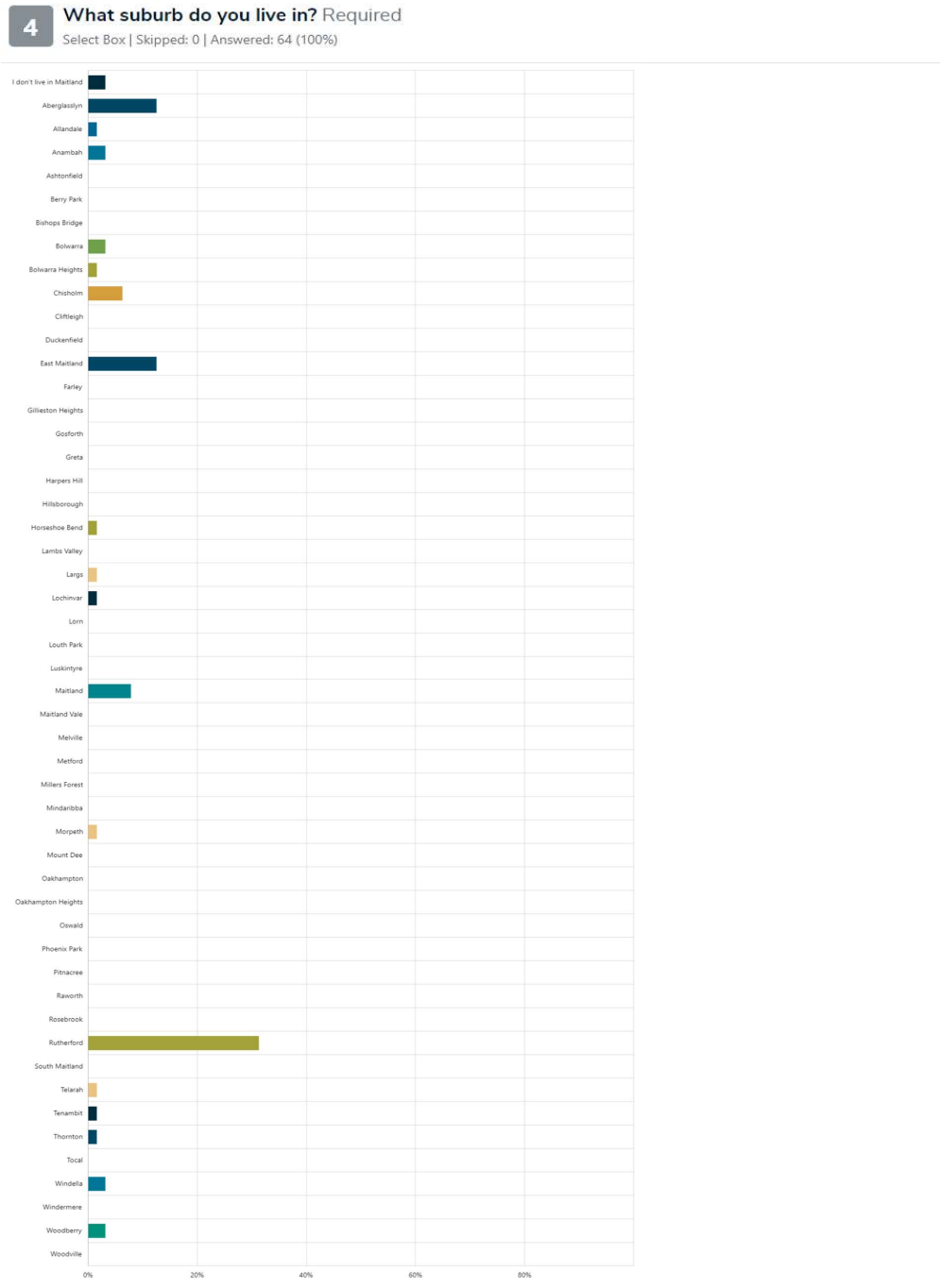
Almost 8% of respondents preferred not to disclose identifying information.



The 35-44 years age category had the highest response rate with 33%, followed by 45-54 years at almost 22%. We received no responses from residents under 14 years, and less than 5% of respondents were in the 15-24 years or 75+ year categories.



The highest level of participation was from residents of Rutherford, covering 31% of responses. The next highest level of responses were from Aberglasslyn and East Maitland, each representing 13% of the responses.



5. KEY FINDINGS

The community feedback about the proposed reuse and remediation plans of the former Anambah Landfill Site highlights a shared community sentiment that values green space and sustainability.

They are wary of overdevelopment and looking for ways to enhance the quality of life in their area through thoughtful, environmentally conscious land use. The feedback reflects a deep concern about the impact of development on their environment and quality of life, with a strong preference for a sustainable, community oriented land use for the site.

Overall feedback can be broken down into five themes:

1. Prioritise green space: A significant number of comments advocate for the area to be preserved as green space, whether as parks, botanical gardens, or nature reserves. This is seen as essential for maintaining biodiversity, providing recreational opportunities, and countering the effects of urban sprawl.
2. Incorporate renewable energy: While some oppose industrial development, there is notable support for integrating solar farms or other renewable energy projects, especially if they coexist with green spaces.
3. Opposition to industrial zoning: Several comments explicitly reject the idea of more industrial or commercial development in the area, highlighting past negative experiences with pollution and environmental degradation.
4. Call for thoughtful urban planning: There is a demand for long term, sustainable planning that balances development with environmental preservation and community needs. This includes suggestions for parks, community gardens, and educational centres focused on sustainability.
5. Desire for community amenities: Many residents want the land to be used for amenities that benefit the local community, such as sports facilities, playgrounds, and dog parks. There's a recurring theme of making the area more liveable and enjoyable for current and future generations.

6. RESULTS

The online survey was hosted on Council's engagement platform, Maitland Your Say and the following data reports and overview analysis has been exported and links provided below for the project team to review.

Comments received from the community via Facebook have also been exported, recorded and common themes identified and provided in the reports below.

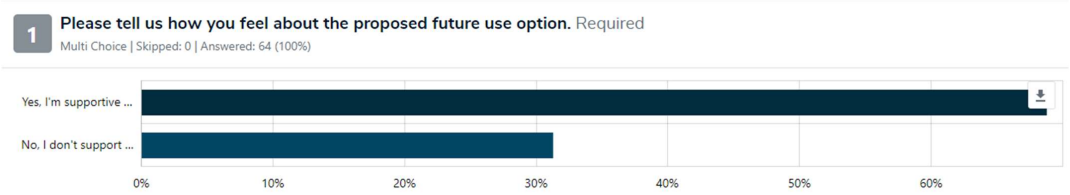
REPORT	FILE TYPE	COMMENT
Social Pinpoint summary	PDF	Social Pinpoint auto sentiment analysis has been applied to free form entry questions. Free form entry analysis is not included in the report. Data for each question has been exported to excel format individually.
Social Pinpoint raw data – full export	Excel	Social pinpoint raw data exported in full as one datasheet. Additional tabs have been added to represent individual questions, with auto sentiment analysis applied where relevant.

The above linked PDF reports are included in the appendix.

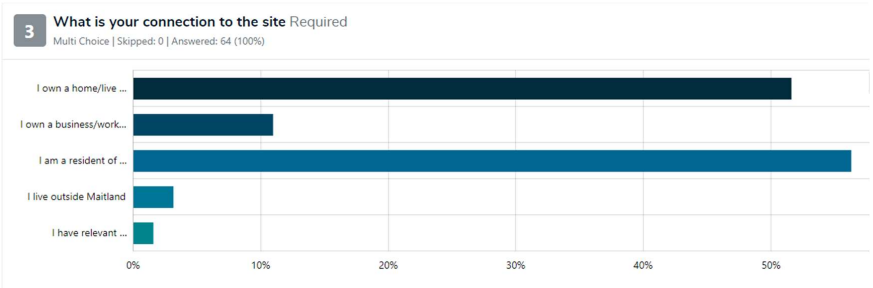
SURVEY DATA OBSERVATIONS

We asked respondents to provide feedback on the proposed reuse and remediation options of the former Anambah landfill site.

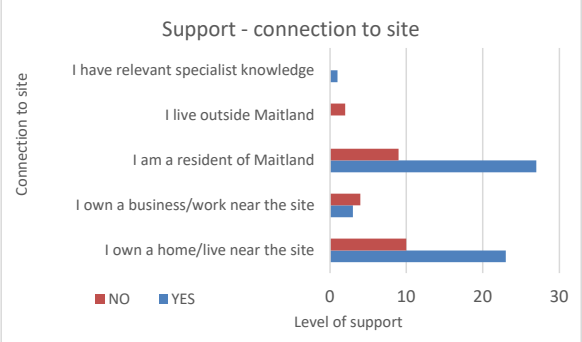
When asked how they felt about they felt about the proposed future use option, 69% of the respondents said yes, they were supportive of the land use option for the site while 31% said no, that they don't support the proposed land use option for the Anambah site.

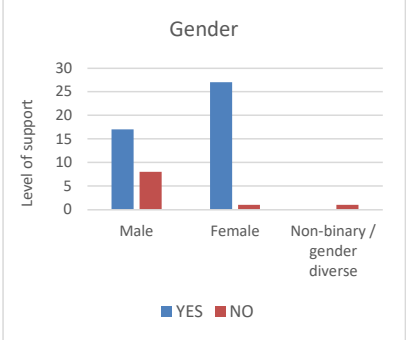


Many respondents were connected to the sites as residents of Maitland (56%) or lived close to the site (52%). Eleven percent own a business or work near the site, and less than 5% of respondents collectively, lived outside of Maitland or had relevant specialist knowledge.

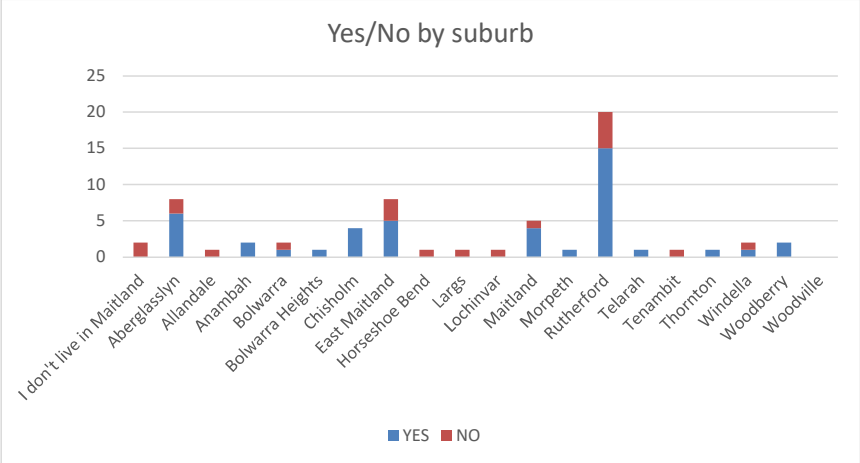


Of note, respondents who own a home or live nearby the site, reside in Maitland, or have relevant specialist knowledge are mostly supportive of the proposed future use plans. Women were generally more supportive than men or non-binary/gender diverse respondents.

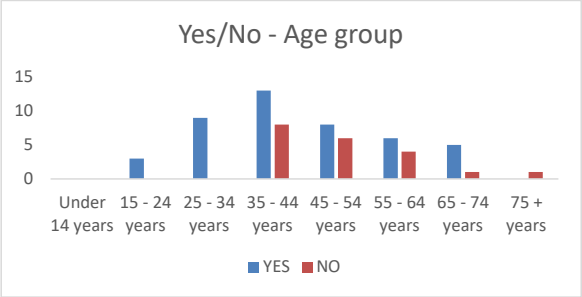


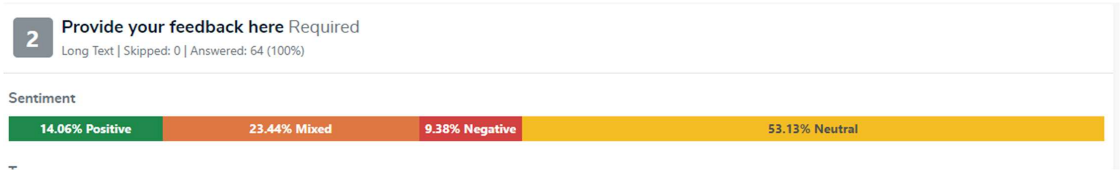


Almost a half of respondents live close to the site, with almost 32% of respondents living in Rutherford and a further 12.5% from Aberglasslyn. Rounding out the suburbs with the highest level of participation were East Maitland (12.5%), Maitland (8%) and Chisholm (6%). The graph below shows the level of support from respondents by their suburbs.



All age groups represented through survey responses displayed more support the proposed plan, than not, excepting the 75+ age groups. Support was overwhelmingly positive for ages 15 to 34 with mixed responses appearing from the 34 – 44 year age group and onwards.





We asked respondents to provide feedback on the proposed reuse and remediation options of the former Anambah landfill site. Responses to qualitative questions are themed and the individual responses are presented in the table below. Overall, 64 contributions were made with 53% holding a neutral sentiment, suggesting neither a positive or negative sentiment about the proposal. Mixed feelings were captured by 23% and 14% felt positive and agreed with the proposed changes. Just 9% of the contributions held a negative sentiment.

Sentiment analysis using the below guidelines has been applied to the comments received to consider the level of community support.

SENTIMENT	DESCRIPTION
Positive	Indicates support for proposed future use of the site
Negative	Indicates opposition to proposed future use of the site or other negative feedback
Neutral	Generally supportive of proposed future use of the site, or provides constructive alternative future use ideas
Mixed	Indicates a mix of support and opposition to the proposed future use, may provide positive idea, based on negative sentiment.

The feedback reflects a mix of sentiments and ideas, generally centred around environmental conservation, sustainable development, and community well being. Here's a breakdown of the main sentiments and messages:

Positive

Renewable energy advocacy: Respondents backed the use of solar farms and showed interest in energy storage options to boost clean energy contributions.

Industrial development and innovative use: Respondents favoured light industrial use to safely manage contaminated soils with suggestions to reduce environmental risks like rainwater contamination.

Supportive respondents suggested combining use functionality, such as using solar farms as car park coverings or elevated solar installations to support recreational activities or facilities.

Economic and environmental benefits: Respondents recognised that solar farms could provide an income source and support sustainability outcomes with a positive outlook on combining renewable energy with infrastructure improvements like stormwater drains.

Negative

Criticism of industrial expansion: Respondents opposing the concept indicated past negative experiences with industrial projects and showed concern over Maitland becoming overly developed with industrial infrastructure. They strongly

desired to use the space to compensate for lost green spaces with suggestions for alternative uses like nature reserves or recreational parks.

Environmental and health concerns: Respondents are concerned that industrial and commercial zoning may lead to pollutant exposure and environmental degradation, especially near residential areas.

Community and aesthetic preservation: Respondents have a strong interest and concern over maintaining Maitland's natural landscapes. They have a desire to protect the city's natural beauty and integrity and advocates for transforming the site into botanical gardens, dog parks, walking tracks, and education centres instead of industrial use.

Mixed

Conditional support for multi use developments: Respondents support certain aspects of the proposal, such as the installation of solar farms but have reservations about incorporating light industrial development, advocating for the integration of solar energy with green spaces and community amenities.

Preference for balanced development: Respondents suggest combining industrial use with substantial green spaces and recreational areas, supporting sustainability initiatives like solar panels while expressing concerns about the environmental impacts of industrial zones.

Neutral

Innovative land use proposals: Respondents suggest creative alternatives, such as transforming the site into a drive in movie theatre for local tourism or establishing educational hubs focused on sustainability and renewable energy.

Emphasis on future planning and sustainability: Respondents emphasise the importance of long term growth and sustainability in land use decisions, recommending the integration of various community focused facilities.

SUMMARY OF KEY TAKEAWAYS

Preference for green and community spaces

Respondents overwhelmingly favour preserving and expanding green spaces, parks, and recreational areas over the proposed combination of commercial light industrial use and a solar farm.

Support for renewable energy initiatives

Many respondents endorse the implementation of solar farms and renewable energy projects, particularly when these initiatives are integrated with environmental preservation and provide community benefits.

Concerns about industrial development and desire for multi use land

Respondents express significant apprehension about further industrialization due to environmental degradation, health risks, and aesthetic impacts. They advocate for multi-functional land use that balances renewable energy projects with recreational, educational, and ecological features.

SURVEY QUESTION FEEDBACK

Below is the survey comments related to the proposed reuse and remediation plans of the former Anambah landfill site.

SURVEY COMMENTS	SENTIMENT
Feasibility of gas flares should be considered to generate carbon credits through the clean energy regulator landfill gas method installation of new flare. 7 to 12 years permanence period. Furthers net zero goals and provides an income source.	Positive
Maitland has developed the farmland/countryside to such an extent there really isn't much green space left. I think it's imperative to aim for green space trees, recreation.	Negative
It's an idea thinking of the future as well as the now.	Neutral
More green space, please.	Negative
Passive recreation/managed green space!!! Developers have raped our beautiful lands of trees and vegetation turning maitland into a concrete, colorbond jungle.	Negative
Great idea!	Positive
I support most of the proposed future use option as i believe the less human contact with the contaminated soils, the better. I'd support more area being developed for lite industrial use, as it will mean more of the soils will be concreted over. The less rainwater soaking into the soils the better, to prevent leaching of contaminants. Concrete stormwater drains would help too. More solar panels would be good (than what's on the proposal drawing). The proposal drawing provided seems to show lots of extra land to fit more solar panels.	Positive
Solar farms can be actually made into carpark coverings so i support this option but also doesn't mean the land can't be used for something else also.	Positive
If you have to do anything with the site, then this option is the closest to nothing, that we will get. So much of the hunter has been decimated due to developers. Would be nice to have thousands of trees planted and nothing else but i am a solar advocate. No more housing and no more industrial. Just for once, would be good.	Mixed
How about planting some trees and turning it into a nature reserve... Maitland is being overdeveloped as it is.	Negative
Solar farm installation could be elevated, forming a roof for such activities as basketball, netball, indoor soccer, pickleball, croquet, etc.	Positive
Off-lead dog area. Recreation park.	Negative
This already has been used as a landfill site as we're aware, to use it for anything else other than returning the area back to nature would be wrong. In a time where people want and the natural environment needs to change for the protection of and conservation purposes for flauna and fauna. The potential for this would be a great benefit to the area. With trees that would be considered a threatened species it could become a natural resource for further seed growth and replanting of these species.	Negative
Good idea.	Positive

A solar energy or green space/park should be considered. I do not believe it should be used for any industrial or commercial zoning as you have to think about the public health exposure to the site if they work there.	Mixed
This land should be given back to the community in the way of open green space or sporting fields.	Negative
Green space animal habitat combined with a solar system is my preference but the species would need to cope with the leaching poisons from the waste therein, so i do agree with some uses but not more industrial, thank you vera findlay	Mixed
Passive recreation/managed green space. Commercial/light industrial development.	Mixed
Needs to be left as green space for the public to enjoy and to compensate for the vast tracts of open space being lost to development. Solar can go on rooftops.	Negative
Land use of an unused site is important in this area. Suggest combining a battery setup with the solar farm which would help transition to a clean energy future.	Positive
Light industrial near residential is concerning. Maitland has such little green space. Native vegetation and walking tracks would be much better use of the whole site.	Negative
A nice big dog park like raworth would be great! There's not enough fenced off-lead dog spaces in rutherford (only one i know is heritage gardens and it's tiny). Or keep it a green space. There's so much development going on the only other green space is walka water works.	Negative
This area should be redeveloped into some form of green space. A mini-botanic gardens could be a great use of the space, enriching the environment, providing habitat for native fauna, and being a tourist destination as well. This could also be used as an education center to encourage residents to plant local native plants in their own gardens, provide information and learning on caring for the environment, and provide a community hub to bring together residents of the area.	Negative
Maitland park would not exist if the land had not been set aside by some brave individuals who fought back against commercial interests. How much the poorer would maitland be today without maitland park? The former anambah landfill site is perfect for a new park with trees, bbq areas and play equipment, walking trails - even our own botanical garden. This opportunity is unlikely to present itself again to maitland council in terms of land availability in this area. Be brave and think long-term rather than bow to short-term commercial interests. The new england highway is at capacity in rutherford, and the last thing that is needed is more light commercial development adding more vehicular congestion. Using the land to establish rutherford park or maitland botanical gardens would be a brave, forward-thinking plan for our future generations.	Negative
Light industrial development would be fitting for the area as long as there is a park and green space incorporated into the area as rutherford is a heat zone from the lack of green space and trees due to the urbanization of the new developments of maitland. The idea of solar would imaginably be fully supported and a great investment into sustainability by the council. We need more natural places and settings in and around maitland.	Mixed
Maitland needs more green spaces, especially around the highly developed areas of rutherford, aberglasslyn (also at thornton and chisholm)- where there is massive urban sprawl full of houses and industrial/commercial areas without many trees or green spaces. I also believe sustainability is a great area where maitland can improve and a great	Negative

reuse of capped land. The green space itself could be a spot for everyone including dogs, as an off-leash fenced area could be incorporated for the many dogs that live around the densely populated areas of rutherford, aberglasslyn, telarah, farley, etc.	
I would like to see it as a recreational precinct with walking tracks, parks, and sporting grounds.	Negative
As a rutherford resident of over 30 years, i do not support any more general, commercial or light industrial development at rutherford, and definitely not on this site. Rutherford has for too long been the dumping ground for polluting, traffic-congesting developments. Many pollute the air that we breathe and all add traffic congestion and noise to the new england highway. Mcc has expanded this "industrial area" area with what would seem very poor planning foresight over the 30 years that i have been a resident. Residents had to fight to be heard about the foul, toxic odors coming from the trugain/australian waste oil company which has now left rutherford with a legacy of carcinogens including pfas contamination in the soil and groundwater. Mcc gave clean away industries the green light to develop in rutherford and now we have toxic chemicals and oils transported in large tankers all the way up the freeway from sydney to rutherford. What comes out of their stacks cannot be good for the air quality of rutherford. Then there is the tile factory that releases hydrogen fluoride and other toxic gases into our air. All these industries were endorsed by the planning department at mcc. There are many more industries adversely affecting the amenity of rutherford residents. I urge you to use the anambah site as a managed green space or for passive recreation. Mcc allowed a developer to take away our golf course. This anambah space could be used to develop a golf course or swimming pool for rutherford residents.	Negative
Any additional renewable energy generation is a big yes from me! There is enough industrial use in this area already without adding further traffic.	Mixed
Considering the heddon greta drive-in movies will eventually be developed, and i believe this site used to have one. It should be turned into a drive-in movie theatre again. Great tourist destination and money maker for the area.	Negative
Using the site for renewable energy is a great idea. Could the site also incorporate an educational element around education and sustainability- like a sustainability hub where the community and schools could visit to learn about solar energy and how it can be used. The site could also include other kinds of renewables like a small recycling hub and green space for gardens, etc. Make the space an exemplar in future sustainability.	Positive
Maitland green spaces are being eroded by all the property development. We need more green spaces for the wildlife so i would love to see this area used for that.	Negative
Best use - creation of sporting fields and related facilities.	Negative
The area will be experiencing a growth in residential building in the near future. This city has so few green spaces left, any that can be created should be created. Council is only looking at the provided options in terms of money - more to be made by council through rates, etc., from commercial buildings. The money generated from sports fields is minimal in comparison, so this option is rejected by council on these grounds. Green space creation should be the council's priority.	Negative
Stop wasting ratepayers' money on this foolish project.	Negative
Great idea- using this land for the common good and meeting the sustainability goals of the city.	Positive

Maitland has a growing population and is becoming more urbanized. It needs more passive green space for wildlife, recreation, and carbon capture. That said, i think you should build a solar farm with a park and green space around it. There is not enough green space in the area.	Mixed
I would love to see a space with parks, walking tracks, sporting grounds, and a fenced-off-leash area for dogs. This would be a wonderful reuse of the landfill and create something good for the community, promoting a healthy lifestyle. Maitland already has a large industrial area, so we don't need another one. Please make this into a space that would benefit the community.	Negative
There are few passive green spaces in the western suburbs of maitland, which means there is an urgent need to create some to ensure residents have quality outdoor spaces. Council is only focused on the commercial side of things.	Negative
So much development going on, how about we keep some green space so we have somewhere to walk and enjoy the outdoors.	Negative
I think it is important to consider future growth in the area. It needs more open spaces for sporting and recreational activities as well as a significant increase in green space. We have become a concrete jungle- so more parks and green space please.	Negative

OTHER ENGAGEMENT FEEDBACK

The survey responses analysed above comprise the formal reporting for this community consultation. However, two Facebook posts were scheduled during the engagement period, with 153 comments. Of these comments 118 are outlined in the table below, others such as comments tagging a name are removed. Of the comments recorded, more than 50% were made by men, 43% by women and almost 6% by community or business pages.

Given the inherent negativity bias of consumers interacting with brands on social media, social media comments are not included in the formal consultation analysis. However, it is acknowledged that by interacting with social media posts about Anambah former landfill site future use concept plans, our community have joined the conversation and best practice engagement acknowledges all contributions and a theme analysis of social media contributions is provided.

SOCIAL MEDIA COMMENTS SUMMARY

The comments on the future land use of the former Anambah landfill site reveal a complex mix of sentiments. There is a strong desire among many community members for increased green space and recreational facilities, driven by a concern for the area's lack of parks and the ongoing loss of green spaces in Maitland. However, scepticism about the safety and appropriateness of developing the site for industrial purposes is prevalent, with many expressing doubts about the council's transparency and handling of the site's contamination risks.

While some support the idea of solar farming due to its environmental benefits, most of the feedback is mixed, reflecting both a hope for community focused uses and apprehension about potential health and environmental impacts. A significant number of comments also question Council's commitment to genuine community consultation and decision making, indicating a desire for clearer communication and reassurance from local authorities.

THEMING BY SENTIMENT

Mixed

- Preference for green space: Many comments favour green space and recreational areas, reflecting a desire for parks, bike tracks, and community gardens due to a perceived lack of such amenities in the area.
- Concerns about industrial use: There are concerns about placing industrial developments near residential areas, given the site's history as a landfill. Some users are nostalgic for past proposals like a sports complex or drive in movie theatre.

Negative

- Contamination concerns: Some expressed worries about potential contamination from the landfill's history, including health risks and environmental issues.
- Distrust in Council: Many are sceptical about Council's plans and processes, fearing that decisions may be already made or will be made without genuine community input.

Neutral

- Diverse suggestions: Comments suggest a range of ideas from community gardens to uses like a drive in or bungee jump tower. Some focus on procedural aspects and the availability of safety reports.

Positive

- Support for solar energy: A few comments support using the site for solar farming, appreciating the environmental benefits of renewable energy.

SOCIAL MEDIA COMMENTS	SENTIMENT
Green space kept mowed	mixed
Be gas build up under that I guessing	mixed
As there are no parks for the Kids around Anambah area, maybe a park & bike track would be nice.	mixed
it would definitely be better with trees there for birds to sit on instead of a stupid solar farm to keep the birds away.	mixed
Well, seeing how Maitland is so keen in recycling or retrofitting old things. Don't get me wrong the parkland, green space area does sound good. Its only a matter of time before they find a way to make it housing. Again. Maybe use it as what it was before the landfill, which I believe was a drive-in seeing that you want to get rid of Heddon Greta so badly.	mixed
Green space, maitland has lost so much of it lately	mixed
What happened to the plans for Anambah Sports complex planned for the site?	mixed
Green space would be nice considering Maitland is losing green space at a great rate of knots.	mixed
Surely not Industrial right next to residential homes especially over age 55 development. Managed Green Space or sporting fields for the west. What ever the plan it needs to be good as it is the gateway to Maitland. I hope whatever is donel hopeit is soon as it has been in that condition since 1993..... 31 years.	mixed
Maitland City Council Does the site have a clean bill of health from any contamination and, if so, what was the specific process undertaken to determine that?	mixed
Free green waste drop off is more important to the community	mixed
Purple Pear Farm as long as there is no contamination???	mixed
Dee Cee they wouldn't allow it. Extensive remediation required before anything can be done, but even then, no produce, surely!	mixed
Community garden providing soil is safe. Great things in other communities.	mixed
Rehabilitate it to native rainforest, lost from the area since invasion.	mixed
Probably so Anne - You know, community consultation?	mixed
Hayden Carter 2 sporting fields and facilities I thought that was set in stone.	mixed
Drive in Movie Theatre. There use to be the West Side Drive in. Considering the Heddon Greta one has been sold and it's only a matter of time before the site is developed, make this space one again. Great for the local economy and a good money spinner. Along with mini putt golf etc it could be a great tourist attraction rather than an eye sore of Solar panels!!!!	mixed
Maitland City Council Rutherford needs a pool but that might not be a good areas, sadly.	mixed
Maitland City Council can you please advise where is the suitable alternative and when the community can comment on it.	mixed
More Green Space. Stop building cookie cutter subdivisions. Just turning the place into a congested west Sydney shit hole.	mixed

SOCIAL MEDIA COMMENTS	SENTIMENT
What happened to sport complex they mentioned few years ago?	mixed
Andrea Freeman I'm unaware of any business council own in Maitland . At best as mentioned if it was suitable for a caravan park they would make da ready	mixed
Debbie McInnes yep if I were a betting man I would say they will put in another skate park ðŸ¤£ðŸ¤£ðŸ¤¬	mixed
Andrea Freeman but our Mayor wants to build one at Walka.	mixed
Andrea Freeman doubt it, it is still on his agenda as his preference	mixed
David Bowtell that has been cancelled mate	mixed
David Bowtell reflections has pulled out. He is talking of a downsized version with cabins/glamping. Not a tourist caravan park	mixed
Doug Kiem I think it had to sit for 20 years or so because of soil leaching, but acknowledging you would have been polite.	mixed
Managed green site for sure to replace all the trees knocked down from development around this area	mixed
How about simple Green Space. Instead of decimating land, once rural, with ya cookie cut subdivisions. Urban sprawl and congestion like western Sydney is filth. Green Space!	negative
Purple Pear Farm Would you really eat anything that came out of there? I know I wouldn't!	negative
Have your say what an absolute joke .	negative
Good luck digging footings and drilling piers through that, then where can you dump it - been contaminated The spoil would have to analyse and tested from the dirt doctors/ environmental hygienist Also you would be creating leeching and bringing all that horrible stench to the sub surface Not sure how much top soil the council capped the old site at but still it be concerning	negative
Burn out pad for all the sick hoons that do single legger skids on 205s. Mad.	negative
Let's decide to have it not adversely anyone's health first.	negative
That's the most toxic place in Maitland! There's no way I'd play or eat anything grown there! I remember what it was like and what was dumped there back in the day.	negative
Jesse Baker bout time	negative
I hope you dont fill it with solar panels	negative
Ray Fairweather Wow I didn't know that. I wasn't bought up In the Hunter. We really need to do more to reduce our waste footprint. Imagine what's rotting away underneath.	negative

SOCIAL MEDIA COMMENTS	SENTIMENT
Ray Fairweather - I believe the Fieldsend site was originally an Aboriginal burial ground. Very sad to know a place significant to our original culture has been ignored.	negative
Maitland City Council determine the sites future AFTER it has been deemed safe. You are putting the cart before the horse once again.	negative
Matt Trowbridge expertsMmmmmmm	negative
Tim O'Toole thinking the same thing. Just to shut the rate payers up	negative
Anne Foley a bit but they have all the experts on their side hopefully it's not the same ones that stuffed up the Maitland roundabout overpass that continues to be a headache for everyone and Is only going to get worse.	negative
Matt Trowbridge Maitland Councils reply to Hayden's question sounds dodgy to me don't you think !!!	negative
Ray Fairweather agree Asking our opinion but I'd say plans in the pipeline already ðŸ˜‰	negative
Why ask us . Council has a plan for it and they don't give a shit what we say	negative
Maitland City Council shouldn't this have already been done...especially after the council closed the land fill site...sounds like the council had no concerns at the time..maybe there is sign of some sort of ground leaching going on..that area flows all the way to Farley harbour and then in to the swamp area behind telarah...	negative
Maitland City Council who is the Independent auditor you speak off...name and abn number please	negative
Anne Foley they would have squandered our tax dollars to gain that answer...I'd like to know who these experts are and how they connect with these local politicians..I guarantee there will be some sort of fraudulent collaberations, no disclosure order going ons here.. if we follow our 1901 constitution there would be no 3rd tier local government..	negative
Maitland City Council those things usually depend on the amount of $$ that's thrown at it regardless of what they determine. I'd be interested to see how they work around that one!	negative
Maitland City Council why hadn't this already been done...as always maitland council is all adhoc knee jerk reaction....not one bit of forward planning at all...	negative
Maitland Council will do what they want anyway.	negative
Does not matter what you say. Council will do whatever they want anyway.	negative
Paul Bridge They can then say that they "consulted" the community. Walka is a perfect example!	negative
15min smart city....lol	negative
Why in the heck do councils ask residents for ideas, they make their own decisions anyway, just look at Maitland Park Bowling Club site, council ask for expressions of interest and they still went with their own ideas	negative
Yes..this is a useless question as they do as they want regardless of what ratepayers want.	negative

SOCIAL MEDIA COMMENTS	SENTIMENT
Maitland City Council "The land use options report has been prepared by contaminated land experts with a detailed knowledge of the site. They have reviewed feasible options given the site's history as a landfill and have identified a suitable alternative for the site." Is the full report you refer to available for public viewing?	negative
Motorcycle Babes I would follow the recommendations from the report that cost us mega dollars to have written, that's assuming the writers (experts) know what they are proposing, we the ratepayers are not experts	negative
I see another heat island brewing. ðŸ â™¨ï¸ ðŸ â™¨ï¸ ðŸ â™¨ï¸ No trees but colourbond and dark roofing for miles. ðŸ˜ž ðŸŒ³ðŸŒ³ðŸŒ³ðŸª¾ðŸª¾ðŸ¥µ	negative
ðŸ¤¦ðŸ™„burn out track for the local car ðŸš— enthusiasts. It's a no brainer gets them off the streets. Just saying ðŸ¯ðŸŒðŸ‘ ðŸ‘	negative
Kerry Cook Iam sure our Mayor has an idea, one that will make him look good and a reason to raise our rates to fund it.	negative
How can you build anything on top of it. It possibly could be littered with methane pockets and sink holes gaps not to mention bio hazard/asbestos etc tips weren't real regulated back in those day and you could dump anything there	negative
Andrea Freeman many years ago we put forward a suggestion to put a caravan park site on the old anambah drive inn. It already had most of the infrastructure there but council never acknowledged us	negative
David Bowtell just like Fieldsend Oval, next to Maitland Council Depot, opposite new Maitland Hospital, was Maitland waste management centre (tip) before Anambah site, all it is good for is playing fields, but council won't do that because they don't get any RATES from it	negative
Sell it and spend some money on training staff in parkes, garden, and road side maintenance oh and lawn mowing	negative
Long shot but I'd love to see a community garden with fruits & veg growing, flowers, compost facilities to take/donate to etc. with a fun space for kids too.	neutral
Ian John John and lots of native trees for shade, bird attracting	neutral
Green space	neutral
Green space and raised beds community gardens. Or a sewrage irrigated tree lot. With it's position it would make a greatcommunity space. We don't need any more light industrial but we do need more community space. With it's location close to Purple Pear Farm permaculture farm it would be a great community space	neutral
There are no playgrounds in the area. It would be good use of the site if safe enough.	neutral
CERES was also built over an old landfill area so a doable project for this space	neutral
Green space with trees and walking paths and parkland	neutral
Definitely green space with walking tracks and dog park.	neutral

SOCIAL MEDIA COMMENTS	SENTIMENT
Community garden area	neutral
Recreation area	neutral
I believe an irrigated tree lot as is in operation at Branxton would make such economic sense for this low-lying area of the Western suburb. It has to potential to make a profit in sustainable timber while sequestering carbon and treating waste from the expanding neighbourhood.	neutral
I would love to see something like CERES in Melbourne happen here. An environmental education centre is what is needed here in Maitland to help families realise an energy descent future. It would be great space for environmental education helping familes with food production, retrofitting houses for energy efficiency and reskilling education. What a great opportunity Maitland	neutral
How about a combination of what Maitland park is. Play area with walking track for people to exercise around and kids to ride around. Sports field in the middle Put a fenced off area in the corner. For doggy play.	neutral
Roller skate path and bowl	neutral
Wendy Marie Fieldsend Oval on Metford Road was a MCC dump site..... The new Athletics Track near Maitland Sports Ground was a former MCC Dump site. Apparently it is OK if you seal the site before developing on it. Fieldsend site was capped with clay before developing as a sportsground.	neutral
Green space for sure, planting LARGE native endangered species of trees ðŸŒ². Time to green up the area..!!	neutral
Parks and Recreation space hopefully	neutral
Nuclear Power Plant? ðŸ˜œðŸ¤£	neutral
AJ Hackett Bungy Jump Tower and Zipline/Climbing.	neutral
A food forest	neutral
Green space with lots of trees!	neutral
Off leash dog Park like Raworth have with a kids playground would be perfect ðŸ‘Œ All fenced of course being so close to the highway.	neutral
Drill for oil	neutral
Sporting field would be the smartest option	neutral
Greeeeennnnspaaaaaceeee!!!	neutral
Put back the drive in ðŸ˜Š	neutral
Kids play area and sporting fields	neutral
Maybe a mix of greens pace and Caravan park or overnight stay	neutral

SOCIAL MEDIA COMMENTS	SENTIMENT
Proper play area for many ages And full on outdoor gym And bbq areas	neutral
Tamara Findlay This is what The Red Cedar Project is attempting to do. Restore Dry-Rainforest and Koala Habitiat in Maitland. You're welcome to join us if you're interested :)	neutral
Maitland City Council another fully fenced dog park would be nice.	neutral
Definitely green space. Combined with nature reserve and water feature (dam or pond). This may also be an issue with the local skippies and traffic, or human interaction in the park. Have a large area for off leash dogs that is fenced. Community garden option would be good to see (can be watered by pond). If you do decide upon the green option let the community draw up some ideas and make it inclusive (competition like).	neutral
Hope everyone posting realises that they need to click on the link and fill out the form to make their ideas count.	neutral
Dry rainforest area âœ¨	neutral
Leighsa Cox dirt jumpsâ€¦ ðŸ¤”	neutral
Hey here's an idea a purpose built Entertainment Centre/Precinct	neutral
Pump track!!	neutral
Synthetic sports facilities like speers point or a big indoor sports centre to cover the likes of futsal basketball netball ect Northern NSW Futsal could absolutely use it, massive tournaments bringing ppl to the area to compete	neutral
A Drive-In!	neutral
Margaret Peden I put forward that idea of a tourist caravan park on the survey form. We don't have a decent tourist park, it has good road access there and being tourists that come and go, there would be no permanent residents to be of concern for long-term contamination. Council could make long term income from a tourist Park.	neutral
What about caravan park ??	neutral
Motorcycle Babes First is what can it be used for!	neutral
Parking for caravans that council could charge a small fee to maintain it and get caravans off the streets	neutral
David Bowtell Yes expert staff would make a determination of what that land could and couldn't be used for . I suppose what this post is about is ideas for councillors to be given for that land use	neutral

SOCIAL MEDIA COMMENTS	SENTIMENT
Motorcycle Babes they built the building in the Levee that used to be Coquin, they built the kiosk in the levee and I think you'd be surprised what other buildings they own and lease out. Councils successfully run caravan parks in every state. Newcastle council owns and runs Stockton caravan park. Adelaide showgrounds have been developed properly into a great park (not the quagmire that Maitland showgrounds are). So yes they do and yes they can.	neutral
A nuclear power plant would be great	neutral
Andrea Freeman Council don't own build businesses . All I think they could do if suitable is make it available with suitable zoning for such use	neutral
Maitland City Council The new Athletic Fields in Maitland are located on a former council dump site and Fieldsend Oval is also on a former council tip site. Fieldsend Oval was capped with clay as a treatment before constructed as a council playing field. Wish we could do the same for the former council owned Gas Works Site in Melbourne Street East Maitland.	neutral
Solar definitely. It's full of waste and garbage underneath. Who knows what's rotting away under the ground there. Surely you wouldn't live or play on it!!!	positive
Solar energy space would be beneficial for everyone	positive
Green space kept mowed	mixed

7. APPENDIX

1.1. Engagement Plan (link only)
1.2. Social Pinpoint webpage (link only)
1.3. Social Pinpoint overview report (provided)
1.4. Social Pinpoint survey report (provided)
1.5. Social Pinpoint individual responses (provided)
1.6. Media report (provided)
1.7. Sprout tag performance report (provided)
1.8. Facebook comments (link only)
1.9. Social Pinpoint raw data (link only)

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Response to Submissions Report (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 1

Number of Pages: 41

Maitland DCP 2026 & Maitland MoES 2026

Response to Submissions Report

maitland CITY COUNCIL

Contents

1. Introduction **3**

2. Overview of Engagement **3**

3. Engagement Activities **4**

3.1 Pre-exhibition 4

3.2 Exhibition 4

3.3 Engagement methods 5

3.4 Communication methods 7

4. Register of Submissions and Response **10**

4.1 Submissions - Draft Maitland Development Control Plan 2025 10

4.2 Submissions - Draft Maitland Manual of Engineering Standards 2025 34

Abbreviations:

DCP	Development Control Plan
MoES	Manual of Engineering Standards
LEP	Local Environmental Plan
EP&A Act	Environmental Planning and Assessment Act 1979
LGA	Local Government Area
FRMSP	Flood Risk Management Study and Plan
UDIA	Urban Development Institute of Australia

1. Introduction

This Response to Submissions Report has been prepared to communicate the outcomes from the public exhibition of the Draft Maitland Development Control Plan 2025 and Draft Maitland Manual of Engineering Standards 2025. These documents are now referred to as the Maitland Development Control Plan 2026 (MDCP 2026) and Maitland Manual of Engineering Standards 2026 (MMoES 2026) throughout the remainder of this report.

The draft MDCP and draft MMoES were exhibited from 26 May 2025 to 4 August 2025, a total of 70 days. Following public exhibition, Council staff undertook a detailed review of all public submissions. In total, 269 submissions were received, with 17 of these being direct duplicates, where a submitter had provided their feedback through more than one submission method, or submissions with phishing links. In total, 252 unique submissions were received.

This report provides an overview of the engagement undertaken as a part of the preparation and exhibition of the two documents, the specific engagement activities that were undertaken prior to public exhibition and during public exhibition, the communication methods used, and a detailed register of submissions and Council's response. Each submission has been addressed in line with their themes within the Register of Submissions and Response at the end of this report.

An additional document has also been prepared to support this Response to Submissions Report, being the 'Register of Changes – Maitland DCP 2026 & Maitland MoES 2026'. This register provides Council's justification for control-specific changes in response to public exhibition and is contained within the Report to Council for the adoption of the MDCP 2026 & MMoES 2026 as Attachment 6.

2. Overview of Engagement

The preparation of the MDCP 2026 and the MMoES 2026 has been triggered by an explicit action within the Maitland City Council Operational Plan 2024-25 to undertake a full review of the Maitland Development Control Plan 2011 and to update Council's engineering guidelines.

Despite significant population growth and changes that the development industry has experienced over the last decade, the current DCP has not undergone a complete review since its inception in 2011, with the MoES also having not been holistically reviewed since 2014. This has led to a series of inconsistencies between the two documents and Council's strategic directions, policies and practice notes, State and Federal government legislation and guidelines, and general industry standards.

The MDCP 2026 and MMoES 2026 aim to address these inconsistencies by conducting a full review of both documents.

A range of engagement occurred with government agencies, industry interest bodies, and community groups before the documents were placed on public exhibition. Notably, Council undertook targeted engagement with a variety of stakeholders to provide input and feedback on the draft Subdivision, Residential, Industrial and Rural Chapters. Feedback was also sought in March 2025 for both draft versions of the documents before they were placed on public exhibition.

Public exhibition for both documents occurred from the 26th of May through to the 4th of August 2025, a total of 70 days. As part of this, a series of engagement activities were carried out, including but not limited to community information sessions, letterbox drops, a DCP drop in desk, and newspaper advertising. A detailed list of engagement activities and their reach are provided in the 'Engagement Methods' table of this report.

3. Engagement Activities

3.1 Pre-exhibition

Initial consultation was undertaken with both internal and external stakeholders throughout the preparation of the draft MDCP 2025. This process included direct engagement with five (5) government agencies and six (6) interest groups, including the Urban Development Institute of Australia (UDIA), which represent a series of development industry bodies and stakeholders. An additional two (2) government agencies had minor involvement with the project. In total over 20 external stakeholder groups were offered the opportunity to participate in the pre-exhibition phase of the project. This included the following activities being undertaken from 2023 onwards:

- Three stakeholder workshops involving government agencies and industry interest bodies
- A series of one-on-one briefings with government agencies, utility providers, and industry bodies
- Key stakeholder comments on draft Subdivision, Residential, Industrial, and Rural Chapters
- Ongoing liaison with stakeholders on key issues
- Developer Forums across 2023/2024
- Circulation of the draft MDCP to key stakeholders for feedback prior to exhibition

The preparation of the draft Maitland MoES 2025 involved a series of both external and internal consultation over the course of 2024 and 2025. In terms of external consultation, a variety of interest groups, industry groups, government agencies and utility providers were engaged to provide input on the project, including the following activities:

- Workshops with DCP/MOES seeking industry input and feedback
- UDIA workshops for technical matters including subgrade elevation and select pavements
- Formal meetings with the Rural Fire Service for road and cul-de-sac designs in bushfire prone areas
- Discussions with Hunter Water Corporation regarding utilities allocations and street tree changes
- Review and feedback from engineering representatives of the UDIA.

3.2 Exhibition

Public exhibition for the MDCP and MMoES commenced on the 26th of May and was endorsed to run for a minimum of 28 days in accordance with Council's Community Participation Plan 2024-2028. This exhibition period was extended from the 28-day minimum to 70 days in response to the flood events that occurred in late May/early June 2025, which affected a large part of the community.

Over the course of exhibition, the following activities were undertaken to inform and consult the community:

- YourSay webpage, with 3,880 views during exhibition
- Exhibition items on Council's website, with 6,360 DCP views and 951 MoES views
- Four (4) Community Information Sessions, with a total of 46 attendees
- In person DCP Information Desk, with 82 total enquiries
- Q&A forum on Maitland YourSay page, with 32 contributions
- Newspaper advertisement in the Maitland Mercury
- Targeted letterbox drops to 3,600 properties within the floodplain
- Advertising and materials at Council facilities
- Media releases and social media posts

- Newsletter distributions to over 12,800 subscribers

A list of engagement and communication methods are provided in the 'Engagement Methods' and 'Communication Methods' tables within this section.

Following public exhibition, Council staff undertook a detailed review of all public submissions. In total, 272 submissions were received, with 23 of these being direct duplicates, where a submitter had provided their feedback through more than one submission method. In total, 249 unique submissions were received.

The approach to flood planning attracted significant attention during the public exhibition period. 195 of the 249 (78%) unique submissions focused on flooding, with 173 of 195 (89%) being opposed to the proposed changes. Objections ranged from impacts on economic development and property values, to concerns about flood mapping, infrastructure, evacuation routes and mitigation.

Items related to heritage had the second highest number of submissions, with a total of 11 (~4%) unique submissions. 7 of the 11 submissions were in support of the proposed controls or provided additional comments. Common matters raised were the need for further refinement to a range of heritage controls, and broad support for Heritage Conservation Area controls, particularly in Lorn and Morpeth.

10 submissions were received on the Residential and Subdivision chapters, with three (3) of the 10 being part of a joint submission. These were broadly considered the most detailed submissions, and 60% of them were opposed to the draft MDCP 2025 proceeding to finalisation without further amendments. The submissions included requested changes to setbacks, private open space, subdivision design, and landscaping.

The draft MMoES received 17 unique submissions, primarily relating to flood engineering matters at a catchment scale, which is not the responsibility of the MoES. Aside from these submissions, only 7 related to matters that are covered by MoES. These submissions were detailed, and related to a series of concerns, including stormwater design, temporary turning heads, exposed soil limits, pavement testing, and quality assurance measures.

A summary of the key matters discussed by submitters, alongside detailed responses and proposed changes, are provided in the 'Register of Submission and Response' section of this report.

3.3 Engagement methods

METHODS	STAKEHOLDERS	ENGAGEMENT LEVEL	TIMING	REACH AND RESULTS
Maitland Your Say form	Wider community	Consult	26 May to 4 August 2025	• 3,880 views • 72 project follows • 203 DCP submissions • 3 MoES submissions
Email submissions	Wider community	Consult	26 May to 4 August 2025	Submissions: 54
Mail/hand in submission	Wider community	Consult	26 May to 4 August 2025	Submissions: 2
Late submissions	Wider community	Consult	After 4 August 2025	Submissions: 2

METHODS	STAKEHOLDERS	ENGAGEMENT LEVEL	TIMING	REACH AND RESULTS
Community information sessions	Wider community	Inform and Consult	Maitland Town Hall, 24 June, 4pm to 6pm Popular Hall, Millers Forest, 3 July, 4pm to 5.30pm Shamrock Hill Multipurpose Centre, Ashtonfield, 8 July, 5.30pm to 7.30pm Rutherford Community Centre, 11 July, 3.45pm to 5.30pm	Attendees: 46 across 4 sessions
DCP information desk from 1pm to 4pm each Thursday during exhibition period commencing from the second week of exhibition	Wider community	Inform	5 June to 31 July 2025	• 50 walk-ins • 12 phone enquiries • Additional estimated 20 interactions outside of DCP information desk hours
Q&A forum on Maitland Your Say	Wider community	Inform	26 May to 4 August 2025	32 contributions

3.4 Communication methods

METHODS	STAKEHOLDERS	ENGAGEMENT LEVEL	TIMING	REACH AND RESULTS
Letter box drop regarding flood planning and resilience, with an invitation to follow DCP updates in relation to flood planning via mailing list	Flood-affected properties in Maitland LGA	Inform	March 2025	~6,000 properties
Listed as public exhibition item on Maitland City Council website	Maitland community	Inform	26 May to 4 August 2025	6,360 DCP page views 951 MoES page views
Posters at Maitland Administration Building, MRAG, Maitland Visitor Information Centre, Maitland Libraries, Aquatic Centres	Maitland community	Inform	26 May to 4 August 2025	N/A
TV screen advertisement in Maitland Administration foyer	Maitland community	Inform	26 May to 4 August 2025	N/A
Flyers available at Maitland Administration Building, MRAG, Maitland Visitor Information Centre, Maitland Libraries, Aquatic Centres and at flagship event, Luminous	Maitland community	Inform	26 May to 4 August 2025	N/A
Newspaper advertisement in The Maitland Mercury under 'Council Matters'	Maitland community	Inform	30 May 2025	5,418 (average Monday to Friday issue readership)
Key Summary documents available at Community Information Sessions and on Maitland Your Say	Maitland community	Inform	26 May to 4 August 2025	N/A
Media release	Local media	Inform	3 June 2025	Earned media includes: • 14 radio mentions across 2NUR, ABC Upper Hunter, ABC Newcastle, 2HD, 2NZ, and NEW FM

METHODS	STAKEHOLDERS	ENGAGEMENT LEVEL	TIMING	REACH AND RESULTS
				• 5 online mentions across The Maitland Mercury, Dungog Chronicle, Newcastle Herald and intouch Magazine • 1 print mention in The Maitland Mercury. Potential reach: 86,000
Letter box drop about Maitland Development Control Plan public exhibition and upcoming community information sessions	Households across South Maitland, Millers Forest, Berry Park and Phoenix Park (excluding Hinton Road, Phoenix Park and Manerys Road, Millers Forest due to road closures)	Inform	26 June 2025	2,000 households
Letter box drop to address common concerns being raised PDF version also provided on Maitland Your say	Households across Lorn, Horseshoe Bend, Maitland and South Maitland	Inform	24 July 2025	1,600 households
Electronic Direct Mail (EDMs)				
Maitland Your Say May edition	Maitland Your Say members of all suburbs	Inform	26 May 2025	• 590 recipients • 61.5% open rate • 9.5% click rate
Business Matters June edition	Business Matters subscriber list	Inform	28 May 2025	• 7,396 recipients • 38.9% open rate • 1.2% click rate • 4.2% of total clicks
Green Communities June edition	Green Communities subscriber list	Inform	28 May 2025	• 1,085 recipients • 51.4% open rate • 7.1% click rate • 0.68% of total clicks

METHODS	STAKEHOLDERS	ENGAGEMENT LEVEL	TIMING	REACH AND RESULTS
Maitland Your Say email alert about community information sessions	Project page followers	Inform	19 June 2025	• 10 recipients • 80% open rate • 0% click rate
Momentum June eNewsletter	Momentum eNewsletter subscriber list	Inform	4 June 2025	• 1,018 recipients • 57% open rate • 8.7% click rate • 7.4% Maitland Your Say link clicks
Maitland Your Say June eNewsletter	Maitland Your Say eNewsletter subscriber list	Inform	16 June 2025	• 2,699 recipients • 50.6% open rate • 3.1% click rate • 2.4% of total clicks
Momentum July eNewsletter	Momentum eNewsletter subscriber list	Inform	8 July 2025	• 1,031 recipients • 59.2% open rate • 8.8% click rate • 17.8% of total link clicks
Maitland Your Say July eNewsletter	Maitland Your Say eNewsletter subscriber list	Inform	21 July 2025	• 2,717 recipients • 51.1% open rate • 3.2% click rate • 13.3% of total clicks
Social media				
Maitland City Council Facebook page* **Facebook total engagements refer to the collective total for reactions, comments, shares, post link clicks and other post clicks for each post.*	Wider community	Inform	16 June 2025 20 June 2025 24 June 2025 1 July 2025 14 July 2025 18 July 2025	• 6 posts • 24,624 impressions • 4,875 total video views • 3,393 average reach per post • 2,203 total engagement • 8.95% engagement rate per impression

4. Register of Submissions and Response

SUBMISSION TYPE	NUMBER OF UNIQUE SUBMISSIONS
Residents	232
Community Groups	1
Businesses	4
Public Authorities and Government Agencies	5
Development Industry (inc. developers, consultancies and interest groups)	10

4.1 Submissions - Draft Maitland Development Control Plan 2025

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
Residents/Community Groups		
Resident 1	**Aberglasslyn House Heritage Conservation Area** Concerns about a contradiction between the treatment of the Aberglasslyn House Heritage Control Area in terms of the support of development within this area, seeking clarity about what was Council's position.	**Amended** Amendment was made to clarify the position that Council is maintaining that no residential construction is supported within the Aberglasslyn House Heritage Control Area. The contradicting control in *Chapter 4: Heritage* has been removed, with the Aberglasslyn Urban Release Area in *Chapter 10: Special Precincts, Locality Plans, and Urban Release Areas* taking precedent.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
Resident 3, 11-16, 19-46, 48-57, 59, 60, 62-67, 69, 71-87, 91-93, 98-105, 107-113, 115, 117-120, 122-131, 133-164, 167-176, 179-181, 183, 186-193, 196, 197, 199, 201-203, 206-211, 213-221, 223, 224, 226-229, 231-233, 235-240, 242-244	**Flood Planning** A series of concerns were highlighted in respect to the proposed approach to flooding controls under the Draft DCP Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines. This included: • Rigidity in the proposed controls • Concerns about application, including to areas above the 1 in 100 AEP flood event • Concerns about the use of 'exclusion zone' terminology • Limitations on the legal development of certain land uses with urban land zones • Limitations on the economic and social use of land, inconsistent with the EP&A Act 1979, Section 1.3(c),(d) & (f) • Concerns about home values and the potential suppression on house prices due to the proposed controls • Concerns about historical development of large flood mounds within the floodplain • Concerns about increased insurance premiums in areas newly indicated as subject to flood planning controls • Impact on economic activity and vitality of the Maitland CBD • Impacts to character in the Maitland CBD, including Horseshoe Bend and Lorn • Requests for greater community engagement in the development of flood preparedness and preparation, and not just planning related controls • Inconsistency with the Central Maitland Structure Plan and Economic Development Strategy.	**Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. In addition, Council is investigating and advocating for future investment into flood mitigation infrastructure and ongoing coordination with SES, Transport for NSW, and the Hunter Valley Flood Mitigation Scheme.
Resident 25, 39, 46, 69, 90, 92, 93,	**Stormwater Management in new urban areas** Numerous submissions stated a range of concerns regarding whether new residential developments in outlying urban areas	**No Change** There are improved stormwater management measures in new subdivisions and development, especially retention and water quality, under the proposed Maitland DCP (see Section 3.3 of Chapter 3: Site Requirements) and MoES. This is to improve

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
111, 133, 161, 214, 225	are contributing to an increase of stormwater runoff and exacerbating effects on flooding downstream. These submissions also stressed the need to provide robust stormwater management for new development to assist in mitigating any potential local or catchment wide effects on flooding behaviours.	runoff conditions downstream and improve future water security for the area. This enables not only better subdivision scale stormwater management through detention basins, riparian corridors and pipe networks, but also at the lot scale, giving residents better opportunity for grey water reuse. Current data held by Council as to the effects of increased stormwater runoff on the Wallis Creek, Swamp Creek, Fishery Creek, and Hunter River catchments is limited. The Lower Hunter Floodplain Cumulative Development Impact Study and Plan conducted through collaboration with Maitland City Council, Port Stephens Council, and City of Newcastle was completed in 2024 and provides the best available data for future impacts of fill and runoff in the floodplain. The urban release areas within Lochinvar and Farley included comprehensive stormwater management strategies carried out as part of the planning related to their rezoning and release, which has mitigated any potential effects in these areas.
Resident 68, 200, 206, 240, 241, 243	**Extent of consultation** A number of submissions expressed concern with the extent of consultation undertaken by Council as a part of the exhibition period, stating that it was inadequate for the number of changes that had been proposed.	**Comment / Flood & Floodplain Management removed and to be considered as part of the FRMSP** Council undertook a wide range of community engagement activities through different media, including but not limited to newspaper advertisement, social media, and letterbox drops. Public Exhibition was extended from 28 days to 70 days to give community members more time to provide their feedback after the flood event in late May/early June of 2025. Engagement activities included, but were not limited to, the following: • Notification of public exhibition on Council's website (legislative requirement). • Targeted letterbox drops to approximately 6,000 flood affected properties in the Maitland LGA (March 2025), inviting residents to subscribe for updates on flood planning related DCP amendments.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		• Extended public exhibition period from the legislated 28 days (4 weeks) to 70 days (10 weeks). • Four (4) Community Information Sessions held at Maitland Town Hall, Millers Forest Popular Hall, Shamrock Hill Multipurpose Centre and Rutherford Community Centre. • Targeted letterbox drop over 2,000 properties within the floodplain, seeking community feedback for draft DCP. • Further targeted letterbox drop to Lorn, Maitland, South Maitland, and Horseshoe Bend in July 2025 (1,600 properties) addressing common community concerns. • Key DCP summary documents available at Council's Administration Building and via the YourSay website. • Weekly DCP Information Desk, open Thursdays 1pm–4pm from the second week of exhibition. • Council participation at a community-driven Town Hall meeting and presented draft DCP and Flood Planning. • Social media communications on Council's official platforms. • Email campaigns, including via Business Matters and Green Communities newsletters. • Online and radio advertising, including an interview on 2NUR. • Newspaper advertising for exhibition commencement. Additionally, in response to the extent of public submissions against the proposed flood planning controls within the MDCP, the flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP 2026. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
Resident 47, 58, 61, 205	**Kurri Kurri Gas Pipeline** A number of submissions related to the construction of the Kurri Kurri Gas Pipeline, and the potential for negative impacts to occur within the floodplain from a safety and flooding perspective.	**No Change** The Kurri Kurri Gas Pipeline is not related to the draft MDCP and is a federally approved project that has had separate consideration by the State and Federal Government. The pipeline formally commenced operation in May 2025. Due to it being subject to federal legislation, it cannot be given specific consideration with the scope of a Development Control Plan and as such has not been incorporated.
Resident 4–10, 17, 18	**Heritage Parc Flood Affectation** In reference to Heritage Parc, Rutherford, stating that in the last 5 years the area has not had inundation in people's homes. Local flooding stated as limited to flash flooding in large storm events. Concern with associated increase in insurance premiums.	**Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. Consequently, the draft flood mapping that was proposed will not be proceeding as part of this DCP.
Resident 88	**Flood Planning, EV Parking, Canopy Cover, Biodiversity** Proposes four key changes, including: • Rejecting the approach to flood planning controls under Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines. • Removing the requirement for Section 3.4.7. EV Parking requiring a charging point. • Reassessing the viability of Appendix D Canopy Cover Guidelines.	**Partially Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** No changes have been made in direct response to the proposed changes Section 3.4.7. EV Parking, or Appendix C Biodiversity Guidelines. In respect to EV Parking, Council is not requiring chargers/charging points to be installed into homes. Further detail is provided within the DCP Register of Changes provided as an attachment to the Report to Council.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• Removing the application of a Flora and Fauna Assessment to areas that do not exceed the BAM threshold.	The concerns sited regarding a Flora and Fauna Assessment being required for smaller sites below the BAM threshold is current practice for development in the Maitland LGA and has created value in the appropriate siting and assessment of biodiversity for developments. Appendix D: Canopy Cover Guidelines has been amended to communicate that the document is forward looking best practice and provides guidance for applicants conducting subdivision rather than strict requirements. In respect to flooding (Section 2.4. and Appendix E Flooding), Council notes that the proposed flood extents, which include the PMF, use Council's existing flood maps, which incorporate PMF. These are available on Council's website. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 89	**Density in Maitland CBD** • The DCP should have undertaken work to prepare a Central Maitland Structure Plan.	**Comment** The Central Maitland Structure Plan (2009) is Council's adopted plan to improve density outcomes within the Central Maitland area. Review of this plan will be considered as part of Council's commitment to 'Plan for the long-term growth of our city' under the Maitland Delivery Program 2025-2029.
Resident 90	**Telarah Flood Affectation**	**No Change / Flood & Floodplain Management removed and to be considered as part of the FRMSP**

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• Concerns that Telarah, under the proposed draft flood risk mapping, would become newly affected by flood controls in an unreasonable manner.	Parts of Telarah have been recognised as flood-affected in extreme flood events in the current planning framework since 2006, and no updated mapping to widen this extent was proposed alongside the exhibited DCP, being in keeping with Council's existing adopted flood maps. Council notes that flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. Consequently, the draft flood mapping that was proposed will not be proceeding as part of this DCP.

Resident 94, 97, 212	**Morpeth HCA**
	
	A range of broadly supportive submissions identifying the following issues and proposed changes:
	
	• Incorrect mapping of Queens Wharf as part of the Rural Precinct rather than the Community and Public Recreation Precinct.
	• Incorrect mapping of Closebourne House as a part of the Community and Public Recreation Precinct, rather than the Rural Precinct.
	• Requests for additional view corridor sightlines to be provided, including:
	  ○ View from Metford Road north-east towards the lake and the southern extent of the township.
	  ○ View from Mcfarlanes Road north-west towards the lake and the southern extent of the township.
		Amended
		
		• Queens Wharf has now been correctly identified within Section 4.12 Morpeth HCA as a part of the Community and Public Recreation Precinct, and Closebourne House has been reclassified into the Rural Precinct. Closebourne House's reclassification is commensurate with it now being in private ownership.
		• Two new view corridors were added to the Significant Views map in Figure 4-13, being:
		  ○ 22. View from Metford Road north-east towards the lake and the southern extent of the township.
		  ○ 23. View from Mcfarlanes Road north-west towards the lake and the southern extent of the township.
		• Several corrections to the Statement of Significance and Desired Future Character were made in response to the submissions received. These were double checked for accuracy through Council's records and Heritage Officer.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• Refinements to statement of significance and desired future character. • Corrections to various controls contexts, primarily related to orientation and compass directions. • Review of HCA boundary and heritage items.	• Amendments to PC.2, PC.7, and PC.29 of Section 4.12.3 to correct orientation errors. Kerb crossings have also been provided a caveat in circumstances where no kerb crossings are currently formalised. • No changes have been made to the boundary of the Heritage Conservation Area or any classification of heritage items as this would require an amendment to the Maitland Local Environmental Plan 2011. This feedback has been recorded and will form part of considerations for future amendments to the LEP.
Resident 96	**Heritage and Heritage Conservation Areas** • 4.6.6. Alterations and additions to residential buildings - Concerns that alterations and additions to ancillary structures' roof forms are overly burdensome with language regarding 'emulation', which detracts further from heritage value. • 4.6.6. Alterations and additions to residential buildings - Double width panel garage doors should be allowed to be utilised. • 4.6.8. Infill development - Concerns that not allowing infill development to mimic existing architectural styles will erode heritage character.	**Amended** • The terminology of 'emulation' has been removed, and language has been revised to direct towards complementing the existing architecture. This includes scale and visual recession. • Allowance made in rewording to accommodate panel doors that are double width. • In the case of entirely new development, Council's position is that it should not mimic existing architectural styles, as this will erode the overall heritage value of an area or item. As such, this has been left as is.
Resident 121	**Development Cost Implications** Concerns about the DCP as a whole will cause increases in property prices and the ability to proceed with development in Maitland.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** The amendments to the DCP provide improved clarity and guidance for a wide range of different types of housing throughout our LGA. Due to the age of the current controls under the MDCP 2011, many have to be varied or negotiated between an applicant and Council, which has a flow on effect in delaying approvals and determinations. By not proceeding with a new DCP, development of many types would experience lengthy periods to progress from concept, design, and approvals to construction and delivery.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		To respond to cost concerns, draft flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 177, 178	Against the proposal.	**No Change** Submission noted.
Resident 194	**Waste Servicing** The submission specifically addresses Table 3-6 in Chapter 3: Site Requirements, stating that 120L bins should be considered for housing to achieve waste minimisation. Additionally, the submission also calls for the DCP to refer to minimising the sterilisation of adjoining land by requiring allowance for easement provision.	**Amended** The requirement for 240L General waste bin provision for most dwellings is a Council position that has been resolved and reinforced over a number of years, and Council's Waste Minimisation Strategy was prepared in that context. However, waste provision for 1–2 bedroom dwellings in multi-dwelling housing circumstances has been considered and identified as an appropriate amendment, as it brings it in line with Residential Flat Buildings. This is also in line with the option for this type of development to utilise private waste collection services. For easements, Council cannot impose for a theoretical future private benefit a control that could adversely affect outcomes under the Matters for Consideration under the EP&A Act. Controls have already been provided to ensure easements are considered where, for example, development triggers augmentation of the network for new subdivision. Even for utility providers easements are privately negotiated. Achieving these easements is up to good faith negotiation between various parties to come to an agreement.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
Resident 201	**Flood Planning, Heritage, DCP Structure, Density** Submission highlighting a number of concerns and proposing a series of changes as a part of the version of the DCP for adoption: • Concerns that the draft Maitland DCP prohibits and restricts certain land uses, despite them being permissible under the Maitland LEP 2011. • Concerns that the new Heritage controls are too restrictive to allow for more flexible and cheaper development in Heritage Conservation Areas. • Concerns that parts of Old Bolwarra are newly mapped as flood prone, and that the use of the PMF in flood risk mapping is not well suited. • Concerns regarding the breadth and depth of conversation around the Lower Hunter Floodplain Cumulative Development Impact Study and Plan (2024). • Concerns that flooding controls are too scattered throughout the DCP to be useable. • Concerns regarding the length and total amount of controls proposed. • Request for increased density to be encouraged around walkable hubs in the LGA.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** • The draft Maitland DCP does not seek to prohibit land uses in violation of the EP&A Act or the Maitland LEP 2011. The restrictions referred to by the submitter are related to a high level of controls and solutions for certain development types that are affected by natural hazards, such as flooding. It is noted that the Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. • The Heritage controls as prepared have experienced further refinement and clean up, which has included, where suitable, shifting a number of Prescriptive Controls to Acceptable Solutions. Compared to the Maitland DCP 2011, Council has considered that a communicated level of heritage controls was required, due to the current case by case nature which impacts upon the speed of assessment. The new, communicated controls give the guidance for heritage-related development to be carried out in a manner that should see a much-improved assessment timeframe from when an application is lodged to determination. • In response to the PMF area over Old Bolwarra, Council notes that this area is not newly mapped and is currently mapped as a PMF area within our existing, endorsed flood mapping. Council is legally obligated to show the full flood extent (and report it on Planning Certificates) since 2023. Nonetheless, this draft mapping will not form part of the

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		final Maitland DCP 2026 per the revised position to flood planning controls. • The comment around the Lower Hunter Floodplain Cumulative Development Impact Study and Plan is acknowledged and was part of the consideration for not proceeding, however it is noted community consultation was undertaken for that project. • Per the comment around multiple chapters considering flooding, this has been rectified with the removal of Section 2.4 of Chapter and Appendix E: Flooding Guidelines from the scope of the draft Maitland DCP. • The structure of the DCP, alongside its function, have been considered against other neighbouring and peer Councils and has been deemed by Council staff as having suitable flexibility. It is also noted (and the DCP states within Chapter 1) that regardless of the circumstances, DCPs have inherent flexibility under the EP&A Act. The tone therefore is to give clear guidance to remove doubt in common, high-volume matters, while simultaneously accommodating immediate flexibility without negotiation upfront. • The DCP provides greatly overhauled controls around densities and centres, including bus stop provisions, controls for apartment buildings, terraces, the use of laneways, and improved allowances for increased site coverage for higher density. Active street frontages and shop top housing has also been accommodated. Going beyond this would be overstepping the role of the DCP as a guidance document and encouraging density around our centres is being achieved through our Local Housing Strategy, Residential Density Guide, and the East Maitland Catalyst Area.
Resident 222	**Residential, Canopy Cover** Broadly supportive submission that recommended 11 control specific changes, which included: a. Providing a concession for a smaller provision of private open space for multi-dwelling housing in cases where a	**Partially Amended** 3 of 11 proposed changes made, the full details of which are provided within the Register of Changes, under Attachment 6 of the Report to Council. A summary is provided below:

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	balcony is provided, and not just for dual occupancies and attached dwellings. b. Request for clarity around the minimum dimensions of the Principal Private Open Space, as only a minimum width is provided. c. Clarity as to whether foldaway external drying facilities (i.e. washing lines) can be within the Principal Private Open Space. d. Request to reduce setback requirements for multi-dwelling housing in line with other newer styles of terrace housing appearing across the country. e. Clarity regarding turning areas and landscaping along the driveway. f. Change driveway crossings to align with AS2890 rather than a consistent minimum driveway crossing width for multi-dwelling housing. g. Request for PPOS to expand the allowable circumstances for it to be within the front setback. h. Request for a note in Canopy Cover Guidelines to state that the Residential Uses Chapter takes precedent over the planting targets in the guideline.	a. Multi-dwelling housing now includes the option for a PPOS reduction in cases where a balcony is provided. b. Minimum PPOS dimensions now include both length and width and have been revised to a minimum length of 3m and a minimum width of 3m, rather than just a minimum width of 4m. c. Washing lines are not allowed within the PPOS due to it impacting on the active use of the space; no change made. d. Setback requirements for multi-dwelling housing has remained as is. Council notes that attached dwellings (which include Torrens title terraces) have more generous setback concessions. e. Turning areas and landscaping along driveways have very specific criteria that are only in limited circumstances. f. Driveway crossings have remained as is so that vehicles can ingress and egress simultaneously in multi-dwelling housing developments. g. PPOS in the front setback has remained as is due to privacy and acoustic concerns. h. Canopy Cover Guidelines has significantly been overhauled to make clear the document is primarily guidance, and that the weight of planting regimes sit within the DCP chapters and MoES.
Resident 234	**Application Requirements** • Proposes a change to allow for concept stormwater designs with Development Applications, rather than ones with detailed calculations having been conducted.	**Amended** • Changes made to notations to provide better clarity as to when full calculations are needed, as well as reducing what is required for minor development. Attached dwellings and multi-dwelling housing split by dwelling count as a result. • Small Scale Stormwater Water Quality Modelling no longer required for development classified as Minor. Threshold of 3,000m2 where a development involves the public stormwater system now implemented to distinguish between a Stormwater Management Plan and a Stormwater Management Plan (Minor). • Concept Stormwater Management Plans have not replaced the system proposed under the Draft DCP as a degree of

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		certainty is needed as to what will be required for adequate stormwater conveyance and detention, particularly in larger developments.
Businesses		
Business 1	**Extractive Industry (Quarries)** Supportive submission that proposed the following changes in Section 9.4.3. Extractive Industries: • Clarity around minimum setbacks of an extractive activity to boundaries and other non-associated dwellings (9.4.3. PC.1 and 2) • Grandfather clause for existing extractive industries • Reciprocal setback arrangements for extractive industries and neighbouring properties • Removal of internal road width criteria • Concerns about the requirement for NorBE effects for stormwater, along with drainage measures and sediment control basins (9.4.3. PC.5, 6, and 8) • Concerns as to the viability of extraction depth being restriction by groundwater level (9.4.3. PC.10) • Suggestion to tighten the scope of an air quality assessment (9.4.3. PC.13 and 14) • Definition of an extractive cell (9.4.3. AS.3) • Notes the importance of retaining the restriction on new lots fronting Anambah Road (10.4.15.2. Anambah Employment Area)	**Partially Amended** 8 of 13 proposed changes made, the details for which are provided in the Register of Changes (Attachment 6 of the Report to Council). A summary of changes is provided below. • 9.4.3. PC.1 and PC.2 guidance note added in relation to setbacks for internal access roads, and removed offset of 250m to any non-associated private dwelling. • No grandfather clause has been implemented for existing extractive industries, as new controls have been provided to address this under Chapter 2, 2.4.6. Hazardous and Offensive Land Use Buffers. • Internal road widths revised to just state a minimum width for primary driveway access. • Drainage now refers off to Blue Book (*Managing Urban Stormwater: Soils and construction - Volume 1*) rather than 'reflecting the pre-existing or natural context', however drainage diversions around the extraction site remains a control. • Sediment control dam criteria now refers off to Blue Book, which provides sufficient criteria. • No change made to stockpile heights, however prevention of dust nuisance changed to limit as this would have been impossible to achieve. • Extraction depth limits changed to be permitted lower than groundwater table if supported by appropriate assessment. • Air quality assessment criteria remains as exhibited. • Definition for extractive cell added in glossary.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
Business 2	**Flood Planning, Stormwater Runoff in new urban areas** Strongly opposed to the flooding controls as proposed within the exhibited version of the draft DCP, and requesting further public consultation, joint public/private working groups, and financial modelling before the flooding controls are finalised.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. Council is investigating and advocating for future investment into flood mitigation infrastructure and ongoing coordination with SES, Transport for NSW, and the Hunter Valley Flood Mitigation Scheme.
Business 3	**Future Governance, Transparency, and Cost** Submission in opposition to the draft DCP, citing concerns regarding cost of development and a series of governance issues, including: • The expansion of discretion to “vary, relax, or amend” without obligation to publish these decisions. • The use of ‘as amended’ against guidelines and manuals. • No disclosure requirement for when DCP changes increase development cost or decrease property value. The following changes were proposed: • A governance hierarchy clause for numeric controls that remain binding, and discretion to be documented and published. • Freeze on external references and a referenced documents register.	**No Change** Under Section 4.15 of the EP&A Act, the DCP functions as one of the matters of consideration for Council. Additionally, it sets out the 'highest', most onerous standard that Council may require, and Council officers under the Act must be flexible in applying its provisions by allowing 'reasonable alternative solutions' to the most onerous standard as stipulated in the DCP. These are documented within each Development Application Assessment Report prepared by Council officers. Per the request for a freeze on external references, this is already captured by the legislative framework. A series of public manuals, documents and the like need to be referred to 'or as amended', as the previous standard can often become superseded and therefore no longer in force. This has primarily been employed for State-level documentation. Any variation to a development control is additionally captured on a case-by-case basis in development assessment

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• Transparency register for any variation provided to any DCP control. • Periodic review within 3 years to assess DCP outcomes.	reports and are varied based on site-specific merits. Due to the operational costs and resourcing that may be incurred in relation to a public-facing governance register, at present Council does not intend to implement this proposed process. To do so would substantially increase assessment timeframes and consequently the lead time of development within the Maitland LGA as a whole. A savings provision will be implemented as part of the Report to Council to ensure applicant confidence in their submission. A review of the DCP performance will be proposed as part of the Council resolution.
Business 4	**Flood Planning** Identified a series of control-specific changes within Section 2.4. Flood and Floodplain Management, primarily focusing on ensuring flood affectation around Maitland, Lorn, and Horseshoe Bend is not increased from any potential upstream development.	**Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Community Groups		
Community Group 1	**Morpeth HCA** A broadly supportive submission that proposes 11 control specific changes to the Morpeth Heritage Conservation Area section, including: • Ensuring that view corridors are indicated over the southern approaches to the Morpeth township, and from Hinton to the north.	**Amended** 100% of proposed changes incorporated, including: • Two new view corridors for the southern approaches to the township (Hinton was excluded as it was outside of the Maitland LGA). • Changes to geographical and compass references where it was identified.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• A range of fixes to orientations and inaccurate geographical references • Request to revise the precincts indicated to properly reflect public/private ownership, particularly for the Community and Public Recreation Precinct.	• All of Queens Wharf Council owned land placed into the Community and Public Recreation Precinct.
Public Authorities and Government Agencies		
Department of Primary Industries and Regional Development (DPIRD) – Fisheries	**Waterways and Riparian Corridors** Specific commentary regarding relevant agency approvals and guidelines within Section 2.2.2 Waterways and Riparian Corridors of the DCP.	**Amended** 100% of proposed changes incorporated, which included additional guidance for the relevant referral bodies for management of fish and water as part of development, and additional references to relevant state government documentation.
State Emergency Services (SES)	**Flood Planning** Broadly supportive submission focused on the flood planning controls proposed. • Requested that the higher order controls proposed for the Flood Planning Area also apply to the whole of the Maitland CBD and Lorn. • Requested additional conditions for flood free access for greenfield release areas.	**Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
DPIRD – Agriculture and Biosecurity Team	**Agriculture, Rural Interface** Broadly supportive NSW agency submission, with 35 control and objective specific proposed changes to Residential, Subdivision, and Rural chapters to better refine interactions between rural and urban land and provide accurate references to relevant guidelines.	**Amended** 26 of 35 (74%) of proposed changes incorporated, including modifications to 9.1.4, 9.2.1, 9.2.2, 9.2.6, 9.2.7, 9.3.1, 9.4.1, 9.4.3, 9.4.4, 5.1.4, 5.2.2, 5.2.6, 5.2.7, 5.3.1, 5.3.3, 5.4, 6.1.4, 6.2.1, 6.2.8,

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		6.4. Details of these changes are provided in the Register of Changes attached to the Report to Council as Attachment 6.
Department of Climate Change, Energy, the Environment and Water (DCCEEW) – Water Floodplains & Coast	**Flood Planning** Submission articulating 13 proposed changes to Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines to bring them into better alignment with the Flood Risk Management Manual 2023.	**Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
DCCEEW – Heritage NSW	**Heritage** A State agency submission with broad support for the heritage guidance provided throughout the DCP, particularly within Chapter 4, Chapter 10, and Appendix G (now E). Along with a call for more regular review of the document, 3 proposed changes were suggested, including improving references to legislation and definitions and the use of an Aboriginal Cultural Heritage Assessment as a first stop rather than due diligence.	**Amended** 2 of 3 proposed changes (66%) implemented, with changes to how Heritage is referred to in the Chapter. No change made in response to the recommendation made around Aboriginal Heritage due to cost, consultation fatigue and assessment delays involved.
Development Industry (inc. developers, consultancies and interest groups)		
HDB Town Planning	**Flood Planning, Statutory Intent, Duplication** Detailed submission that broadly objected to a series of proposed elements of the draft DCP, requesting the following broad changes: • Complete review of the proposed flood risk hazard mapping, particularly around Central Maitland and Lorn, where much	**Partially Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** 7 of 16 control specific changes implemented as recommended, with a further 1 amended, 1 noted, and 7 kept as is. Changes include amendments in Chapter 1 to align the purpose of the DCP with that of the EP&A Act, Section 2.2.2, 2.5.1, 2.4, Appendix E: Flooding Guidelines, and a general clean

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	of the urban area is above the Flood Planning Area in real terms. • Acknowledgement of Shelter in place as an appropriate flood management measure for development. • Revision of the DCP to align with the status and purpose of the document under the EP&A Act. • Review and appropriate removal of provisions that duplicate or exceed other statutory instruments. • Reassess language within the document to ensure it encourages merit-based assessment within Maitland.	up in Chapter 6 to remove any legislative conflict. A revision and realignment of multiple PC-classed controls have also been reclassified to AS to encourage more innovation from applicants. Full details are provided in the Register of Changes within Attachment 6 of the Report to Council. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Perception Planning	**Flood Planning, Louth Park URA, Waterforde Estate** Submission prepared on behalf of a local resident, focusing on issues within Section 2.4. Flood and Floodplain Management, Appendix E: Flooding Guidelines, Chapter 10 (Louth Park URA), and Chapter 10 (Waterforde Estate). This included 11 control specific changes. Proposed changes included: • Integration of the State-government Shelter In Place Policy into the Flood and Floodplain Management section. • Concerns regarding the legibility of the Flood Risk Management Matrix and whether it would sterilise development in flood-prone agricultural areas and Central Maitland. • Request that fact sheets are prepared for landowners within the High Risk Flood Risk Precincts. • Changing of the use of the term 'exclusion zone' to something more reflective of the actual use.	**Partially Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** 2 of 11 proposed control specific changes amended as proposed, 2 noted, 2 as is, and a further 5 no longer applicable due to flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) no longer being proceeded with as part of the Maitland DCP review. This was due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. Additional responses are as follows: • Transitional arrangements for the DCP and MoES as a whole will be provided as part of the Council resolution for the adoption of the documents.

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	• Clarifying the messaging and structure of the flood planning controls against State agency advice in the wake of recent flood events. • Updates to the SES physical flood information kit, last updated in 2007. • Clear transitional arrangements and savings provisions as to how the draft Maitland DCP will function against the current Maitland DCP 2011. • Clear options for alternative performance solutions signed off by a qualified flood engineer should be provided for development in flood prone land. • Request for a note to be included within the Louth Park URA Northern Precinct that it is subject to further review. • Request for review of the controls within the Louth Park Waterforde Estate Locality to be further referred in respect to mine subsidence, waste buffer, and view corridor. • Request that the transport movement hierarchy of the Louth Park URA be updated to reflect changes within DAs.	• No note has been made against the Louth Park URA Northern Precinct as there is no further review that has been exhibited. • Changes have been made to the Louth Park (Waterforde Estate) Locality Plan to update controls relating to waste buffers and mine subsidence. No change has been made to consideration of the view corridor, as this can appropriately be considered as part of a Visual Impact Assessment. • No change was made to the transport movement hierarchy of the Louth Park URA as this was the original intended outcome for the land. However, the controls within the DCP provide the appropriate language for the road layout to vary at DA stage, and consequently does not inherently conflict with the layouts contained within the DCP.
Walker Corporation	**Statutory Intent, Duplication/Contradictions, Length** • Concerns regarding the stated intent of the draft DCP being inconsistent with the purpose and status of a DCP under the EP&A Act 1979. Concerns about the length of the draft DCP impacting on the useability of the document set, and significant duplication and contradiction throughout.	**Amended** • Wording in respect to the status, purpose, and variation criteria for the DCP have been overhauled to align with the EP&A Act. The PC/AS structure has been retained as a communication piece, particularly to encourage innovation by applicants around identified AS controls. • The length of the Maitland DCP has been reviewed alongside duplication and contradiction and has been brought down by approximately 200 pages due to removed duplicate controls, contradicting controls, and formatting improvements. This translates to roughly a 20% page savings across the entire document set.
Valley Homes	**Residential Uses** A broadly supportive submission that identifies a number of suggested changes for residential controls, including setbacks,	**Amended** 4 of 7 (57%) of proposed changes incorporated, including modifications to 6.2.8 – Landscaping, 6.5 Secondary dwellings

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	fencing, garaging, and secondary dwelling and dual occupancy design.	and 6.6 – Dual Occupancies and semi-detached dwellings. Full details are provided in the Register of Changes within Attachment 6 of the Report to Council.
Hunter Land, Stevens Group, and McCloy Group	**Whole of DCP – Detailed on Chp 1, 2, 5, 6** 25-page detailed joint submission in objection to the DCP, based upon the following grounds: a. Is complex, confusing and overly prescriptive. b. Is inconsistent with the legislative framework, particularly Division 3.6 of the EP&A Act 1979, in that the Draft DCP does not facilitate development and goes beyond the intent/principal purpose of a DCP. c. Is contrary to the EP&A Act 1979 as the structure of the Draft DCP is based on statutory controls. d. Is contrary to the EP&A Act 1979 with respect to the application of flexibility. e. Effectively prohibits forms of development rather than assessing them on merit. f. Contains provisions that exceed those contained within other legislation, for example the Biodiversity Conservation Act 2016, and other documents, for example Planning for Bush Fire Protection 2019. g. Does not promote or encourage development in order to achieve Council's housing targets as required by the National Housing Accord. h. Will undermine housing supply through the implementation of onerous, repetitive and prescriptive (i.e., statutory), controls. i. Will result in Council's development assessment timeframes increasing due to the sheer volume of controls contained within the Draft DCP and the need for Council officers to assess development applications against them. j. Undermines the professionalism of the industry/sector in that the inclusion of prescriptive controls relating to multiple aspects of a development limits the ability of the sector to deliver outcomes which are responsive to market demands.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** In respect to the 60 control and solution specific proposed changes, the following has been done: • 26 of 60 (43%) have been amended as recommended • 7 of 60 (12%) have been amended to meet part way or in a different manner • 25 of 60 (42%) have been kept 'as is' • 2 of 60 (3%) have been noted In response to the summary of the submission provided by the submitter, the following responses are offered: a. To improve legibility, Council has undertaken a full review of duplicative controls throughout the DCP, leading to extensive length savings in a number of Chapters, particularly Heritage, Site Requirements, Subdivision, and Residential. This has been improved further by formatting changes to improve ease of reading and consistency in line spacing. These measures have led to an overall reduction from 858 pages to approximately 690 pages. This includes B.3 Hunter River Floodplain of the MDCP 2011. The length of MoES has remained much the same, with a drop from 223 to 219 pages (exc. Standard Drawings). b. Language has been revised in Chapter 1 in line with other recent DCPs prepared throughout NSW, and to clearly communicate the role of the DCP. The variation criteria has also been revised to align with peer high-growth and other Hunter Region Councils. This includes identifying the role and purpose of the DCP per Section 3.42 of the EP&A Act 1979. c. The draft DCP does not, and nor does it assert, the use of statutory controls. The use of Prescriptive Controls (PCs) has

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	k. Brings into question the ability of qualified and experienced Council officers in that the number of controls removes their ability to assess an application on merit. l. Will result in housing being less affordable as the costs associated with preparing development applications will increase because of the number of controls that must be considered by an applicant and the volume of documentation required to be lodged in conjunction with a development application. The submission also included 60 control specific items within Chapter 1: Introduction and Administration, Chapter 2: Environmental Considerations, Chapter 5: Subdivision, and Chapter 6: Residential Uses.	been employed in the context of the understanding that a DCP has inherent flexibility under the Act, and also has been granted 'non-statutory significant weight' by the LEC when a consistent approach is employed. d. See b. e. The DCP makes no prohibition on development. f. Multiple revisions have been made throughout the document in response to this, including a reduction in the scope of bush fire controls and changes in the riparian controls. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. This will occur in 2026. g. A range of new controls have been introduced to give clear guidance as to the delivery of medium and high-density housing products, in accordance with the National Housing Accord. h. Council has internally tested the draft DCP and found that there has been no substantive loss of lots and/or dwellings that could not be resolved through alternative design as allowed for in the proposed controls. i. It is expected that Council's assessment timeframes may increase in the short-term, however will improve over time as it allows for better standardisation of internal assessment tools. Additionally, at present due to the age of the MDCP 2011, currently many contemporary design solutions presented by applicants are inconsistent with the DCP, and need to be considered wholly on merit with no guidance. This currently slows down assessments through negotiation and referrals. Council have recommended

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		appropriate transition timeframes and savings provisions in addition to internal staff training to ensure implementation of the changes are effective. j. Council understands the adaptive and innovative nature of the development industry, however also understands the needs of its constituents to obtain development outcomes that align with the objectives of our LEP, which is a statutory obligation of the DCP under Section 3.42 of the EP&A Act 1979. It also is obligated to align with Section 1.3 of the EP&A Act. The DCP is scheduled to be regularly revised to provide an opportunity to adjust to changing market demands, should this be warranted. k. Council does not agree that the draft DCP would limit the ability of assessing officers to undertake merit-based assessment. The DCP does not remove the discretion of qualified and experienced officers to make assessments on site-specific merit. The Draft DCP was prepared in consultation with Council's assessment staff to be a tool that assists professional judgement. Officers retain their statutory obligation under the EP&A Act 1979 to consider the merits of each application, l. The raw number of considerations for an application has not seen a universal increase compared to the MDCP 2011, and varies based upon the type of development proposed. Notably, development in Council's current URAs will see a significantly lower number of requirements when compared to the current framework. Council is also planning to roll out a series of assessment checklists to provide Applicants with full clarity around what they need to consider based on their individual development requirements.
Morpeth Mews	**Morpeth HCA – View Corridors** Requests that the view corridors mapping around Morpeth, alongside controls relating to the character of development within the southern approach to the township, be revisited on	**No Change** Council disagrees that further development south of the Morpeth township within the HCA will not harm or compromise the view corridors. Morpeth is a clearly defined layout, hugging the ridgeline above the wetland below that is very recognisable and iconic in the Maitland LGA. Further

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
	the basis of legal conflict, housing affordability, changing rural setting, and limited impact on heritage character.	expansion of the township to the south of Morpeth will impact on this setting and ultimately the integrity of the township.
Hume Housing (on behalf of Community Housing Industry Association)	**Residential Density, Parking** Identifies a number of concerns around: • Adequately catering for low-rise (2-3 storey) Residential Flat Buildings (RFBs) within the proposed controls, including setbacks, parking, and waste servicing. • Ensuring tree planting can be satisfied through a canopy target solution. • Reducing duplication with the NCC in respect to EV Parking.	**Partially Amended** Amendments made to clarify some elements and provide additional guidance on some matters as requested, notably providing a distinction between low-rise (2-3 storey) residential flat buildings and taller solutions. No substantive numerical changes have been made in response to the submission in order to ensure appropriate development outcomes are achieved for Residential Flat Buildings, including landscaping and waste servicing. Full details are provided within the Register of Changes in Attachment 6 of the Report to Council.
Urban Development Institute of Australia (UDIA)	**Statutory Intent, Accessibility, Length, Consultation** This submission seeks deferral of the proposed Maitland DCP and MoES until all of their feedback and member submissions are addressed. The proposed changes and requests are as follows: • Ensuring that the documents adhere to their purpose under the EP&A Act to provide guidance which allows for flexibility. • Ensuring that the documents do not contradict or go beyond higher order instruments. • Improving the structure to make the documents more user-friendly and less complicated by shortening them and focusing on positive outcomes. • Defer further formal action until UDIA's earlier-provided feedback and our members' submissions are adequately addressed.	**Amended** *Ensure the documents adhere to their purpose under the EP&A Act to provide guidance which allows for flexibility.* • Language has been revised in Chapter 1 in line with other recent DCPs prepared throughout NSW, and to clearly communicate the role of the DCP. The variation criteria has also been revised to align with peer high-growth and other Hunter Councils. *Ensure the documents do not contradict or go beyond higher order instruments.* • Multiple revisions have been made throughout the document in response to this, including a reduction in the scope of bush fire controls and changes in the riparian controls. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time

SUBMITTER	SUMMARY AND KEY MATTERS	RESPONSE
		that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. This will occur in 2026. *Improve the structure to make the documents more user-friendly and less complicated by shortening them and focusing on positive outcomes.* • To improve legibility, Council has undertaken a full sweep of duplicative controls throughout the DCP, leading to extensive length savings in a number of Chapters, particularly Heritage, Site Requirements, Subdivision, and Residential. This has been improved further by formatting changes to improve ease of reading and consistency in line spacing. These measures have led to an overall reduction from 858 pages to approximately 690 pages. This includes B.3 Hunter River Floodplain of the MDCP 2011. The length of MoES has remained much the same, with a drop from 223 to 219 pages (exc. Standard Drawings). *Defer further formal action until UDIA's earlier-provided feedback and our members' submissions are adequately addressed.* • Council has undertaken an extensive review of prior feedback received and submissions by UDIA members on the DCP and MoES. Full details as to these controls have been provided against the relevant UDIA member's submissions within this report and within the Register of Changes provided in Attachment 6 of the Report to Council.

4.2 Submissions - Draft Maitland Manual of Engineering Standards 2025

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
Residents/Community Groups		
Resident 2	Request for the street tree species list to include information on fire resistance and flood prevention.	**Comment** The Maitland Tree Species Selection List will include fire resistance and identify flood-suitable trees where possible. This list will be present on the MoES webpage once in force.
Resident 23	**Subdivision** This submission is concerned with the subdivision requirements imposed on Lorn, specifically through the flood restrictions. The submission poses that <30m2 impediment on development on Lorn blocks is too restrictive.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 55	**Flood Planning and Character** This submission opposes the DCP and MoES due to the impact it will have on the local character of Maitland in respect to flood planning.	The submitter directly names MoES within their submission, however the content mentioned is not applicable to the scope of MoES. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
		Management Study and Plan process, which will enable community consultation in greater depth.
Resident 60	This submission opposes the Draft DCP and MoES, particularly in respect to the proposed flood planning controls, and states that better engineering and design is a more suitable option to help Maitland progress.	**Amended / Flood & Floodplain Management removed and to be considered as part of the FRMSP** The proposed Maitland DCP and proposed Maitland MoES provides improved design and engineering that aim to improve outcomes for our neighbourhoods and economy. In respect to flooding, flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 70	**Road Width** This submission provides comment on road width to increase the amount of on street parking in residential areas.	**No Change** The proposed Maitland MoES provides a new road type for developers to utilise, being a 10m Local Street, improving on street parking and access. 8m width Yield Streets are still able to be used by applicants.
Resident 117	The submission highlights concerns regarding changes to property value and insurance premiums due to stricter building requirements in Central Maitland.	The submitter directly names MoES within their submission, however the content mentioned is not applicable to the scope of MoES. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
		continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 122	**Flood Planning, Heritage, Insurance** This submission raises concerns about multiple areas in the Draft DCP and MoES, including: • Changes in the flood risk rating and the potential impact this will have on insurance premiums. • The submission states that the heritage chapter outlines a requirement for a heritage impact statement for minor works will increase costs and approval times for residents without necessity. • The heritage controls are too restrictive and limits the ability develop older buildings. • Due to these cumulative impacts of the named restrictions, this will decrease property values, increase insurance premiums and de-incentivise future development. The submission suggests a phased implementation of the new planning controls, use site specific assessments to inform development decisions and use heritage incentives/exemptions to allow for future upgrades to heritage homes.	The submitter directly names MoES within their submission, however the content mentioned is not applicable to the scope of MoES. The concerns of the submitter have been addressed under the responses to Public Submissions – Draft Maitland Development Control Plan 2025.
Resident 123	**Subdivision, Transition Arrangements** Has concerns regarding the ability to subdivide within the scope of the new DCP. Additionally asks if there be a transitional period for DA lodgement for particular developments if they are permissible under the current DCP, but not the new one.	**Amended** Subdivision will still be able to undertaken in accordance with and consideration to Chapter 5: Subdivision. In respect to subdivision within the floodplain, flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed.

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
		This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. A savings provision will be put forward as a part of the Report to Council, which will delay the commencement of the new DCP.
Resident 159	**Flood Planning, Flood Data** Opposes the proposed flood controls as it is not based on recent flood data. The submission calls out Chapter 2, 2.4 Flood & Floodplain Management specifically, stating that it is not inclusive of the Hunter River Flood Study (Muswellbrook to Denman) October 2017, which provides recent flood data relevant to the Maitland. The submission also states that in recent flood events, flood projections at the time of these floods predicted inundation of areas in the floodplain, which did not occur. Thus, the submission argues that the flood modelling being used is not specific to the Maitland context and landscape. Additionally, the submission also highlights concerns about increases in insurance premiums and the lack of community consultation undertaken to provide information of these changes.	The submitter directly names MoES within their submission, however the content mentioned is not applicable to the scope of MoES. Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Resident 234	A requirement-specific submission regarding a series of changes within the Lot Scale Engineering Document of the proposed MoES, including the following proposed changes: a. Consideration should be made for infiltration / detention tank systems as part of Section 6.3. b. Consider change to 'no support' for infiltration systems in clay soils to 'generally not supported'. c. (6.5.2. Level 2 - Deemed to Comply Table – Residential (less than or equal to 3000m2)) A bonus reduction to promote rainwater reuse should be considered towards the detention requirements. This may promote choosing to increase rainwater reuse when selecting BASIX parameters.	**Partially Amended** Specific responses to this submission are provided below. a. On-site Detention and infiltration are considered in section 6.5 b. Wording reads that infiltration is not supported in clay soils. This allows for infiltration to be considered in the couple of areas where sands and river silts exist such as Lorn and Horseshoe Bend. c. No change is proposed as the primary requirement is to provide detention to reduce down stream nuisance. Most large storms occur after a duration or days of rain and therefore the Basix volume would already be full and the reduced volume would increase downstream flooding

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
	d. (6.5.2. Level 2 - Deemed to Comply Table – Residential (less than or equal to 3000m2)) Clarification as to whether rainwater tanks can be concessioned against the total detention volume requirement for residential development. e. 6.3.2. Charged Pressure Head Request to remove the limitation on charged pressure head systems, as there will be instances where rear easements may not be possible or the site does not allow any downstream drainage for other residential development types. f. (6.5.2. Level 2 - Deemed to Comply Table – Residential (less than or equal to 3000m2)) Proposed change to runoff bypass limit of 50m^2 to no limit. g. Proposed that clarification is needed that MUSIC modelling is only required for the importance level sites outlined in Chapter 7 on page L-13.	d. No, the 20% is not a reduction to the required volume to be provided. This requirement requires 80% of the volume to be stored at or below ground level so that areas such as driveways, patios and overflowing gutter flows can be captured and not just bypass the detention system. e. No change is proposed. This requirement is an industry standard across the majority of council's and manages the physical and legal risks associated with increasing density of dwellings above existing lots. f. This has been a consistent approach for decades and exists to protect downstream properties from upstream discharges of stormwater g. Updates have been provided to clarify including 'Level 1 and 2 systems for residential developments are deemed to meet water quality requirements if they fully comply with the specifications in Section 6.'
Resident 241	**Flood Planning, Climate Change, Consultation** This submission raises concerns about the DCP and MoES not addressing issues such as flooding and climate change in a meaningful way. The submission critiques the lack of local expertise from local residents and Traditional Owners in the construction of the DCP controls. Additionally, the submission calls for investment into flood infrastructure that factors in the effects of climate change as a flood mitigation tool, instead of using development controls as a flood mitigation tool.	**No Change / Flood & Floodplain Management removed and to be considered as part of the FRMSP** The proposed Maitland DCP and proposed Maitland MoES were prepared by Council staff, specialised technical experts, and key stakeholders from the State government, interest groups, and community groups. They were a heavily collaborative process with experts in their fields, and consultation occurred before public exhibition. Additionally, the need for an update to these documents has been due to them not seeing a comprehensive update for over 10 years, and many guidelines and legislation are not longer appropriately addressed or relevant. It also has allowed Council to respond to climate resilience through proposed controls, including by improving waterways, stormwater retention, appropriate assessment, and future proofing our residences.

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
		Flooding controls within the draft DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.
Development Industry (inc. developers, consultancies and interest groups)		
Walker Corporation	**Work Bonds** In respect to MoES, the submitter requests that an additional form of bond payment (being an insurance bond) be accepted by MCC.	**Amended** Bank Guarantee provisions have been amended to include insurance bonds (from a reputable financial institution) as a suitable form of security.
Hunter Land, Stevens Group, and McCloy Group	A 20-page submission contained general statements as provided below as well as specific comment to points within MoES. A summary of the conclusions of the submission is listed below: a. The MOES should not be adopted in its current form. b. Council should undertake a comprehensive cost-benefit analysis of the implications of complying with the increased requirements of the Draft MOES in order to quantify the financial impact on Council in maintaining assets. c. The Draft MOES should be reconsidered in light of the current challenges facing the industry, acknowledging that it is critical to strike a balance between design and construction standards and facilitating the delivery of additional development (such as housing), throughout the Maitland LGA. d. Additional consultation should occur with the development industry and other relevant stakeholders as to what design and construction standards are reasonable and necessary.	**Partially Amended** Of 125 specific proposed changes on the Draft Maitland MoES: • 42 have been amended as recommended • 9 have been amended to meet part way • 59 have remained as is • 15 have been noted as a procedural matter, DCP matter that has been addressed, or is a question The detailed response to each of these specific changes are provided in the Register of Changes (Attachment 6). In respect to the summary of key matters, the following responses are provided: a. Noted. b. The proposal of a cost-benefit analysis is not supported. The vast majority of changes are bringing the MoES up to date with existing industry and state requirements. The cost-

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
	e. Council should apply the provisions of its own adopted MOES to projects designed and constructed by Council. Accordingly, the scope of the MOES should be widened to confirm its applicability to all relevant stakeholders. f. The references throughout the Draft MOES to *'at Council's discretion'* (for example), should be deleted and replaced with specific controls/standards. An engineering document should, at its heart, be prescriptive and provide definitive requirements and certainty to the end-user/reader. The repeated use of terminology such as *'at Council's discretion'* only seeks to undermine the main purpose of the Draft MOES.	benefits have therefore been tested by the numerous councils that have previously adopted these changes. c. These changes are bringing Council in line with surrounding councils and industry requirements. No specific examples were provided by the submitter to support the comment. d. Significant consultation has occurred with the development industry regarding the preparation of the Maitland MoES, with it first being presented and discussed with industry as part of Developer Forums held on the Maitland DCP in late 2023. e. Every council has discretion to apply a different standard to old assets that are being maintained as apposed to new assets. Asset life, maintenance backlog is a council consideration that development does not consider in the same way. f. The word discretion has been used for when council would consider it appropriate to take a bond, or for considering is a partly cracked stormwater pipe should be preplaced, monitored or accepted. The word is not used to widely specify design standards that would impact certainty of approvals, etc.
Urban Development Institute of Australia (UDIA)	This submission from the UDIA seeks deferral of the proposed Maitland DCP and MoES until all of their feedback and member submissions are addressed. It also states that increased flexibility in the controls are needed and that the documents should not contradict higher planning instruments like the LEP. Finally, it also states a shortening of the documents are needed along with a 'positive outcome' focus. This included the following requests: • Ensure the documents adhere to their purpose under the EP&A Act to provide guidance which allows for flexibility. • Ensure the documents do not contradict or go beyond higher order instruments.	**Partially Amended** *Ensure the documents do not contradict or go beyond higher order instruments.* Multiple revisions have been made throughout MoES in response to this, the details for which are found within the MoES Register of Changes (Attachment 7 of the Report to Council). *Improve the structure to make the documents more user-friendly and less complicated by shortening them and focusing on positive outcomes.* • The length of MoES has remained much the same, with a drop from 223 to 219 pages (exc. Standard Drawings).

SUBMISSION	SUMMARY AND KEY MATTERS	RESPONSE
	• Improve the structure to make the documents more user-friendly and less complicated by shortening them and focusing on positive outcomes. • Defer further formal action until UDIA's earlier-provided feedback and our members' submissions are adequately addressed.	*Defer further formal action until UDIA's earlier-provided feedback and our members' submissions are adequately addressed.* • Council has undertaken an extensive review of prior feedback received and submissions by UDIA members on the DCP and MoES.

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Draft Maitland Development Control Plan 2026 (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 2

Number of Pages: 572



Maitland DCP 2026

Chapter 1: Introduction and Administration

maitland CITY COUNCIL

Version Amendment History

VERSION NO.	NATURE OF AMENDMENT	DATE IN FORCE
1	Initial adoption by Council	XX/XX/2026

1.1. Adoption and Commencement

The *Maitland Development Control Plan 2026* was adopted by Council on XXXXX and came into effect on XXXXX.

1.2. Disclaimer

The contents of this Development Control Plan (DCP) are subject to periodic review and change. Applicants must ensure that they have obtained the latest version. The DCP is not necessarily an exhaustive list of requirements for a particular development application. Pre-application discussion with Council staff is essential to ensure all matters are considered.

Council will accept no responsibility for reader interpretation of this DCP. Applicants should consult with Council staff to ensure the relevant parts of the DCP have been addressed and are understood.

1.3. Interpretation

This DCP adopts the terms and definitions of the *Standard Instrument – Principal Environmental Plan*, unless otherwise defined in the DCP.

A reference to any Australian Standard, legislation, or supporting documentation includes a reference to any amendment or replacement as made.

1.4. Status and Purpose of this Plan

This DCP was prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the *EP&A Act 1979* states that the EPI prevails to the extent of the inconsistency. This is reinforced by Section 3.42 and 3.43 of the EP&A Act 1979, which establish the purposes of a DCP.

The purpose of this DCP is to provide more detailed guidelines for future development within the Maitland Local Government Area (LGA) to:

- Give effect to the aims of any environmental planning instrument that applies to the development.
- Facilitate development that is permissible under any such instrument.
- Achieve the objectives of land zones under any such instrument.

A consent authority is required to consider this DCP when determining Development Applications (DAs) under Section 4.15 of the EP&A Act 1979 in its assessment of a Development Application. However, compliance with the provisions of this DCP does not necessarily imply that a consent authority will consent to the application.

1.5. Aims of this Plan

The Maitland Development Control Plan 2026 aims to:

1. Ensure that development is economically, socially and environmentally sustainable.
2. Ensure that development positively responds and contributes to the site and its context.
3. Facilitate development consistent with the established vision, adopted plans, strategies and policies including Council's Local Strategic Planning Statement (LSPS).

1.6. Land Application

This DCP applies to land and development within the Maitland LGA, unless excluded in whole or part by an Environmental Planning Instrument.

1.7. How to use this DCP

This DCP applies to all development that may be carried out with development consent in the Maitland LGA. Any development application within the Maitland LGA will need to address the relevant provisions contained in this DCP.

The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following purposes:

Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP.

Prescriptive Controls (PC) are requirements that an Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code '**PC**', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'.

Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code '**AS**', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'.

Note: Boxes that appear like this are used for the following purposes:
- Providing additional information,
- Application of a section to different land zonings defined under the MLEP 2011,
- References to other relevant DCP Chapters/Sections, EPIs, or relevant Council documents, or
- Background context for why a Prescriptive Control/Acceptable Solution functions in the manner it does.

1.8. Variations to this DCP

If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should:

1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation,
2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and
3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated.

This variation should be justified in the Statement of Environmental Effects accompanying the development application.

1.9. DCP Structure

The structure of this DCP is as follows:

Chapter 1: Introduction and Administration

This Chapter contains general matters that relate to the commencement, status, application, and function of the DCP. It also provides information relating to the preparation of a Development Application, public notification, and post determination matters.

Chapter 2: Environmental Considerations

This Chapter provides detailed controls relating to biodiversity and vegetation, and management of natural hazards including flooding, bushfire, and contamination. It captures a wide range of considerations that are present throughout the Maitland LGA.

Chapter 3: Site Requirements

The Site Requirements Chapter provides a broad range of controls relating to the construction and operational elements of a development within the Maitland LGA. It broadly captures controls and acceptable solutions that relate to matters such as earthworks, retaining walls, stormwater, parking, vehicle access, waste, sustainability, and social impact.

Chapter 4: Heritage

This Chapter provides comprehensive controls around the treatment of heritage within the Maitland LGA. Broadly, the Heritage Chapter covers Aboriginal heritage, State and locally listed heritage items, and Heritage Conservation Areas, in relation to their preservation, restoration and sensitive urban design.

Chapter 5: Subdivision

The Subdivision Chapter provides a detailed set of controls and acceptable solutions for realising effective subdivision outcomes within the Maitland LGA. It addresses a range of matters, including utilities, landscaping, context-specific lot types, street layout, size and dimensions in relation to Residential, Rural, Industrial and Commercial Subdivisions.

Chapter 6: Residential Uses

The Residential Uses Chapter provides the requirements around the design and interface of residential accommodation. It covers a series of housing typologies, including dwelling houses, dual occupancies, multi-dwelling housing, and residential flat buildings.

Chapter 7: Commercial Uses

This Chapter contains detailed controls and acceptable solutions relating to the design of commercial premises and their intrinsic interactions with the public domain in many commercial centres throughout the Maitland LGA. The provisions of this Chapter relate to scale and bulk, built form, place activation, servicing and architectural design.

Chapter 8: Industrial Uses

The Industrial Uses Chapter provides a set of controls and acceptable solutions around matters to be addressed when undertaking industrial development in the Maitland LGA. This includes aspects of development such as building design, landscaping, setbacks, fencing, signage, impervious area, and waste management.

Chapter 9: Rural and Other Land Uses

The Rural and Other Land Uses Chapter covers a range of different land uses throughout the LGA. The Chapter focuses on the rural aspect of development, including agricultural and agritourism, and a series of land uses not otherwise identified in other Chapters, such as animal boarding establishments, cemeteries, and places of public worship.

Chapter 10: Precincts, Locality Plans, and Urban Release Areas

This Chapter contains three key elements of the DCP that provide a series of site-specific controls and acceptable solutions to particular areas of the Maitland LGA. These take a variety of forms, including:

- Special Precincts around certain commercial and infrastructure assets that require additional environmental or design considerations,
- Locality Plans associated with specific urban areas that require a degree of localised place planning, and
- Urban Release Areas that address development provisions required under Section 6.3 of the MLEP 2011.

Appendix A: Application Requirements – Other Development

Appendix A provides information and guidance as to what documentation must or may be provided with a Development Application based on a development type. It does not cover smaller-scale developments such as dwelling houses, change of use, or minor alterations and additions.

Appendix B: Application Requirements – Minor Development

Appendix B provides information and guidance as to what documentation must or may be provided with a Development Application based on a development type for small scale development, including dwelling houses, secondary dwellings, dual occupancies, and swimming pools.

Appendix C: Biodiversity Guidelines

The Biodiversity Guidelines support Chapter 2: Environmental Considerations, Appendix A, and Appendix B. It provides details as to what is to be contained in Flora and Fauna Assessments, Vegetation Management Plans, Biodiversity Management Plans, and appropriate assessment for where squirrel gliders are present.

Appendix D: Canopy Cover Guidelines

The Canopy Cover Guidelines provide potential methods for applicants to achieve a 30% canopy cover over proposed developments, and serves as an advisory document to implement industry-leading landscaping outcomes and Council's Environmental Sustainability Strategy goals at an applicant's discretion.

Appendix E: Heritage Guidelines

The Heritage Guidelines provide supporting explanatory information for Chapter 4: Heritage and the broader management of heritage items and heritage conservation areas in the Maitland LGA.

Appendix F: CPTED Guidelines

Appendix F provides a series of recommended design features for development that needs to incorporate the principles of Crime Prevention Through Environment Design, and support Chapter 3: Site Requirements.

1.10. Relationship to Other Plans, Policies and Legislation

This plan was prepared in accordance with the provision of the EP&A Act 1979 and the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021).

This DCP is to be read and applied in conjunction with the MLEP 2011 and the following:

- *Environmental Planning & Assessment Act 1979*
- *Environmental Planning & Assessment Regulation 2021*
- Any relevant SEPP
- *Local Government Act 1993*
- National Construction Code (NCC)
- Relevant Australian Standards
- Land and Environment Court Planning Principles
- Maitland City Council's Manual of Engineering Standards (MOES)
- Any other relevant documents endorsed by MCC such as strategies, guidelines, plans, technical manuals, studies, standard drawings, or the like.

1.11. Preparing a Development Application

1.11.1. Before you begin

Initial discussion/s with relevant Council staff prior to the preparation of detailed plans is highly recommended to ensure that the development proposal is permissible under the MLEP 2011, that all relevant matters are addressed in the application, and that adequate supporting documentation is submitted.

As part of determining what assessments and information may be required for your application, it is recommended to consult the Appendices and Technical Guidelines to this DCP that are available on Council's website. Notably, Appendix A: Application Requirements – Other Development and Appendix B: Application Requirements – Minor Development provide common application requirements for development lodged with Council.

For larger or more complex proposals, it is recommended that applicants meet with Council's staff including specialist Council staff responsible for the assessment of development, subdivision and construction certificate proposals. This allows Council staff to provide advice aimed at avoiding delays during application processing and maintaining effective communication. Attendance at a formal Pre-Development Application meeting does not infer an approval from Council.

1.11.2. Preparing a Development Application

A Development Application must be accompanied by a Statement of Environmental Effects and other relevant documentation as prescribed under the EP&A Regulation 2021. The supporting documentation required with an application will vary with the nature of the proposal, its size and complexity, the other agencies from which comment or approval is required and the environmental characteristics of the land to be developed. Additional detail regarding issues to be addressed, and the resulting documentation requirements, can be found throughout this DCP and its associated Appendices and Technical Guidelines.

1.11.3. Section 4.15 of the Environmental Planning & Assessment Act 1979

This section of the EP&A Act 1979 specifies matters that a consent authority needs to consider in the assessment of development applications. These heads of consideration also provide an applicant with a checklist to ensure that all aspects of a development have been addressed in the preparation of an application. This section includes matters for consideration in determining a development application including:

- EPIs: this section requires consideration of whether the application is consistent with any applicable EPIs (e.g. State Environmental Planning Policies and Local Environmental Plans),
- Any DCP that applies to the land,
- Matters prescribed by the Regulation associated with the Act – these include such matters as fire safety considerations,
- Environmental, historical, social and economic impacts,
- Whether the site is suitable for the development,
- Any submissions made in relation to the development, and
- Public interest matters.

Consideration of matters specified in the EP&A Act 1979 may require the applicant to prepare site-specific specialist reports or studies and/or broader studies where the proposed development will have greater impacts on the wider community.

1.11.4. Integrated Development

In addition to any consent issued under the EP&A Act 1979, some proposals will also require approvals (or licences) from other statutory authorities or agencies before commencing work or undertaking the activity.

The EP&A Act 1979 lists the approvals that trigger the 'integrated development' provisions in the Act. The responsibility is on the applicant to identify whether their proposal is an integrated development and pay the associated referral and administration fee to the relevant authority.

It is the responsibility of the applicant/owner to obtain the relevant approval necessary, either through Council at DA stage or alternatively post approval and prior to the commencement of any works on site. This alternative process may require amendments to be sought to the development consent granted.

Council staff can provide advice about other approvals required. Additional information may be necessary for referral to other authorities, such as a bushfire threat assessment report.

1.12. Public Notification

Formal notification of certain development applications is a requirement of legislation and there are different requirements for different development types. This section identifies which development types require notification and the form of the notification. It also defines if and how modifications to development approvals are notified.

For the purposes of this section, an adjoining landowner/s is the registered person/s or company/s or representative/s who own land which:

- shares a common boundary with the land subject to the application; or
- is directly opposite the subject land and is only separated by a pathway, laneway or public road; or
- is only separated from the subject land by land held in the same ownership as that being developed.
- if the adjoining land is strata or community title, the body corporate is notified.

Objectives

O.1 To ensure that Development Applications are notified locally.
O.2 To ensure reasonable time is given for the public to review applications and prepare submissions.
O.3 To ensure that applications and supporting material are easily accessible.
O.4 To ensure that adequate information is provided to the adjoining landowners so that they can understand what is proposed and how they can participate.
O.5 To ensure that any adjoining owner, for the purpose of notification, is clearly defined.

O.6 To ensure that parties that are likely to be affected by larger or more intrusive impacts are notified of development.
O.7 To ensure that Development Applications that are amended before they are determined are advertised where changes are considered significant, and notification is in the public interest.
O.8 To ensure Development Applications that are modified after the application was determined are advertised where changes are considered significant, and notification is in the public interest.
O.9 To ensure Development Applications modified under Sections 4.56 of the EP&A Act 1979 are advertised as required.
O.10 To ensure Council will notify and/or advertise an application under Section 4.56 of the EP&A Act 1979 in accordance with the requirements of the original application.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1 • O.4 • O.5	Where the development is likely to result in impacts over a large area, Council may, at its discretion, expand the notification area.
PC.1 • O.1 • O.2 • O.3 • O.4 • O.5 • O.6	Where a development application is to be advertised, **advertising** will occur in accordance with Council's Community Participation Plan.
PC.2 • O.3 • O.4 • O.6	Any of the following development requires **advertising**: a. All development and/or demolition proposed affecting a heritage item identified under MLEP 2011 (except private swimming pools). b. Major works, including any proposal for two storey or greater development in a Heritage Conservation Area. c. Major council projects (excluding utility services with a value exceeding $100,000 or likely to be of significant community interest). d. Multi-dwelling housing, group homes, boarding houses, hostel, residential flat buildings, seniors housing or similar type of developments. e. Non-residential uses in or adjacent to a residential zone. f. Subdivision of land zoned R5 Large Lot Residential or C4 Environmental Living. g. Subdivision of residential land into more than 2 allotments. h. Development for the purpose of hotel or motel accommodation, pubs, hospitals, places of worship and sex services premises in any zone.
AS.2 • O.1	Where Council is of the opinion that the proposed development is minor in nature and its location, size, height, bulk and proposed use will not adversely affect the amenity of the adjoining land, advertising of the development may not be required.
PC.3 • O.1 • O.2 • O.3 • O.4 • O.5	Any development application that involves alteration to the external configuration of a building or the erection of a new building requires notification except the following: • New residential dwelling houses, additions and alterations (including second storeys) with a height of up to 8.5 metres measured from the existing ground level. • Dual occupancies up to and including two-storeys with a height of up to 8.5 metres measured from existing ground level, provided they meet the privacy, setbacks and overshadowing provisions of the Residential Uses chapter of this DCP. • Open carport, pergola, verandah or similar development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	

	• Enclosure of an existing patio or verandah within the existing roofed area.
	• Private swimming pool.
	• Detached garage or shed enclosed by walls and associated with a dwelling.
	• Any building on a property in a rural zone which has an area of 2 hectares or more.
	• Industrial development in an industrial zone.
	• Subdivision of R1 General Residential land resulting in not more than two (2) lots.
	• Commercial development in a commercial zone.
	• Development in a Heritage Conservation Area for:
	  ○ Internal and external alterations,
	  ○ Single storey car ports,
	  ○ Single storey garages,
	  ○ Single storey additions, or
	  ○ Minor demolition of ancillary, non– contributory elements.
	• A change of use in commercial areas.
	
	Despite the exceptions above, Council may notify the development if it considers that notification is in the public interest.

PC.4 • O.6 • O.7	Development applications that are amended before they are determined are advertised where changes are considered significant, and notification is in the public interest.
AS.3 • O.7	If a development application is amended prior to determination; and • Council has notified/advertised the original application, and • Council is of the opinion that the amended application differs only in minor respects from the original application, and • The application does not result in a greater environmental impact, Council may decide to dispense with further notification/advertising in relation to the application.
PC.5 • O.7	Where Council considers that amended plans or additional information submitted prior to determination is likely to have a greater or different, detrimental effect on adjoining properties, Council will re–notify those persons originally notified and those who made a formal written submission.
PC.6 • O.7 • O.9 • O.10	Modifications to approvals under Section 4.55(1) of the EP&A Act 1979 do not require notification.
AS.4 • O.7 • O.8 • O.9 • O.10	Modification to approvals under Section 4.55(1A) of the EP&A Act 1979 will only be notified where Council is of the opinion that the use or enjoyment of adjoining land may be detrimentally affected by the proposed modification.
PC.7 • O.7 • O.8 • O.9 • O.10	Modification applications under Section 4.55(2) of the EP&A Act 1979 will be notified in accordance with the provisions of the EP&A Act 1979 and the EP&A Regulation 2021.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.7 • O.8 • O.9 • O.10	Where modification applications under Section 4.55(2) or 4.56 of the EP&A Act 1979 are for designated development or other advertised development, notification requirements will be as required under the EP&A Act 1979 and EP&A Regulation 2021.

1.13. Post Determination Matters

1.13.1. Subdivision

If the development consent requires the carrying out of any works associated with the subdivision of land, a Subdivision Works Certificate (SWC) is required prior to any work being undertaken. Detailed Engineering Plans will be required for approval. In the majority of cases, Council is the sole entity authorised to be the Principal Certifier (PC) able to oversee the SWC process.

A Subdivision Certificate is required prior to release of the final plan for survey, so that the plan of subdivision can be registered under the *Conveyancing Act 1919*. All required work must be completed, and consent conditions satisfied prior to issue of a Subdivision Certificate. Details of requirements for Subdivision Works Certificates and Engineering Plans are contained in Council's Manual of Engineering Standards (MoES).

1.13.2. Modifications of Consents

Sections 4.55 and 4.57 of the EP&A Act 1979 set out the procedure for modification of development consents. An application for modification must be made to the consent authority, and fees paid, in accordance with the EP&A Regulation 2021.

Minor errors, misdescriptions or miscalculations may be modified without further referral or notification. However, more significant modifications may require re-advertising and referrals to government authorities. In all cases, the consent authority must be satisfied that the development to which consent as modified relates, is substantially the same development. For significant modifications, lodgement of a new development application will be required.

1.13.3. Lapsing of Consents

A development consent generally lapses five years after the date from when it starts to operate, as set out within the provisions of the EP&A Act 1979. However, this does not mean that the development covered by the consent must be completed within the five-year period to stop the consent from lapsing.

A development consent for the erection of a building, the carrying out of works or the subdivision of land doesn't lapse if building, engineering, or construction work related to the consent is physically commenced on the land before the date on which the consent would otherwise have lapsed.

1.13.4. Review of Applications and Rights of Appeal

Should an applicant be dissatisfied with the determination of a development application where Council is the consent authority, a Review of Determination may be requested under the EP&A Act 1979. This request must be made within 28 days of the determination of the application, accompanied by the prescribed fee. The Rights of Appeal also exist to the Land and Environment Court of NSW. These rights are set out in the EP&A Act 1979.



Maitland DCP 2026

Chapter 2: Environmental Considerations

maitland CITY COUNCIL

Table of Contents – Chapter 2: Environmental Considerations

2.1. Introduction **3**
2.1.1. Application 3
2.1.2. Relationship to other Chapters 3
2.1.3. How to use this Chapter 3
2.1.4. Intent of this Chapter 4
2.2. Environmental Management **5**
2.2.1. Biodiversity 5
2.2.2. Waterways and Riparian Corridors 8
2.2.3. Green and Blue Grid 11
2.3. Vegetation Management **13**
2.3.1. Tree and Vegetation Management 13
2.3.2. Street Trees and Canopy Cover 19
2.3.3. Vegetation Management Plans 20
2.4. Flood and Floodplain Management **20**
2.5. Environmental Hazard Management **21**
2.5.1. Bushfire 21
2.5.2. Mine subsidence 22
2.5.3. Contamination 23
2.5.4. Noise and Vibration 24
2.5.5. Air Quality 25
2.5.6. Hazardous and Offensive Land Use Buffers 25

2.1. Introduction

2.1.1. Application

The objectives and controls contained within this Chapter apply to all land to which development is permissible with consent under Maitland Local Environmental Plan 2011 (MLEP 2011).

2.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix C: Biodiversity Guidelines
- Appendix D: Canopy Cover Guidelines
- Glossary

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

2.1.3. How to use this Chapter

This Chapter is structured into four sections, as follows:

Environmental Management

This section focuses on the conservation and enhancement of Maitland's biodiversity, riparian lands and waterways, as well as the integration of Council's Green and Blue Grid, informed by the Maitland Environmental Sustainability Strategy 2030.

Vegetation Management

This section establishes a framework for tree and vegetation pruning and removal, sets targets and controls to enhance Maitland's tree canopy, and provides direction for Vegetation Management Plans.

Environmental Hazard Management

This section specifies requirements for addressing and mitigating risks associated with hazards such as bushfires, contamination, noise, air quality and buffers for hazardous or offensive development.

Definitions for key terms can be found in the Glossary of the DCP.

2.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Adhere to the goals, targets, and commitments of the Maitland Environmental Sustainability Strategy 2030.
b. Support the principles of Ecologically Sustainable Development to provide net positive biodiversity outcomes.
c. Facilitate the avoid, minimise, and offset environmental hierarchy.
d. Limit adverse impacts on biodiversity and waterways.
e. Protect and enhance the green and blue grid including biodiversity corridors.
f. Increase canopy cover across Maitland to support urban heat resilience and improved biodiversity
g. Maintain and enhance ecological processes necessary for the continued protection of environmentally sensitive land as well as encourage the recovery of threatened species, communities or populations and their habitats.
h. Identify environmental hazards and remove development away from risk, or incorporate protective design elements.

2.2. Environmental Management

2.2.1. Biodiversity

The aim of this sub-section is to ensure that, subject to any relevant overarching state or commonwealth legislation, the planning, design, and implementation of new development results in net positive biodiversity outcomes over the long term.

Additionally, this sub-section provides a policy framework of the avoid, minimise, and offset environmental hierarchy, in particular the clearing of vegetated land for medium to large scale development. The approval process for development which will impact upon vegetation is as follows:

1. Any native vegetation clearing on rural zoned land is assessed *by Local Land Services under the Local Services Act 2013.*
2. Any vegetation clearing in any non-rural zone that triggers the *Biodiversity Offset Scheme* under the *Biodiversity Conservation Act 2016* will require a Biodiversity Development Assessment Report.
3. Any vegetation clearing in any non-rural zone that does not reaches the *Biodiversity Offset Scheme* under *the Biodiversity Conservation Act 2016* may require (at Council discretion) a Flora and Fauna Assessment and/or a Biodiversity Management Plan per the *Environmental Planning and Assessment Act 1979.*
4. Any other vegetation clearing not falling into these categories is assessed under Section 2.3.1 of this Chapter.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

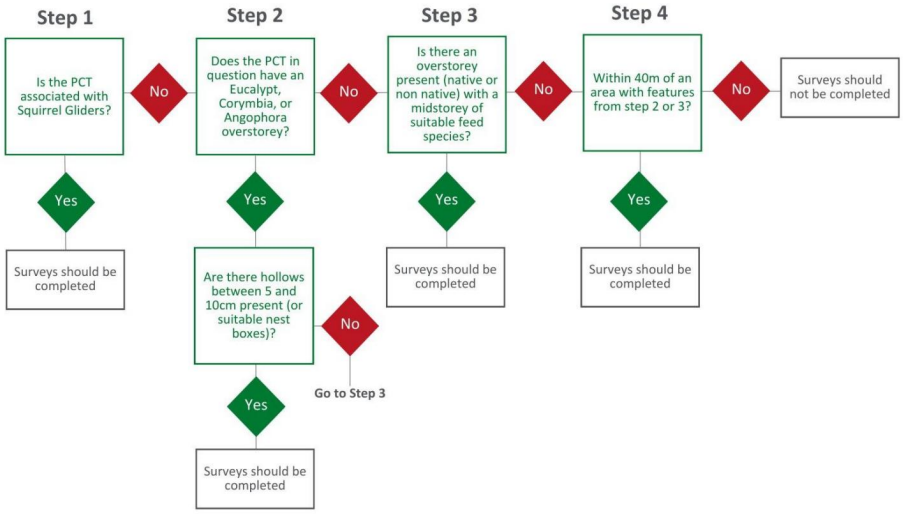
- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Fisheries Management Act 1994*
- *Biodiversity Conservation Act 2016*
- *Local Land Services Act 2013*
- *Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)*
- *Biosecurity Act 2015*

Objectives

O.1 To avoid and minimise impacts to biodiversity and native vegetation.
O.2 To ensure that biodiversity is appropriately considered in the determination of development proposals and land management.
O.3 To protect and enhance ecologically sensitive areas, of threatened species and ecological communities, native vegetation, habitats, biodiversity corridors and the Green and Blue Grid.
O.4 To achieve the relevant targets and actions of the Maitland Environmental Sustainability Strategy 2030 (ESS).
O.5 To retain and protect threatened species and ecological communities and their habitats.
O.6 To compensate for unavoidable biodiversity impacts in accordance with applicable legislation, or in the absence of such legislation, contemporary industry standards.
O.7 To ensure that habitats and fauna are made more resilient into the future through effective management of the natural environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1 • O.2 • O.3	Development should be sited, designed and managed to ensure adverse impacts to biodiversity values, including avoidance of areas identified in the Council's **Green and Blue Grid**, and Council's **Biodiversity Corridors**. Genuine and robust exploration of reasonable avoidance measures must be presented and submitted as part of a development application where native vegetation has the propensity

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	to be affected. Where avoidance is not possible, measures to minimise and mitigate impacts must be demonstrated. Only after avoid and minimise measures are suitably addressed will biodiversity offsetting be considered. Specific controls relating to avoidance of the Green and Blue Grid are provided in Section 0 of this DCP.
PC.1 • O.1 • O.2 • O.3 • O.5	If the development application is not required to be accompanied by a **Biodiversity Development Assessment Report** (BDAR), and is required to be assessed under the *Environmental Planning and Assessment Act 1979*, a **Flora and Fauna Assessment** (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's **Green and Blue Grid** or within Council's **Biodiversity Corridors**. **Note:** For development applications required to be assessed under the *Environmental Planning and Assessment Act 1979* and the *Biodiversity Conservation Act*, a Biodiversity Development Assessment Report (BDAR) must be prepared in accordance with the Biodiversity Assessment Method (BAM).
PC.2 • O.1 • O.2 • O.3 • O.5	A **Biodiversity Management Plan** (BMP) is required in accordance with Appendix C: Biodiversity Guidelines in circumstances where: a. a FFA is required, and Council deems that a BMP is necessary for managing biodiversity impacts, OR b. the Biodiversity Offset Scheme applies. **Note**: Council's Natural Environment & Resilience team may choose to require the preparation of a draft BMP prior to the determination of a DA.
PC.3 • O.1 • O.3 • O.5	Where development results in removal or significant impacts to **hollow-bearing trees** or existing **artificial hollows**, removed hollows are to be offset in accordance with Appendix C: Biodiversity Guidelines. Unless adequately justified to the satisfaction of Council, installation of salvaged and augmented hollows is to occur whenever possible. All artificial hollows must be installed within retained trees on site.
PC.4 • O.1 • O.3 • O.4 • O.5	Development within 50m of **environmentally significant features** must provide for, and ensure the management of, an ecological buffer to minimise adverse impacts on biodiversity values. Identification and management of ecological buffers should be included within a Biodiversity Management Plan (BMP) for the site, prepared in accordance with Appendix C: Biodiversity Guidelines and Council input. Areas that require ecological buffers include: • **Threatened Ecological Communities** (TECs), • pre-existing protected habitat, • species polygons for threatened flora or fauna known to occur on site, • Koala habitat (including core koala habitat, isolated or scattered primary koala food trees with evidence of koala activity, and any other areas where koalas are present, • year round or intermittently occupied flying fox camp, • hollow-bearing trees, and • Raptor nests. **Note:** The requirements for management of ecological buffers will depend on the type and scale of the development with management obligations, being less restrictive for small developments.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.3 • O.3	Where appropriate, suitable fencing, barriers or other measures are to be used to limit or control human access (e.g. motor vehicles) to environmentally sensitive areas.
PC.5 • O.1 • O.3 • O.6	Development on land adjoining an area that is of **biodiversity value** and/or forms a part of the Green and Blue Grid is to adhere to the following design criteria for lighting: a. adherence to the principles and guidance of the *National Light Pollution Guidelines for Wildlife* (DCCEEW, 2023) (or as amended), b. high intensity lighting including industrial or commercial lighting, sports field lighting, lighting within carparking areas and associated with any industrial or commercial-scale retail development will be designed to avoid light spill into adjoining biodiversity areas (per *AS 4282 Control of the Obtrusive Effects of Outdoor Lighting*, or updates to that standard), c. install warm coloured LED street lighting where a development footprint contains or is within 100m of known microbat colonies or habitat likely to support microbat colonies to deter insects, d. manage light spill and noise producing activities where wildlife impacts are likely to arise from the proposed development and where development is adjacent to avoided land. Measures are to include appropriate noise treatment barriers along major roads and other light and noise attenuation mitigation measures, and e. ensure that any residual noise impacts from installed lighting on wildlife are appropriately mitigated.
PC.6 • O.1 • O.3 • O.6	Where the flow chart in Figure 2-1 indicates that squirrel glider survey is required, the Squirrel Glider Considerations outlined in Appendix C: Biodiversity Guidelines must be followed.  **Figure 2-1: Squirrel Glider Survey Requirement Framework**

2.2.2. Waterways and Riparian Corridors

The aim of this sub-section is to ensure that, subject to any relevant overarching state or commonwealth legislation, the planning, design, and implementation of new development results in net positive outcomes for waterways and riparian corridors for the long term.

Waterways are important features of Maitland, with riparian areas are the interface between land-based and waterway ecosystems. Riparian corridors provide a variety of functions within urban landscapes. They contribute to bank stabilisation, reducing erosion scour and sedimentation issues within rivers and creeks. Vegetated areas along the creek lines are used to filter nutrients, pollutants, and sediments before they reach the creek and degrade the quality of water.

Riparian corridors are made up of the channel, which comprises the bed and banks of the watercourse (to the highest bank), and The Vegetated Riparian Zone (VRZ) adjoining the channel.

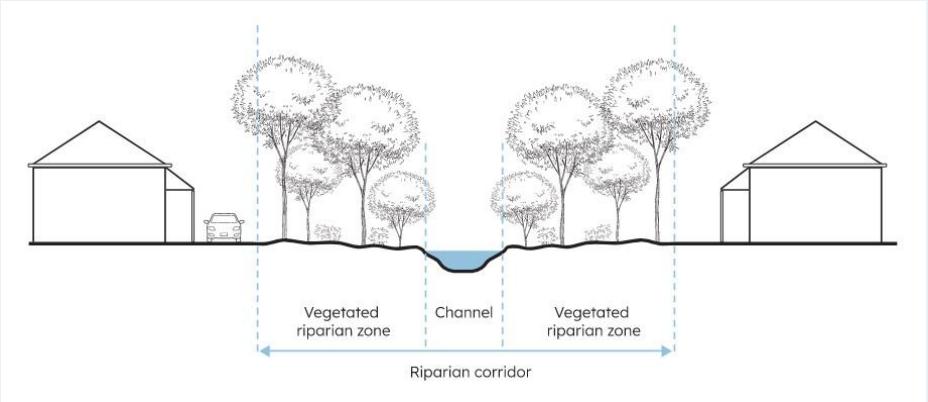


Figure 2-2: Riparian corridor zones

Required State Agency approvals

Controlled activities carried out in, on or under waterfront land are regulated by the *Water Management Act 2000.* The Department of Industry - Water administers the *Water Management Act 2000* and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. **Waterfront land** includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary.

If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the NSW Department of Climate Change, Energy, the Environment and Water (or their equivalent agency) before commencing the controlled activity. A permit under the *Fisheries Management Act 1994* may also be required in cases where:

- Works include dredging or reclamation,
- Works within a waterway that may result in the temporary or permanent blockage of the passage of fish, such as dams, weirs, and changes to velocities and water quality.

Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:

- *Water Management Act 2000*
- *Protection of the Environment Operations Act 1997*
- *Fisheries Management Act 1994*
- *Clause 7.4 Riparian land and watercourses and Watercourse Maps of Maitland Local Environmental Plan 2011*

- *NSW Natural Resources Access Regulator Guidelines for waterfront land*
- *Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water*
- *Policy and guidelines for fish habitat conservation and management (2013) – Department of Primary Industries*
- *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2003) – NSW Fisheries*
- *Council's Manual of Engineering Standards (MoES)*

Objectives

O.8 To protect and restore native and riparian vegetation to improve the connectivity, ecological condition, and function of ecosystems.
O.9 To ensure that development does not adversely affect aquatic fauna.
O.10 To effectively manage indirect and ongoing impacts of development adjacent to waterways to ensure vegetation in the riparian area, aquatic fauna, water quality and quantity is protected and maintained.
O.11 To reinstate more natural conditions in highly modified waterways and riparian land while not increasing flood risk.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.10 • O.11	Where a development proposal disputes the presence, location or Strahler order of a watercourse or waterbody specified in hydro line spatial data, the proponent must provide adequate justification. Justification must include ground-truthing by a suitably qualified professional and supporting evidence such as field survey data, hydrological assessments, or site photographs. **Note:** Despite this control, any watercourses mapped under *Clause 7.4* of the *MLEP 2011* must be appropriately assessed in line with the Clause.
PC.2 • O.8 • O.10 • O.11	Waterways of Strahler Order 2 and higher are to be maintained in a natural or naturalised (i.e. vegetated) state, including the maintenance and restoration of riparian area and habitat such as fallen debris, in accordance with Council's MoES.
PC.3 • O.8 • O.11	Naturalised (i.e. vegetated) open channel drainage paths are to be provided when the contributing catchment exceeds 15 hectares or when 1% AEP overland flows cannot be safely conveyed overland as described in *Australian Rainfall and Runoff Guidelines*. These drainage paths are to be designed to safely convey overland flows and contribute to biodiversity, public amenity and safety.
PC.4 • O.10 • O.11	Where a development is associated with or will affect a waterway of Strahler Order 2 or higher, rehabilitation will occur to return that waterway to a natural state.
PC.5 • O.10	Disturbances within the Vegetated Riparian Zone (VRZ) are to be avoided.
PC.6 • O.10 • O.11	Fencing within riparian areas must be minimised and, where necessary to be provided, be of open design in order to allow for the free passage of water, fauna and flora.
PC.7 • O.8 • O.10	Bridges and crossings over waterways must not interfere with the connectivity of vegetation, alignment or profile of stream banks, and must not restrict flow during flood events.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: Bridges and crossings over waterways must also allow for the passage of fish, in accordance with the *Fisheries Management Act 1994* and associated guidelines published by the Department of Primary Industries & Regional Development (or equivalent agency).
PC.8 • O.8 • O.10	Soil disturbance within riparian areas is to be avoided. An exception applies where soil disturbance is for the purposes of providing critical infrastructure and remediation activities associated with improving flood mitigation and health of waterways.
PC.9 • O.8	Development is to be designed to preserve the continuity of riparian vegetation and habitat or interfere with hydrological flows within waterways or riparian areas.
PC.10 • O.8 • O.9 • O.10	Development on land that drains into, or involves, watercourses that are mapped as Key Fish Habitat are to provide a Riparian Land Assessment in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.11 • O.8 • O.10 • O.11	Stormwater detention areas and infrastructure are to maintain appropriate engineering design and mechanisms to ensure that all stormwater is treated prior to entering riparian waterways, whilst ensuring that such engineering and the location of stormwater devices does not compromise the connectivity and functioning of riparian vegetation, waterways and wildlife habitat. **Note:** Relevant documents pertaining to this control include the following: • *NRAR Guidelines for waterfront land* • *Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water* • *Council's Manual of Engineering Standards*
PC.12 • O.10	Access roads, pathways, cycleways, and public open space are to adhere to the following design criteria: a. pedestrian paths and cycleways are not to interfere with the connectivity or functions of riparian land, but they may be located in such a way that they contribute to management of edge effects and have minimal impact on riparian land, b. riparian waterways will allow for public access and integration where appropriate and practical, access paths must not unnecessarily impact upon the VRZ, c. public open space is to integrate adjacent to riparian waterways to enable good urban design and must not be within or unnecessarily impact upon the VRZ, and d. perimeter roads are to be incorporated in subdivisions adjacent to riparian land.
PC.13 • O.10	In cases where community title is proposed that involves riparian corridors, environmental land or areas of the Green and Blue Grid, the following requirements are to be met: a. the configuration, footprint and layout of the development are to avoid damaging existing vegetation links along riparian corridors, and under Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable. b. submission of a Vegetation Management Plan in line with the details under to demonstrate maintenance and enhancement of biodiversity and riparian corridor values.

2.2.3. Green and Blue Grid

Council's adopted Environmental Sustainability Strategy 2030 established a Green and Blue Grid which incorporates native vegetation, waterways (wetlands, riparian corridors, rivers etc), habitat and fauna movement. When protected the Green and Blue Grid can:

- protect biodiversity and provide wildlife movement corridors
- help the urban environment to cool
- contribute to cleaner air and waterways
- provide new opportunities for community recreation and
- support improved physical, social and psychological health.

The Green and Blue Grid includes a hierarchy of 'biodiversity corridors', which connects across the landscape linking habitat areas. These biodiversity corridors are defined as:

1. Local significance - i.e. linkages facilitating wildlife movement within the Local Government Area (LGA).
2. Sub regional significance - i.e. linkages enabling movement into, or out of the LGA.
3. Regional significance - i.e. where the LGA forms a critical role in connecting external core habitat areas, enabling wildlife to move across Maitland.

Objectives

O.12 To enhance the Green and Blue Grid.
O.13 To provide functional biodiversity corridors through reductions in native clearing and improved water quality.
O.14 To maintain and enhance connectivity for development in the vicinity of a biodiversity corridor.
O.15 To connect biodiversity corridors between larger areas of habitat in Maitland and neighbouring Local Government Areas.
O.16 To recreate the native vegetation that would have occurred prior to disturbance.
O.17 To re-establish landscape connectivity and provide functional biodiversity corridors.
O.18 To manage the impact of Asset Protection Zones (APZs) on Vegetation Rehabilitation Zones (VRZ).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.12 • O.13 • O.14	The **avoid, minimise, offset hierarchy** is to be applied to the Green and Blue Grid. Development that compromises the functionality of the Green and Blue Grid, including mapped biodiversity corridors will generally not be supported. Minor variations to the Green and Blue Grid may be considered to achieve practical outcomes. Some examples include: a. minor incursions where clearing does not result in a significant decrease in habitat connectivity and biodiversity outcomes are maintained or improved. b. minor alteration to Council's Biodiversity Corridor location where functional connectivity can be maintained or improved nearby. c. retention of a tree that would likely cause immediate or short-term impacts to human health and safety, or property. This variation must be substantiated by a report prepared by an arborist with AQF Level 5 (or higher) qualifications. d. local offsetting within or nearby to the site which achieves net positive outcomes for biodiversity and connectivity. A minor variation such as that referred to above must not conflict with any statutory consideration that would require the retention of the area. Variations to the Green and Blue Grid made on these grounds are to demonstrate layouts that have been considered, and that functionality of the Green and Blue Grid has been maintained or improved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.15 • O.16 • O.17 • O.18	Where Council's Biodiversity Corridors occur within or adjacent to a subject site, a selection of the following mitigation measures are to be provided: a. demonstrate that development, services and landscaping associated activities do not create barriers to the movement of fauna along and within biodiversity corridors, b. install connectivity structures to facilitate native fauna movement where development has the potential to impact connectivity, such as culverts, overpasses, bridges, and glide poles, c. enhance biodiversity corridors through restoration and revegetation that improves functional connectivity. Enhancements should prioritise locations and treatments identified in Council's Green and Blue Grid map, d. weed management to restore habitat quality and enable fauna to utilise the corridor effectively for movement, foraging, and reproduction, e. provide suitable ecological buffers to mitigate edge effects and impacts from noise and light spill, f. provide sufficient and consolidated areas of deep soil that allow for vegetation growth, g. where appropriate, install fencing, barriers or other measures to limit or control access by humans and vehicles, and h. incorporate Water Sensitive Urban Design (WSUD) features, such as constructed wetlands, where required within or adjacent to the Green and Blue Grid.

2.3. Vegetation Management

2.3.1. Tree and Vegetation Management

This section applies to all land in the Maitland Local Government Area to which Chapter 2 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (Biodiversity and Conservation SEPP 2021)* applies. Council manages approval for clearing of vegetation on all land other than land in RU1 Primary Production or RU2 Rural Landscape zones. Clearing of vegetation in these rural land use zones is administered through the *Local Land Services Act 2013.*

Where clearing exceeds the Biodiversity Offset Scheme Threshold (BOST) provided under the *Biodiversity Conservation Act 2016*, an approval is required from the Native Vegetation Panel. Council cannot issue a Council permit in these cases.

For clearing of land below the BOST, Council requires a Council permit to be issued for the clearing of vegetation under *Part 2.3* of the *Biodiversity Conservation SEPP.*

Vegetation is the same meaning as 'vegetation' under Chapter 2, Part 2.1 of the *Biodiversity and Conservation SEPP 2021,* being "a tree or other vegetation, whether or not it is native vegetation".

Tree and vegetation removal is to be carried out through the relevant pathway identified in Table 2-1 below.

Note:

1. Maitland City Council utilises the NSW Government's Planning Portal Tree Permit application option to process Tree Permits.
2. The *Biodiversity and Conservation SEPP* prohibits Council from approving a development application for the clearing of native vegetation that exceeds the BOST. Refer to Table 2-1 for the approval pathway under the *Biodiversity Conservation Act 2016.*
3. Tree and vegetation management definitions are provided within the DCP Glossary.
4. Detailed application requirements for pruning or removing trees and vegetation is provided within Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.

Table 2-1: Tree and Vegetation Removal Pathways

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Council issued development consent (Development Application required)	Development consent issued by Council is required for the removal or pruning of a tree or vegetation that is ancillary to other development proposed, or is, or is part of: a. a heritage item, b. a heritage conservation area, c. an Aboriginal object, d. an Aboriginal place of significance and that being which Council is not satisfied that the removal or pruning is: • of a minor nature or is for the maintenance of the applicable item, area, object or place, AND • Council considers that the removal or pruning will not adversely affect the significance of the applicable item, area, object or place.
Council issued tree permit (declared vegetation)	A council issued tree permit is required for the removal or pruning of 10% or greater of a tree or other vegetation in cases where: • height exceeds 3m, AND/OR • diameter exceeds 100mm (at 1.3m from the ground), AND

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Council issued tree permit (declared vegetation)	• the tree or vegetation poses no immediate risk to life or property. Additionally, a council issued tree permit is required no matter the dimensions, location or risk the tree and/or vegetation poses in the following circumstances for: a. vegetation that is considered a TEC or a threatened plant species listed under the *Biodiversity Conservation Act 2016* or the *Fisheries Management Act 1994*,[2] OR b. a tree or vegetation that is required to be retained or planted as a condition of a Complying Development Certificate or development consent, OR c. a tree or vegetation that was planted to offset other tree and vegetation removal, OR d. trees or vegetation that lie within Council's identified Green and Blue Grid and Council's identified Biodiversity Corridors,[2] OR e. the tree or vegetation is part of a heritage item, heritage conservation area, Aboriginal object or Aboriginal place of significance, where Council is satisfied that: • the removal or pruning is of a minor nature or is for the maintenance of that item, area, object or place, AND • will not have an adverse impact on the heritage significance of that item, area, object or place. f. the tree is listed under the Significant Tree Register on Council's website and is not: • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas.
Native Vegetation Panel approval	Clearing of native vegetation that is subject to the biodiversity offset scheme, as specified in the *Biodiversity Conservation Act 2016.*
Exempt from consent, permit, or approval (no notice to Council required)[5]	No permit, development consent, or approval is required for tree and vegetation removal on private land if landowners' consent has been obtained and one of the following is true: a. the clearing is authorised to occur under other legislation[3], such as the *Rural Fires Act 1997,* OR b. the tree trunk or shrub is located within 3m of the wall of an existing principal building (excluding carports, detached garages, pergolas, fences, retaining walls and the like)[4], and is not: • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas (other than a lane), or part of an Aboriginal object, or within an Aboriginal place of heritage significance, OR c. the tree or shrub is less than 3m in height, and/or is less than 100mm in diameter at 1.3m above ground level, OR d. pruning is proposed, being maintenance of recent (past 12 months) growth or 10% of foliage, undertaken in accordance with *AS 4373 – Pruning of amenity trees*, OR e. the tree or vegetation is listed as a Priority Weed for the Hunter Region, Weed of National Significance, OR f. the tree or vegetation is listed under the Undesirable Tree and Vegetation Register in Table 2-2.

PATHWAY TYPE[1]	TREE AND VEGETATION MANAGEMENT ACTIVITY
Notification to Council[5]	Unless otherwise exempt, notification to Council that tree and/or vegetation removal has or will occur is to be carried out in the following circumstances: a. Where the tree or vegetation poses an immediate risk to life or property due to a demonstrated sudden change to its structure as a direct result of a severe storm or wind events, Council is to be notified within **10 days** of removal, OR b. Where the tree or vegetation is dead or storm damaged and is NOT: • an immediate threat to life, or • a habitat tree, or • on land that is a heritage item, or • in a heritage conservation area and visible from the street or other public areas (other than a lane), or • part of an Aboriginal object, or within an Aboriginal place of heritage significance, Council is to be notified **10 days** before removal occurs.
Threatened Species Licence	Removal or pruning of any tree and vegetation that poses no risk to life or property and is likely to result in: • harm to an animal that is a threatened species or part of a threatened ecological community, OR • picking a plant that is a threatened species or part of a threatened ecological community, OR • damage to the habitat of a threatened species or threatened ecological community, OR • damage to a declared area of outstanding biodiversity value. Requires a Threatened Species Licence issued under the *Biodiversity Conservation Act 2016.*
Fisheries permits	Removal or pruning of any marine vegetation (e.g. saltmarsh) requires a Fisheries permit under Part 7 of the *Fisheries Management Act 1994.*

Notes:

1. All trees and shrubs within Council's road reserve or located on land owned or managed by Council is declared vegetation. The maintenance and removal of these trees and shrubs can only be undertaken by Council. If a tree or shrub on land managed by Council appears to be damaged by a storm, it must be referred to Council who will carry out the required works.
2. Council staff are able to assist applicants to identify whether trees and vegetation on their land could be a Threatened Ecological Community or is in proximity to Council's Green and Blue Grid or Council's Biodiversity Corridors.
3. Applicants for tree and vegetation removal will, in addition to this table and the Prescriptive Controls and Acceptable Solutions under this section, need to also consider the following legislation:
   - *Water Management Act 2000:* Vegetation clearing on **waterfront land** may require a controlled activity approval. See the NSW Government Water website for further information.
   - *Environment Protection and Biodiversity Conservation Act 1999 (Cwth):* Provides protections and schedules relating to the management of nationally and internationally important flora, fauna, ecological communities, and places of natural heritage.
   - *Biodiversity Conservation Act 2016:* Additional licences may be required if tree or vegetation removal would also harm the animals listed under the Act.
   - *Biosecurity Act 2015:* manages the clearing of weeds.
   - *Heritage Act 1977:* regulates works undertaken on sites under conservation orders, relics, heritage items, and the like.

- *Local Land Services Act 2013*: manages the clearing of native vegetation, regional vegetation management plans, property agreements within rural areas.
- *National Parks and Wildlife Act 1974:* Further regulates works undertaken in Aboriginal places or works that impact Aboriginal objects.
- *Rural Fires Act 1997:* 10/50 Vegetation Clearing Code of Practice for NSW, as well as the authorised removal of fire hazards.

4. The 3m distance is measured from the closest point of the trunk to the wall/gutter line of the building.
5. For clearing undertaken as exempt or exempt with notification to Council, the onus of proof is on the landowner to take and retain photos of the condition of the tree or vegetation pre- and post-removal. Landowners are encouraged to seek the advice of a qualified arborist to determine condition and risk of any tree.

Objectives

O.19 To assist in achieving tree canopy targets within the Maitland Environmental Sustainability Strategy 2030.
O.20 To manage and care for the tree canopy, Green and Blue Grid and maximise urban greening, resulting in a healthy, green and biodiverse Maitland that provides economic, ecological and social benefits.
O.21 To provide clarity on the approval pathway for tree and other vegetation clearing or pruning.
O.22 To identify declared vegetation under the Biodiversity and Conservation SEPP.
O.23 To avoid any negative impact of pruning on trees.
O.24 To provide guidance for compensatory measures to replace any vegetation proposed to be removed.
O.25 To ensure retention of trees on existing lots is undertaken in a responsible manner.
O.26 To retain and protect vegetation identified within the significant tree register.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.20 • O.21 • O.22 • O.23 • O.25	An application for a Council issued tree permit or Development Application for tree or vegetation removal or pruning is to include a completed *Permit for Tree and Vegetation Pruning or Removal Application Form*. The following details are to be prepared and justified, to the satisfaction of Council, as part of a Tree Permit Application: a. whether a tree is likely to cause immediate or short-term impacts to persons health and safety or property, supported by a report prepared by an AQF Level 5 qualified arborist, b. whether the tree obstructs or is likely to obstruct accessways, footpaths, roads, utility services, drainage lines or similar movement ways, c. the extent to which tree impacts solar access, d. suitability and function of the tree to the site, consideration matters could include slope, waterfront land, soil instability, urban heat mitigation, e. potential impacts on threatened species, populations or ecological communities and their habitats, f. cumulative impact from previous authorised and unauthorised vegetation removal, and g. whether the tree or site is under a land use restriction i.e. 88b instrument. This is to be submitted to Council through the 'Tree Permit' application on the NSW Planning Portal. If the requested details have been inadequately justified in Council's view, an Arborist Report prepared by a qualified Arborist of AQF Level 3 (for pruning) or AQF Level 5 (for removal) is to be prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.21 • O.22 • O.23 • O.25 • O.26	An Arborist Report prepared by a suitably qualified Arborist is also required in the following specific circumstances: a. the tree or other vegetation is listed on Council's Significant Tree Register available on Council's website, b. to assess the impact on existing trees as part of a Development Application or Driveway Application in accordance with the requirements of *AS 4970 – Protection of trees on development sites* where: • the existing trees are within 5m of the development footprint, inclusive of all works, or • more than five trees over 3m in height and/or over 100mm in diameter at 1.3m above ground level are proposed to be removed as part of the development, c. to support the release of a tree bond related to other development, or d. Council determines the removal of the tree or vegetation may cause significant impacts on native trees or native vegetation, landscape connectivity or threatened fauna habitat.
PC.2 • O.21 • O.23 • O.25	An application for the removal of a tree that is, or is part of, a Heritage Item is required to be accompanied with a Statement of Heritage Impact (SoHI) prepared by a suitably qualified Heritage Consultant that addresses, at a minimum, the requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.3 • O.21 • O.23 • O.25	An application for the removal of a tree or vegetation that is identified as, or is part of, an Aboriginal site or place, is required to be accompanied by an Aboriginal Cultural Heritage Assessment (ACHA) prepared by a suitably qualified Heritage Consultant that addresses, at a minimum, the requirements for a ACHA under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.4 • O.19 • O.20 • O.21 • O.22	A hollow-bearing tree assessment prepared by a suitably qualified ecologist will be required in cases where the removal of a hollow-bearing tree is proposed.
AS.2 • O.19 • O.24	Compensatory planting for the removal of a tree or vegetation may be required, up to 4 trees for every 1 tree removed. Compensatory planting is to have a minimum 45 litre pot size and must consider the location of utilities on the site.
AS.3 • O.20	Where the removal of trees or vegetation is being undertaken ancillary to development that requires consent (a Development Application), the following design criteria is to be considered: a. the location of proposed compensatory trees are encouraged to be placed within the front of the property. Planting should be offset a minimum of 1.5m from the front property boundary and should consider existing trees mature canopy cover, and b. the location of driveways are encouraged to avoid existing trees declared as requiring a development consent or Council Tree Permit under this section.

Table 2-2: Undesirable Tree and Vegetation Register

The following is a register of common undesirable tree and vegetation species that are exempt from notification to Council, except where the tree height exceeds 10m or the trunk diameter, at 1.3m above ground level, exceeds 30cm.

SCIENTIFIC NAME	COMMON NAME
Acacia baileyana	*Cootamundra wattle*
Acacia salignus	*golden wattle*
Ailanthus altissima	*tree of heaven*
Albizia lophantha	*cape wattle*
Celtis sinensis	*hackberry*
Chamaecytisus palmensis	*tree lucerne*
Chrysanthe moides spmonolifer	*bitou bush*
Cinnamomum camphora	*camphor laurel*
Cotoneaster spp.	*cotoneaster*
Erythrina x-sykesii	*coral tree*
Ficus elastica	*rubber tree*
Gleditsia triacanthos	*honey locust*
Lagunaria patersonia	*Norfolk Island hibiscus*
Ligustrum spp.	*privet*
Lucium ferocissimum	*African boxthorn*
Nerium oleander	*oleander*
Olea europaea subsp. cuspidata	*African olive*
Phoenix canariensis	*Canary Island date palm*
Pyracantha spp.	*firethorn*
Salix spp.	*willow*
Sapium sebiferum syn.Triadica sebifera	*Chinese tallow*
Schinus terebinthifolius	*Brazilian mastic*
Syagrus romanzoffianum	*cocos palm*

2.3.2. Street Trees and Canopy Cover

The aim of this sub-section seeks to enable increased tree canopy cover across the Maitland LGA and to establish, restore and enhance the green and blue grid and its functionality. For clarity, this section is to be directly considered in any undertaking of subdivision under Chapter 5: Subdivision. Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

- *Environmental Planning and Assessment Act 1979*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Maitland Environmental Sustainability Strategy 2030*
- *Council's Manual of Engineering Standards (MoES)*

Objectives

O.27 To assist in achieving tree canopy cover targets within the Maitland Environmental Sustainability Strategy 2030.
O.28 To ensure that new and existing streets provide street trees and canopy cover to reduce the urban heat island effect.
O.29 To provide de-compacted deep soil zones, giving sufficient space for sustainable tree growth to increase the private and public tree canopy cover across Maitland.
O.30 To ensure existing public trees are retained except where it can be demonstrated that no practical alternative is available.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.27 • O.28	Street tree provision is to form a component of the road reserve for all of the following new subdivision types: a. residential subdivisions b. commercial subdivisions c. industrial subdivisions All street trees are to be provided in accordance with Maitland Council's *Tree Species List*, and *Technical Document – Street Trees* of Council's MoES.
AS.1 • O.27 • O.28 • O.30	Tree retention is encouraged at subdivision stage. Mature trees should be retained and incorporated into the subdivision and public domain design and retained to contribute to the mature tree canopy cover in the neighbourhood, to provide visually interesting streetscapes, improve public amenity and improve air quality.
PC.2 • O.30	In cases where street trees are needed to be removed to facilitate development, they are to be replaced in a suitable location, in line with *Technical Document – Street Trees* of Council's MoES.
PC.4 • O.27 • O.28 • O.29	Soil volume requirements are to be provided in accordance with Section 5.2 of *Appendix D: Canopy Cover Guidelines* for any required tree provision on a given site. **Note:** Per Appendix D: Canopy Cover Guidelines, Soil volume should be equivalent to one-third of the projected canopy area, with a minimum soil depth of 1 metre.

2.3.3. Vegetation Management Plans

The aim of this sub-section seeks to outline the requirements for a Vegetation Management Plan (VMP) to program the maintenance of native vegetation on a development site, including trees, shrubs, and ground cover.
Relevant legislation and policy that should be read in conjunction with this Chapter are:

- *Water Management Act 2000*
- *Local Land Services Act 2013*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Biodiversity & Conservation) 2021*
- *Maitland Environmental Sustainability Strategy 2030*

Objectives

O.31 A vegetation management plan for all conservation areas and biodiversity offsets must be prepared, with a suitable endowment fund or similar arrangement established to implement the plan and provide for ongoing maintenance in perpetuity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 g. O.31	Where retention or rehabilitation of native vegetation and/or habitat is required within: a. Council's Green and Blue Grid, b. Council's Biodiversity Corridor, or c. where works subject to a Controlled Activity Approval will be undertaken within 40m of the top-of-bank of a mapped watercourse, A Vegetation Management Plan (VMP) is to be prepared and implemented, in accordance with Appendix C: Biodiversity Guidelines, to restore, protect, and manage areas identified for rehabilitation and preservation for a minimum period of 5 years.

2.4. Flood and Floodplain Management

For Section 2.4. Flood and Floodplain Management of the Maitland DCP 2026, please refer to the document titled Part B.3 – Hunter River Floodplain.

Maitland DCP 2011 Part B.3 - Hunter River Floodplain forms part of this DCP.

2.5. Environmental Hazard Management

2.5.1. Bushfire

The aim of this sub-section is to ensure that properties identified within or adjacent to bushfire prone land undertake the necessary mitigation measures to avoid or reduce the impact of bushfire to property. Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:

- *Environment Protection and Biodiversity Conservation Act 1999*
- *Rural Fires Act 1997*
- *Planning for Bush Fire Protection 2019*
- *Rural Fires Regulation 2022*

Further property information on identifying whether a property is within or near bushfire prone land can be found on *Council's Mapping webpage*, or the *NSW Planning Portal Spatial Viewer*.

Objectives

O.32 To ensure that risks associated with bushfire are appropriately and effectively managed on the development site.
O.33 To ensure that bushfire risk is managed in connection with the preservation of the ecological values of the site and adjoining lands.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.32 • O.33	A Bushfire Assessment is required to be prepared by a suitably qualified consultant and submitted with any application involving bushfire prone land, in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.32	Vegetation management for the purposes of bushfire risk management must not be achieved through the clearing, adjustment or management of vegetation on land managed by Council. **Note:** Vegetation management for private benefit cannot be imposed on any land managed by Council or any other public land.
PC.3 • O.33	Any Asset Protection Zone must be located outside of areas of environmental significance, including: a. a key habitat such as threatened species and populations and threatened ecological communities b. vegetated riparian zones c. other vegetation to be retained or protected due to environmental constraints. **Note:** Asset Protection Zones for private benefit cannot be imposed on any land managed by Council or any other public land.
PC.4 • O.32 • O.33	Clearing of native vegetation or trees for the purposes of reducing bushfire risk must be consistent with any current applicable Bushfire Risk Management Plan prepared under the Rural Fires Act 1997.

2.5.2. Mine subsidence

This section applies to all development consisting of a new building or structure, extension or structural alteration, or subdivision located on land within a proclaimed mine subsidence district. Mine Subsidence Districts (districts) are proclaimed in areas where there are potential subsidence risks from active or non-active underground coal mining. A district is a land zoning tool administered by Subsidence Advisory NSW under the Coal Mine Subsidence Compensation Act 2017. Subsidence Advisory NSW regulates building and subdivision works within districts to ensure new homes, buildings and structures are built to an appropriate standard that reduces the risk of damage should subsidence occur.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

- *Coal Mine Subsidence Compensation Act 2017*
- *Subsidence Advisory NSW Surface Development guidelines*

Further information to find out if a site is located within a proclaimed mine subsidence district can be found at *Council's Mapping webpage*, *NSW Planning Portal Spatial Viewer*, or contacting *Subsidence Advisory NSW*.

Objectives

O.34 Identify historic or ongoing underground mining risk.
O.35 Minimise the risk of potential mine subsidence damage through sensitive design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.35	All development proposed within a declared mine subsidence district is to be designed to mitigate the risks of potential mine subsidence, including in accordance with any applicable Geotechnical Assessment prepared for the site.
AS.1 • O.34 • O.35	Development should be designed in accordance with relevant development guidelines from Subsidence Advisory NSW. Documentation must include appropriate notes and detail to confirm compliance with the guidelines.

2.5.3. Contamination

Relevant legislation and policy that may be read in conjunction with this Section are listed below:

- *National Environment Protection (Assessment of Site Contamination) Measure*
- *Contaminated Land Management Act 1997*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *NSW Contaminated Land Planning Guidelines*

Refer to *SEPP Resilience and Hazards* and the NSW State Government's *'Managing Land Contamination: Planning Guidelines'* for more information on activities that may cause of potentially cause contamination. In addition, refer to *Council's Contaminated Land Policy – Land Use Planning* for further information on identifying whether your site may be contaminated and the development process.

Consideration of Acid Sulfate Soils is covered by Clause 7.1 of the Maitland Local Environmental Plan 2011. Relevant policy that should be read in conjunction with this Chapter are listed below:

- *NSW Acid Sulfate Soils Planning Manual*
- *NSW EPA Waste Classification Guidelines Part 4: Acid sulfate soils*

Further information to find out if a site is contaminated, potentially contaminated, or impacted by acid sulfate soils can be found on *Council's Mapping webpage*, or the *NSW Planning Portal Spatial Viewer*.

Objectives

O.36 To ensure that land is fit for its intended land use based on the National Environment Protection (Assessment of Site Contamination) Measure thresholds for contaminants.
O.37 To ensure that contaminated land is identified through appropriate investigations in line with current legislation and best practice.
O.38 To ensure that contaminated land is appropriately and effectively managed or remediated prior to development taking place.
O.39 To ensure that changes to land use will not increase the risk to public health or the environment because of contamination on site, or on adjacent properties.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36 • O.37	Information regarding any potential contamination present on the site is to be provided as part of any Statement of Environmental Effects lodged with Council.
PC.2 • O.36 • O.37	If a site has the potential for contamination to exist in relation to historical activities on the site, a Preliminary Site Investigation (PSI) must be prepared by a professionally qualified consultant and submitted with the development application.
PC.3 • O.36 • O.37	A Detailed Site Investigation Report (DSI) is required in the following circumstances: a. Where the PSI indicates that the land may be contaminated, or b. When the site is, or was, formally used for an activity listed in Table 1 of the Managing Land Contamination Planning Guidelines within Council's Contaminated Land Policy, or other potentially contaminating activities known to Council, and a land use change is proposed that has the potential to increase the risk of exposure to contamination, or c. To accompany a remediation proposal or notification.
PC.4 • O.36 • O.38 • O.39	Where a Detailed Site Investigation Report identifies the need for remediation, a Remedial Action Plan (RAP) must be prepared and submitted prior to issue of the development consent, or in certain circumstances the issue of the construction certificate or subdivision works certificate as determined relevant by Council staff.

2.5.4. Noise and Vibration

Development that is likely to produce an adverse noise or vibration impact on occupants of the site or of nearby properties include:

- clubs, hotels and pubs with outdoor smoking, dining and gaming areas, mechanical plant, carparks,
- function centres,
- childcare centres,
- educational establishments,
- industrial uses that interface with residential or sensitive land uses,
- residential flat buildings (RFBs) with ventilation and air-conditioning plant, and
- commercial developments with workshops, mechanical and ventilation plant such as air exhaust and supply fans, chillers, cooling towers, truck and freight train movements, loading docks and the like.

Relevant legislation and policy that should be read in conjunction with this Chapter are:

- *Protection of the Environment Operations Act 1997*
- *NSW EPA Noise Policy for Industry*

Further information can be found at the *NSW EPA* website on noise legislation and guidelines.

Objectives

O.40 To minimise the generation of noise and, or vibration, and to mitigate associated adverse impacts on the amenity of neighbouring properties and their occupants, and on occupants of the proposed development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 h. O.40	Where development has the potential to produce an adverse noise or vibration impact on occupants of the site or of nearby properties, an acoustic and vibration assessment must be prepared by a qualified consultant in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 i. O.40	Noise or vibration generated by development either during construction or operation must not exceed the criteria stipulated in the *NSW EPA Noise Policy for Industry* or the *Noise Guide for Local Government* at the property boundary of the noise source, or at a receiving lot boundary.

2.5.5. Air Quality

The aim of this sub-section is to ensure that air quality is not negatively impacted on by dust and odour from development.

Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:

a. Protection of the Environment Operations Act 1997
b. Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)
c. Chapter 9: Rural and Other Land Uses of the MDCP 2026

Further information can be found at the *NSW EPA* website on noise legislation and guidelines.

Objectives

O.41 To ensure air quality is not negatively impacted on by dust and odour in recognition of the associated human health impacts.
O.42 To ensure that measures are implemented to maintain air quality.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.41 • O.42	An Air Quality Impact Assessment (AQIA) and/or Odour Report is required to be prepared in accordance with Appendix A: Application Requirements – Other Development and/or Appendix B: Application Requirements – Minor Development, whichever is applicable, in instances where development has potential to adversely impact surrounding areas in terms of air quality and/or odour. This includes: • Rural industries • Heavy Industry • Sewage treatment plants • Waste or resource management facilities • Extractive industry • Other development types if requested by Council

2.5.6. Hazardous and Offensive Land Use Buffers

The aim of this sub-section is to ensure that ensure development is not adversely impacted by hazardous or offensive development.

Refer to Chapter 9, Section 9.2.1 of this DCP for buffer requirements for agricultural activities, such as intensive agriculture.

Refer to *SEPP Resilience and Hazards, Chapter 3 Hazardous and Offensive Development* and the NSW State Government's *Planning Circular PS 21-031 Planning and assessment guidelines for hazardous industry* for further information on hazardous and offensive development requirements.

Objectives

O.43 To ensure development is not adversely impacted by noise or air quality of hazardous or offensive development, such as wastewater treatment facilities or extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.43	Unless a building is for non-habitable purposes, development within 400m of a wastewater treatment plant is generally not supported. Refer to Figure 2- and Figure 2-4 for wastewater treatment plant locations and associated 400m buffers.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Should a development seek to provide habitable structures within the identified wastewater treatment plant buffer zones, they are to demonstrate that: a. The proposed structure is ancillary to the applicable wastewater treatment plant, OR b. The proposed development lot is either wholly or partially within the buffer zone and cannot otherwise be positioned outside of the buffer zone (in the case of a lot partially within the buffer), AND c. An Odour Assessment and Air Quality Assessment are prepared by suitably qualified professionals in accordance with, at a minimum, the requirements for each assessment under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, AND d. The Applicant has demonstrated communication has been had with Hunter Water regarding the development, AND e. The Odour Assessment and Air Quality Assessment find that any impacts can be suitably mitigated through additional measures, and that any requirement for outside Private Open Space or Communal Open Space is not compromised as a result of unacceptable odour or air quality impacts.
PC.2 • O.43	Unless a building is for non-habitable purposes, development within 200m of an extractive industry is generally not supported. Refer to Section 9.4 of Chapter 9 regarding reciprocal setbacks for extractive industries.
AS.2 • O.43	Should a development seek to provide habitable structures within 200m of an extractive industry operation, they are to demonstrate that: a. The proposed structure is associated with the relevant extractive industry, OR b. The proposed development lot is either wholly or partially within the buffer zone and cannot otherwise be positioned outside of the buffer zone (in the case of a lot partially within the buffer), AND c. An Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment are prepared by suitably qualified professionals in accordance with, at a minimum, the requirements for each assessment under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, AND d. The Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment find that any impacts can be suitably mitigated through additional measures, and that any requirement for outside Private Open Space or Communal Open Space is not compromised as a result of unacceptable odour or air quality impacts, AND e. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended) has been prepared. **Note:** Any non-associated habitable dwelling developed in this manner will forego its right to the setback criteria of extractive industries established in PC.1 and PC.2 of Section 9.4.3. Extractive Industries in Chapter 9.

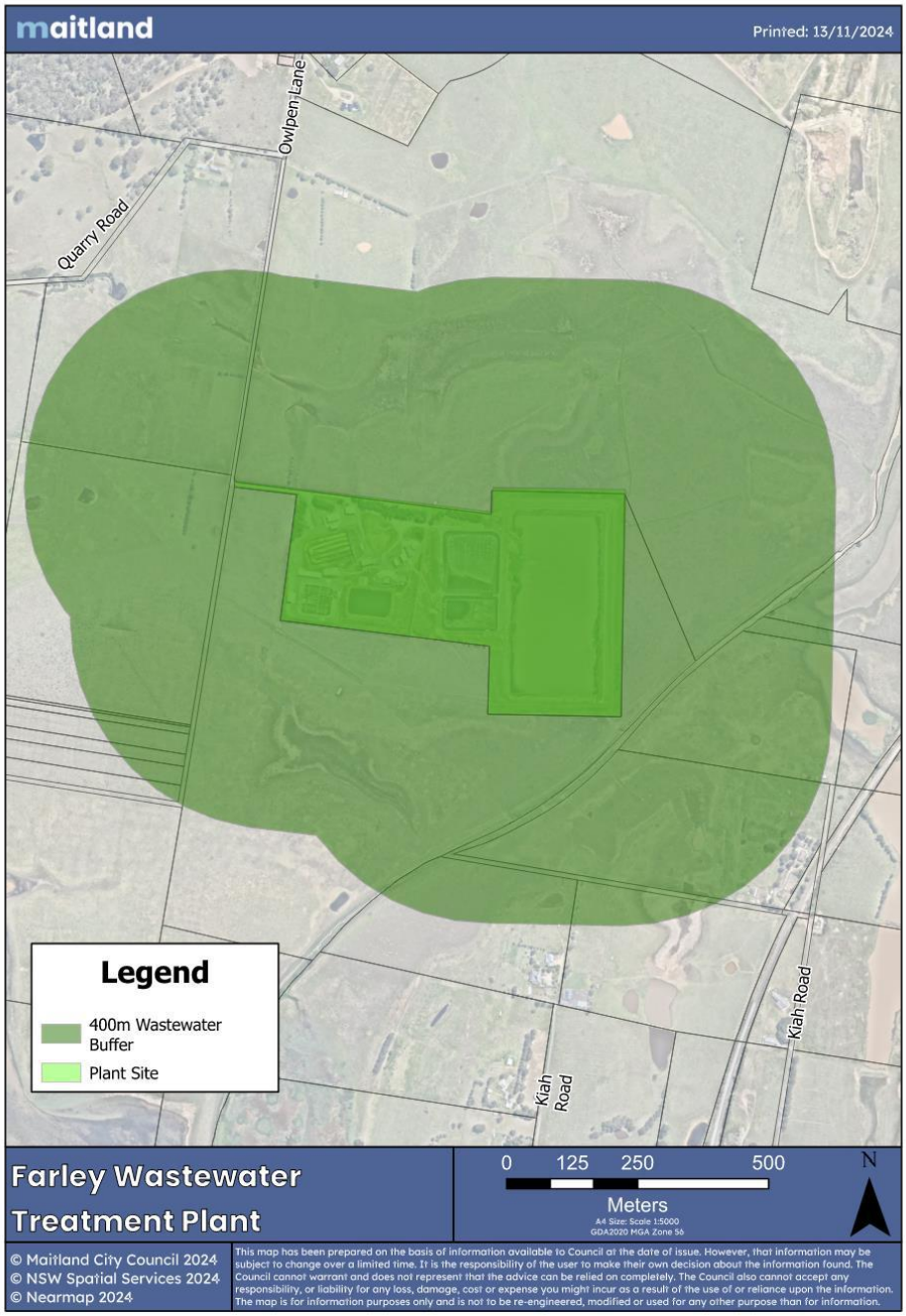


Figure 2-3: Farley Wastewater Treatment Plant

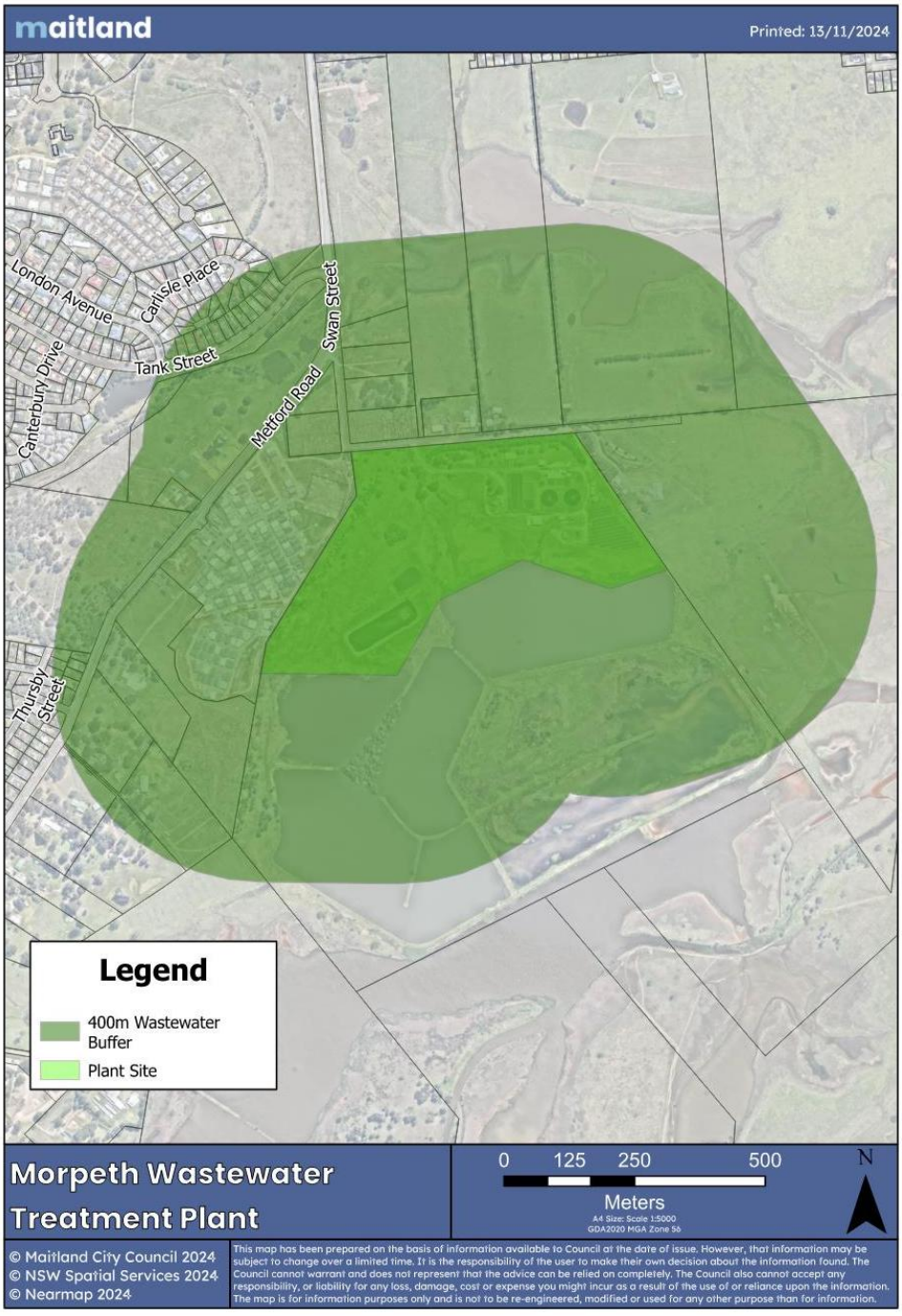


Figure 2-4: Morpeth Wastewater Treatment Plant



Maitland DCP 2026

Chapter 3: Site Requirements

maitland CITY COUNCIL

Table of Contents – Chapter 3: Site Requirements

3.1. Introduction 3
3.1.1. Application 3
3.1.2. Relationship to other Chapters 3
3.1.3. How to use this Chapter 3
3.1.4. Intent of this Chapter 3
3.2. Earthworks and Retaining Walls 4
3.3. Stormwater Management 7
3.3.1. Stormwater and Drainage 7
3.3.2. Stormwater Management within the Woodberry Swamp Catchment 9
3.3.3. Erosion and Sediment Control 12
3.4. Parking and Vehicle Access 13
3.4.1. Traffic Impacts 13
3.4.2. Vehicle Access 13
3.4.3. Parking, Circulation and Design 14
3.4.4. Parking Provision 16
3.4.5. Loading/Unloading & Servicing Facilities 25
3.4.6. Public Transport Access 25
3.4.7. Electric Vehicle Parking 26
3.5. Waste Management 27
3.5.1. Construction Waste Management 27
3.5.2. Operational Waste Management 27
3.5.3. Hazardous Goods Storage 30
3.6. Sustainability 31
3.6.1. Liveable and resilient communities 31
3.6.2. Circular Economy 31
3.7. Crime Prevention Through Environmental Design 32
3.8. Social Impact Assessment 33

3.1. Introduction

3.1.1. Application

This section applies to all land to which any development is permissible with consent under the *Maitland Local Environmental Plan 2011* (MLEP 2011), unless otherwise stated within this Chapter.

3.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 4: Heritage and Cultural Conservation
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix D: Canopy Cover Guidelines
- Appendix F: CPTED Guidelines
- Council's Manual of Engineering Standards (MoES)

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

3.1.3. How to use this Chapter

This Chapter has been organised in a manner that compiles key controls and acceptable solutions that apply to core construction and operational elements that are common across developments, including earthworks, stormwater, erosion and sediment control, parking, vehicle access, waste management, and sustainable practices.

3.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

- To provide a set of controls and acceptable solutions that guide general items that need to be considered across the construction and operation of all development.
- To ensure any potential adverse impacts on the environment and adjoining properties is adequately managed.
- To help integrate sustainable practices into development by establishing principles around aspects of the circular economy.
- To ensure that development considers existing and future infrastructure provision in cases where there is an intensification of use.
- To assist in making the Maitland LGA be more resilient to adverse impacts from new development.

3.2. Earthworks and Retaining Walls

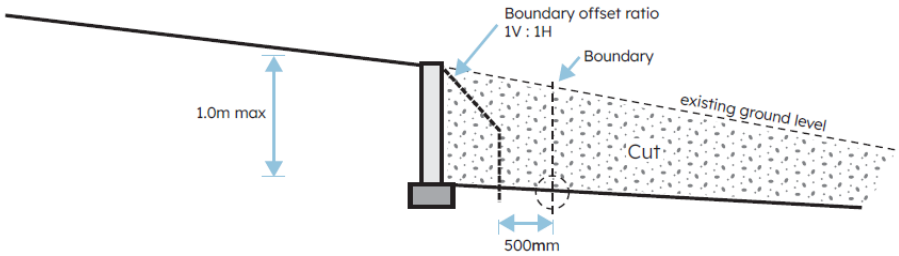
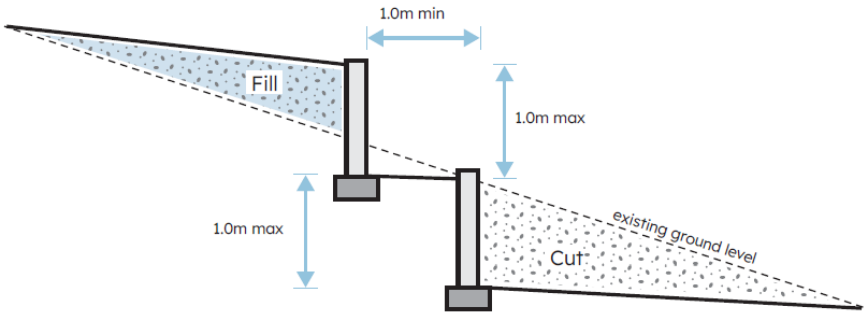
All development involving Earthworks and Retaining Walls is to utilise the relevant sections of Council's MoES, including the MoES Design and Construction Documents, alongside this section.

Objectives

O.1 To ensure that development is designed to minimise cut and fill required for site preparation, construction, and operation.
O.2 To accommodate development on a site without the need for excessive excavation and fill or construction of high retaining walls adjacent to site boundaries.
O.3 To minimise the effect of disturbance of land and ensure that dangerous or unstable excavations are avoided, or where necessary, are properly retained.
O.4 To ensure that adequate provision is made for drainage in relation to cut and fill practices.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1 • O.3	Development proposed on land with a natural gradient of 1:6.7 (15%) or greater slope is to have a geotechnical assessment conducted by a suitably qualified geotechnical engineer. **Note:** Further detail around what is to be provided in a geotechnical assessment is available in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.1 • O.3	A Bulk Earthworks Plan (BEWP) must be submitted with the Development Application for all development that is undertaking cut and/or fill. The BEWP is to demonstrate through a visual and tabular format the following details: • Ground level (existing), • Ground level (finished), • Total cubic metres of fill import, and • Total cubic metres of fill export. **Note:** Further detail around what is to be provided in a Bulk Earthworks Plan is available in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
AS.1 • O.2 • O.3 • O.4	Earthworks are permitted to be undertaken to a maximum of 1m cut or fill from the existing ground level of the site. A variation to this maximum may be considered if the following is supplied: a. A geotechnical engineering report prepared from a suitably accredited professional in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, b. Extent and stability of proposed embankments (particularly those acting as retarding basins), c. Recommended geotechnical testing requirements, d. Compaction specification for all fill within subdivisions, e. The level of risk to existing adjacent buildings because of a construction contractor using vibratory rollers anywhere within the site the subject of the works. If vibratory rollers could affect adjacent buildings, high risk areas must be identified on the engineering drawings which are to indicate that no vibratory roller must be used within that zone, f. The impact of the installation of services on overall site stability and recommendations on short term drainage methods, shoring requirements and other remedial measures that may be appropriate during installation,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	g. The recommended treatment of any unstable areas within allotments that will be privately owned, which may include removal and replacement of soil, blending of soils, dynamic compaction, etc, h. Requirement for sub-surface drainage lines, i. Overall suitability of the engineering plans for the proposed development, and j. Where the filling of existing dams or watercourses is proposed, the geotechnical report is to detail any necessary works. The certifying geotechnical engineer is to have a Level 1 responsibility, unless agreed otherwise by the council, in accordance with AS 3798 which is to be stated within the report.
PC.3 • O.1	All fill for a development is to consist of Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM).
PC.4 • O.3	Batter slopes are not to exceed a 1:4 gradient, unless they have been stabilised by planted vegetation to the satisfaction of Council.
PC.5 • O.3 • O.4	All batters must be provided with both short term and long-term stabilisation measures to prevent soil erosion, such as netting, hydro mulch, compacting, and vegetation.
PC.6 • O.2	Retaining walls and structures are to be identified as part of a DA, with details provided including, but not limited to, dimensions, materials, and drainage features.
PC.7 • O.2	Retaining walls are to be of natural cut stone, masonry, concrete, or galvanised structural steel individually or in combination. Cladding over the retaining wall may consist of other materials. Wooden retaining walls are only permitted in cases where: • a retaining wall is not for the purposes of interallotment retaining, AND • the maximum height of the retaining wall is 600m, AND • where a retaining wall's failing would not impact adjoining properties or public infrastructure.
AS.2 • O.2 • O.3	The maximum height of a single retaining wall is 1.2m. A variation to this maximum may be considered if the following criteria is met: a. The design has been undertaken by a certified engineer, with details of their certification lodged alongside the Development Application, and b. Supporting information that adequately demonstrates the retaining wall will not have adverse impacts on adjoining properties or local amenity.
AS.3 • O.2 • O.3	On sloping sites which would exceed maximum retaining wall heights, site disturbance should be minimised by using construction techniques such as: • Split level design, • Drop edge beam or suspended slab on a footing wall, and • Bearers and joists.
PC.8 • O.3 • O.4	Interallotment retaining walls are not to be located on lot boundaries to ensure clear ownership and maintenance responsibilities. Where used, interallotment retaining walls are to: • Be fully contained within the lot that benefits from the retained ground level. • In the case of retaining cut, be offset from the lot boundary by a minimum distance equal to the height of the wall (i.e. a 1H:1V setback ratio), or a minimum 500mm (whichever is greater), to allow for structural elements such as footings, backfill, and zone of influence impacts. • In the case of retaining fill, walls can be constructed to the boundary up to the height of 1.2m.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: Terracing must occur where retaining walls are in excess of 1.2m, at a minimum of 1m horizontal intervals. The walls are to be designed by a suitably qualified engineer.
	 **Figure 3-1: Indicative Interallotment retaining arrangement**
PC.9 • O.2 • O.3	Adequate drainage comprising free draining gravel and subsoil agricultural drains must be installed to the rear of retaining walls to relieve the hydrostatic pressure at the base of the wall.
PC.10 • O.4	All drainage works associated with retaining walls must be located within site boundaries.
PC.11 • O.2 • O.3	Where terraced retaining walls are proposed the minimum distance between each step is 1m.  **Figure 3-2: Example terraced retaining walls** **Note:** The minimum width for landscaping to be counted as part of landscaped area is 1.5m and should be considered where terraced retaining walls are to be used for landscaping.

3.3. Stormwater Management

All development involving Stormwater Management is to utilise the relevant sections of Council's MoES, including the MoES Design and Construction Documents, alongside this section.

3.3.1. Stormwater and Drainage

Objectives

O.5 To ensure that land can be adequately drained of storm water to not impact on adjacent sites and that the development does not contribute to drainage or flooding problems.
O.6 To provide direction regarding Council's requirements for the management regarding both the quality and quantity of stormwater runoff.
O.7 To provide a stormwater system that can be economically and practically maintained and managed.
O.8 To ensure an integrated approach to drinking water, wastewater and stormwater services is considered to drive more sustainable water management outcomes.
O.9 To ensure that water management measures for development incorporate key principles of water sensitive urban design to help protect, maintain or restore waterway health of identified high value waterways with a minimum requirement of maintaining current health.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.6	Stormwater and water quality systems must be provided for all development including residential, industrial and commercial. Regional stormwater and water quality devices are required where public roads and/or major development is proposed. Stormwater and water quality systems include, but are not limited to: • Rainwater tanks • Swales • Bioretention basins • Porous paving • Constructed wetlands • Sediment basins • Gross Pollutant Traps (GPTs) Further details for stormwater and water quality systems are provided in Council's MoES. **Note:** Major development in this control generally refers to Medium and Major Subdivision as defined by Chapter 5: Subdivision, Section 5.1.3 Scale of Subdivisions. However, other development of a large scale such as industrial or commercial structures may also trigger the threshold for regional stormwater and water quality devices (subject to Council's assessment).
PC.2 • O.6 • O.7	Stormwater conveyance will have a Major/Minor System configuration. Minor flows will be conveyed and contained in a system of kerb and gutter, pits and pipes/culverts. Major flows (flow in excess of Minor System capacity) will be conveyed in overland flow paths designed to cater for such flows.
PC.3 • O.6 • O.7	Management of 'minor' flows using piped systems for the 1 in 10 (10%) Annual Exceedance Probability (AEP) for residential, industrial and commercial land uses is to be in accordance with Council's MoES.
PC.4 • O.6 • O.7	Management of 'minor' flows using piped systems for the 1 in 5 (20%) Annual Exceedance Probability (AEP) for rural land uses is to be in accordance with Council's MoES.
PC.5 • O.6 • O.7	Management of 'major' flows using dedicated overland flow paths such as open space areas, roads, waterways and riparian corridors for all flows in excess of the pipe drainage system capacity and above the 10% AEP will be in accordance with Council's MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.5 • O.6	Where a development requires drainage works over adjoining properties, the DA is to be supported by landowners' consent for lodgement, from all affected property owners, including written agreement to the creation of easements on title for inter-allotment drainage purposes.
AS.1 • O.6	Stormwater drainage design is to generally reflect the pre-existing flow characteristics of the site and may require on-site stormwater detention, in accordance with MoES.
PC.7 • O.6 • O.7	All stormwater management infrastructure for residential areas, such as detention basins and water quality infrastructure that are proposed to be dedicated to Council are to be negotiated with Council as part of the Development Application process and clearly articulated on the final plans.
PC.8 • O.7 • O.8	Development will demonstrate compliance with the relevant provisions of Council's MoES including requirements for drainage, water sensitive urban design and volume reduction.
PC.9 • O.6 • O.8	The design of stormwater facilities including those for volume and water quality control must demonstrate practicality and sustainability regarding ongoing operation and maintenance, legal point of discharge, any relevant easements, and private ownership or public dedication in accordance with the Council's MoES.
PC.10 • O.6 • O.7 • O.8	All proposed development requires demonstration of stormwater management including concepts plans. Where required due to scale and development type, a stormwater report and modelling will be required in accordance with Council's MoES.

3.3.2. Stormwater Management within the Woodberry Swamp Catchment

Note: This section applies to development within the Woodberry Swamp Catchment, as identified in Figure 3-3, and is to be read in conjunction with Section 3.3.1 – Stormwater and Drainage. Where a conflict arises between this section and Section 3.3.1, the provisions of this section will prevail. Ancillary structures, including swimming pools and outbuildings, are excluded from the application of this section.



Figure 3-3: Woodberry Swamp Catchment Area

Objectives

O.10 To ensure an appropriate quality of water entering the Woodberry Swamp Catchment.
O.11 Ensure that post development runoff matches the natural water runoff regime as closely as possible within the Woodberry Swamp Catchment.
O.12 To promote sustainable stormwater management practices that reduce the impact of urban development on downstream waterways.
O.13 To ensure developments integrate stormwater detention and retention measures to mitigate potential flooding and erosion risks within the Woodberry Swamp Catchment.
O.14 To require stormwater treatment infrastructure that effectively removes sediment, litter, oils, and other pollutants before discharge into receiving waterways for the Woodberry Swamp Catchment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.10
- O.11
- O.12
- O.13
- O.14

Development involving stormwater and/or drainage works are to provide plans in accordance with Table 3-1 below:

Table 3-1: General Requirements

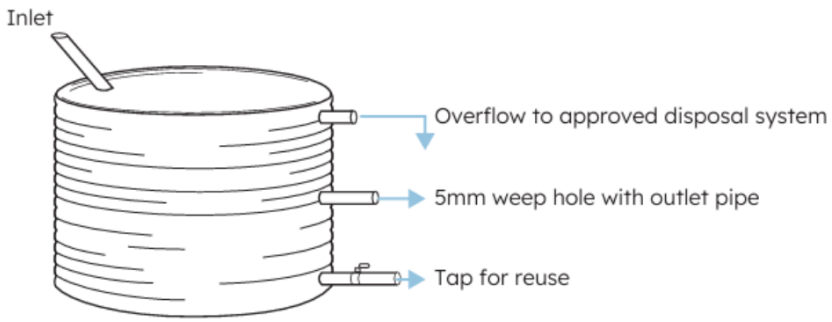
DEVELOPMENT TYPE	GENERAL REQUIREMENTS
1. Small-scale development (Dual occupancy or lesser) of more than 450m² lot area Note: Ancillary structures, including swimming pools and outbuildings, are excluded from this section.	A Stormwater Management Plan (SWMP) is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.
2. Development that has a site area under 5000m² and of a scale larger than a dual occupancy that involves: <20 dwellings, OR <50 people onsite during normal construction or operation.	
3. Development that: Is more than 5000m², AND/OR 20 or more dwellings, AND/OR 50 or more people onsite during normal construction or operation.	A Water Cycle Management Plan, including hydrological and hydraulic modelling (MUSIC modelling is preferred), is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

PC.2
- O.10
- O.11
- O.12
- O.13
- O.14

To meet the hydrology objectives for development in the coastal wetland catchment, baseline controls are provided for Type 1 and 2 developments in accordance with Table 3-2.

Table 3-2: Detention Requirements

DEVELOPMENT TYPE	DETENTION REQUIREMENTS (M³)
1	Roof area (m²) x 0.02. Minimum 2m³ per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.
2	Roof area (m²) x 0.04. Minimum 4m³ per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 3-4: Onsite Typical Type 1 and 2 Detention** Type 3 developments require site-specific hydrological and hydraulic modelling to be undertaken, however the detention requirements provided above are to be used as a baseline. Where a BASIX or NABERS reuse volume is higher than the reuse volume for development in the coastal wetland catchment, the total tank size is to be increased to accommodate for the full BASIX or NABERS reuse volume below the 5mm weep hole.
PC.3 • O.10 • O.11 • O.12 • O.13 • O.14	Rainwater tanks for type 1 and 2 development are to adhere to the following design criteria: a. 100% of the roof area drains to the rainwater tank, except for individual roof areas less than 10m^2 b. only roof areas are connected to the tank, and c. 50% of the rainwater tank is to be provided as air space. The top half of the rainwater tank is to drain to a small 5mm weep hole. The weep hole is to be located at the mid-point of the tank and drains to the overflow pipe.
PC.4 • 0 • O.11 • O.12 • O.13 • O.14	All development within the Woodberry Swamp catchment is to include water sensitive urban design elements to ensure the quality of stormwater runoff is managed in accordance with Table 3-3 below: **Table 3-3: Water Quality Treatment**

DEVELOPMENT TYPE	WATER QUALITY TREATMENT
1	Rainwater tanks connected to roof areas provided in accordance with the controls of this section.
2	Where provided as part of works, detention basins must have an onsite detention area of 12m^3 per 1000m^2 of the site area.
3	Water Quality treatment devices are to be incorporated in the overall design and modelled in MUSIC to ensure Water Quality targets in Table 3-1 and Council's MoES are achieved.

3.3.3. Erosion and Sediment Control

Objectives

O.15 To prevent erosion and sediment laden run off to occur during site preparation, construction, and operation of any use of land.
O.16 To prevent the pollution of waters from unmanaged and untreated runoff.
O.17 To ensure that a 'treatment train' approach is an integral part of design solutions for controlling stormwater runoff.
O.18 To ensure adequate vegetation cover is achieved across the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.15
- O.16

All erosion and sediment (ERSED) measures proposed are to be prepared in accordance with the 'Blue Book' (Managing Urban Stormwater Soils and Construction) – by Landcom, Fourth Edition (2004)'.

PC.2
- O.15
- O.16
- O.17

Erosion and sediment control measures are to be provided in accordance with Table 3-4 below:

Table 3-4: ERSED Management Measures by Land Area

DISTURBED AREA OF SITE	MANAGEMENT MEASURES
Under 250m²	Recommended ERSED mitigation and management measures in accordance with the controls and acceptable solutions in this section, the 'Blue Book', and DPHI's Guidelines for erosion and sediment control on building sites.
More than 250m² and less than 2500m²	An **Erosion and Sediment Control Plan** (ESCP) is to be prepared in accordance with the controls and acceptable solutions in this section, Council's MoES, the 'Blue Book', and DPHI's Guidelines for erosion and sediment control on building sites.
Over 2500m²	A **Soil and Water Management Plan** (SWMP) is to be prepared in accordance with the controls and acceptable solutions in this section, the 'Blue Book', and Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

Note 1: Some sites under 250m² may require an ESCP to be prepared; see Council's MoES and DPHI's Guidelines for erosion and sediment control on building sites for further detail.

Note 2: Full details as to the contents of a ESCP and SWMP are provided in Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

PC.3
- O.18

The maximum amount of soil exposed on a site is to be no more than 5ha at any one time, and in accordance with Council's MoES.

3.4. Parking and Vehicle Access

3.4.1. Traffic Impacts

Objectives

O.19 To ensure that a development has duly considered the impact of traffic generation on the existing road network.

O.20 To limit conflicts between existing modes of transport and new development without the provision of sufficiently safe and effective traffic facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.19 • O.20	A Transport Impact Assessment (TIA) is required in accordance with Appendix A: Application Requirements - Other Development, in circumstances where: a. The proposed development is for 25 or more dwellings and/or lots, b. The proposed development is defined as **traffic generating development**, c. The proposed development is requested to provide a TIA by Transport for NSW, or d. The proposed development is deemed in Council's opinion to have the potential to adversely impact on the existing road network.

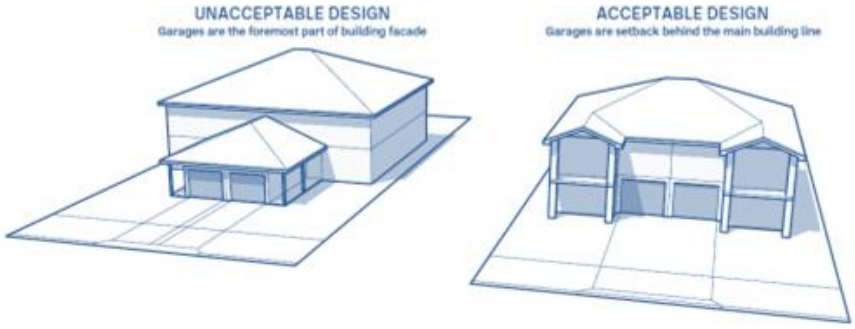
3.4.2. Vehicle Access

Note: This section does not apply to any type of residential accommodation or ancillary development. Controls for vehicle access and driveways for residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.

Objectives

O.21 To ensure that the location and design of parking areas and vehicle accesses are able to function efficiently in a manner that is safe, convenient, appropriately visually screened, and integrated into a development's design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21	Excepting access points to parking and the development, parking areas must be screened along the street frontage.
PC.2 • O.21	The applicant is to demonstrate that any proposed site vehicle access location and design has considered the site opportunities and constraints as well as public safety including, but not limited to: a. Assessing the type of road(s) the site will access and its posted speed limit, b. Avoiding direct access to an arterial road (e.g., highway or main road) unless there is an existing suitable access or no suitable alternative, c. Avoiding or minimising impacts on street trees and utilities/services in the street, d. Locating and designing access points to minimise interference with natural and street drainage, e. Ensuring appropriate sightlines (clear of obstructions) at driveway exits to vehicular traffic and pedestrians/bicycles, f. Assessing potential conflicts with other vehicles and pedestrians/ bicycles on and off-site, g. Ensuring the landscape design does not impact safety whilst screening or softening the visual impact of any parking areas, h. Minimising impacts on on-street parking, and Minimising the visual impact of larger driveways or on-site parking areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.21	Secured and unsecured accesses to covered parking areas, including ground level and basement parking, should be integrated into a proposed development's design in a manner that minimises the visual intrusion of the accesses in the public domain.  **Figure 3-5:** Acceptable and Unacceptable Integration of Parking Areas
PC.3 • O.21	Consideration must be given to maintaining adequate sight distances for all access driveways. Any vehicle entering or leaving the driveway must be visible to approaching vehicles and pedestrians. **Note:** *AS 2890 Parking Facilities* should be referenced for minimum sight distances for a range of road frontage speeds.

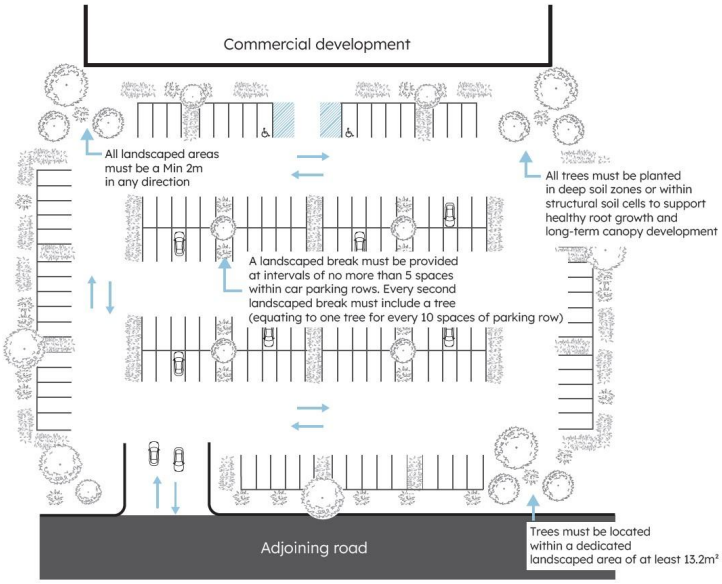
3.4.3. Parking, Circulation and Design

Note: This section does not apply to any type of residential accommodation or ancillary development. Controls for parking, circulation, and design for residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.

Objectives

O.22 To ensure that design of circulation and manoeuvring areas has accommodated the largest design vehicle for the site, addressing safety, ease of access, navigation, and swept paths.
O.23 To minimise potential conflict between vehicular and pedestrian movement.
O.24 To provide increased visual and practical amenity for car parks by increasing vegetation and canopy cover.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.22	Lighting for parking areas is to be provided in accordance with *AS 2890.1 – Parking Facilities Off Street Parking.*
PC.2 • O.24	Parking areas are to incorporate landscape plantings, including a mixture of low-lying shrubbery and small trees (<6m mature diameter). PC.6 of this section provides further criteria.
PC.3 • O.23	Pedestrian routes through parking areas over 50 spaces in size are to incorporate wayfinding elements, including markings, signage, grade separation and crossings, in accordance with *AS 2890 – Parking Facilities*.
PC.4 • O.22	Parking areas with over 50 spaces are to create circulation patterns that minimise usage of dead-end parking aisles wherever possible.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.23	The following wayfinding elements are to be incorporated into the development at a minimum: a. Larger car parking areas are to provide rational circulation patterns with ease of navigation and minimise dead-end aisles, b. Parking areas are to be well sign-posted to clearly indicate the location of off-street parking, exit and entry points, and the circulation of spaces on the site, c. Pavement arrows clearly indicate the direction of traffic circulation. (if one-way), and d. Parking areas are clearly delineated as well as parking spaces for specific users including accessible spaces/staff/visitors.
PC.6 • O.24	Landscaping within car parking areas are to meet the following requirements: a. A landscaped break must be provided at intervals of no more than 5 spaces within car parking rows. Every second landscaped break must include a tree (<6m mature diameter, equating to one tree for every 10 spaces of parking row). b. The landscaped area provided must have a minimum dimension of 2 metres in any direction and is to incorporate landscape plantings, including a mixture of low-lying shrubbery. c. Each tree must be located within a dedicated landscaped area of at least 13.2m². d. All trees must be planted in deep soil zones or within structural soil cells to support healthy root growth and long-term canopy development. e. Landscaping is to be provided in accordance with the Maitland Tree Species List.  **Figure 3-6: Example of a landscaping break in a carpark**
PC.7 • O.22	The layout of a parking area is to provide direct pedestrian paths to building entries and the street frontage.
PC.8 • O.23	Visitor parking is to be clearly marked, signposted and located in proximity of the development's primary building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.23	Car parking spaces for persons with a disability (accessible parking) are to be designed and constructed in accordance with: • *AS 2890.6 – Parking facilities (Off Street Parking for People with Disabilities)* • *AS 1428 – Design for access and mobility*
AS.1 • O.22	Internal driveways and parking areas of customer or visitor-facing car parks are to consist of concrete pavement or gravel, sealed with bitumen or asphalt. Exceptions apply to: a. Parking areas located within Heritage Conservation Areas and parking areas associated with or adjacent to listed heritage items. Alternative surface treatments are to be discussed with Council and addressed through the applicable level of heritage assessment (Chapter 4: Heritage and Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development whichever is applicable). b. Parking areas in rural zones, where gravel surface treatments are preferred. There are to be no conflicts from noise and dust with adjacent lots, and suitable drainage solutions are to be provided.
PC.10 • O.22 • O.23	Parking spaces and aisles are to meet the minimum dimensions provided in AS 2890 – Parking Facilities. Greater dimensions apply in the following instances: • A parking space which has a wall or obstruction on one side – an additional 300mm width, and • For the end space in a blind aisle, the space is to be a minimum width of 3.6m. **Note:** Refer to *AS 2890- Figure 5.2 Design Envelope around Parked Vehicles* to be kept clear of columns, walls and obstructions.
PC.11 • O.22	Wheel stops are to be provided along the front of parking bays.
PC.12 • O.22	Parking areas and driveways are to be designed in a manner that reduces potential site runoff and allows stormwater to be controlled on site, in accordance with Section 0 of this Chapter.
PC.13 • O.22	Stacked (tandem) parking is not acceptable for commercial uses, industrial uses, or visitor and customer parking.

3.4.4. Parking Provision

Objectives

O.25 To ensure that adequate provision has been made for off-street parking to service development and limit adverse impacts on the surrounding road network.

O.26 To promote multi-modal access to a variety of land uses by providing accessible, bicycle, and motorcycle parking.

O.27 To account for the limitations around parking in areas of heritage significance (Central Maitland, Morpeth, Lorn) and local centres (Woodberry), and balance this with the need to facilitate development in order to encourage vitality and vibrancy in such centres.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25	Development is to provide the number of off-street parking spaces in accordance with their proposed land use in line with the following metrics: a. Set out in Table 3-5:Parking Provision Rates under this section (unless the proposed development satisfies the criteria provided under AS.1 of this section); ***or*** b. If the proposed land use is not listed – in accordance with Transport for NSW's Guide to Traffic Generating Developments, as amended; ***or***

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances unless captured by AS.1 of this section. No parking spaces provided under this control are to be utilised for purposes other than for residents, customers, employees, and visitors.
AS.1 • O.26 • O.27	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement, statement of existing arrangements within the SEE with adequate justification etc) in the following circumstances: a. **Certain Commercial Precincts:** The capability of most properties to provide adequate off-street parking and loading facilities is either not achievable or highly restrictive in the following areas: • **Maitland** o High Street between Ken Tubman Drive and Abbot Street, and o Church Street between Charles Street and High Street. • **Lorn** o The E1 Local Centre zoned land along Belmore Road. • **Morpeth** o The E1 Local Centre zoned land in Morpeth. • **Woodberry** o The E1 Local Centre zoned land in Woodberry. • **Tenambit** o The E1 Local Centre zoned land in Tenambit Consequently, these areas presently are reliant on street parking, loading zones, and public car parking spaces to satisfy their vehicular parking and servicing. Proposed development in these areas will be assessed on a case-by-case basis and are to consider the capacity of surrounding public car parking to meet the parking needs of the development. b. **Change of Use:** The proposed development is a 'change of use', where there is no additional on-site car parking required and additional impacts on on-street car parking would be minimal (to the satisfaction of Council). c. **Existing structure:** The proposed development involves alterations and/or additions to an existing structure that: • Are less than 25m^2, and • Do not encroach or impact on existing off-street parking areas, and • The alterations and additions will not significantly intensify the land use from an on-site parking provision perspective. d. **Heritage Item:** the proposed development involves the restoration, alteration, and/or conservation of a heritage item listed under the *MLEP 2011*. This is only applicable in instances where it can be demonstrated that the conservation of the heritage item is dependent on the application of this subclause.

Table 3-5: Parking Provision Rates

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Residential Accommodation				
Dwelling houses	• **One- or two-bedroom dwelling:** 1 covered space • **Three or more-bedroom dwellings:** 2 spaces, 1 being covered	No requirement	No requirement	No requirement
Dual occupancies and Semi-detached dwellings	• **One-or two- bedroom dwelling:** 1 covered space per dwelling • **Three or more-bedroom dwellings:** 2 spaces per dwelling, 1 being covered	No requirement	No requirement	No requirement
Secondary dwellings	No requirement	No requirement	No requirement	No requirement
Residential flat buildings, Multi dwelling housing, Attached dwellings, and Shop-top housing	• **One- or two-bedroom dwelling:** 1 covered space per dwelling ***OR*** • **Three or more-bedroom dwellings:** 2 spaces per dwelling, 1 being covered ***PLUS*** • 1 dedicated visitor space for the first three dwellings **and** 1 space for every five dwellings thereafter or part thereof	No requirement	No requirement	No requirement
Seniors housing	1 space for 5 dwellings + visitor parking if there are more than 8 dwellings	1 car space per 10 car spaces	No requirement	No requirement
Residential care facilities	1 space per 10 beds (visitors) +1 space per 2 employees + 1 space suitable for an ambulance	1 car space per 10 car spaces	No requirement	No requirement
Hostels	• 1 space per 7 beds **and** • 1 space per 2 employees **and** • 1 parking space for services and deliveries.	No requirement	1 space per 20 beds (Security Level B)	No requirement
Boarding houses, Co-living, and Group homes	• 1 space per 2 bedrooms **and** • 1 space for employees	1 space per 10 bedrooms	• 1 space per 10 bedrooms (Security Level B or C) **and**	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
			• 1 space per 20 bedrooms (Security Level C) for visitors	
Home business and Home industry	1 space in addition to the dwelling requirements	No requirement	No requirement	No requirement
Educational establishments				
Child care centre	1 space per 4 children in attendance (or part thereof).	1 car space	No requirement	No requirement
Educational establishment	• 1 space per employee or staff member **and** • 1 space for every 30 students over 17 years old for High Schools / 1 space for every 5 students for Tertiary Education establishments (e.g. TAFE, universities) **and** • provision for a drop off / pick up area	1 car space per 20 car spaces	• 1 space per 20 staff (Security Level B) **and** • 1 space per 25 students (Security Level B) **and** • 1 space per 25 students (Security Level C)	1 space per 50 car spaces
Business & Office premises				
Business premises	1 space per 40m^2 of GFA	1 car space per 30 car spaces	1 space per 100m^2 of GFA (Security Level C)	1 space per 20 car spaces
Office premises	1 space per 50m^2 of GFA	1 car space per 30 car spaces	• **For developments under 400m^2,** 1 space per 200m^2 of GFA (Security Level C) • **For developments over 400m^2,** 1 space per 400m^2 of GFA (Security Level B) ***and*** • 1 space per 400m^2 of GFA (Security Level C)	1 space per 20 car spaces
Retail premises				
Restaurants and cafes	• 1 space per 3 seats, ***or***	1 car space per 30 car spaces	2 spaces per 100m^2 of GFA (Security Level C)	1 space per 20 car spaces

19 – MDCP 2026 Chapter 3: Site Requirements

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
	• 1 space per 10m² of customer service area (including outdoor dining areas)			
Takeaway food and drink premises	**For developments with no on-site seating and no drive through :**1 space per 20m² of GFA **For developments with on-site seating and no drive-through,** the greater of either: • 1 space per 20m² of GFA, ***or*** • 1 space per 6 seats **For developments with on-site seating and drive-through facilities,** a minimum queueing area for 5-12 cars, and the greater of either: • 1 space per 10m² of GFA, ***or*** • 1 space per 3 seats ***plus*** • 2 waiting bays	1 car space per 30 car spaces	2 spaces per 200m² of GFA (Security Level C)	1 space per 20 car spaces
Pubs and Registered Clubs **Note:** Additional parking to be provided for other activities, such as restaurants or hotel and motel accommodation.	**The greater of either:** • 1 space per 10 seats, ***or*** • 1 space per 10m² of licensed floor area	1 car space 20 car spaces	1 space per m² of GFA (Security Level C)	1 space per 30 car spaces
Garden centres and Plant nursery	**The greater of either:** • 1 space per 130m² of GFA, ***or*** • 15 spaces	1 car space per 45 car spaces	No requirement	No requirement
Hardware and building supplies	1 space per 50m² of GFA	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Landscaping material supplies, Timber yards, Rural supplies, and Wholesale supplies	1 space per 130m² of GFA	1 car space per 45 car spaces	No requirement	No requirement
Markets	2 spaces per stall	No requirement	No requirement	No requirement

20 – MDCP 2026 Chapter 3: Site Requirements

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Roadside stalls	Merit-based assessment	No requirement	No requirement	No requirement
Shopping centres	**0-10,000m² GLFA** • 6.3 spaces per 100m² GLFA **10,000-20,000m² GLFA** • 5.8 spaces per 100m² GLFA **20,000-30,000m² GLFA** • 4.5 spaces per 100m² GLFA **Over 30,000m² GLFA** • 4.3 spaces per 100m² GLFA	1 car space per 30 car spaces	• 1 space per 1000m² of GFA (Security Level B) ***and*** • 1 space per 500m² of GFA (Security Level C)	1 space per 20 car spaces
Shops (including neighbourhood shops)	1 space per 30m² of GFA	1 car space per 30 car spaces	1 space per 200m² of GFA (Security Level C)	1 space per 20 car spaces
Specialised retail premises *(formerly bulky goods)*	1 space per 50m² of GFA	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Vehicle sales or hire premises	1 space per 130m² of GFA and 3 spaces per work bay if including a vehicle body repair workshop or vehicle repair station.	1 car space per 30 car spaces	1 space per 20 employees (Security Level B or C)	No requirement
Commercial premises (other)				
Entertainment facilities and Function centres	Merit-based assessment, TIA required.	1 car space per 20 car spaces	• 1 space per 25 employees (Security Level B) ***and*** • 1 space per 10 seats (Security Level C)	1 space per 20 car spaces
Amusement centres	1 space per 50m² of GFA	1 car space per 30 car spaces	No requirement	1 space per 20 car spaces
Service station	2 spaces per pump (excluding pump station)	1 car space per 10	No requirement	No requirement
Sex services premises	1 space per 40m² of GFA	1 car space per 20 car spaces	No requirement	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Restricted premises (including Sexual aid establishments)	1 space per 25m² of GFA	1 car space per 20 car spaces	No requirement	No requirement
Health service facilities				
Medical centres / Health consulting rooms	2 spaces per practitioner / professional person	1 car space per 7 car spaces	2 spaces per 10 employees (Security Level C)	1 space per 20 car spaces
Hospitals	• 1 space per 1.5 staff **and** • 1 space per 3 beds (visitor parking)	1 car space per 20 car spaces	1 space / 30 beds. Min 2 spaces	1 space per 10 car spaces
Tourist and visitor accommodation				
Bed and breakfast accommodation and Farm stay accommodation	• 1 space per guest room **and** • 1 space for employees	No requirement	No requirement	1 space per 20 car spaces
Backpacker accommodation	• 1 space per 5 beds **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 20 beds (Security Level B)	1 space per 20 car spaces
Hotel and Motel accommodation	• 1 space per unit **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 20 units (Security Level B)	1 space per 20 car spaces
Serviced apartments	• 1 space per apartment **and** • 1 space per 2 employees	1 car space per 20 car spaces	1 space per 10 apartments	1 space per 20 car spaces
Industry				
Artisan food and drink industry	1 space per 40m² of GFA	1 car space per 20 car spaces	1 space per 250m² of GFA (Security Level C)	1 space per 30 car spaces
Light, General, and Heavy industry in urban areas	1 space per 100m²	1 space per 100m²	1 space per 20 staff	1 space per 50 car spaces
Recreation				
Bowling alleys	3 spaces per alley	1 car space per 20 car spaces	1 space per 4 alleys (Security Level C)	1 space per 30 car spaces

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Bowling greens	30 spaces for the first green, **and** 15 spaces for each additional green.	1 car space per 20 car spaces	1 space per green (Security Level C)	1 space per 30 car spaces
Gymnasium	7.5 spaces per 100m² of GFA	1 car space per 20 car spaces	• 1 space per 150m² of GFA (Security Level C) ***and*** • 1 space per 10 staff (Security Level B)	1 space per 30 car spaces
Tennis or Squash courts	3 spaces per court	1 car space per 20 car spaces	1 space per 2 courts (Security Level C)	1 space per 30 car spaces
Indoor soccer / cricket / netball / basketball	15 spaces per court/pitch	1 car space per 20 car spaces	2 space per court (Security Level C)	1 space per 30 car spaces
Swimming pools	1 space per 200m²	1 car space per 20 car spaces	1 space per 30 car spaces	1 space per 30 car spaces
Other land uses				
Eco-tourist facility	• 1 space per 2 staff **and** • 1 space per dwelling	1 car space per 5 dwellings	No requirement	No requirement
Place of public worship	1 space per 10m² of GFA	1 car space per 20 car spaces	No requirement	No requirement
Community facilities	1 space per 15m² of GFA	1 car space per 20 car spaces	1 space per 250m² of GFA	1 space per 45 car spaces
Veterinary hospital	• 3 spaces per surgery or consulting room, **and** • 1 space for each professional practitioner and other staff present at any one time.	1 car space per surgery	1 space per 4 practitioners	No requirement
Warehouse or distribution centre	• 1 space per 200m² GFA **or** • 1 space per 2 staff (whichever is greater)	1 space per 400m²	1 space per 15 staff	1 space per 20 spaces
Camping grounds, Caravan parks and Manufactured Home Estates	Rates for residents, visitors, and accessible parking are set by Clauses 96-98 of the *Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Movable Dwellings) Regulation 2021*.		No requirement	No requirement

LAND USE	CAR PARKING	ACCESSIBLE PARKING	BIKE PARKING[1]	MOTORBIKE PARKING
Vehicle body repair workshops and Repair stations	• 6 spaces per work bay **and** • 1 space per 20m² GFA of any ancillary convenience store.	No requirement	No requirement	No requirement
Exhibition villages	1.5 spaces per home	1 space per 30 car spaces	No requirement	No requirement
Uses not defined in this table	Merit based assessment; TIA may be required at Council's direction.			

Notes:

1. Bicycle Parking: Security Level A, B, and C referenced with bicycle parking provisions have been provided in accordance with Austroads Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management . These are summarised as follows:
   a. Security Level A (Bicycle Lockers): consisting of lockers with secure locking mechanisms to store a single bicycle.
   b. Security Level B (Bicycle Cages): consisting of a secured room, cage or other structure where multiple users are able to park a bicycle.
   c. Security Level C (Bicycle Racks): consisting of an area where a bicycle is able to be secured to a bicycle parking device, such as bicycle racks.

3.4.5. Loading/Unloading & Servicing Facilities

Objectives

O.28 To ensure that the location and design of, loading / unloading bays, and servicing facilities, function efficiently in a manner that is safe, convenient, appropriately visually screened, and integrated into a development's design.

O.29 To provide suitable loading / unloading, servicing, and waste management areas for development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.28 • O.29	All new developments are expected to provide a sufficient number of, and appropriately sized, parking spaces on site for service vehicles based upon: a. The expected frequency of servicing, b. The likely vehicle size/type of delivery vehicle (in accordance with Australian Standards AS2890 series), unless otherwise agreed with Council, and c. Turning templates to demonstrate that vehicles can enter and exit the site in a forward direction.
PC.2 • O.28	Adequate and suitable on-site receiving areas and parking for trucks and large vehicles are to be provided, and any queuing or off-site parking of such vehicles is to be kept to a minimum.
PC.3 • O.28 • O.29	Loading docks are to be designed in accordance with the Australian Standard AS2890.2 - Parking Facilities – Off-Street Commercial Vehicle Facilities to allow heavy vehicles to enter and leave the site in a forward direction.
AS.1 • O.29	The use of loading docks must not conflict with the safe efficient circulation of pedestrians and other vehicles on-site.

3.4.6. Public Transport Access

Objectives

O.30 To ensure appropriate provision of public transport is made for developments that create a marked increase in traffic demand.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.30	Development for the purposes of 20 or more dwellings is to demonstrate that bus stops and shelters are: • Either existing and fully accessible to current standards within a 400m walking catchment, **or** existing bus stops within a 400m walking catchment are able to be upgraded to current standards (at the Proponent's expense), and • Are connected to the entry of the development by a continuous accessible footpath.
PC.2 • O.30	Provision of drop off/pick up areas for buses/coaches, private vehicles, or taxis may be required in larger developments, including educational establishments and commercial premises.
AS.1 • O.30	Clear pedestrian crossing points should be provided in visual proximity to public transport stops. Development that is unable to demonstrate this is to liaise with the relevant public transport provider to satisfy any potential requirements.

3.4.7. Electric Vehicle Parking

Objectives

O.31 To ensure sufficient infrastructure is available to support increased demand for road registered passenger electric vehicles in new and upgraded Class 1 Residential dwellings.

O.32 Ensure the requirements for provisioning for Electric Vehicles within the National Construction for each respective building class are adhered to.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.31 • O.32	All development classified under the National Construction Code (NCC) as Class 2-9 buildings, must follow the provisions for EV charging as identified in Part J9D4- Facilities for electric vehicle charging equipment. **Note:** Under Part J9D4 of the NCC, all development is to support the future installation of a 7 kW (32 A) type 2 electric vehicle charger in— i. 100% of the car parking spaces associated with a Class 2 building, or ii. 10% of car parking spaces associated with a Class 5 or 6 building, or iii. 20% of car parking spaces associated with a Class 3, 7b, 8 or 9 building.
PC.2 • O.32	Electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points is to be integrated into all off-street car parking of new Class 1 residential development, including where an alteration or addition to a car space occurs. This is to satisfy the following design criteria: a. Circuitry is to ensure adequate electrical capacity and infrastructure (cable size, distribution board size and circuit space allocation etc.) for the electric vehicle charging point system i. It is preferable if electrical circuitry is run in conduit from the main board to the termination point. b. Minimum electric circuitry for a 'Level 2' electric vehicle charging point is to be either: i. A single-phase, 32 Amp circuit with 7kW power output, or ii. A three phase, 16 Amp circuit with 11 kW power output. c. The circuit should be accompanied with a communications conduit that can support the connection of either a current transducer or ethernet cable back to the main board to support load control and smart charger operation. d. For single residential dwellings with a two or more car garage the circuit should be located to allow a 7kW charge to at least 1 space. Other spaces should have a suitably located 10 Amp power point to support slower charging.
PC.3 • O.31	A Development Application must be accompanied by an accurate electrical plan, with specifications for any off-street car parking clearly identifying the electrical circuit and termination point on the plan.
AS.1 • O.31	Where EV chargers are provided as part of development, smart EV chargers that provide efficient energy use for both consumers and network operators, and can be easily integrated into onsite solar and battery systems are preferred.

3.5. Waste Management

3.5.1. Construction Waste Management

Objectives

O.33 To ensure that waste collection vehicles can easily access all waste collection points in a safe and reliable manner throughout the development stages.
O.34 To provide suitably designed and constructed waste storage and collection areas for all development which enable effective servicing for all waste types.
O.35 To ensure that an appropriate waste service solution is provided to all new development.
O.36 To minimise resource requirements, demolition waste, construction waste through reuse, recycling, selection, and use of materials.
O.37 To facilitate sustainable waste management and minimisation practices and processes for development in a manner that is consistent with ESD principles.
O.38 To encourage building designs, construction and demolition methods which seek to minimise overall waste generation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34 • O.35 • O.36 • O.37 • O.38	A Construction Waste Management Plan (CWMP) is required to be submitted with every development application involving physical works, including demolition works. This must be undertaken in accordance with Appendix A: Application Requirements - Other Development and Appendix B: Application Requirements - Minor Development, whichever is applicable.

3.5.2. Operational Waste Management

Note: Further criteria pertaining to operational waste management can be found in the Waste Servicing sections of Chapter 6, 7, 8, and 9.

Objectives

O.39 To encourage solid waste minimisation through appropriate resource use, re-use/recovery and recycling for the protection of the environment and longevity of solid waste disposal depots.
O.40 To ensure that waste collection is safe, unobstructed and efficient.
O.41 To ensure that residential and non-residential waste streams are separated in mixed-use developments.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39 • O.40 • O.41	An Operational Waste Management Plan (OWMP) is to be submitted as a part of a Development Application and is to include: a. Estimation of the weekly waste generation for general waste, recycling, and green waste (where applicable). Waste generation rates are provided in PC.3 below, b. The number of each type of bin required, c. Details of waste storage areas including dimensions, floorspace (m^2) and location, d. The identification of a waste collection point for ongoing waste collection services, e. The path of travel for bin movement between any applicable waste storage areas and waste collection point/s,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. If waste collection is to occur onsite, the onsite circulation route for waste collection vehicles, and g. If development proposes onsite collection by a private contractor, a letter is to be provided from a private waste collection contractor that they are able to service the site, not impede traffic while entering or exiting the site, with details provided regarding the type and size of their waste collection truck. **Note:** This control does not apply to all development, with notable exemptions being: • Dwelling houses • Secondary dwellings • Dual occupancies and semi-detached dwellings • Attached dwellings • Ancillary structures (residential and rural) A full list of development not requiring an OWMP is provided in Appendix A: Application Requirements – Other Development and Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.39 • O.40	Where a development is under a strata or community title, the owners' corporation must take responsibility for the management of waste and recyclable materials generated upon the site as well as cleaning and maintenance of associated facilities. An OWMP must be submitted to demonstrate that there are suitable arrangements regarding the management, maintenance and cleaning of all waste/recycling management facilities.
PC.3 • O.39 • O.41	Residential waste generation rates are to be in accordance with **Table 3-6** below: **Table 3-6: Residential Waste Generation Rates**

DWELLING TYPOLOGY	GENERAL WASTE (LITRES PER DWELLING PER WEEK)	RECYCLING (LITRES PER DWELLING PER WEEK)	FOOD ORGANICS / GARDEN ORGANICS (LITRES PER DWELLING PER WEEK)
Dwelling house, Secondary dwellings, Dual occupancies, Semi-detached dwellings, and Attached dwellings	240L	240L	240L
Multi-dwelling housing or Residential flat buildings (1- or 2-bedroom dwellings)	120L (+1 240L per every 10 dwellings)	120L (+1 240L per every 10 dwellings)	Merit-based.
Multi-dwelling housing (3+ bedroom dwellings)	240L	240L	240L
Residential flat buildings (3+ bedroom dwellings)	240L	240L	Merit-based.
Seniors housing (strata title)	80L	120L	80L
Seniors housing (community title)	Private collection.	Private collection.	Private collection.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.39 • O.41	Commercial waste generation rates are to be in accordance with **Table 3-7** below: **Table 3-7: Commercial Waste Generation Rates**

PREMISES TYPE	GENERAL WASTE (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)	RECYCLING (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)
Accommodation		
Backpackers accommodation	80L per unit per week	80L per unit per week
Boarding house	80L per unit per week	80L per unit per week
Hotel and motel accommodation	10L per bed per day	5L per bed per day
Food		
Restaurant	200L	200L
Food retail	180L	180L
General		
Offices	10L	10L
Tourist & Community facilities	300L	150L
Retail	80L	80L
Educational establishments	25L	15L
Early education and care facilities	80L	80L
Health services facilities	60L	60L
Shopping centres	15L	10L

PC.5
• O.39
• O.41

Industrial waste generation rates are to be in accordance with **Table 3-8** below:

Table 3-8: Industrial Waste Generation Rates

PREMISES TYPE	GENERAL WASTE (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)	RECYCLING (LITRES PER 100M ^{2} FLOOR AREA PER DAY OR AS STATED)
Industrial	200L	150L

Note: In some circumstances waste generation rates may be varied due to the nature of the industrial development, such as resource recovery facilities. These will be assessed on a merit basis.

3.5.3. Hazardous Goods Storage

Objectives

O.42 To ensure appropriate management of hazardous waste materials (including asbestos) during demolition, construction, and use of sites that protects human health and ensures the site is suitable for its intended use.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Where there is a reasonable likelihood of hazardous materials (including asbestos) being disturbed by demolition or site works, the applicant is to demonstrate the development can comply with the requirements of Council's Model Asbestos Policy and Council's Contaminated Land Policy – Land Use Planning, as well as the provisions under Chapter 2 of this DCP and Work Health & Safety Guidelines by the NSW Government.
PC.2 • O.42	Buildings with hazardous materials (including asbestos) used in their construction cannot be relocated or re-sited unless all the hazardous materials (particularly asbestos) are removed prior to relocation.
PC.3 • O.42	A Preliminary Hazard Analysis (PHA) is required to be prepared and submitted with a Development Application in accordance with **Table 3-9** below.

Table 3-9: Development Requiring a PHA

DEVELOPMENT REQUIRING A PHA	
• Agricultural produce processing facilities	• Mines
• Battery storage facilities	• Oil and petroleum waste storage works
• Bitumen pre-mix and hot-mix facilities,	• Paper pulp industrial facilities
• Cement works	• Petroleum works
• Concrete works	• Pig farms
• Chemical industrial facilities and works	• Poultry farms
• Chemical storage facilities	• Sewerage systems and sewer mining systems
• Composting facilities or works	• Shipping facilities
• Energy recovery facilities	• Waste management facilities or works
• Extractive industries	• Wood or timber milling or processing works
• Feedlots	• Wood preservation works
• Geosequestration facilities	• Livestock processing industry
• Coal mines and works	• Mineral processing or metallurgical works
• Limestone mines and works	• Any other development Council deems to require the lodgement of a PHA.
• Any other development named under Part 2 of Schedule 3 of the *Environmental Planning and Assessment Regulation 2021*	• Any other development that falls within the definition of potentially hazardous or offensive development under the *Resilience and Hazards SEPP.*

Note: Details as to what is to be included in a Preliminary Hazard Analysis is provided in Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable.

3.6. Sustainability

3.6.1. Liveable and resilient communities

Objectives

O.43 To reduce heat absorption and urban heat island effects of urban development in Maitland LGA.
O.44 To identify design and engineering approaches to improve sustainable management of development for public open space.
O.45 To apply sustainable design principles to reduce environmental impacts and operating costs on new and improved facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.44 • O.45	Development should enable evaporative cooling through implementation of design initiatives and features, including: • Water Sensitive Urban Design (WSUD), and • Irrigation of all public open spaces (using alternate water sources), utilising the design criteria in Hunter Water's Turf Sporting Field Guidelines.
PC.1 • O.43 • O.44 • O.45	Where provided as part of development, the design of public open spaces is to: a. use pavements which are permeable and have high albedo, resulting in less solar absorption, b. where permeable pavers are used, it must be demonstrated there is no impact on the salinity or sodicity of underlying soils, c. provide public drinking taps in public areas every 500m, d. provide tree canopy cover in parks as follows: i. for open spaces without sports courts and fields, a minimum tree canopy of 45%, ii. for open spaces with sports courts and fields, a minimum tree canopy of 45% applies to areas outside the courts and fields, iii. where possible, the remaining area should exceed the 45% minimum to compensate for the lack of canopy on the courts and fields, and iv. be consistent with the Maitland Tree Species List. e. locate public seating where there is adequate shading.
AS.2 • O.44 • O.45	Utility services, including water, electricity, and sewerage, must be connected to public parks and spaces reserved for future public and community uses. Lots for open space 5,000m^2 or under should provide for water and electricity, while lots for open space over 5,000m^2 should also include sewer. Infrastructure should be positioned to avoid conflicts with future public space development.

3.6.2. Circular Economy

Objectives

O.46 To encourage the uptake of building materials that are able to be re-utilised, recycled, or are energy efficient in order to foster the growth of a circular economy in development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.46	The following elements should be considered where possible in the choice of building materials in all developments: a. energy efficiency, b. use of renewable resources, c. maintenance cost and durability, d. recycled or recyclable materials, e. non-polluting, f. minimal PVC content, and g. local materials.

3.7. Crime Prevention Through Environmental Design

Objectives

O.47 To ensure that the four principles of Crime Prevention Through Environmental Design (CPTED), being Surveillance, Access Control, Territorial Reinforcement and Activity/Space Management are applied to development.
O.48 To ensure inhabitable buildings create natural surveillance of the space around it by occupants and users.
O.49 To assist in ensuring that building and communal areas are designed in a manner that creates a sense of ownership and responsibility from occupants and users.
O.50 To assist in limiting opportunities for unauthorised access to buildings and communal areas through the use of appropriate security measures.
O.51 To employ materials in buildings that limit the risk of vandalism.
O.52 To ensure entrances, exits, service areas, communal spaces, pathways, car parks, and other areas that are used after dark are adequately lit.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.47
- O.48
- O.49
- O.50
- O.51
- O.52

A Crime Prevention Through Environmental Design (CPTED) assessment report by a suitable qualified person is to be submitted which address Appendix F: CPTED Guidelines for the following development types:

Table 3-10 CPTED Assessment Triggers

DEVELOPMENT TYPE	CPTED ASSESSMENT TRIGGERS
Dwellings and accommodation	• Any form of residential development with 20 or more dwellings on the site • Boarding Houses, Group Homes, Manufactured Home Estates, Caravan Parks and Hostels
Social Infrastructure	• Educational Establishments • Centre-based Childcare Facilities • Community Facilities • Recreation (areas and facilities of any size or capacity) • Entertainment Facilities and Function Centres • Hospitals
Commercial and Industrial	• Service Stations • New Licensed Premises • Food and Drink Premises and Shops trading between 11:00pm and 5:00am • Extension of Licensed Premises trading hours past 11:00pm
Other development	• Health Service Facilities • Carparks of any size or capacity • Amusement Centres of any size or capacity • Temporary Events with an expected attendance of 5,000 or more people

PC.2
- O.47
- O.49

An Operational Plan of Management (OPoM) prepared by a suitably qualified person must be submitted for any development, including change of use applications, which include the need to apply for, or amend, a liquor license. The OPoM is to be prepared following the NSW government guidelines.

3.8. Social Impact Assessment

Objectives

O.53 To ensure that development with the propensity to cause social impacts take into consideration both benefits and detriments to their local and regional context.

O.54 To ensure that development occurs in locations appropriate to their uses and can be provided for through existing and proposed services and facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.53
- O.54

A Social Impact Assessment (SIA) is to be prepared by a suitably qualified person and submitted with a Development Application in the following circumstances:

a. The proposed development is present within Table 3-10 provided below, OR
b. The proposed development is considered, in the opinion of Council, to have the potential for significant social impact.

Table 3-10: Development Requiring a SIA

DEVELOPMENT REQUIRING AN SIA	
• Boarding houses	• Seniors housing
• Group homes	• Extractive industries
• Offensive industries	• Sex services premises
• Manufactured home estates (MHEs)	• Licenced venues

Note: Definitions for the above land uses are provided in the Glossary.

AS.1
- O.53
- O.54

SIAs should be prepared in general accordance with DPHI's Technical Supplement – Social Impact Assessment Guidelines for State Significant Projects, with consideration given to the magnitude of the proposed development and the level of assessment required.

PC.2
- O.53
- O.54

SIAs are to be prepared against the social impact assessment categories defined in DPHI's Social Impact Assessment Guideline, being:

- **Way of life**, including how people live, how they get around, how they work, how they play, and how they interact each day,
- **Community**, including composition, cohesion, character, how the community functions, resilience, and people's sense of place,
- **Accessibility**, including how people access and use infrastructure, services and facilities, whether provided by a public, private, or not-for profit organisation,
- **Culture**, both Aboriginal and non-Aboriginal, including shared beliefs, customs, practices, obligations, values and stories, and connections to Country, land, waterways, places and buildings
- **Health and wellbeing**, including physical and mental health especially for people vulnerable to social exclusion or substantial change, psychological stress resulting from financial or other pressures, access to open space and effects on public health,
- **Surroundings**, including ecosystem services such as shade, pollution control, erosion control, public safety and security, access to and use of the natural and built environment, and aesthetic value and amenity,
- **Livelihoods**, including people's capacity to sustain themselves through employment or business, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• **Decision-making systems**, including the extent to which people can have a say in decisions that affect their lives, and have access to complaint, remedy and grievance mechanisms.
	Note: SIAs will need to identify likely social impacts (both perceived and actual) under each of the categories above resulting from the proposed development. Reporting must articulate how negative impacts are to be avoided, mitigated or reduced and how positive social impacts will be enhanced, and demonstrate how the proposed development has responded to these impacts.


maitland
CITY COUNCIL



Maitland DCP 2026

Chapter 4: Heritage

maitland CITY COUNCIL

Table of Contents – Chapter 4: Heritage

4.1. Introduction 4
4.1.1. Application 4
4.1.2. Relationship to other Chapters 4
4.1.3. How to use this Chapter 5
4.1.4. Intent of this Chapter 5
4.2. Aboriginal Cultural Heritage 6
4.3. State Listed Heritage Items 7
4.4. Locally Listed Heritage Items 8
4.4.1. Demolition 8
4.4.2. Change of Use 9
4.4.3. Subdivision 10
4.4.4. Setting/Expanded Curtilage 10
4.4.5. Landscapes 11
4.4.6. Conservation of Significant Fabric 12
4.4.7. Excavation 14
4.4.8. Alterations and additions to residential heritage items 15
4.4.9. Alterations and additions to non-residential Heritage items 22
4.5. Development in the vicinity of Heritage Items/Heritage Conservation Areas 24
4.6. Heritage Conservation Areas 25
4.6.1. Demolition 25
4.6.2. Subdivision and boundary adjustment 26
4.6.3. Views and vistas 27
4.6.4. Streetscape character 27
4.6.5. Landscapes 28
4.6.6. Alterations and additions to residential buildings 29
4.6.7. Alterations and additions to non-residential buildings 37
4.6.8. Infill development 38
4.6.9. Historic streetscape elements 39
4.6.10. Civil infrastructure 40
4.6.11. Signage 41
4.7. Bolwarra Heritage Conservation Area 43
4.7.1. Statement of Significance 44
4.7.2. Desired Future Character 44

4.7.3. Objectives and controls for Bolwarra HCA 45
4.8. Central Maitland Heritage Conservation Area 47
4.8.1. Statement of Significance 47
4.8.2. Desired Future Character 48
4.8.3. Objectives and controls for Central Maitland HCA 49
4.9. East Maitland Heritage Conservation Area 51
4.9.1. Statement of Significance 51
4.9.2. Desired Future Character 52
4.9.3. Objectives and controls for the East Maitland HCA 53
4.10. Lorn Heritage Conservation Area 54
4.10.1. Statement of Significance 54
4.10.2. Desired Future Character 55
4.10.3. Objectives and controls for Lorn HCA 56
4.11. Regent Street Heritage Conservation Area 58
4.11.1. Statement of Significance 58
4.11.2. Desired Future Character 59
4.11.3. Objectives and controls for Regent Street HCA 60
4.12. Morpeth Heritage Conservation Area 61
4.12.1. Statement of Significance 64
4.12.2. Desired Future Character 67
4.12.3. Objectives and Controls for the Morpeth HCA 67
4.13. Aberglasslyn House Heritage Conservation Area 73
4.13.1. Statement of significance 73
4.13.2. Desired Future Character 74
4.13.3. Objectives and Controls of the Aberglasslyn House HCA 75

4.1. Introduction

4.1.1. Application

This section applies to development that is on land listed under Schedule 5 Environmental Heritage of the *Maitland Local Environmental Plan (MLEP) 2011*, either being a listed local heritage item, or within a Heritage Conservation Area (HCA). This section also provides development guidance where land is listed as a State heritage item, and/or is identified to contain Aboriginal heritage.

Maitland is a city rich in cultural, historical, and architectural heritage. We value and celebrate our heritage as a vital part of our community identity and character. Our approach to heritage is holistic, recognising not only the physical fabric of heritage places but also their stories, significance, and contribution to a shared sense of place. Development on or near heritage sites presents a rare opportunity to preserve, enhance, and sensitively adapt these places for future generations. This section of the DCP supports respectful and informed development that conserves Maitland's unique heritage while allowing for thoughtful and sustainable growth.

4.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix E: Heritage Guidelines

This Chapter should also be read in conjunction with 'Clause 5.10 Heritage conservation' within the *Maitland Local Environmental Plan 2011*. Additional guidance on the legislative and approval structure on heritage, further definitions of heritage concepts and information that should be included in supporting studies can be found in Appendix G: Heritage Guidelines. Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

> **Note:** Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

4.1.3. How to use this Chapter

This Chapter has been organised in a manner that compiles key controls and acceptable conservation solutions that apply to land that is legislatively listed or may potentially contain Aboriginal and/or environmental heritage.

4.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To promote and encourage an understanding and appreciation of Maitland's Aboriginal and environmental heritage and history.
b. To conserve and retain Maitland's heritage items and heritage conservation areas.
c. To conserve and retain Maitland's Aboriginal heritage.
d. To establish a framework for Aboriginal or environmental heritage conservation and sympathetic new development in the Maitland Local Government Area (LGA).
e. To encourage the adaptive reuse of heritage buildings, enabling contemporary use and economic viability, while retaining and celebrating their heritage values.
f. To allow change to occur to meet amenity and contemporary safety, sustainability and technological standards, provided that those changes do not detrimentally affect the heritage significance of Maitland's Aboriginal heritage, heritage items and Heritage Conservation Areas (HCAs).
g. To support appropriate changes of use that extend the functional life of heritage places while ensuring their heritage significance is protected and respected.
h. To provide guidelines that are consistent with the principles outlined in the Burra Charter, and legislative requirements under the *Heritage Act 1977*.
i. To provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.

4.2. Aboriginal Cultural Heritage

Aboriginal people are the cultural owners and managers of Country, and retaining and preserving information and artefacts relating to First Nations Australians' heritage is crucial to interpreting Australia's past. The Maitland area lies in the traditional custodian country of the Wonnarua people, with the Maitland LGA overlapping the Mindaribba Local Aboriginal Land Council (LALC). It is vital to Wonnarua people and to the richness of Maitland's heritage, that spiritual and cultural links to land are maintained by preserving and protecting places and objects of cultural significance.

Developments or other activities that will destroy, remove or impact on an Aboriginal heritage are considered Integrated Development and will require a permit from Heritage NSW. under the *National Parks and Wildlife Act 1974*. Consultation with Mindaribba LALC is also required.

Any Development Application that is within or adjacent to land that contains a known Aboriginal cultural heritage site, must consider and comply with the requirements of the *National Parks and Wildlife Act 1974*.

Where the necessary consents under the *National Parks and Wildlife Act 1974* have been obtained, the development application must demonstrate that the development will be undertaken in accordance with any requirements of that consent.

Objectives

O.1 To protect and conserve Aboriginal cultural, spiritual, and sacred sites in Maitland.
O.2 To ensure the impact of a proposed development on the heritage significance of an Aboriginal place or object is considered by adequate investigation and assessment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1 • O.2	Where a development will disturb the ground surface and the natural ground surface has not been significantly disturbed, the development application must demonstrate that adequate due diligence has been undertaken. This includes (but is not limited to) submitting the following documentation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. a. A statement and results of a basic 200m Aboriginal Heritage Information Management System (AHIMS) search. Where a site is identified within 200m of the development site, a statement and results of a 50m AHIMS search must be included, and b. A statement indicating whether there are landscape features that indicate the potential presence of Aboriginal objects. Landscape features include foreshore areas, creek lines, rocky areas, wetlands, ridge tops, ridgelines, headlands, sand dunes, caves.
PC.2 • O.1 • O.2	An Aboriginal Cultural Heritage Due Diligence Assessment must be prepared by a suitably qualified person to determine whether the proposed development is likely to harm Aboriginal objects and identify whether an Aboriginal Heritage Impact Permit is required where an AHIMS search has identified the likelihood of an Aboriginal item within 200m of the development site. **Note:** While an AHIMS search can assist in identifying known Aboriginal sites, it is not a comprehensive record. The absence of AHIMS-listed sites does not guarantee that Aboriginal cultural heritage is not present. Further assessment may still be required, based on the characteristics of the site and proposed development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.1	An Aboriginal Cultural Heritage Due Diligence Assessment must include an assessment of the cultural significance of the place to the Aboriginal community. **Note:** *Clause 5.10(8) – Heritage Conservation of the MLEP 2011* requires assessments to be forwarded to local Aboriginal communities for comment for a 28-day period.
PC.4 • O.2	An Aboriginal Cultural Heritage Assessment (ACHA) is to be prepared in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010* *in cases where:* a. An Aboriginal Cultural Heritage Due Diligence Assessment has identified the potential for the site to contain an Aboriginal object or contains a place of significance, or b. The development will have an impact on a known Aboriginal object or place. In cases where an ACHA is to be prepared, Mindaribba LALC must be offered the opportunity to register their interest, in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010*.

4.3. State Listed Heritage Items

If development is proposed on a listed State Heritage item, or in the vicinity of that item, approval is required from Heritage NSW, which issues approvals under the *Heritage Act 1977*.

Depending on the heritage listing or nature of the work you may need to apply for more than one approval. In some cases, an exemption or exception to needing approval will apply. Additional information on applying for heritage approvals and permits can be found at Heritage NSW.

A pre-lodgement meeting will be required prior to the lodgement of a Development Application over a State Listed Heritage Item.

Refer to the NSW State Heritage Inventory for locating State heritage items.

4.4. Locally Listed Heritage Items

Maitland has a diverse collection of local listed heritage items listed under *the Maitland Local Environmental Plan 2011*. These include built items such as dwellings, shops, civic and commercial buildings, religious buildings, schools, and also landscape items and features including parks, private gardens, street trees, cemeteries, agricultural floodplain land, river embankments, bridges, and the Hunter railway line.

Heritage items generally comprise both built and landscape features and reflect different historical periods, architectural styles, and design and aesthetic qualities that are important within a local area or more broadly.

Additional guidance on the legislative and approval structure on heritage, further definition of heritage concepts and information that should be included in supporting studies can be found at Appendix G: Heritage Guidelines.

In some instances, when undertaking maintenance on a heritage listed item, a development application may not be required. In this circumstance you will be required to lodge a *Minor Works Application for minor works on a heritage listed property or sites within a Heritage Conservation Area (HCA)*.

Objectives

O.3 To ensure that heritage items are retained and conserved.
O.4 To retain the significance of heritage items in the Maitland LGA through the appropriate design of new development that is based on an understanding of the significance of the item.
O.5 To allow change to occur to meet modern amenity, where it does not impact on the significance of heritage items.
O.6 To encourage the reinstatement of significant features and detailing consistent with the heritage significance of the item and the removal of detracting alterations and additions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.3 • O.4 • O.5 • O.6	Any development on, within, or adjoining a locally listed heritage item, must prepare a Statement of Heritage Impact (SoHI) by a suitably qualified heritage professional. **Note:** Minor alterations and additions may be exempted from providing a SoHI. Discuss with Council staff before undertaking these forms of development.

4.4.1. Demolition

Objectives

O.7 To ensure that heritage items are retained and conserved.
O.8 To ensure that the original form and features of heritage buildings are retained and improved.
O.9 To support the removal of unsympathetic or intrusive structures where it will enhance the heritage significance of the item or conservation area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.7 • O.8 • O.9	Demolition of Heritage Items is to be avoided wherever possible. If demolition is the only option, a SoHI must verify that all alternative options to demolition have been fully investigated and demonstrate the replacement building's compatibility with the physical context. The SoHI must include details of the: a. Structural condition.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	b. Overall extent of the remaining fabric. c. Potential retention and adaptive reuse. d. Comparative costings (i.e. retention, reuse, adaption costings), e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable. A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, will also be required.
PC.2 • O.8	Façadism is not supported. Major alterations that only retain the front façade of a heritage item must be avoided.

4.4.2. Change of Use

Objectives

O.10 To encourage the ongoing use of a heritage item that is consistent with its significance.
O.11 To allow a change of use to a heritage item where it does not adversely impact on its significance and enables the significant historic use to be understood and appreciated.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10	A SoHI must be prepared when a change of use proposes any type of internal or external alteration or addition.
AS.1 • O.11	New uses should be sympathetic with the item's heritage significance. Any significant historic use should be publicly interpreted on site, such interpretation may include historic displays or moveable items related to the significant use.
PC.2 • O.11	Significant alterations to heritage items for the new use will be avoided. Changes to significant historic fabric and elements should be avoided or such that they can be reversed.
AS.2 • O.10 • O.11	Where a change of use requires alteration to the external presentation of a building or structure the item's heritage significance should be conserved or significant features reinstated.
PC.3 • O.10 • O.11	The introduction of new facilities or services to support the new use will not detract from the item's heritage significance or its fabric and spaces.
PC.4 • O.11	Where a conservation management plan applies to the heritage item any new uses will be consistent with the conditions of that conservation management plan.
PC.5 • O.11	A change of use to significant public or community buildings should consider the impact on significant interior spaces, features and fittings.

Note: Change of use must also consider fire safety under the provisions of *Environmental Planning and Assessment Regulation 2021*. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.4.3. Subdivision

Objectives

O.12 To retain the historical subdivision and allotment patterns associated with heritage items.
O.13 To ensure that new development does not impede the appreciation and understanding of the heritage significance of the historical subdivision and building patterns associated with heritage items.
O.14 To protect the significance of heritage items, including historic settings, significant vegetation, trees, and places of natural heritage.
O.15 To ensure that heritage items, significant vegetation and trees and places of natural heritage are properly considered in the design of new subdivisions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.12 • O.13	Subdivision, boundary adjustments or amalgamation will not be supported where: a. it involves the demolition of a heritage item, and/or b. historic subdivision patterns are integral to the significance of the heritage item and are still extant.
PC.2 • O.12 • O.13 • O.14	Subdivision within the front setback of a heritage item is not supported.
PC.3 • O.13 • O.15	Subdivision and lot amalgamation to the rear of a heritage item may be considered by Council, where an appropriate curtilage is retained and provided between the heritage item and the new subdivided lot. **Note:** The curtilage encompasses the immediate environment or setting of a heritage item, including any associated land features, buildings, or objects that contribute to its significance.
PC.4 • O.13 • O.15	The proposed layout, scale and design of any subdivision or lot boundary changes is not to compromise the significance of the heritage item or its appreciation and understanding.

4.4.4. Setting/Expanded Curtilage

Objectives

O.16 To retain the historic setting that contributes to the appreciation and understanding of the significance of a heritage item.
O.17 To ensure subdivision and lot boundary changes do not adversely impact the historic setting of a heritage item including its relationships to associated features and elements.
O.18 To ensure the setting that contributes to the significance of a heritage item remains a predominate in views and vistas to and from the item.
O.19 To ensure new development and unsympathetic buildings, structures and elements are not located within the curtilage and setting of a heritage item.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16 • O.17	Subdivision, boundary adjustments and amalgamation are not to adversely impact the historic setting or archaeological values of a heritage item and its relationship to related elements and features including streetscape, gardens, trees, fences, outbuildings, and driveways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.18 • O.19	Any new buildings, structures or elements introduced within the setting to accommodate the ongoing use of the site are to be sympathetic to the heritage item's predominant historic character, in terms of scale, form, height and external materials, finishes and colours.

4.4.5. Landscapes

Objectives

O.20 To ensure Maitland's distinctive landscape heritage items are identified, retained and conserved.

O.21 To ensure historic landscape features, including views and vistas, of significant landscapes are retained within the setting of heritage items.

O.22 To protect and encourage an appreciation of Maitland's historic landscape, including natural landform features, endemic vegetation, mature cultural plantings, heritage listed trees, land associated with historic flood mitigation works, significant private and institutional gardens, and watercourses and, integrating them, where possible, with new development.

O.23 To ensure that new development and landscaping respects the existing landscape character of a heritage item and heritage items in the vicinity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.20 • O.21	Landscape heritage items and historic landscape features should be retained.
AS.2 • O.21 • O.22 • O.23	Where a historic landscape forms part of the significance and setting of a heritage item, the landscape should not be subdivided from the associated heritage item to provide for new development.
AS.3 • O.20 • O.22	Original or early garden layouts that contribute to the significance of heritage items should be retained and conserved.
AS.4 • O.22 • O.23	New garden design should retain and incorporate surviving historic plantings or landscape items which may have been significant to the original garden layout, such as prominent trees etc.
AS.5 • O.20 • O.23	Any garden landscape elements contemporaneous with the period of a building's construction should be retained, conserved and incorporated into new designs. This may include sandstone retaining walls, fencing, or sandstone flagged, brick paved, tessellated tile pathways.
PC.1 • O.23	Development of new driveways and verge works that damage original sections of early sandstone curbs and guttering are to be avoided.
AS.6 • O.22	Garden structures (such as archways) should be appropriate to the heritage item in terms of scale, style and materials.
PC.2 • O.22	Original fences are to be retained and maintained in their original form.
AS.7 • O.22	Fences should be located on the front boundary.
AS.8 • O.20 • O.22	Fences should be simple and reflect the architectural style and materials of the heritage item. Examples include timber picket fences, low masonry and hedges.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.9 • O.20 • O.21	Tall hedging and fencing that impedes view to and from heritage items are discouraged.
AS.10 • O.21	Fencing should generally be open or transparent, or backed with a hedge, and not solid. Where tall fencing is proposed, transparent fencing, such as palisade fencing, is preferred to allow views to and from the heritage item.

4.4.6. Conservation of Significant Fabric

Heritage items in Maitland are constructed in a variety of natural and human made materials (also referred to as 'fabric') using a range of traditional building techniques and details. The conservation of significant original historic fabric retains the significance of heritage items.

When change is planned to heritage items, avoiding adverse impacts or damage to the historic fabric of a building, structure or object will help conserve the item's significance. Significant fabric can include both internal and external fabric. A heritage professional can advise on what fabric is original and significant.

Objectives

O.24 To retain and conserve the original and significant historic fabric of heritage items.
O.25 To encourage the appreciation of traditional materials and building techniques and ensure they are used appropriately in the conservation of original and significant fabric.
O.26 To ensure traditional materials and building techniques are used in the conservation of original and significant fabric.
O.27 To ensure change to the significant fabric of heritage items is informed by historic research and evidence.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.24	Original and significant fabric should not be demolished or removed.
PC.1 • O.26 • O.27	When required by the recommendations of a SoHI, a suitably qualified heritage specialist must be employed to supervise the repair and conservation of significant heritage item fabric.
AS.2 • O.24 • O.25 • O.26	Any new materials should be consistent with the original and existing materials used in the building, structure or object. Avoid the use of modern materials such as cement mortars and latex paints on traditional materials. **Note:** Historic photographs or drawings may be required, particularly when the intention is to restore the item back to its former or original state.
AS.3 • O.24 • O.27	Where lath and plaster remain in heritage items, the replacement of walls and ceilings should be avoided. **Note:** It is possible to re-adhere lath and plaster finishes where plaster is cracked or drummy. A heritage conservation specialist should be consulted to provide advice and expertise.
PC.2 • O.24 • O.25 • O.26	Original face brick and stone is not to be painted. **Note:** Paint prevents the evaporation of moisture from the surface and causes blistering. As the surface layer of paint begins to break down, further water penetration can lead to increased dampness.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.4 • O.24 • O.26	The application of waterproof coatings or varnishes to stone and brickwork should be avoided. **Note:** Coatings and varnishes can accelerate the deterioration of masonry by trapping moisture and causes rising damp.
AS.5 • O.24 • O.26	Removal of original render or stucco should be avoided. **Note:** This practice will expose the softer, porous bricks underneath and cause deterioration. Render or stucco was often applied to external walls to protect them from the elements.
AS.6 • O.25 • O.26	Cracked or damaged traditional render should be repaired with a similar compatible render and not cemented and painted over. Traditional external render was usually lime based.
PC.3 • O.24 • O.26 • O.27	Application of modern cement renders to original brickwork is not supported. **Note:** Modern cement renders do not allow moisture to pass through brickwork, which traps moisture and can cause rising damp. Rising and falling damp can cause crumbling of exterior masonry, staining of internal finishes and odour in poorly ventilated rooms.
AS.7 • O.25 • O.26	A soft lime mortar with a rough texture and lower strength than the surrounding masonry should be used for repointing work. **Note:** This will allow moisture to evaporate from the joints rather than the masonry.
AS.8 • O.25 • O.26 • O.27	Cement should not be used in buildings where lime mortars are present. This is particularly important in old buildings where no damp-proof course exists. **Note:** Grey Portland Cement is invariably stronger and of a different absorbency level from the brick or stonework. This causes evaporation to occur from the stone or brick more easily than from the replaced mortar joint. Deterioration and cracking of masonry may therefore occur quickly after repointing in hard cement.
AS.9 • O.24	Ensure water from gutters, downpipes, drains or sprinklers has clear egress and drainage to prevent it from entering the building or structure.
AS.10 • O.24	The planting of any tree and shrub species near the footings of load bearing walls and garden walls should be avoided as they can lead to the drying out of subsoils and may result in the structural failure of the building or wall. **Note:** When gardens are placed directly abutting façades, building problems may also occur due to changed moisture or ventilation conditions.
AS.11 • O.24	Original timber elements and/or weatherboards should be retained where possible.
AS.12 • O.24	Early timber weatherboards blocked to resemble cut stone should be retained.
AS.13 • O.24 • O.26	New weatherboards should have a traditional width and profile to match the original weatherboards.
AS.14 • O.24	The removal of internal walls is generally not recommended as this can impact the structural stability of the building in addition to its integrity and character. **Note:** The majority of walls in older buildings are load bearing. The structural stability of the outer shell is dependent on the internal existence of walls, stairways and chimneys.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.15 • O.24 • O.25	Existing slate roofs should be retained to the fullest extent wherever possible due to their rarity in the LGA.
AS.16 • O.24 • O.26 • O.27	When repairing or replacing corrugated metal roofing, small details should be retained or matched to the original. **Note:** Details include cutting of ridge and hip capping to match the iron flutes, which will also make the roof more weatherproof.
AS.17 • O.24 • O.25	Traditional stepped flashings, roof vents, gutter moulds and rainwater heads should be preserved and restored wherever possible during re-roofing.
PC.4 • O.24	Where deemed appropriate by the SoHI, or by Council, reconstruction of sandstone gutters, drains or drainage works will be permitted for the effective execution of construction and operation of the development.
AS.18 • O.24 • O.26	Double stepped stone kerb and gutter should be maintained in the current configuration.
AS.19 • O.24 • O.26	An audit of archaeological remains within stone kerb and guttering should be undertaken by a qualified archaeologist, prior to any relaying of stone or major repair works.
AS.20 • O.24 • O.26	In instances where stone flagging has been covered by bitumen and requires maintenance, the flagstones should be cleaned and re-laid, and further stones found to replace those that are badly damaged. **Note:** Repair of existing flagging should be contained to minimal stone replacement work, undertaken only to improve safety or rectify areas of poor work. As much original fabric as possible should be retained in situ.
PC.5 • O.24	Replacement of deteriorated stone with synthetic stone across large areas is not supported. Synthetic stone may be utilised to repair small sections. **Note:** Should a stone require replacement, the deteriorated section should be cut back to sound stone and cut to a regular shape to enable a new block to be inserted. This process however introduces a new material and should only be used where no other alternative is available.

4.4.7. Excavation

Objectives

O.28 To ensure the significance of heritage items is retained during excavation works.
O.29 To protect significant historic fabric and structural integrity of heritage buildings and structures during any excavation works.
O.30 To ensure that mature trees, heritage listed trees, significant trees and plant communities are not compromised by excavation or earthworks, or subsequent erosion from those works.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.28 • O.29	Excavation is not supported around, within or beneath a heritage item, including under common walls and footings to common walls, front façades, or freestanding boundary walls, except when required by the recommendations of a SoHI.

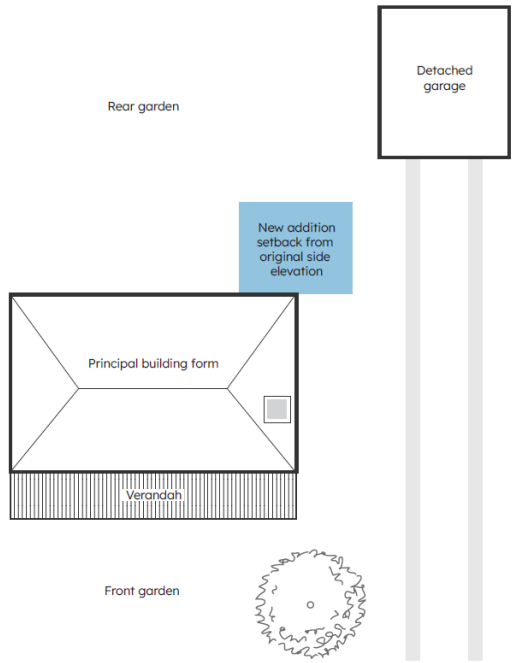
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.29	Where excavation is necessary to allow for building works or services, a Development Application must be supported by a geotechnical report and civil plan.
PC.3 • O.30	Excavation in the vicinity of mature or significant trees and/or vegetation must be informed by an arborist report.
AS.1 • O.29	Excavation may require an archaeological assessment report if the SoHI identifies the site to be a potential archaeological or archaeological site.

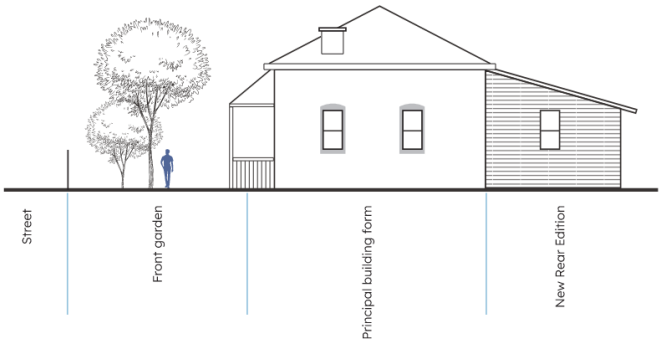
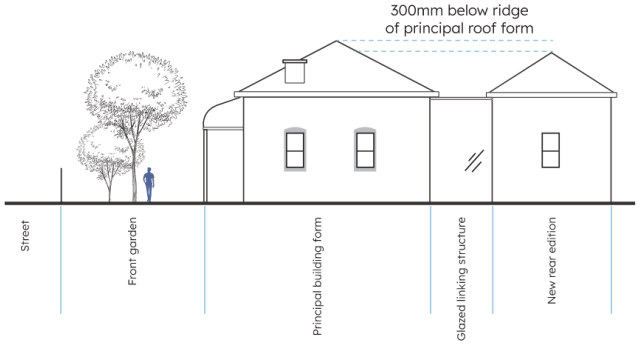
4.4.8. Alterations and additions to residential heritage items

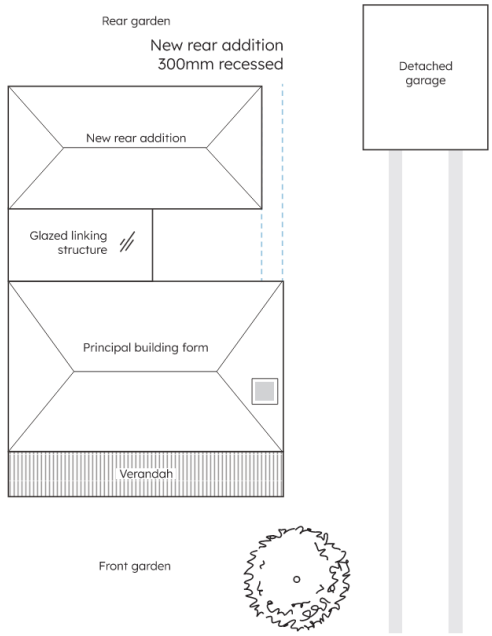
Objectives

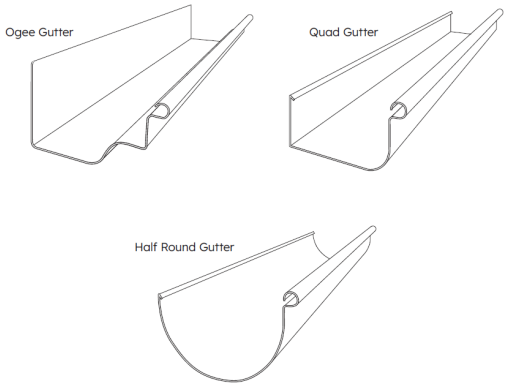
O.31 To encourage alterations and additions that conserve the significance of heritage items.
O.32 To ensure that alterations and additions to residential heritage items are sympathetic in design and do not adversely impact the significance of the item.
O.33 To ensure that alterations and additions to heritage items respect the predominant character of the item in terms of scale, form, architectural style, details and materials.
O.34 To ensure that alterations and additions are designed and located to the rear of the heritage item to appear as a secondary structure.
O.35 To ensure that new works are well designed, and that new fabric is readable and not a copy of a historical architectural periods' styles.
O.36 To ensure that new alterations and additions are sympathetic to established siting, orientation and building alignment, especially where works are proposed to group items and pairs.
O.37 To conserve the scale, character, and pre-eminence of original and historic roof forms, and to ensure the retention of significant fabric and features such as original windows, chimneys, and roof elements.
O.38 To protect the contributory elements of a heritage item, including significant trees, cultural plantings, landscape features including paths and lampposts, historic fencing and garden walls.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Architectural design	
PC.1 • O.32 • O.33 • O.35	Any new works to a heritage item must demonstrate high quality contemporary architectural design that is responsive to the historic context and character.
AS.1 • O.31 • O.32	Alterations and additions should be reversible and not adversely impact on historic fabric or significant architectural features and elements.
AS.2 • O.34 • O.35	Rear additions should not mimic the architectural style of the heritage item. Additions should be sympathetic to the heritage item in terms of scale, bulk, proportions and materials but should not copy or mock historic architectural styles and features. This provides a distinction between original significant fabric and new additions.
Siting of new works	
AS.3 • O.33 • O.34 • O.36	Additions should not impact the integrity of the heritage item's siting, orientation and building alignment when viewed from the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 4-1: Example positioning of new addition to heritage items** **Example:** side additions to Federation dwellings should be set back or separated from the side elevation of the main building and not compromise the ability for driveway access to the rear of the block.
AS.4 • O.31 • O.38	New additions should retain an adequate setting around the heritage item for landscaping, fencing, any significant trees, unbuilt land and through site views.
PC.2 • O.32 • O.34	Alterations and additions must occur to the rear of a heritage item to minimise the visual impact on the item from the street. **Example:** a simple timber weatherboard addition with a skillion corrugated metal roof may be an appropriate rear addition to a heritage item (refer to Figure 4-2).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 4-2: Example of secondary addition to the rear of a heritage item**
PC.3 • O.32 • O.33 • O.37	Additional storeys are not supported above heritage items.
AS.5 • O.31 • O.32 • O.34	Single storey rear additions are preferred where the heritage item is a single storey building. Two storey additions may be appropriate if the addition is 0.3m below the ridge height of the heritage item OR not visible from the streetscape (refer to Figure 4-3).
PC.4 • O.34 • O.37	Rear additions to heritage items that exceed the eave height of the principal roof form, must be designed as pavilion additions.
AS.6 • O.33 • O.34 • O.35	A single storey glazed structure should be provided between the heritage item and new addition. The height of the glazed structure should sit below the eave height of the heritage item. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-3 and Figure 4-4).  **Figure 4-3: Example of a one storey pavilion addition and a glazed linking structure to the rear of a heritage item**

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 4-4: Pavilion addition recessed to obscure casual viewing**
AS.7 • O.33	**Shadow lines** and gaps between old and new fabric are encouraged.
AS.8 • O.33 • O.34 • O.35	Rear additions should be stepped back from the side elevations of the heritage item by at least 0.3m to create a distinction between old and new fabric (Figure 4-4).
PC.5 • O.33 • O.34 • O.36 • O.38	Extensions to the side elevation will not be supported if they alter established patterns of buildings and gardens or impact the original fabric of a heritage item.
PC.6 • O.34 • O.35	Where the existing side setback is non-compliant with the residential building controls in Chapter 6 of this DCP, the new addition is to be setback from the side boundary to allow for improved amenity.
Outbuilding and other structures	
AS.9 • O.31 • O.37	Early outbuildings should be retained insitu and re-used.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.10 • O.32 • O.34	The location of new outbuildings, sheds, cabanas, decks, and structures should be located to minimise impacts to a heritage item, especially in terms of views to and from the heritage item.
PC.7 • O.34 • O.36	Tennis courts, swimming pools and other recreation spaces and their associated structures, are to be located to the rear of a heritage item, well behind the building line and not be sited so as to intrude on its setting.
Scale and form	
PC.8 • O.32 • O.33	Changes to the original scale and/or form of a heritage item from alterations and additions must be minimised.
PC.9 • O.32 • O.34	Alterations and additions are to be visually subservient and clearly secondary to a heritage item.
Roofs	
PC.10 • O.32 • O.37	The removal of original roof forms and roofing material is not supported.
AS.11 • O.32 • O.37	Where roofing material must be replaced due to identified damage or risk (as assessed by a suitably qualified professional and accepted by Council), traditional materials similar to that of the original construction are to be used that reflect the traditional qualities that match the original roofing material.
PC.11 • O.37	Original chimneys are to be retained.
PC.12 • O.32 • O.37	Original roof elements such as sheeting, covering, capping, traditional stepped flashings, roof vents, eaves, guttering, gutter moulds, rainwater goods, **barge boards**, **fascia boards**, brackets and pediments are to be retained, or if subject to structural failure, replaced like for like.
PC.13 • O.32 • O.37	New guttering profiles are to be in keeping with that of the existing guttering. Where no guttering was originally present on the building, **ogee**, **half round** or **quad styles** must be used.  **Figure 4-5: Examples of Ogee, Quad and Half Round Gutters**

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.11 • O.32 • O.37	Where appropriate, new attic rooms may be introduced in the rear of original roofs if they do not alter the original roof form.
PC.14 • O.32 • O.33 • O.37	Dormer windows and skylights are not to be located on the front roof plane. They may be located on side roof planes if they are not visually prominent and visible from the street.
Details and original features	
PC.15 • O.31 • O.32 • O.33	A Colour, Materials and Finishes Schedule is required for any alterations and additions to a heritage item. Works must detail all internal and external alterations.
PC.16 • O.32	An archival or photographic record may be required at Council's discretion to document the existing structure if part or parts of the heritage item are proposed to be altered.
PC.17 • O.32 • O.33	Original balconies and verandahs must not be removed or enclosed.
PC.18 • O.32 • O.33	Original fretwork, posts and balustrading are to be retained and conserved. Where new pieces are required, original elements should be replaced with like for like materials.
PC.19 • O.32 • O.33	Original timber features such as panelling, ceilings, flooring, skirtings and architraves are to be retained in their original configuration and dimensions.
PC.20 • O.32 • O.33 • O.35	New windows to be inserted into the existing fabric of a heritage building are to be of a size, material, proportion and type that is consistent with a building's architectural style and period.
AS.12 • O.31	New verandahs should take a traditional form, such as sloping galvanised iron with regularly spaced columns.
AS.13 • O.31 • O.35	Development should avoid introducing modern features that replicate or copy a heritage item's design, materials, arrangement and position wherever possible.
External materials, finishes and colours	
AS.14 • O.31 • O.33	Original materials, finishes and colours should be retained and conserved, where possible.
AS.15 • O.32 • O.33	The use of highly reflective materials should be avoided.
PC.21 • O.31 • O.32	Original timber verandah posts, windows and doors are to be retained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.22 • O.32 • O.33	The material and colour of original roofing is to be matched in any addition.
PC.23 • O.32 • O.33	Original face brick or stone is to remain unpainted and unrendered. Any new face brickwork is to match the existing brick in colour and texture, and in the type of jointing and mortar colour.
Carparking	
AS.16 • O.31 • O.38	Original carriage loops and driveways should be retained.
PC.24 • O.32 • O.38	New driveways and verge works that would damage original sections of Sandstone kerb and guttering are to be avoided. Where this is unavoidable, minimise the section of original kerb and guttering to be removed. Archive and securely store original curb and guttering for reuse and repairs.
AS.17 • O.31 • O.32	Paired wheel strips over public footway areas are preferable to solid driveways.
AS.18 • O.31 • O.32 • O.33	Internal driveway materials should include wheel strips or gravel. Stamped concrete should be avoided.
AS.19 • O.31 • O.32 • O.33 • O.36	Garages and carports, should be detached and located at the rear or set well back from the side of a building, behind the rear building line.
AS.20 • O.31 • O.32 • O.36	Garages and carports should be subservient to the item and significant buildings and should reflect the established historic patterns of development in the street.
AS.21 • O.32 • O.33	Colours and materials should blend into the surrounding landscape.
AS.22 • O.33 • O.37	Garages should have simple hipped, gable or skillion roofs, depending on the design of the existing main building.
AS.23 • O.33 • O.37	The pitch of a garage or carport roof should, in most cases, be comparable or slightly lower than that of the main building and generally 25–30 degrees.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Services, skylights, solar panels etc.	
PC.25 • O.32	The installation of services are not to give rise to adverse impacts on historic fabric, such as appearance from the street or irreversible structural damage where services could be installed in an otherwise less invasive manner.
PC.26 • O.32	Solar panels are not supported to the front or side facing slopes of the principal roof.
PC.27 • O.32	Solar panels are supported on outbuildings, garages, rear additions and other structures where visibility from the street is minimal.
PC.28 • O.32	Skylights on a heritage item are only to be situated on the rear facing slope of the principal roof, with maximum dimensions being 0.5m x 1m.
AS.24 • O.32	Plant and equipment such as solar water heaters, antennas, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.

Note: Alterations and additions must also consider fire safety under the provisions of *Environmental Planning and Assessment Regulation 2021*. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.4.9. Alterations and additions to non-residential Heritage items

Objectives

O.39 To retain and conserve the significance of non-residential heritage items.
O.40 To encourage the removal of unsympathetic features and details from non-residential buildings.
O.41 To retain and conserve original shopfronts, including shop doors, windows and other period materials and detailing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39	Heritage items are to be retained and conserved.
PC.2 • O.41	Original shopfronts are to be retained and conserved.
AS.1 • O.39 • O.41	Alterations and additions should be located to the rear and make use of rear laneway access, where available.
PC.3 • O.39 • O.41	Any major alterations to heritage listed buildings are to be guided by a Conservation Management Plan, which is to be endorsed by Council prior to any future development being considered.
AS.2 • O.40 • O.41	Where the original shopfront has been removed and replaced by an unsympathetic alteration, the reinstatement of earlier styles of shopfront (based on historic documentary evidence) in harmony with the overall building character is desirable.
PC.4 • O.40	Unsympathetic features such as signage, roller doors and lighting that have no heritage significance are to be removed.
AS.3 • O.39	Service structures and plant equipment should be suitably screened with landscaping or integrated into the building to minimise visual impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Pairs and groups	
PC.5 • O.39 • O.40	The shared features of a pair or group of heritage items must be retained, conserved, or reinstated. **Note:** Heritage items may form part of an identical pair or part of a group of similar buildings. Buildings in pairs and groups often reflect the work of a singular architect or builder and share the same architectural period and style, original details and features, and proportions and scale.
PC.6 • O.39	Alterations and additions to a property that is one of a pair (or group) must be designed with regard to the overall balance of the pair (or group) in terms of height, alignment, form, scale, built pattern and architectural character and detail.
Colour schemes	
PC.7 • O.39	External colour schemes are to be in keeping with the architectural period and style of the heritage building. Where possible, refer to physical or documentary evidence to ensure the colour scheme is appropriate with the architectural style and period. Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.
PC.8 • O.39	Single-colour schemes that diminish the original features of the heritage item must be avoided
AS.5 • O.39	Dark colours, such as black and grey, should not be used.
Accessibility	
AS.6 • O.39	Reversible additions for accessibility purposes are preferred.
PC.9 • O.39	Entries are to be located to minimise the loss of original elements such as railings, steps and windows. An accessible entry is to be identified for the building. This may not be the main entrance but the most practical entry that provides sufficient area for a ramp.
AS.7 • O.39	Accessible paths should provide a firm compacted surface. **Note:** Concrete is best, but well-compacted gravel, cement, stabilised or consolidated gravel, or dirt may have less impact on the significance of the item.
AS.8 • O.39	Ramps should be located discretely to minimise or avoid impact on heritage significance.

Note: Alterations and additions must also consider fire safety under the provisions of Environmental Planning and Assessment Regulation 2021. Information on fire upgrading for heritage item properties can be found at the Heritage Office's Fire Advisory Panel's website.

4.5. Development in the vicinity of Heritage Items/Heritage Conservation Areas

New development in the vicinity of heritage items can impact the significance of an item. New development adjacent to heritage items should respectfully respond to the siting, scale, form and height of the heritage item and historic pattern of development.

Note: there is no statutory definition of 'vicinity' in the context of heritage items. Rather the concept of curtilage is related and assists in understanding and assessing the impacts of development on nearby heritage items. Refer to the Heritage Guideline for further information.

Objectives

O.42 To ensure that new development in the vicinity of a heritage item retains the significance of the heritage item and enhances its understanding and appreciation.

O.43 To ensure that new development and the setting of the heritage item is respected through appropriate contemporary design of new built form, scale, siting, materiality, and detailing that is responsive to the historic character of the context.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Development in the vicinity of a heritage item is to conserve the item's significance and not give rise to any adverse impact on the ability to appreciate and understand the item.
PC.2 • O.43	Proposed new development in the vicinity of a heritage item is to respond to and enhance the character, context and significance of the item and the surrounding area through high quality contemporary design.
PC.3 • O.42 • O.43	Development in the vicinity of a heritage item is to adhere to the following criteria in relation to visual interaction: a. integrate and retain any significant landscape items and features, b. retain an appropriate visual setting, including views and vistas to and from the heritage item, c. have regard for the established siting and orientation of heritage items, and d. be setback from the building line of front facade where adjoining or adjacent to a heritage item.

4.6. Heritage Conservation Areas

Heritage Conservation Areas (HCAs) are recognised and conserved for their ability to demonstrate significant built and landscape heritage values. An HCA is typically an area that evidences a particular course and pattern of history in a specific locality, demonstrating how people have experienced a place through time socially, physically, environmentally, economically, and architecturally.

This section outlines the general objectives and controls for the HCAs within the Maitland LGA and additional specific controls for each HCA. The controls within this section (4.5) only applies to buildings within HCAs that are **not heritage-listed**. These buildings are classified into the following three categories:

1. Contributory buildings (originate from the historical era)
2. Non-contributory buildings (do not originate from the historical era, and are of modern design)

These classifications relate to the heritage significance of each building and its contribution to the HCA curtilage. Further information on the classification of buildings is provided in Appendix G: Heritage Guidelines.

There are seven HCAs in the Maitland LGA:

- Bolwarra HCA
- Central Maitland HCA
- East Maitland HCA
- Lorn HCA
- Regent Street HCA
- Morpeth HCA
- Aberglasslyn House HCA.

In addition to the specific controls provided for each of the HCAs, this section provides a desired future character statement and current statement of significance for each HCA. Controls for contributory and non-contributory buildings are included. Many buildings within the HCAs are also listed as individual heritage items; in these cases, the controls in Section 4.4 apply and If there is any inconsistency between this sections controls, Sections 4.7 -4.13 controls, and Section 4.4, Section 4.4's controls prevail.

4.6.1. Demolition

Objectives

O.44 To ensure that contributory buildings and elements that contribute to the character and significance of heritage conservation areas are retained and conserved.

O.45 To ensure that the original form and features of buildings that are contributory are retained and improved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45	Demolition of contributory buildings is to be avoided wherever possible. A Structural Assessment Report prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided, with associated costing to make the building safe. Following this, an Estimated Cost of Development Report in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, is to be provided for sympathetic alterations and additions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	If demolition is the only option after this is undertaken, a SoHI must verify that all alternative options to demolition have been fully investigated, and demonstrate the replacement building's compatibility with the physical context. The SoHI must include details of the: a. Structural condition. b. Overall extent of the remaining fabric. c. Potential retention and adaptive reuse. d. Comparative costings (i.e. retention, reuse, adaption costings), e. All other requirements for a SoHI under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.44 • O.45	Later alterations and additions that detract from the contribution of a building to the character and significance of the HCA area may be removed.
AS.1 • O.45	Non-contributory buildings and/or later additions to contributory buildings may be demolished and replaced with buildings or elements that complement the character of the HCA.
PC.3 • O.45	The demolition of severely deteriorated sheds, garages, and outbuildings will be considered where the building or structure has no heritage value and the replacement building is of a suitable design.

4.6.2. Subdivision and boundary adjustment

Objectives

O.46 To retain the original historic subdivision patterns.
O.47 To protect the significance of heritage conservation areas, including contributory buildings within them.
O.48 To ensure that HCAs are properly considered in the design of new subdivisions.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.46 • O.48	Unless recommended by a SoHI, subdivision or boundary adjustment will not be supported.
PC.2 • O.46 • O.47 • O.48	Lot boundary changes are not supported where the development pattern or early subdivision is integral to the heritage significance of the HCA.
AS.1 • O.46 • O.47 • O.48	Where the subdivision or boundary adjustment of land within a HCA is supported, the development must ensure that it conserves the important characteristics of the subdivision pattern, allotment layout, landscaping, curtilage, views, streetscape character and notable features of the significant period of development. This is to be justified by the applicant to the satisfaction of Council.
PC.3 • O.47 • O.48	Boundary adjustments of sites within HCAs must allow for the ongoing interpretation of the original subdivision through building form and landscape design.

4.6.3. Views and vistas

Objectives

O.49 Public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings and setting of HCAs, must be retained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49	Development in HCAs must not impact or obstruct important public views or vistas including iconic views, townscape, views along historic streetscapes and views of heritage items and contributory buildings.
PC.2 • O.49	Development must consider the impact of views and include appropriate setbacks, siting and scale in order to ensure that important views and vistas are retained.

4.6.4. Streetscape character

Objectives

O.50 To retain the significance and streetscape character of the HCA.
O.51 To preserve both the immediate and broader setting of heritage items and contributory buildings in HCAs.
O.52 To enhance key character elements of an HCA.
O.53 To conserve the historic visual qualities and significant views to and from heritage items and contributory buildings, and from within the HCA.
O.54 To retain public domain views, including iconic views, views along historic streetscapes and views of heritage items and contributory buildings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50 • O.51 • O.54	Alterations and additions are to retain the significance and streetscape character of the HCA as defined in the character statement in Appendix G: Heritage Guidelines.
PC.2 • O.52	Alterations and additions are to retain and enhance key character elements of the HCA, including landscape features.
PC.3 • O.51 • O.53	The incorporation of unsympathetic elements as part of alterations and additions will not be supported.
PC.4 • O.51 • O.53	Additions are to conserve significant building aspects of the HCA, such as scale, massing, bulk, roofscape, building form, setback, external materials, and details.
PC.5 • O.53 • O.54	Additions must be designed and located such that they have minimal visibility from the street.
AS.1 • O.51 • O.53 • O.54	New landscaping in front gardens should reflect the design and scale of landscaping in the existing streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.50 • O.53 • O.54	New landscaping must not impact views between the street and buildings within the HCA.
AS.2 • O.50	Street trees and significant trees should not be removed where they contribute to the streetscape character and significance of the HCA. Where removal is required, the process under Chapter 2, Section 2.3.1 Tree and Vegetation Management for tree removal is to be followed.

4.6.5. Landscapes

Refer to the Maitland Significant Tree Register and Chapter 2: Environmental Considerations of this DCP for tree management guidelines and controls.

Objectives

O.55 To maintain and conserve the landscape character of the HCAs.
O.56 To maintain and protect the existing rural character and landscape of the Maitland LGA.
O.57 To retain significant contributory landscape components on private and public properties that demonstrate the heritage significance of the HCA, including trees listed on Council's Significant Tree Register.
O.58 To ensure that new planting does not compromise views to and from heritage items and contributory buildings, within the HCA or of the HCA setting.
O.59 To ensure that infill landscaping does not obscure or reduce the interpretability of historic gardens and public landscapes, or conflict with the streetscape identification of a group of historic properties.
O.60 To ensure that private property landscaping does not extend onto the street verge.
O.61 To retain landscape features in the public domain, especially where they abut development sites.
O.62 To retain historically significant transit corridors between townships and across the floodplain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.55 • O.57 • O.61	Significant landmark plantings in public and private settings are to be retained. This includes all plantings included in Council's Significant Tree Register available on Council's website.
PC.2 • O.55 • O.57	Ensure that front gardens are part of the streetscape and appropriate to the character of the HCA. Traditionally designed gardens that enhance the appearance of heritage items and the streetscape are to be used. Surviving plantings that are typical of historic garden layouts are to be incorporated into new designs.
PC.3 • O.55 • O.57	Surviving original garden elements such as gates, paths, fencing, edging tiles, brick kerbing, and the like are to be retained.
AS.1 • O.58	Generous landscaped areas should be provided in the front of new residential buildings wherever possible to maintain the character of the streetscape.
AS.2 • O.55 • O.59	Garden structures (such as archways) should be amenable to the principal buildings of a site in terms of scale, style and materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.55 • O.58	Rows of high planting for the demarcation of boundaries are restricted to the rear gardens of lots, and only in cases where those rear gardens are not prominent in views from the floodplain.
AS.3 • O.55 • O.58	Large trees, both natives and exotics, are generally not suitable for use in front gardens due to their size once matured. Exceptions apply where the site has a large front setback, or large trees formed part of the design of the original landscape.
AS.4 • O.60	Private planting on street verges is discouraged.
PC.5 • O.56 • O.62	Solid screen planting over 1.5m within significant view corridors is not supported.
AS.5 • O.55 • O.56 • O.58 • O.59	The use of monocultures of large shrubs abutting front boundaries should be avoided in new garden design plans for heritage items and contributory buildings.

4.6.6. Alterations and additions to residential buildings

Objectives

O.63 To ensure that modifications to buildings within HCAs are of an appropriate design that does not adversely impact the significance or character of the HCA.
O.64 To maintain and enhance the existing character of the street and the surrounding HCA.
O.65 To ensure that modifications to buildings within HCAs retain and complement the character of the HCA in terms of scale, form, architectural style, details and materials.
O.66 To ensure that alterations and additions are designed and located so that they have minimal visibility from the street.
O.67 To retain the symmetry of semi-detached houses, pairs and contiguous groups of buildings.
O.68 To enhance the streetscape and encourage appreciation of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Architectural design	
PC.1 • O.63 • O.64 • O.65	Where proposed additions will be visible from the street, the style of the addition must respond to and complement the architectural style of characteristic development within the HCA, as defined in the relevant character statement and demonstrated on contributory buildings.
AS.1 • O.63 • O.65	Alterations and additions to a site should be designed to minimise the impact on the heritage significance of the HCA and the architectural style of the site's principal building form.
PC.2 • O.64 • O.66	Contemporary architectural styles that are not consistent with the historic character of the area may only be used on parts of a neutral or detracting building that cannot be seen from the street.
PC.3 • O.63 • O.65	Distinction is to be provided between new and old fabric. New work should be recognisable and not mimic the architectural style and materials of the building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.67	Any addition must avoid extending the original design across the street front.
Siting of new works	
AS.3 • O.64 • O.68	The orientation and pattern of contributory buildings should be maintained.
AS.4 • O.63 • O.65 • O.66	New additions should be consistent with the siting, orientation and massing of existing buildings in the streetscape.
PC.5 • O.63 • O.64	Setbacks from side boundaries are to be consistent with typical buildings in the streetscape.
AS.5 • O.63 • O.64 • O.66	Development on corner sites should address the corner and retain the original built form as it turns the corner.
PC.6 • O.64 • O.66	Outbuildings and other structures are to be sited to minimise impacts to the streetscape character and heritage items in the vicinity.
AS.6 • O.65 • O.68	Additions should not be built over contributory gardens or historic landscape fabric.
PC.7 • O.63 • O.65	New structures are to be set back from mature trees, in accordance with a AQF Level 5 Arborist Report, and historic gardens are to allow views to the significant landscaping elements from the street and to reduce impacts to historic planting and vegetation.
AS.7 • O.65 • O.66	New additions should generally be designed as pavilion additions. A single storey glazed structure should be provided between the existing dwelling and the new addition. The height of the glazed structure should sit below the eave height of the existing dwelling. The ridge height of a rear addition must be 0.3m below the ridge height of the principal building form (refer to Figure 4-3).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.63 • O.68	All new development is to be sited behind the rear building line of a heritage item or contributory building, except where the design is a side extension designed in the same style and materiality as the principal building form (refer to Figure 4-6).

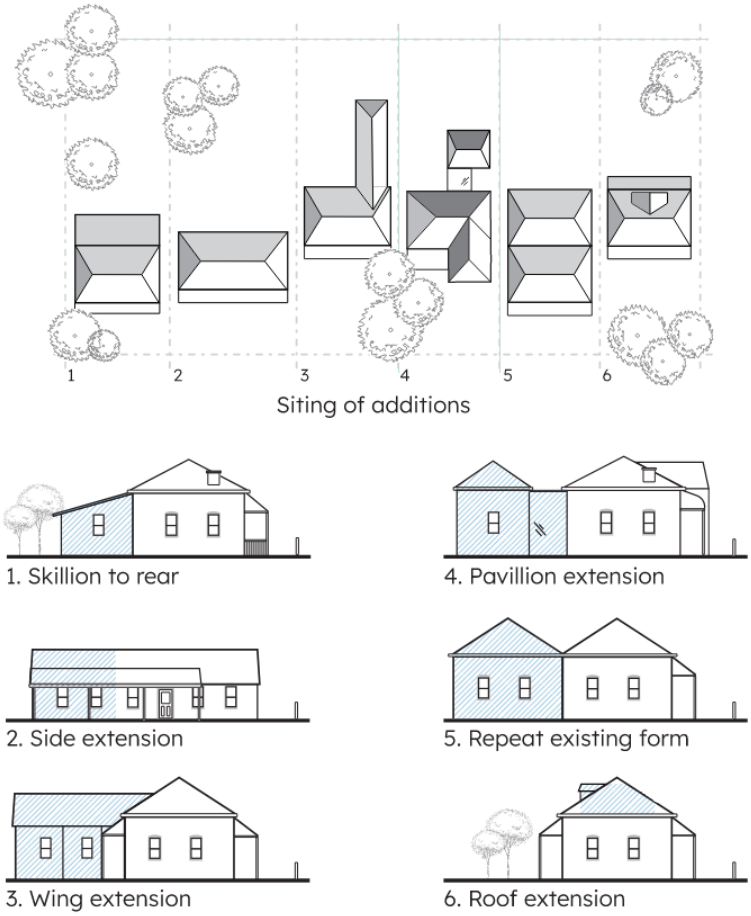


Figure 4-6: Examples of Appropriate Siting of Additions

PC.9 • O.63 • O.66	Where rear additions are not possible, additions to the side of buildings may be permitted. Side additions must be designed so that they are set back as far as possible from the front building line.
Scale and form	
PC.10 • O.63 • O.65	Alterations and additions must not alter the original scale or form of contributory buildings. An alteration or addition is not to be of a size or scale that overwhelms or dominates the existing building, substantially changes it, destroys its identity, or changes its contribution and importance in its surrounds.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.64 • O.65	Alterations and additions to non-contributory items must be consistent with the scale and form of nearby contributory buildings.
PC.12 • O.63 • O.66	Where proposed, additional floor space must be located in the rear to retain the original scale and form of the building.
Roofs	
PC.13 • O.64 • O.65 • O.67	Original and traditional roof forms and materials are to be retained. Alterations to original roofs are to complement the style, form and pitch of the original roof or be consistent with contributory buildings.
AS.8 • O.63 • O.66	Upper-level additions may be included within the existing roof space as part of an attic-style addition. Dormers and skylights should be located on the side or rear roof plane.
AS.9 • O.66	Roof additions should be generally confined to the rear of an existing building.
PC.14 • O.64 • O.68	New additions are to have separate roof forms. Large roof extensions that change the form and ridge lines of the original roof are to be avoided, and the original roof is to be the principal roof form on the site
AS.10 • O.65 • O.68	Habitable space within a roof area will generally not be acceptable due to the substantial increase in required height and scale.
AS.11 • O.63 • O.64 • O.68	Dormers to the side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.
PC.15 • O.64 • O.68	All original chimneys must not be demolished unless they are proven to be structurally unsound, and only when followed by immediate reconstruction in the original detail.
PC.16 • O.63 • O.65 • O.68	New roofing must be consistent with existing materials or demonstrated original. Where new buildings are proposed, roofing of the new element is to generally be corrugated galvanised metal sheeting.
AS.12 • O.63 • O.65	Tiling may be appropriate on buildings constructed between the 1900s and 1930s. Unglazed terracotta tiles are preferred to glazed and coloured tiles.
PC.17 • O.63 • O.65	The re-roofing of the main body of the house is only supported when utilising new roofing materials that match original materials.
Details and original features	
PC.18 • O.63	Original architectural detailing and features on contributory buildings, such as barge boards, finial trim, decorative fretwork, window awnings and front verandahs, are to be retained and conserved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.64 • O.65	
PC.19 • O.63 • O.65	New detailing must be complementary to the character of contributory buildings within the HCA in terms of style, material and detail.
AS.13 • O.63 • O.65	Where new doors, windows and verandahs are visible from the street or prominent location, they should be of a similar proportion, size, location and detailing to original elements. Original door and window openings are to be retained and repaired. If original doors and windows have been lost, they are to be replaced with a similar size, type and material for the age and style of the building.
AS.14 • O.63 • O.65	New windows should have a vertical orientation. Double hung, casement, awning or fixed windows are preferred, in timber. On new buildings or modern additions, windows and doors may be in aluminium frames with timber-like proportions.
AS.15 • O.64 • O.65	The location of openings should follow the solid to void ratio in historic buildings.
PC.20 • O.64 • O.65 • O.68	Verandahs on the front and sides of a contributory building must not be infilled or enclosed.
AS.16 • O.64 • O.68	Enclosures to verandahs should be removed when alterations and additions are proposed.
AS.17 • O.64 • O.68	Verandahs and balconies that do not match the architectural period and style of the principal building should be removed.
AS.18 • O.63	New verandahs and balconies should not be introduced where they were not intended as part of the original design of the building.
AS.19 • O.63 • O.65 • O.68 • O.65	Missing components such as verandah brackets, fences and chimneys should be copied carefully and reinstated in their original style.
AS.20 • O.63 • O.67	Alterations should avoid arbitrary changes to openings or other features which do not fit with the symmetry or character of the original architectural design.
PC.21 • O.63 • O.65	Material that imitates historic fabric is not supported.
AS.21 • O.64 • O.68	Existing incompatible/intrusive elements (e.g. non-original aluminium windows and doors, and aluminium or vinyl cladding) in street elevations and prominent locations should be replaced with traditional materials when alterations and additions are proposed.
External materials, finishes and colours	

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.22 • O.63 • O.65	Original wall cladding is to be retained and conserved, including face brickwork and timber weatherboards blocked to resemble cut stone. Modifications to face brick dwellings must use the original style of bricks, window heads, mortar joints and other building details.
PC.23 • O.63 • O.65	Paintwork must not be applied to any brickwork, stonework, exposed bricks on chimneys, terracotta chimney pots, tessellated or glazed tiling, slate verandah edging and steps, or any other unpainted surfaces.
AS.22 • O.63 • O.65	Face brickwork should remain unpainted and unrendered. Face brickwork that is already painted or rendered should be restored, where possible, to its original un- painted state.
PC.24 • O.63 • O.65 • O.68	For brickwork that was originally rendered or painted, cement render that is complementary to, and consistent with, the architectural style and colour schemes is to be used. Repainting must be articulated in the same manner as the original colour rendering of the building.
AS.23 • O.63 • O.65	Plain bricks with natural-coloured mortars are preferred for new structures. Avoid mottled bricks and textured sandstone bricks.
AS.24 • O.63 • O.65	The recladding of existing timber weatherboard buildings with any material other than timber weatherboards is not encouraged.
AS.25 • O.63 • O.65	New timber weatherboards should have a traditional width and profile to match the original weatherboards. **Note:** timber weatherboards should be 150mm with a square edged profile.
PC.25 • O.63 • O.64 • O.65	New materials must reflect the historic character of the HCA where visible from the street.
PC.26 • O.63 • O.64 • O.68	Colour schemes are not to be of a singular colour solution, nor be entirely dark colours, such as black and grey. **Note:** Refer to Maitland City Council's Heritage Development Works webpage for colour schemes and guidelines.
PC.27 • O.63 • O.65	Original rainwater goods e.g. gutters, downpipes, rainheads, are to be preserved or replaced to match existing.
AS.26 • O.63 • O.65	Plastic downpipes should be avoided where they are visible from the street.
PC.28 • O.63 • O.65	Round downpipes are to be provided as part of new development.
Carparking and driveways	
PC.29 • O.63	Garages and carports are not to be constructed forward of the building alignment of a building within an HCA and are to be setback at least 5m behind the principal building line.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.66	Preferably, they should be located at the rear of the lot and setback 500 millimetres from the rear and side boundaries.
PC.30 • O.64 • O.66	If garages or carports are connected to the principal building form, they are to be setback from the principal building line at least 5m and have a separate roof.
PC.31 • O.64 • O.65 • O.68	The scale and form of a garage or carport must not dominate the principal building, or adjoining structures.
PC.32 • O.64 • O.65 • O.66	Garages and carports must be single storey. The addition of an attic above garages, carports or other outbuildings shall only be considered where window openings are not visible from the street.
AS.27 • O.63 • O.65	The roof pitch of a garage or carport should be lower than the roof pitch of the principal building form. Generally, a roof pitch above 25 degrees will be required for carports, sheds and garages.
AS.28 • O.63 • O.64	Garages and carports should have simple hipped or gable roofs depending on the roof design of the principal building on the site.
PC.33 • O.63 • O.65	New garage structures are not to have roller doors and are to be single width garage doors.
AS.29 • O.63 • O.65	Carports should be simple light structures.
PC.34 • O.63 • O.66	Triple door garages are not supported in any location visible from the street.
AS.30 • O.63 • O.65 • O.68	Where visible from the street, external cladding of garages should generally be consistent with that of the principal building on the site or be of horizontal weatherboard construction.
AS.31 • O.64 • O.65 • O.68	Where a property has access to a rear lane or street, vehicle accommodation is to be located adjacent to the rear laneway or street with vehicle access from the laneway.
PC.35 • O.64 • O.68	Driveways and wheel strips are to be constructed using Morpeth Mix.
AS.32 • O.64 • O.65 • O.68	Wheel strips and gravel driveways are preferred to solid driveways, especially over the public footpath. Infill areas between wheel strips must be confined to private property and is to consist of soft landscaping such as turf, grass rings or gravel.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.33 • O.63 • O.65	Council may consider exceptions to the numerical requirements for on-site car parking at dwellings in HCAs if the car parking does not adversely impact on the HCA.
PC.36 • O.63 • O.68	Significant historic kerbing is not to be disturbed. Where this is unavoidable, a stone mason is to be engaged and must minimise the section of original kerbing and guttering to be removed. Archive and securely store original kerb and guttering for reuse and repairs.
Fencing and gates	
PC.37 • O.63 • O.64 • O.65 • O.68	Modifications to the front fence and gate of buildings within a HCA must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building and character of the streetscape.
PC.38 • O.64 • O.68	Original fences and walls must be retained and refurbished where possible.
PC.39 • O.64 • O.65 • O.68	The location of fences presenting to street frontages is determined by the predominant pattern of fencing in the street and locality.
AS.34 • O.64 • O.65	Where fences have been changed, they should be reconstructed based on their original design. If the original design is not known or cannot be identified, the fence should be built according to the architectural style of the building i.e. timber picket, low masonry, and low hedges etc.
PC.40 • O.63 • O.65 • O.68	New fences and gates must be sympathetic in colour, material, height and design to the streetscape character and other contributory fences and not detract from the heritage significance of the locality. Avoid faux historic styles.
PC.41 • O.63 • O.65 • O.68	Front fences must be no higher than 1.2m in height, unless there is evidence that the original heritage fencing was higher.
AS.35 • O.63 • O.65 • O.68	Front fences in HCAs should be open or transparent, not solid.
PC.42 • O.63 • O.65	Side fences forward of the building line, and fences to lanes or streets are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock or made of painted steel are not supported. Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.
PC.43 • O.63 • O.64 • O.65	Plain or treated corrugated metal fences and/or painted steel fences are not appropriate on primary or secondary frontages.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.68	
Services, skylights and solar panels	
PC.44 • O.63 • O.64 • O.66 • O.68	Solar panels and skylights are not supported on roof planes which have an orientation to a street.
AS.36 • O.63 • O.64 • O.66 • O.68	Plant and equipment such as solar water heaters, antennas, switch boards, meters, fire safety systems, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.

4.6.7. Alterations and additions to non-residential buildings

Objectives

O.69 To retain and conserve contributory commercial and civic buildings.
O.70 To ensure alterations and additions to contributory commercial and civic buildings are of an appropriate design that does not adversely impact the significance or character of the building.
O.71 To encourage the removal of unsympathetic features and details on commercial and civic buildings, such as signage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.69 • O.70	Alterations and additions to non-residential buildings in HCAs must respond appropriately to the heritage significance and historic character of the conservation area.
PC.2 • O.69 • O.70	Alterations and additions to commercial and retail buildings that are contributory buildings must be designed based on a demonstrated thorough understanding of the heritage significance of the HCA.
PC.3 • O.69 • O.70	Additions must be set back from the primary façade of the building so that the addition is not prominent when viewed from the public domain.
AS.1 • O.69 • O.70	The design of additions should be contemporary and identifiable from the existing building.
AS.2 • O.69 • O.70	Generous setbacks should be provided between old buildings and new additions, such as by using a glazed section and/or shadow lines and gaps to link the new addition to the existing building.
AS.3 • O.69	The original elements and details of contributory buildings should be retained, especially on front façades. This includes original windows and doors, brick detailing and parapets, original signs, roofs, chimneys and verandahs.
PC.4 • O.69	Open verandahs and balconies of contributory buildings must not be enclosed.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.69	Original shopfronts on contributory retail buildings are to be retained.
AS.4 • O.71	Non-original shopfronts should be replaced with new shopfronts that respect the historic character of the HCA. The reinstatement of the original shopfront design is desirable, where the original design can be referenced from historic photographs, drawings, or remaining physical evidence.
AS.5 • O.70	New shopfronts should be timber framed.
PC.6 • O.69	Where present, original awnings of contributory retail buildings are to be retained.

4.6.8. Infill development

Infill development involves the addition of new buildings within HCAs. New buildings should be sympathetic in design to the HCA and should not impact the streetscape character.

Objectives

O.72 To ensure that infill development enhances the character of heritage items and contributory buildings.
O.73 To ensure that infill development is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.
O.74 To ensure that siting of new buildings respects the significance and character of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.72 • O.73	The design of new infill buildings in HCAs should be guided by NSW Heritage Office's Design in Context: Guidelines for Infill Development in the Historic Environment, and the NSW Government Architect's Better Placed guidelines.
PC.1 • O.72 • O.73 • O.74	The design of new buildings are to sympathetically respond in scale, form, siting, materials, colours and detailing to surrounding contributory items, particularly where there is a general consistency in the building scale in the streetscape and the HCA.
PC.2 • O.74	New buildings are to be setback or sited behind the façade of heritage items and contributory buildings and are to maintain the established historically significant pattern of setbacks in the streetscape.
PC.3 • O.73	Within groups of buildings such as rows of shops, infill building and façade design is to respond to the scale, height, materials, and massing of heritage items and contributory structures. This is to be done by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.
AS.2 • O.72 • O.73 • O.74	On corner sites, the new building should be designed to address the street corner and respond to the form, scale and articulation of historical corner buildings within the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.72 • O.73 • O.74	Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings, and must instead reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.
AS.4 • O.72 • O.74	Infill development should be subject to specialist heritage advice and design. This advice should inform the design process from the early stages of the project.

4.6.9. Historic streetscape elements

Each of the HCAs in Maitland contains historic characteristic elements such as hitching posts, water troughs, bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lamp posts, and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items.

Objectives

O.75 To retain and conserve historic and characteristic elements in HCAs.
O.76 To enhance the distinctive character of an HCA.
O.77 To promote the use of characteristic elements in the public domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.75 • O.77	Historic streetscape elements are to be retained in situ, where possible. If characteristic elements are removed from the public domain, they should be re- used and relocated within the HCA. If characteristic elements or moveable heritage items are unable to be re-used within the HCA, they should subject to a conservation assessment, archived and securely stored.
PC.1 • O.75	Historic signage is to be retained and conserved.
AS.2 • O.75 • O.76 • O.77	The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible. Where removal or alteration is unavoidable, works are to be undertaken by a qualified stonemason. Recovered materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the HCA.
PC.2 • O.75 • O.76	Original footpaths are to be retained and only replaced in circumstances where their condition requires reconstruction. When replacing footpaths either repair with the original or a sympathetic surface material.
AS.3 • O.75 • O.77	Stormwater outlets from buildings to stone kerbs should reuse existing pipes to minimise new outlets. **Note:** Outlets should be contained within existing holes in the stone, without any visible PVC piping.
AS.4 • O.75	Bitumen is to be removed from sandstone where possible, as part of ongoing maintenance and restoration works.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.75 • O.76 • O.77	Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossings.
AS.5 • O.75 • O.76	The design of new marker posts including bollards, directional signs and posts should reflect the historic character of the HCA.

4.6.10. Civil infrastructure

Excessive and poorly designed civic infrastructure within heritage settings (such as wayfinding and inappropriate interpretation signage, road signs, bollards, public seating and street lighting) causes visual pollution that may have an adverse impact on the significance, character and setting of a historic area. Similar to private development, civic infrastructure should be designed to complement the character of the historic streetscape and positioned appropriately to avoid adverse heritage impacts.

Objectives

O.78 To ensure the design and location of civic infrastructure complements the character and setting of the HCA.

O.79 To ensure the civil infrastructure is sympathetic to the HCA in terms of scale, form, architectural style, details and materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.78 • O.79	All new civic infrastructure should be designed to complement the historic character of the HCA. The design of new elements should be guided by heritage advice.
PC.2 • O.78	Civic infrastructure must not feature advertising or logos.
AS.1 • O.78 • O.79	When existing civic infrastructure is replaced, the replacement element should have an improved outcome in terms of its 'fit' within the historic context.
AS.2 • O.78	All new civic infrastructure, including signage, should be designed and located so that it does not obstruct views of heritage items, contributory buildings or iconic views.
AS.3 • O.78 • O.79	Street furniture and temporary installations within an HCA should be sympathetic and unobtrusive to the character of the street.
AS.4 • O.78	Street furniture should not be fixed to historic fabric, including sandstone flagging. If fixing is required, it must cause minimal impact and be readily reversible. Stainless steel should be used for all fixings to historic stone or brickwork to prevent rust.
AS.5 • O.78 • O.79	Street furniture should consider the character of the streetscape, landscape or building it is associated with. **Example:** For civic buildings, the design of street furniture should be cast iron or timber. Timber used for seating should be oiled, with cast iron painted or left natural. In parks and along the river, a modern style of seating is preferred using timber framed settings with a rugged design and oiled timbers. The use of historic materials such as railway

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	sleepers or rails, heavy hardwood timbers similar to jetty construction, or sandstone blocks is encouraged.
AS.6 • O.79	Picnic shelters should be simple structures of hardwood timber framing and galvanised corrugated iron gable roofs.
PC.3 • O.78	Existing and new bin enclosures are to be located where they: a. are not immediately in front of an historic building b. do not obscure any historic details such as sandstone flagging c. do not obstruct views along laneways or between buildings d. impact the appreciation of the historic character of the town e. can be setback from the kerb.
AS.7 • O.79	Bin enclosures should be of metal or oiled timber design.
AS.8 • O.78 • O.79	It is appropriate to reconstruct streetlights to match existing lights within the streetscape or at heritage items and contributory buildings. Ceiling mounted fittings under verandahs or awning outside commercial buildings are acceptable.
AS.9 • O.78 • O.79	The reconstruction of missing historic lights is supported. Avoid the use of faux historic designs.
AS.10 • O.78 • O.79	The use of umbrellas or canvas blinds on footpaths is appropriate where no verandah or awning is present. An exemption applies to traditional canvas drop blinds fixed to the verandah or awning edge.

4.6.11. Signage

Historic signage can be located on shopfronts, the sides of buildings, or provide historical information to communicate the history and significance of a site or HCA.

Note: This section applies to development requiring consent and not to that which is exempt under the relevant State Environmental Planning Policy (SEPP).

Objectives

O.80 To retain and conserve original historic signage.
O.81 To ensure the design and location of signage complements the character and setting of the HCA.
O.82 To provide for public signage that allows interpretation and information of historical buildings and places, in a visible and accessible location that is relevant to the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.80	Original historic signage is to be retained in-situ.
PC.2 • O.81	New signage is to reflect original historic signage within the conservation area and utilise similar colours and lettering styles.
PC.3 • O.81	The number and location of business and/or building identification signs on buildings will be rationalised to minimise visual clutter, respect the architecture of the host building and preserve heritage streetscapes.
PC.4 • O.81 • O.82	Signage is to be placed on areas of the building or item which would traditionally have been used for signage. These locations are: a. under the awning,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	b. on the awning fascia, c. a transom sign above the door or shopfront (top hamper), d. inside the display window, e. below the windowsill, or f. flush wall signs. Projecting signs above awnings and digital panels are not supported.
PC.5 • O.81	Size of signs: Signs on shop windows should not exceed 25 per cent of the total area of the shopfront glazing.
PC.6 • O.81	Illumination must be by floodlighting and the source of the lighting must be concealed.
PC.7 • O.81	Signs must be designed to be integral to the architectural style and finishes of the building to which they are attached.
AS.1 • O.81	Standardised trademarks branding, or corporate advertising may be supported by placing the modern sign in a panel with a perimeter margin and surrounding wall surface, printed in sympathetic heritage colours. Corporate colours may not be appropriate and may require modification to suit the character of the HCA.
AS.2 • O.81	The colours of signs should be based on historical research and should be appropriate for buildings in an HCA. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc. New signage should consist of high-quality materials such as wrought iron, stainless steel, brass, hardwood, and similar materials.
AS.3 • O.81	The lettering of signs on heritage-listed and contributory buildings should complement the architectural style of the building. Suitable lettering styles may involve shaded letters, the mixing of sizes and styles of letters and ornamental scrolls relevant to the period of the building.
PC.8 • O.82	Interpretational signage is to be limited to historical buildings and places. These signs must only be erected where their placement will be easily visible and accessible and where they will not obstruct significant view corridors or established pedestrian routes.
PC.9 • O.81	Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting minimises damage to the fabric of the building. Alternatively, the signage may be fixed to a grounded post.
AS.4 • O.81 • O.82	All signage should be designed for people with a vision impairment and be located at a level for common viewing.

4.7. Bolwarra Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Bolwarra HCA, the following specific controls are be applied to this area. Where the specific controls for the Bolwarra HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-7 provides a heritage map of the Bolwarra HCA applied within MLEP 2011.



Figure 4-7: Bolwarra HCA Land Application Map

4.7.1. Statement of Significance

The Statement of Significance for the Bolwarra HCA is as follows:

The historic significance of Bolwarra can be traced to the surviving buildings and gardens of the late nineteenth century which record the original subdivision of "gentleman's houses". These qualities give the area historic significance for the locality. The same remnant plantings and surviving estate development are of aesthetic significance. Many of the later but undistinguished houses are set in attractive gardens complementing the character of the earlier development.

Characteristic Elements

- Well defined boundary located above floodplain in a broader agricultural setting.
- Late nineteenth century land subdivision and street pattern comprising "gentleman's houses" on large estates.
- Examples of High Victorian villas and Late Victorian cottages in garden settings.
- WWI War Memorial at the junction of Westbourne Road and Addison Road.
- Compact high street comprising small scale commercial buildings on Paterson Road.
- Predominant single storey detached residential character.
- The view to the HCA, rural landscape and landmark trees including a large Bunyah Pine, on approach from the southern entrance to the town.
- Mature cultural plantings dating from the late nineteenth and early twentieth centuries, including Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels.

4.7.2. Desired Future Character

The desired future character for the Bolwarra HCA is as follows:

1. Retention and conservation of the historic estates that represent the original late nineteenth century land subdivision and street pattern.
2. Retention of the heritage items and contributory buildings that contribute to the historic character of the area, including the gentlemen's houses and examples of High Victorian and Late Victorian buildings.
3. Retention of the consistent scale and form of residential development, being single storey detached residential development behind formal front gardens with low front fencing and generous setbacks.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. A consistent principal building alignment on residential streets for new development.
6. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA and through additional street tree planting.
7. Enhancement of the street tree layout through planting of regular patterns and selection of monoculture species.
8. Retention of landmark plantings and the historic and significant tree stock located in and around the northern arm of Kensington Road and the suburban block framed by that road, Bayswater, Westbourne and Paterson Roads.
9. Retention of the historical and contemporary components of Bolwarra's floodplain drainage and river embankment design to ensure the integrity of those engineering assets and the two centuries of Bolwarra's river flood management remains evident and interpretable.
10. Retention and enhancement of the strongly defined rural edge between the urban village and surrounding rural land.

4.7.3. Objectives and controls for Bolwarra HCA

Objectives

O.83 To retain and conserve the historic estates and original late nineteenth century land subdivision and street pattern.

O.84 To retain and conserve the rural landscape at the edges of the HCA and historic use of the Hunter River.

O.85 To retain and conserve the heritage items and contributory buildings in the Bolwarra HCA, especially the Victorian period buildings.

O.86 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Bolwarra HCA.

O.87 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.

O.88 To retain the mature tree canopy of Bolwarra HCA, especially landmark plantings at the entrance to the HCA and historic tree stock.

O.89 Improve the streetscape character of the Bolwarra HCA by:

- siting new development to reinforce the principal building alignment on residential streets
- encouraging generous landscaping treatments within the front setback
- retaining mature street trees and planting additional street trees.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.83	Subdivision and amalgamation are to be avoided to retain the original late nineteenth-century land subdivision and street pattern.
PC.2 • O.83 • O.85 • O.86 • O.89	Subdivision proposed at sites that contain non-contributory buildings and meet the minimum lot size will be considered on merit. New development must be located to the rear of the existing building (or replacement building) with one shared driveway and vehicle crossover. The new building to the rear should be sited and oriented to minimise impacts on the streetscape character.
PC.3 • O.83	Future subdivision or new residential development east of Paterson Road and south of Westbourne Road is not supported.
PC.4 • O.87 • O.89	New development is to be consistent with the single storey detached scale and character within the HCA.
PC.5 • O.87 • O.89	New development must be consistent with the predominant building alignment of the principal dwellings to the street.
AS.1 • O.86 • O.87	New front fencing should reflect the height, materiality and architectural period and style of the building on the site.
AS.2 • O.86 • O.87	New front fencing should be a maximum of 1.2 metres in height, unless this conflicts with the original historical design of the fencing.
AS.3 • O.86 • O.87	Front fencing should be 25% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.84 • O.88 • O.89	Significant landmark plantings and historic tree stock are to be retained.
PC.7 • O.88	The mature bunya pine to the south of 5 Paterson Road, Bolwarra is to be retained.
AS.4 • O.85 • O.86	Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to original architectural drawings, historic photographs and aerial images when designing garden layouts, where available.
AS.5 • O.85 • O.86	Alterations and additions to gardens on sites containing heritage items or contributory buildings should refer to historic garden styles and planting palettes from NSW and Australian landscaping styles from the nineteenth and twentieth centuries.
PC.8 • O.85 • O.87	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.8. Central Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Central Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Central Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-8 provides a land application map for the Central Maitland HCA.



Figure 4-8: Central Maitland HCA Land Application Map

4.8.1. Statement of Significance

The Statement of Significance for the Central Maitland HCA is as follows:

Central Maitland has historic significance of exceptional value recording an early settlement of the Hunter Valley which grew to be the major centre in the region – larger than Newcastle. It also became one of the largest settlements in NSW during the middle of the nineteenth century. Its historic role is reflected in the excellent examples of Commercial, Civic and Ecclesiastical buildings and in the rarer and more modest surviving examples of early housing. The HCA's aesthetic significance is derived from the intactness of its streetscapes, its landmark buildings and strong edge definition of river and flood plain. The area is of social significance for its continuing roles as a regional centre for administration, cultural activities and several religious denominations.

Characteristic elements

- Maitland's commercial, civic, and religious centre and largest centre in the Hunter Region.

- An early colonial settlement located on the southern side of the Hunter River.
- A predominant grid street pattern.
- An excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- High Street has a largely intact streetscape, including many original shopfronts and landmark buildings.
- Residential character varies from early modest slab huts and cottages to two storey single fronted housing.
- The key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens.
- Public recreation and walking path along the Hunter River.
- Maitland Park and Maitland Showground.
- Central Maitland Railway Station.
- The southern portion of the HCA is physically separated by Les Darcy Drive and the New England Highway.
- Views to important buildings, spires and other architectural features from the surrounding HCAs and broader district.

4.8.2. Desired Future Character

The desired future character for the Central Maitland HCA is as follows:

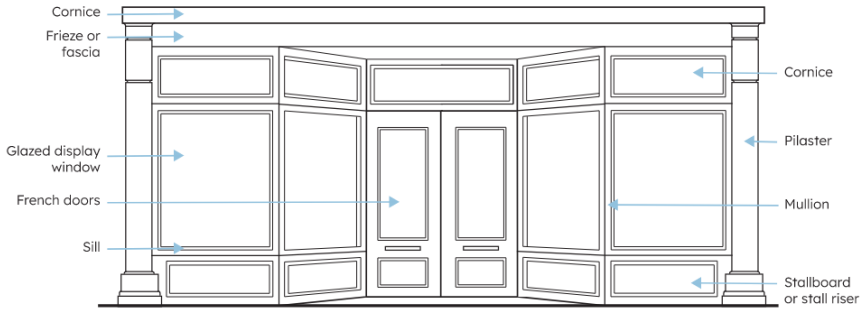
1. Enhancement of the existing character of the HCA, being one of the largest commercial, civic, and religious centres in the Hunter Region.
2. Retention and conservation of the predominant fishbone street pattern, laneways, and side streets.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA.
5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings.
6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey building height and scale, including an appropriate parapet height and design and reinforcement of established building lines.
7. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
8. Retention and enhancement of public parks and recreation areas within the HCA.
9. Improvement of the public domain character to enhance the significance of the HCA and its relationship to the Hunter River and southern portion of the HCA.
10. Retention of views and sight-lines to important buildings, spires, clocktowers, and other architectural features.
11. Retention of the open landscape character around Central Maitland Railway Station.

4.8.3. Objectives and controls for Central Maitland HCA

Objectives

O.90 To retain and conserve the existing historic street pattern, laneways, and side streets.
O.91 To retain and conserve heritage items and contributory buildings in the Central Maitland HCA.
O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
O.93 To ensure the commercial character of High Street is maintained.
O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features.
O.95 To retain and enhance public parks and recreation areas within the HCA.
O.96 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Central Maitland HCA.
O.97 To encourage medium density development where there is no significant detrimental impact to the heritage significance of the HCA.
O.98 To retain significant and mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens.
O.99 To enhance the public domain character to a high quality standard that reinforces the significance of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.90	Subdivision that impacts the existing grid street pattern, laneways and side streets are to be avoided.
PC.2 • O.90	The existing alignments and widths of all historic roads in the HCA are to be retained.
AS.1 • O.90	Subdivision may be appropriate at existing amalgamated sites where the historic subdivision pattern has been lost.
PC.3 • O.92 • O.93 • O.94 • O.97	Infill development, especially new commercial development, is to consider the height, width, setbacks, form, density, scale, proportions, rhythm of fenestration, and materials of heritage items and contributory buildings in the HCA.
PC.4 • O.93 • O.94 • O.96 • O.97	Buildings in High Street and surrounding commercial streets must be sensitive to existing character through height, bulk, scale, and heritage sensitive urban design practices.
AS.2 • O.91 • O.96 • O.99	Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-9).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 4-9: Example of Traditional Shop Front**
AS.3 • O.91 • O.96 • O.99	Where new verandah posts are proposed for commercial buildings, they should reinstate original arrangements. Where no evidence of original verandahs can be found, traditional construction methods appropriate to the building should be used. Verandah posts inserted directly underneath cantilevered awnings will generally not be considered appropriate.
AS.4 • O.94 • O.97	New residential development should be sympathetic to the one and two-storey detached character of the HCA.
AS.5 • O.94 • O.97	New development should have a consistent building height that is compatible with heritage and contributory items and allows views and sight-lines to important buildings, spires and other architectural features, in particular from the Johnson Reserve floodplain and the Regent Street HCA.
AS.6 • O.94 • O.97 • O.99	New development should not camouflage or obscure historical lot boundaries between the floodplain and town centre (e.g. Hanna Street).
AS.7 • O.91 • O.96 • O.99	Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible. Reinstatement of missing segments is strongly encouraged.
AS.8 • O.90	Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street). In such cases, plantings should be provided within front yards.
PC.5 • O.98	Remnants of the jacaranda plantings in Carrington Street are to be retained, and consideration given to inter-planting with new jacarandas, as per the original scheme.
PC.6 • O.91 • O.96	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.9. East Maitland Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the East Maitland Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the East Maitland HCA differ from the general controls for HCAs, the specific controls in this section prevail to the extent of the inconsistency.

Figure 4-10 provides a heritage map of East Maitland HCA.



Figure 4-10: East Maitland HCA Land Application Map

4.9.1. Statement of Significance

The Statement of Significance for East Maitland HCA is as follows:

East Maitland's historic significance is in its surviving record of the urban growth of Maitland. It is a relatively rare example of a town with origins based primarily on government functions, with links to the convict period and early immigration (Caroline Chisholm House). Its government functions, continued in the ongoing use of the Gaol (over almost 150 years), Courthouse and Lands Office and in the preservation of the former police buildings and Post Office, contribute to both historic and social significance. The HCA's aesthetic significance is derived from its collection of residential, government, institutional and commercial buildings of all its periods of historic growth and their visual inter-relationship, in particular the strong axial composition based on the prominent hillside location of the Court House and Stockade Hill.

Characteristic Elements

- A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms.
- Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district.
- A predominant grid street pattern and town plan established in 1829 by government surveyor Thomas Mitchell, with wide streets that terminate at public parks.
- Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office.
- A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century.
- Predominant single storey detached residential character.
- Large non-contributory commercial and light industrial buildings along the highway.
- Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
- Intact early colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.

4.9.2. Desired Future Character

The desired future character for the East Maitland HCA is as follows:

1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks.
2. Retention and conservation of the natural landform and landscape.
3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA.
4. A scale and form of infill development sympathetic to the predominately single storey detached residential character.
5. Retention of the mixture of building typologies, including residential, commercial, and government and institutional buildings.
6. Maintain the historic small scale commercial character of Melbourne and Newcastle Streets. Particular attention should be paid to protecting and enhancing the State Heritage Items of Caroline Chisholm Cottage, Smith's Flour Mill and each item's associated curtilages.
7. Retention of the formal street plantings and footpaths in and around William and Banks streets.
8. Retention of the landscape setting of the major administrative buildings.
9. Retention of significant landscape features and public infrastructure including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
10. Improvement of the public domain character to enhance the significance of the HCA.

4.9.3. Objectives and controls for the East Maitland HCA

Objectives

O.100 To retain and conserve the early grid street pattern and town plan established in 1829, including the wide streets that terminate at public parks.
O.101 To retain and conserve the heritage items and contributory buildings in the East Maitland HCA.
O.102 To conserve the natural landform and landscape.
O.103 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings.
O.104 To ensure that commercial and light industrial development maintains and reinforces the historic scale and character of Melbourne Street, Newcastle Street, and their side streets.
O.105 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the East Maitland HCA.
O.106 To ensure new infill development is of a high standard and respects the heritage significance and character of the HCA.
O.107 To retain significant landscape features including cultural plantings, wide landscaped median strips, bridges, street trees and gardens.
O.108 To retain and enhance public parks and recreation areas within the HCA.
O.109 To enhance the public domain character to enhance the significance of the HCA.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.100	Subdivision and amalgamation that impacts the early grid street pattern and town plan established in 1829 should be avoided.
PC.1 • O.100 • O.107	The existing alignments and widths of all historic roads in the HCA, especially the William Street corridor, are to be retained.
AS.2 • O.101 • O.109	New development should not visually obstruct the key north–south historic corridor of William Street.
PC.2 • O.106	New residential development is to be consistent with the one and two-storey character of the HCA.
PC.3 • O.103 • O.106	Infill development, especially new commercial development, is to consider the height, form, scale, proportions, fenestration pattern and materials of the heritage items and contributory buildings in the HCA.
AS.3 • O.104	New large-scale commercial and light industrial uses should be avoided.
PC.4 • O.102 • O.107	The historic avenue of fig trees in Wiliam street and the hills figs to the south of Newcastle Street made in the 1980s and 1990s are to be retained.
PC.5 • O.107 • O.108 • O.109	Significant landscape features, cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens, in particular the old stone pines in Cooks Square Park, are to be retained and conserved.
PC.6 • O.105 • O.109	The potential of archaeological fabric in the landscape is to be considered when undertaking building works related to former public utilities (bridges etc) and former public spaces (market squares etc).
PC.7 • O.105	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.10. Lorn Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Lorn Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Lorn HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-11 provides a heritage map of Lorn HCA.



Figure 4-11: Lorn HCA Land Application Map

4.10.1. Statement of Significance

The Statement of Significance for Lorn HCA is as follows:

The area is of historical significance as probably the best example in the region of the garden suburb ideal. Lorn has an excellent collection of residential architecture dating from the late Victorian period, the Federation period and the Inter-Wars period. It records the historic expansion of Maitland's residential development onto the flats across the river. The social significance of the suburb is preserved in an urban form and building content still functioning as a garden suburb of greater Maitland and deriving meaning from its continuity of usage. The aesthetic significance of Lorn is derived from the many excellent examples of residential architecture styles of the late Victorian period, Federation period and the Inter-wars period, supported by many other later impressive but

contributory buildings of compatible scale and form; wide streets and civic tree planting; and well-established gardens. The urban edge is well defined by river levees and open agricultural land contributing to its identity as a cohesive townscape.

Characteristic Elements

- An early twentieth century example of a purposefully planned garden suburb.
- Well defined boundary being located behind the river levees along the northern side of the Hunter River.
- Small commercial high street comprising mixture of commercial building typologies on Belmore Road.
- Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.
- An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds.
- Wide streets with:
    - Wide grassed verges and informal driveway crossovers, including gravel and tyre strips.
    - Informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.
- Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.
- Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.

4.10.2. Desired Future Character

The desired future character for Lorn HCA is as follows:

1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings.
2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings.
3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages.
4. Landscaped verges with consistent plantings of street trees, such as Jacarandas.
5. Conserve generous landscaped gardens and fencing. New landscaping and fencing that complements the architectural period and style of the site.
6. Cohesive commercial character on Belmore Road comprising one storey, pedestrian oriented shops built to the front boundary.

   Sympathetic contemporary infill development of a high design standard which reflect the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.

4.10.3. Objectives and controls for Lorn HCA

Objectives

O.110 To retain and conserve the garden suburb character.
O.111 To retain and conserve the heritage items and contributory buildings in the Lorn HCA, especially the late Victorian, Federation and Californian Bungalow cottages and shops.
O.112 To maintain the cohesive streetscape character of single lots containing single storey detached dwellings with generous landscaped gardens and low fencing.
O.113 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Lorn HCA.
O.114 To ensure contemporary infill development is of high standard and does not mimic Victorian and Federation period elements and features.
O.115 To encourage new development that reinterprets the historic scale, form, height, siting, proportions, and materials in contemporary design.
O.116 To retain and enhance the streetscape character through tree protection and additional street tree planting.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.110 • O.112	Subdivision and amalgamation should be avoided to retain the garden suburb plan and cohesive streetscape character of single lots containing single storey detached dwellings.
AS.2 • O.110 • O.112 • O.115	Dual-occupancy developments should be avoided unless they can be accommodated within the existing building structure and with minimum disturbance to garden areas for parking and driveways.
AS.3 • O.111 • O.112 • O.114 • O.115	Infill development should consider the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.
AS.4 • O.114 • O.115	Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard, brick walls, corrugated sheet metals, and tile roofs are preferred.
PC.1 • O.113 • O.114 • O.115	Development is to avoid introducing architectural features, details and finishes that are inconsistent with the significance and character of the HCA.
AS.5 • O.115	New development should be one storey in height with any habitable spaces above ground floor built as a 'rooms in the roof' addition.
AS.6 • O.113 • O.114 • O.115	Detached garages and carports located at the rear boundary are preferred.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.110 • O.111 • O.112 • O.113	Existing private gardens which are characteristic of the HCA are to be retained. Any original edging materials framing paths are to be conserved, remediated, and (where needed) extended.
PC.3 • O.110 • O.112 • O.113 • O.116	As part of new development, landscape design and planning should respond to the existing character of the HCA.
PC.4 • O.110 • O.111	Rows of high planting to demarcate boundaries is to be restricted to the rear gardens of lots.
PC.5 • O.110 • O.112 • O.113	When undertaking alterations and additions, conserve and re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in period gardens.
PC.6 • O.110 • O.116	Large trees, mature trees and cultural plantings are to be retained.
PC.7 • O.111 • O.113 • O.114 • O.115	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.11. Regent Street Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Regent Street Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Regent Street HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-12 provides a land application map of Regent Street HCA.



Figure 4-12: Regent Street HCA Land Application Map

4.11.1. Statement of Significance

The Statement of Significance for Regent Street HCA is as follows:

The heritage value of the Regent Street HCA is attributable to its historic and social values, as a favoured setting for both medical, institutional and residential landmark development from the mid-nineteenth century. Sited on and adjoining the western end of the meandering High Street, the precinct provides elevated ground (bounded by the floodplain) and proximity to the Central Maitland commercial centre, whilst enabling separation from the core of the town. The HCA contains some landscape areas (within the grounds of former Maitland Hospital) and some residential and institutional gardens which are of contributory value to the significance of the HCA. Regent Street HCA contains an excellent collection of mansions, large residences, and cottages of the late Victorian and Federation periods. The former Maitland Hospital dominates the northern portion of the Conservation Area and contains many significant and prominent buildings and landscape elements

that are visible from well beyond the Conservation Area. It has also influenced the use of residential buildings in the surrounding streets.

Characteristic elements

- The former Maitland Hospital and grounds established in 1849.
- The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge.
- Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street.
- Fine grain residential subdivision pattern along High Street and Regent Street.
- An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings.
- Semi-rural use of sites along Regent Street and Bonar Street.
- A cohesive building typology of one and two storey detached dwellings, with established gardens and eclectic front fencing styles.
- Mature trees, landmark plantings, and Jacarandas on Regent Street.
- The location of the former Regent Street Mill.

4.11.2. Desired Future Character

The desired future character for Regent Street HCA is as follows:

1. Retention of the fine grain subdivision pattern along Regent, High, and Bonar streets.
2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the Victorian, Federation periods and early twentieth century development.
3. Retention of the dominant presence of landmark buildings.
4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing.
5. Retention and enhancement of existing vegetated edges to the eastern and western sides of the HCA, at the same time ensuring the continued legibility of the existing significant built form of the HCA from beyond.
6. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items.
7. Encourage the continuation of street trees south along Regent Street.
8. Enhancement of the HCA by improving the public domain on High Street.
9. To ensure that the scale and form of infill development in and around Bonar Street maintains the predominantly lower density built form pattern within the HCA and ensures that landmark buildings within the precinct retain their prominence.

4.11.3. Objectives and controls for Regent Street HCA

Objectives

O.117 To retain and conserve the heritage items and contributory buildings in the Regent Street HCA.
O.118 To maintain the cohesive residential streetscape character of Regent Street, including the consistent front building alignment and scale and form of the one and two storey detached dwellings.
O.119 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Regent Street HCA.
O.120 To encourage residential sites to provide generous landscaped gardens and low fencing that reflect the character of the site.
O.121 To maintain the streetscape character through additional street tree planting.
O.122 To ensure contemporary infill development Bonar Street is of a high standard.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.118	Subdivision should be avoided where it alters the fine-grained residential subdivision pattern.
PC.1 • O.118	Infill development must maintain the cohesive residential streetscape character, including consistency in the front building alignments, scale and form of one and two-storey detached dwellings.
PC.2 • O.118 • O.119	Alterations and additions that require changes to the roof form are to be avoided.
PC.3 • O.118 • O.119	Garages, carports and structures built forward of the principal building form will not be supported.
PC.4 • O.120	Front gardens and landscaping with front fencing that reflects the character and significance of the HCA are to be retained. New gardens should have generous landscaping and low front fencing.
AS.2 • O.117	When undertaking alterations, additions or new works, care should be taken to avoid impacting historical archaeological remains associated with the former Regent Street Mill.
PC.6 • O.118 • O.119 • O.122	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.12. Morpeth Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Morpeth Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Morpeth HCA differ from the general controls for heritage conservation areas, the specific controls in this section prevail.

Figure 4-13 provides a land application map of the Morpeth HCA.



Figure 4-13 Morpeth HCA Land Application Map

Precincts

There are five precincts in the Morpeth HCA, each with a unique character and different land use.

Rural Precinct

The township of Morpeth is surrounded by a rural landscape to the north, east and south. The rural lands define the edge of the HCA and is predominantly flood prone land. The specific characteristics of this precinct can be summarised by the following:

- Rural surrounds which feature barns and farmhouses and evidence of floods
- Open farming plains that provide clear views to the township of Morpeth from surrounding areas
- Incorporates the floodplains and meandering Hunter River
- Rural approaches to the Morpeth township with landmark transition Avenue plantings at Morpeth Road (Fig Tree Hill) and Duckenfield Road.

- Closebourne House and Morpeth House

Residential Precinct

There are two residential precincts in the Morpeth HCA. The original township is situated between Tank Street and Edward Street, directly south of the Hunter River to James Street, except for the commercial and industrial precincts.

The specific character of this residential precinct includes a small number of attached dwellings mostly from mid-nineteenth century, semi-detached dwellings (or pairs), which are single-storey and sited close to the front boundary. There are also two storey buildings that are modest in scale. Some large historic residences remain (e.g. Kiora and Marlborough) and retain their expansive garden settings. Residential allotment sizes vary through the township. Those established around Swan Street consist of small allotments compared to the wider frontage allotments created on the edges of the township along James Street.

Morpeth did not have any style distinctive from those in other towns in the locality, but the circumstances of the town have kept an outstanding number of pre-1870 buildings.

The most predominant type is a dwelling that has a four-room core, with a different layout for the verandah, kitchen, and bathroom. This layout is seen in the earliest buildings and buildings constructed up to the 1920s.

Some diversity in building typology exists in the form of churches, cinema, former joinery, and community buildings that are located within this precinct. These buildings maintain surrounding yards and gardens associated with their community use as gathering spaces and provide a spacious amenity to this residential precinct. The specific characteristics of this precinct can be summarised by the following:

- Single storey, small, detached dwellings located relatively close to the street
- Wide streets and wide allotments with narrow rear lanes
- Domestic outbuildings, such as sheds and carports, that are located in rear corners of the yard separate from the dwelling and typically as freestanding buildings.

The second residential precinct is located south on Morpeth Road, towards the western entry of the town and constructed around Morpeth House and Closebourne House. This precinct includes senior housing and large contemporary dwelling houses, which are considered non-contributory in the HCA.

Industrial Precinct

The Industrial Precinct is contained within the eastern section of Swan Street, on the northern side predominantly between Robert Street and George Street. This area largely represents the zoned industrial land within the town.

The specific character of this precinct is defined by the large industrial buildings of a variety of building forms located along the edge of the Hunter River associated with the town as a river port and the Morpeth railway line.

Located within this precinct is a single block of buildings on the northern side of Swan Street which define this eastern end of the township with a strong built edge along the street boundary.

Throughout the town, there are also many large sheds, including stables, built for light industrial or rural purposes within the predominantly residential area. Like the large industrial buildings on Swan Street, these add to the visual appeal and historic authenticity of Morpeth.

The industrial precinct provides a tangible record of the manufacturing industries associated with the river port of Morpeth. The specific physical characteristics of this precinct can be summarised by the following:

- Limited vegetation within the precinct, including along the riverbank

- Large scale, single pitched roof buildings of consistent building materials such as iron and timber with minimal window or door openings
- Location along the riverbank with frontage to the river rather than Swan Street
- Landmark fig tree plantings fronting Swan Street.

Commercial Precinct

The commercial precinct is contained within the western section of Swan Street predominately between Tank Street and Northumberland Street. Apart from a couple of former isolated shops,, the remainder of shops are located on Swan Street.

The specific character of this precinct is defined by the established row of shops and dwellings along the southern side of Swan Street of two and three storey (attic style) buildings. Together, these shops - particularly Campbell's Store and the three storey shops and dwellings - are the most significant group of retail buildings pre-1880 in the Hunter Region. Individual buildings of the same period exist in other towns, but there are no comparable groups that make such a major contribution to the streetscape.

Most of these buildings were built as shops and dwellings but are now used only as shops. Two nineteenth century hotels remain in the HCA. They are two storeys, with post supported verandahs and have been adapted by various additions and modifications to suit present needs.

The southern side of Swan Street also has a fine collection of civic buildings constructed in the nineteenth century and designed by government architects. These include the former Courthouse, the former CBC Bank, and the former Post Office.

The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey buildings, including the former Bond Store group. This northern side of Swan Street, due to the placement of freestanding buildings maintains defined view corridors to the Hunter River and the rural plains beyond.

Four types of shops are found in Morpeth:

- shops with dwellings above (mainly two and three storeys)
- shops with a dwelling at side or rear (usually single storey)
- a dwelling and shop with a projecting bay window at the front
- the large store or emporium known as 'Campbell's Store' (c.1850).

Community and Public Recreation Precincts

There are two community and public recreation precincts in Morpeth. The first includes Morpeth Common and Morpeth Oval on the eastern side of Edward Street. The second includes the Queens Wharf precinct and the connecting riverside linear reserves, stretching to Steamer St east of the former Morpeth Railway Station. Surviving community buildings in Morpeth include the grandstand located in Morpeth Oval and the Morpeth School of Arts building.

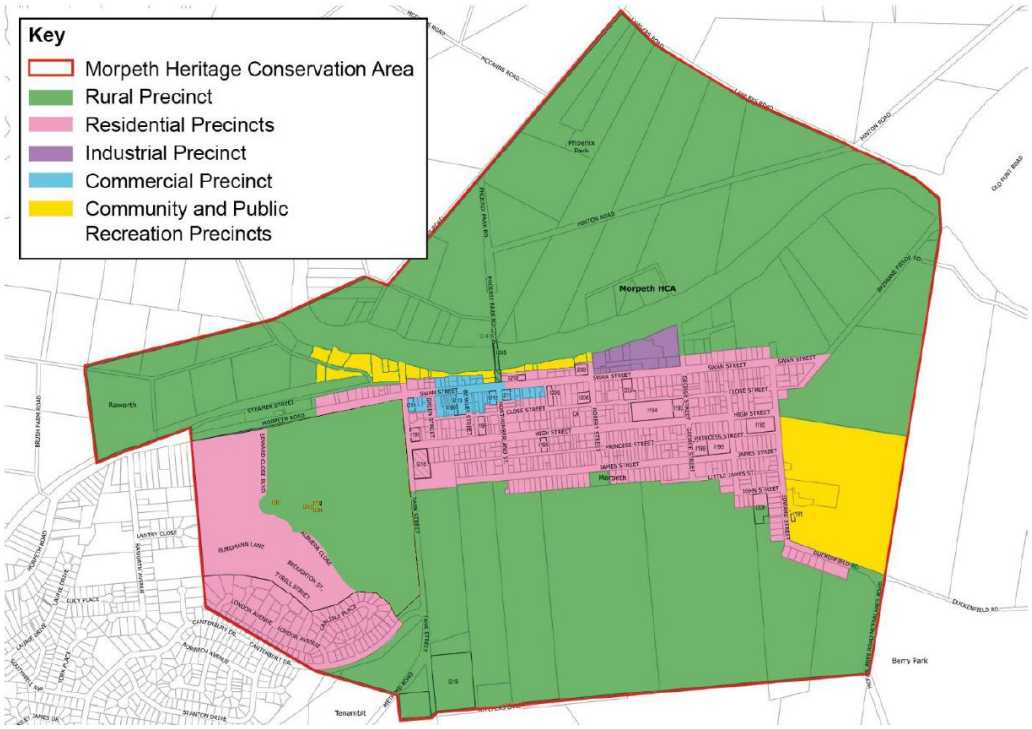


Figure 4-14: Precincts within the Morpeth HCA

4.12.1. Statement of Significance

The Statement of Significance for the Morpeth HCA is as follows:

Morpeth is of State Significance:

- For its role in the pattern of NSW's cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century, and as an end point of a spur off the Great North Road.
- For demonstrating a high degree of creative or technical achievement in NSW: As a privately founded town whose layout is a skilful adaptation of the standards for government towns to the circumstances of the site, and the requirements of its founder, who lived alongside and whose family continued to own much land in the town and its surrounding area until 1920.
- For its uncommon and endangered aspects of NSW's cultural history: As a town with a large collection of buildings and works from the 19th Century, many pre-1868, compared with other similar sized and aged towns; and which provides comprehensive evidence or architectural standards and building techniques, which are now relatively rare in the state. As a town with extensive archaeological evidence with potential to yield information that will contribute to an understanding of NSW's cultural history; in particular of the river port and associated works and structures currently in an endangered condition; and
- As a private town where the founder lived alongside and whose family continued to have an impact on the town and its development for almost 90 years after its founding.

Morpeth is of Regional Significance:

- For its uncommon evidence of the impacts of European settlement on the natural character of the landscape: activities of early settlement (such as tree clearing) where a factor in floods that made major changes to the course of the Hunter River at Morpeth, leaving large off cuts and lagoons.
- For demonstrating the range and variety of dwelling types occurring in towns from 1830s to the present, with intact dwellings, mostly detached and single storey, from every period of its development.
- As an uncommon example of a town whose road layout and extent has changed little since the mid-19th century and has developed and maintained a clear edge and distinctive form as an historic village in its rural setting.

Morpeth is of Local Significance:

- For its strong and special association with its local community which has shown its appreciation of Morpeth's history, heritage and character, including its scenic qualities of the relationship between a riverside town and the surrounding rural area.
- As a town that demonstrates its history through tangible evidence in its current built form.
- As a major tourist destination, creating greater public awareness of the heritage significance of the Maitland area generally.

Characteristic Elements:

- Early settlement on the Hunter River, established in the 1820s.
- Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive village form in its rural landscape setting.
- Continuous relationship to the Hunter River.
- Large industrial buildings along the Hunter River, evidence of the early settlement and industry on the river.
- Queens Wharf.
- Morpeth Bridge.
- Landmark civic buildings designed by Government architects.
- Commercial streetscape character containing one, two and three storey examples of shops on Swan Street.
- Morpeth House and Closebourne House.
- A variety of dwelling types constructed from the 1830s to the present.
- Predominant single storey detached residential character.
- Eclectic fencing types and garden layouts in residential development.
- Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- A line of mature lopped Brushbox on High Street.
- Morpeth Common and Morpeth Oval.
- Sandstone gutters, kerbing, and swale drain system.
- Expansive views over the Hunter River floodplain are available from numerous vantage points in Morpeth.

Significant Views

The significant views to and from the Morpeth HCA include:

1. View from Morpeth Road to Morpeth HCA on entry to the town.
2. View from Morpeth Road to Morpeth House.
3. View from Closebourne House towards Hunter River and northern rural landscape.
4. View from Queens Wharf Road to Hunter River.
5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape.
6. View to the cemetery from Tank Street.
7. Views between buildings on Swan Street to the Hunter River.
8. View from the Morpeth Bridge to the northern rural landscape.
9. View from the intersection of Robert and Swan streets to the northern rural landscape.
10. View from the intersection of George and Swan streets to the northern rural landscape.
11. Views from the intersection of Swan and Edward streets to the rural landscape.
12. View from Edward Street to Morpeth Common and the eastern rural landscape.
13. View from Edward Street to Morpeth Oval and the eastern rural landscape.
14. View from Duckenfield Road to the southern rural landscape and lagoon.
15. View from the corner of John Street and Duke streets to the southern rural landscape and lagoon.
16. View from Little James Street to the southern rural landscape.
17. View from the intersection of George and James streets looking north.
18. View from the intersection of James and Robert streets to the southern rural landscape.
19. View from the intersection of James and Northumberland streets to the southern rural landscape.
20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lagoon.
21. View from the floodplain to Morpeth Bridge and the township.
22. View from Metford Road north-east towards the lagoon and the southern extent of the township.
23. View from Mcfarlanes Road north-west towards the lagoon and the southern extent of the township.

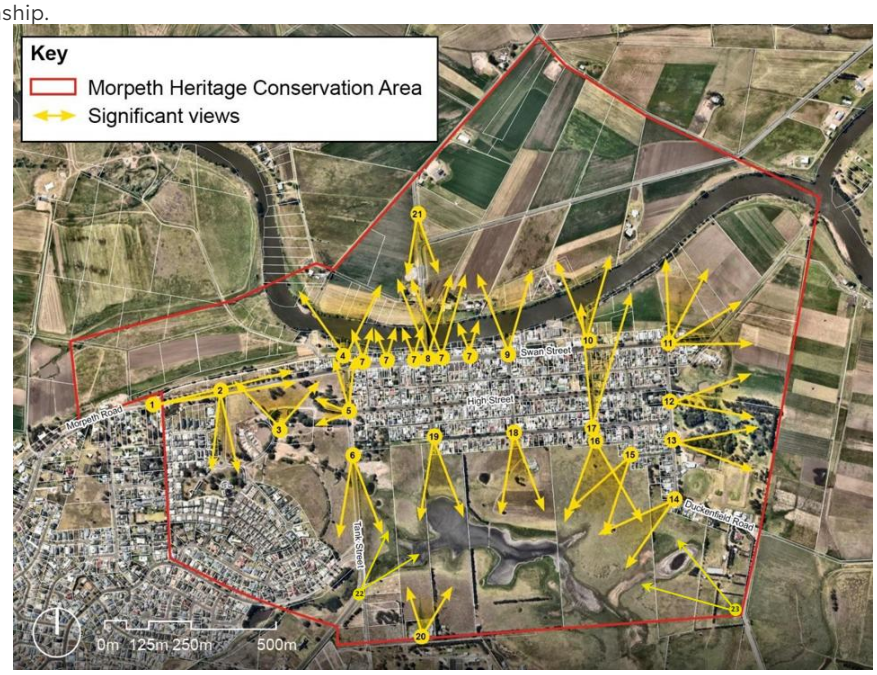


Figure 4-15: Significant views within the Morpeth HCA

4.12.2. Desired Future Character

The desired future character for the Morpeth HCA is as follows:

1. Retention and conservation of the original nineteenth century grid land subdivision and street pattern.
2. Enhancement of the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.
3. Maintain Morpeth's contained and distinctive form as an historic village in a rural setting.
4. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area.
5. Retention and conservation of the commercial streetscape character at the western end of Swan Street.
6. Maintain the small-scale high-quality specialty businesses on Swan Street.
7. Retention and conservation of the industrial precinct on Swan Street and its large industrial buildings.
8. Retention of the scale and form of residential development and single storey detached dwelling typology.
9. Retention and conservation of grand residences and associated gardens and plantings.
10. Improved quality of residential gardens that are sympathetic to the character of the HCA.
11. Improved streetscape character through the planting of additional street trees and introduction of sympathetic front fencing styles.
12. Retention of the old and prominent cultural plantings on Morpeth Road, High Street, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
13. Retention of the expansive views to and from Morpeth across the rural landscape and floodplain.

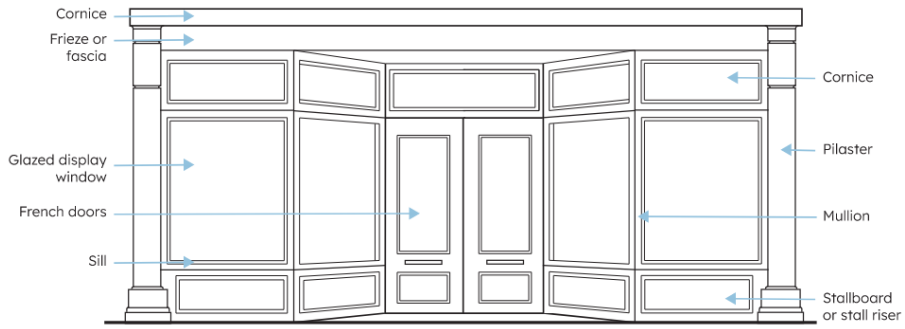
4.12.3. Objectives and Controls for the Morpeth HCA

Objectives

O.123 To retain and conserve the original nineteenth century grid land subdivision and street pattern.
O.124 To retain and conserve the contained and distinctive town layout in the rural landscape.
O.125 To enhance the town's early relationship to the Hunter River and surrounding rural landscape and features, including Queens Wharf and Morpeth Bridge.
O.126 To retain and conserve the heritage items and contributory buildings that contribute to the historic character of the Morpeth HCA.
O.127 To retain and conserve grand residences and associated gardens and plantings.
O.128 To retain and conserve the commercial buildings and commercial streetscape character at the western end of Swan Street.
O.129 To retain and conserve the industrial buildings and the industrial precinct on Swan Street.
O.130 To respect the traditional heritage, scale, form, height, materiality and character of heritage items and contributory buildings.
O.131 To maintain the single storey and detached nature of development within the residential precinct.
O.132 To ensure that new garages, sheds, carports, and other outbuildings are not dominant within the streetscape and complement existing buildings.
O.133 To ensure front gardens and fencing reflect the architectural period of the building at the site.
O.134 To enhance the streetscape character through the planting of additional street trees.
O.135 To retain old and prominent cultural plantings on Morpeth Road, High Street, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
O.136 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Morpeth HCA.
O.137 To retain the historic pattern and remnants of sandstone drainage and swale drain systems in the Morpeth streetscape.

O.138 To maintain existing significant views to and from Swan Street to the river, the rural landscape and within Morpeth.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Subdivision	
AS.1 • O.123 • O.124	Subdivision should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.
Rural and Community & Public Recreation precincts	
AS.2 • O.124	The approaches to the township should remain informal in character.
PC.1 • O.124 • O.128	Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road, Mcfarlanes Road, and Morpeth Road—to retain the existing setting of the township.
PC.2 • O.124 • O.125	Development on surrounding rural and vacant land is to be minimised, consistent with preserving the open pastoral landscape which defines the edges of the town. This control applies to sites directly adjoining the urban township, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.
Commercial and industrial precincts	
PC.3 • O.126 • O.128 • O.129 • O.130 • O.136	Historical industrial buildings, outbuildings, and industrial uses that contribute to the streetscape character of Morpeth HCA are to be retained.
PC.4 • O.124 • O.136	New commercial uses within the residential precinct are not supported unless the building is an existing commercial building.
PC.5 • O.128 • O.129	Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly.
AS.3 • O.126 • O.130	The maximum height of buildings between Tank and Northumberland streets should be two storeys.
AS.4 • O.126 • O.130	The maximum height of buildings east of Northumberland Street should be one storey, with one and a half storeys or two storeys encouraged at the rear of the building.
AS.5 • O.128 • O.129 • O.130	There should be no new awnings or verandahs constructed across the footpath along Swan Street, unless reconstructing a historic front façade to an existing building to its original form based on documentary evidence.
PC.6 • O.130	Non-residential uses will be permitted at the following sites providing there are no additional impacts on the heritage significance of the site or HCA:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.136	a. the former cinema at 85 High Street b. the former shop and dwelling at 79 High Street c. the former Catholic School on James Street d. the former milking shed beside 376 Morpeth Road e. the shed at the rear of 39 High Street f. Morpeth Trading Co at 7–9 Robert Street g. the Post Office and residence at 105 Swan Street, and h. the hairdresser and former barber shop at 94 Swan Street.
AS.6 • O.128 • O.130	Shopfronts should reflect the rhythm of fenestration and vertical elements of the original shop buildings (refer Figure 4-16).  **Figure 4-16: Example of Traditional Shop Front**
Residential precincts	
AS.7 • O.130 • O.131	New development should be consistent with the single storey detached scale and character within the HCA.
AS.8 • O.126 • O.130 • O.131	Rear additions should be limited to one storey within the residential precinct. Two-storey pavilion additions will be assessed on merit.
AS.9 • O.126 • O.130 • O.131	Two storeys are facilitated on steep sites, providing the building is only single storey at the road frontage.
Garages, carports and other structures	
AS.10 • O.132	Garages, carports and sheds should have a minimum setback of 5 metres when facing a secondary frontage.
Setbacks	

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.124 • O.130 • O.131	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road in Close Street, new buildings should generally be set back the same distance. In all other streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.
Views	
AS.11 • O.125 • O.138	The significant views identified in Figure 4-13 should be maintained and not obstructed by new development, including any landscape plantings.
AS.12 • O.125 • O.126 • O.138	New development and additions should provide generous (at least 1.5m) side setbacks to maintain existing views within the town and to and from the rural landscape.
PC.8 • O.125 • O.134 • O.138	Plantings over 1.5m within identified view corridors are not appropriate.
PC.9 • O.124 • O.130	A 1.5m footpath, measured from the kerb to the property boundary, is to be retained on both sides of Close Street, with the exception of sites where public utilities are located within the former road widening reserve.
Fencing	
PC.10 • O.124 • O.133	Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, and timber paling fences to a 1.8m height for rear fences.
PC.11 • O.124 • O.133	Special consideration will be given to boundary treatments on all corner sites. The height of fencing and vegetation is to be restricted to a height of 0.9m and be of an open nature.
AS.13 • O.124 • O.133	New fences should be in a style and material consistent with the design of the building. Fence types could include: a. painted timber pickets (c1840–1925) b. a simple, mild steel rod palisade using flat steel bar rails (c1860–1900) c. a chain-link galvanised wire mesh, woven wire (not plastic coated) or steel ribbon (c1900–1925), or d. hedges behind a picket or palisade fence (1860–1900) or in isolation (1900–1925).
PC.12 • O.124 • O.130	No new kerb crossings within existing sandstone kerbs and gutters will be permitted, especially on Swan, High and James streets. Any subdivisions of allotments facing these streets will only be permitted where rear lane access to all lots can be provided and/or by using existing kerb crossings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Landscaping and trees	
AS.14 • O.123 • O.124 • O.125 • O.127 • O.133	Landscaping should not obscure historical lot boundaries or roads between the floodplain and township.
AS.15 • O.124 • O.125 • O.127 • O.135	Development should not impact the significance or interpretability of heritage listed landscape assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes.
Historic streetscape elements	
PC.13 • O.123 • O.124	The diversity and hierarchy of the road surfaces in Morpeth is to be maintained to ensure no further loss of unformed gravel or grassed verge edges.
PC.14 • O.124	Authentic, original footpath materials are to be retained.
PC.15 • O.137	Historic pattern and remnants of sandstone drains and swale drain systems in the Morpeth streetscape is to be retained. Retain grassed drains where they exist.
PC.16 • O.124	The intact nature of stone kerbs and guttering within the Morpeth streetscape are to be maintained and conserved by providing for kerb crossing bridges in appropriate locations.
AS.16 • O.124	Where new development proposes works within the public road reserve, a historical archaeological assessment should be undertaken to identify any potential archaeological fabric.
PC.17 • O.124	The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Contrasting finish road seal is to be provided to highlight the travel lanes as distinct from the shoulders. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones.
PC.18 • O.123 • O.124	Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be retained. Dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems. Consideration may be given to bitumen finished with a concrete strip with grassed verges (e.g. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).
AS.17 • O.124	Repairs and new additions to the existing historic footpaths should be completed using the Morpeth Footpath mix.
PC.19 • O.123 • O.124	In Swan Street, full-width footpaths are only to be constructed where the adjoining building presently supports an awning or verandah that extends fully across the width of the footpath.
PC.20 • O.123 • O.124	On the northern side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.21 • O.123 • O.124	Grass or bitumen swale drains in minor streets are to be retained where possible. No new kerb and guttering is to be constructed in minor streets.
PC.22 • O.124	New concrete kerbs and guttering in Swan, High and James Streets is to consist of a wider kerb and gutter (indicative or traditional sandstone in scale and dimension) using the Morpeth Kerb and Gutter Mix concrete to maintain compatible texture and colour.
PC.23 • O.124 • O.130 • O.136	Driveways and wheel strips are to be constructed using Morpeth Mix.

4.13. Aberglasslyn House Heritage Conservation Area

In addition to the general controls for heritage conservation areas, which also apply to the Aberglasslyn House Heritage Conservation Area (HCA), the following specific controls are to be applied to this area. Where the specific controls for the Aberglasslyn House HCA differ from the general controls for HCAs, the specific controls in this section prevail.

Figure 4-17 provides a land application map of the Aberglasslyn House HCA.

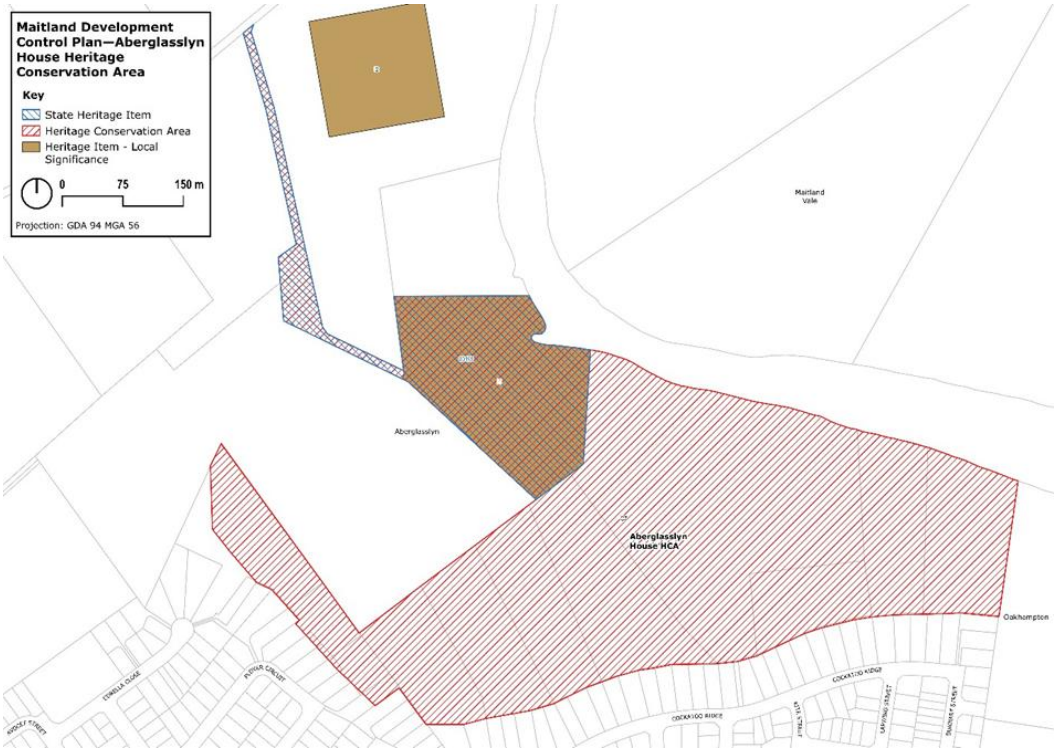


Figure 4-17: Aberglasslyn House HCA Land Application Map

4.13.1. Statement of significance

The Statement of Significance for Aberglasslyn House has been taken from the State Heritage Inventory, and is as follows:

It is arguably the finest extant Greek Revival style villa (in the 18th century sense of the word) in Australia. The configuration of its fabric, largely in its c1860 form, is patent physical evidence of the high expectations of colonial settlers of the 1830s and early 1840s and the severity of the economic crash of the 1840s. It is the earliest known surviving example in Australia of a house design generated in part by considerations of an integrated sanitary plumbing system. The building is one of a group of surviving pre- 1850 in the vicinity of Maitland. The house and setting is physical evidence of the pattern of land settlement and leasehold farming in the Maitland area. It contains elements of high individual and often unique quality, including a domed stairwell and geometric stair of unique quality and design in Australia. The place is perceived by many knowledgeable people to be one of the major

sites of cultural significance in Australia. On a regional basis the building is an historic landmark (monument). It is an exemplary example of the 19th century builder's art embodied in the quality of the stonework, brickwork, timber selection, carpentry and joinery, plasterwork, hardware etc.

Characteristic Elements

- Aberglasslyn House, its principal garden and grounds.
- The pastoral landscape setting surrounding Aberglasslyn House, which is partially included in the boundary of the HCA.
- The historic relationship to the Hunter River.
- The natural landform to the south of the HCA.
- Views to and from Aberglaslyn House and the HCA from the Aberglasslyn Lane and the northern side of the Hunter River.

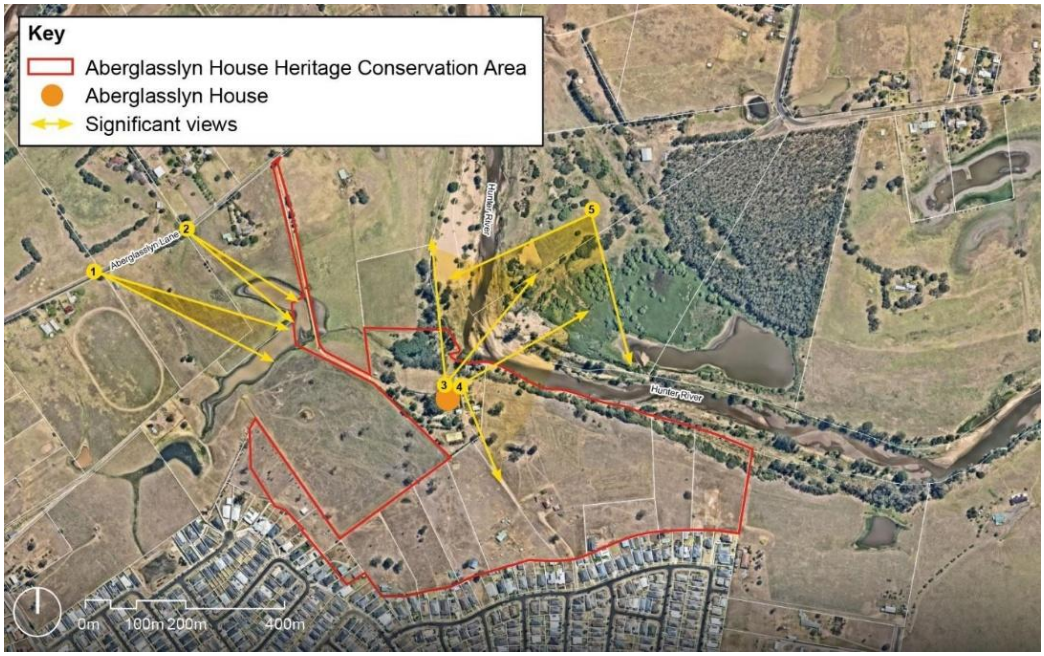


Figure 4-18: Significant views within the Aberglasslyn House HCA

4.13.2. Desired Future Character

The desired future character for the Aberglasslyn House HCA is as follows:

1. Retain and conserve Aberglasslyn House, its principal garden and grounds.
2. Retain the open pastoral landscape setting of the HCA.
3. Retain the existing views to and from the house and broader HCA from the Hunter River, areas surrounding the Hunter River, and Aberglasslyn Lane.
4. Avoid construction of new buildings or structures within the HCA.
5. Avoid the construction of new buildings or structures near the natural landform (hill crest or ridgeline) to the south of the HCA.
6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the HCA.

4.13.3. Objectives and Controls of the Aberglasslyn House HCA

Note: The controls within Chapter 10, Section 10.3.10.15 and Section 10.3.10.22 are to be directly considered alongside this section.

Objectives

O.139 To retain and conserve Aberglasslyn House, its principal garden and grounds.
O.140 To retain and conserve the pastoral landscape of the HCA and setting of Aberglasslyn House.
O.141 To retain the views to and from the house and broader HCA.
O.142 To retain mature trees and contributory landscape fabric and items that positively contribute to the character of the HCA.
O.143 To discourage new development within the HCA that does not relate to the historic character or use of Aberglasslyn House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.139 • O.140	The HCA is to be maintained as an open rural landscape.
PC.2 • O.141 • O.143	Where buildings or structures are required to undertake pastoral activities associated with Aberglasslyn House or nearby sites, these must be a maximum of one storey in height and utilise traditional materials and colours that blend into the pastoral landscape.
AS.1 • O.140 • O.141	New buildings and structures associated with Aberglasslyn House or nearby sites should not reduce the views to and from the HCA or the open visual catchment between Aberglasslyn House and the river.
AS.2 • O.139 • O.140 • O.141 • O.143	New buildings and structures associated with Aberglasslyn House or nearby sites should not reduce the interpretability of the original form and function of the property.
AS.3 • O.139 • O.142	Ad hoc plantings and structural landscape works should not be made around Aberglasslyn House or the HCA. All proposed landscaping works to Aberglasslyn House should be guided by a historically informed landscape master plan and involve archaeological investigations.
PC.3 • O.139 • O.142	Clearing of remnant or regrowth eucalypt woodland on the foot slopes of Aberglasslyn House is not permitted.


maitland
CITY COUNCIL



Maitland DCP 2026

Chapter 5: Subdivision

maitland CITY COUNCIL

Table of Contents – Chapter 5: Subdivision

5.1. Introduction **3**
5.1.1. Application 3
5.1.2. Relationship to other Chapters 3
5.1.3. Scale of Subdivisions 4
5.1.4. Intent of this Chapter 4
5.2. General Subdivision Design **5**
5.2.1. Services and Utilities 5
5.2.1.1. General 5
5.2.1.2. Street Lighting 6
5.2.1.3. Essential Services (Water, Sewer, Electricity, and Telecommunications) 6
5.2.2. Infrastructure and Network Delivery 8
5.2.3. Corner Lots 10
5.2.4. Lots on Existing Laneways 11
5.2.5. Lots on New Laneways 11
5.2.6. Community Title Subdivision 12
5.2.7. Subdivision Landscaping 12
5.2.8. Battle-axe Lots 13
5.3. Residential Subdivision **15**
5.3.1. Lot Size and Dimensions 15
5.3.2. Solar Access and Energy Efficiency 17
5.3.3. Street Layout and Block Length 18
5.3.4. Active Transport Networks 22
5.3.5. Open Space and Recreation 22
5.3.6. Entry Features 23
5.4. Rural Subdivision **24**
5.5. Industrial and Commercial Subdivision **25**

5.1. Introduction

5.1.1. Application

This chapter applies to the design and construction of new subdivisions on land to which the Maitland LEP 2011 applies.

5.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
  - Where there are inconsistencies between this chapter and Chapter 4, Chapter 4 will prevail to the extent of any inconsistency.
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix D: Canopy Cover Guidelines
- Appendix F: Crime Prevention Through Environmental Design (CPTED) Guidelines
- Chapter 10: Precincts, Locality Plans and Urban Release Areas
  - Where there are inconsistencies between this chapter and Chapter 10, Chapter 10 will prevail to the extent of any inconsistency.
- Maitland Manual of Engineering Standards (MoES)

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

5.1.3. Scale of Subdivisions

This section of the DCP introduces three scales of subdivision development. Depending on these scales and/or complexities involved, development applications for which this chapter applies require submission of different levels of detail. This is provided in the Application Requirements in Appendix A for Medium and Major subdivisions, and Appendix B for Minor subdivision. The following scales of subdivision are employed throughout this Chapter:

CLASSIFICATION	DEFINITION
Minor Subdivision	The creation of 1 – 9 new lots, where no new roads are required.
Medium Subdivision	The creation of 10 – 49 new lots. OR The creation of 1 – 9 new lots, where a new road is required.
Major Subdivision	The creation of 50 or more new lots.

5.1.4. Intent of this Chapter

The intent of this Chapter is:

- To promote the efficient use of developable land resources in the Maitland LGA.
- To ensure that subdivision occurring within the Maitland LGA gives due regard to site constraints and opportunities.
- To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing.
- To ensure that all new lots can support the intended development outcomes for which it is proposed, and have appropriate levels of amenity, services and access.
- To ensure land use conflicts between new subdivision and surrounding land is minimised.

5.2. General Subdivision Design

Except where otherwise stated, this section applies to all subdivision development within the Maitland LGA. Other Chapters that must be considered for subdivision development are:
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage

5.2.1. Services and Utilities

5.2.1.1. General

Objectives

O.1 To ensure major utility items, including electrical kiosks, substations, pump stations, and community batteries are appropriately located for utility providers, the landowner, and Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	Electrical substations and pump stations are to be positioned on their own lot, with ownership to be conferred to the relevant utility provider.
AS.1 • O.1	Other major utility items such as electrical kiosks (kiosk substations), community batteries and other neighbourhood scale items should not be located in road reserves or drainage reserves. If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141, b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed, Example C: A requirement for a public park of 5000m^2 that includes a community battery with a required space of 25m^2 is to provide a total of 5025m^2 of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.
PC.2 • O.1	Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites).

5.2.1.2. Street Lighting

Objectives

O.2 To provide lighting of public spaces for the safety of pedestrians and road users in line with Council's MoES.
O.3 To provide street lighting where contextually and environmentally appropriate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.2 • O.3	Street lighting must be provided for all new subdivisions for urban residential, business and industrial developments in line with Technical Document – Street Lighting of Council's MoES.
PC.2 • O.3	Regularly spaced street lighting is not to be provided for rural subdivisions. Minor intersection flag lights will be considered on a merit basis. **Note:** This control applies to the following land zones under the MLEP 2011: • R5 – Large Lot Residential • C4 – Environmental Living • RU1 – Primary Production • RU2 – Rural Landscape

5.2.1.3. Essential Services (Water, Sewer, Electricity, and Telecommunications)

Objectives

O.4 To provide appropriate utility services to all new lots in an efficient, coordinated and cost-effective manner.
O.5 Restrict subdivisions that create unreasonable or untimely demand for the provision or extension of services.
O.6 Ensure subdivisions have regard to Ecologically Sustainable Development principles and to ensure minimal environmental impact.
O.7 To ensure that the location of essential infrastructure is integrated within the development and minimises visual impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Water and Sewer	
Note: Applicants are to additionally refer to the Maitland On-Site Sewage Management Policy, which takes precedent in the event of any inconsistency with this section.	
PC.1 • O.4	Reticulated water and sewer supply must be provided for all new urban lots (residential, commercial and industrial). **Note:** This applies to the following land zones under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
AS.1 • O.4 • O.5	Where access to the reticulated sewerage system is not achievable, subdivision applications must include a feasibility assessment for an alternative centralised sewerage system. The use of an alternative centralised sewerage system is subject to agreement by Council. Where access to the reticulated sewerage system is not available and an alternative centralised solution is unfeasible, lots must be of sufficient size and contain suitable land to dispose of wastewater on-site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.4 • O.5	Where areas of a site are unsuitable for on-site effluent disposal, lots must be provided with a common effluent system on a suitable area under community title.
PC.3 • O.6	Pump out systems must not be included within developments in the following land zones: • R1 – General Residential • R5 – Large Lot Residential • E1 – Local Centre • E2 – Commercial Centre • E3 – Productivity Support • E4 – General Industrial • MU1 – Mixed Use
PC.4 • O.6 • O.7	Where an onsite sewer management system is required, a waste disposal area envelope is to be nominated.
Electricity	
PC.5 • O.4 • O.5	Underground low voltage electricity supply must occur for all new residential lots to the requirements of the electricity provider. Exceptions to this control may occur where Council and an electricity provider determine that overhead electricity supply is necessary due to flood liability of the land, or in cases where the land fronts a road supplied by existing overhead electricity distribution. **Note:** This control applies to the following land zonings under the MLEP 2011: • R1 – General Residential • R5 – Large Lot Residential • C4 – Environmental Living
PC.6 • O.4 • O.5 • O.7	For lots proposed for commercial and/or industrial uses, underground electricity supply must be provided to all new lots to the requirement of the electricity provider.
PC.7 • O.4 • O.5	Low voltage electricity supply must be available to the boundary of all new rural lots. **Note:** This control applies to the following land zonings under the MLEP 2011: • RU1 – Primary Production • RU2 – Rural Landscape
PC.8 • O.6 • O.7	The location, design and proposed screening of electrical kiosk substations must be shown in the development application.
Telecommunications	
PC.9 • O.4 • O.5	All new lots must have available connection to either: • the National Broadband Network (NBN); OR • an alternative Statutory Infrastructure Providers (SIPs) network.

5.2.2. Infrastructure and Network Delivery

Objectives

O.8 To ensure the staging of development and infrastructure delivery are aligned spatially and temporally.
O.9 To ensure utilities and services are planned and delivered to meet demand from development.
O.10 To deliver utilities, road infrastructure, drainage and services in a manner that is safe, efficient and cost effective, and meets Council's MoES.
O.11 To ensure design and locations of utilities infrastructure allows space for planting, water sensitive urban design and footpaths.
O.12 To ensure that where subdivision development is staged, the proposed staging allows for ongoing circulation of traffic and waste services without damaging to public land or inconveniencing road users and asset owners.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.10	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended), b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix A: Application Requirements – Other Development. **Note:** This control does not apply in the following circumstances: • Where the infrastructure is proposed within the same zone as the lots the infrastructure is being provided for, OR • Where the infrastructure is proposed within SP2 zoned land that has been identified as part of the subdivision, and that is for the named purpose according to the Land Zoning Map under Clause 1.7 of the MLEP 2011.
PC.2 • O.9 • O.10	In cases where subdivision is intended to be released in stages, all applications for subdivision must include a Staging Plan, prepared in accordance with Appendix A: Application Requirements - Other Development or Appendix B: Application Requirements - Minor Development, whichever is applicable. Provision of public services such as sports fields, public parks, off road and on road links must be commensurate with the release of lots under the staging.
PC.3 • O.8 • O.9	An overall transport movement hierarchy is to be provided for any subdivision that creates new roads. The hierarchy is to be in accordance with Document D-Design Council's MoES and must illustrate: a. Major circulation routes and connections, b. Proposed bus routes and its pedestrian connectivity, c. On & off-road cycling and pedestrian networks, d. Strategic access points, and e. an Intersection hierarchy.

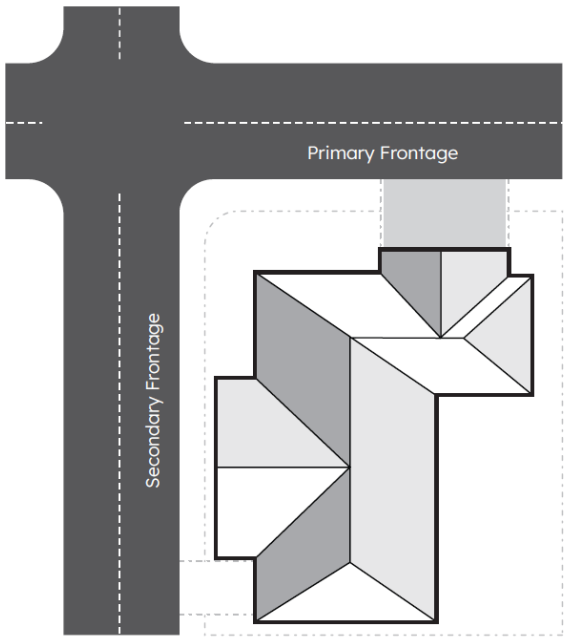
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.9 • O.10	Services and infrastructure must be made available to the development where additional servicing is required. Essential services and infrastructure include road access, water supply, sewer, electricity, telecommunications, and stormwater infrastructure.
PC.5 • O.9 • O.10 • O.11	Public infrastructure must be upgraded where the development will increase demand for, or require, connectivity to said infrastructure (i.e. footpaths, roads and drainage infrastructure, pedestrian and bus stop facilities).
PC.6 • O.9 • O.10	Where a staged development site adjoins a future development site, the construction and dedication of roads, drainage reserves, easements and other essential infrastructure must be incorporated by a reasonable and early stage, generally being ready for connection to a neighbouring future development site once 50-70% of lots have been released. The ability for the extension of essential infrastructure to a future development site must also be provided.
PC.7 • O.8 • O.11	The delivery of road networks, stormwater detention areas and active and passive areas must be incorporated into the overall Staging Plan.
PC.8 • O.10	Appropriate road hierarchy, road widths and road design standards must be provided in accordance with Document D-Design of Council's MoES and is to be based on number of lots served, projected dwelling densities, design traffic speeds, vehicle sizes, and parking requirements including footpaths and cycleways.
PC.9 • O.10	Roads must be designed to provide a clear road hierarchy in which the size, width and appearance matches its function.
PC.10 • O.9 • O.10	Public transport infrastructure must comply with Transport for NSW's 'Guidelines for Public Transport Capable Infrastructure in Greenfield Sites', particularly regarding bus stop design, including but not limited to: a. Opposing bus stops must be spaced and located generally at 400m and accompanied with centre refuge and concrete parking lane blisters, b. Bus stops must be placed on departure side of refuge/crossings, and from intersections, c. Located against parks and public land where possible, d. Vehicle access to lots must be demonstrated in accordance with the relevant requirements within this DCP and Council's MoES. In some cases, driveway construction and Section 88b restrictions may be warranted, e. Provide public stops with centre refuge and concrete blisters in parking lanes. Locate on lot boundaries but preference is against parks and public land where possible. **Note:** the above must be shown on any submitted subdivision plans, where applicable.
AS.1 • O.8 • O.12	Staging of subdivisions should avoid the use of temporary turning heads, including by locating stage boundaries where roads terminate with loops or at a permanent T intersection. Use of temporary turning heads may be considered in extraordinary circumstances subject to the criteria detailed in Council's MoES.

5.2.3. Corner Lots

Objectives

O.13 To ensure corner lots are of sufficient dimensions and size to contribute positively to the streetscape and residential amenity.

O.14 To ensure corner lots can accommodate minimum setback requirements from both the primary and secondary frontages.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.13 • O.14	Corner lots are to be designed to allow future dwellings to have the ability to have vehicle access to both street frontages.  **Figure 5-1: Indicative vehicle access to secondary frontage**
PC.2 • O.13 • O.14	Corner splays must be provided, with minimum dimensions of: a. 4.0m x 4.0m for road types classed as 'Local' under Council's MoES in residential zones, b. 2.0m x 2.0m for road types classed as 'Residential Laneway' under Council's MoES, and c. A merit-based assessment (generally 6.0m x 6.0m) for non-residential zones and/or higher order roads. Consideration must be given to the kerb return and minimum verge requirements under Council's MoES.

5.2.4. Lots on Existing Laneways

Objectives

O.15 To ensure infill development occurs in a coordinated manner.
O.16 To ensure vehicle and pedestrian safety and residential amenity is maintained or enhanced.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.15 • O.16	Excluding corner lots, legal pedestrian access must be provided back to the primary street frontage by way of a Right of Foot Way and an Easement for Services. The access is to be a minimum 1.5m wide, with fencing provided between the dwellings with street frontage and the access.

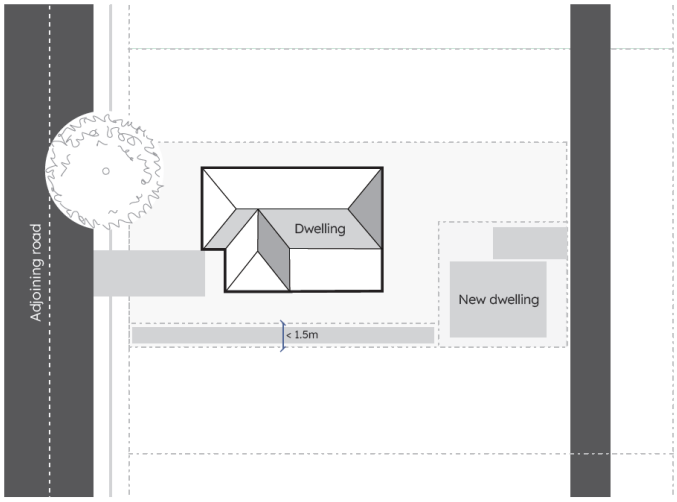


Figure 5-2: Indicative lot arrangement with right of footway

5.2.5. Lots on New Laneways

Objectives

O.17 To provide sufficient space to accommodate vehicular access and utility services without impeding the laneway's primary function.
O.18 To improve permeability and access.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17	The design of lots fronting a new laneway must facilitate safe and efficient access for service vehicles, including emergency services.
PC.2 • O.17	Building envelopes for lots on new laneways are to have garages positioned at the rear of the lot, fronting the laneway.
PC.3 • O.18	Lots with rear access from a laneway must be designed to ensure a clear and legible front street address for the dwelling.
PC.4 • O.17 • O.18	Laneway design must accommodate all required underground and above-ground services, including space for utilities, lighting, and drainage infrastructure, without impacting vehicular functions.

5.2.6. Community Title Subdivision

This Section specifically applies to subdivision utilising Community Title and is to be read in conjunction with the rest of this Chapter and Clause 4.1AA of the MLEP 2011.

Objectives

O.19 To ensure community title subdivisions appropriately provision for proposed open space common facilities.
O.20 To assist in managing the interface between community title subdivisions and neighbouring land uses.
O.21 To ensure that community title subdivisions meet the needs of future residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.19 • O.21	Provided open communal areas are to be designed to meet user's needs, being determined by: a. Dwelling density, b. Equitable access and use, and c. The extent, quality and capacity of surrounding open space proximate to the development.
PC.1 • O.21	Essential services and utilities are to be provided to all proposed residential plots, including separate meters. This includes, but is not limited to: • Water and sewer, • Electricity, • Gas (where proposed), and • Telecommunications.
AS.2 • O.19	Essential services and utilities are to be connected to common areas where necessary.
AS.3 • O.20	Consideration is to be given to the provision of landscape buffering of the outer perimeter of the community title, with possible treatments including tree lines, planted habitat, and vegetation corridors. Fencing treatment is to be aligned with the relevant land zoning of the subdivision.

5.2.7. Subdivision Landscaping

Objectives

O.22 To maintain and enhance the existing character, landscape and scenic qualities of the Maitland LGA.
O.23 To create, maintain and enhance streetscape and minimise visual impact of subdivision development.
O.24 To ensure that new and existing streets have street trees and sufficient canopy cover to reduce the urban heat island effect.
O.25 To assist in achieving the objectives of the Maitland Environmental Sustainability Strategy 2030 in relation to improving canopy cover and reinforcing the blue-green grid.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25	Deep soil areas are to be provided on all resulting lots in accordance with Chapter 2, Section 2.3.2 Street Trees and Canopy Cover and Appendix D: Canopy Cover Guidelines.
AS.1 • O.22 • O.23 • O.24 • O.25	Where established streetscapes are present, enhancement is encouraged through provision of additional landscaping (including street trees) and selection of other streetscape items including surface treatments and street furniture.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.22 • O.23	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment. **Note:** The circumstances in which a Visual Impact Assessment is required are provided in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
AS.3 • O.22 • O.23 • O.25	Tree retention is encouraged at the subdivision stage, with mature trees to be retained and integrated into the subdivision layout and public domain design. Retained trees should contribute to neighbourhood canopy cover, enhance streetscape character, and improve public amenity.

5.2.8. Battle-axe Lots

Objectives

O.26 To ensure that battle axe lots do not result in impacts greater than would be expected from a single dwelling in terms of traffic generation, noise, privacy, utilities, landscaping, street address (way finding), crime prevention, waste management, and amenity.

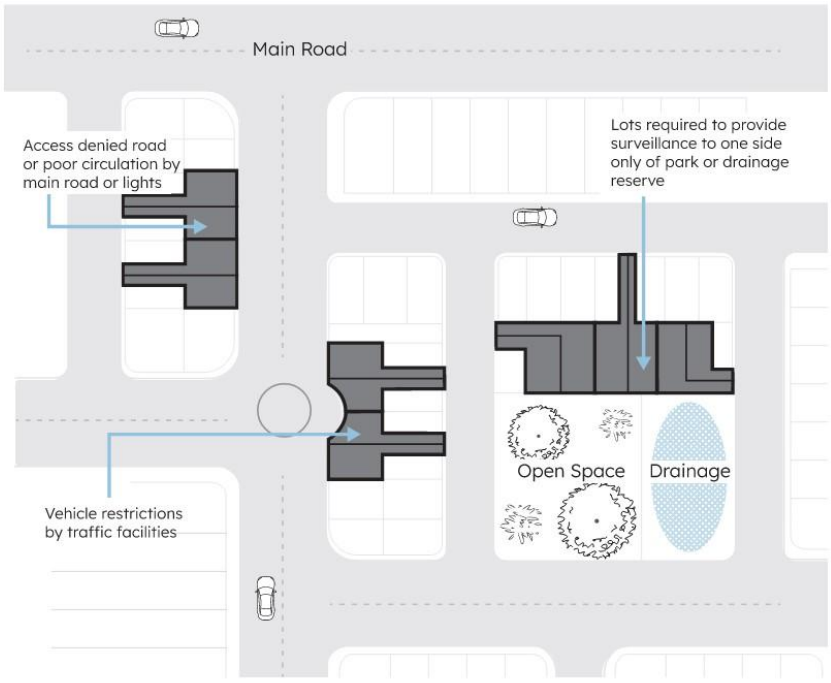
O.27 To ensure clear ownership and easements are established for battle axe handles and stormwater drainage.

O.28 To ensure battle-axe lots are only utilised and effectively developed where no other lot type can be achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.26 • O.28	Battle-axe lots must not be located on cul-de-sac heads, corners and tight bends. **Note:** Tight bend is defined as a bend lower than the design speed of the road, generally being a 15m kerb radius or below.
PC.2 • O.28	Subdivisions of battle-axe lots without public frontage (i.e., road, park, reserve) must be within an integrated approval (subdivision and dwelling design).
PC.3 • O.26	Utility connections to service all lots benefitted by the access corridor must be provided for the length of the access corridor.
PC.4 • O.26 • O.27 • O.28	Battle-axes must be designed and constructed in accordance with **Table 5.1** below.

Table 5.1: Minimum development standards for battle-axe lots

ZONING[1]	SINGLE HANDLE[2] (M)	DUAL HANDLES[3] (I.E. 2X) (M)	PAVEMENT WIDTH[4] (M)
Residential (R1)	4.0[6]	(2x) 3.0[5] or (2x) 3.5[6]	3.0[7]
Residential (R5-V & X)	4.0	(2x) 3.0	3.0
Residential (R5-Y)	4.5	(2x) 3.0	3.0
Residential (R5-Z)	6.0	(2x) 3.0	3.0
Business & Industrial (E1, E2, E3, E4, MU1))	6.0 or 8.0[8]	(2x) 4.0	3.3 min or 6.0[9]
Rural (RU1, RU2)	6.0	(2x) 4.0	3.5

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Notes: 1. For minimum lot size: V=2,000m², X=5,000m², Y=10,000m², Z=20,000m² and above. 2. For a single allotment. Long (over 30m) or bent handles may require greater widths for passing. 3. Each handle width for two adjoining lot handles, with a single driveway covered by a full-width reciprocal ROC. 4. For single lane. Note: concrete wheel strips can be provided for residential. 5. Three metres (x2) permits vehicle passing within a combined 6m width. 6. Where lots are >600m² (excluding handle), OR having potential for further subdivision or additional dwellings, adopt 3.5m each. For single handle widen to 6m if 600m² or greater. 7. Where lots have potential for high density development with regular traffic movements, adopt 5.5m, preferably as two carriageways with a 400mm grassed separation. 8. Increase to 8m where regular two-way conflict is likely. 9. Generally, for one-way or minor two-way movements with "give-way". For two-way movements with regular traffic conflict 6.0m min should be provided.
PC.5 • O.26 • O.27	Developments must not incorporate more than 2 lots serviced by a battle-axe, easement for access, right of carriageway. Reciprocal easements should be centrally placed.  **Figure 5-3: Examples of battle-axe lot arrangements**

5.3. Residential Subdivision

Except where otherwise stated, this section applies to the following land zonings under the MLEP 2011:
- R1 – General Residential
- R5 – Large Lot Residential

5.3.1. Lot Size and Dimensions

Objectives

O.29 To ensure all new lots have a size and shape appropriate to their proposed use, and to allow for the provision of necessary services and other requirements.
O.30 To ensure that lot shape, orientation and dimensions provide for adequate separation between adjoining residential developments for privacy and to maximise solar access for future dwellings.
O.31 To encourage a variety of lot sizes, types and design to promote housing choice, create compact settlements, attractive streetscapes, enhanced walkability and distinctive character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.29
- O.30

All lots must provide a sufficient area and suitable shape for its future use, and is to consider:
- solar access,
- access and parking,
- location of ancillary buildings such as garages and sheds,
- vegetation retention,
- APZ's, and
- soil conditions.

PC.2
- O.29
- O.30
- O.31

New residential lots are to comply with **Table 5.2** below.

Table 5.2: Minimum Lot Dimensions

MINIMUM LOT SIZE (UNDER MLEP 2011)	MINIMUM LOT WIDTH	MINIMUM LOT DEPTH
450m² or greater	12.5m	25m

Notwithstanding the minimum dimensions specified in **Table 5.2**, the minimum lot size under the MLEP 2011 must be achieved.

Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.

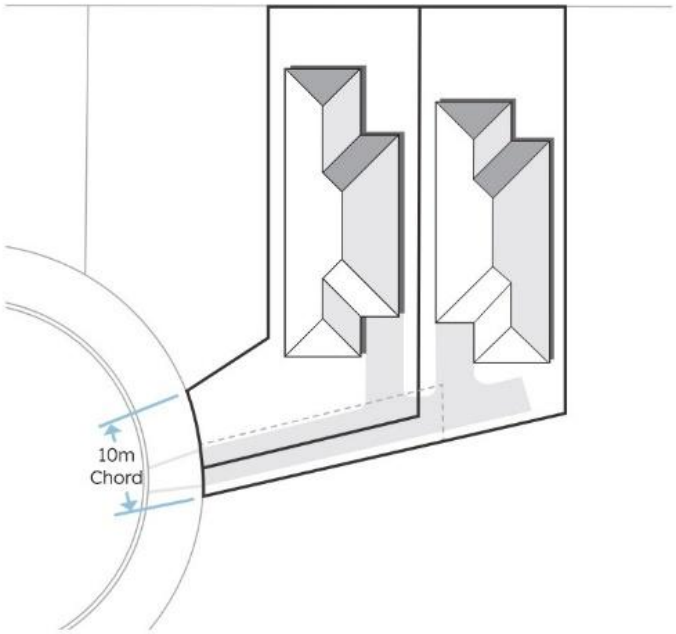
AS.1
- O.29
- O.30
- O.31

Lots should be rectangular in shape and should generally have a width to depth ratio aligning with **Table 5.3** below. Generally accepted variations on a rectangular shape are parallelogram, trapezoidal and rhombus configurations.

Table 5.3: Lot Width to Depth Ratios

MINIMUM LOT SIZE (UNDER MLEP 2011)	LOT WIDTH TO DEPTH RATIO
450m² or greater	1:2 to 1:3

Notwithstanding the minimum dimensions specified in **Table 5.3**, the minimum lot size under the MLEP 2011 must be achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.
PC.3 • O.30 • O.31	All lots must include a minimum building envelope that complies with **Table 5.4** below: **Table 5.4: Minimum Building Envelope** **MINIMUM LOT SIZE (UNDER MLEP 2011)** — **MINIMUM BUILDING ENVELOPE** **450m² or greater** — 10m x 15m **300m² and less than 450m²** — 6m x 15m
AS.2 • O.29 • O.30	The building envelope provided under **PC.3** of this section should be located outside of, or in addition to, any constraints and impediments such as front, side and rear setback, easements, buffers, utilities, effluent disposal areas and any required vehicles manoeuvring areas (such as battle axe lots needing to enter and leave in a forward direction).
PC.4 • O.29	Lots must demonstrate adequate vehicle access can be achieved to the lot, in accordance with Council's MoES.
PC.5 • O.29 • O.30	Development on bends and cul-de-sacs must have a minimum chord length of 10 metres.  **Figure 5-4: Chord length**

5.3.2. Solar Access and Energy Efficiency

Objectives

O.32 To encourage the design of residential subdivisions which maximise solar access, allow flexibility in the siting of future buildings to take advantage of a northern orientation.

O.33 To enable lot shape and orientation which facilitates the design and construction of development that is energy efficient, attractive and functional, and environmentally sustainable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.32 • O.33	Where possible, lots should be orientated to provide one axis within 20 degrees east and 10 degrees west of true north. Where a northern orientation of the long axis is not possible, lots must be wider to allow for private open space on the northern side of future dwellings.
PC.1 • O.33	75% of lots in medium and major subdivision are to be within the 'Ideal' and 'Good' site orientation indicated in Figure 5-5.

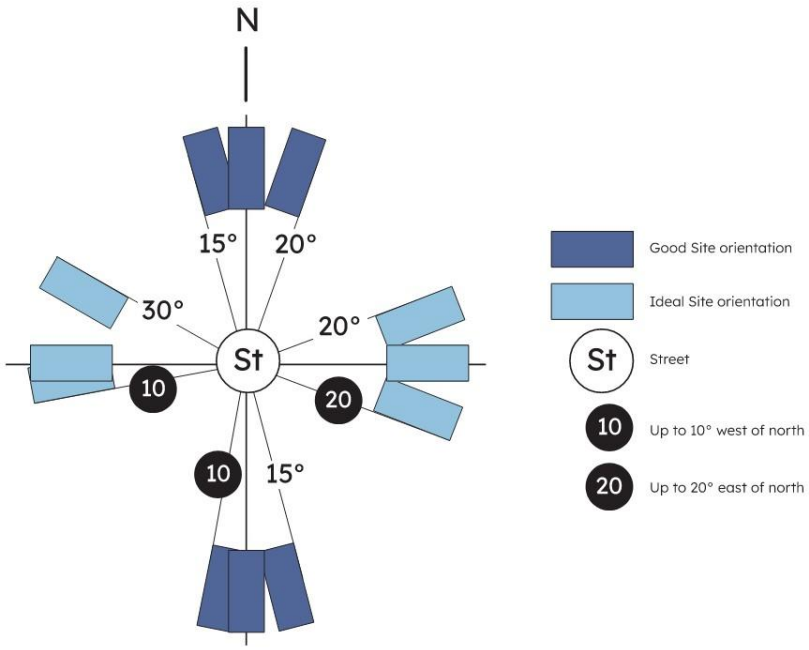


Figure 5-5: Lot Orientation for Optimal Solar Access

Source: https://www.yourhome.gov.au/passive-design/orientation

5.3.3. Street Layout and Block Length

This section only applies to subdivision that affects road locations, road layout, or street block lengths.

Objectives

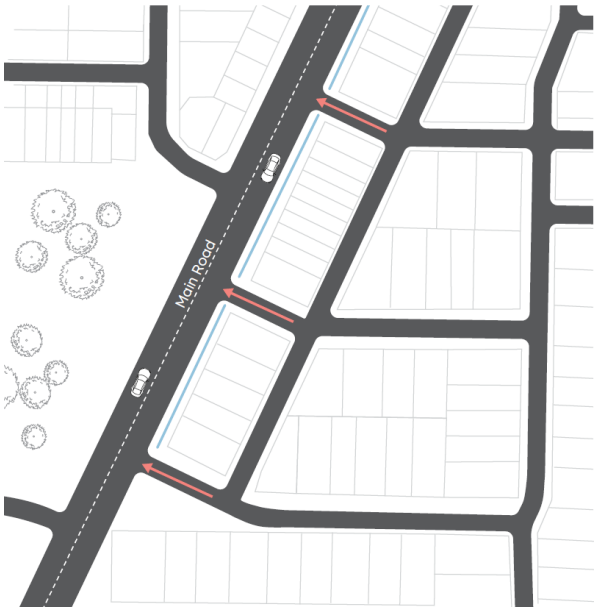
O.34 To provide diversity of allotments within the streetscape of each street block by dispersing different lot widths to achieve variety and avoid large concentrations of similar housing types in any one area.
O.35 To ensure the design of any proposed residential subdivision considers natural landform features, including outlook and slopes.
O.36 To align street layouts to provide optimised access to public and community facilities, parks and public transport.
O.37 To ensure public infrastructure meets the adopted technical requirements as set out in MoES and other adopted Council policies/plans etc.
O.38 To retain and expand areas of natural habitat, and direct development away from environmentally sensitive areas.
O.39 To provide a simple and safe movement system for private vehicles, public transport, pedestrians and on-road and off-road cyclists.
O.40 To ensure adequate arrangements have been made for suitable vehicular access.
O.41 To improve residential amenity and safety for active transport users, where neighbourhood streets do not operate as through traffic routes for external traffic.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36 • O.39 • O.40 • O.41	A proposed street layout must be consistent with any relevant site-specific DCP chapters, structure plans, or area plans.
PC.2 • O.34 • O.36	The proportion of residential lots in a Medium or Major subdivision of the same lot type width must not exceed 40%. For the purposes of this control, a lot type is primarily determined by the lot frontage, but other variables considered are access and configuration. Subdivision plans must be accompanied by a lot width table for each street block, which is to include: • lot type calculations, and • percentages and numbers within the +/- range of each lot (see note). Development applications seeking approval for joint residential subdivision and dwelling construction are exempt from this control. An example of what such a split could look like is provided in **Table 5.5** below.

Table 5.5: Example of Potential Lot Width Split

LOT WIDTH (+/- 1M)	NUMBER OF LOTS	% OF LOTS
22m (21m – 23m)	20	40%
18m (17m – 19m)	16	32%
10m (9m – 11m)	14	28%
Total Lots	50	100%

Note: Lot width categories are determined by a range of plus or minus of 1.0m from each and every other lot width. For example, a 15.2m wide lot would count all lots between 14.2m and 16.2m as a same lot type for the purpose of this control.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.36 • O.37 • O.39 • O.41	A trunk road network diagram must be provided which includes a minor and major grid layout in accordance with Council's MoES.
PC.4 • O.37 • O.39	Roads with 6,000 or greater vehicles per day (vpd) must have denied access for driveways to individual property.
PC.5 • O.36 • O.37 • O.39 • O.40	The length of access-denied lot frontages in a subdivision must be limited by providing perpendicular connections to Arterial and Sub-Arterial roads.  **Figure 5-6: Provide perpendicular connections to main roads**
PC.6 • O.35 • O.37 • O.39	**Trunk roads**, including **local collector roads**, must provide direct routes with only minor deflections and curves. Bends, large deflections and significant intersection manoeuvring are not supported. Further information is provided in Document D-Design of Council's MoES.
PC.7 • O.37 • O.38 • O.39	Local collector road connections, including to bushfire and flood perimeter roads, must incorporate **emergency wayfinding** elements (such as signage) and be more conveniently located and driveable than local street connections. **Note:** Examples of emergency wayfinding elements are provided within the glossary.
PC.8 • O.37 • O.39	New residential street blocks are to have a range of block lengths from a 100m minimum to a 240m maximum and must have a maximum **walkable perimeter** of 600m. A walkable or drivable connection—such as a street, laneway, or shared path—must be provided at intervals of no more than 300 metres to support permeability and connectivity

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.36 • O.41	Street block lengths should decrease when close to public transport, around activity centres, and nodes of interest, such as open space and recreation areas.
PC.9 • O.36 • O.37 • O.39 • O.40	Excluding cul-de-sacs, street networks are to have a minimum of two vehicle route options to enter and exit into the wider road network.  **Figure 5-7: Street networks and route options**
PC.10 • O.35 • O.38	Subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' (or as amended) applies. **Note:** Depending on a site's specific context and environmental constraints, a series of other state government buffers may apply to a site.
PC.11 • O.35 • O.36 • O.37 • O.40	Roads are to be orientated as follows: a. **Trunk roads** must create direct and convenient routes along **desire lines** and optimise public transport network creation, b. **Local streets** that are of a slope gradient 6% or greater are to run perpendicular to the slope contour. c. All other local streets are to be orientated in accordance with the remainder of this Section.
PC.14 • O.36 • O.37 • O.40	Subdivisions must not include more than 700m vehicle travel distance on the low-speed (≤50 km/h) local street network between any lot and a trunk road. **Note:** A **trunk road** is classified as a **Local-Collector** or higher order road under Council's MoES.

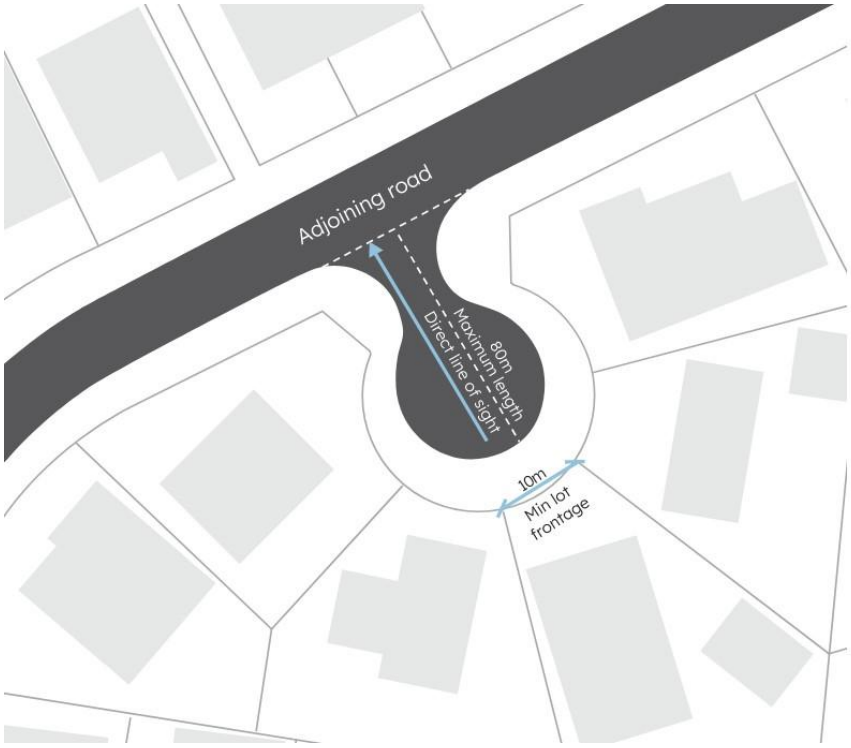
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.36 • O.37 • O.40	To improve wayfinding and legibility alongside reducing speeding, the road network of a subdivision should employ no more than 3 turns or 3 different local streets between any lot and a trunk road.
AS.3 • O.41	Shortcutting or rat running through local streets should be minimised by: a. Identifying likely rat-running routes and keep convenient through-connections at right angles rather than parallel to the rat run, and b. Using alternating intersection priorities and/or off-set intersections.
AS.4 • O.35 • O.36 • O.37 • O.40	Cul-de-sacs should be avoided. Where it is clearly demonstrated that no alternative option exists to integrate the road into a connected loop, cul-de-sacs must: a. Incorporate a minimum lot frontage of 10m on the cul-de-sac head/chord and insure adequate space for driveways, utilities and bin collection, b. Be limited to a maximum length of 80m, OR terminate at a full bulb width on an adjoining road and satisfy the walkable perimeter distance, c. Not create a need for narrow pathways (pedestrian/stormwater alley), and d. Include wayfinding measures (such as signage) and direct sightlines from the intersection to bulb. 

Figure 5-8: Cul-de-sac design criteria

5.3.4. Active Transport Networks

Except where otherwise stated, this section only applies to Medium and Major Subdivision, as defined in **Section 5.1.3**.

Objectives

O.42 To provide acceptable levels of access, safety and convenience for all active transport, such as pedestrians and cyclists.
O.43 To ensure local streets are well-connected to an active transport network.
O.44 To ensure residential street and path design creates safe pedestrian and cyclist routes that connect to adjoining streets, schools, open spaces and activity centres in accordance with MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42 • O.43 • O.44	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.
PC.2 • O.42 • O.43 • O.44	Footpath and cycleway networks must create permeable connected systems to provide links to schools, community facilities, public transport, and other **activity centres**.
PC.3 • O.44	**Shared pathways** must provide direct linkages to public areas of interest, particularly recreation areas, activity centres, schools, commercial areas, and movement networks.

5.3.5. Open Space and Recreation

Unless otherwise stated (PC.2 and PC.4), the controls under this section only apply to subdivision that proposes the creation of open space, local parks, drainage reserves, and recreation facilities.

Objectives

O.45 To provide sufficient local open space that is primarily for the active and passive recreational needs of residents.
O.46 To enhance the appearance and amenity of urban development through integrated open space.
O.47 To encourage the use of drought resilient practices in open space maintenance, such as recycled water networks.
O.48 To ensure that public open space of appropriate quantity and quality is provided in order to meet the recreational and social needs of the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.45 • O.48	The number, size and location of open space, local parks and recreation facilities must be consistent with Council's requirements, Council's *Community Infrastructure Strategy* and the relevant Section 7.11 Contributions Plan. **Note:** Sites which are developed outside of an applicable s7.11 Contributions Plan that does not provides size, location, and costing for recreational open space shall be assessed on a case-by-case basis.
AS.1 • O.46	Public open space within a subdivision should form part of a pedestrian/cycleway network that connects residential areas and other facilities.
AS.2 • O.45	Public open space areas should be functional, well-located and distributed appropriately throughout the subdivision to maximise accessibility and provide for passive and active

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.47 • O.48	recreational opportunities. Generally, at least 80% of residential lots should be within 400m of the nearest public open space area.
PC.2 • O.47	Residential subdivision within 3km of a Water Treatment Plant are to connect open space and recreation facilities to recycled water networks to improve drought resilience and limit the use of drinking water for care and maintenance purposes.
AS.3 • O.46	All open space should be edged with a public street or public footpath with dwellings addressing the space.
PC.3 • O.46	Public open space must be designed with consideration given to Crime Prevention Through Environmental Design (**CPTED**) principles. **Note:** Controls for CPTED consideration are provided under Section 3.7 of Chapter 3: Site Requirements.
PC.4 • O.46	Fencing must be provided for residential lots where the lot adjoins public reserves or infrastructure. Council may require that the fencing be of open style/pool style depending on the topography and landscape character of the adjoining reserve. Where open style fencing is provided, the landscape design will need to demonstrate that the location of plantings is adequate to ensure a suitable level of privacy for the adjoining residential lots, reduce the visual impact of the fencing and improve the landscape quality of the reserve.

5.3.6. Entry Features

Excepting PC.1 in this section, the following controls only apply to Major residential subdivisions, as defined in **Section 5.1.3**.

Objectives

O.49 To consider the potential cumulative visual impacts of entry features.
O.50 To regulate entry feature locations, sizes, and life spans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50	Entry features must only be provided in conjunction with Major residential subdivisions i.e. 50 lots or more.
PC.2 • O.50	Entry feature locations must be identified within the Development Application for a subdivision.
AS.1 • O.49 • O.50	Entry features without additional assessment are limited to a size of 20m^2, with a maximum height of 4m. If the proposed entry feature is in exceedance of these dimensions, a Visual Impact Assessment must be prepared which includes a **view analysis** and assessment of the entry feature.
PC.3 • O.50	Entry features must only be located on private land.
PC.4 • O.49 • O.50	Entry features must not impede on vehicle sight lines.

5.4. Rural and Conservation Subdivision

This section specifically applies to the following land zonings under the MLEP 2011:

- RU1 – Primary Production
- RU2 – Rural Landscape
- C3 – Environmental Management
- C4 – Environmental Living

Objectives

O.51 To protect productive agricultural land and avoid fragmentation of rural land.
O.52 To ensure subdivisions are designed to maintain and enhance the rural or conservation character and scenic landscape of the Maitland LGA, particularly along ridgelines, low lying areas, and valleys which may be viewed from above.
O.53 To ensure that the extent and intensity of rural subdivision within hazardous flood areas, including floodways, is flood-sensitive and provides habitable areas above the floodplain.
O.54 To ensure rural and conservation allotments are of sufficient size, shape, and servicing to cater for a range of rural or conservation land uses.
O.55 To minimise potential land use conflicts within rural / non-urban zones or other adjoining zones.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51 • O.52 • O.53 • O.54 • O.55	Where a rural or conservation subdivision is proposed with part of the existing lot affected by flood prone land, all proposed lots must have a suitable building envelope. This envelope must: a. Be above the 1% AEP flood standards, b. Be of sufficient size to allow development of improvements, including any required effluent disposal area, c. Have a minimum boundary length of 20m on each side, d. Be free of **environmentally significant features,** e. (If rural) Provide an area for flood refuge of livestock and agricultural plant and equipment, and f. Have flood safe access to a public road. **Note:** This control does not apply to land with exclusions on dwelling rights, notably lots subdivided under Clause 4.2 of the MLEP 2011.
PC.2 • O.52	Any Medium or Major subdivision on rural or conservation zoned land must be designed to avoid clearing of vegetation and is to provide a VIA to assess impact on views and vistas from areas external to the site.
PC.3 • O.54	An adequate level and type of utility service is to be provided and identified on the subdivision plan, with details of how those services will be provided to each lot.
AS.1 • O.52 • O.55	Fencing should make a positive contribution to the visual appearance of the development. Fencing must be unobtrusive with the rural or conservation character and of a rural post and rail.
PC.5 • O.54	The subdivision design must provide a safe vehicle access to each proposed allotment, with adequate sight distances in both directions, as according to Council's MoES.
AS.2 • O.54	Street layout should be consistent with any relevant site-specific DCP chapters, structure plans, and area plans.
AS.3 • O.51 • O.52 • O.54	Each new lot as part of a rural or conservation subdivision is to have: a. Except for C4 Environmental Living: at least 50m site frontage, b. C4 Environmental Living: at least 20m site frontage Lot width-depth ratios are to be to the satisfaction of Council, with long narrow lots discouraged.

5.5. Industrial and Commercial Subdivision

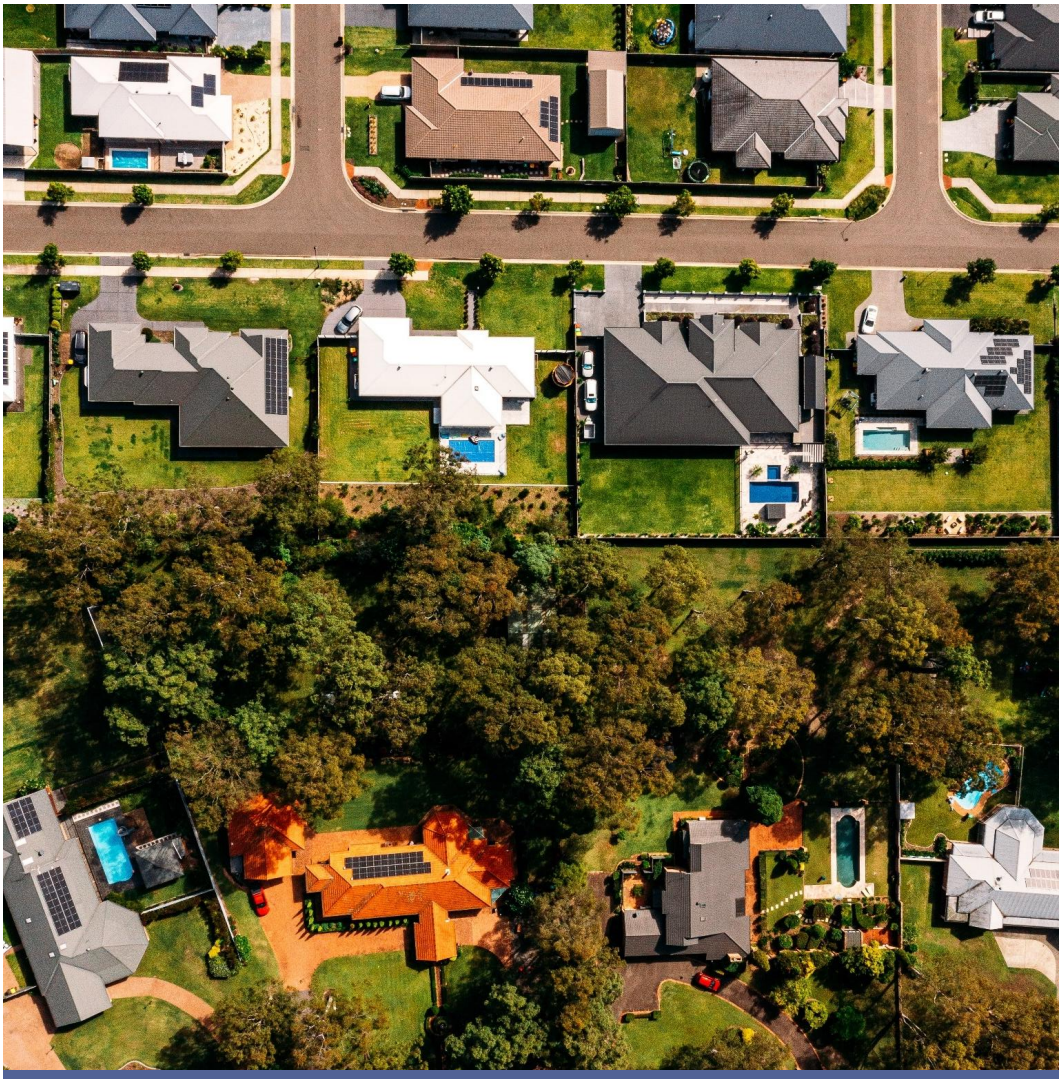
This section specifically applies to the following land zonings under the MLEP 2011:

- E1 – Local Centre
- E2 – Commercial Centre
- E3 – Productivity Support
- E4 – General Industrial
- MU1 – Mixed Use

Objectives

O.56 To encourage industrial and business development for employment generating zones by providing a variety of lot sizes for development opportunities.
O.57 To ensure that development sites have sufficient area and dimensions to provide adequately for access, landscaping and building separation.
O.58 To provide for infrastructure and services in a cost effective and efficient manner, consistent with the operational needs of industrial and commercial users.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.57	Industrial and commercial lots should generally be of rectangular shape, with a depth to frontage ratio between 2:1 and 3:1.
AS.2 • O.56 • O.57	Street block lengths should be a maximum of: a. 100m for commercial subdivisions in E1, E2, and MU1 zones. b. 230m for commercial subdivisions in E3 and E4 zones, and c. 250m for industrial subdivisions. Block lengths in excess of the above may be considered where pedestrian connectivity, desire lines, and traffic calming objectives are achieved.
PC.1 • O.57 • O.58	The design of the subdivision must allow for the largest vehicles anticipated to have access to the subdivision, including forward entry and exit.
PC.2 • O.57	Corner lots must have 8.0m x 8.0m splays.
PC.3 • O.58	Footpaths and cycleways are to be located, designed and constructed in accordance with Council's MoES, Urban Release Area Structure Plans, and any other adopted Council plans/policies, and in view of streets wherever possible to allow surveillance.



Maitland DCP 2026

Chapter 6: Residential Uses

maitland CITY COUNCIL

Table of Contents – Chapter 6: Residential Uses

6.1. Introduction **3**
6.1.1. Application 3
6.1.2. Relationship to other Chapters 3
6.1.3. How to use this Chapter 3
6.1.4. Intent of this Chapter 3
6.2. General housing controls **4**
6.2.1. Character and design 4
6.2.2. Development incorporating existing dwellings 5
6.2.3. Universal accessible design 5
6.2.4. Solar access and cross ventilation 6
6.2.5. Visual and acoustic privacy 7
6.2.6. Open space 8
6.2.6.1. Communal Open Space (COS) 8
6.2.7. Principal Private Open Space (PPOS) 9
6.2.8. Landscaping and landscaped area 11
6.2.9. Impervious area 13
6.2.10. Housing setbacks 15
6.2.11. Residential building height 19
6.2.12. Fencing and walls 20
6.2.13. Driveways, carparking and garages 21
6.2.13.1. Driveways 21
6.2.13.2. Carparking and garages 23
6.2.14. Sites having a boundary to a laneway 24
6.3. Dwelling house **25**
6.4. Dwellings in rural and environmental zones **25**
6.5. Secondary dwellings **26**
6.6. Dual occupancies and semi-detached dwellings **28**
6.7. Attached dwellings **29**
6.8. Boarding houses, Co-living housing, and Group homes **30**
6.9. Multi-dwelling housing **30**
6.10. Residential flat buildings and Shop top housing **33**
6.11. Ancillary structures **37**
6.11.1. Swimming Pools 40

6.1. Introduction

6.1.1. Application

This section applies to all land to which residential accommodation is permissible with consent under the Maitland Local Environmental Plan (MLEP) 2011.

6.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 7: Commercial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Council's Manual of Engineering Standards

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

6.1.3. How to use this Chapter

This Chapter has been organised into two distinct parts. The first is general housing controls, which provide a consolidated categorisation of the wide range of residential housing typologies and development types for common aspects, such as setbacks, open space, fencing, and landscaped areas.

The second part of the Chapter contains controls that specifically apply to their relevant housing typology, in line with the definitions provided under the MLEP 2011 and in the Glossary of this DCP. In the event of an inconsistency, these controls overrule the general housing controls provided in the first part of this Chapter.

6.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Ensure that residential development responds to the character of the site and locality, the qualities of the surrounding environment, and any desired future character.
b. Limit adverse impacts on the amenity of existing residential areas.
c. Encourage increased residential development in areas with proximity to services, infrastructure, and transport.
d. Support the principles of Ecologically Sustainable Development.
e. Inspire innovative and sustainable residential designs.
f. Encourage a diversity of housing typologies and choice to meet the needs of the existing and future community.
g. Adhere and give effect to the provisions under MLEP 2011 relating to residential accommodation.
h. Adhere to the aims, objectives and planning principles of the *Maitland Local Housing Strategy 2041.*

6.2. General housing controls

Note: The general objectives and controls in this Section are to be applied in conjunction with the specific controls for all residential typologies contained in **Sections 6.3 to 6.11** of this Chapter.

6.2.1. Character and design

Objectives

O.1 To ensure that development is consistent with the existing and/or desired future residential character of an area.
O.2 To ensure that the design of the development minimises the overall bulk and scale of the building.
O.3 To protect the visual amenity of the streetscape and neighbouring properties by taking into account patterns of street setbacks, spaces between buildings, controlling building bulk and scale and associated overlooking.
O.4 To ensure that development provides passive surveillance to the street and public areas.
O.5 To ensure that development provides a well-defined address to the street, clear wayfinding for each dwelling within a development, and that the development more broadly creates a sense of place.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1	Built form should relate to the topography, existing site conditions, and the existing and desired future character of the area.
AS.2 • O.2	Development should consider the impact on surrounding development and the streetscape, including overshadowing and privacy. To assist in the reduction of such impacts, the incorporation of split levels, broken roof lines and site-specific floor layouts should be utilised over large earthworks or retaining works.
AS.3 • O.2 • O.3	Architectural design should demonstrate the following: a. the use of textured finishes, b. stepping of walls, pergolas, eaves, verandahs, and blade walls etc. to establish articulation and create light and shadows on a building, c. the coordinated use of diverse materials and appropriate decorative treatments, d. consideration of the relationship between glazed and solid wall areas, e. consideration of passive surveillance and access legibility, and f. minimising the amount and length of unbroken roof ridgelines, unpunctuated facades, fencing and repetitive form.
PC.1 • O.2	Walls exceeding 10m in length or 4m in height are to be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material variations to provide visual relief.
PC.2 • O.4 • O.5	Development must provide direct and legible access from the street to the front entry of each dwelling or building. This entry must be reinforced by landscaping at a minimum.
PC.3 • O.4	Development design must include windows for habitable rooms that overlook the street and public areas. Developments on corner sites must provide windows that overlook both streets.
AS.4 • O.1	Repetitive building designs are discouraged. Designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are varied.

6.2.2. Development incorporating existing dwellings

Objectives

O.6 To ensure that the streetscape character is retained and incorporated into new development where possible.
O.7 To ensure that new and existing dwelling(s) are complementary and provide a high standard of amenity and privacy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.6 • O.7	Developments which incorporate existing buildings must be accompanied by a floor plan and elevations of the existing building, as well as a schedule of externals colours and materials for the development.
AS.1 • O.6 • O.7	Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter. Where it is not possible for an existing dwelling to achieve compliance with all aspects of the chapter Council may, after consideration of a detailed submission lodged with the development application outlining grounds/justification for noncompliance, agree to vary one or more of the chapter requirements.

6.2.3. Universal accessible design

Universal accessible design is an approach to building that uses good planning, design and construction to ensure that any person can use a dwelling, irrespective of age, level of mobility or condition of health. A universally designed dwelling is capable of adapting to accommodate changing needs such as ageing in place or supporting those with mobility issues.
Universal accessible housing adheres to seven core universal design principles, being:

1. Equitable use: The design is useful and marketable to people with diverse abilities.
2. Flexibility in use: The design accommodates a wide range of individual preferences and abilities.
3. Simple and intuitive use: Use of design is easy to understand, regardless of the user's experience, knowledge, language skills or current concentration levels.
4. Perceptible information: The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
5. Tolerance for error: The design minimises hazards and the adverse consequences of accidental or unintended actions.
6. Low physical effort: A design that can be used efficiently and comfortably with a minimum of fatigue.
7. Size and space for approach and use: Appropriate size and space is provided for approach, reach, manipulation and use regardless of user's body size, posture or mobility.

Objectives

O.8 To promote development to achieve universal accessible design in adaptable dwellings.
O.9 To plan for household needs now and in the future due to changes in mobility and ability.
O.10 To ensure adaptable housing meets universal design principles.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8	Adaptable dwellings are to be provided in accordance with **Table 6.1** below.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Table 6.1: Adaptable dwelling ratios NUMBER OF DWELLINGS / NUMBER OF ADAPTABLE DWELLINGS REQUIRED **0–9** / 0 **10–15** / 1 **16–24** / 2 **25–34** / 3 **35 or more** / 10% of total dwellings
PC.2 • O.9 • O.10	Adaptable dwellings are to satisfy the requirements of AS 4299-1995, which include provision of the following: • an accessible car parking space linked to each adaptable dwelling by an unobstructed path of travel, at a suitable gradient for wheelchair access and being as close as possible to the adaptable dwellings that they are intended for, • entries, doors and passageways that are of suitable dimensions to facilitate wheelchair access, and • an entrance at ground level, which is direct to a public road.
AS.1 • O.9	Dwelling design should be capable of being easily adapted to suit the widest possible range of lifetime needs. This includes the needs of people with physical, sensory disabilities, and/or intellectual disabilities.
PC.3 • O.10	Development containing adaptable dwellings must be accompanied by certification from a suitably qualified (and experienced) Access Consultant confirming that the adaptable dwellings are capable of being modified, when required by the occupant, to comply with the Australian Adaptable Housing Standard AS 4299-1995.

6.2.4. Solar access and cross ventilation

Objectives

O.11 To provide dwellings with adequate solar access and ventilation for both internal habitable rooms and Private Open Space (POS).
O.12 To ensure the design and siting of new developments maintains a reasonable level of daylight and sunlight to habitable rooms, POS, and solar collectors of new and neighbouring developments.
O.13 To avoid the potential for significant overshadowing of habitable rooms and POS within the development itself and with respect to adjoining development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.11 • O.12 • O.13	Shadow diagrams must be provided for residential developments of two (2) storeys or more that are within an urban area. The shadow diagram must address the overshadowing impact of new development as well as the impact from adjoining development against the criteria below: a. development must not reduce the sunlight available to windows of habitable rooms that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (21st of June); b. at least 50% of the principal area of ground level Private Open Space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June).

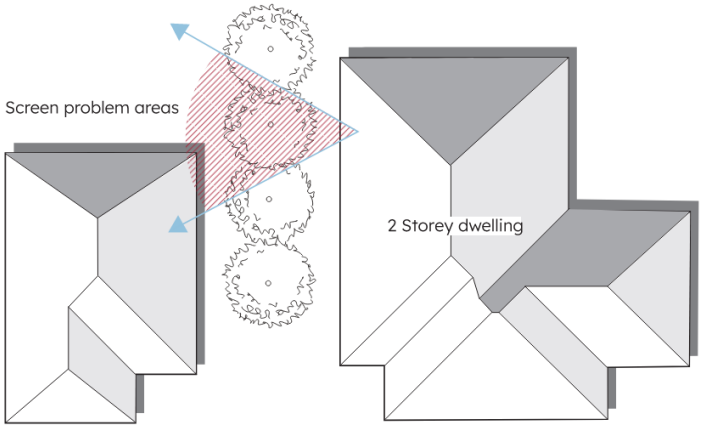
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. at least 50% of the principal area of above ground level private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). d. at least 50% of the area of communal private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). **Note 1:** Council reserves the right to request shadow diagrams (in accordance with **Section 6.2.4 PC.1**) with respect to single storey development if, by reason of the topography of the site, the nature of adjoining development and fencing, the orientation of the building or the design of the building, there is potential for significant loss of solar access to adjoining lots or to dwellings within the development itself. The shadow cast by fences, roof overhangs and changes in levels should be included on any shadow diagrams to allow proper assessment of the overshadowing impacts. **Note 2:** This control does not apply to residential flat buildings, shop top housing, or the residential components of mixed-use development. See **PC.2** of this section.
PC.2 • O.11	Solar access for Residential Flat Building, Shop Top Housing and the residential components of mixed-use developments are to achieve the solar access and ventilation requirements set out in the Apartment Design Guideline.

6.2.5. Visual and acoustic privacy

Objectives

O.14 To balance the need for views and outlook with the need for privacy.
O.15 To encourage the sharing of views whilst not restricting the reasonable development potential of a site.
O.16 To maximise visual and acoustic privacy both within a development lot and between a development and its neighbours.
O.17 To ensure that development does not cause unreasonable overlooking of habitable rooms and principal private open spaces of dwellings.
O.18 To ensure that the siting and design of development minimises the impacts of noise transmission between properties.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18	Where no design techniques and screening, such as fences or walls, are proposed, openings of adjacent dwellings must be separated by a distance of at least 3m from the centre of the opening.
PC.2 • O.14 • O.15 • O.16 • O.17	Overlooking of Principal Private Open Space (PPOS) and direct views between habitable room windows from neighbouring dwellings and properties are to be screened or obscured using one or more of the following methods: • separation distance of at least 3m between windows of habitable rooms or balconies • separation by design • offset living room windows of opposing dwellings/units • splay windows to redirect sight lines • fencing design, privacy screens, or fin walls • plantings or planter boxes • louvre screens (vertical or horizontal) • pergola

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	 **Figure 6-1: Possible screening treatment (plantings)**
PC.3 • O.16 • O.18	Site layout must separate shared parking areas, driveways and service equipment areas away from bedroom areas of dwellings.

6.2.6. Open space

Objectives

O.19 To ensure principal private open space areas are provided in a manner that is functional and responsive to the environment, thereby promoting the enjoyment of outdoor living for residents.
O.20 To ensure that private open space is integrated with, and directly accessible from, the living areas of a dwelling.
O.21 To ensure that open space meets requirements for privacy of the residents and adjoining properties, enabling access to outdoor activities and landscaping.
O.22 To locate open space to take account of outlook, natural features of the site, solar access, and neighbouring buildings or public open space.

6.2.6.1. Communal Open Space (COS)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21 • O.22	Open space must be clearly defined to distinguish between Communal Open Space (COS), Private Open Space (POS), and the Principal Private Open Space (PPOS) provided. **Note:** Controls for PPOS and general open space (landscaped area) are provided in Section 6.2.7 and 6.2.8, respectively.
AS.1 • O.21 • O.22	Where COS is provided, it should be orientated to enable solar access to help achieve comfortable year-round use.
AS.2 • O.22	COS should be sited to maximise retention of non-invasive tree species.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.21 • O.22	The landscaping surrounding COS must be designed to minimise water usage and maintenance requirements.
PC.3 • O.22	A proposed development that provides COS must indicate, on a landscape plan, any communal facilities, such as seating, BBQ, shade structures and the like that promote use by residents.
Note: Communal Open Space is provided based upon the nature of the development type proposed. Strata, Stratum, and Community title developments involve the provision of COS.	

6.2.7. Principal Private Open Space (PPOS)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.19	PPOS is to be provided in accordance with **Table 6.2.** **Table 6.2: Minimum Principal Private Open Space**

DWELLING TYPE	MINIMUM PPOS
Dwelling house	24m² and at least 3m wide and 3m long.
Dwelling houses in rural or environmental zones	24m² and at least 3m wide and 3m long.
Dual occupancies and Semi-detached dwellings	24m² and at least 3m wide and 3m long (each). OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Secondary dwellings	24m² and at least 3m wide and 3m long.
Attached dwellings	24m² and at least 3m wide and 3m long, OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Multi-dwelling housing	1 – 2 bedrooms: 16m² and at least 3m wide and 3m long. 3+ bedrooms: 24m² and at least 3m wide and 3m long. OR 16m² at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.
Boarding houses and Co-living housing	24m² and at least 3m wide and 3m long.
Group homes	24m² and at least 3m wide and 3m long.
Residential flat buildings	Refer to Apartment Design Guide (or equivalent).
Shop top housing	Refer to Apartment Design Guide (or equivalent).
Seniors housing	Refer to Apartment Design Guide (or equivalent).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Note: PPOS provisions are to be read in conjunction with the controls of Solar Access and Cross Ventilation (Section 6.2.4) and Visual and Acoustic Privacy (Section 6.2.5).

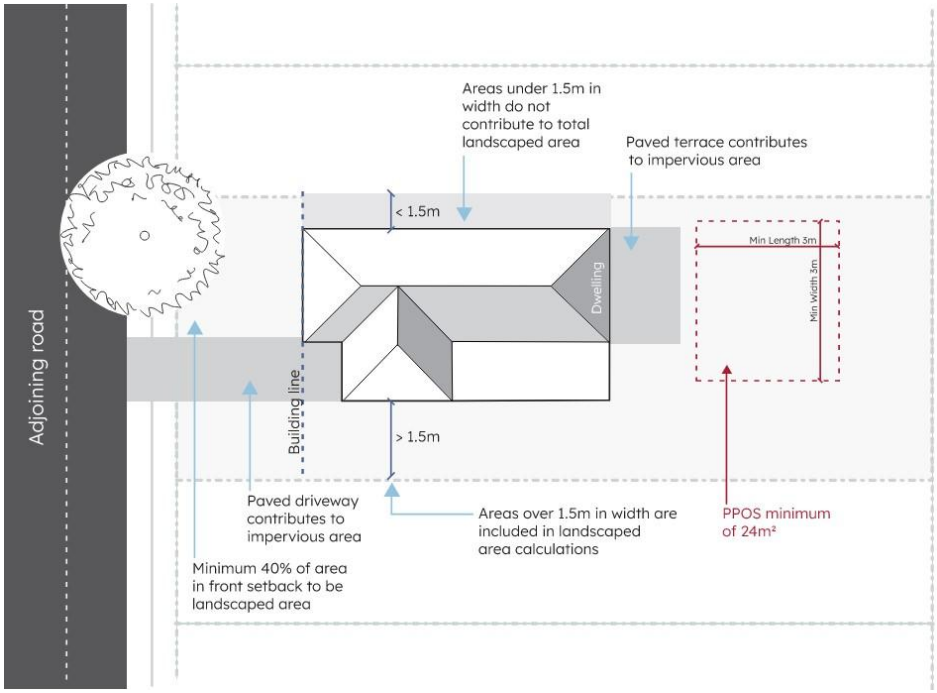


Figure 6-2: Example of PPOS provision for dwelling house

PC.5 • O.20 • O.21	The landscape design and plans for the development must recognise PPOS areas as 'outdoor rooms' and the design must incorporate: a. paved areas or decks for outdoor dining/relaxation, b. garden areas to reduce the 'hard' visual impact of fencing, paving and walls, c. the inclusion of trees of a scale which will provide adequate shade (deciduous species may be appropriate depending on the orientation of POS), and d. provision of drying areas and garbage storage areas and the screening of these areas with vegetation and/or structural elements such as timber panels.
PC.6 • O.19	The maximum cross-fall over the PPOS must not exceed 5%.
PC.7 • O.21	Areas of ground level PPOS required for external drying facilities, garbage storage, roof water tanks etc are not to be included in the PPOS. These ancillary uses must be located where they are able to be screened from view of the street or other public place.

Note: Additional balconies etc are permitted but cannot be taken into account as POS unless meeting the minimum criteria specified above.

6.2.8. Landscaping and landscaped area

Objectives

O.23 To enhance the appearance and amenity of new development for the benefit of users and the community in general.
O.24 To encourage the use of water efficient landscape systems embracing the principles of Water Sensitive Urban Design (WSUD).
O.25 To integrate building and landscape elements.
O.26 To protect existing landscape features including natural landforms, watercourses and native vegetation and integrate them, where possible, with new development.
O.27 To blend new development into an established streetscape and neighbourhood character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25	Development must be supported by a landscape plan, including a planting scheme.
PC.2 • O.23 • O.24 • O.25 • O.26 • O.27	Landscape design is to: a. retain existing non-invasive vegetation, where practicable, for integration with the landscape design for the development, b. utilise native vegetation suitable for local conditions that are low maintenance and drought resilient, c. incorporate the use of advanced plant specimens and tube stock to ensure that the completed built form is immediately and effectively softened by landscaping, d. be of an appropriate scale relative to the width of driveways and the associated space between buildings and the building bulk, e. trees that achieve a height above the roofline of the dwelling are to be incorporated to soften built form, f. take into account, protect and be sympathetic to view corridors and vistas, including by introducing species that preserve opportunities for views and vistas when matured, g. provide adequate lighting for vehicular and pedestrian safety, h. address and enhance streetscapes and landscapes within heritage conservation areas, locally listed heritage items and within the proximity of heritage items, i. clearly identify where turfed areas are to be located and specify the materials used for forming the edges of garden beds, j. identify POS / COS areas, including the PPOS or Principal Communal Open Space, k. detail the various paving materials used throughout the site for driveways, pedestrian pathways, parking areas and private open space areas, and l. utilise screen planting to soften and reduce the dominance of walls and fences.
PC.3 • O.25 • O.27	Landscaped area for a development is to be provided in accordance with **Table 6.3.** **Table 6.3: Minimum Landscaped Area**

DWELLING TYPE	MINIMUM LANDSCAPED AREA (% OF LOT AREA)
Dwelling house and Group homes	30%, including: • 40% of the front setback (Figure 6-2), and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List.
Dwelling houses in rural or environmental zones	A minimum of ten (10) trees, with the species in accordance with Council's Tree Species List.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS		
	DWELLING TYPE	**MINIMUM LANDSCAPED AREA (% OF LOT AREA)**
	Dual occupancies and Semi-detached dwellings	50% minus 100m², including: • 25% of the front setback, and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List.
	Secondary dwellings	10%, including a minimum of 50% behind the building line.
	Attached dwellings	10%, including a minimum of one (1) tree along each building frontage, with the species in accordance with Council's Tree Species List.
	Multi-dwelling housing	15%, including a minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.
	Boarding houses and Co-living housing	20%
	Residential flat buildings	20%, including: • A minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.
	Shop top housing	Refer to Apartment Design Guide (or equivalent).
	Seniors housing	Refer to Apartment Design Guide (or equivalent).
	Note 1: The minimum landscaped area is in addition to the PPOS requirements under **Section 6.2.7**. Additionally, the minimum landscaped area contributes to the minimum unbuilt area requirements stipulated in **Section 6.2.9**. **Note 2:** Areas less than 1.5m in width are not included in the landscaped area calculation.	
AS.1 • O.24	Except for dwelling houses, the landscape design for a development should integrate with the stormwater management scheme, having regard to relevant WSUD principles.	

6.2.9. Impervious area

This section is to be read in conjunction with **Section 6.2.6 Open Space** and **Section 6.2.8 Landscaping & Landscaped Area**. The minimum landscaped areas and minimum COS/PPOS required under **Section 6.2.6** and **6.2.8** take precedent over any maximum impervious area provided under this section.

Objectives

O.28 To ensure the density of new residential development is sympathetic to the locality.
O.29 To ensure that development minimises impervious surfaces and maintains a balance of amenity, solar access and privacy between 'built' and 'unbuilt' areas.
O.30 To ensure dwellings can meet requirements relating to landscaped area, privacy, solar access, internal site circulation, and open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.28
- O.29
- O.30

Impervious area must satisfy the requirements detailed in Table 6.4. All development application site plans for residential development are to provide a detailed 'percentage impervious area' calculation, including having regard to the requirements of Sections 6.2.6 and 6.2.8.

Table 6.4: Maximum Impervious Area

DWELLING TYPE AND LOT AREA RANGE	MAXIMUM IMPERVIOUS AREA (NOTE 2)
Dwelling house <700m²	75%
Dwelling house 700m² – <1500m²	60%
Dwelling house 1500m² – <2500m²	50%
Dwelling house 2500m² - <4000m²	1,000m²
Dwelling houses Over 4,000m²	1,250m²
Dual occupancies and Semi-detached dwellings	75%
Attached dwellings	80%
Multi-dwelling housing	75%
Boarding houses and Co-living housing	80%
Group homes	80%
Residential flat buildings	80%
Shop top housing	100%
Seniors housing	Where applicable refer to Housing SEPP, multi-dwelling housing or residential flat buildings.

Notes
1. Maximum impervious area means the proportion of a site area covered by surfaces that water is unable to penetrate. This includes, but is not limited to, buildings, driveways, sheds, and garages. However, the following are not included for the purpose of calculating maximum impervious area:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

a. any basement that has more than 1m depth soil coverage,
b. any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary,
c. swimming pools including 0.5m of coping tiles, and
d. any eaves.

2. The minimum landscaped areas and minimum COS/PPOS required under **Section 6.2.6** and **6.2.8** take precedent over any maximum impervious area provided under this section.

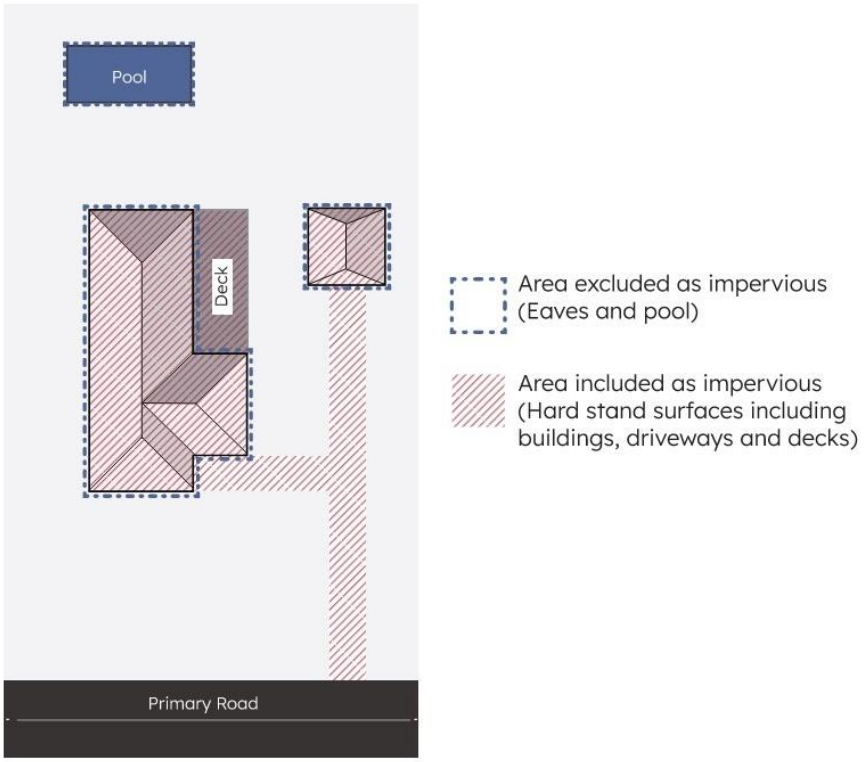


Figure 6-3: Impervious Area Inclusions and Exclusions

6.2.10. Housing setbacks

Objectives

O.31 To ensure that housing provides a consistent presentation to the road among similar typologies.
O.32 To reduce overall bulk and scale of development.
O.33 To facilitate the opportunity for variability in design in areas of residential density.
O.34 To improve site impermeability and circulation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
• O.31

Setbacks for a development are to be provided in accordance with **Table 6.5**.

Table 6.5: Housing setbacks (minimum)

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK (SEE PC.2)	REAR SETBACK
Dwelling house	4.5m or the average existing setback of dwellings within 40m of the lot. Note 1	2m Note 4	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Dwelling house on R5 Large Lot Residential	<5,000m²: 10m >5,000m²: 20m	<5,000m²: 6m >5,000m²:10m	<5,000m²:4m >5,000m²: 6m	<5,000m²: 4m >5,000m²: 6m
Dwelling houses in rural zones	20m	15m	10m	10m
Dwelling houses in environmental zones	20m	10m	6m	6m
Dual occupancies, Semi-detached dwellings	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see PC.2	Ground floor: 4m Upper floor: 6m *Corner Lots: see Note 3*
Secondary dwellings	Equal to or behind the front building line of the primary dwelling.			<900m²: 3m 900m² - <1500m²: 5m >1500m²: 10m
Attached dwellings	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Zero lot or attached boundary: 0m Detached boundary: 0.9m	On rear lane: 1m All other cases: Ensure PPOS and landscaped area is met.
Multi-dwelling housing	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK (SEE PC.2)	REAR SETBACK
Boarding houses and Co-living housing	4.5m or the average existing setback of dwellings within 40m of the lot.	3m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Group homes	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Ground floor: 0.9m Upper floor: see **PC.2**	Ground floor: 4m Upper floor: 6m
Residential flat buildings (1-3 stories)	4.5m or the average existing setback of dwellings within 40m of the lot.	2m	Zero lot or attached boundary: 0m Detached boundary: 3m	4m
Residential flat buildings (4 stories and over)	6m	6m	3m	6m
Shop top housing	Existing street setback.	Existing street setback.	Merit based.	6m
Seniors housing	Where applicable refer to Housing SEPP, multi-dwelling housing or residential flat buildings.			

Note:

1. See Figure 6-4 below for how to calculate average setback in existing streets.
2. Setback to classified roads is to be a minimum of 9m.
3. In the case of dual occupancies on corner lots, the rear setback may be reduced with a maximum 50% of the rear setback at 4m, provided the minimum private open space and solar access requirements to all dwellings and adjoining properties are met.
4. See Figure 6-5 below for secondary frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

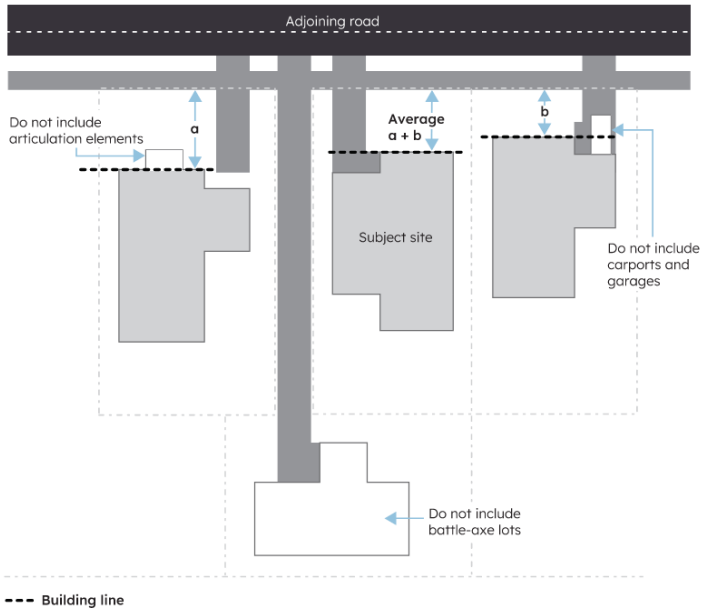


Figure 6-4: Housing Setbacks average of existing lots

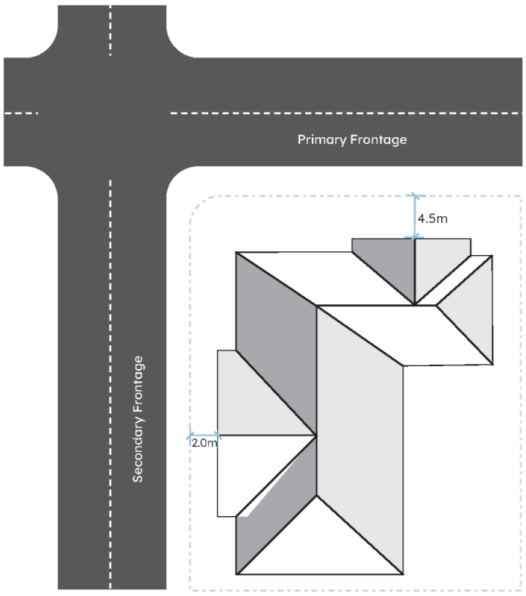
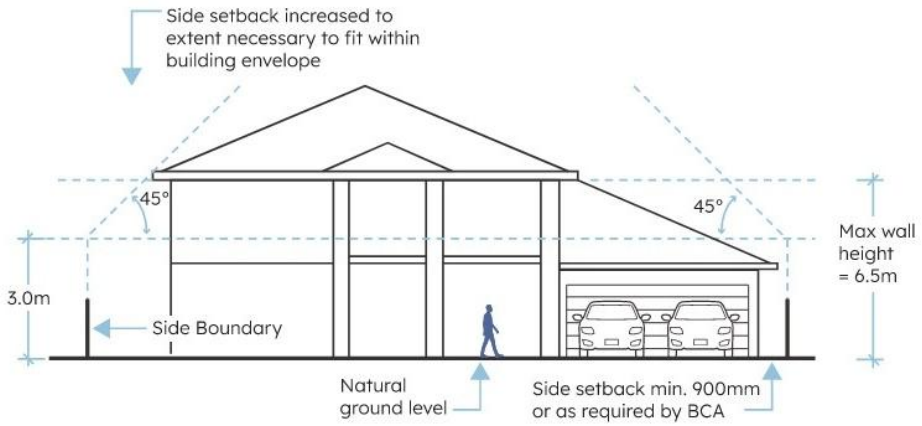


Figure 6-5: Secondary setback for corner lots

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.32	Except for **Residential flat buildings** and **Shop top housing**, and notwithstanding **PC.1**, side setbacks are to increase with dwelling height, and the dwelling must be within a building height plane – a plane projected at an angle of 45 degrees over the land to be built upon from a distance of 3m above existing ground level.  **Figure 6-6: Increase in side setbacks for two or more storeys**
PC.3 • O.31 • O.33	Where the shape of the allotment located within a residential zone is irregular due to the geometry of the street boundary, the setback from the front property boundary to the building line must be a minimum of 3m and average 4.5m over the length of the building addressing those street boundaries.
AS.1 • O.33	Entry features and porticos, porches, balconies, decks, verandahs, bay windows, eaves and awnings may encroach up to 1.5m into the front setback area. This encroachment must not cover more than 25% of building width.
PC.4 • O.34	Side and rear setbacks must provide access for: a. maintenance of any utilities (i.e. air conditioner units, water heater etc) between the building and boundary, b. pedestrians, and c. garbage bins and yard maintenance equipment to move from the front of the dwelling to the rear yard.

6.2.11. Residential building height

Objectives

O.35 To provide guidance for where no building heights apply under the MLEP 2011.
O.36 To ensure that the height of new development is not excessive and relates well to topography, the current local character and any future desired local character.
O.37 To respond to site topography and slope by stepping building heights/floor levels to minimise cut and/or fill and not result in excessive scale or bulk.
O.38 To minimise impact on key view-lines or appreciation of significant natural features or heritage items.
O.39 To minimise overshadowing and impacts on views and privacy of adjacent dwellings and their private open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.1
- O.35
- O.36
- O.37
- O.38
- O.39

The maximum building height of residential accommodation is to be consistent with the MLEP 2011 Height of Buildings Map. Where no height limit is specified, a merit-based approach is taken. In these cases, storeys should generally be in accordance with **Table 6.6**.

Table 6.6: Storeys Guidance for Residential Accommodation

HOUSING TYPOLOGY	MAXIMUM STOREYS
Attached dwellings, Dual Occupancies, Dwelling houses, Semi-detached dwellings	2 storeys
Boarding houses, Co-living housing, Group homes	3 storeys
Multi dwelling housing	3 storeys
Residential flat buildings, Shop top housing	4 storeys
Rural workers dwellings, Secondary dwellings	1 storey
Tourist & visitor accommodation, Seniors housing	No specific recommendation.

AS.2
- O.35
- O.36
- O.37
- O.38
- O.39

In cases where residential accommodation is:

a. Greater than two storeys and/or 8m in height from existing ground level to the highest point of the building (excluding extrusions such as antennae, chimneys, and the like), OR
b. Ground floor or basement levels are higher than 800mm above the existing ground level,

The proposed development must ensure that it complies with:

- The objectives of this control, and
- The visual, privacy, and solar access controls for the proposed type of residential accommodation in this Chapter.

6.2.12. Fencing and walls

Objectives

O.40 To ensure that all fences and walls provide privacy, security and noise attenuation while balancing impacts upon the streetscape, passive surveillance, adjacent buildings, and the use of open spaces areas within the development or on adjoining land.

O.41 To ensure that fences and walls positively contribute to the character of the streetscape through careful consideration of materials, height, form, and transparency.

O.42 To maintain clear, legible, and inviting pedestrian entry points from the street, ensuring that fencing and walls do not obstruct access or diminish the welcoming nature of the home's entrance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40	Fencing between dwellings must be designed to provide visual privacy to internal rooms and outdoor POS. Heights for this dividing fencing is to be a maximum of 1.8m.
PC.2 • O.40 • O.42	Fencing, when combined with retaining walls, is not to exceed: • on the front boundary: 1.2m from existing ground level • on side and rear boundaries: 3m from existing ground level
PC.3 • O.40 • O.41	Where side boundary fencing is proposed in the front setback to the principal frontage, then the maximum height of the fence must not exceed 1.2m within the front setback area.
AS.1 • O.40	Solid fencing for the purposes of containing a dwelling's PPOS area should not exceed a height of: • 1.2m in instances where it is located within the primary street building line setback, OR • 1.5m in instances where it is located within the secondary street building line setback. Landscaping is recommended to supplement this restricted fence height in order to achieve adequate privacy. Exceptions to this are where it can be demonstrated that a higher fence is appropriate, having regard to: • noise, • privacy, and • existing streetscape and architectural merit.

Note: Fencing between adjoining properties is regulated by the *Dividing Fences Act 1991*. This Act is administered by the Local Court. For single dwellings the fencing of the property boundary (type of fence, height of fence, installation of fence and cost sharing arrangements) is a matter that must be determined between the two adjoining landowners and then the Court in those circumstances where agreement cannot be reached.

6.2.13. Driveways, carparking and garages

This section is to be read in conjunction with Chapter 3: Site Requirements, Section 3.4.4. Parking Provision for parking rate requirements.

Objectives

O.43 To provide convenient, accessible and safe parking to meet the needs of residents and visitors in a manner which does not dominate the streetscape or cause congestion in nearby streets.
O.44 To encourage the proper integration of driveway access, parking and landscaped areas as part of the overall landscape design.
O.45 To provide garage designs that are complementary to dwellings and surrounding character.
O.46 To ensure driveways are located outside of areas prohibited by Council's MoES.
O.47 To improve canopy cover outcomes within public street reserves.

6.2.13.1. Driveways

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Driveways within the site must be a minimum of 3m wide and should not conflict with existing infrastructure, including street trees.
PC.1 • O.43	The driveway width across the footway must be as follows: a. 3m wide for single car garages, OR b. 4.5m for double garages (side by side spaces).
AS.2 • O.44	Landscaping should be incorporated into the design of driveway and manoeuvring areas to minimise the expanse of hard surfaces, volume and rate of stormwater runoff, and adverse visual impacts on the streetscape.
PC.2 • O.43 • O.46	Driveways must be located to maximise on-street parking. The distance between driveway crossings must be less than 1.5m or greater than 7m to maximise on-street parking and to provide sufficient length for whole car parks between access points.
PC.3 • O.46	Driveways must demonstrate suitable vehicle access can be achieved and are to avoid any applicable denied driveway areas, such as at intersections, roundabouts, in-road street tree pits and other infrastructure and regulated locations. Exact requirements relating to this control are to comply with Council's MoES.
AS.3 • O.43 • O.44	Driveways may be required to incorporate a dedicated turning area in instances where: a. there is poor sight distance from the driveway to pedestrian or vehicular traffic, OR b. the accessway fronts a main road or highly pedestrianised area, OR c. in cases where the driveway services three or more dwellings, OR d. where vehicles would otherwise have to reverse more than 30m.
PC.4 • O.43 • O.44	Pedestrian entries and paths are to be clearly distinguished from vehicle driveways.
AS.4 • O.43 • O.44 • O.47	Aside from dwelling houses, driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 1:1 ratio. **Note:** Controls for street tree replacement for dwelling houses are provided in Section 6.3 of this Chapter.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.44	Where required by AS.3, turning paths must be designed to in accordance with Council's MoES and are not to compromise landscaping requirements and are to meet the following criteria: a. landscaped areas of a minimum width of 1m and depth of 1m must be provided along the boundary, b. contrasting pavement treatments should be used to reduce the expanse of a single pavement material, and c. landscaped area is to be provided between the driveway and the external wall of the dwelling.

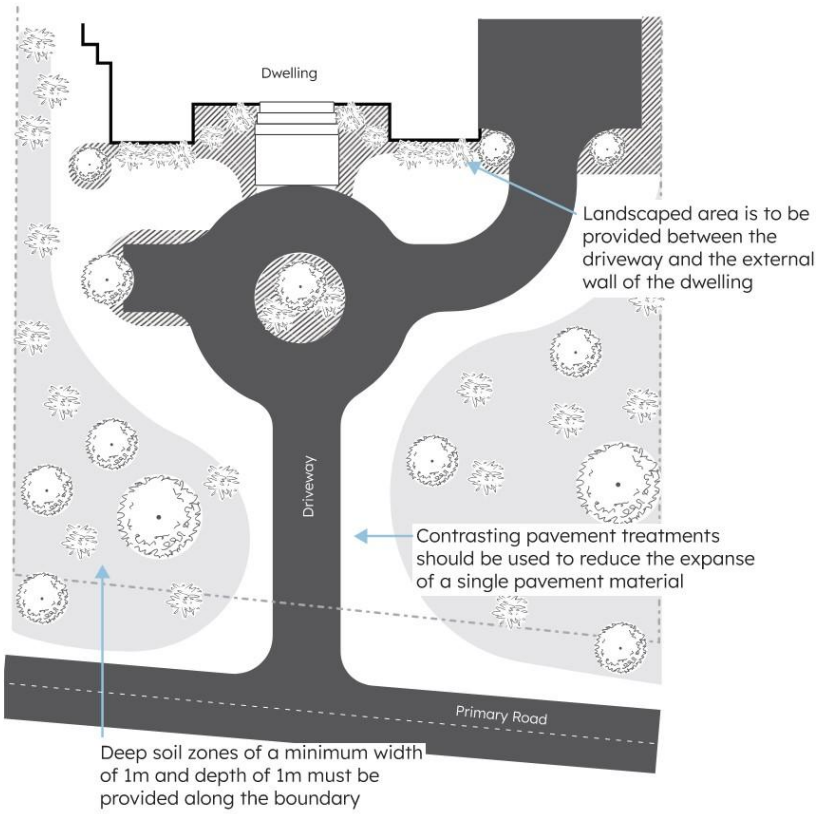


Figure 6-7: Possible Turning Path Solution

6.2.13.2. Carparking and garages

Refer to **Section 6.2.14** Sites having a boundary to a laneway of this Chapter for specific carparking and garage controls relating to development on laneways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.43
- O.45

Garages must be setback a minimum of 5.5m from a boundary adjoining a road or a minimum 1m behind the building line to the principal street frontage, whichever is greater.

PC.2
- O.45

The minimum dimensions of enclosed garages are to be in accordance with **Table 6.7**.

Table 6.7: Minimum Dimensions for Enclosed Garages

DWELLING TYPE	MINIMUM DIMENSIONS	SINGLE GARAGE	DOUBLE GARAGE (SINGLE DOOR)
Dwelling houses, Dual occupancies, Semi-detached dwellings, Attached dwellings, & Multi-dwelling housing	**Width**	3.0m	5.8m
	Length	6.0m	6.0m
	Garage door opening width	2.4m	4.8m
Secondary dwellings	Maximum area of 24m² - see **Section 6.5, PC.7**		
Residential flat buildings	No minimums – see **Section 6.10**.		
Shop top housing	No minimums – see **Section 6.10**.		

Notes:
1. For the purposes of this control, a double door garage would need to satisfy the requirements of two single garages.
2. Garages proposed with three or more doors will be assessed on a case-by-case basis against the other controls within this section.

AS.1
- O.43
- O.45

Garages for a single storey dwelling should be no greater than 50% of the total width of the dwelling's frontage.

Example: The total width of a dwelling's frontage is 15m, therefore the maximum width of a garage (i.e. doors and pillars/wall plane) should be no greater than 7.5m.

AS.2
- O.43
- O.45

Garages for two or more storey dwellings should be no greater in width than 75% of the total width of the dwelling's frontage.

PC.3
- O.45

Contrasting colours or textures must be used on garage doors and/or walls to create articulation, identity and visual interest that separates it from the primary dwelling.

PC.4
- O.43

Vehicle car parking spaces and manoeuvring areas must not be located within the building line setback area.

Note: This does not apply to a driveway that provides direct vehicle access to a garage or carport from the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.45	Where a laundry or bicycle storage area is incorporated into the garage, then width or length (whichever applies) must be increased by at least 1m.
PC.6 • O.43 • O.45	Garages sharing a wall with an associated dwelling are to provide an internal accessway between the dwelling and the garage.

6.2.14. Sites having a boundary to a laneway

Objectives

O.48 To ensure that new residential development is positioned to face the primary street and contributes to the amenity and 'sense of place' of the existing urban environment.
O.49 To ensure that laneways are developed in a manner consistent with their design constraints and function as service roads.
O.50 To ensure laneways are utilised where available to provide rear access to car parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48	The main pedestrian entry point to the dwelling must form a direct connection with the principal street address, which is not to be oriented to the laneway.
PC.2 • O.48	Pedestrian access to dwellings located to the rear of the site must have an access corridor at least 2m wide. If utilities such as air conditioner units or water heaters are located alongside the dwelling, a clearance of 1m must be achieved to provide adequate access for pedestrians, deliveries, garbage services, and the like. This can take the form of an access handle or easement.
PC.3 • O.48	The pedestrian access from the principal street frontage to the dwelling located to the rear of the site must be landscaped and provided with adequate lighting in accordance with 'Safer by Design' principles.
PC.4 • O.49 • O.50	Garage, carports and parking space access via the laneway must be setback the greater of: • 2m from the boundary where the laneway corridor (boundary to boundary) is less than or equal to 7m wide, OR • 1m from the boundary where the laneway corridor (boundary to boundary) is greater than 7m wide.
PC.5 • O.49 • O.50	Where a garage door is located closer than 5.5m to the property boundary with the laneway, the garage doors must be fitted with automatic opening devices to allow continuous movement from the laneway to the garage without obstructing the lane.
Note: Depending on the standard of construction and overall condition of the laneway, Council may require the laneway pavement to be upgraded to ensure an adequate standard of access to the development.	

6.3. Dwelling house

This Section of the Chapter applies to detached dwelling houses within the R1 General Residential and R5 Large Lot Residential zones of MLEP 2011. Relevant 'General Housing Controls' are found in **Section 6.2** and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.51 To ensure street trees are protected through replacement and embellishment.
O.52 To limit the overall impact of driveway accesses along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51	Each dwelling must ensure that suitable arrangements have been made to replant any removed street trees as a result of the development.
PC.2 • O.52	A maximum of one driveway is permitted per street frontage. **Example**: A lot with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.4. Dwellings in rural and environmental zones

This Section of the DCP applies to rural dwellings within the RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management and C4 Environmental Living zones of MLEP 2011. Relevant controls are found in Section 6.2 and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Dwellings in rural and environmental zones are an important part of the rural character of Maitland. These dwellings are unique, as they serve a number of purposes from a residence, providing space for agricultural activities, mitigating and caring for environmental factors, such as bushland, water management and flooding. Therefore, specific controls are required to manage and be sympathetic to the range of unique factors.

Refer to 'Clause 4.2A Erection of dwelling on land in certain rural and conservation zones' and 'Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones' of MLEP 2011 for additional provisions on dwelling permissibility.

Objectives

O.53 To conserve and enhance native vegetation, vegetation corridors, topographical features, and fauna habitat.
O.54 To limit impact on scenic corridors by maintaining and/or enhancing them, as identified within the Maitland Local Strategic Planning Statement.
O.55 To ensure that external finishes used have minimal detrimental impact on the visual amenity of an area.
O.56 To ensure that fencing and retaining walls are compatible with the existing landscape character and are not a risk to fauna.
O.57 To enable suitable driveway widths for all vehicle users.
O.58 To support in the reduction of land use conflict.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.53	Development should, through sensitive design, retain the majority of significant natural features on the site, including mature trees, rocky outcrops, and major vegetation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.54 • O.55	Buildings should be visually unobtrusive in the landscape and complement the characteristics of the landform.
PC.1 • O.55	The colours of roof and wall cladding must be generally low reflective neutral/earth tones, to maintain the visual amenity of the area.
AS.3 • O.53 • O.55	Buildings should be positioned in a manner that is considerate of prominent ridgelines so as not to intrude on the sensitivity of rural landscapes.
PC.2 • O.56	The fence design and materials are to consider, and be sympathetic to, the character of the local landscape.
PC.3 • O.56	Front fences and front fence returns must not exceed 1.2m in height and must not be more than 50% solid.
PC.4 • O.55 • O.56	Front and side return fences must be compatible with the rural character of the area and not be lapped or capped timber, or powder coated metal fencing.
AS.4 • O.56	Side and rear boundary fences should generally not exceed 1.8m above the existing ground level. Exceptions are made on a merit basis that is dependent on the land use, such as the type of livestock housed in a paddock.
PC.5 • O.57	Access driveways are to be of trafficable width to allow for passing vehicles, manoeuvring and turning space, and bush fire access including emergency and service vehicles, in accordance with Planning for Bushfire Protection 2019 (as amended).

6.5. Secondary dwellings

This Section of the DCP applies to secondary dwellings within the R1 General Residential, and R5 Large Lot Residential zones of MLEP 2011.

The State Environmental Planning Policy (Housing) 2021 (Housing SEPP) provides for the development of secondary dwellings (commonly referred to as granny flats) as complying development. SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP) also contains provisions relevant to the development of a secondary dwelling as complying development.

If all requirements for a secondary dwelling specified under the Housing SEPP and Codes SEPP are met, a Complying Development Certificate (CDC) can be obtained from Council or an accredited certifier without the need for a development application. Where the requirements for a secondary dwelling under the Housing SEPP and Codes SEPP cannot be satisfied, a development application must be lodged with Council.

Secondary dwellings must comply with the controls in Sections 6.2 and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.59 To enable the development of a diversity of dwelling types and contribute to the availability of affordable housing.
O.60 To promote innovative housing solutions that are compatible with the surrounding residential environment.
O.61 To ensure orderly and planned residential density.
O.62 To ensure high quality design standards, safety, privacy, accessibility and functionality.
O.63 To provide a designated area for waste collection to ensure efficient waste servicing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.60 • O.61 • O.62	Secondary dwellings must be designed to complement the design of the principal dwelling and be subservient to the principal dwelling in terms of visual bulk and scale.
PC.2 • O.59 • O.60	A secondary dwelling is to have a maximum floor area of $60m^2$.
PC.3 • O.62	Any secondary dwelling must be setback behind the front building line of the principal dwelling.
PC.4 • O.62	Secondary dwellings attached to or within the principal dwelling must include at least one direct external access.
AS.1 • O.62	Secondary dwellings attached to or within the principal dwelling can either be totally separated or accessed through an internal door between the secondary and principal dwelling.
PC.5 • O.62	The secondary dwelling must have a defined entrance visible from the primary road frontage. **Note:** A defined entrance may include features such as a front door with direct pedestrian access, entry porch, pathway, or other architectural element that clearly identifies the dwelling's access point from the street.
PC.6 • O.60 • O.62	The secondary dwelling must have a window to a habitable room facing a road where the land is a corner lot.
AS.2 • O.62	A landscaped area of at least 1m in width must be planted (when applicable) between the principal dwelling and the PPOS of the detached secondary dwelling to provide for privacy.
PC.7 • O.60 • O.62	The provision of a car park for a secondary dwelling is not mandatory. However, where car parking (car port or garage) is proposed for a secondary dwelling it must: a. not interfere with parking and the movement of vehicles associated with the principal dwelling, b. be limited to one car park, c. be a maximum of $24m^2$, and d. be located adjacent to the secondary dwelling and not within the street or rear setback.
PC.8 • O.60 • O.62	The conversion of garages to a secondary dwelling will only be permitted if at least one car parking space for the primary dwelling is provided behind the front setback of the primary dwelling (in addition to one space in front of the building line).

6.6. Dual occupancies and semi-detached dwellings

This Section of the DCP applies to secondary dwellings within the R1 General Residential, R5 Large Lot Residential, RU1 Primary Production and RU2 Rural Landscape zones of MLEP 2011.

Dual occupancies and semi-detached dwellings are types of residential accommodation that are very similar in terms of built form (both consist of two dwellings). The distinction between the two is that dual occupancies are located on one lot of land and may only be strata subdivided, whereas semi-detached dwellings are located on their own lot of land (Torrens title). In addition, there are two types of dual occupancies, dual occupancy (attached) and dual occupancy (detached). Refer to Glossary for further definition.

Refer to MLEP 2011 Clause 4.1A Exception to minimum lot size in Zone R1 for additional controls relating to dual occupancies and semi-detached dwellings. Dual occupancies and semi-detached dwellings must comply with the controls in Section 6.2 and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.64 To ensure orderly and planned residential density.
O.65 To ensure dual occupancies and semi-detached dwellings are compatible with existing housing and do not adversely affect the local environment or the amenity of adjacent residents.
O.66 To limit the overall impact of driveway accesses along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.64 • O.66	Dual occupancy and semi-detached development on corner lots should be designed to address both street frontages while having one front entry and one garage fronting each street.
AS.2 • O.65	Detached dual occupancies within residential zones should have a minimum of 2m separation between the dwellings.
AS.3 • O.65	Detached dual occupancies within rural zones should have a maximum of 20m separation between the dwellings.
PC.2 • O.66	Buildings must not be of mirror-reversed or replicated built form. Differentiation in building form and architectural treatment between dwellings must be provided.
AS.4 • O.65 • O.66	Each dwelling should have a separate driveway. If a combined driveway is provided, each dwelling must ensure that suitable arrangements have been made to replant any affected street trees at a 2:1 ratio.
PC.3 • O.65 • O.66	A minimum of a 1m wide landscaped area must be provided between a driveway and a boundary fence. The landscape area should be free of retaining walls and extend for the full length of the driveway.
PC.4 • O.66	A driveway along the side of a dwelling must be offset a minimum of 0.9m from the side wall of the dwelling.
AS.5 • O.65 • O.66	For sites with a rear lane, vehicle access for the rear dwelling should be from the lane, and pedestrian access should be from the primary street frontage.
PC.5 • O.66	A maximum of one driveway per dwelling is permitted per street frontage. **Example:** A lot with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.7. Attached dwellings

Attached dwellings (commonly referred to as terrace houses) means a building containing 3 or more dwellings, where—

a. each dwelling is attached to another dwelling by a common wall, and
b. each of the dwellings is on its own lot of land, and
c. none of the dwellings is located above any part of another dwelling.

Attached dwellings must comply with the controls in Sections 6.2 and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.67 To ensure that attached dwelling developments are located on sites with sufficient size and street frontage to accommodate the required building envelope, car parking, solar access, landscaping and private open space.
O.68 To encourage high quality residential developments which feature a high standard of urban design and provide a high level of amenity for residents.
O.69 To ensure that each new dwelling provides a sufficient amount of storage for elements such as garden equipment and bicycles.
O.70 To provide a designated area for waste collection to ensure efficient waste servicing.
O.71 To limit the overall impact of kerb crossings and garaging along each street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.67 • O.68	Each proposed dwelling should have direct frontage to a public road.
AS.2 • O.68	Attached dwellings should have a unified design for the whole development, including a coordinated style and base colour palette. Individuality can be added as small details or accent colours, rather than strikingly different forms.
AS.3 • O.68	Attached dwellings should create an appearance of a single dwelling or grouped dwellings that are separated by gardens and ancillary structures, with facades designed to incorporate a variety of materials and shading structures.
AS.4 • O.67 • O.68	At least one habitable room is to be located at the front of each dwelling addressing the street and / or internal driveway.
PC.1 • O.69	Each dwelling must provide a minimum storage area of $8m^3$. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.
AS.5 • O.68	Indoor ducted air conditioning elements are encouraged to be located towards the centre of the site and be acoustically insulated.
PC.2 • O.70	Bins are to be presented on the kerbside for collection and are not to encroach on any driveway. This is to be demonstrated as a waste collection area on submitted site plans.
PC.3 • O.71	A maximum of one driveway is permitted per street frontage of each dwelling. **Example:** A dwelling with rear laneway and a road frontage would be allowed to have a maximum of two driveways: one accessing the laneway and the other accessing the road (in some cases, other controls may restrict this).

6.8. Boarding houses, Co-living housing, and Group homes

Boarding houses are a form of housing that provides short to long term residency for individuals, and generally consist of a range of shared facilities with separate private rooms. These are used to provide affordable housing and are centrally managed by either the Land and Housing Corporation or a community housing provider.

Co-living housing is a form of housing that functions similarly to that of boarding houses, with the primary distinction being that Co-living housing is privately managed and maintained through a 24/7 property manager.

Group homes include both permanent and transitional solutions and are designed to operate as a single household unit with varying levels of care. Group homes are often employed as housing solutions for those with disabilities, socially disadvantaged, rehabilitation facilities, and temporary housing. Detailed definitions for Boarding houses, Co-living housing, and Group homes are provided in the **Glossary**.

Boarding houses, Co-living housing, and Group homes must comply with the controls in **Section 6.2** and the Housing SEPP. **In the event of any inconsistency between Section 6.2 and the relevant parts of the Housing SEPP, the Housing SEPP prevails.**

6.9. Multi-dwelling housing

Multi-dwelling housing are a form of housing that consist of 3 or more dwellings on a single lot of land. Multi-dwelling housing can be either attached or detached, and each residence has separate accesses at ground level.

Multi-dwelling housing must comply with the controls in **Section 6.2** and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails.**

Objectives

O.72 To encourage low-medium rise housing in suitable locations through high quality and high amenity design that progresses towards closing the 'missing middle' housing gap.
O.73 To ensure that storage areas, parking areas, open space, and waste collection areas are suitably designed and located to be compatible with the streetscape, and be accessible, clean and safe.
O.74 To provide a set of urban design controls tailored to multi-dwelling housing that is considerate and complementary to both the housing typology and surrounding context.
O.75 To provide for adequate waste storage areas onsite and designate areas for waste collection that are effectively blended into frontages and designed for kerbside collection.
O.76 To provide dwellings in multi dwelling housing which are designed to be flexible and easily modified to cater for occupants with an existing or progressive mobility or ability need.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Design and siting	
AS.1 • O.72 • O.74	Designs and architectural elements of multi-dwelling housing should be relatively consistent, having a coordinated style and base colour palette. Distinctions between dwellings should be made through small details, including varied extrusions, accent colours, and variances in bedrooms.
AS.2 • O.73	Multi-dwelling housing is to generally adhere to the following principles relating to legibility and wayfinding:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	a. Creation of an appearance of either a single dwelling or grouped dwellings that are separated by gardens, landscaping, open space, ancillary structures, and parking areas, with facades incorporating a variety of materials and shading structures, b. Avoidance of repetition or duplication of the design of nearby multi-dwelling housing near to the development, and c. Keep each unit, its entrance, and associated private parking grouped, with clear numbering of each unit to provide wayfinding.
PC.1 • O.74	At least one habitable room is to be located at the front of each dwelling addressing the street and/or internal driveway.
AS.3 • O.74	Dwelling designs should locate bedrooms away from high noise areas, being: • internal driveways, • parking areas, • garages, • and manoeuvring areas.
Internal circulation and access	
PC.2 • O.73	Driveway accesses for multi-dwelling housing are to provide internal passing bays in accordance with *AS2890.1 Parking facilities – Off-street car parking*.
AS.4 • O.73	Traffic calming measures should be incorporated into the design of the internal driveway, such as speed bumps. **Note:** Traffic calming measures utilised in the Maitland LGA are provided in Council's MoES.
PC.3 • O.73	A clearly defined pedestrian route is to be provided for walking from the street frontage to each dwelling's frontage. On corner lots, this may be achieved through public footpaths around the development (if present).
PC.4 • O.73	For multi-dwelling housing, the driveway crossing is to be a minimum of 5.5m wide and is to extend 6m minimum inside the property boundary to accommodate vehicle passing.
Open space and storage areas	
PC.5 • O.73	Clear differentiation between private areas (private yards, carports/garages, PPOS) and communal open space and parking is to be made through physical separations, including fencing, dwelling siting, and landscaping.
PC.6 • O.73	Both private and communal parking areas are to be positioned so that dwellings have passive surveillance over these areas.
PC.7 • O.73	The PPOS for each dwelling is to be directly accessible via the main living area of each dwelling.
AS.5 • O.73	PPOS is only permitted within the front setback in instances where: • the dwelling is of a two-storey construction which provides casual surveillance to the street from a first-floor balcony; AND • the dwelling does not front a public road; and the location of PPOS in the front setback is required to achieve compliant solar access.
PC.8 • O.73	Each dwelling must provide a minimum storage area of $8m^3$. This space is to be provided exclusively for storage purposes and must be provided in addition to any garage space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Waste servicing	
AS.6 • O.75	Bins are to be presented on the kerbside for collection and are not to exceed 100%of the site's street frontage. This is to be demonstrated as a waste collection area on submitted site plans. Notwithstanding the above, this control may be varied in the following circumstances where kerbside collection cannot be achieved, Council may consider: a. Demonstration, to Council's satisfaction, that suitable arrangements have been made for waste collection that have no adverse impacts on the streetscape, local amenity, or neighbouring properties. OR b. **In exceptional circumstances,** the provision of an alternate collection point (communal waste storage area or temporary bin holding area) for a collect and return service, which must: i. be provided within 8m of the kerb, ii. have a setback of at least 1m from the front boundary, iii. be identified on site plans, iv. consist of a hardstand area suitably graded to prevent stormwater runoff, v. provide an unobstructed concrete pathway to the frontage, being at least 1.6m wide, vi. provide for manoeuvring arrangements in and out of the area on a plan that demonstrates no stacking of bins, vii. be at least 25% larger than the size of the bins and/or equipment required. viii. **Additionally,** for temporary bin holding areas, bins are not to be present more than 24 hours before or 24 hours after collection. Consultation is to occur with Council's Waste Services to ensure that adequate driveway thickness and turning circle is provided. **Note:** If (a) or (b) are undertaken, the proposed development must have signed Council's Liability Indemnity Form before an Occupation Certificate is issued, should Council's waste services be required to access the property or driveway.
PC.9 • O.75	Waste collection areas are not to obstruct traffic flows either on the road or access to and from the property. This includes not impeding pedestrian traffic along the site frontage.
PC.10 • O.75	Where provided, communal waste storage areas are to meet the following design criteria in addition with that of **AS.5**: a. Provision of a roof, with a minimum ceiling height of 2.4m, b. Be screened or not visible from the street, preferably through a combination of plantings and design elements, c. Maximum crossfall of 5%, d. Provide adequate lighting and ventilation, e. Include an external water tap near to the area and a drain within the bin storage area discharging to a sewer connection, f. Provide doorways with a minimum width of 1.8m, g. Have a floor area at least 25% larger than the size of bins and/or equipment required, and h. Provide a minimum of $6m^2$ additional storage area for bulky waste per every 20 units provided (rounded up).
Universal Accessible Design	
PC.11 • O.75	Car parking and garages allocated to adaptable dwellings must comply with the requirements of AS 2890.6-2009 (Accessible (disabled) car parking requirements).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.7 • O.75 • O.76	Dwellings designed for use by persons with a disability should be located at ground level. Where adaptable dwellings are proposed above the ground level, lift access must be provided. The lift access must provide access from the basement level to allow access for people with disabilities.
PC.12 • O.75 • O.76	Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 are to be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas.

6.10. Residential flat buildings and Shop top housing

Residential flat buildings (generally referred to as apartments or units) are a type of housing that contain 3 or more dwellings, but do not include an attached dwelling, co-living housing or multi-dwelling housing. They are generally defined by having a consolidated ground floor access for multiple dwellings, rather than separated accesses.

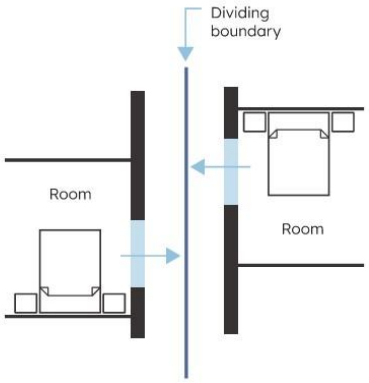
Shop top housing consists of one or more dwellings located above the ground floor of a building, where at least the ground floor of the building is used for commercial premises or health services facilities. Where Shop top housing exceeds two storeys, the residential flat building controls are applied.

Further controls pertaining to residential flat buildings and shop top housing are provided in Chapter 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) (or equivalent). Residential flat buildings and shop top housing must comply with the controls detailed in Chapter 4 of the Housing SEPP, **Section 6.2**, and this section. **In the event of any inconsistency between Section 6.2 and this section, this section prevails. In the event of any inconsistency between Section 6.2, this section, and the NSW Apartment Design Guide and Chapter 4 of the Housing SEPP, the NSW Apartment Design Guide and Housing SEPP prevails for the following matters:**

- visual privacy,
- solar and daylight access,
- common circulation and spaces,
- apartment size and layout,
- ceiling heights,
- private open space and balconies,
- natural ventilation, and
- storage.

Objectives

O.77 To ensure that high-density development is situated on appropriate block types that take into account the increased level of servicing required for a comfortable level of habitation.
O.78 To establish a high-quality residential environment where all dwellings have a good level of amenity.
O.79 To ensure that high-density development integrates with streetscapes.
O.80 To provide for adequate waste storage areas onsite and designate areas for waste collection. These are to be suitably accessible from the street, effectively blended into frontages, and clean and safe for all users.
O.81 To provide dwellings in residential flat buildings and shop-top housing which are designed to be flexible and easily modified to cater for occupants with an existing or progressive mobility or ability need.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Design and siting	
PC.1 • O.78	Residential flat buildings and shop top housing are to satisfy the design quality principles detailed in Chapter 4 of the Housing SEPP, and to meet the objectives, design criteria, and design guidance stipulated in the Apartment Design Guide (or equivalent).
AS.1 • O.77	Residential flat buildings are preferred on sites with at least 25m minimum of street frontage, with direct frontage to the public domain. Sites with less than 25m of street frontage are to be accompanied by justification that all controls pertaining to landscaped area, canopy cover, open space, waste, parking, and internal circulation can be satisfied.
PC.2 • O.78	Direct facing windows or balconies of dwellings must not be within 6m of windows or balconies of other dwellings (at horizontal angles up to 45 degrees).  **Figure 6-8: Window Offset**
Internal circulation and access	
AS.2 • O.77 • O.79	A proposed development should minimise the number of vehicular ingress and egress points to the site.
PC.3 • O.77 • O.79	For garages, a maximum of two double garage doors per 20m of lot frontage facing any one street frontage is permitted.
PC.4 • O.79	A clearly lit and defined pedestrian route is to be provided for walking from the street frontage to the accesses of each habitable structure.
Waste servicing	
PC.5 • O.80	A designated communal waste collection area is to be provided as part of a development and shown on site plans. Developments satisfying the following criteria are exempted from this control and are to instead adhere to **Section 6.9 AS.5, PC.9, and PC.10**: • The development proposes to construct a maximum of 16 residential dwellings on a single lot, AND

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• The development is not more than 3 storeys high, AND • In the case of Residential flat buildings, the proposed development has at least 25m minimum street frontage.
PC.6 • O.80	The designated communal waste collection area is to include the following: a. A loading dock or truck stand that provides enough space for the ingress, egress, and manoeuvring of Council's waste vehicles, including to adequately provide the waste service (e.g. accommodations for lifting mechanisms), b. A waste holding room adjacent to the provided loading dock or truck stand to temporarily store all bins prior to collection. This waste holding room is to be in line with the design criteria provided in PC.8 below, c. A bulky waste holding area adjacent to the waste holding room in line with the design criteria provided in PC.9 below, d. A bin storage area in line with the design criteria provided in PC.10 below, e. A bulky waste storage area in line with the design criteria provided in PC.9 below, f. bin tug devices or a goods hoist may be required where bin storage and waste collection areas are on different levels or not within proximity to each other; and g. A physical element to limit vehicular and pedestrian access to the loading dock / truck stand and communal waste collection area, such as a moveable barrier, and h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay. **Note:** In circumstances where a Council vehicle is required to access and manoeuvre within a site, an Indemnity Agreement is to be entered into with Council prior to the issue of an Occupation Certificate.
PC.7 • O.80	Waste holding rooms are to meet the following design criteria: a. Have a floor area at least 25% more than the size of the maximum bin capacity, b. Not stack bins in a manner that is more than 4 bins deep. c. Provide doors that are a minimum of 1.8m in width, opening in an outwards direction with the capability to be locked open, d. Have a maximum crossfall of 5%, and *e.* Provide adequate ventilation or mechanical ventilation.
PC.8 • O.80	Bulky waste holding areas and bulky waste storage areas are to meet the following design criteria: a. Be the following dimensions: i. 6 – 20 units: a minimum of $6m^2$ ii. 20+ units: a minimum of $6m^2$ for every 20 units, up to a maximum of $24m^2$. b. Provide adequate ventilation or mechanical ventilation, c. Provide doors that are a minimum of 1.8m in width, opening in an outwards direction with the capability to be locked open, d. Provide an external water tap adjacent to the area, e. Provide a drain discharging to a sewer connection, f. Have a maximum crossfall of 5%,and *g.* Install Council's master locking system on access doors.
PC.9 • O.80	Bin storage areas are to meet the following design criteria: a. Provide adequate ventilation or mechanical ventilation, b. Have a floor area at least 25% larger than the needed area for bins and/or equipment, c. Provide an external water tap adjacent to the area, d. Provide a drain discharging to a sewer connection, e. Have a maximum crossfall of 5%,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. Have a minimum ceiling height of 2.4m, g. Provide doorways with a minimum width of 1.8m and have a connecting pathway at least 1.6m wide between the bin storage area and the communal waste collection area, h. Be sealed in order to prevent vermin, i. In cases where chute systems **are not** used, bin storage areas are to be located in a position accessible to all residents, and j. In cases where chute systems **are** used, chutes are to discharge into bin storage areas and access to the bin storage area is to be restricted from residents.
PC.10 • O.80	Where the development is four storeys or more it must be provided with a garbage, recycling, and food organics chute system. E-diverters are not permitted.
PC.11 • O.80	Where the development is four storeys or more, waste service rooms are to be provided within each level of the development. Waste service rooms must: a. Contain all bins and where relevant, chute inlets, b. Be located in a convenient location for all relevant users, c. Be of an adequate size to contain garbage, recycling, and food organics infrastructure, d. Have a floor area at least 50% larger than the size of the bins and equipment required, e. Provide adequate ventilation or mechanical ventilation, f. Have floors, walls and ceilings of the service rooms which are finished with smooth impervious materials that are capable of being easily cleaned, and g. Contain clear signage that describes the types of waste that can be put in each chute/bin.
PC.12 • O.80	In cases where the development is proposed to be mixed-use, residential waste and non-residential waste must be stored and managed separately and must be able to operate concurrently without conflict. Residential waste must comply with the provisions under this Section, and non-residential waste must comply with the relevant provisions under Chapter 7 Section 7.5.2. Circular Economy and Waste Management.
Note: Underground waste collection is generally not supported and will be handled on a merit basis.	
Universal Accessible Design	
PC.13 • O.80 • O.81	A minimum of 10% of all dwellings in residential flat building developments containing 10 dwellings or more, are to be designed to be capable of adaptation for access by people with all levels of mobility. Dwellings must be designed in accordance with the Australian Adaptable Housing Standard (AS 4299-1995), which includes 'pre-adaptation' design details to ensure visitability is achieved.
PC.14 • O.80	Car parking and garages allocated to adaptable dwellings must comply with the requirements of AS 2890.6-2009 (Accessible (disabled) car parking requirements).
PC.15 • O.80 • O.81	Development must adhere to the applicable residential components of AS 1428.1-2009 (Design for access and mobility – General requirements for access – New building work) and AS 1428.2-1992 (Design for access and mobility – Enhanced and additional requirements – Buildings and facilities).
AS.3 • O.80 • O.81	Dwellings designed for use by persons with a disability should be located at ground level. Where adaptable dwellings are proposed above the ground level, lift access must be provided. The lift access must provide access from the basement level to allow access for people with disabilities.
PC.16 • O.80	Where adaptable dwellings are required, accessible and continuous paths of travel in accordance with AS 1428 are to be provided from the street to circulation areas and thoroughfares within the building and site and to communal facilities/open space areas.

6.11. Ancillary structures

This Section of the DCP applies to ancillary structures within the R1 General Residential, R5 Large Lot Residential, RU1 Primary Production, RU2 Rural Landscape and C4 Environmental Management zones of MLEP 2011.

Ancillary development is a group term that covers a variety of minor types of development that would ordinarily be associated with a dwelling. They generally have minimal environmental impact and cannot contain a habitable room. Many of these forms of development can be undertaken as Exempt Development or Complying Development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

For the purpose of this Section 'development ancillary to a dwelling' is defined as: a shed, garage, carport or outbuildings. This Section applies where the Exempt and Complying Development Codes cannot be complied with.

Note that garages and carports are contained within the specific housing types within this Chapter of the DCP.

Objectives

O.82 To ensure ancillary structures such as sheds and outbuildings do not dominate the streetscape.
O.83 To provide further guidance for ancillary structures to ensure consistent and desired amenity is attained without adverse impacts to adjoining properties.
O.84 To ensure ancillary structures are consistent with heights, bulk and setting of the relevant land use zone, locality and street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

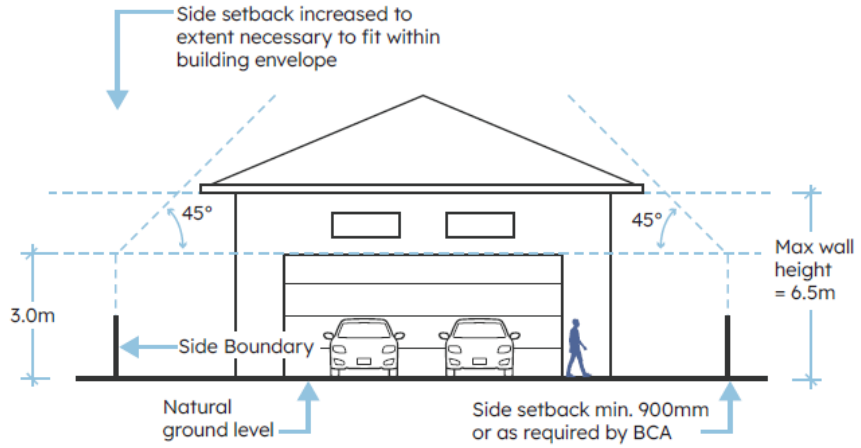
AS.1
- O.82
- O.83
- O.84

Ancillary structures within the R1 General Residential, R5 Large Lot Residential, C4 Environmental Living, RU1 Primary Production and RU2 Rural Landscape zones should generally comply with **Table 6.8**.

Table 6.8: Ancillary structure provisions

CATEGORY	LAND USE ZONE (MLEP 2011)			
	R1 General Residential	R5 Large Lot Residential, C4 Environmental Living (<4,000m²)	R5 Large Lot Residential, C4 Environmental Living (>4,000m²)	RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management
Maximum building site coverage %	10%	N/A		
Maximum Floor Area	72m²	120m²	200m²	N/A
Maximum Eave Height	3m	4.8m		4.8m
Total Overall Height	3.6m	5.5m		7m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS					
	CATEGORY	**LAND USE ZONE (MLEP 2011)**			
		R1 General Residential	R5 Large Lot Residential, C4 Environmental Living (<4,000m2)	R5 Large Lot Residential, C4 Environmental Living (>4,000m2)	RU1 Primary Production, RU2 Rural Landscape, C3 Environmental Management
	Minimum front setback behind building line	1m	1m	15m	15m
	Minimum Side and Rear Setback	0.9m	3m	5m	10m
	Minimum Secondary Setback	3m	5m	15m	15m
	Minimum setback from other ancillary structures	N/A			5m
	Note: Except for RU1 Primary Production, RU2 Rural Landscape, and C3 Environmental Management zoned land, proposed development for the purposes of a shed may instead satisfy the criteria of PC.1 and PC.2 of this section should they exceed one of the provisions detailed above. All other ancillary structures are to satisfy the provisions within this table.				
PC.1 • O.82 • O.83 • O.84	If a shed within R1 General Residential, R5 Large Lot Residential (<4,000m^2) or C4 Environmental Living (<4,000m^2) zoned land does not satisfy the requirements laid out in **Table 6.8**, the following criteria is to be satisfied: a. the shed is not to be located within 1.8m of a dwelling on an adjacent lot, b. the shed does not exceed 10% building site coverage or 120m^2 (including awnings, carports and the like), whichever is **lower**, c. the shed height responds to changes in topography from adjacent lots, d. the shed is sited in a manner that is clearly ancillary to the primary use of the land upon which it is proposed and must not dominate the primary structure, e. the shed uses colours and materials that are consistent with the dwelling on the site and adjoining properties, f. the shed is of a similar bulk and scale to nearby sheds, g. the shed is not to be a shipping container, h. landscaping is utilised to assist in screening the shed from visual intrusion on adjoining properties, and i. minimum setbacks within **Table 6.8** must be met.				
PC.2 • O.82 • O.83 • O.84	If a shed within R5 Large Lot Residential (>4,000m^2) or C4 Environmental Living (>4,000m^2), does not satisfy the requirements laid out in **Table 6.8**, the following criteria is to be satisfied: a. the shed does not unreasonably impact the amenity of an adjoining property through its bulk, scale, privacy, or overshadowing, b. the shed is not located within 15m of a dwelling on an adjacent lot,				

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. the shed does not exceed 250m^2 in total area (including awnings, carports, and the like), d. the shed does not result in the combined impervious area of all ancillary structures on the land exceeding 10% impervious area, e. the shed is sited in a manner that is clearly ancillary to the primary use of the land upon which it is proposed and must not dominate the primary structure, f. the shed uses colours and materials that are consistent with the dwelling on the site and adjoining properties, g. the shed is of a similar bulk and scale to nearby sheds, h. the shed is not to be a shipping container, i. landscaping is utilised to assist in screening the shed from visual intrusion on adjoining properties, and minimum setbacks within **Table 6.5** must be met.
PC.3 • O.82 • O.83 • O.84	Within R1 General Residential, R5 Large Lot Residential, and C4 Environmental Living zoned land, minimum side setbacks are to increase with the height of the ancillary structure and must be within a building height plane projected at an angle of 45 degrees over the land, to be built upon from a distance of 3m above ground level.  **Figure 6-9: Increase in side setbacks for two or more storeys (Ancillary Structures)**

6.11.1. Swimming Pools

Objectives

O.85 To ensure that swimming pools do not have an adverse impact on surrounding properties.
O.86 To ensure that swimming pools are appropriately sited and designed.
O.87 To ensure that the bulk and scale of a swimming pool is consistent across residential areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.85 • O.86	Swimming pools are to maintain compliance with the applicable Residential Uses controls and acceptable solutions, including, but not limited to, landscaped area, impervious area, and PPOS. These controls are provided in Section 6.2 of this Chapter.
PC.2 • O.85 • O.86	Swimming pools are to be located behind the dwelling's primary street building line and, if applicable, behind the dwelling's secondary street building line.
PC.3 • O.86	At least 1m of clear space is to be provided around the swimming pool. The swimming pool may encroach the dwelling's rear setback provided that the 1m of clear space is maintained.
PC.4 • O.86	Swimming pool decking is to be a maximum of 1.4m above existing ground level.
PC.5 • O.86 • O.86	Coping width is to be a maximum of 0.3m wide if more than 0.6m above existing ground level.
PC.6 • O.86	If a swimming pool has a proposed capacity equal to or more than 40,000L, it must be accompanied by a compliant BASIX certificate.
PC.7 • O.86	For swimming pools in rural areas, the proposed design and location is not to impact upon on-site sewage management systems and any associated effluent disposal areas.
PC.8 • O.85 • O.86	Any swimming pool pump provided is to be contained in a noise-proofed enclosure.
PC.9 • O.86	Child resistant barriers are to be installed and constructed in accordance with the requirements of the Swimming Pools Act 1992 (or as amended).



Maitland DCP 2026

Chapter 7: Commercial Uses

maitland CITY COUNCIL

Table of Contents – Chapter 7: Commercial Uses

7.1. Introduction 3
7.1.1. Application 3
7.1.2. Relationship to other Chapters 3
7.1.3. How to use this Chapter 3
7.1.4. Intent of this Chapter 4
7.2. Scale and bulk 5
7.2.1. Building height 5
7.2.2. Ceiling height 6
7.2.3. Overshadowing and privacy 7
7.2.4. Setbacks 7
7.3. Built form 9
7.3.1. Appearance and articulation 9
7.3.2. Facades 10
7.3.3. Awnings 11
7.3.4. Roofing 11
7.3.5. Sustainable design 12
7.4. Place activation 12
7.4.1. Active street frontages 12
7.4.2. Public domain 16
7.4.3. Landscaping 16
7.4.4. Fencing 17
7.4.5. Lighting 17
7.4.6. Signage 18
7.5. Servicing 21
7.5.1. Utilities 21
7.5.2. Waste management and circular economy 22
7.6. Centre place-based controls 23
7.6.1. New centres 23
7.6.2. Existing centres 25
7.6.2.1 Thornton 25
7.6.2.2 Rutherford 25
7.6.2.3 Central Maitland 26

7.1. Introduction

7.1.1. Application

The objectives and controls contained within this Chapter apply to development defined as **commercial premises.** Commercial premises is a group term that includes business premises, office premises and retail premises. See the *Maitland Local Environmental Plan 2011* (MLEP) for the definitions and sub-terms within these definitions.

7.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
  - Where there are inconsistencies between this chapter and Chapter 2: Section 2.4, Chapter 2: Section 2.4 will prevail to the extent of any inconsistency.
- Chapter 3: Site Requirements
- Chapter 4: Heritage
  - Where there are inconsistencies between this chapter and Chapter 4, Chapter 4 will prevail to the extent of any inconsistency.
- Chapter 5: Subdivision
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix F: Crime Prevention Through Environmental Design (CPTED) Guidelines
- Chapter 10: Precincts, Locality Plans and Urban Release Areas
  - Where there are inconsistencies between this chapter and Chapter 10, Chapter 10 will prevail to the extent of any inconsistency.

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

7.1.3. How to use this Chapter

The E1 Local Centre, E2 Commercial Centre, and MU1 Mixed Use zones support a diverse mix of retail, business and community uses that cater to residents, workers and visitors. It promotes commercial investments to drive employment and economic growth. New developments contribute to active street frontages and to contribute to vibrant and functional streets and public spaces.

This Chapter applies to commercial premises as defined under the MLEP 2011, as well as developments that share characteristics with commercial uses but do not fall within formal definitions. It serves as a guide for situations where other Chapters of this DCP do not clearly apply or where a proposed land use is not explicitly addressed. This ensures that such developments are assessed and regulated in a manner consistent with the overarching planning objectives, providing clarity and flexibility for projects that may not fit neatly into predefined categories. This may include uses outside the commercial premises group term such as:

- amusement centres, entertainment facilities, function centres & registered clubs,
- highway service centres, service stations, restricted premises,
- veterinary hospitals, wholesale supplies, and
- home businesses

The Chapter is structured into two sections, as follows:

General commercial uses controls (Section 7.2 – 7.5)

This section focuses on commercial uses building form, street activation and infrastructure serving.

Centre placed-based controls (Section 7.6)

This section provides additional controls for several strategic centres, which are more place-based to improving the amenity of centres.

7.1.4. Intent of this Chapter

The intent of this Chapter is:

- To promote and facilitate development and expansion of retail, business and community uses in appropriate locations that contribute to economic growth and employment opportunities within the LGA.
- To ensure that commercial development within the Maitland LGA gives regard to site constraints and opportunities.
- To provide housing within mixed used developments to maximise the efficient use of public transport and encourage walking and cycling.
- To conserve and enhance the historic, architectural and aesthetic character of urban areas, particularly in relation to heritage items and heritage conservation areas.
- To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of commercial developments, including energy, materials and water consumption.

7.2. Scale and bulk

7.2.1. Building height

Objectives

O.1 To create an appropriate interaction between new commercial uses, existing commercial uses, street widths, and any surrounding land uses.
O.2 To achieve a consistent scale and built height at the street boundary.
O.3 To ensure that new commercial development reflects the desired future scale and density of the area while balancing existing built form and streetscape character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	The height of proposed development is to be in accordance with the *Height of Buildings Map* provided under Clause 4.3 of the MLEP 2011. Where no height limit is specified, a merit-based approach is taken.
AS.1 • O.1 • O.2	In areas where development is permitted to the boundary line under Section 7.2.4 Place activation of this Chapter, buildings of three stories or more are encouraged to be stepped back from the third storey and above to provide the appearance of a two-storey wall height to the primary street.
PC.2 • O.2	Where proposed development adjoins low density residential properties, the building height is to be stepped down at the edge of the building envelope to a maximum of two storeys.
PC.3 • O.1 • O.2	Proposed building heights are to ensure that adequate solar access is maintained to existing adjoining dwelling's private open space and communal open space, and areas of developed public open space.
AS.2 • O.1 • O.2 • O.3	Ancillary buildings to a proposed development on a laneway should not exceed 6m in height.
AS.3 • O.1	Proposed development over 15m in height should have a minimum of 20m of site frontage in order to assist in achieving a consistent bulk and scale.

7.2.2. Ceiling height

Objectives

O.4 To provide floor to ceiling heights within commercial development that allows for a wide range of potential commercial uses throughout the design life of a building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.4	Minimum ground floor to ceiling height for proposed development is to be 4m to allow for servicing and flexibility in future use.
PC.2 • O.4	Minimum first floor and above floor to ceiling height for proposed development is to be 3.3m for commercial uses.
PC.3 • O.4	Minimum first floor and above floor to ceiling height for proposed development is to be 2.7m for residential uses.

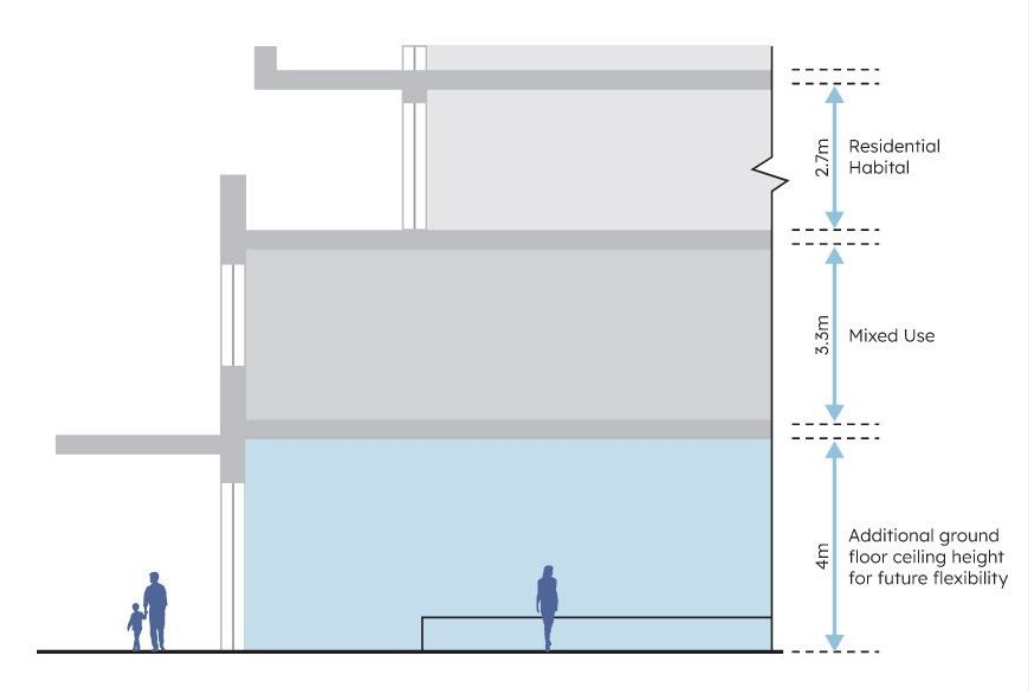


Figure 7-1: Example of applied floor to ceiling height controls

7.2.3. Overshadowing and privacy

Objectives

O.5 Ensure development retains reasonable levels of solar access to neighbouring properties including for solar panels and private open space.
O.6 Ensure that commercial development does not generate adverse amenity impacts on residential and other sensitive land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.6	New commercial development that is 2 storeys in height or greater, and that is adjacent to public open space, existing residential development, or residential zones, must provide shadow diagrams in accordance with the following: a. Based on a survey of the site and adjoining development, b. Showing shadows cast at 9am, 12 noon and 3pm on June 21 (winter solstice), c. Showing shadows at these times resulting from the proposed development, any ancillary structures, any cut and fill, and d. Showing the impact of shadowing on adjoining properties or public open space.
AS.1 • O.5	Where reasonably practicable sunlight to any existing solar panels should not be reduced to less than two hours between 9am and 3pm on 21 June.

7.2.4. Setbacks

Objectives

O.7 To ensure commercial buildings in main street environments are built to the front property boundary, reinforcing the spatial character and promoting an active street frontage.
O.8 To ensure commercial developments outside of main streets contribute positively to the streetscape through appropriate setbacks and landscaping.
O.9 To mitigate potential impacts of commercial developments on adjoining sensitive areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.7 • O.8 • O.9	Unless the proposed development is within a commercial precinct identified under Chapter 10 of this DCP or otherwise have a nominated setback under Section 7.6 of this Chapter, setbacks for development for commercial uses are to be provided in accordance with **Table 7.1** below:

Table 7.1: Minimum setbacks for commercial uses

LAND ZONE	FRONT SETBACK[1]	SECONDARY SETBACK	SIDE SETBACK	REAR SETBACK
E1 Local Centre	0m	0m	0m	3m[(2)]
E1 Local Centre bordering a residential area	0m	2m	3m	6m
E2 Commercial Centre	0m	0m	0m	3m[(2)]
E2 Commercial Centre bordering a residential area	5m	5m	5m	6m

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS					
	LAND ZONE	**FRONT SETBACK1**	**SECONDARY SETBACK**	**SIDE SETBACK**	**REAR SETBACK**
	E3 Productivity Support	5m	3m	3m(2)	3m(2)
	E3 Productivity Support bordering a residential area	5m	5m	5m	6m
	MU1 Mixed Use	0m	0m	0m	3m(2)
	R1 General Residential	2m	4m	3m	3m
	R5 Large Lot Residential	4m	6m	5m	5m
	Notes: 1. In cases where a setback is already established by existing commercial premises in a commercial/residential/mixed use area, front setbacks are to be aligned with neighbouring commercial development. 2. 0m side and rear setbacks may be considered for up to 50% of a boundary, subject to compliance with relevant requirements of the National Construction Code and with impacts to adjoining or adjacent properties being deemed to be limited, to the satisfaction of Council.				
PC.2 • O.7	Where a commercial building is not built to the minimum setback provided in **PC.1**, a minimum of 25% of the front setback must be landscaped and include a deep soil area with a minimum of 1 tree per 30m² of deep soil.				
PC.3 • O.7 • O.8	Proposed development on a corner site that has 0m (lot line) setbacks on at least 2 sides are to provide a splay corner of at least 1.5m x 1.5m at the intersection of two roads. No walls or plantings higher than 0.6m are permitted within the corner splay.				
AS.1 • O.7 • O.8	Proposed developments adjacent to land in a residential zone must incorporate appropriate setbacks to effectively mitigate potential noise impacts and reduce visual intrusion, ensuring a harmonious transition between different land uses. Fencing, landscaping, or a combination of the two are acceptable, with consideration being given to the following as to a suitable treatment: • bulk and scale, • height, • design, and • proposed use.				
PC.4 • O.9	Development fronting a laneway must be smaller in height and overall scale than buildings on the same or adjoining site that face the primary street, ensuring the primary frontage remains visually dominant. The development must maintain the streetscape hierarchy, and provide an appropriate transition between the main street and the laneway.				
PC.5 • O.7 • O.8 • O.9	For buildings with a zero setback, ground levels must be designed to align with the existing footway or road reserve levels at the Development Application stage to ensure seamless transitions for building entrances, pedestrian access, and surrounding areas, minimising the need for ramps or steps.				

7.3. Built form

7.3.1. Appearance and articulation

Objectives

O.10 To facilitate a variety of built form that is contextually appropriate and amenable to local character.
O.11 To encourage commercial development in new urban areas to address the streetscape and foster easy wayfinding and interaction, while simultaneously promoting improvements in function and innovation.
O.12 To ensure new commercial development is appropriately integrated within existing urban areas by incorporating key design elements that complement the surrounding streetscape.
O.13 To ensure that buildings on key sites, particularly corner sites, incorporate distinctive architectural features that enhance visual interest while maintaining harmony with the surrounding streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10 • O.11 • O.12 • O.13	Commercial developments, including standalone shops and main centres, must orient building entries toward the primary street frontage and, where applicable, the secondary frontage. Site layout should prioritise pedestrian accessibility, active frontages, and clear sightlines, with parking positioned to minimise visual impact from the street.
PC.2 • O.11 • O.12	Proposed mixed use developments are to be sited to maximise passive surveillance of the street. This is to be done by providing mixed uses in the following format: • Retail or commercial premises on the ground floor of a building to create street activation, and • Residential accommodation on the floors above. **Note:** The development must comply with Appendix F - CPTED Guidelines.
PC.3 • O.10 • O.12 • O.13	Walls exceeding 15m in length or 4m in height are to be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material variations to provide visual relief.
PC.4 • O.10 • O.12	Buildings must provide both horizontal and vertical articulation and variation in design in the following architectural elements, at a minimum: a. building or wall setbacks in the fashion of projections or recesses, b. openings including doors and windows, c. roof lines, d. materials, finishes, colours and detailing, and e. balconies, terraces, and shading elements.
AS.1 • O.12	Roofing should be reflective of adjoining and nearby properties of similar land use or demonstrate how a contrasting roofing solution integrates into the design of the existing roof lines.
AS.2 • O.13	Buildings on corner sites are to address both streets and create architectural distinction in their design. This could include, but is not limited to, the recessing of entryways, façade and awning articulation, windows, and a variety of colours and materials.

7.3.2. Facades

Objectives

O.14 To create legible design where the façade of the building reflects and expresses the function and purpose of the building.
O.15 To foster and establish visually interesting building facades in the streetscape that simultaneously integrate and blend with a local area.
O.16 To encourage an increase in detailed and fine grain characteristics to facades for commercial and mixed uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.14	Facades for commercial uses should satisfy the following design criteria to create a legible, high-quality, and well-proportioned design that supports vertical integration: a. Clearly defined building entryways, with separate entries for differing uses in mixed-use buildings, ensuring a logical and cohesive design hierarchy b. Retail and commercial components of the development should be visually distinct from office premises or residential accommodation through variations in materials, finishes, and articulation. c. On street corners, special architectural treatments—such as changes in materials, colours, finishes, articulation, roofline, or height—should be applied to enhance visual interest and emphasize the building's form. d. The overall proportions and aesthetics of the façade should contribute to a balanced and integrated appearance across different building uses, reinforcing a cohesive vertical design.
AS.2 • O.15 • O.16	Façade materials and finishes are to ensure that they are compatible with the public space and not detract from the surrounding environment. Materials and finishes that are **not** supported include: • Curtain glass walls, • Large surfaces of highly reflective materials and/or finishes, including glass, and • Bagged or rendered concrete finishing that is not designed for all-weather, long-term exposure to the elements.
PC.1 • O.14	Facades of buildings are to employ a combination of materials, colours, finishes, and architectural features that are complimentary to the local area in a fashion that reduces perceived bulk and scale.
AS.3 • O.15	In instances where new commercial development faces two or more street frontages, each façade is to be articulated and should respond to the nature of the street it faces.
AS.4 • O.14 • O.15	Shopfronts on corner sites should be located in a manner that is accessible from the side frontage. Alternatively, a secondary shopfront is to be provided.
PC.2 • O.15 • O.16	A variety of colours and tones are to be utilised in the façade's finishes and materials to create depth and improve visual amenity. Monocoloured buildings are not supported.

7.3.3. Awnings

Objectives

O.17 To create streetscapes that are more resilient to extreme weather conditions.
O.18 To provide continuous shelter and amenity for pedestrians within commercially oriented areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18	Awnings are to be provided on all building frontages that face or adjoin public open space or are situated along the active street frontage maps provided in Figure 7-3 through to Figure 7-10.
PC.2 • O.18	Awnings are to: a. Be at least 3m in depth (where the footpath allows), b. Have a clearance of at least 3m from Finished Floor Level to underside of awning, c. Have a 2.7m clearance from Finished Floor Level to the underside of any signage, d. Have a minimum setback of at least 0.6m from the street kerb to the edge of the awning to accommodate public domain elements such as lighting, signage and plantings, e. Be cantilevered, and f. Provide under awning lighting.

7.3.4. Roofing

Objectives

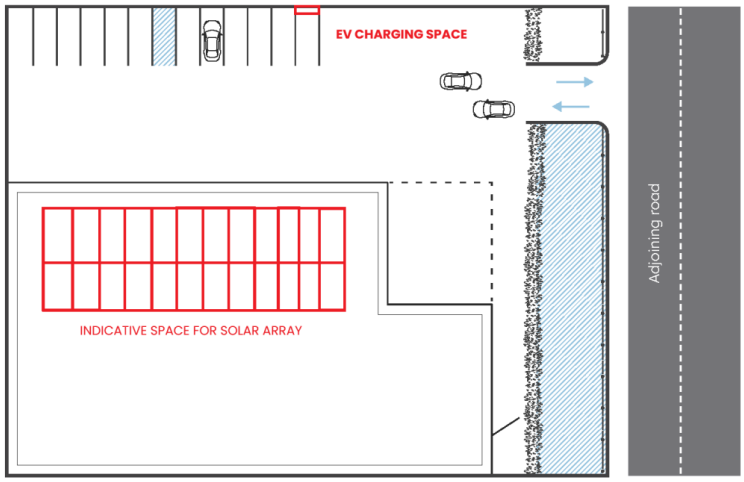
O.19 To ensure that roofs and roof elements are designed in a manner that makes a positive addition to the streetscape and skyline of a commercial precinct.
O.20 To promote expanded and mixed uses of roofs for activation through open space or commercial use, where appropriate.
O.21 To ensure that plant and service areas situated on the roof are incorporated into the design and obscured from adjoining public roads and properties.
O.22 To facilitate continuity of design in areas where parapet elements are utilised in the roof design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.19 • O.20 • O.21 • O.22	Roof forms should incorporate variations in height, pitch and articulation to contribute to a visually interesting skyline while ensuring a balanced relationship between building bulk and overshadowing.
AS.2 • O.19 • O.21	On sloping sites, roof planes must step with the topography.
AS.3 • O.19 • O.21	The roof form should be flat or low pitched.
PC.1 • O.19 • O.20 • O.21	Air conditioning units, lift motor rooms, and other plant must be fully integrated within the building or roof volume, or within an architectural roof feature and not openly viewed from public place or dwelling.
PC.2 • O.22	Roof-mounted elements, including photovoltaic panels, communication devices, antennae, satellite dishes, chimneys, and flues, must be integrated into the overall building design to minimise visual impact. These elements should be positioned to avoid obstructing views from neighbouring properties or detracting from the visual quality of the public domain.

7.3.5. Sustainable design

Objectives

O.23 To ensure building orientation maximises solar access and natural cross ventilation, promoting energy efficiency and occupant comfort.
O.24 To encourage the integration of energy-efficient systems and materials to reduce the overall environmental impact of commercial development.
O.25 To support the future adaptability of commercial buildings by incorporating design features that facilitate the installation of renewable energy generation and low-carbon technologies.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.24	Buildings should be oriented to maximise solar access and natural cross ventilation wherever possible to improve energy efficiency and occupant comfort.
AS.2 • O.24 • O.25	Developments are encouraged to incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.
PC.1 • O.24 • O.25	Developments must demonstrate future adaptability for the installation of renewable energy generation systems such as solar panels and the use of low-carbon technologies.  **Figure 7-2: Example of Site Plan with future adaptability indicated**
AS.3 • O.23 • O.24	Commercial buildings should demonstrate application of the following design matters from a sustainability perspective: a. orientation, b. thermal mass, c. shading, d. glazing, e. wall and roof colour, f. ventilation, g. solar access, and h. landscaping.

7.4. Place activation

7.4.1. Active street frontages

Objectives

O.26 To foster activation of street frontages through effective design that encourages amenity, safety, and accessibility.
O.27 To encourage active uses and pedestrian oriented development at ground level in commercial development.
O.28 To optimise social and economic development through enlivening urban environments that encourage pedestrian activity.
O.29 To limit activities that have the potential to damage pedestrian activity or amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.26 • O.27	Active frontages are to be provided at street level along footpaths and public open space in accordance with the following criteria: a. Along at least 75% of the length of the façade for proposed development facing public open space, and/or b. Along at least 50% of the length of the façade when facing main streets within a commercial centre, and/or c. Where required within the Active Street Frontages Maps provided in Figure 7-3 to Figure 7-10. d. Not required when facing laneways but encouraged to provide a form of passive surveillance to the street.

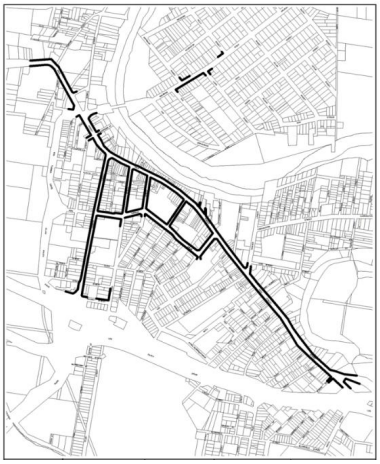


Figure 7-3: Central Maitland Active Street Frontages



Figure 7-4: Melbourne St Active Street Frontages

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

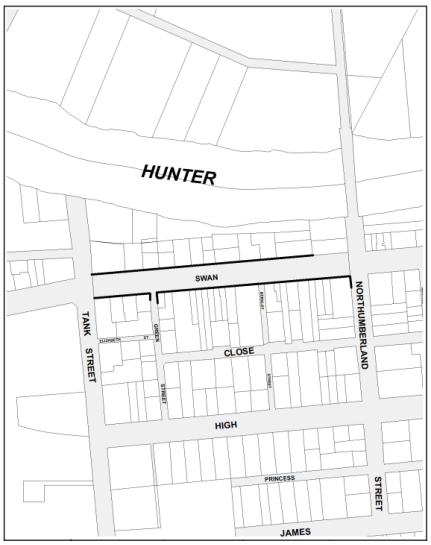


Figure 7-5: Morpeth Active Street Frontages

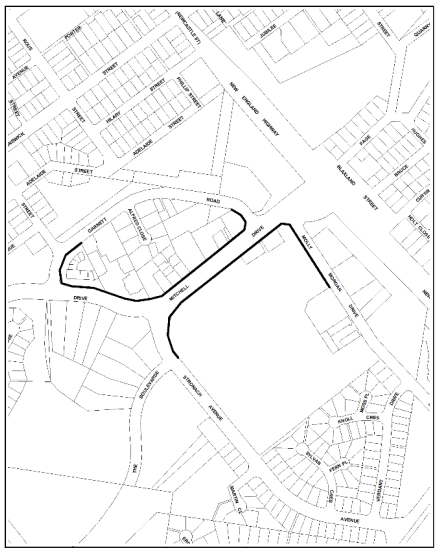


Figure 7-6: Greenhills Active Street Frontages

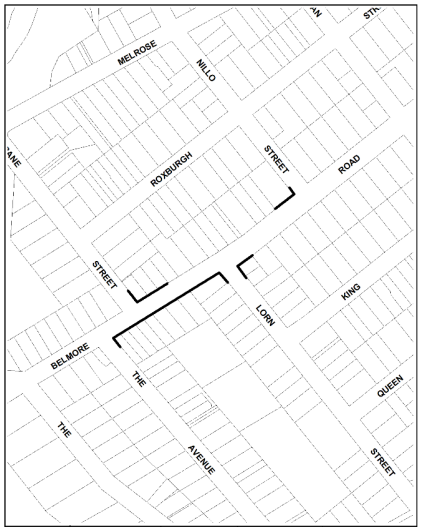


Figure 7-7: Lorn Active Street Frontages

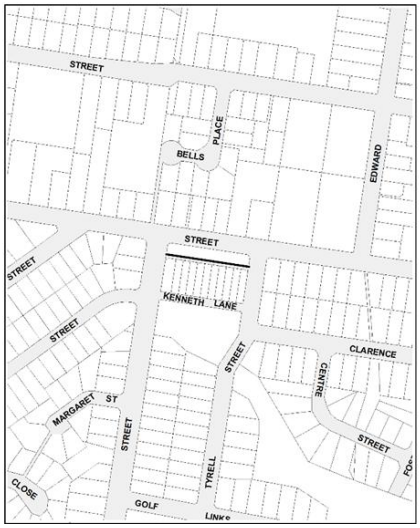
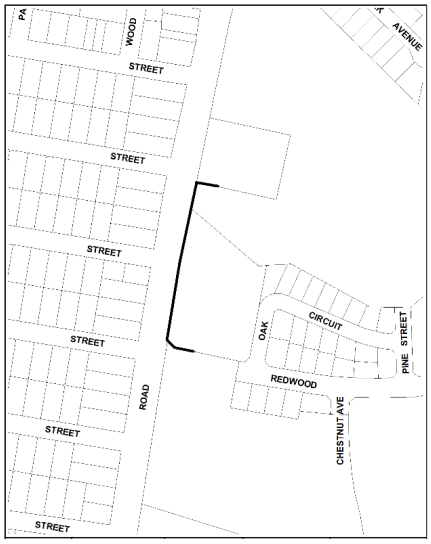


Figure 7-8: Tenambit Active Street Frontages

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS		
	 **Figure 7-9: East Maitland Active Street Frontages**	 **Figure 7-10: Gillieston Heights Active Street Frontages**
PC.2 • O.26 • O.27	To be considered as an active street frontage, a façade must: • Have a maximum of 2m in unarticulated wall space across the length of the entire frontage, and • A minimum of 50% of ground floor frontage being windows, not including **false windows.** • Avoid high-set windows with large blank surfaces below. Windows must be positioned and proportioned to enhance street-level engagement and visual interest.	
PC.3 • O.29	Doors are not to encroach on the footpath when opened.	
PC.4 • O.27 • O.28	Larger format commercial development, such as supermarkets or shopping centres that do not require direct connection to the street and also provide for smaller commercial premises, must be sited and designed as to enable some smaller retail or office spaces to face the street and thereby take advantage of the streetscape.	
PC.5 • O.27	In circumstances where security shutters are proposed along main streets, they must be visually permeable to allow for viewing of windows when a premises is not operating.	
AS.1 • O.27 • O.28	The following built elements of a development should avoid being positioned along active street frontages or adjoining public open space within a commercial centre: a. Loading/unloading areas, servicing zones, or delivery docks, unless no other alternative is available, b. At-grade or multi-storey car parking that is not adequately screened or landscaped, and c. Access driveways, unless no other alternative is available.	

7.4.2. Public domain

Objectives

O.30 To provide a safe walkable environment around commercial development, with visual interest, pedestrian amenity, and opportunities for social interaction.
O.31 To promote commercial development that is well connected to the street and contributes to the functionality of the public domain.
O.32 To ensure that commercial development is accessible to all members of the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.30	Buildings, street furniture and landscaping are to contribute to the definition and amenity of the area.
PC.2 • O.31 • O.32	Landscaped areas are to be integrated within the overall design to soften dominance of buildings and to provide shade, meeting places, resting areas and playgrounds.
AS.1 • O.31 • O.32	Benches and other forms of seating should be provided both inside and outside buildings to provide places for passive enjoyment of the space.
PC.3 • O.31 • O.32	Street furniture and paving are to take into account the needs of people with a disability or decreased mobility (e.g. seats to have arms and not be too low, slip resistant paving should be utilised).
PC.4 • O.31 • O.32	Pedestrian routes are to be clear, safe, well-lit and legible to all in accordance with MoES. Particular attention should be given to linking areas of the public domain and to improve safety at potential conflict points between different transport modes.
AS.2 • O.32	Pedestrian areas surrounding commercial development should allow for wheelchair, scooter or pram access from public areas and car parking to any retail areas, including at the threshold of shops.
PC.5 • O.31 • O.32	Ground floor levels must be designed in accordance with existing footpath and road reserve levels, ensuring seamless transitions for building entrances, pedestrian access, and surrounding areas. Developments must prioritise level access to reduce the need for ramps or steps wherever possible, enhancing accessibility and integration with the public domain.

7.4.3. Landscaping

Objectives

O.33 To encourage the retention of trees and other vegetation and integration of these features into the design of buildings and open spaces, particularly where vegetation is outside the proposed building footprint and is of ecological, aesthetic or cultural significance.
O.34 To provide landscaping that responds to the context and character of the area, the land uses, view lines and landmarks, any existing street or locality planting scheme, the local climate, and the site characteristics.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34	All commercial development in an urban area is to provide street tree planting (shown on an associated landscape plan) that: a. is of appropriate species for the local environment (in accordance with the **Maitland Tree Species List**) b. is consistent with any existing or approved theme/species in the immediate locality, c. is compatible with any public infrastructure, d. will not interfere with the safety of motorists, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	e. any other matters conditioned/required by council as part of the approval.
PC.2 • O.33 • O.34	Landscaping is to adhere to the following design criteria: a. Landscape works are to incorporate adequate screening from the street and adjacent neighbours, b. Corner lots are to provide landscaping to both street frontages, c. Tree and landscape planting is to be of a scale and extent that reflects the scale of the proposed development's buildings and pavement areas, and d. Structural soil and/or structural cells should be used to reduce competition between specimen trees and damage to infrastructure.

7.4.4. Fencing

Objectives

O.35 Provide privacy, security and noise attenuation while complementing the streetscape and adjacent buildings.
O.36 Provide for active street frontages and pedestrian access.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.35	The use of fencing and walls along primary street frontages is not supported.
PC.2 • O.35 • O.36	Fencing design adjoining public spaces is not to be sheet/metal fencing.
PC.3 • O.35 • O.36	No fence is to provided at more than a height of 3m above existing ground level.
PC.4 • O.35 • O.36	Fencing must complement the existing streetscape in relation to scale and materials and use similar or compatible materials to those used in attractive buildings within the locality.
AS.1 • O.36	Fencing should be open for at least 75% of the area of the fence that is more than 1.2m above ground level (existing) if located on the boundary of, or within, the setback area.

7.4.5. Lighting

Objectives

O.37 To ensure that business development does not result in unacceptable amenity impacts on adjoining land.
O.38 To ensure that lighting is integrated into the design of the building in a way which enhances and compliments its architecture and also promotes the safety of people moving in and around the building.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.37	New commercial development must provide external lighting in accordance with Australian Standards.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.37	Lighting in commercial developments should: a. Accentuate entrances, both vehicular and pedestrian. b. Highlight special features or elements. c. Assist navigation around the development at night; and d. Contribute to activation of the area after hours.
PC.2 • O.38	Lighting must be in accordance with Appendix F: CPTED Guidelines.

7.4.6. Signage

Objectives

O.39 To encourage high quality signage that is properly designed, located and maintained.
O.40 To allow for the provision of signage that is compatible with the desired amenity and visual character of an area.
O.41 To ensure that signage does not dominate the skyline or compromise important views and that the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39 • O.40	A single business premises is permitted to have a maximum number of signs on each street frontage of the building (in accordance with the controls below) as follows: a. One under awning sign; b. One top hamper sign or flush wall sign; c. One fascia or awning fascia sign; d. One A-Frame sign on the footpath; e. Historic building identification signage Window signs maybe provided in addition to the list above as long as it does not take up more than 20% of the street window or significantly reduce visibility between the inside of the shop and the street. Each tenancy in a multiple tenancy in the same ownership or on the same lot may have the same signage as set out above (limited to one (1) A-Frame sign on a public street) as well as a single directory board /pylon sign, with a maximum height of 8.0m, naming the facility and listing some or all of the tenancies at or near the primary customer entrance.
PC.2 • O.39 • O.40 • O.41	Where a site fronts onto or is visible from an arterial road (especially a State highway or regional road), the applicant is to demonstrate that the signage: a. Is integrated into the landscaping for the site so as not to detract from the amenity of the area or impact on safety of road users; b. Is not the dominant feature of the site as viewed from the road, particularly at gateways to any settlement.
PC.3 • O.39 • O.40 • O.41	For Highway Services, Service Stations & Highway Restaurants/ Take-Away Food Premises, the development is permitted to have a maximum of: a. Up to three (3) facia signs, flush wall signs or logos integrated with the façade of the building (one per wall); b. One (1) free-standing sign integrated into the front landscape or car-parking area of each street frontage of the site; c. One (1) pylon sign at the primary road frontage boundary where the building is setback from the road, with a maximum height of 8 metres.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.39 • O.40	For Home Business, Home Industry or Home Occupation, the development is permitted to have a maximum of one (1) business identification sign per property constructed or installed in relation to a home business, home industry or home occupation. The sign is not to be illuminated and is to either be: a. A stand-alone sign no greater than 600mm by 900mm, OR b. A window sign with a maximum coverage of 20% of the surface of the window in which is displayed or 6m², whichever is the lesser.
PC.5 • O.40	Building identification or business advertisements signs are to be mounted flat against an exterior wall or parapet and must not protrude more than 300mm from the face of the wall or parapet.
PC.6 • O.39 • O.40	All illuminated signage must comply with the Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.
PC.7 • O.39 • O.40	For temporary event signs, the installation of a sign or banner to advertise for a commercial, retail, community event will not result in more than one banner and one other type of temporary signage facing any road frontage.
Wall Signage	
PC.8 • O.39 • O.40	Wall signs must be attached to the building in which the business identified in the sign is located.
PC.9 • O.39 • O.40	Any wall sign must not be more than 6m².
PC.10 • O.40 • O.41	Any wall sign must not cover any mechanical ventilation inlets or outlets located on any building on which it is carried out.
Under Awning Signage	
PC.11 • O.40	Under awning signs must not be more than 1.5m².
PC.12 • O.40	Under awning signs must not be more than 2.5m in length.
PC.13 • O.41	Under awning signs must not project beyond the awing fascia.
PC.14 • O.39 • O.40 • O.41	Under awning signs must be in accordance with Figure 7-11.

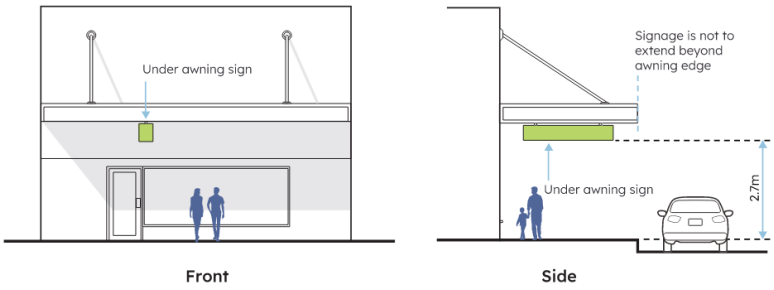


Figure 7-11: Under awning signage design criteria

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Pylon Signage

PC.15
- O.39
- O.40
- O.41

Pylon signs must:

a. Not exceed one (1) sign per property street frontage, and
b. Not be located within the main retail streets of urban areas, except for Service Stations which may seek special permission from Council and TfNSW,
c. Have a height that is consistent with the scale of surrounding buildings and is a maximum height of 8 metres, and
d. Be contained wholly within the site and not overhang any public spaces or land.

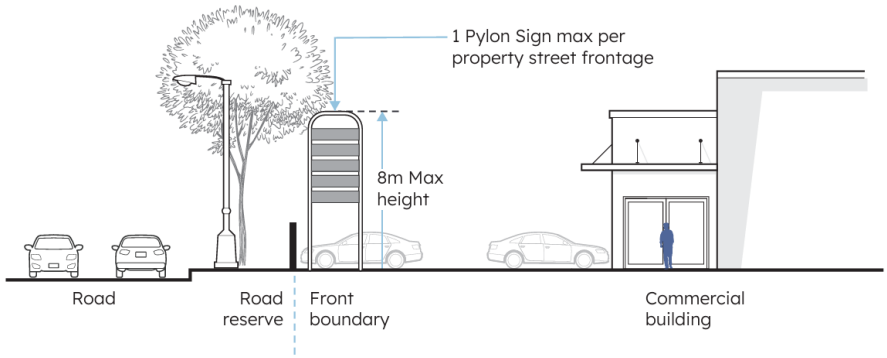


Figure 7-12: Pylon sign design criteria

Awning Fascia Signage

PC.16
- O.39
- O.40
- O.41

Awning Fascia signs must:

a. Not exceed one (1) sign per retail premises/awning fascia with a shopfront facing that street, and
b. Not project above or below the fascia to which it is attached, and
c. Be located at least 600mm behind the alignment of any kerb within the adjacent road.

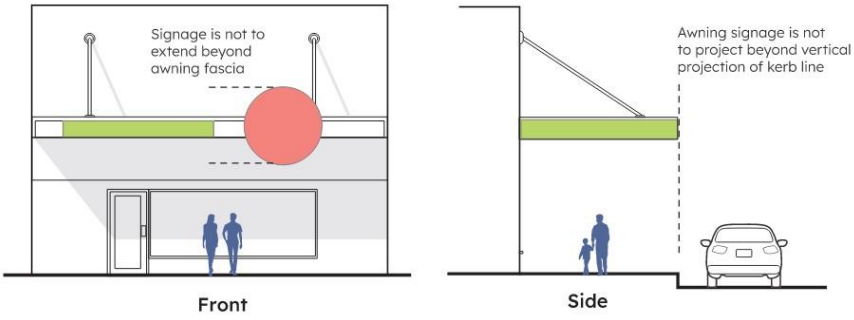


Figure 7-13: Awning Fascia sign design criteria

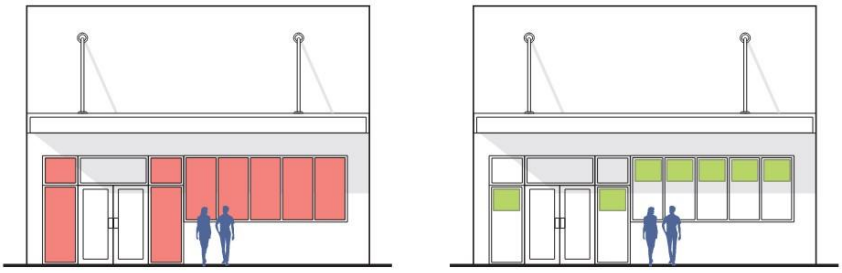
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Window Signage	
PC.17 • O.39 • O.40	Window signs must: a. Not cover more than 20% of the surface of the window in which it is displayed, or 6m^2, which is the lesser, and b. Not be illuminated, and c. If it involves a sign advertising a home business, home industry or home occupation - not to exceed one (1) sign per premises.  Signage is not to exceed 30% (or 6m^2, whichever is lesser) of window surface area

Figure 7-14: Window sign design criteria

7.5. Servicing

7.5.1. Utilities

Objectives

O.42 Reduce visual clutter and visual bulk of development by appropriately locating, orientating and screening services such as substations, hydrant boosters, plant equipment and mailboxes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.42	Services, plant equipment and air conditioning units, at ground level and on structures, are to be screened from the street, public domain and neighbouring buildings by elements such as landscaping, fencing or walls, in a manner that reduces its visual dominance and reflects the desired character of the area.
PC.2 • O.42	Substations are to be integrated into the overall building design, complementary to the building fabric and wherever possible, not be located in public areas or be visible from the public domain.
PC.3 • O.42	Ventilation stacks servicing basement garages are not to be located in the street setback or any common open space and should be concealed within the building.
PC.4 • O.42	Mailbox structures are to be integrated into the building design, do not dominate the street elevation and harmonise with the building aesthetic and landscape treatments.
PC.5 • O.42	Mailboxes are to be in a location with passive surveillance and lighting to discourage mail theft.

7.5.2. Waste management and circular economy

Objectives

O.43 To facilitate sustainable waste management within Maitland City Council in accordance with the principles of Ecologically Sustainable Development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.43	Waste areas and loading or servicing bays must be grouped and located underneath or behind buildings. They must not be visible from public streets, parks or other public spaces, and either be enclosed or screened with building elements or landscaping.
AS.2 • O.43	Site planning of the development is to accommodate on-site waste collection and allow the waste collection vehicle to enter/exit, manoeuvre within the site and access the nominated collection point in a safe and efficient manner in accordance with the requirements of AS2890.2. If on-site waste collection cannot feasibly be achieved, alternative arrangements are to be to the satisfaction of Council.
PC.3 • O.43	The vehicle must be able to safely and efficiently access the site and the nominated collection point to perform on-site waste collection. There must be sufficient manoeuvring area on-site to allow the collection vehicle to enter and exit the site in a forward direction and service the development efficiently with little or no need to reverse.
PC.4 • O.43	Swept path models are to be provided illustrating how a standard waste collection vehicle (in accordance with Chapter 3: Site Requirements) will enter, service and exit the site. A 0.5m unobstructed clearance is required from all obstructions for the vehicle's ingress and egress manoeuvres. The swept path model is to account for on-street parking on both sides of the road adjacent to the development to demonstrate unobstructed access during a 'business as usual' configuration.

7.6. Centre place-based controls

Under the *Maitland Local Environmental Plan 2011* centres are zoned to represent the centre hierarchy established by the Maitland Activity Centres and Employment Clusters Strategy 2010 (ACECS 2010). The employment zones and corresponding centres are as follows:

E1 Local Centre

Aberglasslyn, Gillieston Heights, Lochinvar, Lawes Street, Lorn, Metford, Morpeth, Rutherford, Telarah, Tenambit, Thornton, Woodberry

The E1 Local Centre Zone is intended to provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area.

E2 Commercial Centre

East Maitland Catalyst Area (Green Hills), and Central Maitland

The E2 Commercial Centre Zone is intended to provide the greatest concentration of commercial floor space, services and facilities for the wider community. The core activities in this zone are commercial and retail, supported by government services, with residential, community, recreational, educational, entertainment, tourist and open space uses.

MU1 Mixed Use

Melbourne Street, Central Maitland

The MU1 Mixed Use Zone is intended to complement and enhance the activity of the local and regional centres, and to serve as a transition between the centre and surrounding residential zones.

In addition to these hierarchical centres, there are two other employment zones that are used in Maitland. The E3 Productivity Support, which provides a range of facilities and services, light industries, bulky goods, warehouses and offices. The remaining zone, E4 General Industrial enables a wide range of business and industrial type uses. These zones are addressed in Chapter 8: Industrial Uses of this DCP.

7.6.1. New centres

Objectives

O.44 New centres are designed and planned to provide an attractive, vibrant, safe and accessible public space.
O.45 New centres provide a focal point for the community, with a unique and identifiable built form.
O.46 Centres provide space for public events and celebrations.
O.47 Bulky and unattractive buildings are avoided.
O.48 Overbearing or monotonous building design is avoided where viewed from any public place.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45	Development of a new centre that has a GFA of 10,000m^2 or more must be accompanied by a design masterplan that demonstrates how the centre will achieve a suitable design quality. A masterplan will include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles. b. Provision of landscaping including suitable tree cover that considers urban heat mitigation. c. Consider Crime Prevention Through Environmental Design (CPTED). d. Active street frontages that consider high volume pedestrian traffic.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	e. Urban Design elements that considers open space, built form, corner and gateway sites, pedestrian entries and circulation, access, parking, loading and servicing, public art and domain works.
PC.2 • O.44 • O.45	Development of a new centre that has a GFA of 10,000m^2 or more must be accompanied by a detailed landscape plan that demonstrates how the centre will contribute towards a 30% tree coverage. The landscape plan will include the following elements: a. Large trees and spreading ground covers are provided in all landscape areas within the site (Landscape Plan) b. Where screening is required, large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building are provided. c. At grade car parking areas shall be provided with one tall, branching, mature shade tree for every 4 linear car spaces. d. All areas less than 1.0 metre in width shall be paved. e. Where car parking cannot be provided under or behind the building and Council has agreed to permit some or all of the parking in the front setback, a landscaped strip with a minimum width of 3.0m is provided along the entire frontage/s of the site. f. Any portion of the site that remains undeveloped or vacant after development shall be landscaped. g. All street plantings are to be selected from the **Maitland Tree Species List.** h. Water sensitive urban design facilities (such as swales, bio-detention ponds and rain gardens) are used to treat stormwater for at-grade car parking areas. Note: water sensitive urban design facilities are designed in accordance with Council's Manual of Engineering Standards. i. Fencing for security or privacy shall not be erected between the building line and the front boundary of a site. j. Where fences are erected, landscaping of an appropriate height and scale shall be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place. k. Street furniture (including seats, bollards, signage, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains). l. Any public art is provided in accordance with Council's Public Art Strategy.
PC.3 • O.45 • O.46	All new centres must incorporate a public square/domain space including detailed landscaping and amenity designs.
PC.4 • O.47 • O.48	Building facades will be designed to reflect the orientation of the site incorporating environmental control devices, e.g. sun shades, ventilation vents, overhangs, building recesses, eaves, as an integrated design feature of the building.
PC.5 • O.46 • O.47 • O.48	Active frontages are to consist of one or more of the following: a. A shop front. b. Commercial and residential lobbies. c. Café or restaurant. d. Public building if accompanied by an entry from the street.
PC.6 • O.44 • O.45 • O.46	Restaurants and cafés are to provide openable shop fronts (for e.g. bi-fold doors) where practical to the public domain.

7.6.2. Existing centres

7.6.2.1 Thornton

Objectives

O.49 The amenity of the Thornton town centre is improved.
O.50 The Thornton Town Centre will become the focus of entertainment, retail and community activities for the residents of Thornton and the surrounding areas.
O.51 A variety of uses that activates the centre throughout the day and evening is encouraged.
O.52 The centre integrates with the adjoining sports and community facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49 • O.50 • O.51 • O.52	A comprehensive urban design masterplan must be prepared for the centre when any significant development is proposed that is 5,000m^2 GFA, or more. A masterplan is to include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles. b. Provision of landscaping including suitable tree cover that considers urban heat mitigation c. Active street frontages that consider high volume pedestrian traffic d. Crime Prevention Through Environmental Design (CPTED) e. Urban Design elements that considers open space, built form, corner and gateway sites, pedestrian entries and access, parking, loading and servicing, public art and domain works.
PC.2 • O.49 • O.52	The masterplan must improve the centre's relationship with Taylor Avenue and Thornton Park.
PC.3 • O.49 • O.51 • O.52	The urban design strategy must consider the following: a. Constructing an active edge to Taylor Avenue. b. Providing a corner treatment (preferably a building with an active edge) at the intersection of Taylor Avenue and Thomas Coke Drive. c. Providing an active edge to Thornton Park.

7.6.2.2 Rutherford

Objectives

O.53 To reinforce the Rutherford Town Centre as the location of entertainment, retail and community activities for the residents of Rutherford and the surrounding areas.
O.54 To ensure that access, movement and way finding to and within the centre is improved.
O.55 To ensure that safety in and around Rutherford Town Centre is improved.
O.56 To ensure that future development of the business-zoned, residential area along Arthur and Weblands Street and North Mall and Alexandra Avenue is planned to integrate into the centre.
O.57 To encourage a continuous, integrated development front along Arthur and Weblands Streets.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.53 • O.54 • O.55 • O.56	A comprehensive urban design masterplan must be prepared for the centre when any significant development is proposed that is 5,000m^2 GFA, or above. The urban design masterplan must: a. Include a parking, access and movement strategy b. Identify a new (or refurbished) area for public uses, such as a town square or piazza. c. Recommend treatments to reduce the impact of the extensive hardstand.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	d. Review signage to improve way finding into and throughout the centre. e. Consider future integration of the commercially zoned, residential lots. f. Consider the interface between the centre and the adjoining residential development. g. Consider Crime Prevention Through Environmental Design (CPTED).
PC.2 • O.57	Development along Arthur Street and Weblands Street must be built to the boundary.

7.6.2.3 Central Maitland

Objectives

O.58 To promote the development of Central Maitland as a regional commercial, entertainment and recreation centre and to ensure it functions effectively as a centre.
O.59 To ensure the preservation of the existing historical character of Central Maitland, and of individual historic buildings and precincts.
O.60 To maintain the viability of Central Maitland by encouraging shop top housing where appropriate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.58 • O.59	Any non-residential development must be compatible in scale with other buildings in the immediate streetscape and /or with adjoining buildings on neighbouring properties.
AS.1 • O.58 • O.59 • O.60	New buildings should enhance and make a positive contribution to the streetscape. Buildings should address and front the street by incorporating main entries and windows in the front façade. The development should use building, window and door proportions and external materials and colours that resemble those predominating in the adjacent streetscape.
AS.2 • O.59	On-site car parking or garages should not be located on street frontages or dominate the streetscape.
PC.2 • O.58	Developments are to be designed, constructed and operated to minimise the potential for offensive noise generation. Council may require the provision of an acoustic study to establish noise levels and to provide a mitigation strategy.



Maitland DCP 2026

Chapter 8: Industrial Uses

maitland CITY COUNCIL

Table of Contents – Chapter 8: Industrial Uses

8.1. Introduction 2
8.1.1. Application of this Chapter 2
8.1.2. Relationship to other Chapters 2
8.1.3. How to use this Chapter 3
8.1.4. Intent of this Chapter 3
8.1.5. Application Requirements 3
8.2. Design Requirements 4
8.2.1. Setbacks and Streetscape 4
8.2.2. Building Design 5
8.2.3. Impervious area 6
8.2.4. Landscaping 7
8.2.5. Fencing 7
8.2.6. Signage 8
8.2.7. Sustainable Design 8
8.2.8. Waste Management and Circular Economy 9
8.2.9. Multi-Unit Industrial Development 10

8.1. Introduction

8.1.1. Application of this Chapter

The objectives and controls contained within this Chapter apply to the following areas in the Maitland LGA:

- All proposed development in E4 General Industrial zones, E3 Productivity Support zones, and any SP1 Special Activities or SP2 Infrastructure zones that include the land uses under the E3 and E4 zones, excluding the land uses specified in Chapter 7, Section 7.1.1 of this DCP, and
- Light Industrial development in MU1 Mixed Use zones.

Note: The term **industrial development** under this chapter is to be taken to mean development falling within the areas outlined above.

8.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage

- Chapter 5: Subdivision
- Chapter 7: Commercial Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Council's Manual of Engineering Standards

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

8.1.3. How to use this Chapter

This Chapter provides the general parameters for the design of uses within areas that are for industrial or productivity support purposes in particular zones (see Section 8.1.1), including but not limited to uses such as **warehouse or distribution centres, storage premises, business premises,** and **general industries**.

8.1.4. Intent of this Chapter

The intent of this DCP Chapter is to:

a. Promote and facilitate the efficient use of developable industrial land in the Maitland LGA and facilitate employment opportunities.
b. Facilitate industrial-based economic development opportunities within the E3 Productivity Support and E4 General Industrial zones.
c. Ensure that industrial development within the Maitland LGA gives due regard to site constraints and opportunities.
d. Ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of industrial developments, including energy efficiency, adaptability for future technologies, and minimisation of environmental impacts.
e. Limit conflicts between industrial zones and neighbouring residential areas.

8.1.5. Application Requirements

In addition to addressing the relevant matters from other chapters, Appendix A: Application Requirements – Other Development/Appendix B: Application Requirements – Minor Development, and any other matter required under other legislation or regulations, the following details should be provided as part of a Development Application for development subject to the controls of this Chapter:

a. Detailed Project description including the manufacturing processes involved,
b. Handling processes,
c. Any potentially hazardous development or potentially offensive development forming part of the development,
d. Expected annual throughput and production,
e. Proposed bulk storage areas including for hazardous materials (e.g. chemicals, fuels, oils, etc),
f. Material import and export amounts and probable routes,
g. Fire safety and other safety measures for buildings and storage areas, and
h. Whether any other licence or approval is required under other legislation, and details relating to obtaining the relevant licence or approval.

8.2. Design Requirements

8.2.1. Setbacks and Streetscape

Objectives

O.1 To ensure that industrial developments maintain an appropriate relationship with the streetscape and surrounding areas.
O.2 To minimise the visual impact of industrial buildings on the streetscape while promoting an attractive and functional street frontage.
O.3 To ensure setbacks provide adequate space for landscaping that contributes positively to the streetscape.
O.4 To mitigate potential impacts of industrial developments on adjoining sensitive areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
- O.1
- O.2
- O.3

Setbacks for development subject to this Chapter are to be provided in accordance with **Table 8.1** below:

Table 8.1: Minimum setbacks

DEVELOPMENT TYPE	FRONT SETBACK	SECONDARY SETBACK	SIDE SETBACK	REAR SETBACK
Development under this Chapter	5m	3m	In compliance with the Building Code of Australia.	In compliance with the Building Code of Australia.
Development under this Chapter adjoining a residential, conservation, or recreation zone	5m	5m[1]	5m[1]	5m[1]

Note:
1. The additional setback here is to allow for adequate landscaping required under PC.5 of this section.

PC.2
- O.3

Excluding the access driveway, all of the front setback area must be landscaped and consist of deep soils with a minimum of 1 tree (6m - 8m mature height) per 15m² of deep soil.

PC.3
- O.2

Car parking and storage areas must be located behind the front setback and not encroach upon required landscaping in order to maintain a clear and attractive street frontage.

PC.4
- O.1
- O.2
- O.3
- O.4

Access driveways are to have a minimum width of 6m.

Note: Developments with over 50 traffic movements per day may be required to have a wider access, subject to site merits and the nature of the movements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.4	Where a proposal for development under this chapter adjoins a residential, conservation, or recreation zone, a vegetation buffer is to be provided along the relevant property boundary. This vegetation buffer is to be a minimum width of 3m and is to screen the industrial development at maturity.

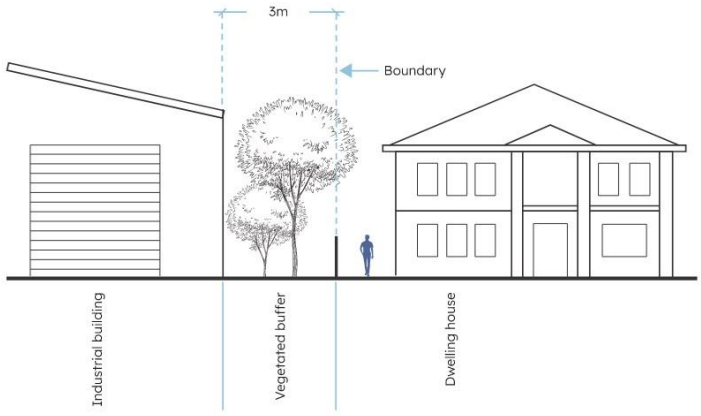


Figure 8-1: Vegetation buffer provision

8.2.2.Building Design

Objectives

O.5 To ensure that industrial buildings are designed to be visually attractive and use high-quality materials and finishes.

O.6 To minimise the bulk and scale of buildings and blank walls through articulation, varied materials, and architectural features.

O.7 To integrate sustainable design principles, including Ecologically Sustainable Design (ESD), to improve energy and water efficiency, natural ventilation, and the overall environmental performance of industrial buildings.

O.8 To ensure that building design includes appropriate treatment of rooflines, loading areas, plant, and equipment to minimise visual and amenity impacts on surrounding properties and public spaces.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5	Office components of industrial developments are to be located at the front of the building, with the design integrated into the overall façade to contribute to streetscape quality, activation and provide passive surveillance.
PC.2 • O.6	Walls exceeding 15m in length or 4m in height will be articulated, landscaped, or treated with architectural features such as projections, recesses, windows, or material and colour variations to provide visual relief. **Note:** Window openings are discouraged as a treatment along side elevations.
PC.3 • O.5 • O.6	Buildings are to incorporate a mix of materials and colours to reduce the visual impacts of buildings and integrate with the surrounding built form and street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.8	Rooftop and exposed structures, such as plant rooms, air conditioning units, and exhaust systems are to be integrated within the building design where visible from the street, residential areas, or public spaces.
PC.5 • O.8	Loading areas, driveways, rubbish storage, and rooftop equipment must not be located adjacent to residential, conservation, or recreation zones.
AS.2 • O.6	Developments are encouraged to incorporate circular economy principles by using recyclable or sustainable materials in construction, and by designing buildings to allow for future adaptability and material reuse.

8.2.3. Impervious area

Objectives

O.9 To ensure that impervious surfaces are balanced with a degree of unbuilt area to reduce urban heat island effect and allow for adequate landscaping.

O.10 To ensure industrial uses can meet requirements relating to landscaped area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.9 • O.10	Impervious area for development under this Chapter is to be a maximum of 90% of the site area. **Notes** 1. Maximum impervious area means the proportion of a site area covered by surfaces that water is unable to penetrate. This includes, but is not limited to, buildings, driveways, sheds, and garages. However, the following are not included for the purpose of calculating maximum impervious area: a. any basement that has more than 1m deep soil coverage, b. any part of an awning that is outside the outer walls of a building and that adjoins the street frontage or other site boundary, c. any eaves. 2. The remaining uncovered balance of the site is to consist of landscaped area.

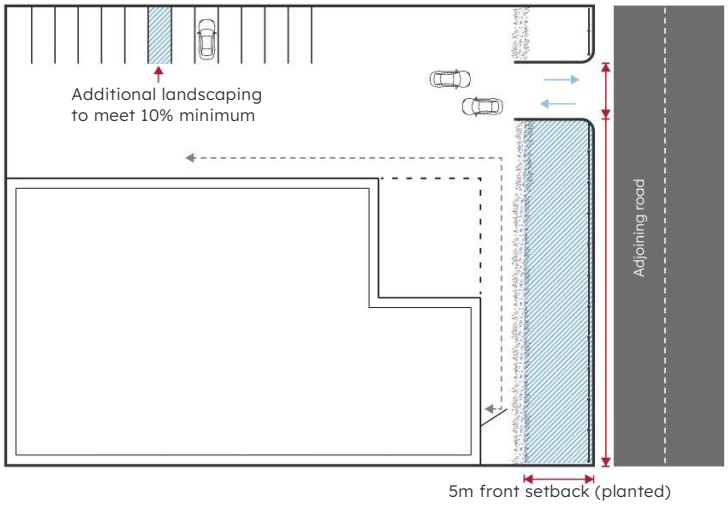


Figure 8-2: Impervious Area – 90% Site Coverage

8.2.4. Landscaping

Objectives

O.11 To provide landscaping to improve and complement the appearance of industrial developments and enhance streetscape.
O.12 To contribute to the Maitland Environmental Sustainability Strategy's target of achieving 30% tree canopy cover across the LGA.
O.13 To provide functional areas of planting that enhance the presentation of a building, provide amenity, cooling and shade, and contribute to overall streetscape character.
O.14 To promote the use of durable, low-maintenance plant species suitable for industrial environments, ensuring longevity and cost-effectiveness.
O.15 To help create a greener industrial park environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.11	A detailed landscape plan is to be submitted as part of development, in accordance with the requirements under Appendix A: Application Requirements – Other Development.
PC.2 • O.11 • O.12 • O.13	Trees of appropriate species for the local environment (in accordance with the **Maitland Tree Species List**) are to be planted within the following areas to provide canopy cover, shading, biodiversity connectivity, and visual screening at maturity: a. the front setback area, being 5m at a minimum, b. the secondary setback area, being 3m at a minimum (where applicable), and c. the side and rear setbacks, where visible from, or adjoining, residential, conservation, recreation, or public facing areas. **Note**: Consideration is also to be given to the requirements of Section 3.4.2 and 3.4.3 of Chapter 3: Site Requirements of this DCP.
PC.3 • O.13 • O.14	Landscaped areas must include functional plantings, such as trees and shrubs, that provide shade, cooling, and enhance the appearance of the streetscape.
PC.4 • O.12	Where an industrial development adjoins a biodiversity corridor or natural area, landscaping is to be appropriately located to enhance connectivity and biodiversity outcomes.
AS.1 • O.14 • O.15	All landscaped areas are encouraged to use low-maintenance, durable and drought resilient plant species in accordance with the **Maitland Tree Species List**, alongside automated watering systems that are suitable for industrial environments to ensure longevity and reduce maintenance needs.
PC.5 • O.13	A physical barrier kerb is to be constructed between all landscaped areas, and areas for the standing or manoeuvring of vehicles on the site.

8.2.5. Fencing

Objectives

O.16 To ensure that the design and location of fencing is integrated within the overall development and is suitable for its purpose and setting.
O.17 To ensure that fencing provides necessary security and is constructed to a high standard, complementing the landscape design and contributing to an attractive streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16	Fencing along street frontages is to be open style fencing that does not obstruct views of the landscaped areas or reduce passive surveillance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.17	Front fencing is limited to a maximum height of 1.8m.
AS.1 • O.17	Palisade fencing is encouraged for street frontages to provide security while maintaining an open and visually appealing design.
AS.2 • O.17	Where security fencing exceeds 1.8m in height, it should be located behind the front setback to minimise visual impact on the streetscape.

8.2.6. Signage

Objectives

O.18 To ensure that signage is carefully integrated into the design of industrial developments and used as a positive design element.
O.19 To allow the display of information identifying the premises, the business, and the activity conducted on the site.
O.20 To ensure a coordinated and consistent approach to signage where multiple tenancies or businesses occupy a site, preventing visual clutter.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.18	All signage is to be designed as an integral part of the overall development, enhancing the building design and contributing positively to the streetscape.
PC.2 • O.18 • O.19	Signage must be contained within the site boundaries and limited to information directly related to the business or activity conducted on the site.
PC.3 • O.20	In multi-tenanted developments, signage is to be coordinated through a single directory board or free-standing sign at the entrance of the development, avoiding individual signs for each business at the frontage.
PC.4 • O.18	The size of signs must be proportional to the building and must not dominate or detract from the development's architecture or surrounding landscape.
PC.5 • O.18	Illuminated signs are to be designed to minimise glare and light spill onto adjoining properties and public spaces.
PC.6 • O.18	No signage is to be provided higher than the building roof line of any building within the development.

8.2.7.Sustainable Design

Objectives

O.21 To ensure building orientation maximises solar access and natural cross ventilation, promoting energy efficiency and occupant comfort.
O.22 To encourage the integration of energy-efficient systems and materials to reduce the overall environmental impact of industrial developments.
O.23 To support the future adaptability of industrial buildings by incorporating design features that facilitate the installation of renewable energy generation and low-carbon technologies.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.21	Where ancillary office spaces are provided, buildings are to be oriented to maximise solar access and natural cross ventilation wherever possible to improve energy efficiency and occupant comfort.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.22	Developments must incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.
PC.3 • O.23	Developments must demonstrate future adaptability for the installation of renewable energy generation systems such as solar panels and the use of low-carbon technologies.
AS.1 • O.21 • O.22	Developments exceeding 5,000m² gross floor area are encouraged to achieve the equivalent of a minimum 4-Star Rating under the Green Building Council of Australia's Green Star Rating tool or a similar rating system, such as the National Australian Built Environment Rating System (NABERS).

8.2.8. Waste Management and Circular Economy

Objectives

O.24 To incorporate well-designed and innovative waste and recycling facilities at the building design stage to support effective waste management.

O.25 To encourage the development of circular economy infrastructure, including reuse and repair facilities, sharing and leasing services, and community recycling centres.

O.26 To minimise the amount of waste generated and sent to landfill through effective waste separation and resource recovery systems.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.24 • O.26	All developments subject to this chapter must include a designated general waste / recycling storage area or room(s) that: a. Is located adjacent to on-site waste collection points, b. Is integrated into the building's design and is setback from the front building line, c. Provides convenient facilities for separation of recyclable material, general waste, and other waste with sufficient space for all bins, d. Has a floor area at least 50% larger than the size of the bins and/or equipment, e. Have a smooth graded ground surface, f. Is well ventilated and adequately lit, g. Is suitably enclosed, covered, and maintained to prevent polluted wastewater runoff and unpleasant odours, h. Is designed to prevent vermin, i. Has access to an external water tap adjacent to the storage area, j. Provides a drain in the bin storage area discharging to a sewer connection (where relevant), and k. Is adaptable to changes in waste generation rates and types of waste produced.
PC.2 • O.24 • O.26	Waste collection points are to be included within the development and must be designed to allow safe and efficient access for waste collection vehicles, ensuring that vehicles can enter and exit the site without disrupting traffic or pedestrian flow.
AS.1 • O.24 • O.25 • O.26	Developments over 5,000m² GFA are encouraged to incorporate well-designed and innovative waste and recycling facilities that support circular economy activities, such as reuse and repair facilities, community recycling centres, and other initiatives that maximise resource recovery.

8.2.9. Multi-Unit Industrial Development

Objectives

O.27 To ensure that all industrial activities are conducted within the building or within dedicated areas to minimise adverse impacts on surrounding properties and the environment.

O.28 To encourage high-quality site design and flexibility within common property for access, landscaping, waste servicing, parking, and loading areas in strata subdivisions.

O.29 To help ensure that multi-unit industrial developments are adequately provisioned for in regards to parking, loading zones, and servicing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.27	All proposed activities must be contained within the tenancies of each building or appropriately located and identified outdoor areas, including any storage areas. Any outdoor areas must be located away from sensitive receivers, such as residential areas, and be screened from view.
PC.2 • O.27	Trade waste must be stored inside each unit or in a designated, communally managed storage area. The location of trade waste storage must not interfere with parking or vehicle manoeuvring areas and must be screened from public view.
PC.3 • O.28	Landscaping, access areas, and car parking are to be included as common property in any strata subdivision.
PC.4 • O.29	Where the specific future use is unknown, applicants are to nominate a theoretical use for each tenancy.



Maitland DCP 2026

Chapter 9: Rural and Other Land Uses

maitland CITY COUNCIL

Table of Contents – Chapter 9: Rural and Other Land Uses

9.1. Introduction **3**
9.1.1. Application 3
9.1.2. Relationship to other Chapters 3
9.1.3. How to use this Chapter 3
9.1.4. Intent of this Chapter 4
9.2. Rural Land Uses **5**
9.2.1. Intensive Agriculture (Livestock and Plants) 5
9.2.2. Rural Industries (Turf Farms) 6
9.2.3. Farm Buildings and Ancillary Structures 7
9.2.4. Flood Mounds 7
9.2.5. Farm Dams 8
9.2.6. Garden Nurseries 9
9.2.7. Farm Gate Premises and Farm Experience Premises 9
9.2.8. Roadside Stalls 11
9.3. Agritourism **11**
9.3.1. Farm Stay Accommodation 11
9.3.2. Eco-tourist Facilities 13
9.4. Other Land Uses **15**
9.4.1. Temporary Use of Land 15
9.4.2. Animal Boarding and Training Establishments 16
9.4.3. Extractive Industries 17
9.4.4. Renewable Energy 20
9.4.5. Places of Public Worship 21
9.4.6. Cemeteries and Crematoriums 21
9.4.7. Exhibition Homes and Villages 22
9.4.8. Sex Services Premises and Restricted Premises 24

9.1. Introduction

9.1.1. Application

Section 9.2 of this Chapter primarily relates to land uses within the rural context, being the RU1 Primary Production zone and RU2 Rural Landscape zone. Section 9.3 specifically relates to the land uses of **farm stay accommodation** and **eco-tourist facilities.** Section 9.4 generally applies to all land to which the named land uses are permissible with consent under the *Maitland Local Environmental Plan (MLEP) 2011*.

9.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development

Depending on where the site is located, the following area plans and associated additional development controls may also apply to a development:

- Chapter 10: Special Precincts, Locality Plans and Urban Release Areas

Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

9.1.3. How to use this Chapter

This Chapter has been organised to create three distinct sections:

Rural Land Uses

This section provides controls relating to a series of different rural land uses common throughout the Maitland LGA and seeks to provide additional guidance in the effective and efficient management of rural structures and operations. Additionally, it seeks to action the principles of Maitland's *Rural Land Strategy 2041* to assist in fostering a diverse and resilient rural economy.

Note: Uses within this section should provide a Land Use Conflict Risk Assessment (LUCRA), which is to be prepared in accordance with NSW Department of Primary Industries and Regional Development (DPIRD, formerly DPI) Land Use Conflict Risk Assessment Guide (or as amended), that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact.

Additionally, in the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

Agritourism

This section addresses agritourism within the rural, environmental, and tourist zones of the Maitland LGA, seeking to provide further guidance for applicants around Council's expectations for these types of facilities, notably farm stay accommodation and eco-tourist facilities.

Note: Uses within this section should provide a Land Use Conflict Risk Assessment (LUCRA), which is to be prepared in accordance with NSW Department of Primary Industries and Regional Development (DPIRD, formerly DPI) Land Use Conflict Risk Assessment Guide (or as amended), that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact.

Additionally, in the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

Other Land Uses

This section provides controls for a variety of different land uses that do not comfortably fit within one of the other chapters of the DCP yet still require some form of guidance to be provided. The structure of the controls and acceptable solutions reflects either the rarity, complexity, or other planning pathways available for these kinds of development.

Note: In the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.

9.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To promote the efficient use of developable rural land resources in the Maitland LGA,
b. To ensure that any rural development does not impede on the environmental integrity of the surrounding land,
c. To ensure that land use conflict risks between rural developments and surrounding land uses are avoided and/or appropriately mitigated,
d. To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to future development applications, and
e. To facilitate and enhance a range of rural land uses whilst maintaining the agricultural and scenic environmental qualities of the locality.

9.2. Rural Land Uses

9.2.1. Intensive Agriculture (Livestock and Plants)

Objectives

O.1 To ensure that commercial farming is appropriately sited, operated and managed to avoid land use conflict and environmental impacts.
O.2 To set out Council's requirements for the establishment and operation of turf farms and other intensive agricultural businesses.
O.3 To ensure that existing residences and other sensitive receiving environments, including conservation areas and aquifers, are not adversely affected by intensive agricultural activities.
O.4 To minimise land use conflict through provision of land use buffers, land use regulation and encouragement of best practice in rural land practices.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

AS.1
- O.1
- O.3
- O.4

Land use buffers are to be implemented in instances where an intensive agriculture use falls within the evaluation distances for sensitive receptors, generally being non-rural development, including residential dwellings, schools, places of worship, public parks and workplaces. These evaluation distances are subject to additional odour and noise assessment and are provided in **Table 9.1** below:

Table 9.1: Agricultural land use buffers

AGRICULTURAL LAND USE	EVALUATION TRIGGER DISTANCE
Pig Farms (indoor and outdoor) *Less than 200 pigs	1000m 500m*
Poultry (broiler and eggs) indoor and outdoor *Less than 1,000 birds	1000m 500m*
Dairies	500m
Cattle feedlots *Less than 50 head of cattle	1000m 500m*
Sheep or goat feedlots	500m
Rabbits	150m
Other intensive livestock	250m
Stock yards	200m
Outdoor cropping/sugar cane/turf farms	300m
Outdoor horticulture	250m
Protected cropping (e.g. greenhouses)	250m
Silos/grain storage bunkers	100m
Fan assisted silos (e.g. macadamia nuts)	300m

Note: Further information, including additional guidance around proposed land use buffers are provided in NSW DPIRD's Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (or as amended).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	As a guide, a minimum separation distance of 60 metres is recommended for intermittent noise, and 500 metres for continuous noise.[1] Alternative measures may be required to mitigate noise impacts.
PC.1 • O.3	Where the operation of the proposed development requires the application or use of chemicals, measures must be implemented to ensure that no chemical or spray drift will enter adjoining property.
PC.2 • O.1 • O.2 • O.3	An Agricultural Property Management Plan is to be prepared in accordance with Appendix A: Application Requirements – Other Development.

9.2.2. Rural Industries (Turf Farms)

Objectives

O.5 To ensure that rural industries are compatible with the rural environment.
O.6 To minimise any adverse impact of rural industries on surrounding properties.
O.7 To manage potential solid and liquid waste from rural industry to protect the natural environment and water systems.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5 • O.7	Planting/landscaping with a minimum depth of 3m is to be used to screen buildings from the roadway and from neighbouring dwellings. A Landscape Plan will be submitted that identifies the location and species to be planted. The species is to be suitable to adequately screen the use at maturity stage.
PC.2 • O.5 • O.6	Outdoor storage yards are to be located behind buildings or screen walls so they are not visible from a public place or neighbouring property. Screen walls are to be compatible with respect to design, materials used and colours of buildings on site. Earth mounding and landscaping can also be used.
PC.3 • O.7	Proposals must demonstrate they will not give rise to offensive noise as defined in the Protection of the Environment Operations Act and complies with the NSW Noise Policy for Industry.
PC.4 • O.7	Any future proposed development should be in accordance with NSW DPIRD's *Prime Fact (February 2014 No 1320 Planning for Turf Farms)* (or as amended).
AS.1 • O.6 • O.7	Where the proposed use of the site is odour generating, an Odour Impact Assessment will be required.
PC.5 • O.6 • O.7	A Water Cycle Management Plan (WCMP) detailing how water will be sourced, stored, used, treated and recycled for the agricultural operation must be provided with any development application. The WCMP must demonstrate that the operation will not significantly impact on the total water cycle beyond the boundaries of the site.
PC.6 • O.6	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

[1] Planning Guidelines – Separating Agricultural and Residential Land Uses (QLD Department of Natural Resources 1997).

9.2.3. Farm Buildings and Ancillary Structures

Objectives

O.8 To minimise the visual impacts on rural and scenic landscape character of Maitland LGA.
O.9 To ensure that farm buildings & ancillary structures are of a size, height & bulk that is suited to the site area.
O.10 To ensure that farm buildings are located to have minimum adverse impact on the environment and on the potential use of the land for agriculture.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8	All farm buildings must be ancillary to an agricultural use being undertaken on the land on which it is situated.
AS.1 • O.10	Farm buildings should be sited in clusters in order to minimise the amount of land occupied by development. Adequate evidence to Council's satisfaction is to be provided regarding operational need for any farm building provided away from existing buildings.
PC.2 • O.10	The minimum setback for farm buildings from any road is 20 metres.
PC.3 • O.10	The minimum side and rear boundary setback for farm buildings is 10 metres.
PC.4 • O.10	Cut and fill must be kept to a minimum and slope of batter is not to exceed 10%. The toe of the batter is to not be within 10 metres of the setback.

9.2.4. Flood Mounds

Objectives

O.11 To strike a balance between the positive social and economic impacts gained by the establishment of a flood mound (or fill pad) and the adverse environmental, hydraulic (including displacement of floodwater), amenity, scenic/visual, natural resource, heritage and built environment impacts of the development.
O.12 To ensure flood mounds or fill pads are appropriately designed and constructed to facilitate safe and efficient evacuation and to complement the landscape and local character.
O.13 To ensure that flood mounds provide for safe emergency refuge and are not sized in a manner that creates elevated grazing pastures.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.12	A livestock holding capacity calculation is required for the land. The flood mound or fill pad area must relate to the livestock holding capacity of the land (in Dry Sheep Equivalent (DSE)) or other lawful land use.
PC.2 • O.12	Stock refuge area is to be calculated in accordance with the *NSW Prime Facts publication Edition #961 'Rural Development Guidelines* (October 2009).
PC.3 • O.12 • O.13	Turning diagrams, driveways, yards/fencing, farm buildings, dwellings and ancillary storage areas are to be shown on a site plan to demonstrate the sizing needs of the mound.
PC.4 • O.12	Flood mounds or fill pads are to be set back from any property boundary **and/or** dwelling not positioned on the flood mound in Rural or Conservation zones in accordance with **Table 9.2**.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Table 9.2: Flood Mound Setbacks **FLOOD MOUND SIZE** / **MINIMUM SETBACK TO BOUNDARIES AND/OR OTHER DWELLINGS** **<1,000m²** — 20m **≥1,000-2,500m²** — 25m **>2,500m -10,000m²** — 50m **>10,000m²** — 100m
PC.5 • O.11 • O.12	Sufficient passage of water is to be maintained under the driveway and no floodway is to be obstructed.
AS.1 • O.11	Flood mound batters should have a maximum gradient of 1:4. 1:5 gradient batters may be requested by Council to offset identified visual and amenity impacts.
PC.6 • O.12	Where within 10m of the toe of a levee or drainage channel, the design is to comply with Department of Environment, Climate Change and Water's Hunter Valley Flood Mitigation Scheme Development in the Hunter Valley Flood Mitigation Scheme. Landscaping is to consist of small shrubs within 10m of the levee toe.
PC.7 • O.13	The top of a flood mound is to be fenced in a rural style (e.g. timber and post rail, wire) to provide safe refuge for livestock.

9.2.5. Farm Dams

Objectives

O.14 To ensure that farm dams are constructed and sited to be stable and have minimal environmental impact.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.14	The envelope for a farm dam must not be located on land with a gradient exceeding 15%.
PC.2 • O.14	In addition to the standard requirements under Appendix A: Application Requirements – Other Development, a site plan for a farm dam is to include details around slope, proposed spillway channels, spillway outlets, trickle pipes, and any disposal areas.
AS.1 • O.14	If required under the *Fisheries Management Act 1994* to provide for fish passage, any new dam or modification to an existing dam are to include an adequate design solution, such as locks, vertical slot, rock ramps or cone/trapezoidal weirs.

9.2.6. Garden Nurseries

Objectives

O.15 To ensure nurseries are sympathetic to the rural character of the area.
O.16 To appropriately separate nurseries from adjoining sensitive land uses in order to minimise visual impacts and land use conflicts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.15	Site planning should provide adequate area for landscaping buffers, dams and/or rainwater tanks, wastewater treatment, water quality treatment, driveways and parking areas, and sanitary facilities for staff and customers.
AS.2 • O.16	As a general guide, garden nurseries should be setback a minimum of 10m from any boundary. Should this control be varied, a Visual Impact Assessment is to be prepared by a suitably qualified person that satisfies O.16 of this Section.
PC.1 • O.15	External storage areas, including bulk bin storage, are to be: a. located behind the front building line, b. setback a minimum of 10 metres from side and rear boundaries, and c. landscaped with foliage to screen any storage items and structures.
AS.3 • O.16	Noise generating components of the development such as loading and unloading areas, cafes, and children's play areas should be sited to limit the potential for land use conflicts with neighbouring sensitive land uses.
PC.2 • O.15 • O.16	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.2.7. Farm Gate Premises and Farm Experience Premises

Objectives

O.17 To allow for tourism and related commercial uses at a scale that does not adversely affect the principal use of land for primary production.
O.18 To ensure farm gate premises and farm experience premises do not detract from existing environmental values, scenic values, infrastructure and adjoining land uses.
O.19 To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from farm gate premises and farm experience premises.
O.20 To provide for the sale of locally grown and manufactured produce in appropriate rural locations.
O.21 To adequately provide services and facilities for visitors and guests on the property, including accessible facilities.
O.22 To manage the number of visitors to a landholding to address cumulative effects of traffic on roads.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.17 • O.18 • O.19 • O.20	The gross floor area of a building (or part of a building) for **farm gate premises** or **farm experience premises** is not to be more than 300m^2.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.17 • O.18 • O.19 • O.20	The total footprint of all buildings used for farm gate premises and farm experience premises on the landholding is not to exceed 600m^2.
PC.3 • O.18 • O.19	The height of a building for farm gate premises or farm experience premises is not to exceed 10 metres.
PC.4 • O.19	The hours of operation for farm gate premises are: a. 8am to 5pm Sunday to Friday and public holidays, and b. 7am to 6pm on Saturdays.
PC.5 • O.19	The hours of operation of farm experience premises are: a. 8am to 6pm Sunday to Thursday and public holidays, and b. 7am to 12am Friday and Saturday.
PC.6 • O.17 • O.18 • O.22	The maximum number of visitors to **farm gate premises** is not to exceed 120 on a landholding at any one time.
PC.7 • O.17 • O.18 • O.22	The maximum number of visitors to **farm experience premises** is not to exceed 100 on a landholding at any one time.
PC.8 • O.17 • O.18 • O.22	The maximum number of visitors to combined **farm gate premises** and **farm experience premises** is 110 on a landholding at any one time.
PC.9 • O.18 • O.19	**Farm experience premises** are limited to 54 events per year, including a maximum of 6 events per year after 6pm that have amplified noise.
PC.10 • O.21	Adequate toilet facilities are to be provided. At least one toilet must be a unisex accessible toilet.
PC.11 • O.18 • O.19	Amplified noise for farm gate premises and farm experience premises must be a maximum of 40 dB at the closest residential dwelling on a neighbouring allotment.
AS.1 • O.18 • O.19	Farm gate premises and farm experience premises should be setback a minimum of 10m from any boundary. Should this control be varied, a Visual Impact Assessment is to be prepared by a suitably qualified person that satisfies O.18 and O.19.

9.2.8. Roadside Stalls

Objectives

O.23 To ensure roadside stalls are in keeping with the rural environment and do not distract road users from safe driving practices.
O.24 To ensure access to and from roadside stalls occurs in a safe manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.23	The maximum height of a roadside stall is 3 metres.
PC.2 • O.23	A roadside stall must be located within the boundaries of the landholding.
PC.3 • O.24	A vehicle access point from the property to a public road is to comply with *AS/NZS 2890.1: 2004 Parking facilities - Off-street car parking*.
AS.1 • O.24	Car parking spaces may be located on a road verge or fully within the boundaries of the property and should be provided for at least three vehicles.

9.3. Agritourism

9.3.1. Farm Stay Accommodation

Farm stay accommodation means a building or place that is:
a. On a commercial farm, and
b. Ancillary to the farm, and
c. Used to provide temporary accommodation to paying guests of the farm, including in buildings or moveable dwellings.

Objectives

O.25 To diversify the uses of agricultural land for tourist-style accommodation without adversely impacting the principal use of the land for primary production.
O.26 To ensure farm stay accommodation does not detract from existing environmental values, scenic landscape values, infrastructure and adjoining land uses.
O.27 To protect the amenity and privacy of adjoining properties, including visual and acoustic privacy, from farm stay accommodation.
O.28 To provide accessible farm stay accommodation suitable for people with disability or limited mobility.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.25 • O.26	Farm stay accommodation that comprises of moveable dwellings (tents, caravans, camper trailers, tiny houses) is to be on a landholding that is a minimum of 10 hectares. **Note:** The Codes SEPP requires a minimum 15ha landholding size for exempt development.
PC.2 • O.25 • O.26	A building or manufactured home for farm stay accommodation (except the use of existing residential accommodation or a manufactured home) is to be on a landholding that is a minimum of 10 hectares. **Note:** The Codes SEPP requires a minimum 15ha landholding size for complying development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.25 • O.26 • O.27	Farm stay accommodation, including buildings and moveable dwellings, is limited to: a. a maximum of 50 guests at any one time on a landholding, and b. a maximum stay for guests of 28 consecutive days. **Note:** The Codes SEPP allows a maximum 20 guests in moveable dwellings as exempt development and allows two guests over the age of 12 years in a building or manufactured home that does not have bedrooms, or guests over the age of 12 years that total two times the number of bedrooms in a building or manufactured home as exempt or complying development. The Codes SEPP also allows a maximum 21 consecutive days of stay for farm stay accommodation as exempt or complying development.
PC.4 • O.25 • O.26 • O.27	The maximum number of buildings and manufactured homes used for farm stay accommodation on a landholding is 10. **Note:** The Codes SEPP allows a maximum six buildings and manufactured homes as exempt or complying development.
PC.5 • O.25 • O.26 • O.27	The maximum number of moveable dwellings used for the purposes of farm stay accommodation on a landholding is 10. **Note:** The Codes SEPP allows a maximum of six campervans, caravans and other similar moveable dwellings on a landholding as exempt development.
PC.6 • O.25	To address fire safety: a. buildings are to be separated from other buildings by a minimum 15 metres, and b. moveable dwellings are to be separated from buildings and other moveable dwellings (except tents and similar portable and lightweight temporary shelters) by a minimum 10 metres.
PC.7 • O.26 • O.27	The gross floor area of a new building or manufactured home for farm stay accommodation must not be more than 40m^2.
PC.8 • O.26 • O.27	The gross floor area of part of an existing building or manufactured home used for farm stay accommodation must not be more than 60m^2. **Note:** The Codes SEPP allows a maximum 60m2 gross floor area for a change of use of a building or part of a building, for a new building or for alterations and additions to an existing building or manufactured home as farm stay accommodation under complying development.
PC.9 • O.26 • O.27	The height of a moveable dwelling used for farm stay accommodation is not to exceed 5 metres. **Note:** The Codes SEPP allows a maximum height of 4.5m as exempt development.
PC.10 • O.26 • O.27	The height of a building or manufactured home for farm stay accommodation is not to exceed 5 metres. **Note:** The Codes SEPP allows a maximum height of 4.5m for a new building or for alterations and additions to an existing building or manufactured home that has a height less than 4.5m under complying development, and the height of an existing building or manufactured home that is over 4.5m cannot be increased.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.25 • O.27	Where reticulated water is not available, a minimum of 20kL of water is to be provided in addition to that required for the dwelling house on the property and for firefighting purposes if on bush fire prone land.
PC.12 • O.28	One toilet per manufactured home in farm stay accommodation and/or one toilet per four persons for moveable dwellings on the landholding is to be available in an accessible location. At least one toilet must be a unisex accessible toilet.
PC.13 • O.25	A building or manufactured home for farm stay accommodation (except for the use of an existing dwelling for farm stay accommodation) must be on the same lot as an existing lawful dwelling house.
PC.14 • O.26 • O.27	Manufactured homes and moveable dwellings are to be sited in clusters in order to minimise the amount of land occupied by development.
PC.15 • O.25 • O.26	A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.3.2. Eco-tourist Facilities

MLEP 2011 Clause 5.13 - Eco-tourist facilities set out the requirements for specialist forms of tourist and visitor accommodation and ancillary uses. A prominent feature of an eco-tourist facility is the general higher bar to define a site as such, especially when compared to other forms of tourist and visitor accommodation within rural and environmental zones.

Eco-tourist facilities are permitted in rural and environmental zones, including potentially on land where a dwelling (and therefore some tourist and visitor accommodation) is prohibited. Applicants cannot define a small-scale tourist development as an eco-tourist facility as a means to achieve a prohibited use.

The legislative requirements for eco-tourist facilities are set out in detail under the MLEP 2011 Clause 5.13 and additional controls are provided in the DCP section below.

Objectives

O.29 To enhance and protect the environmental and/or cultural values of the Maitland LGA within its rural and environmental zones.
O.30 To ensure that eco-tourist facilities carry out sustainable practices through harmony with nature.
O.31 To minimise land use conflict between eco-tourist facilities and rural land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.29 • O.30 • O.31	The Statement of Environmental Effects (SEE) accompanying the proposed development is to demonstrate how it satisfies the existing environmental and/or cultural values of the local context. An environmental and/or cultural value should: a. Be a dominant aspect of the development proposal and not ancillary to the provision oftourist and visitor accommodation or other tourist facilities. b. Be locally or regionally significant. c. Not necessarily need to be on the subject land but ideally are within 3km drive of the subject land (e.g. adjacent wetlands). d. Be demonstrated through a significant component of information, education and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	interpretation of these values. This requires significant investment in dedicated spaces and/or buildings for education and/or a clear program and activities that are clearly linked to the local environmental or cultural values as a key feature of the proposed development. e. Not single out one environmental or cultural aspect for protection and enhancement whilst having significant impacts on other key values of the land. There needs to be a holistic approach to the land character, values and cultural history and associations.
PC.1 • O.31	An eco-tourist facility is to have a minimum of: a. 100m setback from the front and side property boundaries, and b. 50m setback from the rear property boundary
PC.2 • O.29 • O.31	An NSW DPI Land Use Conflict Risk Assessment (or as amended) is to be provided as part of the application.
AS.2 • O.29 • O.30	Eco-tourist facilities are to integrate water-saving measures, which may include a combination of mechanisms, such as rainwater harvesting and high quality on-site effluent management systems.
PC.3 • O.29 • O.30	Sensitive landforms are to be protected by ensuring that proposed development is: a. Situated away from steep areas, b. Avoiding development that requires significant cut and/or fill, c. Viably integrating, protecting, and embellishing native trees and vegetation, d. Ensuring that access roads are minimised by clustering buildings, and e. Minimising light spill at night.
PC.4 • O.29 • O.30	A Waste Management Plan is to be provided that includes circular economy measures to minimise waste.
PC.5 • O.29	An Operational Plan of Management is to be provided alongside the proposed development that captures the scope of Clause 5.13 of the MLEP 2011 and demonstrates how it satisfies ISO14000 – Environmental Management Systems.

9.4. Other Land Uses

9.4.1. Temporary Use of Land

Objectives

O.32 To ensure applicants provide adequate information to address a temporary use of land within a development application.
O.33 To provide guidelines for best practice for the appropriate location and management of events.
O.34 To ensure public health and safety is maintained during temporary events.
O.35 To limit the possibility that an unacceptable impact occurs to the community or local environment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.32 • O.33	A Site Plan is to be provided that includes the location of the event, the location of all structures, to scale with distances to boundaries.
PC.2 • O.32 • O.33 • O.34 • O.35	The SEE must address the following: a. Description of event. b. Date and times of event opening and closing & daily schedules. c. Event promotion, ticketing, and capacity d. Any temporary buildings or structures. e. Date and times of set up/removal and hours of operation. f. Details of music, amplification or other potential noise emissions. g. Alcohol licensing and requirements. h. Lighting and signage. i. Details and location of food sold/served/provided, including premises setup. j. Details of parking, including owner's permission if off-site. k. Details of amenities e.g. water, toilets and sewerage management. l. Details of waste management including general garbage and recycling. m. Power & water supply.
PC.3 • O.32 • O.33 • O.34 • O.35	A Traffic Management Plan is to be provided. The Traffic Management Plan (TMP) must include the following components: a. Proposed route b. Traffic Control Plan c. Contingency (Incident) Plan d. Proposed advertising for traffic changes e. Parking Plan with site layout, traffic circulation directions, ingress and egress. f. Proposed traffic marshalls/ volunteers including number and location of marshalls and location of pedestrian access/crossing. g. Car parking areas will be in accordance with AS 1742.11 and AS 2890.1-2004 *Parking Facilities Part 1: Off – Street car parking* **Note:** Traffic controllers directing traffic or managing traffic on a public road is to be suitably qualified (e.g. RTA Accredited Traffic Controllers Certificate).
PC.4 • O.32 • O.34	If proposed on Council or Crown land, a temporary use of land is to be accompanied with all relevant insurance documentation relevant to the event, including public liability insurance. **Note:** The dollar amount of public liability insurance is variable based on the scale and complexity of each temporary use of land, however a general guide is at least $10,000,000 for an event.
PC.5 • O.32	An Event Management Plan is to be provided as part of the proposed development and must include details on the following:

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.33 • O.34 • O.35	a. Noise, including noise from amplified music, generators etc, b. Waste Management, including details associated with proposed bin system to be utilised including location and type of bins, and proposed disposal of waste material including proposed recycling, c. Food, including compliance with relevant NSW food regulations, location on site and number of employees, waste facilities and associated facilities to be provided. d. First Aid: provision of First Aid personnel is required at all major events. An Australian Standard Complying First Aid Kit must be on hand at all smaller scale events. Any major event must provide details of the event to NSW Ambulance, e. Alcohol: If alcohol is proposed to be served all necessary licences including Responsible Service of Alcohol details must be provided, f. Toilet Facilities, including provision of unisex and inclusive toilet facilities, and g. Potential biosecurity risks and associated mitigation measures, in accordance with NSW DPIRD's *Managing Biosecurity Risks in Land Use Planning and Development Guide* (or as amended).

9.4.2. Animal Boarding and Training Establishments

Objectives

O.36 To ensure that animal boarding and training establishments (including exercise areas) are sited and designed to minimise impacts on adjoining land.

O.37 To avoid/minimise the impacts on the natural environment and rural landscape and amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.36	Animal boarding and training establishments are to be sited and designed to minimise noise and odour impacts on adjoining land. Noise levels from the premises are not to exceed the relevant noise levels set out in the *EPA Noise Policy for Industry 2017* (or as amended) and may require a Noise Assessment from a suitably qualified acoustic engineer. An acoustic report is required to ascertain appropriate front, rear and side setback requirements.
PC.2 • O.36	Applications are to be accompanied with a site plan and details of the location of stables, pens, kennels, aviaries or the like, the number or animals, site distances to adjoining residential properties, and stocking rates, and provide a regular pest control program.
PC.3 • O.36 • O.37	Proposed animal boarding and training establishments must provide a Business and Management Plan that addresses the relevant industry guidelines for the design of these facilities, including mechanisms to manage noise, odour, and the like. Special consideration is to be given to the NSW DPIRD's *NSW Animal Welfare Code of Practice No.5 – Dogs and Cats in animal boarding establishments* (or as amended).

9.4.3. Extractive Industries

Objectives

O.38 To ensure that development is designed to minimise risks associated with geotechnical hazards.
O.39 To ensure that extractive industries adequately address relevant environmental constraints and hazards.
O.40 To provide an effective barrier between quarrying and mining operations and other sensitive land uses.
O.41 To maintain the character and amenity of existing rural land uses.
O.42 To ensure that drainage is naturalised where appropriate and that water quality is maintained at pre-development levels when entering the wider water catchment.
O.43 To facilitate the orderly sequencing of extraction on sites.
O.44 To ensure an appropriate rehabilitation program is implemented for extractive industries over the life of their operations.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Setbacks and Road Access	
PC.1 • O.38 • O.40	Development for the purposes of extractive industry are to adhere to the following minimum setbacks: a. 50m from any property boundary, b. 100m from a property boundary to a National Park, State Forest, or Crown Land, c. 30m from any private road or Right of Way shared with adjoining land holders that are not associated with the proposed development, d. 250m from any private dwelling not associated with the development, e. 40m from the top of the bank of any watercourse or drainage line, and f. An appropriate distance from any utility easement, as determined in consultation with the relevant utility provider. **Note:** Minimum setbacks are measured from the proposed extraction area of an extractive industry, and the setback to a private dwelling is measured to the relevant dwelling.
PC.2 • O.38 • O.40	All internal access roads are to satisfy the following minimum setbacks: a. 30m from any property boundary, b. 40m from the top of the bank of any watercourse or drainage line, and c. 40m from any identified Endangered Ecological Community.
PC.3 • O.43	The primary driveway access for extractive industries development is to have a minimum width of 12m.
PC.4 • O.39 • O.43	A Traffic Impact Assessment prepared for mining and/or extractive industry activities must include the following details in addition to that detailed under Appendix A: Application Requirements – Other Development: a. Estimated average and maximum hourly, daily and weekly truck movements, based upon the truck type and size proposed for the operation, b. Proposed truck routes (for both laden and unladen trucks) and possible alternative routes or other alternative transport modes such a rail transport, c. The physical condition of existing roads and / or bridges on the proposed truck routes to / from the site and any proposals to upgrade public or private roads to reduce dust and other impacts, d. The traffic generation impact of both laden and unladen truck movements along the proposed truck routes to / from the site, e. Potential road safety impacts upon other road users arising from the additional truck movements occurring along the proposed truck routes to / from the site, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	f. Assessment of sight distances for trucks entering / exiting the site and at other key intersections along the proposed truck routes to / from the site.
Stormwater and Drainage	
PC.5 • O.39 • O.42	Drainage from sites is to be conducted in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book). Water discharge is to be directed towards an existing natural watercourse or drainage line on the site, or an off the line sediment basin, and not directly onto any adjoining downstream property (other than within the natural watercourse or drainage line).
PC.6 • O.39 • O.42	Drainage measures are to be employed which direct upstream overland run-off to bypass the extraction site and are to be demonstrated as part of the development's Soil and Water Management Plan (see Section 3.3.3. of Chapter 3: Site Requirements).
PC.7 • O.39 • O.42	All drainage channels must be designed to convey run-off waters at velocities of less than 1m/second for vegetated channels or 0.4m/second for bare earth channels.
AS.1 • O.39 • O.42	Topsoil stockpiles over 3m in height are encouraged to be benched to ensure stability and to include internal drains to minimise soil erosion problems.
AS.2 • O.39 • O.42	Except for detention basins and sediment control dams proposed on site, batter slopes should be no steeper than 1:2 for stable soils or 1:4 for highly erodible soils or lands subject to instability.
PC.8 • O.39 • O.42	Sediment basins are to be designed in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book).
PC.9 • O.39 • O.42	All channels and detention ponds are to be designed to accommodate peak discharge for a minimum 1:20 year average recurrence interval storm event with a 0.5m flood freeboard margin.
Groundwater and Water Quality	
AS.3 • O.39 • O.42	The extraction depth should be to an absolute minimum freeboard level of 2m AHD above the wet weather high groundwater level, in order to help protect groundwater flow patterns and water quality on each extraction area. Extraction depths beyond this are to be supported by a Groundwater Assessment that considers any adverse impact, adjoining groundwater users, and incorporates mitigation measures to the satisfaction of Council.
PC.10 • O.39 • O.42	A Groundwater Impact Assessment Report is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
PC.11 • O.39 • O.42	An Onsite Water Management Plan is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
Air Quality	
PC.12 • O.39	An Air Quality Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.13 • O.39 • O.41	All stockpiles of material are to propose mitigation measures to limit any dust nuisance.
Noise and Vibration	
PC.14 • O.39	A Noise and Vibration Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
Staging and Rehabilitation	
PC.15 • O.38 • O.43 • O.44	A staging of extraction program which shows the progressive extraction and progressive rehabilitation of the site is required. This is to be associated with a staging plan at the same scale of the site plan which shows the sequential staging of proposed extraction works and rehabilitation works with reference to the proposed final landform of the site post-operation.
AS.4 • O.41 • O.44	Topsoil and overburden used for bund walls during the extraction phase for each extraction segment of the development should be stabilised using appropriate native species and rehabilitation under the supervision of an ecologist. The rehabilitation of the cells should include native trees, shrubs and groundcovers which are endemic to the locality, wherever possible.
PC.16 • O.41 • O.44	A rehabilitation strategy is to be submitted as part of the Development Application and is to be produced in accordance with NSW DPIRD's Agriculture Issues for Extractive Industry Development (or as amended).
PC.17 • O.41 • O.44	The final landform of the site post-rehabilitation must integrate with adjoining properties and be designed to achieve a uniform landform on all property boundaries.
PC.18 • O.41 • O.44	A site plan showing the proposed post-rehabilitation land use is required. This site plan is to include the following requirements: a. The nature, location and duration of post – extraction land uses, b. Expected final landform, including drainage lines, and c. Proposed areas designated for the final proposed land use and other areas reserved for revegetation.
PC.19 • O.41 • O.42 • O.44	The remediation of tailing dams post-use and post-operation must prevent any potential leaching into the groundwater table or direct discharge into waters flowing into the downstream watercourse or drainage line.

9.4.4. Renewable Energy

Note: Due to the high capital investment value of solar energy or wind farms, they may be categorised as State Significant Development (SSD). In these circumstances the assessment of the application is undertaken by the NSW Government. To determine if a proposal falls within this category, reference should be made to State Environmental Planning Policy (Planning Systems) 2021. In the event that a proposal falls within the category of SSD, Council will request (during consultation) that consistency with this section of the Development Control Plan is maintained.

Objectives

O.45 To minimise potential land use conflicts between renewable energy uses and rural and environmental areas.
O.46 To ensure that there is no unreasonable interference with the comfort or use of adjoining land, especially strategically important agricultural land.
O.47 To ensure road access, visual impacts, noise, health, waste, construction management and environmental constraints are identified, and sufficient information is included with each development application to enable proper assessment.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.45 • O.46 • O.47	A Site Plan provided for renewable energy development is to demonstrate: a. the position of the proposed solar panel arrays or wind turbines, inverters, battery storages and all construction facilities from site boundaries, b. natural land contours, c. native vegetation to be removed or retained, d. proposed vehicular access points, e. the location and uses of all existing and proposed buildings, power lines, sub-station and fences on the land, and f. potential impacts on agricultural production of the land.
PC.2 • O.46 • O.47	Design details of the proposed development, such as number, dimensions, generation capacity, overall height once mounted, rotational information, and materials and colours are to be provided.
PC.3 • O.45 • O.46 • O.47	A Noise Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development and any other NSW Acts, rules, or regulations pertaining to solar or wind farm noise.
PC.4 • O.46 • O.47	A Visual Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.
PC.5 • O.46 • O.47	A Traffic Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.

9.4.5. Places of Public Worship

Objectives

O.48 Ensure that places of public worship have a scale and intensity that is suitable to the site and consistent with the neighbourhood character.
O.49 To ensure that the bulk, scale and character of places of public worship are compatible with development of the surrounding area.
O.50 To minimise the impact of parking on local streets.
O.51 To encourage places of public worship to locate in areas with good public transport.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48 • O.50 • O.51	Large places of public worship with a seating capacity of 250 people are to be located within E3 Productivity Support zoned land.
PC.2 • O.50 • O.51	On-site parking is to be provided at the rate determined by a Traffic Impact Assessment, having regard to the objectives of this section. As a general guide for places of public worship, new development is to provide 1 car parking space per 10m² of gross floor area and accessible parking at 1 car space per 20 car spaces. Refer to Section 3.4 of Chapter 3: Site Requirements of this DCP for parking design requirements.
PC.3 • O.48	A Noise Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development and include the following additional details: a. Hours of operation, and b. Regular events calendar to determine peak attendance times.
PC.4 • O.48 • O.49	Applications for places of public worship will be subject to the same height, floor space ratio, envelope and landscaping controls that are identified in the Maitland LEP 2011 and Chapter 6 of this DCP applicable to the land zone.
PC.5 • O.50 • O.51	An Operational Plan of Management is to be prepared for places of public worship, in accordance with Appendix A: Application Requirements – Other Development.

9.4.6. Cemeteries and Crematoriums

Objectives

O.52 To ensure that the operation of cemeteries, crematoria and funeral chapels does not have an adverse impact on adjoining land uses and the surrounding area.
O.53 To ensure that uses locate on roads with the capacity to accommodate probable traffic generation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.52	Cemeteries and crematoria must be located on a site with a minimum of 10 ha available for burial plots and memorial walls. Landscaped areas, setbacks, parking, driveways and turning areas, internal congregation areas and places of public worship will not be counted towards this minimum site area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.52 • O.53	A Groundwater Impact Assessment addressing the items of Appendix A: Application Requirements – Other Development will be required to be submitted to ensure that ground water is not within 3m of the surface of the proposed burial plots.
PC.3 • O.53	A TIA is to be included with any development application for a cemetery, crematoria or funeral chapel. This TIA should determine whether a turning lane or slip lane is required to enter the site.
PC.4 • O.53	A landscaped buffer zone at least 10 metres wide must be provided to the side and rear boundaries of the site. The buffer zone is not to be used for parking areas or the like.

9.4.7. Exhibition Homes and Villages

Objectives

O.54 To ensure that the intended site of an exhibition home or village is consistent with the amenity and character of the local area, or in the case of new release areas, the desired character.
O.55 To ensure that the hours of operation of the exhibition home or exhibition village do not adversely affect the amenity of the surrounding residents.
O.56 To provide for an appropriate range of support and ancillary uses within an exhibition village.
O.57 To ensure that adequate public services are provided in exhibition villages to meet the demand of visitors and employees.
O.58 To ensure that the amenity of residents is achieved and there is no conflict between residential occupation of dwelling houses and the operation of an exhibition home or village
O.59 To allow signs to be erected or displayed only where they are compatible with the scale and character of the area and do not significantly detract from the local visual amenity.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Location	
PC.1 • O.54 • O.58	Exhibition homes and villages are to only be located in areas where Council is of the opinion that the proposed development and ancillary activities are unlikely to cause a negative impact on the amenity of the area.
PC.2 • O.57	Exhibition homes and villages are to be located on, and adjacent to, roads that provide a "feeder" function such as a "collector" or "distributor". Direct vehicle access will not be permitted to classified roads.
PC.3 • O.54	Development of exhibition villages or homes in advance of residential land release are to consider the desired amenity and character of the future residential area and promote the objectives of any relevant structure or area plan.
Access and car parking	
PC.4 • O.56	A Traffic Impact Assessment is to be carried out by a suitably qualified professional and submitted with applications for an exhibition home or village, in accordance with the minimum requirements provided under Appendix A: Application Requirements – Other Development.
PC.5 • O.57	For exhibition villages, a centralised car parking area is to be provided as part of the village, in accordance with the parking provision under Section 3.4.4 of Chapter 3: Site Requirements of this DCP.
Hours of operation	
PC.6 • O.55	The hours of operation for an exhibition village or exhibition home, and ancillary uses is restricted to 9am – 6pm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Ancillary Uses	
PC.7 • O.58	No uses related to the development will be supported on or adjoining the exhibition home or village that may constitute a nuisance to neighbouring residents. If there are existing or future residential lots within a 50m radius of the proposed exhibition home or village that could be impacted by potential nuisances, such as a café, an Acoustic Assessment must be conducted by a suitably qualified specialist in accordance with Appendix A: Application Requirements – Other Development to ensure residential amenity is protected.
PC.8 • O.56	All uses related to the development are to be ancillary to the operation of the exhibition home or village and must only service the needs generated by the development. Ancillary uses are to be limited to the following: • One sales office per building company, • One materials display area per building company, • One home financing service office per village, and • One café per village. **Note:** Ancillary uses for the purposes of an exhibition village include sales offices, home financing offices, and may also include public amenities such as a café and public toilets.
PC.9 • O.56	The ancillary uses to an exhibition home are to be contained within the curtilage of the exhibition home. No café will be permitted as an ancillary use to an "exhibition home" development.
PC.10 • O.57	Public toilets are to be provided for all exhibition villages, at the rate identified in the National Construction Code. Relevant Australian Standards related to accessibility apply to these facilities.
Signage	
PC.11 • O.59	All advertising structures for an exhibition home or exhibition village must only be erected on the site of the development.
PC.12 • O.54 • O.59	The characteristics of the advertising structures must be compatible with the scale and visual amenity of the local area.
PC.13 • O.59	Advertising structures are to be limited to the following: • One flagpole per exhibition home or house within an exhibition village, and • One pylon sign per exhibition village.
PC.14 • O.59	Advertising sign details and drawings are to be included in the Development Application.
PC.15 • O.57	At the conclusion of the consent period, the exhibition homes or homes within an exhibition village must be inspected to ensure that vehicle and pedestrian access to a public road complies with Council's standards, that the building(s) comply with the National Construction Code, and that essential service infrastructure is in place.

9.4.8. Sex Services Premises and Restricted Premises

Objectives

O.60 To nominate location requirements and development standards for sex services premises and restricted premises which reflect broad community attitudes and expectations.

O.61 To provide appropriate guidelines for sex services premises and restricted premises which will ensure that such are at a reasonable distance from residential occupancies and other nominated sensitive land uses and will not cause disturbance or otherwise have a detrimental impact on the amenity of the surrounding neighbourhood.

O.62 To provide appropriate guidelines which will restrict the scale of sex services premises and restricted premises, as well as prevent their concentration in close proximity to one another.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.60 • O.61	All Development Applications for premises to be used as a restricted premises or sex services premises, including the change of use of an existing premises to a restricted premises or sex services premises, are to include the following documentation and details: a. A site plan and a location plan drawn to a scale of 1:500 showing the proximity of the subject site to nearby residential occupancies, as well as to churches, hospitals, schools, community facilities and any other place where children or young people are likely to regularly congregate, including railway stations and major bus stops. **Note:** Clause 7.6 in the MLEP 2011 restricts the location of sex services premises. b. A floor plan drawn to scale of 1:100 capturing, the details provided under Appendix A: Application Requirements – Other Development and the following: i. The proposed use of each room is to be nominated, with application for sex services premises to specifically identify all rooms proposed to be used for the conduct of sex services. c. Details of compliance with the Disability Discrimination Act 1992 and the Health and Safety Guidelines for Brothels in NSW, distributed by SafeWork NSW. d. A Statement of Environmental Effects which provides the following details: i. Comprehensive description of the proposed development, ii. Details of the present or previous use of the subject premises, iii. Details of existing uses on adjoining properties and any other uses established on the subject property, and iv. Operational details including name of occupier of the premises or contact person, number of employees, hours and days of operation, number of rooms in the premises. e. Details of proposed signage indicating the size, form number, illumination position of any proposed business identification sign, advertisement or other promotional device to be erected or displayed on the subject premises, and including details of any existing and proposed external lighting.
Location	
PC.2 • O.61	A sex services premises or restricted premises is not to be located in a position which may detract from the amenity of residential occupancies and, in this regard, the entrance or exit doorway to or from any such premises is not to be closer than 150m from the entrance to premises used as a dwelling within a residential zone. **Note:** For the purposes of these Guidelines, exit doorways from premises exclude fire exits provided only for use in an emergency and any distances referred to are to be measured along the most direct established pedestrian route between the respective premises.
PC.3 • O.61	The entrance or exit doorway to or from a sex services premises or restricted premises is not to be closer than 150m from a place of worship, child care centre, community centre, community facility, educational establishment, entertainment facility, hospital, recreation

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	area or recreation facility or any place where children or young people are likely to regularly congregate, including railway stations or major bus stops.
PC.4 • O.62	An entrance or exit doorway to or from a sex services premises or restricted premises is not to be closer than 150 metres from the entrance doorway to any other sex services premises, or restricted premises.
PC.5 • O.61	A sex services premises is not to be located within a remote area or an area in which public transport or emergency services are not conveniently to hand.
Scale and Character	
PC.6 • O.62	A sex services premises is to be restricted in total floor space, such that no more than 5 rooms in which sex services are to take place can be provided.
PC.7 • O.62	The use of a premises as a sexual entertainment establishment is to be restricted in net floor area to an area no greater than 200m^2.
PC.8 • O.62	Prostitution within an approved sex services premises is to be confined to rooms and areas so nominated on the submitted plans which are the subject of Council's consent.
PC.9 • O.61	Any new building or refurbishment of an existing building proposed to function as a restricted premises, or a sex services premises is to be designed to be compatible with the built form of adjoining premises and integrated into the streetscape.
PC.10 • O.61	The entrance to a restricted premises or a sex services premises is to be discrete, safe and unobtrusive with any signage limited to a single business and/or property identification sign only, of modest dimensions, devoid of any sexually explicit or suggestive material, and any distinctive external lighting provided in respect of a brothel is to be limited to a single, low wattage globe.
PC.11 • O.61	A sex services premises or sexual entertainment establishment is to be provided with adequate reception area/waiting room facilities sufficient to discourage clients or prospective clients from loitering outside the premises.
PC.12 • O.61	Sex industry establishments are not to display sex workers or sex related products from windows, the front door or outside of their premises.
PC.13 • O.61	Any proposed building is not to be of a colour or materiality that draws undue attention to the premises.
PC.14 • O.61	Sex services premises or restricted premises are not to be located in a building that contains a dwelling.
AS.1 • O.61 • O.62	Sex services premises and restricted premises should generally be small scale and not clustered, so that they integrate with adjoining land uses.
Security	
PC.15 • O.60	Sex services premises and restricted premises are to demonstrate implementation of a range of measures provided with Appendix F: CPTED Guidelines.
Building Standards	
PC.16 • O.61	Sexual entertainment establishments involving live shows or the exhibition of films are to satisfy the constructional and fire safety standards for a place of public entertainment under the provisions of the National Construction Code.
PC.17 • O.61	Access for people with a disability is to be provided in accordance with all relevant legislation, including *AS 1428 – Design for Access and Mobility* and the *Disability Discrimination Act 1992*. Major entrances to premises to which the public is entitled to enter need to be designed and constructed to provide equitable treatment of users and meet minimum standards of grade, doorway width and connectivity.



Maitland DCP 2026

Chapter 10: Special Precincts, Locality Plans, and Urban Release Areas

maitland CITY COUNCIL

Table of Contents – Chapter 10: Special Precincts, Locality Plans, and Urban Release Areas

10.1. Introduction 3

10.1.1. Application 3

10.1.2. Relationship to other Chapters 3

10.1.3. How to use this Chapter 3

10.1.4. Intent of this Chapter 4

10.2. Special Precincts 5

10.2.1. Airports 5

10.3. Locality Plans 10

10.3.1. Ashtonfield South 10

10.3.2. Bolwarra Heights 12

10.3.3. West Bolwarra Heights 14

10.3.4. Greta (Orient Street) 16

10.3.5. Louth Park (Waterforde Estate) 18

10.3.6. Thornton (Woodlands Estate) 20

10.3.7. Thornton (Radburn Estate) 23

10.3.8. Thornton (Hermitage Close) 25

10.4. Urban Release Areas 27

10.4.1. General Requirements 27

10.4.2. Aberglasslyn Urban Release Area 29

10.4.3. Gillieston Heights Urban Release Area 52

10.4.4. Largs Urban Release Area 77

10.4.5. Thornton North Urban Release Area 85

10.4.6. Anambah Road Urban Release Area 151

10.4.7. Lochinvar Urban Release Area 157

10.4.8. Farley Urban Release Area 179

10.4.9. Anambah Urban Extension Site (Windella) 197

10.4.10. Glebe Paddock Urban Release Area 201

10.4.11. Mount Harris Urban Release Area 206

10.4.12. Mala Close Urban Release Area 208

10.4.13. Anambah Road Urban Extension Site (106 Anambah Road) 210

10.4.14. Louth Park Urban Release Area 212

10.4.15. Anambah Employment Area 241

10.4.16. Mount Vincent Urban Release Area 249

10.1. Introduction

10.1.1. Application

The objectives and controls contained within this Chapter apply to various specific precincts, localities and Urban Release Areas located throughout the Maitland Local Government Area.

As such, this Chapter is to be read in conjunction with the general controls and acceptable solutions provided under Chapters 2–9 of this DCP. Where there are inconsistencies between this Chapter and controls under Chapters 2-9, this Chapter will prevail.

10.1.2. Relationship to other Chapters

This section is to be read in conjunction with the following chapters and documents:

- Chapter 1: Introduction and Administration
- Chapter 2: Environmental Considerations
- Chapter 3: Site Requirements
- Chapter 4: Heritage
- Chapter 5: Subdivision
- Chapter 6: Residential Uses
- Chapter 7: Commercial Uses
- Chapter 8: Industrial Uses
- Chapter 9: Rural and Other Land Uses
- Appendix A: Application Requirements – Other Development
- Appendix B: Application Requirements – Minor Development
- Appendix C: Biodiversity Guidelines

10.1.3. How to use this Chapter

This Chapter is structured into three sections, as follows:

Special Precincts

This section seeks to identify areas within the Maitland LGA that are of a non-residential character and require a degree of environmental and built considerations in their immediate context. At present, only two airports have been included, being Maitland Airport and Williamtown Airport. As such, the Special Precincts section is expected to expand over time as Council conducts more detailed work into key infrastructure across the LGA in the future.

Locality Plans

The Locality Plans section provides a framework that enables development potential to be realised for a specific residential locality in the Maitland LGA, while also recognising the need to integrate the development of these sites within existing urban areas, or within rural landscapes. As such, they are limited in scope and generally aim to maintain existing character, as a number of them are now fully developed. The Locality Plans are as follows:

LOCALITY PLANS: MAITLAND DCP	
Ashtonfield South	Thornton (Woodlands Estate)
Bolwarra Heights	West Bolwarra Heights
Greta (Orient Street)	Thornton (Radburn Estate)
Louth Park (Waterforde Estate)	Thornton (Hermitage Close)

Urban Release Areas

The Urban Release Areas (URA) section of Chapter 10 provides controls for the areas indicated as Urban Release Areas within the *Maitland Local Environmental Plan 2011.* The content of these each of these URAs address Part 6 of the *Maitland Local Environmental Plan 2011* and are required for each area in order for development to occur. They are as follows:

URBAN RELEASE AREAS: MAITLAND DCP	
Aberglasslyn	Anambah Urban Extension Site (Windella)
Gillieston Heights	Glebe Paddock
Largs	Mount Harris
Thornton North	Mala Close
Anambah Road	Anambah Road
Lochinvar	Louth Park
Farley	Anambah Employment Area

10.1.4. Intent of this Chapter

The intent of this DCP Chapter is:

a. To provide controls for the various areas of the Maitland LGA that require additional considerations for their specific contexts.
b. To ensure that historic Locality Plans maintain their character and appropriately consider site-specific natural and man-made hazards.
c. To ensure that the Maitland DCP has adequate accommodations for Proponents or Council to satisfy Part 6 of the MLEP 2011.
d. To create a degree of place-making and character through site-specific sections of the DCP.

10.2. Special Precincts

This section seeks to identify areas within the Maitland LGA that are of a non-residential character and require a degree of environmental and built considerations in their immediate context. At present, only two airports have been included, being Maitland Airport and Williamtown Airport. As such, the Special Precincts section is expected to expand over time as Council conducts more detailed work into key infrastructure across the LGA in the future.

10.2.1. Airports

10.2.1.1. Maitland Airport

Maitland Airport, also known as the Royal Newcastle Aero Club, is a well-established general aviation airport that serves the broader community for origin-destination flights, flight training, recreational flying, aircraft maintenance and also supports a range of emergency services. Consequently, due to its existing approvals and operations, a few additional assessment considerations apply to the land surrounding the Maitland Airport.

Objectives

O.1 To ensure that properties exposed to high levels of aircraft noise appropriately assess its impacts and provide appropriate mitigation measures.
O.2 To ensure that development within the airspace corridor does not limit the flight paths of the Maitland Airport.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.1	Any proposed development that is not associated with/ancillary to the Maitland Airport and is within the 20 to 25 ANEC contour must provide a Noise and Vibration Assessment, prepared in accordance with Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
PC.2 • O.2	Any proposed development within the Maitland Airport Runway Operational Airspace Corridor shown in Figure 2 that is over 15m in height must Prepare an aviation report that determines the appropriateness of such development against airport noise-vibration, windshear, lighting, protected airspace of airports, and impacts on communications. **Note:** refer to The National Airports Safeguarding Framework for further information.

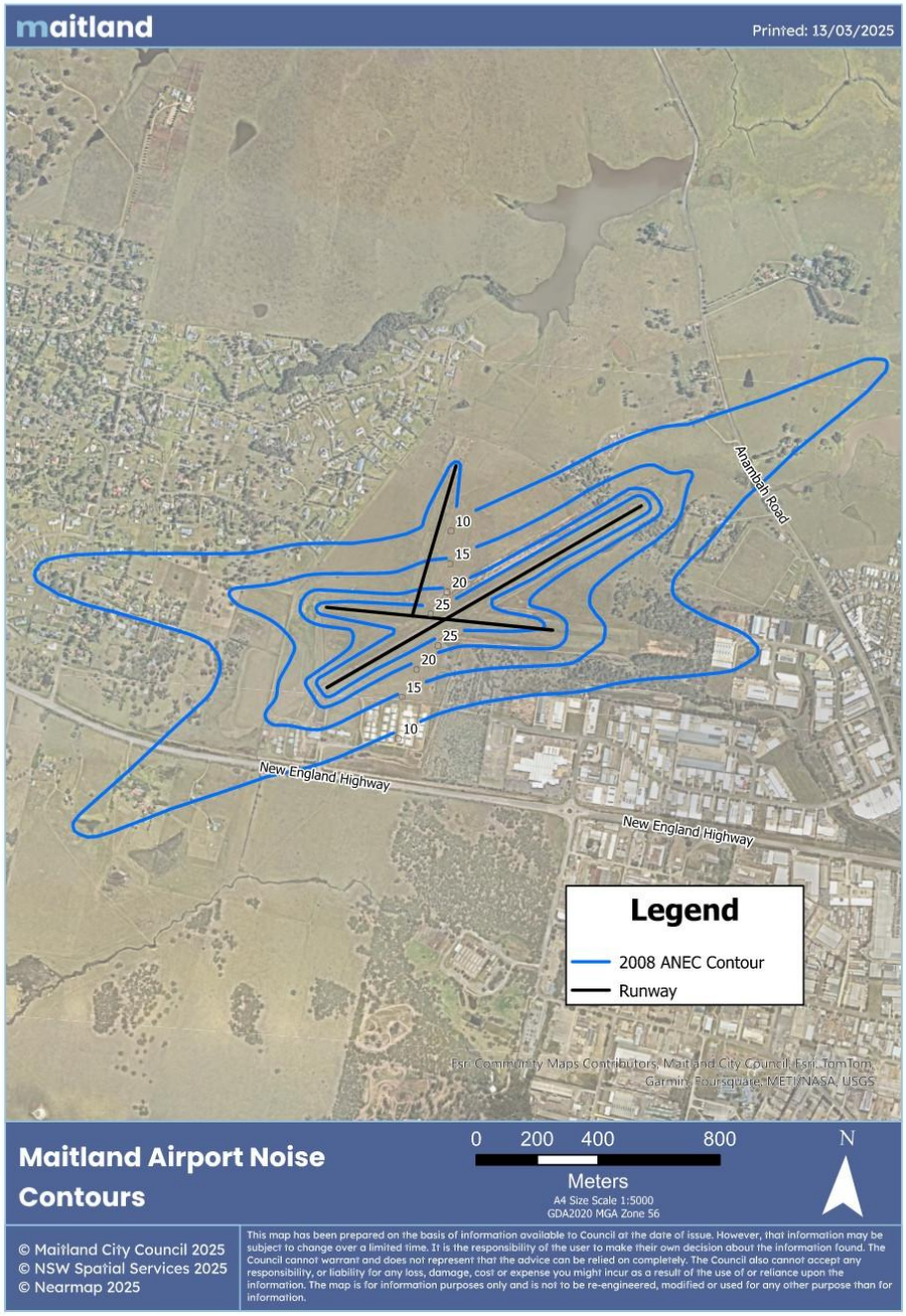


Figure 10-1: Maitland Airport Noise Contours

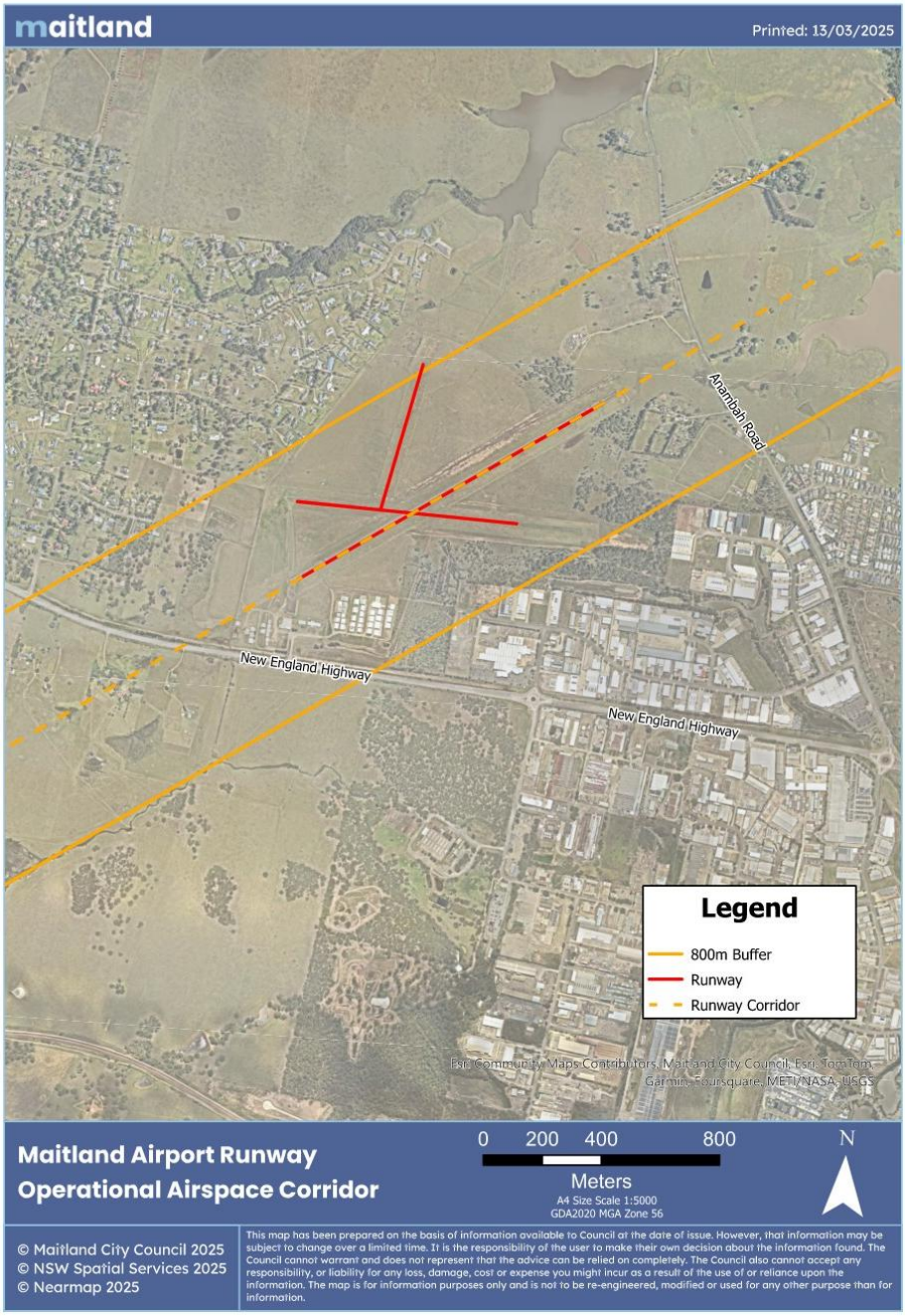


Figure 10-2: Maitland Airport Runway Operational Airspace Corridor

10.2.1.2. Williamtown Airport

The area known as RAAF Base Williamtown is declared to be a Defence Aviation Area (DDA) under the *Defence Act 1903* (Cwth). The RAAF Base Williamtown DDA covers a radius of 15 kilometres, which partially impacts upon the eastern reaches of the Maitland LGA. This DDA requires an application to be submitted to defence when certain parameters are met, including height and aviation-interfering development.

Objectives

O.3 To ensure that height of building restrictions are adhered to within the RAAF Base Williamtown Defence Aviation Area for buildings, temporary structures (i.e. cranes) and/or natural features.

O.4 To ensure that consent is not granted until referrals and concurrence under the *Defence Act 1903* (Cwth) have occurred.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.3 • O.4	Any building or temporary within the area mapped in Figure 3 is not to exceed 150m. Should a building or temporary structure exceed 150m, concurrence for the proposed development is required from the Department of Defence before approval can be granted by Council. **Note**: if structures exceed 150m, concurrence and approval is required from the Commonwealth Department of Defence.
PC.1 • O.4	Regardless of height, if a development involves a transmitting antenna, such as a telecommunications tower, or involves any potentially dangerous to aviation development such as a shooting range, concurrence for the proposed development is required from the Department of Defence before approval can be granted by Council.

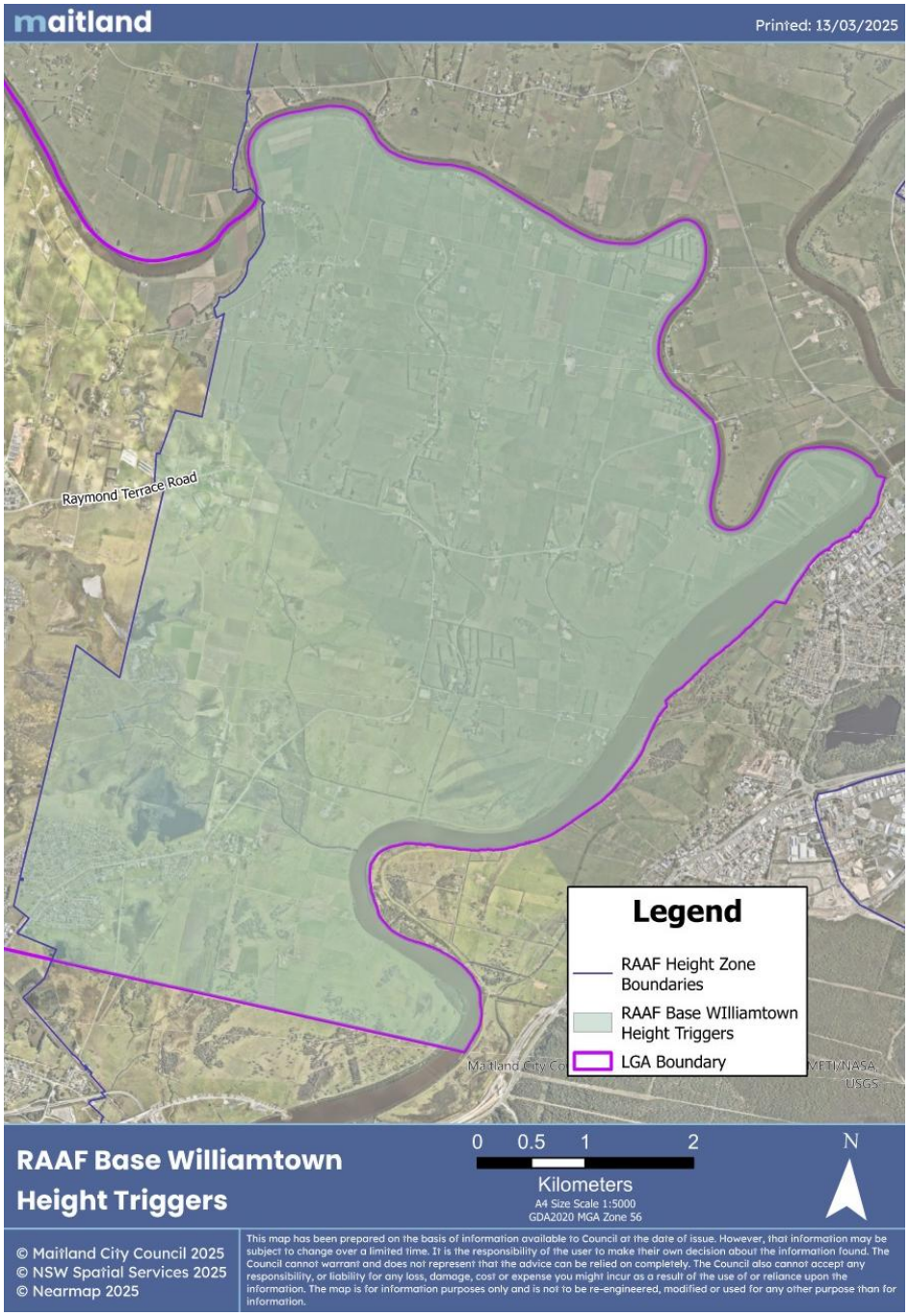


Figure 10-3: RAAF Base Williamtown Defence Aviation Area

10.3. Locality Plans

This section of the DCP provides specific controls in relation to assessment, design, and character for development within certain localities of the Maitland Local Government Area. In some areas, constraints analysis has identified specific environmental qualities that warrant sympathetic development outcomes including environmental 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.

The strategic planning undertaken in the preparation of these Locality Plans 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.

Note: Development within these localities must still have regard to the general Prescriptive Controls and Acceptable Solutions contained in the preceding Chapters of this DCP. Where there is an inconsistency, 10.3 Locality Plans (this Section) will prevail to the extent of the inconsistency.

10.3.1. Ashtonfield South

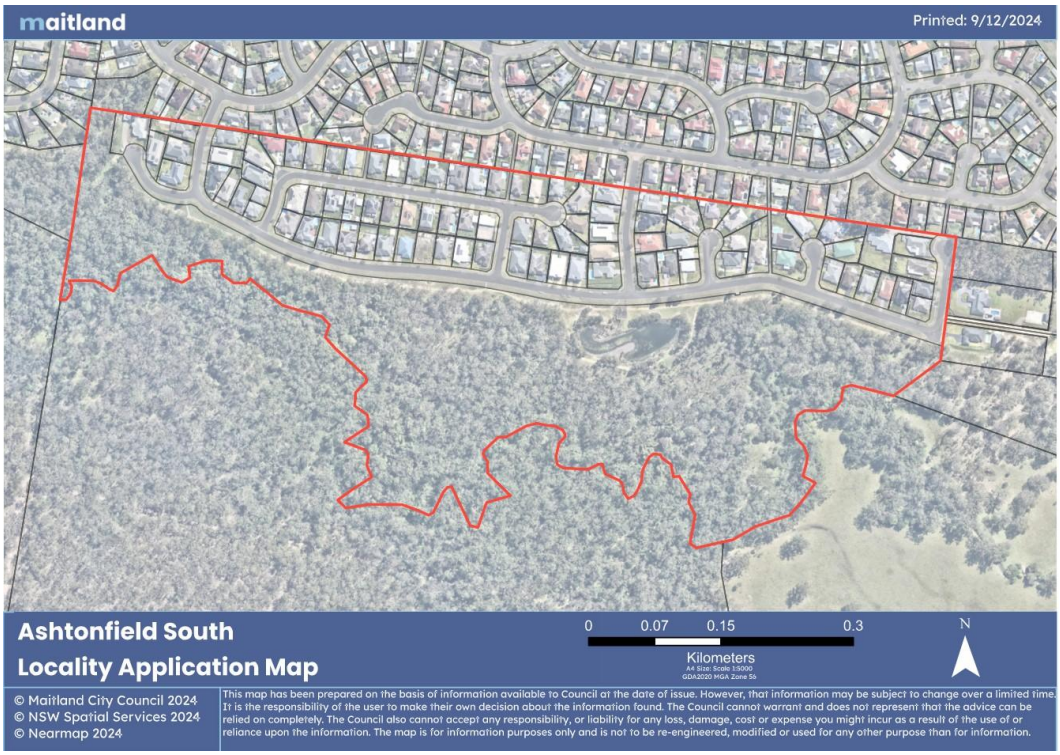


Figure 10-4: Ashtonfield South Locality Map

Locality Statement

The Ashtonfield South Locality is comprised of an established residential estate and bushland, originally being an extension of the remainder of the Ashtonfield estate to the north. The bushland south of the residential area, which has remained in its natural state, is primarily made up of the Lower Hunter Spotted Gum Ironbark Forest and Alluvial Tall Moist Forest vegetation communities. The vegetation provides habitat for the Squirrel Glider and requires special considerations.

The Ashtonfield South Locality is also in proximity of the Bloomfield Group Four Mile Workshop and abuts the mining lease land of the Bloomfield Colliery.

This Locality Plan applies to all land detailed in Figure 10-4.

Objectives

O.5 To ensure that clear separations are maintained between the residential, recreational and environmental sections of the locality.

O.6 To maximise tree retention in the wooded portions of the Locality and preserve the continuity and connectivity of the bushland reserve south of Magnetic Drive.

O.7 To respect the proximity of the Four Mile Workshop by incorporating noise mitigation strategies for potentially affected lots.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.5	Any required Asset Protection Zones provided for development must not encroach into the C3 zoned land, apart from the 10m wide recreational link immediately adjoining the south of Magnetic Drive.
PC.2 • O.6	Properties to the east of Ashmore Close have the potential to have their noise amenity affected due to their proximity to the Bloomfield Group Four Mile Workshop. A Noise Assessment is to be carried out by a suitably qualified person for any new habitable development within this area.
PC.3 • O.6 • O.7	If development east of Ashmore Close has been determined to require noise attenuation measures as the result of a Noise Assessment, these measures are to be integrated into the development's design.
AS.1 • O.6	New habitable development or subdivision should provide a vegetation barrier along any property boundary that faces the workshop, in accordance with Council's landscaping controls for residential uses (Chapter 6, Section 6.2.6).

10.3.2. Bolwarra Heights



Figure 10-5: Bolwarra Heights Locality Map

Locality Statement

The land subject of this locality plan is located in the suburb of Bolwarra Heights and is bounded by Tocal Road, Lang Drive and Paterson Road. The area sits to the north and west of the more suburban style residential areas of Bolwarra, Largs, and Bolwarra Heights, and is characterised by large residential lots generally accommodating sizeable single or two storey residences.

Large pockets of vegetation are located in the undeveloped areas of the site and are predominately identified as Lower Hunter Spotted Gum Ironbark Forest, which is an Endangered Ecological Community (EEC). A number of natural drainage paths and waterbodies also run through the site

connecting to the flood plain in the east. The core goal of this locality plan is to preserve the established local character through the additional controls outlined within this section.

This Locality Plan applies to all land detailed in Figure 10-5.

Objectives

O.8 To preserve the established local character, being that of well-vegetated large lots with large residences.
O.9 To ensure that native vegetation on lots is considered and impacts on the Lower Hunter Spotted Gum Ironbark Forest is minimised.
O.10 To promote further revegetation and landscaping within the locality.
O.11 To facilitate limited densification that is commensurate with the established local character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.10	Any Development Application within the subject land must have a landscape plan prepared and provided to Council as part of submission, to the satisfaction of Council.
AS.1 • O.8	The minimum front building setback for the subject land is to be 20m. 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.
AS.2 • O.8	All structures erected on the subject land should be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention is to be given to the shape, colour and materials of the external surfaces of the structure.
AS.3 • O.9	Future development should have regard to the retention of natural vegetation and with respect to the natural topography of the land.
AS.4 • O.10	Additional landscaping and revegetation is encouraged in order to maintain the rural character of the area.
AS.5 • O.11	Any dual occupancy development should appear as a single residential building or cluster/complex of buildings.

10.3.3. West Bolwarra Heights

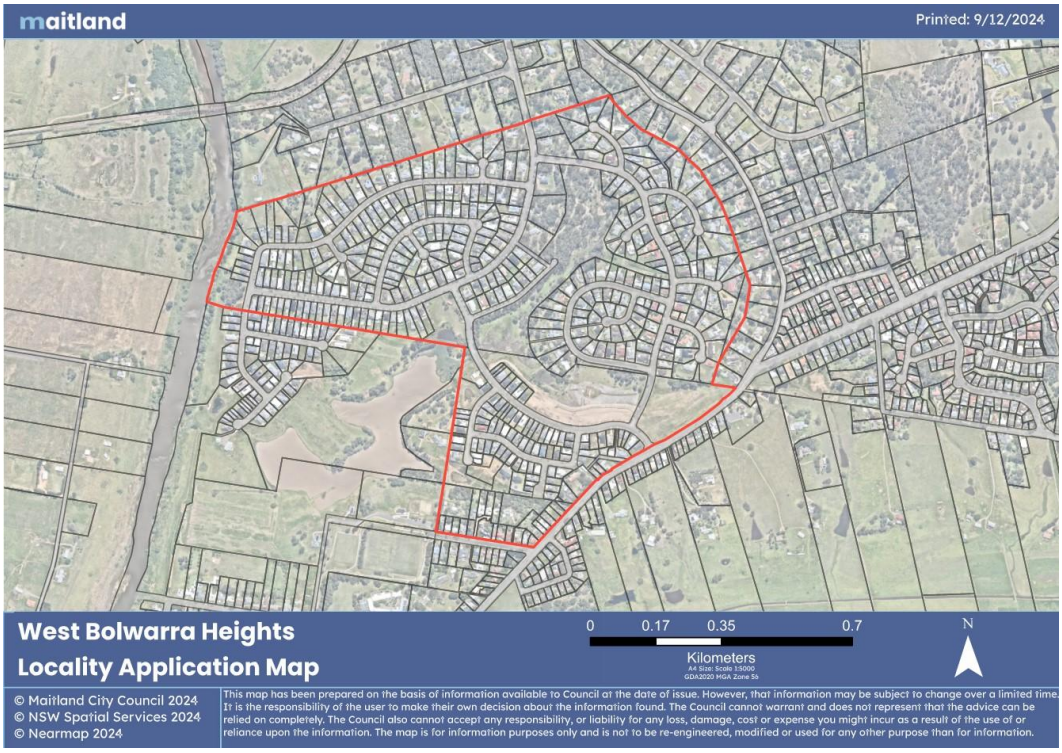


Figure 10-6: West Bolwarra Heights Locality Map

Locality Statement

The locality of West Bolwarra Heights is located north of the historical suburb of Bolwarra and dominates the western section of Bolwarra Heights. The locality is characterised by undulating slopes, creek lines, and a now mostly established residential estate. The central part of the locality has been preserved as a key riparian corridor that provides local flora and fauna connectivity to the northern reaches of the Maitland LGA.

West Bolwarra Heights has achieved its original envisioned character by providing a range of lot sizes in a residential, peri-urban setting. A transition zone has been maintained between the older rural-residential development and the newer development along the northern and eastern boundaries of the locality, with larger lot sizes provided.

This Locality Plan applies to the land indicated as the Subject Area in Figure 10-6.

Objectives

O.12 To preserve and enhance the amount of native vegetation within the locality.
O.13 To ensure ongoing local pedestrian connectivity in the locality over the long term.
O.14 To preserve visual amenity of prominent land features within the locality.
O.15 To ensure that dwelling typologies present as a single dwelling to the streetscape. To maintain access to natural areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.12 • O.15	Clearance of native vegetation should be kept to a minimum as part of new development. Evidence is to be provided as to how development has been sited to minimise overall impact and conflict with bushland present on a site. **Note:** Existing Section 88B instruments are present in many areas of the locality to ensure the preservation of vegetation and to restrict the erection of structures within environmentally important and bush regeneration areas, including on private property.
PC.1. • O.13	Development of any community facilities within the locality are to connect to pedestrian pathways to the Bolwarra Oval.
PC.2 • O.14	Development for semi-detached housing, attached dwellings, multi-dwelling housing, and residential flat buildings within the area are to provide a photomontage with 3D renders to demonstrate how the new development will appear in the streetscape.
AS.2 • O.15	Except for dual occupancies, development with multiple habitable dwellings should present either as one consolidated structure or have only one dwelling visible from the street.

10.3.4. Greta (Orient Street)



Figure 10-7: Greta (Orient Street) Locality Map

Locality Statement

Greta (Orient Street) is located on the western boundary of the Maitland LGA primarily accessible from the New England Highway through Orient Street, Greta within the Cessnock LGA. The land sits on the edge of the escarpment overlooking the part of the Hunter River that crosses the suburbs of Lochinvar and Luskintyre. The area is characterised by large lot residential and limited small scale rural and agricultural activities. This Locality Plan applies to all land indicated within Figure 10-7.

Objectives

O.16 To ensure that development respects the visual amenity of the locality, especially around the significant escarpment along the eastern boundary.
O.17 To ensure landscaping creates, enhances, and complements a visual environment consistent with the rural character of the area.
O.18 To protect natural drainage swales through sensitive subdivision design.
O.19 To ensure that adequate consideration is given to the historic and existing agricultural activities within and surrounding the locality.
O.20 To ensure that the escarpment within the locality is bolstered and enhanced through native plantings that reinforce and stabilise the slope.
O.21 To provide for the safe movement of traffic through appropriate intersection upgrades to the New England Highway.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.16	The siting of buildings and building form, materials and colours are to be designed in a manner that ensures the visual impact of development is kept to a minimum in this visually sensitive escarpment area.
AS.1 • O.18 • O.19 • O.21	Development is to adequately address the following matters: a. Potentially unstable land near the edge of the steep escarpment, b. The natural drainage swale through the centre and eastern part of the locality. Disturbance of this drain may present problems and inappropriately located buildings may suffer local flooding and/or drainage problems, c. The potential for high visual impact of development along the escarpment and on rural vistas and scenic quality generally. d. The proximity of a poultry farm to the north-west of the site, e. The proximity to an old disused piggery to the west of the site, f. The proximity of the cattle yards to the south of the site, g. The layout of the existing local road network, and h. Traffic studies to determine the level of upgrade to the intersection with the New England Highway to provide for the safe movement of vehicles to and from the Orient Street.
PC.2 • O.16 • O.19	Building envelopes within the locality are to adhere to the following criteria: a. be no closer than 10m from the centreline of natural drainage swales, b. have a minimum setback of 10m from all lot boundaries, c. be no closer than 20m from the edge of the escarpment, and d. be accessible to a public road.
PC.5 • O.17	The planting of pine trees of similar genus to those already present is to occur along Orient Street for residential development.
PC.6 • O.17 • O.20	Shrubs, ground covers and scattered trees are to be planted 10m either side of the edge of the escarpment to reduce erosion and maintenance problems and to re-establish a vegetated aspect along the escarpment.
AS.2 • O.17 • O.18	Existing drainage lines in the locality should be revegetated where possible to minimise any future erosion and salinity problems.
PC.7 • O.16 • O.17 • O.20	Where buildings are proposed within 50m of the escarpment, the planting of a backdrop of trees is required to soften the skyline along the escarpment. Plantings should include locally indigenous species with mature height in excess of 10m.

10.3.5. Louth Park (Waterforde Estate)



Figure 10-8: Louth Park (Waterforde Estate) Locality Map

Locality Statement

Waterforde Estate, located within Louth Park, lies to the south of Maitland CBD, along the southern boundary of the Maitland LGA adjoining Cessnock LGA. The locality fronts Louth Park Road and Mount Vincent Road. The area is relatively flat and characterised by its large lot residential character and 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. Several constraints affect the

land including flooding, mine subsidence, buffer to the waste disposal facility, and coal mining buffer to Bloomfield Collieries.

This Locality Plan applies to the land defined as the Subject Area in Figure 10-8.

Objectives

O.22 To ensure landscaping forms a locality that creates an ordered, open rolling landscape that preserves views from surrounding properties and provides an attractive outlook from the rural-residential areas.
O.23 The ensure the perimeter of the locality provides adequate and appropriate plantings to buffer westerly winds and provide a living hedge to the development.
O.24 To preserve strategic open view sections to give selective views to observers of wetlands and distant views of rolling rural-residential development.
O.25 To ensure that the unique constraints of the locality are considered for all development.
O.26 To ensure subdivision and building design and siting reflects the large lot residential amenity of the locality and rural character of the surrounding area.
O.27 To embellish the north-western part of the locality as a wetland area that improves biodiversity and habitat opportunities for local wildlife.
O.28 To ensure development is provided above known flood levels.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.25 • O.28	Development and its associated Development Application is to give clear and adequate consideration to flooding and mine subsidence.
PC.1 • O.26	Each lot is to include a building envelope of a minimum of 700m2 above the appropriate flood level adopted by Council at the time of application.
PC.2 • O.25	The southern part of the locality is partly affected by shallow mine workings. Detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW.
PC.3 • O.25	Geotechnical investigations are to include details of the depth of coal seam, height of workings, floor conditions and thickness of competent rock over mine workings to the satisfaction of Subsidence Advisory NSW. At the completion of any geotechnical remediation works, a qualified geotechnical engineer is to certify that the remediation of the mine workings has been achieved.
PC.4 • O.22 • O.23 • O.24	Development is to provide plantings along adjoining lot boundaries to form a buffer, and is to adhere to the following criteria: a. Be at least 10m wide (mature canopy width), inclusive of any existing plantings on the adjoining property, b. Primarily consist of low-lying shrubs or hedging, and c. If utilising tree plantings, space them at least 5m apart to maintain a balance of views and privacy.
PC.5 • O.26	All structures erected on large lot residential zoned land are to be designed so as to be compatible with the rural character and landscape of the locality. In this regard, particular attention is to be given to the style, colour and materials of the external surfaces of the structure.
AS.2 • O.27	Development on the land associated with the Environmentally Sensitive Area indicated on **Error! Reference source not found.** should make efforts to enhance the biodiversity and habitat of the area through appropriate native plantings and separation. Any enhancement is to be proportional to the extent of development, as determined by Council.

10.3.6. Thornton (Woodlands Estate)

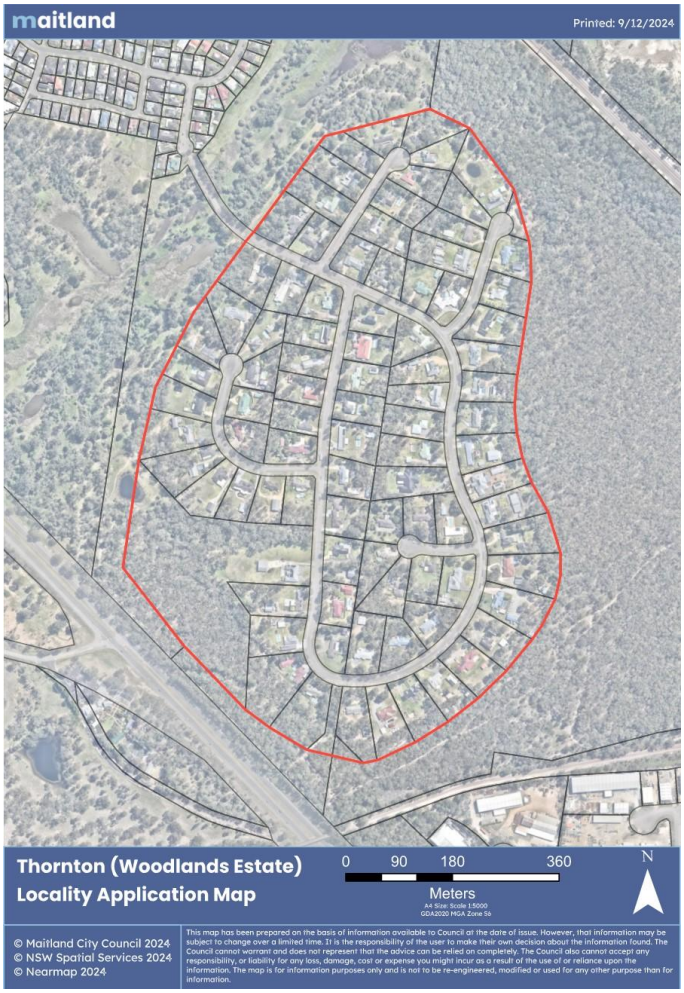


Figure 10-9: Thornton (Woodlands Estate) Locality Map

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.

The native vegetation within the Locality provides habitat for several vulnerable species under the *Biodiversity Conservation Act 2016*, as well as assisting with the stabilisation of soils, reducing sediment runoff into the nearby Four Mile Creek. Accordingly, the retention of native vegetation has been an integral design principle over the course of the locality's existence, and this has been reflected in the use of the C4 Environmental Living zone for the existing residential development.

This Locality Plan applies to the land indicated as the Subject Area on Figure 10-9.

Objectives

O.29 To assist in the retention of a high proportion of existing habitat in the locality.
O.30 To ensure that development is sited and designed in a manner that limits its potential impact on the surrounding natural environment.
O.31 To protect established long term natural buffers to nearby land uses and noise generating sources.
O.32 To ensure that the contaminant producing historical activities within and surrounding the locality are adequately addressed.

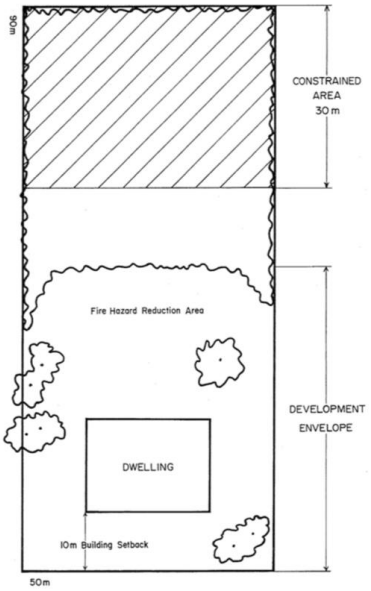
PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.29	Development must ensure that the habitat values of the site are retained by maximising the retention of existing native vegetation, encouraging the rehabilitation of degraded areas and appropriate management of natural areas.
PC.2 • O.31	Development is to 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 and the use of landscaping.
PC.3 • O.29 • O.31	Development is to maintain 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.
PC.4 • O.30	Proposed development footprints are to: a. Have an area of no more than 2000m^2, b. Be located a minimum of 40m from the centreline of watercourses, c. Be in accordance with the vegetation management and landscaping plan for the locality, and d. Be accessible to a public road without requiring significant modifications to a natural drainage line. An indicative building envelope is provided in Figure 10-10 below. 

Figure 10-10: Indicative Development Envelope for Thornton (Woodlands Estate)

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.29 • O.30	All buildings within the development envelope are to be sited in a manner which allows all necessary bushfire fuel reduction measures to occur within the development envelope. Buildings shall have a minimum setback of 6m from side boundaries and 10m from the front boundary.
AS.1 • O.29 • O.30 • O.31	Development seeking to clear land lying outside an established 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 of the locality.
AS.2 • O.30	All structures, i.e. dwelling-houses, garages, sheds, fencing, are to be designed with consideration to the bushland character of the area, the topography, and the landscape features of the site. Particular consideration is to be given to building location, solar access, form, colour and construction materials.
PC.6 • O.31	A minimum 50m setback is required between dwellings and the boundary of the New England Highway or the Main Northern Railway.
AS.3 • O.30	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 supported in a bushland environment. The use of open mesh or rural type (post & wire) fencing is acceptable.
C3 Environmental Management Zone	
PC.7 • O.29 • O.30	If development is proposed on the part of the land zoned C3 Environmental Management, a Vegetation Management Plan for is to be prepared and submitted to Council for approval prior to the release of a construction certificate. The management plan shall indicate details of access, fencing, bushfire hazard reduction measures, weed control, location of buildings, extent of vegetation removal and rehabilitation.
AS.4 • O.30	Buildings and related works should 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.
AS.5 • O.29 • O.30	The removal of native trees and understorey is discouraged outside those areas not forming part of the Development Envelope. An exception applies for works associated with bushfire hazard reduction undertaken by authorised persons.
PC.8 • O.32	Detailed investigations are to be undertaken to determine the presence or level of any shallow mine workings, with the results to be submitted with any subdivision application.

10.3.7. Thornton (Radburn Estate)



Figure 10-11: Thornton (Radburn Estate) Locality Map

Locality Statement

This Locality Plan applies to:

- Lots within the Radburn Estate at Thornton which have a property frontage to a public reserve, and
- Lots within the Radburn Estate at Thornton as shown on Figure 10-11 which have a principal frontage to a public reserve.

Objectives

O.33 To establish an appropriate building line for lots within the Radburn Estate at Thornton which have a property frontage to a public reserve.

O.34 To ensure the integrity of the streetscape and character of public spaces through the provision of appropriate building setbacks and the establishment of fencing guidance appropriate for the locality.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.33 • O.34	Where an allotment has a principal frontage to a public reserve, the distance from the property boundary within the reserve to the nearest part of the dwelling (excluding an eaves overhang) are not to be less than 6.0m. **Note:** The principal frontage of an allotment within the context of this section means the frontage of an allotment towards which the main pedestrian address of the dwelling is orientated. In the Radburn subdivision, the frontage of individual dwellings are predominantly oriented towards the pedestrian reserves.
PC.2 • O.33 • O.34	No structures such as sheds, garden sheds, garages or the like are to be constructed between the dwelling and the public reserve inside the building line setback.
PC.3 • O.33 • O.34	No fencing (boundary fencing or otherwise) is to be erected forward of the 6.0m building line setback stated in PC.1.

10.3.8. Thornton (Hermitage Close)

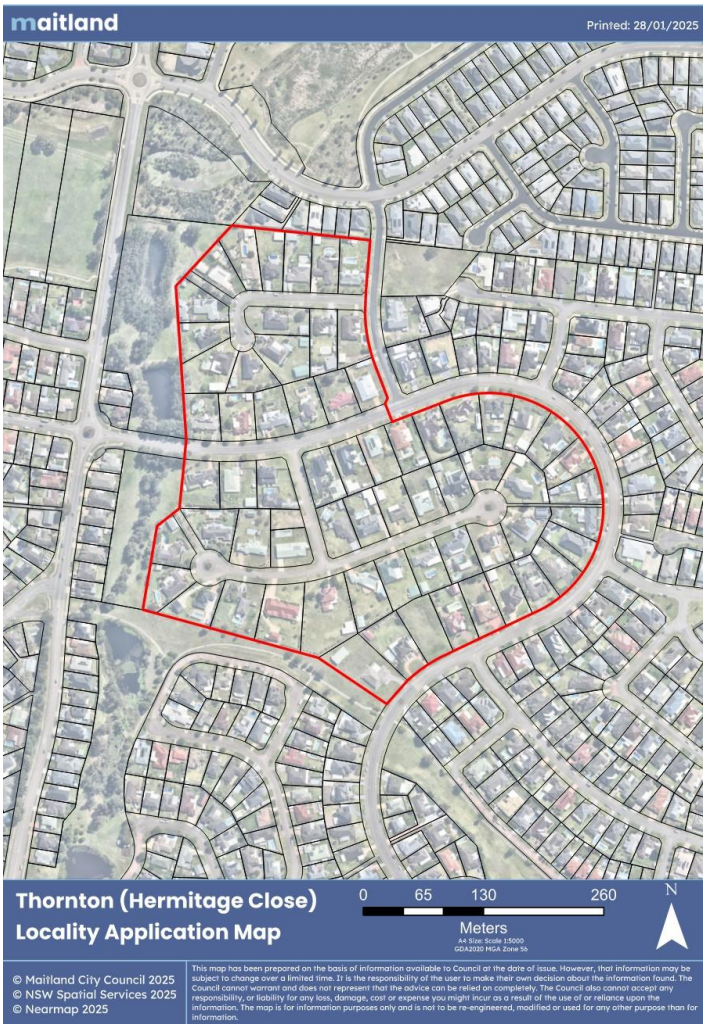


Figure 10-12: Thornton (Hermitage Close) Locality Map

Locality Statement

The Hermitage Close precinct comprises an established large-lot residential estate within the Thornton estate. The precinct is low density in nature, being characterised by single- and two-storey dwelling houses on large lots, with generous setbacks and open-style front fencing.

The re-subdivision of existing residential lots, or the intensification of development beyond dwelling houses, is discouraged. Where re-subdivision is proposed, development must ensure that the resulting lots are consistent with the predominant lot sizes of the immediate precinct.

Proposals for medium-density or dual occupancy development must take into account potential impacts on privacy, solar access, streetscape, visual amenity, traffic management, and compatibility with the surrounding built form.

This Locality Plan applies to all land detailed in Figure 10-12.

Objectives

O.35 To maintain the established streetscape character of Hermitage Close, ensuring generous front setbacks and cohesive visual amenity.
O.36 To maintain the large-lot, low-density character of Hermitage Close by ensuring that new development respects the precinct's established character.
O.37 To ensure that any proposed re-subdivision or higher-density development is consistent with the prevailing lot sizes and large-lot residential character of the area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

PC.1
• O.35

Setbacks for a development are to be provided in accordance with **Table 10-1**.

Table 10-1: Minimum Setbacks

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK	REAR SETBACK
All Dwelling Types	12m	5m	4m	4m

PC.2
• O.35

Development must reinforce the established streetscape character, providing generous front setbacks and open-style front fencing.

PC.3
• O.36

Any re-subdivision must maintain the large-lot, low-density character, preserving the predominant lot sizes in the immediate precinct.

PC.4
• O.37

Development containing multiple habitable dwellings (e.g. dual occupancy or medium-density housing) must be designed, when viewed from public spaces, to resemble a single dwelling in scale, massing, and overall appearance.

PC.5
• O.35

New developments are to be designed and sited so that its external building materials, colours, and landscaping treatments are sympathetic to the existing natural and built context of Hermitage Close.

AS.1
• O.37

Re-subdivision of existing residential lots should only be undertaken where the resultant lots are consistent with the typical sizes in the surrounding streetscape.

AS.2
• O.35

Where multiple habitable dwellings are proposed, building form and layout should blend with the established local character, ensuring continuity of roof forms, façade treatments, and landscaping that complements the existing streetscape.

10.4. Urban Release Areas

10.4.1. General Requirements

10.4.1.1. Preamble

The Maitland Local Housing Strategy (LHS) provides the broad direction for future growth in the Maitland LGA. The LHS identifies a number of investigation areas for residential expansion, as well as low density residential areas in more constrained localities and areas to support employment growth.

The process to develop investigation areas as identified in the LHS is as follows:

- Preparation of a Structure Plan (if not identified as a current Urban Release Area or Investigation Area)
- Scoping Proposal
- Planning Proposal
- Infrastructure Contributions Plan
- Site-Specific Development Control Plan (this Section)

10.4.1.2. Relationship with Maitland LEP 2011

The purpose of Part 6 in the MLEP 2011 is to ensure that development on land identified as an urban release area occurs in the logical and cost-effective manner. In this regard, Part 6 requires:

- that satisfactory arrangements are to be made for public infrastructure before development in an urban release area can be approved, and
- the preparation of a development control plan for any land so identified, before development consent can be granted for development on land in an urban release area.

Consequently, Part 6, Section 6.3 in the MLEP 2011 requires a development control plan to include all the following:

a. a staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,
b. an overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
c. 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 and private domain,
d. a network of passive and active recreational areas,
e. stormwater and water quality management controls,
f. amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
g. detailed urban design controls for significant development sites,
h. measures to encourage higher density living around transport, open space and service nodes,
i. measures to accommodate and control appropriate neighbourhood commercial and retail uses,
j. suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

Where an Urban Release Area is identified in the MLEP 2011 for a development outcome other than residential, such as commercial or employment purposes, Council may require additional matters to be included in the DCP.

10.4.1.3. Additional DCP Components

Area Plan

An Area Plan may be required by Council to further coordinate the detailed strategic planning of large or complex sites where site constraints, infrastructure provision, existing development and land ownership patterns result in the identification of distinct precincts.

More detailed Precinct Plans may then identify additional specific objectives and requirements for individual areas. Area Plans are not DCPs for the purpose of interpreting Part 6 in the LEP.

Precinct Plan

A plan that is prepared to include the matters outlined in Part 6 of the LEP will be interpreted as a DCP for the purposes of Part 6, Section 6.2 and 6.3. In most cases, this plan will be a Precinct Plan. Additional Precinct Plans or other plans that satisfy Part 6 of the LEP will be prepared as development occurs in accordance with the LHS. These Plans will be included in future amendments to the Maitland DCP 2026.

10.4.2. Aberglasslyn Urban Release Area

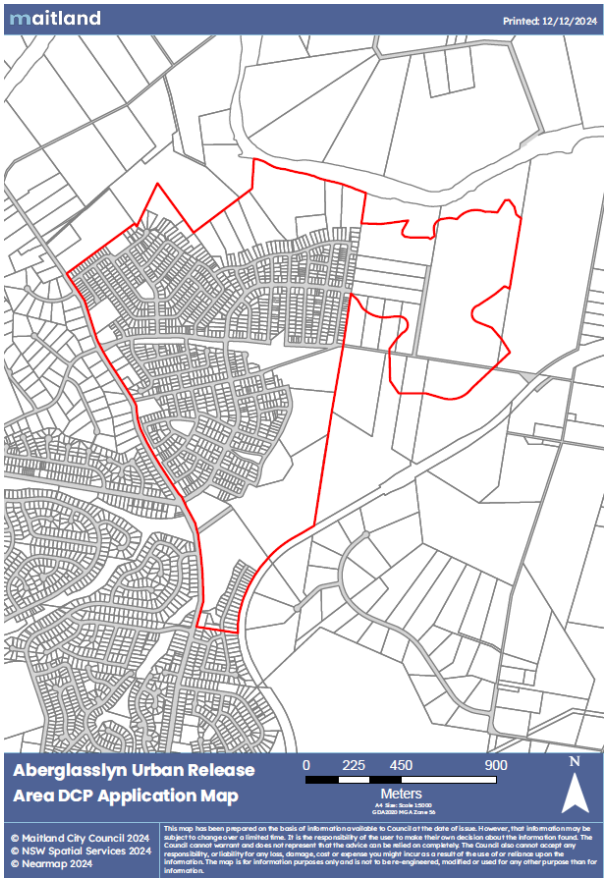


Figure 10-13: Aberglasslyn Urban Release Area

The Aberglasslyn Urban Release Area identifies approximately 200 hectares of land to the north of the existing urban area of Rutherford. Access to the area is via Aberglasslyn and Oakhampton Roads from the New England Highway.

The majority of the land has traditionally been used for grazing. The area adjoins a number of important sites and land uses that required consideration in the strategic planning for this area. In particular, the proximity to Aberglasslyn House, a heritage item of State significance; the adjoining rail corridor, and impacts associated with extractive industries along the Hunter River dictated specific design outcomes for these areas.

Environmental issues associated with flooding and water quality from sub- catchments which flow directly into the Hunter River and the Oakhampton Wetlands required specific development controls. Infrastructure provision (particularly the extension and augmentation of reticulated water and sewer) influences the orderly staging and sequencing of land. The potential for impacts on the road network leading into Central Maitland also requires consideration in the staging of development. Development of the East Precinct may require upgrading and safety improvements to the Oakhampton Road railway level crossing.

Development of this Urban Release Area is well progressed. Precinct Plans and consequent development has already occurred for the East, Central and South Precincts as part of this DCP and land has been rezoned on the corner of Aberglasslyn Road and McKeachie Drive for a neighbourhood centre.

Aberglasslyn Area Plan

The Aberglasslyn Area Plan is comprised of precinct plans as shown in **Figure 10-16**. The provisions of this section apply to the preparation of precincts plans for and staging of the Aberglasslyn Urban Release Area.

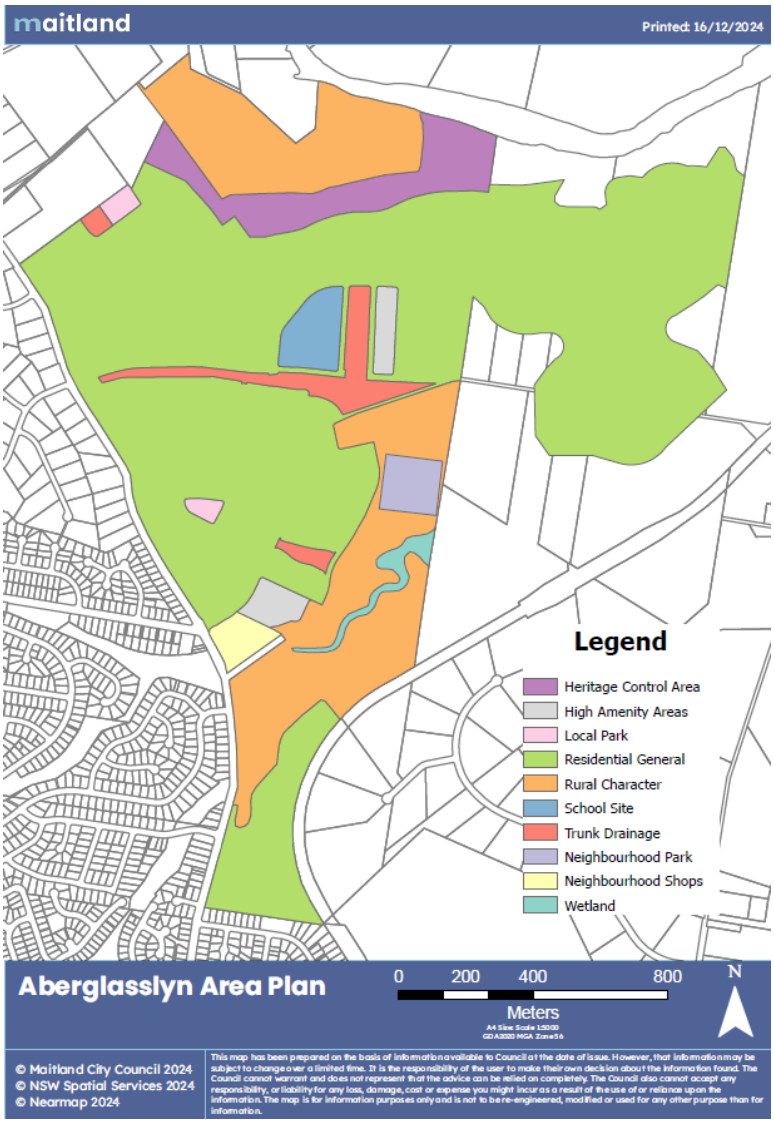


Figure 10-14: Aberglasslyn Area Plan

Staging Plan

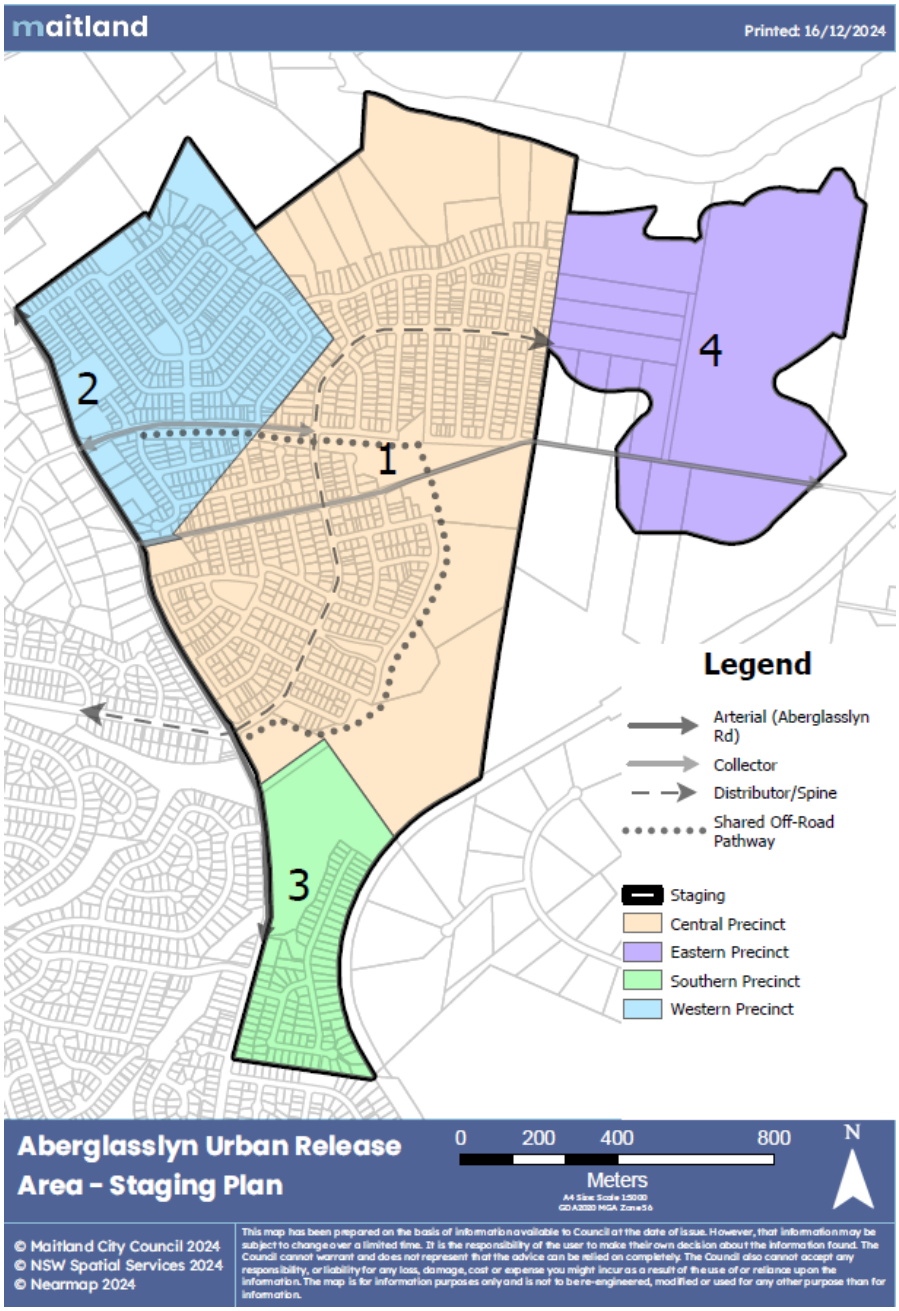


Figure 10-15: Aberglasslyn Staging Plan

Precinct Plan

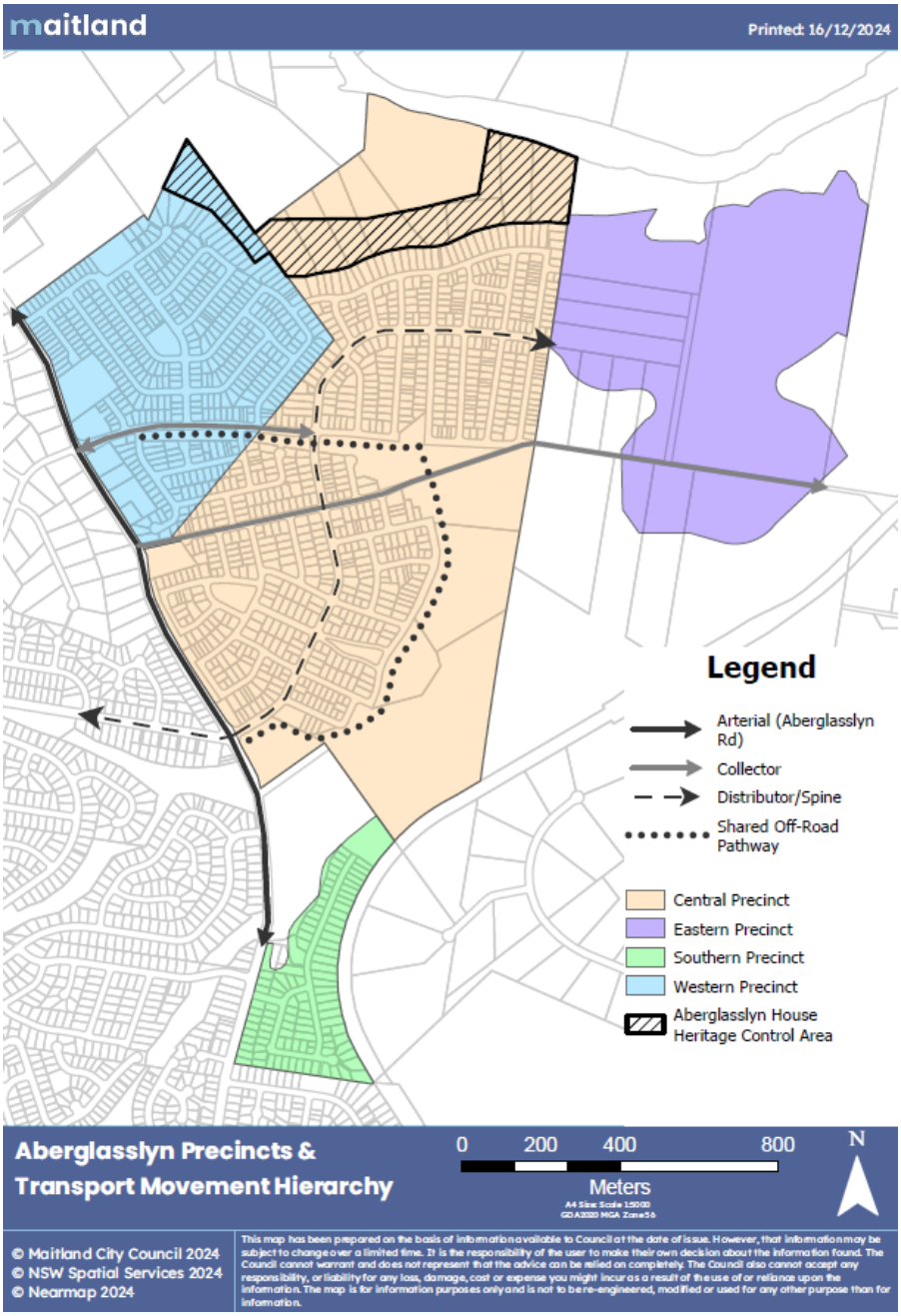


Figure 10-16: Aberglasslyn Precinct Plan & Transport Movement Hierarchy

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Aberglasslyn Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.1. Staging Plan

Objectives

O.38 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.38	Staging of the urban release area should be generally in accordance with Figure 10-15.

10.4.2.2. Precinct Plans - General

Objectives

O.39 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure, sequencing, and tailored land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39	Precinct Plans are to be prepared for each precinct identified in Figure 10-16 before development is to occur.

10.4.2.3. Transport Movement Hierarchy

Objectives

O.40 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.41 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.42 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.

O.43 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40 • O.41 • O.42	Each precinct plan includes an overall transport movement hierarchy showing the major circulation routes and connections. Compliance with Council's MoES is to be achieved in any road design.
AS.1 • O.40 • O.41 • O.42 • O.43	The overall movement hierarchy for each precinct is to be generally consistent with the road hierarchy and pathways identified in Figure 10-16.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.40 • O.41 • O.42 • O.43	The transport movement hierarchy is to include off-road paths from the intersection of Denton Park Drive and Aberglasslyn Road running adjacent to the southeastern 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.

10.4.2.4. Overall Landscaping Strategy

Objectives

O.44 To protect and enhance riparian areas and remnant vegetation, including visually prominent locations.

O.45 To protect scenic values and significant vegetation, particularly within, and adjacent to, the Aberglasslyn House Heritage Control Area, Aberglasslyn Road and Oakhampton Wetlands.

O.46 To provide detailed landscaping requirements for both the public and private domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.44 • O.45 • O.46	Landscaping strategies provided for each precinct are to consider landscaping elements identified in Figure 10-14 and are to incorporate street trees along any new road.

10.4.2.5. Passive and Active Recreation Areas

Objectives

O.47 Neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.47	The network of passive and active recreational areas is to be provided generally in accordance with Figure 10-14.

10.4.2.6. Stormwater and Water Quality

Objectives

O.48 Stormwater and water quality management controls shall protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Oakhampton wetlands and the Hunter River.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.48	Each precinct plan is to include stormwater and water quality management controls.
AS.1 • O.48	Stormwater and water quality management controls (trunk drainage) are to be provided generally in accordance with Figure 10-14.

10.4.2.7. Amelioration of Natural and Environmental Hazards

Objectives

O.49 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.49	Each precinct plan is to include measures to reduce impact for future residential development from activities generated by: • the railway (with Development Applications to provide a Noise and Vibration Assessment including rail noise as an assessment criteria), • vehicular traffic, and • the adjoining extractive industries along the Hunter River, in accordance with relevant *State Environmental Planning Policy (Transport & Infrastructure) 2021*, NSW EPA criteria and any relevant Australian Standards.
PC.2 • O.49	Land within the flood planning area is to address Clause 5.21 of the MLEP 2011.
PC.3 • O.49	All development applications are to demonstrate compliance with the requirements of the *State* Environmental *Planning Policy (Resilience and Hazards) 2021.*

10.4.2.8. Key Development Sites

Objectives

O.50 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.50	Precinct Plans include detailed urban design controls (including traffic management requirements and car parking designs) for the following key development sites: • A potential school site, • Aberglasslyn House Heritage Control Area, • A potential neighbourhood centre, and • Any proposed exhibition villages.

10.4.2.9. Residential Densities

Objectives

O.51 To encourage higher density living around transport, open space and service nodes.
O.52 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.51 • O.52	Precinct plans are to nominate areas where higher density living may be appropriate. **Note:** Residential densities are controlled by lot size in the Maitland Local Environmental Plan 2011.

Development Requirements – Aberglasslyn West Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the West Precinct.

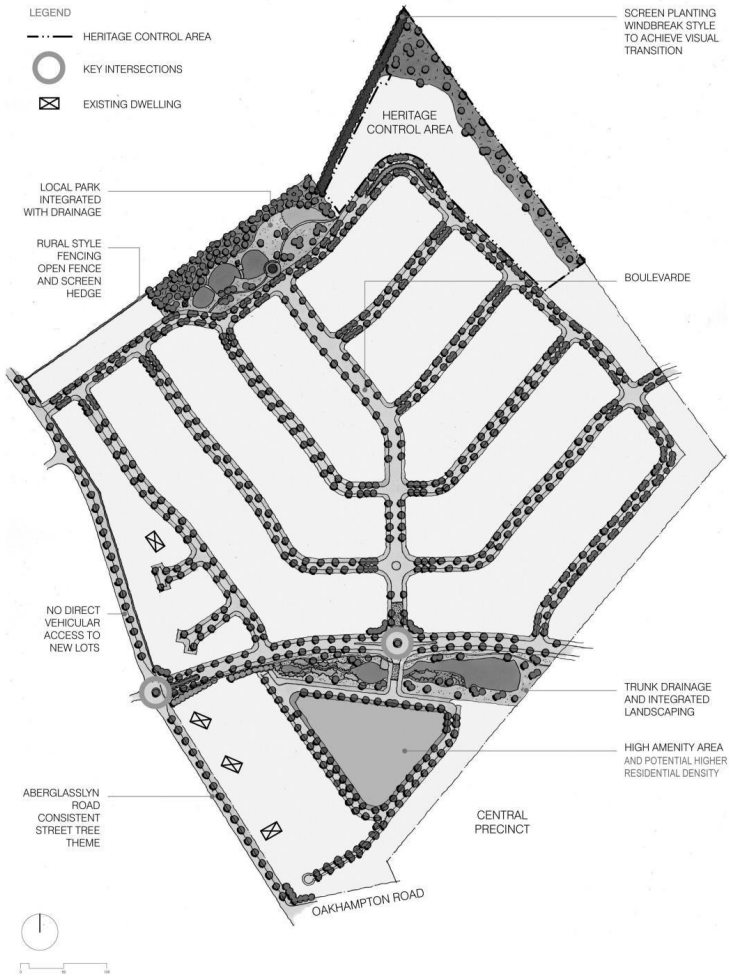


Figure 10-17: Aberglasslyn Urban Release Area - Western Precinct

No specific requirements have been made for the following matters within the West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.10. Transport Movement Hierarchy

Objectives

O.53 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.54 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.
O.55 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.
O.56 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.53 • O.54 • O.55 • O.56	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.
PC.3 • O.54 • O.56	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.
AS.1 • O.54 • O.56	Residential development in the West Precinct is not to 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.
PC.2 • O.53 • O.54 • O.55 • O.56	Road layout and street design will be consistent with Figure 10-17 and following detailed survey and subdivision planning. Figure 10-19 shows typical cross sections for roads in this precinct.

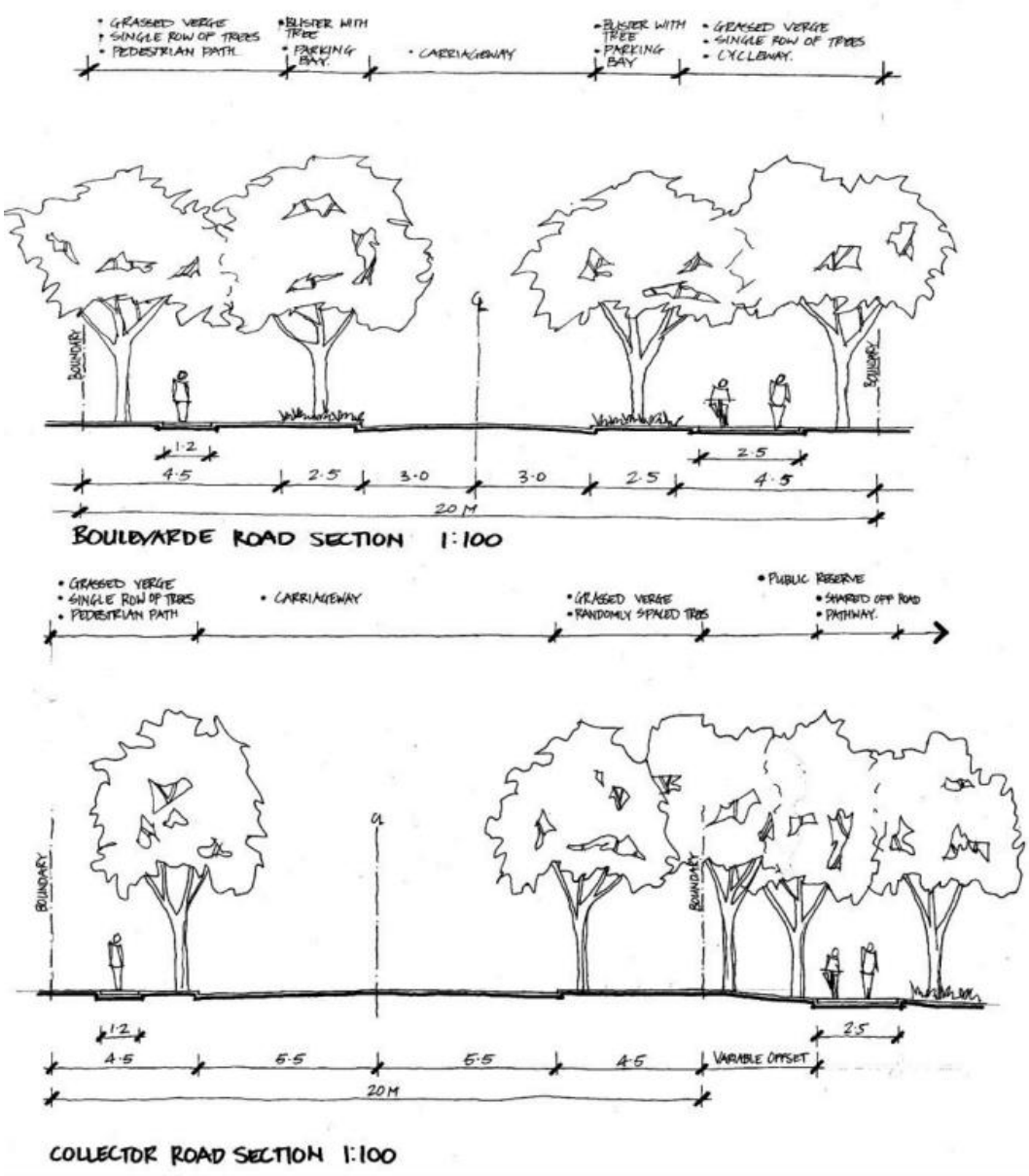


Figure 10-18: Western Precinct Road Sections

10.4.2.11. Overall Landscaping Strategy

Objectives

O.57 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.58 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.57 • O.58	A visual and scenic impact assessment is to accompany development applications for Medium and Large Subdivisions and development that are likely to have a visual impact on the area. Such assessments are to address any development of land containing part of the Heritage Control Area and/or with views to Aberglasslyn House.
PC.2 • O.57 • O.58	Landscaping will be required on land adjacent to Aberglasslyn Road.
PC.3 • O.57 • O.58	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.
AS.1 • O.57 • O.58	Re-vegetation proposals should be integrated with landscape plans and include the areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community.
AS.2 • O.57 • O.58	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-17 and Figure 10-19. Development Applications for Medium and Large Subdivision are to 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.
PC.4 • O.57 • O.58	Landscaping plans are to show how open space areas and trunk drainage are to be located and landscaped.

10.4.2.12. Passive and Active Recreation Areas

Objectives

O.59 Neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.60 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.59 • O.60	Passive and active recreational space is to be provided generally in accordance with Figure 10-17.

10.4.2.13. Stormwater and Water Quality

Objectives

O.61 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.62 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.63 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.61 • O.62 • O.63	Stormwater management facilities are to be provided generally in accordance with Figure 10-17.
AS.2 • O.61 • O.62 • O.63	Stormwater facilities are to be generally based on the existing water bodies in accordance with Figure 10-17.
PC.1 • O.61 • O.62 • O.63	Reshaping and resizing of the waterbodies referred to in AS.2 will be required to provide control of both water quantity (detention) and water quality and are subject to the *Maitland City Wide Contributions Plan 2016.*

10.4.2.14. Amelioration of Natural and Environmental Hazards

Objectives

O.64 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.64	Filling of drainage lines is to be limited to that necessary to render flood free all residential land.
AS.1 • O.64	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.64	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.
PC.3 • O.64	Noise and vibration assessments are required to be submitted with relevant Development Applications for subdivisions that adjoin incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.4 • O.64	Land within the flood planning area must address clause 5.21 of the *Maitland Local* Environmental *Plan 2011.*
PC.5 • O.64	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

10.4.2.15. Key Development Sites

Aberglasslyn Heritage Control Area

Objectives

O.65 To ensure that development does not adversely impact upon the setting and context of Aberglasslyn House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.65	A Statement of Heritage Impact (SoHI) is required for subdivision that relates to land containing the Heritage Conservation Area and adjacent to Aberglasslyn House.
PC.2 • O.65	Existing vegetation within the Heritage Conservation 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.
PC.3 • O.65	Development of dwellings within the Heritage Conservation Area is to be consistent with Figure 10-19 and Figure 10-20.

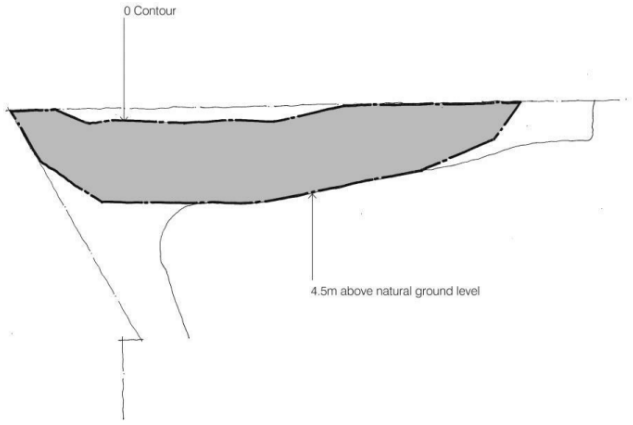


Figure 10-19: West Precinct Structures Limitation Plan

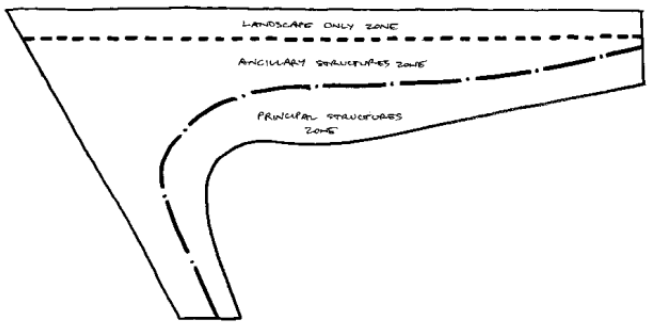


Figure 10-20: West Precinct Building Envelope

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.65	Residential development in the Heritage Conservation Area must include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House.
PC.5 • O.65	All development within the Heritage Conservation Area as shown in Figure 10-14 is to be limited in height to ensure that no structure or element thereof protrudes above the surface defined by the Structures Limitations Plan in Figure 10-19.
PC.6 • O.65	Dwellings and ancillary buildings are to be a maximum of one storey (although they may include habitable rooms within a roof/attic space) and is to only be located within the Principal Structures Zone shown in Figure 10-20.
PC.7 • O.65	Fencing within the Heritage Conservation Area and particularly the Landscape Only Zone shown in Figure 10-20 are to be limited to traditional timber post and wire rural style fencing.
AS.1 • O.65	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 10-20, subject to Council's consent.
PC.8 • O.65	A visual transition is to 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 Heritage Conservation Area 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.
PC.9 • O.65	Landscaping within the Landscape Only Zone as indicated in Figure 10-20 is to 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.
PC.10 • O.65	Any dwellings or outbuildings within the Heritage Conservation Area are to 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-reflective.
PC.11 • O.65	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 Conservation Area. The relevant development consent will subsequently have a restriction as to user on the subdivision, to apply that Schedule on the land title.

10.4.2.16. Residential Densities

Objectives

O.66 To encourage higher density living around transport, open space and service nodes.
O.67 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.66 • O.67	Higher residential densities are encouraged in high amenity areas nominated in Figure 10-17.

Development Requirements – Aberglasslyn Central Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the Central Precinct.

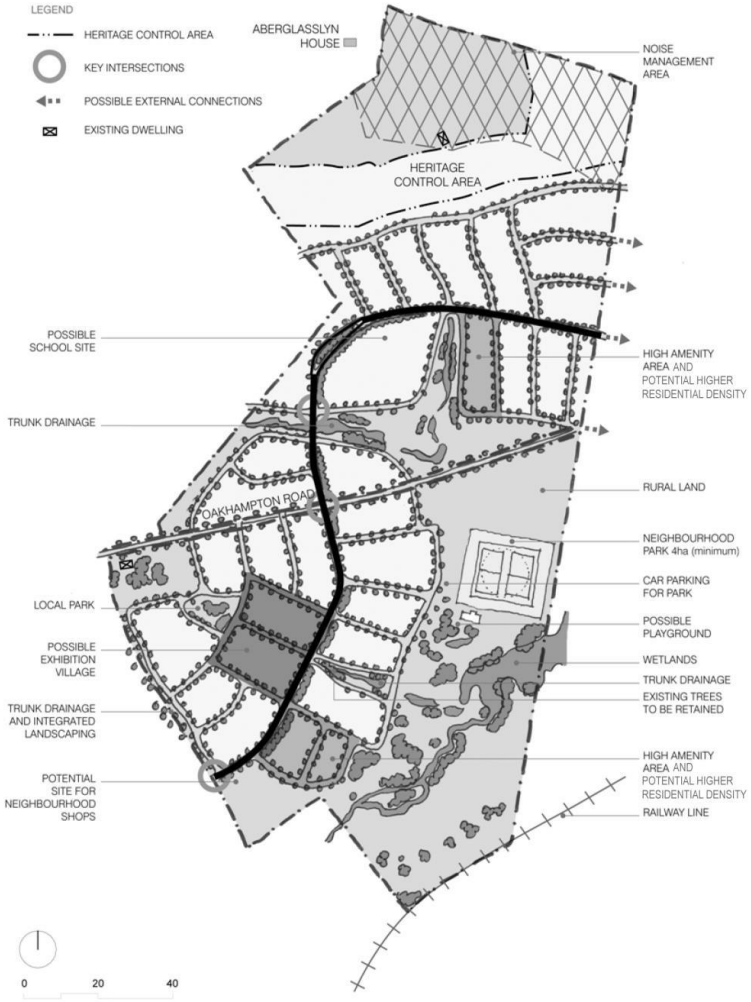


Figure 10-21: Aberglasslyn – Central Precinct and Road Hierarchy

No specific requirements have been made for the following matters within the Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.2.17. Transport Movement Hierarchy

Objectives

O.68 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.69 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.
O.70 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.
O.71 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.68 • O.69 • O.70 • O.71	The principal access to the Central Precinct will be via a roundabout controlled intersection on Aberglasslyn Road at the existing intersection of Denton Park Drive. This distributor/spine road will link to the northern parts of the site crossing Oakhampton Road. These road links will also accommodate a future bus route.
AS.1 • O.68 • O.69 • O.70 • O.71	Road layout and street design will be generally consistent with Figure 10-21, following detailed survey and subdivision planning.
PC.2 • O.68 • O.70	No new future lot is to have direct vehicular access to Aberglasslyn Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner. Despite this, no new residential development is to have direct access to Aberglasslyn Road.

10.4.2.18. Overall Landscaping Strategy

Objectives

O.72 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.73 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.74 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.73	A visual and scenic impact assessment is to accompany development applications for Medium and Large Subdivisions and development that are likely to have a visual impact on the area. Such assessments are to address any development of land containing part of the Heritage Control Area and/or with views to Aberglasslyn House.
PC.2 • O.74	Landscaping will be required on land adjacent to Aberglasslyn Road.
PC.3 • O.73	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.
PC.4 • O.74	Street tree planting is to be carried out as part of the 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.73 • O.74	Retained drainage lines/watercourses 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 required landscape plans and include, where possible, those areas supporting Ecological Endangered Communities (EEC) of the Lower Hunter Spotted Gum/Iron Bark vegetation community.
PC.6 • O.74	Open space areas and pathways are to be suitably located and designed to provide linkages to surrounding development in accordance with the Maitland City Wide Contributions Plan 2016. Such areas are to have good surveillance and safety, particularly at nighttime, and are to be easily maintained and appropriately landscaped.
AS.1 • O.74	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-21.
PC.7 • O.72 • O.74	Development Applications for subdivision will include detailed landscaping plans identifying the location of landscaping, street tree species and key intersection treatments, together with any fencing treatments to Aberglasslyn Road, Oakhampton Road, the spine/distributor road, and the adjoining rural properties.
PC.8 • O.74	Landscape plans for subdivision will also indicatively show how open space areas and trunk drainage are to be located and landscaped.

10.4.2.19. Passive and Active Recreation Areas

Objectives

O.75 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.76 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.75 • O.76	Passive and active recreational space shall be provided generally in accordance with Figure 10-21.

10.4.2.20. Stormwater and Water Quality

Objectives

O.77 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.78 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.79 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.77 • O.78 • O.79	Stormwater Management facilities and trunk drainage is to be provided generally in Figure 10-21 and in accordance with the *Maitland City Wide Contributions Plan 2016*.

10.4.2.21. Amelioration of Natural and Environmental Hazards

Objectives

O.80 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.80	Filling of drainage lines is to be limited to that necessary to render flood free all residential land.
AS.1 • O.80	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.80	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.
PC.3 • O.80	Noise and vibration assessments are required to be submitted with relevant Development Applications for subdivisions that adjoin incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.4 • O.80	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.5 • O.80	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.6 • O.80	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.2.22. Key Development Sites

Aberglasslyn Heritage Control Area

Objectives

O.81 To ensure that development does not adversely impact upon the setting and context of Aberglasslyn House.

O.82 To provide a visual screen and scenic backdrop for new development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.81 • O.82	A Statement of Heritage Impact (SoHI) is required for subdivision that relates to land containing any part of the Heritage Conservation Area and adjacent to Aberglasslyn House.
PC.2 • O.81 • O.82	Existing vegetation within the Heritage Conservation Area is to be retained.
AS.1 • O.81 • O.82	Where practicable, new dwellings should be located adjacent to, or behind established trees.
PC.3 • O.81 • O.82	All dwelling houses and outbuildings on land containing the Heritage Conservation Area are: a. to be limited to single storey, and b. must be no greater than 5m in height when measured from the existing ground level to the highest point of the ridgeline.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.81 • O.82	Residential development in the Heritage Conservation Area is to include specific design and construction measures to comply with the requirements for the minimisation and management of any heritage impacts to Aberglasslyn House.
AS.2 • O.81 • O.82	Development is not generally supported in the Heritage Conservation Area. Where such development is unavoidable, development applications are to accurately demonstrate, using view shed analysis, suitable locations of building sites including special measures to comply with the requirements for the minimisation and management of any heritage impacts on Aberglasslyn House.
PC.5 • O.81 • O.82	Any development consent for subdivision of land within the Heritage Conservation Area will have a restriction as to user on the subdivision restricting dwellings to within the building envelope.
AS.3 • O.81 • O.82	The development of light weight structures, landscaping and/or orcharding within the Heritage Control Area will be considered where it can be demonstrated through siting, design, construction and treatment measures, the structure/improvements do not impact upon the visual amenity of Aberglasslyn House.
PC.6 • O.81 • O.82	Any building located within the Heritage Conservation Area (wholly or partially) is to meet the following design requirements: a. Structures shall be constructed using external materials and finishes of darker colours and tones, so as to limit visibility. Brick and painted surfaces are to be restricted to muted colours such as greys, browns, grey greens and fawns. b. Roofs shall be coloured dark slate grey, grey blue or grey green. No blue, red or orange range steel or tile roofing shall be permitted. c. External building materials and finishes must be non-reflective.
PC.7 • O.81 • O.82	Fencing within or adjacent to the Heritage Conservation Area will be limited to traditional timber post and wire rural style fencing.
PC.8 • O.81 • O.82	Landscaping within the Heritage Conservation Area is limited to plantings of local endemic species and is to include random spacing of trees and shrubs in clusters for an informal effect.

10.4.2.23. Residential Densities

Objectives

O.83 To encourage higher density living around transport, open space and service nodes.
O.84 To ensure cost-effective and resource efficient development to promote affordable housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.83 • O.84	Higher residential densities are encouraged in high amenity areas nominated in Figure 10-21.

Development Requirements – Aberglasslyn South Precinct

The following is the Precinct Plan provisions referred to in the general provisions above that applies to the South Precinct.

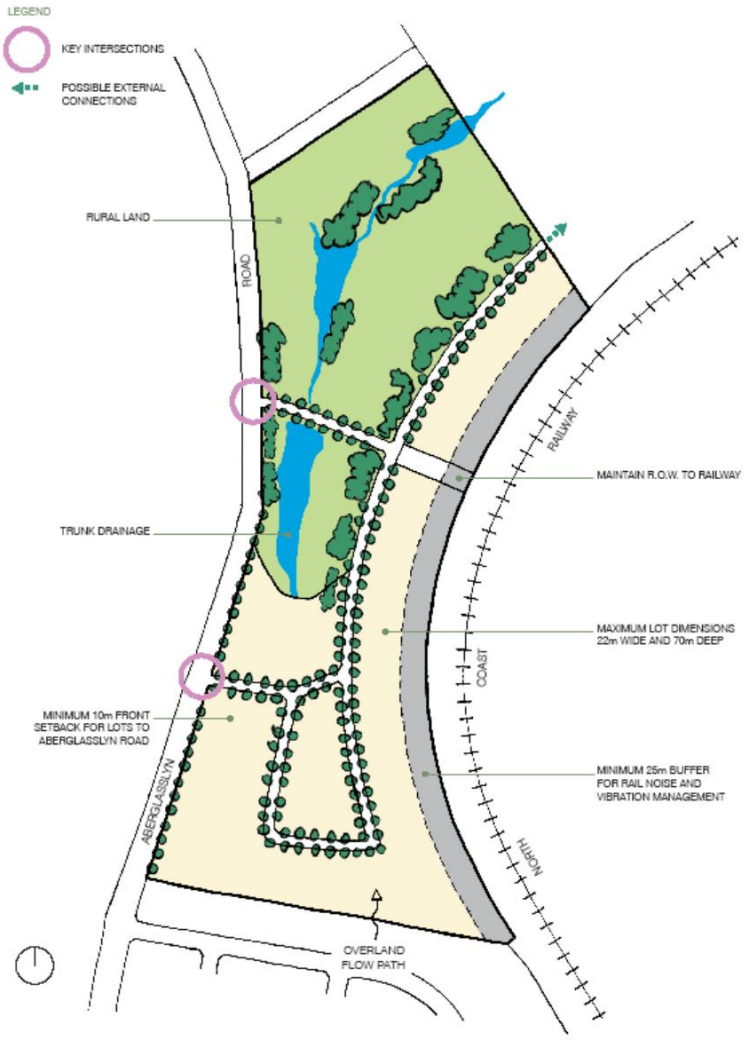


Figure 10-22: Aberglasslyn - South Precinct and Road Hierarchy

No specific requirements have been made for the following matters within the Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services
- Key Development Sites

10.4.2.24. Transport Movement Hierarchy

Objectives

O.85 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.86 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.
O.87 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.
O.88 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.85 • O.86 • O.87 • O.88	Access to the South Precinct will be via two (2) new intersections on Aberglasslyn Road. The main internal road is to run generally north/south adjacent to the North Coast Railway line and form a link to the adjoining residential land to the northeast of the site.
PC.2 • O.85 • O.86 • O.87 • O.88	Road layout and street design is to be generally consistent with the adopted South Precinct and Road Hierarchy Plan in Figure 10-22, following detailed survey and subdivision planning.

10.4.2.25. Overall Landscaping Strategy

Objectives

O.89 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.89	Landscaping is to be provided on land adjacent to Aberglasslyn Road.
PC.2 • O.89	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.
PC.3 • O.89	Retained drainage lines/watercourses are to be re-vegetated to enhance visual amenity, prevent soil erosion and help protect the quality of receiving waters.
AS.1 • O.89	Landscaping of the private and public domain is to be generally consistent with the landscape concepts shown in Figure 10-22.
PC.4 • O.89	Development Applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, and, where applicable, the following: a. landscaping treatments to Aberglasslyn Road, b. fencing/landscaping treatments within the acoustic buffer running parallel to the railway line, c. landscaping treatments of key intersections, and d. how open space areas and trunk drainage are to be located and landscaped.

10.4.2.26. Passive and Active Recreation Areas

Objectives

O.90 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.91 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.90 • O.91	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-14 and Figure 10-22.

10.4.2.27. Stormwater and Water Quality

Objectives

O.92 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.93 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.94 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.92 • O.93 • O.94	Stormwater Management facilities and trunk drainage are to be provided generally in accordance with Figure 10-22 and the *Maitland City Wide Contributions Plan 2016*.

10.4.2.28. Amelioration of Natural and Environmental Hazards

Objectives

O.95 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.95	Filling of drainage lines is to be limited to that necessary to render flood free all residential land as indicated on Figure 10-22.
AS.1 • O.95	Retained drainage lines/water courses should be rehabilitated through comprehensive replanting with indigenous plant species.
PC.2 • O.95	Lot design of land adjoining the acoustic and vibration buffer is to be consistent with Figure 10-22. Maximum lot dimensions for the affected area are 22m wide and 70m deep.
PC.3 • O.95	Stage 1 of development of the South Precinct is to include the construction of a 3m high solid acoustic barrier along the boundary between the railway line and residential allotments. Details of the acoustic barrier are to be provided to, and approved by, council prior to the construction of the subdivision.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.95	Residential development of allotments adjacent to the railway line and containing the noise and vibration management area must include specific design and construction measures to a level to satisfy AS 3671-1989 Category 3 construction. A separate acoustic engineer's report is required to certify that each dwelling, at the design stage, can meet the requirements of *State Environmental Planning Policy (Transport & Infrastructure) 2021*.
PC.5 • O.95	A minimum front setback of 10m applies to any residential building constructed on land facing Aberglasslyn Road. Design and construction measures are to be to a level to satisfy AS 3671-1989 Category 3 construction. A separate acoustic engineer's report is required to certify each dwelling, at the design stage, can attenuate 27dB(A) at the façade of the dwelling.
PC.6 • O.95	Subdivision and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from traffic, railways or any other adjoining land uses including extractive industries along the Hunter River.
PC.7 • O.95	Noise and vibration assessments are to be submitted with Development Applications for subdivision that adjoins incompatible land uses, including classified roads and rail corridors, and extractive industries within the Hunter River.
PC.8 • O.95	Development on bushfire prone land will be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019.*
PC.9 • O.95	Land within the flood planning area must address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.10 • O.95	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

10.4.3. Gillieston Heights Urban Release Area

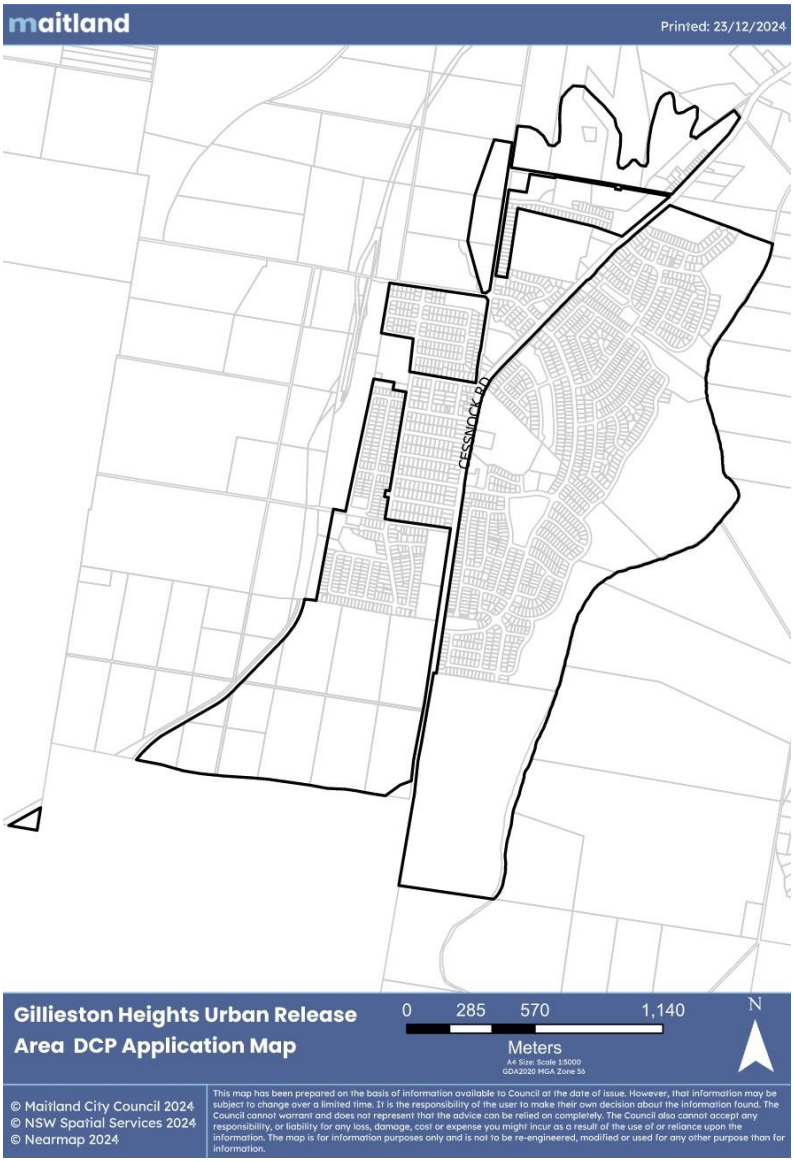


Figure 10-23: Gillieston Heights Urban Release Area

The desired future character for the Gillieston Heights Urban Release Area comprises a mix of residential housing styles and types, supported by a central neighbourhood centre, 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 fill.

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.

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.

Development within this Urban Release Area is well progressed. The overall Area Plan prepared for this Urban Release Area comprises precinct plans for the East and West precinct. These precincts are bisected by Cessnock Road.

Staging Plan

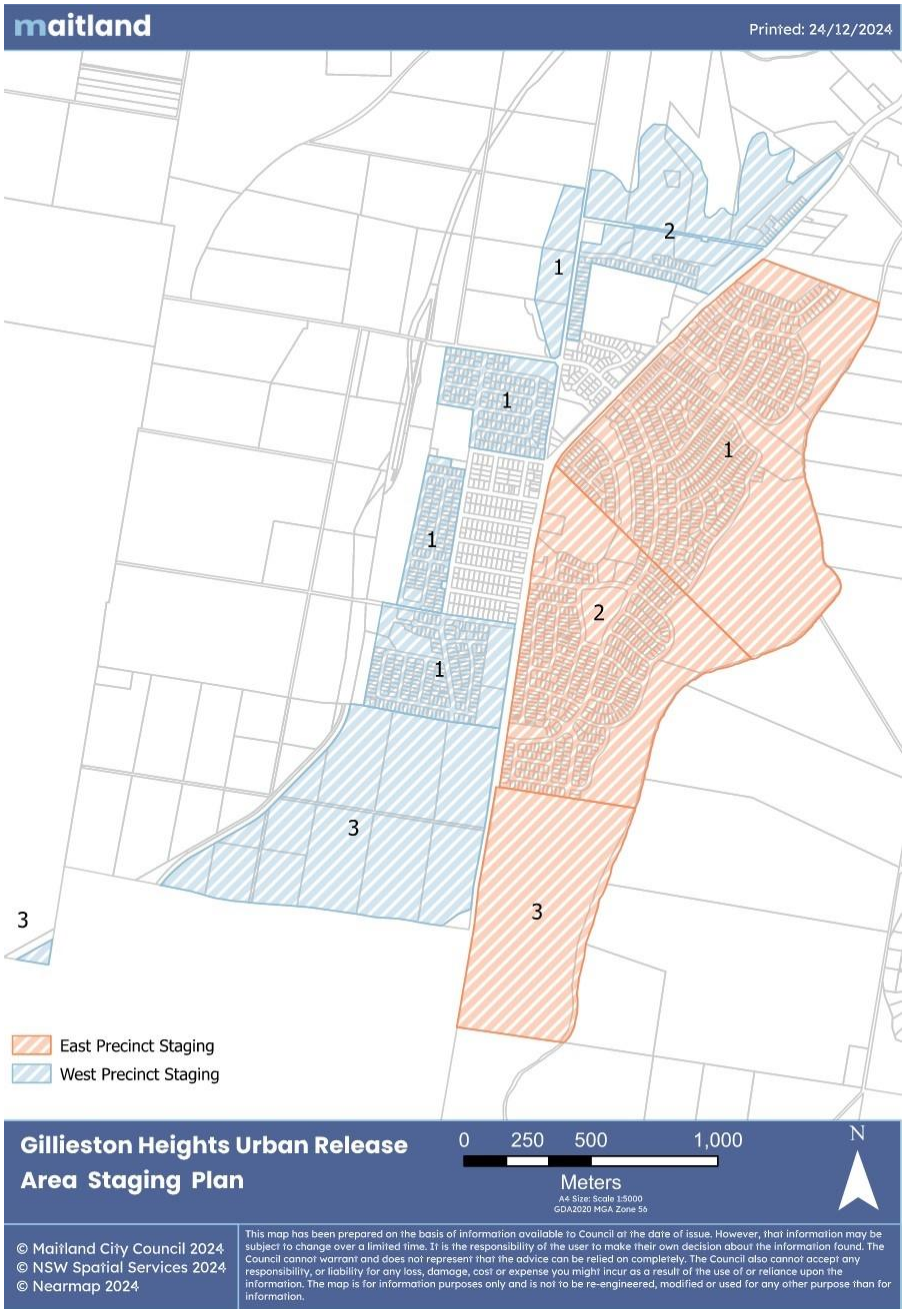


Figure 10-24: Gillieston Heights URA Staging Plan

Precinct Plan



Figure 10-25: Gillieston Heights URA Precinct Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Gillieston Heights Urban Release Area as they are already adequately addressed by other relevant provisions within the Precinct Plans provided for this URA, the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Amelioration of Natural and Environmental Hazards
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.1. Staging Plan

Objectives

O.96 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.96	Staging of the urban release area should be generally in accordance with Figure 10-24.

Development Requirements – Gillieston Heights East Precinct

The following are the Precinct Plan provisions referred to in Figure 10-25 that applies to the East Precinct.

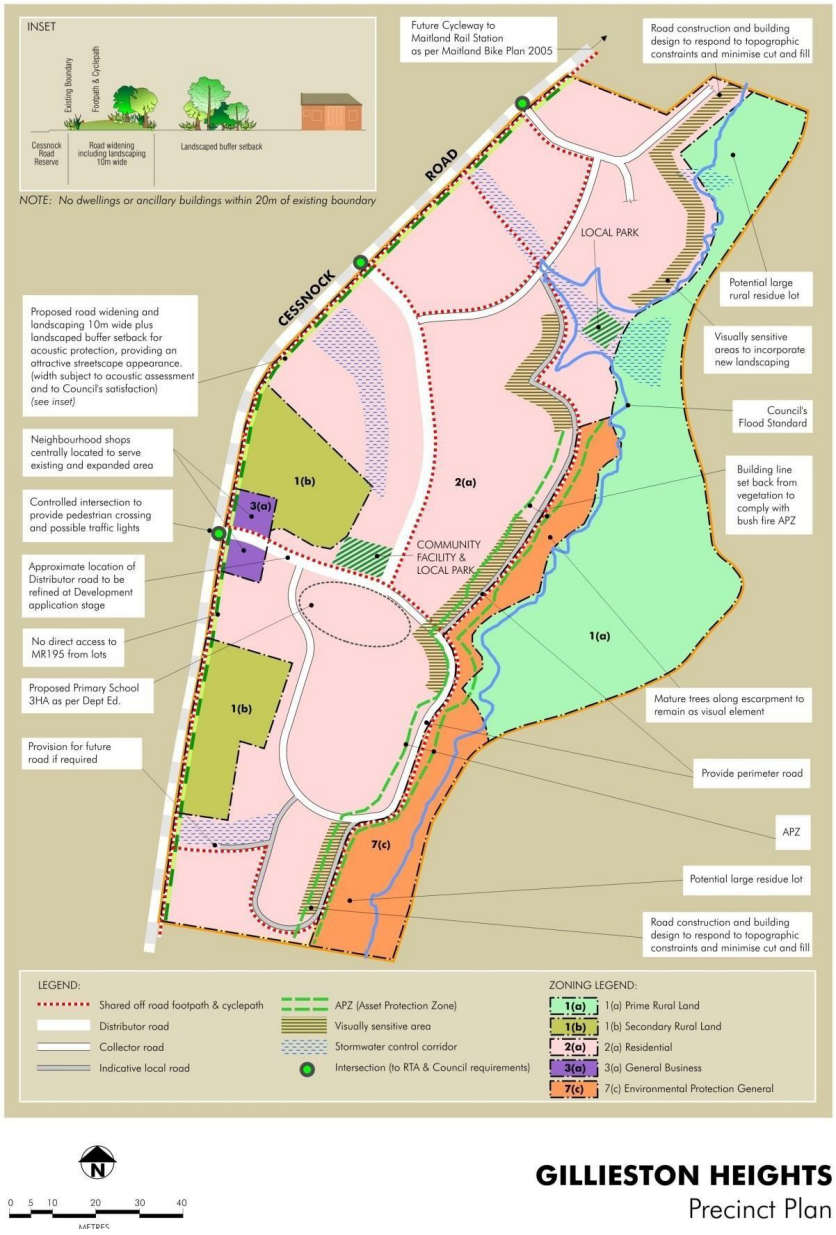


Figure 10-26: Gillieston Heights East Precinct Plan

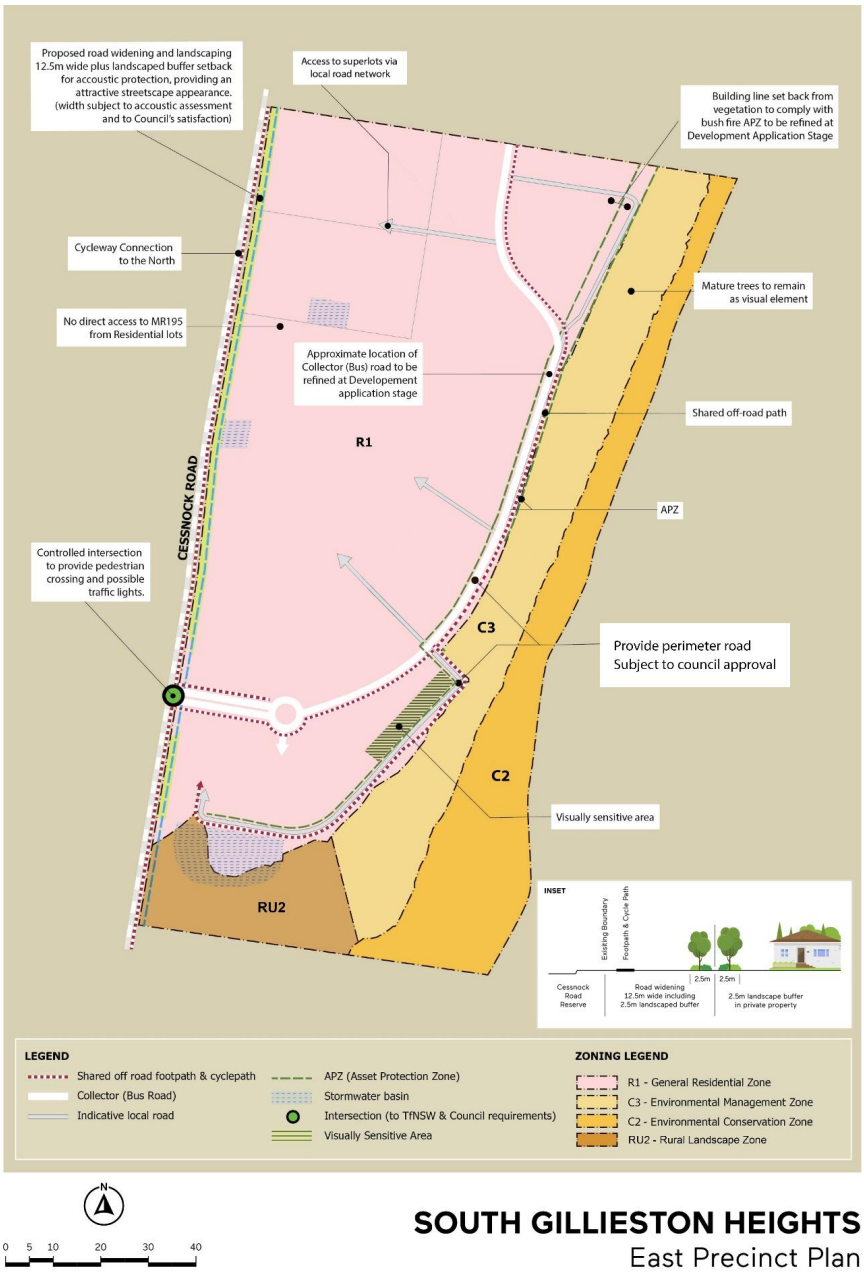


Figure 10-27: South Gillieston Heights East Precinct Plan

No specific requirements have been made for the following matters within the East Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Provision of Public Facilities and Services

10.4.3.2. Staging Plan

Objectives

O.97 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.97	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.3.3. Transport Movement Hierarchy

Objectives

O.98 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.99 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.100 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.

O.101 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.98 • O.99 • O.100	Road layouts should be generally consistent with Figure 10-26 and Figure 10-27.
PC.1 • O.98 • O.99 • O.100 • O.101	Development applications for subdivisions proposing new roads must ensure that road networks are fully constructed to the boundaries of adjoining lots so that they connect to all development areas in a logical hierarchy of street function.
PC.2 • O.98 • O.100	No new future lot is to have direct vehicular access to Cessnock Road (MR 195).
AS.2 • O.98 • O.99 • O.100	Cycleways are to be provided for in general accordance with the Precinct Plan and the *Maitland Bicycle Plan and Strategy 2014*.
PC.3 • O.98 • O.99 • O.100	Pedestrian paths and cycleways links with other precincts are to be provided at the strategic access points on Cessnock Road.

10.4.3.4. Overall Landscaping Strategy

Objectives

O.102 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.103 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.104 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.102	Council may require a Visual Impact Assessment to 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 have regard to the background reports used in the preparation of the Precinct Plan.
PC.1 • O.102 • O.103 • O.104	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 minimised, particularly within and adjacent to the visually sensitive areas. Details are to be provided with the landscaping plans to be submitted with development applications.
PC.2 • O.104	Applications for subdivision are to provide for lot frontages addressing streets, drainage reserves and open space. Where its use is unavoidable fronting these areas, boundary fencing is to be of an open style and of consistent materials and colour.

10.4.3.5. Amelioration of Natural and Environmental Hazards

Objectives

O.105 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.105	Flood free access is to be available to all proposed allotments.
PC.2 • O.105	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019.*
PC.3 • O.105	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011.*
PC.4 • O.105	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021.*

10.4.3.6. Key Development Sites

Land adjoining Cessnock Road

Objectives

O.106 Detailed urban design controls are provided for significant development sites to assist in providing separation to traffic noise and a streetscape view of the front of dwellings and landscaped gardens.
O.107 To ensure that fencing does not form a prominent element in the landscape along the road corridor.
O.108 To ensure that future residential development is not adversely affected by noise and vibration from Cessnock Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.106 • O.107 • O.108	A buffer (incorporating 10m for road widening and landscaping) is to be established on land adjoining the eastern side of Cessnock Road, north of Russell Street as shown on Figure 10-26 and Figure 10-27. Details of the landscape buffer is to be provided in a landscape plan with any development application for the site.
PC.2 • O.106 • O.108	An independent acoustic assessment is to be submitted with any development application identifying levels of impact and noise attenuating measures for future residential development in accordance with Transport for NSW and DCCEEW requirements.
PC.3 • O.106 • O.108	No future lot is to have direct access to Cessnock Road (MR 195).
PC.4 • O.107	Fencing of allotments along the boundary of Cessnock Road is to be of consistent materials and colour and form an integral part of the landscape plan provided with the development application.

Rural Land / Flood Fringe Interface

Objectives

O.109 To ensure detailed urban design controls are provided for development site adjoining rural and flood-affected lands.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.109	A perimeter road (with development on the inner side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural land or land zoned for environmental protection.
PC.6 • O.109	An off-road shared path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.7 • O.109	Fencing is to make a positive contribution to the visual appearance of development and will be consistent with the overall landscaping strategy. Fencing adjacent to the boundaries of the surrounding rural lands and visually sensitive areas shown on the Precinct Plan must be unobtrusive, compatible with the rural character, and may include timber post and rail style. Details of fencing are required to be submitted to Council with development applications.
PC.8 • O.109	Development adjacent to rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.
PC.9 • O.109	Access to allotments adjacent to rural zones and flood prone lands are to be flood free and at appropriate gradients, with minimal earthworks.
PC.10 • O.109	Any fencing of allotments in flood prone areas is to be designed so as not to restrict or divert flood waters.

10.4.3.7. Neighbourhood Commercial and Retail Uses

Objectives

O.110 To ensure that local commercial and retail uses are provided for relevant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.110	The commercial centre is to be located in generally in accordance with Figure 10-27 and have easy and direct pedestrian, cyclist and vehicle access to the surrounding residential area and good visibility from the main access route.
PC.2 • O.110	The street structure adjoining the commercial centre is to be designed to accommodate or facilitate buses and bus stops.
AS.1 • O.110	Commercial development within land zoned for business purposes is not subject to the landscape buffer requirements adjacent to Cessnock Road (MR 195) as shown on the Precinct Plan, except for the 10m road widening. Notwithstanding this, such development must include appropriate landscaping as part of the overall design.
AS.2 • O.110	Development, which is located adjacent to Cessnock Road (MR 195), including land zoned for business purposes, should be appropriately designed so as to provide a high-quality architectural appearance with visual interest, particularly by discouraging bulky buildings and blank walls.
PC.3 • O.110	The school is to be located on a collector road close to the commercial centre to encourage use of the centre, but is not to have direct access to Cessnock Road.

Development Requirements – Gillieston Heights West Precinct

The following is the Precinct Plan provisions referred to in Figure 10-25 that applies to the West Precinct.

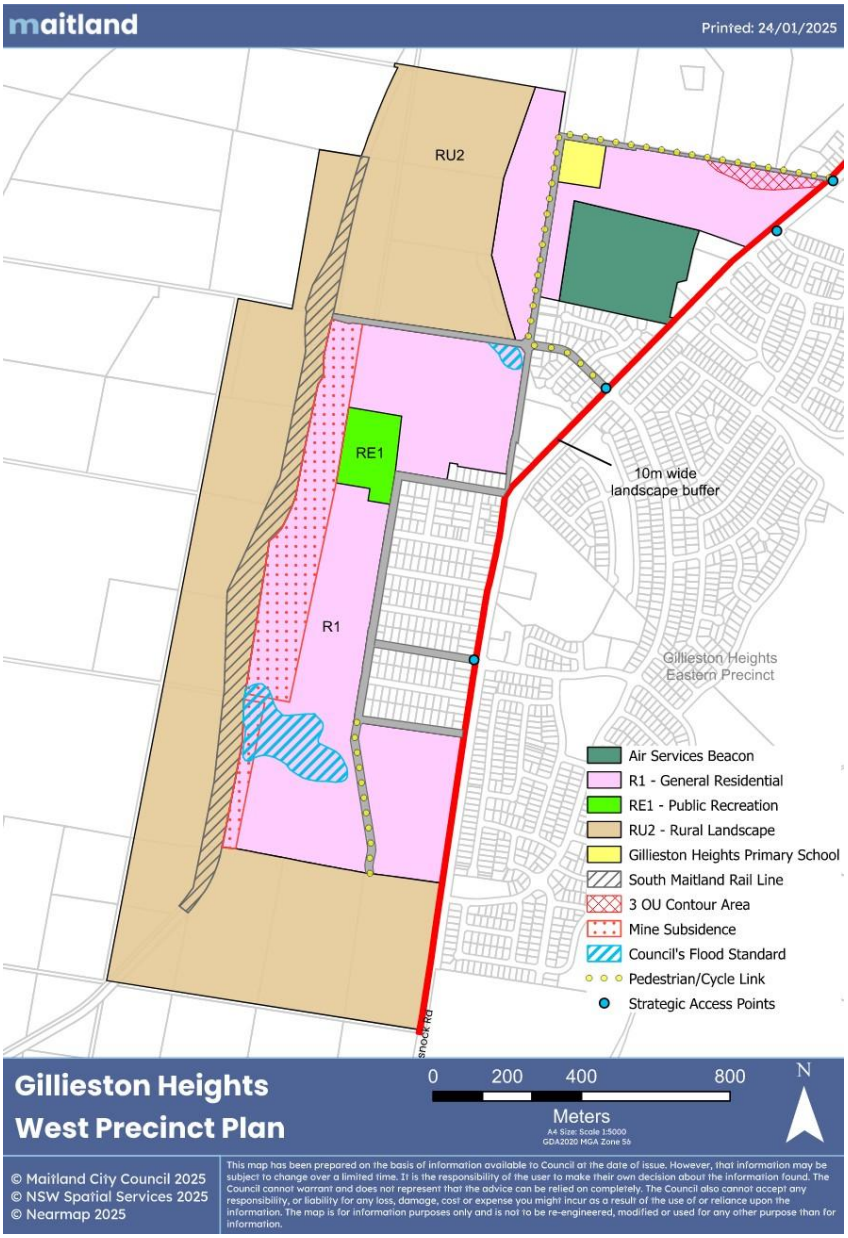


Figure 10-28: Gillieston Heights West Precinct Plan

No specific requirements have been made for the following matters within the West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.8. Staging Plan

Objectives

O.111 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.111	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.3.9. Transport Movement Hierarchy

Objectives

O.112 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.113 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.114 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.

O.115 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.112 • O.113 • O.114	Road layout should be consistent with the Precinct Plan. Development applications for subdivisions must ensure that road networks connect to other development areas in a logical hierarchy of street function.
PC.1 • O.112 • O.114 • O.115	Each development area is required to have access to a minimum of one of the strategic access intersections as identified on the Precinct Plan. The northern development area fronting Gillieston Road is required to have access to Vintage Drive as well as the upgraded intersection at Gillieston Road.
PC.2 • O.112 • O.114	No new future lot is to have direct vehicular access to Cessnock Road (MR 195).
PC.3 • O.112 • O.114	Road widening to 11m carriageway width must be provided for lots fronting Gillieston Road, Kiah Road and Cartwright Street. Reconstruction of these roads for their full length providing continuous access to the intersection points must be undertaken in accordance with Council's MoES. All other roads including Ryans Road, are to be constructed in accordance with Council's MoES.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.112 • O.113 • O.114	Cycleways are to be provided for generally in accordance with the Precinct Plan and the *Maitland Bicycle Plan and Strategy 2014*.
PC.4 • O.113 • O.114	Pedestrian paths and cycleways links with other precincts are to be provided at the strategic access points on Cessnock Road.

10.4.3.10. Overall Landscaping Strategy

Objectives

O.116 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.117 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.118 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.116 • O.117 • O.118	The subdivision design is to provide for lot frontages addressing streets, drainage reserves and open space. Where the need for fencing is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour.

10.4.3.11. Amelioration of Natural and Environmental Hazards

Objectives

O.119 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.119	Flood free access is to be available to all proposed allotments.
PC.2 • O.119	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.3 • O.119	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.4 • O.119	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.3.12. Key Development Sites

Land adjoining South Maitland Railway

Objectives

O.120 To ensure that future residential development is not adversely affected by any noise and vibration from the South Maitland rail corridor.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.120	No residential development is to occur within 60m of the western boundary of Lot 1 DP 986923 as shown on the Precinct Plan.
PC.2 • O.120	A noise and vibration assessment, prepared by a suitably qualified acoustic engineer, is to accompany development applications for land adjoining the South Maitland Railway. Appropriate noise mitigation measures are to be provided, in accordance with recommendations of the acoustic report, for any land adjoining the South Maitland Railway.
PC.3 • O.120	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 *State Environmental Planning Policy (Transport and Infrastructure) 2021* and DCCEEW standards at the time.
AS.1 • O.120	Appropriate noise and vibration controls are to be provided by means of separating the source and the receiver, including utilising landscaping and buffers which do not detract from the streetscape and visual appearance of the area. Applying noise attenuation building design techniques to new housing is strongly encouraged.

Land surrounding Air Services Australia Beacon

Objectives

O.121 To ensure that the Air Services Australia Beacon is not adversely affected by future residential development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.121	No part of any building within 150m of the Doppler VHF Omni Directional Range (DVOR) vector, located on Lot 1 DP 817693 (No. 258 Cessnock Road, Gillieston Heights) is to protrude above a height of RL 42m AHD.
PC.5 • O.121	Any landscaping of lots within 150m of the DVOR vector is to be maintained below a height of RL 42m AHD.

Land fronting Cessnock Road

Objectives

O.122 To ensure that future residential development is not adversely affected by any noise and vibration from Cessnock Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.122	Any development application for subdivision of Lot 1 DP 197680 is to make provision for road connection from Cartwright Street through the site to enable future access to the south of the Precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.122	A 10m wide landscape buffer, wholly contained within the affected lots, is required for lots adjoining Cessnock Road. The landscape buffer setback is to include elements to assist with reducing traffic noise from Cessnock Road with details provided in a landscape plan with any development application for the subject lands.
PC.8 • O.122	Applications for the subdivision of land adjoining Cessnock Road are to include an Acoustic Report identifying the impact in relation to Transport for NSW and EPA standards, and appropriate noise mitigation measures.

Land adjoining Poultry Farm

Objectives

O.123 To ensure that future residential development is not adversely affected by the operation of the poultry farm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.123	No development is to occur in areas subject to odour levels greater than 3 odour units (OU) as identified in the Precinct Plan, unless evidence is provided that the poultry operations have ceased.

Rural Land/Flood Fringe Interface

Objectives

O.124 Development adjacent to rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.

O.125 Fencing is to make a positive contribution to the visual appearance of development and will be consistent with the overall landscaping strategy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.124 • O.125	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural land or land zoned for environmental protection.
PC.11 • O.124 • O.125	Fencing adjacent to the boundaries of the surrounding rural lands is to be unobtrusive, compatible with the rural character, and may include timber post and rail style.
PC.12 • O.124 • O.125	Details of fencing are required to be submitted to Council with development applications.

Development Requirements – Gillieston Heights West Precinct Extension

The following provisions apply to the residential zoned land that make up Regrowth-Kurri Kurri and that are located within the Maitland Local Government Area as identified by Figure 10-29.

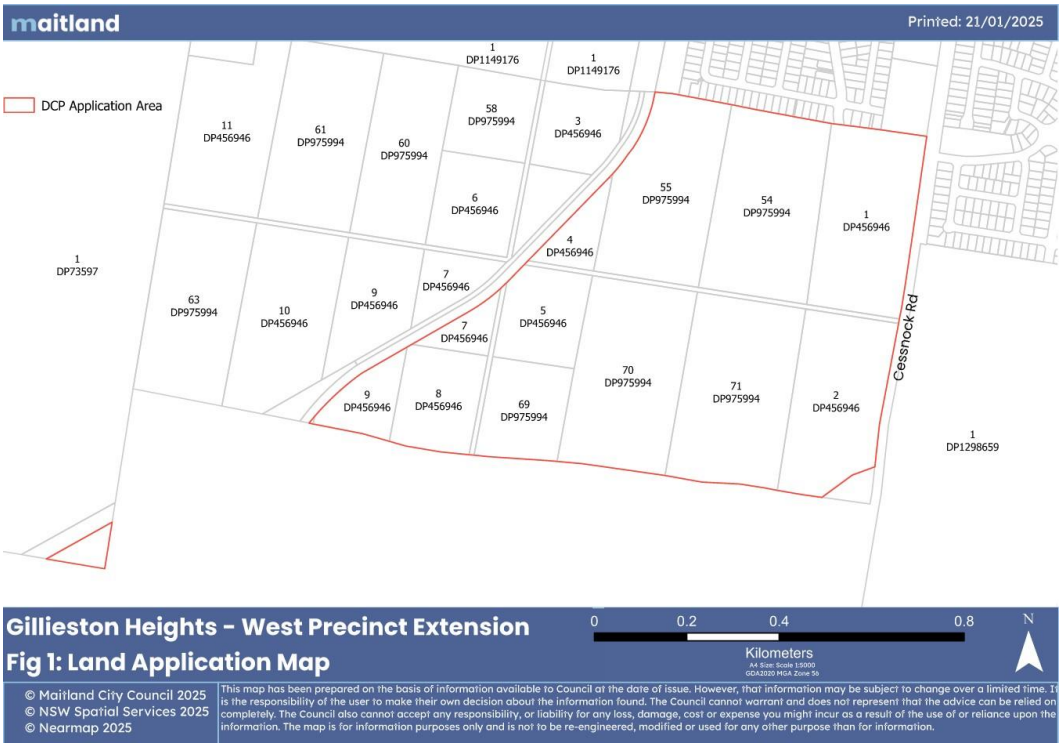


Figure 10-29: Gillieston Heights West Extension Precinct Plan

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

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

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

No specific requirements have been made for the following matters within the West Extension Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Stormwater and Water Quality
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.3.13. Staging Plan

Objectives

O.126 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.126	Any Development Application prepared for subdivision will provide consideration (e.g. interconnecting roads) to the development of the overall precinct in which the subdivision is located as shown in Figure 10-30.

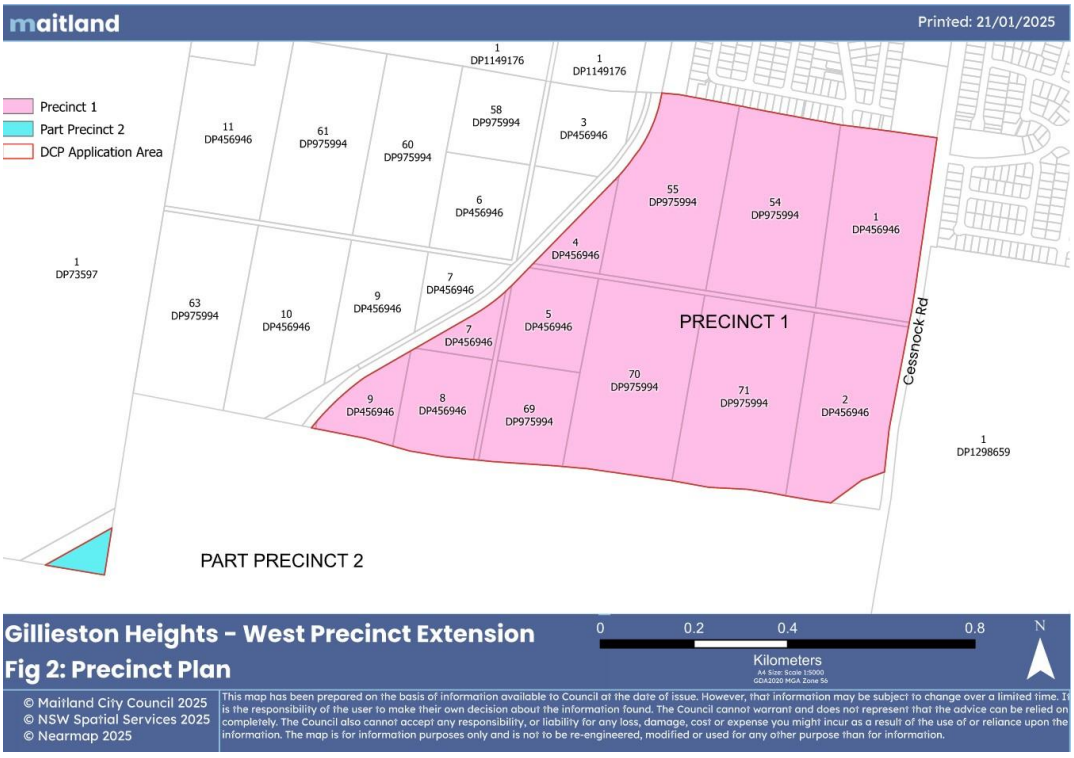


Figure 10-30: Gillieston Heights Western Precinct Extension Staging Plan

10.4.3.14. Transport Movement Hierarchy

Objectives

O.127 To provide a hierarchy of interconnected streets that gives safe, convenient, and clear access.
O.128 To ensure that the hierarchy of street is clearly discernible through variations in the carriageway width, on-street parking, street tree planting, and pedestrian amenities.
O.129 To ensure sufficient carriageway and verge widths are provided to allow streets to perform their designated functions within the street network and to accommodate public utilizes, drainage systems and the majority of Asset Protection Zones.
O.130 To encourage the use of streets by pedestrians and cyclists and to allow cars, buses, and other users to proceed safely without unacceptable inconvenience or delay.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.127 • O.128 • O.129	The street network is to be generally provided in accordance with the Transport Movement Hierarchy in Figure 10-32 and the Road Section in Figure 10-33, which are not covered by the Maitland Council Manual of Engineering Standards.
AS.2 • O.128 • O.129 • O.130	Alternative street designs for local streets and accessways may be permitted on a case-by-case basis to accommodate local features if they preserve the function objectives and requirements of the design standards.
PC.1 • O.127 • O.130	No future lot is to have direct access to Cessnock Road (MR195).
PC.2 • O.128 • O.129	Except where otherwise provided for in this Chapter, all streets and intersections are to be designed and constructed in accordance with the Council's MoES.

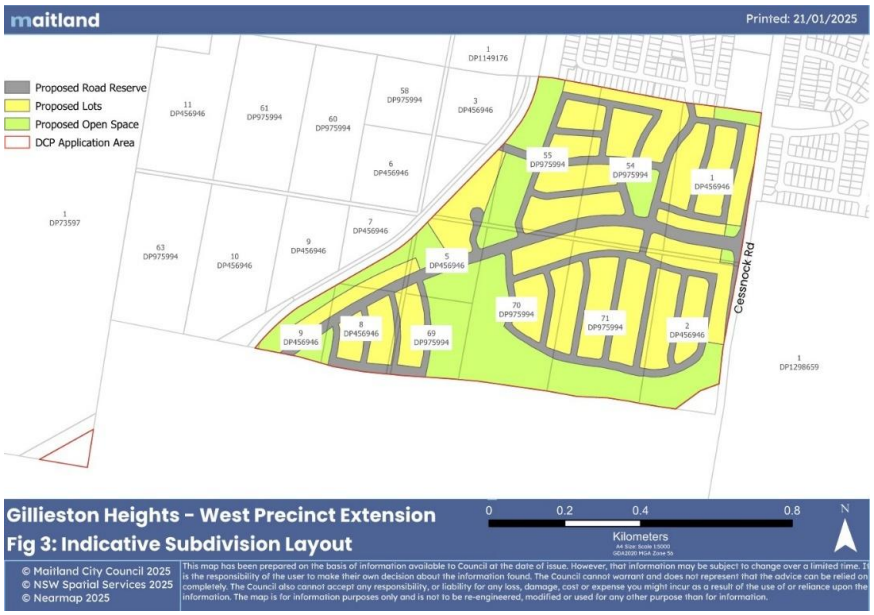


Figure 10-31: Gillieston Heights West Precinct Extension Indicative Subdivision Layout

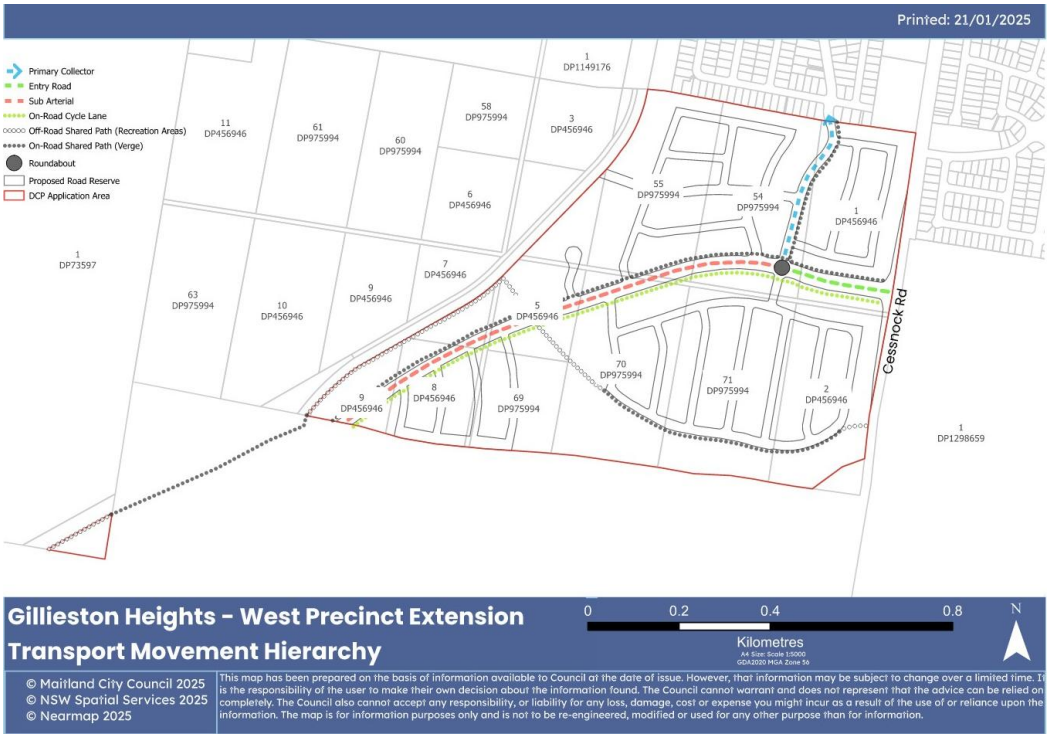


Figure 10-32: Gillieston Heights West Precinct Extension Transport Movement Hierarchy

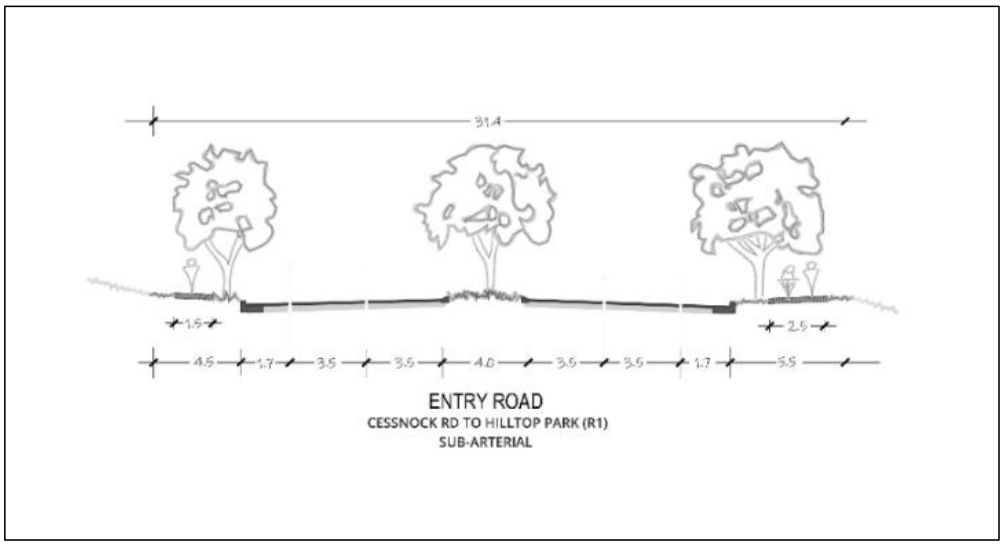


Figure 10-33: Road Section for Cessnock Road to Hilltop Park

10.4.3.15. Overall Landscaping Strategy

Objectives

O.131 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.131	An Overall Landscaping Strategy is required to accompany any Development Application for subdivision, which is to provide details on elements such as: • Asset protection zones, • Plant species and sizes, which includes consideration of street trees, • Play equipment, • Utilities and services, • Public art, • Hard and soft landscaping treatments, • Entry statements, • Sporting fields and equipment, and • Any other embellishment.

10.4.3.16. Passive and Active Recreation Areas

Objectives

O.132 To provide public open space that meets the recreational needs of residents.
O.133 To provide an equitable distribution of public open space and recreation opportunities.
O.134 To ensure good quality of design and embellishment of the public domain.
O.135 To ensure environmentally and visually sensitive land contributes to the landscape character of the precinct.
O.136 To ensure that public domain elements contribute to a consistent street character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.132 • O.133 • O.134 • O.135 • O.136	Open space is to be provided generally in accordance with Figure 10-31.

10.4.3.17. Amelioration of Natural and Environmental Hazards

Objectives

O.137 To minimise the potential impact of flooding on development.
O.138 To ensure flood free access to the site.
O.139 To achieve consistency with the aims and objectives of the document titled Planning for Bushfire Protection 2019, which seek to mitigate the impacts of bushfire on development.
O.140 To minimise risk to human health and the environment from the development of potentially contaminated land.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.137 • O.138	Development Applications for subdivision are to provide consideration to the general provisions of Chapter 2 of the Maitland Development Control Plan for flooding.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.139	Development must comply with the relevant provisions of Planning for *Bush Fire Protection 2019*.
PC.2 • O.137 • O.138	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.3 • O.140	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.3.18. Key Development Sites

Land fronting Cessnock Road and South Maitland Railway

Objectives

O.141 To minimise risk to human health from noise at the time of subdivision.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.141	An acoustic assessment is required to accompany development applications for subdivision to demonstrate if any mitigation measures will be required for those lots in proximity to the South Maitland Railway Line and Cessnock Road as identified by Figure 10-34. The assessment is to be undertaken by a suitability qualified acoustic consultant to ensure that the properties are designed and constructed in accordance with *Development near Rail Corridors and Busy Roads – Interim Guideline* (NSW Department of Planning, 2008) to achieve acceptable internal noise amenity, regarding the external noise exposure levels.
PC.2 • O.141	Any proposed fencing is to be located on private land and not on public land.
AS.1 • O.141	Subdivision in proximity to the South Maitland Railway Line may result in the need for the construction of security fencing to restrict access and improve safety.

Mine Subsidence – Old Mine Workings

Objectives

O.142 To minimise risk to property arising from development on land with potential mine subsidence issues.
O.143 To ensure that potential mine subsidence issues are adequately addressed at the subdivision stages.
O.144 To provide consideration to the relevant NSW Government Subsidence Advisory Development Guidelines.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.142 • O.143 • O.144	Areas of potential mine subsidence are shown on Figure 10-35. From this, it is understood that the following lots are affected: • Lot 3, DP 456946 • Lot, 4, DP 456946 • Lot 5, DP 456946 • Lot 1, DP 1206034 • Lot 55, DP 975994 • Lot 69, DP 975994 • Lot 70, DP 975994 Prior to any Development Application for Subdivision within the mine workings or mine zone with limitations as identified by Figure 10-35, an applicant will undertake further geotechnical assessment to assess the suitability of this land for the development.



Figure 10-34: Gillieston Heights West Precinct Extension Lots Exceeding Noise Criteria

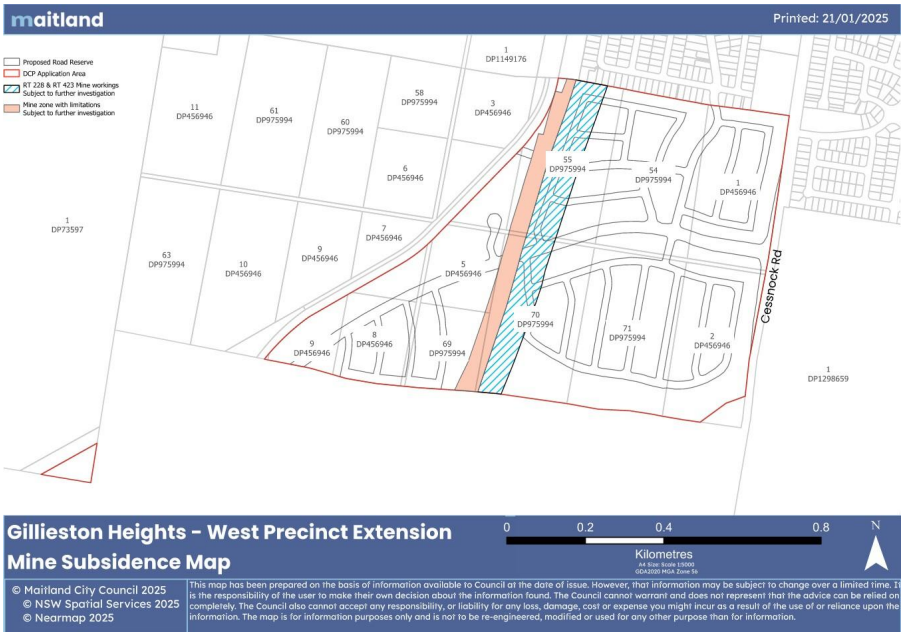


Figure 10-35: Gillieston Heights West Precinct Extension Mine Subsidence Map

10.4.3.19. Archaeological Significance

Objectives

O.145 To require further investigation of Aboriginal archaeological identified as significant on lands to be developed for urban purposes.

O.146 To ensure that any Aboriginal significance is appropriately incorporated into the development of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.145 • O.146	Known Aboriginal Archaeological Sites are shown on Figure 10-36. An Aboriginal Heritage Impact Permit (AHIP) issued under Part 6 of the *National Parks and Wildlife Act 1974* (NPW Act 1974) is required for any works which affect these sites.
PC.2 • O.145 • O.146	Areas of high archaeological sensitivity warrant a full Aboriginal Cultural Heritage Assessment (ACHA) prior to any development works. If impacts to any Aboriginal objects identified through these assessments cannot be avoided, an AHIP issued under Part 6 of the National Parks and Wildlife Act 1974 (NPW Act 1974) will be required. Consultation with relevant Aboriginal persons and organisations' is required under Biodiversity Conservation Division (BCD) policy when an application for an AHIP is considered and should be conducted in accordance with BCD Aboriginal Cultural Heritage Consultation Requirements for Proponents.
PC.3 • O.145 • O.146	Areas of low archaeological sensitivity warrant an Aboriginal archaeological due diligence assessment prior to any development works. This assessment is to be conducted in accordance with BCD *Due Diligence Code of Practice for the protection of Aboriginal Objects in New South Wales*. Visual inspections undertaken for the purposes of a due diligence assessment should include an Aboriginal community

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	representative. Depending on the results of the due diligence assessment undertaken, a full Aboriginal cultural heritage assessment may be required. **Note:** Areas of nil archaeological sensitivity do not contain any known Aboriginal heritage constraints. However, Aboriginal objects may still occur in these areas. If any Aboriginal objects are encountered during development, and impacts cannot be avoided, an AHIP issued under Park 6 of the NPW Act 1974 will be required.

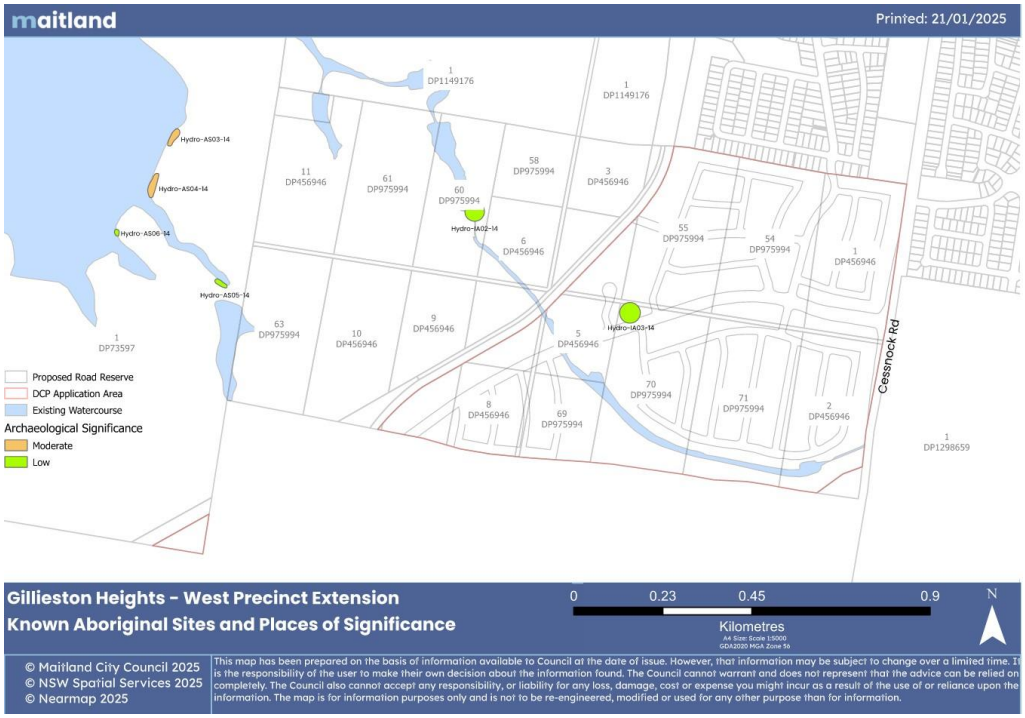


Figure 10-36: Gillieston Heights West Precinct Extension Known Aboriginal Archaeological Sites

10.4.4. Largs Urban Release Area



Figure 10-37 Largs Urban Release Area

The Largs Urban Release Area will be developed as a residential area with a range of lot sizes that reflect the constraints of the site. Individual lots will generally accommodate one and two storey dwellings. Multi dwelling housing or dual occupancy proposals should ensure that potential impacts to privacy, solar access, visual amenity, traffic management and its suitability in relation to the form of adjoining development have been considered.

A high value will be placed on retaining existing vegetation, where public safety is not at risk, and the establishment of additional landscaping will enhance the visual appearance of the area from surrounding urban and rural vantage points.

An overall Area/Precinct Plan has been prepared for this Urban Release Area, as the area is relatively compact in relation to other sites.

Staging Plan



Figure 10-38: Largs Urban Release Area Staging Plan

Area/Precinct Plan

The Largs Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

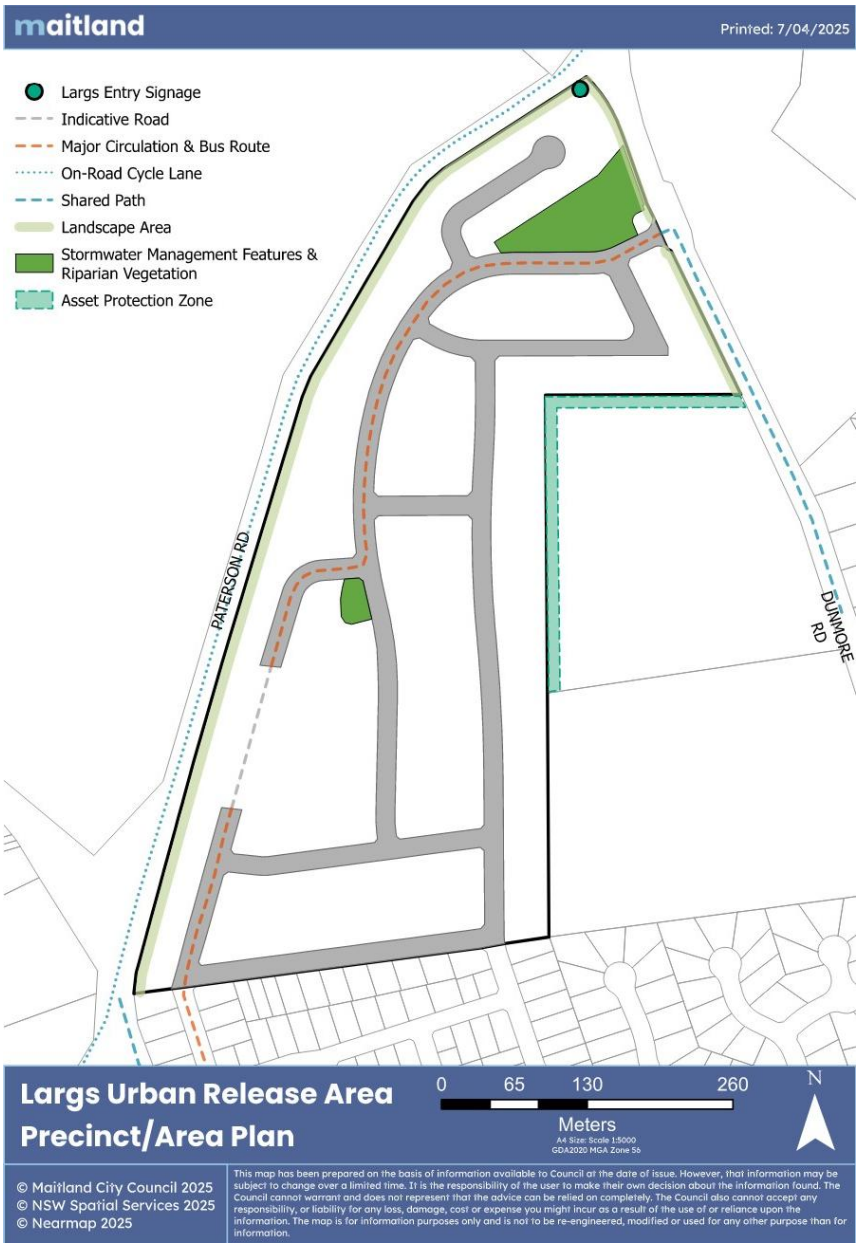


Figure 10-39: Largs Urban Release Area Precinct/Area Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Largs Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026:*

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.4.1. Staging Plan

Objectives

O.147 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.147	Where development is intended to be constructed in stages, development applications for subdivisions are to include a staged construction plan.

10.4.4.2. Transport Movement Hierarchy

Objectives

O.148 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.149 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.
O.150 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.
O.151 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.148 • O.149 • O.150 • O.151	Road layout and street design is to be consistent with Figure 10-39and following detailed survey and subdivision planning.
PC.2 • O.148 • O.150	No lot or development is to have direct access to Paterson Road either via an intersection or driveway access from new residential allotments.
AS.1 • O.148 • O.150	Road design is to take into account the stormwater management strategy and ensure that there will be satisfactory driveway access to new allotments, at a grade less than the maximum provided for in Council's MoES.
AS.2 • O.148 • O.149 • O.150	The transport movement hierarchy should generally be in accordance with the major circulation route, cycleways and shared paths shown on the Precinct Plan.
PC.3 • O.148 • O.151	Provision must be made for a continuous bus route through the area. The bus route shall have a minimum road reserve of 18m and carriageway of 9m.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.148 • O.150 • O.151	Suitable transport access and connectivity within the site and to adjoining areas is to be maintained at all times for motor vehicles, pedestrians, cyclists and public transport providers.

10.4.4.3. Overall Landscaping Strategy

Objectives

O.152 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.153 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.154 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.152 • O.154	Detailed landscaping plans are to be submitted with all development applications for subdivision.
PC.2 • O.153 • O.154	Plantings to achieve visual amenity and landscaping objectives are to be protected via mechanisms such as protective covenants, urban design (building setbacks, road reserves) or other options to the satisfaction of Council.
AS.1 • O.152 • O.154	Landscaping and visual amenity provisions should complement acoustic and bushfire hazard treatments.
AS.2 • O.152 • O.153 • O.154	Lots fronting Paterson and Dunmore Roads immediately adjacent to, and up to 100m from, the Paterson and Dunmore Road intersection should be of sufficient size to provide for substantial setbacks to improve visual quality.
PC.3 • O.153 • O.154	Existing vegetation is to be maintained and enhanced where possible, particularly within riparian areas and public spaces.
AS.3 • O.152 • O.153 • O.154	Gateway signage or gateway elements should be understated and refer to “Largs” rather than “Maitland” and be located at the intersection of Dunmore Road and Paterson Road.
AS.4 • O.152 • O.153 • O.154	Subdivision entry features should be separate from the Largs gateway element to avoid ambiguity.
PC.4 • O.152 • O.153 • O.154	The landscaping area to Paterson Road is to be 7.5m wide and maintained within allotments via a protective covenant. This landscaping area shall include native ground covers and shrubs to a maximum height of 1.5m so as to not hide the development but improve visual amenity. The Planting Cross-Section diagram (Figure 10-40) shows a typical cross section of vegetation plantings for the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.152 • O.153 • O.154	The landscaping area to Dunmore Road is to include the retention of existing native trees as well as additional tree planting. Building setbacks must take into account tree plantings.
AS.5 • O.152 • O.153 • O.154	Fencing within the landscaping areas is to make a positive contribution to the visual appearance of development and not detract from the provision of landscaping. Fencing should also be sensitive to the adjoining rural lands.

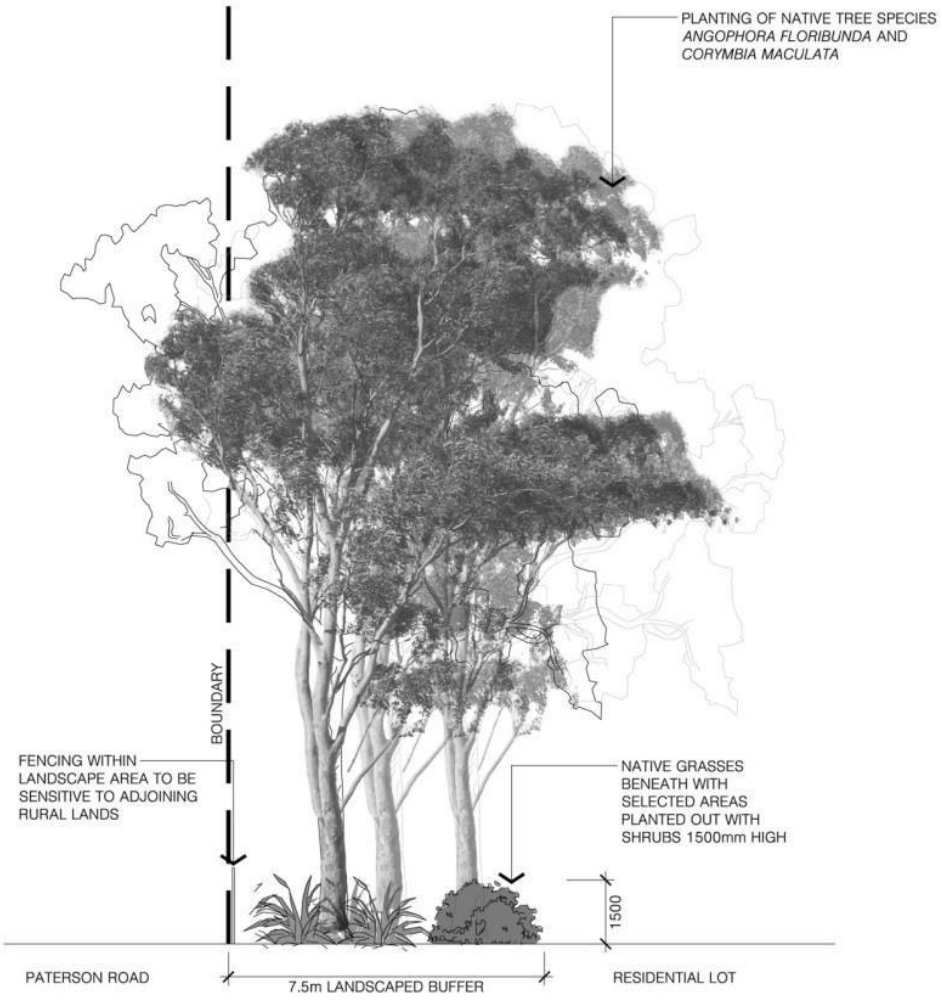


Figure 10-40: Largs - Planting Cross Section

10.4.4.4. Stormwater and Water Quality

Objectives

O.155 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.156 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.157 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.158 To ensure Stormwater Management facilities are located in accordance with the details provided on the Precinct Plan, or an alternative co-ordinated stormwater strategy as approved by Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.155 • O.156 • O.158	Stormwater and water quality management measures are to be provided generally in accordance with Figure 10-39.
PC.1 • O.155 • O.156	Rainwater tanks are not to be considered in the calculations for stormwater detention purposes.
PC.2 • O.156 • O.157	Adequate stormwater management measures are to be provided at all times during the sequenced release of land.
PC.3 • O.155 • O.156 • O.157 • O.158	All development applications are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development.

10.4.4.5. Amelioration of Natural and Environmental Hazards

Objectives

O.159 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.159	All constructed roads within the URA are to provide suitable flood free access to residential allotments.
PC.2 • O.159	An Asset Protection Zone (APZ) is to be provided between any development and the boundary of Lot 2 DP 32519 as identified on the Precinct Plan and in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.3 • O.159	Geotechnical investigations and appropriate amelioration responses must be submitted with development applications for subdivision to determine the following: a. Suitability of footing design and road pavement design parameters with respect to rock outcrops, soft/saturated soils, erosion potential and salinity, b. Slope stability assessment of on-site dam embankments, and c. Earthwork procedures and specifications.
PC.4 • O.159	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.4.6. Key Development Sites

Former Largs Military Camp (Lot 80 DP1112497)

Objectives

O.160 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.160	Details of site history and past analysis are to be submitted to Council with any development application for residential development on Lot 80 DP 1112497, to assess the potential for unexploded ordnance associated with the former Largs Military Camp.
PC.2 • O.160	Sub-surface investigations are to be undertaken for Lot 80 DP 1112497 for the presence of relics associated with the former Largs Military Camp, prior to commencing any development work.

10.4.5. Thornton North Urban Release Area

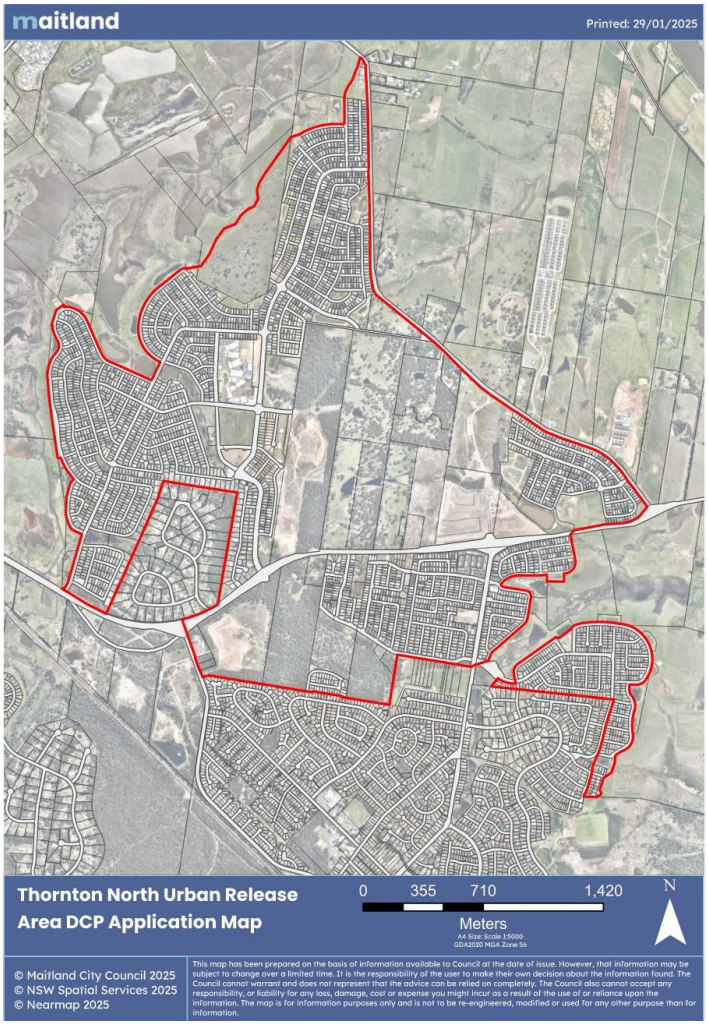


Figure 10-41: Thornton North Urban Release Area

The Thornton North Urban Release Area comprises a total of 900 hectares of land, with an approximate residential yield of 5,000 lots. The Hunter Regional Plan 2041 (NSW Department of Planning, 2022) identifies the Thornton North URA as part of the Hunter Urban Development Program and is a key site to achieve the dwelling targets for population growth in the Lower Hunter.

The proximity of the Thornton North URA to regional transport systems, including the rail corridor, the M1 Motorway and the New England Highway is fundamental to the identification of this area for urban development. A significant balance of the residential zoned land has now been developed into the suburb of Chisholm and also as a prominent urban extension to the well-established area of Thornton.

A Structure Plan and associated Infrastructure Plans (including a specific Section 7.11 Contributions Plan, *Thornton North Infrastructure Contributions Plan 2008*) have been prepared for this URA.

Thornton North Area Plan

The Thornton North Area Plan is comprised of precinct plans as shown in Figure 10-44. The provisions of this section apply to the preparation of precincts plans for and staging of the Thornton North URA.

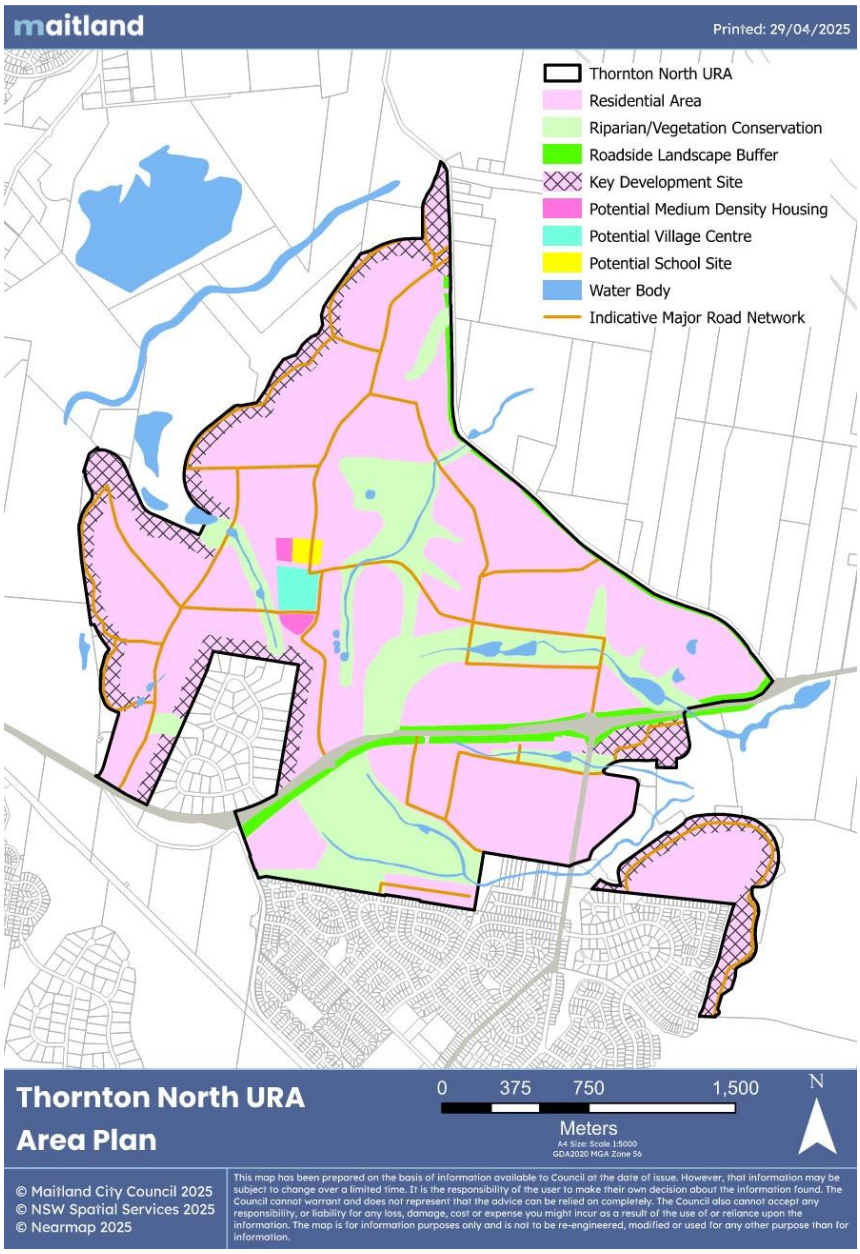


Figure 10-42: Thornton North Area Plan

Staging Plan

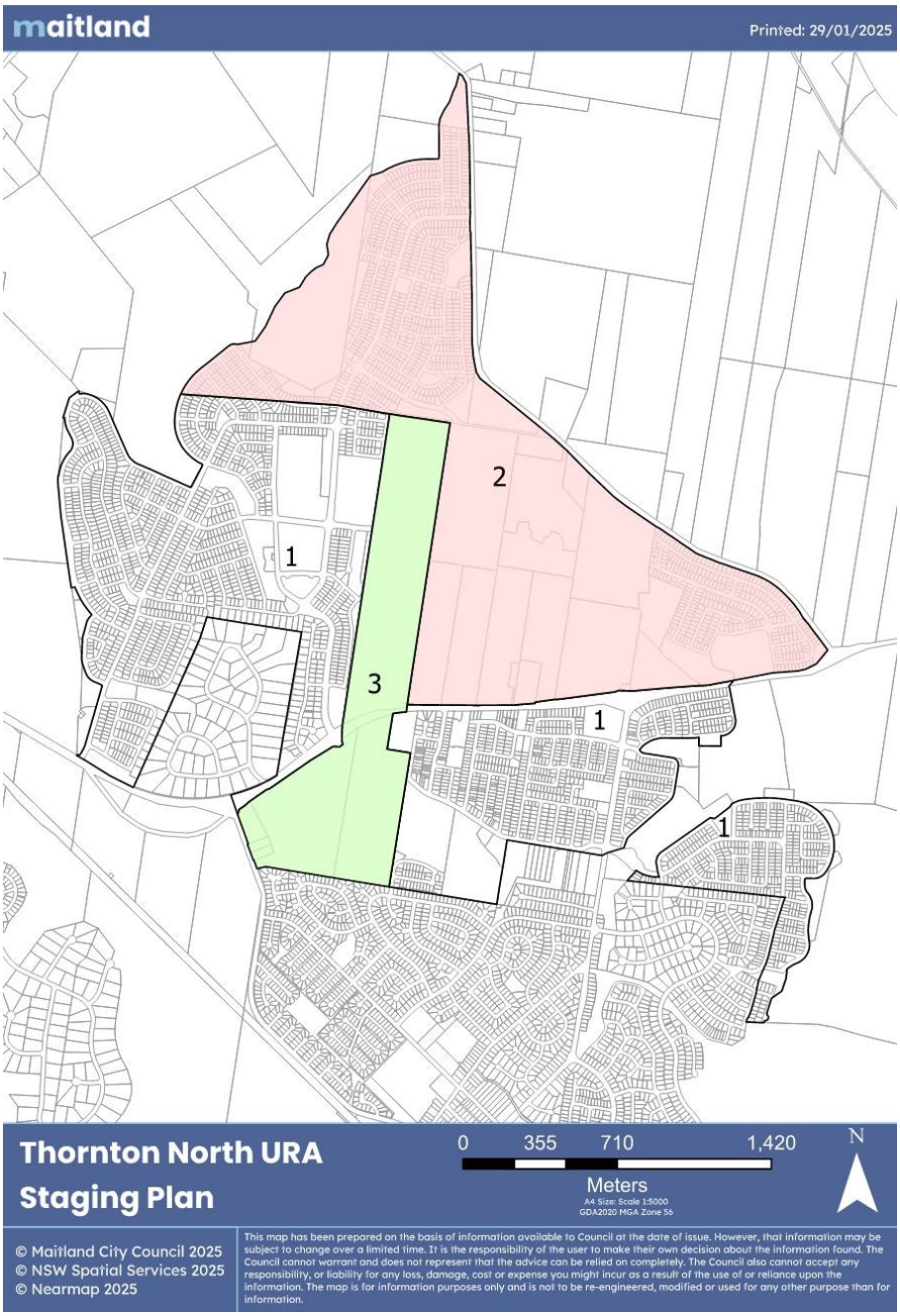


Figure 10-43: Thornton North URA Staging Plan

Precinct Plan

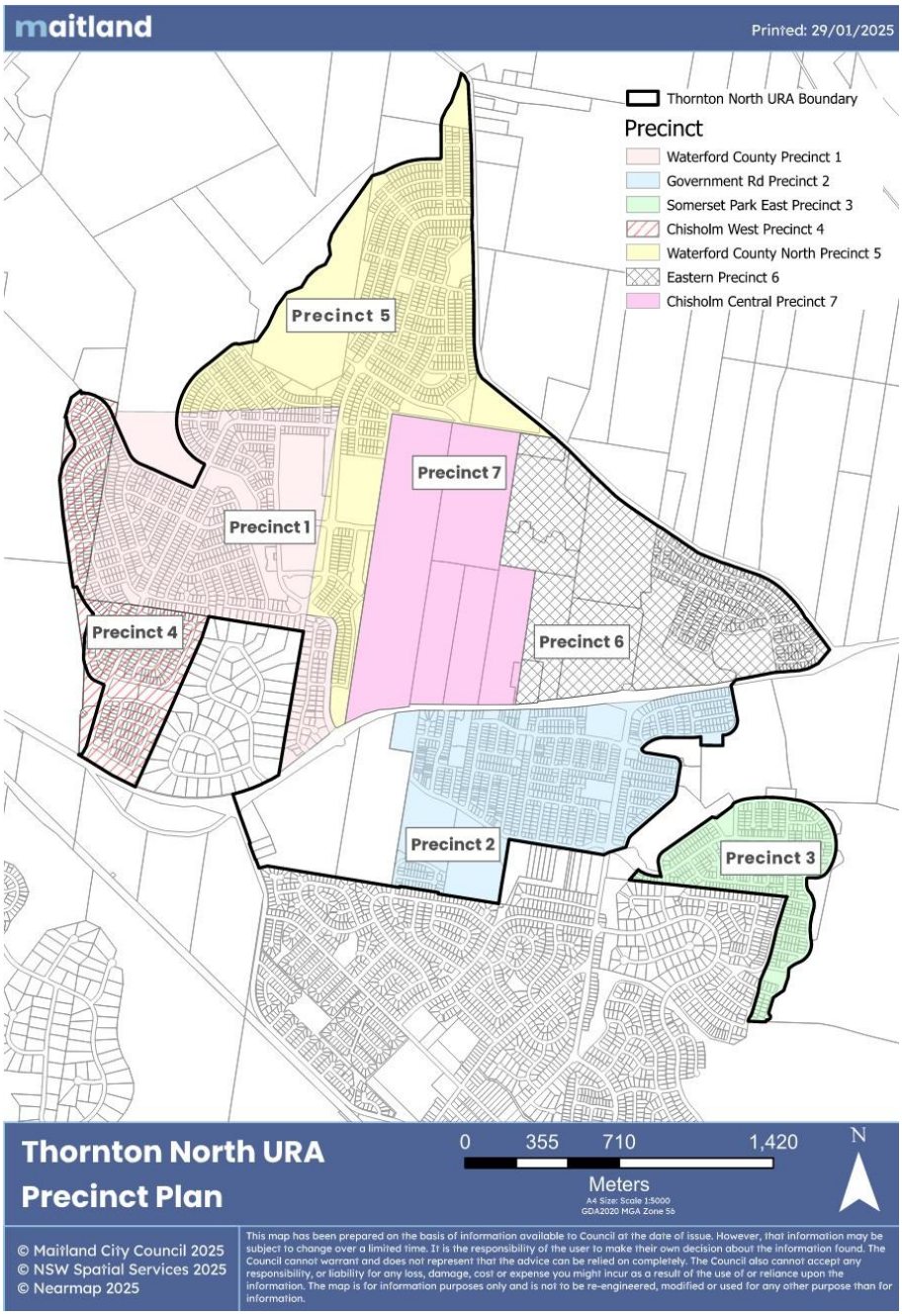


Figure 10-44: Thornton North URA Precinct Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Thornton North Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Provision of Public Facilities and Services
- Neighbourhood Commercial and Retail Uses

10.4.5.1. Staging Plan

Objectives

O.161 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.161	Staging of development should generally be in accordance with the Staging Plan as shown in Figure 10-43. The Staging Plan provides for the timely and efficient release of urban land and aligns with the precinct plans as shown in Figure 10-44.
PC.1 • O.161	Precinct Plans are to be prepared for each development area and are to correspond with the sequencing of land identified in the Thornton North Area Staging Plan. Development consent will not be issued for any development on land within the Thornton North Urban Release Area until a Precinct Plan has been prepared for the land which addresses the key considerations of Clause 6.3 of the MLEP 2011.

10.4.5.2. Transport Movement Hierarchy

Objectives

O.162 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.163 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.164 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.
O.165 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.162 • O.163 • O.164	Each Precinct Plan is to include an overall transport movement hierarchy showing the major circulation routes and connections.
AS.1 • O.162 • O.163 • O.164	The overall movement hierarchy for each Precinct Plan should be generally consistent with Figure 10-42.
AS.2 • O.162 • O.163 • O.164	The overall pedestrian and cycleway links should be generally consistent with Figure 10-45.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.162	The primary access for residential development in Stage 1 of the Thornton North Urban Release Area is to be provided off Raymond Terrace Road or Government Road.
PC.3 • O.162	A perimeter road (with development on one side only) is to be provided around the edge of the Thornton North Urban Release Area where it adjoins flood prone land.
AS.3 • O.162	Perimeter roads should also be used adjacent to open space, and areas of high bushfire risk and visual significance.
PC.4 • O.162 • O.164	No new lot shall have direct vehicular access to Raymond Terrace Road, Government Road or Mcfarlanes Road.
AS.4 • O.162 • O.164	Subdivisions adjacent to main roads such as Raymond Terrace Road should orientate allotments and dwellings to face the main road, with suitable internal roads providing access, and suitable landscaping separating the allotment boundaries and main road.

10.4.5.3. Overall Landscaping Strategy

Objectives

O.166 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.167 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.168 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.166 • O.168	Landscaping will be required on land adjacent to major intersections, all collector roads, the main north/south Boulevard, Raymond Terrace Road and Government Road.
PC.2 • O.166 • O.168	The overall landscaping strategy is to provide for a minimum of 10m deep landscape buffering to Raymond Terrace Road, Government Road and Mcfarlanes Road (Figure 10-42).
PC.3 • O.166 • O.167 • O.168	The overall landscaping strategy is to provide a minimum 5m deep landscape buffer adjoining Timberlane Estate, within the 15m 'no development' buffer.
PC.4 • O.166 • O.167 • O.168	The overall landscaping strategy is to provide extensive tree planting to the wetland edge, with visual breaks where streets terminate in views to the wetlands.
PC.5 • O.167 • O.168	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands by orienting streets and locating public space to capture views.

10.4.5.4. Passive and Active Recreation Areas

Objectives

O.169 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.170 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.169 • O.170	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-45 and the associated *Thornton North Infrastructure Contributions Plan 2008*.

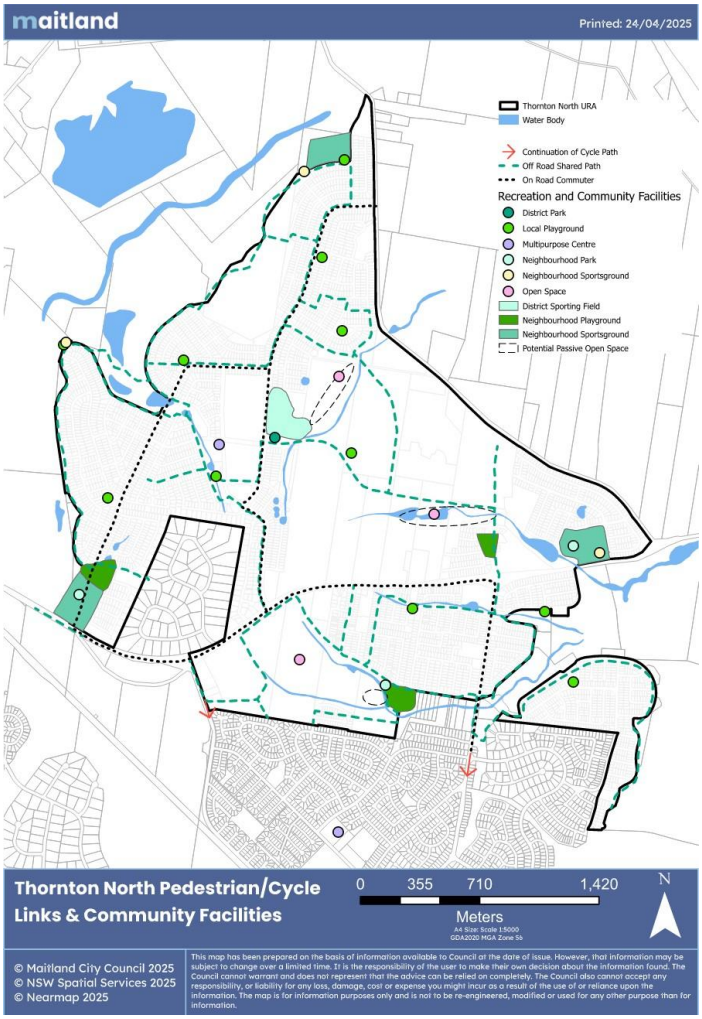


Figure 10-45: Thornton North URA Active Links, Recreation and Community Facilities

10.4.5.5. Stormwater and Water Quality

Objectives

O.171 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.172 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.173 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.171 • O.172 • O.173	The stormwater and water quality management controls are to be consistent with the Thornton North Structure Plan in the use of Water Sensitive Urban Design (WSUD).
AS.1 • O.171 • O.172	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
AS.2 • O.171	Parking areas can be located adjacent to WSUD elements where they are designed to prevent damage by vehicles. Bollards or castellated kerbs are required to allow distributed flow to WSUD elements.
PC.2 • O.171	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
AS.3 • O.171 • O.172 • O.173	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
PC.3 • O.171	No change to the minimum width of roads on account of WSUD will be supported.
PC.4 • O.171 • O.172 • O.173	Flow control measures are to be used where grades in swales exceed 4%.
AS.4 • O.171	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
AS.5 • O.171 • O.172	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage management system incorporating detention basins and/ or wetlands to alleviate stormwater peaks and retain pollutants.
AS.6 • O.171 • O.172	Wetlands should be well-designed creating an attractive and safe amenity and be highly visible for both adjoining residents and passers-by.
AS.7 • O.171	Walking paths should have frequent contact adjacent to the wetland edge.
AS.8 • O.171 • O.172	Vegetation should be designed such that generous unobstructed view of the wetland is available.
AS.9 • O.172	Emergent macrophytes should be minimal and manageable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.173	
AS.10 • O.171	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.11 • O.172 • O.173	Flat grassed areas that potentially may be water-logged should be avoided.
AS.12 • O.171 • O.172 • O.173	Gullies intended to be left in their natural state should be assessed, and if necessary enhanced to offset the need for maintenance.
PC.5 • O.171 • O.172 • O.173	In general, grassed areas must be kept to a minimum for maintenance purposes, and wetland and gullies should offer a sense of ownership to the public.

10.4.5.6. Amelioration of Natural and Environmental Hazards

Objectives

O.174 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.175 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors and extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.174 • O.175	Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations, particularly from quarry operations, the railway line and traffic along Raymond Terrace Road and Government Road.
PC.2 • O.175	Independent acoustic and vibration reports are to be submitted with Precinct Plans and Development Applications for subdivision identifying potential impacts and mitigating measures.

10.4.5.7. Key Development Sites

Objectives

O.176 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.176	Each Precinct Plan is to include detailed urban design controls for the following significant development sites: • Schools, libraries and community facilities • Gateway sites • Exhibition villages • Residential areas adjoining the flood fringe • Interface area surrounding Timberlane Estate, and • Clay conservation areas, existing quarry sites and buffers.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.176	Development or works within, or adjacent to the land zoned C2 Environmental Conservation are to ensure clearing of vegetation is minimised to the satisfaction of Council.
PC.3 • O.176	Mechanisms are to be put in place with development to ensure the integrity and protection of established vegetation and riparian areas zoned C2 Environmental Protection. Details are to be included in all Development Applications affecting the C2 zone.
PC.4 • O.176	Development within residential zones must be designed and planned to ensure any Asset Protection Zones and the like are not required or needed in the C2 Environmental Conservation Zone.
PC.5 • O.176	Precinct Plans are to identify and suitably accommodate large rural allotments to enable the sustainable management of the rural flood fringe areas.
PC.6 • O.176	A limited number of rural dwellings will be considered on flood free areas. In cases where they are proposed, rural dwelling sites are to be located at least 0.5m above the 1% AEP flood level, and access to such dwellings to be flood free with minimal fill or earthworks.
PC.7 • O.176	Fencing of allotments are to be of post and wire style (or similar) so as to minimise any visual impacts of development.
PC.8 • O.176	Development adjacent to the rural zones and flood prone lands are to be suitably designed so as to be compatible with the existing rural landscape and setting.
PC.9 • O.176	Development adjacent to Raymond Terrace Road and Government Road must be orientated and dimensioned so as to make provision for housing of a high-quality architectural appearance.
AS.1 • O.176	Housing adjacent to Raymond Terrace Road and Government 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.
PC.10 • O.176	Development on land adjoining the existing Timberlane Estate must be suitably located and designed so as to maintain view corridors and minimise any impacts on the existing neighbourhood amenity.

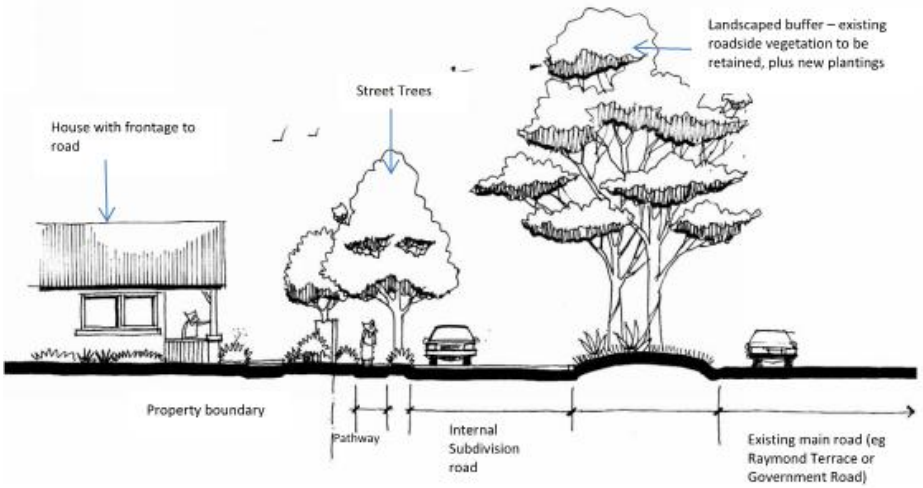


Figure 10-46: Subdivision design adjacent to Raymond Terrace Road and Government Roads.

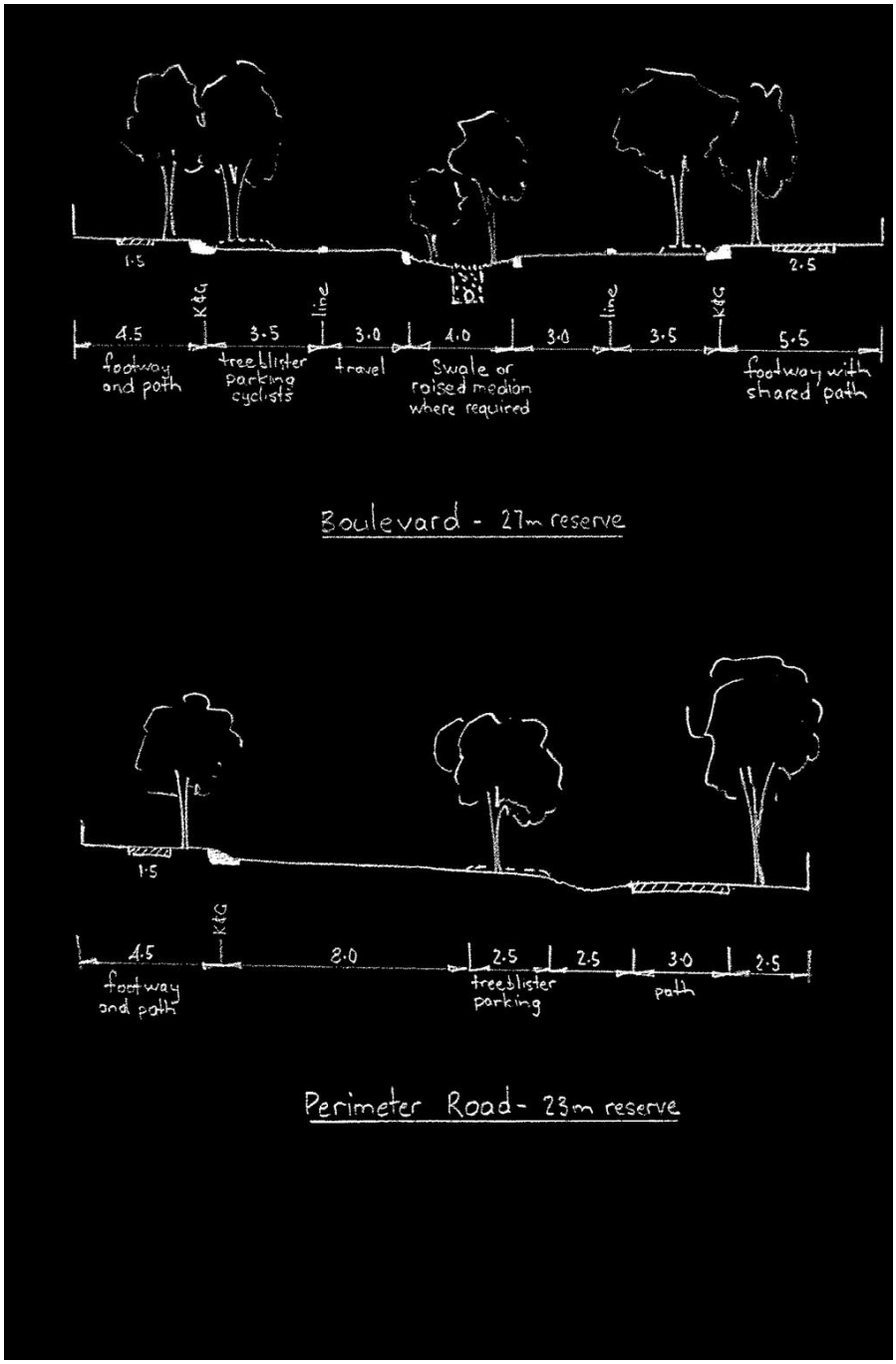


Figure 10-47: Thornton North - Typical cross-sections for WSUD drainage swales.

Development Requirements – Waterford County Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Waterford County Precinct. No specific requirements have been made for the following matters within the Waterford County Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

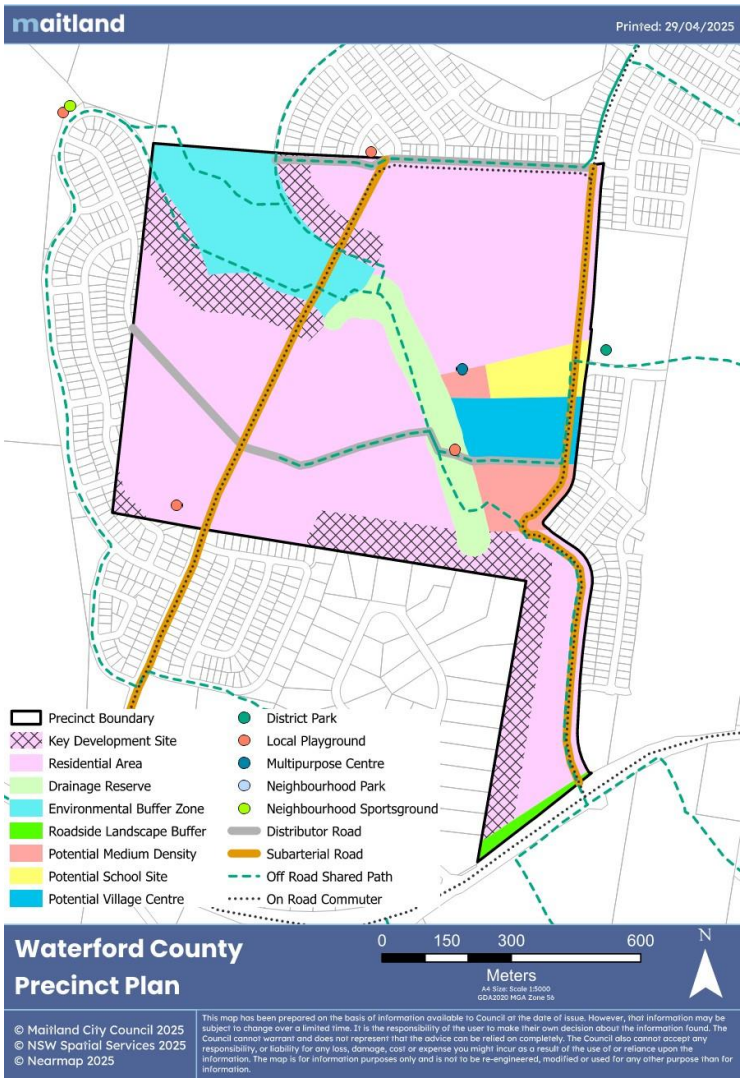


Figure 10-48: Waterford County Precinct Plan

10.4.5.8. Staging Plan

Objectives

O.177 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.177	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.5.9. Transport Movement Hierarchy

Objectives

O.178 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.179 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.180 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.

O.181 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.178 • O.180	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-48.
PC.1 • O.179 • O.180	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the Chisholm Local Activity Centre, open space and community facilities and to link to adjoining precincts generally as shown in Figure 10-48.
PC.2 • O.179 • O.180	No direct vehicular access is to be provided onto Raymond Terrace Road from lots adjoining Raymond Terrace Road.
AS.2 • O.179 • O.181	Medium density and small lot housing should only be provided in locations with high amenity, including land within 400m of the Chisholm Local Activity Centre, land adjoining or adjacent open space and land adjoining or adjacent to a bus route.
PC.3 • O.181	Subdivision design is to provide lot frontages that address streets, reserves, open space and drainage areas.
AS.3 • O.181	Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the landscape of this area.

10.4.5.10. Overall Landscaping Strategy

Objectives

O.182 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.183 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.184 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.182	The overall landscaping strategy within the Precinct should be generally consistent with Figure 10-48.
PC.1 • O.182	A 10-metre-wide landscaped buffer is required to be provided and preserved along Raymond Terrace Road.
PC.2 • O.182 • O.183	Development applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Raymond Terrace Road and adjoining rural properties, and landscape/threshold treatment of key intersections.
PC.3 • O.183	Landscaping plans are to also show how open space areas and trunk drainage are to be located and landscaped.
PC.4 • O.183 • O.184	A Visual and 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.

10.4.5.11. Passive and Active Recreation Areas

Objectives

O.185 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.
O.186 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.185 • O.186	Passive and active recreational space is to be provided generally in accordance with Figure 10-48.
PC.1 • O.185 • O.186	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

10.4.5.12. Stormwater and Water Quality

Objectives

O.187 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.188 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.189 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.187 • O.189	Stormwater Management facilities are to be generally provided in accordance with Figure 10-48.
PC.2 • O.188 • O.189	Development applications for subdivision are to be accompanied by a Stormwater Management Plan identifying both quantity and quality controls.

10.4.5.13. Key Development Sites

Objectives

O.190 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.190	Key Development Sites are to be located generally in accordance with Figure 10-48.
PC.1 • O.190	Development of, and adjoining Timberlane Estate are to be designed and located so as to minimise bulk and scale, thereby maintaining view corridors and minimising any impacts to the existing rural residential amenity.
PC.2 • O.190	Allotments immediately adjoining the western and northern boundaries of Timberlane Estate must have a minimum lot size of 1500m^2 and average minimum of 1800m^2, with building restrictions placed on the land titles so as not to allow any dwellings and/ or structures within 15m of boundaries adjoining Timberlane Estate and 5m side boundary setbacks, in order to maintain view corridors and minimise and adverse impacts on the rural/residential amenity.
PC.3 • O.190	Detailed landscaping strategies are to be submitted with all development applications for land adjoining Timberlane Estate, including plantings and fencing. A 5m landscape buffer is to be established and maintained along the adjoining boundary to Timberlane Estate.
PC.4 • O.190	Only single-storey dwellings will be permitted on lots adjoining Timberlane Estate. Appropriate building restrictions are to be placed on the title of each lot.
PC.5 • O.190	Building envelopes, detailing the required setbacks, are to be specified in any application to subdivide land adjoining Timberlane Estate.
PC.6 • O.190	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.7 • O.190	An off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.8	Fencing of allotments is to be of post and wire style (or similar) so as to minimise any visual impacts of development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

- O.190

Development Requirements – Government Road Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Government Road Precinct. No specific requirements have been made for the following matters within the Government Road Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

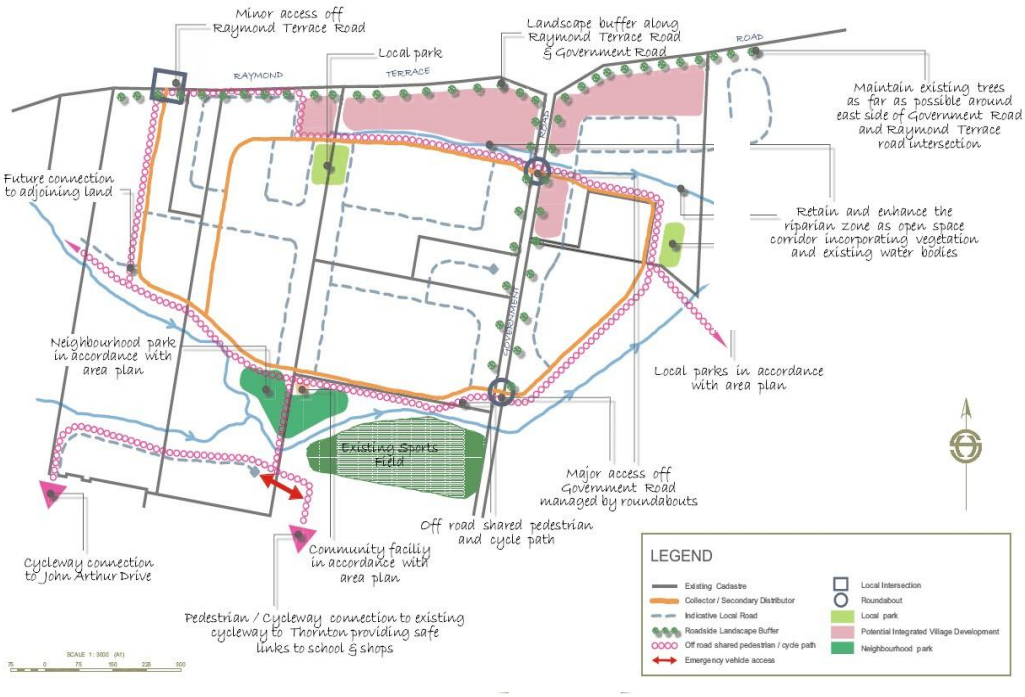


Figure 10-49: Government Road Precinct Plan

10.4.5.14. Staging Plan

Objectives

O.191 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.191	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.15. Transport Movement Hierarchy

Objectives

O.192 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.193 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.194 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.
O.195 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.192	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-49.
PC.1 • O.193	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link open space and community facilities and to link to adjoining precincts generally as shown on Figure 10-49.
PC.2 • O.194	Perimeter roads incorporating landscape buffers are to be provided to Raymond Terrace Road and Government Road as shown on Figure 10-49.
PC.3 • O.194	No direct vehicular access is to be provided onto Government Road or Raymond Terrace Road from lots adjoining these roads.
AS.2 • O.195	Subdivision design is to accommodate lot frontages that address streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing shall be of an open style and of consistent materials and colour. Fencing shall not form a prominent element in the landscape of this area.

10.4.5.16. Overall Landscaping Strategy

Objectives

O.196 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.197 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.198 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.196	The overall landscaping strategy within the Precinct should be generally consistent with Figure 10-50 and landscaping plans.
PC.1 • O.196	A 10m wide landscaped buffer is required along Raymond Terrace Road and Government Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.196	Development Applications for subdivision are to include detailed landscaping plans identifying appropriate street tree species, fencing treatments to Raymond Terrace Road, Government Road and adjoining rural properties, and landscape/threshold treatment of key intersections.
PC.3 • O.197 • O.198	Landscaping plans are to also show how open space areas and trunk drainage are to be located and landscaped.
PC.4 • O.197 • O.198	A Visual and 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.

10.4.5.17. Passive and Active Recreation Areas

Objectives

O.199 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.200 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.199 • O.200	Passive and active recreation space are to be provided generally in accordance with Figure 10-50.
PC.1 • O.199 • O.200	Development applications for subdivision that include areas of passive and active recreational space (as identified in the Precinct and Landscaping Plans) are to include detailed designs in the overall landscaping strategy.

10.4.5.18. Stormwater and Water Quality

Objectives

O.201 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.202 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.203 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.201	Stormwater Management facilities are to be generally provided in accordance with the Landscaping Plan.
PC.1 • O.201 • O.202 • O.203	Development applications will be accompanied by a Stormwater Management Plan which is generally consistent with the report by Peter Sullivan and Associates (May, 2008) that established the stormwater management strategy for the Precinct.

10.4.5.19. Key Development Sites

Corner of Raymond Terrace Road and Government

Objectives

O.204 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.204	Any development proposed on land at the intersection of Raymond Terrace Road and Government Road is to be integrated with the existing vegetation community and provide for the retention of the majority of trees. A site-specific landscape plan must accompany any development application for this area addressing retention, integration and enhancement of the vegetation community.
PC.2 • O.204	The 10m wide landscape buffer required for lots adjoining Government Road and Raymond Terrace Road is to be contained wholly within the affected lots and details are to be provided in a landscape plan with any development application. Where a supporting acoustic report for the development of the land identifies a requirement for noise attenuation, it should generally include a combination of earth mounding and fencing and details are also to be provided in the landscape plan.
PC.3 • O.204	Fencing of allotments along the boundary of Raymond Terrace Road or Government Road is to be of consistent materials and colour and must form an integral part of the landscape plan provided with any development application. Fencing should not be a prominent element in the landscape along either road corridor.

Rural Land Flood Fringe Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.204	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.5 • O.204	An off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway.
PC.6 • O.204	Any fencing of allotments forward of the building line is to be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.
PC.7 • O.204	Additional landscaping to the perimeter of development fronting the floodplain/rural land east of Government Road is to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any development application.

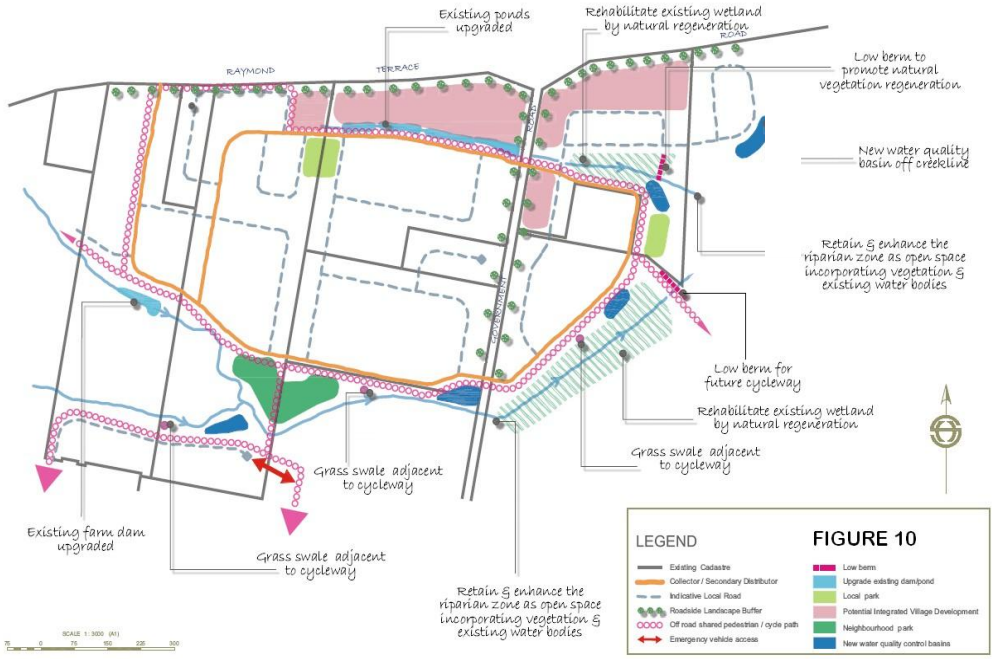


Figure 10-50: Thornton North - Government Road Precinct - Landscaping Plan

Development Requirements – Somerset Park East Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Somerset Park East Precinct. No specific requirements have been made for the following matters within the Somerset Park East Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

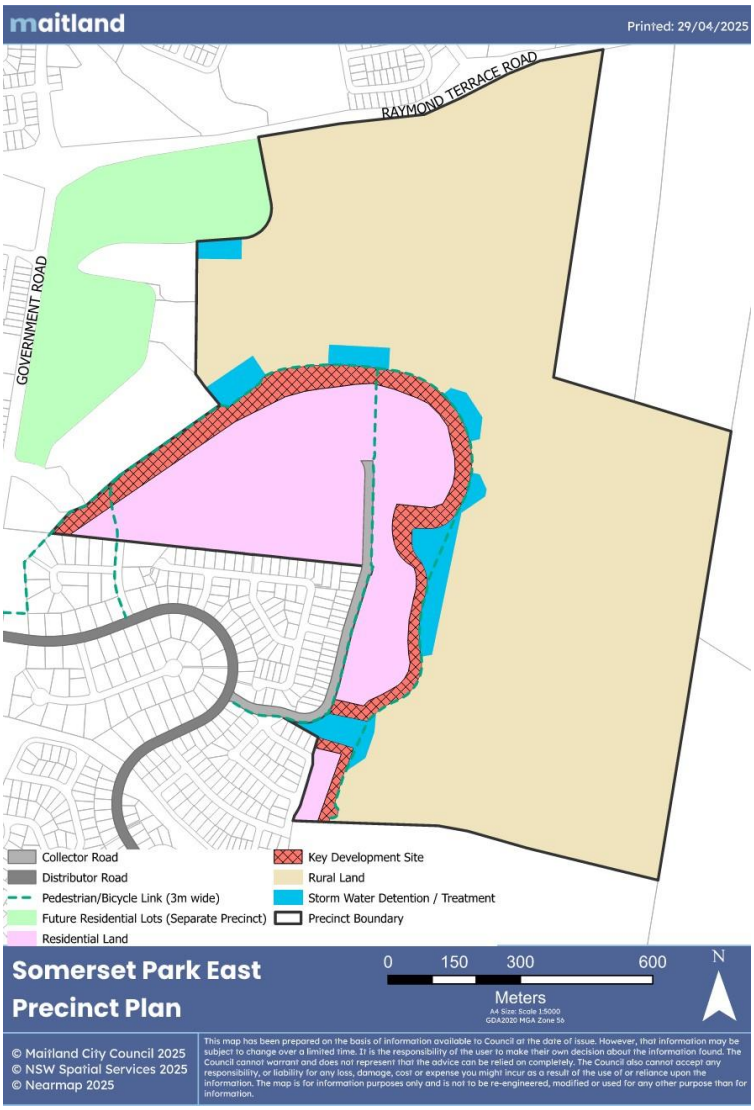


Figure 10-51: Somerset Park East Precinct Plan

10.4.5.20. Staging Plan

Objectives

O.205 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.205	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.21. Transport Movement Hierarchy

Objectives

O.206 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.207 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.208 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.

O.209 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.206	The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 10-51.
PC.1 • O.206 • O.207	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link open space and community facilities and to link to adjoining precincts generally as shown on Figure 10-51.
AS.2 • O.208 • O.209	Medium density and small lot housing should only be provided in locations with high amenity, including land adjoining or adjacent open space and land adjoining or adjacent to a bus route.
PC.2 • O.209	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing will not form a prominent element in the landscape of this area.

10.4.5.22. Overall Landscaping Strategy

Objectives

O.210 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.211 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.212 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.210	Development Applications for subdivision will include detailed landscaping plans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	These are to identify appropriate street tree species, fencing treatments to adjoining rural properties, and landscape/threshold treatment of key intersections.
PC.2 • O.210 • O.211	Landscaping plans are to demonstrate how open space areas and trunk drainage are to be located and landscaped.
PC.3 • O.211 • O.212	A Visual and 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.

10.4.5.23. Passive and Active Recreation Areas

Objectives

O.213 Neighbourhoods are conveniently located open space areas that offer recreational opportunities for residents, accessible within walking distance from each residence.

O.214 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.213 • O.214	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-51.
PC.1 • O.213 • O.214	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

10.4.5.24. Stormwater and Water Quality

Objectives

O.215 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.216 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.217 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.215 • O.216	Development applications for subdivisions are to be accompanied by a Stormwater Management Strategy identifying both quality and quantity controls.
PC.2 • O.215 • O.217	Stormwater management facilities such as swales, bio-retention (dry) basins and constructed wetlands are to be positioned and maintained “off-line”.

10.4.5.25. Key Development Sites

Rural Land Flood Fringe Interface

Objectives

O.218 Detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.218	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land or rural land.
PC.2 • O.218	A 3m wide off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road (except in Stage 1 off Yaldara Avenue where it is to be provided on the upper side) to create a continuous pathway linking with existing and proposed pedestrian networks and public open space.
PC.3 • O.218	Additional landscaping to the perimeter of development fronting the floodplain/rural land and to the proposed water management basins is to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any relevant development application.
PC.4 • O.218	Any fencing of allotments forward of the front building line must be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.

Development Requirements – Chisholm West Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm West Precinct. No specific requirements have been made for the following matters within the Chisholm West Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Amelioration of Natural and Environmental Hazards
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

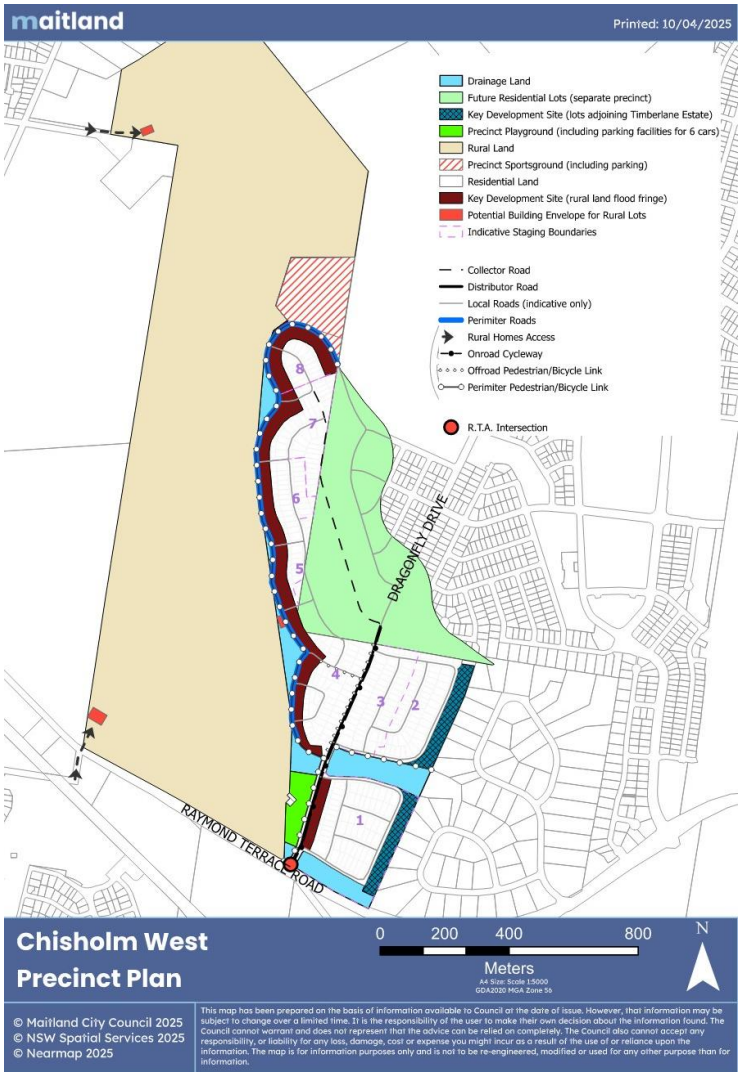


Figure 10-52: Chisholm West Precinct Plan

10.4.5.26. Staging Plan

Objectives

O.219 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.219	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.27. Transport Movement Hierarchy

Objectives

O.220 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.221 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.222 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.

O.223 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.220	The layout, hierarchy and design of major streets within the Precinct is to be generally consistent with Figure 10-52.
AS.2 • O.220 • O.223	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions and greater regard to the topography.
PC.1 • O.221 • O.222	A distributor road is to be provided through the site in the location identified in Figure 10-52. The road is to have a total minimum width of 23m (4.5m/13m/5.5m) and is to make provision for services, recycled water (within a suitable footway allocation), a 2.5m off-road cycleway on the western side, a 1.5m footpath on the eastern side and an on-road commuter cycleway.
PC.2 • O.222	A signalised intersection is to be provided at the intersection of Raymond Terrace and the distributor road in accordance with the Thornton North Contributions Plan 2008 and the requirements of the NSW Roads and Traffic Authority, generally in the location shown on Figure 10-52.
PC.3 • O.220 • O.222	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to the proposed playground and sports field and to link to adjoining precincts generally as shown on Figure 10-52.
PC.4 • O.223	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the visual landscape of this area.
AS.3 • O.223	Subdivision layout and lot orientation should maximise privacy, private open space areas, solar access and energy efficiency. In this regard, minor streets should generally be aligned east/west, subject to site constraints such as topography.

10.4.5.28. Overall Landscaping Strategy

Objectives

O.224 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.225 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.226 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.224 • O.225	Development Applications for subdivision are to include a general design of how the open space areas are to be incorporated into the subdivision of the precinct.
PC.2 • O.226	Landscaping of the drainage land adjacent to Raymond Terrace Road is be undertaken in accordance with the landscape plan for the Chisholm West Precinct.

10.4.5.29. Passive and Active Recreation Areas

Objectives

O.227 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.228 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.227 • O.228	A precinct sportsground at 4.2ha, a precinct playground at 1.8ha and a local playground at 0.5ha are to be provided within this Precinct in accordance with the Thornton North Section 7.11 Contributions Plan and the general locations identified in the Precinct Plan.

10.4.5.30. Stormwater and Water Quality

Objectives

O.229 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.230 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.231 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.229 • O.230 • O.231	Stormwater Management facilities such as swales, detention basins and constructed wetlands are to be provided generally within the areas identified on Figure 10-52.
PC.1 • O.229 • O.231	Development applications for subdivision are to be accompanied by a Stormwater Management Plan identifying both quantity and quality controls in accordance with Council's Manual of Engineering Standards (MoES).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.230 • O.231	All stormwater facilities are to be dedicated to Council as part of the relevant development application.

10.4.5.31. Key Development Sites

Land adjoining Timberlane Estate

Objectives

O.232 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.232	Development of land adjoining Timberlane Estate should be designed and located to minimise bulk and scale, thereby maintaining view corridors and minimising any impacts to the existing rural residential amenity.
PC.1 • O.232	Allotments immediately adjoining the western and northern boundaries of Timberlane Estate must have a minimum lot size of 1500m^2 and average minimum of 1800m^2. Building restrictions are to be placed on the land titles of the affected properties prohibiting the erection of any dwellings within 15m of boundaries adjoining Timberlane Estate and 5m side boundary setbacks, in order to maintain view corridors and minimise any adverse impacts on the rural/residential amenity.
PC.2 • O.232	Building envelopes, detailing the required setbacks, are to be specified in any application to subdivide land adjoining Timberlane Estate.
PC.3 • O.232	Detailed landscaping strategies are to be submitted with all development applications for land adjoining Timberlane Estate, including plantings and fencing. A 5m landscape buffer is to be established and maintained along the adjoining boundary to Timberlane Estate. A restriction is to be placed on the title of affected properties indicating no structures are to be located within this area.
PC.4 • O.232	Only single storey dwellings will be permitted on lots adjoining Timberlane Estate to maintain view lines and amenity. Appropriate building restrictions are to be placed on the title of each lot.

Rural Land Flood Fringe Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.232	A perimeter road (with development on one side only) is to be provided around the edge of the Precinct where it adjoins flood prone land, rural or drainage land in accordance with Figure 10-52, Figure 10-53, and Figure 10-54.
PC.6 • O.232	A 3m wide shared pathway are to be provided on the lower (non-development) side of the perimeter road in accordance with Figure 10-53 and Figure 10-54. This pathway is to extend through to the boundary of the Timberlane Estate as shown on Figure 10-52.
PC.7 • O.232	Any fencing of allotments forward of the front building line are to be an open style of consistent design, material and colour so as not to dominate the landscape and minimise visual impact.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.232	Landscaping is to be provided along the perimeter road and to development fronting the floodplain/rural land and the proposed water management basins to filter views of the new development across the floodplain. Details are to be provided in the landscape plan submitted with the applicable development application.

Flood Fringe Rural Allotments

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.9 • O.232	The Precinct Plan identifies suitable sites (building envelopes) for future dwellings on large rural allotments, which have been located to maximise views, amenity and effective management of the floodplain.

Land adjoining Raymond Terrace Road and Main Northern Railway

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.232	A 10m wide landscape buffer is to be provided within the drainage reserve adjoining Raymond Terrace Road and is to include a combination of earth mounding, acoustic fencing and vegetation. Plans showing details of this treatment are to be submitted with any development application to subdivide Stage 1 of this Precinct.
PC.11 • O.232	Residential subdivision and associated development is to be designed so as to comply with the relevant standards and criteria for noise and vibration.
PC.12 • O.232	An acoustic report is to be submitted with any development application for the subdivision of land adjacent to Raymond Terrace Road detailing the necessary measures to mitigate the impact of noise from Raymond Terrace Road and the Main Northern Railway line.

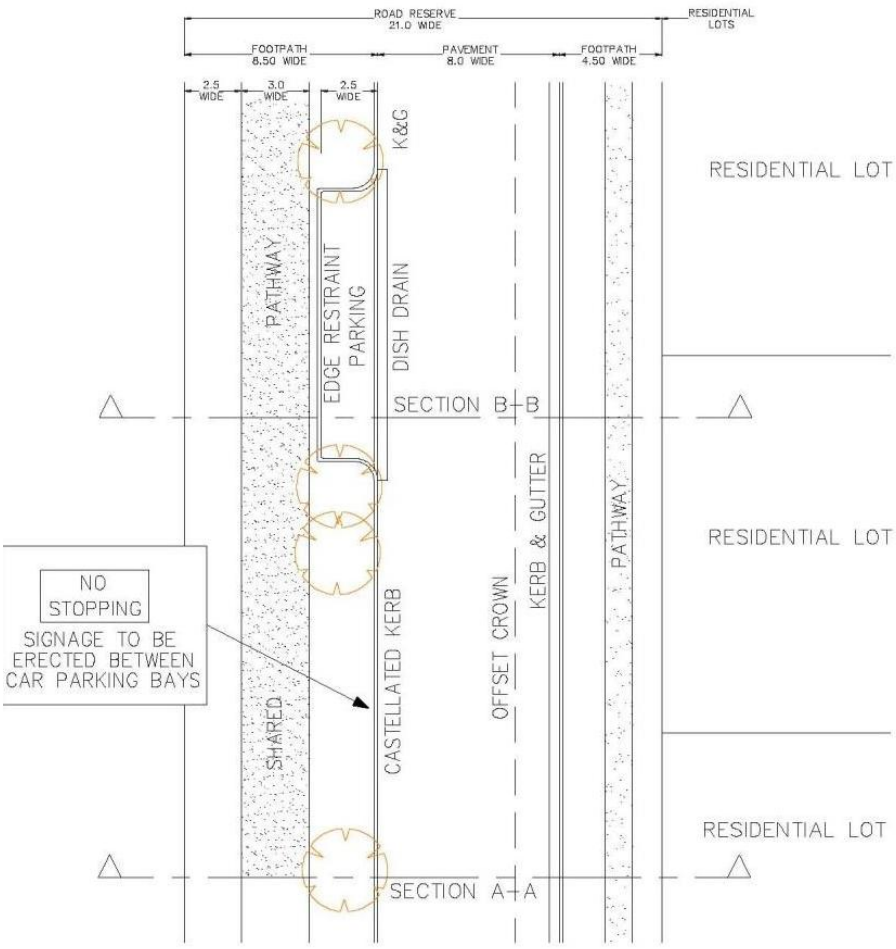


Figure 10-53: Chisholm West Precinct Plan – Perimeter Road Section

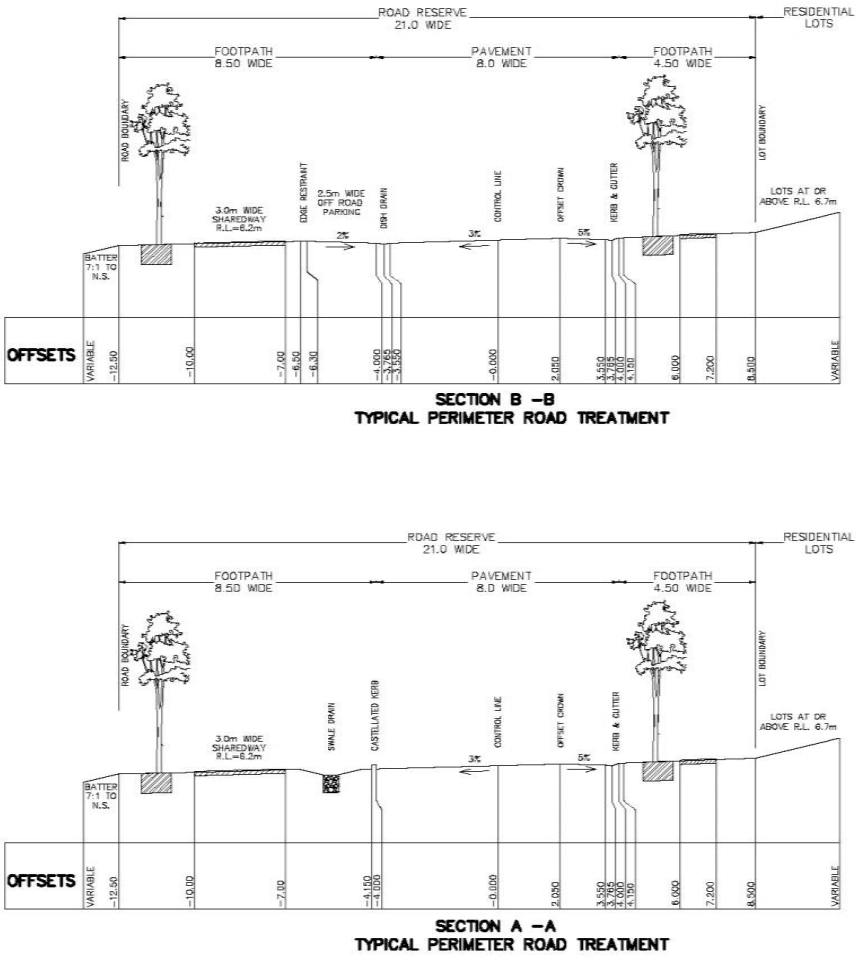


Figure 10-54: Chisholm West Precinct Plan Perimeter Road Cross Section.

Development Requirements – Waterford County North Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Waterford County North Precinct. No specific requirements have been made for the following matters within the Waterford County North Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

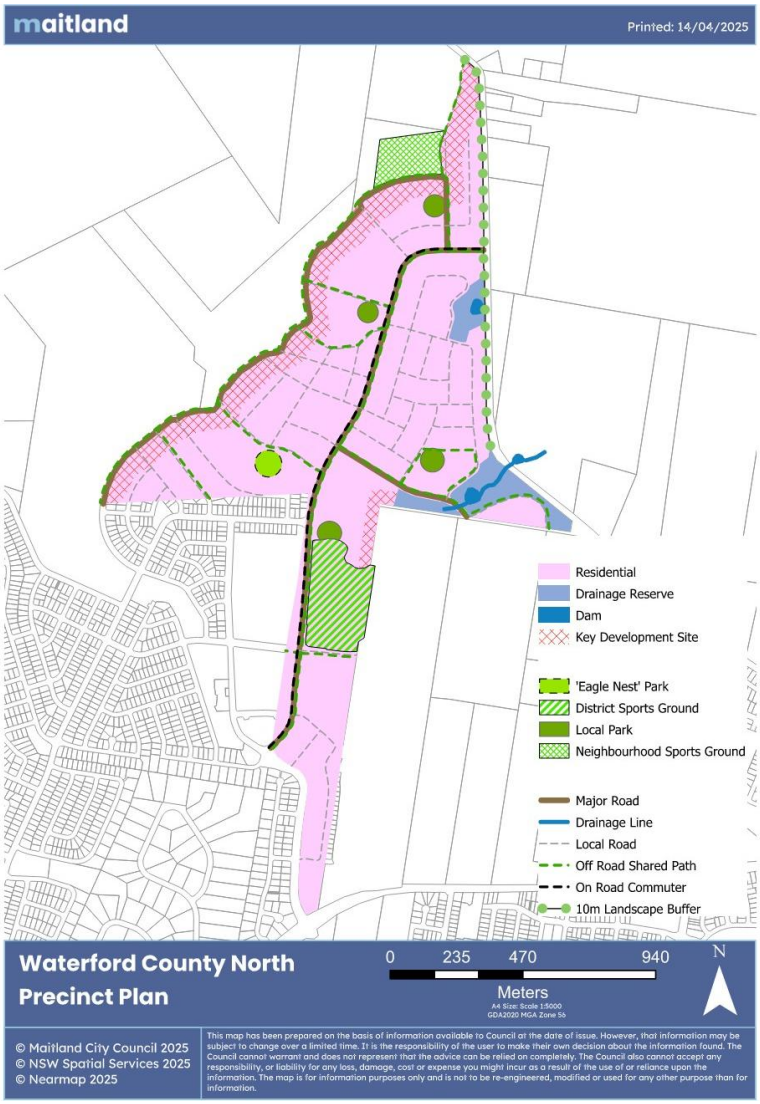


Figure 10-55: Waterford County North Precinct Plan

10.4.5.32. Staging Plan

Objectives

O.233 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.233	All development applications for subdivisions are to include a staging plan, where the development is intended to be released sequentially.

10.4.5.33. Transport Movement Hierarchy

Objectives

O.234 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.235 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel

O.236 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.

O.237 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.234	The layout, hierarchy and design of major streets within the precinct should be generally consistent with the precinct plan and Figure 10-56.
PC.1 • O.235 • O.236	Pedestrian paths, cycle ways and off-road shared pathways are to be provided within the precinct generally as shown on the precinct plan. The pedestrian and cycle network should link the Chisholm local activity centre with open space and community facilities and link to adjoining precincts.
PC.2 • O.236 • O.237	Subdivision design is to provide for lot frontages that address streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space, environmental land and drainage areas are discouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing must not form a prominent element in the landscape of this area.
PC.3 • O.236 • O.237	Suitable transport access and connectivity within the site and to adjoining areas are to be maintained at all times for motor vehicles, pedestrians, cyclists and public transport providers.
PC.4 • O.237	The transport movement hierarchy must identify bus transport routes within the precinct.

10.4.5.34. Overall Landscaping Strategy

Objectives

O.238 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.239 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.240 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.238 • O.239	The overall landscaping strategy within the precinct should be generally consistent with the precinct plan.
PC.1 • O.240	A 10m wide landscaped buffer is to be provided within the rear of properties adjoining Mcfarlanes Road (refer to Figure 10-57). Existing mature trees within the buffer are to be retained.
PC.2 • O.240	The respective landscaped buffer adjoining the McFarlane Road is to be wholly located within the affected allotments, with the maintenance of the landscape buffer being the responsibility of the individual owners of the respective allotments. Covenants are to be placed on affected land ensuring ongoing preservation and maintenance of the approved landscaping and fencing treatments on all lots that adjoin Mcfarlanes Road.
PC.3 • O.239 • O.240	Fencing of allotments along the boundary of Mcfarlanes Road are to use consistent materials and colour and be landscaped both forward and behind the fence, as shown on Figure 10-58. **Note:** Fencing is not required where the boundary coincides with a proposed drainage reserve.
PC.4 • O.240	Side boundary fencing located within the landscaped buffer is to be similar to Mcfarlanes Road's boundary fencing treatment.
PC.5 • O.240	Private maintenance gates are to be provided in the boundary fence within each of the proposed lots that adjoin Mcfarlanes Road.
PC.6 • O.239 • O.240	Development applications for subdivision will include detailed landscaping plans that: a. identify appropriate street tree species, b. illustrate fencing treatments to adjoining rural properties, c. illustrate landscape/threshold treatment of key intersections, d. demonstrate how open space areas and trunk drainage are to be located and landscaped, and e. demonstrate how existing mature trees are retained and protected in the landscape.
AS.2 • O.239	Existing significant mature trees should be retained where possible.

10.4.5.35. Passive and Active Recreation Areas

Objectives

O.241 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.242 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.241 • O.242	Development applications for subdivision that include areas of passive and active recreational space as identified in the precinct plan are to include detailed designs in the overall landscaping strategy.
PC.2 • O.241 • O.242	The "Eagle Nest" local park is to be developed for passive open space recreational purposes. Development associated with the land for 'Eagle Nest' is to provide a landscape plan, which includes enhancement (through plantings) of the area with local tree species.

10.4.5.36. Stormwater and Water Quality

Objectives

O.243 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.244 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.245 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.243 • O.244 • O.245	Development applications for subdivision must be accompanied by a stormwater management plan identifying both quantity and quality controls.

10.4.5.37. Amelioration of Natural and Environmental Hazards

Objectives

O.246 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.247 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors and extractive industries.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.246 • O.247	Subdivision design and lot layout must ensure that any future dwelling will not be adversely affected by noise, dust or vibration from activities generated by the adjoining quarry operations. Development applications for dwellings are to address mitigating measures where appropriate and required.
PC.2 • O.246	Development Applications for subdivision are to include subdivision designs that consider the bushfire risk in the locality, in accordance with the NSW Rural Fire Service guidelines current at that time. Submission of a bushfire risk assessment will

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	be a minimum requirement for any development application involving bushfire prone land within the plan.
PC.3 • O.246 • O.247	Subdivision design is to ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads where considered safe and practical), and do not extend into environmentally zoned areas where clearing would be required.
PC.4 • O.247	Development adjoining the C3 Environmental Management zone must be designed and planned to ensure any Asset Protection Zones and the like are not required or needed in the C3 zone.
PC.5 • O.247	Development Applications will need to investigate soil salinity levels, soil structure/ stability and Acid Sulphate Soils as part of geotechnical investigations associated with the site.

10.4.5.38. Key Development Sites

Flood Fringe/Rural and Environmental Zoned Land Interface

Objectives

O.248 To ensure a detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.248	A perimeter road (with development on one side only) is to be provided around the edge of the precinct where it adjoins flood prone land or rural land.
PC.2 • O.248	A 3m wide off-road shared pedestrian/cycle path is to be provided on the lower side of the perimeter road to create a continuous pathway linking with existing and proposed networks and public open space.
PC.3 • O.248	Additional landscaping to the perimeter of development fronting the floodplain/rural land and to the proposed water management basins are to be provided to filter views of the new development across the floodplain. Details are to be provided in a landscape plan with any relevant development applications.
PC.4 • O.248	Any fencing of allotments forward of the front building line is to be of an open style of consistent design, material and colour so as to not dominate the landscape and minimise visual impact.

Clay Quarry Site Interface

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.248	An impact assessment is to be undertaken by a suitably qualified consultant to assess the impact of the quarry and associated activities on the precinct. Any mitigation measures necessary to address noise, vibration and dust impacts on the precinct must be incorporated in any development application and apply to affected development.

10.4.5.39. Residential Densities

Objectives

O.249 To encourage higher density living around transport, open space and service nodes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.249	Any dual occupancy, medium density or integrated housing developments within the precinct are encouraged to be located and designed around areas of high amenity, being sites adjacent to open space, water bodies and bus routes.

10.4.5.40. Flora and Fauna

Objectives

O.250 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.250	Development Applications that affect native vegetation communities are to include a detailed assessment of the flora and fauna characteristics of the site prepared by a suitably qualified ecologist. Such an assessment is to consider retention of hollow bearing trees, where practicable.
PC.2 • O.250	Riparian buffers are to be maintained around identified watercourses, in accordance with relevant NSW Department of Water guidelines pertaining to minimum buffer widths.

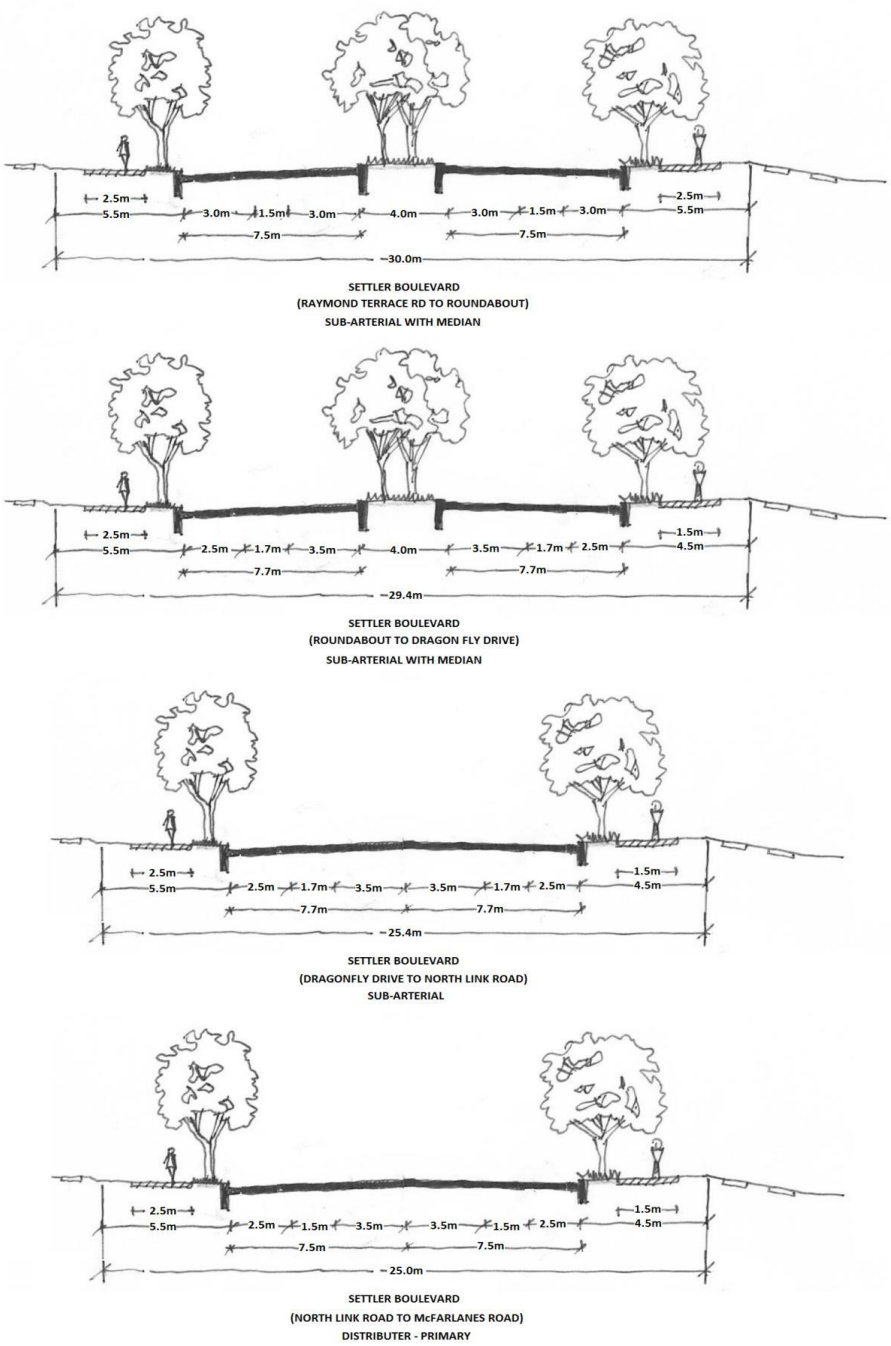


Figure 10-56: Settlers Boulevard cross sections

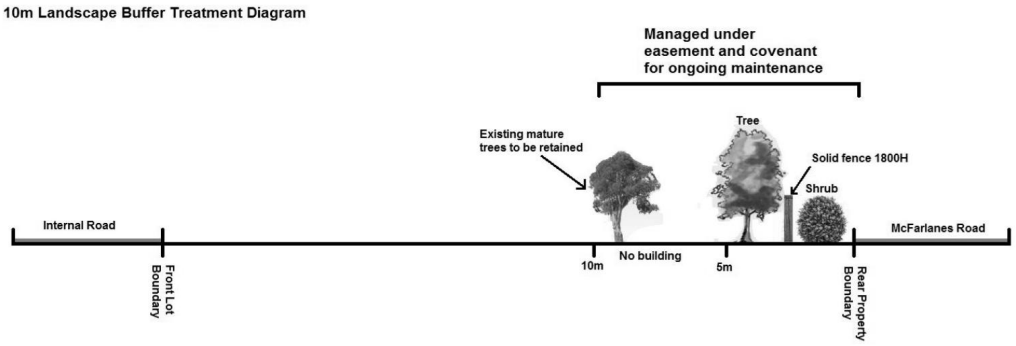


Figure 10-57: 10m Landscape Buffer Treatment (Mcfarlanes Road)

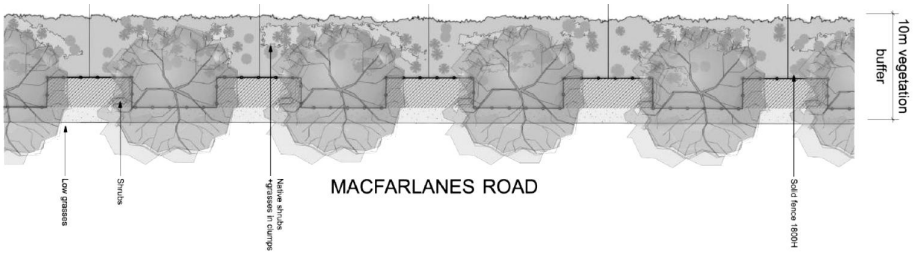


Figure 10-58: Boundary Fencing Treatment (Mcfarlanes Road)

Development Requirements – Raymond Terrace Road Eastern Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Raymond Terrace Road Eastern Precinct. No specific requirements have been made for the following matters within the Raymond Terrace Road Eastern Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

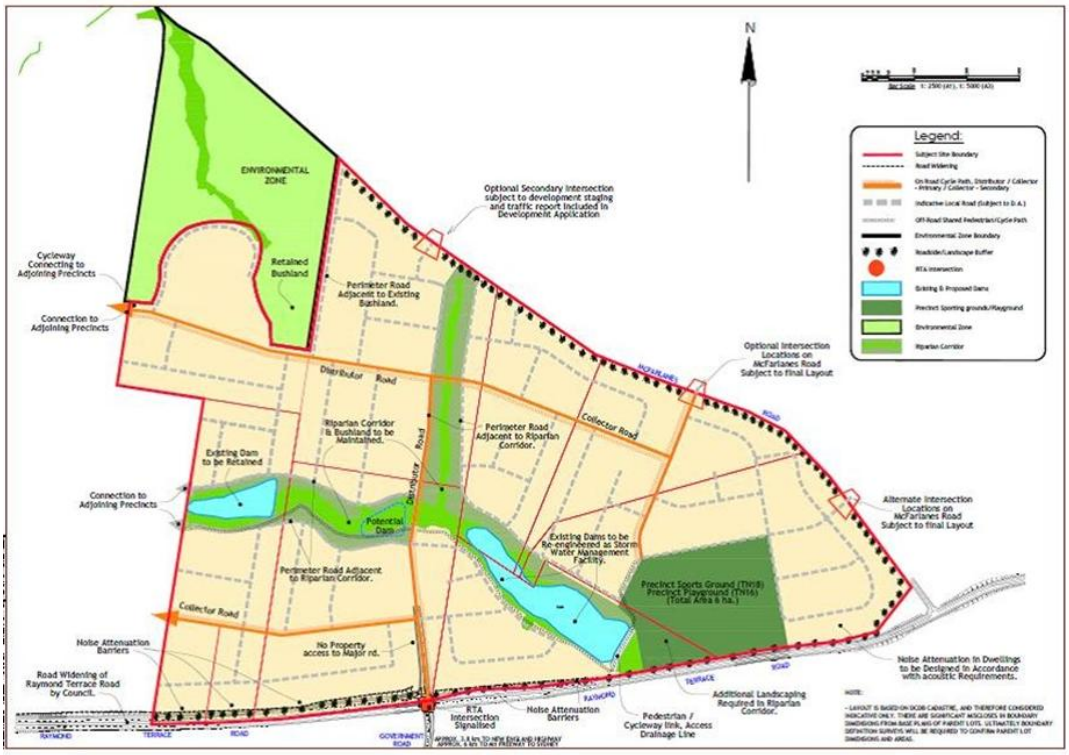


Figure 10-59: Raymond Terrace Road Eastern Precinct Plan

10.4.5.41. Staging Plan

Objectives

O.251 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.251	All development applications for subdivisions are to include a staged construction plan, where the development is intended to be constructed in stages.

10.4.5.42. Transport Movement Hierarchy

Objectives

O.252 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.253 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.254 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.
O.255 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.252	The layout, hierarchy and design of major streets within the precinct should be generally consistent with Figure 10-59.
AS.2 • O.252	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions and greater regard for the natural environment.
PC.1 • O.253 • O.254	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to proposed playground and sports field and to link to adjoining precincts generally as shown on Figure 10-59.
PC.2 • O.254 • O.255	A distributor road must be provided through the site in the location identified on Figure 10-59.
PC.3 • O.254 • O.255	A perimeter road incorporating pedestrian and cycle facilities is to be provided adjacent to the edge of the riparian corridors, C3 Environmental Management zone and open space in accordance with Figure 10-59.
PC.4 • O.255	A signalised intersection is to be provided at the intersection of Raymond Terrace Road, Government Road and the distributor road in accordance with the *Thornton North Contributions Plan 2008*.
AS.3 • O.255	Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage land. Allotments backing onto reserves, open space and drainage land are not encouraged.

10.4.5.43. Overall Landscaping Strategy

Objectives

O.256 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.257 To establish an attractive visual appearance to the development by street tree planting and providing additional landscaping in public areas.
O.258 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.259 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.
O.260 To provide landscaped buffers around the site perimeter adjoining major roads.
O.261 To provide a quality landscaped gateway to this part of the Thornton North Release Area.
O.262 To retain appropriate riparian corridors and integrate them with open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.256 • O.259 • O.260 • O.261	Landscaping should be provided generally in accordance with Figure 10-59.
PC.1 • O.257 • O.258 • O.259	A detailed landscape strategy is to be provided to address key entry points to the development, buffer areas, drainage and open space areas.
PC.2 • O.257 • O.258	A vegetation management plan is to be developed for the riparian corridors detailing management and enhancement of vegetation communities and habitat.
PC.3 • O.259 • O.260 • O.261 • O.262	The vegetation management plan is to specifically address feed tree species associated with the squirrel glider habitat and include a “nest box” program.

10.4.5.44. Passive and Active Recreation Areas

Objectives

O.263 Neighbourhoods contain conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.264 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.263 • O.264	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-59.
PC.1 • O.263 • O.264	A neighbourhood sportsground, a neighbourhood playground, and community facilities building are to be provided within the East Precinct in accordance with the Thornton North Contributions Plan 2008 and general locations identified in Figure 10-59.

10.4.5.45. Stormwater and Water Quality

Objectives

O.265 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.266 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.267 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

O.268 To provide a coordinated stormwater management system for the whole of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.265 • O.266	Development applications for subdivisions are to be accompanied by a stormwater management strategy identifying both quality and quantity controls in accordance with Council's MoES and to address timing of construction.
PC.2 • O.267 • O.268	Stormwater management facilities such as swales, detention basins and constructed wetlands are to be provided as necessary within areas designated as drainage land on Figure 10-59.
PC.3 • O.267 • O.268	All stormwater facilities are to be dedicated to Council as part of the subdivision process.

10.4.5.46. Amelioration of Natural and Environmental Hazards

Objectives

O.269 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.270 To ensure that future residential development is not adversely affected by any noise and vibration from road traffic associated with Raymond Terrace Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.269 • O.270	Residential subdivision and associated development are to be designed to comply with the relevant standards and criteria for noise and vibration.
PC.2 • O.270	A 10m wide landscape buffer is to be provided within the rear of properties adjoining Raymond Terrace Road and must include a combination of earth mounding, acoustic fencing and vegetation. Details are to be submitted with any DA for subdivision of the land. Covenants are to be placed on affected land ensuring ongoing maintenance of the required landscaping and associated structures.
PC.3 • O.270	Individual developments adjacent to Raymond Terrace Road will require an acoustic report for the development of the land that identifies detailed requirements for noise attenuation, including earth mounding, fencing and building controls.
PC.4 • O.269	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.5 • O.269	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.
PC.6 • O.269 • O.270	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.5.47. Key Development Sites

Raymond Terrace Road/Government Road Intersection Entry

Objectives

O.271 To ensure detailed urban design controls are provided for significant development sites.

O.272 To ensure that development does not result in significant detrimental visual impact at a key gateway to the Thornton North release area.

O.273 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.271 • O.272	The 10m wide landscape buffer required for lots adjoining Raymond Terrace Road is to be contained wholly within the affected lots and details is to be provided in a landscape plan with any development application. Where a supporting acoustic report for the development of the land identifies a requirement for noise attenuation, this is generally to include a combination of earth mounding and fencing with details to be provided in landscape plan.
PC.2 • O.272 • O.273	Fencing of allotments along the boundary of Raymond Terrace Road are to be of consistent materials and colour and must form an integral part of the landscape plan provided with any development application. Fencing is not to be a prominent element in the landscape along the road corridor.
PC.3 • O.271 • O.273	Landscaping is to integrate with proposed open space and community facilities to be provided on both sides of the entry road.

C3 Environmental Management Zoned Land

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.273	A vegetation management plan is to be developed and produced to the satisfaction of Council for the C3 Environmental Management zone, detailing maintenance and enhancement of the existing vegetation community on site. Such a plan is to incorporate mechanisms to support and improve the squirrel glider population of the area in association with any use of the land.

Development Requirements – Chisholm Neighbourhood Centre Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm Neighbourhood Centre Precinct. No specific requirements have been made for the following matters within the Chisholm Neighbourhood Centre Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Overall Landscaping Strategy
- Stormwater and Water Quality
- Amelioration of Natural and Environmental Hazards
- Key Development Sites
- Residential Densities

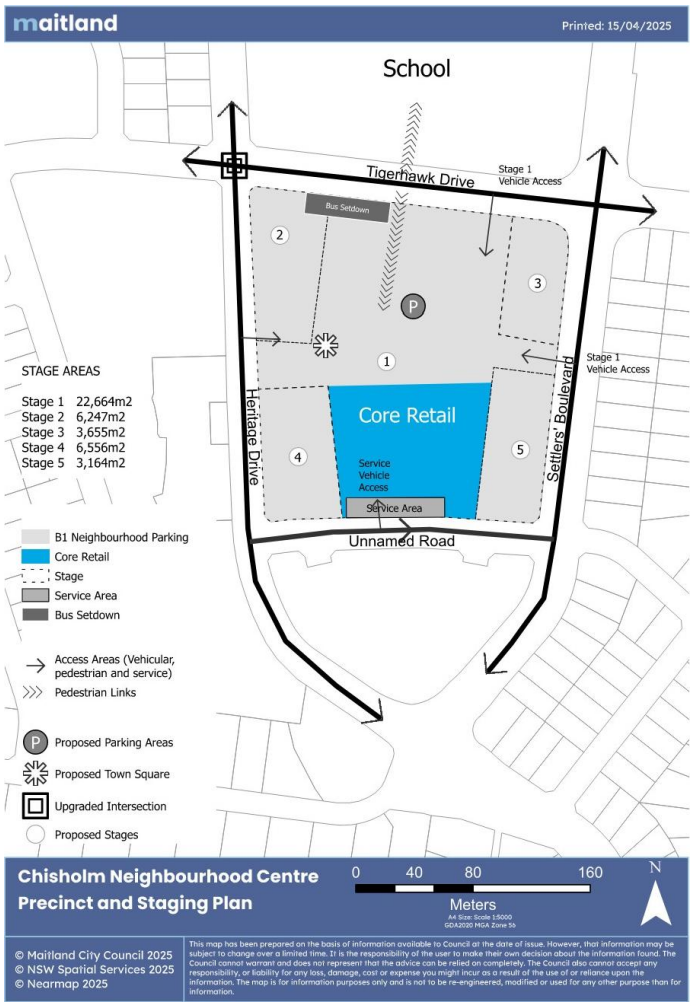


Figure 10-60: Chisholm Neighbourhood Centre Precinct and Staging Plan

Located within one of Maitland's newest residential neighbourhoods, the Chisholm Neighbourhood Centre is important to contribute to the development of a sustainable community. The Chisholm Neighbourhood Centre will provide for the convenience needs of the Thornton North Urban Release Area. The centre is located on the street block bound by Settlers Boulevard, Tigerhawk Drive, Heritage Drive, and an unnamed and unformed southern road.

The centre's central location will enhance accessibility supported by public transport, an adequate road network and safe, pleasant pedestrian and cycleway links. The centre will provide a central place where residents can meet and connect will foster a strong sense of place. The centre will help defined the character and identify of the suburb and urban release area.

Guiding design principles

The following guiding principles are to inform the future design of the neighbourhood centre:

- Spaciousness, reflective of local/regional character.
- Accessibility and convenience.
- Innovative architecture and an urban design which integrates with the master planned nature of the Precinct.
- Creation of a distinctive sense of place reflective of its topography, outlook and enhances the Centre's relationship to neighbouring land uses.

10.4.5.48. Staging Plan

Objectives

O.274 A new planned neighbourhood centre is created to support the growing residential population of the Thornton Urban Release Area by providing a range of convenience-based retail facilities and other complementary land uses.

O.275 The development staging is to be responsive to market demands and reflective of the growing population and needs of the Chisholm Release Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.274	The precinct should be staged generally in accordance with Figure 10-60.
PC.1 • O.274 • O.275	A full line supermarket and other core retail uses are to be provided in Stage 1 of the neighbourhood centre.
PC.2 • O.274 • O.275	The proposed town square is to be developed within the Stage 1 of the neighbourhood centre.
PC.3 • O.275	The surrounding street network and centre interface is to facilitate bus access with the proposed bus set down area on Tigerhawk Drive to be provided as part of Stage 1.

10.4.5.49. Economic Impact Assessment

Objectives

O.276 The centre will grow and evolve in a sustainable manner that reflects the needs and demands of the population, whilst respecting the Centre's role in Council's adopted centres hierarchy.

O.277 To ensure that both the Thornton and Chisholm centres remain commercially viable.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.276	An Economic Impact Assessment (EIA) is to be submitted with the development application for each stage of the Chisholm Neighbourhood Centre.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.277	The EIA must consider the potential mix of retail and commercial offerings and the scale of any to ensure the continued viability of both the Thornton and Chisholm centres.

10.4.5.50. Transport Movement Hierarchy

Objectives

O.278 A simple and safe movement system for private vehicles, public transport, pedestrians and cyclists is achieved.
O.279 Centres are conveniently located and easily accessible by private vehicles, public transport, pedestrians and cyclists.
O.280 The release of urban land and necessary infrastructure is logically sequenced.
O.281 Excellent connectivity and integration between the neighbourhood centre and the Thornton North Urban Release Area is achieved.
O.282 Pedestrian and cycle routes connect the neighbourhood centre to the surrounding residential neighbourhood and local features such as the primary school; open spaces and community uses.
O.283 Good connectivity with public transport is provided.
O.284 Connections are logical and well defined.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.278 • O.280 • O.281	The link between the Investa and Waterford estates via Harvest Boulevard and Dragonfly Drive is to be completed prior to the issue of an occupation certificate for development in the neighbourhood centre.
PC.2 • O.280	The development application for Stage 1 is to include a Traffic Impact Assessment and Access Strategy prepared by a suitably qualified consultant.
PC.3 • O.280 • O.281	The Traffic Impact Assessment and Access Strategy is to consider the full development scenario of the centre.
PC.4 • O.279 • O.281	This assessment is to include details relating to the overall traffic and pedestrian management, access to parking areas, pedestrian access provisions, assessment of the proposed car parking designs and traffic generation including an assessment on the surrounding road network and key intersections.
PC.5 • O.279 • O.281 • O.283	The intersection of Tigerhawk and Heritage Drives is to be upgraded to cater for pedestrian safety, bus and heavy vehicles and traffic movements. Traffic lights are envisaged for this intersection.
PC.6 • O.282	Pedestrian linkages are to be provided in every direction.
PC.7 • O.282 • O.283	The assessment is to consider the safety and functionality of the pedestrian focal point and the public and school bus services that will congregate on Tigerhawk Drive.
PC.8 • O.282	Development applications are to include a shared path connectivity plan linking all external paths to the entry point of the development.
PC.9 • O.278 • O.284	Regrading of the kerb return and verge on the Heritage Tigerhawk Drives intersection is to occur in order to provide adequate longitudinal and transverse cross falls.
PC.10 • O.284	Development applications are to include details of recommended regulatory signage for existing and proposed roads. i.e. parking controls, loading zones, bus and taxi zones, etc

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.11 • O.284	Driveway entry points on Settlers Boulevarde and Tigerhawk Drive are to be left-in/left-out with concrete median separation on the centreline.
PC.12 • O.282	A pedestrian/access assessment is to be submitted with development applications for connectivity into the site.
PC.13 • O.282	Pedestrian/cycle refuges, or greater, is to be provided on public roads including a central connection across Heritage Drive to the Riparian Corridor.
PC.14 • O.283	Internal taxi and mini bus pickup point is to be provided at front of shopping centre entry.
PC.15 • O.282	Internal pedestrian network and bicycle racks / facilities are to be provided.

10.4.5.51. Passive and Active Recreation Areas

Objectives

O.285 To establish the neighbourhood centre as the focal point for the community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.285	An urban design masterplan is to be submitted with the development at Stage 1 of centre. The masterplan is to provide opportunities for: a. An informal meeting place that can be used by local residents and parents of children attending nearby local schools and child care centres, b. Formal and informal outdoor seating areas, c. Outdoor dining, d. A space for activities which support the local community such as charity fundraising stalls, donation tables etc, and e. Landscaping and design features which encourages use and activity throughout the day and into the evening, including safe areas for children to play whilst being supervised from adjacent outdoor seating areas.

10.4.5.52. Stormwater and Water Quality

Objectives

O.286 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.287 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.288 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.286 • O.287	Stormwater Management facilities are to be generally provided in accordance with the Landscaping Plan.
AS.2 • O.287 • O.288	Development applications will be accompanied by a Stormwater Management Plan which is generally consistent with the report by *Peter Sullivan and Associates* (May, 2008) establishing the stormwater management strategy for the Precinct.

10.4.5.53. Neighbourhood Commercial and Retail Uses

Building Design

Objectives

O.289 The design of the centre (including the height of buildings) should respond to the existing topography and capture important local views including views to adjacent open space.
O.290 The centre should be scaled to positively contribute to the surrounding neighbourhood and open space areas.
O.291 Buildings are sited and designed in a manner that present a unified, coherent appearance that integrates with its context and takes advantage of its physical attributes.
O.292 Visually interesting, harmonious roof scapes and skylines are provided.
O.293 Roofs are used for recreation where practical and desirable.
O.294 A positive sense of space, safety and openness is created in the public domain.
O.295 Building security is achieved without compromising the streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.289	Where more than 2-storeys are proposed, the third and higher storeys are to be setback further by a minimum of 3m compared to the ground floor.
PC.2 • O.291 • O.292 • O.293	Variations in roof form including the use of skillions, gables and hips are to be provided in the development or between developments.
PC.3 • O.292	Flat roofs are to be avoided unless they are behind a parapet.
PC.4 • O.292	Lift over-runs and service plant must be concealed within roof structures.
PC.5 • O.290	All roof plant is to be shown on plans and elevations.
PC.6 • O.293	Outdoor recreation areas on flat roofs are to be landscaped and incorporate shade structures and wind screens to encourage use.
AS.1 • O.294 • O.295	Security grills (e.g. for roll-up doors) should be avoided. If installed, security grilles are to be provided within the building, behind the glazing and be constructed of material that allows the interior to be visible.

Setbacks

Objectives

O.296 The established character of the street is reinforced.
O.297 The existing rhythm of the street and its built form is maintained.
O.298 The development provides adequate pedestrian areas and integrates into the adjoining sites.
O.299 A consistent streetscape is achieved.
O.300 Structures and queues do not impede pedestrian movement.
O.301 Any ramps are to be integrated into the overall building and landscape design.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.296 • O.297	Development along identified active streets must be built-to-boundary.
PC.2 • O.297 • O.299	In all other cases, buildings are to be setback within 20% of the average of the adjoining buildings.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.298 • O.300	All pedestrian paved areas along an active street are to have a minimum paved width of 3.5m and is to adhere to the following design criteria: a. is clear and accessible for pedestrians for its entire length and width, b. is clear of columns (other than awning posts where provided) and other obstructions, c. may include outdoor dining where a minimum footway clearance width of: i. 1.8m for high volume pedestrian areas, or ii. 1.5m in all other circumstances; is maintained. d. has a pavement matching the gradient of the adjoining footpath and connects to pedestrian areas on neighbouring sites, and e. connects without any lip or step to adjoining footpaths or abutting pedestrian areas on neighbouring sites.
PC.4 • O.299	Pavements, furniture and landscaping are to be designed in accordance the Council's requirements.
PC.5 • O.301	Steps, escalators, ramps or lifts are not to be located within the 3.5m paved pedestrian area.
PC.6 • O.299	Any automatic teller machine provided is to be: • inset 1.5m into the building line, and • well illuminated at all times.
PC.7 • O.301	Ramps are constructed and finished with materials that are similar or complementary to those used on the building or in the street.

Active Frontages

Objectives

O.302 To provide active uses along identified frontages.
O.303 To promote uses that attract pedestrian traffic along certain ground floor street frontages.
O.304 To ensure a vibrant and safe public domain is provided.
O.305 To ensure direct contact (visual and physical) between the street and the interior of a building is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.302	Active frontages are to consist of one or more of the following: a. a shop front, b. commercial and residential lobbies, c. café or restaurant, or d. a public building if accompanied by an entry from the street.
PC.2 • O.303	A minimum of 80% of the ground floor level front facade must be clear glazed.
PC.3 • O.303	The reflexivity index for glass is not to exceed 20%.
PC.4 • O.304 • O.305	Restaurants and cafés are to provide openable shop fronts (for e.g. bi-fold doors) where practical to the public domain.
PC.5 • O.304 • O.305	Colonnade structures are not to be used unless it is demonstrated that the design: • would not restrict visibility into the shop or commercial premises; and • not limit natural daylight along footpaths; and • does not create opportunities for concealment.

Arcades

Objectives

O.306 Connections to enhance the pedestrian network and to link between shopping areas, public spaces and car parking are provided.
O.307 Parking at the rear of the development is encouraged by providing good permeability to the front of the site.
O.308 Activity within arcades is encouraged.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.306 • O.307 • O.308	Arcades are to: a. Be obvious and direct through-ways for pedestrians. b. Have a minimum width of 3m clear of all obstructions unless it includes arcade dining where a minimum footway clearance width of 1.8m for high volume pedestrian areas or 1.5m in all other circumstances; is maintained. c. Be accessible to the public for the duration of activity in the centre. d. Where practical, have access to natural light for part of their length and at openings at each end. e. Have clear glazed entry doors at least 50% of the entrance, where the arcade is air- conditioned. f. Have signage at the entry indicating public accessibility and to where the arcade leads. g. Have clear sight lines and no opportunities for concealment. h. Where arcades or internalised shopping malls are proposed, those shops at the entrance are to have direct pedestrian access to the street.

Awnings

Objectives

O.309 Weather protection is provided along key streets.
O.310 A consistent and complementary streetscape is maintained.
O.311 Active streets are well lit at all times.
O.312 Awnings are structurally sound.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.309	Continuous shelter from the weather is to be provided for the full extent of the active street frontage.
PC.2 • O.309	Awnings are to be horizontal or near horizontal (maximum pitch of 10%).
PC.3 • O.310 • O.312	Awnings heights shall be no less than 2.7m high at any point measured above the existing ground level.
PC.4 • O.310 • O.312	A minimum awning width of 2.5m-3.0m is required unless this cannot be achieved because of narrow pavements and street tree planting, traffic signals, traffic signage or utility poles.
PC.5 • O.310 • O.312	New awnings must be set back a minimum of 450mm from the kerb line.
PC.6 • O.310 • O.312	Awnings along sloping streets must step down in horizontal steps (a maximum of 700mm per step) to follow the slope of the street.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.310	All contiguous awnings are to be of consistent height and depth and of complementary design and materials.
PC.8 • O.310	Awnings and/or canopies are to be provided elsewhere to define public entrances to buildings, including residential flat buildings.
PC.9 • O.310	Awnings must wrap around street corners and contribute to the articulation and focal design of corner buildings.
PC.10 • O.310	New awning fascias have a vertical depth not greater than the average of the vertical depths of the immediately adjoining awning fascias or, if there are no adjoining awning fascias, 350mm.
PC.11 • O.311	Under awning lighting shall comply with AS/NZS1158 - Lighting for roads and public spaces.
PC.12 • O.312	Awnings are to be designed and certified by a professional engineer.

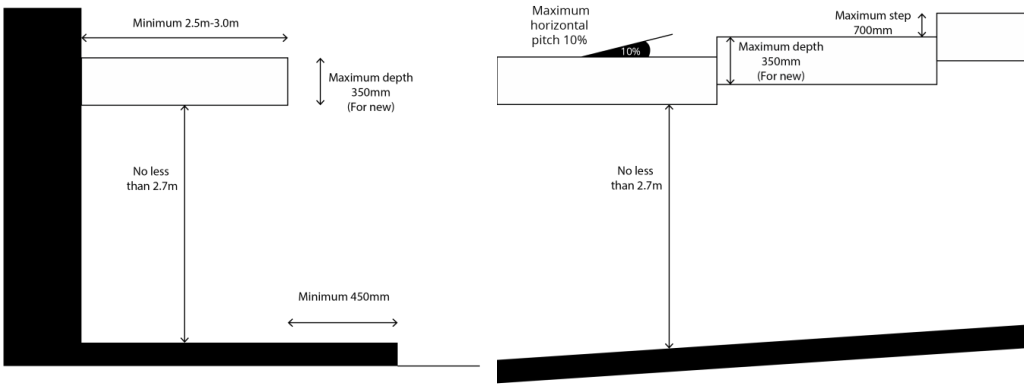


Figure 10-61: Chisholm Neighbourhood Centre - Awning details

Gateway, corner and landmark sites

Objectives

O.313 An innovative architectural style is achieved with building heights that emphasise prominent corners of the development to promote a unique sense of identity for the centre.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.313	The design of buildings on corner sites or at the ends of business or commercial zones must emphasise the importance of the corner as a focal point.
PC.2 • O.313	Corner sites or at the ends of business or commercial zones are to be constructed to boundary with no car parking or servicing between the street boundary and the building.
PC.3 • O.313	Corner buildings are to include design devices such as: • Increased wall heights, • Splayed corner details, • Expression of junction of building planes, • Contrasting building materials, and • Other architectural features, To reinforce the prominence and distinctiveness of the building.
PC.4 • O.313	Shopfronts are to wrap around corners and entrances located centrally to the corner.
PC.5 • O.313	The tallest portion of the building is to be on the corner.

Pedestrian Entries and Access

Objectives

O.314 Equity for all street users is provided.
O.315 Pedestrian and vehicle access ways are separated where possible and visually distinguishable.
O.316 Conflict between pedestrians and vehicles is minimised during the day and at night.
O.317 The design of buildings and spaces shall promote legibility to help users find their way.
O.318 To encourage walking and cycling.
O.319 To ensure that secure and convenient parking is provided for bicycles.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.314	The development complies with *AS1428 - Design for Access and Mobility.*
PC.2 • O.315 • O.316	Pedestrian and vehicle movement areas are to be separated and defined by changes in pavement material, levels, lining or tactile treatments.
PC.3 • O.317	Parking areas are illuminated (naturally and/or artificially) during the time period the centre is open.
PC.4 • O.317	Signage is provided at the entries to the development detailing the services available within the centre and where they are located.
PC.5 • O.317	Signage to key public spaces accessible from the centre such as car parks, food courts are to be provided within the centre.
PC.6 • O.317	Signage to key facilities such as rest rooms, centre management, baby change rooms shall be provided within the centre.
PC.7 • O.318	Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.319	

Parking, Loading and Servicing

Objectives

O.320 Parking, loading and servicing areas are provided that are functional, safe and do not dominate the site or streetscape.
O.321 Vehicular conflicts are minimised through the separation of delivery vehicle access from the main public spaces and car park areas.
O.322 Servicing areas are appropriately screened to minimise amenity impacts on nearby sensitive land uses.
O.323 The established structure of town centre streetscapes is maintained.
O.324 Car parking provision does not undermine an existing streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.320 • O.322	Garage doors and loading docks shall be located at the rear of development, so that they are not a dominant element in the overall presentation of the development to key streets.
PC.2 • O.320	Signage shall be provided to direct visitors to the centre and to car parking areas.
PC.3 • O.322	Rear or internalised car parks shall be designed and constructed in a manner which enables future expansion and connection with potential future car parks in neighbouring sites. This includes consideration of levels, drainage and location of existing and future driveways and crossovers.
PC.4 • O.322	All vehicles must be able to enter and leave any development in a forward direction.
PC.5 • O.321	Loading and manoeuvring areas for service vehicles shall be separated from car parks and pedestrian paths. Where shared access is provided, no loading or unloading shall be carried out over car parking spaces and access aisles.
PC.6 • O.320 • O.322 • O.323	External service areas (for e.g. areas for rubbish storage, cardboard compacting etc) shall not be visible from roadways or public open space areas.
PC.7 • O.320 • O.322 • O.323	External storage and service areas shall be suitably screened from view from roads, parking areas and pedestrian areas.
PC.8 • O.323	Deep soil planted landscaped setback areas must be provided.
PC.9 • O.324	Basement car parks are to be setback a minimum of 3m from the street boundary.

Vehicular Access

Objectives

O.325 In centres, pedestrians are prioritised over vehicles.
O.326 Conflict points between pedestrians and vehicles are minimised.
O.327 Car parking does not deactivate public space, including streets, laneways and share ways.
O.328 Underground car parking is integrated into the building design and streetscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.326	The number of vehicular crossovers are to be kept to a minimum.
PC.2 • O.325 • O.326	Access and egress points are to be designed so that exiting vehicles have clear sight of pedestrians and cyclists.
PC.3 • O.327	Any car park ramps are to be located within the building footprint.
PC.4 • O.326	Access and egress to car parks is to be in a forward direction.
PC.5 • O.327 • O.328	Vehicular entrances to underground car parks are: a. located on minor streets, b. have a maximum crossover width of 6.0m, c. signed and lit appropriately, and d. designed so that exiting vehicles have clear sight of pedestrians and cyclists.
PC.6 • O.326	All stairs and elevators in the parking structure are clearly visible.
PC.7 • O.327	The street level frontage of car parking structures (including multi-level car parks) where adjoining public places, including active streets, share ways and laneways, are to present an active frontage along the entire frontage less any car park entry.
PC.8 • O.327	Internal finishes of underground car parks shall be consistent with the external materials where they are visible from the public realm.
PC.9 • O.328	Underground car parks are to be designed to utilise natural ventilation rather than mechanical.
PC.10 • O.328	Ventilation ducts/grilles are to integrate with the streetscape and be unobtrusive and/or appropriately screened.
PC.11 • O.328	Garage doors to underground parking are to be designed to complement the materials used elsewhere on the development.

Public Art, Landscaping and Domain Works

Objectives

O.329 To ensure that planting is provided to shade, soften built form and enhance its appearance from public viewpoints.
O.330 To ensure that medium and large trees are retained or planted to improve the amenity of the site.
O.331 To ensure that undeveloped areas of the site positively contribute to the quality of the development.
O.332 To ensure that plant species that minimises Council's maintenance and liability responsibility are used in landscaping.
O.333 To ensure that Water sensitive urban design is used where appropriate to assist with stormwater management and water quality.
O.334 To ensure that fencing does not detract from the streetscape or internal areas.
O.335 To ensure that street furniture is coordinated with existing street furniture and that it does not create clutter and obstacles in the public realm.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.329 • O.330 • O.331 • O.332	A landscape plan is to be submitted with any development application for initial commercial development that shows: a. Existing vegetation, b. Vegetation proposed to be removed, c. Proposed general planting landscape treatment,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.333 • O.334 • O.335	d. Design details of hard landscaping elements, e. Major earth cuts, fills and any mounding, f. Street trees, and g. Existing and proposed street furniture including proposed signage.
PC.2 • O.329 • O.330 • O.331 • O.332 • O.333 • O.334 • O.335	The landscape plan for the site achieves the following minimum standards: a. Large trees and spreading ground covers are provided in all landscape areas within the site. b. Where screening is required, large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building are provided. c. At grade car parking areas shall be provided with one tall, branching, mature shade tree for every 4 linear car spaces. d. All areas less than 1m in width are to be paved. e. Where car parking cannot be provided under or behind the building and Council has agreed to permit some or all of the parking in the front setback, a landscaped strip with a minimum width of 3.0m is provided along the entire frontage/s of the site. f. Any area of the site that remains undeveloped shall be landscaped with turf and scattered planting at a minimum. g. All street plantings are to be selected from Council's landscaping policy or with the agreement of Council's Coordinator Recreation and Tree Services. h. Water sensitive urban design facilities (such as swales, bio-detention ponds and rain gardens) are used to treat stormwater for at-grade car parking areas. i. Water sensitive urban design facilities are designed in accordance with Council's Manual of Engineering Standards (MoES). j. Fencing for security or privacy shall not be erected between the building line and the front boundary of a site. k. Where fences are erected, landscaping of an appropriate height and scale shall be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place. l. Street furniture (including seats, bollards, signage, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains) and streetscape treatments are provided in accordance with Council's Public Domain Design Manual or with agreement of the Executive Manager Appearance and Infrastructure.

10.4.5.54. Waste Management

Objectives

O.336 Waste generation is minimised through design, material selection and building practices.
O.337 Waste management minimisation is encouraged by including source separation, reuse and recycling facilities.
O.338 Efficient storage and collection of waste and quality design of facilities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.336 • O.337	Separate storage bins for collection of organic waste and recyclable waste are to be provided within the development.
PC.2 • O.338	Bulk waste is to be stored in a designated area that is physically and visually integrated into the development at ground or sub-basement level that: a. is not visible from the street or public domain, b. is easily accessible to businesses,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	c. may be serviced by collection vehicles, d. has water and drainage facilities for cleaning and maintenance, e. does not immediately adjoin any onsite employee recreation area, and f. is maintained to be free of pests.
PC.3 • O.337	Cardboard compactors are to be provided for large retail and commercial developments.
AS.1 • O.338	Where waste cannot be collected at the street, evidence that the site can be serviced by a waste collection service is to be provided.

Development adjoining Sensitive Land Uses

Objectives

O.339 Commercial and retail development does not unreasonably affect the amenity of adjoining sensitive uses.

O.340 The interface between business and commercial development and adjoining residential areas is of a high quality and achieves adequate visual and acoustic privacy.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.339 • O.340	The development is to be designed so that all vehicle movement areas and servicing areas are located away from adjoining residential areas. Where this cannot be achieved, visual and acoustic treatment of the interface is required.
PC.1 • O.339 • O.340	The building elevation adjoining the residential area is to be: a. articulated, with changes in setback at intervals no greater than 10m; b. designed with a variety of materials and treatments; c. setback a minimum of half the height of the wall or a minimum of 3m, whichever is greater.

Mixed Use Development

Note: This section applies to **mixed-use** development within the Chisholm Neighbourhood Centre.

Objectives

O.341 Residential development is integrated with compatible retail and commercial uses.

O.342 To ensure that the design of mixed-use developments maintains a reasonable level of residential amenity and preserves compatibility between uses.

O.343 Flexible building design to accommodate a range of uses and to allow for changes to uses over time is encouraged.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.342	Mixed-use developments are to be designed so that loading bays, garbage collection areas, noise and odour generating aspects of buildings are located away from residential components.
PC.2 • O.342	Vehicular circulation systems are to differentiate between commercial service requirements, such as loading docks, and residential access.
PC.3 • O.341	All mixed-use buildings are to be provided with a separate entry to the residential component of the development. The entry must be directly visible from a trafficable street and clearly demarcated from entries to commercial premises.
PC.4 • O.342	Secure entrances are to be provided to all entrances into private areas, including car parks and internal courtyards.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.343	Where possible, acoustic separation between loud commercial uses (such as cafés and restaurants) and residential uses is to be achieved by utilising an intermediate quiet-use barrier, such as offices.
PC.5 • O.342	Plant is to be located on the roof or visually and acoustically isolated from any residential uses.
PC.6 • O.343	Ceiling heights for the ground and first floors are to be 3.3m.

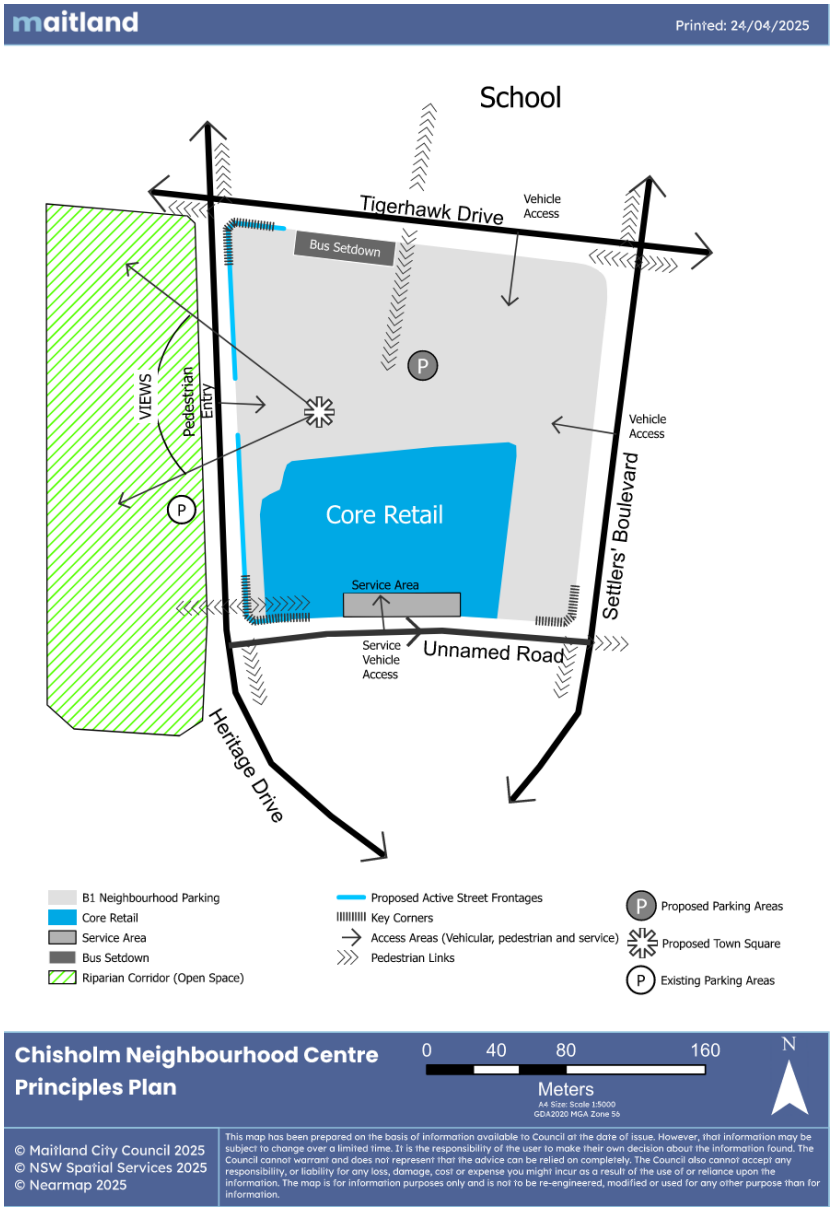


Figure 10-62: Chisholm Neighbourhood Centre Principles Plan

Development Requirements – Chisholm Central Precinct

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to the Chisholm Central Precinct. No specific requirements have been made for the following matters within the Chisholm Central Precinct as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

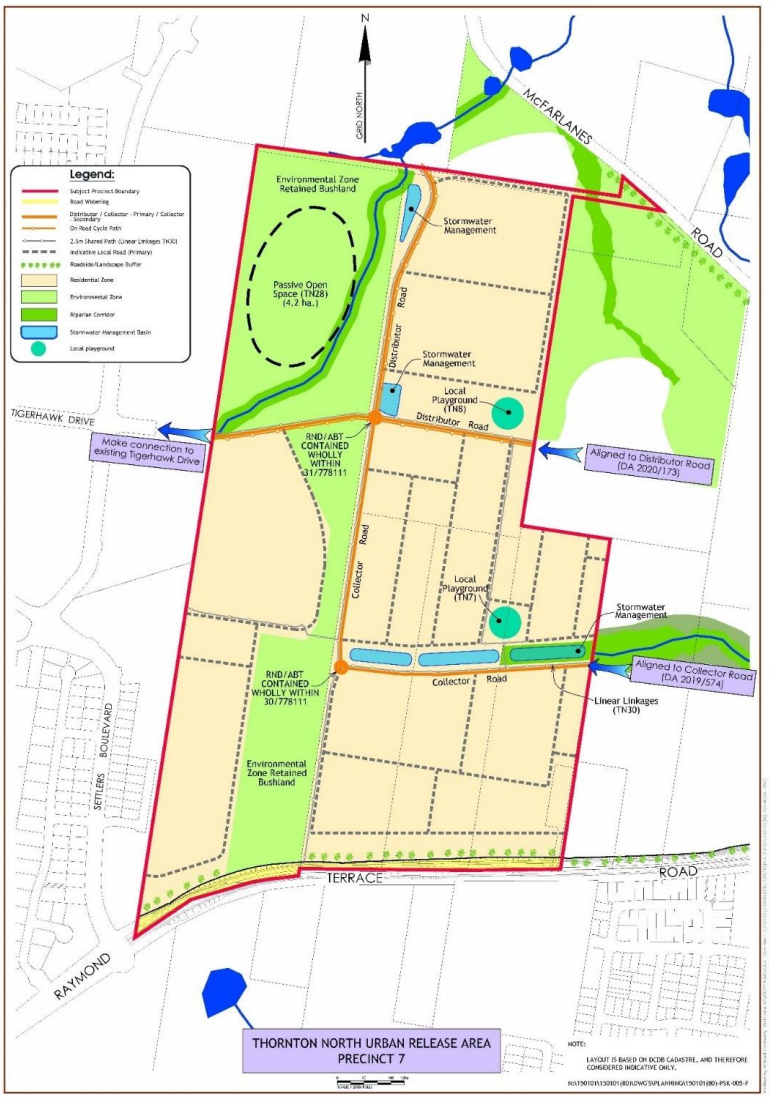


Figure 10-63: Chisholm Central Precinct Plan

10.4.5.55. Staging Plan

Objectives

O.344 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.344	All development applications for subdivisions are to include a staged construction plan in cases where the development is intended to be constructed in stages.

10.4.5.56. Transport Movement Hierarchy

Objectives

O.345 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.346 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.347 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.
O.348 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.345	The layout, hierarchy and design of major streets within the precinct should be generally consistent with Figure 10-63.
AS.2 • O.345	Adjustments to the location of local roads will be considered as part of the relevant development application where it can be demonstrated they result in improved lot layout and orientation, better integration with adjoining subdivisions, improved pedestrian movements and greater regard for the natural environment.
PC.1 • O.346 • O.347	Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link the residential areas to proposed playground and passive open space and to link to adjoining precincts generally as shown on Figure 10-63.
PC.2 • O.347	A distributor road including on road cycleway and off-road shared pathway are to be provided through the site from Tigerhawk Drive through to the approved developments to the east within the Thornton North – Raymond Terrace Road – Eastern Precinct generally in the location identified on Figure 10-63 (“East/West Distributor Road”).
PC.3 • O.347	A distributor road including on road cycleway and off-road shared pathway, but excluding a dedicated on-road parking lane opposite C3 Environmental Management zoned land, is to be provided from the East/West Distributor Road through to the approved development to the north within the Waterford County North Precinct in the location identified on Figure 10-63 (“North/South Distributor Road”).
PC.4 • O.347	A collector road is to be provided through the site from the approved developments to the east within the Thornton North–Raymond Terrace Road– Eastern Precinct through to the distributor road in the location identified on Figure 10-63.
PC.5 • O.347	Roundabouts, including concrete islands, are to be provided at the intersections of distributor and/or collector roads as shown on Figure 10-63. These are to be contained wholly within one development site.
PC.6 • O.348	Subdivision design is to provide for lot frontages that address streets, reserves, open space and drainage areas.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.3 • O.347	Lots backing onto reserves, open space, environmental land and drainage areas are discouraged. Where this is unavoidable, boundary fencing is to be of an open style and of consistent materials and colour. Fencing is not to form a prominent element in the landscape of this area.
AS.4 • O.348	The Distributor and Collector Roads on Figure 10-64 and Figure 10-65 represent the proposed bus route. Bus stops are to be provided to ensure that each allotment is generally within a 400m walking radius to them.
PC.7 • O.348	Local streets are to be orientated towards trunk roads/bus routes to assist walking distances to bus stops and assist wayfinding.

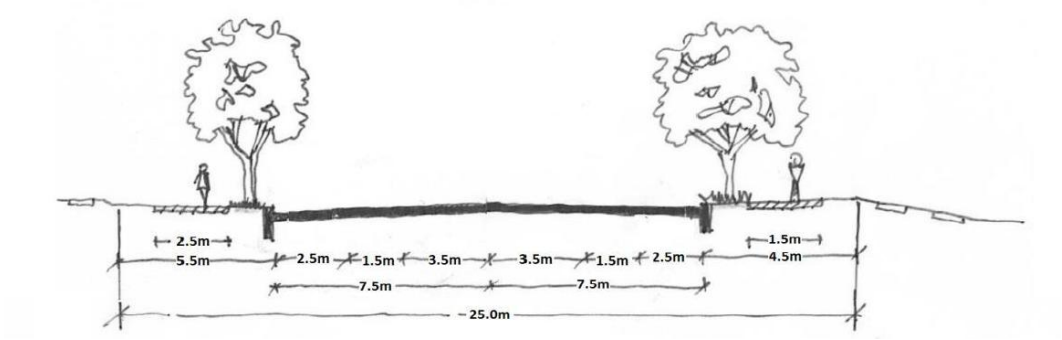


Figure 10-64: Chisholm Central - Distributor Road Section

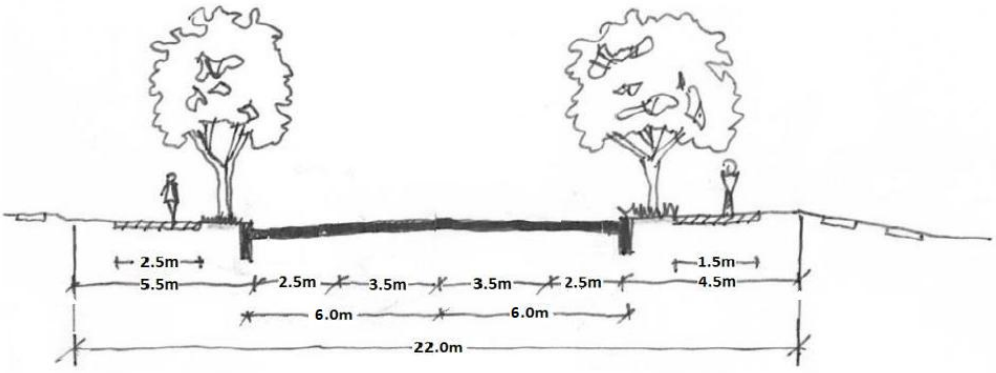


Figure 10-65: Chisholm Central - Collector Road Section

10.4.5.57. Overall Landscaping Strategy

Objectives

O.349 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.350 To establish an attractive visual appearance to the development by street tree planting and providing additional landscaping in public areas.
O.351 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.352 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.
O.353 To provide landscaped buffers around the site perimeter adjoining major roads.
O.354 To provide a quality landscaped gateway to this part of the Thornton North Release Area.
O.355 To retain appropriate riparian corridors and integrate them with open space.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.349 • O.350	Landscaping is to be provided in locations generally in accordance with Figure 10-63.
PC.1 • O.351 • O.352 • O.353 • O.355	A detailed landscape strategy is to be provided to address acoustic buffer areas; riparian/drainage corridors; and open space areas generally in accordance with Figure 10-63.
PC.2 • O.351 • O.355	A vegetation management plan is to be developed prior to the issue of a Subdivision Works Certificate for the riparian/drainage corridors detailing management and enhancement of vegetation communities and habitat.
PC.3 • O.354 • O.355	The vegetation management plan is to specifically address feed tree species associated with the squirrel glider habitat and include a 'nest box' program.

10.4.5.58. Passive and Active Recreation Areas

Objectives

O.356 Neighbourhoods must be conveniently located near open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.
O.357 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.
O.358 To formalise connections and passive open space as provided for under the Thornton North Contributions Plan.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.356	A network of passive and active recreational areas should be provided in general accordance with Figure 10-63.
PC.1 • O.356 • O.358	4.2 hectares of passive open space is to be provided in accordance with the Thornton North Contributions Plan item TN28 within the C3 Environmental Management zoned area. Any Development Application lodged over this land is to be accompanied by information detailing proposed management/improvement measures for this land including (but not limited to):

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• weeding, • re-vegetation, • treatment of the first order watercourse, and • walking tracks and passive recreation nodes (i.e. viewing platform/signage).
PC.2 • O.358	A passive open space linkage in accordance with the Thornton North Contributions Plan item TN30 is to be provided in the form of a 2.5m wide off-road shared pathway meandering along the riparian drainage corridor adjacent to the East/West Collector Road as shown on Figure 10-63.
PC.3 • O.357	A 2.5m wide off-road shared pathway is to be provided adjacent to the C3 Environmental Management Zone connecting the Distributor Road to Raymond Terrace Road.
AS.2 • O.357	Additional linkages, including crossing of the drainage/riparian corridor may also be provisioned in consultation with Council.
PC.4 • O.357	A 2.5m wide off-road shared pathway is to be provided along the Distributor Road.
PC.5 • O.358	Neighbourhood playgrounds are to be provided in accordance with the Thornton North Contributions Plan items TN7 & TN8, generally in the locations identified within Figure 10-63.

10.4.5.59. Stormwater and Water Quality

Objectives

O.359 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.360 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.361 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.362 To provide a coordinated stormwater management system for the whole of the precinct.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.359 • O.360	Development applications for subdivisions are to be accompanied by a stormwater management strategy identifying both quality and quantity controls in accordance with Council's MoES and to address timing of construction.
PC.2 • O.361	Stormwater management facilities are to be provided as necessary within areas designated as drainage land on Figure 10-63.
PC.3 • O.362	All stormwater facilities are to be dedicated to Council as part of the subdivision process.
AS.1 • O.362	Stormwater treatment for Lot 4 DP1145348 is to be provided within this land, unless it can be accommodated by other approved/proposed basins in accordance with Council's MoES.
PC.4 • O.362	The three detention basins are to be designed together to demonstrate the solution achieves discharge requirements for the stormwater catchment at the precinct discharge point on the eastern edge of Lot 100 DP847510.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.362	A coordinated approach to sequencing, design and construction of those basins that relocate the natural watercourse will be required to demonstrate practical and legal implementation of the stormwater management strategies.

10.4.5.60. Amelioration of Natural and Environmental Hazards

Objectives

O.363 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.364 To ensure that future residential development is not adversely affected by any noise and vibration from road traffic associated with Raymond Terrace Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.363	Development Applications are to include a detailed assessment of the flora and fauna characteristics of the site prepared by a suitably qualified ecologist.
PC.2 • O.363	Riparian buffers are to be maintained around identified watercourses, in accordance with relevant NSW Natural Resources Access Regulator guidelines pertaining to minimum vegetated riparian zone widths.
PC.3 • O.364	Residential subdivision and associated development is to be designed so as to comply with the relevant standards and criteria for noise and vibration.
AS.1 • O.363	To minimise clearing within the C3 Environmental Management Zone, the Distributor Road may be reduced in width to remove on-street parking within the C3 zone portion of the site.
PC.4 • O.363	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.5 • O.363	Land within the flood planning area is to address Clause 5.21 of the MLEP 2011.
PC.6 • O.363 • O.364	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.5.61. Key Development Sites

Raymond Terrace Road

Objectives

O.365 To ensure that detailed urban design controls are provided for significant development sites.

O.366 To ensure that development does not result in significant detrimental visual impact at a key gateway to the Thornton North release area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.365 • O.366	A 10m wide landscape buffer is to be provided within the rear of properties adjoining Raymond Terrace Road and can include a combination of earth mounding, acoustic fencing and vegetation in accordance with Figure 10-66 and Figure 10-67. Details are to be submitted with any DA for subdivision of the land. Covenants are to be placed on affected land ensuring ongoing maintenance of the required landscaping and associated structures.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.365 • O.366	Individual developments adjacent to Raymond Terrace Road will require an acoustic report for the development of the land that identifies detailed requirements for noise attenuation.

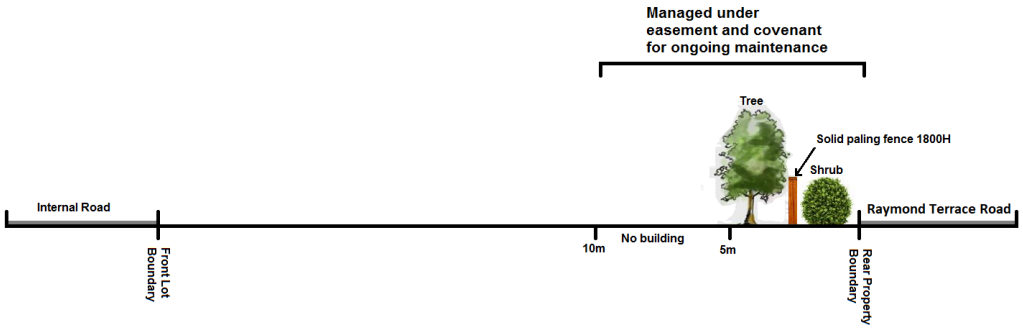


Figure 10-66: Chisholm Central - Raymond Terrace Road Landscape Treatment Section

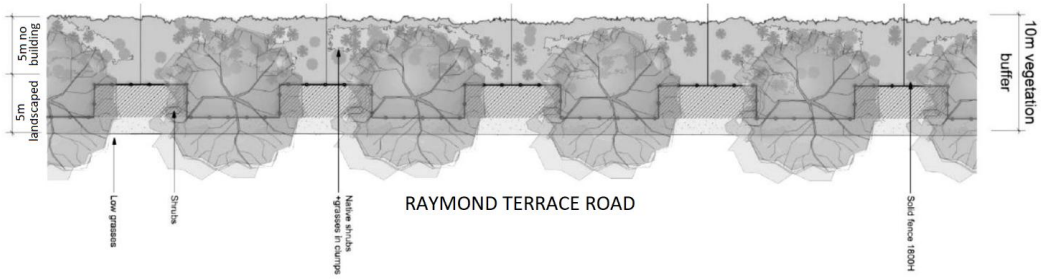


Figure 10-67: Chisholm Central - Raymond Terrace Road Landscape Treatment Plan

C3 Environmental Management and Rural Landscape Zoned Land

Objectives

O.367 To ensure that detailed urban design controls are provided for significant development sites.
O.368 To provide for the management and enhancement of vegetation, habitat and associated fauna.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.367	A perimeter road (with development on one side only) is to be provided around the edge of the precinct where it adjoins C3 Environmental Management or RU2 zoned land.
PC.2 • O.367 • O.368	Batters for perimeter roads adjoining the C3 Environmental Management zoned land are to be contained entirely within the residential zoned portion of the land. Additional verge width may be required to accommodate grades in such circumstances.
PC.3 • O.367	Retaining walls are not permitted within road reserve.
PC.4 • O.367 • O.368	A vegetation management plan is to be developed by a suitably qualified person for any applicable C3 Environmental Management zone affected by development, detailing maintenance and enhancement of the existing vegetation community on site prior to the issue of a Subdivision Works Certificate or Construction Certificate. Such a plan is to incorporate mechanisms to support and improve the squirrel glider population of the area in association with any use of the land.
PC.5 • O.367 • O.368	Subdivision design is to ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads), and do not extend into the C3 Environmental Management zone where clearing would be required.

10.4.5.62. Residential Densities

Objectives

O.369 To encourage higher density living around transport, open space and service nodes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.369	Any dual occupancy, medium density or integrated housing developments within the precinct are strongly encouraged to be located and designed around areas of high amenity, being sites adjacent to open space, water bodies and bus routes.

10.4.6. Anambah Road Urban Release Area

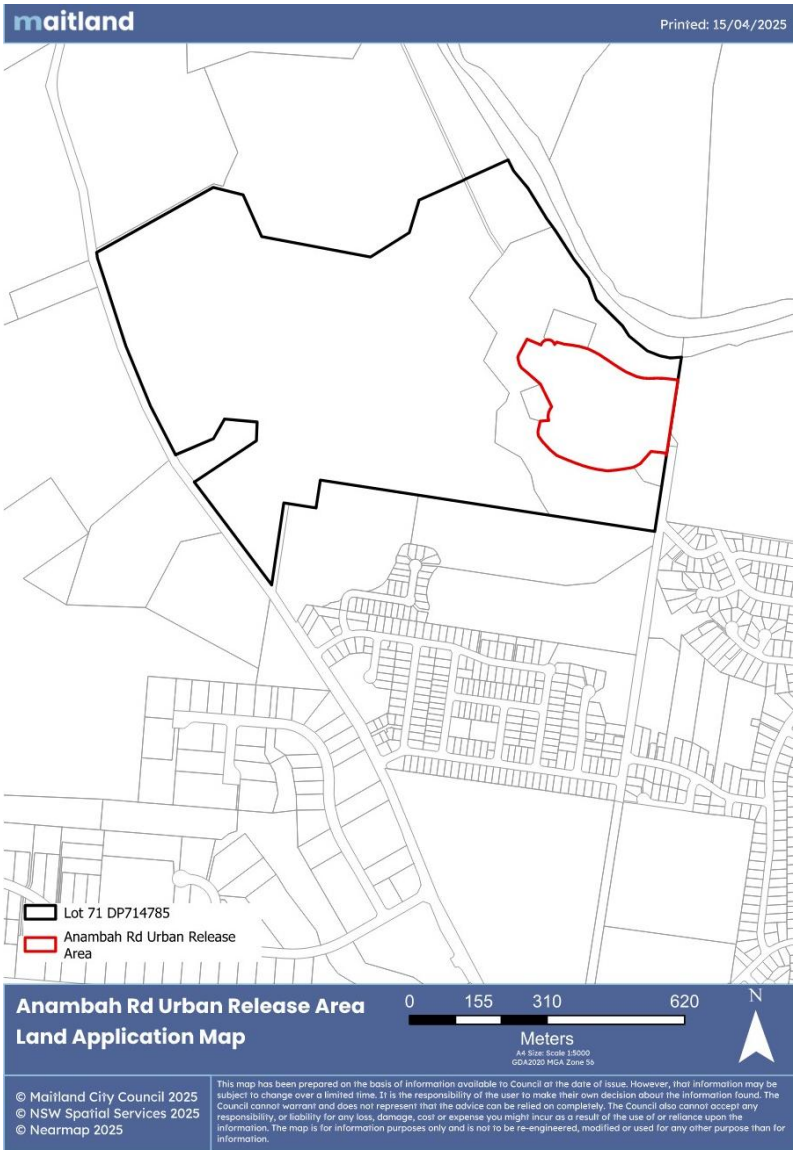


Figure 10-68: Anambah Road Urban Release Area

The Anambah Road Urban Release Area has been developed as a low-density residential area with a range of lot sizes that reflect the constraints and opportunities of the site. Multi-dwelling or dual occupancy housing is to ensure that potential impacts to privacy, solar access, visual amenity, and its relationship to the form and type of adjoining development have been taken into account.

As there is a scarcity of native vegetation on site, the establishment of additional landscaping will enhance the visual appearance of the area from surrounding urban and rural vantage points.

Precinct Plan

The Anambah Road Urban Release Area is made up of one precinct, which utilises the general provisions of this section.



Figure 10-69: Anambah Road Urban Release Area Precinct Plan

Staging Plan



Figure 10-70: Anambah Road Urban Release Area Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Road Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Passive and Active Recreation Areas
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses

10.4.6.1. Staging Plan

Objectives

O.370 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.370	Staging of the urban release area should be generally in accordance with Figure 10-70.

10.4.6.2. Overall Landscaping Strategy

Objectives

O.371 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.372 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.373 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.371 • O.372	A landscape concept plan is to be submitted with all development applications for subdivision.
PC.2 • O.371	Plantings to achieve visual amenity provisions and objectives are to be protected via mechanisms such as protective covenants, use of road or drainage reserves or other options to the satisfaction of the Council.
AS.1 • O.372	Landscaping and visual amenity provisions should be consistent with drainage designs and archaeological constraints.
PC.3 • O.373	Tree and shrub planting, utilising locally occurring native species, are to be in accordance with Figure 10-69 and the Landscaping Cross Sections in Figure 10-71 and Figure 10-72.
AS.2 • O.371	The use of lightly coloured and/or highly reflective roofing and fencing materials should be avoided to assist in minimising the visual impacts of new development. Consideration is to be given to the use of timber fencing or fencing materials with the following colours preferred: browns; greens; muted yellow; reds and terracotta. Whites and creams should be avoided.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.372 • O.373	Boundary planting to be in accordance with the Precinct Plan and the Landscaping Cross Sections in Figure 10-71 and Figure 10-72, with reference to the provisions of screen planting between new development and the existing urban development to the east and Anambah House to the west of the Urban Release Area.
PC.5 • O.372	Re-establishment of native vegetation in drainage lines is to be undertaken in accordance with detailed drainage design and in keeping with archaeological finds and requirements.
PC.6 • O.373	Fencing within the landscaping areas is to make a positive contribution to the visual appearance of development and not detract from the provision of landscaping. Fencing should also be sensitive to the adjoining rural lands.

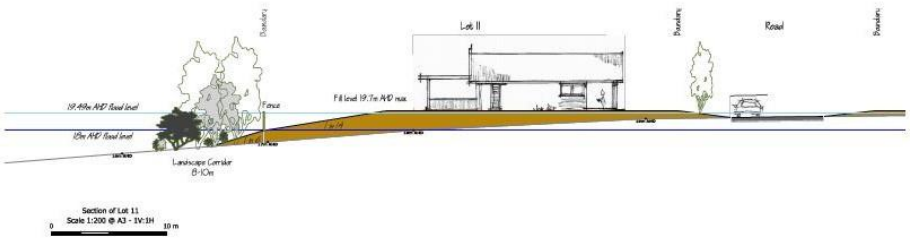


Figure 10-71: Anambah Road Landscaping Cross Section (Section 1)

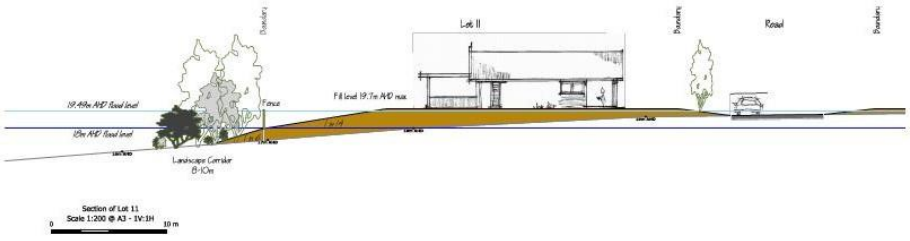


Figure 10-72: Anambah Road Landscaping Cross Section (Section 2)

10.4.6.3. Stormwater and Water Quality

Objectives

O.374 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.375 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.376 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.374	Stormwater management facilities are to be located in accordance with a stormwater strategy to be submitted with any development application proposing stormwater management facilities and approved by Council.
PC.2 • O.375 • O.376	All development applications are to demonstrate that there will no detrimental impacts on receiving waters, namely Anambah Lagoon and Hunter River, as a result of new development.

10.4.6.4. Amelioration of Natural and Environmental Hazards

Objectives

O.377 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.377	Constructed subdivision roads are to provide suitable flood free access to residential allotments.
PC.2 • O.377	Each lot is to provide development envelopes that enable all habitable floor levels to be constructed to the minimum flood planning level.
PC.3 • O.377	A bulk earthworks plan is to be submitted with any development application where bulk earthworks are proposed showing the location, extent and tonnage of proposed fill in accordance with Figure 10-71 and Figure 10-72.
PC.4 • O.377	Only 'virgin excavated natural material' (VENM), 'excavated natural material' (ENM) or waste derived material the subject of a resource recovery exemption (includes ENM) within the meaning of the Protection of the Environment Operations Act or Regulations should be used for the purposes of filling of the land.
AS.1 • O.377	Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilised, and erosion controlled to prevent sedimentation runoff and protect the Anambah Lagoon.
PC.5 • O.377	All development applications shall demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.6.5. Provision of Public Facilities and Services

Objectives

O.378 Suitably located public facilities and services are provided, including provision for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.378	Roads are to be dedicated to Council. Stormwater management facilities such as detention basins are to be dedicated to Council as Drainage Reserve.

10.4.7. Lochinvar Urban Release Area



Figure 10-73: Lochinvar Urban Release Area

The Lochinvar Urban Release Area (URA) comprises a total of 650 hectares of land, with an approximate residential yield of 5,000 lots. The Lower Hunter Regional Strategy (Department of Planning, 2006) identified the Lochinvar URA as a regionally significant development area and as a key site to achieve the dwelling targets for population growth in the Lower Hunter. This identification has been transformed as part of the Hunter Regional Plan 2041 (Department of Planning & Environment, 2022) into forming the western end of the 'New England Growth Corridor', an area of concentrated urban release areas that stretch from Lochinvar to Rutherford.

The proximity of the Lochinvar URA to regional transport systems, including the Main Northern Railway Line, the New England Highway and the Hunter Expressway, are key elements to the identification of this area for urban development. A Structure Plan was adopted by Council in 2007 for the Lochinvar URA, while a site-specific Section 7.11 Contributions Plan has also been prepared for this URA.

Lochinvar Area/Precinct Plan

The Lochinvar Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

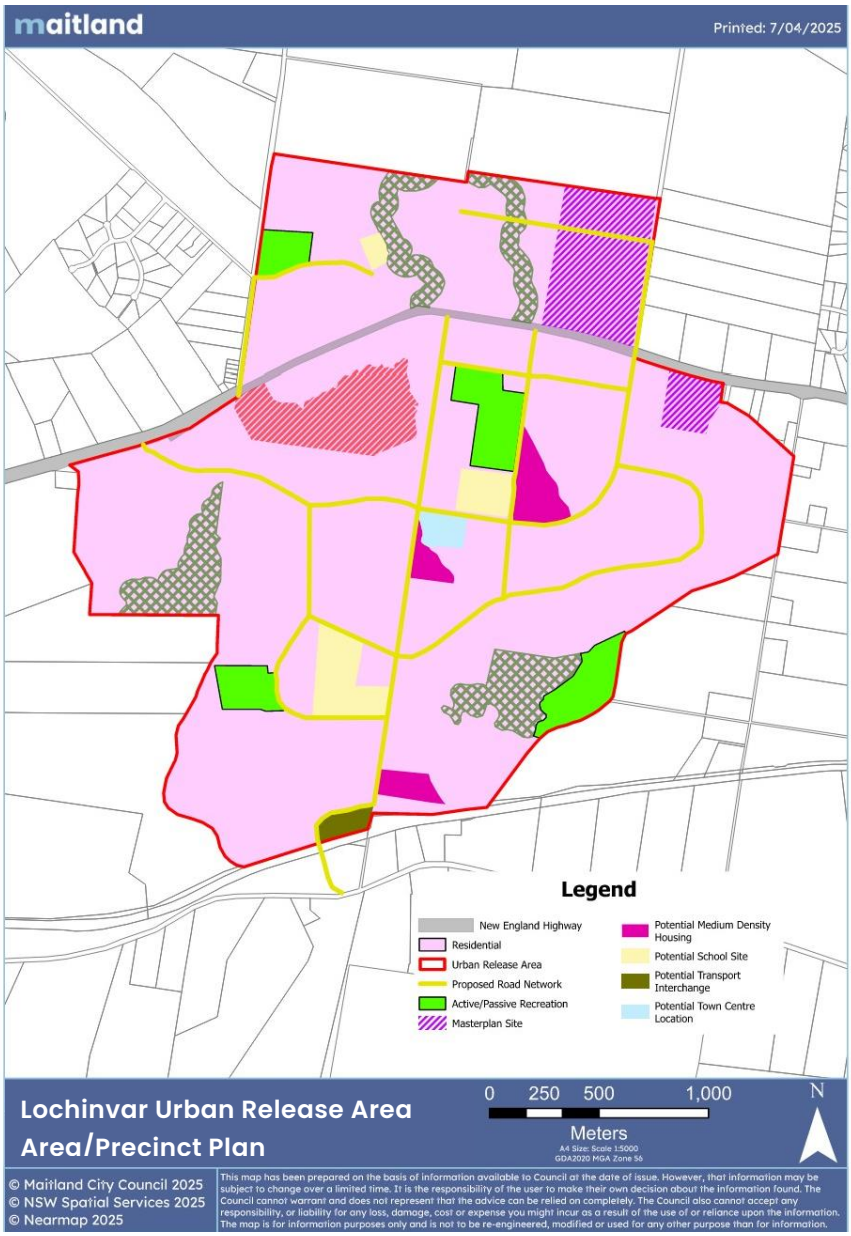


Figure 10-74: Lochinvar URA Area/Precinct Plan

Staging Plan

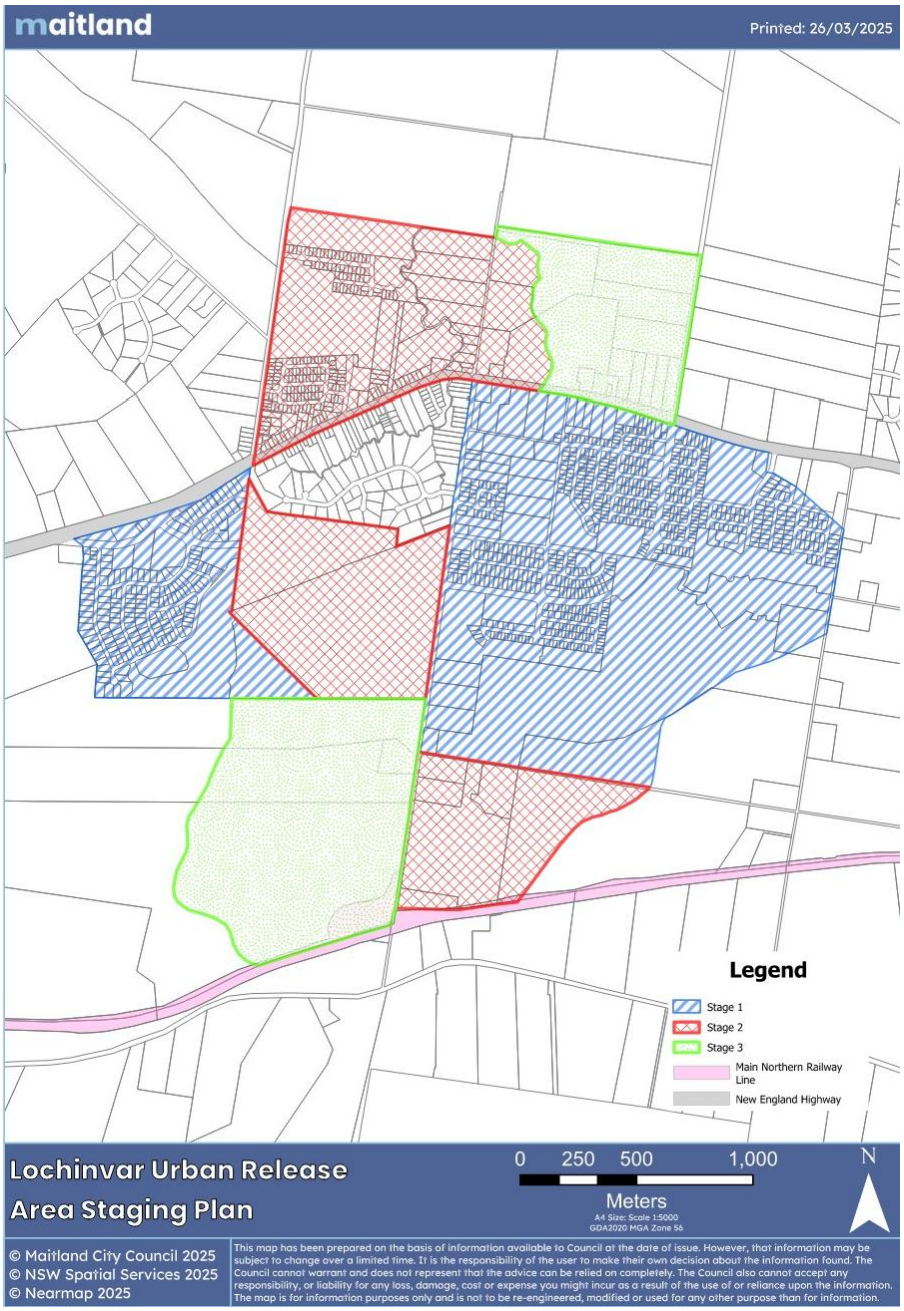


Figure 10-75: Lochinvar Urban Release Area Staging Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Lochinvar Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities

10.4.7.1. Staging Plan

Objectives

O.379 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

O.380 To provide for the logical development of the URA based on the cost-effective provision and availability of infrastructure and servicing arrangements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.379 • O.380	Staging of the urban release area should be generally in accordance with Figure 10-75.
PC.1 • O.379 • O.380	The Lochinvar URA Staging Plan is to be read in conjunction with the Lochinvar Structure Plan and the Lochinvar Contributions Plan 2014 (Lochinvar Contributions Plan).
PC.2 • O.379 • O.380	Development Applications will need to consider road and drainage infrastructure connection and sequencing in accordance with threshold limitations.
PC.3 • O.379 • O.380	Development Applications will require evidence of satisfactory arrangements for essential services, including water and wastewater servicing. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services.
PC.4 • O.379 • O.380	Development Applications are to incorporate road networks, stormwater detention areas, active and passive recreation areas, consistent with the overall staging and intended development outcomes for the Lochinvar URA.
PC.5 • O.379 • O.380	Where any proposal is made to amend the proposed Lochinvar URA Staging Plan (Figure 10-75) for reasons relating to infrastructure upgrades that may increase capacities within each stage of the Lochinvar URA, any such proposal is to be communicated to, and accepted by, Hunter Water Corporation.

10.4.7.2. Transport Movement Hierarchy

Objectives

O.381 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.382 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.

O.383 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.

O.384 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.381	The overall movement hierarchy for each Development Application for urban development should be consistent with Figure 10-77 and Figure 10-78.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.382 • O.383 • O.384	
AS.2 • O.381 • O.382 • O.383	The overall pedestrian and cycleway links should be consistent with Figure 10-78, and the Recreation and Community Facilities Plan, which is identified in the associated Lochinvar Contributions Plan.
PC.1 • O.381 • O.383	The primary access for residential development in Stage 1 of the Lochinvar Urban Release Area is to be provided off the New England Highway, in accordance with Figure 10-77.
PC.2 • O.381 • O.382 • O.383 • O.384	Perimeter roads as per Figure 10-79 are to have a minimum pavement width of 8m. Pavement width may need to be increased subject to lot catchment yield. Additional parking in between the road pavement and off-road shared path are to be provided at points of interest, e.g. parks, open space.
PC.3 • O.381 • O.383 • O.384	No new lot is to have direct vehicular access to the New England Highway or Winders Lane.
AS.3 • O.381 • O.382 • O.384	Subdivisions adjacent to the New England Highway should orientate allotments and dwellings to face the main road, with suitable internal roads providing access, and suitable landscaping separating the allotment boundaries and main road.
PC.4 • O.382	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified in the subject DCP chapter and the relevant Lochinvar Contributions Plan when designing subdivision layouts and movement linkages between adjoining sites.
PC.5 • O.382 • O.384	Land is to be developed in walkable distances of up to 400m to a bus route, pedestrian network and local park, to promote sustainable communities.
PC.6 • O.381 • O.382 • O.383	Development Applications must incorporate road networks that support the overarching traffic study for the Lochinvar URA in accordance with Figure 10-77, Figure 10-78 and Figure 10-79 of this DCP.
PC.7 • O.381	Traffic management facilities for the Lochinvar URA are to be provided in accordance with Figure 10-77 and the relevant provisions of the Lochinvar Contributions Plan.
PC.8 • O.381 • O.382 • O.383 • O.384	The subdivision layout is to provide well connected and multiple route options for all modes of transport (pedestrian, cycle, bus and vehicle). The design of pedestrian, cycle and bus routes will take precedence over vehicle routes. The provision of roads suitable for bus services is to provide for an adaptable growing network.
PC.9 • O.381 • O.384	Bus routes are to be provided in a manner that facilitates 400m maximum walking distance for primary routes, with bus stop locations generally being spaced 300m apart.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.381 • O.382 • O.383 • O.384	Proposed **Medium or Large subdivision** is to provide transport infrastructure such as pedestrian facilities (i.e. refuges/crossing points, footpath and cycle routes) and bus facilities (i.e. laybys, stops, shelters) for future and current school and public bus services.
PC.11 • O.381 • O.382 • O.383 • O.384	Public infrastructure is to be upgraded on public land as deemed necessary as a result of: • increased demand, or • to connect to nearby urban areas, or • as listed in council documents. i.e. footpaths, road and drainage infrastructure, pedestrian and bus facilities.
AS.4 • O.381 • O.383	Some existing roads are subject to road widening as shown in Figure 10-77. Consultation with Council is required to determine relevant widths and if the subject road is identified in the Lochinvar Contributions Plan 2014. **Note:** The following roads are noted to have pavement and verge widths that are substandard to MoES as they are retrofitting existing laneways to residential streets: • Station Lane to Robert Road from New England Highway to Christopher Road, and • Christopher Road to Gregory Street from Station Lane to Robert Road.

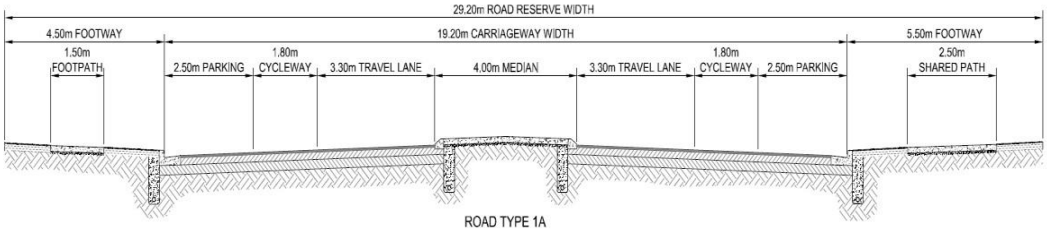


Figure 10-76: Lochinvar URA - Cross-Section for Divided Carriageway.

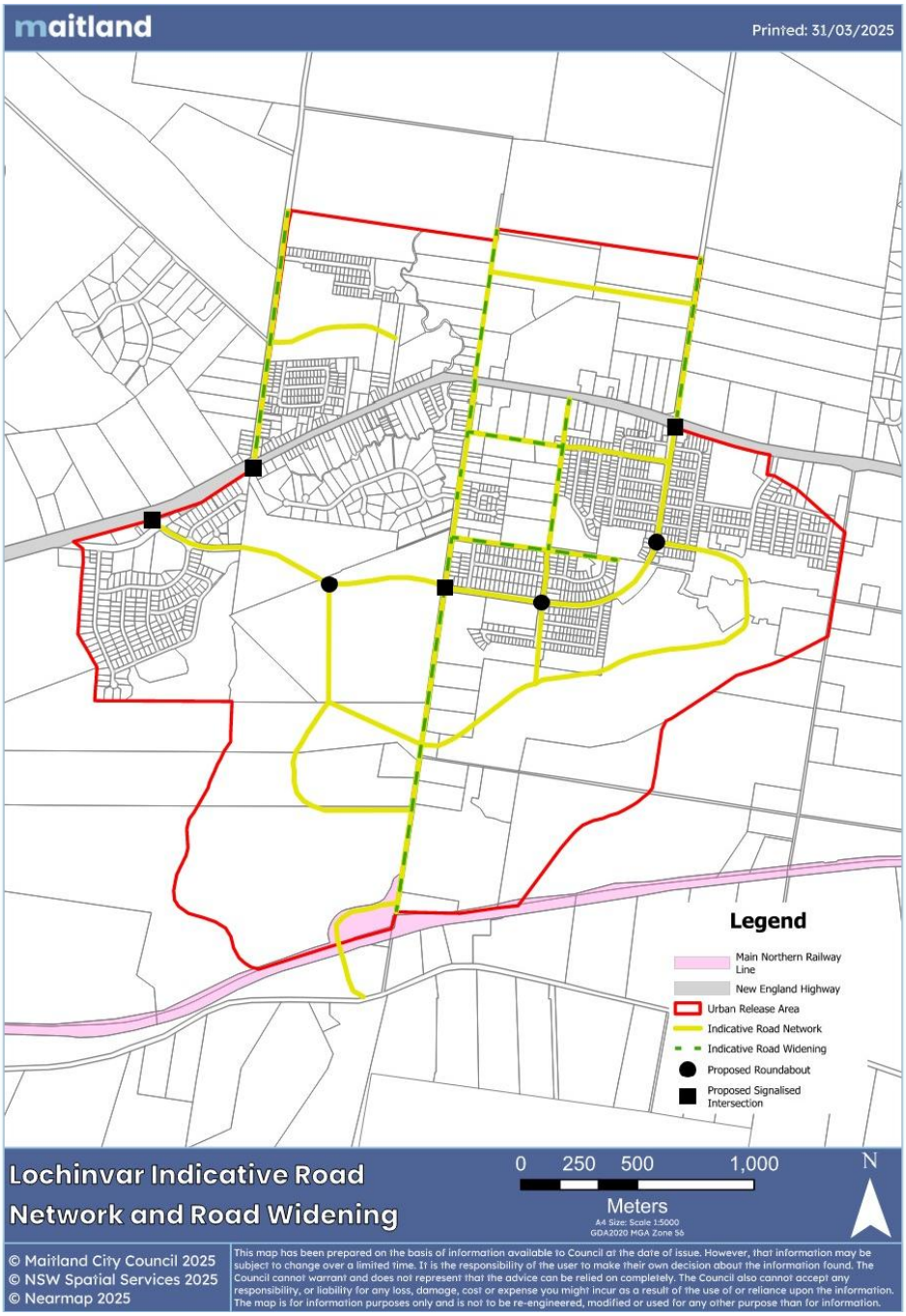


Figure 10-77: Lochinvar URA Proposed Road Network and Road Widening

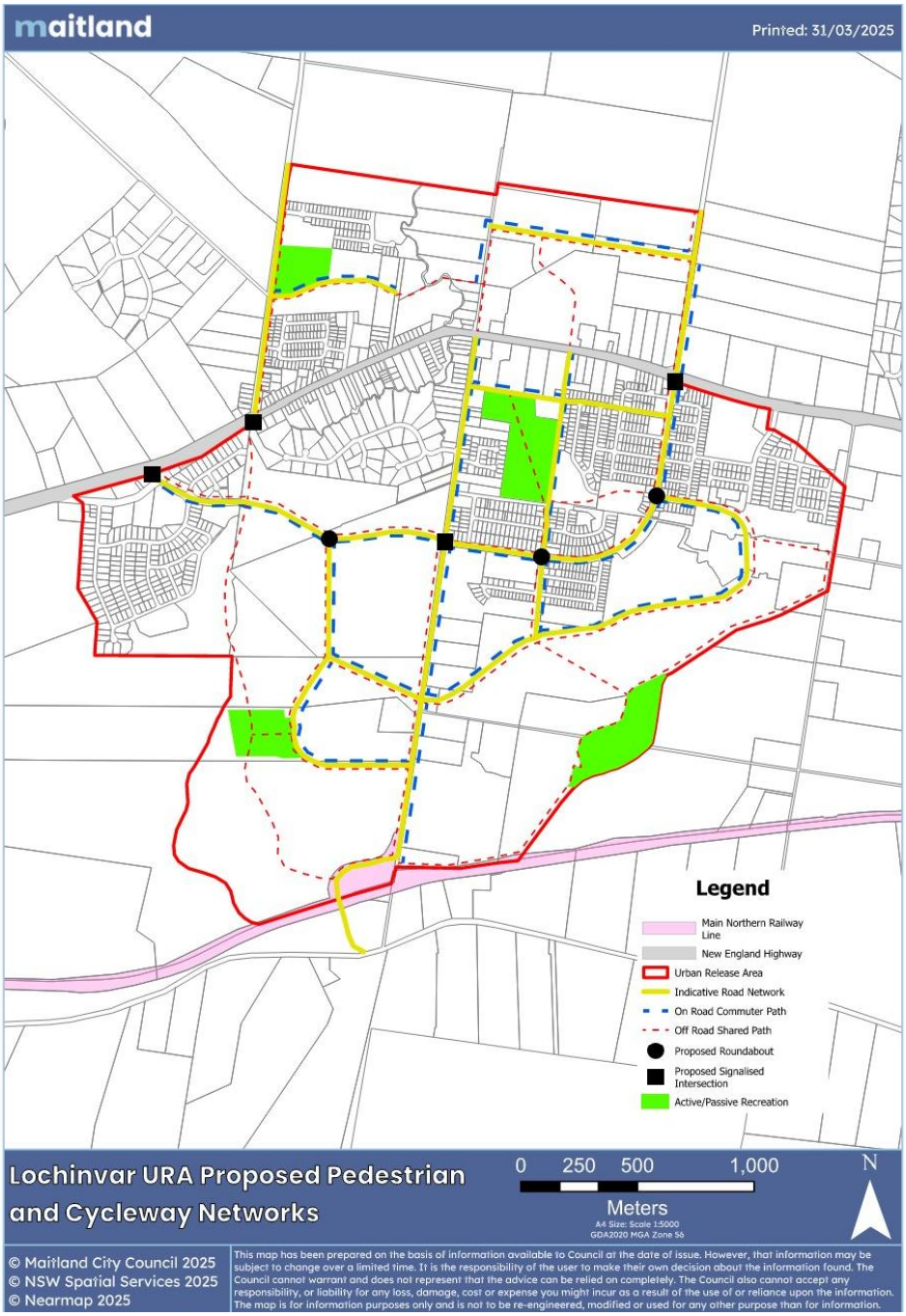


Figure 10-78: Lochinvar URA Pedestrian and Cycleway Networks

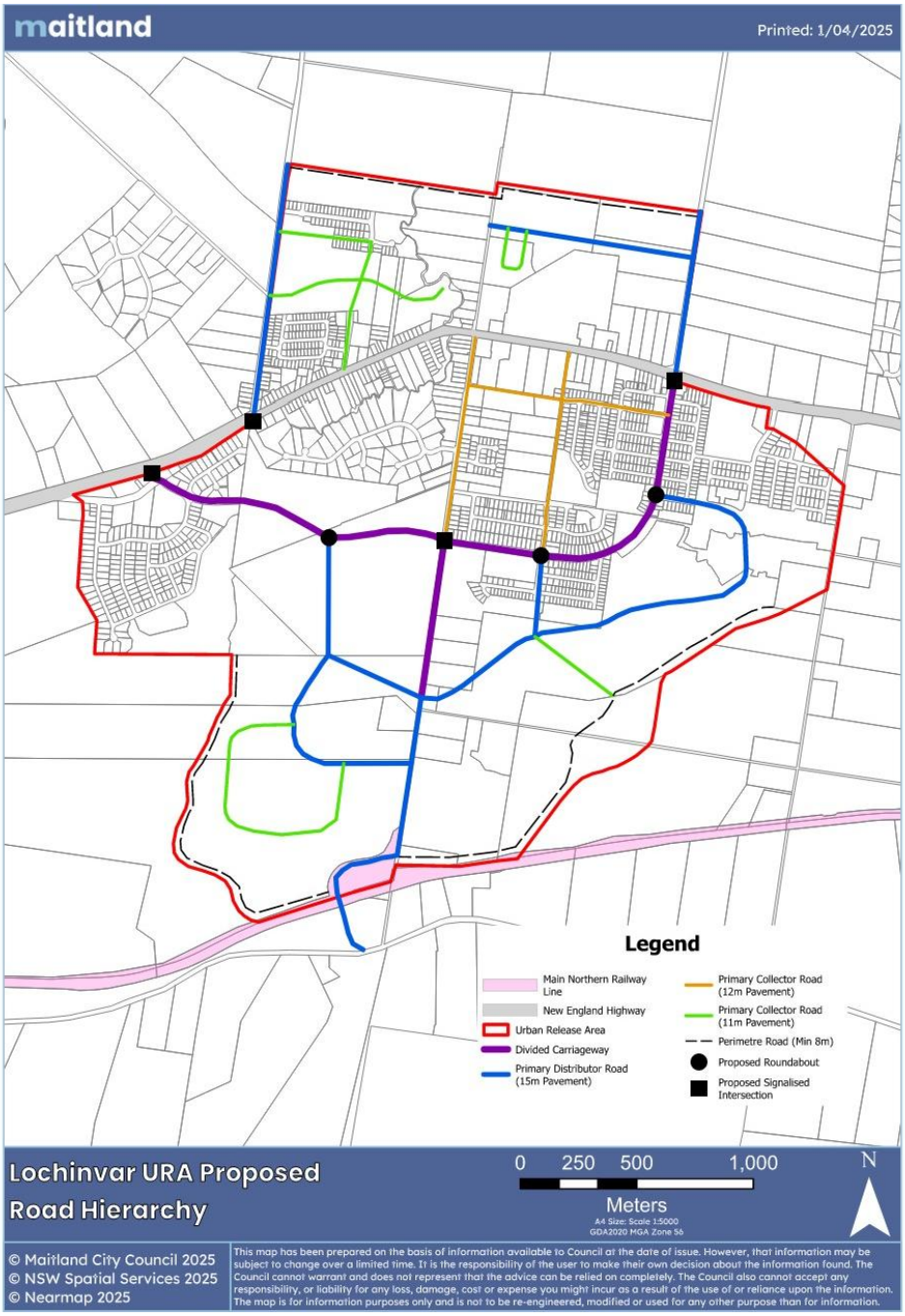


Figure 10-79: Lochinvar URA Proposed Road Hierarchy and Bus Routes

10.4.7.3. Overall Landscaping Strategy

Objectives

O.385 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.

O.386 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.

O.387 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.

O.388 A series of residential neighbourhoods are to be designed throughout the Urban Release Area to create a sense of identity, through distinct landscape and built form elements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.385 • O.386 • O.387	Each Development Application for a new **Medium or Major subdivision** is to include a landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, visually prominent locations, noise sensitive areas, and detailed landscaping requirements for the public and private realm. **Note:** Medium subdivisions are defined as the creation of 10 – 49 new lots, and/or where a new road is required. Major subdivisions are defined as the creation of 50 or more new lots. Refer to Chapter 5: Subdivision for further information.
PC.2 • O.385	Landscaping is to be provided on land adjacent to major intersections, all collector roads, Station Lane, Northern access roads and Southern Ring Road so as to soften the visual impact of all built elements, creating attractive streetscapes when viewed by passing traffic and pedestrians.
AS.1 • O.385 • O.387 • O.388	Avenue type plantings should be provided on the western and eastern approaches into Lochinvar along the New England Highway.
PC.3 • O.387 • O.388	Where applicable, the landscaping strategy is to provide a 15m landscaping buffer adjoining the Southern extent of the Freeman Drive large lot residential subdivision, within the nominated 'Freeman Drive 15m vegetation buffer' shown in Figure 10-81.
PC.4 • O.386	The landscaping strategy is to provide extensive tree planting to the edge of existing riparian areas, with visual breaks where streets terminate in views to the riparian areas.
PC.5 • O.385 • O.387	Subdivision design is to have regard to the integration of existing residences within the Lochinvar URA with any new development, including, where deemed necessary, the provision of suitable landscape treatments to provide visual relief and minor separation distance between existing and future residential developments.
PC.6 • O.385 • O.386	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands by orienting streets and locating public space to capture views.
PC.7 • O.386 • O.387	Future subdivision design is to incorporate the remnant areas of native vegetation within the Lochinvar URA into the character and design of the development and provide for links between areas of remnant vegetation, creating improved habitat value and filter strips along watercourses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.386 • O.387	Future development and landscaping is to recognise the cultural plantings located at St Helena (along the New England Highway) and Clifton, and where necessary, is to be designed to complement rather than compete with established features.

10.4.7.4. Passive and Active Recreation Areas

Objectives

O.389 To ensure that neighbourhoods have conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.

O.390 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.389	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-78.
AS.2 • O.389 • O.390	Subdivision of land and the network of passive and active recreational areas should be consistent with that identified in Figure 10-78 and the Community Facilities Plan, which is identified in the associated Lochinvar Contributions Plan.

10.4.7.5. Stormwater and Water Quality

Objectives

O.391 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.

O.392 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.

O.393 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.391 • O.392 • O.393	The stormwater and water quality management controls are to be consistent with the principles of Water Sensitive Urban Design (WSUD) Targets in accordance with Council's MoES.
AS.1 • O.391 • O.392	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design and wider catchment.
PC.2 • O.391 • O.392	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
PC.4 • O.391 • O.392	Development applications are to identify stormwater detention areas in accordance with the nominated locations identified in Figure 10-80. **Note:** the locations of the stormwater detention basins form part of the wider trunk drainage network, to which developers will be required to make contributions under the *Lochinvar Contributions Plan 2014*.
PC.5 • O.391 • O.392	Stormwater calculations are to be based upon the ultimate development state of the catchment. The time of concentration is the time from the most remote section part of the catchment to the catchment outlet. (i.e. from the top of Greedy Creek and Lochinvar Creek to the New England Highway).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC. 6 • O.392	No development is to occur in the Greedy Creek or Lochinvar Creek catchments unless sufficient regional basin(s) are constructed to mitigate any impacts on Hunter Close catchment.
AS.2 • O.392 • O.393	Minimum road widths may need to be increased on account of WSUD features such as swales.
AS.3 • O.392 • O.393	Swales may be accepted where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
AS.4 • O.392 • O.393	Swales may be considered on the outside of perimeter roads where no residential access is provided. These swales are not to exceed 4% gradient.
PC.7 • O.392 • O.393	Flow control measures are to be used where grades in swales exceed 4%.
AS.5 • O.392 • O.393	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
AS.6 • O.391 • O.392	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage management system. Detention basins and / or wetlands to alleviate stormwater peaks and retain pollutants can be considered on-line only for 1st and 2nd order streams.
AS.7 • O.391 • O.392	Wetlands should adhere to the following design criteria: a. be designed to create an attractive and safe amenity, and be highly visible for both the adjoining residents and passers-by, b. walking paths should have frequent contact adjacent to the wetland edge, c. vegetation should be planted such that generous unobstructed view of the wetland is available, d. emergent macrophytes should be minimal and manageable, e. slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access, and f. flat grassed areas that potentially may be water-logged should be avoided.
PC.8 • O.391 • O.392 • O.393	Gullies intended to be left in their natural state are to be assessed, and if necessary enhanced in a manner that reduces the need for maintenance.

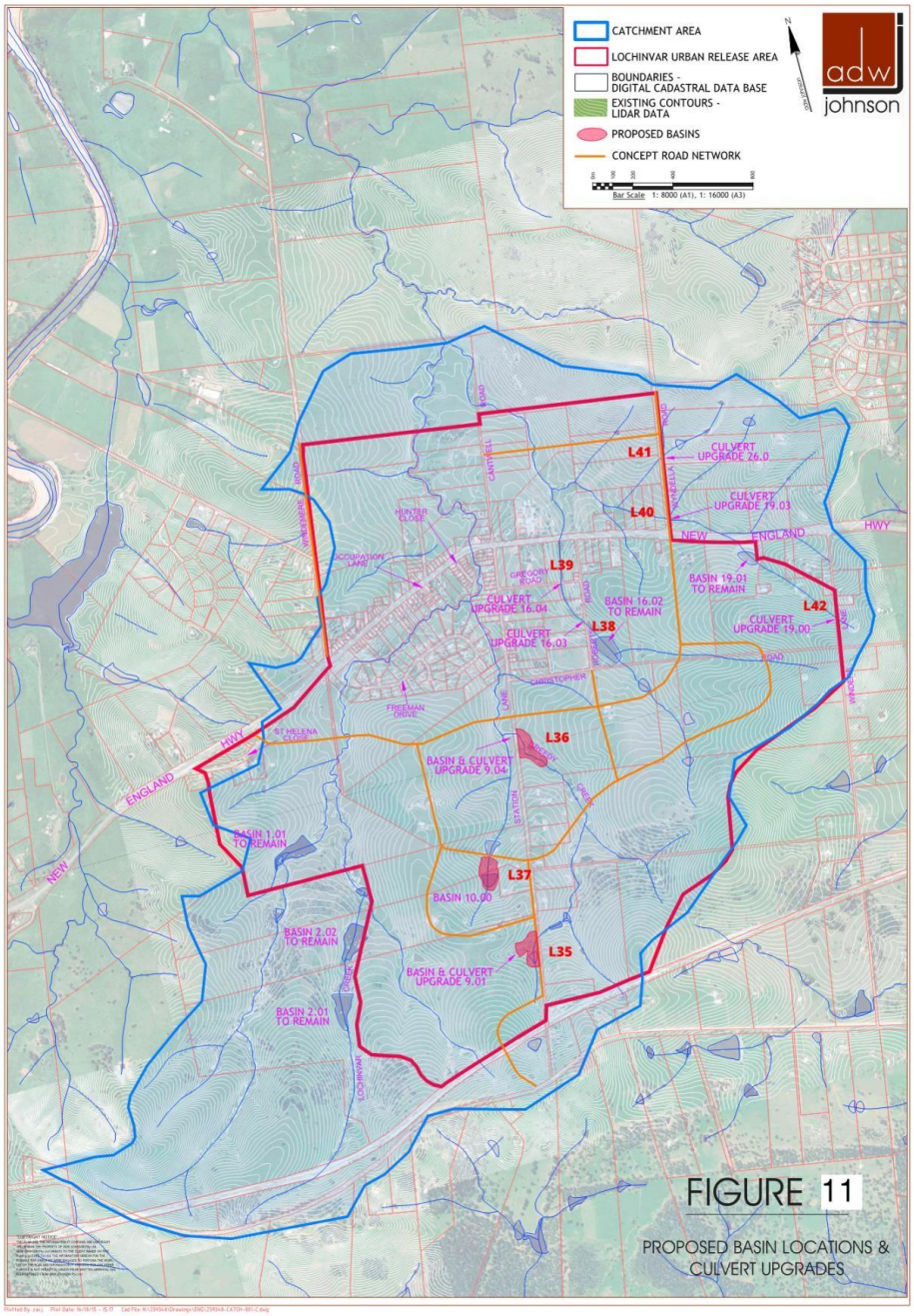


Figure 10-80: Proposed basin locations and culvert upgrades

10.4.7.6. Amelioration of Natural and Environmental Hazards

Objectives

O.394 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.395 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.394	Development Applications are to provide for the amelioration of natural and environmental hazards, including bushfire, flooding and site contamination.
PC.2 • O.394	Development Applications will need to consider the safe occupation and evacuation from any natural hazards relating to the site.
PC.3 • O.394	Submission of a bushfire threat assessment prepared by a qualified person is a requirement for any Development Application involving bushfire prone land within the Lochinvar URA. The assessment is to be of a quality to the satisfaction of Council.
PC.4 • O.394	Development Applications will need to prepare a geotechnical investigation report for the site investigating soil salinity levels, soil structure/stability and Acid Sulfate Soils.
PC.5 • O.394	Development Applications for **Medium and Major Subdivisions** are to include a Preliminary Site Investigation (PSI) for the development. Any PSI undertaken should have regard to the site contamination assessment completed by Barker Harle Pty Ltd submitted with the rezoning proposal for the Lochinvar URA. **Note:** A Detailed Site Investigation (DSI) and Remediation Action Plan (RAP) may be required based on the PSI's findings.
PC.6 • O.394	The affected areas of those sites in the Northern extent of the Lochinvar URA that are prone to inundation as a result of either: a. the 1:100 Annual Exceedance Probability (AEP) plus 0.5m freeboard, or b. localised storm event flooding from Lochinvar Creek, are not to be further developed for residential purposes.
PC.7 • O.394	Impacts from localised storm event flooding generated from Lochinvar Creek are to be considered as part of relevant Development Applications within the Lochinvar Creek Catchment, with reference to the overarching stormwater and flood study for the Lochinvar URA prepared by ADW Johnson (2015) as a basis for determining impacts from future development in the URA.
PC.8 • O.395	Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations from rail movements along the Main Northern Railway Line or from vehicle movements along the New England Highway.
PC.9 • O.395	Rail noise is expected to impact the Southern extent of the Lochinvar URA, predominantly to the South of Cow Hill Road. The following design criteria is required for houses located in this region: a. Future residential buildings will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.100 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*: • In any bedroom in the building – 35dB(A) at any time between 10pm and 7am, and • Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time. b. An external amenity noise target of 80dB Lamax.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.395	Figure 10-81 shows the extent of the 60dB(A) Leq 9hr (night-time 2022) noise contour as extracted from the Australian Rail and Track Corporation *Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)* (June 2013)[2]. For land to the North of the 60dB(A) contour, conventional residential construction will most likely enable the internal noise goals of Section 2.100 of State *Environmental Planning Policy (Transport and Infrastructure) 2021* to be achieved. For land within, or in close proximity to, the 60dB(A) contour (closer to the rail corridor), specialised acoustic treatments are likely to be needed in the form of improved noise attenuation treatments to individual residences or mitigation in the form of noise barriers adjacent to the rail corridor – or perhaps a combination of these. **Note:** The purpose of including this noise contour in the DCP is to give a potential developer a spatial appreciation of where specialised acoustic controls are likely to be required in the development of the URA. [2]The Eastern end of the 60dB(A) contour is shown as an indicative contour only given the termination point of the survey and modelling undertaken under the "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)".
PC.10 • O.394 • O.395	For habitable development occurring on land to the South of Cowhill Road, including the land South of the 60dB(A) indicative rail noise contour, an acoustic report is to be provided that identifies potential impacts and mitigating measures associated with development located in proximity to the Main Northern Railway Line. **Note:** While rail vibration must be properly assessed as part of the development application process, the Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public) (ARTC, 2013) suggests that vibration impacts are not likely to be significant outside the range of 40-50m from the nearest rail line.
PC.11 • O.394 • O.395	Given the potential impacts from coal dust and pollution/emissions from rail movements, development applications proposing residential lots and/or buildings within 50m of the Main Northern Railway Line is to include a detailed air quality assessment carried out by a suitably qualified consultant. The air quality assessment zone is shown in Figure 10-81.[3] **Note:** The ARTC's Maitland to Minimbah Third Track Environmental Assessment (May 2010) identifies the residential areas of Telarah, Rutherford, Farley, Greta and Branxton as sensitive receptors in relation to air quality. Given the location of the Lochinvar URA adjacent to the rail corridor, the locality is also considered a sensitive receptor and is to be treated the same way as the abovementioned localities in determining air quality impacts.
PC.12 • O.394 • O.395	Development Applications that include development on land within 120m of the New England Highway will require preparation of an acoustic assessment to determine individual construction standards for residential buildings within the performance-based area shown in Figure 10-81.
PC.13 • O.395	Future residential buildings within 120m of the New England Highway will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.120 of State Environmental Planning Policy (Transport and Infrastructure) 2021: • In any bedroom in the building – 35dB(A) at any time between 10pm and 7am, and • Anywhere else in the building (other than a garage, kitchen, bathroom or hallway) – 40dB(A) at any time.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.394	Reference should be made to Figure 10-81 of this chapter, and the adopted Lochinvar Structure Plan 2007, in identifying key sites and visually sensitive areas within the Lochinvar URA that are of particular importance and should be considered when preparing Visual Impact Assessments to support Development Applications. This includes land to the East of Windermere Road extending to Lochinvar Creek, that has been identified as a visually sensitive area (see Figure 10-81).
AS.3 • O.394	Consideration should also be given to any nearby master planned sites (see Figure 10-74) and visually prominent features from the New England Highway, including: • Airds of Lochinvar, • St Helena Homestead and cultural tree plantings, • All Saints College St Joseph's Campus, • St Patrick's Church, • Holy Trinity Church, • Davron Hill/Jacobs Hill/Winders Hill/Summer Hill, and • Greta Reserve.
PC.14 • O.394	Development Applications that include land adjoining the New England Highway are to employ appropriate mechanisms for managing the interface between residential development and the New England Highway. This is to be informed by a visual impact assessment (the complexity of which is determined by the scale of the proposed development), in order to preserve the rural amenity and entrance into Lochinvar.

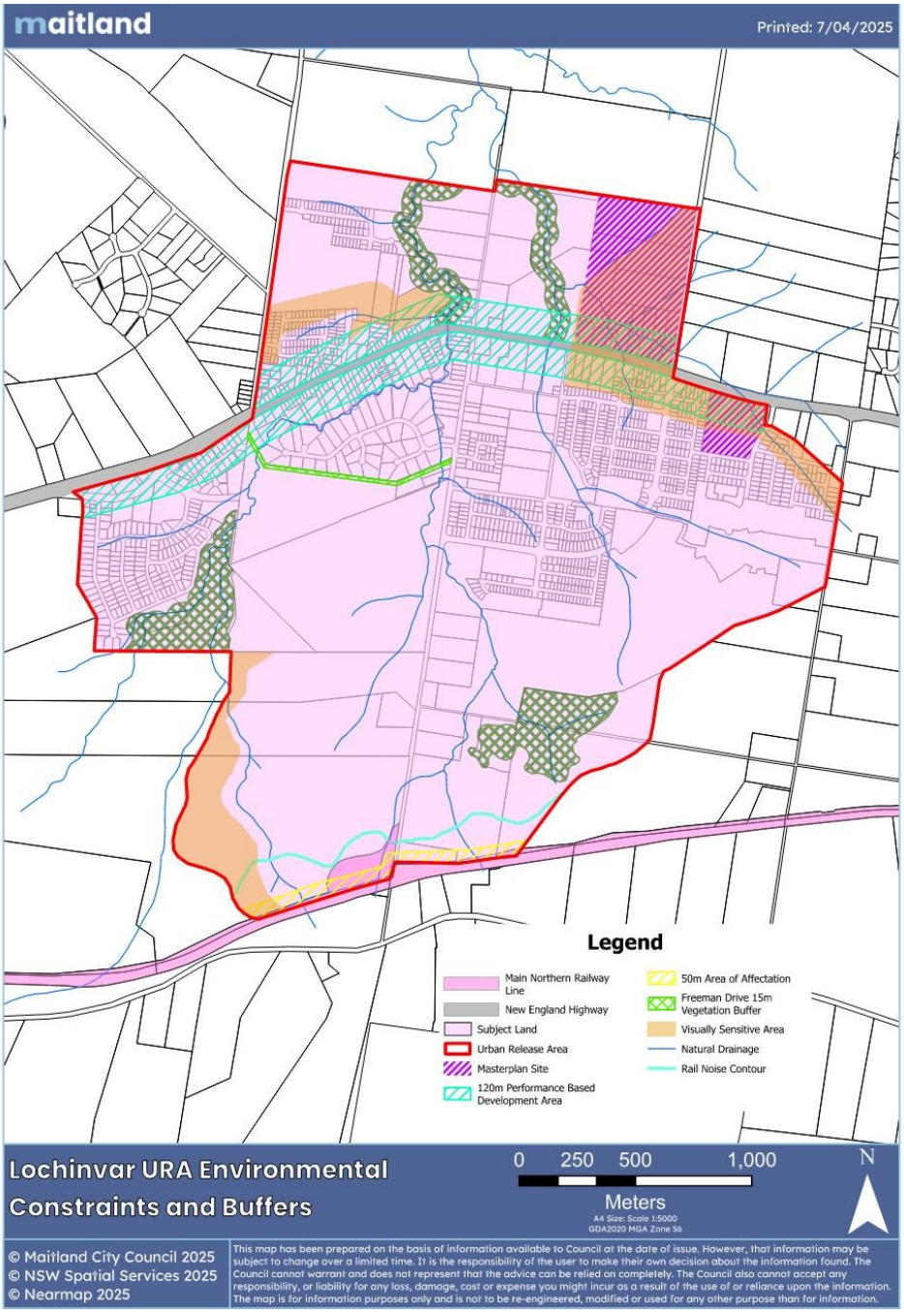


Figure 10-81: Lochinvar URA Constraints and Buffers

10.4.7.7. Heritage

Objectives

O.396 To ensure that heritage items, buildings with heritage significance and Heritage Conservation Areas are protected.

O.397 To ensure that matters relating to Aboriginal heritage are adequately assessed and, where necessary, protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.397	Development Applications for **Medium and Major Subdivisions** are to be supported by appropriate Aboriginal heritage assessment in the form of an Aboriginal Heritage Due Diligence Assessment or, if necessary, an Aboriginal Cultural Heritage Assessments (ACHA) to determine the presence and locations of any Aboriginal artefacts or sites of significance, including methods for providing any necessary buffers within the site. When preparing an ACHA, reference is to be made to the recommendations of the *Aboriginal Heritage Assessment and Management Plan* by Mary Dallas Consulting Archaeologist Pty Ltd (August 2010), with specific attention paid to any Potential Archaeological Deposits identified in that assessment. **Note:** Other development may require an Aboriginal Heritage Due Diligence Assessment and/or ACHA to be prepared, subject to relevant provisions under the *National Parks and Wildlife Act 1974.*
AS.1 • O.397	In cases where development has triggered PC.1, Development Applications are to include documented evidence of consultation with Local Aboriginal Land Councils and relevant government agencies.
PC.2 • O.396	Development Applications are to consider Heritage Items identified in the Lochinvar Structure Plan, and the visual significance of these items. Identified items include (but are not limited to): • Victoria House, Cantwell Road, • St Helena Cottage, • Holy Trinity Church, • Catholic Cemetery, • Police Station, • Clifton, Station Lane, and • Government railway.
PC.3 • O.396	Where required due to proximity to a Heritage Item or as required by Heritage NSW, any Statement of Heritage Impact prepared for development is to incorporate an assessment of curtilage (including a map showing curtilage) for identified items and must include recommendations for the recognition and protection of any other items, should any be exposed as a result of further planning or construction processes.

10.4.7.8. Key Development Sites

Objectives

O.398 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.398	Detailed urban design controls (including traffic management requirements and car parking designs where appropriate) are to be provided for the following Key Development Sites: • Schools, libraries and community facilities, • Gateway sites, • St Helena Village,

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• Airds of Lochinvar, • Sisters of St Joseph Convent and surrounds, • Lochinvar Police Station, • Interface area adjoining Freeman Drive, • Development adjoining the New England Highway and Main Northern Railway Line, • Transport interchange, • Civic precinct, and • Lochinvar Town Centre.

Adjoining land zoned for environmental protection

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.398	Any development or works within, or adjacent to the land zoned C3 Environmental Management are to ensure clearing of vegetation is minimised, to the satisfaction of Council.
PC.3 • O.398	Mechanisms are to be put in place with development to ensure the integrity and protection of established vegetation and riparian areas zoned C3 Environmental Management. Details of how vegetation and riparian areas are proposed to be managed are to be included in all Development Applications affecting the C3 Environmental Management zone.
PC.4 • O.398	Development within residential zones must be designed and planned to ensure any Asset Protection Zones (APZs) and the like are not required or needed in the C3 Environmental Management zone.
PC.5 • O.398	Any APZs must be accommodated wholly within residential zones and are not to extend into the C3 Environmental Management zone.

Interface area south of Freeman Drive

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.398	Development on land adjoining the existing Freeman Drive subdivision to the South must be suitably located and designed so as to maintain view corridors and minimise any impacts on the existing neighbourhood amenity.
PC.7 • O.398	A vegetation buffer for the purposes of screening and visual amenity must be provided and maintained for a depth of 15m (within the 'no development' buffer) from the rear of existing allotments currently serviced by Freeman Drive identified in Figure 10-81.

Land adjoining the New England Highway and Winders Lane

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.8 • O.398	No direct access will be permitted to the New England Highway or Winders Lane for new residential allotments.
PC.9 • O.398	A landscape buffer, wholly contained within the allotments to be developed adjoining the New England Highway and Winders Lane, is to be implemented for: a. all allotments adjoining the New England Highway between Robert Road and the Eastern extent of the Lochinvar Urban Release Area that adjoins the New England Highway, and

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	b. all allotments adjoining Winders Lane.
PC.10 • O.398	The landscape buffer adjoining the New England Highway is to include design elements and construction materials that assist with reducing traffic noise generated from vehicles along the New England Highway. These design elements and construction materials must be identified in a landscape plan supporting any Development Application upon land so affected.
PC.11 • O.398	The respective landscape buffers adjoining the New England Highway and Winders Lane are to be wholly contained within the affected allotments, with maintenance of the landscape buffer being the responsibility of the individual owners of the respective allotments. Figure 10-82 and Figure 10-83 illustrate the typical cross-section and possible fencing arrangements for the affected land.
PC.12 • O.398	The dimensions of the New England Highway landscape buffer will be dependent on the results of acoustic modelling undertaken for land within the '120 metre performance-based area' illustrated in Figure 10-81 of this DCP chapter, and, where applicable, the results of any Visual Impact Assessment relating to the land.
PC.13 • O.398	Dwellings are to be set back from the New England Highway a minimum distance of 30m. Residential allotments in this locality are to be designed to be of sufficient depth to accommodate this set back and dwelling footprint.

Airds of Lochinvar

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.14 • O.398	Any Development Application involving the 'Airds of Lochinvar' site is to incorporate appropriate mechanisms to enable the continued functioning of the 'Airds of Lochinvar' building as a locally significant commercial premises, as the building and its surrounds are identified as a masterplan site (Figure 10-74). Only limited commercial activities at the site are supported (as permitted in the R1 General Residential zone).

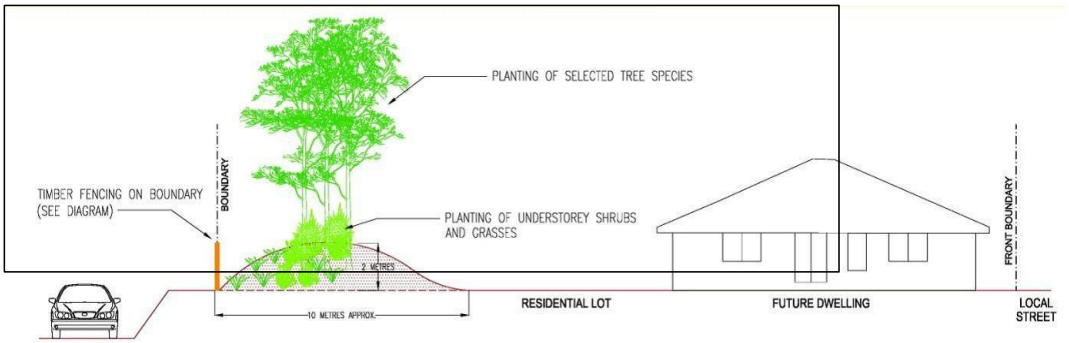


Figure 10-82: Landscape Buffer Typical Cross Section for Allotments Adjoining the New England Highway and Winders Lane.



Figure 10-83: Typical Timber Boundary Fencing for Allotments Adjoining the New England Highway and Winders Lane.

10.4.7.9. Neighbourhood Commercial and Retail Uses

Objectives

O.399 To accommodate and control appropriate neighbourhood commercial and retail uses.
O.400 To foster a sense of community and strong local identity and sense of place in neighbourhoods.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.399	Development Applications that propose commercial and retail uses adjacent to residential uses are to consider buffers or screening to reduce noise, vibration and/or lighting impacts.
PC.2 • O.399 • O.400	Any Development Application that includes the land nominated for neighbourhood shops north of the New England Highway will need to address issues such as traffic and access, potential intersection locations, carparking, signage and other pertinent elements associated with commercial development in the locality.
PC.3 • O.399 • O.400	The Development Application for the future Lochinvar Town Centre is to include detailed urban design controls (including traffic management requirements and carparking designs).

10.4.7.10. Provision of Public Facilities and Services

Objectives

O.401 To ensure that suitably located public facilities and services are provided, including provisioning for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.401	Each Development Application for **Medium or Major Subdivision** is to include suitably located public facilities and services, including provision for appropriate traffic management facilities and parking (see Key Development Sites above), as required by Council.
AS.1 • O.401	Public transport should be addressed in Development Applications, with consideration made for overall network connectivity and access to bus stops and the Lochinvar Railway Station.
PC.2 • O.401	Development Applications that include land in the Southern extent of the Lochinvar URA are to account for future expansion of the Lochinvar Railway Station and the potential for a transport interchange in this part of the site.
PC.3 • O.401	Development Applications are to incorporate indicative road networks (Figure 10-79), stormwater detention areas, active and passive recreation areas and evidence of satisfactory arrangements for essential services.
PC.4 • O.401	Provision of community facilities and open space areas will be in accordance with the associated Lochinvar Contributions Plan.

10.4.8. Farley Urban Release Area

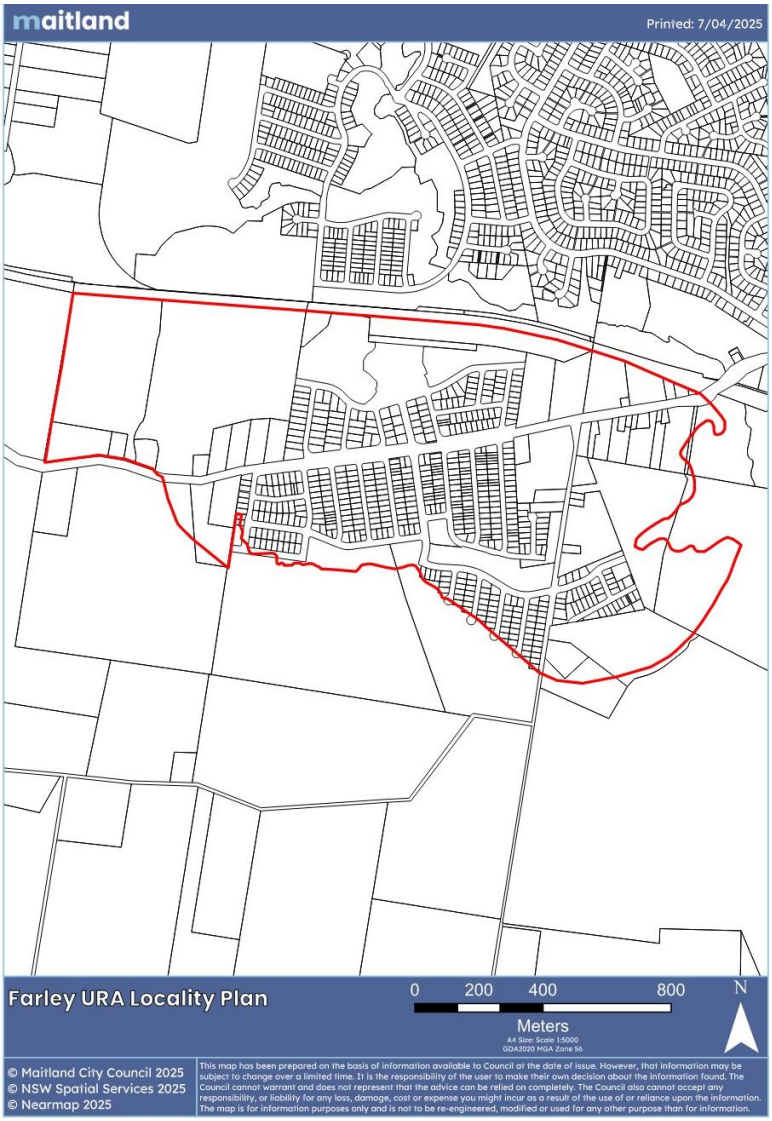


Figure 10-84: Farley Urban Release Area

The Farley Urban Release Area (URA) comprises of a total of 160 hectares of land, with an approximate residential yield of 1,500 lots. The Lower Hunter Regional Strategy (Department of Planning, 2006) identified the Farley URA as a regionally significant development area and a key site to achieve the dwelling targets for population growth in the Lower Hunter. Further development within the Maitland LGA and the establishment of Farley as a residential suburb in years since has seen the URA integrated into the New England Growth Corridor as part of the *Hunter Regional Plan 2041* (Department of Planning and Environment, 2022).

The Farley URA is located immediately South of the Main Northern Railway Line. While no railway station currently exists at Farley, the proximity of the Farley URA to regional transport systems including the New England Highway and the Hunter Expressway are key elements to the identification of this area for urban development.

Farley Area/Precinct Plan

The Farley Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

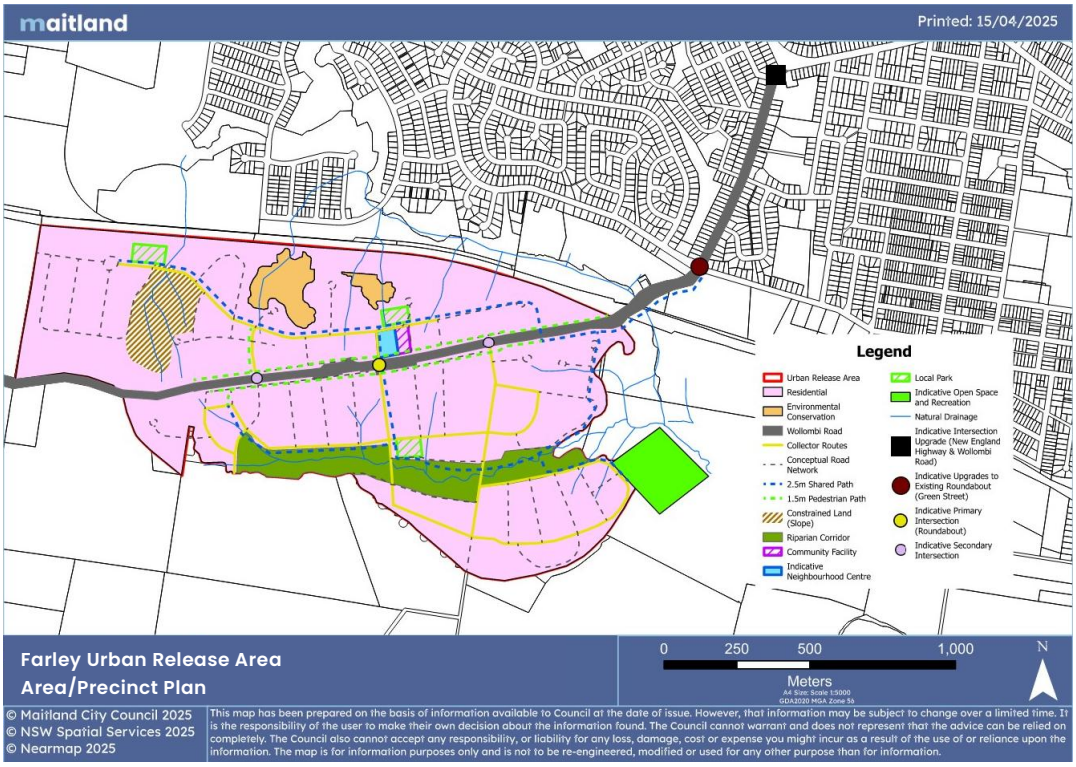


Figure 10-85: Farley Area/Precinct Plan

Staging Plan

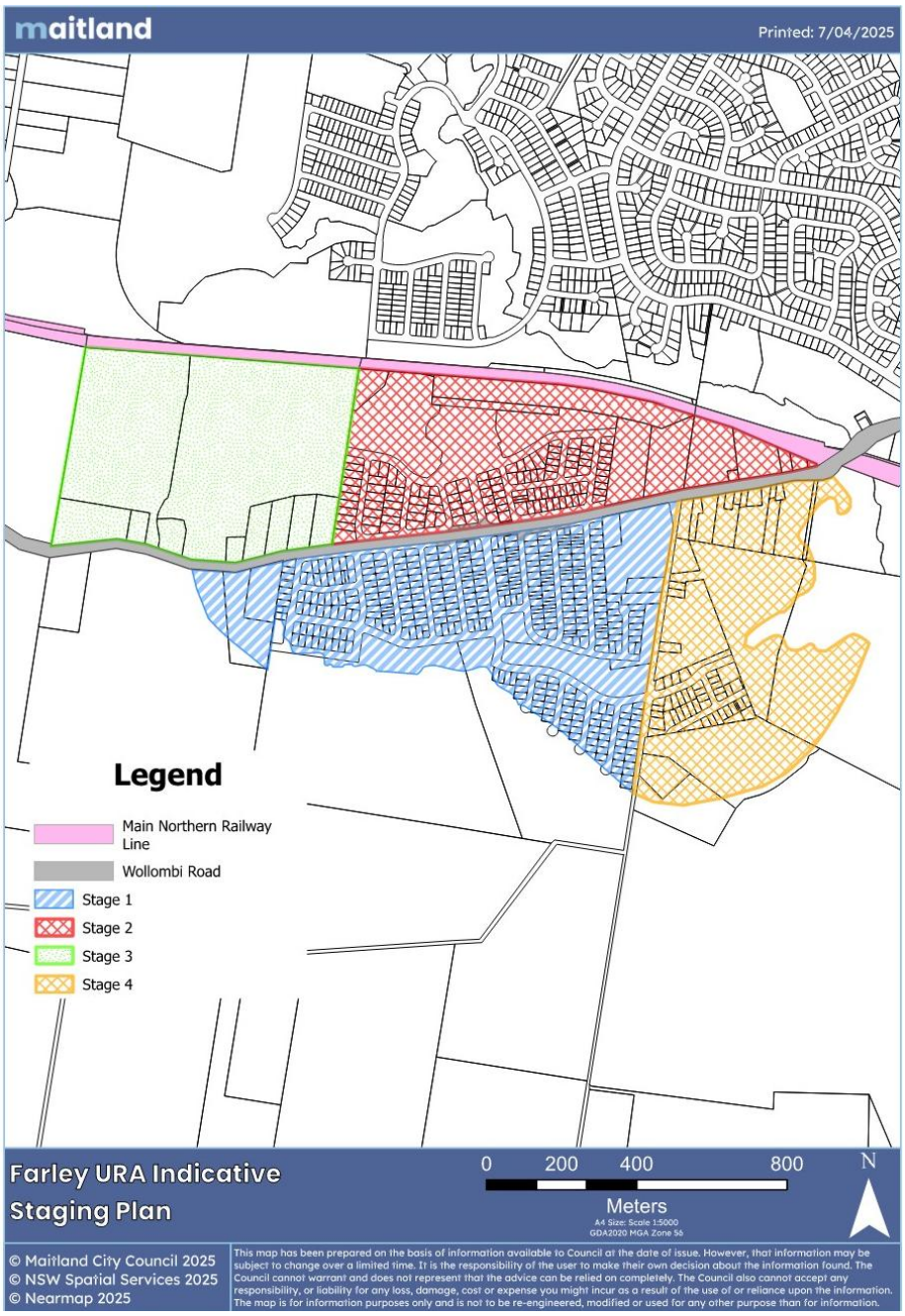


Figure 10-86: Farley URA Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Farley Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Residential Densities

10.4.8.1. Staging Plan

Objectives

O.402 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.
O.403 To provide for the logical development of the URA based on the cost-effective provision and availability of infrastructure and servicing arrangements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.402	Staging of the urban release area should be generally in accordance with Figure 10-86.
PC.1 • O.403	The Farley URA Staging Plan is to be read in conjunction with the relevant Contributions Plan applying to land within the Farley URA.
PC.2 • O.403	Development Applications for subdivision are to incorporate road networks, stormwater detention areas, active and passive recreation areas, consistent with the overall staging and intended development outcomes for the Farley URA.
PC.3 • O.403	Land is to be developed in such a way that allows for walkable distances of up to 400m to a bus route, pedestrian network and local park to promote the establishment of sustainable communities. .

10.4.8.2. Transport Movement Hierarchy

Objectives

O.404 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.405 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.406 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.
O.407 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.404	Development applications are to incorporate a transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. The transport movement hierarchy is to be generally in accordance with Figure 10-87.
PC.2 • O.404	The subdivision staging must consider the timely connection of the road network to adjoining properties and/or stages generally before completion of 75% of the developable lot area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.404 • O.407	Any future residential subdivision will require a Transport Impact Assessment that demonstrates sufficient capacity at the intersection of the New England Highway and Wollombi Road. **Note:** if the intersection does not have sufficient capacity to cater for future residential subdivision proposals a suitable traffic solution will need to be determined that satisfies both Transport for NSW and Council.
AS.1 • O.405 • O.406	The overall pedestrian and cycleway links including pedestrian refuges on Wollombi Road should be consistent with Figure 10-88.
AS.2 • O.406	On-road cycleways addressing finer grain network design are to be provided generally in accordance with the Council's MoES.
AS.3 • O.404	Staging of intersection construction may be considered by the Council having regard to the number of allotments being serviced, the location of the intersection, practicality of staging construction, the provisions the Farley Contributions Plan , and any requirements of Transport for NSW where relevant.
PC.4 • O.406	Roads having frontage to and servicing a neighbourhood centre, community facility and local park on the northern side of Wollombi Road are to comprise a pavement width capable of accommodating turning movements (dedicated right-in and left-in turning lanes) at the required access locations.
AS.4 • O.406	Perimeter roads should be incorporated, as far as is practical, adjacent to open space and recreation areas, flood prone areas, and areas of bushfire risk and visual significance.
AS.5 • O.406	A key road network design principle for the URA is the control of access to Wollombi Road. Parallel subdivision service roads are designed to ensure that direct access from individual lots to a significant section of Wollombi Road does not occur. Figure 10-87 details the required treatments for the nominated sections of Wollombi Road as follows: **Section A (railway underpass to Owl Pen Lane)** Existing road width and pavement is generally satisfactory with some minor shoulder widening/improvements required on the northern side along with kerb and guttering. Direct access to Wollombi Road permitted from fronting lots. **Section B (Owl Pen Lane to proposed western intersection)** Service roads running adjacent and parallel to Wollombi Road will provide access to individual allotments. Direct access from lots to Wollombi Road will not be permitted. The centreline of the existing road pavement may be adopted as the centreline for new works subject to the landowners being aware of and accepting the road widening and potential service relocation implications for the northern side of the road. The ultimate pavement alignment for Wollombi Road will be detailed within the relevant Section 94 Plan applying to the URA. **Section C (proposed western intersection to 'the bends')** Parallel service road treatment will be required on the southern side of Wollombi Road only as for Section B. **Section D ('The Bends')**

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Maintain consistent road pavement configuration (excluding service roads) as for Sections B and C along with table drain treatment. No new subdivision access permitted.
AS.6 • O.406	Three intersections are to be provided on Wollombi Road generally in the locations shown on Figure 10-89. **Wollombi Road / Owl Pen Lane (secondary intersection – southern catchment)** Realignment of Owl Pen Lane will be required to accommodate this intersection. The intersection will likely be in a 'T' configuration and initially be required to accommodate all movements. Council may however choose to restrict certain movements in the future depending on traffic volumes and intersection performance. **Primary Intersection on Wollombi Road servicing both northern and southern catchments** This intersection will be in the form of a single lane circulating roundabout. **Wollombi Road / proposed western intersection (secondary intersection – northern catchment)** This intersection will likely be in a 'T' configuration and initially be required to accommodate all movements. Council may however choose to restrict certain movements in the future depending on traffic volumes and intersection performance.
PC.5 • O.406	Road widening will be required on Owl Pen Lane - this widening will occur predominantly on the western side of the road at the intersection to minimise impact on existing dwellings, then generally equally along the rest of the road. While the road will generally need to be upgraded to meet Council's Manual of Engineering Standards for a 12m pavement, some 'squeeze' points may necessitate a narrower footway and/or pavement. These squeeze points occur where existing dwellings are located close to the road and potentially where the road crosses the watercourse/gully.
PC.6 • O.406	Any new subdivision directly adjoining Owl Pen Lane is to be oriented and have access to the lane.
PC.7 • O.406 • O.407	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified in the subject Area Plan and the relevant Contributions Plan applying to the Farley URA when designing subdivision layouts and movement linkages between adjoining sites.
PC.8 • O.407	Bus routes for both local and school bus services are shown on Figure 10-87 along with locations for both bus stops and bus shelters. These bus stop/shelter locations have been based on achieving a walkable neighbourhood where walking distances to stops are in the order of 400m. Bus shelters are to be placed generally at the locations shown and hard stand pads are to be placed at other stops with seating as directed. Development applications are to ensure that subdivision design is generally consistent with Figure 10-87.
PC.9 • O.404 • O.407	Development Applications are to incorporate road networks that support the overarching requirements of Council as identified within this DCP as well as the Council's MoES and Transport for NSW's requirements.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.404	Traffic management facilities for the Farley URA are to be provided in accordance with Figure 10-89 and any relevant Contributions Plan that applies to the land.
PC.11 • O.404 • O.407	Development Applications are to be supported by appropriate Traffic Impact Assessments (as required by TfNSW), to ensure that capacity exists at the New England Highway intersection with Wollombi Road and on the local road network to accommodate for the anticipated overall development yield for the land in which each Development Application applies.

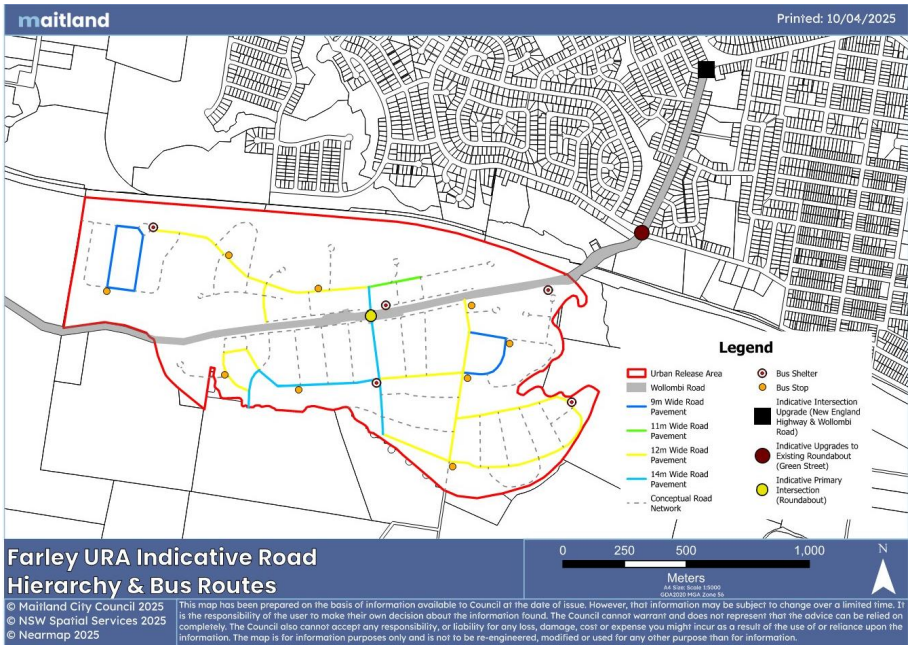


Figure 10-87: Farley URA Road Hierarchy and Bus Routes

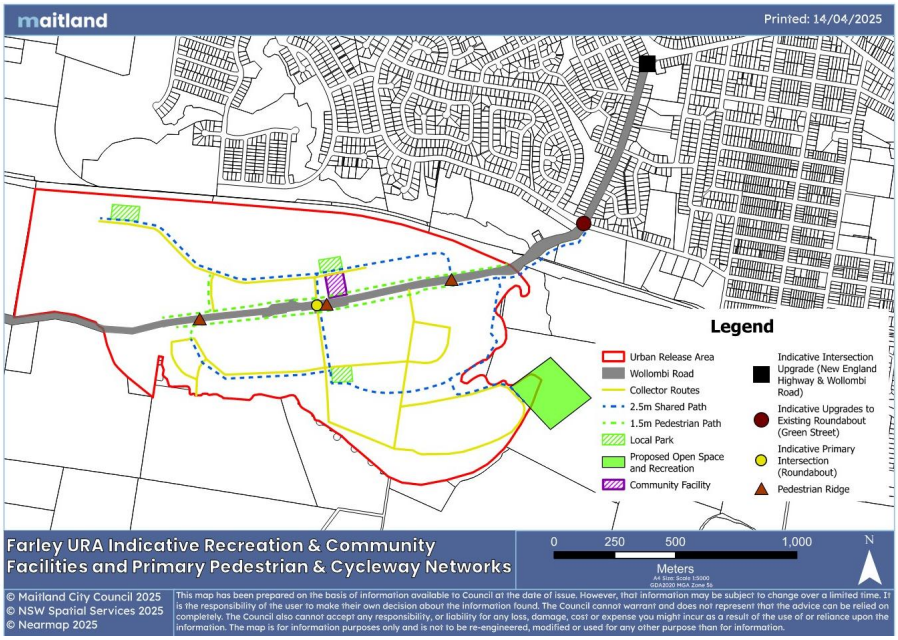


Figure 10-88: Farley URA Proposed Recreation and Community Facilities and Active Links

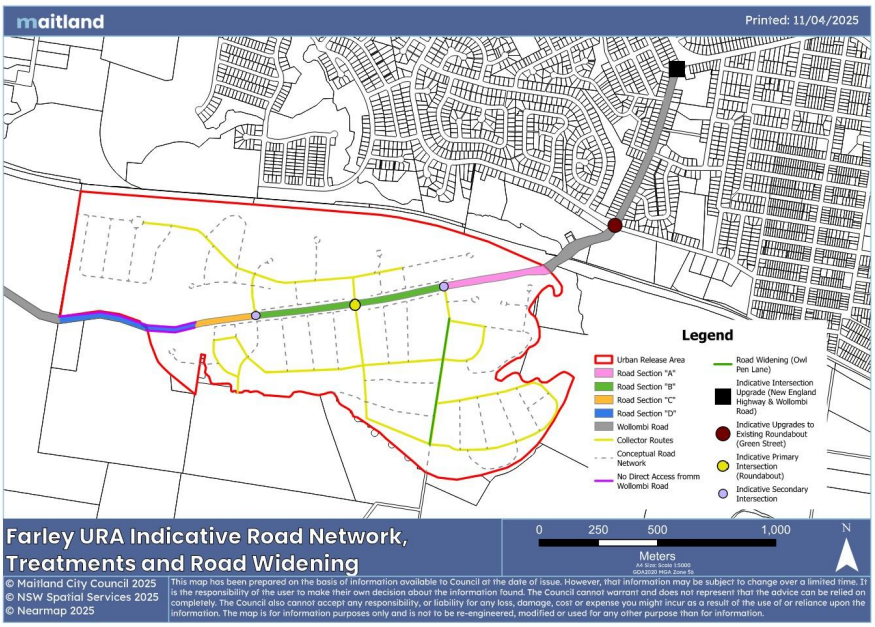


Figure 10-89: Farley URA Proposed Road Network, Treatments and Road Widening

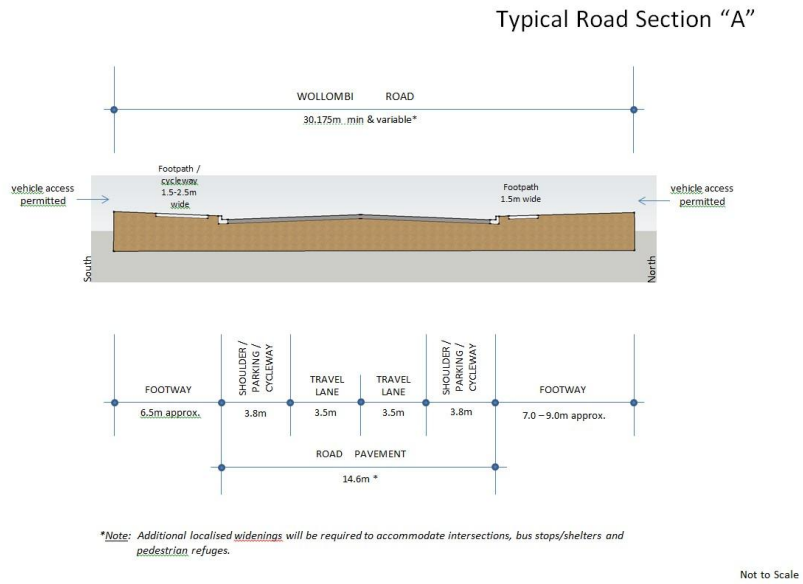


Figure 10-90: Typical cross sections "A" Wollombi Road, Farley

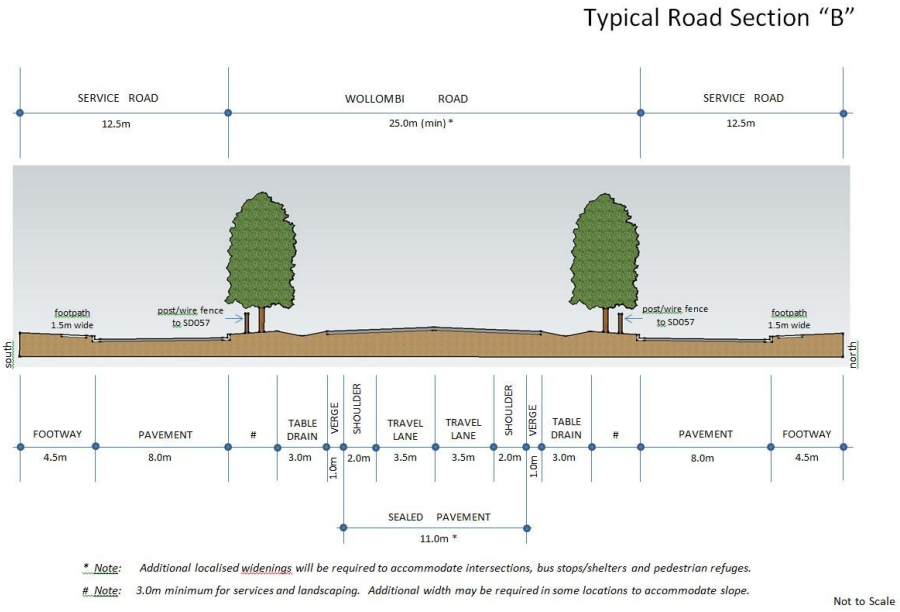


Figure 10-91: Typical cross sections "B" Wollombi Road, Farley

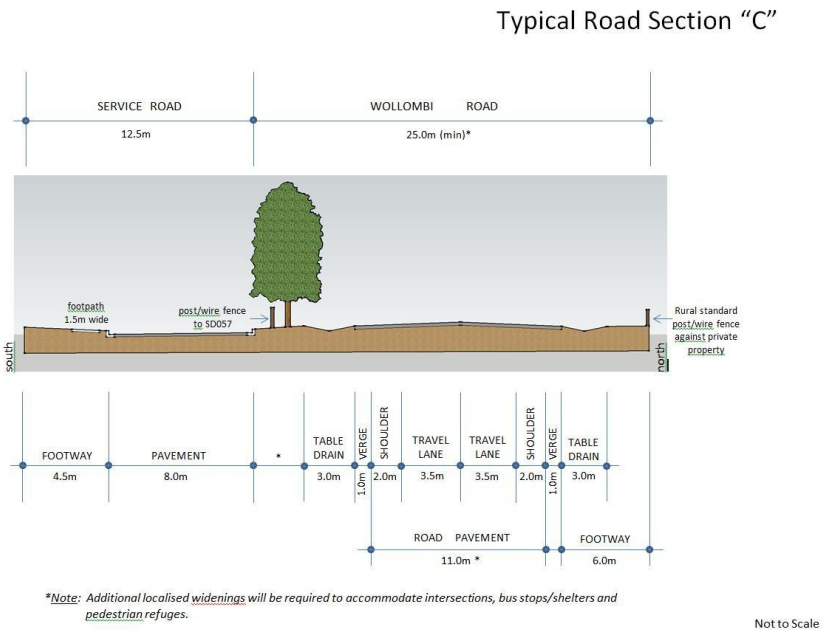


Figure 10-92: Typical cross sections "C" Wollombi Road, Farley

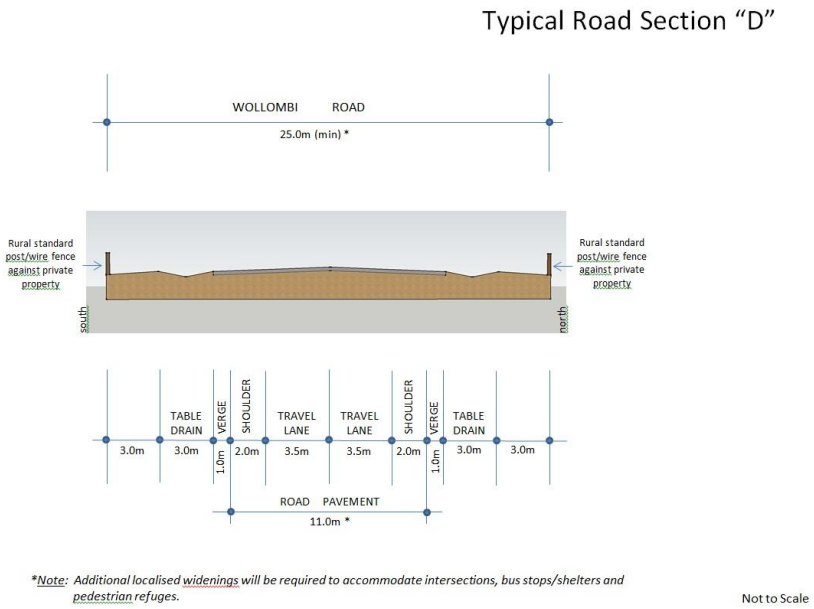


Figure 10-93: Typical cross sections "D" Wollombi Road, Farley

10.4.8.3. Overall Landscaping Strategy

Objectives

O.408 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.409 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.410 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.408	Each Development Application is to include an overall landscaping strategy that meets the requirements for the protection and enhancement of the public and private realm. This includes, but is not limited to, riparian areas, remnant vegetation and noise sensitive areas.
PC.2 • O.410	A series of residential neighbourhoods are to be designed throughout the Farley URA to create a sense of identity, through distinct landscape and built form elements.
PC.3 • O.408	The overall landscaping strategy must be to be based on the visual management principles identified in the Visual Impact Assessment prepared by ADW Johnson (which informed the rezoning of the Farley URA).

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.408	Landscaping is required to be provided in the following locations: • along Wollombi Road in accordance with Road Sections B and C at Appendix A, • on land adjacent to major intersections, and • on all collector roads to soften the visual impact of all built elements and create attractive streetscapes when viewed by passing traffic and pedestrians.
PC.5 • O.409	The overall landscaping strategy is to provide for revegetation opportunities within the existing riparian areas and the identification and reconnection of biodiversity corridors identified in the Maitland Ecological Sustainability Strategy 2030. This must include the provision of extensive tree planting to the edge of existing riparian areas, which visual breaks where streets terminate views to the riparian areas.
PC.6 • O.409	The overall landscaping strategy is to include provisions to protect the scenic values and heritage significance of any listed heritage items, including Owl Pen House.
PC.7 • O.409 • O.410	Subdivision and housing design is to take advantage of significant and attractive views overlooking the surrounding rural lands through street orientation and strategically locating public spaces that capture the views.

10.4.8.4. Passive and Active Recreation Areas

Objectives

O.411 Neighbourhoods are conveniently located, open space areas that offer a range of recreational opportunities for residents that are accessible within walking distance from each residence.

O.412 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.411	Subdivision of land and the network of passive and active recreational areas should be consistent with that identified in Figure 10-88, and any such land or facilities within the relevant contributions plan.
PC.1 • O.411 • O.412	Neighbourhoods must include conveniently located open space areas that offer a range of recreational opportunities for residents, accessible generally within 400m walking distance from each residence.
PC.2 • O.411 • O.412	The amount of land to be provided for the neighbourhood sportsground is to be either: • 6ha to accommodate two playing fields with a monetary contribution for a third field at Council's future Anambah Sportsground made under the Farley Contributions Plan 2015, or • 8ha to accommodate three fields.

10.4.8.5. Stormwater and Water Quality

Objectives

O.413 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.414 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.415 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.413 • O.414	Development Applications will require evidence of satisfactory arrangements for essential services, including water and wastewater servicing. The release of allotments will be dependent on the satisfactory provision of reticulated water and wastewater services.
PC.2 • O.414	Each Development Application is to include stormwater and water quality management controls, having particular regard to the proximity of the nearby regionally significant Wentworth Swamp to the South of the Farley URA.
AS.1 • O.414	Where it can be demonstrated that only a minor upgrade is required to existing water and wastewater infrastructure in order to enable any proposed urban development within the Farley URA to be serviced, Council will require evidence of satisfactory arrangements from Hunter Water Corporation to support any Development Application for that land. In such circumstances, adherence to the Farley URA Staging Plan will be unnecessary.
PC.3 • O.413 • O.414	Where any proposal is made to amend the proposed Farley URA Staging Plan for reasons relating to infrastructure upgrades that may increase capacities within each stage of the Farley URA, any such proposal would need to be informed by variations to the water and wastewater servicing strategies prepared by GCA Pty Ltd in May 2014, and shall be endorsed by Hunter Water Corporation.
PC.4 • O.414 • O.415	Development Applications are to be supported by a stormwater study for the relevant land, which shall illustrate the connectivity to stormwater catchments within the wider Farley URA and locality. Stormwater detention areas are to be located in accordance with the stormwater study that supports each Development Application.
PC.5 • O.413 • O.414	The stormwater and water quality management controls shall be consistent with the principles of Water Sensitive Urban Design (WSUD).
PC.6 • O.413 • O.414	The number and location of WSUD elements should be determined by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
AS.2 • O.413	Parking areas can be located adjacent or interspersed between WSUD elements where they are designed to prevent damage by vehicles.
PC.7 • O.414 • O.415	Water quality and detention facilities are to be located to ensure the operational function of the facilities are not impacted by environmental constraints.
PC.8 • O.415	Long-term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the WSUD strategy.
PC.9 • O.414 • O.415	Riparian corridors are to be maintained around identified watercourses, in accordance with Section 2.2.2 Riparian Land and Waterways of Chapter 2: Environmental Considerations, and relevant NSW Department of Water guidelines pertaining to minimum buffer widths.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.10 • O.413 • O.414 • O.415	Stormwater design is to be considered in association with stormwater studies prepared for Development Applications.
AS.4 • O.415	Swales may be acceptable on grades under 4% where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
PC.11 • O.413 • O.415	No change to the minimum width of roads on account of WSUD is supported.
AS.5 • O.415	Where practical, WSUD elements may be incorporated in a centre depressed median of dual carriage roads.
PC.12 • O.415	Development Applications are to demonstrate that post-development stormwater flows do not exceed pre-development stormwater flows for events up to and including the 1 in 100-year flood.
AS.6 • O.414 • O.415	Wetlands should be well-designed creating an attractive and safe amenity and be highly visible for both the adjoining residents and passers-by.
AS.7 • O.413	Walking paths should have frequent contact adjacent to the wetland edge.
AS.8 • O.413 • O.414	Vegetation should be designed such that generous unobstructed views of the wetland is available.
AS.9 • O.413 • O.414	Emergent macrophytes should be minimal and manageable.
AS.10 • O.413 • O.415	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.11 • O.415	Flat grassed areas that potentially may be water-logged should be avoided.
AS.12 • O.415	Existing natural gullies should be retained where possible and if necessary enhanced to offset the need for maintenance.
PC.13 • O.413 • O.415	In general, grassed areas must be kept to a minimum for maintenance purposes, and wetland and gullies should offer a sense of ownership to the public.

10.4.8.6. Amelioration of Natural and Environmental Hazards

Objectives

O.416 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.417 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses, including road and rail corridors.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.416	Future subdivision design is to incorporate the existing areas of native vegetation into the character and design of the development and provide for links between areas of remnant vegetation creating improved habitat value and filter strips along watercourses.
PC.2 • O.416	Future development and landscaping must recognise the cultural plantings located at Owl Pen House and where necessary, are to be designed to complement rather than compete with established features.
PC.3 • O.416	Development Applications for Medium or Major Subdivision must include subdivision designs that consider the bushfire risk in the locality, in accordance with the NSW Rural Fire Service guidelines current at that time. Submission of a bushfire risk assessment will be a minimum requirement for any Development Application involving bushfire prone land within the Farley URA.
PC.4 • O.416	Subdivision design must ensure that Asset Protection Zones (APZs) are contained wholly within the boundaries of residential allotments (and perimeter roads, where considered safe and practical to the satisfaction of Council), and do not extent into vegetated areas where clearing would be required.
PC.5 • O.416	Development Applications for Medium or Major Subdivision will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.
PC.6 • O.416	Phase 1 site contamination studies are required for each Development Application for Medium or Major Subdivision, with Phase 2 site contamination studies required where deemed necessary through the Phase 1 process. Any Phase 1 or Phase 2 site contamination studies should have regard to the site contamination assessment completed by Douglas Partners Pty Ltd submitted with the rezoning proposal for the Farley URA.
PC.7 • O.416	The Eastern boundary of the Farley URA generally reflects the extent of land inundated during the 1:100 Annual Recurrence Interval (ARI) flood event. Areas in the Eastern extent of the site that are inundated during the 1:100 ARI flood event are not to be further developed for residential purposes. Development within this locality must consider the potential flood hazard and flood behaviour adjoining this part of the Farley URA.
PC.8 • O.416	Impacts from localised flooding are to be considered as part of Development Applications for Medium or Major Subdivision in the Farley URA, including any alternative access arrangements to lower lying areas of the Farley URA during times of storm events and localised flooding.
PC.9 • O.417	Development applications within 50m of the rail corridor either north of Wollombi Road and/or north of the 60dB(A) indicative rail noise contour are to prepare an acoustic and vibration impact assessment. **Note:** The Farley URA Constraints and Buffers Map (Figure 10-94) shows the extent of the 60 dB(A) Leq 9hr (night-time 2022) noise contour as extracted from the Australian Rail and Track Corporation "Maitland to Minimbah Third Track

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	Operational Noise and Vibration Review (Public)" dated June 2013. For land to the north of the 60dB(A) contour (closer to the rail corridor) specialised acoustic treatments are likely to be needed in the form of improved noise attenuation treatments to individual residences or mitigation in the form of noise barriers adjacent the rail corridor – or perhaps a combination of these. While rail vibration must be properly assessed as part of the development application process the "Maitland to Minimbah Third Track Operational Noise and Vibration Review (Public)" suggests that vibration impacts are not likely to be significant outside the range of 40-50m from the nearest rail line. Independent acoustic and vibration reports are to be prepared in accordance with the NSW Department of Planning "Development Near Rail Corridors and Busy Roads – Interim Guideline (2008)".
PC.10 • O.417	Rail noise is expected to impact the URA and in particular the part of the release area to the north of Wollombi Road. All development needs to adequately address Section 2.100 of the Transport and Infrastructure SEPP 2021.
PC.11 • O.417	Future residential buildings will be required to achieve the following mandatory internal noise goals (measured in LAeq) contained within Section 2.100 of the Transport and Infrastructure SEPP 2021: • in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am • anywhere else in the building (other than a garage, kitchen, bathroom or hallway)— 40 dB(A) at any time.
PC.12 • O.417	Subdivision development on the northern side of Wollombi Road is to achieve an external amenity goal of 80LAmax as recommended by ARTC when larger scale new residential release areas are proposed near a rail corridor.
PC. 13 • O.417	In cases where a Development Application proposes residential lots and/or buildings within 50m of the Main Northern Railway Line, Council will require an Air Quality assessment undertaken by a suitably qualified consultant during the Application process. The air quality assessment zone is shown in Figure 10-94.
PC.14 • O.417	Visual impact mitigation measures identified in the Visual Impact Assessment prepared by ADW Johnson (which informed the rezoning of the Farley URA) will be incorporated into subdivision layout and design. These measures include: a. Consideration shall be given to Owl Pen House, the Government railway (Station Master's House), and the associated heritage curtilage required in these locations. b. Vegetation in the elevated areas of the URA should be retained. c. Native local species shall be used for landscaping. d. Streetscape planting along Wollombi Road to mitigate visual impact and provide a vegetated skyline for views from below the Wollombi Road ridgeline. e. Subdivision design should facilitate North and East outlooks.

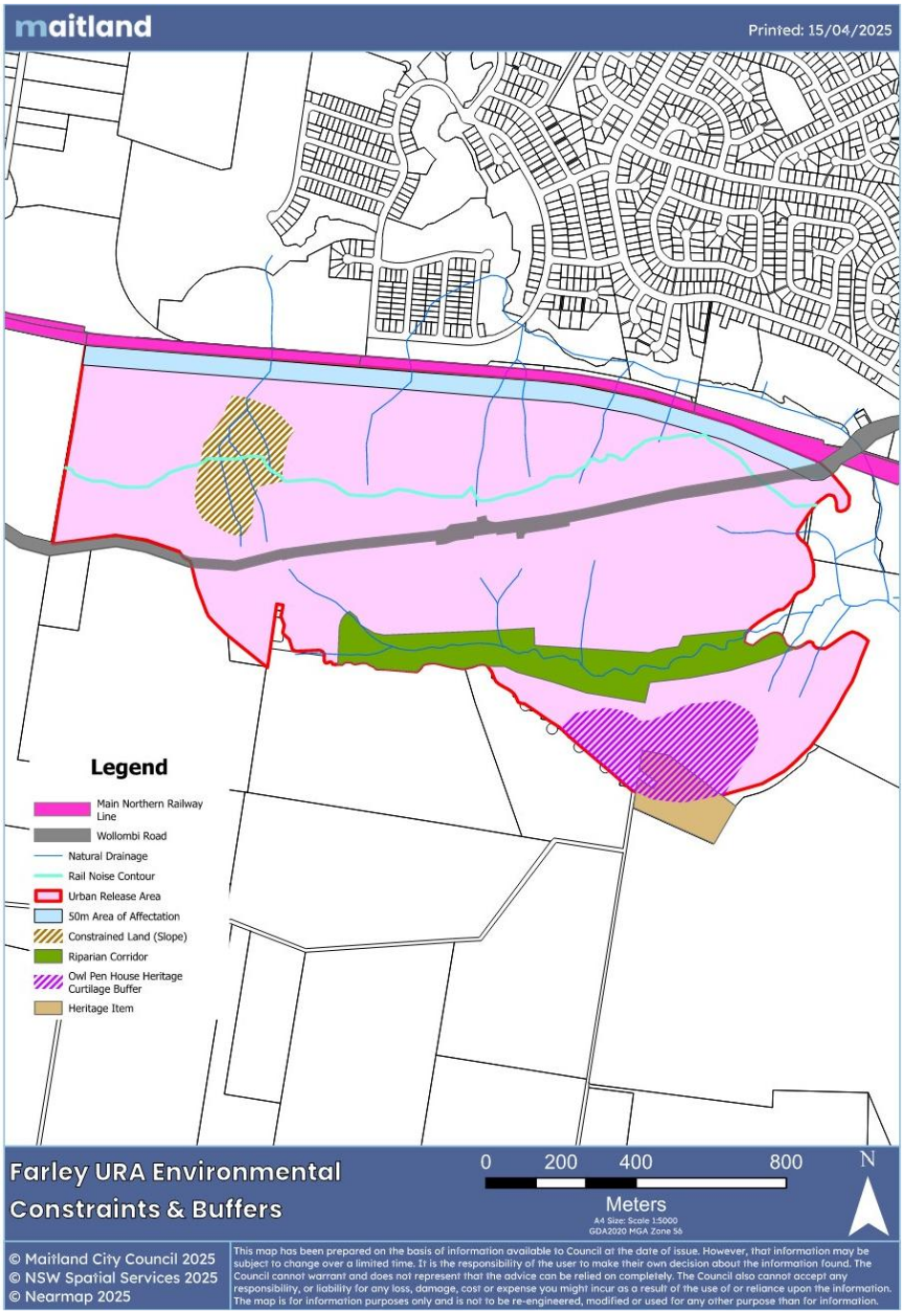


Figure 10-94: Farley URA Environmental Constraints and Buffers

10.4.8.7. Heritage

Objectives

O.418 Heritage items, buildings with heritage significance and conservation areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.418	Development Applications shall be supported by appropriate Aboriginal Heritage Impact Studies to determine the presence and locations of any Aboriginal artefacts or sites of significance, including methods for providing any necessary buffers within the site. Reference should also be made to the Indigenous Archaeological Due Diligence Assessment completed by McCardle Cultural Heritage Pty Ltd, which informed the rezoning of the Farley URA.
PC.2 • O.418	Development Applications shall be referred to NSW Office of Environment and Heritage, Mindaribba LALC and Lower Hunter Wonnarua LALC for comment as part of the public and government agency exhibition process for assessing Development Applications.
PC.3 • O.418	Development Applications will be prepared, having considered items identified in the European Heritage study prepared by Nexus Archaeology and Heritage for the rezoning of the Farley URA. Identified items include: • Owl Pen House, and • Government railway (Station Master's House)
PC.4 • O.418	A European Heritage Study will be required to incorporate an assessment of the appropriate heritage curtilage for Owl Pen House where the subdivision is within the preliminary Heritage Curtilage Buffer is proposed within Figure 10-94. The study must consider options for reducing the impact of the new development within and/or adjacent to the existing identified curtilage. Additionally, European Heritage studies are to also include further recommendations for the recognitions and protection of any other significant heritage items that may be exposed as a result of further investigation, planning on construction processes within the development area.

10.4.8.8. Key Development Sites

Objectives

O.419 To ensure that detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.419	Development Applications are to include detailed urban design controls such as, but not limited to, traffic management requirements and carparking design for the following Key Development Sites: • Owl Pen House • Government Railway (Station Master's House) • Development adjoining the Main Northern Railway Line • Future neighbourhood centre

Adjoining land zoned for environmental protection

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.419	Any development or works within, or adjacent to the land zoned C3 Environmental Management are to ensure clearing of vegetation is minimised to the satisfaction of Council. Details of how vegetation and riparian areas are proposed to be managed are to be included in all Development Applications affecting the C3 Environmental Management zone.
PC.2 • O.419	Development within the R1 General Residential zone must be designed and planned to ensure any Asset Protection Zones (APZs) or buffers are contained wholly within that zone, and do not extend into the C3 Environmental Management zone.

Land fronting Wollombi Road

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.419	Development adjacent to Wollombi 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.
PC.4 • O.419	Vehicular access to Wollombi Road will be controlled via the road design (Sections A to D) contained in Figure 10-90, Figure 10-91, Figure 10-92, and Figure 10-93.

10.4.8.9. Neighbourhood Commercial and Retail Uses

Objectives

O.420 To accommodate and control appropriate neighbourhood commercial and retail uses.
O.421 To foster a sense of community and strong local identity and sense of place in neighbourhoods.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.420 • O.421	Development Application(s) for a future neighbourhood centre will need to be undertaken in accordance with Chapter 7 Commercial Uses of the Maitland Development Control Plan 2011.

10.4.8.10. Provision of Public Facilities and Services

Objectives

O.422 To ensure that suitably located public facilities and services are provided, including provision for appropriate traffic management facilities and parking.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.422	Provision of community facilities and open space areas will be in accordance with the *Farley Contributions Plan 2015.*
PC.2 • O.422	Development Applications are to consider the proximity of the nominated community facilities and recreation areas identified within this DCP chapter and the *Farley Contributions Plan 2015* when designing future subdivisions layouts and movement linkages to adjoining sites.
PC.3 • O.422	Medium and Major Subdivision Development Applications are to include suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

10.4.9. Anambah Urban Extension Site (Windella)

The Anambah Urban Extension Site (Windella) is made up of one precinct, which utilises the general provisions of this section.

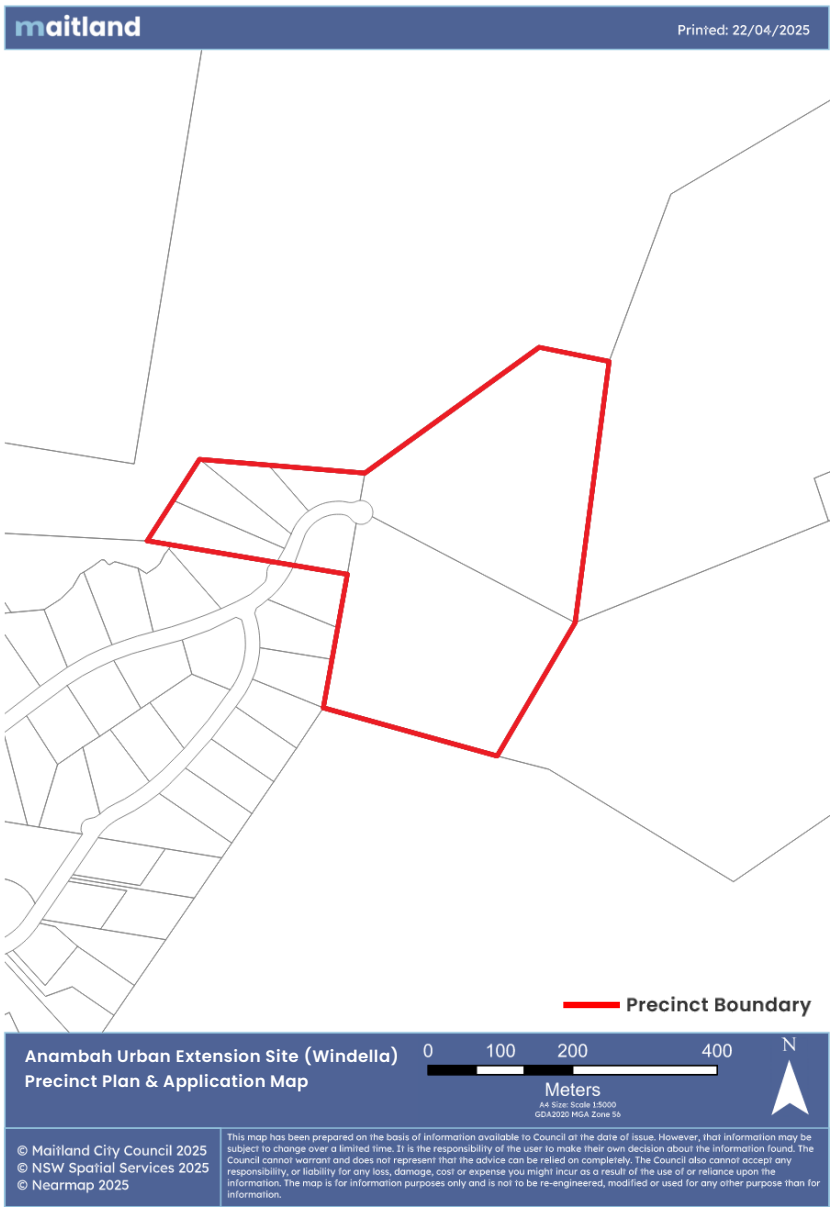


Figure 10-95: Anambah Urban Extension Site (Windella) Precinct Plan & Application Map

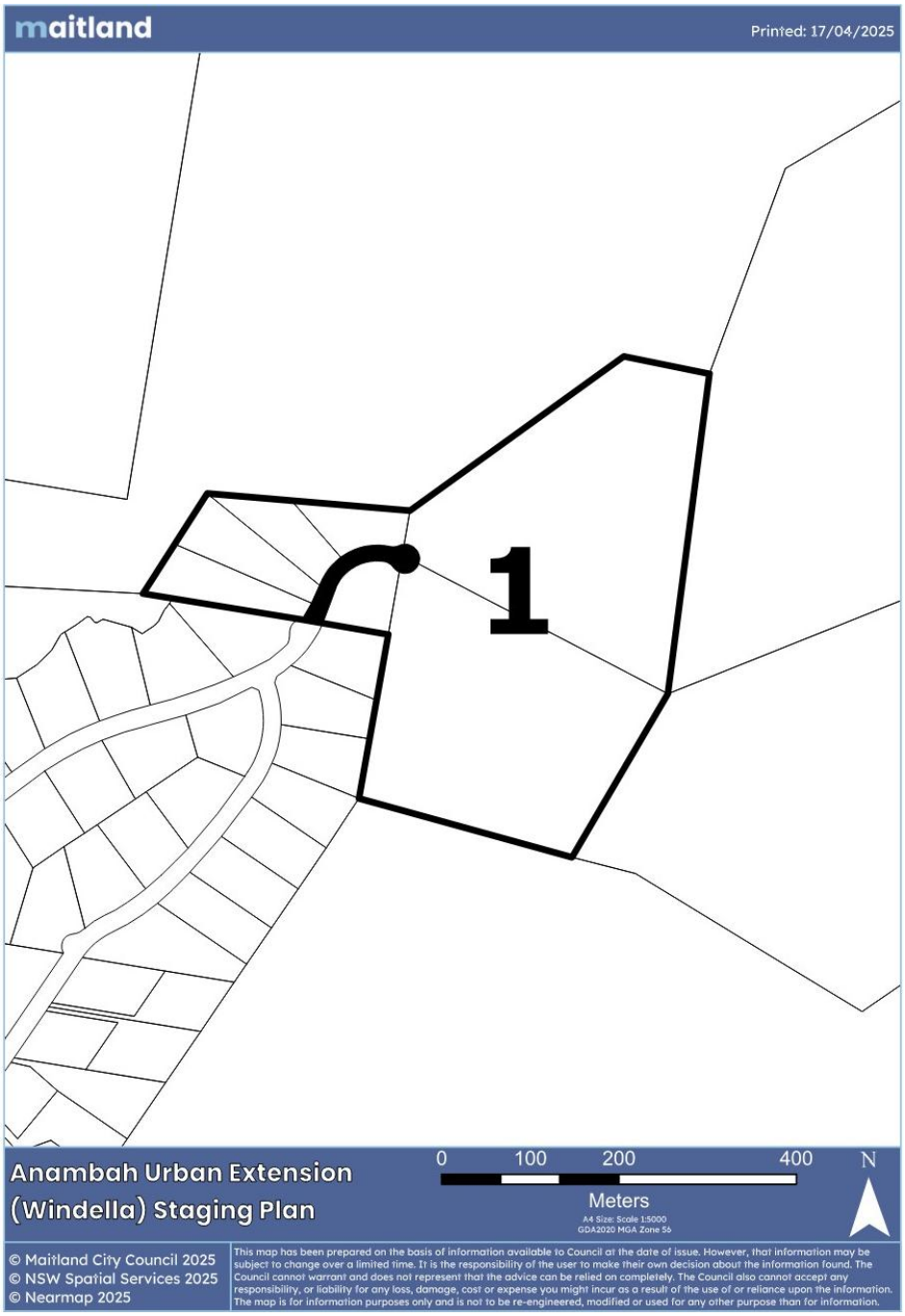


Figure 10-96: Anambah Urban Extension Site (Windella) Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Urban Extension Site (Windella) as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.9.1. Staging Plan

Objectives

O.423 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.423	Staging of the urban release area should be generally in accordance with Figure 10-96.

10.4.9.2. Amelioration of Natural and Environmental Hazards

Objectives

O.424 To protect residential dwellings from aircraft noise associated with the Maitland Airport.
O.425 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.424	Building envelopes will be provided generally in accordance with Figure 10-97.
PC.2 • O.425	Land within the flood planning area shall address Section 5.21 of the MLEP 2011.
PC.3 • O.425	All development applications are to demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

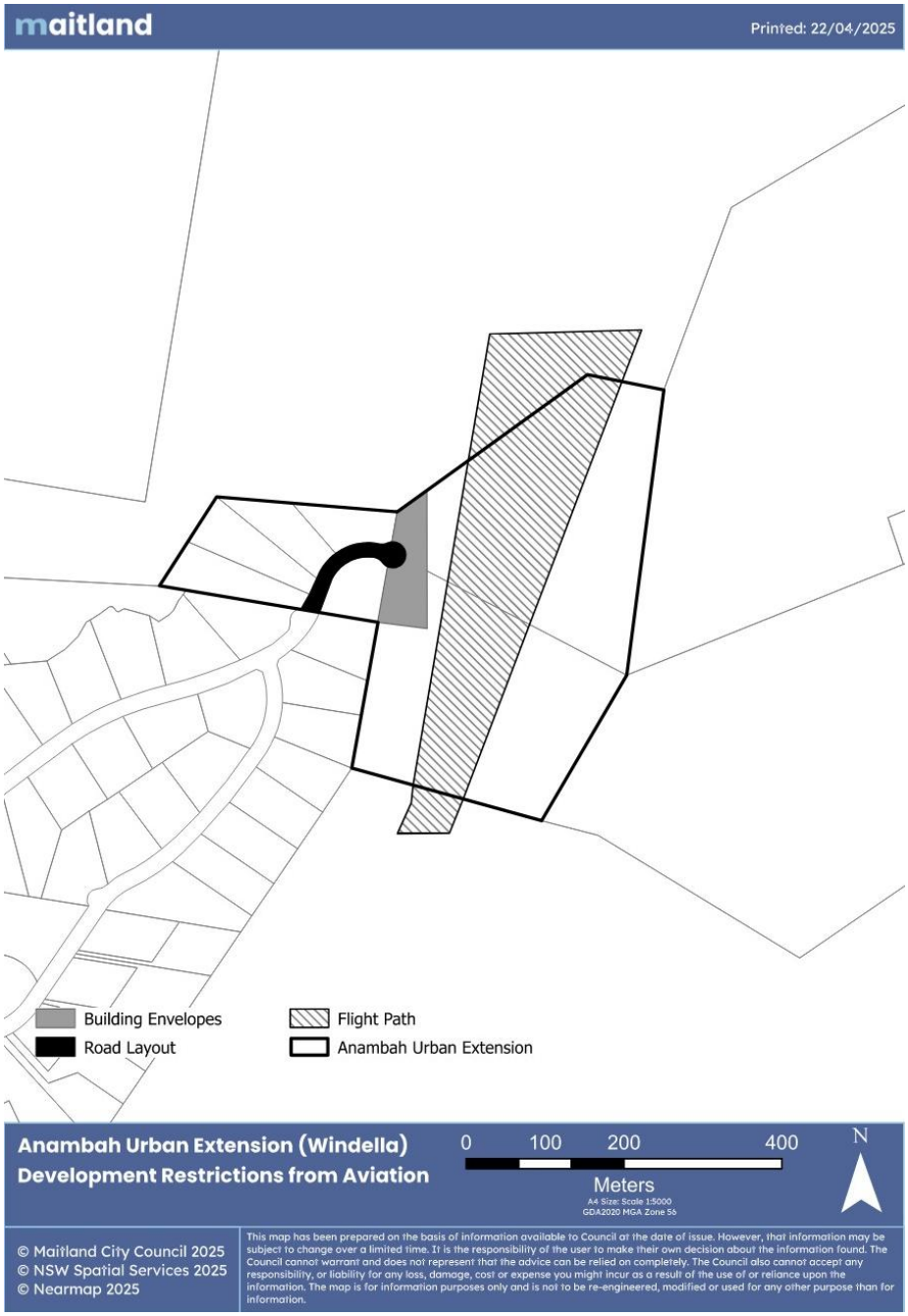


Figure 10-97: Building envelope restrictions for lots affected by aircraft noise and flight paths

10.4.10. Glebe Paddock Urban Release Area

The Glebe Paddock Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

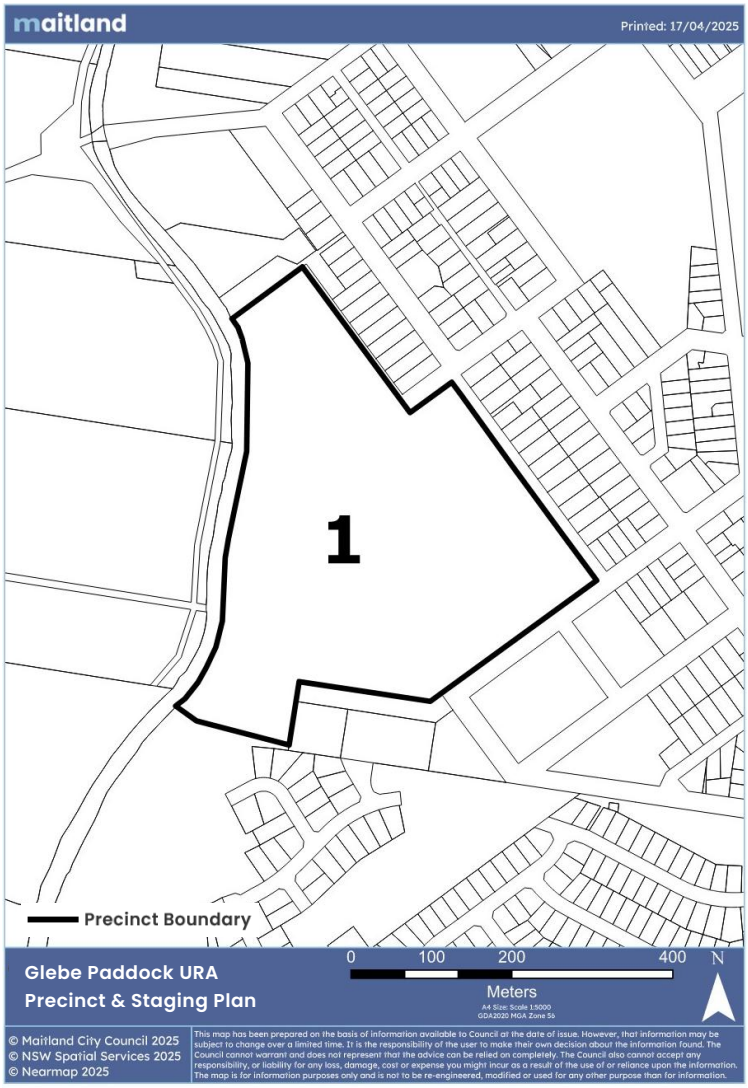


Figure 10-98: Glebe Paddock URA Precinct and Staging Plan

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

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

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Glebe Paddock Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.10.1. Staging Plan

Objectives

O.426 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.426	Staging of development should generally occur in accordance with Figure 10-98.
PC.1 • O.426	All development applications for subdivisions are to include a staged construction plan, in cases where the development is intended to be constructed in stages.

10.4.10.2. Overall Landscaping Strategy

Objectives

O.427 Impacts of any action affecting threatened species, populations and ecologically endangered communities (EEC) is properly assessed and compensated.
O.428 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.
O.429 The habitat of those threatened species and populations that are dependent on hollow-bearing trees for their lifecycle is protected.
O.430 To ensure that the VMP retains the area of prominent vegetation.
O.431 The risk to people and property from hollow-bearing trees is minimised.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.427	A revised flora and fauna assessment and vegetation management plan (VMP) must be prepared with any application to subdivide the C2 Environmental Conservation or RU1 Primary Production land within the release area. The assessment and VMP is to be prepared by an appropriately qualified person.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.428 • O.429 • O.431	A hollow bearing trees (HBT) protocol must accompany any application for subdivision affecting C2 Environmental Conservation or RU1 Primary Production land. 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, and e. expected longevity of the hollow. • A strategy for tree removal (timing and methodology) that minimises impacts on native wildlife, and • A strategy to compensate for the loss of HBTs by: a. identifying compensatory recruitment trees within the site, b. installing nesting boxes of similar number and size as those hollows to be removed, and c. replacing any trees lost on the site.
PC.3 • O.427 • O.429 • O.430	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, and • to be inspected and maintained by a qualified ecologist.
PC.4 • O.429 • O.431	All felled trees must be relocated to the environmental land to supplement existing terrestrial fauna habitat.

10.4.10.3. Amelioration of Natural and Environmental Hazards

Objectives

O.432 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.433 The development responds to the geotechnical characteristics of the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.432 • O.433	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.

10.4.10.4. Heritage

Objectives

O.434 The interface between the residential area and the environmental area is sympathetic to the State heritage item.
O.435 Fencing is low-impact, rural-type fencing.
O.436 Unauthorised access to the environmental area is discouraged.
O.437 The subdivision design maintains the open nature of the curtilage of the Glebe Cemetery.
O.438 The Aboriginal cultural heritage of the site is protected and maintained.
O.439 The Local Aboriginal Land Council is involved the future management of the Aboriginal cultural heritage on the site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.434	Development must be in accordance with the Glebe Historic Cemetery Conservation Management Plan.
PC.2 • O.434 • O.436 • O.437	A 'restriction as to user' under Section 88B of the Conveyancing Act will be created over lots within the curtilage of the Glebe Cemetery requiring that no dwelling be constructed within 15m of the rear boundary.
PC.3 • O.435	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.
PC.4 • O.438	An updated Aboriginal cultural heritage impact assessment (ACHA) must be undertaken before consent is given to the subdivision.
PC.5 • O.438	Subdivision design must respond to the outcomes of an ACHA.
PC.6 • O.438	An Aboriginal cultural heritage management plan must be prepared for the environmental area.
PC.7 • O.438 • O.439	The Aboriginal cultural heritage impact assessment must be undertaken in consultation with the Mindaribba Local Aboriginal Land Council and Traditional Owners.

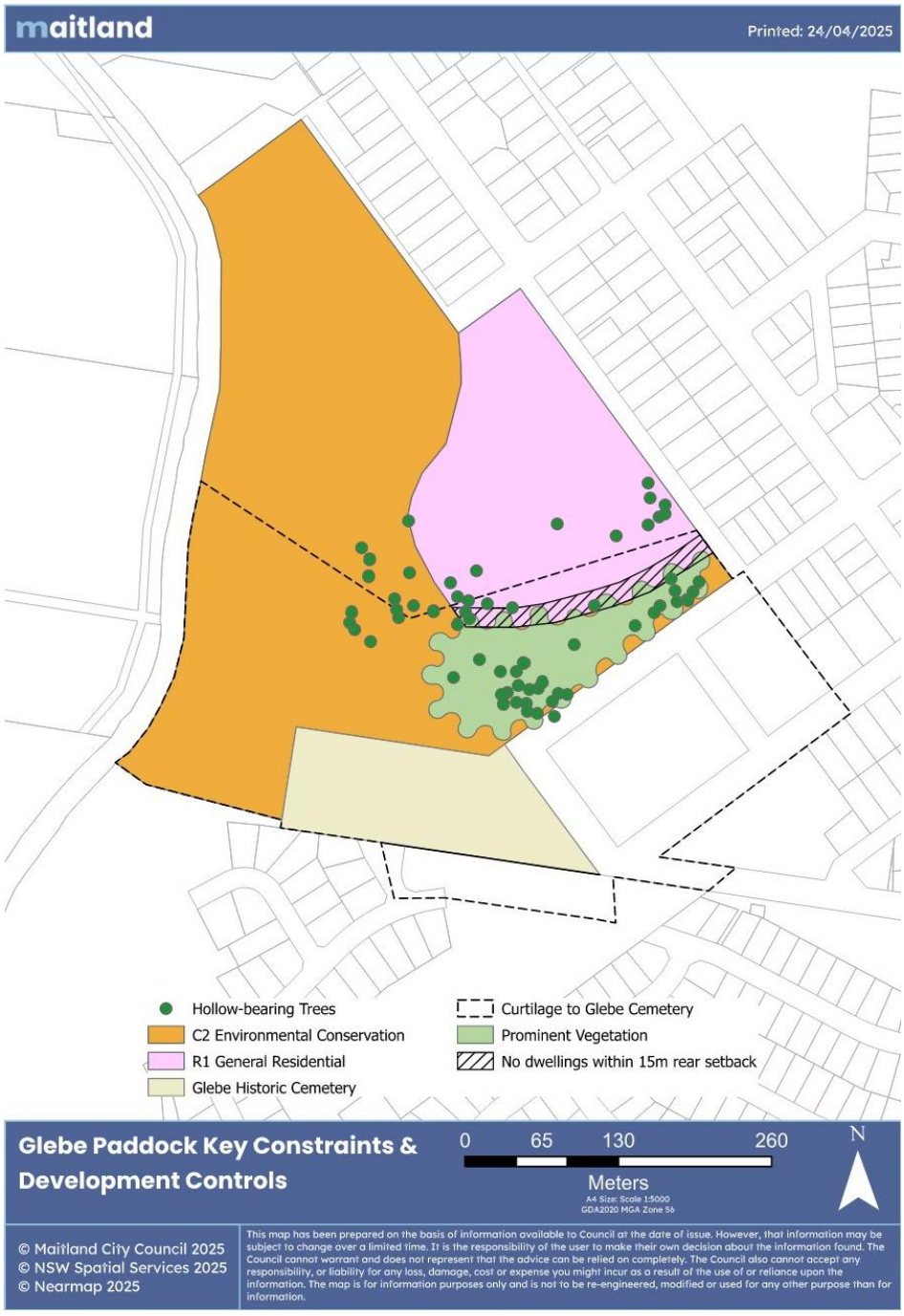


Figure 10-99: Glebe Paddock key constraints and development controls

10.4.11. Mount Harris Urban Release Area

The Mount Harris Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

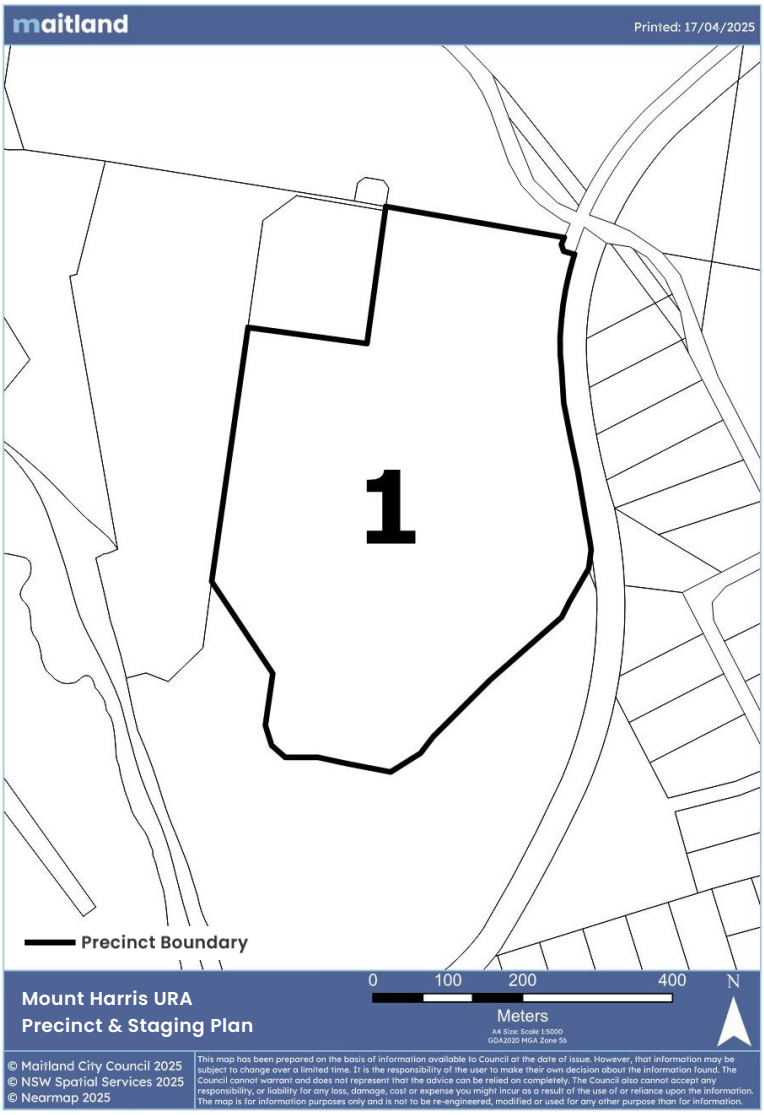


Figure 10-100: Mount Harris URA Precinct and Staging Plan

The Mount Harris Urban Release Area (URA) is located along Maitland Vale Road, northwest of Bolwarra Heights. Encompassing approximately 23 hectares, it is bounded by the Hunter River to the west and the locally heritage-listed Main Northern Railway to the east. Rezoned to R5 Large Lot Residential in 2011 (minimum lot size 2,000 m²), significant subdivision has taken place within the URA.

The area is rural residential in character, featuring single- and two-storey dwellings on large lots, generous setbacks, and open-style front fencing. Any future subdivision or new dwellings must address noise impacts from the railway, as well as flooding and bushfire risk.

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Mount Harris Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Staging Plan
- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.11.1. Amelioration of Natural and Environmental Hazards

Objectives

O.440 To ensure subdivision and dwelling design near the railway corridor mitigate noise and vibration impacts.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.440	Subdivision design and lot layout must identify and ensure that any future residential housing will not be adversely affected by noise or vibration from the railway line.
PC.2 • O.440	A separate acoustic engineer's report is required to certify that each dwelling within 50m of the railway line, at the design stage, can meet the requirements of *State Environmental Planning Policy (Transport & Infrastructure) 2021*.

10.4.11.2. Key Development Sites

Objectives

O.441 To maintain the established streetscape character of the Mount Harris URA, ensuring generous front setbacks and cohesive visual amenity.

O.442 To maintain the large-lot, low-density character of the Mount Harris URA by ensuring that new development respects the precinct's established character.

O.443 To ensure fencing of dwellings maintains the existing rural residential character.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.441	Setbacks for a development are to be provided in accordance with Table 10-2. **Table 10-2: Minimum Setbacks – Mount Harris URA**

DWELLING TYPE	FRONT SETBACK	SECONDARY SETBACK (CORNER LOTS)	SIDE SETBACK	REAR SETBACK
All Dwelling Types	12m	5m	4m	4m

PC.2 • O.441 • O.442	Development must reinforce the established streetscape character, providing generous front setbacks and open-style front fencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.443	Fencing of allotments are to be of post and wire style (or similar) so as to reflect the existing visual and rural amenity.

10.4.12. Mala Close Urban Release Area

The Mala Close Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

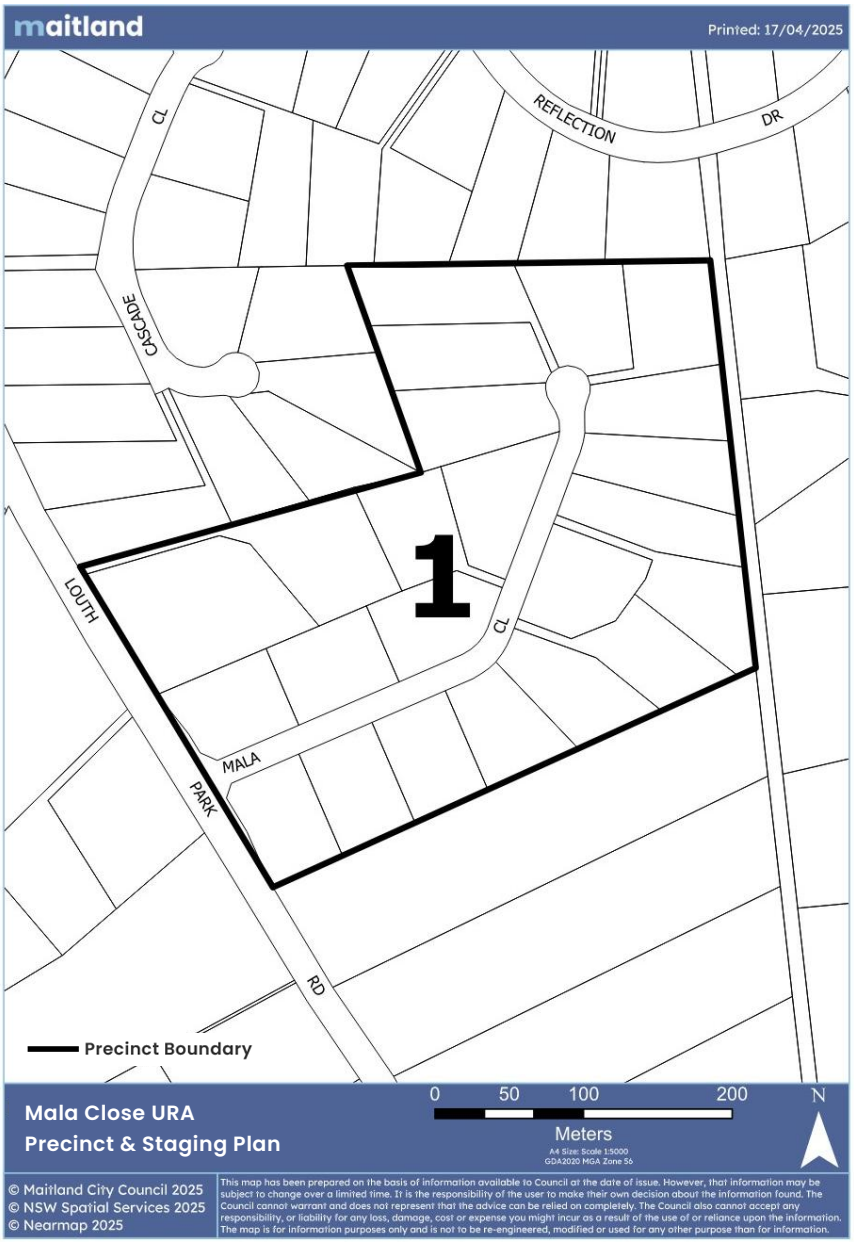


Figure 10-101: Mala Close URA Precinct and Staging Plan

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Mala Close Urban Release Area as they are already adequately addressed by other relevant

provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.12.1. Amelioration of Natural and Environmental Hazards

Objectives

O.444 To ensure mine subsidence matters are adequately addressed.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.444	All development within the Mala Close Urban Release Area is to be referred to Subsidence Advisory NSW due to the potential presence of shallow mine workings. **Note:** A geotechnical report may be required if shallow mine workings or mine subsidence activity is found.

10.4.13. Anambah Road Urban Extension Site (106 Anambah Road)

The Anambah Road Urban Extension Site (106 Anambah Road) Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

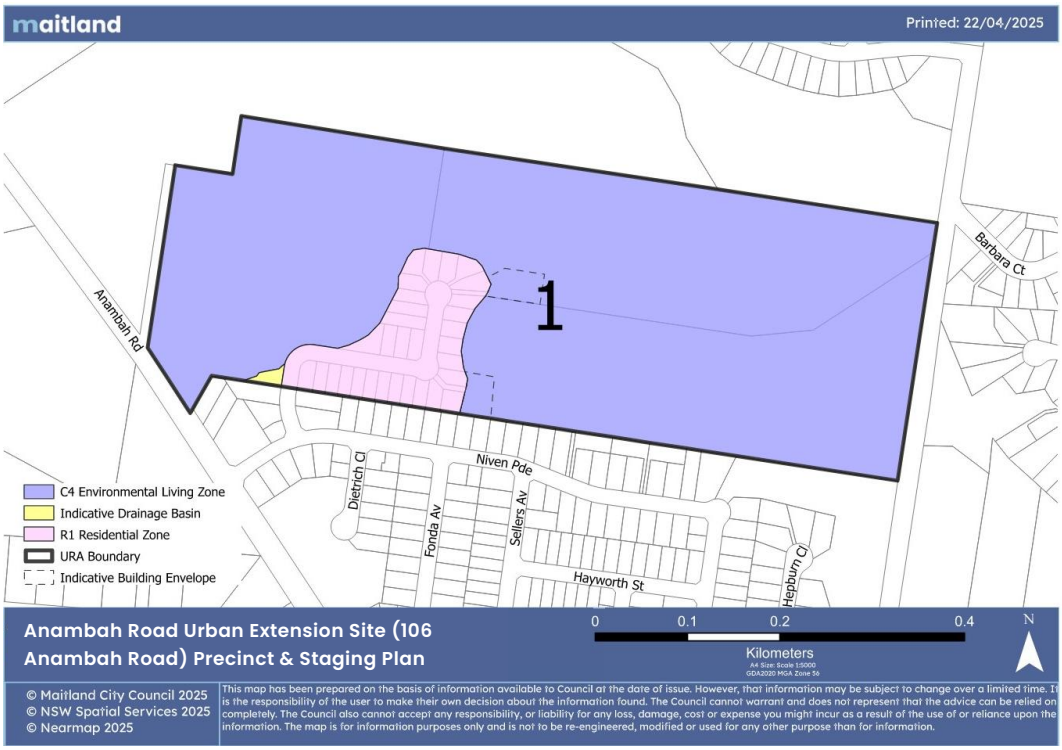


Figure 10-102: Anambah Road Urban Extension Site (106 Anambah Road) Precinct & Staging Plan

The Urban Release Area known as Anambah Road Urban Extension Site is located at 106 Anambah Road, Anambah, adjoining to an existing urban residential area. The desired future character of this site is for low-density residential development which responds to the topography and environmental constraints of the site. This development makes efficient use of existing infrastructure and services to provide housing that accommodates future population growth.

Development Controls – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Road Urban Extension Site (106 Anambah Road) as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Transport Movement Hierarchy
- Overall Landscaping Strategy
- Passive and Active Recreation Areas
- Stormwater and Water Quality Management
- Key Development Sites

- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.13.1. Staging Plan

Objectives

O.445 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.445	Staging of the urban release area should be generally in accordance with Figure 10-102.
PC.1 • O.445	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.13.2. Amelioration of Natural and Environmental Hazards

Objectives

O.446 To minimise the flood risk to life and property.
O.447 To minimize the visual impacts on the State significance heritage item Anambah House and its rural landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.446	Each allotment to be created by subdivision is to provide road access that is trafficable in a flood.
PC.2 • O.446	Flood free land is to be provided for each building envelope.
PC.3 • O.447	For residential properties immediately adjoining the C4 Environmental Living zone, rear boundary fencing is to be of an open style, rural type fencing, constructed of post and wire or post and rail or similar.

10.4.14. Louth Park Urban Release Area



Figure 10-103: Louth Park Urban Release Area Plan

The Louth Park Urban Release Area (URA) is located off Louth Park Road and Dagworth Road, adjoining the existing R5 Large Lot Residential subdivision known as Waterforde Estate and other rural allotments (Figure 10-103). The subject area is a natural extension to the adjacent large lot residential environment and is contained within the same visual catchment with a surrounding rural character. The URA has traditionally been used for grazing and is within the visual catchment of the Waterforde Estate, and is also visible from the north, south and west.

The area has several important characteristics and constraints that must be considered with any new development, including visual amenity, mines subsidence, road infrastructure standards, flooding, water quality, established vegetation, ecology and bushfire.

Precinct Plan

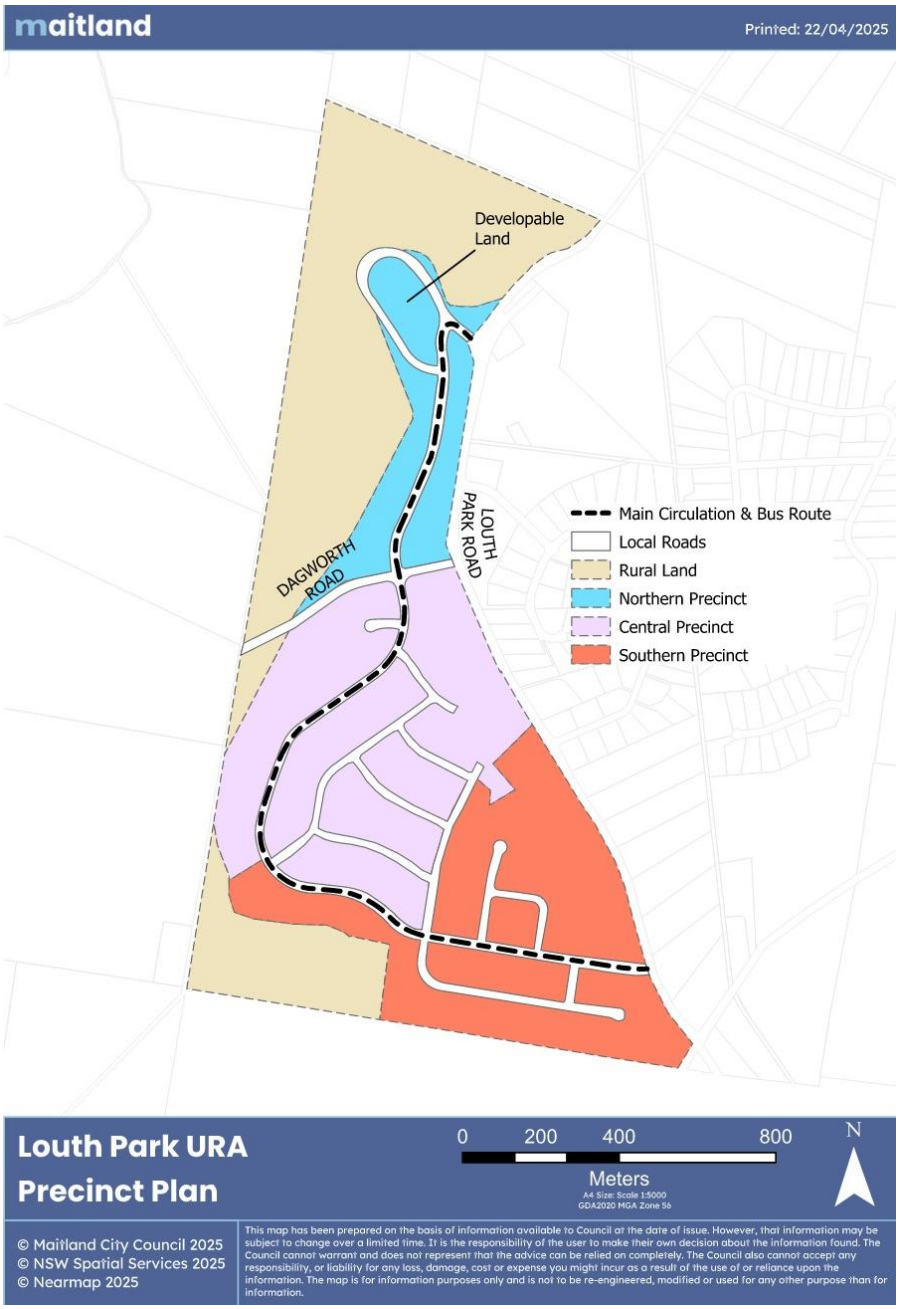


Figure 10-104: Louth Park Precincts and Road Hierarchy

Staging Plan

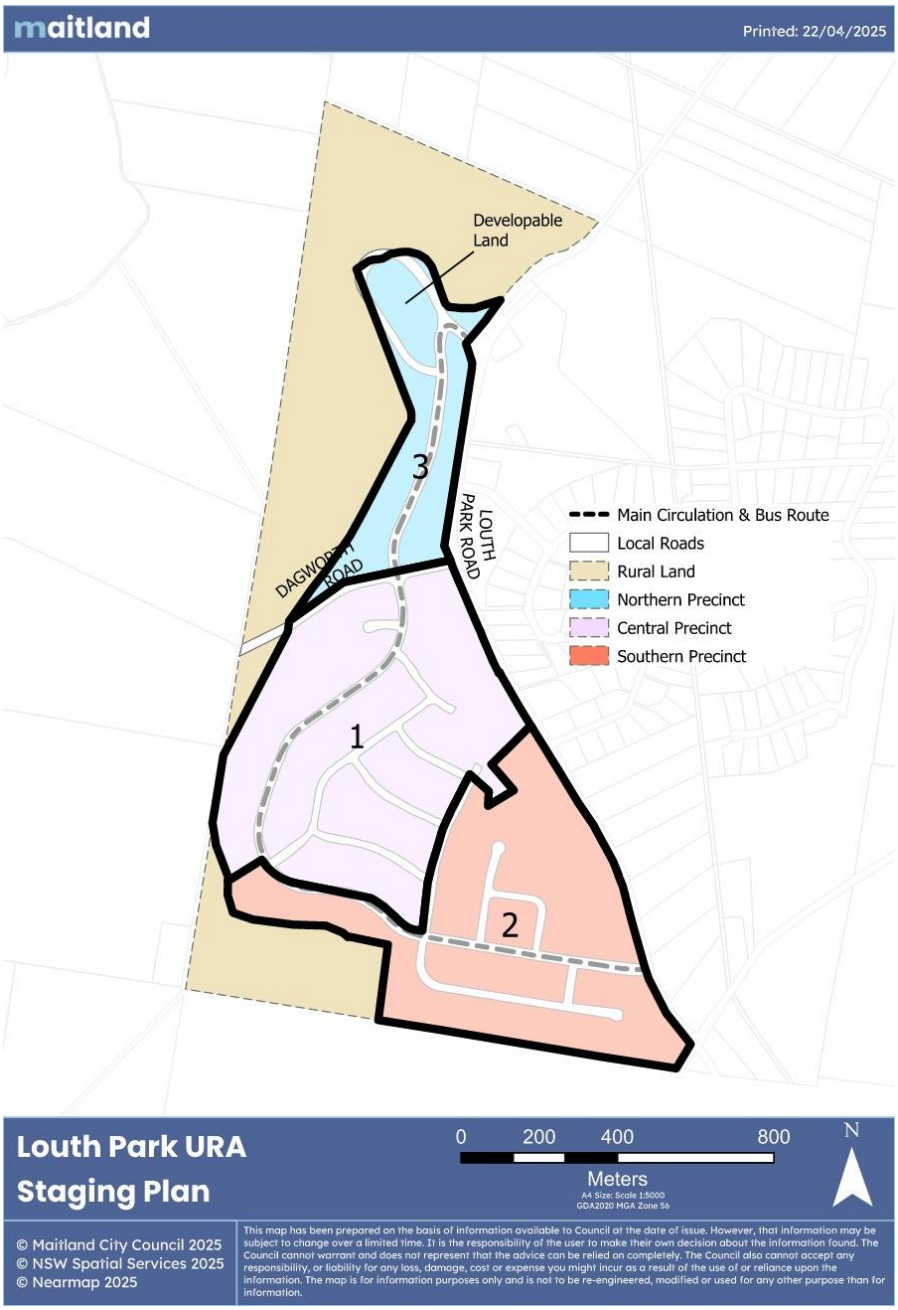


Figure 10-105: Louth Park Staging Plan

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.14.1. Staging Plan

Objectives

O.448 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.448	Staging of the Urban Release Area and sequencing of urban development should be generally in accordance with Figure 10-105.

10.4.14.2. Precinct Plans

Objectives

O.449 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing within specific areas of the Louth Park Urban Release Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.449	Development is to be in accordance with the precincts identified in Figure 10-104.

10.4.14.3. Transport Movement Hierarchy

Objectives

O.450 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.451 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.452 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.
O.453 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.450	Each Precinct Plan is to include an overall transport movement hierarchy showing the major circulation routes and connections that demonstrate the achievement of, to the satisfaction of Council, a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists. **Note:** The overall movement hierarchy for each Precinct Plan is shown in the Road Hierarchy and pathway identified in Figure 10-104.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.451 • O.452	Transport movement hierarchies prepared for precincts are to provision for pedestrians and cyclists connecting the northern, central and southern precincts and Louth Park Road.
PC.3 • O.453	Each transport movement hierarchy is to identify a bus transport route that logically connects to the bus transport routes provided in other precincts within the URA.

10.4.14.4. Overall Landscaping Strategy

Objectives

O.454 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.455 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.456 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.454 • O.455	Each Precinct Plan is to include an overall landscaping strategy for the protection and enhancement of any significant riparian area, hollow bearing trees and remnant vegetation, including visually prominent locations.
PC.2 • O.455 • O.456	The overall landscaping strategy for each precinct is to include provisions to protect scenic values and existing significant vegetation within the site, particularly within, and adjacent to, the western ridgeline of the central precinct, and the northern ridgeline of the northern precinct.

10.4.14.5. Stormwater and Water Quality

Objectives

O.457 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.458 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.459 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.460 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment, including Wallis Creek and the Hunter River.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.457 • O.458	Each Precinct Plan is to include stormwater and water quality management controls.
PC.2 • O.458 • O.459 • O.460	Stormwater and water quality management controls are to include the general location of any trunk drainage, including any potential stormwater and water quality and quantity management controls and devices.

10.4.14.6. Amelioration of Natural and Environmental Hazards

Objectives

O.461 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.462 To ensure that future residential development is not adversely affected by any noise and vibration from incompatible land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.461 • O.462	Precinct Plans are to provide for the amelioration of any significant natural and environmental hazards, including mines subsidence, geotechnical, bushfire, flooding and site contamination, along with the safe occupation of, and the evacuation from, any land so affected.

10.4.14.7. Key Development Sites

Objectives

O.463 To ensure detailed urban design controls are provided for significant development sites.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.463	There are parts of the Louth Park Urban Release Area that require specific design consideration to address site specific constraints. These are addressed in the Area Plan as Key Development Sites and include: • ridgelines and prominent rural skyline, • riparian areas, • shallow mine workings, and • bushfire prone areas.

Development Requirements – Northern Precinct

No specific requirements have been made for the following matters within the Northern Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2026:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

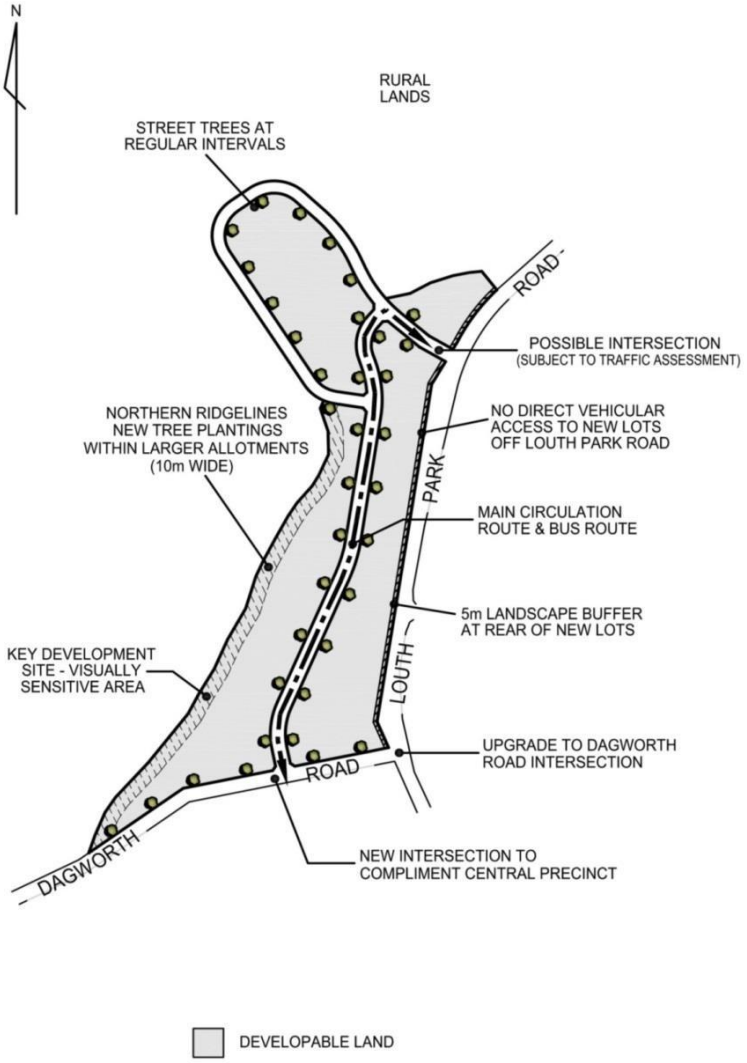


Figure 10-106: Louth Park Northern Precinct and Road Hierarchy

10.4.14.8. Staging Plan

Objectives

O.464 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.464	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.9. Transport Movement Hierarchy

Objectives

O.465 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.466 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.467 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.
O.468 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.465	The principal access to the North Precinct will be via a controlled intersection on Dagworth Road to coincide with or complement the access to the Central Precinct. This main circulation route may be permitted to connect with Louth Park Road in the northern extent of the precinct, dependent upon detailed traffic assessment reports, particularly safety at any new intersection.
AS.1 • O.466 • O.468	The main circulation route should accommodate a bus route.
PC.2 • O.467	The main circulation route is to include a landscaped entry and planted median adjacent to the Dagworth Road intersection and provide street tree plantings at regular intervals along its full length, in accordance with Figure 10-107.
PC.3 • O.466 • O.467	Road layout and street design will be consistent with the adopted Northern Precinct and Road Hierarchy Plan as shown on Figure 10-106, and take into consideration detailed survey and subdivision planning. Road design and widths in this precinct are to satisfy the aims and objectives of Council's MoES, while also creating attractive streetscapes through landscaping and street furniture.
PC.4 • O.465 • O.467	No new lot is to have direct vehicular access to Louth Park Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

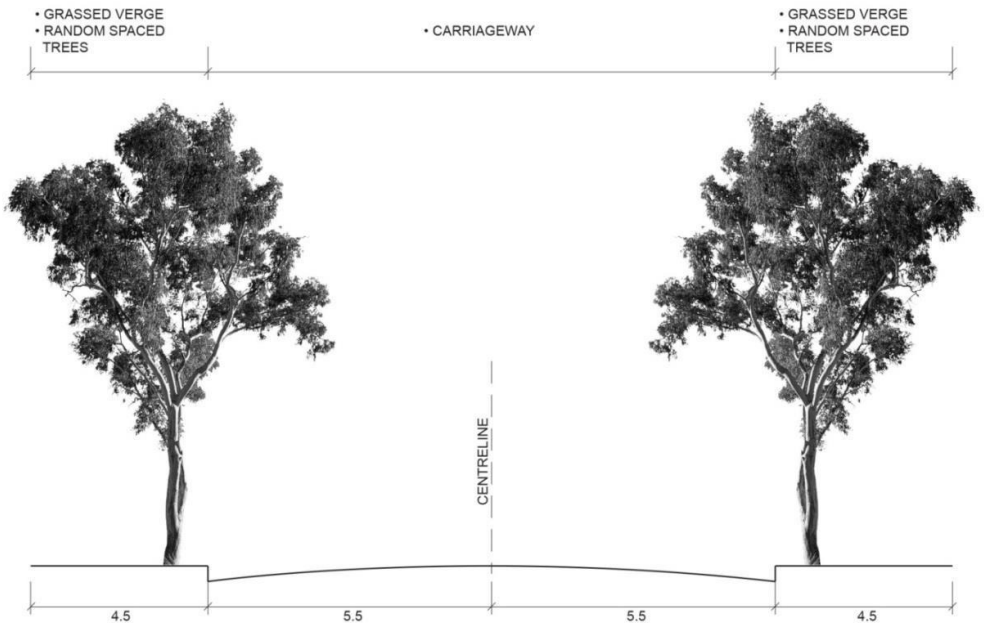


Figure 10-107: Road Section for Main Circulation Route

10.4.14.10. Overall Landscaping Strategy

Objectives

O.469 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.470 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.471 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.
O.472 To enhance the natural landscape character of the area.
O.473 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.469	Detailed landscaping plans are to be submitted with all development applications for subdivision.
PC.2 • O.470 • O.471	New landscaping will be required on residential allotments immediately adjacent to Louth Park Road, forming a 5m wide landscape buffer. This landscaping buffer is to be provided within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant. The landscaping is to include native ground covers and shrubs to a maximum height of 1.5m so as to not hide the development but improve visual amenity. Figure 10-108 shows a typical cross section of the buffer.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.470 • O.471	Existing trees that are not affected by proposed new roads, infrastructure or buildings should be retained unless dead or dying within riparian corridors, flood liable lands, road reserves and open space.
AS.1 • O.470 • O.471 • O.472	Existing mature trees within and adjacent to the Louth Park and Dagworth Road reserves should be retained.
AS.2 • O.470 • O.471	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, those areas supporting Endangered Ecological Communities (EEC).
PC.4 • O.471	Landscaping plans for subdivision are to include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road.
PC.5 • O.471	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and Dagworth Road frontages where fencing is needed for safety, security or visual enhancement.
PC.6 • O.471	Suitable landscaping is to be provided at key intersections on Louth Park Road and Dagworth Road and provide attractive entrance statements.
PC.7 • O.471	Any individual allotment boundary fencing within the precinct is to be of timber post and rail style, or similar open style rural fencing. Such requirements are to be reinforced and protected through mechanisms such as restrictions to user on titles and covenants. Refer to Figure 10-109 of typical fencing detail. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanized mesh.
PC.8 • O.471 • O.472 • O.473	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivision development within the precinct and must include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline.
PC.9 • O.471	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road. A 5m landscape buffer is to be provided along the boundary between the property and Louth Park Rd.
PC.10 • O.472 • O.473	Where practical, building envelopes are to be positioned to retain existing vegetation and hollow bearing trees.
PC.11 • O.470 • O.472 • O.473	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the “improve or maintain” threshold will be required with the development application.

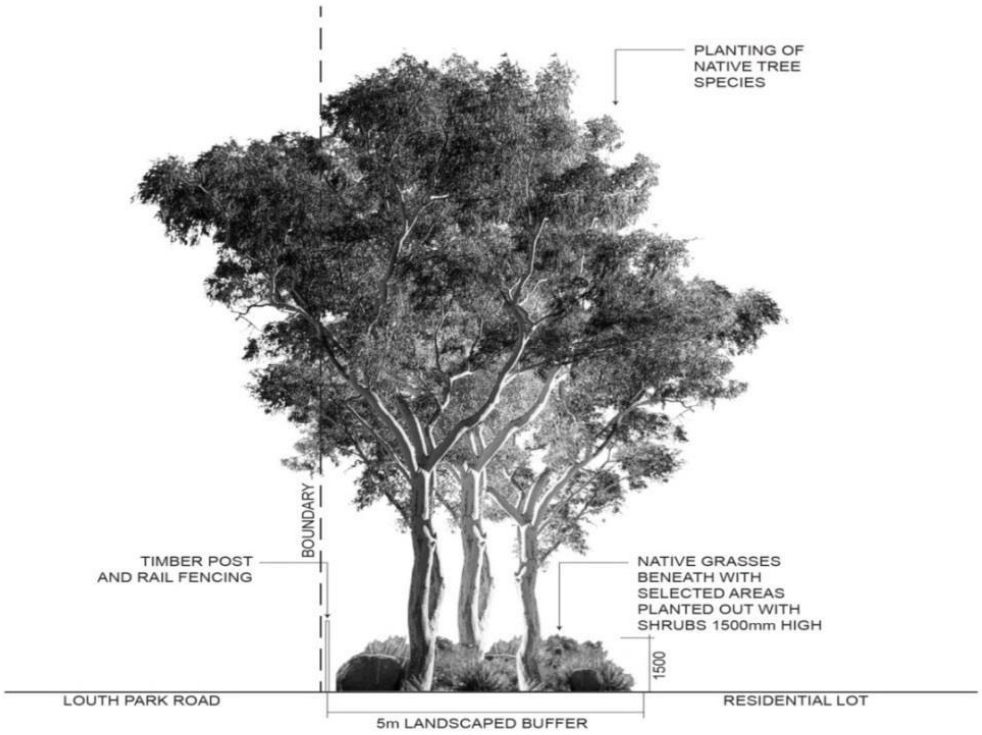


Figure 10-108: Landscape Buffer to Louth Park Road

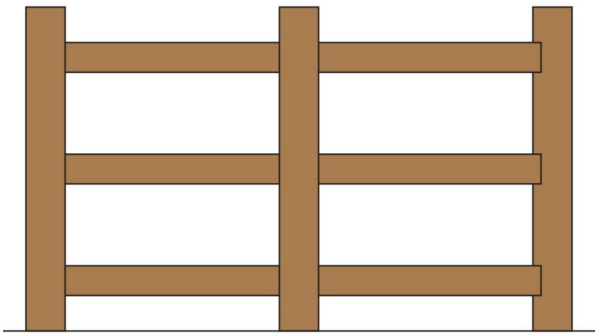


Figure 10-109: Typical Timber Boundary Fencing or Similar

10.4.14.11. Stormwater and Water Quality

Objectives

O.474 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.475 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.476 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.474 • O.475	Applications for subdivision are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.474 • O.475	The number and location of WSUD elements are to be determined by modelling, which is to assist in developing the SWMP for the site and be integrated with the overall design.
PC.3 • O.474	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.474 • O.475 • O.476	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.474 • O.475 • O.476	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
PC.4 • O.474 • O.475	Wetlands should be well designed, creating an attractive and safe amenity.
AS.3 • O.474	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.4 • O.474 • O.475 • O.476	Gullies intended to be left in their natural state should, if necessary, be enhanced through landscaping (including riparian vegetation) and riprap/rock armour to offset the need for maintenance.

10.4.14.12. Amelioration of Natural and Environmental Hazards

Objectives

O.477 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.
O.478 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.477	Development applications for subdivision are to provide suitable Flood Impact Assessments to determine the impacts of development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.477	Any flood liable lands are to form part of overall stormwater management and should not be filled to provide for new allotments and future dwelling sites. Any filling of drainage lines for subdivisions and roads is to be limited to that necessary to provide a practical and desirable urban design outcome which also satisfies Council's water quality and quantity standards. Written approval from the Office of Water is required for the filling of any gullies and drainage lines.
PC.2 • O.477	Any future dwelling sites must be located at least 0.5m above the 1% AEP flood level, and access to such dwellings is to be adequate and safe at appropriate gradients.
AS.2 • O.477	Any subdivision applications may require approval from the NSW Rural Fire Service and applicable measures addressed, such as Asset Protection Zones (APZ), in accordance with the NSW RFS *Planning for Bushfire Protection 2019*.
PC.3 • O.477 • O.478	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 along Louth Park Road. In this regard, new dwellings are to be setback a minimum of 15m from Louth Park Road, and a landscaping buffer 5m wide provided adjacent to Louth Park Road to physically separate passing traffic.
PC.4 • O.477	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.13. Key Development Sites

Objectives

O.479 To ensure that detailed urban design controls are provided for significant development sites.
Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.479	A Visual and Scenic Impact Assessment is to be prepared to help inform the subdivision design and layout and must include landscaping measures to protect the prominent skyline.
PC.2 • O.479	Development along and near ridgelines and slopes are to retain existing vegetation to screen and break up visual impacts.
PC.3 • O.479	Areas along the ridgelines are to include larger allotments of a minimum 3000m², so as to provide adequate land area to include new buildings, generous setbacks and appropriate landscaping.
PC.4 • O.479	Subdivision design plans are to include cross-section plans for lots adjoining the ridgeline detailing building envelopes and buildings below the ridgeline.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.479	A limited number of large allotments will be considered so as to sustainably maintain and manage the residual rural lands in accordance with the current Maitland LEP zoning.
PC.5 • O.479	Fencing of such allotments is to be of timber post and rail style (or similar) so as to minimise any visual impacts of development.

10.4.14.14. Archaeological Heritage

Objectives

O.480 Heritage items, buildings with heritage significance and conservation areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.480	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.480	If site LP1 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.3 • O.480	If site LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (collect) is required prior to any works.
PC.4 • O.480	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

Development Requirements – Central Precinct

No specific requirements have been made for the following matters within the Central Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2026:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

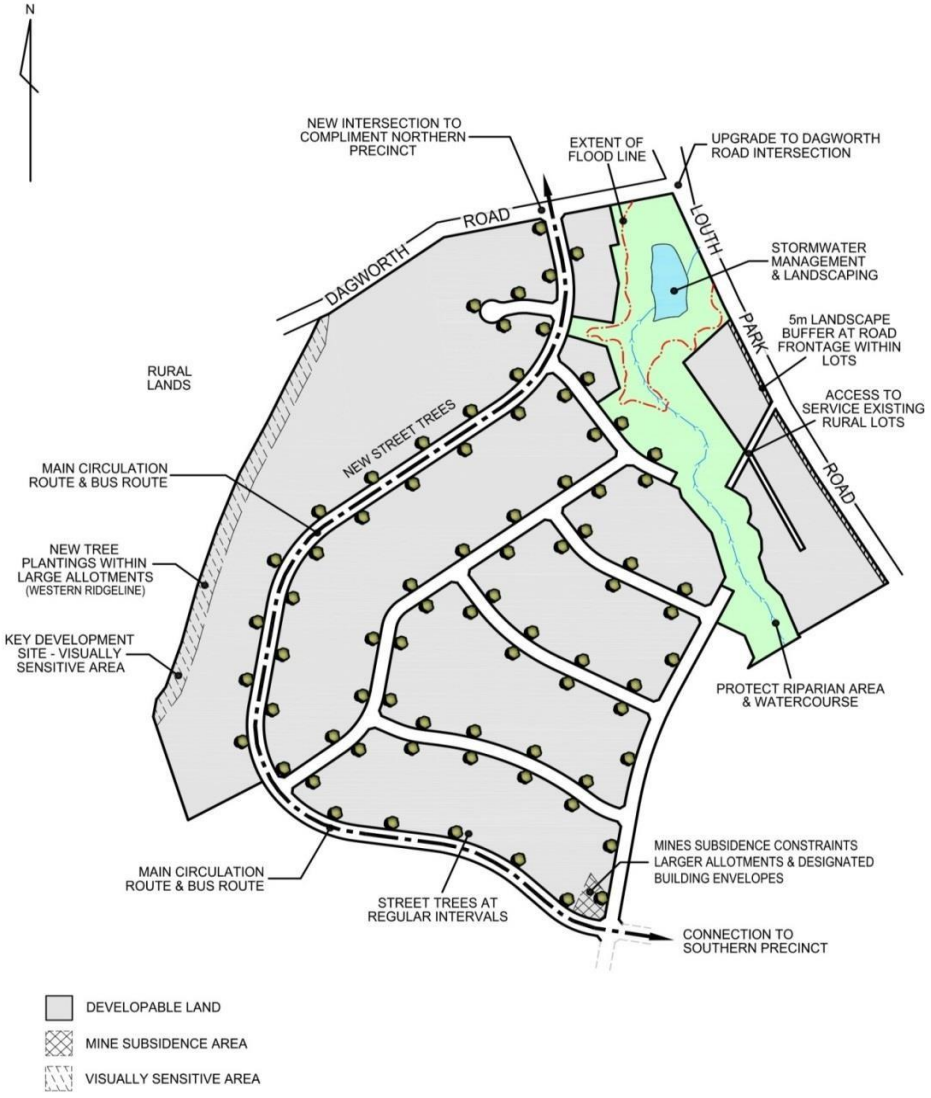


Figure 10-110: Central Precinct and Road Hierarchy

10.4.14.15. Staging Plan

Objectives

O.481 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.481	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.16. Transport Movement Hierarchy

Objectives

O.482 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.483 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.484 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.
O.485 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.482 • O.484 • O.485	Road layout and street design will be consistent with the adopted Central Precinct and Road Hierarchy Plan provided in Figure 10-110 and following detailed survey and subdivision planning. Road design and widths in this precinct are to satisfy the aims and objectives of Council's MoES, but importantly provide for attractive streets.
PC.2 • O.483 • O.485	The main circulation route must include a landscaped entry and planted median adjacent to the Dagworth Road intersection.
PC.3 • O.483	The main circulation road is to have street tree plantings at regular intervals along its full length. Figure 10-111 provides a typical road section.
PC.4 • O.482 • O.483 • O.485	No new lots are to have direct vehicular access to Louth Park Road, except where traffic safety can be demonstrated, and existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

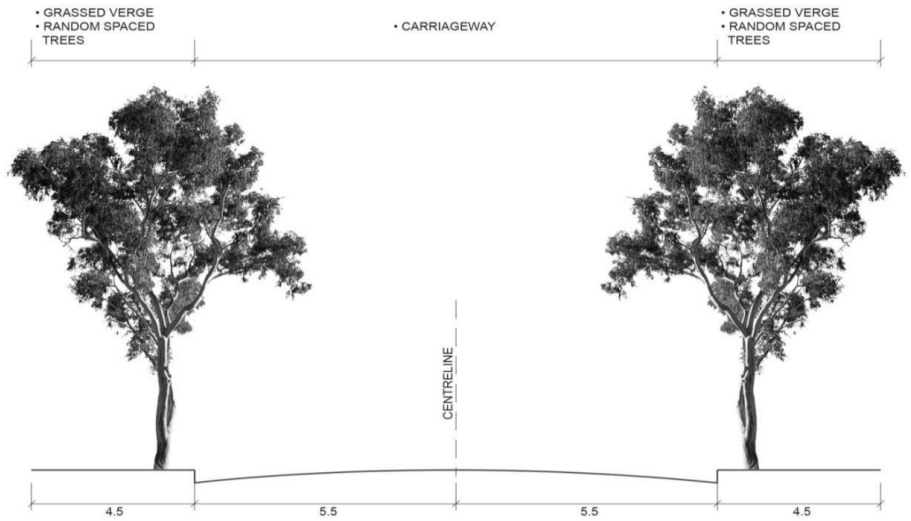


Figure 10-111: Road Section for Main Circulation Route

10.4.14.17. Overall Landscaping Strategy

Objectives

O.486 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.487 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.488 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.
O.489 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.486 • O.487 • O.488 • O.489	Landscaping will be required on any new allotment immediately adjacent to Louth Park Road, consisting of a 5m wide buffer. This landscaping buffer is to be practical, integrated with any vehicular access, safe sight distances and traffic safety in general. Such buffer landscaping will be within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant. The diagram in Figure 10-112 shows a typical cross-section of the buffer.
AS.1 • O.486 • O.487 • O.489	Existing trees that are not affected by proposed new roads, infrastructure or buildings are to be retained where possible within riparian corridors, flood liable lands, road reserves and open space. Existing mature trees within and adjacent to the Louth Park Road and Dagworth Road reserves should additionally be retained to enhance the natural landscape character of the area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.486 • O.488 • O.489	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, areas supporting Endangered Ecological Communities (EEC).
PC.2 • O.486 • O.488 • O.489	Landscaping plans will include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road. Similarly, landscaping is to be provided at key intersections on Louth Park Road and Dagworth Road.
PC.3 • O.486 • O.488 • O.489	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and Dagworth Road frontages where fencing is needed for safety, security or visual enhancement.
PC.4 • O.486 • O.488 • O.489	Any individual allotment boundary fencing within the precinct shall be timber post and rail style, or similar open style rural fence and such requirements will be reinforced and protected via mechanisms such as restrictions as to user on titles and covenants. Figure 10-113 provides a reference fencing design. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanised mesh.
PC.5 • O.486 • O.488 • O.489	A Visual and Scenic Impact Assessment is to accompany Development Applications for subdivision development within the precinct and shall include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline in accordance with the Precinct Plan.
PC.6 • O.486 • O.489	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road.
PC.7 • O.486 • O.488	A 5m landscape buffer is to be provided along any boundary adjoining Louth Park Road.
PC.8 • O.487 • O.489	Building envelopes are to be positioned to retain existing vegetation and hollow bearing trees where practicable.
PC.9 • O.487 • O.488	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the “improve or maintain” threshold will be required with the development application.

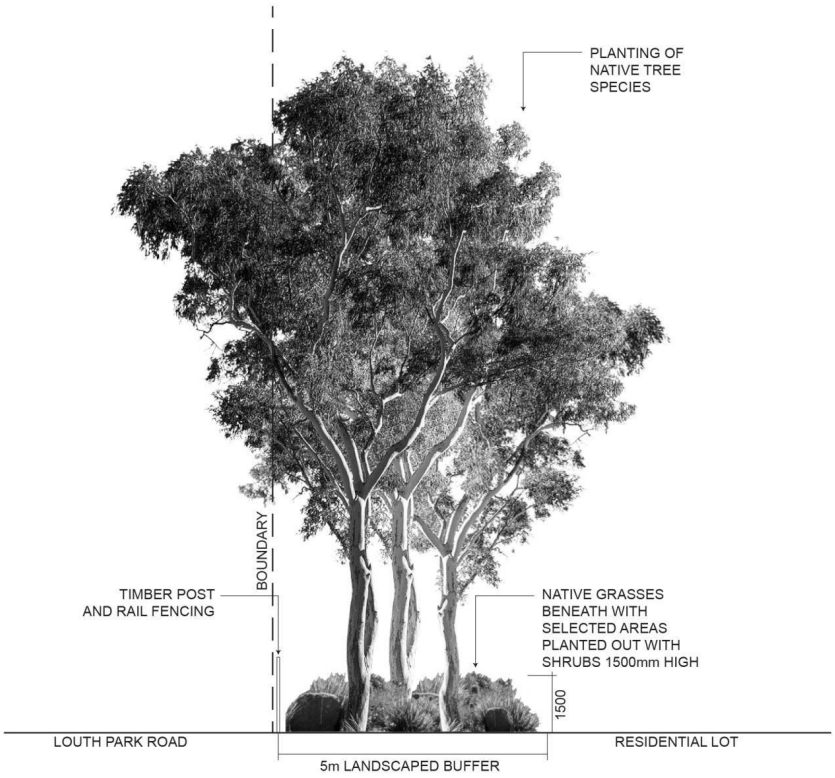


Figure 10-112: Landscape Buffer to Louth Park Road.

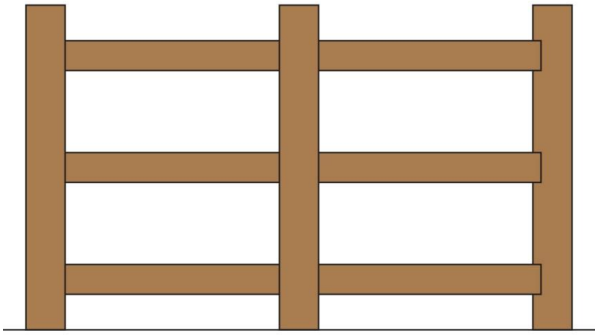


Figure 10-113: Typical Timber Boundary Fencing or Similar.

10.4.14.18. Stormwater and Water Quality

Objectives

O.490 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.491 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.492 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.490	Applications for subdivision involving new or upgraded roads are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.490 • O.492	The number and location of WSUD elements are to be determined by modelling to develop the SWMP for the site and be integrated with the overall design.
PC.3 • O.490 • O.492	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.490 • O.492	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles. Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.492	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
AS.3 • O.492	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.
AS.4 • O.492	Gullies intended to be left in their natural state should be assessed, and if necessary enhanced to offset the need for maintenance.
PC.4 • O.491	Any proposed alteration/modification to existing dams are to be supported by a Flora and Fauna Assessment by a suitably qualified consultant targeting the Green and Golden Bell Frog. The target search is to be conducted during the appropriate months for this species.

10.4.14.19. Amelioration of Natural and Environmental Hazards

Objectives

O.493 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.
O.494 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.493	Development applications for subdivision are, where flood-affected, to provide suitable flooding assessment reports to determine the impacts of development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.493	Any flood liable lands are to form part of overall stormwater management and should not be filled to provide for new allotments and future dwelling sites. Any filling of drainage lines for subdivisions and roads is to be limited to that necessary to provide a practical and desirable urban design outcome which also satisfies Council's water quality and quantity standards. Written approval from the Office of Water is required for the filling of any gullies or designated drainage lines.
PC.2 • O.493	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.
PC.3 • O.493	Subdivision applications require approval from the NSW Rural Fire Service and any applicable measures required are to be addressed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.4 • O.494	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 along Louth Park Road.
PC.5 • O.493 • O.494	New dwellings are to be setback a minimum of 15m from Louth Park Road, and a 5m wide landscaping buffer is to be provided adjacent to Louth Park Road to physically separate passing traffic and provide a visual screen.
PC.6 • O.493 • O.494	The Central Precinct is partly affected by mines subsidence issues, and accordingly detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW and be supported by a Geotechnical report.
PC.7 • O.493 • O.494	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.20. Key Development Sites

Objectives

O.495 Detailed urban design controls are provided for significant development sites.

Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.495	A Visual and Scenic Impact Assessment is required to help inform the subdivision design and layout and include landscaping measures to protect the prominent skyline. This must include, but is not exclusive to, the following: a. The development is to retain existing vegetation to screen and break up visual impacts, b. The area along the western ridgeline shall include larger allotments of a minimum 4000m², so as to provide adequate land area to include new buildings, generous setbacks and appropriate new tree plantings, c. Roof lines of dwellings are not to protrude above the ridgeline, and d. Dwellings associated with lots adjoining the ridgeline are to be single story design.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.495	A limited number of large rural allotments will be considered so as to sustainably maintain and manage the residual rural lands and wetlands. Fencing of such allotments is to be of timber post and rail style or similar open style rural fence so as to minimise any visual impacts of development.

10.4.14.21. Archaeological Heritage

Objectives

O.496 Heritage items, buildings with heritage significance and conservation Areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.496	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.496	If site LP1 or LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.3 • O.496	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

Development Requirements – Southern Precinct

No specific requirements have been made for the following matters within the Southern Precinct of the Louth Park Urban Release Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Recreation Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

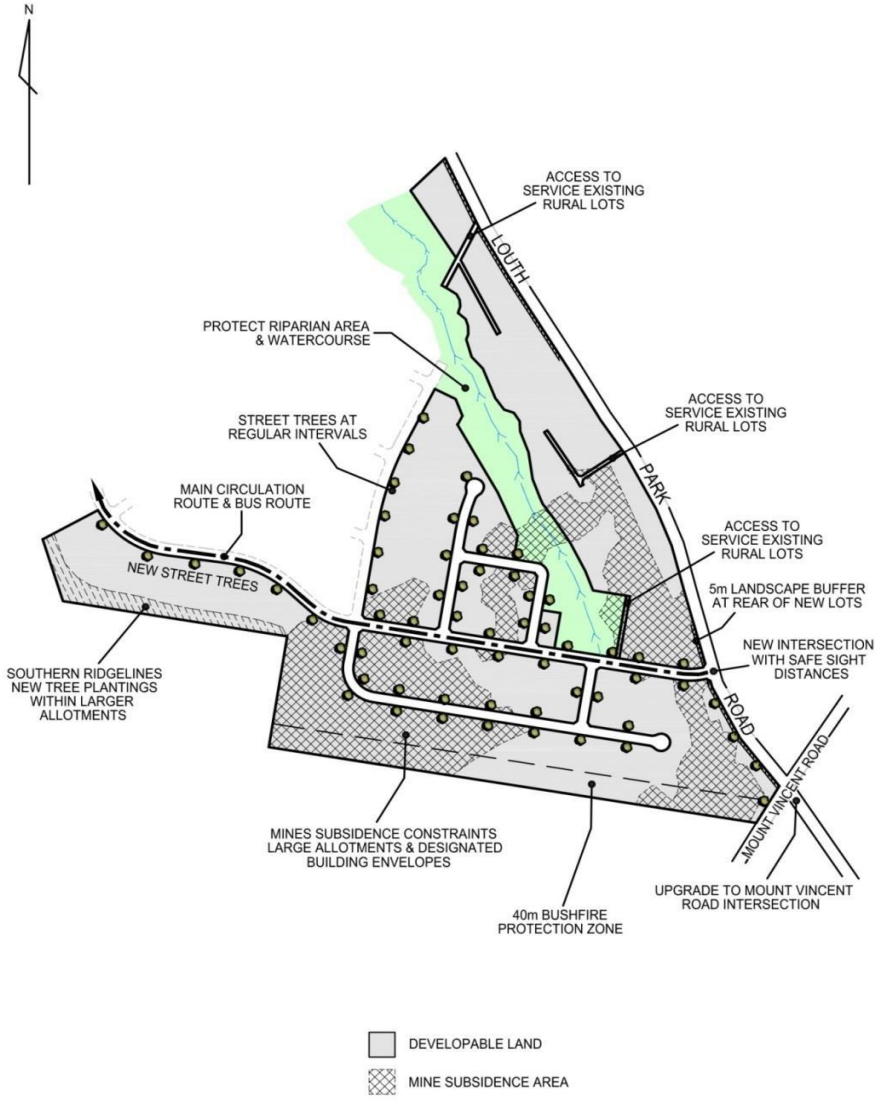


Figure 10-114: Southern Precinct and Road Hierarchy

10.4.14.22. Staging Plan

Objectives

O.497 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.497	Where development is for the purpose of subdivision that is intended to be constructed in stages, a staging plan for construction is to be provided.

10.4.14.23. Transport Movement Hierarchy

Objectives

O.498 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.
O.499 To provide walkable neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel
O.500 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.
O.501 To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.498 • O.500	The main access to the Southern Precinct will be via a new intersection at a suitable location with adequate sight distance on Louth Park Road. That access road is to connect with the main circulation route in the Central Precinct. See Figure 10-115 for a typical road section.
PC.2 • O.498 • O.499 • O.500	Road layout and street design will be consistent with the adopted Southern Precinct and Road Hierarchy Plan (Figure 10-114) and following detailed survey and subdivision planning.
PC.3 • O.501	No new future lot is to have direct vehicular access to Louth Park Road, except where existing dwelling houses are to be redeveloped in a coordinated and orderly manner.

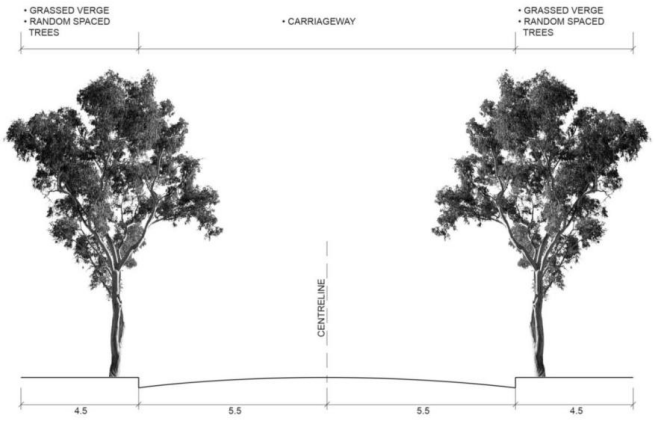


Figure 10-115: Main Circulation Route Cross-Section

10.4.14.24. Overall Landscaping Strategy

Objectives

O.502 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.503 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.504 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.
O.505 To ensure the landscaping and visual qualities of the area are maintained.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.502	Detailed landscaping plans will be submitted with all development applications for subdivision.
PC.2 • O.502	New landscaping will be required on residential allotments immediately adjacent to Louth Park Road, being a 5m wide buffer to soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic, pedestrians and properties to the northeast. This landscaping buffer is to: a. be within allotments and maintained in perpetuity by way of a protective restriction as to user on title or covenant, and b. include native ground covers and shrubs to a maximum height of 1500mm. Figure 10-116 shows a typical cross section of the buffer.
PC.3 • O.503 • O.505	Existing trees that are not affected by proposed new roads, infrastructure or buildings are to be retained where possible within riparian corridors, flood liable lands, road reserves and open space.
AS.1 • O.503 • O.505	Existing mature trees within and adjacent to the Louth Park Road and Mount Vincent Road reserves should also be retained to enhance the natural landscape character of the area.
AS.2 • O.503 • O.504	Any re-vegetation proposals should be integrated with landscape plans and include, where possible, those areas supporting Endangered Ecological Communities (EEC).
PC.4 • O.503 • O.504	Landscaping plans will include appropriate street tree plantings at regular intervals within the precinct, particularly along the main circulation road.
PC.5 • O.504 • O.505	The precinct is to have consistent post and rail timber fencing treatments to Louth Park Road and any Mount Vincent Road frontages where fencing is needed for safety, security or visual enhancement.
PC.6 • O.504 • O.505	Any individual allotment boundary fencing within the precinct is to be of timber post and rail style or similar open style rural fence and such requirements will be reinforced and protected via mechanisms such as restrictions as to user on titles and covenants. Please refer to Figure 10-117 of typical fencing detail. If necessary for pets, safety or security, fencing may be modified to include the installation of wire or galvanised mesh.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.504 • O.505	Given the surrounding rural landscape and the adjoining rural allotments, a Visual and Scenic Impact Assessment is to accompany development applications for subdivision development within the precinct and shall include proposed ameliorative measures such as new tree plantings and retention of existing mature trees within and adjacent to ridgeline areas and mid slopes to provide a vegetated skyline in accordance with the Precinct Plan.
PC.8 • O.505	Design plans for proposed allotments adjoining the ridgeline are to include the location of building envelopes and cross-sections showing finished rooflines in regard to the ridgeline and appropriate treatment where necessary.
PC.9 • O.502 • O.504 • O.505	No new dwellings, garages or outbuildings are to be located within 15m of Louth Park Road or 50m of Mount Vincent Road.
PC.10 • O.504	Building envelopes are to be positioned to retain existing vegetation and hollow bearing trees where practicable.
PC.11 • O.504	Where impacts are proposed on areas of biodiversity value, demonstration on how the proposal will meet the "improve or maintain" threshold will be required with the development application.

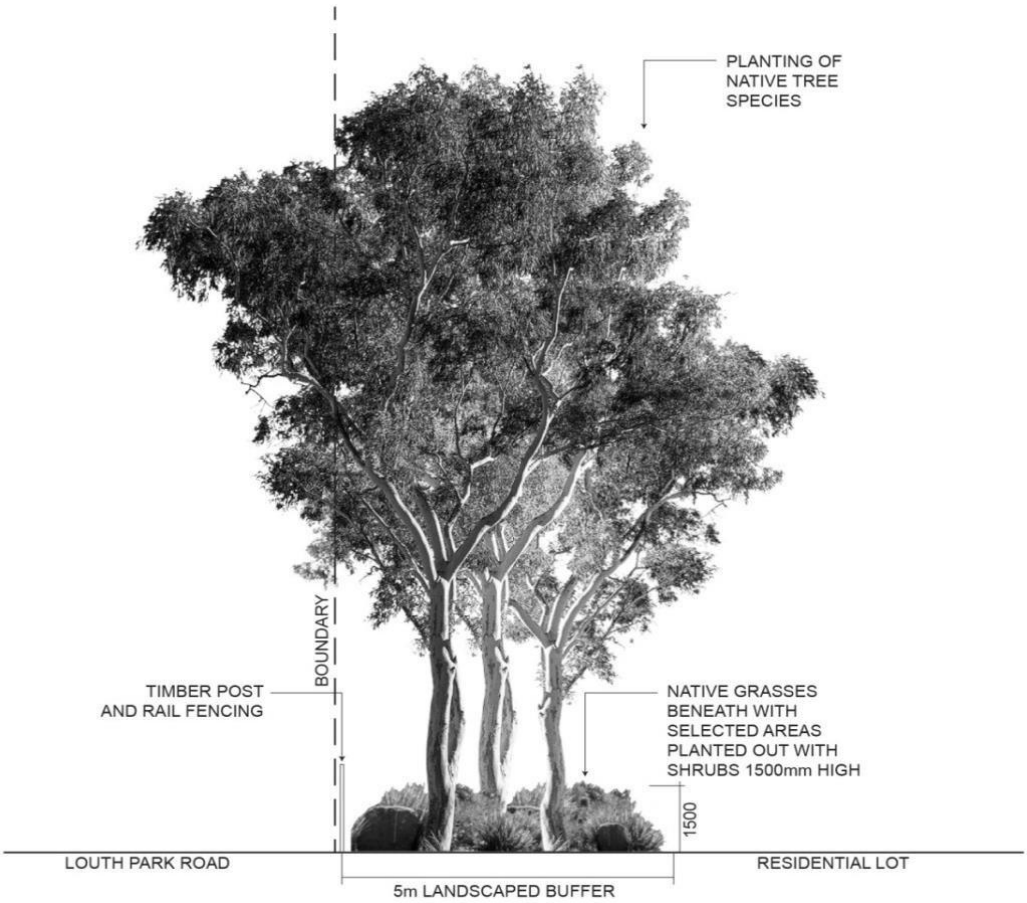


Figure 10-116: Landscape Buffer to Louth Park Road

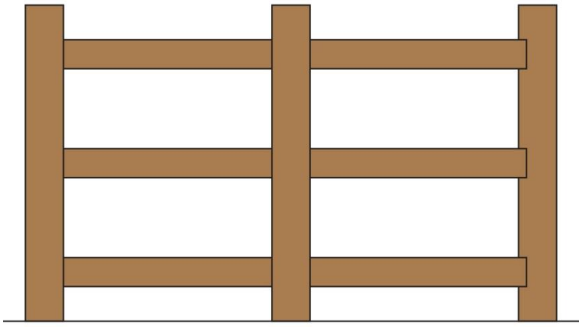


Figure 10-117: Typical Timber Boundary Fencing or Similar

10.4.14.25. Stormwater and Water Quality

Objectives

O.506 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.507 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.508 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.506	Applications for subdivision are to include a Stormwater Management Plan (SWMP) for the precinct consistent with the principles for Water Sensitive Urban Design (WSUD).
PC.2 • O.506 • O.507	The number and location of WSUD elements is to be determined by modelling to develop the SWMP for the site and be integrated with the overall design.
PC.3 • O.508	Long term maintenance costs are to be identified in the design of the WSUD elements and are to be submitted to Council for consideration prior to acceptance of the SWMP.
AS.1 • O.507 • O.508	Swales may be acceptable where it can be demonstrated that they will meet Council's performance and maintenance objectives and facilitate safe and effective movement of pedestrians and vehicles.
PC.4 • O.507 • O.508	Flow control measures are to be used where grades in swales exceed 4%.
AS.2 • O.508	Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage system incorporating detention basins and/ or wetlands to alleviate stormwater peak and retain pollutants.
AS.3 • O.508	Slopes surrounding wetlands should be gentle and offer convenient tractor-mowing access.

10.4.14.26. Amelioration of Natural and Environmental Hazards

Objectives

O.509 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

O.510 To ensure that future residential development is not adversely affected by any noise and vibration from Louth Park and Mount Vincent Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.509	Any subdivision applications may require approval from the NSW Rural Fire Service and applicable measures addressed, such as Asset Protection Zones (APZ), in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guidelines.
PC.2 • O.509	Building envelopes are not to encroach upon the identified 40m Bushfire Protection Area as detailed in the southern precinct plan in Figure 10-114.
PC.3 • O.510	Subdivision design and lot layout must identify and ensure that any future residential lots and housing will not be adversely affected by noise or vibration from traffic along Louth Park Road or Mount Vincent Road.
PC.4 • O.510	Development involving new dwellings are to undertake a noise and vibration assessment report to determine any impacts due to the nearby mining activities at Bloomfield Colliery.
PC.5 • O.510	New dwellings are to be setback a minimum of 15m from Louth Park Road and 50m from Mount Vincent Road, and a landscaping buffer 5m wide (which may include existing vegetation) is to be provided adjacent to both roads to physically separate passing traffic.
PC.6 • O.509 • O.510	The Southern Precinct is partly affected by shallow mine workings, and accordingly detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW.
PC.7 • O.509 • O.510	Geotechnical investigations are to include details of the depth of coal seam, height of workings, floor conditions and thickness of competent rock over mine workings to the satisfaction of Subsidence Advisory NSW. At the completion of any geotechnical remediation works, a qualified geotechnical engineer is to certify that the remediation of the mine workings has been achieved.
PC.8 • O.509 • O.510	No development over mine shafts or entry tunnels will be supported. Shafts and tunnels are to be filled and capped to comply with guidelines provided by NSW Trade and Investment – Division of Resources and Energy.
PC.9 • O.509 • O.510	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.

10.4.14.27. Key Development Sites

Objectives

O.511 To ensure detailed urban design controls are provided for significant development sites.

Ridgelines and Slopes

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.511	A Visual and Scenic Impact Assessment is required to help inform the subdivision design and layout and is to include landscaping measures to protect the views from the south along the southern ridgeline.
PC.2 • O.511	Development is to retain existing vegetation to screen and break up visual impacts.
PC.3 • O.511	The area along the southern ridgeline is to include larger allotments, so as to provide adequate land area to include new buildings, generous setbacks and appropriate landscaping, notwithstanding any mine subsidence constraints and requirements.
PC.4 • O.511	Design plans for proposed allotments adjoining the ridgeline are to include the location of building envelopes and cross-sections showing finished rooflines in regard to the ridgeline and appropriate treatment where necessary.

Residual Rural Lands

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.511	A limited number of large allotments will be considered so as to sustainably maintain and manage the residue rural lands.
PC.5 • O.511	Fencing of such allotments are to be of timber post and rail style (or similar), so as to minimise any visual impacts of development.

10.4.14.28. Archaeological Heritage

Objectives

O.512 Heritage items, buildings with heritage significance and Conservation Areas are protected.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.512	Staff, contractors and construction and maintenance people involved in the development of the site are to be made aware of statutory requirements pertaining to archaeological sites and artefacts.
PC.2 • O.512	If site LP1 and/or LP2 will be impacted by construction works a Section 90 permit under the *National Parks and Wildlife Act 1974* (CTD-salvage) is required prior to any works.
PC.4 • O.512	If PAD's 1, 2 or 3 will be impacted by any construction works a Section 87 (test excavation) is required prior to any works.

10.4.15. Anambah Employment Area

The Anambah Employment Area Urban Release Area is made up of one precinct, which utilises the general provisions of this section.

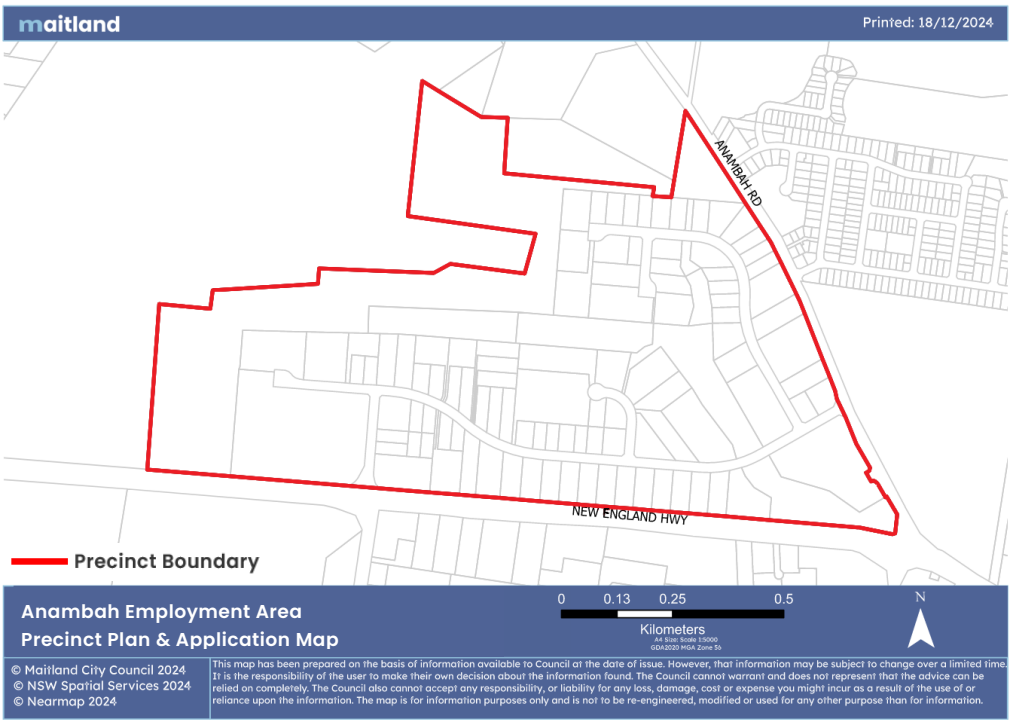


Figure 10-118: Anambah Employment Area Precinct Plan & Application Map

The Anambah Employment Area lies along the northern side of the New England Highway at its junction with Anambah Road as identified in Figure 10-118.

The land use zones over the site provide for a mix of industrial and business development. Co- location of complementary businesses to service industry, such as research and technology-based businesses should result in a high amenity centre.

The site also includes the introduction of an environmental management area which will require ongoing maintenance and management to protect identified threatened species and endangered ecological communities.

The proximity of the site to the Maitland Airport necessitates specific height and noise control criteria. Specific landscape and visual amenity controls are also included to ensure that the appearance of the development when viewed from both the New England Highway and Anambah Road is satisfactory.

Development Requirements – General Provisions

No specific requirements have been made for the following matters within the General Provisions for the Anambah Employment Area as they are already adequately addressed by other relevant provisions within the *Maitland Local Environmental Plan 2011* and the *Maitland Development Control Plan 2026*:

- Passive and Active Areas
- Residential Densities
- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

10.4.15.1. Staging Plan

Objectives

O.513 To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.513	Staging of the urban release area should be generally in accordance with Figure 10-119.

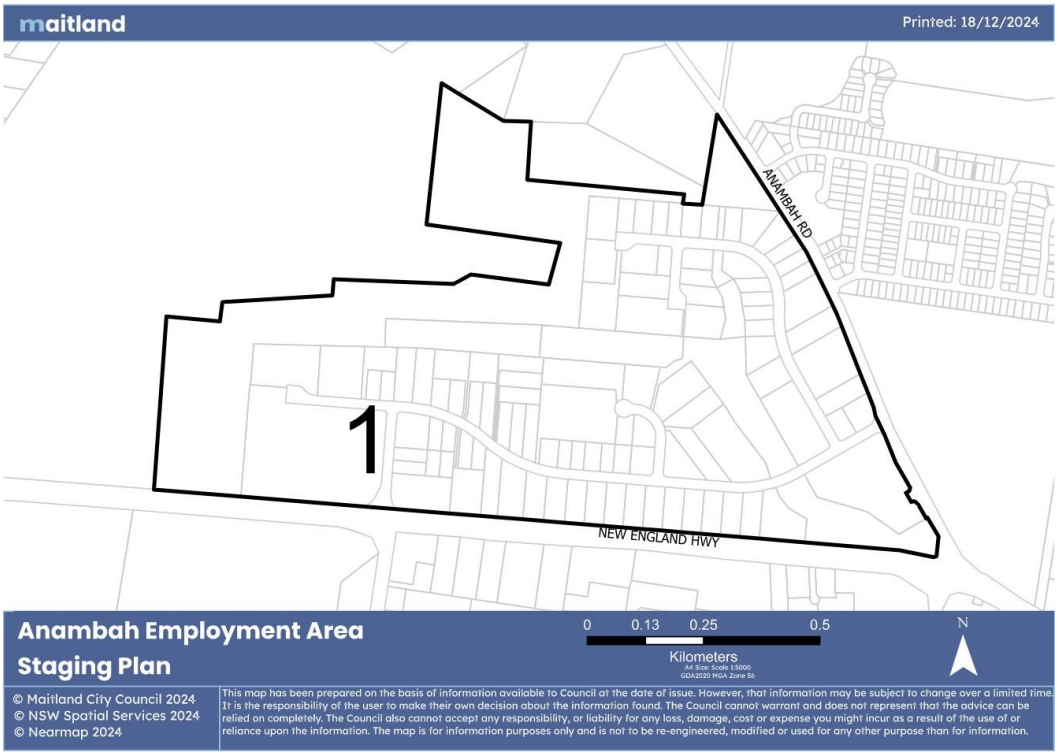


Figure 10-119: Anambah Employment Area Staging Plan

10.4.15.2. Transport Movement Hierarchy

Objectives

O.514 To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.

O.515 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.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.514 • O.515	The major circulation route and intersections with the New England Highway and Anambah Road should be in accordance with Figure 10-120.
PC.1 • O.514 • O.515	The major circulation route is to make provision for a public bus service, on-road cyclists and a pedestrian footpath.
PC.2 • O.514 • O.515	No new future lot is to have direct vehicular access to Anambah Road or the New England Highway, except where the development satisfies the requirements of Section 2.119 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

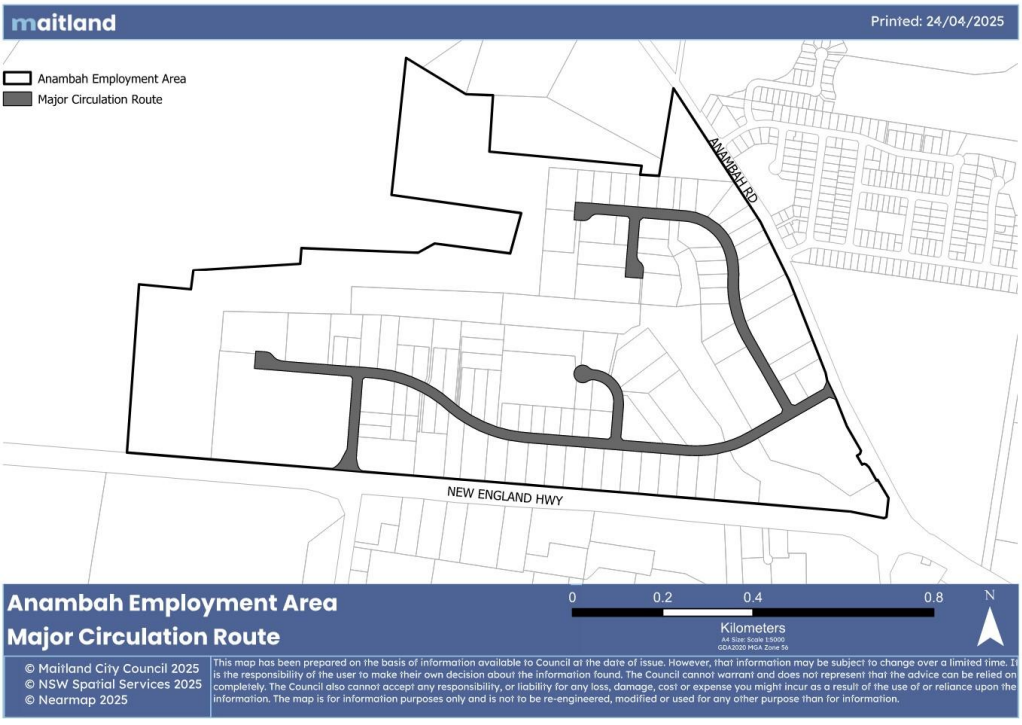


Figure 10-120: Major Circulation Routes and Intersections

10.4.15.3. Overall Landscaping Strategy

Objectives

O.516 To soften the visual impact of all built elements, creating attractive and consistent streetscapes when viewed by passing traffic and pedestrians.
O.517 To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.
O.518 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.
O.519 To protect significant vegetation and habitat adjoining the Anambah Employment Area, especially for Squirrel Gliders, Grey-Crowned Babblers and threatened bat species.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.516 • O.517 • O.518	Provision is to be made for a 10m wide landscaped area adjoining the New England Highway and Anambah Road. The landscape strip is to be incorporated into the development lots.
PC.2 • O.516 • O.517 • O.518	A landscaping strategy is to be submitted with the first development application to subdivide land adjoining the New England Highway or Anambah Road, to identify a theme for the landscaping strips that will create a pleasant and consistent visual appearance for the Anambah Employment Area. The landscaping strategy is to include information about the fencing treatment for land fronting the New England Highway and Anambah Road.
PC.3 • O.516 • O.517 • O.518	All subsequent development applications are to be consistent with the approved landscaping strategy.
PC.4 • O.516 • O.517 • O.518	Native and low maintenance plant species are to be used in the landscaping and must be installed as part of the subdivision works.
PC.5 • O.517 • O.519	A vegetation management plan is to be submitted with any development application on land in Zone C3 Environmental Management that intends to clear vegetation.
PC.6 • O.517 • O.519	Development on land in Zone C3 Environmental Management must be consistent with the recommendations and objectives of the vegetation management plan.
PC.7 • O.517 • O.519	A vegetation management plan is to include timing of clearing and re-vegetation processes, area and type of vegetation removal, re-vegetation, and program for monitoring of vegetation management to achieve: • No net loss of vegetation (on an area basis) for the development of the Anambah Employment Area, • Year-round flowering resources for Squirrel Gliders, • Habitat for Grey-crowned Babblers, • Bat nesting boxes and salvaged hollows, • Use of endemic plant species.

10.4.15.4. Stormwater and Water Quality

Objectives

O.520 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.
O.521 To protect and enhance the water quality, water quantity and habitat value of downstream waterways and environment.
O.522 To prevent erosion and run-off during site preparation, construction and the ongoing use of the land to minimise cumulative impact on receiving waterways.
O.523 To protect the function of nutrient control ponds and ensure consistency for stormwater management in the Anambah Employment Area.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.520 • O.521 • O.522 • O.523	The individual lot stormwater management system is to be designed to include on-site stormwater detention in accordance with Council's MoES, as well as "at source" sediment, nutrient, oil and grease removal.

10.4.15.5. Amelioration of Natural and Environmental Hazards

Objectives

O.524 To ensure buildings, structures and uses are compatible with the ongoing operation of the adjoining aircraft facility.
O.525 Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected is achieved.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.524	Any building, structure or landscaping should not be erected or installed to a height above the obstacle height limitation surface for the aircraft facility.
PC.1 • O.524	Proposed uses and building design must give consideration to exposure to aircraft noise for land within the hatched area on Figure 10-121.
PC.2 • O.524	Buildings within this area are to be designed in accordance with the requirements of *Australian Standard AS021 – Acoustics – Aircraft Noise Intrusion – Building Siting and Design*.
PC.3 • O.524	Land located within the obstacle height limitation zone up to the 400m chainage line, within the eastern take-off/approach path to Runway 08/26 (as indicated on Figure 10-122): • Height of Buildings is a maximum of 12m.
PC.4 • O.524	Land located within the obstacle height limitation zone beyond the 400m chainage line, within the eastern take-off/approach path to Runway 08/26 (as indicated on Figure 10-122): • Height of Buildings is a maximum of 16m. Assessment of any development application in this area will include consideration of the overall proposal inclusive of lot area, height, form, site coverage, setbacks and landscaping, having particular regard to appearance as viewed from the New England Highway and Anambah Road.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.5 • O.524	Land located outside of the obstacle height limitation zone: • No Height of Building limitation. Assessment of any development application in this area will include consideration of the overall proposal inclusive of lot area, height, form, site coverage, setbacks and landscaping, having particular regard to appearance as viewed from the New England Highway and Anambah Road.
PC.6 • O.525	Development must comply with the relevant provisions of *Planning for Bush Fire Protection 2019*.
PC.7 • O.525	All development applications must demonstrate compliance with the requirements of the *State Environmental Planning Policy (Resilience and Hazards) 2021*.
PC.8 • O.525	Land within the flood planning area is to address Clause 5.21 of the *Maitland Local Environmental Plan 2011*.

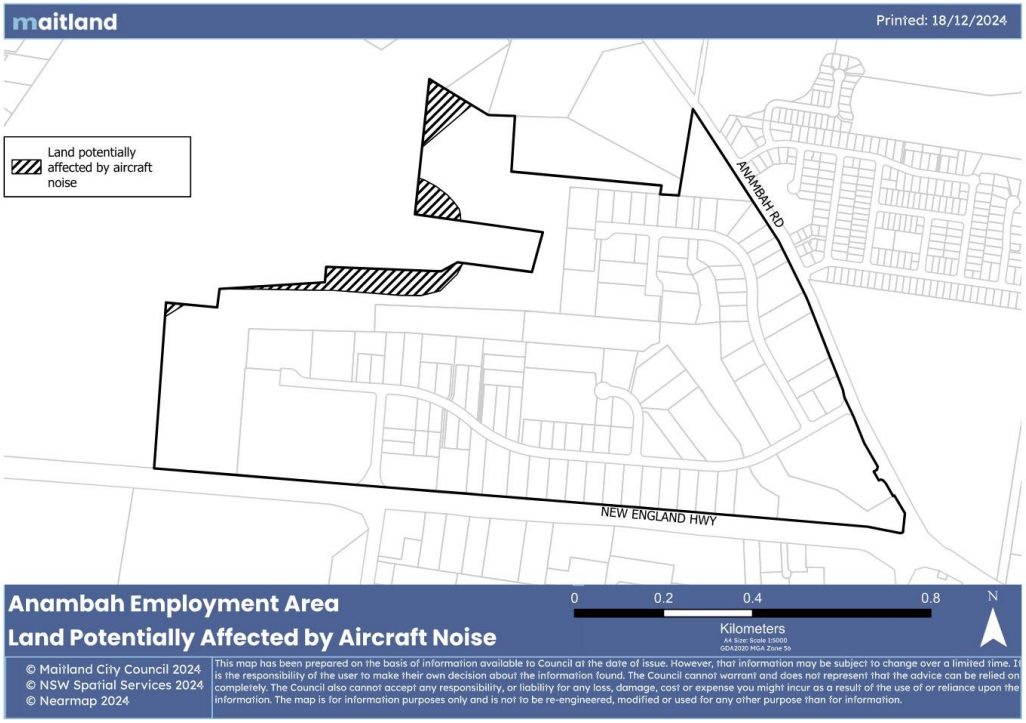


Figure 10-121: Land potentially affected by aircraft noise (ANEC-20)

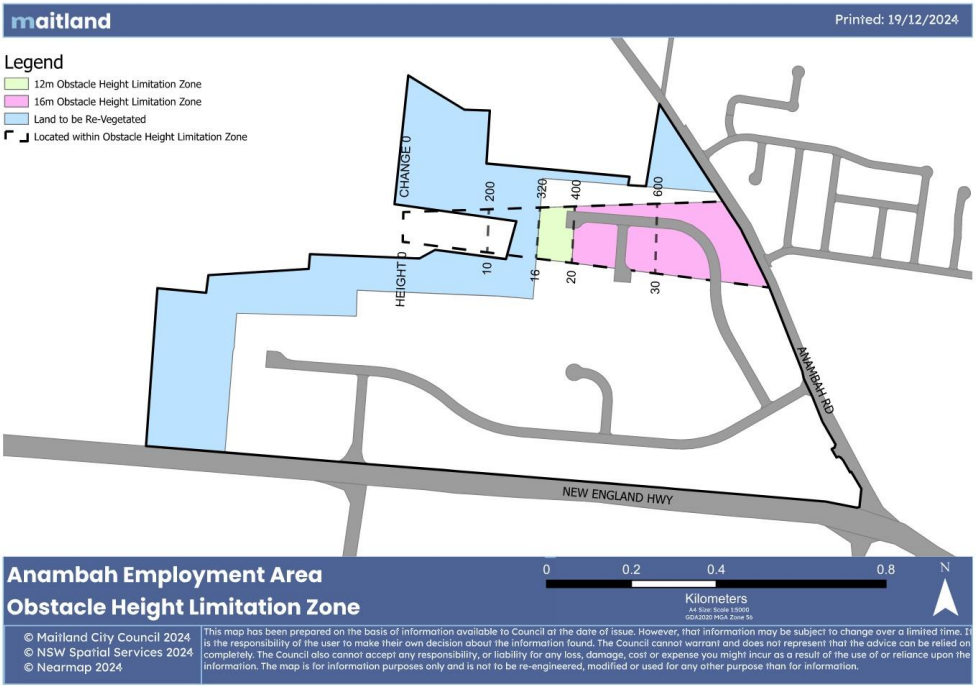


Figure 10-122: Obstacle Height Limitation Zone

10.4.15.6. Key Development Sites

Presentation to New England Highway and Anambah Road

Objectives

O.526 To ensure detailed urban design controls are provided for significant development sites.
O.527 To encourage development that contributes to a good quality streetscape, when viewed from the New England Highway or Anambah Road.
O.528 To provide for industrial buildings and development which is both functional to meet the user's needs, as well as having a good quality external appearance when viewed from public places.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.526 • O.527 • O.528	All proposed outdoor storage or display areas are to be identified in a development application, including details of the type of materials or goods to be stored or displayed.
PC.2 • O.526 • O.527 • O.528	All outdoor storage or display areas are to be screened from the New England Highway and Anambah Road, unless it can be demonstrated that it will have a tidy and attractive appearance.
AS.1 • O.528	Buildings should be constructed using brick, masonry, pre-coloured metal cladding, appropriately finished 'tilt-slab' concrete or a combination of these materials.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.2 • O.528	Building facades are to be predominantly muted colours such as stone and other pale brown shades, greys, greens, terracotta and off-white. Bright colours such as red, yellow, blue, white, purple, pink and orange will only be permitted where they form minor elements of the façade and represent corporate identification or highlights.
AS.3 • O.528	Use of multiple zones of complementary colour to break up vertical height and overall mass are encouraged.
PC.3 • O.527 • O.528	Major walls – where building facades are visible from a public road and include walls greater than 30m in length or 6.5m in height, variations in colour, materials or landscaping are to be used to provide interest.
PC.4 • O.527 • O.528	Any external plant and equipment (including reuse storage and other visually obtrusive activities) is to be screened from public roads.
PC.5 • O.528	Any roof mounted equipment and structures that protrude above the roof line are to be integrated into the building design or screened.
PC.6 • O.527 • O.528	Where sited forward of the building frontage to a public road, fencing is to be a black coated or painted metal chain-wire fence.
AS.3 • O.528	Solid boundary fencing materials will only be permitted forward of the building frontage to a public road where they will be screened by landscaping or are demonstrated to be of quality and varied materials that do not detract from the streetscape.
PC.7 • O.528	The size and placement of advertising structures are to be consistent with Chapter 3 Advertising and Signage of the *State Environmental Planning Policy (Industry and Employment) 2021* and the relevant provisions of this DCP.
PC.8 • O.528	Only one pylon sign or pole sign is permitted per lot.
PC.9 • O.527 • O.528	No advertising signs are to be installed in the landscaping strip adjoining the New England Highway or Anambah Road.

10.4.16. Mount Vincent Urban Release Area

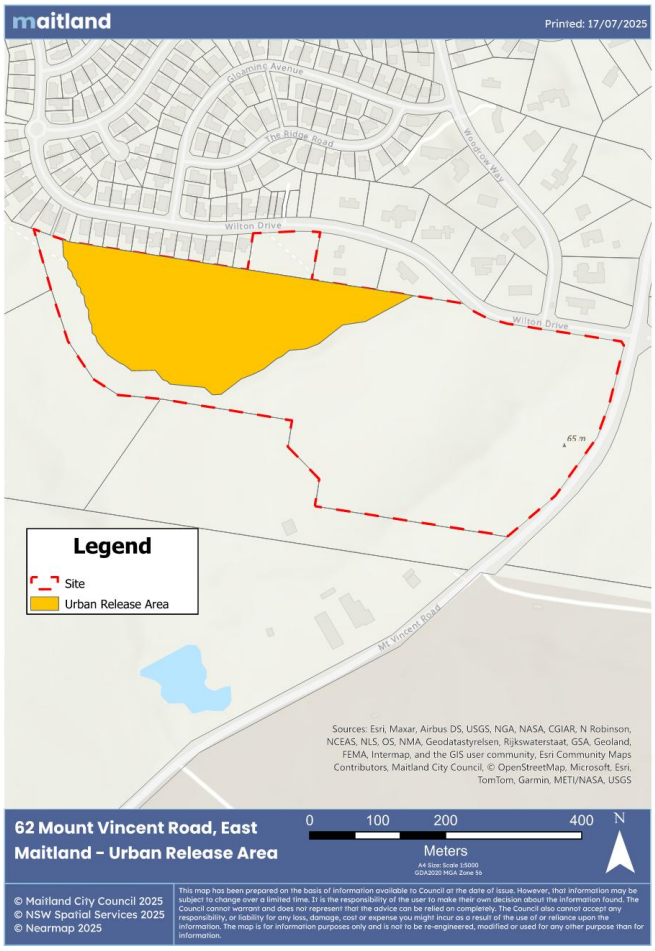


Figure 10-124: Mount Vincent URA Precinct Plan

The subject of this DCP is the land currently known as Mount Vincent Road Urban Release Area (Mount Vincent Road URA) and its adjoining lands that formed part of the Planning Proposal for rezoning of land at East Maitland. The Mount Vincent Road URA is bound by Wilton Drive and existing residential homes to the north, rural lands to the south and west, and Mount Vincent Road to the east. The site is 2.5km from the East Maitland Strategic Centre and 3.3km from Lawes Street Shops that form the East Maitland local centre.

The Mount Vincent Road URA will be a modern neighbourhood incorporating urban design principles aligned with Council's strategic objectives. It will serve as an extension to the existing suburban context of the southern areas of East Maitland, interfacing with the transition to Maitland's rural environment. The natural and artificial water flows existing onsite will be reconfigured to meet modern standards, with additional stormwater infrastructure constructed to service the neighbourhood.

Development of the Mount Vincent Road URA will be complemented by a high-quality public domain, which will include new interconnected streets, pedestrian pathways, an active transport link, and a public parkland. The area will also see significant landscaping and bolstering of its biodiversity, with a mixture of trees and vegetation being provided as part of the active transport network and within the C3 Environmental Management zone. Street tree plantings will additionally offer greening and shading of the residential environment.

Land Application

This DCP chapter applies to the land as marked on the Land Application Map in Figure 1 below. The URA and associated lands have been demarcated separately.

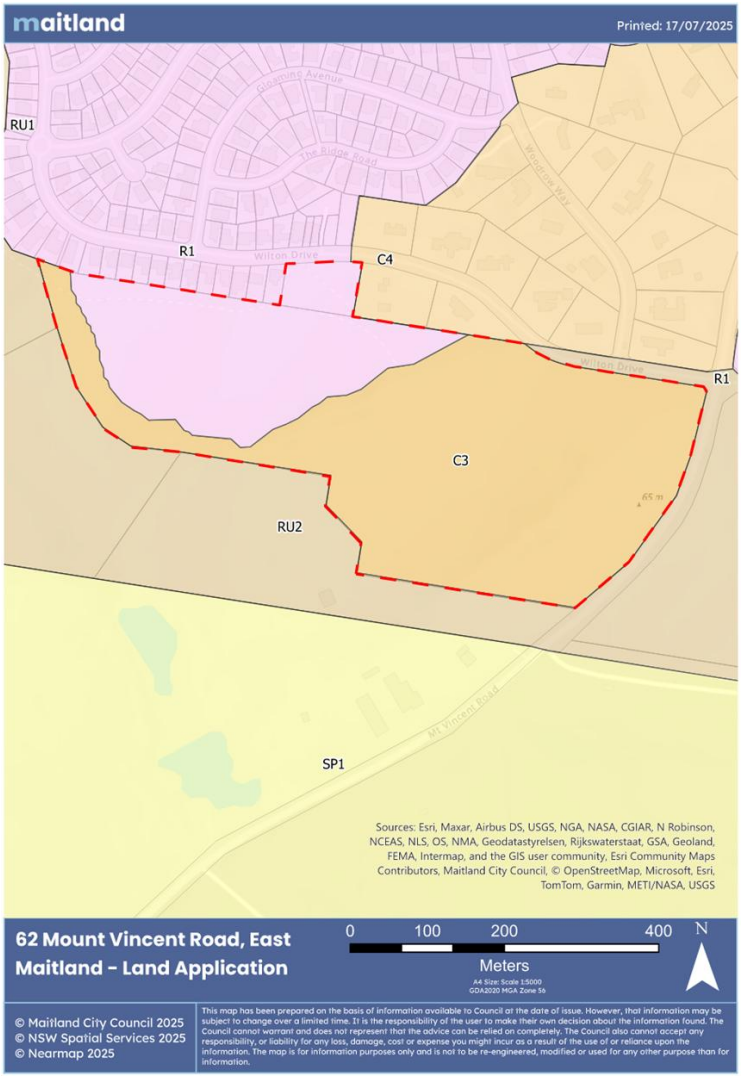


Figure 10-125: Mount Vincent URA Land Application Map

Development Requirements – General Provisions

10.4.16.1. Staging Plan

Objectives

O.529 To provide for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.529	Where development is proposed to be constructed in stages, DAs for Subdivision shall include a staged construction plan.
AS.1 • O.529	Staging for a DA for Subdivision is to generally be in accordance with the Staging Plan in Figure 10-126.

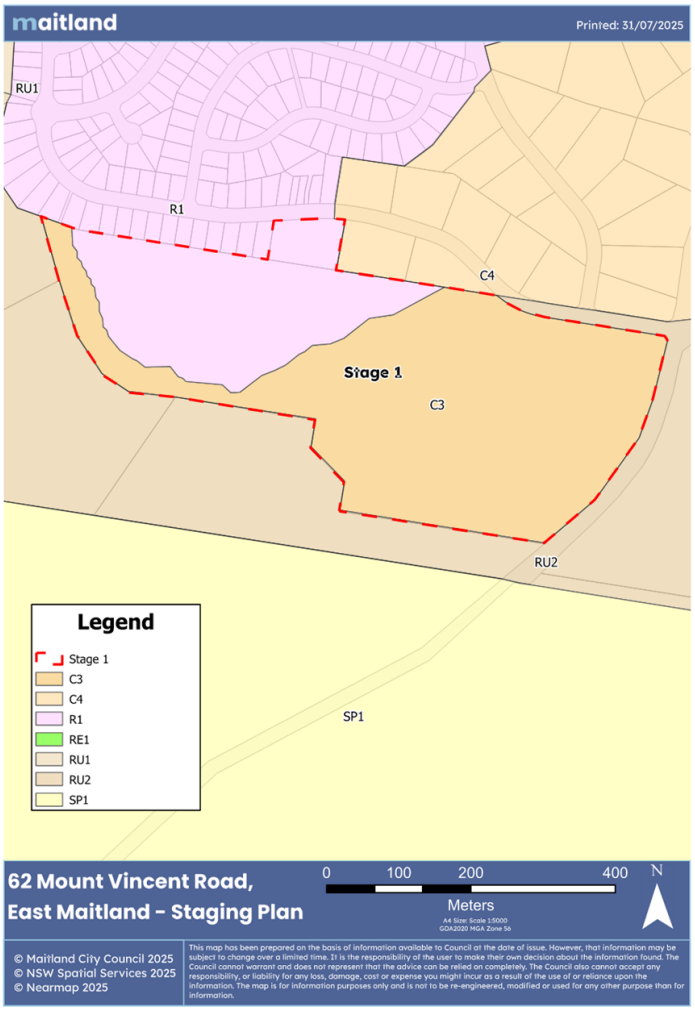


Figure 10-126: Mount Vincent URA Staging Plan

10.4.16.2. Transport Movement Hierarchy

Objectives

O.530 To ensure effective and multi-modal transport access that is amenable to the local context.
O.531 To provide multiple accesses to any future subdivision to assist emergency services.
O.532 To create access generally through an interconnected network of streets and paths which facilitate safe and amenable walking, cycling, and driving experiences.
O.533 To facilitate development that synergises with public bus service network and provides safe and easy access to these systems.
O.534 To provide a clear hierarchy of roads and active transport within the local transport network.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.530 • O.531 • O.532 • O.533 • O.534	Primary road hierarchy is to be generally consistent with the Area Plan in Figure 10-127, including two (2) access points back to Wilton Drive.
PC.1 • O.530 • O.531 • O.533 • O.534	The perimeter road and the primary access road indicated in Figure 10-127 is to be in compliance with Maitland City Council Manual of Engineering Standards and bushfire requirements.
PC.2 • O.530 • O.531 • O.532 • O.533	Any development application for subdivisions must ensure that road networks are fully constructed to ensure any future development can be connected into the existing network.
PC.3 • O.531 • O.532 • O.534	No new future lots are to have direct vehicular access to Mount Vincent Road.
AS.2 • O.530 • O.532 • O.534	Shared paths are to be provided in general accordance with the Area Plan provided on Figure 10-127.
PC.4 • O.530 • O.532 • O.533 • O.534	The shared pathway throughout the site must connect back through to Wilton Drive on the northwestern side of the site as shown in Figure 10-127.
PC.5 • O.530 • O.531 • O.532	Preparation of a Traffic Impact Assessment is to be undertaken to determine capacity at the intersection of Wilton Drive / Mount Vincent Road. The right-turn storage capacity of the intersection is to be revised accordingly to accommodate the development.

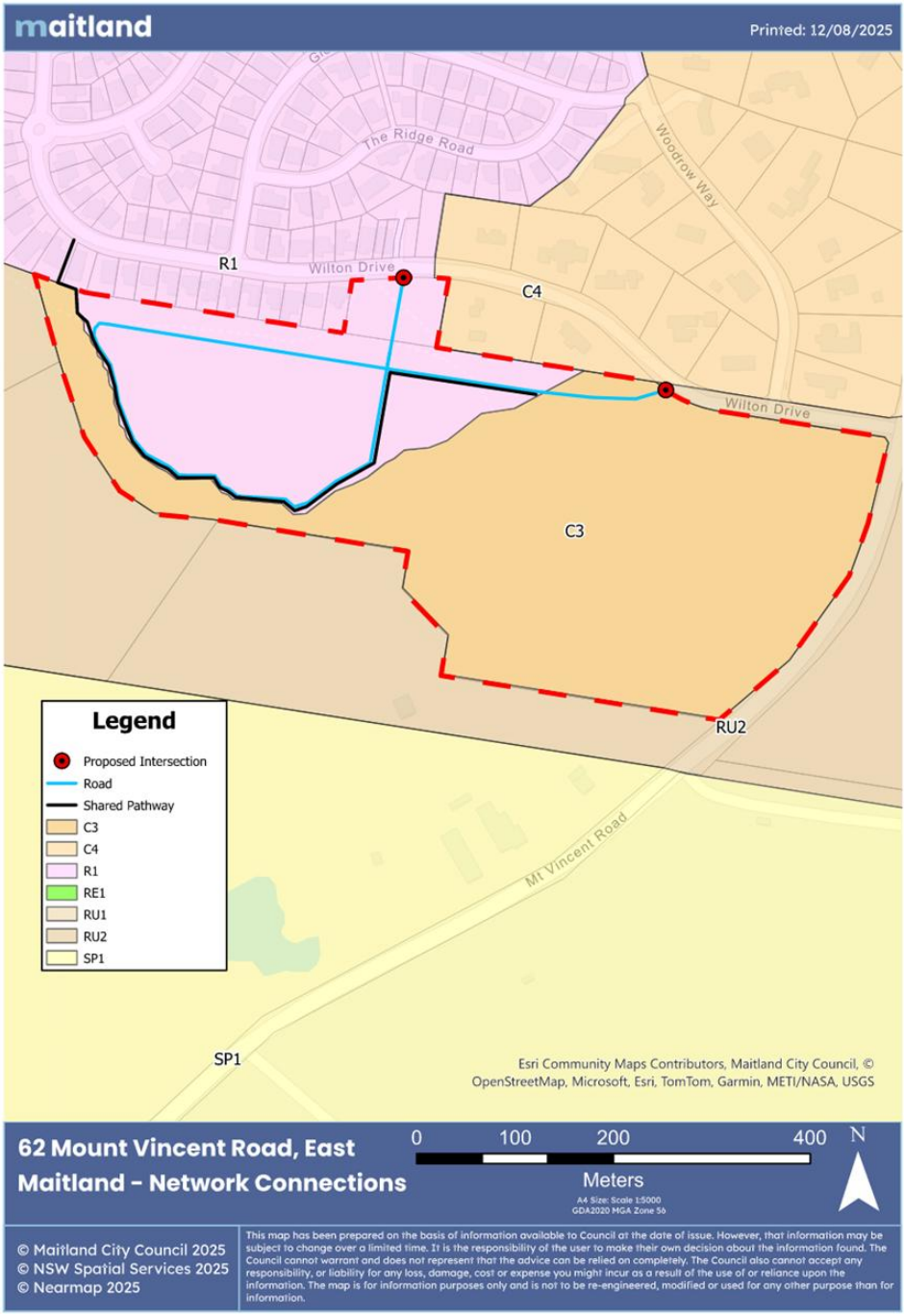


Figure 10-127: Mount Vincent URA Network Connections

10.4.16.3. Overall Landscaping Strategy

Objectives

O.535 To assist in the new residential precinct in achieving a 30% canopy cover, in alignment with Council's Environmental Sustainability Strategy 2030.
O.536 To continue activation of green space within new greenfield residential areas through the provision of new active transport infrastructure, vegetation planting, and enhanced public domain.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.536	Subdivision design is to take advantage of views overlooking the surrounding rural lands by orientating streets and public space to capture views.
AS.1 • O.535 • O.536	Existing trees and landscape elements which make a positive contribution to the character of the area, especially semimature/mature shade trees, should be retained and integrated into the proposal. Note: Where removal of a mature shade tree is proposed, this must be accompanied by sufficient justification.

10.4.16.4. Passive and Active Recreation Areas

Objectives

O.537 Neighbourhoods are conveniently located open space areas that offer a range of recreational opportunities for residents, accessible within walking distance from each residence.
O.538 To provide a safe and appropriate level of pedestrian and cycleway access linking new development with established urban areas, parks and public transport, including a mix of on-road and off-road cycle routes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.537 • O.538	The network of passive and active recreational areas should be provided generally in accordance with Figure 10-128.
PC.1 • O.537 • O.538	Development applications for subdivision that include areas of passive and active recreational space are to include detailed designs in the overall landscaping strategy.

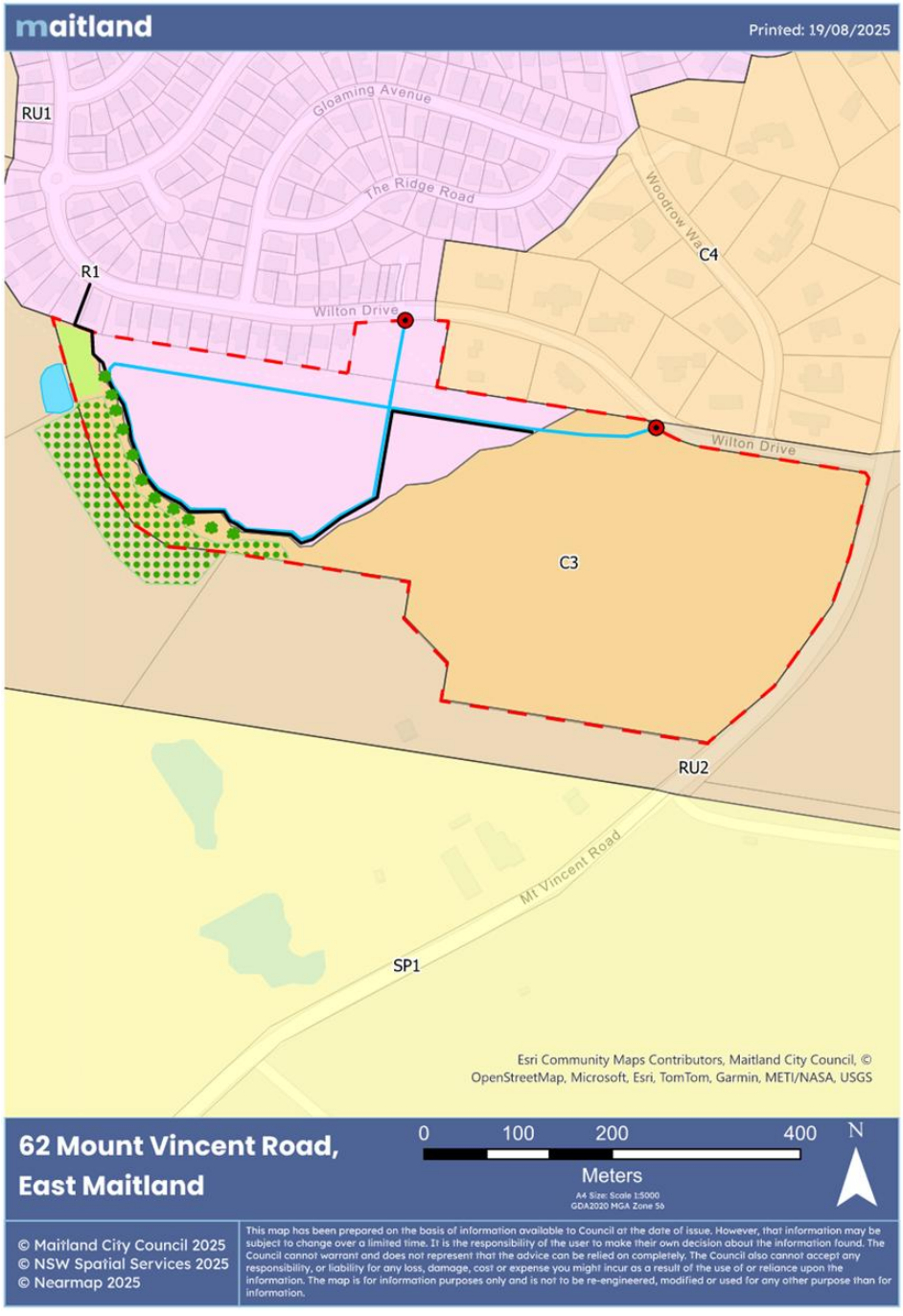


Figure 10-128: Mount Vincent URA Vegetation and Infrastructure Map

10.4.16.5. Stormwater and Water Quality Management

Objectives

O.539 To manage stormwater flows in a manner that minimises the risk of flooding, erosion, and environmental degradation through the appropriate placement of stormwater detention and water quality basins.

O.540 To ensure a Neutral OR Beneficial Effect on waterbodies extant on the subject land and the waterway to the south of the area. To ensure that all development maintains or enhances water quality, hydrology, and ecological function, resulting in a Neutral or Beneficial Effect on existing waterbodies within the site and the waterway to the south.

O.541 To provide for an integrated and sustainable approach to the design and provision of open space and urban water management by prioritising water-sensitive urban design (WSUD).

O.542 To ensure that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development.

O.543 To ensure stormwater detention and water quality basins are located in safe, accessible, and environmentally appropriate areas, avoiding locations that create land use conflicts, require removal of significant vegetation, disrupt ecological corridors, or create long-term maintenance challenges.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.539 • O.540 • O.541 • O.542 • O.543	Stormwater runoff will be controlled by the provision of a stormwater detention and water quality basins, which are to be located in the areas indicated in Figure 10-128. These basins must be designed to integrate with the natural drainage system and be located away from sensitive ecological areas and habitats to minimise environmental disturbance.
PC.2 • O.539 • O.541 • O.542 • O.543	Stormwater and water quality facilities must be located adjacent to a road reserve to ensure casual surveillance, ease of maintenance, and safe access. The design must provide adequate setbacks, clear sightlines, and appropriate landscaping to balance security, functionality, and environmental integration.
PC.3 • O.539 • O.540 • O.541 • O.542	To support the basins, Gross Pollutant Traps are to be an integral part of the stormwater network. This will be required as a part of stormwater treatment solutions at the DA for Subdivision phase.
PC.4 • O.539 • O.540 • O.541 • O.542	A Stormwater and Water Quality Management Strategy, including MUSIC modelling, is to be submitted at the DA for Subdivision phase. The strategy must demonstrate how the development will meet water quality targets, manage stormwater runoff, and minimise the environmental impact of runoff on downstream ecosystems.
PC.5 • O.539 • O.540 • O.541 • O.542 • O.543	The natural drainage lines on the site must be utilised to the maximum extent possible as part of a stormwater and runoff drainage management system. The system must incorporate soil conservation measures, including detention basins, to alleviate stormwater peaks and retain sediments and pollutants.
PC.6 • O.539 • O.540 • O.541 • O.542	Rainwater tanks will not be considered in the calculations for stormwater detention purposes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.7 • O.539 • O.540 • O.541 • O.542	Adequate stormwater management shall be provided at all times during the sequenced release of land.
AS.1 • O.539 • O.540 • O.541 • O.542	All stormwater facilities should be dedicated to Council as part of the subdivision process.

Amelioration of Natural and Environmental Hazards

This section provides controls designed to guide the environmental assessment and management of the land to which this part applies. It provides clear guidance as to the rigour required for development applications while creating beneficial environmental outcomes for a future residential community. The key environmental constraints of the subject land are:

- Aboriginal Heritage
- Contamination
- Mine Subsidence
- Visual Impact and Local Interface
- Biodiversity
- Flooding
- Bushfire
- Acid Sulfate Soils
- Odour

10.4.16.6. Aboriginal Heritage

Objectives

O.544 To ensure proper consultation occurs with relevant Aboriginal stakeholders and heritage authorities in line with the applicable guidance under the *National Parks and Wildlife Act 1974* and the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010) (or any successive legislation or enforceable guidelines).

O.545 To conduct detailed and thorough assessment of the site, focusing on determining the nature of the potential grinding groove site.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.544 • O.545	Known Aboriginal places and/or objects lie within 200m of the subject land of this DCP. A site has additionally been disputed previously on the subject land, with its status yet to be resolved. As such, a modification to the previous Aboriginal Cultural Heritage Assessment (ACHA) is to be undertaken in line with the guidance of the Aboriginal Cultural Heritage Consultation Requirements for Proponents (2010). The Mindaribba Local Aboriginal Land Council (LALC) must be directly approached and offered to be engaged as a Registered Aboriginal Party for the purposes of the ACHA consultation process.
PC.2 • O.544 • O.545	The Potential Archaeological Deposit (PAD) is required to be managed in accordance with the outcomes of the ACHA and in consultation with the Mindaribba LALC and Heritage NSW.

10.4.16.7. Contamination

The R1 (General Residential) zoned land located at the Mount Vincent Road URA has been utilised (in a post-colonial context) as primarily pastoral lands, with the C3 (Environmental Management) land in the east retaining its bushland character in a disturbed state. Surrounding land uses have also included now defunct coal mining operations and the existing subdivision of Rathluba Estate to the north, from which stormwater is currently drained in a free flow pattern down the Mount Vincent Road URA.

The Mount Vincent Road URA component of the subject site was identified to have various concentrations of different contaminants across the area. Further detailed investigation has been identified to be undertaken as a result.

Objectives

O.546 To limit impacts from historic contaminant generating agricultural and extractive industry activities on the planned residential precinct.
O.547 To properly remediate the subject land for intensified land uses.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.546 • O.547	The proponent must provide information to state that the land is, or can be made, suitable for all the uses permissible under the approval. Information must follow the steps for contaminated land outlined in NSW EPA (2020) "*Consultants Reporting on Contaminated Land, Contaminated Land Guidelines*", and be undertaken in accordance with the *National Environment Protection (Assessment of Site Contamination) Measure* (ASC NEPM, amended in 2013), Maitland City Council's "*Contaminated Land Policy – Land Use Planning*" (current version 3.1, or any updates thereof), and any other relevant guidelines made or adopted by NSW EPA under Section 105 of the *Contaminated Land Management Act 1997*. Note: Based on previous studies on the site, additional sampling is required within the former gully area. A minimum of a Detailed Site Investigation will be required.

10.4.16.8. Mine Subsidence

The area of the subject land of this DCP is located within a mineral exploration area known as the Maitland Coalfields, which formed part of the extensive coal mining areas in the Hunter Valley during the late 1800s into the mid-1900s. The subject land is located approximately a kilometre north from the main arm of the Rathluba seam, an underground coal bed that offshoots from the Four Mile Creek coal seam subgroup.

A series of former underground coal mine workings are located throughout the centre and east of the area, consisting of three distinct mines at depths varying between 10m-70m. The area ceased producing coal by the 1960s, with some workings having been blown. Most of the mine workings are either still intact today or have collapsed in on themselves. Previous geotechnical investigations of the site have determined that the full extent of mine workings is not mapped, and further testing is required.

Objectives

O.548 To reduce possible impacts of mine subsidence and shallow mine workings on future development and infrastructure within the Mt Vincent Road URA.
O.549 To ensure that potential mine subsidence and shallow mine working issues are adequately addressed at the subdivision stage.

O.550 To ensure consultation occurs with Subsidence Advisory NSW and consideration in given to the applicable Subsidence Advisory NSW Development Guidelines.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.548 • O.549	Areas of potential mine subsidence and potential shallow mine workings are illustrated on Figure 10-129.
PC.2 • O.548 • O.549 • O.550	Prior to any Development Application for subdivision being lodged for the lands subject to the indicated areas of potential mine subsidence and/or potential shallow mine workings, the Applicant shall undertake a geotechnical investigation and report to determine whether the lands indicated will be suitable for the proposed land uses e.g. roads, services, dwellings, etc.
PC.3 • O.548 • O.549 • O.550	Areas where surface cover over mine workings is known to be less than 25m will require remediation due to pothole subsidence risks. Remediation measures will be determined by the geotechnical investigation and report under PC.2 and in consultation with NSW Subsidence Advisory.

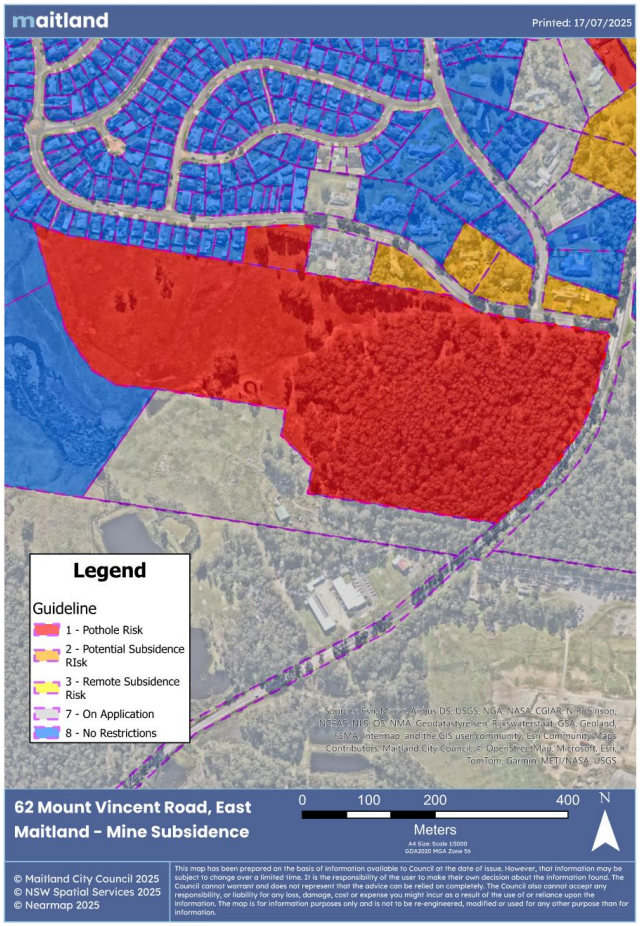


Figure 10-129: Mount Vincent URA Mine Subsidence

10.4.16.9. Visual Impact and Local Interface

Objectives

O.551 To create a smooth transition between the residential and rural environments through landscaping and plantings.
O.552 To reduce overall visual bulk of the new residential precinct within the Wallis Creek view corridor.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.551 • O.552	Any future buildings within the Mount Vincent Road URA will be sited to ensure that the interface with the existing dwellings to the north are both complimentary and in a clearly integrated format. This includes any future lots with frontage to Wilton Drive.
PC.2 • O.551 • O.552	Shared boundaries between new lots abutting existing lots along the southern side of Wilton Drive are to be fenced. This will be at the Proponent's expense and to a style consistent with new fencing proposed within the Mt Vincent Road URA OR the existing fencing treatments in other areas of the Rathluba Estate.
PC.3 • O.551 • O.552	An Arborist Report is to be developed and submitted as part of the DA for Subdivision phase, and will include: a. Location of each tree within the R1 zone, b. Tree value and condition, c. Trees identified for removal, d. Justification for removal, e. Extent of the proposed impact, f. Details on how tree impacts will be offset, g. Locations for replacement trees, to be identified within the Landscape Plan, and h. Proposed monitoring and maintenance actions.
PC.4 • O.551 • O.552	Street tree plantings are to utilise the Maitland Tree Species List.

10.4.16.10. Biodiversity

The Mount Vincent URA in its current state has some significant and valuable biodiverse habitat. An initial Statement of Effect on Threatened Flora and Fauna was undertaken in 2016 and identified two Threatened Ecological Communities (TECs), these being Lower Hunter Spotted Gum – Ironbark Forest in the Sydney Basin Bioregion (12.06ha) and Hunter Lowlands Redgum Forest (0.18ha). 154 plant species were identified, with the site being identified as having suitable habitat for five threatened and rare flora species. Additionally, six regionally significant fauna and four threatened fauna species were identified, alongside the site having suitable habitat for 37 more fauna species native to the region.

A subsequent Stage 1 Biodiversity Development Assessment Report (BDAR) was produced in late 2019, which reaffirmed the presence of the previously identified TECs, alongside hollow bearing tree survey. A series of recommendations were made, including further targeted survey, forest areas for retention, and preservation of the well-preserved parts of the Lower Hunter Spotted Gum – Ironbark Forest.

These studies informed the formation of the current C3 – Conservation Management land zoning within the Mount Vincent URA, which sees the part of the east of the site preserved as retained vegetation. A full BDAR must now be undertaken to comply with the requirements of the Biodiversity Conservation Act 2016.

Objectives

O.553 To enhance the quality and quantity of native vegetation communities present within the Mount Vincent URA.
O.554 To protect native vegetation where feasible and conduct additional native plantings to encourage biodiversity.
O.555 Limit impacts on existing natural environments through effective flora and fauna management.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.553 • O.554 • O.555	A Biodiversity Development Assessment Report (BDAR) is to be submitted at the DA for Subdivision phase, and is to include, in addition to other findings and recommendations made by the report, mitigation and management measures for: a. Weeds, b. Dam dewatering protocols, c. Pre-clearance and clearance surveys of fauna, d. Log and hollow salvage and reuse, e. Invasive species, f. Cattle, and g. Kangaroos.
PC.2 • O.553 • O.554 • O.555	The BDAR is to give consideration to the draft mitigation measures proposed in the *Stage 1 Biodiversity Development Assessment Report – Land Rezoning Proposal* by Peak Land Management (September 2019).
PC.3 • O.553 • O.554 O.555	A 5-year Vegetation Management Plan (VMP) must be developed for the areas identified for rehabilitation as per the vegetation corridor marked on Figure 10-128. The VMP must be prepared by a qualified ecologist with experience in bush regeneration, or a bush regenerator who holds a minimum Diploma Conservation and Land Management (or equivalent) and a minimum 3 years' experience in practical ecosystem restoration, in consultation with Council. Works should aim to reinstate the historical vegetation community that existed prior to clearing. Revegetation that is inconsistent with the historical vegetation community shall not be undertaken unless supported by a documented justification and approved in writing by Council's Manager Environment and Sustainability. Any revegetation proposed under the Vegetation Management Plan must be reflected in the bushfire assessment, taking into consideration the growth and characteristics of mature vegetation.

PC.4
• O.553
• O.554
• O.555
	The VMP shall include (but not be limited to) the following minimum detail:
	• Goals, objectives, and completion criteria,
	• Identification of management zones in text and on a site plan, including:
	  ○ identification of management actions and outcomes for each management zone
	  ○ existing vegetation condition including existing weed density,
	• Detailed works schedule for a minimum of five (5) years including species list, planting density, timing,
	• Proposed weed management strategies,
	• Monitoring and reporting requirements for a period of five years,
	• Adaptive management actions to be employed if completion criteria are not met within five years. This shall include continuation of VMP management until actions and outcomes are achieved (or a suitable alternative is approved by Council's Manager Environment and Sustainability).
	• The VMP shall be submitted to and approved by Council's Manager Environment and Sustainability prior to issue of any Subdivision Works Certificate.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	• Annual monitoring reports are to be provided to Council's Manager Environment and Sustainability for a minimum period of five (5) years.
PC.5 • O.553 • O.554 • O.555	The subject land is known to contain the cryptic orchid Pterostylis chaetophora in the heavily vegetated eastern portion of the subject land of this DCP, close to Mount Vincent Road. A reference population of Pterostylis chaetophora is to be identified to monitor the species health and distribution within the area and appropriate times of the year to ensure surveys are undertaken during the flowering period.
PC.6 • O.553 • O.554 • O.555	As part of vegetation clearing marked for the site, seeds are to be collected where possible to assist in vegetating the environmental management flood fringe buffer.

10.4.16.11. Flooding

Objectives

O.556 To manage the risk to human life, damage to property and provision of essential services by ensuring development on all areas of the site is appropriately sited and designed such that it is compatible with the flooding potential and hazard.

O.557 To ensure negligible flood impacts on adjoining property or infrastructure as a result of any development or work on site for regional flooding and local catchment runoff events.

O.558 To regulate development that may reduce the ability of the floodplain to carry water and so increase the flood hazard.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.556 • O.557 • O.558	Any application for the subdivision of the site must demonstrate that the subdivision design incorporates measures to mitigate against potential extreme floodway hazard conditions.
AS.1 • O.556 • O.557 • O.558	Infrastructure including roads, pathways and/or cycleways within the flood extent should limit changes to natural topography as far as practicable to avoid changes to flood impacts.
PC.2 • O.556 • O.557 • O.558	No filling of Flood Prone land (see Figure 10-130) is to be undertaken without hydraulically equivalent compensatory cut and assessment of impacts.
PC.3 • O.556 • O.557 • O.558	Any future development within the subject land of the DCP is to take into consideration the most current versions of the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Risk Management Manual 2023.

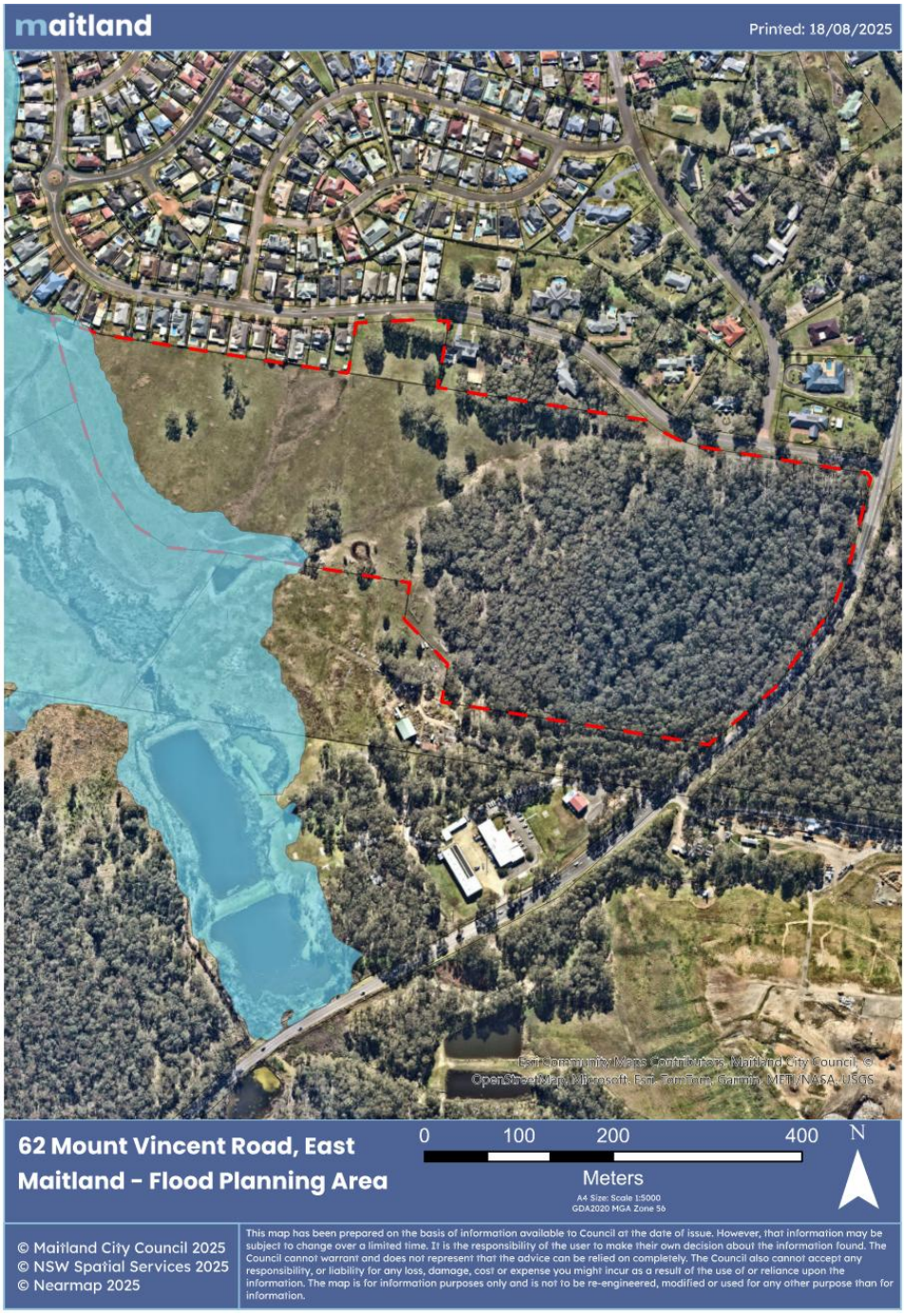


Figure 10-130: Mount Vincent URA Flood Map

10.4.16.12. Bushfire

Objectives

O.559 That adequate Asset Protection Zones are provided in areas adjacent to Bushfire Prone Land and that relevant statutory controls, including the *Rural Fires Act 1997* and *Planning for Bushfire 2019,* are considered.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.559	Development on bushfire prone land shall be assessed and designed in accordance with the NSW RFS *Planning for Bushfire Protection 2019* guideline.

10.4.16.13. Acid Sulfate Soils

Objectives

O.560 To manage and mitigate the impacts of land development in relation to acid sulfate soils, where present in the landscape.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.560	Development Applications will need to investigate soil salinity levels, soil structure/stability and Acid Sulfate Soils as part of geotechnical investigations associated with the site.

10.4.16.14. Key Development Sites

Objectives

O.561 To provide detailed urban design controls for properties on the flood fringe.
O.562 To create an activated and aesthetically pleasing streetscape that respects the environmental constraints of the rural and flood interface.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.561 • O.562	A perimeter road (with development on the internal side only) is to be provided within the R1 General Residential zoned land abutting the C3 Environmental Management zoned land.
PC.2 • O.561 • O.562	An off-road shared path shall be provided on the outer side of the perimeter road. This will switch variably between the environmental management and residential zoned land, as indicated within Figure 10-127 and Figure 10-128. This must extend to the Mount Vincent Road path network to the east.
PC.3 • O.561 • O.562	Fencing is to positively contribute to the visual aesthetic of development, particularly between the residential and environmental zones. Details of fencing is required to be submitted to Council with development applications.

10.4.16.15. Residential Densities

There are no specific requirements as residential densities are already controlled by lot size in the *Maitland Local Environmental Plan 2011*.

10.4.16.16. Provision of Public Facilities and Services

Objectives

O.563 To ensure that future dwellings in the Mount Vincent URA are able to be adequately connected to utility infrastructure.

O.564 Limit visual bulk and prominence new utility infrastructure will have within the new residential neighbourhood.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.563 • O.564	Electrical kiosks are to have decorative screening and/or housing established to reduce unappealing visual intrusion onto the streetscape and neighbouring residences.
AS.1 • O.563 • O.564	Street lighting shall be planned (lighting categories), designed, and implemented to relevant Australian standards for vehicle and pedestrian networks (including pedestrian crossings).
PC.2 • O.563 • O.564	Ausgrid is to be consulted on the design solution for electricity servicing and the treatment for the existing transmission lines presently over the site. An in-ground electrical transmission solution is to be used where possible.


maitland
CITY COUNCIL



Maitland DCP 2026

Glossary

maitland CITY COUNCIL

Table of Contents

DISCLAIMER 2
GLOSSARY DEFINITIONS 2
..... 2
A 2
B 4
C 5
D 7
E 7
F 9
G 12
H 12
I 13
L 13
M 14
N 14
O 15
P 16
Q 16
R 17
S 18
T 20
U 20
V 20
W 20
ACRONYMS 22

Disclaimer

The definitions used in this glossary only reflect the usage of the word or term within the context of this DCP unless otherwise stated.

Glossary Definitions

#

1% Annual Exceedance Probability (AEP) Flood Event refers to a flood that has a 1% chance of occurring or being exceeded in any given year, based on statistical analysis of historical flood and rainfall data. This type of event is often called a "1 in 100 year flood", meaning that, on average, such a flood is expected to happen once every 100 years—though it can occur more or less frequently, refer to **Average Recurrence Interval (ARI)** in this Glossary.

2008 Australian Noise Exposure Concept (ANEC) means a map that forecasts aircraft noise levels around an airport, based on runway direction and flight paths. It represents the average noise exposure from an average day's aircraft movements over a twelve-month period. Higher contour numbers indicate higher levels of noise exposure for the area of land subject to aircraft noise related development controls. This is used for the Maitland Airport to identify and mitigate any potential impact on surrounding development from aircraft noise.

A

Aboriginal Heritage Impact Permit (AHIP) is the statutory instrument that Heritage NSW issues under section 90 of the *National Parks and Wildlife Act 1974* to manage harm or potential harm to Aboriginal objects and places.

Aboriginal Object means any deposit, object or material evidence (not being a handicraft made for sale) relating to Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of the area by persons of non-Aboriginal extraction. This includes Aboriginal remains.

Aboriginal Place means any place declared to be an Aboriginal place under Section 84 of *National Parks and Wildlife Act 1974*, as amended.

Acceptable Solutions are controls that have language more in line with that of the **objectives** of the DCP. Alternatively, they have content that provide a method to meeting the objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code 'AS.', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', and 'possible'.

Access Driveways are the crossings over the nature strip that provide legal access to a site, and on which vehicles move between the external frontage of the road and the site boundary.

Acid Sulfate Soils means actual or potential acid sulfate soils, as defined in the Acid Sulfate Soil Manual (1998) published by the Acid Sulfate Soils Management Advisory Committee.

Active Street Frontage consists of a street frontage that enables direct visual and physical contact between the street and the interior of the building. Clearly defined entrances, windows and shop fronts are elements of the building façade that contribute to an active street frontage.

Activity Centres are the local and regional hub for community activity. They are places providing a diverse mix of activities where people can socialise, shop, work, meet, relax and often live. Activity centres range in size, scale and development intensity from a neighbourhood centre, like Largs or Tenambit through to a major regional centre, like Central Maitland. Activity centres are usually well-

served by public transport, offering a highly accessible location for commercial, personal and retail services, community, entertainment and recreational facilities as well as a mix of housing options to attract for a diverse population.

'Adjoining Land' comprises -

a) Land identified in Map 1 as being land which shares a common boundary with the development site, or is separated only by a pathway, driveway, laneway or public road or,
b) Land identified in Map 2 as being the closest land that is not owned by the registered proprietor of the development site.

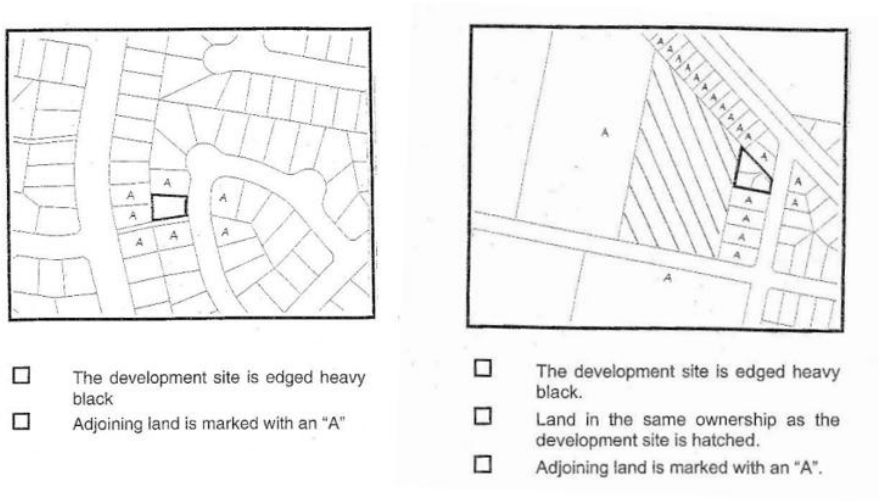


Figure 1: Example of Adjoining Properties

Note: Council applies discretion in relation to sub-clause (b). For example, development within the State Rail Authority corridor would not require all those properties adjoining the corridor to be notified.

Adversely Impact means a negative effect that goes against desired conditions.

Amenity means the degree of positive attributes and appeal of a place.

Ancillary Structure is a group term that covers a variety of minor types of development that would ordinarily be associated with a dwelling. They generally have minimal environmental impact and cannot contain a habitable room. Many of these forms of development can be undertaken as **Exempt Development** or Complying Development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. These includes things such as swimming pools, sheds, fencing, and retaining walls.

Annual Exceedance Probability (AEP) is the chance of a flood of a given or larger size occurring in any one year (for example, the **1% AEP flood event** has a 1% chance of occurring every year; the 5% **AEP** flood event has a 5% chance of occurring every year).

Arterial Road is characterised by the features detailed by the current version of the Maitland Manual of Engineering Standards.

Articulation means the change in the external alignment of walls, or other elements, that expresses the way that the parts of the building fit together.

Asset Protection Zone (APZ) means a buffer zone between a bush fire hazard and buildings, which is managed progressively to minimise fuel loads and reduce potential radiant heat levels, flame, ember and smoke attack. The width of an APZ varies based upon a range of conditions, including slope and aspect.

> **Note:** Asset Protection Zone has the same meaning as in NSW Rural Fire Service's Planning for Bush Fire Protection 2019, or as amended.

Australian Height Datum (AHD) means the setting of the mean sea level as zero elevation. Mean sea level was determined by the Surveyor General from observations recorded by 30 tide gauges around the Australian continent for the period 1966-1968, and formally adopted in 1971.

Australian Rainfall and Runoff Guidelines (ARR) is the national guideline document for the estimation of design flood characteristics in Australia.

Australian Standard (AS:) is a published document, developed by Standards Australia, that outlines specifications, procedures, and guidelines to ensure the safety, quality, performance, and consistency of products, services, and systems within Australia. While voluntary in nature, many Australian Standards are incorporated into legislation or regulations, making compliance mandatory in certain cases, particularly in areas like work health and safety.

Average Recurrence Interval (ARI) means the average period between the recurrence of a storm event of a given rainfall intensity. The ARI represents a statistical probability.

> **Note:** For example, a 100-year ARI indicates an average of 100 years between exceedance of a given storm magnitude. The AEP (probability of such an event being exceeded in any year) is therefore 1%.

Average Setback is utilised to determine front setbacks for new structures in established streetscapes. It is calculated by the average distance of the front setbacks of the nearest 2 buildings that have a boundary with the same parallel road and are located within 40 metres of the lot on which the building is erected.

B

Balcony is an upper storey platform projecting from the wall of a building supported by posts or brackets and enclosed by a balustrade. A balcony can also be recessed into a building.

Basement is a storey either below ground level, or no more than 1.2 metres above finished ground level.

Battle-axe Lot means a lot of land behind another, with access from the street through a narrow drive known as a handle. The minimum area specified for battle-axe lots excludes the battle-axe access handle.

Biodiversity has the same meaning as in the ***MLEP 2011***.

Biodiversity Corridors are connections across the landscape that link up areas of habitat. They support natural processes that occur in a healthy environment, including the movement of species to find resources like food, water and shelter. They also store carbon and enable conservation.

Biodiversity Offsets are measures that benefit biodiversity by compensating for the adverse impacts elsewhere of an action, such as clearing for development.

Buffer is a distinct separation between two developments or land-uses that require distance from one

another due to factors such as environmental concerns, or conflicts resulting from their proximity.

Building Envelope means a three-dimensional diagram drawn on a lot of a subdivision plan. It defines the limits for the siting and/or wall height of any dwellings and/or buildings/structures, private outdoor areas, driveways and/or garages/carports.

Building Frontage is the façade of the building that faces the street.

Building Height (or height of building) has the same meaning as in the ***MLEP 2011***.

Building Line or **Setback** has the same meaning as in the ***MLEP 2011***.

Burra Charter (The Australia ICOMOS Charter for Places of Cultural Significance) provides guidance for the conservation and management of places of cultural significance. It is based on the knowledge and experience of Australian ICOMOS (International Council on Monuments and Sites) members.

Bush Fire Prone Land consists of land recorded and mapped by the NSW Rural Fire Service as having a heightened potential for bush fire or as being subject to bush fire attack.

Bush Fire Risk is the chance of a bushfire igniting, spreading and causing damage to assets of value to the community and the environment. Risk is rated as being high, medium or low, and is related to the level of the potential threat of bushfire.

C

Cantilevered is a projecting structure, such as a beam, that is supported at one end and carries a load at the other end along its length.

Clearing Vegetation is defined as the destruction of a sufficient proportion of one or more strata (layers) within a stand or stands of native vegetation so as to result in the loss, or long-term modification, of the structure, composition and ecological function of a stand or stands.

Collector Road is characterised by the features detailed by the current version of the Maitland Manual of Engineering Standards **(MOES)**.

Commercial Premises has the same meaning as in the ***MLEP 2011***.

Communal Open Space (COS) are areas of joint private use for the recreation and relaxation of residents. COS are under the control of a body corporate or similar organisation.

Community Title Subdivision is the subdivision of land under the *Community Land Development Act 1989* and the *Community Land Management Act 1989.*

Compensatory Excavation means the excavation of material to offset the placement of fill, so that there is no net reduction in the flood storage capacity in a hydraulically linked part of the floodplain defined by a specified flood event.

> **Note:** this means that the area of compensatory excavation must be available to accommodate flood waters during a specified flood event and, for example, cannot therefore be prematurely filled with ground water or local overland flows.

Compensatory Tree Planting is the planting of a tree to mitigate and offset for the removal of another tree.

Connectivity relates to the number and quality of connections in a network. For example, in the movement network, it comprises streets, pedestrian/cycles paths/links and public buildings, or any type of open space that enables movement around or through an area.

Consent Authority are certain statutory authorities, by provision in their respective Acts, declared to be the consent authority for land within their control. This includes Council assessing development applications for development within land of their Local Government Area.

Construction Certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the regulations.

Note: construction certificate has the same meaning as in the *Environmental Planning and Assessment Act 1979* ***(EP&A Act)***.

Contaminated Land is land in, on or under which any substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment.

Note: contaminated land has the same meaning as in Schedule 6 of the ***EP&A Act***.

Controlled Activity means:

- the erection of a building or the carrying out of a work (within the meaning of the ***EP&A Act***), OR
- the removal of material (whether or not extractive material) or vegetation from land, whether by way of excavation or otherwise, OR
- the deposition of material (whether or not extractive material) on land, whether by way of landfill operations or otherwise, OR
- the carrying out of any other activity that affects the quantity or flow of water in a water source.

Note: controlled activity has the same meaning as in the Water Management Act 2000.

Corner Lot means a lot that has a frontage to two roads that intersect.

Crime Prevention Through Environmental Design (CPTED) is a multi-disciplinary approach to deterring criminal behaviour through environmental design by managing the built and natural environment. Refer to Appendix F: CPTED Guidelines.

Crossfall is also known as cross-slope or camber, refers to the transverse slope of a road or other surface, typically at right angles to the direction of travel. It's designed to help drain water off the surface and is crucial for safety and road longevity.

Cultural Significance (or Heritage Significance, or Significance of Places of Cultural Significance) is an item, object, place or landscape that holds historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value.

Culvert is a structure that channels water past an obstacle or to a subterranean waterway, generally consisting of precast reinforced concrete.

Curtilage means the geographical area that provides the physical context for an identified heritage property, and which contributes to its heritage significance.

Note: Land title boundaries and heritage curtilage do not necessarily coincide.

Cut is the removal of soil or rock, whether moved to another part of the same site or to another site

but does not include garden landscaping that does not significantly alter the shape, natural form or drainage of land.

D

dB(A) means an expression of the relative loudness of sounds in air as perceived by the human ear.

Declared Vegetation is any form of vegetation named under the definition of vegetation in this DCP, for the purposes of Section 2.9 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*, or as amended.

Deep Soil is an area of natural ground with relatively natural soil profiles within a development site. Deep soil areas should be free of conflicts with building footings, infrastructure and services.

Demolition includes demolishing or dismantling a structure or part of a structure that is either load bearing or related to the physical integrity of the structure.

Demolition (Heritage) means to demolish or destroy a heritage item or a building, work, archaeological site, tree or place within a **Heritage Conservation Area**. It means to wholly or partly destroy, dismantle or deface the **heritage item**, or the building work, archaeological site, tree, or place.

Design Vehicle means the vehicles for which a given development must make on-site provision for their circulation.

Desire Lines are a path that represents the shortest and easiest navigated route between an origin and destination.

Development has the same meaning as in the ***EP&A Act***.

Development Consent means consent under Part 4 of the ***EP&A Act*** to carry out development and includes, unless expressly excluded, a complying development certificate.

Note: Development consent has the same meaning as in the ***EP&A Act***.

Development Type means the definition given to a proposed land-use under the Dictionary of the ***MLEP 2011***.

Drainage Reserve means a parcel of land set aside for drainage purposes. Drainage **reserves** usually contain either a drainage basin or an open drain. A **drainage reserve** is a type of **overland flow path**.

Driveway is the vehicle access between the property boundary and the development. The driveway is generally on private property and is an extension of the **access driveway**.

Dual Occupancy has the same meaning as in the ***MLEP 2011***.

Dwelling has the same meaning as in the ***MLEP 2011***.

Dwelling House has the same meaning as in the ***MLEP 2011***.

E

Earthworks has the same meaning as in the ***MLEP 2011***.

Easement is a legislative instrument that can either be for an individual or a company, known as a grantee, that has the right to use land for a particular purpose, or an **easement** can restrict how the owner of the land, known as the granter, can use their property. Common **easements** include:

- Pathways and walkways
- For the supply of utilities
- Access roads
- The right to park a vehicle

Ecological Communities are a group of different species (plants, animals, and other organisms) living in a specific area and interacting with each other and their environment. These communities are characterised by their unique habitat and the interdependencies between species. They are vital for ecosystem services, biodiversity, and the well-being of native species.

Ecologically Sustainable Development (ESD) means using, conserving and enhancing the community's resources so that ecological processes, on which life depends, are maintained, and the total quality of life, now and in the future, can be increased.

Ecosystem means a dynamic complex of plant, animal, fungal and microorganism communities and associated non-living environment, interacting as an ecological unit.

Effective Warning Time is the time available after receiving advice of an impending flood and before the floodwaters prevent appropriate flood response actions being undertaken. The effective warning time is typically used to raise furniture, evacuate people, and transport their possessions.

Effluent Treatment and Disposal Area, also known as a Land Application Area (LAA) or Effluent Dispersal Area (EDA), is a designated area where treated wastewater (effluent) from a wastewater treatment plant or on-site sewage management system is discharged. This area is carefully designed and managed to ensure safe and effective disposal of the treated water, often through methods like sub-surface irrigation, evapotranspiration beds, or surface irrigation.

Electrical kiosk are small form transformers, that are compact and prefabricated, with protective housing. They are typically smaller than 8m^2 in footprint. Within the Maitland LGA, under the Ausgrid classification standards, it typically refers to Ausgrid type descriptors L, K, and R.

Electrical substation are larger electrical infrastructure, generally on their own dedicated lot. They typically involve exposed power lines, transformers, a switching yard, and other elements designed to generate, transmit, and distribute electricity.

Emergency Wayfinding refers to the process of orienting oneself and navigating safely through a space, particularly during an emergency, to reach a designated exit or safety area. It involves the effective use of signage, visual cues, and environmental features to guide individuals, especially during stressful situations. Emergency wayfinding signage examples are provided below:

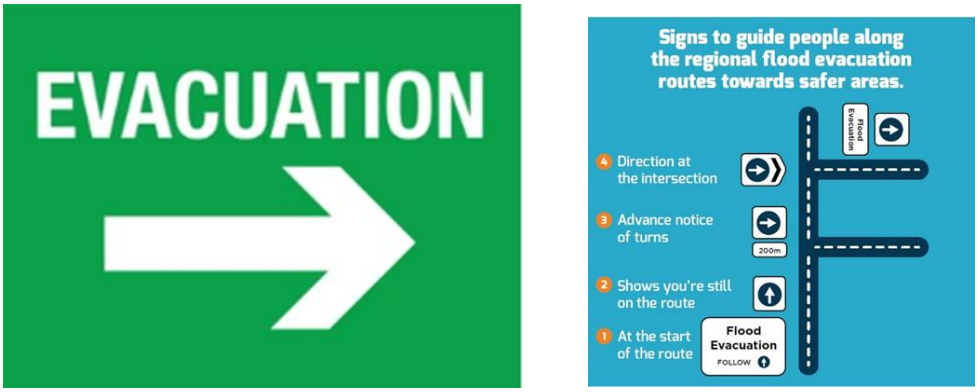


Figure 2: Emergency Wayfinding Signage

Endangered Ecological Communities, also known as threatened ecological communities (TECs), are naturally occurring groups of native plants, animals, and other organisms that interact in a unique habitat and are facing a high risk of collapse or extinction. They are classified as endangered, vulnerable, or critically endangered under laws like the *Biodiversity Conservation Act 2016* (*BC Act*).

Energy and Water Efficiency is any action that minimises energy use and/or water consumption through subdivision and building design.

Environment means components of the earth, including:

- Land, air and water;
- Any layer of the atmosphere;
- Any organic or inorganic matter and any living organism;
- Human-made or modified structures or areas; and
- Includes interacting natural ecosystems.

Environmental heritage has the same meaning as in the MLEP 2011.

Environmental Planning Instrument (EPI) means an **environmental planning instrument** (including a **SEPP** or **LEP** but not including a **DCP**) made, or taken to have been made under Part 3 of the ***EP&A Act*** and in force.

Note: Environmental planning instrument has the same meaning as in the ***EP&A Act***.

Environmental Significance means threatened species and communities, listed migratory species, wildlife corridors, **wetlands** or **riparian corridors**.

Environmentally Sensitive Area means an area deemed to have significant environmental value by Council, including such areas as terrestrial biodiversity, **riparian corridors** or wildlife corridors.

Essential Services means reference to the supply of water, the supply of electricity, the disposal and management of sewage, and the provision of telecommunications.

Estimated Development Cost (EDC) estimates the cost of a proposed development and are used in planning for various purposes, including for determining development approval pathways, calculating assessment fees and for applying development application (**DA**) requirements. **EDC** estimates should capture the cost to carry out the development. This includes costs:

- To design and erect a building and associated infrastructure
- To carry out a work
- To carry out demolition of a building or work
- Associated with any fixed or mobile plant equipment.

Evacuation is the transfer of people and or stock from areas where flooding is likely, either close to, or during a flood event. It is affected not only by effective warning time, but also the suitability of the road network, available infrastructure, and the number of people that must evacuate during floods.

Exempt Development means **development** that is specified in an **exempt development** code that meets the standards specified for that **development** and that compiles with the requirements of **exempt development** under *SEPP (Exempt and Complying Development Codes) 2008.*

F

Fabric means the variety of natural and human made materials (the 'fabric') used for buildings, structures and objects. In heritage contexts, "fabric" refers to the physical material of a place,

including all its components, fixtures, contents, and living elements like trees that have cultural heritage values. This could be visible, like in a building, or hidden, like in an archaeological site.

Facadism means an architectural and construction practice where the façade of a building was designed or constructed separately to the rest of a building. More often it refers to the practice where only the face of a building is preserved with new buildings erected behind or around it.

False Windows means windows that do not link a habitable room and therefore do not provide passive surveillance.

Farm Experience Premises has the same meaning as in the ***MLEP 2011***.

Farm Gate Premises has the same meaning as in the ***MLEP 2011***.

Fill has the same meaning as in the ***MLEP 2011***.

Fill Pad also known as a flood mound, means a raised mound that is constructed from imported fill or material excavated from the development site, to accommodate a dwelling, rural building or agricultural activity (such as a stock refuge or storage of agricultural equipment) in a non-urban zone, to provide increased flood immunity for those uses.

Note: A **fill pad** is exclusive of any access driveway which is assessed separately.

Finished Floor Level (FFL) is the completed floor level of the premises following construction.

Flood is relatively high stream flow which:

- Overtops the natural or artificial banks in any part of a stream, river, estuary, lake or dam, and/or
- Local overland flooding associated with major drainage before entering a watercourse and/or
- Coastal inundation resulting from super-elevated sea levels and/or waves overtopping coastline defences excluding tsunami.

Flood Certificate means a Council prepared flood certificate not more than 12 months old.

Flood Evacuation Strategy - The proposed strategy for the evacuation of areas within effective warning time during periods of flood as specified within any policy of Council, the **Floodplain Risk Management Plan (FRMP)**, the relevant State Government disaster plan, the Maitland City Local Flood Plan or by advice received from the State Emergency Services (SES).

Flood Fringe Area is the remaining land in the **flood planning area** after the **floodway** area and flood storage area have been defined.

Flood Hazard means a source of potential harm or a situation with a potential to cause loss.

Flood Liable Land is synonymous with **flood prone land**, being land susceptible to flooding by the **probable maximum flood (PMF)** event.

Note: The term **flood liable land** covers the whole of the **floodplain**, not just that part below the **flood planning level**.

Flood Planning Area is that part of the flood liable land within the Maitland LGA that is the **1% AEP flood event** plus 0.5 metre **freeboard**.

Flood Prone Land means land susceptible to inundation by the **probable maximum flood (PMF)**.

Flood Resilient Construction are the combination of measures incorporated in the design and/or construction/alteration of individual buildings or structures subject to flooding, and the use of flood compatible materials for the reduction or elimination of flood damage.

Note: Guidance as to appropriate construction measures and materials may be provided by Council and can also be found in documents such as "Reducing Vulnerability of Buildings to Flood Damage - Guidance on Building in Flood Prone Areas" (Department of Environment and Climate Change NSW, 2006) and "Flood Resilient Building Guidance for Queensland Homes" (The State of Queensland (Queensland Reconstruction Authority) February 2019).

Flood Safe Access refers to ensuring safe and reliable routes for people to evacuate or be rescued during a flood event, typically within a defined **flood planning area.** This means the access routes should be free from floodwater, even during the most extreme flood scenarios, and not impede evacuation efforts.

Flood Storage Areas are those parts of the **floodplain** that are important for the temporary storage of floodwaters during the passage of a flood. The loss of storage areas may increase the severity of flood impacts by reducing natural flood attenuation. These are indicated on the flood planning maps provided by Council's online mapping system.

Floodplain means an area of flat land adjacent to a river, creek, lake, estuary, dam or artificial channel which is subject to flooding during high rainfall periods. For flood planning purposes, this is an area of land that is subject to inundation by floods up to, and including the **probable maximum flood** event, that is **flood prone land**.

Floodplain Risk Management Plan is developed from the **floodplain risk management study** and details how **flood prone land** within the study areas are to be managed. The primary aim of the Plan is to reduce the **flood hazard** and risk to people and property in the existing community and to ensure future development is controlled in a manner consistent with **flood hazard** now and in the future. The Plan consists of prioritised and costed measures for implementation.

Floodplain Risk Management Study is a study of the risks across the floodplain and evaluates management options for both existing and proposed development. A **floodplain risk management study** needs to be developed in accordance with the principles and guidelines contained in the **Flood Risk Management Manual**.

Floodway refers to land that is a pathway taken by major discharges of floodwaters, the partial obstruction of which would cause a significant redistribution of floodwaters, or a significant increase in flood levels. **Floodways** are often aligned with natural channels, are usually characterised by deep and relatively fast flowing water and have major damage potential. These are indicated on the flood planning maps provided by Council's online mapping system.

Floor Space Ratio of buildings on a site is the ratio of the **gross floor area** of all buildings within the site to the **site area**.

Footway is a path or way for pedestrians and is generally referred to as a footpath.

Freeboard means the height of **finished floor level** above the **1% AEP flood event** level. It is used as a safety margin to compensate for uncertainties such as wave action, localised hydraulic behaviour (e.g. flow path blockages caused by natural and urban debris such as trees, 'wheelie' bins, cars, containers) and changes in rainfall patterns and ocean water levels as a result of the changing climate.

Front Property Boundary means the legal boundary of a parcel of land adjoining the primary **road reserve** frontage.

Front Setback is the minimum distance from a lot's **frontage** to which the outermost projection of a structure may be built.

Frontage is a boundary of a lot that abuts a public or private road.

Function Centre has the same meaning as in the ***MLEP 2011***.

G

Green and Blue Grid maps and shows how native vegetation, wetlands and waterways can link together throughout the Local Government Area to provide an interconnected network of green and blue spaces. When protected and enhanced, these spaces:

- Protect biodiversity and provide wildlife movement corridors
- Help the urban environment to cool
- Contribute to cleaner air and waterways
- Provide new opportunities for community recreation and
- Support improved physical, social and psychological health.

The Green and Blue Grid map includes a hierarchy of **'biodiversity corridors'**, that is, connections across the landscape that link up areas of habitat.

Greenfield means a site in a locality which has not been previously developed or used for other urban purposes.

Gross Floor Area has the same meaning as in the ***MLEP 2011***.

Ground Level (existing) has the same meaning as in the ***MLEP 2011***.

Ground Level (finished) has the same meaning as in the ***MLEP 2011***.

Ground Level (mean) has the same meaning as in the ***MLEP 2011***.

Groundwater means the water located beneath the earth's surface in soil pore spaces and in the fractures of rock formations. A unit of rock or an unconsolidated deposit is called an aquifer when it can yield a usable quantity of water.

H

Habitable Room as defined by the current National Construction Code means a room used for normal domestic activities, and -

a) includes a bedroom, living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but -

b) excludes a bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Habitat is the natural home or environment of a plant, animal, or other organism. It provides the organisms that live there with food, water, shelter and space to survive. Habitats consist of both biotic and abiotic factors. Biotic factors are living things. Abiotic factors are nonliving things.

Heritage Conservation Area has the same meaning as in the ***MLEP 2011***.

Heritage Impact Statement, also known as a **Statement of Heritage Impact (SoHI)**, has the same meaning as in the ***MLEP 2011***.

Heritage Item has the same meaning as in the ***MLEP 2011***.

Hollow Bearing Tree Assessment means an assessment undertaken to uncover the quality and quantity of tree hollows present on a site.

Home Business has the same meaning as in the ***MLEP 2011***.

Home Industry has the same meaning as in the ***MLEP 2011***.

Hydro Line Spatial Data contains mapped information about watercourses and waterbodies in NSW, Australia. It is based on the Spatial Services (Department of Finance, Services & Innovation) NSW Hydro Line dataset. The purpose of the Hydro Line spatial data is to determine the **Strahler stream order** of a stream. This information can help identify:

- Exemptions from water licences/approvals i.e. determine whether a watercourse is exempt from requiring a water licence or approval under the *Water Management (General) Regulation 2018*.
- Links for harvestable rights dams to identify suitable locations on a property for constructing harvestable rights dams.

I

Identified Heritage Property means any place identified in a document held by Council which suggests that the place has heritage or cultural significance. It includes a **heritage item**, provisional heritage item, and any property identified in a plan or in a list within this document, or in the heritage guidelines.

Impervious Area means the proportion of a site area covered by surfaces that water is unable to penetrate, such as concrete.

Industry has the same meaning as in the ***MLEP 2011***.

Infill Development refers to **development** in areas already used for urban purposes. Specifically, the reuse of a site within the existing urban footprint for new housing, businesses or other urban development.

Integrated Development means **development** (not being State Significant Development or Complying Development) that, in order for it to be carried out, requires **development consent** and the listing approvals under section 4.46 of the ***EP&A Act.***

L

Land Application Map has the same meaning as in the ***MLEP 2011***.

Land Use Types means the definitions of development as listed under ***MLEP 2011***.

Landscaped Area means a part of a site used for growing plants, grasses and trees, including lawns, but does not include any building, structure or hard paved area.

Laneway means a quiet, narrow street aligned to the rear of residential or commercial properties for service access, paired with parallel residential streets that can be designed for safer and more continuous links for walking and cycling.

Legibility in design means that the movement system provides a sense of direction and connection, and gives clear signals regarding the spatial layout and topography of an area.

Light Industry has the same meaning as in the ***MLEP 2011***.

Light Spill means light emitted by a lighting installation which falls outside the boundaries of the property on which the installation is sited.

Living Area means a room used for normal communal domestic activities, and -

c) includes a living room, lounge room, music room, television room, kitchen, dining room, sewing room, study, playroom, family room, home theatre and sunroom; but -

d) excludes a bedroom, bathroom, laundry, water closet, pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, and other spaces of a specialised nature occupied neither frequently nor for extended periods.

Loading Dock is the area for loading and unloading of vehicles, generally incorporating a raised platform to facilitate operations. Loading and unloading can, however, take place from ground level.

Local Environmental Plan (LEP) means the local environmental plan applying to the land to which this plan applies, being the ***Maitland Local Environmental Plan 2011 (MLEP 2011)***.

Local Street means a local street as defined by the current version of the **Maitland Manual of Engineering Standards**.

Locality Plan is a strategic document that outlines future development and infrastructure for a specific area. It sets the stage for growth by providing a framework for land use, transportation, and other aspects of the local environment.

Lot is a parcel of land or space described in a land title. Within this plan, **lot** also means "a development lot" as defined by the *Community Land Development Act (1989).*

Lot Width means the length of the perpendicular line between the side boundaries of a **lot**, as measured at the front boundary of the **lot**.

M

Manoeuvring Area is the part of a service area, adjacent to service bays, required by service vehicles to manoeuvre into the bays or to a position beside a loading dock.

Manual of Engineering Standards (MOES) refers to the **Maitland Manual of Engineering Standards**. The **MOES** is a suite of documents that provides engineering requirements for developments and subdivisions.

Merit-based approach is the means of achieving an **objective** based on the desired outcome, rather than specific numerical standards.

Minor/Major Drainage System is defined within Council's MoES.

Mixed Use Development has the same meaning as in the ***MLEP 2011***.

Multi Dwelling Housing has the same meaning as in the ***MLEP 2011***.

N

Native Vegetation means any of the following types of plants native to New South Wales:

- Trees (including any sapling or shrub or any scrub),
- Understorey plants,
- Groundcover (being any type of herbaceous vegetation), or
- Plants occurring in a wetland.

Natural Heritage means:

- Natural features consisting of physical and biological formations or groups of such formations, which are of identifiable value from an aesthetic or scientific point of view,
- Geological and physiographical formations and delineated areas, which constitute the habitat of threatened species of animals and plants of identifiable value, from the point of view of science or conservation, or
- Natural sites or delineated natural areas of identifiable value from the point of view of science, conservation or natural beauty, regardless of evidence of human intervention.

Neighbourhood is an urban area within a five-minute walk (400 metre) of a centre. Neighbourhoods are generally residential areas with a central activity node in the form of a centre.

Nodes mean focal points, intersections or loci. Examples include train stations, neighbourhood centres, bus depots or intersections.

Non-habitable Room means a room not defined as a **habitable room** under this Development Control Plan.

Non-urban Area/Zone is a RU1 Primary Production, RU2 Rural Landscape, R5 Large Lot Residential, C2 Environmental Conservation, C3 Environmental Management, C4 Environmental Living, or W2 Recreational Waterways zone as identified by the **LEP**. All other zones under the **LEP** are considered to be urban zones.

O

Objectives are the broad metrics that proposed **development** is to achieve under this **DCP**. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'.

Occupation Certificate means a certificate that authorises:

- The occupation and use of a new building in accordance with a development consent, or
- A change of building use for an existing building in accordance with a development consent.

Note: Occupation certificate has the same meaning as in the ***EP&A Act***.

Offensive Noise has the same meaning as in the *Protection of the Environment Operations Act 1997.*

On-site Parking refers to parking available directly at the destination or property, like within a residential area or at a business. For residents, it often means having parking spaces available on the property itself, while for businesses, it might include designated parking areas for employees and customers.

On-site Stormwater Detention means a way of ensuring that land-use changes does not cause increased downstream flooding: both in the local drainage system immediately downstream and along the creeks and rivers further downstream. **On-site detention** usually consists of a discharge control pit, storage and collection network. For further detail refer to Council's **MOES**.

Open Space means either **private open space** or **public open space.**

Outbuilding means an unattached building or structure that includes a bird aviary, cubby house and other play equipment, cabana, garden shed and greenhouse and the like.

Outdoor Lighting any form of permanently installed exterior lighting and interior lighting systems that emits light impacts on the outdoor environment.

Overland Flow means water that flows down to a water course as opposed to flooding that is water that rises from a water source.

Overland Flow Path are the areas of inundation by local runoff rather than inundation created by overbank flows discharging from a watercourse.

P

Parking Aisles are the aisles used by cars to gain access to a parking space.

Pest has the same meaning as in the *Biosecurity Act 2015.*

Place means a site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Plant Nursery has the same meaning as in the ***MLEP 2011***.

Precinct Plan means a plan prepared to address the matters set out for specific land within the context of Part 6 (Urban release areas) of the ***MLEP 2011***.

Prescriptive Controls are requirements that an applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each section of this DCP.

Primary Road Frontage is the road fronting a development from which access is gained via a driveway. Some developments will have more than one frontage road.

Principal Private Open Space has the same definition as in *State Environmental Planning Policy Exempt and Complying 2008*.

Privacy Screen is a visual barrier, typically a wall or structure, designed to limit the view between a property and an adjoining area, or between a habitable room and an adjoining lot. It's used to enhance privacy and prevent unwanted views, often while still allowing some light and air to pass through.

Private Open Space has the same meaning as in the ***MLEP 2011***.

Probable Maximum Flood (PMF) refers to the largest flood that could conceivably occur at a particular location, usually estimated from probable maximum precipitation, and where applicable, snow melt, coupled with the worst flood producing catchment conditions.

Public means a person who accesses a building or premises who are not owners or staff.

Public Domain means land to be considered public property and would generally be understood to be streetscapes or **public open space.**

Public Infrastructure means infrastructure, such as sewerage, electrical, water or similar that is under the ownership of a public authority, such as Council.

Public Open Space means a social space that is generally open and accessible to people, including drainage reserves, public domain, parks and sportsgrounds.

Public Road for the purposes of this plan is a road that is controlled by a public authority.

Pump station are systems designed to transport liquids, such as water or wastewater, from one location to another. They are typically utilised in cases where gravity-fed systems are unable to be used.

Q

Qualified Arborist means:

a. A person who holds the Australian Qualifications Framework Diploma in Horticulture (Arboriculture) or other qualifications to the satisfaction of Council (Level 5 or higher), and

b. Who has been registered with the Council as a qualified person for the proposes of the preparation of an arborist report.

Qualified Professional is someone who possesses the necessary skills, knowledge, and experience to effectively perform a particular job or task. They are considered competent and trustworthy in their field, often having completed specific training, education, or professional certifications.

Note: A qualified professional can include (but not limited to) a qualified consultant, acoustic consultant, geotechnical engineer, heritage professional, access consultant, ecologist etc.

Qualified Professional Engineer means a practicing professional with accreditations received from a university recognised by Engineers Australia or equivalent international accreditation.

R

Rail Line means infrastructure or area reserved for the purpose of rail transport, whether for goods or passengers.

Recreation is the act of passive (e.g. walking, reading) or active (e.g. jogging, cycling) relaxation. Recreation takes place in locations that are designed for either unstructured (random) recreation or structured (sports, such as football) activities. Sport fields are designed for structured recreation but also allow passive activity. Likewise, parkland may be designed for passive activity but provides cycle paths for structured recreation.

Recreation Area has the same definition as in the ***MLEP 2011***.

Recreation Facility (indoor) has the same definition as in the ***MLEP 2011***.

Recreation Facility (outdoor) has the same definition as in the ***MLEP 2011***.

Residential Accommodation has the same meaning as in the ***MLEP 2011***.

Residential Flat Building has the same meaning as in the ***MLEP 2011***.

Restricted Premises has the same meaning as in the ***MLEP 2011***.

Retail Premises has the same meaning as in the ***MLEP 2011***.

Riparian Corridor means a transition zone between the land (also known as the terrestrial environment) and the river or watercourse or aquatic environment. **Riparian corridors** perform a range of important environmental functions.

Riparian Vegetation is vegetation that grows on water surfaces, below water surfaces, on waterway banks, and along the edges of waterways.

Road Reserve means a legally described area within which facilities such as roads, footpaths, and associated features may be constructed for public travel.

Road/Street Hierarchy refer to Council's **MOES**.

Roadside Stall has the same meaning as in the ***MLEP 2011***.

Run-off is rainwater that does not soak into the soil, but flows across surfaces, generally hard surfaces, to the nearest drain, water body or waterway.

Rural Areas means the following land-use zones under the ***MLEP 2011***:

- RU1 Primary Production
- RU2 Rural Landscape

S

Scale of Subdivision is dependent on the size and complexity of a subdivision. The differing scales include:

- Minor Subdivision: The creation of 1 – 9 new lots, where no new roads are required.
- Medium Subdivision: The creation of 10 – 49 new lots, OR the creation of 1 – 9 new lots, where a new road is required.
- Major Subdivision: The creation of 50 or more new lots.

Secondary Dwelling has the same meaning as in the ***MLEP 2011***.

Secondary Setback relates to a building situated on a corner lot that faces to two streets and therefore requires two setbacks. The secondary setback is provided to the non-primary street, being the street which carries less traffic load.

Section 88B means section 88B of the *Conveyancing Act 1919.*

Seniors Housing has the same meaning as in the ***MLEP 2011***.

Sensitive and Hazardous Development includes the following land uses (refer to ***MLEP 2011*** Dictionary for definitions of each):

a. boarding houses
b. caravan parks
c. correctional centres
d. early education and care facilities
e. eco-tourist facilities
f. educational establishments
g. emergency services facilities
h. group homes
i. hazardous industries
j. hazardous storage establishments
k. hospitals
l. hostels
m. information and education facilities
n. respite day care centres
o. seniors housing
p. sewerage systems
q. tourist and visitor accommodation; and
r. water supply systems

Sensitive Receptors are places or individuals that are more susceptible to the adverse effects of environmental factors. This may include an area where significant flora and fauna species, vegetation communities, ecological and/or riparian corridors and other significant habitat are part of land in a residential zone. They may also be on the site of an education establishment, hospital, childcare facility, community facility and the like.

Setback or Building Line has the same meaning as in the ***MLEP 2011***.

Setting means the area around a 'place', which may include the visual catchment.

Sex Services Premises has the same meaning as in the ***MLEP 2011***.

Shared Pathway means a path designed to provide a travel area separate from motorised traffic for bicyclists, pedestrians, skaters, wheelchair users, joggers, and other users.

Side Boundary means the property boundaries connected to the front property line.

Sight Distance is the distance over which visibility occurs between a driver and an object, or between two drivers, at specific heights above the ground.

Sight Line is a straight line of clear view between two objects over which a sight distance is measured.

Signage has the same meaning as in the ***MLEP 2011***.

Significant Trees Register means the Maitland Council's Significant Tree Register. This Register is available from the Maitland City Council Website.

Site Analysis means the preparatory step for developing a site analysis plan. The results of this analysis are illustrated by a **site analysis** plan submitted as part of a Statement of **Environmental Effects.** Refer to Appendix A & B Applications Requirements for further details.

Site Area means the area contained within the boundaries of the site.

Solar Access means the amount of the sun's energy available to a building.

Specialised Retail Premises has the same meaning as in the ***MLEP 2011***.

Splay Corners means the corners of a road intersection.

Statement of Environmental Effects (SEE) means a document that examines the potential environmental impact of a development and details how these impacts will be managed and mitigated.

Stormwater is the run-off from rainfall events.

Strahler Order Water Courses are channels of watercourses that are classified under the Strahler System. A 1st order water course has no other watercourses flowing into it, a 2nd order has one watercourse flowing into it, and so on.

Strata Title Subdivision is a type of subdivision made under the *Strata Titles Act 1973*.

Streetscape is what is within view of a person, including buildings and natural forms, related to the street.

Structure Plan is a plan that provides a comprehensive planning approach to the subdivision of land. It identifies the road network, open space network, services, environmental issues, pedestrian/cyclist links, mix of land uses and approximate density yields, among other attributes. These are provided as part of an Urban Release Area under Chapter 10 of the DCP.

Sub-Arterial Roads are roads that connect Arterial Roads to areas of development, carry traffic directly from one part of the city to another, and may also relieve traffic on **arterial roads**. Smooth and safe traffic flow is the main priority of these roads. In many instances, these roads travel through centres and should safely facilitate pedestrian and cycle movement.

Subdivision means an area or lot of land being subdivided into smaller lots. Refer to **scale of subdivisions** in this Glossary.

Subdivision Certificate means a certificate that authorises the registration of a plan of subdivision under Part 23 of the *Conveyancing Act 1919*.

Note: Subdivision certificate has the same meaning as in the ***EP&A Act***.

Subdivision Works Certificate means a certificate to the effect that subdivision work completed in accordance with specified plans and specifications will comply with the requirements of the regulations.

Note: Subdivision works certificate has the same meaning as in the ***EP&A Act***.

Swimming Pool has the same meaning as in the *Swimming Pools Act 1992.*

T

Telecommunications Facility has the same meaning as in the ***MLEP 2011***.

Traffic Generating Development means **development** defined as **traffic generating development** under Schedule 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021.*

Transport Movement Hierarchy is to be provided for any subdivision that creates new roads. The hierarchy is to include:

- Major circulation routes and connections
- Proposed bus routes and its pedestrian connectivity
- On & off-road cycling and pedestrian networks
- Strategic access points
- Intersection hierarchy

Treatment Train is a term describing a stormwater treatment in which various devices and methods are used in sequence to treat polluted run-off water from sites.

Tree see definition of **native vegetation** under in *Local Land Services Act 2013.*

U

Universal Accessible Design means design suitable for people of all ages and abilities, including people with a disability.

Urban Design is a process that concentrates on the appearance of the built environment, how it works, including its relationship to the natural environment and human behaviour, and its ability to provide, safe, equitable, stimulating and enterprising environments for all people.

Urban Release Area has the same meaning as in the **MLEP 2011**.

Urban Areas/Zones are any land zones within the Maitland LGA that do not fall under the definition of a **non-urban zone.**

V

Vegetated Riparian Area means the **vegetated riparian zone** that adjoins the channel comprising the bed and banks of the watercourse of a **riparian corridor.**

Vegetation means a tree or other vegetation, whether or not it is native vegetation as defined under the *State Environmental Planning Policy (Biodiversity and Conservation) 2021***.**

Virgin Excavated Natural Material (VENM) has the same meaning as in the *Protection of the Environment Operations Act 1997.*

Vistas means a view corridor to a distant view.

W

Walkable Perimeter is the actual area served within a five-minute (400 metre) or 10-minute (800 metre) walking distance along a movement network.

Waste has the same meaning as in the *Protection of the Environment Operations Act 1997.*

Waste Storage and Recycling Area means a designated area or a combination of designated areas upon the site of a building for the housing of approved containers to store all waste material

(including recyclable material) likely to be generated by the building's occupants.

Water Catchment is an area that drains water to a common point.

Watercourse has the same meaning as in the ***MLEP 2011***.

Waterway has the same meaning as in the ***MLEP 2011***.

Water Cycle Management means the handling of water and water resources in a manner that considers the whole of the hydrological process. This includes the quality and quantity of the resource from its various sources, and its use and transport in the natural and built environment. Sustainable **Water Cycle Management** incorporates the principles and practice of Water Smart and **Water Sensitive Urban Design** philosophies.

Waterfront Land has the same meaning as in the *Water Management Act 2000.*

Water Quality Targets are outlined in the **MOES**.

Water Sensitive Urban Design (WSUD) is a design approach that is intended to:

- Enhance water quality in receiving waters,
- Reduce the risk of flood damage in developed areas,
- Reduce stormwater run-off volumes, peaks and velocity,
- Prevent erosion of waterways, slopes and banks,
- Protect riparian and littoral vegetation,
- Minimise water-borne pollutants,
- Improve efficiency in the use of water, and reduce reliance for imported mains water,
- Reduce sewer overflows in wet weather, and
- Promote scenic landscape and recreation values.

Weeds means a plant that is a pest and has the same meaning as in the *Biosecurity Act 2015.*

Wetland means a location identified as 'wetland' on the Wetlands Map under the ***MLEP 2011***.

Written Notice in relation to advising of a proposed development shall contain the following information:

- A description and address of the site
- The proposed use of the building and a description of the building
- The name of the applicant
- The time period within which written submissions may be made, and
- A notification plan.

Acronyms

ACRONYM	DEFINITION
AEP	Annual Exceedance Probability (flood event)
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System
AHIP	Aboriginal Heritage Impact Permit
APZ	Asset Protection Zone
AQF	Australian Qualifications Framework
AS	Australian Standard
BAM	Biodiversity Assessment Method
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
BEWP	Bulk Earthworks Plan
BMP	Biodiversity Management Plan
COS	Communal Open Space
CPTED	Crime Prevention Through Environmental Design
CRZ	Core Riparian Zone
CWMP	Construction Waste Management Plan
DA	Development Application
dB(A)	A-weighted Decibels
DCP	Development Control Plan
DSI	Detailed Site Investigation
EEC	Endangered Ecological Communities
EP&A Act	Environmental Planning and Assessment Act 1979
EPI	Environmental Planning Instrument
ERSED	Erosion and Sediment
ESCP	Erosion and Sediment Control Plan
ESD	Ecologically Sustainable Development
ESS	(Maitland) Environmental Sustainability Strategy 2030
EV	Electric Vehicle
FERP	Flood Emergency Response Plan
FFAR	Flora and Fauna Assessment Report

ACRONYM	DEFINITION
FIRA	Flood Impact and Risk Assessment
FPL	Flood Planning Level
FRP	Flood Risk Precinct
GFA	Gross Floor Area
HCA	Heritage Conservation Area
LALC	Local Aboriginal Land Council
LGA	Local Government Area
LSPS	Local Strategic Planning Statement
MLEP	Maitland Local Environmental Plan 2011
MoES	Manual of Engineering Standards
NBN	National Broadband Network
NCC	National Construction Code
OWMP	Operational Waste Management Plan
PHA	Preliminary Hazard Analysis
PMF	Probable Maximum Flood
POS	Private Open Space
PPOS	Principal Private Open Space
PSI	Preliminary Site Investigation
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
SIA	Social Impact Assessment
SIP	Statutory Infrastructure Provider
SoHI	Statement of Heritage Impact
SWMP	Soil and Water Management Plan
TIA	Traffic Impact Assessment
VENM	Virgin Excavated Natural Material
VMP	Vegetation Management Plan
VRZ	Vegetated Riparian Zone
WSUD	Water Sensitive Urban Design

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Draft Maitland Development Control Plan 2026 - Supporting Documents (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 3

Number of Pages: 118



Maitland DCP 2026

Appendix A:

Application Requirements – Other Development

maitland CITY COUNCIL

Table of Contents

Supporting document requirements – Matrix – All other Development 4
Supporting information and documentation guide 9
1. Aboriginal cultural heritage assessment report (ACHA/ACHAR) 9
2. Aboriginal heritage due diligence assessment 9
3. Access audit report 9
4. Acoustic and/or vibration report 9
5. Agricultural Property Management Plan 10
6. Air quality Impact Assessment 10
7. Arborist report 10
8. Archaeological report 11
9. BASIX Certificate 11
10. Biodiversity Development Assessment Report (BDAR) 11
11. Bulk earthworks plan 11
12. Bushfire assessment report (BAR) 12
13. Civil Plans 12
14. Colour, Materials and Finishes Schedule 13
15. Construction Waste Management Plan 13
16. Contamination Report (PSI or DSI) 13
17. Cost estimate report 14
18. CPTED Statement (Crime Risk Assessment) 14
19. Demolition plan 15
20. Design Verification Statement Template 15
21. Driveway Profile 15
22. Economic impact assessment 15
23. Electromagnetic energy report 16
24. Elevation plans 16
25. Environmental impact statement 16
26. Erosion and Sediment Control Plan (ESCP) 16
27. Flood evacuation / management plan (FEMP) 17
28. Flood Impact Assessment (FIA) 17
29. Floor plans 18
30. Flora and fauna Assessment (FFA) 18
31. Geotechnical report 19
32. Landscape plan 19
33. National Construction Code Assessment Report 20
34. Notification Plans 20
35. Odour report 20

36. Operational Plan of Management 20
37. Operational Waste management plan 21
38. Owners consent 21
39. Photomontage 21
40. Preliminary Hazard Analysis (PHA) 21
41. Remediation Action Plan (RAP) 22
42. Riparian Land Assessment 22
43. Secretary's Environmental Assessment Requirements (SEARS) 22
44. Section Plans 22
45. Section J report 23
46. Shadow Diagrams 23
47. Signage Plan 23
48. Site analysis plan 23
49. Site plan 24
50. Social Impact Assessment (SIA) 25
51. Soil and Water Management Plan (SWMP) 26
52. Statement of Environmental Effects (SEE) 26
53. Statement of Heritage Impact (SOHI) 28
54. Stormwater Management Plan 29
55. Structural assessment report 30
56. Subdivision plan 30
57. Surface Water Assessment Report 30
58. Survey plan 30
59. Swept path diagram 31
60. Transport impact assessment 31
61. Traffic management plan 31
62. Vegetation management plan (VMP) 31
63. Visual impact assessment (VIA) 31
64. Wastewater report 32

VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

Supporting document requirements – Matrix – All other Development

Application requirements matrix

This Application Requirement Guideline shows documentation that must or may be provided with your Development Application based on the development type, as demonstrated in the Matrix below. Details on what is to be provided as part of each documentation is provided in the **Supporting information and documentation guide** section. The key for this is provided below and at the end of the matrix:

✓	O	X
Information required. Application will not be accepted without this documentation	Information may be required	Information not required

Note: Council at its discretion may request additional studies either not being identified under a specific development type or not identified at all within the matrix. This occurrence may be due to the unique elements of a proposed development or its scale and/or size.

Further information on development application requirements

The Department of Planning, Housing and Infrastructure (or current equivalent) has prepared an Application Requirements (2022) guideline for all development applications. This document provides explanation and additional information regarding conditions within the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* applying to all development. This document should be read in conjunction with Council's Application Requirements and be considered as a **baseline only** for supporting information to support development applications.

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Aboriginal Cultural Heritage Assessment Report (ACHA)	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Aboriginal Heritage Due Diligence Assessment	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Access Audit Report	O	✓	✓	O	✓	X	O	✓	X	X	X	O	X	O
Acoustic and/or Vibration Report	O	O	O	O	O	O	O	O	X	X	O	O	O	O
Agricultural Property Management Plan	X	X	X	O	X	X	X	X	X	X	X	X	X	X
Air Quality Report	O	O	O	O	✓	O	O	O	X	X	O	X	O	O
Arborist Report	O	O	O	X	O	X	O	O	O	O	O	X	O	O
Archaeological report	X	X	X	X	X	X	X	X	X	O	O	X	O	O
BASIX Certificate	✓	✓	X	O	X	X	X	X	X	X	X	X	X	O
Biodiversity Development Assessment Report (BDAR)	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Bulk Earthworks Plan	✓	✓	✓	X	✓	X	✓	O	X	O	✓	X	✓	O
Bushfire Assessment Report (BAR)	O	O	O	X	O	X	O	O	X	X	X	O	O	O
Civil Plans	✓	✓	✓	X	✓	X	✓	O	O	X	O	O	✓	✓
Colour, Materials and Finishes Schedule	✓	✓	✓	X	✓	X	✓	O	✓	X	X	X	X	O
Construction Waste Management Plan	✓	✓	✓	O	✓	O	✓	O	✓	✓	✓	O	✓	✓

5 – MDCP 2026 Appendix A: Application Requirements: Other Development

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Contamination Report (PSI or DSI)	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Cost Estimate Report	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
CPTED Statement	O	✓	✓	O	O	X	✓	O	X	X	X	O	X	O
Demolition Plan	O	O	O	X	O	X	O	O	O	✓	O	X	O	O
Design Verification Statement	X	✓	X	X	X	X	X	X	X	X	X	X	X	X
Driveway Profile	✓	✓	O	X	✓	X	O	O	X	X	X	X	O	O
Economic Impact Assessment (EIA)	X	X	O	X	O	X	O	O	X	X	X	X	O	X
Elevation Plans	✓	✓	✓	X	✓	O	✓	O	✓	X	O	O	X	✓
Erosion and Sediment Control Plan (ESCP) **(if site is between 250m² and 2,500m²)**	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Flood Impact Assessment	O	O	O	X	O	X	O	O	X	X	O	O	O	O
Floor Plans	✓	✓	✓	✓	✓	✓	✓	O	X	X	X	O	X	✓
Flora and Fauna Assessment (FFA)	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Geotechnical Report	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Landscape plan	✓	✓	✓	X	✓	X	✓	O	X	X	X	X	✓	✓
National Construction Code Assessment Report	X	X	O	O	O	X	O	O	X	X	X	X	X	O

6 – MDCP 2026 Appendix A: Application Requirements: Other Development

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Odour Report	O	O	O	X	O	O	O	O	X	X	X	X	O	X
Operational Plan of Management	X	X	O	O	✓	O	O	✓	X	X	X	✓	X	O
Operational Waste Management Plan	✓	✓	✓	X	✓	✓	✓	O	X	✓	✓	✓	✓	✓
Owner(s) Consent	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Photomontage	O	O	O	X	O	X	O	O	O	X	X	X	X	O
Preliminary Hazard Analysis	X	X	O	X	O	X	X	X	X	X	X	X	X	O
Remediation Action Plan	O	O	O	O	O	X	O	O	X	O	O	X	O	O
Riparian Land Assessment	O	O	O	X	O	X	O	O	X	O	O	X	O	O
Section Plans	✓	✓	✓	X	✓	X	✓	O	O	X	O	O	O	✓
Section J report	X	X	O	X	O	X	O	O	X	X	X	X	X	O
Shadow Diagrams	O	✓	O	X	O	X	O	O	O	X	X	X	X	O
Signage Plan	X	O	✓	O	O	O	O	O	✓	X	X	O	O	O
Site Analysis Plan	✓	✓	✓	✓	✓	✓	✓	✓	O	✓	✓	✓	✓	✓
Site Plan	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Social Impact Assessment (SIA)	X	O	O	X	O	X	O	O	X	X	X	X	O	O
Soil and Water Management Plan (SWMP) **(if site is >2,500m²)**	A	A	A	A	A	A	A	A	A	A	A	A	A	A

7 – MDCP 2026 Appendix A: Application Requirements: Other Development

	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (4 OR MORE)	RESIDENTIAL FLAT BUILDING	COMMERCIAL / RETAIL / OFFICE	CHANGE OF USE	INDUSTRIAL	HOME BUSINESS / HOME INDUSTRY	COMMUNITY AND/OR RECREATION FACILITY	TOURISM	SIGNAGE	DEMOLITION	EARTHWORKS AND RETAINING WALLS	TEMPORARY EVENT(S)	SUBDIVISION (OVER 10+ LOTS)	ALTERATIONS AND ADDITIONS (OVER $1,000,000 ECD)
Statement of Environmental Effects (SEE)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Statement of Heritage Impact (SoHI)	O	O	O	X	O	O	O	O	O	O	O	O	O	O
Stormwater Management Plan	✓	✓	✓	X	✓	X	✓	O	X	X	X	O	✓	✓
Structural Assessment Report	X	X	X	O	X	O	X	X	X	O	X	X	X	O
Subdivision Plan	O	O	X	X	X	X	X	X	X	X	X	X	✓	X
Surface Water Assessment Report	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Survey Plan	✓	✓	✓	O	✓	✓	✓	✓	O	✓	✓	O	✓	O
Swept path diagram	O	✓	✓	X	✓	X	O	O	X	X	X	X	O	O
Transport Impact Assessment (TIA)	O	O	O	X	O	X	O	O	X	O	O	O	O	O
Traffic Management Plan	O	O	O	X	O	X	O	O	X	O	O	O	O	O
Vegetation Management Plan	O	O	O	X	O	X	O	O	X	X	O	X	O	O
Visual Impact Assessment (VIA)	O	✓	O	X	O	X	O	O	O	X	O	X	O	O
Wastewater Report	O	O	O	X	O	X	O	O	X	X	X	O	O	X

✓	O	X
Information required. Application will not be accepted without this documentation	Information may be required	Information not required

8 – MDCP 2026 Appendix A: Application Requirements: Other Development

Supporting information and documentation guide

1. ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT (ACHA/ACHAR)

A report which provides a detailed investigation and assessment of Aboriginal cultural heritage that may be affected by the development in accordance with the Guide to Investigating, Assessing and Reporting on Aboriginal Heritage Culture in NSW. The report typically results from a recommendation of an Aboriginal Heritage Assessment Due Diligence Report and is a requirement of the Environment, Energy and Science Group before granting general terms of approval to a development application. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant.

Note: Not required if Heritage NSW has previously issued an Aboriginal Heritage Impact Permit for the site that remains valid and whose conditions will be complied with.

2. ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT

A report that provides a due diligence assessment of the site's Aboriginal heritage in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant. If the consultant recommends the preparation of an Aboriginal Cultural Heritage Assessment Report it must be submitted with the application.

Generally required for developments that are an initial disturbance of the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.

3. ACCESS AUDIT REPORT

An audit to establish how well a building performs in relation to access and ease of use by a wide range of potential users, including people with physical mobility and sensory impairments. It seeks to ensure that non-discriminatory access is to be provided to and from a building from adjoining roads and paths.

The report is to be commensurate to the scope of the proposed works / land use and is to have specific regard to the relevant Environmental Planning Instrument provisions, the *Disability Discrimination Act 1992*, the relevant Australian Standards and provisions of the National Building Code Construction Code of Australia. Specific detail is to be provided as to how the development will ensure equitable access (including any required building upgrade works for change of use and alteration and addition applications) for persons with a disability or less mobile persons.

4. ACOUSTIC AND/OR VIBRATION REPORT

A report carried out to detail the noise and/or vibration intrusion related to aircraft, railway, restaurants, childcare centres, industrial buildings and any noise emitting uses. It must address Australian Standards and be prepared by a suitably qualified person.

5. AGRICULTURAL PROPERTY MANAGEMENT PLAN

A plan prepared for agricultural uses that includes the following information:

a. Existing development within the property boundary.
b. Any machinery to be used during the use of the land for the proposed agricultural purpose.
c. Any handling, processing, and storage facilities.
d. Any internal fencing.
e. Adequacy of road access to and within the lot.
f. The location of any existing and/or proposed dwelling.
g. The economic impact and any benefits of the proposal.
h. Annual water demand for the proposed use, the preferred water supply, and any alternative source of water supply.
i. Irrigation system and how any impact on waterways and ground water will be managed.
j. Measures proposed to mitigate adverse impacts on ground water aquifers.
k. Any proposed drainage works and measures to mitigate pollutants entering waterways and/or aquifers.
l. The impact of bushfire, flooding and any other hazards.
m. The location of any ground water, dam, river, creek, or other water source.
n. Potential impact on ground water levels and water quality and methods to mitigate impacts.
o. Details of potential odours, vibration and noise.
p. Possible exclusion zones around chemical or flammable liquid storage.
q. Safety measures for spill containment and backup provisions.
r. Details of the quantity, use, and management of chemicals and fertilisers.

6. AIR QUALITY IMPACT ASSESSMENT

An air quality impact assessment is to be provided for development that has the capacity to measurably deteriorate air quality of its surrounds during construction and/or operation. It is to:

- Address construction, operation and occupational impacts,
- Identify emissions and measures to mitigate against impact on any nearby residences, especially on sensitive receivers, and
- Be prepared in accordance with the NSW Environmental Protection Agency 'Approved Methods for the Modelling and Assessment of Air Pollutants in New South Wales (2022)'.

7. ARBORIST REPORT

A technical report prepared by a AQF Level 5 qualified arborist that adequately assesses the health of a tree or other vegetation. This report is to detail:

- Tree health
- Tree characteristics
- Tree location, including Tree Protection Zones and Structural Root Zones
- Arborist impact assessment and recommendations.

Further information can be found in Section 3 of this guide pertaining to information on tree pruning and removal.

8. ARCHAEOLOGICAL REPORT

An archaeological report is to be prepared by a qualified archaeologist. An archaeological report is a document that summarises the results of an archaeological investigation and provides an objective account of the findings. It includes information about the research questions, methods, data, and artifacts, and uses this information to draw conclusions about past human life.

Additional information can be found at the NSW Heritage's Archaeological Assessments: Guidelines.

9. BASIX CERTIFICATE

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

The applicant must submit the BASIX Certificate with the Development Application or Complying Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction.

It is required for the following categories of development:

- All new residential dwellings and residential components of mixed commercial/residential buildings
- Residential alterations and additions over $50,000 estimated value
- Swimming pools over 40,000 litres or more

Note: Applicants can generate the BASIX Certificate at the BASIX website: http://www.basix.nsw.gov.au or contact the BASIX Help line on 1300 650 908.

10. BIODIVERSITY DEVELOPMENT ASSESSMENT REPORT (BDAR)

A Biodiversity development assessment report (BDAR) is an official document that identifies how you (as the developer or their delegate) will propose to avoid, minimize and offset impacts from your proposed development upon native vegetation or biodiversity listed under the *Biodiversity Conservation Act 2016.* A BDAR is required when certain vegetation clearing thresholds are triggered.

Additional information can be found on the Department of Environment and Heritage's Guidance for the Biodiversity Development Assessment Report Template.

11. BULK EARTHWORKS PLAN

A bulk earthworks plan involves the removal, moving, or adding of large amounts of soil or rock to prepare land for construction. The plan typically includes:

- Setout, such as ground levels (existing and finished)
- Clearing vegetation
- Removing topsoil (cut and fill)

11. BULK EARTHWORKS PLAN

- Removing and replacing unsuitable material
- Cuttings and embankment construction
- Spoil or borrow activities
- Processing selected material
- Total cubic metres of fill import
- Total cubic metres of fill export

12. BUSHFIRE ASSESSMENT REPORT (BAR)

A bushfire prone area is an area of land that can support a bush fire or is likely to be subject to bush fire attack. Bush fire prone areas are identified on a bush fire prone lands map, the map identifies bush fire hazards and associated buffer zones within a local government area. Bush fire prone land maps are prepared by local councils across the State of NSW and are certified by the Commissioner of the NSW Rural Fire Service (RFS). Planning law in NSW now requires new development on bush fire prone land to comply with the provisions of *Planning for Bush Fire Protection 2019* and must be designed to improve the survivability of the development and the occupants that are exposed to a bush fire hazard.

The assessment report determines the suitability of a proposal with regards to bushfire through consideration of the requirements contained within the *Planning for Bush Fire Protection 2019* document prepared by the RFS.

The bushfire assessment report must demonstrate how the proposal will comply with *Planning for Bushfire Protection 2019* and contain:

- Aim and objectives
- Specific objectives for the development type
- Performance criteria for the bushfire protection measures
- A site plan indicating the proposed asset protection zones on the land

A Single Dwelling Application Kit (available from the NSW RFS website www.rfs.nsw.gov.au/) can be used for residential infill development (dwellings and alterations/additions in pre-existing subdivisions).

A suitably qualified person must prepare the bushfire assessment report for:

- Developments which have been identified as being a Special Fire Protection Purpose (Section 4.2 of the *Planning for Bushfire Protection 2019*); or
- Any other development type which proposes an alternate solution as part of the design.

If the development has been certified by an Accredited Certifier, under the *Planning for Bush Fire Protection 2019*, then a written declaration and supporting information may be submitted in place of a report.

13. CIVIL PLANS

Civil Engineering Plans encompass all information relating to the in-ground services of a site. This includes storm water connections, pumps, pits, and drains. Civil plans can include section views, which are detailed cross sections, providing further clarification on the height positions of elements. In conjunctions with the plan views, these are necessary for an accurate positioning of the many components and their relation to each other.

14. COLOUR, MATERIALS AND FINISHES SCHEDULE

The schedule shall specify colours and finishes and include the manufacturer's details.

15. CONSTRUCTION WASTE MANAGEMENT PLAN

A Construction Waste Management Plan (CWMP) is required to be submitted with every development application which includes physical work, including demolition works and must:

- identify waste streams likely to be generated onsite,
- provide estimate volumes of the identified waste streams (generally by cubic metres),
- identify the condition of materials and any possible contamination by hazardous items such as asbestos containing material,
- detail any opportunities to reuse and recycle excess construction materials,
- provide a site plan identifying:
    a. the location of sorting area/s onsite where waste will be sorted for disposal or recycling, and
    b. the location of storage area/s where waste, soil, and material stockpiles will be stored onsite, and
    c. the location of a collection area clear of any obstructions, including associated swept path diagrams with indicated clearances for the relevant waste collection vehicle/s,
- describe how construction waste will be removed to an appropriate waste management facility, including a mapped route to the facility,
- provide a waste and materials collection procedure for any materials unexpectedly removed from the site by weather conditions, such as wind or rain, and demonstrate how site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of development.

16. CONTAMINATION REPORT (PSI OR DSI)

Where land is contaminated or potentially contaminated, the following information will be provided:

- A report specifying the finding of a preliminary site investigation (PSI) of the land carried out by an Environmental Protection Authority (EPA) accredited person and in accordance with the Contaminated Land Planning Guidelines.
- If the findings of the PSI indicate contamination a, detailed site investigation (DSI) as referred to in the Contaminated Land Planning Guidelines must be submitted and carried out by a suitable qualified EPA accredited person.
- The investigation is to demonstrate that, if the land is contaminated, the land is suitable in its contaminated state (or will be suitable after remediation), for the purpose for which the development is proposed.

16. CONTAMINATION REPORT (PSI OR DSI)

- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, a remediation action plan (RAP) is to be prepared.

Note: For more information refer to Maitland City Council's Contaminated Lands Policy.

17. COST ESTIMATE REPORT

A cost estimate report is utilised to ensure the correct application fees are applied to developments and to provide an accurate reading of the Estimated Development Cost (EDC) of a proposed development. There are three different assessment tiers with varying requirements for each:

ESTIMATED DEVELOPMENT COST (EDC) RANGE	REQUIREMENTS FOR COST ESTIMATE REPORT
Under $100,000	To be estimated by an applicant or a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA.
$100,000 - $3,000,000	To be estimated by a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA.
Over $3,000,000	A detailed cost report is to be prepared by a registered quantity surveyor who is a member of a relevant professional body, and is to be submitted with a DA.*

*Further details around cost estimate reports, including requirements and suitably qualified persons, are provided in Planning Circular PS 24-002 Changes to how development costs are calculated for planning purposes.

18. CPTED STATEMENT (CRIME RISK ASSESSMENT)

A CPTED Statement, or Crime Risk Assessment report, is an evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these dimensions (crime amount and type) will determine the choice and appropriate mix of Crime Prevention Through Environmental Design (CPTED) strategies.

A CPTED Statement generally includes the following features:

- An overview of the existing site and its surrounding context,
- Description of the proposed development,
- Existing crime profile of the local context (through BOCSAR Crime Statistics)
- Matters to consider through the lens of the four CPTED Principles, and
- A crime risk rating and recommended mitigation measures to reduce risk.

19. DEMOLITION PLAN

A demolition plan should contain the following details:

- The location of the structure to be demolished, shown via a dotted line
- Elevations indicating the height of the structure above ground level and the distance from the structure to the boundary, or alternatively, a series of photographs indicating this information
- A description of the type of building, e.g. house, shops
- A description of the methods of demolition proposed to be used, and the number of types of major items of equipment to be used in demolition
- A description of the methods proposed for handling and disposing of demolished materials and any hazardous materials
- A description of the proposed sequence of carrying out the demolition works, and an estimate of the time, in days, that it is likely to take to complete all or each of the stages of the work
- Details of the proposed hoardings, fencing, overhead protection and scaffolding

20. DESIGN VERIFICATION STATEMENT TEMPLATE

Required for residential flat building development to which *State Environmental Planning Policy (Housing) 2021* Chapter 4 Design of residential apartment development (Housing SEPP) applies.

The following will be submitted:

- Design verification statement from a qualified designer, addressing the requirements of the Housing SEPP and Apartment Design Guidelines.
- Additional details contained within the Statement of Environmental Effects, as required in accordance with Housing SEPP and Apartment Design Guidelines.

21. DRIVEWAY PROFILE

Plan to address, at a minimum, detailed sections of gradients and levels for assessment purposes. This may necessitate long sections of the footpath or sections to the centre line of the road reserve. It is important that driveway locations and grades comply with Council's requirements, and that the level of the garage floor in relation to the road kerb allows vehicle access that complies with Council's Standards within MOES.

22. ECONOMIC IMPACT ASSESSMENT

Economic impact assessments are typically required for industrial or commercial developments that have the capacity to generate significant employment opportunities and/or require significant infrastructure, support services and facilities. The key considerations are:

- The Economic Impact Assessment report should be written so that any conclusions reached can be independently assessed and should focus on the salient features of the proposal and the economic issues associated with it.
- The Economic Impact Assessment should include references and list individuals and organisations consulted.
- Relevant maps, diagrams and figures should also be included where necessary and detailed technical information contained in the report should be clearly cross-referenced.
- An economic impact assessment may be requested at the discretion of Council.

23. ELECTROMAGNETIC ENERGY REPORT

For telecommunications facility developments. A report which calculates the maximum level of radiofrequency electromagnetic radiation that will emanate from the development in accordance with the Guide to the Environmental EME Report.

24. ELEVATION PLANS

Elevation plans must be provided for all four views of the building labelled with relevant orientation (e.g. north, southwest) and show:

- Building façade.
- Windows.
- Roof profile and calculated roof pitch.
- External finishes (including wall, roof, window, door and fence materials, and paint colour) and building finishes.
- Existing buildings if they are near development or if development involves extensions to existing buildings.
- Natural ground levels, floor levels and ceiling levels to AHD.
- Any services located on the roof of the proposed buildings.
- Any air conditioning services or gas systems located on balconies or external walls.

25. ENVIRONMENTAL IMPACT STATEMENT

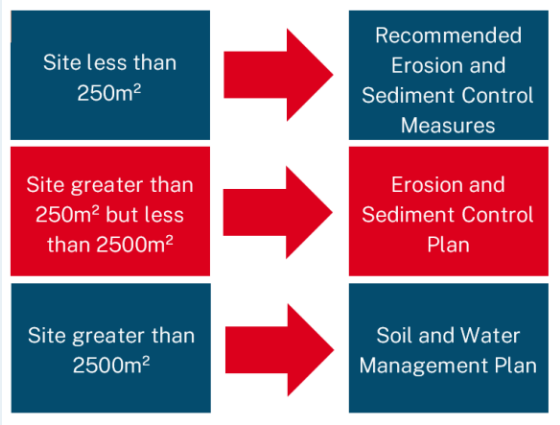
An Environmental Impact Statement (EIS) provides a comprehensive assessment of the impacts of the proposal. Prior to preparing the EIS you are required to consult with the Director General of the Department of Planning, Housing and Infrastructure and in completing the EIS must have regard to the Director General's requirements in relation to the form, content and public availability of the EIS. A consultation form can be found on the Department's website at www.planning.nsw.gov.au.

26. EROSION AND SEDIMENT CONTROL PLAN (ESCP)

To be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments. In general, it is required where development proposes clearing or excavation of existing soil surface (including demolition, alterations/additions, or new development), stockpiling or landfill.

The size of the site will trigger a number of different plan requirements:

26. EROSION AND SEDIMENT CONTROL PLAN (ESCP)



The following additional information should be provided for large development sites:

- A soil and water management plan rather than an ESCP
- Details on the staging of works.
- Location of any vegetation to be removed.
- Integration with on-site detention/infiltration.

27. FLOOD EVACUATION / MANAGEMENT PLAN (FEMP)

It is important that you are prepared in the event of a flood. Emergency flood evacuation / management plans should be developed for your household or business in high hazard flood areas. It is important to know your local area, particularly if there is a history of flooding and you should also be aware of the specific flood risk to your property. The plan should consider matters such as:

- Evacuation route and emergency relief.
- Area of highest ground where it is safe to move vehicles and/or equipment.
- Hazardous substances management.
- Power, water and gas.
- Insurance.
- Emergency kits.
- Communication.

Refer to the NSW Flood Risk Management Manual 2023 for further information.

28. FLOOD IMPACT ASSESSMENT (FIA)

A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant.

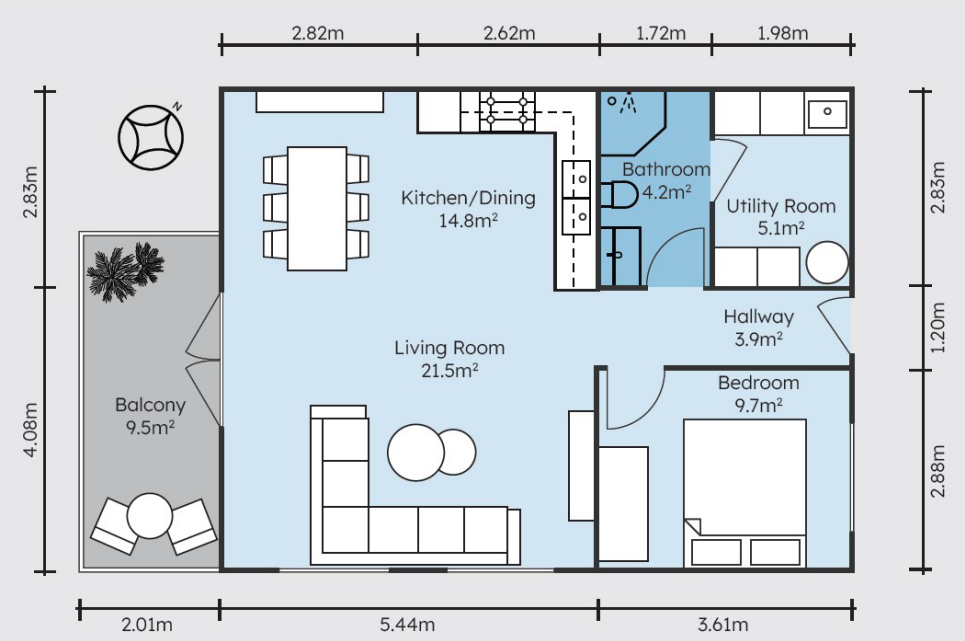
Flood Impact Assessments are to be prepared in accordance with the 'Flood Impact and Risk Assessment' – Flood Risk Management Guideline LU01 of the NSW Flood Risk Management Manual.

29. FLOOR PLANS

Floor plans must show:

- Room layout and usage.
- Partitioning.
- Location of windows and doors.
- Disabled access where appropriate.
- Room and courtyard dimensions and areas.
- The finished ground levels and finished floor levels.
- BASIX commitments e.g. skylight, rainwater tank.
- Layout of building, all processes, storage areas, location of machinery, racking layout and height.
- Existing and proposed fire safety measures.
- Shop fitout details.

An example of a floor plan is shown in the following figure:



30. FLORA AND FAUNA ASSESSMENT (FFA)

The purpose of the Flora and Fauna Assessment is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies. A Flora and Fauna Assessment is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation.

Note: For more information on who can prepare a FFA and what will be required, refer to Appendix C: Biodiversity Guidelines.

31. GEOTECHNICAL REPORT

This report should be prepared by a qualified geotechnical engineer and include the following information:

- Proposed method of excavation.
- Shoring or pile construction vibration emissions.
- Any possible damage to adjoining/nearby premises.
- Include recommendations of measures to prevent/minimise structural damage to nearby premises.

Prior to the footings and/or slab for a structure being designed by a suitably qualified person, it will be necessary to undertake an assessment of the site to determine its geotechnical classification for construction purposes in accordance with Australian Standards.

The site assessment should be undertaken by a qualified Geotechnical Engineer. If it is proposed to install an on-site wastewater management system (sewage management facility) a Geotechnical Engineer must undertake an assessment of the site in accordance with Australian Standards. This assessment will determine the suitability of the site to accommodate an on-site sewage management facility and may also include recommendations for soil improvement.

32. LANDSCAPE PLAN

A plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development.

It must be prepared by a qualified Landscape Designer (TAFE Diploma of Landscape Design or equivalent) or a Landscape Architect. The plan should be prepared at the same scale as the site plan and site analysis plan and must be consistent with the drainage plan. Do not plant large shrubs/trees over the top of infiltration systems, etc.

The Landscape Plan must clearly document and detail:

- Height, spread and species and condition of existing trees and vegetation, nominating those to be removed and those to be retained.
- Proposed method of protection of trees to be retained on site during construction.
- Proposed earthworks including mounding, filling and retaining walls.
- Proposed surface treatments (such as turf, paving, planting beds) and proposed fencing or and retaining wall materials and construction.
- Location, numbers, stock size and species of trees and vegetation to be introduced.
- Drainage and irrigation details.
- Dimensions and volumes of all planter boxes.
- Finished surface levels of paving, fences, walls, embankments.
- Extent and depth of cut and fill.
- Details of any structures or footings, or level changes more than 100mm within the drip zone of any tree to be retained.
- Details and specifications are to be provided for all elements of the design.

Note: Any fill material must be Virgin Excavated Natural Material (VENM) as defined by the *Protection of the Environment Operations Act 1997*.

33. NATIONAL CONSTRUCTION CODE ASSESSMENT REPORT

For complex developments or those on constrained sites where the ability to comply without significant modification is unclear. A report which demonstrates how the development will comply with the requirements of the National Construction Code (including any performance solutions to the deemed to satisfy provisions). The report must be prepared by a suitably qualified and experienced accredited certifier.

34. NOTIFICATION PLANS

Notification plans are required in order to inform adjoining property owners and other relevant stakeholders of your development proposal. Notification plans are to be A3 or A4 in size and must show a site plan and elevations. They must not show interior layouts/floor plans of residential development. Additionally, they must include the following details:

- A site plan indicating:-
    a. The dimensions of each boundary of the allotment;
    b. The distance between each part of the building and the allotment boundary; and,
    c. The effect of the proposed building on any existing building, trees, landscaping and fences.
- An elevation of each side of the proposed building indicating:-
    a. The gradient of the land adjacent to the elevation and the existing ground surface;
    b. The overall height of the wall measured from the existing ground level;
    c. The height of the proposed roof measured for the top of the wall to the ridgelines or highest point;
    d. The size, position and shape of any openings, windows and doors, whether such windows or doors are openable and the type of glass used; and
    e. The position, size and shape of any verandahs, landings and decking.

35. ODOUR REPORT

For developments on sites in areas with odour producing sources including poultry farms, piggeries and horticulture. A report which assesses the odour impact to the development in accordance with the Technical Notes and Technical Framework - Assessment and Management of Odour from Stationary Sources in NSW. The report is to include, where necessary, level 2 or 3 assessment involving dispersion modelling. The report must be prepared by a suitably qualified and experienced odour consultant.

36. OPERATIONAL PLAN OF MANAGEMENT

A document which details how the development will be operated after the construction stage, which specifies hours of operation and how other operational impacts (such as noise etc.) will be mitigated and monitored. This may include, but is not limited to, the following:

a. Maximum capacity of people,
b. Range of facilities offered including meals and entertainment,
c. Management and booking system,
d. Vehicle access, traffic and parking impacts and requirements,
e. Disabled accessibility and parking (as required),

36. OPERATIONAL PLAN OF MANAGEMENT

f. Environmental impacts, natural hazards & safe refuge or evacuation routes,
g. Drinking water provision & safety,
h. Food preparation and safety (if required),
i. Wastewater (effluent) management,
j. Solid waste management,
k. Electricity provision (grid or solar power), and
l. Fire safety and smoke detector systems (if required).

37. OPERATIONAL WASTE MANAGEMENT PLAN

A plan that details the amount, type and disposal of waste through the ongoing management of the facility.

This plan should include the following information:

- Volume and type of waste to be generated.
- How waste is to be stored and treated on site.
- How residue is to be disposed of.
- How recyclable materials will be separated and managed.
- On-going management strategies.

38. OWNERS CONSENT

A document providing owner(s) consent of the land to which the development application relates.

39. PHOTOMONTAGE

Photomontages are to show the key contextual streetscape and neighbourhood settings of the proposed development and other relevant images, such as impacts on critical/sensitive views from both the public and private domain.

40. PRELIMINARY HAZARD ANALYSIS (PHA)

A Preliminary Hazard Analysis is to be prepared and submitted with any DA for a potentially hazardous industry. A PHA methodology is to include:

- Hazard analysis
- Consequence analysis
- Frequency analysis
- Risk assessment and reduction
- Reporting

Further information and guidelines can be found at the Department of Planning, Housing, Infrastructure website:

https://www.planning.nsw.gov.au/policy-and-legislation/hazards

41. REMEDIATION ACTION PLAN (RAP)

For developments on sites that require contaminated land to be remediated.

A report which details a strategy to remediate contaminated land in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021* and Council's Contaminated Lands Policy. The report must be prepared by a suitably qualified and experienced geotechnical consultant. If the consultant recommends the preparation of a remediation action plan this must be submitted with the application.

42. RIPARIAN LAND ASSESSMENT

A Riparian Land Assessment is to be prepared by a suitably qualified and experienced person and assess the following matters:

a. Impacts on water quality and stream flow
b. Impacts on aquatic and riparian species, habitats and ecosystems
c. Impacts on stream bed and stream bank stability
d. Impacts on Key Fish Habitat, including the free passage of fish and other aquatic organisms
e. Any required future rehabilitation of the watercourse and riparian areas
f. Impacts on water extraction from the watercourse
g. Proposed measures to avoid, minimise or mitigate the above impacts.
h. Consultation with relevant NSW Government agencies (currently Department of Primary Industries (Fisheries) and NSW Office of Water) in relation to proposed works within riparian corridors or buffers
i. Evidence of water licences and other entitlements where this is relevant to achieving the objectives of this part and LEP requirements, particularly in relation to subdivisions creating additional dwelling entitlements.

43. SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)

Applicants must obtain the Secretary's Environmental Assessment Requirements from the Department of Planning, Housing and Infrastructure for the preparation of an Environmental Impact Statement (EIS) for designated developments.

Applicants must obtain the SEARs requirements from the NSW Department of Planning, Housing and Infrastructure for the preparation of any Species Impact Statement (SIS) for threatened species developments.

44. SECTION PLANS

Section plans must show:

a. Section names and location on plan, e.g. A/A, B/B etc. and room names.
b. A structural section through the building and parallel to the street.
c. Structural section from front to back of the building.
d. Outline of existing building/development on site (shown dotted).
e. Undisturbed Natural Ground Levels (NGL).
f. Finished Floor Levels (FFL).
g. Finished Ground Levels (FGL).
h. Ceiling levels.

44. SECTION PLANS

i. Roof levels.
j. Retaining wall levels (top).
k. Fence heights at front, side and rear.
l. Footway and kerb/road levels.
m. Longitudinal section of proposed driveway/ramp, including transitions, levels and height clearance, where basement parking is proposed.
n. Insulation details (where applicable).

45. SECTION J REPORT

Section J Reports relate to Energy Efficiency measures for new commercial developments. They are typically required for National Construction Code (NCC) Classification 2 to 9. Residential developments which are classified as 2-9 under the NCC will also require Section J reports.

46. SHADOW DIAGRAMS

Shadow diagrams seek to display the overshadow from development on the proposed development and surrounding urban environment.

Shadow diagrams are to demonstrate that:

- Shadows cast at midwinter (22 June) at 9am, 12noon and 3pm in plan form, at a scale of 1:200.
- Shadows in plan and elevation form on an hourly basis, if shadows fall on neighbouring windows.
- Location of proposed development and the location of existing development on adjoining site/s.
- Where shadows affect habitable room windows, details of the percentage of the window to receive sunlight at each hour at midwinter (22 June) between 9am and 3pm.
- Where shadows affect principal areas of private open space, details of the area and percentage of the open space to be overshadowed, at each hour at midwinter (22 June) between 9am and 3pm - calculations to include details of existing overshadowing.
- Diagrams to be drawn to true north.

47. SIGNAGE PLAN

Required where signage is proposed. The following shall be submitted:

- Details of the proposed structure and construction materials.
- Size, colours, type and overall design of the sign, including overall height dimension.
- Proposed sign wording and method of any illumination.
- Location/s of proposed signs to be shown on a site plan.

48. SITE ANALYSIS PLAN

The site analysis plan must show the relevant details of the site and its relationship to the street and neighbouring development. A site analysis is essential in order to understand the site and its

48. SITE ANALYSIS PLAN

context and should be undertaken before the design of a building. For development that is two storeys or more the site analysis should also include a street elevation that shows the proposal and the street elevation of two neighbouring buildings on each side, drawn to scale.

For larger development or visually prominent sites, site analysis must include photomontages that show each of the key perspective views of the proposal from the street and nearby open space.

The site analysis plan must be drawn to the same scale as the site plan and include:

a. Orientation, north point (true solar north)
b. Scale
c. Property boundaries and dimensions
d. Site area
e. Easements and services
f. Contour information
g. Differences in ground levels between the site and adjoining land
h. Stormwater drains, flow paths, drainage easements, watercourses and channels
i. Extent of any known filling or contaminated soil
j. Landscape features such as cliffs, rock outcrops, retaining walls
k. Views to the site from adjoining land and views from the site to adjoining land
l. Existing vegetation on the site and adjoining land, along roads and any sensitive areas (showing location, height, canopy spread, species and relevant communities)
m. Roads, laneways and pathways
n. Driveways, parking areas and loading bays
o. Buildings on the site and on adjoining land showing location, distance from the boundary
p. Overshadowing by adjoining buildings
q. Wall locations, heights and materials of construction
r. Adjoining private open spaces, doors and windows
s. Noise, odour and light spillage sources
t. Street/road frontage features (e.g. poles, trees, crossings street furniture etc)
u. Heritage or archaeological features

49. SITE PLAN

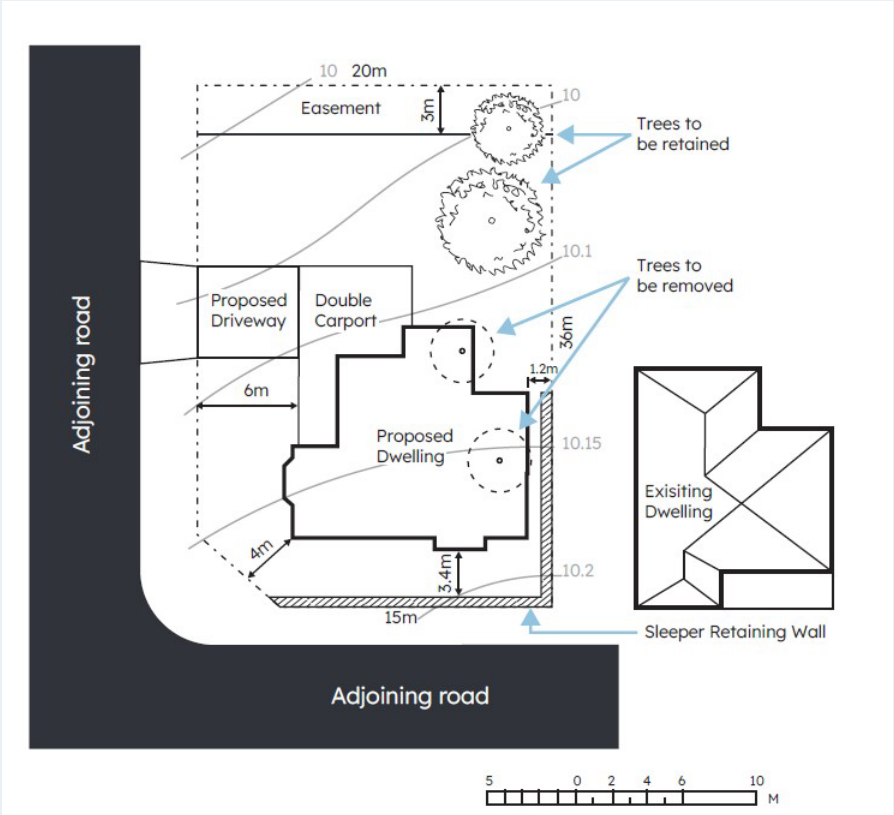
The site plan must be drawn to scale at either 1:100 or 1:200 and include:

a. North point
b. The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m^2) and any easements, rights of way or sewer mains.
c. Location of proposed new building/development with outline of existing building/development on site, shown dotted.
d. Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings.
e. Details of existing and proposed fencing.
f. Distance from external walls and outermost part of proposed building to all boundaries.
g. Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties).
h. Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues.
i. Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels.
j. Location of proposed and existing driveways and vehicle parking and manoeuvring areas.
k. Extent of any existing landfill and retaining walls and any contaminated soil areas.

49. SITE PLAN

l. BASIX commitments e.g. rainwater tank.
m. Summary table calculations of site area, floor area, landscaped area etc.
n. A Hunter Water Corporation endorsement stamp.
o. For sites within a mine subsidence area, endorsement from Subsidence Advisory NSW.

An example of a typical site plan for a new dwelling house is shown in the following figure:



50. SOCIAL IMPACT ASSESSMENT (SIA)

A Social Impact Assessment includes the processes of analysing, monitoring and managing the intended and unintended social consequences, both positive and negative, of proposed development. Broadly, it should include:

a. A description of the project
b. The site's immediate context
c. The development's social locality and baseline (being the local area's demographics)
d. Stakeholder engagement and associated methodology (if any)
e. Assessment of the positive and negative social impacts
f. Mitigation, enhancement, and residual impacts.

51. SOIL AND WATER MANAGEMENT PLAN (SWMP)

A soil and water management plan is a set of specific site plans or drawings that detail sediment and erosion control measures on building and construction sites. The Soil and Water Management Plan (SWMP) shows the type, location, design, installation and maintenance schedule for all these measures and should be considered as the blueprint for controlling all anticipated erosion and for preventing sediment from leaving a site.

Soil and water management plan apply to sites that are over 2,500m^2.

To be prepared in accordance with Council's MoES, the Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

This is a written statement that addresses the matters for consideration contained within Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The Statement of Environmental Effects must indicate the following matters:

a. The environmental impacts of the development.
b. How the environmental impacts of the development have been identified.
c. Details of requirements under Council's Development Control Plan.
d. Justification for variation to development standards under the MLEP 2011.
e. Justification for variations to Development Control Plan.
f. The steps to be taken to protect the environment or to lessen the expected harm to the environment.
g. Any matters required to be indicated by any guidelines issued by the Director-General.
h. If an environmental planning instrument requires arrangements for any matter, such as arrangements for the provision of utility services, to be made before development consent may be granted, documentary evidence that such arrangements have been made.
i. In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant, a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

A Statement of Environmental Effects (SEE) is required for all development applications (apart from Designated Development, which requires an Environmental Impact Statement). The information required will vary according to the type of development. If you are not sure what details to include, please contact Council for advice.

The SEE must demonstrate that you have considered the environmental impact of the development and it should set out any steps to be taken to mitigate any likely adverse environmental impact.

The type of details that should be included in a Statement of Environmental Effects is provided below:

Pre-existing uses

Any pre-existing uses on the land need to be identified. You should provide details of the date that the present use commenced and any previous uses of the site. If there are existing buildings on the site that are to be demolished, the age and condition of these buildings should be included.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Operational details

A description of the proposed use is required. This may include:

a. The type of activity involved and the equipment to be used.
b. The number of employees.
c. Hours of business/use.
d. Maximum numbers of customers or clients.
e. How many people expected on site at any one time.
f. Type of goods/raw materials/finished products.
g. Areas set aside for storage and waste disposal whether internal or external to a building.

Access and traffic

Provide details on:

a. Location, number and dimensions of car parking bays, and manoeuvring areas.
b. Access arrangements including driveways, and footway crossovers.
c. Details of any street features such as trees, footpaths, pipes and drainage pits, should be shown.
d. For major traffic generating proposals a traffic and parking impact assessment (TIA) report prepared by a consulting traffic engineer is likely to be required.
e. Impacts on pedestrian movements, and access for disabled persons should be considered.

Utility service and waste

Waste collection, treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

Privacy, views and overshadowing

You need to demonstrate how your building/proposal will relate to your neighbours' buildings. Issues to consider include:

a. Visual privacy – positioning of windows, views between living areas and private adjoining spaces.
b. Acoustic privacy – noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal.
c. Views – impact of the development on views from adjoining properties as well as views from the proposed development.
d. Overshadowing – where overshadowing is possible or likely you should provide diagrams where the shadows will cast, such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows.

Flooding and drainage

Detail how your proposal is compatible with flooding levels and demonstrate that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site and where relevant, calculations prepared by a consulting engineer (see Stormwater Drainage Plan).

Erosion, sediment and nutrient control

Detail measures for general erosion and sediment control, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance.

52. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Heritage conservation

Identify if the site includes a heritage item or is within a heritage precinct or if there is any heritage significance associated with the land or any buildings located on the site. Detail measures to address any impact your proposal would potentially have on heritage items on site, on neighbouring sites or within the Heritage Conservation Area. To check if the site is affected by heritage considerations you can look at the Maitland Local Environmental Plan 2011 for the area or obtain a 10.7 Certificate for the site.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation Area, you will need to demonstrate design measures that will retain the heritage significance of the site.

It is recommended that you consult with Council's Heritage Advisor. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

Construction traffic management

The purpose of a Construction Traffic Management Plan is to ensure that the impact of construction works on the public domain, in particular with respect to temporary interruptions to vehicular and pedestrian traffic are considered by the proponent and reviewed by Council. The Construction Traffic Management Plan must ensure that public safety is maintained at all times and that whenever possible interruption to the use of public space is minimised.

Other environmental impacts

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

Other impact mitigation measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include an acoustic assessment, preliminary hazard analysis or a flora and fauna assessment.

53. STATEMENT OF HERITAGE IMPACT (SOHI)

A statement that conveys what impact or impacts the proposed development will have on the item of heritage significance.

The statement addresses:

a. What impact the proposed works will have on that significance.
b. What measures are proposed to mitigate negative impacts.
c. Why more sympathetic solutions are not viable.
d. Why the item is of heritage significance.

The heritage impact statement demonstrates how the proposed development conserves and mitigates for the protection of the identified heritage significance, based on the following principles:

a. Development is consistent with the statement of heritage significance for that item.
b. Development protects the setting of the heritage item.

53. STATEMENT OF HERITAGE IMPACT (SOHI)

c. Development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements.
d. Development avoids facadism by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials.
e. Development removes alterations and additions that are unsympathetic to the heritage significance of the heritage item.
f. Reinstates missing building elements and details.
g. Uses materials, finishes and colours that are appropriate to the architecture, stylistic period of the heritage item.
h. Reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the heritage item.
i. Maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with the statement of heritage significance.

Reference to the *Heritage Act 1977* is required where potential to yield highly significantly archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation.

The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Heritage's Consultants Directory.

54. STORMWATER MANAGEMENT PLAN

The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales).

The stormwater drainage plan and written description must include information on:

a. Catchment boundaries.
b. Existing surface conditions.
c. Proposed surface contours.
d. Proposed building flood or floor levels.
e. Location and levels of discharge points.
f. Overland flow paths and flood liable areas.
g. Location of drainage pits and lines.
h. Location and area of on-site detention easements.
i. Calculations for any proposed stormwater system.
j. Methods of draining the land.
k. Water quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling.
l. Operational plan.
m. Maintenance plan.

If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised.

Note: Hydrological/hydraulic calculations and designs are to be prepared in accordance with the approaches outlined in the current Australian Rainfall and Runoff Guidelines. Other current Australian published design guides may also be applied to particular design situations.

55. STRUCTURAL ASSESSMENT REPORT

A structural assessment report is a document that evaluates a building or structure's condition and safety. The report is to be prepared by a qualified structural engineer who examines the building's structural elements, including the foundation, walls, roof, and floors. The report also includes the building's history, such as any past renovations.

A structural assessment report's purpose is to identify any potential safety hazards or structural deficiencies. It outlines the building's construction, load-bearing capacity, materials used, and any existing damage or defects. The report also makes recommendations for necessary repairs or modifications.

56. SUBDIVISION PLAN

A subdivision plan must include:

a. The existing and proposed boundaries.
b. Accurate areas of proposed lots and access handles.
c. All existing structures on site.
d. All existing vegetation on site.
e. Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. The north point, drawn to true north.
g. The location of any easements/restrictions/services affecting the site.
h. The location of any traffic devices within proximity of the subject site, and any services within the footpath area.
i. Details of preliminary engineering drawings of the work to be carried out.

57. SURFACE WATER ASSESSMENT REPORT

A surface water assessment report is a comprehensive evaluation of the quality and condition of surface water bodies, such as rivers and lakes. It includes monitoring the physical, chemical, and biological aspects of the water to: Assess water quality, identify potential sources of pollution, and determine the health of aquatic ecosystems.

Surface water assessment reports can help with identifying emerging issues, managing surface water resources, making informed water resource management decisions, and planning future water needs.

58. SURVEY PLAN

A survey plan and reference levels prepared by a surveyor must:

a. Be at a scale of 1:100 or 1:200.
b. Clearly nominate property boundaries.
c. Show all existing structures on site.
d. Show all existing vegetation on site.
e. Include levels to Australian Height Datum, including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.

58. SURVEY PLAN

f. Show north point, drawn to true north.
g. Show the location of any easements/restrictions/services affecting the site.
h. Show the location of any traffic devices within proximity of the subject site, and any services within the footpath area.

Council reserves the right to request a Survey Plan be signed off by a Registered Surveyor.

59. SWEPT PATH DIAGRAM

For developments that require access by commercial or industrial size vehicles.

Diagrams which demonstrate that the largest vehicle that will access the site can manoeuvre into, through and out of it in accordance with Australian Standard.

60. TRANSPORT IMPACT ASSESSMENT

An assessment to quantify the traffic impacts and associated parking requirements that result from proposed development. This assessment is to be prepared by a suitably qualified professional.

61. TRAFFIC MANAGEMENT PLAN

For certain temporary events. A report which details temporary traffic control for the development.

62. VEGETATION MANAGEMENT PLAN (VMP)

For developments on sites containing natural areas or waterfront land to be rehabilitated.

A report which details a strategy to rehabilitate natural areas. Reports for riparian areas must be prepared in accordance with the Guidelines for Vegetation Management Plans on Waterfront Land. The report must be prepared by a suitably qualified and experienced ecological consultant.

Note: For more information on who can prepare a VMP and what will be required, refer to Appendix C: Biodiversity Guidelines.

63. VISUAL IMPACT ASSESSMENT (VIA)

A report that examines the visual impact of a development in situations where a development presents significant bulk, height or variations to setbacks. To be prepared by a suitably qualified person. The analysis should also provide a photographic and/or elevation view analysis based on survey data prepared by a registered surveyor demonstrating the impact of the proposed first floor addition or two or more storey building on views currently available from potentially affected properties.

64. WASTEWATER REPORT

When a lot does not have access to the reticulated sewer system an on-site wastewater management system (or on-site sewerage management system) is required to treat and dispose of wastewater effluent associated with the development.

For the purposes of development application assessment, Council must be satisfied that the lot is capable of accommodating an on-site wastewater management system based on the circumstances of the proposed development and constraints of the site. To demonstrate this (at DA stage) an applicant may elect to either:

a. Submit a Section 68 application concurrently with the DA, or;
b. Provide evidence in the form of a report and plans within the Statement of Environmental Effects which demonstrates to Council that there is sufficient area available for effluent disposal from the development. Include the required buffer distances to watercourses, boundaries, buildings.

Option B is suitable only for lots which are not significantly constrained. In the event Council considers the lot to be heavily constrained for the development in question, a Section 68 application will be requested to be lodged at DA stage. When assessing Section 68 applications for non-domestic systems, Council will consider these applications on a site-specific basis and will require a wastewater management report to be prepared by a suitably qualified and experienced designer.

maitland
CITY COUNCIL



Maitland DCP 2026

Appendix B:

Application Requirements-Minor Development

maitland CITY COUNCIL

Table of Contents

Supporting Document Requirements Matrix – Minor Development 3

Supporting Information and Documentation Guide 7

1. Aboriginal heritage due diligence assessment 7
2. Arborist report 7
3. Archaeological report 7
4. BASIX Certificate 7
5. Bulk earthworks plan 8
6. Bushfire assessment report (BAR) 8
7. Civil Plans 9
8. Colour, Materials and Finishes Schedule 9
9. Construction Waste Management Plan 9
10. Contamination Report (PSI or DSI) 10
11. Demolition plan 10
12. Driveway Profile 10
13. Elevation plans 10
14. Erosion and Sediment Control Plan (ESCP) 11
15. Flood Impact Assessment (FIA) 11
16. Floor plans 12
17. Flora and fauna Assessment (FFA) 13
18. Landscape plan 13
19. Notification Plans 13
20. Operational Waste management plan 13
21. Owners consent 13
22. Photomontage 14
23. Section Plans 14
24. Shadow Diagrams 14
25. Site plan 15
26. Soil and Water Management Plan (SWMP) 16
27. Statement of Environmental Effects (SEE) 16
28. Statement of Heritage Impact (SoHI) 18
29. Stormwater Management Plan (Minor) 19
30. Structural assessment report 20
31. Subdivision plan 20
32. Surface Water Assessment Report 20
33. Survey plan 21
34. Visual impact assessment (VIA) 21

Supporting Document Requirements Matrix – Minor Development

Application requirements matrix

This Application Requirement Guideline shows documentation that must or may be provided with your Development Application based on the development type, as demonstrated in the Matrix below. Details on what is to be provided as part of each documentation is provided in the **Supporting Information and Documentation Guide** section.

Note: Council at its discretion may request additional studies either not being identified under a specific development type or not identified at all within the matrix. This occurrence may be due to the unique elements of a proposed development or its scale and/or size.

Further information on development application requirements

The Department of Planning, Housing and Infrastructure (or current equivalent) has prepared an Application Requirements (2022) guideline, for all development applications. This document provides explanation and additional information regarding conditions within the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021* applying to all development. This document should be read in conjunction with Council's Application Requirements and be considered as a **baseline only** for supporting information to support development applications.

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Aboriginal Heritage Due Diligence Assessment	O	O	X	O	O	X	O	O
Arborist Report	O	O	O	O	O	O	O	O
Archaeological report	X	X	X	X	X	X	O	O
BASIX Certificate	✓	✓	O (B)	✓	✓	X	O	X
Bulk Earthworks Plan	✓	✓	✓	✓	✓	✓	✓	✓
Bushfire Assessment Report (BAR)	O	O	O	O	O	O	O	O
Civil Plans	✓	✓	✓	✓	✓	✓	✓	✓
Colour, Materials and Finishes Schedule	✓	✓	✓	✓	✓	O	X	X
Construction Waste Management Plan	✓	✓	✓	✓	✓	✓	✓	✓
Contamination Report (PSI or DSI)	O	O	O	O	O	O	O	O
Demolition Plan	O	O	O	O	O	O	O	O
Driveway Profile	✓	O	X	✓	✓	X	X	O
Elevation Plans	✓	✓	✓	✓	✓	✓	X	✓
Erosion and Sediment Control Plan (ESCP) **(if site is between 250m² and 2,500m²)**	(A)	(A)	(A)	(A)	(A)	(A)	(A)	(A)

4 – MDCP 2026 Appendix B: Application Requirements – Minor Development

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Flood Impact Risk Assessment	O	O	O	O	O	O	O	O
Floor Plans	✓	✓	✓	✓	✓	✓	O	X
Flora and Fauna Assessment (FFA)	O	O	O	O	O	O	O	O
Landscape Plan	✓	✓	✓	✓	✓	✓	✓	✓
Notification Plans	✓	✓	✓	✓	✓	✓	✓	✓
Operational Waste Management Plan	✓	✓	✓	✓	✓	X	X	X
Owner(s) Consent	✓	✓	✓	✓	✓	✓	✓	✓
Photomontage	X	X	X	O	O	X	X	O
Section Plans	✓	✓	✓	✓	✓	✓	X	X
Shadow Diagrams	O	O	O	O	O	X	X	X
Site Plan	✓	✓	✓	✓	✓	✓	✓	✓
Soil and Water Management Plan (SWMP) **(if site is >2,500m²)**	(A)	(A)	(A)	(A)	(A)	(A)	(A)	(A)
Statement of Environmental Effects (SEE)	✓	✓	✓	✓	✓	✓	✓	✓
Statement of Heritage Impact (SoHI)	O	O	O	O	O	O	O	O

5 – MDCP 2026 Appendix B: Application Requirements – Minor Development

	DWELLING HOUSE	SECONDARY DWELLINGS	ALTERATIONS AND ADITIONS (UNDER $1,000,000 ECD)	DUAL OCCUPANCIES / SEMI-DETACHED DWELLINGS	ATTACHED DWELLINGS & MULTI-DWELLING HOUSING (3 OR LESS DWELLINGS)	OUTBUILDINGS AND MINOR WORKS (I.E. DECKS, AWNINGS, PERGOLAS ETC)	SWIMMING POOLS	MINOR SUBDIVISION (UNDER 10 LOTS)*
Stormwater Management Plan (Minor)	✓	✓	✓	✓	✓	✓	✓	(C)
Structural Assessment Report	X	X	O	X	X	X	X	X
Subdivision Plan	X	X	X	O	O	X	X	✓
Surface Water Assessment Report	O	O	O	O	O	X	X	O
Survey Plan	O	O	O	✓	✓	O	O	✓
Visual Impact Assessment (VIA)	O	O	O	O	O	O	X	O

✓ Information required. Application will not be accepted without this documentation

O Information may be required (refer to Information Guide)

X Information not required

Notes:
A: Required before issue of construction certificate stage.
B: BASIX certificate is also required for residential alteration/additions with a value greater than $50,000 and pools with more than 40,000 litres.
C: Any subdivision over 3,000m² and/or impacting on the public stormwater system will require a full Stormwater Management Plan in accordance with Item 54 of Appendix A.
*: Minor subdivision may also be subject to additional studies within Appendix B: Application Requirements – Other Development (Subdivision (over 10 + Lots)).

6 – MDCP 2026 Appendix B: Application Requirements – Minor Development

Supporting Information and Documentation Guide

1. ABORIGINAL HERITAGE DUE DILIGENCE ASSESSMENT

A report that completes a due diligence assessment of the site's Aboriginal heritage in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. The report must be prepared by a suitably qualified and experienced Aboriginal heritage consultant. If the consultant recommends the preparation of an Aboriginal Cultural Heritage Assessment Report it must be submitted with the application.

For developments that will disturb the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.

2. ARBORIST REPORT

A technical report prepared by a AQF Level 5 qualified arborist that adequate assesses the health of a tree or other vegetation. This report is to detail:

- Tree health
- Tree characteristics
- Tree location, including Tree Protection Zones and Structural Root Zones
- Arborist impact assessment and recommendations.

Further information can be found in Section 3 of this guide containing to information on tree pruning and removal.

3. ARCHAEOLOGICAL REPORT

An archaeological report is to be prepared by a qualified archaeologist. An archaeological report is a document that summarises the results of an archaeological investigation and provides an objective account of the findings. It includes information about the research questions, methods, data, and artifacts, and uses this information to draw conclusions about past human life.

Additional information can be found at the NSW Heritage's Archaeological Assessments: Guidelines.

4. BASIX CERTIFICATE

A BASIX Certificate identifies the sustainability features required to be incorporated in the building design. These features may include sustainable design elements such as recycled water, rainwater tanks, AAA-rated showerheads and taps, native landscaping, heat pump or solar water heaters, gas space heaters, roof eaves / awnings and wall / ceiling insulation.

The applicant must submit the BASIX Certificate with the Development Application or Complying Development Application. The plans and specifications must also identify the BASIX commitments that will be checked by a professional building certifier during construction.

It is required for the following categories of development:

4. BASIX CERTIFICATE

- All new residential dwellings and the residential component of mixed commercial/residential buildings
- Residential alterations and additions over $50,000 estimated value
- Swimming pools over 40,000 litres or more

Note: Applicants can generate the BASIX Certificate at the BASIX website: http://www.basix.nsw.gov.au or contact the BASIX Help line on 1300 650 908.

5. BULK EARTHWORKS PLAN

A bulk earthworks plan involves the removal, moving, or adding of large amounts of soil or rock to prepare land for construction. The plan typically includes:

- Setout, such as ground levels (existing and finished)
- Clearing vegetation
- Removing topsoil (cut and fill)
- Removing and replacing unsuitable material
- Cuttings and embankment construction
- Spoil or borrow activities
- Processing selected material
- Total cubic metres of fill import
- Total cubic metres of fill export

6. BUSHFIRE ASSESSMENT REPORT (BAR)

A bushfire prone area is an area of land that can support a bush fire or is likely to be subject to bush fire attack. Bush fire prone areas are identified on a bush fire prone lands map, the map identifies bush fire hazards and associated buffer zones within a local government area. Bush fire prone land maps are prepared by local councils across the State of NSW and are certified by the Commissioner of the NSW Rural Fire Service (RFS). Planning law in NSW now requires new development on bush fire prone land to comply with the provisions of *Planning for Bush Fire Protection 2019* and must be designed to improve the survivability of the development and the occupants that are exposed to a bush fire hazard.

The assessment report determines the suitability of a proposal with regards to bushfire through consideration of the requirements contained within the *Planning for Bush Fire Protection 2019* document prepared by the RFS.

The bushfire assessment report must demonstrate how the proposal will comply with Planning for Bushfire Protection 2019.

A Single Dwelling Application Kit (available from the NSW RFS website www.rfs.nsw.gov.au/) can be used for residential infill development (dwellings and alterations/additions in pre-existing subdivisions).

A suitably qualified person must prepare the bushfire assessment report for:

a. developments which have been identified as being a Special Fire Protection Purpose (Section 4.2 of the *Planning for Bushfire Protection 2019*); or

6. BUSHFIRE ASSESSMENT REPORT (BAR)

b. any other development type which proposes an alternate solution as part of the design.

If the development has been certified by an Accredited Certifier, under the *Planning for Bush Fire Protection 2019,* then a written declaration and supporting information may be submitted in place of a report.

7. CIVIL PLANS

Civil Engineering Plans encompass all information relating to the in-ground services of a site. This includes storm water connections, pumps, pits, and drains. Civil plans can include section views, which are detailed cross sections, providing further clarification on the height positions of elements. In conjunctions with the plan views, these are necessary for an accurate positioning of the many components and their relation to each other.

8. COLOUR, MATERIALS AND FINISHES SCHEDULE

The schedule shall specify colours and finishes and include the manufacturer's details.

9. CONSTRUCTION WASTE MANAGEMENT PLAN

A Construction Waste Management Plan (CWMP) is required to be submitted with every development application which includes physical work, including demolition works and must:

- identify waste streams likely to be generated onsite,
- provide estimate volumes of the identified waste streams (generally by cubic metres),
- identify the condition of materials and any possible contamination by hazardous items such as asbestos containing material,
- detail any opportunities to reuse and recycle excess construction materials,
- provide a site plan identifying:
  a. the location of sorting area/s onsite where waste will be sorted for disposal or recycling, and
  b. the location of storage area/s where waste, soil, and material stockpiles will be stored onsite, and
  c. the location of a collection area clear of any obstructions,
- describe how construction waste will be removed to an appropriate waste management facility,
- provide a waste and materials collection procedure for any materials unexpectedly removed from the site by weather conditions, such as wind or rain.

10. CONTAMINATION REPORT (PSI OR DSI)

Where land is contaminated or potentially contaminated, the following information should be provided:

- A report specifying the finding of a preliminary site investigation (PSI) of the land carried out by an Environmental Protection Authority (EPA) accredited person and in accordance with the Contaminated Land Planning Guidelines.
- If the findings of the PSI indicate contamination a, detailed site investigation (DSI) as referred to in the Contaminated Land Planning Guidelines must be submitted and carried out by a suitable qualified EPA accredited person.
- The investigation is to demonstrate that, if the land is contaminated, the land is suitable in its contaminated state (or will be suitable after remediation), for the purpose for which the development is proposed.
- If the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, a remediation action plan (RAP) is to be prepared.

Note: For more information refer to Maitland City Council's Contaminated Lands Policy.

11. DEMOLITION PLAN

A demolition plan should contain the following details:

a. The location of the structure to be demolished, shown via a dotted line.
b. Elevations indicating the height of the structure above ground level and the distance from the structure to the boundary, or alternatively, a series of photographs indicating this information.
c. A description of the type of building, e.g. house, shops.
d. A description of the methods of demolition proposed to be used, and the number of types of major items of equipment to be used in demolition.
e. A description of the methods proposed for handling and disposing of demolished materials and any hazardous materials.
f. A description of the proposed sequence of carrying out the demolition works, and an estimate of the time, in days, that it is likely to take to complete all or each of the stages of the work.
g. Details of the proposed hoardings, fencing, overhead protection and scaffolding.

12. DRIVEWAY PROFILE

Plan to address, at a minimum, detailed sections of gradients and levels for assessment purposes. This may necessitate long sections of the footpath or sections to the centre line of the road reserve. It is important that driveway locations and grades comply with Council's requirements, and that the level of the garage floor in relation to the road kerb allows vehicle access that complies with Council's Standards within MOES.

13. ELEVATION PLANS

Elevation plans must be provided for all four views of the building labelled with relevant orientation (e.g. north, southwest) and show:

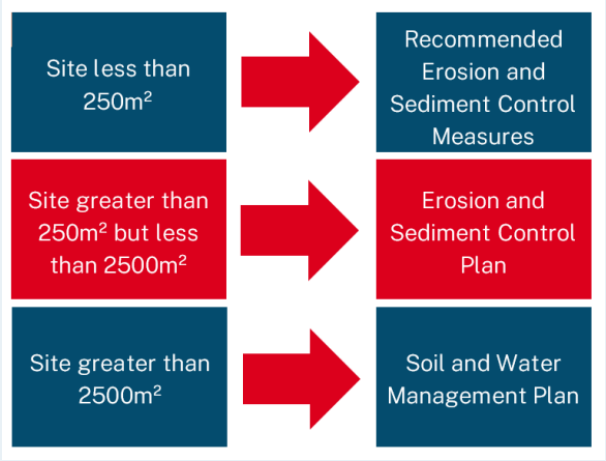
13. ELEVATION PLANS

a. Building façade.
b. Windows.
c. Roof profile and calculated roof pitch.
d. External finishes (including wall, roof, window, door and fence materials, and paint colour) and building finishes.
e. Existing buildings if they are near development or if development involves extensions to existing buildings.
f. Natural ground levels, floor levels and ceiling levels to AHD.
g. Any services located on the roof of the proposed buildings.
h. Any air conditioning services or gas systems located on balconies or external walls.

14. EROSION AND SEDIMENT CONTROL PLAN (ESCP)

To be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments. In general, it is required where development proposes clearing or excavation of existing soil surface (including demolition, alterations/additions, or new development), stockpiling or landfill.

The size of the site will trigger a number of different plan requirements:



15. FLOOD IMPACT ASSESSMENT (FIA)

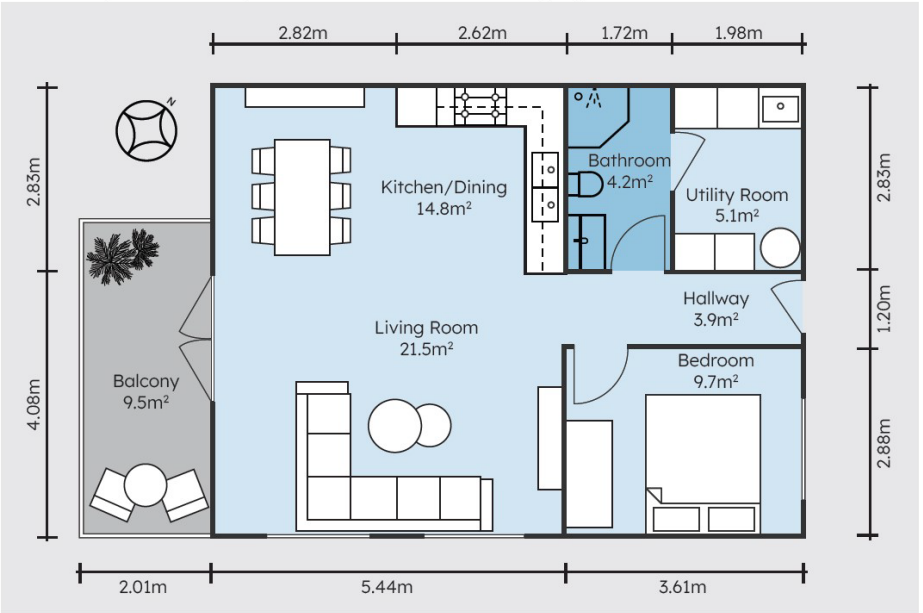
A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant. Flood Impact Assessments are to be prepared in accordance with the 'Flood Impact and Risk Assessment' – Flood Risk Management Guideline LU01 of the NSW Flood Risk Management Manual.

16. FLOOR PLANS

Floor plans must show:

a. Room layout and usage.
b. Partitioning.
c. Location of windows and doors.
d. Disabled access where appropriate.
e. Room and courtyard dimensions and areas.
f. The finished ground levels and finished floor levels.
g. BASIX commitments e.g. skylight, rainwater tank.
h. Layout of building, all processes, storage areas, location of machinery, racking layout and height.
i. Existing and proposed fire safety measures.
j. Shop fitout details.

An example of a floor plan is shown in the following figure:



17. FLORA AND FAUNA ASSESSMENT (FFA)

The purpose of the Flora and Fauna Assessment (FFA) is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies. An FFA is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation.

Note: For more information on who can prepare a FFA and what will be required, refer to Appendix C: Biodiversity Guidelines.

18. LANDSCAPE PLAN

A plan or document outlining the extent, type and location of hard and soft landscape works proposed for a development.

Drawings of the proposed landscape area must be submitted, including species selected and materials to be used, presented in the context of the proposed building or buildings, and the surrounding development and its context.

19. NOTIFICATION PLANS

Notification plans are required in order to inform adjoining property owners and other relevant stakeholders of your development proposal. Notification plans are to be A4 in size and must show a site plan and elevations. They must not show interior layouts/floor plans of residential development.

20. OPERATIONAL WASTE MANAGEMENT PLAN

A plan that details the amount, type and disposal of waste through the ongoing management of the facility.

This plan should include the following information:

- Volume and type of waste to be generated.
- How waste is to be stored and treated on site.
- How residue is to be disposed of.
- How recyclable materials will be separated and managed.
- On-going management strategies.

21. OWNERS CONSENT

A document providing owner(s) consent of the land to which the development application relates.

22. PHOTOMONTAGE

Photomontages are to show the key contextual streetscape and neighbourhood settings of the proposed development and other relevant images, such as impacts on critical/sensitive views from both the public and private domain.

23. SECTION PLANS

Section plans must show:

a. Section names and location on plan, e.g. A/A, B/B etc. and room names.
b. A structural section through the building and parallel to the street.
c. Structural section from front to back of the building.
d. Outline of existing building/development on site (shown dotted).
e. Undisturbed Natural Ground Levels (NGL).
f. Finished Floor Levels (FFL).
g. Finished Ground Levels (FGL).
h. Ceiling levels.
i. Roof levels.
j. Retaining wall levels (top).
k. Fence heights at front, side and rear.
l. Footway and kerb/road levels.
m. Longitudinal section of proposed driveway/ramp, including transitions, levels and height clearance, where basement parking is proposed.
n. Insulation details (where applicable).

24. SHADOW DIAGRAMS

Shadow diagrams seek to display the overshadow from development on the proposed development and surrounding urban environment. **Shadow diagrams are to demonstrate that:**

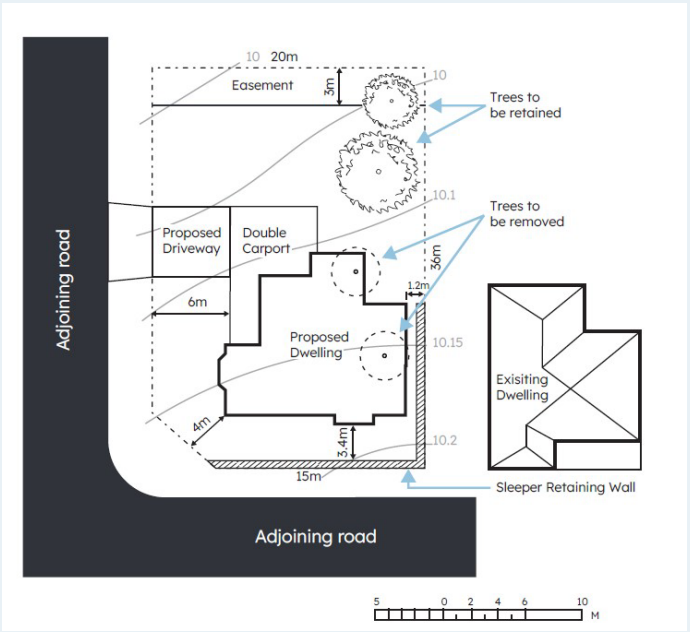
a. Shadows cast at midwinter (22 June) at 9am, 12noon and 3pm in plan form, at a scale of 1:200.
b. Shadows in plan and elevation form on an hourly basis, if shadows fall on neighbouring windows.
c. Location of proposed development and the location of existing development on adjoining site/s.
d. Where shadows affect habitable room windows, details of the percentage of the window to receive sunlight at each hour at midwinter (22 June) between 9am and 3pm.
e. Where shadows affect principal areas of private open space, details of the area and percentage of the open space to be overshadowed, at each hour at midwinter (22 June) between 9am and 3pm - calculations to include details of existing overshadowing.
f. Diagrams to be drawn to true north.

25. SITE PLAN

The Site plan must be drawn to scale at either 1:100 or 1:200 and include:

a. North point
b. The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m²) and any easements, rights of way or sewer mains.
c. Location of proposed new building/development with outline of existing building/development on site, shown dotted.
d. Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings.
e. Details of existing and proposed fencing.
f. Distance from external walls and outermost part of proposed building to all boundaries.
g. Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties).
h. Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues.
i. Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels.
j. Location of proposed and existing driveways and vehicle parking and manoeuvring areas.
k. Extent of any existing landfill and retaining walls and any contaminated soil areas.
l. BASIX commitments e.g. rainwater tank.
m. Summary table calculations of site area, floor area, landscaped area etc.
n. A Hunter Water Corporation endorsement stamp.
o. For sites within a mine subsidence area, endorsement from Subsidence Advisory NSW.

An example of a typical site plan for a new dwelling house is shown in the following figure:



26. SOIL AND WATER MANAGEMENT PLAN (SWMP)

A soil and water management plan is a set of specific site plans or drawings that detail sediment and erosion control measures on building and construction sites. The Soil and Water Management Plan (SWMP) shows the type, location, design, installation and maintenance schedule for all these measures and should be considered as the blueprint for controlling all anticipated erosion and for preventing sediment from leaving a site.

A SWMP is to be prepared in accordance with Council's MOES and Department of Planning, Housing and Infrastructure's Guidelines for erosion and sediment control on building sites, and Landcom's The Blue Book – Managing Urban Stormwater; Soils and Construction/Planning for Erosion and Sediment Control on Single Residential Allotments.

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

This is a written statement that addresses the matters for consideration contained within Section 4.15 of the Environmental Planning and Assessment Act 1979.

The Statement of Environmental Effects must indicate the following matters:

a. The environmental impacts of the development.
b. How the environmental impacts of the development have been identified.
c. Details of requirements under Council's Development Control Plan.
d. Justification for variation to development standards under the MLEP 2011.
e. Justification for variations to Development Control Plan.
f. The steps to be taken to protect the environment or to lessen the expected harm to the environment.
g. Any matters required to be indicated by any guidelines issued by the Director-General.
h. If an environmental planning instrument requires arrangements for any matter, such as arrangements for the provision of utility services, to be made before development consent may be granted, documentary evidence that such arrangements have been made.
i. In the case of a development involving the use of a building as an entertainment venue or a function centre, pub, registered club or restaurant, a statement that specifies the maximum number of persons proposed to occupy, at any one time, that part of the building to which the use applies.

A Statement of Environmental Effects (SEE) is required for all development applications (apart from Designated Development, which requires an Environmental Impact Statement). The information required will vary according to the type of development. If you are not sure what details to include, please contact Council for advice.

The SEE must demonstrate that you have considered the environmental impact of the development and it should set out any steps to be taken to mitigate any likely adverse environmental impact.

The type of details that should be included in a Statement of Environmental Effects is provided below:

Pre-existing uses

Any pre-existing uses on the land need to be identified. You should provide details of the date that the present use commenced and any previous uses of the site. If there are existing buildings on the site that are to be demolished, the age and condition of these buildings should be included.

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Operational details

A description of the proposed use is required. This may include:

- The type of activity involved and the equipment to be used.
- The number of employees.
- Hours of business/use.
- Maximum numbers of customers or clients.
- How many people expected on site at any one time.
- Type of goods/raw materials/finished products.
- Areas set aside for storage and waste disposal whether internal or external to a building.

Access and traffic

Provide details on:

- Location, number and dimensions of car parking bays, and manoeuvring areas.
- Access arrangements including driveways, and footway crossovers.
- Details of any street features such as trees, footpaths, pipes and drainage pits, should be shown.
- For major traffic generating proposals a traffic and parking impact assessment report prepared by a consulting traffic engineer is likely to be required.
- Impacts on pedestrian movements, and access for disabled persons should be considered.

Utility service and waste

Waste collection, treatment and disposal arrangements need to be identified. Where amplification of utility services is required, details of arrangements/consultation with relevant public authorities should be included.

Privacy, views and overshadowing

You need to demonstrate how your building/proposal will relate to your neighbours' buildings. Issues to consider include:

a. visual privacy – positioning of windows, views between living areas and private adjoining spaces.

b. acoustic privacy – noise transmission into the development and the need for separation from noise sources and the need to mitigate noise sources from your proposal.

c. views – impact of the development on views from adjoining properties as well as views from the proposed development.

d. overshadowing – where overshadowing is possible or likely you should provide diagrams where the shadows will cast, such diagrams need to be done accurately and properly indicate shadows cast onto walls and windows.

Flooding and drainage

Detail how your proposal is compatible with flooding levels and demonstrate that the proposed design will not adversely affect either downstream, or upstream flooding. Council also requires information on the proposed stormwater management controls for water entering, within and leaving the site and where relevant, calculations prepared by a consulting engineer (see Stormwater Drainage Plan).

27. STATEMENT OF ENVIRONMENTAL EFFECTS (SEE)

Erosion, sediment and nutrient control

Detail measures for general erosion and sediment control, including the proposed construction sequence, critical areas that require special management and proposed rehabilitation measures and on-going maintenance.

Heritage conservation

Identify if the site includes a heritage item or is within a heritage precinct or if there is any heritage significance associated with the land or any buildings located on the site. Detail measures to address any impact your proposal would potentially have on heritage items on site, on neighbouring sites or within the Heritage Conservation Area. To check if the site is affected by heritage considerations you can look at the Maitland Local Environmental Plan 2011 for the area or obtain a 149 Certificate for the site.

If your proposal involves alterations to a heritage building or is located within a Heritage Conservation Area, you will need to demonstrate design measures that will retain the heritage significance of the site.

It is recommended that you consult with Council's Heritage Advisor. If your proposal involves a heritage item of State or Regional Significance a conservation plan prepared by a professional heritage architect will generally be required.

Construction traffic management

The purpose of a Construction Traffic Management Plan is to ensure that the impact of construction works on the public domain, in particular with respect to temporary interruptions to vehicular and pedestrian traffic are considered by the proponent and reviewed by Council. The Construction Traffic Management Plan must ensure that public safety is maintained at all times and that whenever possible interruption to the use of public space is minimised.

Other environmental impacts

Specify any other matter that has the potential to impact upon air or water quality, native flora, fauna or habitats, the local community, public health or safety, the local economy, soil or groundwater contamination or existing noise levels.

Other impact mitigation measures

Where your proposal is likely to impact upon the environment, provide details of the measures that will be undertaken to mitigate these impacts. Where these impacts are likely to be significant, a report from a professional consultant will be required. Such reports may include an acoustic assessment, preliminary hazard analysis or a flora and fauna assessment.

28. STATEMENT OF HERITAGE IMPACT (SOHI)

A statement that conveys what impact or impacts the proposed development will have on the item of heritage significance.

The statement addresses:

- What impact the proposed works will have on that significance.
- What measures are proposed to mitigate negative impacts.
- Why more sympathetic solutions are not viable.
- Why the item is of heritage significance.

28. STATEMENT OF HERITAGE IMPACT (SOHI)

The heritage impact statement demonstrates how the proposed development conserves and mitigates for the protection of the identified heritage significance, based on the following principles:

a. Development is consistent with the statement of heritage significance for that item.
b. Development protects the setting of the heritage item.
c. Development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements.
d. Development avoids facadism by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials.
e. Development removes alterations and additions that are unsympathetic to the heritage significance of the heritage item.
f. Reinstates missing building elements and details.
g. Uses materials, finishes and colours that are appropriate to the architecture, stylistic period of the heritage item.
h. Reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the heritage item.
i. Maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with the statement of heritage significance.

Reference to the *Heritage Act 1977* is required where potential to yield highly significantly archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation.

The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Heritage's Consultants Directory.

29. STORMWATER MANAGEMENT PLAN (MINOR)

The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales).

The stormwater drainage plan and written description must include information on:

a. Catchment boundaries.
b. Existing surface conditions.
c. Proposed surface contours.
d. Proposed building flood or floor levels.
e. Location and levels of discharge points.
f. Flood liable areas.
g. Location of drainage pits and lines.
h. Location and area of on-site detention easements.
i. Calculations for any proposed on-site detention system.
j. Methods of draining the land.

29. STORMWATER MANAGEMENT PLAN (MINOR)

If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised. Any subdivision over 3,000m^2 and/or impacting on the public stormwater system will require a full Stormwater Management Plan in accordance with Item 54 of Appendix A.

30. STRUCTURAL ASSESSMENT REPORT

A structural assessment report is a document that evaluates a building or structure's condition and safety. The report is to be prepared by a qualified structural engineer who examines the building's structural elements, including the foundation, walls, roof, and floors. The report also includes the building's history, such as any past renovations.

A structural assessment report's purpose is to identify any potential safety hazards or structural deficiencies. It outlines the building's construction, load-bearing capacity, materials used, and any existing damage or defects. The report also makes recommendations for necessary repairs or modifications.

31. SUBDIVISION PLAN

A subdivision plan must include:

a. The existing and proposed boundaries.
b. Accurate areas of proposed lots and access handles.
c. All existing structures on site.
d. All existing vegetation on site.
e. Levels to Australian Height Datum (AHD), including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. The north point, drawn to true north.
g. The location of any easements/restrictions/services affecting the site.
h. The location of any traffic devices within proximity of the subject site, and any services within the footpath area.
i. Details of preliminary engineering drawings of the work to be carried out.

32. SURFACE WATER ASSESSMENT REPORT

A surface water assessment report is a comprehensive evaluation of the quality and condition of surface water bodies, such as rivers and lakes. It includes monitoring the physical, chemical, and biological aspects of the water to: Assess water quality, identify potential sources of pollution, and determine the health of aquatic ecosystems.

Surface water assessment reports can help with identifying emerging issues, managing surface water resources, making informed water resource management decisions, and planning future water needs.

33. SURVEY PLAN

A survey plan and reference levels prepared by a surveyor must:

a. Be at a scale of 1:100 or 1:200.
b. Clearly nominate property boundaries.
c. Show all existing structures on site.
d. Show all existing vegetation on site.
e. Include levels to Australian Height Datum, including contours and spot levels at regular intervals on both the subject site and adjacent footpath/Council reserve.
f. Show north point, drawn to true north.
g. Show the location of any easements/restrictions/services affecting the site.
h. Show the location of any traffic devices within proximity of the subject site, and any services within the footpath area.

Council reserves the right to request a Survey Plan be signed off by a Registered Surveyor.

34. VISUAL IMPACT ASSESSMENT (VIA)

A report that examines the visual impact of a development in situations where a development presents significant bulk, height or variations to setbacks. To be prepared by a suitably qualified person. The analysis should also provide a photographic and/or elevation view analysis based on survey data prepared by a registered surveyor demonstrating the impact of the proposed first floor addition or two or more storey building on views currently available from potentially affected properties.


maitland
CITY COUNCIL



Maitland DCP 2026

Appendix C: Biodiversity Guidelines

maitland CITY COUNCIL

Table of Contents

Introduction **3**

1. Flora and Fauna Assessments **3**

1.1. When is a Flora and Fauna Assessment required? 3
1.2. Who can prepare a Flora and Fauna Assessment? 3
1.3. What should the report include? 4
1.3.1. Site Summary 4
1.3.2. Summary of the Proposal 4
1.3.3. Survey Methodology 4
1.3.4. Survey Results 5
1.3.5. Assessment of Impacts 5
1.3.6. Reducing Impacts 6
1.3.7. Conclusion 6

2. Vegetation Management Plans **6**

2.1. When is a VMP required? 6
2.2. Who can prepare a VMP? 7
2.3. What should the VMP include? 7
2.4. Site Description 7
2.5. Aims and Objectives 7
2.6. Management Zones 7
2.7. Management Actions 8
2.8. Performance Criteria and Monitoring 8
2.9. Costing 9

3. Biodiversity Management Plans **9**

3.1. When is a BMP required? 9
3.2. Who can prepare a BMP? 9
3.3. What should the BMP include? 9
3.4. Minimum Requirements 10
3.5. Site-specific Requirements 10

4. Squirrel Glider Assessment Considerations **14**

4.1. Targeted survey requirements 14
4.2. Determining a significant localised impact 15

VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

Introduction

The Biodiversity Guidelines (this Guideline) have been developed to support Chapter 2: Environmental Considerations, Appendix A: Application Requirements – Other Development, and Appendix B: Application Requirements – Minor Development of the Maitland Development Control Plan 2026 (DCP). The Guideline provides supporting explanatory information and guidance for a series of different assessments and plans required by Council for a series of biodiversity and conservation matters throughout the Maitland Local Government Area (LGA). In summary, these are:

- Flora and Fauna Assessments
- Vegetation Management Plans
- Biodiversity Management Plans
- Squirrel Glider Assessment Considerations

1. Flora and Fauna Assessments

This section outlines the minimum requirements for preparing a Flora and Fauna Assessment (FFA) to support development applications under Council's DCP. The purpose of the Flora and Fauna Assessment is to assess potential impacts on biodiversity and ensure compliance with relevant environmental legislation and policies.

1.1. When is a Flora and Fauna Assessment required?

A Flora and Fauna Assessment is required when the Biodiversity Offset Scheme is not triggered but impacts to biodiversity still require evaluation. Council's DCP provides the following triggers that determine whether a Flora and Fauna Assessment should be included as part of a development application:

a. Development which involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees, or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow-bearing trees, watercourses, wetlands, or dams; or
b. Development which involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors; or
c. Potential significant biodiversity impacts which are identified by Council following a site inspection.

1.2. Who can prepare a Flora and Fauna Assessment?

The report must be prepared by a qualified and experienced ecological consultant who holds:

- Tertiary qualifications in an ecological field obtained from an accredited institution; and
- Relevant experience in flora and fauna survey and impact assessment; and
- A current Scientific Licence issued under section 132C of the *National Parks and Wildlife Act 1974*, and an Animal Research Authority under section 25 of the *Animal Research Act 1985*, if conducting any fauna survey.

1.3. What should the report include?

1.3.1. Site Summary

All proposals must include a summary of the study area which includes all areas likely to be (directly and indirectly) impacted by the development.

The report must include a map of the study area clearly showing site locality, Subject Area boundaries, Impact Area (including Asset Protection Zones), and important environmental features including:

a. Council's Green & Blue Grid and Biodiversity Corridors (as per Council's Environmental Sustainability Strategy 2030)
b. Watercourses, waterbodies, and wetlands
c. Steep slopes
d. Significant habitat features including hollow-bearing trees, stick nests, termitaria, rock outcrops, waterbodies, and caves
e. Location of all survey locations such as vegetation plots and monitoring devices
f. Known threatened species records
g. Distribution of vegetation on site including non-native vegetation and Plant Community Types (PCTs), including the total area of each PCT and the area to be impacted

1.3.2. Summary of the Proposal

The report must provide an overview of the proposal, including details of activities during and after construction, as well as any potential direct and indirect impacts. These may include vegetation clearing for construction or asset protection zones, future 10/50 clearing entitlements, loss of habitat connectivity, risk of fauna-vehicle collisions, sedimentation and erosion, and reduced ecosystem health due to edge effects.

Also required is a summary of legislation and Council policy relevant to biodiversity conservation, outlining their relevance and application to the development. At minimum this should include evidence that the biodiversity offsets scheme is not triggered in accordance with the *Biodiversity Conservation Act 2016*. Further consideration may be required for the following, depending on the potential impacts of the proposal:

- Council's *Environmental Sustainability Strategy 2030*, with particular reference to the Green & Blue Grid and Biodiversity Corridors
- *Maitland Local Environmental Plan 2011*
- *Fisheries Management Act 1994*
- *Environment Protection and Biodiversity Conservation Act 1999*
- *Maitland Development Control Plan 2026*

1.3.3. Survey Methodology

The scope and type of survey required are determined by the likelihood of threatened species occurring on site or relying on its habitat, along with the expected extent of impacts from the proposed development. The following should be considered when determining survey scope:

- **Threatened fauna**: Where the impact area is greater than 0.5 ha or significant habitat features, such as hollow-bearing trees or aquatic habitat, are impacted, targeted surveys for threatened species with the potential to occur on site must be completed. In other cases, assumed presence/absence for threatened fauna is acceptable with adequate justification. The flow chart in Figure 1 should be used to determine whether targeted squirrel glider surveys are required.

- **Threatened flora**: Where the site is potential habitat for threatened flora, parallel transects no less than 5 metres apart must be completed at an appropriate time of year for the target species. Otherwise, 2 hours random meander per 0.5 ha is suitable.
- **Native vegetation**: A minimum of one BAM plot is required per vegetation zone unless the proposal does not impact mature trees or threatened ecological communities.

Surveys must be conducted in accordance with available taxa-specific guides, including peer reviewed guidelines, survey guidelines published by state or commonwealth agencies, and any additional guidelines produced by Council. Any variation from the guidelines requires adequate justification which must be detailed in the assessment.

Surveys must also consider the detectability of the species that have the potential to occur and be undertaken in the most appropriate season for the species being targeted.

1.3.4. Survey Results

Details of the survey methodology undertaken must be provided including:

- Sampling dates, times and weather conditions.
- Methods used to determine sampling units.
- Survey techniques utilised and the intensity of sampling for each entity, including targeted survey efforts for threatened species.
- Map(s) indicating the precise location for all sampling efforts.

The results of surveys must be provided including:

a. A list of all flora and fauna species detected in the including scientific and common name and conservation status.
b. Map(s) of environmental features, vegetation types and habitat types; location of threatened species.
c. Description of vegetation types in terms of structure and floristics, and a list of the dominant plant species in each growth stratum.
d. For each vegetation type, a description of disturbance, weeds present and their density, and comments on the suitability of the area as habitat.
e. Populations or communities; areas of high biodiversity or other areas of special significance.
f. Photos of the study area and subject site.
g. Raw data including floristics data from any BAM plots completed.

1.3.5. Assessment of Impacts

The report should include an assessment of both direct and indirect impacts of the proposal on biodiversity values including threatened entities, habitat supporting threatened entities, connectivity, as well as Council's Green & Blue Grid including Council's biodiversity corridors.

Test of Significance

The report should include a Likelihood of Occurrence table to determine which entities have low, moderate, high, or known likelihood of occurring on the site. The table must include all threatened entities within a 10km search of the NSW Bionet database. Other databases such as the Atlas of Living Australia may also need to be searched, particularly for bird records. Appropriate justification must be provided for any species considered to have a low likelihood of occurrence.

All entities with a moderate, or greater likelihood of occurrence must be assessed within a Threatened Species Test of Significance (ToS) in accordance with Section 7.3 of the *Biodiversity Conservation Act 2016*. Aggregate ToS should only be completed for species with similar ecological requirements.

Conclusions drawn within ToS should be supported by evidence rather than by opinion. Where there is a lack of scientific certainty about the potential impacts on a threatened species or ecological community, the precautionary principle should be applied.

Matters of National Environmental Significance

When a threatened entity under the *Environment Protection and Biodiversity Conservation Act 1999* has a moderate or greater likelihood of occurring on site, likely impacts must be assessed under Significant Impact Guidelines 1.1 - Matters of National Environmental Significance.

1.3.6. Reducing Impacts

All proposals must make reasonable and genuine attempts to avoid any impacts areas of high biodiversity value. If this is not possible, then options to minimise impacts should be recommended. Providing a genuine and robust exploration of avoid and minimise measures is particularly important on properties with an environmental zoning or for developments that impact Council's Green and Blue Grid.

Where it is not possible to avoid or minimise impacts on areas of high biodiversity value, any residual impacts should be offset. The type and scale of offset is dependent on the extent of residual impacts and will be assessed on a case-by-case basis. Suitable offsetting measures may include the implementation of a Vegetation Management Plan to compensate for the loss of environmentally sensitive land, or installation of artificial/augmented hollows where hollow-bearing trees are removed.

1.3.7. Conclusion

The conclusions must summarise the results of the assessment and legislative compliance with relevant assessment criteria. This must include whether the proposal is likely to significantly affect threatened species or ecological communities, or their habitats according to Section 7.3 of the BC Act. It must also summarise the recommendations to avoid, minimise and offset impacts to threatened entities and areas of high biodiversity value.

2. Vegetation Management Plans

This guideline provides the minimum requirements for preparing a Vegetation Management Plan (VMP) when required for development applications in Maitland LGA. It ensures that vegetation is managed sustainably, maintaining ecological integrity while allowing for responsible development.

2.1. When is a VMP required?

A VMP may be required where retention or rehabilitation of native vegetation and/or habitat is required within:

a. Council's Green and Blue Grid,
b. Council's Biodiversity Corridor, or
c. where works subject to a Controlled Activity Approval will be undertaken within 40m of the top-of-bank of a mapped watercourse, or
d. when outlined through the development approvals process.

2.2. Who can prepare a VMP?

The VMP must be prepared by a qualified ecologist with experience in bush regeneration, or a bush regenerator who holds a minimum Diploma Conservation and Land Management (or equivalent) and a minimum 3 years' experience in practical ecosystem restoration.

2.3. What should the VMP include?

The document should be clear, concise, and site specific while maintaining detail in which a non-experienced person can understand the issues and practical management strategies to be implemented on site to meet objectives.

2.4. Site Description

The existing site context must be clearly described with references to a range of mapping, including historical, if relevant. At a minimum the site description should include:

a. Location details, including property description and Lot/DP numbers
b. Aerial imagery and site photographs
c. Existing plant community types and conditions
d. The extent of weed cover accompanied with weed density mapping that categorises areas of the site into classes according to the condition of bushland when considering percentage native cover, percentage weed cover, and level of intervention required
e. Presence of threatened species, ecological communities, or habitat features
f. Site constraints (e.g., erosion risk, weed infestations, bushfire risks)

2.5. Aims and Objectives

The aims and objectives are to be site specific and led by the following principles:

a. Maintain or enhance biodiversity, habitat and natural values
b. Manage, control and eliminate invasive species
c. Establish a low-maintenance, self-sustaining vegetation community that supports long term ecological resilience and minimal intervention
d. Promote and educate on native ecological sustainability through revegetation and restoration

2.6. Management Zones

All areas covered within the VMP must be separated into management zones to reflect the extent and type of management required, with consideration given to the different plant community types and ongoing land uses. Examples of management zones include:

- **Conservation Zones -** Protection and enhancement of remnant vegetation with low to no weed cover or management issues
- **Rehabilitation Zone -** Areas requiring active restoration of degraded vegetation, separated by level of management required
- **Revegetation Zone -** Areas for mass revegetation, separated by targeted vegetation communities
- **Recreational Zone -** Managed park/reserves integrated within the urban design
- **Asset Protection Zone -** Areas of managed Asset Protection Zones as per development plans
- **Buffer Zone –** management of edge effects between development and natural vegetation

Each management zone must be clearly mapped and described within the VMP with the following information:

a. General description of the zone
b. Plant Community Type and overview of dominant native and exotic flora species
c. Photo points
d. Estimated exotic cover
e. Estimated native vegetation cover
f. Habitat features
g. Erosion point
h. Rubbish/litter
i. Other management issues.

2.7. Management Actions

Management actions required to meet the objective of each zone must be described in sufficient detail including where each task will be undertaken, how each task will be completed and the responsible persons/team responsible for carrying out each task. Tasks may include, but are not limited to:

- Site management (i.e., site cleanup, soil remediation, stabilisation of disturbed areas etc.)
- Target weed species and weed control methods (manual removal, herbicide use, etc.)
- Erosion and sediment control measures including stabilisation of watercourses
- Revegetation strategies (species selection, planting techniques, areas of mass planting and infill plantings)
- Fauna habitat enhancement (ground log and rock relocations, frog hibernacula)
- Bushfire hazard reduction techniques (in compliance with Rural Fire Service guidelines)
- Fencing and access control to prevent unauthorised disturbance
- Signage to educate public on restoration area

All species included in the revegetation must be associated with the target Plant Community Type and be of local provenance with a focus on locally sourced seeds.

All boundaries between the development and the natural areas/revegetation area of the VMP must be fenced with fauna friendly materials. Signage is to be placed along the fence line to educate on the restoration efforts.

2.8. Performance Criteria and Monitoring

Completion criteria must be set as a benchmark for regular monitoring. Targets are to be prescriptive, and percentage based.

Unless otherwise agreed by Council, standard completion criteria target for the end of a 5-year program will require:

- Woody weed/priority weed cover of <1%
- Other weeds at <5%
- Revegetation survival rate of >80%

The completion criteria are to include a trending target for the end of each year's maintenance period. End of year targets may be management zone specific to allow for individual challenges across the site.

Monitoring is to be consist with the follow methods:

- Photo point monitoring within each management zone
- 10x10m flora monitoring plot within each natural area management zone (i.e. conservation, rehabilitation and revegetation or equivalent)
- Details of results against completion criteria and trends against previous years

- Whole site weed inventory and mapping
- Details of ongoing and new management issues
- General site conditions
- Recommendations

Monitoring methodologies must be detailed within the VMP. A monitoring report is to be submitted annually to Council. At the submission of each annual monitoring report, Council may require a site walkover with relevant stakeholders.

2.9. Costing

Council may require a security for the cost of the maintenance of the VMP works by way of bond or bank guarantee. Where required, the VMP must include an estimation of costs for the implementation of the works program provided. A security bond will be accepted enabling a Subdivision Certificate to be issued as an alternative to full implementation of the VMP. The value of the bond will be 120% of a cost estimate to implement the first 5 years of the VMP. Release of the bond will be staged subject to certification that VMP milestones have been met. All price estimates are to be itemised. The bond will generally be progressively released in accordance with the below:

a. 12 months after the completion of primary weeding (50% of bond);
b. 36 months after the completion of primary weeding (25% of bond);
c. 60 months after the completion of primary weeding (25% of bond).

Council reserves the right to vary bond releases on a case-by-case basis.

3. Biodiversity Management Plans

A Biodiversity Management Plan (BMP) provides details on the practical actions required to minimise and mitigate impacts on biodiversity during development activities. It may be integrated into Construction Environmental Management Plans (CEMP) or be a standalone document used by personnel on site during development works.

3.1. When is a BMP required?

A BMP is required when development will likely result in direct or indirect impacts to biodiversity values, such as significant habitat features, fauna connectivity, and Council's Green & Blue Grid. It may be requested prior to development consent being issued in order for Council to consider potential impacts and mitigation measures for development. In some cases, a BMP may be required as a condition of development consent subject to review and approval by Council prior to issue of a subdivision works or construction certificate

3.2. Who can prepare a BMP?

Council requires that BMPs are to be developed and implemented by a suitably qualified and experienced person with a minimum 3 years relevant experience as a qualified ecologist. The supervision of on ground works should also be undertaken by a qualified ecologist preferably with formal spotter catcher training. Project ecologists with lesser experience may assist under the direct on ground supervision from a person with the aforementioned experience.

3.3. What should the BMP include?

The scope of the BMP should be commensurate with the size, type and location of the development. Where impacts to biodiversity are minimal (e.g., no threatened entities are likely to be impacted) a scaled-back version may be suitable.

It is recommended that advice on the applicability of the guidelines to specific sites and development activities in Maitland be sought from Council and a qualified ecologist prior to lodgement of the development application.

3.4. Minimum Requirements

At minimum, the BMP document should include the following content:

a. Introduction and site description
b. Identification of likely direct and indirect impacts to biodiversity values including nature and extent of proposed activities
c. Work schedule including timing/staging of tasks, and timing of monitoring and reporting
d. Performance targets that include clear criteria against which the achievement of the outcomes or objectives can be assessed
e. Monitoring strategy to evaluate BMP tasks against performance targets

Reporting on the progress of the BMP should be provided annually and at completion of BMP works. At minimum, reporting should include:

a. Summary of works completed including location details for any compensatory hollows or connectivity structures installed
b. Monitoring results and evaluation against performance targets
c. Adaptive management measures if required
d. Any other management issues

3.5. Site-specific Requirements

Each development presents distinct features, such as the presence of threatened entities, sensitive habitats, or water bodies which must be carefully considered and integrated into the BMP. The site-specific requirements of a BMP are crucial for addressing the unique impacts of each development. Where relevant, the BMP should include provision for and description of the following management measures:

Protection of Ecological Features

The BMP must detail protective measures for retained ecological features through the establishment of exclusion zones during the construction phase. Ecological features requiring protection during construction include:

- Vegetation outside of the clearing footprint
- Individual native and amenity trees to be retained
- Threatened flora
- Aquatic habitats

The required level of protection is based on the risk of intrusion and the sensitivity of the excluded area, ranging from reflective bunting for low-risk zones to chain-wire fencing for highly sensitive sites. Determining the most suitable method of establishing exclusion zones should generally be in accordance with Guide 2: Exclusion Zones within Transport for NSW Biodiversity Management Guidelines (2024).

Tree Protection Zones (TPZs) must be established for all trees at risk of being impacted during construction works. This may include trees on land adjacent to the development site. TPZs are to be consistent with Australian Standard (AS 4970). This includes installation of fencing to prevent access by machinery to the TPZ and signs clearly identifying the TPZ. Storage of materials and parking of plant or vehicles should be avoided within the TPZ.

Exclusion zones including TPZs must be marked on a clearly labelled plan and made available on site during construction works. Plans should also be included in the CEMP and provided in the site induction.

Monitoring of exclusion zones and TPZs should be undertaken at least weekly and repairs to fencing made as required. Advice from an AQF5 arborist is required where vegetation shows signs of stress.

Clearing Protocol

Where hollow-bearing trees or other important fauna habitat features are proposed for removal, the BMP must detail a clearing strategy to mitigate impacts on fauna. The clearing protocol should generally be in accordance with *Guide 1: Pre-clearing process, Guide 4: Clearing of vegetation and removal of bushrock* and *Guide 9: Fauna handling* within *Transport for NSW Biodiversity Management Guidelines* (2024). At minimum, the clearing protocol should ensure the following:

a. A pre-clearing survey is undertaken to identify fauna and fauna habitat potentially impacted. These must be identified on a plan and physically marked on site prior to clearing.
b. Clearing during key breeding periods of species likely to inhabit the site is avoided
c. Best practice clearing methods are used to minimise impacts on fauna. This may include staged clearing and soft fall techniques.
d. A qualified ecologist or licensed handler supervises removal of habitat features and inspects felled/cleared habitat immediately for fauna.
e. Captured fauna not requiring care are immediately released at a pre-identified release site. The release site should be identified for long-term conservation (e.g., Council bushland or C2-zoned land).
f. Captured fauna requiring care are taken to a veterinary clinic by a project ecologist or wildlife carer
g. Cleared native vegetation is re-used on site including placement of hollow logs in retained natural areas, and use of mulch in revegetation area

Where squirrel gliders have been detected on site, the following additional clearing measures are required:

- A corridor of trees should be maintained between potential squirrel glider den trees to surrounding native vegetation (outside of the area to be cleared) for a period of three (3) weeks following the clearing of surrounding habitat.
- Felled hollow-bearing trees should be left in adjacent habitat until the following day. After this period, sectional dismantling with an ecologist present must be undertaken for all potential squirrel glider den trees.

Mitigating the loss of Tree Hollows

Compensatory hollows are required when the removal of a hollow bearing-tree occurs as a result of the development. Where compensatory hollows are required, the BMP must include the following information:

- Size, type and quantity of natural tree hollows to be removed
- Number and type of artificial hollows required
- Maps of existing natural hollows and planned artificial hollow installation locations
- Monitoring and reporting requirements

Location - Suitable areas for compensatory hollow installation should be broadly identified with more specific installation and placement requirements that allows for flexibility on the ground. Compensatory hollows should be installed as close as possible to the location of the removed hollow-bearing tree with an orientation that considers the target species' needs. Installing hollows on trees

with existing hollows or in areas with existing high density of hollows should be avoided. Where no suitable trees exist within the subject site, hollows may be installed within adjacent bushland providing future access for monitoring and maintenance can be ensured. Where augmented hollows are proposed, a pre-installation survey should be undertaken by a suitably experienced ecologist and a suitably qualified arborist (AQF5).

Design - Design of replacement hollows must be appropriate for the fauna species likely to occur on site or mimic the hollow being removed. The table below outlines Council's preferred types of compensatory hollows and the corresponding replacement ratios. Method of attachment must be appropriate for each artificial hollow type and may need to consider location-specific factors. Attachment design must allow for tree growth.

Table 1: Preferred types of compensatory hollows and required replacement ratios when hollow-bearing trees are removed as part of development

PREFERENCE OF USE	ARTIFICIAL HOLLOW TYPE	REPLACEMENT RATIO FOR EACH REMOVED HOLLOW
1st	Hollow augmentation using hollow hog or similar[1]	1:1
2nd	Salvaged hollow from felled hollow bearing trees as a result of the development	1:1
3rd	Nest box (min. 19mm walled)	2:1

[1] Due to potential impacts on tree health, hollow augmentation should only be undertaken under the supervision of an AQF Level 5 arborist experienced in hollow creation. The arborist should provide guidance on measures to minimise any adverse effects on the tree.

Timing - unless otherwise agreed by Council, 70% of compensatory hollows must be installed prior to clearing. The remaining 30% must be installed during or immediately following clearing.

Monitoring and maintenance – compensatory hollows must be monitored annually for fauna use and maintenance requirements. Monitoring should continue for a minimum of five (5) years following installation unless otherwise agreed by Council. Compensatory hollows must be maintained for a minimum of five (5) years following installation unless otherwise agreed by Council. Maintenance includes repairing, repositioning, re-installing, and relocating damaged hollows, as well as removing pests including non-native bees.

Dewatering Aquatic Habitat

A Dewatering Plan must be detailed in the BMP where development results in the dewatering of aquatic habitat such as farm dams, ponds, and watercourses. The Plan should include measures to protect aquatic fauna and may require species-specific controls based on the species present or likely to occur on site. Relocation sites for turtles should consider potential for inadvertent vehicle strike of dispersing individuals.

Fauna Connectivity

The purpose of a Fauna Connectivity Plan is to ensure that connectivity gaps created by the development are mitigated with fauna crossings and/or bush restoration. A Fauna Connectivity Plan may be required as part of a BMP where:

- Development impacts the functionality of Council's biodiversity corridors
- Habitat connectivity for threatened fauna is severed by development
- There are opportunities to improve functional connectivity for threatened species

The plan should include the following minimum detail:

a. Identification of likely direct and indirect impacts to existing fauna connectivity including likely species impacted
b. Measures to reinstate and/or protect fauna connectivity (e.g., glider poles, fauna-friendly culverts, revegetation, fencing)
c. Detailed works schedule for connectivity structure installation, revegetation works (where replacement planting of suitable canopy species may enhance connectivity in the long term), and maintenance of vegetation for five (5) years following planting. Revegetation and weed management works may be included as part of a VMP.
d. Monitoring plan for minimum five (5) years to be undertaken by suitably qualified personnel to determine fauna usage

Connectivity structures installed to mitigate impacts on connectivity must be appropriately designed for the target fauna species. For instance, if development impacts connectivity for squirrel gliders, glider poles should be of sufficient height and design to accommodate the species' average glide distance.

Where connectivity is being severed by tree removal, connectivity structures are to be installed prior to the tree removal to ensure connectivity for resident fauna.

Ecological Buffers

Development adjoining environmentally significant features should provide for, and ensure the management of, an ecological buffer to minimise ongoing impacts of development on those features. The BMP must identify environmentally significant features on or directly adjacent to the development site and provide an ecological buffer of an appropriate width to effectively minimise ongoing impacts of development. Where required, management of the ecological buffer, such as fencing, revegetation and/or weed management, should be outlined in the BMP.

Examples of environmentally significant features include:

- Threatened ecological communities
- Wetlands
- Known den or nesting trees for hollow-dependent threatened fauna (e.g., squirrel glider, powerful owl)
- Flying-fox camps
- Biodiversity corridors identified within Council's Environmental Sustainability Strategy 2030
- Raptor nests
- Core koala habitat

The type of buffer and level of management required is dependent on the sensitivity of the feature and risk of impacts from ongoing development. Types of ecological buffers include:

Setback buffer – involves establishing a physical separation between ongoing development impacts and environmentally significant features. Setback buffers help to reduce impacts solely by distance separation, rather than by any physical means such as vegetation planting. Appropriate examples of setback buffers include perimeter roads that prevent residential dwellings from backing onto riparian areas, or the exclusion of residential development near flying-fox colonies.

Vegetated buffer – refers to the use of existing vegetation, landscaping, or revegetation to help reduce the impacts from development. They are mostly used to protect a sensitive feature by maintaining or enhancing habitat. Management of the buffer may fall under a VMP or landscape plan. Appropriate examples of a vegetated buffer include retention of native vegetation surrounding a squirrel glider den tree, revegetation along the boundary of a biodiversity corridor, or the use of native plantings in recreational areas adjacent to native bushland.

Appropriate buffer distances should be determined on a site-specific basis and must consider the likely impacts of ongoing development. Minimum buffer distances for the most commonly encountered environmentally significant features are provided in Table 2.

Table 2: Minimum recommended ecological buffers for environmentally significant features commonly encountered in the Maitland LGA

ENVIRONMENTALLY SIGNIFICANT FEATURE	MINIMUM RECOMMENDED BUFFER
Threatened ecological community	20m
Coastal wetlands	50m
Other wetlands	20m
Year round or intermittently occupied flying fox camp	100m (setback buffer)
Core koala habitat	20m
Squirrel glider den trees	30m

Minor incursions into an ecological buffer may be allowable to achieve practical outcomes. This must be accompanied by justification and assessment of the implications of the variation of the buffer distance on the environmentally significant feature.

Other statutory or recommended buffers, such as Vegetated Riparian Zones, may also apply. Any applicable minimum distances and management requirements for these buffers must be adhered to in accordance with relevant legislation and guidelines.

4. Squirrel Glider Assessment Considerations

The squirrel glider is listed as a threatened (vulnerable) species under the NSW *Biodiversity Conservation Act 2016*. This species is commonly found in Maitland's urban growth areas and is particularly vulnerable to the impacts of urban development, including habitat loss, degradation, and fragmentation. This section of the guidelines outlines special requirements for squirrel glider assessment and impact mitigation.

These guidelines are intended to supplement, rather than override, any statutory requirements or approved guidelines. All relevant legal obligations, including those outlined in the NSW *Biodiversity Conservation Act 2016* and other applicable regulations, must be adhered to. In cases where these guidelines may conflict with statutory requirements, the statutory requirements take precedence.

4.1. Targeted survey requirements

Targeted surveys for squirrel glider must be completed where suitable habitat is available on or adjacent to the study site, regardless of Plant Community Type. The flow chart in Figure 1 has been developed to make this determination and should be addressed within the Flora and Fauna Assessment or Biodiversity Development Assessment Report.

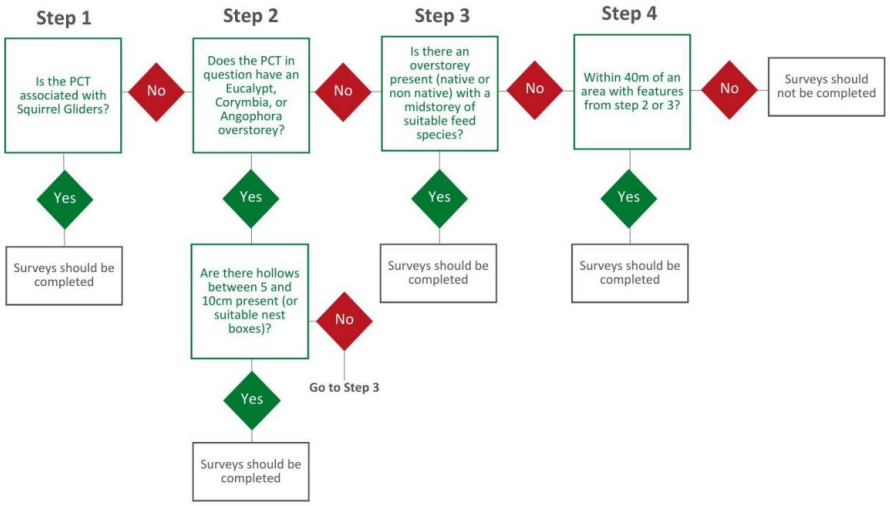


Figure 1: Flow chart used to determine survey requirements for Squirrel Gliders

When targeted surveys are required, the following minimum survey effort must be met:

- **Remote camera trapping** must be conducted for a minimum of four (4) weeks, with cameras checked and baits replaced every two (2) weeks. For areas of one hectare or less, a minimum of four (4) traps should be deployed. An additional two cameras should be installed for every additional hectare of habitat.
- **Active trapping** is recommended as a supplement to camera trapping, using either Elliot traps or pipe traps (see Figure 2). Six (6) arboreal traps should be installed per hectare of suitable vegetation, with each trap placed on a separate tree containing an appropriate hollow. The traps should remain in place for four (4) consecutive nights and be checked within one hour of dawn to allow for the prompt assessment and release of any captured gliders.

4.2. Determining a significant localised impact

Where squirrel gliders have been detected on site, a significant localised impact is assumed under the following circumstances:

- The extent of clearing will create a connectivity gap in native vegetation which is considered an unpassable barrier to squirrel glider, or
- Hollow-bearing trees within a patch of vegetation is reduced to fewer than four (4) per hectare, or
- An existing connectivity corridor is narrowed to less than 60 meters in width.

If a significant localised impact is determined, appropriate avoid and minimise measures must be implemented to reduce the impact to an acceptable level.

Determining a significant localised impact on squirrel gliders under these guidelines does not exempt the need to assess whether a 'significant impact' occurs under Part 5 of the NSW *Environmental Planning & Assessment Act 1979*, or any other applicable legislation or statutory frameworks.

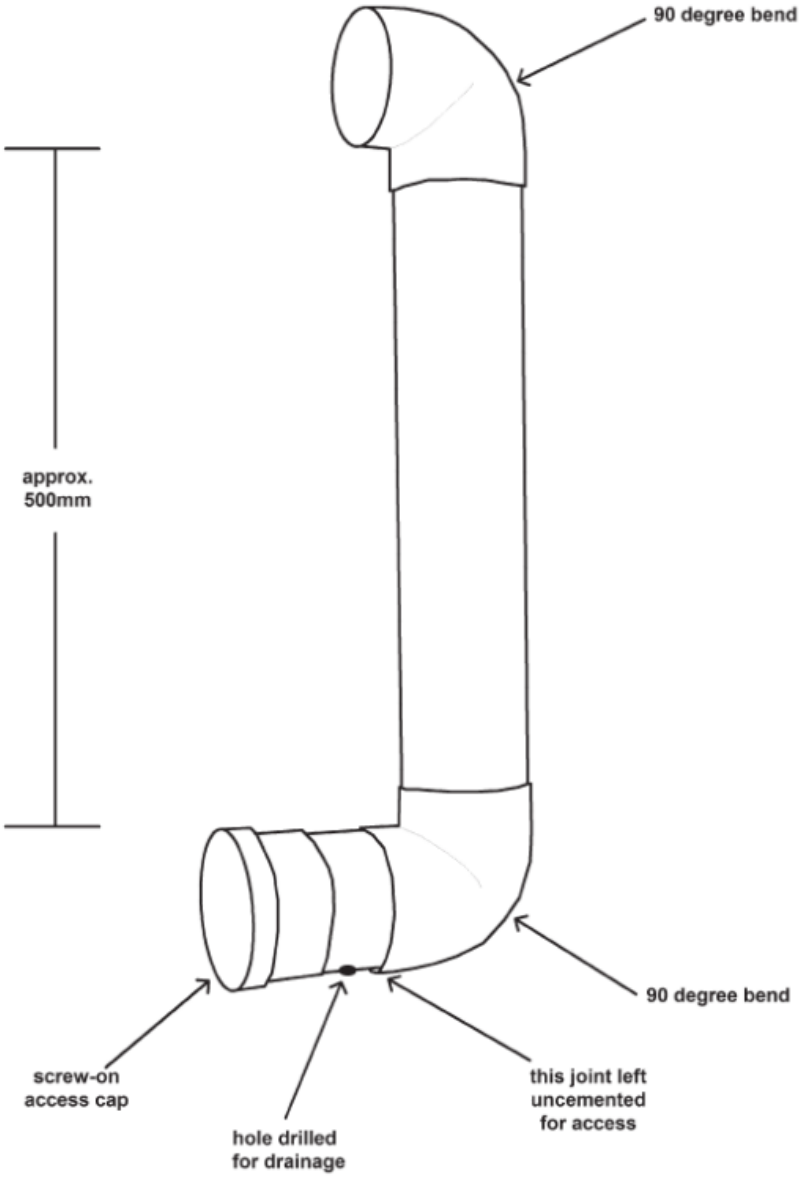


Figure 2: Pipe trap design (Winning and King, 2007)

Source: Winning G. King J. (2007) A new trap design for capturing squirrel gliders and sugar gliders. Australian Mammalogy 29, 245-249.

maitland
CITY COUNCIL

maitland
CITY COUNCIL

Maitland DCP 2026

Appendix D: Canopy Cover Guidelines

maitland CITY COUNCIL

1. Strategic Context

Council's adopted Environmental Sustainability Strategy 2030 includes a target to achieve 30% canopy cover in urban areas. This target supports outcomes related to urban heat mitigation, amenity, health and wellbeing, and biodiversity.

While canopy cover potential varies across different sites—particularly between existing and new release areas—Council's Canopy Cover Guidelines (this Guideline) provide background context for related controls in the Development Control Plan (DCP) and outlines strategies that, when applied collectively, form a practical framework for achieving targeted canopy outcomes.

In brief, this Guideline details potential methods in which to achieve an average of 30% canopy cover across a variety of land uses. For further information around the provision of street trees within the Maitland Local Government Area, please refer to Council's Manual of Engineering Standards (MoES) Technical Guideline – Street Trees.

2. Importance of Public Domain Canopy

Healthy, viable tree canopy in the public domain is fundamental to creating liveable urban environments. It has been demonstrated that public land can contribute significantly to canopy goals. However, public canopy cannot be the sole contributor. Targets for public domain planting work in conjunction with private land requirements to achieve overall canopy goals.

This guidance draws on best-practice principles and references such as the NSW Department of Planning, Industry and Environment (2021) Urban Tree Canopy Targets and Development Controls Report.

3. Canopy Cover Targets by Land Use

The following tables set out **recommended** canopy cover targets across key land types, including streets, parks, residential lots, and business parks. They are **advisory only** and designed to guide design processes for applicants. Specific controls related to tree provision are found throughout the Maitland DCP.

These targets are to be read alongside the accompanying technical guidance, including planting specifications provided within Council's MoES, the Technical Guideline – Street Trees and Standard Drawings. Additional reference is to also be made to Council's Tree Species List, which provides details as to canopy areas and sizes.

Table 1: Public Land - Roads

STREET CATEGORY	POWER INFRASTRUCTURE	TYPICAL RESERVE WIDTH	CANOPY COVER TARGET
Existing Residential	Overhead	12–30m	40%
	Underground	12–30m	50%
Existing Industrial	Overhead	20–25m	35%
	Underground	20–25m	45%
New Residential	Underground	12–35m	50%
New Industrial	Underground	20–35m	50%

Table 2: Public Open Space (Community Land)

PARK TYPE	DESCRIPTION	CANOPY COVER TARGET
Without Active Use E.g. Reserve	-	≥ 45% of total site area
With Active Use E.g. Playground, Fields, Courts	10–20% of total site area being fields/courts	≥ 45 of total site area
	15-30% of total site area being fields/courts	≥ 40% of total site area
	>30% of total site area being fields/courts	≥ 30% of total site area

Table 3: Residential Lots (Private)

LOT SIZE/TYPE	CANOPY TARGET	RECOMMENDED TREE PLANTING REGIME
300–600 m²	20% of site	1 small/medium tree in front yard, 1 small/medium tree in backyard (in accordance with Chapter 6: Residential Uses of the DCP).
>600 m²	30% of site	2 medium or 1 large tree per every 350m²
C3 Environmental Management	50% of site	1 50m² predicted canopy area tree per 100m² OR 1 75m² predicted canopy area tree per 150m²
Note: Chapter 6: Residential Uses, Section 6.2.6 Landscaping & Landscaped Area, provides the tree planting controls for residential accommodation in the Maitland LGA, **and takes precedence to the event of any inconsistency with the above recommended tree planting regime.**		

Table 4: E3 Productivity Support and E4 General Industrial

CATEGORY	CANOPY TARGET	SOIL PROVISION	RECOMMENDED TREE PLANTING REGIME
All Lots	10% of site	N/A	2 medium or 1 large tree per 300 m²
Car Parking[1]	–	13.2m² x 1m depth/tree	1 medium tree every 10 spaces
Note 1: Car parking contributes to the canopy target of the site.			

4. Achieving 30% Canopy Cover in Urban Areas

While land use distributions vary, the following scenario is typical for new urban residential areas such as Aberglasslyn (Figure 1). Modelling indicates that achieving over 30% canopy cover is possible, as demonstrated in Table 3. This analysis is also consistent with case studies outlined in the NSW Department of Planning, Industry and Environment (2021) *Urban Tree Canopy Targets and Development Controls Report*.

Figure 2 illustrates a typical residential road cross-section designed to achieve 50% canopy cover, highlighting the spatial arrangement and tree planting strategy that may be used to meet this canopy target. Figure 3 depicts a typical canopy cover scenario for a residential lot with an estimated canopy cover of 18-20%, showing the tree planting configuration and space allocation required to achieve this level of cover. In this scenario, it is assumed that a hedge is included along most back fences for dwellings to support the canopy cover.

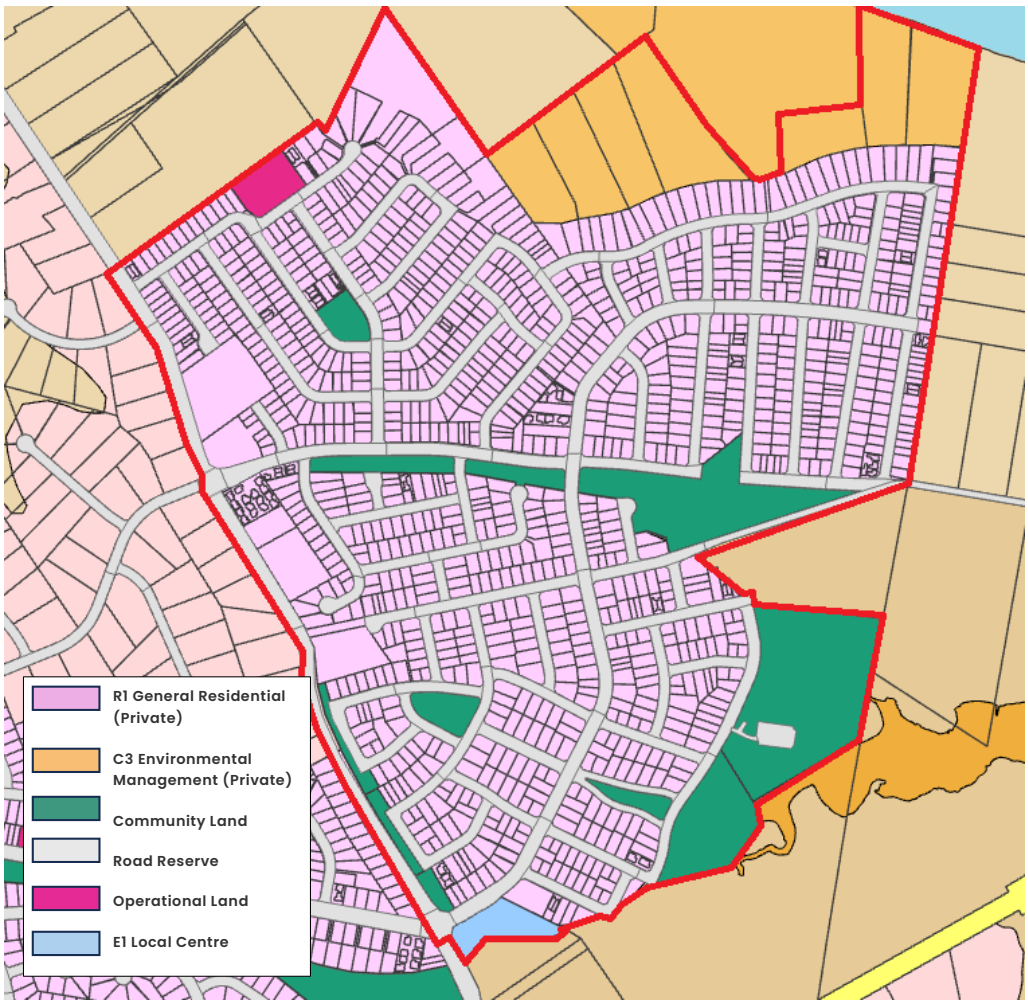


Figure 1: Typical Urban Land Classification – Aberglasslyn

Table 5: Modelled 30% Canopy Cover Scenario for Aberglasslyn

LAND TYPE	AREA (M²)	% OF LAND AREA	TARGET COVER %	CANOPY CONTRIBUTION	REFERENCE
Public Open Space (Community Land)	142,666	10.6%	40%	4.2%	Table 2
E1 Local Centre	8,582	0.6%	0%*, car park plantings required	0%	-
R1 General Residential (Private)	756,437	56.4%	18%	10.2%	Table 3
C3 Environment Management (Private)	119,550	8.9%	50%	4.5%	Table 3
Road Reserve	314,730	23.5%	50%	11.8%	Table 1
Total	1,341,965	100%	-	30.7%	-



Figure 2: Typical Residential Road Scenario Achieving 50% Canopy Cover



Figure 3: Typical Canopy Cover Scenario for Residential Lot (18–20%)

5. Implementation Guidance

To support the achievement of canopy cover targets and ensure resilient, healthy urban landscapes, the following guidance should be integrated into all planning, design, and assessment processes:

5.1 Example Methodology for Estimating Canopy Cover

To estimate canopy cover for a road reserve:

1. Identify tree species and planting locations using Council's Tree Species List.
2. Use the predicted mature canopy radius to generate a circular canopy area for each tree.
3. Calculate the cumulative canopy area over the total road reserve space to determine the projected coverage percentage.

5.2 Soil Volume Requirements

For the purposes of this guideline, 'soil volume' refers to the **unobstructed root zone**—a continuous area of suitable soil that supports healthy root development and is free from physical barriers such as utilities, foundations, or compacted materials. Adequate soil volume is critical for tree establishment, long-term health, and canopy development.

Soil volume should be equivalent to one-third of the projected canopy area, with a minimum soil depth of 1 metre.

Tree size and respective soil volumes are provided for each species in Council's Tree Species List. For street trees, the Technical Guideline – Street Trees associated with Council's MoES provides further details regarding soil volumes, discount soil rates, and configurations.

5.3 Soil Quality and Amendment

The ultimate size of a tree is influenced by the quality and quantity of growing media available for root growth. Prior to planting, existing soil conditions should be assessed and appropriate remediation should be implemented as required.

Imported soil may be required in areas where in-situ soils are compacted, poorly structured, or chemically unsuitable. For street trees, Council's Manual of Engineering Standards provides imported soil requirements within the Technical Guideline – Street Trees. To improve soil quality and structure, organic amendments such as compost or gypsum may be incorporated into existing site soils where feasible.


maitland
CITY COUNCIL



Maitland DCP 2026

Appendix E: Heritage Guidelines

maitland CITY COUNCIL

Table of Contents

1.1. Application 3
1.2. Maitland's heritage context 3
1.3. Legislation and other guiding documents 3
1.4. Explaining heritage significance 5
1.5. Heritage Items 5
1.6. Heritage Conservation Areas 5
1.6.1. Bolwarra Heritage Conservation Area 5
1.6.2. Central Maitland Heritage Conservation Area 8
1.6.3. East Maitland Heritage Conservation Area 11
1.6.4. Lorn Heritage Conservation Area 14
1.6.5. Regent Street Heritage Conservation Area 16
1.6.6. Morpeth Heritage Conservation Area 17
1.6.7. Aberglasslyn Heritage Conservation Area 21
1.7. Classification of buildings within heritage conservation areas 23
1.8. Requirements for development consent 24
1.9. Exemptions for minor works, repair and maintenance 25
1.10. Local heritage items 25
1.11. State Heritage Register listed items 26
1.12. Guidelines for the preparation of heritage management documents 26
1.13. Character assessment 26
1.14. Statement of Heritage Impact 27
1.15. Heritage assessment 27
1.16. Conservation Management Plan 28
1.17. Structural Assessment 28
1.18. Demolition report 28
1.19. Photographic archival recording 29
1.20. Where to get heritage advice and further information 29

1. Introduction

Maitland City Council acknowledges Aboriginal peoples as the First Peoples of this Country and the Wonnarua People as the Traditional Custodians, Owners and knowledge holders of the land and waterways within the Maitland Local Government Area. Council pays respect to all Aboriginal Elders, past and present and respects the unbroken deep cultural and spiritual connection Aboriginal people have with this Country.

1.1. Application

This Guideline is to be read in conjunction with Chapter 4: Heritage, Appendix A: Application Requirements – Other Development, and Appendix B: Application Requirements – Minor Development. The Guideline provides supporting explanatory information for the management of heritage items and heritage conservation areas in the Maitland Local Government Area (LGA).

1.2. Maitland's heritage context

The Maitland LGA comprises an extensive collection of heritage items and heritage conservation areas, including:

- 207 local items listed under Schedule 5 of the Maitland Local Environment Plan 2011 (MLEP 2011)
- 42 state items listed on the State Heritage Register (SHR)
- 7 heritage conservation areas listed under Schedule 5 of the MLEP 2011:
    1. Bolwarra Heritage Conservation Area
    2. Central Maitland Heritage Conservation Area
    3. East Maitland Heritage Conservation Area
    4. Lorn Heritage Conservation Area
    5. Regent Street Heritage Conservation Area
    6. Morpeth Heritage Conservation Area
    7. Aberglasslyn House Heritage Conservation Area

1.3. Legislation and other guiding documents

Heritage legislation in Australia and NSW regulates the conservation and development of heritage at national, state and local levels. Some heritage places, items or areas may have significance to the nation, while other places may have significance to the state, or within a local area. The following legislation broadly applies:

- The *Environmental Protection and Biodiversity and Conservation Act 1999* (Commonwealth) regulates matters of World, National and Commonwealth heritage values.
- The NSW Government's *Heritage Act 1977* conserves the state's heritage through the SHR and provides for the protection and regulation of archaeological relics.
- The *Environmental Planning and Assessment Act 1979* (EPA Act) in New South Wales regulates the conservation, management and development of Aboriginal, built and cultural heritage.
- The *National Parks and Wildlife Act 1974* provides the framework for the conservation of natural, cultural, and Aboriginal heritage within New South Wales, directly governing care and management of natural environments and First Nations cultural places, objects, and artefacts of significance.

Heritage items and heritage conservation areas are identified under:

- The National Heritage List
- The Commonwealth Heritage List
- The Stage Heritage Register
- Schedule 5 of local environmental plans (such as the MLEP 2011)
- Section 170 of the *Heritage Act 1977*; and
- Non-statutory heritage lists (such as the National Trust Register).

In addition, Chapter 4: Heritage of the Maitland DCP 2026 has been prepared based on the best-practice management guidelines for conservation of heritage items and heritage conservation areas in NSW. These include:

- The Burra Charter
- The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance
- Assessing Heritage Significance: Guidelines for Assessing Places and Objects Against the Heritage Council of NSW Criteria (assessing heritage significance guidelines)
- Guidelines for Preparing a Statement of Heritage Impact
- NSW Government Architect and Heritage Council of NSW's Better Placed: Design Guide for Heritage (Better Placed guidelines).

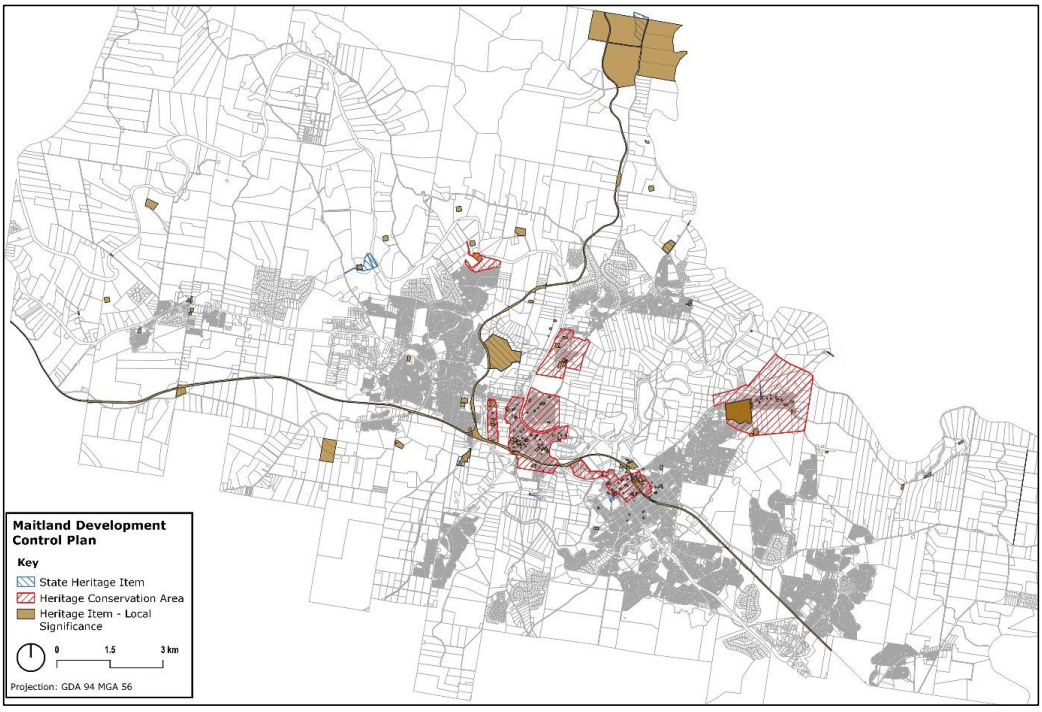


Figure 1: Heritage Items and Heritage Conservation Areas in the Maitland LGA.

1.4. Explaining heritage significance

In Australia, heritage conservation is guided by the principles and guidelines of the Burra Charter. The Burra Charter defines 'cultural significance' as the historic, aesthetic, scientific, social or spiritual value for past, present or future generations. The term brings together all the cultural values of a place or object. In the Burra Charter, the heritage values of an item or place are considered to be embodied in its fabric, setting and use, as well as associations, meanings, records, and related places and objects. Importantly, heritage values are demonstrated by the physical evidence of an item and through other non-physical values such as meanings and associations.

'Heritage significance' or 'cultural significance' refers to the entirety of the most important cultural values of a place, building, work, relic, movable object, precinct or landscape in a community.

In NSW, there are criteria that are used to assess heritage significance.

1.5. Heritage Items

Heritage items are individual sites or places that are recognised by the community for their cultural value and heritage significance. The value of the item may be historic, scientific, social or spiritual.

Heritage items may be an object, monument, building, landscape, or place. They may be particularly fine examples of an architectural period or style, or may have significance for their association with a particular person or group of people which distinguishes them from other places.

1.6. Heritage Conservation Areas

Heritage Conservation Areas (HCAs) are streetscapes, suburbs, areas, landscapes and precincts that are recognised by a community for their distinctive historic character.

They often provide evidence of a particular historical period of development and/or a distinct architectural style, and generally have a high proportion of original buildings. HCAs are protected because they create a cohesive sense of place and character that is valued by the community. More than a cohesive group of buildings and a distinctive landscape setting, HCAs have a special character and sense of place that is assessed as being of significance to current and future generations.

Important elements that contribute to the heritage significance and character of a HCA may include:

- a historic town plan
- historic subdivision patterns
- historic buildings demonstrating architectural styles and periods
- harmonious building forms, scales, siting, heights and materials
- public and private landscapes, including parks and gardens and historic landscape elements
- a mix of land uses reflecting a particular period in the growth and development of an area
- characteristic elements such as monuments and moveable heritage items
- a cohesive character and streetscape.

Maitland's HCAs are situated on the floodplain of the Hunter River, which has a rural open character. Each heritage conservation area in Maitland has a distinctive character and heritage significance.

1.6.1. Bolwarra Heritage Conservation Area

The heritage significance of the Bolwarra Heritage Conservation Area is attributed to its historic, social, aesthetic, and technical values related to the residential core of the suburb and its broader floodplain landscape. The suburb retains evidence of the place's early nineteenth century settlement,

subsequent subdivisions, economic, social, and agricultural history, and technical advancements regarding flood mitigation. Many properties are of aesthetic significance, as is the overall setting of the suburb.

The HCA sits on the original subdivision of Bolwarra House Estate and its farm. Bolwarra Farm was referred to from the 1820s for its beauty and economic value, its hops and tobacco reputedly the best the colony had produced. The timber and soil on this part of the Estate was equally held in the highest esteem, the latter directly driving settlement on and agrarian use of this landscape from the early nineteenth century.

A subdivision of the Bolwarra Estate in 1847 resulted in the development of lots east of Paterson Road, measuring mostly between 18 and 55 acres. West of Paterson Road, a more irregular allotment subdivision occurred, in the vicinity of Bolwarra House. By 1876, Westbourne Road and the southern arm of Kensington Road had been laid out, as had part of Bayswater Road. These streets likely formed part of the original accessways for Bolwarra House.

Various properties through the Bolwarra residential core, farms on the abutting floodplain and embankment design are living records of historic land use and development on the northern side of the Hunter River, this history integral to the growth and workings of abutting commercial 'hubs', like Maitland, and the use of the Hunter River for commercial transport.

With the exception of a handful of properties, the majority of residential Bolwarra is situated to the west of Paterson Road, on a roughly rectangular spur of land above the floodplain. These lands were owned in 1876 by Messrs. Price, Vickery, Bowden, Meyer, and Ferris. These estates are known as the "gentlemen's houses".

Due to the retention of much of the nineteenth century street pattern west of Paterson Road, and the Paterson Road alignment itself, some of the early subdivision history of the suburb remains identifiable. This interpretability is assisted by being able to identify the relatively defined edges of Bolwarra, principally from the floodplain, on Ekert Lane, Flat Road and from Oakhampton Road to the west.

Bolwarra has changed markedly since the 1955 flood, after which substantial further residential subdivision and development occurred. That development has neither been uniform in scale or style, with the prevailing nineteenth and early twentieth century timber clad properties ceasing to be constructed. Additionally, residential development has been denser, on smaller lots, which is evident along Paterson Road, Victoria Street and Canna Street, alongside the post 1970s streets within the old Victorian area of the village.

The urban setting starts and stops abruptly at the northern and southern inclines to the town, each approach being a narrow carriageway through open rural landscape. In the south, the town edge is marked by magnificent trees, including a large Bunyah Pine. In the north, an attractive bend in the road marks the entrance to the town.

The Paterson Street arterial corridor skirts the eastern side of the core of Bolwarra and is separated from it by some distance courtesy of the large Maitland Road lagoon, an appreciation of the character of Bolwarra's residential streets and the setting of its building stock is rather hidden by dense landscaping and traffic from and to West Maitland. Whilst not principally of a commercial nature, the section of Paterson Road between Westbourne Road and Maitland Road presents as a compact 'high street', with a handful of quite grand late nineteenth and early twentieth century residential properties fronting this section of roadway. Its western side has formalised guttering and footpath, linking with the pedestrian walkway across the floodplain to Lorn.

Landscape setting

The Heritage Conservation Area also contains a small section of floodplain land around the southern and eastern perimeter of the Bolwarra spur, land which generally was vital to the workings of the original Estate and to the agricultural history of the Maitland basin.

Most of Bolwarra's streets are concrete kerb and guttered, lawn verges containing a spartan and inconsistent palette and layout of street trees, many of which appear to be specimens planted by abutting property owners. These includes Eucalypts (some of which may be endemic regrowth), Bottlebrush, Pepper trees, Jacarandas and various other exotics. The most significant verge feature in Bolwarra is the WWI memorial at the junction of Westbourne Road and Addison Road.

Bolwarra's residential core contains an extensive palette of mature cultural plantings, in both front and rear gardens of private properties. Some of these specimens date from the late nineteenth and early twentieth centuries and include Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels. Some properties, especially along Kensington Road, Westbourne Road and Paterson Road contain grand street-facing and floodplain-facing large old gardens or remnants thereof. Various properties retain deep frontages to the river and floodplain in the western portion of the Heritage Conservation Area. This includes the site of Bolwarra House. The floodplain landscape along the eastern perimeter of the Heritage Conservation Area contains few landscape features and cultural plantings of particular landmark value.

The residential core of the suburb retains remnants of late nineteenth century and early twentieth century landscape layouts – principally in the survival of various landmark trees, garden features and access drives in some of the area's most prominent properties. Most of the historically significant tree stock is located in and around the northern arm of Kensington Road and the suburban block framed by that road, Bayswater, Westbourne and Paterson Roads and should be retained in any future development.

Buildings

The heritage conservation area comprises the original subdivision of Bolwarra House representing the area's agricultural and commercial use of the Hunter River from the early nineteenth century. The second phase of development in Bolwarra HCA is evident in the collection of "gentlemen's houses" constructed in the late nineteenth century situated on large, landscaped estates, such as Gowan Brae and Shenstone. The eastern and southern areas of the heritage conservation area include examples of High Victorian and Late Victorian houses on Kensington Road and Westbourne Road, including Virgina House set in landscape gardens.

The commercial buildings on Westbourne Road and Maitland Road are of smaller scale and sophistication. These building are a continuation of the high street in Lorn Heritage Conservation Area and small neighbourhood centre.

The later subdivision following the flood in 1955 resulted in the development of single storey detached dwellings in garden settings that dominate the heritage conservation area. This era of development is consistent in scale and form but has changed the historic streetscape, particularly the siting and orientation of buildings, front setback, and materiality. Many of the properties comprise heavily landscaped front gardens, however fencing and tree species are varied and inconsistent.

Characteristic Elements

- Well defined boundary located above floodplain in a broader agricultural setting.
- Late nineteenth century land subdivision and street pattern comprising "gentleman's houses" on large estates.
- Examples of High Victorian villas and Late Victorian cottages in garden settings.
- WWI War Memorial at the junction of Westbourne Road and Addison Road.
- Compact high street comprising small scale commercial buildings on Paterson Road.
- Predominant single storey detached residential character.
- The view to the HCA, rural landscape and landmark trees including a large Bunyah Pine, on approach from the southern entrance to the town.

- Mature cultural plantings dating from the late nineteenth and early twentieth centuries, including Bunya Pines, Phoenix and Washington palms, mature Pepper trees and large Camphor Laurels.

1.6.2. Central Maitland Heritage Conservation Area

The first European settlement at Maitland was for convict cedar cutters who built thatched huts in the bush. The now open plain at Maitland was covered in dense vegetation consisting of giant red cedars, fig trees, myrtle, and softwood brush, with tall gums and swamp oaks along the river. In 1818, the Governor Macquarie allowed a number of people to occupy land on the river flats naming the area Wallis Plains. One of these tenants was Mary Hunt, commonly known as Molly Morgan, whose subsequent land grant comprised much of the area now known as Central Maitland.

Unlike East Maitland or Morpeth, Central Maitland developed on the floodplain, initially around what would appear to have been an adventitious bullock track abutting the Hunter River – now High Street. A plan of Central Maitland in 1858 captures just how precariously High Street was formalised adjacent to the river. The setting of the township and its presentation to the river has changed markedly since the establishment of the existing high river embankments and the river's realignment in the Horseshoe Bend area of the heritage conservation area – both of which have severely restricted visual access from the town to the river. Due to the scale of the embankment, the town now treads along its northern edge in much the same way as Lorn, as an encased island on the floodplain.

The Central Maitland HCA is a large area covering the Central Maitland urban centre, between Horseshoe Bend in the east and the floodplain over which Long Bridge stretches in the west. It includes a part of South Maitland, immediately abutting the New England Highway.

Especially from high ground in East Maitland and from the spur of land on which Maitland Hospital is located, towers and spires of key buildings in Central Maitland are visible in the landscape. The visual prominence of the township is considerably less in views from Lorn and South Maitland, which are likewise low density.

The Central Maitland HCA has an irregular layout creating a compact, intimate character. Its main arteries are relatively narrow and have traditionally been bordered by impressive, commercial, religious, and civic buildings. The irregular pattern of streets branching off High Street follow original tracks and land grants that vary in width and character.

The intactness of the mid-nineteenth century street pattern has been impacted by various major government works during both the nineteenth and twentieth centuries. This includes the incision of the northern rail line, Hunter River realignment works and the construction of the by-passing Ken Tubman Drive and New England Highway, the latter two of which resulted in the township's High Street no longer being part of the region's primary arterial road corridor. Between the 1950s and the 1990s, lot amalgamation and streetscape upgrades within the centre of the city, altered its homogeneous mid-nineteenth century scale and form.

Landscape Setting

The first public landscape in Central Maitland was a racecourse, which was sited between Devonshire Street and Catherine Street, extending over the land on which the railway was built into what is now Maitland Park. Maitland Park was opened in 1884 and has been Central Maitland's principal passive and active recreation space since that time. The siting of Maitland Park, on the southern side of the rail-line has unfortunately meant that unimpeded access to the park from the commercial centre has never been available.

Other public landscapes have existed (and continue to exist) in Central Maitland, most notably on lands owned by the Cohen family behind their High Street premises (now the Maitland Regional Athletics Centre) and on land that is now the Harold Gregson Reserve. Contemporary small parks in the township, including the Turner Rest Park on Church Street and Queen Elizabeth II Park (east of the heritage conservation area), are rare in relation to availability of pocket parks in Central Maitland.

Some institutional and religious buildings in the township were developed within vast garden and planted settings and these remain. This includes the sites of Maitland Public School, Maitland Regional Museum, St. Mary's on Church Street, St. John the Baptist primary school and All Saints College on Victoria Street.

There remain few street tree plantings of heritage significance in Central Maitland. Most of the township's key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens. Historical research suggests that during the early to mid-decades of the twentieth century various street tree and park planting events occurred. Apart from Maitland Park, there are few discernible examples of this period of landscape beautification in the town. One of those are the several remaining large Jacarandas in Carrington Street (Horseshoe Bend) which were recorded in newspaper articles from the 1940s. This species was a preferred street, institutional and private garden tree in the 1920s and 1930s. Historic newspaper articles also record that Kurrajongs had been planted somewhere in Central Maitland's streets during the 1930s, no doubt in association with the same specimen being deployed in Lorn's main street.

100 Red Flowering Gums were proposed to be procured by Central Maitland Council from the Botanic Gardens, Sydney in 1927 for planting in the parks of the town. These plantings were likely largely made in Maitland Park, the site of a reputed planting of 1500 trees from the Botanic Gardens in 1885. An article in the Maitland Weekly Mercury dated 29 March 1919 referred to the 'very general neglect of tree planting' in Central Maitland until that time.

There exists a commonality in the palette of historic cultural plantings throughout the heritage conservation area. Many of the specimens in street verges, institutional properties and in private gardens are common to landscape treatments in public and private settings across New South Wales made from the late nineteenth century through to the mid-twentieth century.

Existing mature trees in institutional settings throughout the heritage conservation area include Holm Oak, Jacaranda and Fig (Church Street), Camphor Laurel and Eucalypt (Elgin Street), Brushbox, Pepper tree, Silky Oak and Camphor Laurel (Victoria Street), Silky Oak and Hills Fig (Bent Street), Silky Oak and Jacaranda (James Street). The quite limited number of mature trees in street verges include Washingtonia palms (Mount Pleasant Street), Jacaranda and Norfolk Island Pine (Grant Street) and Camphor Laurels (Raglan Street and Radford Street).

Mature trees in private gardens throughout the heritage conservation area are somewhat more numerous. They include Cypress pines (Hannan Street), Jacaranda (Hannan Street), Washingtonia palms (Hannan Street), Liquidambar (High Street), Moreton Bay Figs, Silky Oak and Liquidambar (Sempill Street), Jacaranda and Camphor Laurel (Elgin Street), English Oak and Camphor Laurel (Catherine Street), Jacaranda and Washingtonia (Lee Street), Jacaranda (Nicholson Street), Cedar (Grant Street), Washingtonia and Norfolk Island Pine (Old Rose Street), Pines and Washingtonia (Devonshire Street), Jacaranda (Odd Street) and Araucaria species (Carrington Street).

Development through Central Maitland expanded south from High Street and into the Horseshoe Bend area during the middle of the nineteenth century. Some of the nineteenth century subdivisions were proposed to cover land both north and south of the rail corridor and several of the earliest north-south roads through the suburb extended from High Street into South Maitland. The incision of the railway unfortunately severed these streetscapes.

Historical paintings and photographs suggest that since the time of the establishment of Central Maitland, the core of the township has always been particularly spartan in terms of its landscape treatment. Street tree planting programs from the early decades of the twentieth century look to have never been comprehensively considered and small residential lots sizes through much of the heritage conservation area meant that the inclusion of canopy trees and elaborate gardens in backyards was often not feasible.

Historical references suggest that much of the landscape preoccupation in Central Maitland during the nineteenth and early twentieth centuries related to river flood planning, removal and replacement of Willow trees along the riverbanks, competing interests for horse racing and public park sites and the establishment and beautification of Maitland Park.

By the middle of the twentieth century, the only locations in Central Maitland which supported a mature or maturing tree canopy were institutional and religious sites, sections of several streets (e.g. Jacarandas on Carrington Street), several prominent residences and public sites including Maitland Showground and Maitland Park. Trees in private settings were very scarce and most private gardens through the heritage conservation area would have been largely utilitarian in nature.

The early to mid-nineteenth century river setting and presentation of the township was markedly changed with the development of levees and embankments along the Hunter River and with the realignment of the river away from High Street in the Horseshoe Bend area. Endemic vegetation of the floodplain landscape was also lost, courtesy of wholesale felling (for urban and agricultural purposes) through Central Maitland in the early decades of the nineteenth century.

Heritage landscape attributes of the heritage conservation area (including original street alignments, remnants of non-extant bridges, public recreational sites, key cultural plantings and examples of significant landscape design) should be retained in future town planning and institutional and residential development approvals. This is so that, in association with built heritage assets in the heritage conservation area, the significance of Central Maitland's historic urban development is retained and interpretable.

Buildings

High Street is characterised by a remarkable collection of early buildings which reflect the growth of the town as a centre of commerce in the Hunter Valley. Banks, shops, and offices, together with churches and houses, date from every period of development and exhibit a variety of architectural styles.

High Street is the spine from which the majority of streets branch off at an acute angle. The original bullock track became fixed as the line of the main street enclosed by buildings of two and three storeys and punctuated along its length by landmark buildings. Throughout its development, the two-storey building has dominated the streetscape with only a few instances of one or three storey buildings occurring.

Maitland's prominence as a trading centre meant that development and redevelopment was always taking place and, in many areas, the present buildings might be the third or fourth buildings on the site. This process of growth and redevelopment has caused some unusual groups of buildings - each building being different from one another in style and period - occurring in various parts of the town: for example, Bourke Street, in the heart of the residential area, contains buildings dating from the 1850s, 1880s, 1890s and twentieth century.

The earliest buildings are residential buildings including modest slab huts and masonry cottages and they have survived largely because they are on the edge of town, away from the commercial centre. Cottages and houses from the 1850s to 1910 occur in sufficient numbers for a recognisable sequence of styles to be identified, including fashions peculiar to Maitland. The buildings dispersed along Ken Tubman Drive remain as the earliest evidence of development, in the town centre.

Each of the residential areas in Central Maitland has its own special character, however they do share some common features. These include an irregular street pattern, predominance of old buildings, many vacant allotments, a scattering of rural uses and few trees. Church Street consists of major residences and private landscapes, and major cultural buildings and public landscapes.

Most residential buildings are detached with pairs and terraces being unusual. The two- storey single fronted house with full height verandah built in brick or timber is a particularly special feature of Maitland.

The majority of the cottages and houses were commissioned by their first occupants, many of whom were businessmen or traders in the High Street. The existence of several architects in the town suggests that a considerable number of these buildings were designed by architects, particularly those built after 1870.

The character of Maitland's commercial architecture is very strong and is comprised of two distinct building types. High Street is typified by those buildings having parapets which conceal the roof. Areas away from High Street are typified by buildings having a visible hipped or gable roof. Central Maitland has retained most of its landmark public and private buildings which continue to dominate the skyline. Many buildings in High Street were built before World War I and display recognisable styles characteristic of the locality including examples from each period of Maitland's growth. Individually, many of these buildings have special architectural and historical significance because of Maitland's 19th century commercial significance.

Together, they represent both the history of the development of High Street and a catalogue of late 19th century facades. Importantly, from a streetscape viewpoint, the smaller buildings complement the larger buildings in both scale and design.

The earliest commercial buildings remaining appear to date from the 1850s-1860s. It is possible that the rear timber portions on the buildings on the northern side of High Street backing on to the Hunter River might date from this time, although the facades are much later.

The more recent introduction of Maitland Central Shopping Mall and other large scale bulky goods shops to the south of High Street has not only altered the original fine grain grid subdivision pattern but also changed the commercial character of the centre. Large commercial lots are also evident along the southeastern end of High Street, which has changed the historic appearance of the heritage conservation area upon entering.

Characteristic Elements

- Maitland's commercial, civic, and religious centre and largest centre in the Hunter Region.
- An early colonial settlement located on the southern side of the Hunter River.
- A predominant grid street pattern.
- An excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles.
- High Street has a largely intact streetscape, including many original shopfronts and landmark buildings.
- Residential character varies from early modest slab huts and cottages to two storey single fronted housing.
- The key mature cultural plantings are located in the grounds of institutions, at Maitland Park or within private gardens.
- Public recreation and walking path along the Hunter River.
- Maitland Park and Maitland Showground.
- Central Maitland Railway Station.
- The southern portion of the HCA is physically separated by Les Darcy Drive and the New England Highway.
- Views to important buildings, spires and other architectural features from the surrounding HCAs and broader district.

1.6.3. East Maitland Heritage Conservation Area

The East Maitland HCA covers a broad area between Les Darcy Drive in the west and George Street in the east and includes land which forms a junction between East Maitland HCA and Central Maitland HCA, around Wallis Creek. The HCA extends from Markey Lane in the north to Park Street in the south, covering the core of the historic East Maitland town centre and including most of the heritage listed items in the suburb. A large proportion of East Maitland is not covered by the heritage conservation area, including most of the streets south of Newcastle Street.

The regular grid pattern of East Maitland's street layout remains as per 1829 town plan. The grid pattern is emblematic of the preoccupation of early colonial town planning in NSW and Australia to impose formal street overlays onto the landscape.

The plan for the township overlaid a largely symmetrical axial street template between two ridgelines – the spurs on which Maitland Gaol was built and the one where Stockade Hill Heritage Park is located. A ridge extending broadly north-south, between those two spurs was planned as the eastern extent of the original town, where High Street was sited. The western extent of street layout in the original plan was less defined, as the township approached the floodplain. George Boyle White's town plan (also of 1829), whilst having the same fundamental design as Mitchell's, indicated a more expansive street network, extending further west, north and east. Of note is that the 1829 Mitchell and White schemes did not include subdivision in the Pitnacree Road and Fitzroy and Anne Street areas.

The early nineteenth century street grid of East Maitland remains a defining characteristic of the suburb. Newcastle Street (and the New England Highway) is a dominant principal thoroughfare through the town, with its contemporary scale, and the volume of traffic it supports, spatially dividing East Maitland in two. Multiple of the suburb's north-south cross streets are 'severed' by the function of Newcastle Street as the region's principal arterial road, courtesy of traffic islands in that road corridor. This has impacted the 'pedestrian- ability' of the township. The incision of the rail line through East Maitland in the 1850s also dramatically impacted the integrity of the township, with the William Street corridor being cut, roads requiring bridging and the surrounds of the courthouse precinct being separated from the town.

William Street is the broadest of the 'cross streets' of East Maitland, purposefully dimensioned as a dramatic cross-axial corridor between a public park on Stockade Hill and the site of the courthouse and gaol. Historic photographs of East Maitland suggest that William Street may have originally been planned and remained for many years, a pedestrian boulevard or linear park, not designed to support horse and cart or later, motor vehicles. A very small amount of original sandstone kerb and guttering remains through the town, similar to that extant in front of the East Maitland Post Office building in Day Street. This guttering form and scale can also be found in the Morpeth and Central Maitland heritage conservation areas.

Landscape Setting

The three principal public landscapes envisioned in the 1829 town plan for East Maitland were the park at Stockade Hill, the surrounds to the public buildings where the goal was sited and the planted feature cross-axis 'boulevard' of William Street. These landscapes look to have been formally planted by the 1850s, the surrounds of the courthouse and goal supporting very dense and established conifers and exotic canopy trees by the time photographic panoramas over the town were produced in the 1880s.

Photographic evidence shows that various residential and institutional properties through East Maitland supported maturing cultural plantings from the mid to late nineteenth century. By the mid twentieth century, much like Central Maitland, East Maitland was particularly barren in terms of its landscape composition. Many plantings in its main public parks had senesced or been removed for stylistic or maintenance reasons and Fig trees in the southern half of the William Street tree lined corridor had also failed and been taken out.

The streets of East Maitland are quite spartanly planted. With the exception of William Street, planted with Fig trees in the late nineteenth century (with subsequent infills), most of the streets within the heritage conservation area are unlikely to have ever been the subject of a comprehensive street tree planting program. Most of the landmark trees which make a key visual contribution to the streetscapes of Maitland lie along the edges of public parks and private gardens – for example Silky Oaks abutting East Maitland cricket ground, Phoenix palms skirting Kind Edward Park and historic Sonte Pines at Cooks Square Park. Anzac Park, fronting the historic courthouse, contains a large number of mature landmark cultural plantings including large Bunya Pines.

A photograph of East Maitland gaol from 1880 shows that what is now Anzac Park and the western surrounds of the gaol had already been planted with a quite extensive palette of pines and feature trees by that time. Assorted species can be found today in the verges of East Maitland's street, including Jacarandas, Paperbarks, Bottlebrush, Watergums, Waterhousia, Eucalypts and Photinia. There is little consistency in species selection and layout.

The East Maitland HCA contains very few historic landmark cultural plantings in private gardens. Several old specimens around Bridge House on Wallis Creek, including a Pepper tree, are rare in the township. There are a smattering of landmark cultural plantings in East Maitland outside the current boundaries of the heritage conservation area, but these are also few in number. Possible old Privet and African Olive windbreak plantings can be found abutting High Street and the rail-line at Pitnacree Road. Historic properties on Old Pitnacree Close support very mature Araucaria pines and Washingtonia palms, as well as other common period plantings.

The barren condition of many of East Maitland's streets is rather at odds with what appears to be a long history in all of Maitland's townships of active interest and action regarding the landscape fashioning of these suburbs. Historic newspapers articles indicate numerous Arbor Days conducted through the municipality during the early to mid-1900s and various proposals for tree plantings in parks and along streets from the late 1800s. This includes a proposal for planting of an avenue of trees between Victoria Bridge and the East Maitland town centre in 1932 and the recommendation for planting of Stone Pines and Pepper tree varieties in Cooks Square Reserve in 1897. As some Stone Pines do remain in Cooks Square Park, it would seem that a large number of specimens planted either reached senescence or were removed for reasons of poor health.

Buildings

The built character of the East Maitland HCA is significant because of its origins as an administrative centre. Although it has experienced a degree of change to its buildings and streetscapes, there is still abundant evidence of its original layout and government functions.

The heritage conservation area comprises a collection of residential, commercial, and government and institutional buildings, particularly dating from the mid-nineteenth century. On Banks Street and King Street, adjacent to the rail corridor, the early nineteenth century residential character of town is evident. Melbourne Street retains much of its early nineteenth century commercial precinct character.

There is a mix of period, type, and scale of dwellings with the mid-nineteenth century masonry dwellings of one and two storeys strongly represented in and around Banks and William Streets. Smaller timber dwellings are more common on the western and northwestern edges of the heritage conservation area. More substantial Californian Bungalow cottages and later twentieth century infill development are located adjacent to the highway and in High Street. There are also intrusive light industrial developments on the western edge of the heritage conservation area and in King Street. These buildings, including supermarkets and car repair and sales buildings are of inconsistent scale and design.

The character of East Maitland HCA is determined by the contribution of streetscape elements, such as the parks at the terminations of its major vistas and wide streets, street plantings on William and Banks streets, and the natural landform. The character of William Street is defined by its central avenue of trees, as well as the domestic scale of its early buildings, while Banks Street is defined by the eastern edge of early commercial development.

Characteristic Elements

- A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms.
- Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district.

- A predominant grid street pattern and town plan established in 1829 by government surveyor Thomas Mitchell, with wide streets that terminate at public parks.
- Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office.
- A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century.
- Predominant single storey detached residential character.
- Large non-contributory commercial and light industrial buildings along the highway.
- Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens.
- Intact early colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.

1.6.4. Lorn Heritage Conservation Area

The Lorn Heritage Conservation Area comprises the western-most portion of the suburb, which in totality extends to Flat Road from Pitnacree in the east and Ekert Lane in the north. The HCA straddles the extent of the early 1900s 'garden suburb', established by Bolwarra Council as a key urban centre for the municipality.

The Lorn HCA is characterised by an expansive sweeping frontage to the Hunter River, the central transit artery of Belmore Road (predating the early 1900s subdivision), a formal street pattern and various vestiges of historical designed- landscape treatments to its streets and private properties. Within views along the Hunter River, from the floodplain and from Central Maitland levee, Lorn appears an almost submerged island, this sense is magnified by its expansive river embankment and distinct northern floodplain edge. Lorn appears as "an urban island in the flood plain", contained by a series of levee banks. Due to the high levee banks, the village does not have views to or from the river and countryside beyond.

Prior to the laying out of the suburb, this area would have been part of the agricultural working landscape between West Maitland and Bolwarra – cleared of its Cedar forest in the early 1800s and sought after for its rich alluvial soils. A lithograph of Maitland and district from 1878 suggests that Lorn House in Roy Street and two properties fronting Belmore Road may have been the only prominent buildings that had been erected in this area by that date. That image suggests that various fenced paddocks were also in operation on both sides of Belmore Road.

The suburb was evidently laid out using the pre-existing artery of Belmore Road as its spine, with proximity to Central Maitland no doubt a consideration. The location of late nineteenth century river embankment works may have also contributed to the suburb siting decision by Bolwarra Council.

The original suburb was fashioned essentially as an irregular grid within an overall triangular shape – edged by Melrose Street, Sharkey Lane and The Esplanade. The original format of the suburb remains today, with the exception of its western extent which now includes land within the Nillo Estate subdivision which occurred in 1922.

Landscape Setting

Whilst not identifiable from within much of Lorn, its broader floodplain and river-abutting setting is nevertheless a fundamental part of the suburb's sense of place. Much of Lorn's charm is a result of remnants of its Garden Suburb composition and sympathetic built and landscape infills in subsequent decades. This includes a portion of its housing stock that dates from the early decades of the twentieth century, remnants of early to mid- twentieth century public space landscape treatments and mature and complementary private gardens.

The suburb's siting, immediately abutting the Belmore Bridge, provides a landmark entry from West Maitland in the south. From Bolwarra in the north, the arrival experience into Lorn is quite non-descript, with subdivisions from the second half of the twentieth century framing that approach. However, what is distinct is the defined residential and rural boundary that makes the setting of Lorn very distinct.

A fragmented arrangement of street trees is present in Lorn, some of these dating from the early decades of the twentieth century, other infill plantings from subsequent decades. Jacarandas are the prevailing street tree through the suburb – this species a common selection in urban and garden landscape planning from the 1920s and 1930s. Various other mature street trees frame Lorn's roads, including Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.

Historic aerial photographs suggest that much of the first phase of street tree planting in Lorn may have failed by the late 1950s, with only Belmore Road and King Street containing prominent alignments of verge plantings in the early 1960s. Only a handful of the original plantings of Kurrajongs in Belmore Road now remain. Several very large Eucalypts may be remnants of the endemic vegetation.

Some of the garden suburb planning ideals for Lorn have been lost as a result of past street tree failure and patchy replacement. A selection of current street trees appears to have been private plantings rather than as a result of Council planning. Private gardens in Lorn, a selection of which are quite grand, support mature landmark and canopy plantings – these including Araucaria pines, Washingtonia palms and Cedars. There exist some good examples of Federation-era residential grounds layouts in Lorn, including the plant palettes, garden configurations, garden detailing and original fencing. Some of Lorn's streets retain their original distinctive rolled kerb and gutter edging, this is complementary to the broad lawn verges.

Buildings

The built character of Lorn is predominantly single storey Victorian, Federation and Californian Bungalow cottages with generously landscaped front gardens. The street layout is arranged in an irregular grid pattern of wide streets with on-street parking and generous street tree plantings. There are various public parks providing recreational areas along the river and at Lorn Park Oval and Keith Smith Reserve to the north of the heritage conservation area.

The northern portion of the HCA, along Melrose Street and Brisbane Street, retains late nineteenth century weatherboard dwellings and some one and two storey late Victorian dwellings. Along Belmore Road, northeast of Nillo Street, are remnants of larger estates such as 'Warrane' and its grounds which have been subdivided for new development. The remainder of the heritage conservation area is characterised by late Federation and Californian Bungalow cottages on generous sized lots.

Lorn's Federation and Californian Bungalow style cottages are of high-quality construction and detailing, with consistent front and side setbacks and front gardens. This is especially notable in Roxburgh Street, Allan Street and Queen Street which are characterised by chimneys and tiled roofs, bay windows, low fences, and interesting variations in scale of building elements. Later dwellings constructed between the 1940s and 1950s are less detailed. Overall, the streetscape character has a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.

Single storey cottages and shops provide services along Belmore Road. Infill development is evident along Belmore Road in the introduction of small carparks providing vehicular access to new commercial development. More recent infill development has occurred at the northern end of Melrose Street including amalgamation of sites for villa development. These dwellings are very large and many mimic the period elements and features of heritage items and contributory building which should be avoided.

Characteristic Elements

- An early twentieth century example of a purposefully planned garden suburb.
- Well defined boundary being located behind the river levees along the northern side of the Hunter River.
- Small commercial high street comprising mixture of commercial building typologies on Belmore Road.
- Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences.
- An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds.
- Wide streets with:
    - Wide grassed verges and informal driveway crossovers, including gravel and tyre strips.
    - Informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens.
- Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.
- Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.

1.6.5. Regent Street Heritage Conservation Area

The Regent Street Heritage Conservation Area includes residential properties, commercial sites and the former Maitland Hospital. This heritage conservation area has been a prominent part of the Central Maitland township since the mid-1800s. The Regent Street HCA is a precinct essentially in two parts – a long largely residential sector on a 'finger' of elevated land between the Telarah Lagoon and the floodplain (which Long Bridge straddles) and the institutional site of the former Maitland Hospital (on the flank of Campbell's Hill). The heritage conservation area comprises residential properties along Bonar Street, High Street and Regent Street. Various properties within this HCA contain either intact nineteenth century gardens or remnants features of nineteenth century landscape compositions.

Landscape Setting

The principal landscape attributes of the Regent Street HCA is the Jacaranda street tree avenue in Regent Street, mature gardens and landmark plantings of prominent residential properties along that roadway and remnants of nineteenth and twentieth landscape design on the Maitland Hospital site.

A number of the Jacaranda trees in Regent Street are likely to date from the original Council street tree program in the 1930s, with a large number of infill trees being planted in subsequent decades.

Some of the properties in Regent Street contain established gardens, elements within which date from the nineteenth century, for example, the landmark plantings in 'Cintra'. Some properties on the eastern side of Regent Street retain deep rear gardens extending onto the floodplain. It is worth noting that all of the housing stock on the eastern side of Regent Street was designed to face the street, rather than the expansive view across the floodplain – the latter an attraction in the siting of the first two principal Maitland Hospital buildings. A selection of mature cultural plantings lies within the gardens of properties north of Ledsam Street, this sub-precinct land-locked between the High Street and the New England Highway.

The section of High Street fronting the Maitland Hospital site is a very spartan section of road corridor and creates a visual separation within the heritage conservation area.

Buildings

The built character of Regent Street HCA includes medical, commercial, and residential building typologies. The northern portion of the heritage conservation area contains the site of the former Maitland Hospital established in 1849. Various phases of infill development on the grounds of the hospital have compromised its original setting and frontage to the floodplain. To the north of the hospital, along Mount Pleasant Street, is a collection of Federation and early twentieth century dwellings that have been adapted for medical and allied services uses to support the hospital.

High Street physically separates this portion of the heritage conservation area from the southern commercial sites and residential area. Regent Street has a small but cohesive collection of residential buildings on Regent Street which includes excellent examples of High Victorian mansions, late Victorian and Federation cottages and early twentieth century dwellings. Later development constructed during the early twentieth century have introduced Art Deco features and details. These buildings have contributed to the character of the heritage conservation area by maintaining the consistent building form, scale, and setbacks along Regent Street.

Later development constructed between 1930s and 1950s, particularly along Bonar Street, has weakened the cohesive character of the heritage conservation area.

Characteristic Elements

- The former Maitland Hospital and grounds established in 1849.
- The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge.
- Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street.
- Fine grain residential subdivision pattern along High Street and Regent Street.
- An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings.
- Semi-rural use of sites along Regent Street and Bonar Street.
- A cohesive building typology of one and two storey detached dwellings, with established gardens and eclectic front fencing styles.
- Mature trees, landmark plantings, and Jacarandas on Regent Street.
- The location of the former Regent Street Mill.

1.6.6. Morpeth Heritage Conservation Area

The boundary of the Morpeth Heritage Conservation Area comprises part of the land grant of the early settlement established in 1823 and the Georgian period town plan. The HCA extends west along the Hunter River to Raworth and extends east to Morpeth Common and Morpeth Oval. Morpeth Bridge provides access from Swan Street to the rural flats on the northern side of the Hunter River. The surrounding agricultural land forms the agricultural setting of the HCA, extending from Butchers Lane in the south to Lawlers Road and Phoenix Park Road in the north.

Morpeth is sited on the southern side of the Hunter River on a high ridge above the floodplain. Morpeth retains the original ordered grid street plan drawn up in 1834, including three main streets with lanes between, and five minor cross streets. A key factor in the plan is the location of the church at the top of the ridge, within clear view of Closebourne, at the end of High Street and visible from many parts of the town. High Street is close to the top of the ridge, and James Street is at the top of the rise. The allotments between Swan Street and High Street are greater in depth than those between High Street and James Street.

Historical paintings and photographs indicate that during the nineteenth century, Morpeth expanded north and east from the initial village which was framed by Tank, High and Northumberland streets.

High Street projected considerably further north by the end of the 1840s, by which time various other cross-streets had been established. The river punt at the northern tip of Swan Street (now Brisbane Fields Road) was evidently also in operation by this time.

A photograph of the township, likely from the 1870s or 1880s, indicates that cultural plantings (including conifers) had been made in the town during the early to middle decades of the nineteenth century – amid a landscape completely clear-felled of its endemic forest. Large canopy trees, like Moreton Bay Figs, had also been planted in some residential properties in that period. Several grand residential and institutional garden settings remain in the township, for example at The Villa, Marlborough House and in churchyards – these retaining components of their nineteenth century configuration.

Street trees were not a feature of Morpeth during the late nineteenth and early twentieth centuries – streetscapes and the townscape, generally, being quite barren in terms of canopy cover and mature garden settings. The only formal historic street tree alignments established in Morpeth would appear to be the Brushbox avenue in High Street and the line of Fig trees at the southern and northern town entries in Swan Street and Morpeth Road. Brushbox were a common choice for Council verge plantings in the early decades of the twentieth century and Fig trees were a popular street tree and park planting of the late 1800s.

The sandstone drainage and swale drain system of Morpeth constitutes one the most significant elements of the Morpeth streetscape due to its intact nature throughout the township. It remains uninterrupted in the principal streets of the town and sandstone swale drains are present in some secondary streets. The lack of formed drains in some areas, where grassed drains exist, is equally as significant. In more recently developed areas of the town, concrete kerb and guttering is predominant.

The streets within Morpeth have traditionally had unformed edges. Gravel shoulders to principal streets and bitumen running to grass swale drains on minor streets characterize the town, except for Swan Street where bitumen runs to the sandstone gutter.

Sandstone kerb and guttering is located along the principal streets of Morpeth that include Swan, High and Tank Streets with parts of Northumberland, Robert and Close streets also featuring sandstone kerb and guttering and stone swale drains.

The footpaths within Morpeth take three forms:

- hard paving generally full width in the Commercial precinct of Swan Street
- narrow paved paths with grass verges in adjoining streets to the Commercial precinct, and
- grass with small sections of formed paths in the remainder of the residential area.

There is diversity within the paving types in the commercial precinct. The paving types include sandstone flagging, brick pavers, bitumen and concrete with sandstone flagging. This last type is typically located adjacent to original shopfronts, identifying it as an important characteristic of this commercial area.

Wharves on the Hunter River and a train line from East Maitland were prominent utilitarian features of Morpeth's nineteenth century landscape - these were fundamental for trade, supply and distribution throughout the region. With the development of Queens Wharf in 1833 opening the trade route with Sydney, the town soon became a major industrial and agricultural hub.

Landscape Setting

Morpeth's axial and regular grid layout is the prevailing town planning characteristic of the township, a pattern borne from the alignment of the original river-abutting Swan Street. The grid was extended to the north in regular increments from the extent of Closebourne House to the site of Morpeth Common, the latter sited on the tip of the Morpeth spur of land. From Swan Street, the offsets to the grid were made up onto the ridge of the Morpeth spur, where High Street and Princess Street were aligned. As the landscape began to fall away to the east, the town grid stopped. There remain

considerable lengths of the original sandstone kerb and guttering in Morpeth's streets. Archetypal sections of this are present in Tank Street, Swan Street and High Street.

The townscape supports a variety of old and prominent cultural plantings, including Araucaria pines and large Fig trees, in both public and private settings. Many of these are visible from the floodplain, from within Morpeth's streets and from nearby suburbs. The most prominent of these are located at the entries to the town on Morpeth Road, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes. A line of lopped Brushbox extends along the majority of High Street, some of these plantings present in a 1930 aerial photograph of the town. This monoculture street tree planting is the only one of its type in Morpeth, which otherwise contains a random mix of verge specimens – accretions since at least the middle of the twentieth century. Street tree species include Silky Oak, Paperbark, Eucalypts, Crepe Myrtle, Casuarina and Waterhousia. Various tall shrubs are also present in various streets, some of these likely to have been plantings made by nearby residents. These include dwarf Magnolias, Callistemon, Wattle, Murraya and Hibiscus.

Swan Street in quite spartan in terms of street trees. The large Fig trees which provide a grand entry into Morpeth from East Maitland and which line the north end of Swan Street (from the former river punt) do not appear to have ever existed comprehensively through the central section of Swan Street, likely for reasons of convenience in front of commercial properties. That central section of Swan Street contains an ad-hoc collection of verge plantings including Jacaranda, Eucalypt, Crepe Myrtle, Agonis, Oleander and Leptospermum – which collectively do not contribute to the sense of place for Morpeth's main road.

Some mature trees evident in gardens from historic aerial photo assessment no longer remain – due to subdivision, senescence and / or general property development. Many gardens of the nineteenth century and early twentieth century in Morpeth appear to have been unembellished in form and detailing – except in the case of the town's grandest homes. Today, as across all of the LGA's townships, there are many different types of private gardens in Morpeth. Some of these contain old mature shrubs and trees, some have been fashioned with contemporary layouts, some retain various overlays of historic garden design on the property, some are well tended to, and others are in a neglected state. Likewise with front boundary fence typologies and treatments which are numerous. Various examples of steel and timber picket, timber paling, woven wire, brick, Colorbond are present in Morpeth, as are front boundaries which are just demarcated by hedges.

Expansive views over the Hunter River floodplain are available from highpoints in Morpeth's landscape, particularly from the surrounds of Closebourne House, from the streets extending east-west across the ridge, from sections of Swan Street and from James and Little James Street.

Buildings

Morpeth HCA contains civic, commercial, industrial, and residential buildings of various ages and architectural periods and styles. The civic, commercial, and industrial buildings are primarily located along Swan Street which fronts the Hunter River and reflects the township's commercial use of the river. Landmark buildings on Swan Street include the former Courthouse, the former Bond Store group, the former CBC Bank, and former Post Office.

The buildings are complemented by modest houses, churches, and schools arranged in a Georgian grid pattern south of Swan Street. The pattern and age of houses broadly reflects the development of the town south of the river. The earliest buildings were constructed from 1830. With a second layer of buildings constructed in the nineteenth and twentieth centuries. More than half of the residential buildings in Morpeth were constructed since the 1950s. These houses are generally sympathetic in form and scale to the heritage items and earlier contributory buildings.

Other landmark buildings include Morpeth House and Closebourne House including the adjoining chapels, Diocesan Registry and extensive grounds and avenue of Brush Box trees. More information about Morpeth's buildings is provided under Precincts.

Characteristic Elements

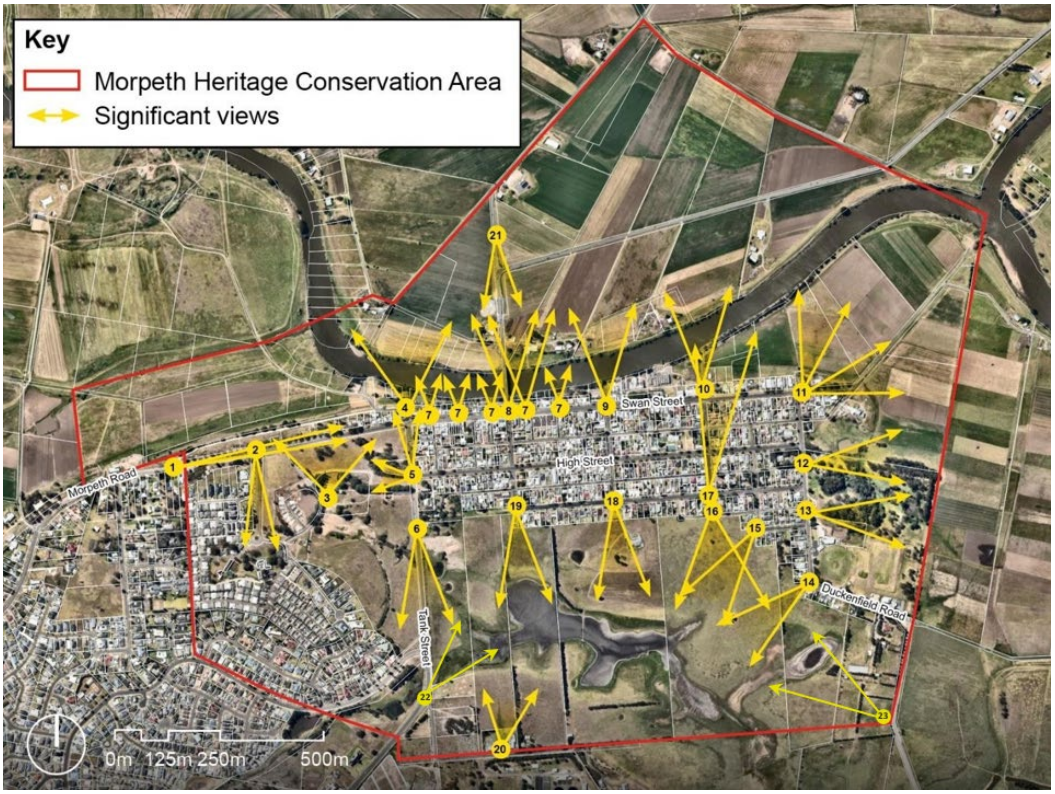
- Early settlement on the Hunter River, established in the 1820s.
- Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive village form in its rural landscape setting.
- Continuous relationship to the Hunter River.
- Large industrial buildings along the Hunter River, evidence of the early settlement and industry on the river.
- Queens Wharf.
- Morpeth Bridge.
- Landmark civic buildings designed by Government architects.
- Commercial streetscape character containing one, two and three storey examples of shops on Swan Street.
- Morpeth House and Closebourne House.
- A variety of dwelling types constructed from the 1830s to the present.
- Predominant single storey detached residential character.
- Eclectic fencing types and garden layouts in residential development.
- Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
- A line of mature lopped Brushbox on High Street.
- Morpeth Common and Morpeth Oval.
- Sandstone gutters, kerbing, and swale drain system.
- Expansive views over the Hunter River floodplain are available from numerous vantage points in Morpeth.

Significant Views

The significant views to and from the Morpeth Heritage Conservation Area include:

1. View from Morpeth Road to Morpeth Heritage Conservation Area on entry to the town.
2. View from Morpeth Road to Morpeth House.
3. View from Closebourne House towards Hunter River and northern rural landscape.
4. View from Queens Wharf Road to Hunter River.
5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape.
6. View to the cemetery from Tank Street.
7. Views between buildings on Swan Street to the Hunter River.
8. View from the Morpeth Bridge to the northern rural landscape.
9. View from the intersection of Robert and Swan streets to the northern rural landscape.
10. View from the intersection of George and Swan streets to the northern rural landscape.
11. Views from the intersection of Swan and Edward streets to the rural landscape.
12. View from Edward Street to Morpeth Common and western rural landscape.
13. View from Edward Street to Morpeth Oval and the western rural landscape.

14. View from Duckenfield Road to the southern rural landscape and lake.
15. View from the corner of John Street and Duke streets to the southern rural landscape and lake.
16. View from Little James Street to the southern rural landscape.
17. View from the intersection of George and James streets looking north.
18. View from the intersection of James and Robert streets to the southern rural landscape.
19. View from the intersection of James and Northumberland streets to the southern rural landscape.
20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lake.
21. View from the floodplain to Morpeth Bridge and the township.



Above: Significant views within the Morpeth HCA

1.6.7. Aberglasslyn Heritage Conservation Area

The Aberglasslyn House Heritage Conservation Area surrounds Aberglasslyn House, a grand eighteenth century two storey Greek revival villa on the Hunter River, constructed between 1840 and 1842 and designed by John Verge. Aberglasslyn House is an individual heritage item listed on the State Heritage Register. The HCA includes the item's extended curtilage, which includes the immediate surrounds of the historic house, its principal garden (to the immediate north-west of the house) and a driveway providing vehicular access from Aberglasslyn Lane.

The boundary of the HCA extends east roughly to the line of Dunnart Street in the adjoining residential development abutting Warbler Road and south to the ridgeline, which screens the residential development from the Aberglaslyn House. A small section of the heritage conservation area projects north of Plover Circuit.

The HCA does not include vast sections of the former estate. This includes a large zone supporting an orangery and vineyard further towards Aberglasslyn Lane and large paddocks, some cropped, which were likely integral to the operations of the property during the nineteenth century.

A survey from 1840 of the Aberglasslyn Estate, indicates the original property covered a very large tract of land. This extended south to Aberglasslyn Road, west to the Melville Ford bridge, included all the lands to the river west of Aberglasslyn Lane and projected east to roughly the line defined by the current eastern extent of the heritage conservation area. The eastern portion of the heritage conservation area appears to contain remnants of a variety of agricultural elements, including animal holding yards.

Landscape Setting

Owing to almost two centuries of timber felling, land clearing and pastoral use on the former Aberglasslyn Estate lands (and through the adjoining properties), the setting of Aberglasslyn House is a very denuded one. The immediate grounds of the mansion support two enormous Fig trees to its west, which screen and frame the building in views from Aberglasslyn Lane. Several features in the immediate surrounds of the residence are likely contemporaneous with the building's construction, chiefly the retaining / ha-ha wall in front of the house.

Assorted other cultural plantings, trees and shrubs surround the residence. This includes display and utilitarian specimens, like wind break and bordering shrubberies and fruit trees, many likely installed by the current owners. Built garden fixtures have also been recently added to the surrounds of the house including large retaining sandstone blocks to form northern terraces, sculptural elements and gravel paths (some of which are located over nineteenth century pathway alignments).

With the exception of a quite dense belt of riverbank vegetation to the immediate north and west of the house, much of the edges of the river toward Aberglasslyn Lane are reasonably bare. As is the expansive grass hillside south of the house, which supports only a scattered handful of Eucalypts – which are likely regrowth of the endemic Eucalypt Forest which existed in this landscape pre-European settlement. It is an archetypal pastoral landscape, representative in layout and function of a typology of colonial and mid to late nineteenth century rural estates in terms of its establishment, evolution and workings. It is one of a diminishing number of properties of its type in NSW on which nineteenth century land grants can be easily interpreted and on which the sequence and facets of its nineteenth century estate planning and farming remain identifiable.

As the immediate surrounds of Aberglasslyn House remain agricultural land, the form and function of this rural landscape and colonial estate can be readily appreciated. Whilst some of the detail of the nineteenth century arcadian composition of the place has been lost, remnant cultural plantings of the homestead, utilitarian features of the grounds and the open rural setting of the property's larger landscape add considerably to the significance of the place.

Buildings

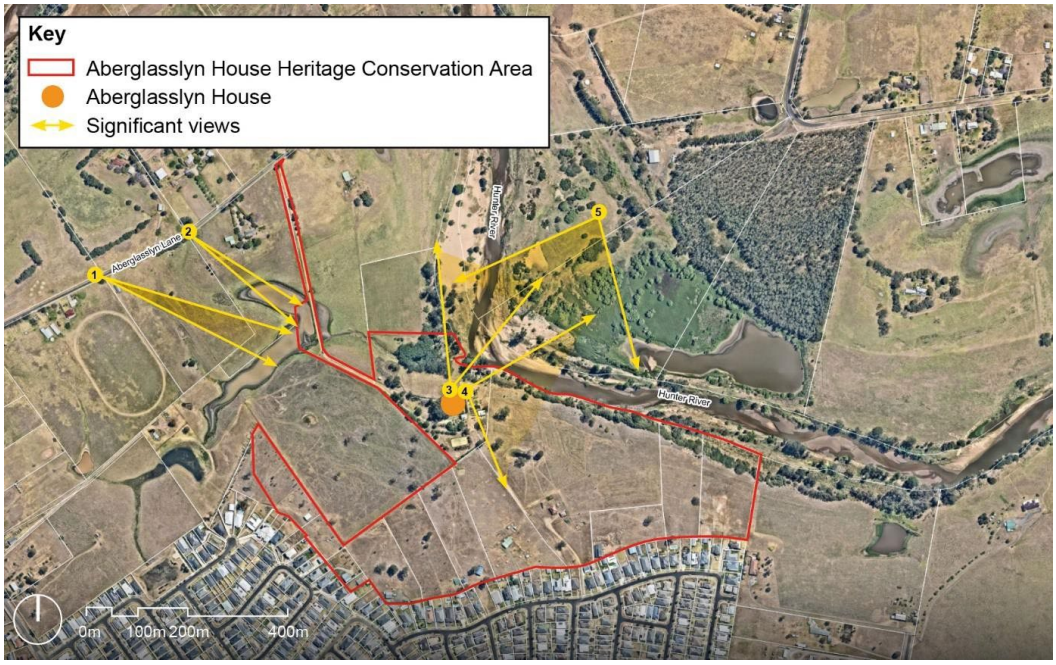
Aberglasslyn House is a fine example of a Greek revival villa and a local landmark in Aberglasslyn. It is built of Ravensfield sandstone with a slate roof. It is a large rectangular house with well-proportioned rooms arranged around a central square hall containing a geometric staircase describing a circular wall beneath a hemispherical dome.

The house was not finished to the original plan and is incomplete. The planned rear single storey wings containing offices were not built and only part of the interior detailing was completed. In the late 1850s, most of the unfinished detailing was made good in a simple manner with moulded architraves instead of the elaborate aedicular forms of the original work. At this time, two storied verandahs of

cast iron columns on sandstone plinths were built instead of the single storey colonnade originally planned, for which sandstone columns had been quarried and moulded.

Characteristic Elements

- Aberglasslyn House, its principal garden and grounds.
- The pastoral landscape setting surrounding Aberglasslyn House, which is partially included in the boundary of the HCA.
- The historic relationship to the Hunter River.
- The natural landform to the south of the HCA.
- Views to and from Aberglaslyn House and the heritage conservation area from the Aberglasslyn Lane and the northern side of the Hunter River.



Above: Significant views within the Aberglasslyn House Heritage Conservation Area

1.7. Classification of buildings within heritage conservation areas

Buildings within each heritage conservation area will in future be identified by these guidelines as contributory, neutral or non-contributory. Heritage listed items are separate to these definitions.

- **Contributory buildings** generally originate from a significant era of historical development of a heritage conservation area and display key characteristics of the area through their architectural style, building typology, use, scale, form, features and materials. Contributory buildings contribute to the public domain and this can be appreciated from the street.

- **Non-contributory buildings** are usually buildings from a later era, or buildings that have been so altered, that are inconsistent with the setbacks, scale, bulk, form or materials of characteristic historical development. They are considered to detract from the heritage significance of the area.

The desired future character of each classification is provided below:

CLASSIFICATION	DESIRED FUTURE OUTCOME
Contributory	• To ensure that contributory buildings are retained and conserved. • To ensure new development does not adversely impact the heritage significance of the heritage conservation area. • To ensure that alterations and additions to contributory buildings are designed to conserve original form, scale and fabric where visible from the public domain. • To allow change to occur in areas where it is not visible from the public domain, including to the interiors of buildings.
Non-contributory	• To allow for the redevelopment and replacement of non-contributory buildings and elements. • To ensure development of non-contributory buildings does not adversely impact the heritage significance of the heritage conservation area. • To ensure new development is of a scale, form and character that is consistent with the significance of the heritage conservation area. • To ensure that alterations and additions to non-contributory buildings are designed to conserve original form, scale and fabric where extant and visible from the public domain. • To allow change to occur in a contemporary style in areas where it is not visible from the public domain, including to the interior of buildings.

1.8. Requirements for development consent

Heritage items and heritage conservation areas listed in local environmental plans, or covered by heritage orders under the *Heritage Act 1977*, are regarded as environmental heritage. To ensure that the heritage significance of items and areas is not adversely impacted, proposed works are subject to assessment and determination by Council.

The following types of work will require lodgement of a development application (DA) and Council approval prior to the commencement of work:

- new development, including new structures
- subdivision
- alterations and additions
- change of use
- full or partial demolition
- removal of significant vegetation
- disturbance to the pattern, form and arrangement of historic landscapes
- disturbance of relics protected under the *Heritage Act 1977*
- alterations to historic interiors (where included in the listing)
- alterations to historic landscape fabric (where included in the listing).

In addition to the standard requirements for a DA application (refer to Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development), works to, or within the vicinity of, a heritage item or heritage conservation area will generally include:

- a Statement of Heritage Impact (SoHI) prepared in accordance with the Guidelines for Preparing a Statement of Heritage Impact, by a suitably qualified heritage professional;
- architectural drawings, including a site plan, floorplans, sections, and elevations. Title boundaries must be shown along with boundaries for the heritage item or the heritage conservation area. Drawings must be to scale, clearly identifying north points and the existing fabric and proposed new works in colour. Fabric to be removed must be noted with dashed lines, or as per other technical standards;
- details of how the proposed works will affect the heritage item or conservation area, existing structures, landscape elements, trees and other features, including views and vistas.
- a schedule of the proposed works, including external finishes, materials and colours, cross referenced to the architectural drawings;
- photographs of the heritage item or property illustrating it within the heritage conservation area from the street and within its boarder setting from a range of viewing points within the public domain;
- identification and documentation of measures to minimise any adverse impacts to the item and area;
- an outline of the future use of the item or property; and
- a subdivision plan, where subdivision is proposed.

1.9. Exemptions for minor works, repair and maintenance

There are exemptions for minor works, repair and maintenance to heritage items at both local and state levels provided the proposed works will not give rise to any adverse impacts on the heritage significance of the item or area.

Minor works include activities such as maintenance and repair to buildings, structures and the upkeep of landscapes or gardens. Minor works applications for local and state government can be found at:

- Maitland City Council
- Heritage NSW

1.10. Local heritage items

Some minor works, such as repairs, maintenance and repainting, will not require a DA but will require a heritage exemption request under Clause 5.10 of the MLEP 2011 to be lodged with Council for approval. A minor works application should be submitted to Council, supported by the following information:

- a statement describing the proposed works.
- a short statement addressing how the proposed development is of a minor nature, or how the repairs or maintenance will not adversely affect the heritage significance of the item or conservation area.
- a set of coloured photographs that clearly show the area of the item being affected by the proposal, and
- a location plan (a map indicating the location of site).

1.11. State Heritage Register listed items

Minor works and maintenance to State Heritage Register listed items or places subject to an interim heritage order may be exempt from approval under the *Heritage Act 1977*. Provided the proposed works do not give rise to a heritage impact, the standard exemptions allow owners and site managers to undertake minor works such as the installation of fire alarms, maintenance, cleaning, subdivision of non-significant buildings and painting.

All exempt works are subject to compliance with general conditions. Works performed under standard exemptions should be recorded using the self-assessment template provided on the Heritage NSW website.

Some state heritage items may have site-specific exemptions that also apply to the item. Site-specific exemptions are detailed on the inventory sheet of the listing and found on the State Heritage Inventory database.

1.12. Guidelines for the preparation of heritage management documents

Council may request the preparation of a heritage management document under Clause 5.10(6) of MLEP 2011 as a requirement for a DA or as a condition of development consent.

The preparation of a heritage management document is required to guide the ongoing management of a heritage item or conservation area, and to understand the impacts of new works on an item or within a heritage conservation area.

Heritage management documents should be prepared by qualified heritage professionals and be written in accordance with relevant standards and guidelines. The use of diagrams, maps, plans, drawings and photographs is encouraged to ensure a thorough assessment.

Other specialist reports may be required by Council to assess a DA relating to a heritage site, such as an arborist assessment of significant trees. Refer to Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development for further information on supporting documents.

1.13. Character assessment

To assist in applications where, in the opinion of Council, proposed works do not warrant the preparation of a formal Statement of Heritage Impact, a Character Assessment should be provided within the Statement of Environmental Effects. A Character Assessment may be prepared by the applicant/owner.

The Character Assessment should include the following, and be identified by the property description and the author's name and contact details:

- How old is the building/s proposed for alteration or additions, and what is known about its history? Try to ascertain the age of the building from any documents you may have such as the Land Title, or from the style of the building.
- Describe the main architectural features and characteristics of the building. List features such as what materials the building is made of.
- What the roof style is (i.e. hipped, gabled), the style of windows, whether it has a verandah.
- What is around the building or land? Describe the buildings that surround it and what they are used for.
- Describe what is proposed. Outline what alterations are proposed – what will the building be used for if the use is changing. Describe all structural and non-structural alterations required.

- Describe what efforts have been made to ensure the changes are sympathetic with the original building. List in point form. List also any previous work if appropriate. Outline if the proposal will improve the function of the building. Are the materials, colour and design compatible with the design of the original structure?
- Describe any impact of the proposal on any surrounding developments, and on the character of the locality. Outline if the changes are in keeping with the character of the locality. Have you taken into consideration the information in this Chapter that relates to the area in which your development is located?
- Describe any sympathetic solutions which were considered, but discounted for particular reasons. List alternatives such as different materials, colours, etc. and outline why these cannot be implemented.

1.14. Statement of Heritage Impact

A Statement of Heritage Impact (SoHI) is required as part of a DA that affects the following:

- a heritage item identified under Schedule 5 of the MLEP 2011
- an item subject to an interim heritage order under the *Heritage Act 1977*
- external works in the vicinity or view of a heritage item identified under Schedule 5 of the MLEP 2011.

A Statement of Heritage Impact (SoHI) may be required as part of a DA that affects the following:

- a property within a heritage conservation area identified under Schedule 5 of the MLEP 2011

The SoHI must be prepared in accordance with the Guidelines for Preparing a Statement of Heritage Impact and include:

- a cover page
- background information about the heritage item or site, including a site description, a summary history and physical analysis
- an assessment of significance using the seven criteria, including a statement of significance
- an outline of the proposed works
- an impact assessment detailing how the works will impact the heritage significance of the item or area and the measures implemented to minimise or mitigate any adverse impacts
- a summary of the impacts and recommendations.

1.15. Heritage assessment

A heritage assessment is prepared to understand and assess the significance of a place. It should be prepared in accordance with the assessing heritage significance guidelines and include:

- background research and information about the heritage item or area, including a physical description, a summary history and physical analysis
- a description of the evolution and details of the place or object, its previous and current uses, its associations with individuals or groups and its meaning for those people
- a comparative analysis of the place or object against similar examples
- an assessment of significance under the heritage assessment criteria
- an assessment of the integrity and condition of the place or object
- an assessment against the threshold indicators
- a summary statement of significance
- a recommendation on whether the item or area has heritage significance.

1.16. Conservation Management Plan

A Conservation Management Plan (CMP) outlines the heritage significance of a place and provides policies and guidelines to manage change to a place over time. The preparation of CMP is considered best-practice management for state heritage items or complex sites including local heritage items.

A CMP should be prepared in accordance with the conservation principles outlined in the Burra Charter, The Conservation Plan and the NSW Department of Planning and Environment best-practice guidelines. A CMP should include:

- background information about the heritage item including a description of the site and its setting
- a historical background
- physical analysis
- an assessment of opportunities and constraints pertaining to the site
- conservation and management policies
- an implementation plan.

1.17. Structural Assessment

A structural assessment will be required where a heritage item or a building within an HCA is proposed for partial or total demolition or substantive change. If retaining the item or property will give rise to undue financial hardship on the owner, evidence must be provided to justify such claims.

A structural assessment must be undertaken by a suitably qualified structural engineer with experience dealing with heritage buildings and structures. The report must include:

- a detailed list of the structural defects or problems identified
- the likely causes of each defect or problem
- a comprehensive range of solutions
- an analysis of the proposed solutions and, where solutions are rejected, the rationale underpinning the rejection
- a recommended approach for repairing the building
- adequate justification if partial or total demolition is proposed.
- If total or partial demolition is approved, a demolition report and photographic archival record will likely be a condition of consent.

1.18. Demolition report

Generally, demolition of a heritage item, contributory building or contributory landscape element is not permitted. Where a heritage item is considered to be a danger to the public, beyond repair by an engineering assessment (or arboricultural treatment in the case of trees), or a non- contributory or neutral building that is being replaced with a sympathetic building. A demolition report or arboricultural report may be required to assess the impact of the demolition works.

If demolition of a heritage item or within a conservation area is approved, a photographic archival report and measured drawings may be required. An archaeological assessment may also be a condition of consent.

Where a building or property is the subject of an interim heritage order under the *Heritage Act 1977*, demolition is not permitted. Trees and other vegetation on the land subject to the interim heritage order must not be removed. Exceptions to this apply to State Significant Development, Crown development and places under heritage agreement.

1.19. Photographic archival recording

A photographic archival recording to document the construction of new works to a heritage item may be requested as a condition of consent. A digital copy of the report and the photographs should be provided to Council for archiving. Also see the demolition report section above.

1.20. Where to get heritage advice and further information

Council can provide information and advice about heritage conservation and management.

Council also has a dedicated webpage 'Heritage development works' which provides information on development to heritage places, alteration works to heritage places and the Maitland Local Heritage Fund.

When considering works or actions to a heritage item, or within a heritage conservation area, Council's heritage officer may recommend a pre-lodgement development application (pre-DA) meeting to assist applicants in preparing a DA that is consistent with the controls in this chapter.

A list of qualified heritage professionals can be found on the heritage consultants directory on the NSW Department of Planning, Housing and Infrastructure website.

Information about a particular heritage item and heritage conservation area can be found on the State Heritage Inventory database. Each item will have an inventory sheet including its historical background, listing information, an assessment against the significance criteria, a statement of significance, management recommendations, photographs and maps. It is important to remember that not all records in the State Heritage Inventory are complete or up to date. In such instances, additional investigation and research may be required to understand the history and significance of the item.

Various forms of evidence and resources can help in establishing the history and significance of heritage items and conservation areas. It is usually necessary to undertake land titles research, and online research platforms such as Trove can assist. Local historical societies and local studies collections may also hold records that would be helpful in developing an understanding of the history and significance of a property.

Organisations and institutions such as the Australian Institute of Architects, the National Trust, the Royal Australian Historical Society and the State Library of NSW may hold relevant historical records.

Historic landscapes can be complicated to research. While key dates for the development of public landscapes are often traceable in historic Council minute books or works files, sources that conclusively evidence historic landscape design and plantings on private properties may not exist. Plans for both public and private landscapes were often not prepared or may be held in private collections.

Aboriginal heritage resources can be found on the Aboriginal Heritage Information Management System (AHIMS) and the Mindaribba Local Aboriginal Land council represents the Aboriginal community in Maitland.

maitland
CITY COUNCIL



Maitland DCP 2026

Appendix F: CPTED Guidelines

maitland CITY COUNCIL

Table of Contents

Introduction 3
CPTED Principles 4
Objectives of this Guideline 5
Building Design and Orientation 5
Shared and Communal Spaces 6
Lighting 6
Security and Anti-Vandalism 7
Shopfronts 7
Public Facilities and Carparks 8

VERSION	DATE ADOPTED	CHANGES
1.0		New DCP Appendix

Introduction

A CPTED (Crime Prevention Through Environmental Design) report/statement is an important study in the planning process, particularly for certain types of development. It assesses how the design and layout of a development can influence safety and reduce opportunities for crime or anti-social behaviour.

A CPTED report/statement is required in the Maitland Local Government Area if a proposed development falls within the scope of Section 3.7 Crime Prevention Through Environmental Design in Chapter 3: Site Requirements of the Maitland DCP 2026. This includes the following:

DEVELOPMENT TYPE	WHEN A CPTED REPORT/STATEMENT IS REQUIRED
Dwellings and accommodation	• Any form of residential development with 20 or more dwellings on the site • Boarding Houses, Group Homes, Manufactured Home Estates, Caravan Parks and Hostels
Social Infrastructure	• Educational Establishments • Centre-based Childcare Facilities • Community Facilities • Recreation (areas and facilities of any size or capacity) • Entertainment Facilities and Function Centres • Hospitals
Commercial and Industrial	• Service Stations • New Licensed Premises • Food and Drink Premises and Shops trading between 11:00pm and 5:00am • Extension of Licensed Premises trading hours past 11:00pm
Other development	• Health Service Facilities • Carparks of any size or capacity • Amusement Centres of any size or capacity • Temporary Events with an expected attendance of 5,000 or more people

The following guidelines provide a series of recommendations for the design of development to ensure that principles of CPTED can be adequately addressed in design and application preparation before lodgement of a Development Application. The intent is for these recommendations to be referenced within a CPTED Report/Statement for a development that requires one to be prepared.

CPTED Principles

There are four key principles of CPTED, which are as follows:

Surveillance

People feel safe in public areas when they can see and interact with others, particularly people connected with that space, such as shop owners or adjoining residents. Criminals are often deterred from committing crime in places that are well supervised. There are three main types of surveillance:

Natural surveillance is achieved when normal space users can see and be seen by others. This highlights the importance of building layout, orientation and location; the strategic use of design; landscaping and lighting – it is a by-product of well-planned, well-designed and well-used space.

Technical/mechanical surveillance is achieved through mechanical/electronic measures such as CCTV, help points and mirrored building panels.

Formal (or Organised) surveillance is achieved through the tactical positioning of guardians, such as security guards, to communicate active ongoing surveillance.

Access Control

Access control are treatments restrict, channel and encourage people and vehicles into, out of and around development. Wayfinding, desire-lines and formal/informal routes are important crime prevention considerations. Effective access control can be achieved by using physical and symbolic barriers that channel and group pedestrians into areas, therefore increasing the time and effort required for criminals to commit crime. There are three main forms of access control:

Natural access control includes the tactical use of landforms and waterways features, design measures including building configuration; formal and informal pathways, landscaping, fencing and gardens.

Technical/Mechanical access control includes the employment of security hardware, such as CCTV or access-selective doors.

Formal (or Organised) access control includes on-site guardians such as employed security guards.

Space/Activity Management

Space/Activity Management strategies are an important way to develop and maintain natural community control. Space management involves the formal supervision, control and care of development. All space, even well planned and well-designed areas need to be effectively used and maintained to maximise community safety. Places that are infrequently used are commonly abused. There is a high correlation between urban decay, fear of crime and avoidance behaviour.

Territorial Re-enforcement

The concept of community ownership of public space sends positive signals to the community. Places that feel owned and cared for are likely to be used, enjoyed and revisited. People who have guardianship or ownership of areas are more likely to provide effective supervision and to intervene in crime than passing strangers and criminals rarely commit crime in areas where the risk of detection and challenge are high. Effective guardians are often ordinary people who are spatially 'connected' to a place and feel an association with, or responsibility for it.

Consequently, Territorial Re-enforcement uses actual and symbolic boundary markers, spatial legibility and environmental cues to 'connect' people with space, to encourage communal responsibility for public areas and facilities, and to communicate to people where they should and should not be and what activities are appropriate.

Objectives of this Guideline

O.1 To ensure that the four principles of Crime Prevention Through Environmental Design (CPTED), being Surveillance, Access Control, Territorial Reinforcement and Activity/Space Management are applied to development.
O.2 To ensure habitable buildings create natural surveillance of the space around it by occupants and users.
O.3 To assist in ensuring that building and communal areas are designed in a manner that creates a sense of ownership and responsibility from occupants and users.
O.4 To assist in limiting opportunities for unauthorised access to buildings and communal areas through the use of appropriate security measures.
O.5 To employ materials in buildings that limit the risk of vandalism.
O.6 To ensure entrances, exits, service areas, communal spaces, pathways, car parks, and other areas that are used after dark are adequately lit.

Building Design and Orientation

F.1. Building entrances should be located in prominent, street-facing positions whenever possible.

F.2. Entrances should be designed to allow people to see inside before entering with the number of entry points being minimised as much as possible.

F.3. Blank walls facing or adjacent to the street, especially in commercial or industrial developments, should be avoided.

F.4. Entrances should be easily identifiable through design and clear signage.

F.5. Dwelling entrances should face the street, or both streets if the property is on a corner.

F.6. For medium-density residential developments, the primary dwelling(s) should face the street or both streets if on a corner. Other dwellings should face the access driveway, with entrances visible from the street, or at least visible from another dwelling if street visibility isn't possible.

F.7. Rear lanes should not be the main access point for vehicles or pedestrians to residential or commercial properties.

F.8. Habitable rooms should be positioned at the front of dwellings, or in medium-density developments, towards the access driveway to encourage passive surveillance.

F.9. Windows, doors, and balconies should be arranged in a way that allows for surveillance while maintaining privacy, with offsets between them.

F.10. In industrial developments, office and administration spaces should be placed at the front of the building, overlooking the street and parking areas.

F.11. If separate staff entrances are needed, they should be positioned to benefit from passive street surveillance.

F.12. Stairwells should feature materials like glass, stainless steel, or open-panel designs.

F.13. Pathways should be straightforward, with any barriers along them kept low or transparent (such as see-through fencing or landscaping).

F.14. Mirrors should be placed to help users see ahead and around corners.

F.15. Street numbers should be made from durable materials, ideally reflective or luminous, and positioned in a way that prevents obstruction by plants or foliage.

F.16. Every building should prominently display its street number.

F.17. Street numbers should be at least 150mm in height and placed between 600mm and 1.5m above ground level on the street-facing side.

Shared and Communal Spaces

F.18. Open spaces should be clearly defined and placed where they can be easily observed by passersby. Parks and playgrounds should be situated in front of buildings, shopping centres, etc., facing streets rather than rear lanes.

F.19. Facilities like toilets should be located near activated areas and should not be hidden by vegetation or any other obstruction.

F.20. Active spaces and living areas should be positioned so that their windows overlook communal and public areas.

F.21. Pathways should be direct and follow natural pedestrian movement. Blind corners should be avoided.

F.22. Different spaces should be separated by physical or psychological boundaries, such as low fences, gardens, lawn strips, or different textured surfaces.

F.23. Seating should be placed in convenient, visible locations.

F.24. The frequent use of open spaces and public areas should be encouraged by including amenities such as seating, shade, play equipment, landscaping and barbecues.

F.25. Barriers along pathways should be low or transparent (e.g., see-through), including landscaping and fences.

F.26. Communal areas and utility spaces, like laundries and waste collection points, should be well-lit and easily visible.

F.27. If lifts and stairwells are included, they should feature an open design with transparent materials (where fire safety regulations permit).

Lighting

F.28. Brighter lights should be used in areas with high foot traffic.

F.29. Lights should be aimed at access and exit routes to illuminate and discourage potential offenders, rather than being directed at buildings or observation points.

F.30. Pathways and entrances to open spaces and public areas should be well-lit.

F.31. Lighting should provide a broad beam of light that extends to the next light source or covers the entire length of any pathway or perimeter being monitored.

Security and Anti-Vandalism

F.33. High-quality locks should be fitted on all external windows and doors.

F.34. Intruder alarm systems, security screens, locks for doors and windows, and materials resistant to intrusion must meet the relevant Australian Standards.

F.35. Main entrances to multi-occupancy buildings should be equipped with intercoms, code or card access systems.

F.36. Dwellings should have viewers installed on entry doors so residents can identify visitors.

F.37. External storage areas and yards should be secure and well-lit.

F.38. Security grilles and doors should be see-through, allowing visibility.

F.39. Skylights and roof tiles should be designed to prevent easy removal or opening from the outside.

F.40. Lockable gates should be installed on side and rear access paths.

F.41. External lighting should be vandal-proof, installed at a high point, or shielded to prevent damage.

F.42. Large blank walls should be screened with planting or other feature materials to prevent vandalism.

F.43. The risk of vandalism should be minimised by using durable materials such as tough, wear-resistant laminates, glazed ceramics, treated masonry, stainless steel, anti-graffiti paints, or clear protective coatings.

F.44. Communal or street furniture should be constructed from tough, vandal-resistant materials and secured with strong anchor points or removed after hours.

Shopfronts

F.45. Adequate lighting should be provided under awnings to ensure proper illumination of the footpath and shopfront.

F.46. Merchandise should not be displayed on the footpath if it could obstruct visibility between the shop and the street.

F.47. Shopfronts should use toughened or laminated glass instead of roller shutters or security grilles to prevent creating a fortress-like atmosphere.

F.48. Clear sightlines between shop premises should be maintained, such as by limiting promotional materials on or in shop windows, to ensure effective surveillance.

F.49. If roller shutters are necessary, they should be designed as open-style grilles or made of transparent materials.

F.50. Blank walls along the footpath should be avoided to promote surveillance and discourage graffiti.

Public Facilities and Carparks

F.52. Directional signage should be provided to guide the public to key services and landmarks like railway stations, taxi ranks, and libraries.

F.53. ATMs should include mirrors or reflective materials to allow users to see if anyone is behind them.

F.54. Public facilities should be situated in well-lit, highly visible areas, ideally near places with extended trading hours like restaurants and convenience stores.

F.55. Toilets and parents' rooms should be located near active areas or places that are regularly staffed, such as reception desks or building entrances.

F.56. Public facilities should not be placed in recessed or hidden areas.

F.57. Car parks should be designed in a way that allows them to be observed from adjacent areas.

F.58. The number of entry and exit points should be minimised wherever possible.

F.59. Staff parking areas should be separated and secured, with lighting designed to avoid glare or dark shadows.

F.60. Large, uninterrupted car park areas should be avoided. If they are necessary, surveillance features like security cameras should be installed.

F.61. Entry and exit points should be located near each other and close to adjacent active spaces such as shops, cafes, and other uses.

F.62. Lighting in open car parks must adhere to the Australian Standard AS/NZS 1158.3.1:1999 for road lighting and pedestrian area lighting.

F.63. Concealed recesses that could hide intruders or create areas where users are out of sight should be avoided.

F.64. Lift access, stairwells, and pedestrian pathways should be easily visible.

F.65. Car park lighting should be bright enough to allow users to see into the rear seat of their car before getting in.

maitland
CITY COUNCIL

City Planning

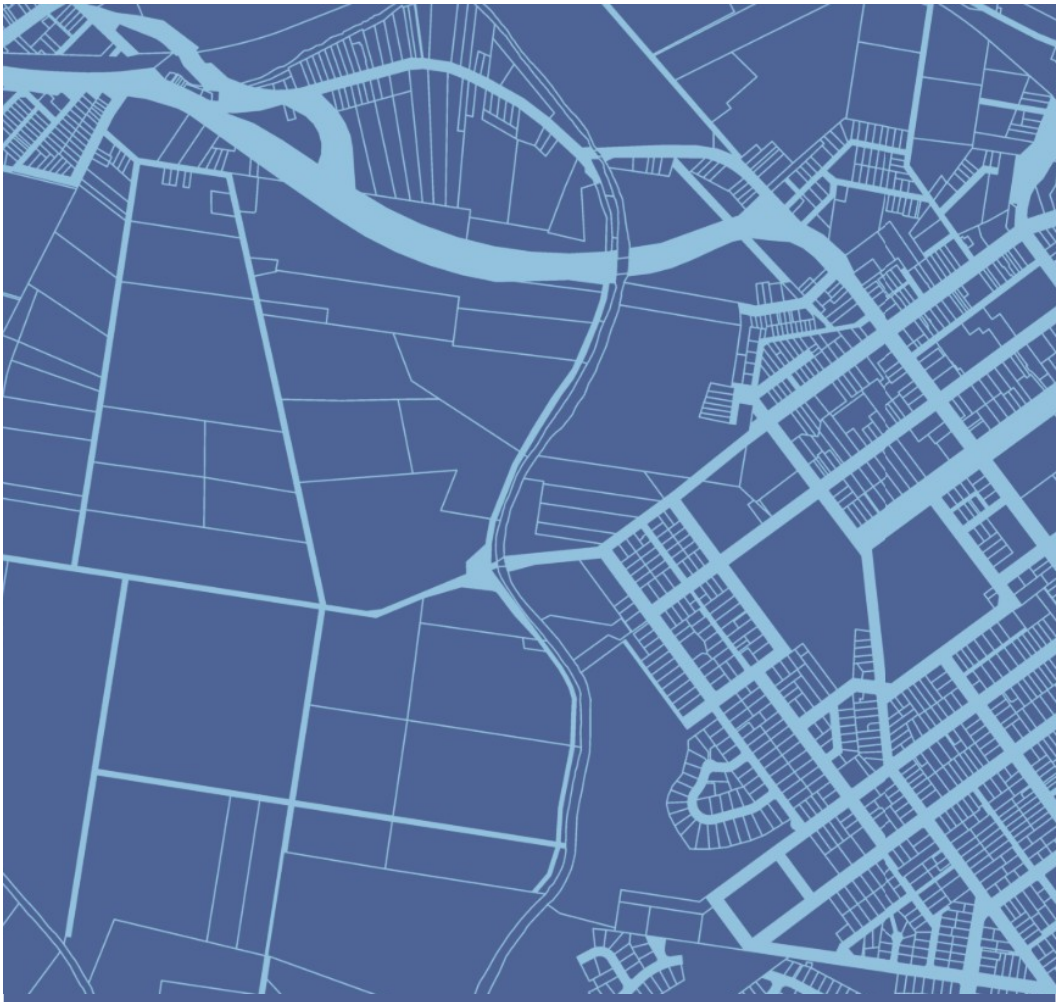
Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Draft Maitland Manual of Engineering Standards 2026 (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 4

Number of Pages: 168



MoES – G 2025

General Requirements

Manual of Engineering Standards

maitland CITY COUNCIL

Table of Contents

G – General Requirements 1
1. Introduction 1
2. Preface 1
3. Aims and Outcomes 1
4. Structure of Manual of Engineering Standards 1
Figure G-1: Structure of Manual of Engineering Standards 2
5. Disclaimer 3
6. Design Considerations 3
6.1. Design Life 4
6.2. Built to Owners Scale 4
6.3. Ongoing Maintenance 4
6.4. Best Practice Design 5
6.5. Safety in Design 5
6.6. Crime Prevention Through Environmental Design 5
6.7. Designing for All Abilities 6
7. General Processes and Requirements 7
7.1. Introduction 7
8. Project Manager and Principal Certifier 7
9. Definitions 7
10. Design and Construction 8
10.1. Preliminary Engineering Plans (for Development Applications) 8
10.2. Endorsement by Accredited Professional 8
Table G-1: Design Submission Requirements 8
10.3. Construction 9
10.4. Safety of work 10
10.5. Removal of Defective Works 10
11. Insurance and Levy 10
11.1. Public Liability Insurance Policy 10
11.2. Workers Compensation 10
11.3. Professional Indemnity Insurance 10
11.4. Long Service Leave Levy 10
12. Works on Public Land 10
12.1. Council Approval 11
12.2. Approved Contractors 11
12.3. Commencement of (Minor) Works 11
12.4. Road Closure 11
12.5. Locks on Public Land 12

maitland CITY COUNCIL

maitland CITY COUNCIL

13. Utility Services **12**
13.1. Utility Services General Requirements 12
13.2. The Electrical Power 13
13.3. Street Lighting 13
13.4. Other Authorities 13
14. Public Reserves **14**
14.1. Drainage and Nature Reserves 14
14.2. Parks and Playing Reserves 14
14.3. Operation and Maintenance 15
15. Subdivision Certificate **15**
15.1. Lot Classification 16
15.2. Road Widening 16
16. Bonds **16**
16.1. Works Maintenance Bonds (WMB) 17
16.2. Performance Bonds 17
16.3. Outstanding Works Bonds 17
16.4. Bond Process 18
17. Works as Executed **19**
18. Quality Assurance Submission **21**
18.1. Compliance **C**ertificates 21
19. CCTV Inspection of Drainage Conduits **22**
19.1. Introduction 22
19.2. Technical Specifications 22
19.3. Inspection Procedure 22
20. Unapproved Works and Variations **24**
21. Environment, Vegetation, Landscaping and Heritage **24**
21.1. Introduction 24
22. Developer Responsibilities **24**
22.1. Legislation 24
22.2. Heritage Conservation and Protection 24
23. Vegetation **25**
24. Trees and Habitats **25**
24.1. Tree Disturbance 26
24.2. Habitat Treatment 26
25. Environment **27**
25.1. Fire Restrictions 27
25.2. Noise Control 27
25.3. Dust Control 27

maitland CITY COUNCIL

maitland CITY COUNCIL

25.4. Site Storage 27
25.5. Contaminants 27
25.6. Works on Waterfront Land 28
26. Soil Conditions **28**
27. Erosion and Sediment Control **28**
27.1. Controls - During Construction 28
27.2. Controls - Post Construction 28
27.3. Material Transportation 29
28. Landscape and Vegetation **29**

maitland CITY COUNCIL

maitland CITY COUNCIL

G – General Requirements

1. Introduction

Council's Manual of Engineering Standards (MoES) is designed to support the delivery of quality civil engineering infrastructure for a range of projects benefiting the Maitland community. The purpose is to streamline the processing of engineering submissions, ensuring that infrastructure is designed and built to be safe, functional, cost-effective to maintain, and aligned with community expectations.

This Manual has been developed to enable designers, Councils, and consultants to prepare compliant concepts and designs for civil works. The manual is intended to provide all the necessary design requirements for preparing Development Applications (DA), Subdivision Works Certificates (SWC), Roads Act Applications (DW), and Construction Certificates (CC) for development works.

2. Preface

This Manual sets out the minimum standards and guidelines for engineering design and construction works in the Maitland City Council (MCC) Local Government Area. It is primarily intended for use by development professionals in the preparation of DAs and engineering design plans for the construction of approved works, including "SWC" under the Environmental Planning and Assessment Act (EP&A Act) and "DW" under Section 138 of the Roads Act.

3. Aims and Outcomes

The aims of the **M**anual **o**f **E**ngineering **S**tandards (**MoES**) are:

- To manage development in a natural landscape with suitable infrastructure that supports pedestrians, cyclists, and vehicles, controls stormwater runoff, and maintains a good appearance.
- To identify Council's expectations and requirements relating to information required in engineering plans and standards of engineering design and construction for subdivision and development.
- To promote best engineering practice and quality environmental outcomes.

The desired outcomes in the application of the Manual are (**SPEL**):

- **S**afety – for public usage of the built infrastructure.
- **P**olitic – manage interactions with affected residents tactfully and responsibly.
- **E**nvironmental – protect nearby residents and surrounding ecology.
- **L**iability – minimise Council's maintenance burden through appropriate infrastructure selection.

4. Structure of Manual of Engineering Standards

MoES is structured to provide a framework for engineering practices and guidelines for developments in the Maitland Local Government Area (MLGA). It is organised into four (4) key documents that outline standards and procedures relevant to various aspects of engineering projects, refer to Figure G-1. These include documents on general requirements, design criteria, construction, and lot-scale engineering. Each document is interconnected with references and cross-references, ensuring consistency and alignment across different aspects of engineering practice.

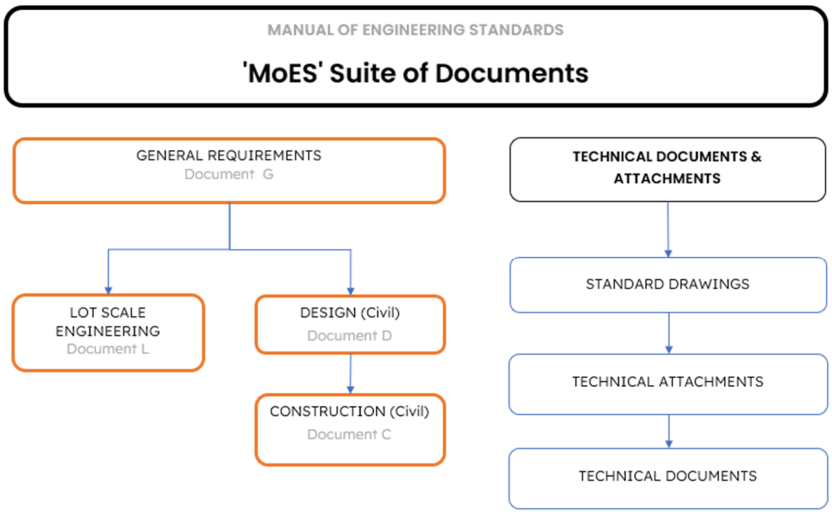


Figure G-1: Structure of Manual of Engineering Standards

G: General Requirements
Document G: General Requirements serves as the foundational document, including overarching principles and processes that apply to two or more documents within the suite. It establishes the fundamental expectations and procedures that shall be adhered to throughout the project lifecycle from design and construction to handover.

L: Lot Scale Engineering
Document L: Lot Scale Engineering provides guidance for small-scale developments, such as multi-dwelling housing, two-lot subdivisions, commercial, industrial, business developments, and other projects. These developments typically do not require the construction of public infrastructure including new roads and major public drainage, although some minor public works, such as footpaths or partial road upgrades, may be needed. The document aims to cover most topics relevant to small-scale developments (not already addressed in Document G: General Requirements), with some overlap with Design and Construction Documents where needed.

D: Design
Document D: Design focuses on the preparation of preliminary engineering plans and construction plans, addressing more detailed technical standards for larger civil engineering projects. It is primarily applicable to large-scale subdivisions and other developments that require the construction of public infrastructures, such as roads and drainage. This section does not cover private infrastructure. The requirements for civil earthworks including lot filling are also addressed in this document.

C: Construction
Document C: Construction outlines the construction requirements and critical engineering standards necessary to ensure safety, quality, and compliance. Its purpose is to support effective project management, enhance regulatory adherence, and promote best practices throughout all stages of construction.

Appendixes
The Appendices at the end of the MoES suite provide additional information on submission requirements for engineering plans, erosion and sediment control and management, stormwater design parameters, pavement material specifications, and a list of best practice documents.

Technical Documents and Technical Guidelines
The manual also includes Technical Documents and Technical Guidelines, which provide supplementary information such as standard drawings, driveway design, street lighting design, etc. These attachments expand on and supplement the standards outlined in the main body of the manual. Typically located outside of the main documents. They are used in multiple processes by different users, such as developers, Council's programs, and/or resident-exempt development items. The goal is to provide easy access to this information without duplicating it across multiple documents.

Overall, MoES is designed to be a cohesive and integrated resource, ensuring that all development activities are conducted in accordance with established best practices and standard requirements. It serves as a vital tool for engineers, contractors, and stakeholders involved in development and Council's projects, fostering consistency, quality, and compliance.

5. Disclaimer

This manual does not confer any responsibility upon Council with respect to the accuracy of the design and calculations for which responsibility fully rests with the applicant's consultants and designers. The applicant is responsible for ensuring design compliance with the relevant Development Consent, current Council's MoES, Australian Standards, legislations, and current engineering industry standards.

The engineer and professional are fully accountable and liable for the design and work. They cannot rely solely on meeting the minimum requirements of Council's MoES, as newer or higher standards demand a more rigorous design, particularly in terms of structural integrity and safety considerations. They must demonstrate current best technical practices and standards in their assessments, consistent with what any reasonable engineer would apply.

If work has not commenced prior to the lapsing of the Development Consent or two (2) years after the issued date of the SWC, the SWC should be amended to comply with the current version of Council's MoES and the latest industry standards. Reassessment fees may apply.

MoES Documents are intended to be a technical manual and should not be used as a works specification. It does not remove the need for compliance with all relevant statutory requirements.

Whilst this manual is a policy document of Maitland City Council, the information contained herein at the date of publication, is subject to revision by Council due to changing standards over time. Therefore, no warranty can be given that this Document represents current standards and technical practices at the time of their application in design and construction. The responsibility is on the user of this manual to verify the currency of information contained and referenced herein, prior to implementation.

Prior to construction, any certified or approved designs for works located on existing public land, or on land proposed for dedication to the public, that are older than two years, must be reviewed and endorsed by Council.

6. Design Considerations

The design considerations complement technical standards to guide the design process. The following list, though not exhaustive, highlights some key considerations.

6.1. Design Life

All designs and construction shall provide a minimum design life of 25 years. MoES may specify a longer duration for certain items. Additionally, some industry requirements, such as those for concrete pipes and other prefabricated components, may specify a greater design life, which should be followed.

This design life requirement also applies to lot-scale items such as drainage and retaining structures. In some cases, rural residential lots may require the creation of small basins and level spreaders to manage stormwater. Earth basins and level spreaders, for example, may need to use concrete or other materials with a practical design life of 25 years or more.

6.2. Built to Owners Scale

For lot-scale infrastructure, designers must ensure that future maintenance and access to interallotment drainage lines and retaining walls can be effectively managed by lot owners and tenants in a practical and feasible manner.

While developers may use large excavators and machinery to construct major elements on a greenfield site, future owners will need to work around existing sheds, fences, and structures. In these cases, very small machines, hand tools, and wheelbarrows may be required. Designs, construction products, and techniques should be scaled to a level that is practical, economical, and safe for the intended owner to maintain and replace. Examples include:

- **Interallotment drainage** should not use concrete pipes or be placed at an unreasonable depth, which would require machinery and/or shoring boxes for future excavation.
- **Retaining walls** should not be excessively high to avoid the need for shoring during replacement. Tiering will create manageable scales for staged maintenance. The use of large concrete slabs and panels may be problematic.

6.3. Ongoing Maintenance

The ongoing maintenance of public and private infrastructure is critical throughout the design and construction phases. Given the large number of public assets, Council must optimise quality and minimise maintenance requirements to effectively manage and sustain new assets. Accordingly, designers and Council should carefully consider life cycle costs, including maintenance, demolition, and replacement, ensuring decisions are informed by research, engineering practices, and scientific principles.

- Minimise maintenance tasks that offer no environmental or public benefit.
- Minimise unnecessary mowing areas and, where possible, ensure adequate space for Council's 72-inch mowers to manoeuvre as a minimum, unless an alternative maintenance size is specified. This will help reduce the need for hand machinery and manual labour.
- Ensure public land and stormwater maintenance areas are easily accessible to maintenance traffic. The design should include provisions for turning and manoeuvring of Council's maintenance vehicles. Council can provide guidance on identifying suitable pathways and the required vehicle sizes.
- Consider health and safety impacts, prioritising a safe working environment for maintenance personnel by providing proper access for machinery and equipment, minimising manual labour, and avoiding temporary work pads or access tracks. For example, ensure open channels and swales have sufficient offsets and clearances from boundaries and obstructions to allow safe access from the road or top of the bank.

A Maintenance Plan must be prepared by the designer and submitted with the design. Public infrastructure and drainage systems should be low-maintenance and economically sustainable. A cost-effective maintenance strategy must be developed and included in the Maintenance Plan.

6.4. Best Practice Design

An Appendix E titled "Best Practice" is a crucial component of the manual, outlining industry standards, regulatory requirements, and current state and national engineering guidelines that align with MoES. Since it is impossible for the Manual to address every scenario, Council, engineers, and designers may reference these documents to supplement MoES as needed. They provide valuable resources for maintaining consistency and ensuring designs meet the necessary safety and quality standards within the industry.

Designers shall be flexible to accommodate evolving legislation, standards, technology, and emerging trends as appropriate.

Where MoES does not provide guidance on a specific item, the designer must consult with Council to confirm whether the topic has been intentionally omitted or simply not covered in the document. This list should not be used as an opportunity to reinterpret or contradict MoES requirements, as long as they remain relevant and up to date.

This list refers to industry documents, including the Australian Rainfall and Runoff (ARR) Guide, Australian Standards, Austroads, etc. Even if these documents are updated between MoES revisions, they remain mandatory and must be adhered to.

The design must be submitted with engineering details, including but not limited to methods, parameters, assumptions, calculations, and certifications from the designer confirming that it has been prepared in accordance with the latest versions of Austroads, Australian Standards, and/or the ARR Guide. Any standards or specifications used must be current at the time of the application.

6.5. Safety in Design

The *Work Health and Safety Act 2011* requires designers to prepare a written report for any structure that may pose health and safety hazards to people. This report, known as a Safety in Design (SiD) report. The report must meet specific requirements outlined in the Act and its Regulations. The SiD report shall be submitted to Council along with the design, with a particular focus on infrastructure components such as basins, stormwater drains, roads, and paths. The report must detail design measures aimed at mitigating the associated risks.

The designer is legally responsible and accountable for all designs submitted, regardless of whether they meet minimum standards, even after they have been accepted and approved by Council. This responsibility extends to the construction phase, including any products, techniques, and processes the contractor undertakes. Not all 'engineering solutions' are good designs, and accountability does not transfer from the consultant/contractor.

When designing civil infrastructure, the designer must consider construction alongside the location's functionality, intended uses, and key elements. This process should prioritise safety and ease of future maintenance while employing strategies that are sustainable and minimise environmental impact.

6.6. Crime Prevention Through Environmental Design

Crime Prevention through Environmental Design (CPTED) is a multi-disciplinary approach aimed at enhancing safety by integrating crime prevention principles into the planning, design, and layout of communities and neighbourhoods. The goal is to minimise opportunities for criminal activities and anti-social behaviour.

In designing public areas, including new streets, it is essential to prioritise community safety and consider how the design can deter potential crime. Elements such as plant selection, and the placement of lighting fixtures can significantly influence this. Vegetation or infrastructure that provides opportunities for concealment near pedestrian areas will not be permitted. The principles of CPTED include:

- **Natural Surveillance**: Designing spaces to maximise visibility, making it easier for people to see and be seen. For example, locate basins near roads so they can be seen from the front yard of four or more lots. Avoid narrow walkways between properties or dead ends/cul-de-sacs by designing connected streets.
- **Territorial Reinforcement**: Establishing a sense of ownership over a space through design elements such as clearly defined property lines, signage, and landscaping. This signals to potential offenders that the area is actively monitored and cared for. Example: Define public land and reserves from private land.
- **Access Control:** Regulating who can access a space and under what conditions. This can be achieved through measures like fencing, gates, and controlled entrances, which help manage movement and reduce opportunities for unauthorised activities.
- **Maintenance:** Ensuring that the physical environment is easy to maintain and care for. Neglected or poorly maintained areas can signal a lack of concern from residents or authorities, potentially attracting criminal activity.

For more detailed guidance on CPTED principles, the NSW Police Force website provides valuable information, as well as the outlined CPTED design principles in the MCC DCPs.

Council may also provide a list of how CPTED applies to civil infrastructure and spaces within its jurisdiction.

6.7. Designing for All Abilities

Designing for All Abilities refers to the principle and technical practice of creating streets and public spaces that are accessible and inclusive for people of all ages and abilities. This involves considering the needs of individuals with disabilities, elderly persons, parents with strollers, and others who may have mobility challenges or specific requirements. Key aspects of designing for all abilities typically include:

- **Accessibility:** Ensuring that streets and public spaces are accessible to wheelchair users and individuals with mobility impairments. This may involve providing ramps and accessible pathways that comply with accessibility standards.
- **Universal Design:** Incorporating features that benefit everyone, regardless of ability. Examples include tactile paving for visually impaired individuals, clear signage, seating areas, and adequate lighting.
- **Safety:** Designing streets with safety in mind, considering factors such as traffic flow, pedestrian crossings, and visibility to minimise risks for all users.
- **Inclusivity:** Designing spaces that are welcoming and accessible to diverse users, fostering a sense of community and social interaction, and ensuring that streets are safe, inclusive, and accommodating for all.

7. General Processes and Requirements

7.1. Introduction

This section focuses on processes that are involved as a developer moves through from concept, design, construction and signoff of civil works. This section assumes that Council or another authority has granted consent for the project, however it may also be applicable to other scenarios.

It is recommended that the Consultant/Project Manager consult with Council prior to commencement of design and construction to discuss the following requirements:

- conditions of consent,
- local conditions,
- intended design,
- construction methods; and
- materials.

Design and construction shall be carried out in accordance with this Manual and any amendments the subject of a "revision" of any part of the Manual and being the version current at the time of either the design or the construction. Should elements of a design, for the intended dedicated public works, at the time of construction, be considered by Council to be a variation to this Manual (the version current at the time of construction), the engineering plans under that certificate shall be reviewed and amended where necessary to ensure that the design and construction requirements meet current standards.

8. Project Manager and Principal Certifier

On all Subdivisions and Developments that require construction works, a specific person nominated to act as a Project Manager must be appointed. In addition, the project must have an appointed Principal Certifier (PC) for the entirety of works approved under the EP&A Act.

In the case of subdivision or where it is intended that works be dedicated to the public, Council must be appointed as the PC unless legislation allows otherwise.

In the case of works within an existing public road, approval for the works and an engineering design may only be obtained under the Roads Act from either Council or from TfNSW when relevant.

The Project Manager must be readily available and have sufficient authority and ability to discuss and resolve any operational problems that occur during the works.

9. Definitions

- Council's Engineer refers to Council's representative, who is the authorised responsible person for certification of subdivisions and development works. Generally, also the PC.
- Certifier refers to the definition within the EP&A Act.
- The Applicant (representing the Owner/Developer) refers to the person with authority to make decisions regarding the project and may be the Project Manager.
- The Contractor is the primary contractor/person engaged to carry out work.

- Approved, in the context of construction refers to any materials or treatments determined by Council's Engineer or Certifier to be suitable to meet relevant standards.
- Footpath, or shared path refers to the paved path which may be within a footway, pathway, or public reserve.
- Footway refers to the roadside verge between the road pavement and the road reserve boundary.
- Cycleway, a generic term used to describe a bicycle route, lane, or path or that part of a separate path used for riders. It is usually within a road pavement and dedicated by markings for cyclists.
- MoES, Manual of Engineering Standards.
- Planning Scheme refers to an adopted planning strategy/policy including Local Environment Plan (LEP), DCP, precinct plans.
- PC or Principal Certifier, as defined under the EP&A Act. Previously also called PCA (principle certifying authority prior to legislation changes
- TfNSW, Transport for New South Wales. Interchangeable with Roads and Traffic Authority (RTA), Roads and Maritime Services (RMS) and any future changes.
- Zoning, as applied by the Maitland Local Environment Plan (LEP).

All fees and contributions shall be paid in accordance with Council's fees and charges policy.

10. Design and Construction

10.1. Preliminary Engineering Plans (for Development Applications)

Engineering plans shall be prepared by suitably qualified and experienced consultants, satisfying the requirements of this Manual, as well as relevant Development Consent, Roads Act approval, or other processes that call for the use of MoES. Preliminary Engineering Plans outline a project's initial concepts and feasibility at the DA stage, providing primary details for approvals and costing.

Construction Plans provide detailed instructions, including drawings and specifications for the execution of the project. While Preliminary Engineering Plans focus on planning, Construction Plans are used for construction purposes.

10.2. Endorsement by Accredited Professional

All submissions shall be endorsed by an Accredited Professional as outlined below, refer to Table G-1. All professionals shall be suitably qualified, practicing, and able to provide current insurances and indemnities. For any additional requirements or uncertainties, contact for clarification.

Table G-1: Design Submission Requirements

TYPE OF DOCUMENTATION	ACCREDITED PROFESSIONAL	AREA OF PRACTICE
Plan of Subdivision Spatial & Boundary Definition	NSW registered surveyor	Spatial data and land surveying
Works-As-Executed Plan (WAE)	Qualified engineering surveyor	Engineering surveying
Civil Engineering Drawing	Professional engineer	Professional Engineer or approved equivalent

Structural Items (oversized pits, headwall, bridges, retaining walls, flood mound, etc.)	Professional engineer	Practicing structural engineering
Precast Items	Chartered professional engineer or manufacture compliance certificate, as directed by Council	Practicing structural engineering
Geotechnical Engineering (road construction, slope stability, basin structure, landslip, earthworks, and any geotechnical structural components)	Chartered professional engineer	Practicing geotechnical
Traffic Management Plan and Traffic Guidance Scheme	Traffic control work license: prepare a work zone traffic management plan	Suitably qualified and experienced in Road safety
Landscaping	Registered landscape architect or accredited landscape designer	Landscape architect/landscape designer
Bioretention Planting and Water Quality Planting	Suitably qualified engineer	Environmental engineering
Arboricultural	NSW registered arborist or holder of AQF Level 5	Arboriculture
Bushfire	Bushfire planning and design (BPAD) accredited	Bushfire consultant
Public Lighting and Electricity	NSW Level 3 Accredited Service Provider (ASP) for designing distribution works	Public lighting
Dilapidation Report (civil infrastructures)	Suitably qualified engineer or registered survey	engineering or surveyor

10.3. Construction

No work shall commence on the site until:

- The project has “Development Consent”,
- The engineering designs have been approved,
- The SWC, CC or another Certificate issued (eg S138, S68),
- Conditions of consent/approval that require action prior to commencement of works, have been satisfied; and
- The PCA has been appointed and notified of intention to commence, and payment of any necessary fees has been made.

Long Service Levy shall be paid prior to the issue of the SWC/CC. Two working days' notice in writing to the PCA is required prior to the commencement of site works. PCA fees shall be paid prior to the commencement of site works.

10.4. Safety of work

For works within the road reserve, the applicant or contractor, or landowner is responsible to erect and maintain approved standard safety devices such as fencing, barricades, signs and where necessary, lights in accordance with Council's standards and requirements. The worksite shall be kept in a tidy condition and maintained safe for pedestrian access for the duration of the work. Upon completion of works and removal of formwork, barricades, etc, the adjacent footway shall be filled or trimmed along the edges of the works to an even grade with a maximum slope of 1 in 8 (i.e. a 100 mm rise or fall over a distance of 800 mm).

10.5. Removal of Defective Works

Council retains the right to alter, repair or in some cases, remove and replace any work on public reserve/land for which approval has not been obtained, or that has not been carried out in accordance with this Manual, or is considered unsound or unsafe, or is of poor workmanship. The work would be undertaken by Council at the full cost of the responsible person, recoverable in accordance with the Roads Act.

11. Insurance and Levy

11.1. Public Liability Insurance Policy

Contractors engaged on Developments or Subdivision Works are to have current Public Liability Insurance to the minimum value of $20 million before commencing construction. Minor works that are not on road pavements may be able to have $10 million at Council's discretion. The policy is to indemnify MCC and/or the TfNSW where works occur in a public space. Council can require a higher minimum value on a site-by-site basis within public land.

11.2. Workers Compensation

Contractors engaged on Development or Subdivisional works are to have a current Workers Compensation insurance Policy for all employees, as required by legislation.

11.3. Professional Indemnity Insurance

Accredited Certifiers shall be insured in accordance with the requirements of the EP&A Act and the relevant Accreditation Body.

11.4. Long Service Leave Levy

In accordance with the EP&A Act, payment of the levy where applicable, must be paid prior to issue of the relevant SWC/CC.

12. Works on Public Land

Where works within public land such as a "road" or "open space" are necessary or are required through Development Consent under the EP&A Act, (such as road pavement, kerb and gutter, footpath, drainage, embellishments, etc) those works must be approved under Councils required application process, and completed to the written satisfaction of Council prior to issue of either the

relevant Subdivision Certificate (SC) or Occupation Certificate (OC) issued under the EP&A Act, or as stated in the consent.

12.1. Council Approval

Approval under S138 of the Roads Act or S68 of the Local Government Act shall be obtained from Council for any works on public land and/or for carrying out public stormwater drainage works. S138 or S68 approval may be combined with a SWC issued by Council, or it may need to be obtained separately from Council where a private certifier issues the SWC/CC for the private land component of the works.

12.2. Approved Contractors

Works within a road reserve or other public land may only be performed by an experienced contractor who is approved by Council. The developer/builder shall apply to Council for that approval of the contracting company. Council has the right to reject a contractor or sub-contractor if they are not demonstrated to be appropriate. Factors which Council may consider in determining the suitability of a contractor may include, but not be limited to, suitable experience, capability or past performance.

12.3. Commencement of (Minor) Works

Minor works in public roads involve small-scale activities such as stormwater connections, removal of redundant crossing and/or layback, service installations and adjustments, minor public infrastructure works etc. Prior to commencement of work, the contractor/builder shall have obtained written consent to commence works from Council and shall submit to Council:

- Evidence of currency of public liability insurance and relevant insurances,
- The method of works and proposed plant usage,
- The proposed duration of the works: and
- A traffic management plan (if required).

The contractor's representative must be present at the critical inspections required by this Manual.

Regarding works in a road reserve relating to property driveway access and installation of services, general term of conditions for "opening" a road, (such as trenching across a road pavement and/or within the road verge) should be referenced. These documents are available from Council as part of a Road Opening application. Minor works, such as a driveway or stormwater pipe connection to the street drainage system, may be applied for, and consented to, under Council's form "Work Application on Council's Land and Road".

For matters relating to the disruption of normal vehicle and pedestrian traffic movements and related to works (such as trenching) that may involve temporary or partial road closures, refer to Document C: Construction. These works may require the submission of a Traffic Guidance Scheme, which must be approved by Council before proceeding.

12.4. Road Closure

Permanent road closures may only be inaugurated by Council. An application to Council is necessary for consideration of such a proposal.

12.5. Locks on Public Land

Where locks are required on public land such as for maintenance gates, removable bollards, or switchboards, the contractor shall install them during construction. Upon completion of the works, the contractor must coordinate with Council via the subdivision inspectors to schedule the replacement of these locks.

13. Utility Services

Electricity, communications, water, sewer (and natural gas where applicable) shall be provided to subdivision developments in accordance with the relevant provider's requirements and in accordance with conditions of Development Consent.

Subdivision Works Approval: Utility plans shall be submitted along with typical sections showing utility allocations within the verge. If locations are not yet approved, pending locations must be clearly marked as draft.

Construction Phase: A copy of the stamped approved plans, along with approvals from the relevant utility providers, shall be submitted to Council within two (2) weeks of the issued SWC (or Roads Act Approval) and prior to the placement of road pavement materials and public stormwater pipes.

Practical Completion/SC: WAE plans for all utilities and services must be submitted to Council upon completion of all works.

The Developer is responsible for rectification of any damage to services resulting from construction activity.

All trenching and restoration shall be carried out to the provider's and Council's requirements. Adjustments to services, required by the development, shall be the responsibility of the Developer/Contractor.

Any restoration work shall match the existing surfaces, such as turf, concrete, asphalt, or pavers, or as otherwise directed by Council. Restoration within specific parts of Maitland CBD shall be undertaken at the developer's expense but constructed only by Council, in line with Council's fees and charges.

It is the applicant's responsibility to check whether the proposed works affect any Public Utility mains installation or any proposed new mains. Council cannot guarantee that future "openings" within the road reserve for the installation of mains, will not be required.

Where underground works within the road reserve are required or necessary for supply of services to the development site (such as water, sewer, communication, electricity, gas), further consent for a "*Road Opening*" must be obtained from Council.

13.1. Utility Services General Requirements

Council's typical sections cover local lot-scale servicing only. For trunk mains, all utility locations and details require Council approval. Developers must submit typical sections to Council outlining utility allocations within the proposed verges for both local and trunk main servicing. Additional verge width may be necessary for non-standard items that do not fit within the standard verge allocations. Typical cross sections shall have a layout and level of detail equivalent to the Standard Drawing SD001 and should include the following details:

- Shared service trench for standard electricity, gas, and telecommunication conduits,
- Trench for water mains conduit up to 300 mm in diameter for lot connection,

- Electrical pillar box,
- Special infrastructure for major electrical, gas, and telecom conduits, large water mains (over 300 mm in diameter), and telecom manholes,
- Deep soil zone reserved for street tree planting,
- Streetlight pole,
- Public stormwater drainage system,
- Footpath,
- Roadway including kerb and gutter; and
- Property boundary.

13.2. The Electrical Power

For new urban residential, business, and industrial subdivisions, all utility services shall be installed underground.

Council shall be notified in writing where a developer considers that above-ground services are unavoidable. In-principal support from Council's Infrastructure and Works Engineers shall be obtained prior to the submission of relevant plans and documentation. Modification of subdivision consent/plans will likely be required to incorporate wider verges capable of accommodating aboveground utilities.

In "large lot" residential R5 zoned areas, power shall be underground unless otherwise agreed with Council and the energy provider. In rural RU zoned areas, overhead services are acceptable, their use being in the form of Aerial Bundled Cable (ABC) as the preferred option.

13.3. Street Lighting

The major purpose of street lighting as defined by Australian Standards is required to "assist pedestrians to orientate themselves and detect potential hazards and to discourage fear of crime and crime against the person while protecting the integrity of the nighttime environment through control of light spill and glare".

Street lighting shall be provided for all new subdivisions for urban residential and business release areas as determined by Council. Design shall be generally in accordance with:

- Australian Standard AS1158 part 3 as a design guide,
- Council's Standard Drawing SD001 for pole standard location and footing; and
- Council's Technical Document: Street Lighting.

13.4. Other Authorities

All works shall be carried out in accordance with the requirements of relevant Government Authorities, for issues that relate to Planning, Environment, Fire, WORKCOVER, etc. The developer is responsible for obtaining all required approvals.

14. Public Reserves

Land to be used for any of the following purposes shall be dedicated to Council as a Public Reserve:

- Areas of land to be dedicated to Council as a nature reserve (generally in its natural condition perhaps with a path),
- Local parks (usually embellished for recreational activities for children),
- Drainage reserves (predominately for stormwater drainage devices but may include surrounding recreational amenity, seating etc); and
- Playing fields (for organised sports).

For assistance in planning for public reserves (including associated playgrounds) developers should refer to Council's adopted policies for the relevant open space and recreation areas and consult with Council personnel for each specific reserve type. The Development Contributions Team and the Community and Recreation Planning Team may also be contacted to determine applicable development contributions or to confirm any alternative contribution arrangements.

14.1. Drainage and Nature Reserves

Land to be dedicated to Council in its natural condition shall be left safe and tidy, free of hazards to public safety and made suitable for mowing (where appropriate) and being slashed prior to final inspection. All areas shall be managed in accordance with Environment, Vegetation, Landscaping and Heritage Section of this Document. Designated reserve areas shall not be used to stockpile deleterious materials or waste. Revegetation shall be required where damage is caused to reserve areas.

Where directed by Council, signposting, setting out the restrictions on the use of the reserve, shall be erected. Proposed reserves shall be examined for termite nests, by a qualified pest control person. Any identified nest shall be eliminated prior to issue of a SC.

Defined paths through natural reserves shall be made safe by the removal of trees/limbs and shrubs with potential to either fall onto the path. Adverse screening adjacent to the path caused by vegetation that may impede normal surveillance or create "entrapment" opportunities shall be removed.

Trees/limbs adjacent to and overhanging adjoining properties shall be removed. An assessment by an arborist or Council's officer shall be made prior to the work being performed.

Land to be dedicated to Council for drainage purposes shall be planned to ensure safety for areas that may attract public access, provide low-maintenance vegetation, and ease of access and manoeuvrability for mowing and maintenance plant. SWC and/or structural certification will be required for all structural elements.

In planning for drainage reserves, the area of land set aside should:

- be kept to a minimum for that purpose except as may be deemed necessary where coincidental with other non-drainage uses.
- Consider potential expansion of drainage infrastructure for future contributing catchments.

14.2. Parks and Playing Reserves

Land that is designated through planning strategies to be local parks and playing fields shall be subject to specific Development Consent. All proposed improvements shall be approved by Council.

Improvements shall be inspected by Council's officer and all approved equipment and facilities installed, shall be certified by either the manufacturer or a suitably qualified person, as satisfactory for public use and compliant with Australian Standards or some other appropriate standard.

Parks shall be serviced and enhanced with:

- Water supply (including irrigation sprinklers with appropriate safety control devices) for establishing vegetation,
- Landscaping in accordance with an approved plan conducive for efficient maintenance,
- Lighting only where specifically required by Council (preferably solar powered),
- Path paving at a minimum width of 1.8 metres and concrete edging around specified areas,
- Disability access,
- Maintenance vehicle access and lockable gates,
- Barriers such as steel bollards and fencing to deter unauthorised vehicle entry,
- Signposting nominating restricted activities within the park; and
- An assessment for suitability of any existing trees, as per Document G: General Requirements - Environment.

Where structures such as steps, handrails, ramps, balustrades, retaining walls, and other public use components are provided, they shall comply with the relevant provisions with design parameters for such items outlined in the Building Code of Australia and Australian Standards. For example, stairs must comply with the BCA regarding their design and construction.

14.3. Operation and Maintenance

Maintenance Manuals or Operation and Maintenance Plans for items such as public reserves, sports facilities, gross pollutant traps and like structures shall be prepared and submitted to Council prior to issue of a SC or OC for each type of reserve item indicating the location of infrastructure and services and including a maintenance and replacement regime for each applicable component.

15. Subdivision Certificate

An application for a Subdivision Certificate shall be made in accordance with the requirements of the EP&A Act and the EP&A (Development Certification and Fire Safety) Regulation.

Prior to issue of the SC, the following items (but not limited to those items) shall be satisfied:

- Compliance with the Development Consent,
- Submission of evidence that satisfactory arrangements have been made with the utility, authorities,
- Payment of all contributions and fees,
- Submission of bonds (cash or bank guarantee) where necessary,
- Submission of a copy of any instrument required under the Conveyancing Act. Regarding the creation of inter-allotment drainage easements under section 88B of the Conveyancing Act, the person or authority given the power to release vary or modify such easements shall be *"the lots burdened, and the lots benefited, only with the consent of MCC",*

- Practical completion of construction works,
- Submission of geotechnical reports and test results including pavement layer details,
- Submission of WAE Plans,
- Lot classification as determined by AS 2870; and
- PDF copy of utility plans accompanying the WAE.

15.1. Lot Classification

Lot classification in accordance with AS 2870 is required for land within various planning zones, in accordance with the following guidelines:

- Residential (R1) – the classification shall apply to the whole of the lot.
- Rural – classification is not required.
- Large - lot Residential (R5) – the classification shall apply to the whole of the lot or that portion of the lot considered suitable for dwelling construction.
- Industrial and business zonings do not attract classification requirements by Council.

Regarding a 'P' classification, where subdivision work (such as filling) is performed on the land the subject of Development Consent, Council's preference is that the works be performed such that no lot be classified as such. Similarly, land that in its natural state is determined to be "P" classification is considered by Council as not a desirable outcome for release, and the developer must consider performing works to improve the classification.

A "P" classification signifies that the land is considered to have limitations or constraints that affect its suitability for development. Improving land's classification ensures future development aligns with the long-term planning goals and standards, ensuring sustainable and effective land use planning in MLGA.

15.2. Road Widening

Road widening involves an adjustment to a road reserve boundary such that a part of a property may be acquired by or dedicated to Council as "public road" in accordance with an adopted road widening scheme or as a requirement for planned works within Council's construction programme. Where a SC is to be issued for a development, the widening shall be shown on the survey plan.

16. Bonds

Bonds are generally considered for the following:

- Repairing any damage caused to public infrastructure/property resulting from activities related to the consent.
- Completing public works (e.g., roadworks, kerbing and guttering, footway construction, stormwater drainage, environmental controls, landscaping, and other significant infrastructure) required in connection with the consent.
- Rectifying public work defects arising within twelve (12) months after completion, etc.

Bonds will generally be required by a condition of consent, by another agreement such as a Works in Kind Agreement, by a Council's policy such as MoES, or other relevant legislation or policy.

In addition to the bond amount, there will be bond handling fees as set out in Council's current Fees and Charges. These fees include charges for receiving the bond, conducting inspections of the work, and processing the bond release.

Where the developer fails to complete, reinstate, or maintain the works during the bonding period, Council may draw on the bond to complete the necessary work and cover the costs from the bond amount.

16.1. Works Maintenance Bonds (WMB)

WMB is a bond required for developments creating public infrastructure and is set at 5% of the cost of works, held for twelve (12) months. The bond ensures the contractor repairs any defects that arise during the maintenance period.

The greater of the 5% calculation or a minimum fee of $10,000 is required. Applicants must provide evidence of the construction works contract price to Council to determine the bond amount. The fees may be adjusted annually in accordance with Council's adopted fees and charges.

The maintenance or bonding period commences either on the date of registration of the SC or the date of the Practical Completion Certificate (for work not required or that will have an SC). Prior to the bond payment being received by Council:

- All services must be completed,
- WAE plans must be submitted to Council,
- Any works posing risks to public safety must be completed; and
- A lot-classification report must be undertaken, as applicable.
- All required contributions and fees stipulated in the consent must be paid in full.

If no application for a bond refund is submitted to Council within six (6) years from the payment date, or if the bond account has not been operated for at least six (6) years, the remaining bond amount may be transferred to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

16.2. Performance Bonds

Performance bonds may be required for several reasons, including:

- Landscape maintenance and/or establishment periods,
- Monitoring the performance of the constructed infrastructure or item, guaranteeing that it will function as intended for a certain period after the work is completed. If the infrastructure doesn't perform as expected (e.g., it fails to meet performance criteria or has defects), the bond may be used to cover the cost of repairs or replacement; and
- Situations where the construction quality of an item is questionable and requires a period of observation, which may include its removal and replacement.

The bond amount and terms will be set by Council. A formal bond agreement may also need to be entered into.

16.3. Outstanding Works Bonds

Consideration of a bond shall be given when works are substantially complete, and construction items are delayed due to circumstances beyond the reasonable control of the developer or contractor. Outstanding works bonds are strongly discouraged and is at the sole discretion of MCC. Council may

refuse to accept a bond if it determines that the bond presents an unacceptable risk or offers no public benefit. The purpose of the bond is to ensure that the infrastructure related to a development or subdivision is completed without imposing undue financial burden on Council or the community.

Consideration of the bond will be subject to the following conditions:

- The works do not adversely affect the operation of the development.
- The incomplete works do not present a safety issue that cannot be satisfactorily managed.
- The incomplete works and their subsequent completion will not inhibit the commencement of building development on the lots.
- Council considers the public benefit outweighs the risk.

All agreed works are on public land and may be undertaken by Council, or on its behalf, if the developer fails to complete them within a reasonable timeframe.

The bond amount is typically a minimum of 200% of the determined costs/quote or $10,000, whichever is greater, and must be satisfactory to Council. Higher amounts may be required if Council identifies additional risks. If the works are not completed within the specified timeframe and Council has not used the bond money to execute the works, Council may require additional security to account for annual indexation in accordance with the Consumer Price Index (CPI). The minimum fee will be updated annually in Council's Fees and Charges.

The following works must be completed before a bond for outstanding works will be considered:

- Roads with a primer seal applied.
- Disturbed soil stabilised.
- Water and sewer connections completed and tested.
- Geotechnical reports regarding land suitability submitted and deemed satisfactory.
- All-weather access provided to each allotment.
- Drainage systems/structures in place.

Items that may be considered for bonding, where justified, typically include:

- Asphalt, due to large delays in industry supply.
- Sections of footpath paving affected by justified issues, such as utility considerations.
- Turf beyond that necessary for stabilisation.
- Signposting and line-marking not deemed essential for public safety.
- Landscaping with justifiable reasons.

16.4. Bond Process

Where the proposal meets the criteria for bonding set out in Sections 16.1, 16.2, or 16.3, the applicant shall satisfy the following:

- Provide a timeframe schedule for completing the bonded works. The outstanding works bond is generally three (3) to six (6) months maximum.
- Provide a quote from a suitable quantity surveyor, registered land surveyor, or qualified engineer/contractor for the cost of the works. The quote shall include site establishment and demolition, labour, traffic control, contingencies, and other relevant factors. The quote must be treated as a standalone project by a new contractor, as unit rates from the original and larger contract are not appropriate for the smaller scale of the bonded works.

- Provide suitable security to the satisfaction of Council in the form of cash, bank cheque, surety bond, or an irrevocable bank guarantee (from a reputable financial institution or equivalent) to cover the bonded amount.
- Enter into an agreement with Council outlining the terms of the bond. The agreement shall include a written program for the completion of bond works, including plans that identify the scope of works to accompany the quote estimate.
- Provide Council with authorisation for unrestricted access to the development site at any time to inspect and/or carry out works as necessary.
- Pay the relevant associated fees in accordance with Council's Fees and Charges, typically including bond inspection fees and bond administration fees.
- Pay any required contributions and acknowledge that contributions cannot be covered by a bond.
- Install temporary measures to ensure public safety regarding the incomplete works and their completion. These measures may include signposting, temporary fencing, and traffic control.

Note:

1) Any bank guarantee shall not have an expiry "sunset" date and must include a statement regarding Council's absolute right to draw on the security to carry out the works and, if necessary, recover any additional costs incurred in the execution of the works.
2) No interest will accrue on cash deposits.
3) Council will not release any part of the bond to a third party without written consent from the bond applicant.
4) The bond may be drawn down in stages according to the agreed schedule or as related works are completed, with Council approval. Administration fees will be charged for each change made to the bond. Where the bond applies to an entire stage, all works required under that stage must be completed before the bond can be released. Separate bonds may be required for different types of work, such as one for outstanding civil works and another bond for vegetation.
5) The bond will only be released once Council is satisfied that any identified damages have been properly addressed and/or the required works have been completed, following an inspection by Council.
6) Where no application for a bond refund is submitted to Council within six (6) years from the payment date, or if the bond account has not been operated for at least six (6) years, the remaining bond amount may be transferred to the Chief Commissioner of State Revenue under the Unclaimed Money Act 1995.

17. Works as Executed

WAE plans for the approved civil works, including utilities and services, shall be submitted to Council upon completion of the works. These plans must be accompanied by the Quality Assurance (QA) documentation. This submission is necessary for future reference, regulatory compliance, and to ensure that Council has up-to-date records of the completed works. The plans will be used to verify that the work was completed as per the approved specifications and will be required for any future maintenance or modifications.

WAE plans (or the equivalent electronic files) shall be submitted in the format required by Council. The WAE information, survey, and spatial data shall be endorsed by a suitably qualified surveyor who is independent of the contractor. The WAE information may also need to be certified by a professional practising engineer (or another appropriately qualified professional), as deemed necessary based on the scale of works and at Council's discretion (e.g., where WAE items are outside tolerances or field

changes have been made to the design). The developer must engage an external professional to complete the WAE information and cannot self-certify their own work.

The endorsement shall include:

- Name, contact information, and company name of the surveyor/engineer.
- Clear description of the relevant stage number and development.
- Signature of the responsible professional(s) and the date of certification.
- A copy of the professional indemnity insurance and public liability coverage.
- Include the professional registration number of the surveyor and/or engineer.
- A statement detailing the surveying methods employed, including the type of equipment used (e.g., GPS), and the horizontal and vertical accuracy of the methods. (Note: Certain GPS tolerances may not be suitable for all purposes).
- Certification from the engineer (or an equivalent qualified professional) confirming that the WAE information accurately reflects the constructed works, where required by Council.
- A statement acknowledging the responsibility of the surveyor and the applicant's engineer for the accuracy and completeness of the WAE plans/information, where required by Council.
- A statement acknowledging that Council and other stakeholders may rely on the information provided in the WAE drawings for further assessments or decisions, where required by Council.
- Engineer's certification that the onsite works including deviations meet design requirements, for components such as road geometry, safety drainage, hydraulic performance, flood mitigation, and drainage freeboards, where applicable or state the variations have negatively impacted design requirements and how it is deficient.
- Clearly highlight any deviations from specified tolerances or reasonable tolerances in the WAE drawings using clouding or other markers, where applicable.

Where construction varies from permitted tolerance, Council may require rectification. Additional testing may be necessary to determine the extent of the rectification works, as needed. The WAE plans shall provide sufficient details to accurately define the works and demonstrate compliance with the specified tolerances. The plans shall include:

- Plan views showing location.
- The entire construction plan set shall be provided as the works-as-executed drawings. The front sheet/index shall indicate which plans within the total set include WAE information, modifications, and field amendments.
- All WAE information shall be overlaid on the design for plan and section views.
- Sub-grade centreline and the outer edge of the box-out for both subgrade and "select/capping layer" where employed.
- Electronic conformance reports generated from field surveys during construction at subgrade, subbase, and base levels are accepted as an alternative to conventional survey methods, whether taken at random points or specific chainages. Plan views shall also be included.
- Location and level of kerb and guttering, road centreline, road crown, either lip of gutter or top of kerb, rear and front of footpath, at boundary, at changes of grade where no footpath exists, and overland flow paths (top, bottom, and changes of grade).
- Concrete works and structures, including vehicle access, paths, pads, shelters, retaining structures (top and toe).

- Location and level of piped and open drainage systems, including pipe sizes, subsoil drains/mats, inter-allotment systems, lintels, drainage aprons, ripraps, and other structures such as railings and signage.
- Finished surface levels of lots, including all cut/fill regraded areas. Provide contours at 0.2 metres or 0.25 metres intervals for flat land with spot levels at reasonable intervals. At a minimum, spot levels shall be provided for all corners, the middle of all boundaries, or at a maximum 20 metres grid, whichever is smaller. Changes of grade shall also be provided.
- Street furniture, including traffic control devices (line-marking and signage), utilities, particularly in the road reserve, street lighting, street trees, landscaping perimeters, and features.

Where construction parameters vary from, or are not specifically nominated and located on, the approved plans, additional information, as follows, shall be noted on the plans or detailed within a final geotechnical report:

- Sub-grade replacement/modification, specifications, thickness, levels, and extent.
- Sub-base and base-course specifications, thickness, levels, and extent.
- Location of tests carried out on the layers.

18. Quality Assurance Submission

Records of quality assurance (QA) must be created and maintained from the commencement of construction through to handover. These records must be kept in electronic format with appropriate backup strategies to prevent data loss, or in physical form. The contractor is responsible for ensuring that up-to-date copies of all documents are maintained.

The contractor must provide Council's subdivision engineers with documentation confirming that all work has been completed in accordance with the approval, approved plans, this manual, and certification lists. Submissions are to adhere to the following guidelines:

- Combined PDF format with no file access restrictions.
- Include a list of contents.
- Include all testing reports, surveys, and data sheets related to material and product qualities, as well as applications and specifications for civil works components such as stormwater systems, roads, landscaping, and earthworks.
- Include testing plans identifying the locations where testing has occurred.
- Include instruction manuals for infrastructure components such as gross pollution traps, etc.
- Include procedure documents and work instructions.
- Include forms and relevant external documents.
- Include any relevant certifications and certificates.

18.1. Compliance Certificates

The certifier (Council) may require a Compliance Certificate (Component Certificates) for a component of works from a suitably qualified professional for items including:

- **Geotechnical Certifications**: generally, by a NER geotechnical engineer or NATA registered laboratory, including Pavement Material, Density, Deflection, Basin Clay Core Density, Backfill Density.

- **Civil Engineering Certification**: including structural, design compliance, WAE conformance, etc., by a suitably qualified engineer.
- **Manufacture Certification**: for precast and pre-assembled structures.
- **Landscape Certification**: Certification by a qualified arborist (as relevant) or qualified landscape designer/architect.

The compliance certificate must include the following to be considered valid:

- The name and details of the person issuing the certificate.
- The certificate must be signed and dated by the issuer.
- Confirmation that the signatory is authorised and qualified to sign off on the works.
- The signatory's contact details.
- Indication of whether the certificate covers the entire project or only specific components of the works.
- A description of the relevant work/building component and its relationship to the development.
- Include references to the relevant clause in the Australian Standards, Austroads, or other applicable standards related to the sign-off work, specifying the year of adoption and the revision.

19. CCTV Inspection of Drainage Conduits

Closed-circuit television (CCTV) Inspection and reporting in conformance with Council's requirements are required for any construction and replacement of Council's stormwater drainage conduits. Council's engineer may waive the requirement for small scale projects.

19.1. Introduction

This section specifies the submission requirements for CCTV stormwater inspections to assess conduit conditions and identify issues such as blockages, leakages or damage. Submissions must include video footage, images, and detailed reports all formatted according to relevant standards and this guideline.

19.2. Technical Specifications

The inspection must be conducted by a qualified CCTV professional with appropriate public liability insurance. Inspectors entering confined spaces must have appropriate training and be provided with the necessary safety equipment. The work must adhere to WSA 05 guidelines, use a pan-and-tilt camera with an inclinometer and be coded on site with WinCan software. Equipment calibration records must be included in the report.

19.3. Inspection Procedure

The contractor shall conduct CCTV inspections of all stormwater drainage conduits within fourteen (14) days before the project's completion date to ensure compliance with industry standards, verify flow conditions, and detect any structural defects. Inspections shall cover all pipe and culvert joints including the invert and obvert in accordance with WSA 05 standards and be conducted during dry weather. Levels are to be recorded in Australian Height Datum (AHD).

A safety assessment must be completed prior to work, and all activities must adhere to Occupational Health and Safety regulations and Workcover requirements. Avoid using access structures under roads or heavy traffic areas and complete the CCTV inspection from adjacent structures where possible.

The contractor must notify the PCA of any CCTV inspections at least twenty-four (24) hours in advance. A preliminary CCTV inspection after subbase completion and before kerb construction is recommended to identify and address defects early and potentially reducing costs.

19.3.1. Reporting Requirements

The report must include a spreadsheet detailing all defects with the following information:

- Date and time of inspection.
- Asset Owner.
- Operator's name.
- Address/Location.
- Line details (reference, length, shape, type, class, invert levels, construction date, sizes).
- Starting and finishing pits.
- Defect chainage (m).
- Defect/Feature (WSA 05-2008 2.2).
- Characterisation 1 and 2 (WSA 05-2008 2.2).
- Quantification 1 (WSA 05-2008 2.2, including crack width in mm).
- Acceptance determination (WSA 05-2008 2.2).

19.3.2. Standard and Compliance

- WSA 05 Conduit Inspection Reporting Code of Australia.
- IPWEA PN 5 Condition Assessment and Asset Performance Guidelines – Stormwater Drainage.
- Council's Manual of Engineering Standards.
- AS 4058 Precast Concrete Pipes.

19.3.3. Quality Assurance (QA)

Works and reports for all characteristics must comply with WSA 05 and IPWEA PN5.

19.3.4. Submission Guideline

Inspection reports must comply with Council's specification and the Conduit Inspection Reporting Code of Australia WSA 05. Upon completion of the inspection, the contractor is required to submit the CCTV footage and the detailed report on a USB drive to Council within five (5) working days for the initial inspection and within ten (10) working days for any subsequent inspections.

19.3.5. Handover Requirements

Any defects identified during the CCTV inspection of the pipes must be thoroughly documented in the report, along with a detailed rectification proposal and assessment. Defects found post-installation must comply with WSA 05 standards, be classified by type according to AS/NZS 4058 and assessed for acceptability based on Table 3.6 of the standard, which outlines the criteria for pipe wall and joint surface defects. Council will review all measurements for accuracy and, at its discretion, determine the severity of the defects.

The proposed repair and/or reconstruction works must be submitted to Council for review and approval. Any repairs identified, agreed upon and approved by Council must be carried out. Once the

repairs are completed, Council will assess the completed work. If the repairs meet the required standards, Council will accept the pipes (or culvert conduits) for handover.

Council may propose an agreement that includes additional security measures, such as a bond, in exchange for issuing a Practical Completion Certificate or SC, at Council's discretion. The applicant will be responsible for all costs associated with inspections and any required rectification work. Council may also consult with an independent CCTV inspector or the conduit manufacturer.

Additionally, all stormwater conduits must be flushed clean from end to end and left in proper working order upon completion of the pipe works.

20. Unapproved Works and Variations

Where additional works or departures from the approved plans are made without approval, the Works as Executed plans must be accompanied by a report and/or calculations prepared by the Design Consultant providing sufficient justification for acceptance. Such reports shall also address the following:

- An explanation detailing that the departures comply with this Manual or adequately satisfy the intent of the Manual or some other standard.
- Where works do not comply and are not accepted by Council, the report shall recommend remedial works necessary to rectify non-compliance.
- Council will review the submissions and determine a way forward.

A modification to the DA application may be required for additional works or variations from the originally approved plans.

21. Environment, Vegetation, Landscaping and Heritage

21.1. Introduction

The protection of environment and heritage applies to all engineering works where disturbance of a construction site is inevitable. This may involve the existing surface or any vegetation, horticultural feature, water body or stream, objects, and places of Aboriginal or non-Aboriginal heritage, or natural vegetation and critical habitat.

22. Developer Responsibilities

22.1. Legislation

Items of the “built” or “natural” environment which have conservation significance are protected by the Heritage Act, National Parks and Wildlife Act, Biodiversity Conservation Act, Protection of the Environment Operations Act, Maitland Local Environmental Plan, State Environmental Planning Policy (Resilience and Hazards) or State Environmental Planning Policy (Biodiversity and Conservation), together with Council Policies and Plans including the “Maitland Greening Plan” and the Maitland DCP. The Biodiversity Conservation Act protects both plants and wildlife.

22.2. Heritage Conservation and Protection

Where a known item of heritage or heritage site is affected by or adjacent to a development, specific conditions of consent will require protection measures during construction. These must be strictly adhered to, or severe penalties (fines and imprisonment or both) may result from action under Section the Heritage Act, the EP&A Act, or the National Parks and Wildlife Act.

Where in the course of undertaking development works a person uncovers or discovers a relic (within the meaning of the Heritage Act) or Aboriginal object or place, they are to:

- Cease work on the site.
- Take appropriate measures to secure and protect the site or relic including fencing.
- Contact Council's Engineer.
- Notify either the Heritage Council or the Office of Environment and Heritage, as appropriate, of the discovery as required by the Heritage Act or the National Parks and Wildlife Act.

For the purposes of the Heritage Act a relic is any object or material evidence of settlement of the area, which is fifty or more years old, but specifically excluding Aboriginal objects.

For the purpose of the National Parks and Wildlife Act, an Aboriginal object means any deposit, object or material evidence relating to Aboriginal habitation of New South Wales. Similarly, an Aboriginal place means a place declared by the Minister (administering the National Parks and Wildlife Act) that is or was of special significance with respect to Aboriginal culture.

The purpose of these provisions is not to restrict development unnecessarily, but to ensure that valuable historical or cultural information or items are not lost or destroyed. In the majority of cases, work will be able to proceed once data on the item or place has been recorded or the relic excavated. It is advised that there is no advantage to be gained by ignoring the provisions and proceeding with works that result in destruction of items or places of heritage significance.

23. Vegetation

Environmental and vegetation protection measures shall apply to all works including the preparation of detailed plans of all necessary requirements for approval as part of the CC.

Any persons involved with such works and their design, shall as a minimum, abide by the requirements outlined within this Document, where applicable.

Measures must be taken to ensure that no contaminated material or noxious weeds are transported off site without due care, and with diligence and authorisation for removal and/or disposal.

24. Trees and Habitats

It is Council's policy to conserve native vegetation and minimise damage to trees in all new developments in accordance with the Maitland Environmental Sustainability Strategy 2030. The Maitland Greening Plan requires the preservation of trees with a height of 3 metres or more, or with a hanging branch spread of 3 metres or more in diameter. Additionally, a tree permit is required for most clearing within the Maitland LGA under the Maitland DCP. Australian Standard AS4970, *Protection of Trees on Development Sites*, applies to trees on both private and public land and contains the necessary information required to determine the tree protection zone and prepare a tree protection plan.15

Further:

- Areas of Council may be subject to a Tree Preservation Order (TPO). Consultation with Council will be necessary regarding tree disturbance.
- Removal of trees, endangered ecological community or mature vegetation is to occur in accordance with the planning pathways provided for vegetation management in the Maitland DCP.
- In cases where tree removal only requires notification to Council, Council must be notified of the intention to begin clearing at least 10 business days before commencing works. Trees to be

removed shall be clearly marked on site and correspond with those approved on the development and engineering plans for removal. Precision felling of some trees may be necessary to avoid damage to other trees or structures.

- Consent from Local Land Services may be required due to the nature of the work.
- Council's consent does not authorise access onto adjoining lands, such as for temporary storage or disposal of materials.

The applicant may have approval for large-scale clearing such as a major greenfield subdivision within the Urban Release Area (URA). It is important to consider that this approval could be based on offsetting and other avoidance measures.

24.1. Tree Disturbance

Regarding tree disturbance:

- Consent conditions regarding the protection of vegetation must be complied with, during construction.
- Works that are being carried out must be consistent with an approved Environmental Protection Plan, as part of a CC. That plan must show, where appropriate, protection of vegetation, soil stockpiles, site (and/or habitat, such as nest boxes or offsets) rehabilitation and replanting and soil erosion and sediment control and must show the size and spread of existing trees.
- Wherever possible all trees removed shall be recycled either by chipping, tub grinding or reuse as timber product.
- Replacement tree planting consistent with the *Greening Plan* will be required where shown on the engineering plans or as directed by Council's engineer following damage or unauthorised removal of trees.
- All trees and shrubs identified for protection on the engineering/environmental management plans shall be effectively protected by a fence enclosure to ensure:
  - Avoidance of soil compaction by stockpiling of fill material, sheds, or car parking.
  - Avoidance of spills or placement of oils, bitumen, distillate concrete or the like within 10 metres of tree(s).
  - Trenching is not carried out within the critical root zone of trees.
  - No topsoil removal within 4 metres of trees.
  - Avoidance of damage to trees by machinery.

24.2. Habitat Treatment

An ecologist shall be on site during the felling of identified trees and ensure that any displaced or injured wildlife is collected and released appropriately. All actions taken by an ecologist shall be reported to Council.

The following shall be satisfied prior to felling any tree or removing/pruning adjacent trees:

- Determine if the tree constitutes a habitat tree or supports any species listed under the Biodiversity Conservation Act and whether Environmental Impact Assessment (effect on threatened species, populations or ecological communities, or their habitats) under the EP&A Act has been carried out.
- Compliance with any Biodiversity Development Assessment Report (BDAR) shall be carried out as part of the DA.

- Measures should be taken to reduce the potential for injury and death to animals likely to inhabit the tree and may require inspection of hollows, sectional dismantling and/or supervision of works or removal/relocation of animals by a qualified ecologist. Habitat trees include any trees with hollows.
- Retention of hollows should be undertaken where possible on the site, where this is not possible and habitat is not significantly impacted, the tree hollows should be placed where possible in retained vegetation and/or nest boxes should be placed to retain habitat potential.
- Where approved construction work requires the removal of trees, the contractor is to engage the services of a suitably qualified ecologist to inspect the site and identify any tree which is likely to be a habitat tree. The ecologist is also to be on site during the felling of any identified tree and ensure that any displaced or injured wildlife is collected and forwarded to an appropriate Wildlife Rescue Service. All actions taken by an ecologist shall be reported to Council.

25. Environment

Protection of the environment (encompassing its human, natural and built aspects) is considered a priority of design and construction.

When working near a water body further information should be sought regarding adequate precautions.

25.1. Fire Restrictions

Burning of vegetation on-site is not permitted.

25.2. Noise Control

The contractor shall comply with all statutory requirements with respect to noise. All practical precautions shall be taken to minimise noise and to contain works within specified hours of operation. All construction equipment shall be fitted with recommended noise suppressors (see also Document C: Construction, Working Hours).

25.3. Dust Control

The developer shall comply with any statutory controls with respect to dust pollution. Soil-exposed areas shall be progressively mulched or vegetated and watered or treated with dust suppressants or other means.

When directed by Council, if in Council's opinion dust control is inadequate or that continued works creates a significant dust nuisance, works shall cease until it is considered by Council that works can recommence (see also Appendix B: Erosion and Sediment Control).

25.4. Site Storage

Equipment and materials stored on site shall be approved by Council's Engineer to prevent damage to the site, roadway, footpath and minimise hazards to person. Materials should be contained on-site to avoid impacting the surrounding properties and environment and stockpiled in a manner to avoid cross contamination of materials from the action of the weather or vehicle movement.

25.5. Contaminants

The developer is to dispose of all contaminants, oils, liquids, solids etc. in accordance with statutory regulations and produce receipts for appropriate disposal as required. Appropriate records should be available for all soil brought on site to show it complies with an appropriate resource recovery

exemption under the POEO Waste regulations. Where it is suspected that soil is contaminated, Council may direct that soil testing is required.

25.6. Works on Waterfront Land

A controlled activity approval must be obtained from the Department of Planning and Environment before commencing any controlled activity on waterfront land, unless an exemption applies. Waterfront land includes the bed and bank of any river, lake, or estuary, as well as all land within 40 metres of the highest bank of these bodies of water.

26. Soil Conditions

Soil issues such as salinity, acid sulphate soils and sodic soils can impact both the environment and infrastructure. Should any of these concerns occur management plans need to be established and provided to Council for approval with the relevant application (SWC/CC/other).

27. Erosion and Sediment Control

For works where there is a possibility of erosion of soil by wind, water or vehicles creating dust and sedimentation problems, an environmental protection proposal shall be prepared for approval as part of the engineering design for the CC. (Refer to Appendix B: Erosion and Sediment Control).

27.1. Controls – During Construction

Contractors must employ *effective* sediment control measures, to ensure that sediment and pollutants are not carried off the development site, nor eroded by wind and water, nor by “tracking” of vehicles.

It is an offence under the Protection of the Environment Operations Act to pollute the environment as a result of sediment leaving the site. A breach may result in the issue of an infringement notice and attract a monetary fine. (Refer also to Document C: Construction)

Designs should be prepared which minimises the extent of disturbed areas, which may involve staging of clearing/stripping such that small areas are exposed and stabilized (perhaps with established grass cover), prior to the next stage commencing.

27.2. Controls – Post Construction

Development and subdivision proposals shall include permanent devices and methods to treat pollutants in stormwater runoff, such as litter, course and fine particles, phosphorus, nitrogen, and hydrocarbons. (See also Document D: Design and Document L: Lot Scale Engineering).

Such devices and methods to be employed may be:

- Gross Pollutant Traps (pits, racks, basins etc),
- constructed wetlands,
- bio-retention (dry basins); and
- combinations of any such devices, as necessary.

Bio-retention facilities are particularly susceptible to uncontained erosion from future building activity within the subdivision and should therefore be postponed for construction until approximately 80% completed allotment development within the contributing stormwater catchment, or in the case of staged development, prior to issue of the SC for a later stage within the release area. For this purpose,

an unlimited-time cash bond or bank guarantee shall be submitted to Council for an approved value of the works, plus 50%.

27.3. Material Transportation

All transportation of construction materials, sands, gravels, soils etc to and from the site must be carried out in such a manner as to prevent depositing materials on surrounding streets. The developer shall ensure that adequate control measures are in place to prevent this occurrence or then to rectify the pollution if it occurs. All loads of loose materials shall be covered during transport to and/or from the site.

28. Landscape and Vegetation

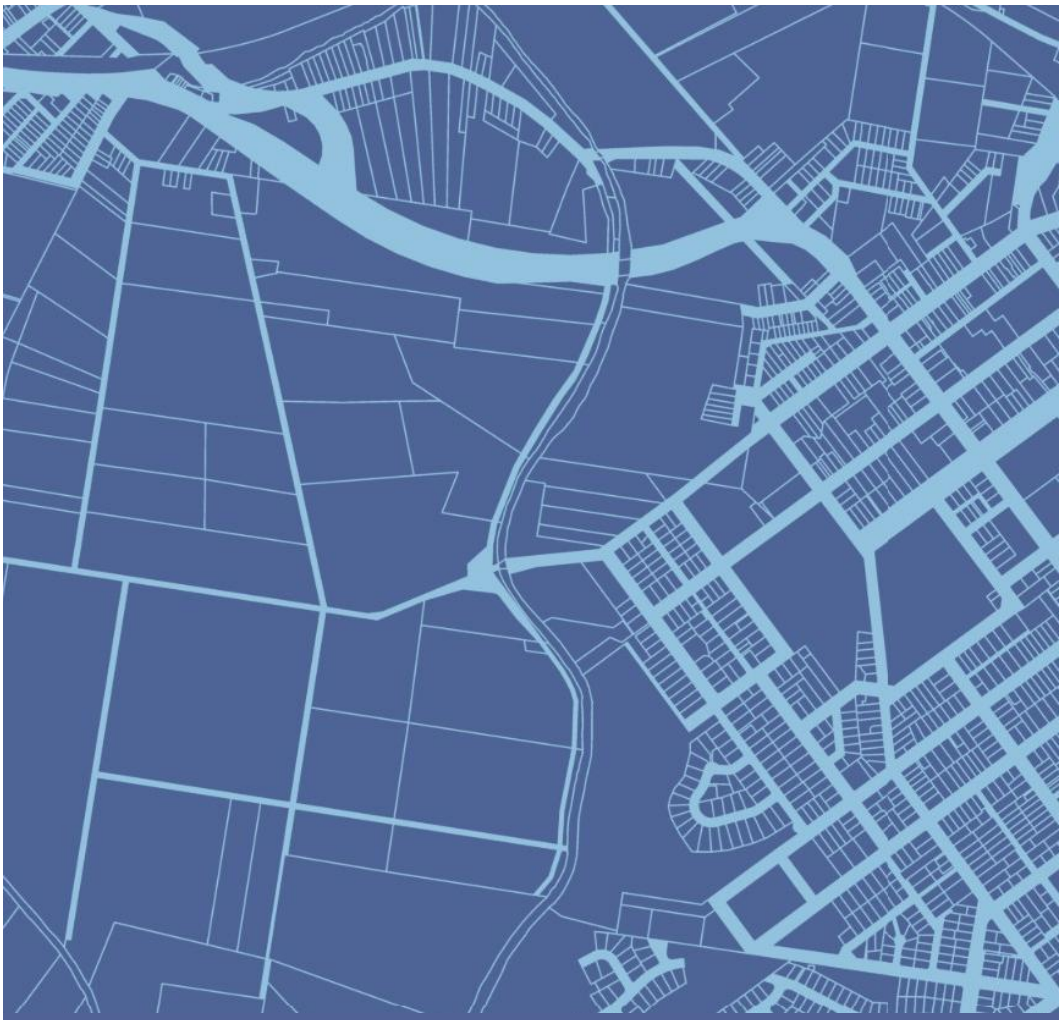
Before the lodgement of a DA, all Landscaping options should be investigated to best integrate the proposed development with existing landscaping and significant vegetation. Landscape and vegetation management should be based upon suitable initial site evaluation and analysis including any existing significant vegetation.

Aspects to be considered are:

- trees and vegetation for retention
- trees and vegetation for removal
- Areas to be undisturbed such as buffer areas and semi natural areas.

Earth mounds, retaining walls and grade changes should be designed so as not to impede normal surveillance, nor to create personal “entrapment” scenarios.

Refer to Technical Guideline: Street Tree, Tree Species List, and Canopy Cover for further information on street tree planting.



MoES – L 2025

Lot Scale Engineering

Manual of Engineering Standards

maitland CITY COUNCIL

Table of Contents

L – Lot Scale Engineering **1**
1. Introduction **1**
2. Driveway Crossings **1**
3. Driveway Handles **1**
4. Vehicle Access, Parking and Turning **1**
4.1. Pavement 2
5. Ancillary Off-Site Works **3**
5.1. Road, Footway and Drainage 3
5.2. Concrete Works 3
5.3. Inspection of Works 4
6. Stormwater Drainage **4**
6.1. Aims and Objectives 4
6.2. Design Plans, Standards and Calculations 5
6.3. Discharge from Site 5
6.4. Inter-Allotment Drainage (IAD) 6
Table L-1: Inter-Allotment Drainage Line Pipe Sizes 7
6.5. On Site Detention (OSD) of Stormwater 8
Table L-2: Determining Detention Method to Use 9
Table L-3: Residential Detention Parameters (less than or equal to 3000 m^2) 10
6.6. Level 2 - Deemed to Comply Table - Industrial and Business (less than or equal to 3000 m^2) 11
Table L-4: Industrial and Business Detention Parameters (less than or equal to 3000 m^2) 11
6.7. Level 3 - Pre-Developed to Post-Developed Calculations – Residential, Industrial and Business (greater than 3000 m^2) 11
6.8. General Detention Requirements (generally excluding Level 1 Systems) 12
6.9. Certifications and Works-As-Executed Drawings 13
7. Stormwater Quality and Maintenance **13**
Table L-5: Post Construction Stormwater Management Targets 14
7.1. Maintenance of Devices 14
7.2. Water Sensitive Urban Design (WSUD) 15
7.3. Erosion and Sediment Control (ESC) 16
8. Drainage External to Site **16**
8.1. Discharge from Upstream 16
8.2. Discharge to Downstream 16
8.3. Downstream Drainage Upgrade 17

D

L – Lot Scale Engineering

1. Introduction

This Document L: Lot Scale Engineering is part of the MoES Document suite. Document G: General Requirements serves as the main guide, explaining how this Document fits into the overall suite and providing other valuable information. This manual supports Maitland Development Control Plan (DCP) and should be read in conjunction with it.

This Document covers guidelines for vehicular access, drainage, and other topics for smaller-scale developments. This includes developments requiring vehicle access from a public road or an interallotment drainage system (private). This section also provides detailed guidance for industrial, business, medium-density residential developments, and small-scale subdivisions that do not create public roads or infrastructure. Small-scale subdivisions typically involve creating 2 to 9 lots, rather than a single dwelling, with direct access from existing road frontage and without the need for a new road and public drainage system.

Larger subdivisions or major developments that require new or upgraded public infrastructure will need to refer to Document D: Design and Document C: Construction of the Manual.

2. Driveway Crossings

Also known as footway crossings or vehicle crossings, a driveway crossing is the section of the driveway that spans over the road reserve, between the edge of the formed road pavement and the front boundary.

A technical document is provided for driveway crossings, as there are multiple ways a driveway can be applied for and required. These include as part of a Development Application with building construction, Complying Development, or as a standalone driveway application outside these processes.

Additionally, the subdivision of vacant lots must demonstrate that a feasible location for a driveway can be achieved for each lot.

Developers are required to use the Technical Document: Driveways to show that a compliant driveway location is proposed or, in the case of a vacant lot, that a suitable location can be achieved.

3. Driveway Handles

Driveway handles, sometimes referred to as battle-axe handles or access handles, provide lot access. These driveway handles may require a reciprocal right of carriageway or right of access, depending on the nature of the development and the access arrangement.

Council's DCP is the governing document for Development Applications when access easements and handle widths are involved within the property boundaries.

4. Vehicle Access, Parking and Turning

Vehicle access to on-site parking areas shall, as a minimum, comply with Australian Standard AS 2890. The layout and geometry for manoeuvring and parking should be assessed under Council's DCP, ensuring it accommodates the design vehicle appropriate for the development. Vehicle movement to and from the site must follow best practice design for sight distance, approach angle, pedestrian and cyclist safety, and traffic flow, both for through-traffic and turning-traffic. All traffic must enter and exit the site in a forward direction.

D

Generally, only single-lot residential access allows traffic to reverse onto a public road. However, in special circumstances, such as high traffic volumes, limited sight distance, or adjacent traffic facilities, reversing onto a public road may decide otherwise at Council's discretion.

4.1. Pavement

4.1.1. Sealed

Off-street vehicle parking facilities shall comprise of a wearing surface of either a 2-coat bitumen seal, asphaltic concrete, rigid concrete, or segmental block pavement on a constructed foundation (pavement), designed by an engineer. Heavy vehicle loading and manoeuvring areas should be rigid pavements.

4.1.2. Unsealed

Where pavement "hardstand" is intended to be un-sealed for purposes of storage of materials or similar use, it is essential that silt controls are put in place. Controls should be implemented by means of surface flow with perimeter (or internal) grass swales (instead of an internal pipe system) and a depressed grassed silt trap retention area incorporating a pit-trap at/near the point of discharge from the site (usually within a landscaped area). The built-in detention features provided may be quantified for the hardstand catchment area only. The hardstand material shall be stabilised with lime or cement depending on the sourced material.

4.1.3. Turning Paths

Vehicle manoeuvring templates, in accordance with Austroads or Australian Standards shall be employed for each appropriate vehicle type for the nominated land-use.

Turning paths shall be applied for the appropriate vehicle to maintain unobstructed "free flow" conditions within the site for service vehicles such as small rigid vehicles (SRV), medium rigid vehicles (MRV) and heavy rigid vehicles (HRV) where required.

4.1.4. Intersections

Where determined by Council, and generally for developments that generate high/heavy-vehicle traffic movements an access intersection treatment may be required at the junction with the public road. An example of an absolute minimum intersection treatment (catering for basic right and left turns) is shown on Council's Standard Drawing SD031 and incorporates treatment for one or more of the following aspects:

- Access entry/exit
- Deceleration lane
- Passing lane

Council's preferred treatment for access to such developments is for intersections that comply with the "Warrants for Basic, Auxiliary, and Channelised Turn Treatment" types as set-out in Austroads Standards (Part 4A). Guidelines for intersection/driveway demand may be determined from Section 3 of AS2890.1 whereby the "Access Facility Category" for categories 3, 4 and 5, in the first instance be assessed as "intersections" rather than "driveways". Despite such warrants and demands, particular consideration shall be given to providing a protected right-turn and a separated left-turn capability. Left-turn treatments should allow generous turning paths to facilitate continuous free-flow manoeuvres. Such features as described above may include road reserve and road pavement widening.

Intersections for access shall cater for Articulated Vehicle (AV) turning paths, including "B-Double" where required (and approved) by the type of the development.

D

5. Ancillary Off-Site Works

All works within the road/public reserve shall be designed and constructed in accordance with this manual. Road works cannot commence without consent under the Roads Act 1993.

5.1. Road, Footway and Drainage

Works may be required through development consent to upgrade the existing road verge, footpath, pavement, and/or drainage system. This is generally limited to the frontage of the development site, although may be required to be extended beyond the property boundary to transition the works.

Warrants for such works may be:

- Continuation of existing adjoining, or nearby, infrastructure to cater for the additional usage needs created by the development and to enhance the streetscape.
- Where works coincide with *Council's Management Plan*.
- Where pedestrian, cycle and vehicle traffic movements/parking are significant or where "desire-lines" of travel result from the development activity.
- Where such works are required under the relevant DCP and other policies.
- Typically, works that may be required are:
- Re-shaping and turfing of footway.
- Concrete paths.
- Concrete dish-drain or integral kerb and gutter.
- Road shoulder pavement including a bitumen wearing surface.
- Pipe and pit drainage.

Materials for new pavement works shall comply with the relevant road hierarchy outlined in this Manual of Engineering Standards and the specifications in *Appendix D: Pavement Material*, unless otherwise directed by Council. For pavement reconstruction, the design shall be consistent with, or match, the adjoining existing road pavement. Requirements for part-width road construction, where applicable, are set out in Document D: Design.

5.2. Concrete Works

Concrete works, such as footpaths, shared paths, pedestrian pram ramps and kerb gutter shall be designed and constructed in accordance with the Construction Document and Council's Standard Drawings, with particular attention given to:

- Concrete strength (MPa) and thickness
- Bedding specifications
- Formwork and Reinforcement
- Joints
- Curing
- Testing (where requested by Council)
- Weather Conditions

D

5.3. Inspection of Works

All works within the road/public reserve are subject to testing, and inspection by Council to ensure compliance with this Standard and/or manufacturer or material supplier specifications where not covered by Council's Manual of Engineering Standards. See also Document C: Construction regarding inspection regime.

6. Stormwater Drainage

6.1. Aims and Objectives

The following development standards should be used to provide:

- Best practice hydraulic engineering designs for development sites and,
- To provide a sensitive approach to the environment by the employment of Water Sensitive Urban Design (WSUD) principles.

The objectives of this section are to ensure that:

- The wider community is not disadvantaged by any one individual development.
- The development caters for any relevant upstream stormwater discharging onto the site.
- Stormwater discharging from the development site satisfies any Council's planning scheme and water quality objectives for overall public drainage systems within the wider area.
- The redirection and concentration of stormwater runoff onto adjoining properties is avoided.

The outcomes of these objectives are to ensure that:

- Collected stormwater is discharged in an appropriate manner to a private (interallotment) drainage system or public drainage system.
- Development which generates increased flow rates from stormwater runoff (greater than the site's "pre-developed" rate) from impervious areas such as driveways, paths, and roofs, adequately addresses potential adverse effects on downstream properties.
- Stormwater runoff entering the site from an adjoining upstream catchment, satisfactorily passes through the site without adversely affecting the development site by means of inter-allotment drainage benefitting the appropriate adjoining property(s).
- Development sustainably manages the water cycle with sensitively designed, constructed, and maintained systems, which may include:
  - Rainwater collection for use within dwellings and on landscaping.
  - Minimising impervious surfaces.
  - Water retention within landscaping.
  - Underground stormwater infiltration.
  - Treatment of stormwater leaving each site, to a satisfactory level of quality.
  - Construction sites that are adequately protected to prevent the movement of litter, sediment, nutrients, and hydrocarbons from the site during wet weather.

D

6.2. Design Plans, Standards and Calculations

Design plans should be prepared by a suitably qualified person and should reflect the following principles:

- All developments that generate stormwater runoff from impervious surfaces, and where landscaping, filling/cutting, or contouring reshapes or alters flow paths, must be detailed on a stormwater drainage plan. The plan should be consistent with the landscaping design but should be provided as a separate drawing.
- The design should address potential impacts, such as erosion and downstream discharge effects.
- The stormwater drainage plan shall be submitted with the development application and should include details of natural and design surface levels, building floor levels, driveway layout, down-pipes and underground pipes and their sizes, overland flow paths, easements (if any), on-site detention tank (if required), pits and any relevant objects that may affect drainage, such as gardens, kerbs, retaining walls etc.
- The plan, whilst not necessarily adequate for construction purposes, should be prepared by a person who is qualified and competent in drainage design principles, and upon approval will subsequently be the basis for a Construction Certificate prepared and certified by a qualified person, showing full construction details.

Drainage design shall adopt the principles of major/minor drainage system in accordance with the publication Australian Rainfall and Runoff (AR&R) and as detailed in Council's Manual of Engineering Standards Document D: Design. All calculations shall be carried out by persons competent, qualified, and experienced in hydrologic and hydraulic design, utilising drainage models that are accepted as current industry standards.

The major system shall provide safe overland flow conveyance for the 1% Annual Exceedance Probability (AEP) storm event, whilst the minor system shall be capable of conveying runoff from minor storm events within underground pipes.

Calculations (if required by Council) shall show all adopted coefficients to determine peak flows in accordance with Australian Rainfall and Runoff and this manual.

The adopted time of concentration shall be for the ultimate developed catchment. The general maximum time of concentration shall be 5 minutes for catchments up to 2000 m^2, although a range of 5 to 10 minutes may be justified in certain circumstances.

6.3. Discharge from Site

6.3.1. Gravity Pipe Flow

Final discharge of collected stormwater runoff from development sites shall be directed:

- By pipe to the roadside table drain or drainage channel with a concrete headwall/outlet protective structure, or
- By pipe to the street kerb and gutter with a kerb adapter in accordance with Council's Standard Drawing SD036 or, if Heritage Stone Kerb is in the road kerb, by coring (refer to Council's DCP and the Morpeth Management Plan), or
- By pipe to the existing kerb outlet provided in the kerb, or
- By pipe to the rear of the existing drainage pit in the street with a flush-mortared finish, or
- To an inter allotment drainage line provided for the property, or

- To another legal point of discharge i.e. defined water course. An easement will be required to be obtained where a legal point of discharge is on a neighbouring lot and does not touch the developments boundary, or other case law is not satisfactorily demonstrated.

Discharging concentrated stormwater at the adjoining private property is not permitted. This also applies to adjoining large residential or rural properties. Public land and legal points of discharge may be considered provided that the legal point of discharge, flow velocity, safety, scouring and maintenance impacts area considered acceptable.

6.3.2. Charged Pressure Head

Charged pressure head systems are permitted when gravity system options are not available, such as in cases where an existing lot does not slope toward the street and lacks an existing drainage easement. These systems will only be supported for single dwellings (i.e., no increase in density). Note: Proposals aimed at increasing the density of dwellings or land use will require appropriate easements.

The following criteria must be met for charged systems:

- A minimum of 1 metre of head, subject to design requirements.
- A completely sealed system to the property boundary.
- Metal or high-grade plastic downpipes (90 mm PVC pipe not permitted).
- 100 mm stormwater grade underground pipes (90 mm PVC pipe not permitted).
- A cleaning flush-point into a soakage pit/well.
- Gravity flow from the boundary to the drainage system.

6.3.3. Pumping

Collection of stormwater runoff for pumping to a high-level discharge point is not desirable and may only be permitted by Council in special circumstances, such as underground carparking areas and associated driveway ramps.

6.3.4. Footway Crossing

The minimum conduit treatment for the footway crossings shall be with 100 mm diameter sewer grade PVC pipe. In some situations where there is potential for pipe damage due to heavy loads, galvanised rectangular hollow section (RHS) steel may be desirable/required.

Where a pipe is to pass under a concrete path, and it is necessary to remove the path, a complete jointed section must be removed and replaced with a similar dowel-jointed slab section in accordance with Council's Standard Drawing.

Contractors should inquire regarding the possibility of the presence of an existing discharge point provided at the property boundary. Where a pipe exists, the contractor must check that the pipe is not damaged and is operating satisfactorily. Damages must be repaired.

6.4. Inter-Allotment Drainage (IAD)

Within a subdivision or development, where inter-allotment drainage is necessary the following applies:

6.4.1. Pipes

The pipe system shall be designed to accept runoff from all existing and future lands for 10% AEP storm event, without surcharge, and be based on impervious fractions nominated in Document D: Design. Careful design should ensure that surface flows are directed into the new drainage system.

maitland CITY COUNCIL

D

For the conveyance of flows from a subdivision for single dwelling allotment to the public drainage system (typically through an easement on an adjoining property or along a battle-axe handle) the minimum requirements shall provide for a 100 mm stormwater grade PVC pipe at a minimum grade of 1%. Such a pipe may only be utilised for a single lot (with only one dwelling roof). Where other stormwater discharge is necessary for an adjoining development, the pipe must be upgraded to the appropriate size (typically 150 mm for two dwellings) or be an independently piped system. Pipes shall have minimum cover of 300 mm where concentrated surface loads are not present. The absolute minimum grade shall be 0.5% and is subject to design to ensure adequate capacity. Where more than one pipe occurs at the property boundary a grated surcharge pit shall be installed within the property and a single pipe in accordance with this manual, provided across the footway.

The interallotment drainage system shall be connected to the street stormwater pit. Subject to hydraulic design, the following pipe sizes may be used as a minimum guide, see Table L-1:

Table L-1: Inter-Allotment Drainage Line Pipe Sizes

NO. OF DWELLINGS SERVED	PIPE DIAMETER
Up to 2	150 mm
3 to 6	225 mm
7 to 10	300 mm

6.4.2. Pits

Pits shall be provided generally to the lowest point of the lot served, and shall be provided for maintenance access, change in pipe direction, grade, or size of pipe and at multiple pipeline junctions. As a guide, pit dimensions may be adopted similar to those shown in SD043, or in accordance with AS 3500.3. Pits within the easement shall be concrete, of minimum size of 450 mm x 450 mm, with a galvanised steel grate. The pit shall be depressed below the surrounding surface by 100 mm (min) to enhance entry flows.

The interallotment pit shall include a capped stub for the dwelling connection.

Interallotment drainage pits and pipes shall be a maximum of 1.2 metres deep to ensure reasonable access and maintenance by lot owners. At retaining wall crossings, the upstream pipes shall be kept up at 1.2 metres deep and the use of a drop pit to cross under the retaining wall/footing shall be kept to a minimum depth and offset to the wall.

A minimum 3 metres long subsoil drain 'lead-in' shall be installed in the inter-allotment drainage (IAD) line at every second pit upstream along the IAD pipeline, as well as at any location where the pipe changes direction. This helps prevent waterlogging, protects the pipe, and increases stability

6.4.3. Easements

When an agreement regarding the stormwater drainage easement is reached, a signed copy of the owner's agreement and an easement plan shall be submitted as evidence of the agreement at the DA stage. The easement shall either be registered prior to the determination of the development consent, otherwise, the affected lot(s) must be included in the application before the DA determination. Following the determination, the easement shall be submitted for registration and registered prior to the issue of any Construction Certificate or Subdivision Certificate in accordance with the development consent, as applicable.

D

Easements shall be provided over pipe systems and overland flow paths (where necessary). The minimum width of easements shall be the greater of 1.5 metres or [(1.5 metres × trench depth) + pipe diameter]. Interallotment drainage lines must be located centrally within the easement and are limited to a maximum depth of 1.2 metres. The width of overland flow paths may necessitate a wider easement. For subdivisions with single-dwelling allotments, an easement width of 0.9 metres may be accepted where the pipe can be installed at a shallow depth (≤600 mm) and an existing structure along the proposed easement alignment prevents provision of a greater width.

Where new lots (or development) adjoin existing properties, minor and major flows from those properties shall be catered for with a pit and pipe system and a flowpath system, covered by benefiting easements.

Where an existing drainage line traversing a development site does not have a covering easement, that pipeline shall be covered by an easement registered onto the title of the property prior to issue of any Occupation Certificate or Subdivision Certificate.

6.4.4. Structures and Easement Relationship

Generally, building of a structure over a drainage easement is prohibited due to possible restriction to accessibility. Exceptions may be considered by Council where the structure is relatively light and readily removable, such as a carport or garden shed.

For any concrete slabs over an easement, the slab shall be dowel-jointed on the line of the easement. Segmental pavers are acceptable.

Where an overland flow path exists within an easement, obstructions (such as kerbs, gardens, sheds etc.) and structures are not permitted. Correctly shaped concrete slabs, such as for a driveway, are permitted.

Freeboard

Habitable floor levels adjacent to a flow path or surface detention area shall have a minimum freeboard of 300 mm. Non-habitable floor levels, such as garages, shall have a minimum of 150 mm freeboard.

6.5. On Site Detention (OSD) of Stormwater

On-site stormwater detention shall be provided for all developments. This requirement generally applies in cases where:

- The development exceeds the maximum impervious area requirements,
- The surrounding drainage network is outdated and undersized, or
- Provision has not been made for the development within the public drainage system.

Despite the provisions of this section, development consent may specify different requirements if the site-specific catchment or individual proposal warrants a higher or different standard.

Depending on the nature and scale of the development, on-site detention (OSD) systems can be categorized into (3) three levels for "small-scale" systems, refer to Table L-2:

- Onsite Detention (OSD) with "BASIX" Rainwater Harvesting
- Deemed-To-Comply tables
- Pre-Developed to Post-Developed Calculations

D

Table L-2: Determining Detention Method to Use

TYPE	DETENTION METHOD	DEVELOPMENT TYPES
Level 0	No OSD requirements	Single dwellings including minor building additions and ancillary structures (e.g. carports, sheds, patios) below the maximum impervious area. Note: Where the maximum impervious area exceeds apply Level 1 OSD.
Level 1	OSD in Basix rainwater Harvesting Tank *(Use Level 2 if not using Basix tanks)*	Residential buildings less than 1000 m^2 in site area Secondary dwellings and dual occupancies
Level 2 Residential	Deemed to Comply Table - Residential (less than or equal to 3000 m^2)	Building construction and subdivision of vacant lots
Level 2 Industrial Business	Deemed to Comply Table - Industrial and Business (less than or equal to 3000 m^2)	Building construction and subdivision of vacant lots
Level 3	Pre-Developed to Post-Developed Calculations	Greater than 3000 m^2 – all development types

In support of the implementation of Water Sensitive Urban Design (WSUD), the basic principles of water reuse (retention), "slow" release discharge (detention), and in-ground infiltration of runoff are required and considered part of the WSUD principles for Level 1 and Level 2. Therefore, despite alternative methods of calculation, a drainage design is deemed satisfactory for Level 1 and Level 2 if the guidelines (parameters) are adopted in the drainage system.

Note:

1) In-ground infiltration storage is not supported as a solution for detention in clay soils due to the extremely poor infiltration rates of the local soils.
2) A sediment sump with a minimum depth of 300 mm shall be installed within the property at the boundary prior to stormwater discharge.

6.5.1. Level 1 - OSD in Basix Rainwater Harvesting Tank (less than 1000 m^2)

Level 1 applies to secondary dwelling and dual occupancy developments with a site area of less than 1,000 m^2 and may apply to single dwelling construction exceeding the maximum impervious area requirements, This does not include the creation of vacant lots.

D

OSD principles can be satisfied with a minimum detention volume of 2.5 m³ per dwelling. Note: This volume is in addition to the BASIX volume requirements and at least 90% of roof areas must be connected to the rainwater tanks.

The designer should reference the BASIX requirements for the development to ensure that the rainwater tank is adequately sized to provide both water re-use and detention storage.

All roof water runoff (with some exceptions for small patio covers) must be collected, and the tank must be plumbed into the household water supply. A slow-release outlet in the tank at the necessary height must be provided (see SD052).

SD052 provides an option where part of the volume is within a rubble infiltration trench. Sites with clay soils must provide 100% of the volume in the rainwater tank. Only two or three locations in the Maitland LGA, such as some parts of Lorn and Horseshoe Bend, contain sandy river soils suitable for infiltration.

Note: Offset requirements apply to trenches in relation to boundaries, slabs, and structures. For trenches longer than 3 metres, the infiltration trench must be designed based on a site test report from a geotechnical engineer confirming the soil type. The trench must be offset a minimum of 2 metres from boundaries and 3 metres from buildings and structures, unless otherwise specified by the geotechnical engineer. Additional offsets may be required to maintain the adequacy of nearby footings and foundations.

6.5.2. Level 2 - Deemed to Comply Table – Residential (less than or equal to 3000 m2)

Stormwater detention for residential development applies to new developments where an additional dwelling or an existing dwelling creates impervious surfaces beyond those of an average single dwelling and does not comply with Level 1 OSD standards, see Table L-3. This principle also includes the subsequent development of a subdivision from an original "parent" allotment within residential areas, where the density of the nominal parent allotment is increased as a result.

For vacant sites, the development must provide detention as specified in this section. Detention is however not required for existing roof areas that are unchanged. If the footprint is completely redeveloped, the existing footprint will not be credited, and the development must fully comply with the storage requirements.

Rainwater tanks can contribute a maximum of 20% of the total required detention volume. The remaining capacity (a minimum of 80%) must be provided within the centralised detention system. For the rainwater tank detention capacity, the designer should rationalise the detention, apportion the areas of the dwelling, and apply detention on a pro-rata basis. Each dwelling and/or unit must be provided with a rainwater detention tank.

Table L-3: Residential Detention Parameters (less than or equal to 3000 m²)

OSD MINIMUM (PER 1000 M² SITE AREA)	PSD(A) MAXIMUM (PER 1000 M² SITE AREA)
7 m^3 (B)	15 litres/Second

(A) Permissible Site Discharge (PSD).

(B) Apportion volume to each dwelling on a pro rata basis.

For the creation of impervious ground surfaces, up to 50 m² of runoff from impervious areas may discharge from the site without detention. Detention is required where impervious areas exceeding 50 m², such as long driveways and large vehicle-turning areas. The detention must be provided at an

D

equivalent rate of 1.8 m^3 per 100 m^2, with a peak discharge rate (PSD) of 1.5 Litres/Second per 100 m^2. This detention calculation must include the total impervious ground-surface area, including the first 50 m^2.

Also refer to Section 6.8 General Detention Requirements.

6.6. Level 2 - Deemed to Comply Table - Industrial and Business (less than or equal to 3000 m^2)

For industrial and business development sites located in areas with major downstream detention facilities, detention is generally not required. However, it should be noted that water quality treatment may still be required.

In areas without public facility detention or where downstream facilities are undersized, Council may require the following parameters, refer to Table L-4:

Table L-4: Industrial and Business Detention Parameters (less than or equal to 3000 m^2)

INDUSTRIAL AND BUSINESS DEVELOPMENTS	OSD MINIMUM (PER 1000 M^2 SITE AREA)	PSD MAXIMUM (PER 1000 M^2 SITE AREA)
Undersized public detention &/or WQ system Includes: Rutherford Industrial area (bounded by Racecourse Rd, Shipley Dr & Bradmill Ave)	12 m^3	12 Litres/Second
No public detention &/or Water Quality System	19 m^3	9 Litres/Second
Public System adequate but development exceeding the maximum impervious area requirements	Council will determine one of the above scenarios to apply dependant on the exceedance.	

Also refer to Section 6.8 General Detention Requirements.

6.7. Level 3 - Pre-Developed to Post-Developed Calculations – Residential, Industrial and Business (greater than 3000 m^2)

For development sites greater than 3,000 m^2, the following requirements apply:

- Design plans and calculations shall be certified by a suitably experienced civil engineer or other persons with acceptable competency and experience in Hydraulic and Hydrological design.
- Storage volumes shall be calculated in accordance with the principle set out in the current Australian Rainfall and Runoff version. Onsite detention is determined by analysing pre-developed (natural site) and post-developed flows using computer modelling. The post-developed runoff shall be equal or less than the pre-developed flow for all events up to and including the 1% AEP event.

D

- Calculations shall be submitted to Council.

Also refer to Section 6.8 General Detention Requirements and Section 7 Water Quality

6.8. General Detention Requirements (generally excluding Level 1 Systems)

a. Stormwater detention may be provided either as under-ground, surface depression or above-ground storage, or by a combination of any of those methods, providing the site PSD is maintained. In recognition of physical constraints, Council will consider alternative site-specific designs.

b. OSD systems shall be calculated for the entire site area and apportioned between the OSD structures based on their contributing surface catchment areas. Development that includes residual sections of land, or staging or similar scenarios, shall consider a system appropriate for the combined area.

c. Where development may be subject to future Torrens Title subdivision, each dwelling and/or unit shall be provided with an independent detention system. If shared systems are already provided, strata or community title will need to be utilised, or the system must be removed and replaced with individually systems.

d. At locations deemed by Council to be subject to special circumstances due to downstream drainage problems or for other reasons, the above requirements may be altered by Council to suit those circumstances.

e. When Council provides drainage plan certification and inspection for construction compliance, a fee, as per Council's Schedule of Fees and Charges will apply.

f. Facilities for the retention of gross pollutants and sediment shall be provided in commercial, business, industrial, and residential developments (for residential sites greater than 1000 m^2) prior to discharge into the receiving downstream system. Examples include a 300 mm deep sediment sump with a Lysaght RH3030 trash screen installed, a Maximesh screen placed across the outlet, or a proprietary gross pollution trap.

g. Industrial developments and large driveway areas shall be provided with hydrocarbon filters or absorbent booms/socks (installed within the pit insert).

h. Drainage detention and storage devices shall be designed in accordance with Australian Standard for Plumbing and Drainage AS3500.3 unless otherwise stated within this section.

i. All metal components shall be hot dipped galvanised steel (after fabrication), aluminium or stainless steel, and fastened using 10 mm (min) stainless steel fasteners.

j. Maximum depth of surface ponding shall be 200 mm in driveways, parking areas and 300 mm (desirable maximum) in accessible landscaped areas. In landscape areas, subsoil drains shall be provided around the outlets to prevent the ground from becoming saturated during prolonged wet weather.

k. The volumes of hydraulically independent (with different surface ponding levels) detention areas shall be calculated separately and shall have separate outlet controls.

l. The detention area shall be designed such that the major storm event (1% AEP storm) can safely overtop the area with no adverse impacts on the immediate surrounds, buildings, and adjoining properties. An overland flow path must be incorporated in the design.

m. Detention outlet design shall assume maximum pressure head. A hydraulic grade line assessment must be based on outlet control operating at the major flood level. The analysis shall also consider potential for backwater pressure from the street drainage system to enter the detention system, in case of connection to Council's underground drainage.

n. An orifice plate shall be machined to the required dimensions as calculated and may be made of 3 to 5 mm thick stainless steel with a circular hole of the required diameter, machined to 0.5 mm accuracy. The minimum orifice choke size shall be 25 mm. An orifice outlet with a diameter less than

D

90 mm shall be screened using a mesh screen. A stainless steel or galvanized mesh screen with a minimum area of 50 times the orifice area shall be latched over the orifice plate. A Maxi Mesh RH3030 or equivalent with the maximum aperture size, and a handle attached to the screen, is recommended. Alternatively, the designer may consider a "staged" pit-controlled discharge providing a tamper-proof orifice such as a buried pipe reducer (see SD052).

o. Any cellular on-site detention system must include pits at both the entry and exit points to facilitate flushing and maintenance. It can only be used exclusively under grass or landscaped areas. The design must prevent stormwater from bypassing the system, ensuring that water flows in at one end and exits through the other end. A controlled discharge pit (orifice) located at the outlet of the storage system is to be provided. To minimise issues related to identification and ongoing upkeep, the system should be clearly marked on the surface and incorporate features for easy access and maintenance. This type of system is intended for individual lot developments only and is not suitable for subdivision-scale projects or shared systems. Additionally. It must not be located under areas designated for vehicle traffic.

p. For below ground concrete detention systems:

- An additional access grate diagonally opposite the outlet shall be provided for ventilation and cleaning purposes. The minimum size of the access grate shall be 600 mm by 900 mm.
- Where the depth of the tank exceeds 1.2 metres, a ladder and/or step iron in accordance with the requirements of Australian Standards shall be installed.
- The storage system shall be designed to fill without causing overflow in upstream conduits from backwater effects.
- A spillway with an overland flow path shall be provided in the event of a storm exceeding the design storm or if the OSD device malfunctions. The path shall be capable of carrying the 1% AEP event, assuming the orifice (outlet) is fully blocked.

6.9. Certifications and Works-As-Executed Drawings

Works-As-Executed drawings (WAE) may be required by the Principal Certifying Authority and/or Council to verify works, particularly for the finished levels and storage volumes. The WAE drawings must be prepared by a suitable qualified surveyor. The following items along with any additional requirements specified by the conditions of consent shall be verified on the WAE plans:

- Finished surface levels.
- The pipe/pit system
- Storage volumes
- Discharge control device(s)
- Overland flowpaths

Where engineering certification is required for the constructed on-site detention system, it shall be prepared and signed by a suitably qualified engineer, typically holding a CPEng qualification.

7. Stormwater Quality and Maintenance

Developments that generate stormwater runoff from areas that may be a source of pollutants shall provide a means of "polishing" off the runoff prior to its discharge from the site. Of particular importance are sealed car-park areas servicing industrial and business complexes. Level 1 and 2 systems for residential developments are deemed to meet water quality requirements if they fully

comply with the specifications in Section 6. Business, Industrial, Commercial and large car park developments must include water quality treatment measures including management of hydrocarbon.

A Water Quality Modelling Assessment (MUSIC) demonstrating water quality reduction results shall be submitted to Council, consistent with Council's Manual of Engineering Standards. Water quality systems must incorporate multiple treatment devices, such as gross pollutant traps, bioretention rain gardens, bioretention swales, and sand filters, as appropriate, to ensure that water entering waterways meets quality standards. The following table shall be used as a target for pollutant retention goals:

Table L-5: Post Construction Stormwater Management Targets

POLLUTANT	RETENTION CRITERIA
Suspended Solids	80% of average annual load
Total Phosphorus	60% of average annual load
Total Nitrogen	45% of average annual load
Gross Pollutants > 5 mm	70% of average annual load
Litter > 50 mm	Retention up to the 4EY (3-month flow)
Oil and Grease	90% of average annual load

Noted that the above requirements are also included in Document D: Design. The retention criteria relate to the "reduction of average annual load" of stormwater pollutants that may be expected from a fully developed catchment or site.

7.1. Maintenance of Devices

The stormwater drainage systems incorporating runoff quality control treatments must be inspected on a regular basis and maintained in working order. A "Stormwater Maintenance Plan" for on-going execution by the owner and/or the operator of the site shall be included in the stormwater design for the site, nominating an inspection, cleaning schedule, and replacing regime for all drainage components. The following items (but not limited to) should be included:

- Pits, with filter materials, silt traps in the base, orifice plates and litter grates, ensuring satisfactory operation.
- Detention tanks, ensuring clean and satisfactory operation.
- Pipes, ensuring clean and free flowing.
- Surface swales and silt-trap basins, ensure mowed and removal of collected silt.
- Open discharge points, ensuring clear of debris and satisfactory scour protection.
- Non-return valves, ensuring satisfactory operation.
- Overland flow paths, ensuring free from obstruction.

maitland CITY COUNCIL

D

7.2. Water Sensitive Urban Design (WSUD)

All developments covered by this manual are required to incorporate Water Sensitive Urban Design (WSUD) principles regarding the treatment and discharge of stormwater runoff. Developments will generally require a combination of treatments to be provided, known as a "treatment train". Such treatments may include:

- Rainwater Tanks.
- Gross Pollutant Traps (GPT).
- Bio-Retention Beds – Surface vegetated depressed area underlaid by a bio-retention filter layer and subsoil pipe, which do not generally involve flow conveyance but have an overflow to the drainage system. Refer to SD047.
- Infiltration Systems – Note: The majority of the Maitland LGA consists of dense clay soils that are generally unsuitable for infiltration-based volume controls. Limited areas with river silts (e.g. Horseshoe Bend and Lorn) may provide suitable conditions. Where feasible, underground storage within void spaces, combined with a sandy soil media depression, can support infiltration into the surrounding soils. This method does not rely on surface-flow conveyance but must include an overflow connection to the drainage system. A socked subsoil pipe is also required to enable slow release of stored water when infiltration is ineffective due to soil saturation. Council must be consulted prior to design and implementation.
- Wet Basins.
- Dry Basins.
- Vegetated Filter Strips.
- Sand Filters.
- Contour banks/berms.
- Constructed Wetlands.

To achieve an effective WSUD "treatment train", discharge controls may be selected from a combination of the following measures:

- Drainage system that collects and delivers stormwater from impervious areas to the treatment train, e.g., roof gutters, downpipes, paths, and driveways, etc.
- Pre-treatment system, e.g., leaf guards, first flush device, where leaves and dust may be prevalent.
- Rainwater tank for non-potable reuse including toilet flushing, washing machines and site irrigation.
- On site detention (OSD).
- Rainwater Garden.
- Vegetated Filter Strip.
- Mulching.
- Garden Bed or Contour Bank.
- Turf.
- Underground Infiltration.

Regarding underground infiltration (SD052) the system should:

D

- Not be trafficked unless specifically designed so.
- Be located such that structural foundations and adjoining properties are not adversely affected.
- Be provided with a subsoil drain relief pipe in clay soils.

7.3. Erosion and Sediment Control (ESC)

Pollutants carried in stormwater runoff from building activities, vehicle parking, manoeuvring, and hardstand areas should be assessed for their potential adverse effects, including sediment movement (due to wind, water, and wheel tracking) and hydrocarbon pollution from vehicles. Appropriate measures must be implemented to contain these pollutants both during construction and as part of long-term permanent treatments. Reference should be made to Landcom Department of Housing guidelines, “Managing Urban Stormwater.”

- Where the area of soil disturbance is less than 2,500 m², an Erosion and Sediment Control Plan (ESCP) must be prepared and submitted in accordance with Council’s requirements as part of the drainage design for the site.
- Where the area of soil disturbance exceeds 2,500 m², a Soil and Water Management Plan (SWMP) must be developed and certified by a suitably qualified and experienced professional in erosion and sediment control. This plan shall identify erosion prevention and detailed sediment control measures.

Appropriate erosion and sediment control measures must be installed and maintained to prevent pollutants from entering watercourses and/or downstream drainage until 70% ground cover is achieved. All development consents shall comply with the Council’s DCP requirements. These requirements do not override any conditions of consent imposed through development applications or other approvals granted under the EP&A Act.

8. Drainage External to Site

Stormwater runoff either entering or leaving the development site must be adequately addressed as part of a drainage design. Adjoining land shall be investigated regarding natural surface flows and any existing piped discharge points. Where discharge of stormwater involves works on a public road reserve (other than that permitted in this manual) such as adjustment of existing pits, new pits, extended pipelines beyond the immediate vicinity of the property, Council approval relevant to Section 138 Roads Act (S138) or S68 Local Government Act (S68) must be obtained prior to commencement of works. Development consent under the EP&A Act does not apply for this purpose when works are outside the development site.

8.1. Discharge from Upstream

Where stormwater discharges onto the development site from adjoining properties that discharge must be catered for. Allowance shall be made for discharge from a fully developed upstream catchment, (consistent with current and proposed zones and the maximum impervious area requirements), with provision made for major and minor storm events. Consider how catchment flows may change between current conditions and potential future development. This should include any extended detention flows, as well as other anticipated changes in flow patterns.

8.2. Discharge to Downstream

Where stormwater discharges from the development site is at a level that prohibits discharge at the surface, consideration shall be given to the provision of standard underground street drainage to the closest point of discharge, such as an existing pit, pipe, or channel. All pipes entering Council’s existing

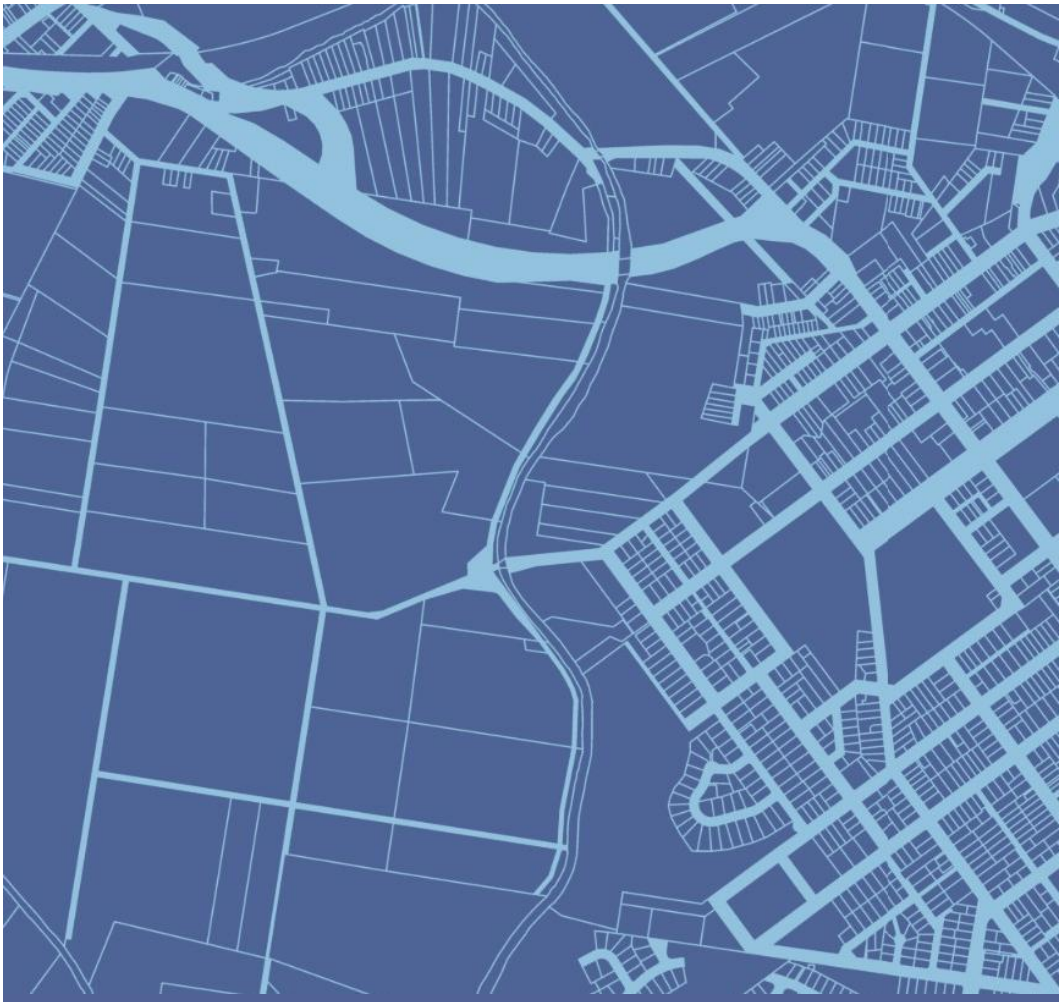
D

piped drainage system from private property shall be connected at or with a concrete pit constructed in accordance with Council's Manual of Engineering Standards - Stormwater, or as a "saddle pit" over the existing pipe in accordance with an engineer's design.

Piped discharge shall be (for example, in large-lot and rural development) to a suitable watercourse and shall extend a minimum of 10 metres past a building or building envelope.

8.3. Downstream Drainage Upgrade

The existing downstream drainage system may require investigation for its adequacy to accept stormwater runoff from the development site. Works may be required to provide an up-graded pipe system, being either a new pipe system where none exists, or an open channel to an existing approved discharge point.



MoES - D 2025

Design (Civil)

Manual of Engineering Standards

maitland CITY COUNCIL

Table of Contents

D – Design 1
Introduction 1
Road Design 1
1. Geometric Design 1
1.1. Road Hierarchy and Specifications 1
Figure D-1: Road Type and Function 4
Table D-1: Trunk Road Network Spacing 4
Figure D-2: Minor and Major Grids 5
Figure D-3: Minor Grid Width to Perimeter Road and Constraint Area (Flood, Bushfire, Riparian, Rural Landscape etc.) 6
Figure D-4: Designing for Emergency Routes 6
Figure D-5: Bushfire Cul-De-Sac Concept (See Standard Drawing for Details) 8
Figure D-6: Off-Line Road Access to Activity Sites (Centres, Businesses and Schools) 9
Table D-2: Urban Road Types Part A 10
Table D-3: Urban Road Types Part B 11
Table D-4: Large Lot Road Types (Large Lot and Rural) 12
Figure D-7: Road Cross Section (Yield Street, L8) 14
Figure D-8: Road Cross Section (Local Street, L10) 15
Figure D-9: Road Cross Section (Local Collector, LT11 & Local Distributor, T12) 16
Figure D-10: Road Cross Section (Trunk Roads, T14 T15 T15.4) 17
Figure D-11: Road Cross Section (Urban Sub-Arterial, SA13) 18
Figure D-12: Road Cross Section (Council Arterial) 19
Table D-5: Travel Lane Widths (T = Travel Lane) 20
Table D-6: Parking Lane Widths (P = Parking Lane) 21
Figure D-13: Special Road Width Circumstances 22
Table D-7: Pavement Widths 22
Table D-8: Verge Additional Widths 23
Figure D-14: Configurations of Laneway 25
Figure D-15: Road Cross Section (Residential Laneway, LR) 26
Figure D-16: Indicative Laneway Drainage 26
1.2. Footways, Footpaths and Steps 27
1.3. Cycleways and Shared Paths 27
Table D-9: Pedestrian and Cycle Paths 27
Figure D-17: Footpath and Share Path for Residential and Commercial Site 29
1.4. Horizontal Curves 30
1.5. Longitudinal Grades 31

maitland CITY COUNCIL

maitland CITY COUNCIL

Table D-10: Longitudinal Grades 31
1.6. Vertical Curves 31
1.7. Crossfall and Superelevation 31
1.8. Batters 32
Table D-11: Batter Slopes 32
1.9. Cul-De-Sac, Turning Heads and Kerb Returns 32
Figure D-18: Bushfire Cul-De-Sac and Aerial Sample 33
Table D-12: Nominal Kerb Face Radius (minimum metres) 33
2. Intersection Design 34
2.1. Traffic Signals 35
2.2. Channelised Intersections 35
2.3. Roundabouts 35
2.4. Minor Intersection 36
2.5. Kerb Returns 37
3. Public Transport (Bus) 37
4. Structures 38
4.1. Retaining Walls and Benching 38
5. Ancillary Design Requirements 39
5.1. Safety Audit 39
5.2. Traffic Control Devices (Traffic Committee) 39
5.3. Street Name Signs 40
5.4. Guard Fence and Guideposts 40
5.5. Pavement Edge Restraints 40
5.6. Subdivision Staging and Temporary Turning 40
Figure D-19: Turning Design for Subdivision Staging 41
Figure D-20: Temporary Tuning Heads (Loop, Offset T and Cul-De-Sac) 41
5.7. Driveways and Crossings 42
6. Roads For Large Lot Residential 43
7. Rural Roads 43
7.1. Rural Design Elements 43
8. Pavement Design 44
8.1. Pavement Types 44
8.2. Design Report 44
8.3. Minor Pavement Works 45
8.4. As-Built Records 45
9. Design Traffic Loadings 45
10. Subgrade Evaluation 45
Table D-13: Design CBR 46

maitland CITY COUNCIL

maitland CITY COUNCIL

11. Subsurface Drainage **47**
12. Pavement Design **47**
12.1. Flexible Pavement 47
Figure D-21: Design Chart for Granular Pavements with Thin Bituminous Surfacing (Austroads Pavement Design Guide) 48
Figure D-22: Design Chart for Granular Pavements with Thin Bituminous Surfacing (Based on a 90 percent confidence level for minor rural roads). 49
12.2. Rigid Pavement (Concrete) 49
12.3. Segmental Block Pavement 50
12.4. Accessways 50
12.5. Roundabouts Pavements 50
12.6. Intersection Thresholds 51
12.7. Pavement Joints 51
13. Wearing Course **51**
14. Existing Pavement Reconstruction **51**
15. Stormwater Drainage **53**
16. Design Standards **53**
17. Hydrology **53**
17.1. Rainfall Data 53
17.2. Annual Exceedance Probability 54
Table D-14: Minor System 54
Table D-15: Major System 54
17.3. Catchments 55
17.4. Fraction Impervious 55
Table D-16: Fraction Impervious Rates for Land Uses 55
17.5. Coefficient of Runoff 56
17.6. Partial Area Effects 56
17.7. Rational Method 56
17.8. Hydrological Models 56
18. Hydraulics **56**
18.1. Hydraulic Grade Line 56
18.2. Underground Drainage System 57
Table D-17: Piped Conduit Requirements 57
18.3. Trench Stops 58
18.4. Pits 58
Table D-18: Overland Flow Parameters (10% AEP) 59
Table D-19: Maximum Pit Spacings 59
18.5. Hydraulic Losses 60
Table D-20: Pipe Friction Losses 61

maitland CITY COUNCIL

maitland CITY COUNCIL

19. Overland Flow Paths **61**
19.1. Freeboard 61
20. Open Channels **62**
21. Major Drainage Structures (Bridges and Culverts) **62**
22. Stormwater Volume and Quality Control **62**
22.1. Detention Basins and Ponding Structures 63
Table D-21: Basin Embankment 64
22.2. Stormwater Quality 66
Table D-22: Post Construction Stormwater Management Targets 66
22.3. Constructed Wetlands 66
22.4. Swales 67
22.5. Bio-Retention Systems 67
22.6. References for WSUD Design 68
22.7. Fencing 69
23. Allotment Drainage **69**
Table D-23: Inter-Allotment Drainage Line Pipe Sizes 69
23.2. Pits 70
Table D-24: Inter-Allotment Pit Depth: Size Relationship 70
24. Drainage Easements **70**
Table D-25: Piped Drainage Easement Widths (Minimum) 70
25. Stormwater Outlet **71**
26. Subsoil Drainage **71**
27. Access Restriction to Drainage Structures **72**
28. Earthwork and Regrading **72**

maitland CITY COUNCIL

maitland CITY COUNCIL

D – Design

Introduction

The Document D: Design is part of the Manual of Engineering Standards (MoES) suite. It provides essential guidelines for the design of public roads and stormwater systems, ensuring that Council's infrastructure can effectively manage traffic and stormwater challenges while protecting the environment. The document aims to strengthen infrastructure resilience, optimise traffic flow, and uphold environmental standards. It serves as a key reference for engineers, designers, and stakeholders involved in planning, developing, and maintaining both urban and rural environments.

Road Design

This document deals with the requirements for the design of roads, vehicle access, paths and associated structures and embellishments. Details are not necessarily comprehensive for every possible scenario. The designer should refer to, and be competent with, the standards nominated as references. Generally, the primary documents for road design are the Austroads guidelines and Transport for NSW (TfNSW) publications and supplements. The designer should contact Council regarding the relevant scenario to determine whether an item has been intentionally omitted, or, if not, to discuss industry standards and the preferred way forward.

Engineering designs should include geometric details of, road and drainage layouts, their gradients, cross sections, and kerb returns. (See Appendix A for full details). All existing infrastructure, surface features and underground services must be shown on the plans.

All design proposals must be carried out by experienced and competent practitioners.

1. Geometric Design

1.1. Road Hierarchy and Specifications

Roadway infrastructure shall be determined and designed in accordance with, "Development Consent" issued by the consent authority, and the requirements of this Manual.

Widths of roads for residential subdivision are defined by their status within Council's Road hierarchy, which adopts a Trunk Road layout and maximum lot catchments for various road types. The Trunk Road layout incorporates a minor/major grid spacing system. The Trunk Road (grid) layout takes priority over the maximum lot catchment criteria. The following tables "ROAD TYPES" provides details of minimum road parameters. The table relates primarily to "greenfield" sites, generally applicable to large-subdivision release areas. For lot catchment calculations, a potential density shall be used. Unless a higher density is specified in the Local Environmental Plan (LEP) or Development Control Plan (DCP), a minimum of 15 dwellings per hectare shall apply for standard residential (release) areas, such as the R1 zone.

1.1.1. Road Width for Lot Catchment

For the purposes of determining the appropriate road-width for a local lot catchment area, the assessment should be based on an assumed and reasonable traffic distribution analysis of the ultimate development and the contributing lots, along desire-lines to points of destination such as for recreation, schools, shops, workplace, sports, open space, employment zones, etc. Site specific DCP's may already define some of the trunk road layout in terms of desire lines and destinations.

This approach may vary, potentially resulting in higher hierarchy levels when the Trunk Road layout requires it:

- Staged development may significantly increase traffic flow during the interim period, affecting the safety and amenity of the area.
- A new public roadway may serve a broader function than just the immediate local residential area. This can occur when development consent applies to only part of a larger integrated area, with roads connecting other population centres, public transport routes, commercial or school precincts, recreation facilities, or other major traffic-generating destinations.
- There may be potential to use a road as a "bypass" to relieve traffic constraints on another road, such as congestion or traffic signals. In these cases, careful planning is required to avoid unintended impacts.

1.1.2. Consistent Road Width

Where lot catchment numbers trigger more than one road type within a defined length of road/street, unless justified, the higher road type shall be adopted. Opportunities where road width may be varied may be at intersections, traffic management device, curving horizontal alignment, or similar.

1.1.3. Impacts on Existing Roads

Where a new subdivision impacts on the existing local road network and roadworks such as pavement widening or rehabilitation are required, the road alignment and pavement needs shall be determined by Council independently of the following Road Type table considering traffic volume and type, the needs and amenity of the existing road network, and an appropriate service to the community. Road widths greater than those shown in the 'table', may be required.

Where works are required as part of the development to augment an arterial or classified road, Council shall determine independently of this Manual the needs for that road.

[Refer also to Local Area Precinct plans for possible specific parameters for road needs.]

1.1.4. Part-width Road Construction

Council's primary requirement is for full width road construction. Due to the risk posed by these variable road widths and construction, construction of part width streets as part of subdivisional developments is not encouraged. Subdivision design should avoid setting up this scenario against neighbouring properties. Trunk Roads should not be considered for part road construction.

Nominal "part-width construction" of roads may only be considered for subdivision servicing up to 10 lots or 150 metres in length unless justified otherwise, (with adequate traffic safety and convenience measures), to facilitate shared construction costs across property boundaries which share a common and existing road reserve, the subject in each case of separate development consents. Such part-width roads are considered an interim treatment to facilitate subdivision.

Part-width roads may be permitted along a property boundary, and generally parallel to that boundary, and adjoining undeveloped land not part of the subdivision which also has subdivision potential under a planning scheme.

Part-width roads are generally considered where the proposed road utilises an existing adjoining public road reserve (whether that road is unformed or formed in-part only) and where undeveloped land not part of the subdivision also adjoins the opposite side of that road, and which has subdivision potential under a planning scheme.

The proposed part-width road must provide adequate safety for two-way traffic movement [one-way traffic movement may also be considered as an interim treatment].

The width of these road pavements may extend beyond the road centreline and should be a minimum of 6.0 metres wide for two-way traffic on local yield street, plus any additional width requirements for parking lane or bike lane depending on the relevant road type. The overall construction width may be greater than the pavement width, subject to assessment of constraints such as kerb type (rolled type preferred), common boundary fencing type, pavement restraint or shoulder support, subsoil drainage, surface drainage, etc.

Where part-width construction is permitted within an existing road reserve (for roads with a catchment greater than 10 lots/150 metres maximum road length), the design must, at a minimum, provide a parking lane adjacent to the property and two-way traffic lanes, including a 0.5 metres wide sealed shoulder. A full-sized temporary turning area is generally required for brownfield road reserves. New greenfield roads shall avoid the need for temporary turning areas.

The applicant is responsible for covering all costs associated with the design of the full street width and the construction of the partial road width. The design transition shall extend at least 100 metres beyond the end of construction to ensure future continuity. Pavement design must also provide a 1:5 taper between the partial road width and the adjoining construction, including drainage design and any necessary utility adjustment or relocation.

In all cases of part-width construction, “No Stopping” zones are necessary considerations and will need to be addressed in the Local Traffic committee process.

1.1.5. Crown Roads

Where Crown Roads are intended to be developed as part of a subdivision, such roads shall be constructed in accordance with this Manual and subsequently dedicated to Council (subject to relevant legislation and/or the Minister’s concurrence) as public road on the Subdivision Certificate.

1.1.6. Road Function

The objective of Council’s road hierarchy is to provide a network that balances the functions of different types of roads and streets. Austroads and NSW Movement and Place outline the concepts and principles for this. In general, streets are prioritised for quiet, local access, while roads focus on efficiently moving people to their destinations. All road and street designs should consider these frameworks when establishing the network and hierarchy (see Figure D-1).

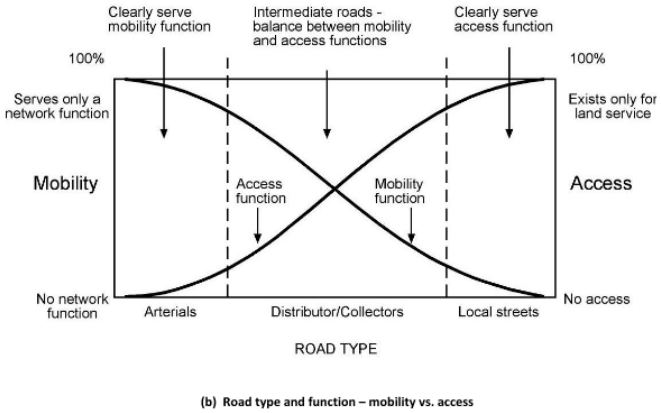


Figure D-1: Road Type and Function

1.1.7. Trunk Road Framework and Spacing

The road network shall use a grid and or radial Trunk Road framework with the Major/Minor grid spacing as per Table D-1, Figure D-2 and Figure D-3 below. Roads and Streets with two dedicated travel lanes shall be connected to other two-lane roads at the intervals specified in the minor/major grids.

Table D-1: Trunk Road Network Spacing

ROAD TYPE	SPACING TO SAME ROAD TYPE (M)	SPACING OF INTERSECTIONS FROM LOCAL NETWORK ONTO THIS NETWORK (TYPICALLY, RESIDENTIAL AREAS)
Arterial Road	**1.0 km to 2.0 km** apart (Typically parallel, not grid)	Between 300-500 m Centres consider tighter spacing
Sub-Arterial Road	**0.8 km to 1.6 km** apart (Parallel or grid)	Between 200-300 m
Major Grid - Trunk Roads	**800 m x 800 m** maximum spacing and grid Generally, 600 m x 500 m considering natural constraints (topography/drainage/habitat)	Street block spacing as per DCP Intersection staggers as per MoES Intersection criteria as per Austroads/TfNSW Also provide public bus network that is adaptable and offers alternatives

		in the event of disruptions or other unforeseen circumstances
Minor Grid – Local Trunk Roads	Infill of major grid 300 m min to 500 m max (400 m ±100 m). For perimeter edge 400 m max walking depth to bus routes and for width keep 300 m min to 500 m max **(See Figure below)**	Street block spacing as per DCP Intersection staggers as per MoES Intersection criteria as per Austroads/TfNSW/Bushfire

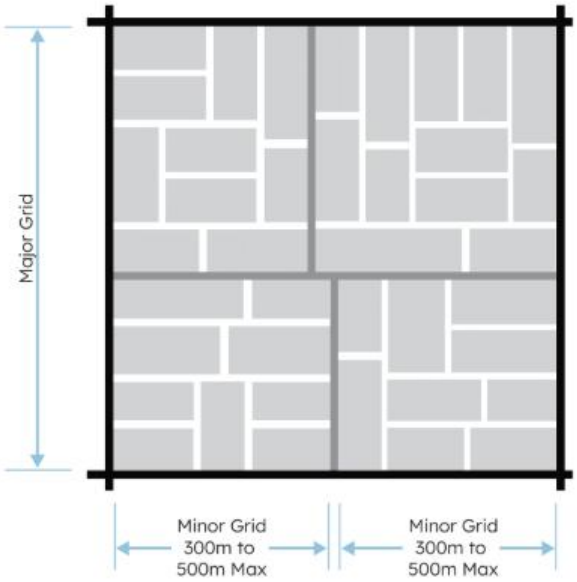


Figure D-2: Minor and Major Grids

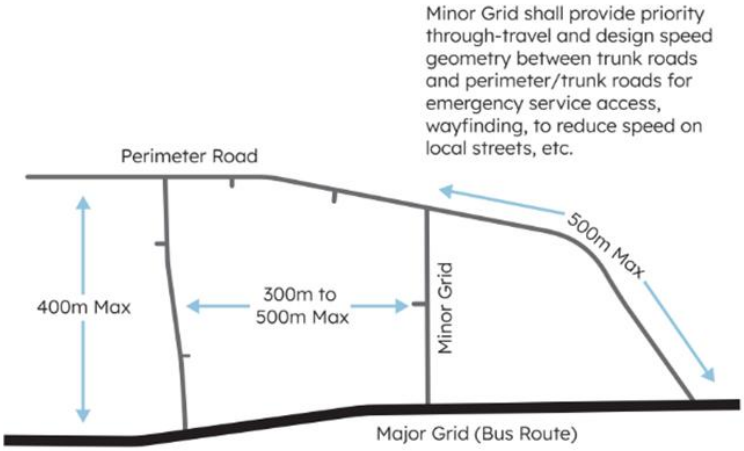
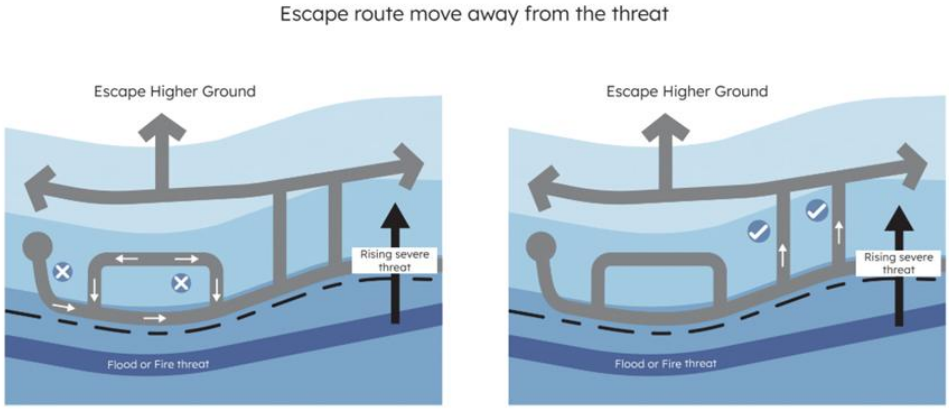


Figure D-3: Minor Grid Width to Perimeter Road and Constraint Area (Flood, Bushfire, Riparian, Rural Landscape etc.)

1.1.8. Designing for Emergency Routes and Bushfire

Designing for Emergency Routes

Both local streets and trunk roads must provide layouts that provide safe and efficient routes between the hazard and the escape routes. Hazards include bushfire and flooding. Current documents endorsed by the emergency services shall be adhered to. Escape from flood will consider flood event greater than the 1% AEP, as floods can vary in magnitude. The Figure below is example from DESIGNING SAFER SUBDIVISIONS - Guidance On Subdivision Design In Flood Prone Areas (SES website). These and other principles in the document are equally relevant to all hazard types.



Poor-Design is indicated

Good-Design is indicated

Figure D-4: Designing for Emergency Routes

Designing for Bushfire Hazards

Consideration in the design shall have regard to "Planning for Bushfire Protection (PBP)" requirements. When developing the bushfire report and preliminary engineering plans, the following information provides guidance on how Council interprets MoES and any General Terms of Approval (GTAs) when assessing proposed or existing public infrastructure (e.g., roads, drainage reserves, etc.). With the submission of a bushfire report and bushfire assessment, Council will require the following:

- **Road Type Identification:** To avoid ambiguity, the bushfire consultant's report must clearly identify each road type (e.g., perimeter, non-perimeter, property access roads, trunk roads, and any roads not fitting these categories). The road types must be labelled in both the report and accompanying diagrams. The report and diagrams shall also show the location of any parking restrictions, noting that Council's requirements for on-street parking adjacent to residential lots must be met.
- **Asset Protection Zones (APZs):** APZs and other bushfire restrictions are not permitted on drainage reserves, parks, or recreational lands dedicated to Council. These public areas shall be landscaped as part of the development and maintained in the future to meet urban heat canopy requirements and provide community amenity.
- **APZs on Roads:** APZs may be permitted on roads at Council's discretion, provided verge landscaping complies with APZ requirements. Additional verge width to achieve APZ will not be supported on the outside of perimeter roads. However, minimal increases in width along lot frontages may be considered. Concrete paths shall be located in the outer verge so that standard path maintenance also satisfies RFS GTA requirements, without creating additional maintenance obligations for Council.
- **Fire Source Considerations:** Drainage reserves and corridors (channels, basins, etc.) and riparian corridors are to be treated as fuel sources. Fuel loading is to align with the accepted RFS values for the vegetation type, unless a management regime is conditioned to maintain reduced fuel loads. These considerations are to be included in the bushfire assessment. Council will not support proposals that are impractical. For riparian corridors, Council may adopt a higher fuel loading than that specified by the Office of Water where supplementary planting is proposed, such as to achieve Urban Heat Canopy outcomes.
- **Parking Lane Requirement:** Council's road hierarchy provides for on-road parking on all roads, particularly adjacent to residential lot frontages. Although on-road parking is generally removed from the outside of perimeter roads, blistered parking may be provided where justified. The carriageway widths specified by PBP relate to the unrestricted travel corridor. As the Road Authority, Council sets the requirements for on-street parking, which are additional to the RFS minimum travel corridor width unless a performance solution has been agreed to in writing by both the RFS and Council. Utility services (water, gas, electricity) shall be located outside of the carriageway and parking areas, in accordance with PBP requirements.
- **Road ownership and Accountability:** Council is the ultimate asset owner of a road reserve and may reject a concept that NSW RFS finds acceptable if it is not also in the public interest. The design proposal must satisfy the requirements of both the RFS and Council.
- **Cul-de-Sac Parking Concept:** The RFS and Council prefer looped road connections and the elimination of dead ends, including cul-de-sacs. Where cul-de-sacs are unavoidable, the length should be minimised, and on-street parking must be provided adjacent to residential lots, on the outside of the clear turning radius/area required by PBP. Alternatively, and to be discussed with RFS early in the design process, on-street parking may be located in the centre of the cul-de-sac head, as illustrated in Figure D-5. Where this option is proposed, it must allow one-way circulation with the minimum width complying with the 'NSW Fire Safety Guidelines – Access for fire brigade vehicles and firefighters.' In such cases, parking may be excluded from the outer road pavement adjacent to properties.

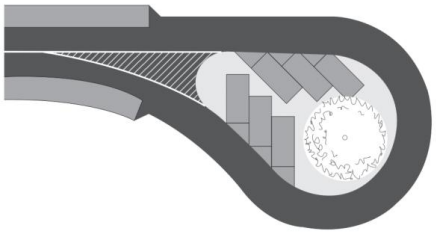


Figure D-5: Bushfire Cul-De-Sac Concept (See Standard Drawing for Details)

- **Subdivision Staging and Bushfire Report Considerations:** The subdivision staging plan and bushfire report shall consider the following:
  - How temporary APZs will be provided during staged development and who is responsible for maintenance.
  - How turning heads, compliant with PBP requirements, will be achieved during staged development and be available throughout the construction phase of subsequent stages.

    Note: Staging layouts with looping roads instead of dead-ends are strongly encouraged.
  - When two points of access are required as part of the bushfire report and/or GTAs, the staged release should clearly outline when these access points will be constructed. Access and APZs should be in place before construction occurs unless otherwise conditioned.
- **Local Area traffic Management (LATM) Devices:** Traffic calming devices are to be considered for perimeter roads to discourage speeding at intersections and as required by Council.
  - Council will nominate the types of LATM device to be used. The modified intersection and mid-block island are pre-approved. At modified intersections, the main travel direction shall be clearly shown. A V-drain should be used to mark the give-way leg when the straight-through path does not have priority.
  - All LATM devices shall meet Council's requirements and the NSW Access for Fire Brigade Vehicles and Firefighters document.
  - Any traffic control devices that have integrated kerbs to slow traffic (e.g. speed hump, chicane slow point, small roundabout) are to have low profile mountable kerbing to allow easy negotiation by a fire appliance.

1.1.9. Positioning of Non-Residential Uses

Commercial activity, centres and other focal point land uses like schools, community and sports facilities need to be well-located to be prominent, highly accessible, and yet not obstructive to the adjoining trunk road networks. Placing these types of development adjacent to but off-line to the higher order trunk road network needs to be carefully considered. These developments should be located close to trunk roads with frequent public transport and a flexible road layout that can adapt as the site and surrounding area develop. They are best positioned next to, and visible from, higher-order trunk roads and major roads to attract passing trade.

These sites would generally be indicated the spatial positioned during strategic planning processes. It is required to locate the vehicle access points off a lower order road with lower traffic volumes consider safety conditions for pedestrians, bikes and public transport. The figure below shows indicative off-line scenarios. Larger activity centres that collocate commercial, community, recreation,

schools and the like may need to use an adjacent precinct that clusters off-line but against the sub-arterial and trunk road network. In all scenarios, the consideration to access via to other non-vehicle modes needs to be highly considered in order to deliver pedestrian priority, followed by cycling, public transport and finally motor vehicles.

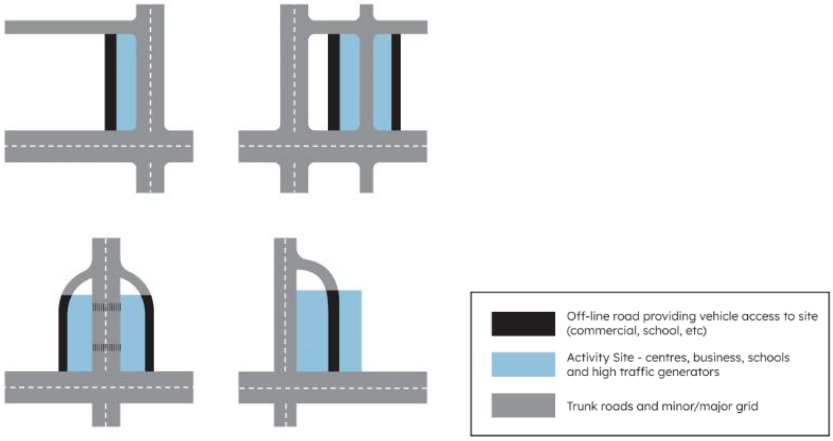


Figure D-6: Off-Line Road Access to Activity Sites (Centres, Businesses and Schools)

1.1.10. Road Types and Dimensions

Details of road types, including their dimensions, widths, contextual considerations, and cross-sections are outlined in Tables D-2 to D-4 and illustrated further in Figures D-7 to D-12.

Table D-2: Urban Road Types Part A

CATEGORY	LOCAL STREETS - RESIDENTIAL		TRUNK RD - MINOR	TRUNK ROADS – MAJOR, ALL ZONES			
Street Types	Yield Street [a]	Local Street [a]	Local Collector [a][b]	Local Distributor	Secondary Distributor	Primary Distributor [c]	Minor Sub-Arterial
Abbreviation	L8	L10	LT11	T12	T14	T15	T15.4
APPLICATION							
Context	10-12 Dw/Ha	15+ Dw/Ha	Local Trunk Road	Trunk Rd	Major Trunk Rd	Major Trunk Rd	Major Trunk
Typical Lot No. [or VPD]	<200	<300	<300	<300	<400	<500	<6000 vpd
Network Layout	<700 m Travel Dist	<700 m Travel Dist	Minor Grid	Major Grid	Major Grid	Major Grid	See D1.1.7
Driveway Access	Front Loaded	Front or Rear	Front or Rear	Front or Rear	Front or Rear	Front or Rear	Front or Rear
ROAD WIDTHS MINIMUM (metres)							
Pavement [d]	8	10	11	12	14	15	15.4
Rd Reserve [e]	17	19	20	22	25	26	26.4
Travel Lane	4 Yield Passing	3	3	3.5	3.5	3.5	3.5
On-Road Cycle Lane	Mixed Travel	Mixed Travel	Mixed Parking	Mixed Parking	1 [f]	1.5 [f][g]	1.7 [f][g]
Parking Lane	2	2	2.5	2.5	2.5	2.5	2.5
Verge [h][i][j]	4.5	4.5	4.5 & 5.5	4.5 & 5.5	5.5	5.5	5.5
Verge Paths [k]	1x1.5[l]	1x1.5 (2x1.5 for density)	1x1.5 or 1x2.5[l]	1.5 or 2.5[l] (add 1.5 for density)	1.5 & 2.5	1.5 & 2.5	1.5 & 2.5
Pedestrian Refuge & blisters[b]	No	No	No	Only Kerb Blisters	Yes max 400 m spacing	Yes max 400 m spacing	Yes 200-300 m spacing
ROAD FEATURES up to 15Dw/Ha							
Design ESA's [m]	*1x10^6	*1x10^6	1.5x10^6	2x10^6	4x10^6	5x10^6	1x10^7
(*) 5x10^5 for lot clusters less than 100 lots				*(Roundabout add 0.5 ESA)*			
kerb Type [n]	Roll	Roll	Upright	Upright	Upright	Upright	Upright
Kerb Return	8	8	8	8	8	8	8
Intersection Blisters	N/A	Optional	Yes	Yes	Yes	Yes	Yes
Line Marking[o]	No	No	Intersection[c]	Yes, CL[p]	Yes	Yes	Yes
Bus Route [q]	No	No	Not Public Route[o]	Yes	Yes	Yes	Yes
Design Vehicle	B85 Car	B85 Car	B85 Car	12.5 m Bus	12.5 m Bus	12.5 m Bus	12.5 m Bus
Check Vehicle	8.8 m	8.8 m	8.8 m	12.5 m	12.5 m	19 m	19 m
Posted Speed	30-50	30-50	40-50	40-50	50	50	50

See Note section for additional information.

Table D-3: Urban Road Types Part B

CATEGORY						
Street Types	Sub-Arterial - Urban	Sub-Arterial Rural [r]	Arterial (Council)	Business/School Precinct	Industrial (min)	Laneway Residential
Road Abbreviation	SA13				I13	LR
APPLICATION	Urban	Rural	Rural	Business/Schl		
Context	Major Trunk Urban	Major Trunk	Major Trunk Network	Precinct Specific	Industrial	Not with L8
Typical Lot No. (or VPD)	<30,000 vpd	<30,000 vpd	>20,000 vpd	N/A	Also Use Trunk Roads	See D1.1.17
Network Layout/Spacing	See D1.1.7	Rural Context	See D1.1.7	N/A & Precinct Specific	Use Minor/ Major Grid	See D1.1.17
Driveway Access	Access Denied	Consider Context	Consider Context	Front or Rear Loaded	Front-Loaded	Rear Loaded
ROAD WIDTHS MINIMUM (metres)						
Carriageway [d]	13	TBD	TBD	15.4 - *or SA13 & Active Verge*	13	5.5 Concrete
Road Reserve [e]	27.6 min	TBD ≈ 27+	TBD ≈ 32+	16.4 - 32.4	23	8.5
Travel Lane Width	3.5 m 2-4 Lanes	3.5 m 2-4 Lanes	3.5 m 2-4 Lanes	3.5 m	3.5 m	5.5 m
On-Road Cycle Lane	in verge	Separated Cycle	Separated Cycle	1.7	Mixed Parking	N/A
Parking lane	3 incl Buffer	Rd Shoulders	Rd Shoulders	2.5	3	No
Verge [h][i][j]	8.3 & 6.3	TBD/Context	TBD/Context	5.5 School 5.5 - 8.5 Business	4.5 & 5.5 (min)	1.5
Verge Paths	4.5 & 2.5	TBD on Context	TBD on Context	Full Width or as directed [s]	2.5 min	N/A
Pedestrian refuge [b]	Yes	N/A	N/A	Yes	Yes for bus routes	N/A
ROAD FEATURES						
Design ESA's [m]	$1x10^7$ (3500 lots)	TBD on ESA's	TBD on ESA's	$1x10^7$	$1x10^7$	$1x10^5$
	(Roundabout add 0.5 ESA)					
kerb Type [n]	upright	Usually N/A	usually N/A	upright	upright	No Kerb
Kerb return Radius	Design Vehicle Swept Path			TBD	12 (min)	N/A
Intersection Blisters	Yes	N/A	N/A	N/A	N/A	N/A
Linemarking [o]	Yes	Yes	Yes	Yes	Yes Partial	N/A
Bus route [q]	Yes	Yes	Yes	Yes	Yes	No
Design Vehicle	12.5 m	19 m	19 m	12.5 m	19 m semi	B85 Car
Check Vehicle	19 m	25 m B-Double	25 m B-double	19 m	25 m B-Double	12.5 m
Posted Speed (km/h)	50-60	70+	70+	40-50	40-50	10-50

See Note section for additional information.

Table D-4: Large Lot Road Types (Large Lot and Rural)

CATEGORY						
Street Types	Local Large lot [(t)]	Collector Large Lot	Rural - local only	Rural	Rural	Rural
APPLICATION						
Context	Max Lot Area.		AADT (2 way)			
	<5000 m^2		<500	<1000	<3000	>3000
Design speed	50 km/h – higher speeds consider Austroads and safety of lane/shoulder/etc					
ROAD WIDTHS MINIMUM (metres) - consider space for drainage, utilities and pedestrian and cycle paths						
carriageway width [(d)(u)]	8	9	9	10	11	12
Road Reserve [(e)(v)]	19	20	20	20	20	21
travel lane width	N/A	N/A	6	7	7	7
On-road cycle [(k)]	Mixed	Mixed	Shoulders do not include provision for cycle, or guardrail. Consult Austroads			
Total Shoulder Austroads AGRD3	NA	NA	1.5	1.5	2	2.5
Minimum Shoulder seal [(d)]	N/A	N/A	0.5	0.5	1	1.5
ROAD FEATURES						
Design ESA's [(m)]	Use ESA's based on Table A function and lots/AADT conversion					
Kerb [(n)]	Roll	Roll <5000 Optional at 5000	Intersection returns as needed			
Linemarking	at intersection	Centreline	Yes	Yes	Yes	Yes
Bus Route/heavy vehicles	No	Yes	No	Yes	Yes	Yes

See Note section for additional information.

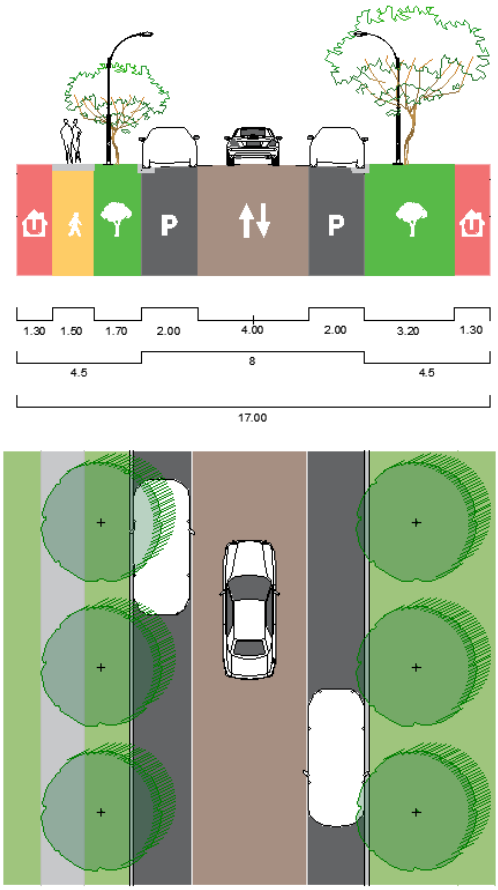
Notes: Road Types A to C

a) Normally classified as "50 km/hr roads" servicing the local subdivision only; not through-roads connecting remote areas.
b) For roads greater than 300 lots consideration should be given to safe street crossing points (pedestrian refuges etc) and aligned at 400 metres max spacing (i.e. at bus stop locations.).
c) Line marking at Intersections for 10 metres – 15 metres.
d) Additional width in accordance with this manual, Austroads or TfNSW standards may be necessary where on road cycle lanes, or greater component widths are required. For a rolled kerb profile, the nominal face of kerb shall be 150 mm from the back of kerb.
e) Reserve width shall be increased where footway verges are greater than the minimum listed.
f) Bike width is contingent on a 3.5 metres vehicle travel lane.
g) Council may require a dedicated bicycle path fully separated from the road pavement.

h) See Section 1.1.15 for verge additional widths. The verge may be reduced to 2.0 metres for roads up to and including Collector status where there is an adjacent public reserve and utilities are addressed. The verge shall be increased to 5.5+ metres where shared paths are required. Verge widths will be increased where necessary to accommodate public utility services.
i) Formation width includes the whole road pavement as a full-width bitumen seal.
j) Where the route is planned to carry large numbers of trucks, the bike travel lane shall be widened to Austroads Pt 3 Section 4.2 or change road type to Sub-Arterial -Major.
k) To a maximum of 300 lots, otherwise bicycle lanes or paths must be considered.
l) Where a path is upgraded to a wider path, an extra 1.5 metres path is not needed for local low-density streets.
m) Minimum Equivalent Standard Axles up to nominated maximum number of lots using minimum 15 dwellings per hectare. Use Higher densities if planning schemes or the development proposal exceed 15Dw/ha. Parameters do not include bus access to Local Streets.
n) Edge restraints are required for AC wearing surfaces. Concrete edge beams may be permitted.
o) Additional line-marking to than listed may be required for delineation, safety. Consider other road users such as bicycles and pedestrians.
p) Line marking at (CL) Centreline for full length, extra as needed for refuges & other.
q) Bus routes refer to public bus route. For school bus route in residential areas should be confined to 11 metres or greater width roads (excludes the school/facility itself). 11 metres also for intermittent bus like sports ovals.
r) Sub-Arterial - Road connecting Arterial Roads to urban districts and carrying traffic directly from one district or precinct to another. See Austroads Pt 2. Arterial Roads are defined separately to this Manual where location and design parameters are determined by Council. 'Classified' Highways, Regional and State Roads are typically Arterial Roads.
s) Full verge concrete paving shall be provided where pedestrian traffic is concentrated, unless otherwise advised by Council.
t) Not through-roads connecting areas remote from the subdivision.
u) Formation width includes the whole road pavement as a full-width bitumen seal.
v) Provide a 2.0 metres width of grassed footpath profile within footway verge.

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: L8 – YIELD STREET



Overview

L8 is quiet, low-density residential street designed for slow traffic. Parking is kept to a low level, and drivers are expected to give way to each other by using the 10 metres parking gaps provided. Vehicle turning movements into individual driveways may be constrained, as swept paths can be compromised.

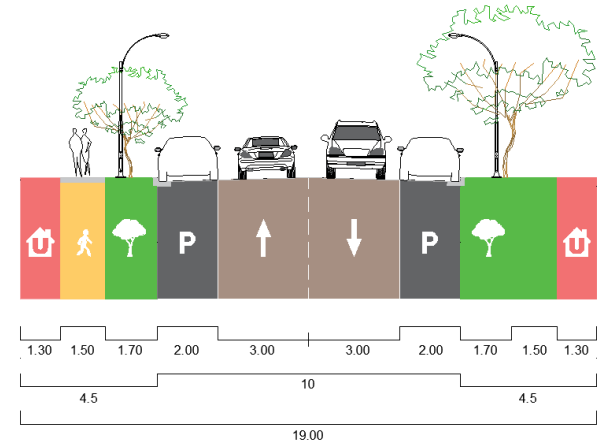
Features

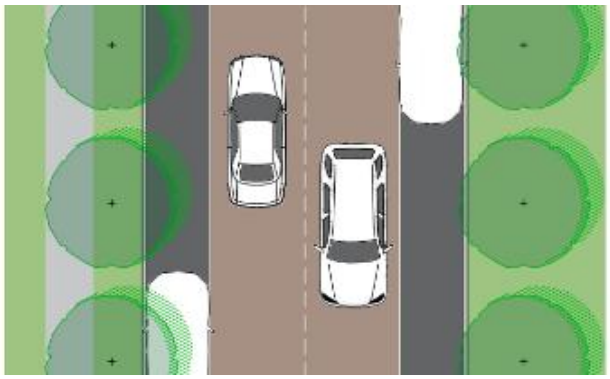
-Footpath on one side in low-density areas
-Connects to minor and major trunk grids
-Single lane supports two-way travel
-High permeability modified grid with short block lengths

Figure D-7: Road Cross Section (Yield Street, L8)

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: L10 - LOCAL STREET





Overview

L10 streets are local roads designed for low-speed environments where two travel lanes are required. They also serve as non-perimeter local roads for bushfire access across all densities and are commonly applied in medium and high-density residential areas.

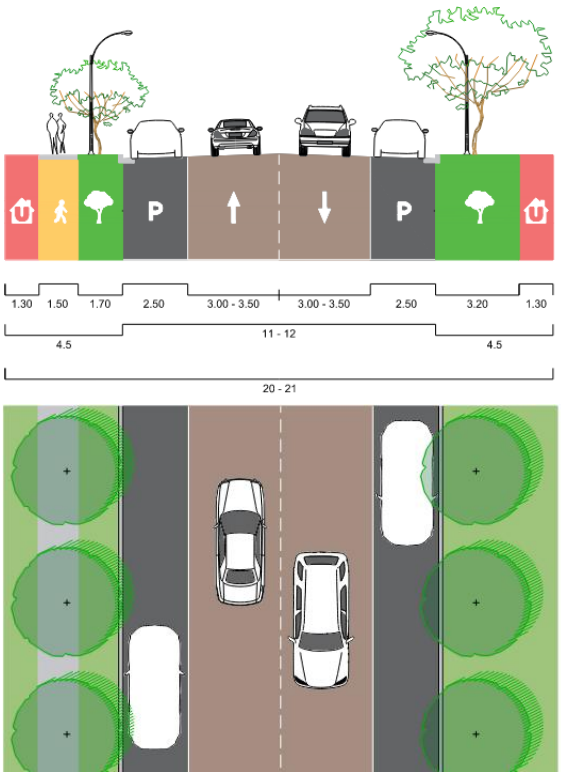
Features

-Footpath on one side in low density
-Footpaths on both sides considered in medium and high-density
-Connects to minor and major trunk grids
-Two travel lanes improve swept paths into individual driveways

Figure D-8: Road Cross Section (Local Street, L10)

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: LT11 – LOCAL TRUNK COLLECTOR & T12 – LOCAL DISTRIBUTOR



Overview

LT11 and T12 are the smallest trunk roads. LT11 functions as a collector, linking local streets to bus and trunk routes. It also serves as a two-lane connector between perimeter roads, forming part of the minor grid. These roads support wayfinding and legibility, while direct routing helps reduce speeding and travel times on adjoining local streets.

Features

-LT11 forms part of the minor trunk grid, while T12 may function as either a minor or major trunk road depending on bus routes and/or lot yields.

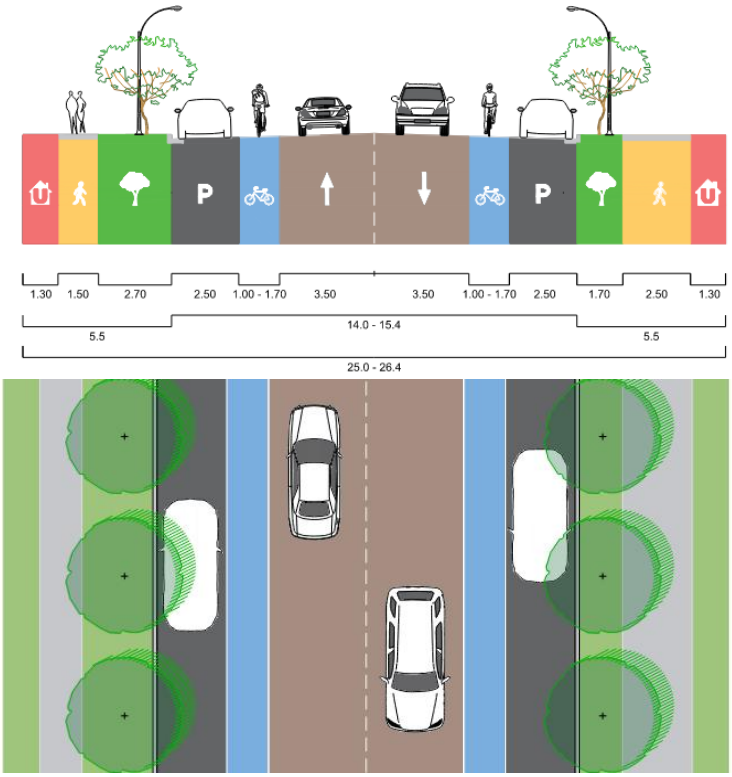
-Both typically provide two travel lanes and two parking lanes, with line marking and wider parking lane widths.

-Footpaths are generally provided on one side in low-density areas, with consideration for footpaths on both sides in medium- to high-density areas.

Figure D-9: Road Cross Section (Local Collector, LT11 & Local Distributor, T12)

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: T14, T15, T15.4 – Trunk Roads



Overview

T14 to T15.4 form part of the Major Grid framework, providing connections between neighbourhoods within suburbs or release areas. These roads accommodate both on-road and off-road cycling facilities. The wider planting zone (on the side with a 1.5 metres path) allows for larger or additional street trees.

Features

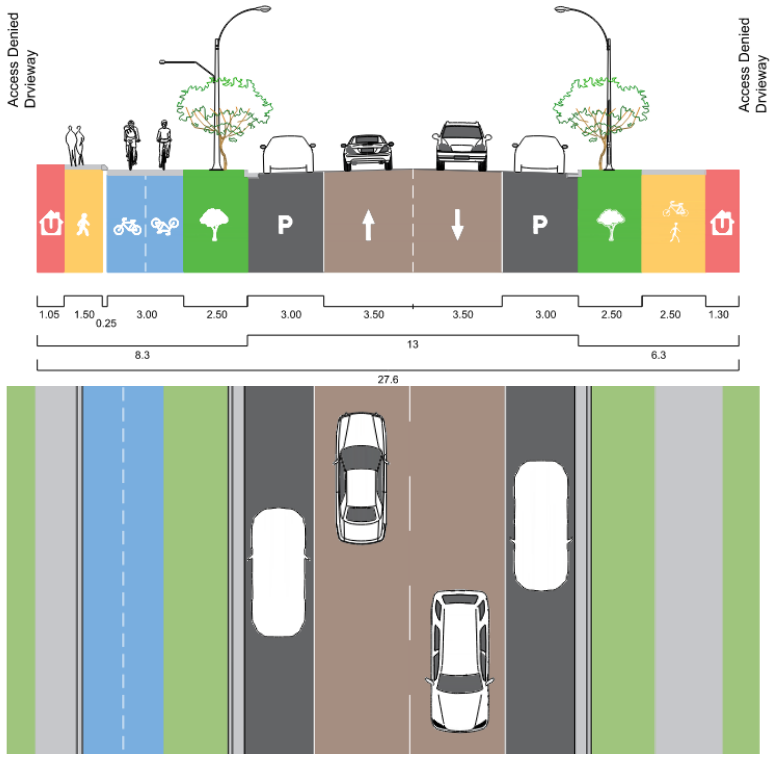
-Dedicated on-road cycle lanes are provided, together with off-road shared paths (pedestrian and cycle) on one side and a separate pedestrian footpath on the other.
-These streets are designed to balance the movement of traffic with lot access.

-Pedestrian and cyclist safety shall be prioritised at street crossings.

Figure D-10: Road Cross Section (Trunk Roads, T14 T15 T15.4)

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: SA13 - URBAN SUB-ARTERIAL



Overview

This feature road establishes the character of the suburb. The primary function of SA13 is traffic distribution. To enhance safety, on-road cycle lanes are relocated to the verge, while access-denied roads improve overall amenity and prioritise active transport within the verge. Adjacent lots maintain pedestrian and postal frontage to this road.

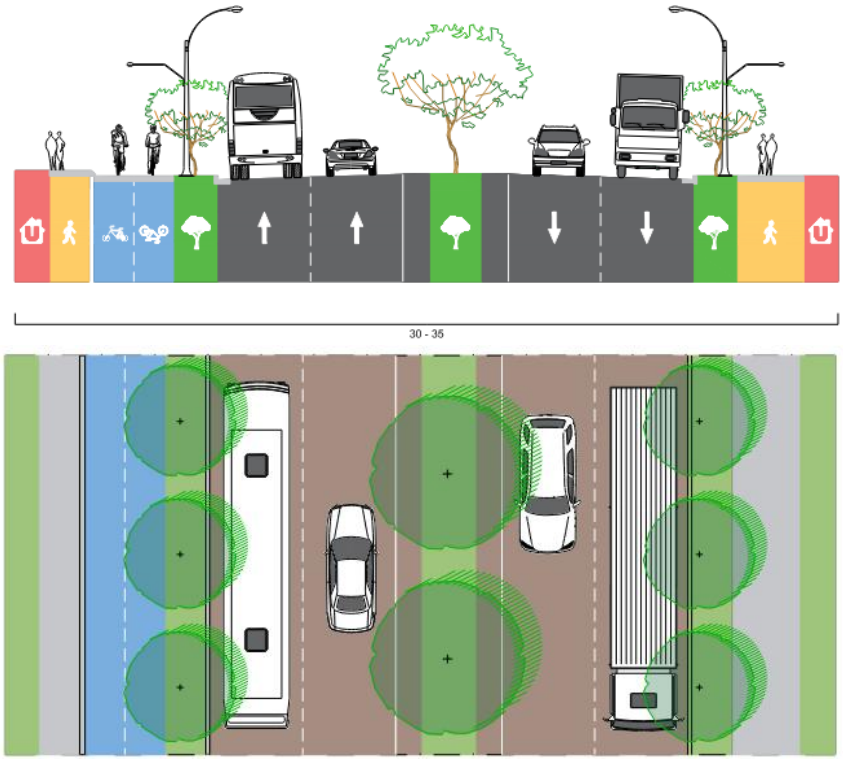
Features

-Dedicated off-road cycle paths are provided, while the opposite verge accommodates a shared path suitable for family cycling.
-Pedestrian and cyclist safety shall be considered at street crossings.
-The wider planting zone (with the 1.5 metres path) enables additional street-tree canopy.

Figure D-11: Road Cross Section (Urban Sub-Arterial, SA13)

ROAD CROSS SECTION – INDICTATIVE TYPOLOGY

ROAD NAME: COUNCIL ARTERIAL



Overview

Council Arterials accommodate longer-distance travel, such as suburb-to-suburb movement, and generally connect to highways or state arterials. Their distribution and connectivity functions outweigh consideration of traffic volumes alone. Dimensions and typology should be negotiated in advance as part of urban release area planning.

Features

-Larger arterials may provide dual lanes in each direction, while smaller arterials may comprise single lanes with joined pavements.
-In built-up areas, lots do not front directly onto arterials and access is instead provided via adjoining streets or parallel service roads.
-The inclusion of a central median, shoulders versus kerbs, and verge widths should be determined by local context and circumstances.

Figure D-12: Road Cross Section (Council Arterial)

1.1.11. Design Vehicles and Check Vehicles

These vehicles as listed in the road hierarchy table are used to determine street and road widths including lane widths and kerb radii. They also influence travel speeds through intersections and overall driver behaviour.

Design Vehicles: high-frequency, day-to-day users that are required to remain within the designated travel lanes.

Check Vehicles: lower-frequency users such as garbage services that may cross the centrelines of the leaving or entering road. Generally, this involves crossing up to halfway over the opposing traffic lanes in both directions. Note: Seldom frequency vehicles such as emergency vehicles and semi-trailers (during building construction) shall be able to enter any road without causing damage to infrastructure including mounting kerbs, stormwater lintels, signage and utilities. These vehicles may need to utilise the full width of travel lanes in both directions when making turns.

1.1.12. Components of Road Reserves and Travel Lane Widths

The following components of the road reserve are provided to clarify how the residential road types within the hierarchy table have been developed. The components are listed to provide guidance on the makeup of those road types and may assist Council's engineers in addressing site specific or exceptional circumstances where isolated changes are required. They are not intended to enable the creation of individualised 'design-your-own' roadway types. The Road Hierarchy Table shall remain Council's standardised reference for the road network.

The minimum travel lane width for each road type along with its corresponding function is provided in the table below.

Table D-5: Travel Lane Widths (T = Travel Lane)

ROAD TYPE	LANE WIDTH (1)	COMBINED TRAVEL WIDTH	NOTES
Local Street and Minor Trunk (non-public bus routes).	3.0 m	6.0 m	E.g. 10.0 m road (2P-3T-3T-2P). 11.0 m Local Collector Road (2.5P-3T-3T-2.5P)
Trunk Roads - Major	3.5 m	7.0 m	(includes Public Bus routes network)
Single Lane – Dual Direction (yield street) or One-Way	4.0 m	4.0 m	E.g. 8.0 m Yield Street (2P-4T-2P) and any single lane restriction for any road type
Laneway	5.5 m	5.5 m	Dual direction

Notes: (1) Excludes roundabouts and other traffic scenarios where wider lane requirements are necessary.

1.1.13. On-Road Parking Lane Widths

All roads within the road hierarchy table show how parking is provided within the carriageway. It is Council's requirement that all lots fronting a road will have on-road parking, see Table D-6. Larger lot rural and rural residential will be considered on merit. Short sections of parking such as at

roundabouts and traffic blisters can be omitted to comply with road design and legislative requirements. Lots with dual road frontage (front and rear) sometimes occur at entry roads to traffic signals and roundabouts, or an access denied road (denied driveways). Parking could be removed from one of the road frontages at Council's discretion unless commercial or other high-use activity abuts any of the road(s). Corner lots do not have the same concession except where intersection blisters occur.

Table D-6: Parking Lane Widths (P = Parking Lane)

ROAD TYPE	MINIMUM WIDTH	COMMENTS/EXAMPLE
Local Streets	2.0 m ** 2.25 m* # 2.3 m	E.g. on Yield Street (2P-4T-2P), and 6.0 m combined travel width (2P-3T-3T-2P) **5.5 m is considered a driveway width however is provided to clarify Planning for bushfire requirements for non perimeter roads (2.25P-5.5T-2.25P)* #if delineation or line marked between parking lane & travel lane
Trunk Roads and Local Collector	2.5 m	Local trunk road. Major trunk roads with bike lanes between travel and parking lanes
Major Trunk Roads (with no on-road cycle lane)	3.0 m	Trunk Roads (generally over 6000vpd) with no separation on travel and parking lane.
Bus Indents/Other Heavy Vehicle	3.0 m	Bus indents minimum width (2.5 m wide parking lanes will require blistered bus stops. ***Developers show stops on lot plans, so buyers are notified.)***
*Industrial Road (13 m wide)	3.0 m	

Note: The words bay and lane are interchangeable.

1.1.14. Minimum Combination and Pavement Widths

There are occasional reasons to vary a standard road type such as taking local area traffic management device necking points, see figure below for examples.



Figure D-13: Special Road Width Circumstances

The photos above illustrate an example of how the table below can be applied to a pinch point, as well as a potential solution for retaining a significant tree. The photos (sourced from Google Maps) are provided for reference and may be used at Council's discretion.

Table D-7 below presents the total pavement width required, determined by the number of lanes and the corresponding road classification.

Table D-7: Pavement Widths

LOCAL STREETS	MINIMUM WIDTH (M)	LANE TYPES *T = TRAVEL* *P = PARKING*	EXAMPLE
One Lane	4.0	1T	One-lane pinch point, one-lane turning circle
Two Lanes	6.0	TT or TP	Necking at intersection blisters. A short side road to save tree, or for slope
Three Lanes	8.0	PTP or TTP	Yield street or remove parking off one side of two-way street.
Four Lanes	10.0	PTTP	Local street and Bushfire non-perimeter road with lots and parking on both sides

Note: This Table overrides any other components where combined are of a lesser total width.

1.1.15. Verge Widths

Verge widths must adequately consider the infrastructure that needs to be accommodated and installed. Verge widths in the road hierarchy table are minimum and any verge may need to be widened to accommodate site specific infrastructure needs. The table below provides some requirements.

Table D-8: Verge Additional Widths

VERGE ADDITIONS	WIDTH (M)	RESIDENTIAL ZONES
Minimum Verge Width	4.5	Standard 4.5 m minimum verge already includes a 1.5 m footpath and a small tree
Street Tree	TBD	Add additional width as needed to accommodate the street tree size and minimum deep soil volume/widths (see Technical Guideline: Street Trees)
Shared Path 2.5 m wide	+1.0	Standard 4.5 m minimum verge includes a 1.5 m footpath. Replacing with 2.5 m shared path gives 5.5 m minimum verge
Other Path widths	+ (path width – 1.5)	Standard 4.5 m minimum verge includes a 1.5 m footpath
Overhead Power	+2.0 min	Where both overhead and underground services are provided, they are generally located behind the footpath and within the local utility combined trench, to avoid streetlights and tree
Stormwater Pipelines E.g. Dual pipes (major system drainage)	TBD (pipe width + buffers/influence)	Dual pipelines shall not be located under road pavements (except at crossings). Use open channels or provide extra width to avoid encroaching on allocations or trees
WSUD (biofilters, rain gardens, etc.)	+1.0 min	WSUD pits are located in the setback between kerb and footpath (biofilters in concrete box systems behind the kerb), positioned between trees
WSUD Swales	TBD	To be negotiated in a DCP only
Trunk Utilities (water, sewer, gas, electrical or communication)	TBD	Additional verge width may be necessary for non-standard items
Reduce Verge Adjacent Public Space	*	*See notes

*Additional widths are cumulative with no discounting, except where WSUD and street tree allocations are considered.

1.1.16. Local Area Traffic Management

Local Area Traffic Management (LATM) refers to traffic measures and strategies aimed at improving safety, particularly in residential neighbourhoods and local centres. It focuses on modifying traffic patterns to create safer, more efficient environments for pedestrians, cyclists, and drivers.

LATM measures are typically recommended for use on perimeter roads and local roads with 4-way intersections, especially where standard requirements are exceeded, such as long street block lengths, straight sections greater than 500 meters, or intersections with changes in priority. However, the use of LATM should not be interpreted as an endorsement of non-compliant or substandard design.

Below are a few examples of LATM measures:

- **Line marking and median islands in parking lanes on perimeter roads**: These measures slow down traffic in residential areas. Note: Islands are preferred over kerb blisters to ensure a minimum 1.5-meter distance between the edge and travel lanes, due to expansive clay soils.
- **Islands before blisters**: Traffic islands placed before blister islands (small raised areas at pedestrian crossings) help guide traffic, reduce speed, and provide safe areas for pedestrians to wait while crossing, improving safety and reducing crossing distances.
- **Mountable roundabouts**: Small roundabouts at intersections help maintain traffic flow and reduce the likelihood of accidents compared to traditional stop signs and intersections.
- **Raised intersection platforms**: Elevated sections at intersections are designed to slow down traffic, enhance pedestrian and cyclist safety, and improve visibility.

For the design requirements and further reference, see *Austroads Guide to Traffic Management Part 8: Local Street Management*.

1.1.17. Laneways (New Residential)

Residential Laneways are only to be used when all of the following criteria are met:

- They are parallel to roads with a minimum pavement width of 10.0 m (i.e., two dedicated travel lanes with a combined travel width of 6 m);
- They provide increased density by creating a mix of lots ranging from 8.0 m minimum to 12.5 m maximum width with a maximum depth of 25 m or provide access where high-order roads deny direct access.
- They are part of an integrated application with dwellings designed and forming part of the Development Application.
- Thy are not to be connected to trunk roads; and
- They are of a straight design (i.e., no bends, C, T, or H shapes). See figure below.

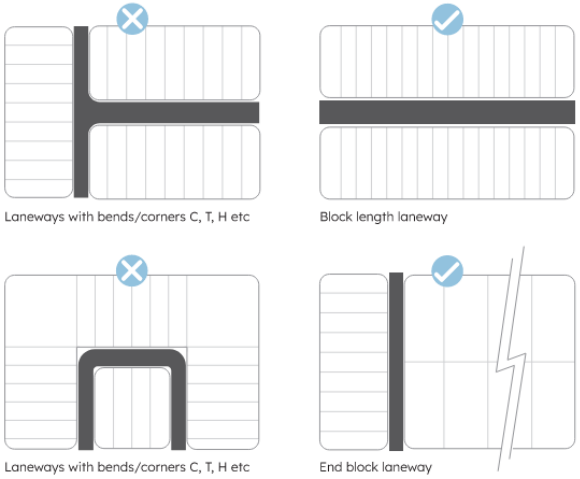


Figure D-14: Configurations of Laneway

Design and construction shall comply with the following:

- Laneways are to be constructed in concrete with a central "V" drain. The pavement width shall be 5.5 m with two verges of 1.5 m to support small street trees. The addition of kerbs is undesirable and, if provided, must allow 1.5 m of deep soil behind the back of the kerb, in addition to the 5.5 m pavement. Reserve may be increased in 0.5 m increments as required.
- A crossfall of 2.5–3.0% shall be provided to the centre of the pavement.
- Laybacks or V drains must be provided at road connections.
- Coloured concrete entry thresholds are allowed, provided they do not extend across pedestrian paths.
- Splay corners must measure 2 m × 2 m.
- The maximum length of a laneway is 100 m per block to control vehicle behaviour, speed, CPTED, and other safety measures. Variations, while not encouraged, require LATM measures and increased travel widths.
- All lots adjoining the laneway must use the laneway for vehicular and garage access.
- Streetlights must be installed at laneway entrances on the opposing side of the street to maximise light penetration and within the laneway in accordance with Council's requirements (see Figure D-15).

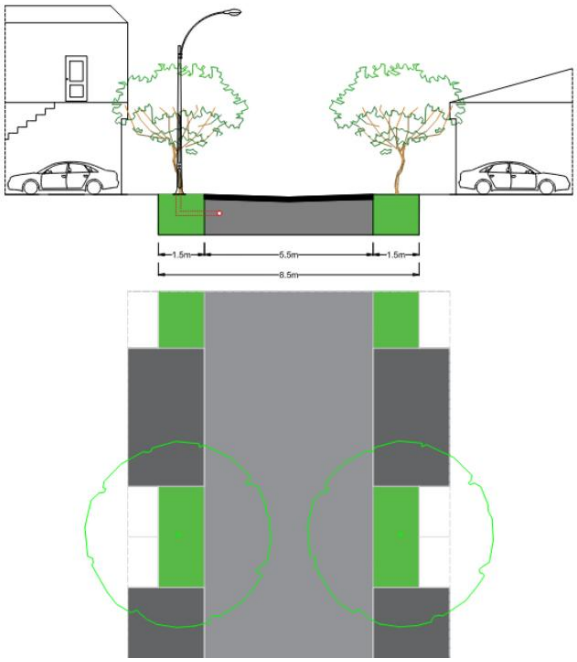


Figure D-15: Road Cross Section (Residential Laneway, LR)

- All utilities except street lighting must be provided from the primary road reserve.
- The maximum longitudinal grade of the laneway shall be 5% and lot grades must comply with any DCP requirements for lots with laneway vehicle access.
- No lot drainage shall connect directly to the laneway. All allotments on the laneway must drain stormwater to the street network or via an inter-allotment drainage line into the laneway pipeline (see Figure D-16).

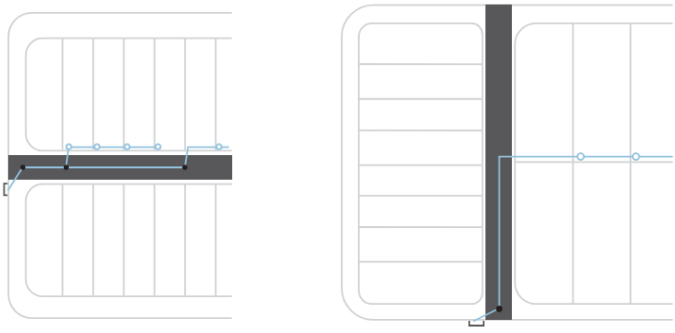


Figure D-16: Indicative Laneway Drainage

1.2. Footways, Footpaths and Steps

Footpath and footway parameters shall be designed in accordance with the Standard Drawings, Section 1.1.10 and the following:

- Footway (verge) minimum widths are provided in Section 1.1.15.
- Footway crossfall shall follow a standard profile of 4%.
- Footpath widths are provided in Section 1.1.10.
- Footpath crossfall shall be a minimum of 1% for drainage and a maximum of 2.5% for accessibility. Construction plans are recommended to use a design crossfall of 1.5% to ensure compliance with these limits.
- Longitudinal grades of footpaths shall match adjacent roadway or kerb grades with transitions to ramps or returns where appropriate.
- Where footpath grades exceed 12%, special consideration shall be given to pedestrian accessibility.
- Steps are considered undesirable in public space design and should be replaced with ramps wherever possible. Where steps are approved, they must conform to the Building Code of Australia, and handrails shall be provided.

Variations to these parameters will only be considered under exceptional and justifiable circumstances.

A concrete footpath within the footway shall be provided as a minimum standard in accordance with the relevant road types in Section 1.1.10. Footpath warrants, particularly near or within the desire-line of commercial and school precincts must be determined in conjunction with surrounding development (existing or planned) and key pedestrian destinations. Footpaths in rural zones (RU1, RU2, R5) are not generally required unless specified by a planning instrument. In industrial zones (E4), footpaths shall generally be provided along bus routes and other locations as specified by Council engineers.

1.3. Cycleways and Shared Paths

Cycleways shall be provided on routes as defined by the Maitland City Strategies or in accordance with any DCP or condition of development consent.

Off road cycleways (i.e., beyond the road pavement) are usually nominated “shared paths” being 2.5 metres minimum wide for both cyclist and pedestrian usage and shall be constructed in accordance with Standard Drawings SD012 & SD020. Such paths, usually located within footways that are 5.5 metres wide (See SD001) may also be located in open space corridors. Council may consider a shared path 2.0 metres wide were justified by special circumstances such as constraints of available corridor widths.

Shared path or cycleway connectivity between a road (i.e. a road reserve either existing or proposed, with or without a path) and the main path shall be constructed as a shared path, 2.5 metres wide.

Table D-9 below provides the minimum path widths based on their function and the nominated verge width.

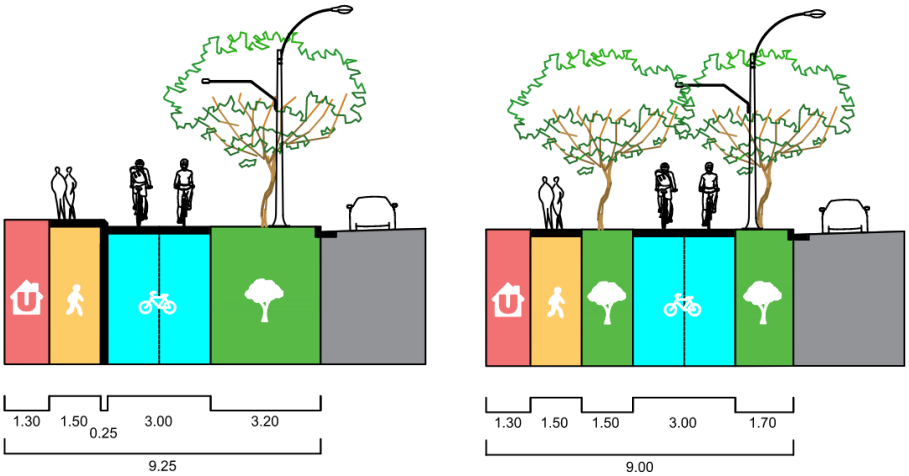
Table D-9: Pedestrian and Cycle Paths

PATH TYPE	FUNCTION	MINIMUM WIDTH (M)	MINIMUM VERGE	MAXIMUM LONGITUDINAL GRADIENT	PROFILE CODE

Minor Path - Footpath	Local access path with low traffic volumes; Pedestrian and low speed cyclist use.	1.5	4.5	Match road or in accordance with AUSTROADS AGRD Pt 6A.	A
Shared Path	Commuting pedestrian & cycle path (up to 20 km/h) where two-way movements are common.	2.5	5.5	Match road or in accordance with AUSTROADS AGRD Pt 6A.	B
Trunk Path (High Use) – Trunk Shared	Commuting path accommodate high level of pedestrians & cyclist (speeds up to 30 km/h) in both directions.	3.0	6.0	Match road type or in accordance with AUSTROADS AGRD Pt 6A.	C
Active Verge Combination	Access denied driveways 3 m Dedicated bike path and footpath	4.5 (3.0 & 1.5)	9.0+	Match road or in accordance with AUSTROADS AGRD Pt 6A.	D

Figure D-17 below shows Type D Active Verges (parallel and split paths). It is generally intended for use at the Strategic level (rezoning and DCP), but may also be applied at the Development Application stage where DCPs and precinct plans are not yet in place.

Driveways are denied on these paths and verge on opposing side of the road. *Roads under 10,000vpd could negotiate for driveways on the opposing verge (within the DCP or Precinct plan) subject to the surrounding context and street environments being created.*



Example for Residential frontages

Paths Split for Commercial/Recreational

Figure D-17: Footpath and Share Path for Residential and Commercial Site

1.3.1. Kerb Ramps

Kerb ramps (pram ramps) shall be provided at locations to cater for road crossings but only when directing pedestrians to a continuing path, in accordance with Council's Standard Drawing SD019. The surface of the kerb ramps shall be coloured with a light terracotta colour oxide, with a stretcher bond brick stencilled finish. Ramps and their texture shall be perpendicular to the road and aligned to be directly opposing, to assist directional orientation of sight impaired persons.

1.3.2. Pathway (Corridors)

Pathway corridors between lots are not supported in low to medium density residential areas, and other locations with low use and low surveillance, due to poor Crime Prevention Through CPTED considerations. The necessity for pathways can be eliminated through effective design strategies such as adjusting street block lengths and orienting roads to align with natural desire lines and flowpaths.

In cases where a cul-de-sac is unavoidable and needs the bulb to connection for stormwater flowpaths or active connectivity, the bulb shall be extended to the adjacent road or park to negate the need for a pathway corridor.

In the case of mid-block pathways for stormwater and the like, align within a road or cul-de-sacs, or alongside for open channels. These configurations enhance CPTED surveillance and provide effective maintenance access.

Within this document 'pathway' refers to a laneway corridor bounded by private property (or the like) which links between public places to facilitate walking, cycling and can include stormwater overflows. Previously public pathways within dedicated land would have linked common destinations such as schools and commercial precincts and recreation areas. They may also have acted as stormwater overland flow paths.

Council will consider the construction of alternative pavement types, colours, textures, and widths on merits, however consideration will be restricted to areas of low lot catchment, and where, for example, residential lots are on one side of the street, or opposite to and adjoining a Public Reserve or "Open

Space". Such pavements shall only be provided at the terminal end of residential streets and shall cater for a maximum number of five properties, including the corner allotment. In addition, such pavements, if being considered as a connection between two streets, must not create an alternative route for "through traffic".

1.4. Horizontal Curves

The horizontal alignment should be carefully chosen to balance the topography, with the desired speed control and adequate safety, for all road users.

- In urban areas, a changing alignment is encouraged in order to maintain low traffic speeds. Curve radii are generally established by the approved subdivision plan.
- Long straights connected with short (isolated) radii curves are undesirable.
- The maximum deflection for which a curve is not necessary is 1.5 degrees.
- Horizontal curves on urban arterial, sub-arterial and distributor roads shall comply with Austroads standards. The desirable minimum curve length should be 70 metres and the minimum desirable radius, 400 metres (due principally to adverse crossfall), [Urban Road Design, A Guide to the Geometric Design of Major Urban Roads (AP-G69/02)]. Consideration of newer Austroads standards is allowable.
- Horizontal curves on rural roads shall comply with Austroads and TfNSW standards for rural roads.
- "Broken-back" curves (created by a short length of intervening straight between two uni-directional curves) should be avoided in an urban street environment regardless of road hierarchy due to an unsafe changing alignment. Such curves are not permitted on roads of Collector status or greater, or within Large-Lot subdivisions. Exceptions may be granted by Council where travel speed necessarily varies appreciably (as may occur at sharp curves/bends approaching 900 or approach to a traffic control facility, interrupting traffic flow) and, where the connecting straight is greater than 150 metres between tangent points. Regardless, good design practice should prevail with improvement by the substitution of a single curve or a compound curve.
- Compound (uni-directional) curves with common tangent points should provide comparable radii ratios, generally not less than 0.75 (smaller divided by larger), although a lesser value may be considered in constrained urban situations.
- Reverse curves without tangent point separation, are not desirable and should be avoided.
- Where vertical curves are combined with horizontal curves, the combined respective sight distance requirements should ensure compliance with relevant standards.
- All curves must be assessed to accommodate large-vehicle access to urban areas taking into account the road hierarchy and the potential for passing of moving vehicles, and of parked vehicles.
- Travel lane widening for vehicle-tracking must be considered on major roads (roads with a carriageway width greater than an 11 m) in relation to line marking and parking requirements. Generally, a 3.3 metres wide travel lane will accommodate large vehicles for a local street [Ref Guide to Road Design – Part 3: Geometric Design 4.2.4 and 4.2.5].

1.5. Longitudinal Grades

For urban areas centreline longitudinal grade limits are as follows:

Table D-10: Longitudinal Grades

	FLEXIBLE PAVEMENT	RIGID PAVEMENT
Minimum	0.5%	0.5%
Maximum	16%	16% 25% privately owned*
Public Bus route maximum	10% (12% for less than 150 m & not at a bus stops)	12%

Grading for an intersecting side-street shall attempt (where applicable) in the first instance to achieve a sag point in advance of the intersection. Where this occurs in deep cuttings, the deletion of the sag in favour of a dished concrete (being flat and wide – 40 mm deep invert x 0.9 metres wide) may be utilised, subject to acceptable drainage considerations and vehicle vertical clearances.

Note: *A maximum grade of 25% is generally allowed for private access road where commercial-sized vehicles as specified in AS2890.2 are not required to enter the site. However, if the private access road is to cater to commercial vehicles such as service, garbage, and/or delivery vehicles, the minimum requirements of AS2890.2 must be met.

1.6. Vertical Curves

Crest vertical curves shall be designed as a minimum for Stopping Sight Distance (SSD) for the nominated design speed. Sag vertical curves shall be designed for riding comfort. Where minor changes in grade (less than 1%) occur, vertical curve lengths shall satisfy appearance criteria.

Reaction times shall be 1.5 seconds for urban and 2.5 seconds for rural areas.

In order to improve gutter flows and pit inlet capacity where grades are less than 1%, sag vertical curves in kerb and gutter design should be eliminated. An increase in the road crossfall in the vicinity of the sag pit to achieve this requirement will ensue.

1.7. Crossfall and Superelevation

Generally, roads should be crowned in the centre with 3% crossfall. Offset crowns are acceptable where warranted, to achieve satisfactory cross section profiles for adequate gutter/road capacity for stormwater runoff. The crown shall not occur within wheel tracks. A minimum width between the kerb and the crown shall be provided to allow effective roller compaction and operation of the asphalt paving machine.

One-way crossfall may be applied in special circumstances subject to Council's concurrence (such as in difficult cross-sloping topography) with special attention given to control of the catchment

contributing stormwater runoff to the gutter, (such as providing IAD pipelines) that does not exceed gutter capacity.

Superelevation should not be applied to urban streets but may be permitted on major urban and rural roads with design speeds generally of 70 km/h or greater, unless otherwise advised by Council.

1.8. Batters

Batters of cut and fill should generally comply with the following requirements unless otherwise recommended by the suitably qualified geotechnical engineer, see Table D-11. This is to ensure that property access, pedestrian safety, and maintenance issues are satisfactorily achieved. Refer to Council's Standard Drawing SD002.

Table D-11: Batter Slopes

BATTER TYPE	MAXIMUM SLOPE (HOR : VERT)
Road Reserves	4 : 1(1)
Lots between road and building envelopes *NOTE: Check Maitland DCP for other (lot) requirements*	4 : 1(2)
Public Open Space	5 : 1(3)

Notes:

1) This slope is nominated primarily for purposes of maintenance rather than batter stability.
2) Steeper slopes, up to 3:1 are permitted but should be avoided in front setbacks, building envelopes, mowing areas and vehicle access areas. Lots with steep batters shall be assessed for acceptable garage locations and driveway grades that conform to Council's Standard Drawings SD008.
3) Where regular maintenance is expected, 6:1 should be provided. Where maintenance is not required such as for natural bush or shrub/native grass plantings, 3:1 may be permitted.
   - Confirmation by a geotechnical engineer of suitable batter slopes for particular soil types may be necessary.
   - Cuttings in rock may be near vertical, as recommended by an engineer.
   - Batters for lot fill shall be contained within the lot.
   - Road batters which extend into lots, should intersect with the natural surface level within the building line setback as adopted by Council.
   - Variations outside of these parameters will only be approved where justified.

1.9. Cul-De-Sac, Turning Heads and Kerb Returns

Cul-de-sacs are discouraged due to various reasons including CPTED concerns and other factors (e.g. bushfire). Council prefers connected roads and streets. These reasons include lot frontage challenges for driveways, on-street parking, garbage collection, utility pit space in the verge, street trees for urban heat island effects and lot shape issues. Cul-de-sacs are only considered if no other option is feasible, and if so, they shall be straight enough for visibility from the intersection to the bulb end. If they exceed the length and visibility requirement, road width should be increased accordingly for two

dedicated travel lanes. Perimeter road cul-de-sacs shall be less than 200 metres long. Internalised cul-de-sacs (by lots) shall achieve a walkable perimeter in accordance with the DCP.

Other treatments such as 'T' and 'Y' heads are to be avoided in residential areas for reasons including pedestrian safety, reversing vehicles, unlawful parking/uses and others. T and Y heads are for generally appropriate for service area turning where the public is excluded. Turning head layouts shall cater for manoeuvres of a single unit Heavy Rigid Vehicle (HRV), typically a garbage truck. See Council's Standard Drawing SD027.

The minimum pavement crossfall in all turning heads and areas shall be 2% and a maximum of 5%. In turning heads where the depth of excavation is significant, in order to reduce the effect of the cutting and batter, the crossfall from the circle centre may be adverse (positive).

Where planning for bushfire requires larger cul-de-sac radii, consideration of on-street parking within the centre of a one-way turning head should be explored instead of providing parking on the outside of the turning radii, see figure below. The benefit includes less land-take, less pavement, urban heat canopy shade. Concrete construction may be required for shrink/swell soils.



Figure D-18: Bushfire Cul-De-Sac and Aerial Sample

The minimum kerb face radius requirements for Council's roads are provided in the table below.

Table D-12: Nominal Kerb Face Radius (minimum metres)

	RESIDENTIAL	INDUSTRIAL & ENTERPRISE
Cul-De-Sac	10 12* Bushfire swept path (*parking needs to be added)	16
Transition	30	50
Kerb Return (at intersections)	8	12

*Also see section 1.9		
Kerb Return (at sharp mid-block bends	15 (inside radii) Local streets only <11 m wide Ensure lot width allows a driveway on the short frontage outside of prohibited locations (AS2890.1 6m from TP) OR provide a 1.0 m wide 88b restriction on the lot frontage restricting vehicle access and manoeuvring along the prohibited areas.	Not appropriate – use design speed curves. If unavoidable, B-Double and 19 m turning paths are the check vehicle for industrial and Enterprise respectively.

Note:

- Listed requirements are minimums and may need enlarging e.g. Bushfire.
- Enterprise includes but is not limited to commercial, business and large-lot retail areas.

2. Intersection Design

Intersections for the control of converging, merging, and diverging traffic streams may employ various design elements which are generally referred to as "traffic control facilities", being, Major Facilities such as, Traffic Signals, channelised (with auxiliary lanes), Roundabouts in urban and rural environments, and Minor Facilities, such as Local Urban and Rural Intersections, as defined below.

Intersection requirements shall be implemented in accordance with Austroads guidelines and as supplemented by TfNSW standards, and in accordance with development consent. Road widening may be required along the existing road adjacent to the development lot to accommodate intersection treatments, compliance lanes, parking, and other related infrastructure. As generally encompassed by Austroads standards, warrants for typical intersection requirements shall be determined based on design objectives parameters such as: safety, traffic capacity and flow, sight distances, crash history, lighting, consistency, driver expectation, and including: speed, travel time, interruptions, queuing, freedom to manoeuvre, driving comfort and convenience, and operating costs; factors embodied in the Level of Service (LoS) of an intersection.

"General objectives for intersection design are to:

- Design the intersection to be as safe as possible.
- Cater appropriately for the movements of road users.
- Provide adequate facilities for all road users (including pedestrians, those with a physical impairment and cyclists)
- Maximise driver comfort.
- Minimise maintenance and replacement costs
- Minimise adverse environmental effects.

One option to improve capacity (and safety) is through channelisation and auxiliary lanes, to separate movements on an approach and provide storage space or remove conflicting flows, and to raise capacity by eliminating constraints on the priority flow" (Austroads Pt 6), and to achieve an outcome

"to maintain capacity of the through road…to operate with very minor interference to the through movement" (TfNSW).

Intersections shall be designed to accommodate the legal speed limit of the road existing at the time of construction approval.

Application of an Extended Design Domain (EDD) approach will not be considered unless adequately justified, whereby removal of constraints to achieve Normal Domain Design (NDD) is unreasonable or prohibitive.

For traffic-control design features, Council and TfNSW Traffic and Development Committee requirements may be inherent within the consent, or otherwise approved through or associated with, the Subdivision Works Certificate (SWC)/Section 138 of the Roads Act (S138) process for traffic device features such as signposting and linemarking.

2.1. Traffic Signals

All traffic signal facilities (including those for pedestrians) shall be approved in design and construction by the TfNSW through appropriate agreements with the WAD (e.g. Works Authorisation Deed).

2.2. Channelised Intersections

Channelised intersections (CH), together with auxiliary (AU) lanes to provide safety in diverging, storage and continuous flow of vehicles and cyclists, shall be provided in accordance with Austroads guidelines and as supplemented by TfNSW standards.

Intersections shall incorporate the following (but not limited to):

- Adequate capacity for the projected design life
- Adequate Stopping Sight Distance (SSD) where applicable, Approach Sight Distance (ASD), Safe Intersection Sight Distance (SISD) and, Minimum Gap Sight Distance (MGSD) where practically possible, as the circumstances require.

[Where an intersection is required in the vicinity of a crest vertical curve, it should be placed at the crest rather than immediately beyond the crest, where sight distance may be compromised.]

- Compliance with "turn treatments".
- Provision of auxiliary lanes
- Provision of islands medians and kerbs where required.
- Provision for utility services, cyclists, pedestrians, disabled access, and lighting where required.
- Provision for 19-m (and "B-Double" where on an approved route) articulated vehicle turning paths.
- Provision of signposting, pavement markings and furnishings, including raised pavement markers in accordance with TfNSW standards.
- Intersection angles should be perpendicular wherever possible, otherwise within the limits according to road design standards.

2.3. Roundabouts

Roundabouts shall be designed in accordance with Austroads and TfNSW Guidelines.

General geometric layout principles should be confirmed with Council prior to preparation of a detailed design. Particular attention will be given by Council to future traffic needs as they relate to the number and configuration of approach and circulating lanes. Pavement markings shall be utilised for dedicated traffic-lane movements. Two lane circulating roundabouts when required must employ two travel lanes at departures.

The following principles should also be addressed: -

- Roundabout shall be designed as on-grade cross fall unless Council specifies otherwise.
- Circulating vehicle paths catering for a 19-m Articulated Vehicle (AV). See Austroads/TfNSW including requirements for single lane and two-lane circulating scenarios as appropriate.
- Council can determine a lower design standard for local streets and up to a local collector road. i.e. smaller island, mountable island, and larger anulus could be considered on merit.
- Consider roundabout pavement design as part of the geometric design process. See section 12.5 for pavement requirements.
- Adequate design capacity and strength, with a 40-year (min) design life.
- Appropriate sight distance and provision for future services, pedestrians, cyclists, drainage, lighting, signposting, and line marking.
- A maximum through-movement deflection radius in accordance with Austroads Requirements.
- An absolute maximum adverse radial crossfall of 4%
- Splitter islands, where pedestrian movement is expected, should be of sufficient width to accommodate “refuge” design parameters.
- Suitable landscaping in the central island (where approved) providing sight lines at the adopted design eye-height.
- Subsoil drainage for any landscaped (unsealed) areas.
- Subsoil drainage at the perimeter (upright) kerb returns.
- On-road cycleways are to be provided for arterial and sub-arterial roads and in accordance with the Bike plan.

2.4. Minor Intersection

2.4.1. Urban

In urban environments intersections configured within the standards of kerb radii and road-width within this Document shall generally be adequate for traffic access needs in local streets. Roads with higher levels of traffic usage such as Collectors or greater, should be assessed regarding traffic volumes and safe traffic usage in accordance with Austroads standards, addressing auxiliary lane potential for left and right turn manoeuvres. Use of regulatory signposting and linemarking in accordance with SD030 can usually accommodate most movements. Entry and exit movements for heavy vehicles that cross the road centreline within high volume roads are not permitted. (See “Kerb Returns” below)

Staggering of intersections, to achieve a desirable minimum separation distance of 40 metres between opposing road centrelines, is desirable on all road types. Four-way intersections on Trunk roads shall be roundabouts or traffic signals. Occasional four-ways on local to local streets is allowable but some treatments may be required such as central median, v-drain flush thresholds and/or other treatments to increase safety and visually distinguish priority of the intersection legs.

2.4.2. Rural

In rural, or transitional urban/rural environments (being generally where the legal speed limit is greater than 60 kms/h), and where single-lane two-way roads are impacted by a new road junction, intersections shall be assessed regarding traffic volumes and safe traffic usage in accordance with Austroads and TfNSW standards, addressing potential for auxiliary lanes for left and right turn manoeuvres, and flag lighting.

2.5. Kerb Returns

Kerb returns shall be provided at all road or street intersections. Any variations to this requirement are subject to Council's determination, such as within RU zoned areas where returns may, if justified, be deleted.

An adequate kerb radius/road-width relationship shall be adopted for the maximum sized expected design vehicle (usually a 19-m Articulated Vehicle - AV) to provide acceptable access to a subdivision and for manoeuvrability within intersections. In urban environments the usual minimum standard kerb radius is 8 m, although, depending on the type or the Level of Service (LoS) of the intersection, Council shall determine an acceptable sweep path (and hence kerb radii) that may or may not employ cross-lane vehicle manoeuvres.

To cater for single-lane approach and departure for AV requirements at square intersections, the nominal minimum radius is 15 m.

3. Public Transport (Bus)

A public transport route within this Manual refers to an approved road type or route traversed by a bus. A "bus route" (not being a school bus route) is determined by:

- TfNSW and Council, in consultation with the local bus providers or
- A planning instrument (i.e. DCP, Precinct Plan) or
- Development Consent

Public Bus routes should be confined to roads providing a carriageway width of 12 metres or greater in built up areas when determining either the route along an existing road or determining the alignment of a new/proposed road.

School bus route can utilise roads down to 11 metres with consultation with Council in conjunction with the local bus companies and Council.

Bus facilities such as bus stop and parking areas, signposting, set-down paving, and shelters shall be provided where required by Council, and designed in accordance with Council's requirements and Austroads Standards for individual items, as follows:

- Bus set-down verge paving and shelters where required shall conform to Council's standard
- Bus shelters, unless otherwise approved by Council, shall be the adopted style current at the time of installation.
- Road pavement for bus lay-by parking areas at major destinations such as business and school terminals, shall be provided in concrete.

Typically, shelters may be required as part of major release areas and may be located along a route within the release area or on a route nearby or adjoining the area.

For new subdivision release areas, the applicant for the development or the designer shall submit to Council verification of arrangements made (or otherwise) with TfNSW and local bus companies of public transport routes (existing and planned) and of any specific requirements for those routes, such

as bus stop/set-down locations, for consideration by Council for implementation within the road design.

4. Structures

Designs related to concrete, masonry, steel, and timber elements, such as for bridges, large culverts, retaining walls, headwalls, subdivision entry features, etc, shall be carried out in accordance with relevant Australian Standards and TfNSW Design Standards, and shall be certified by a practicing structural/civil engineer.

All precast and pre-assembled structures shall be similarly certified for structural adequacy. Where design elements are ancillary to a Construction Certificate for *Roads and Drainage*, documentation shall be submitted to Council for each component.

4.1. Retaining Walls and Benching

Retaining walls in this Manual relate to their location, design, and construction as part of a subdivision, and as part of a development whereby they are an integral part of a development approved with consent under the Environmental Planning and Assessment Act (EP&A Act). These guidelines may be applicable for other scenarios beyond the intent of this Manual.

Note: Within private lots, Council's DCP shall take priority over this section where discrepancies exist.

4.1.1. Location

These requirements are given for scenarios where a S138 approval, or a Section 68 of the Local Government Act (S68) stormwater approval may involve a retaining wall. Even in these scenarios Council may still require that the some DCP requirements should still be met. The location of retaining walls shall be determined by Council and the design engineer and should adopt the following guidelines:

- In public Land – retaining walls are unfavourable and not encouraged. The use of batters is the preferred method for grade changes.
- At public/road reserve boundaries – Fill retaining walls within the adjoining lots and on the boundary. Cut retaining walls shall be set back within the property to wholly contain the wall, footings, subsoil and any other features. Consideration of zone of influence into the road reserve shall also be considered. Zone of influence shall not extend to under the current or future road pavement and generally not under paths.
- At adjoining lots (common boundaries) – refer to Council's DCP.
- At stormwater overland flow paths – within the dedicated flow path or easement, being of concrete or masonry construction suitable for a flow path.
- Obstructions, such as walls or any other above-surface structures are not permitted within easements including those that act as overland flow paths.

Retaining walls within stormwater drainage easements (Inter-allotment Drainage) are not desirable due to the potential interference with the stormwater pipe and difficulty for access to the pipe for maintenance purposes.

If a retaining wall is permitted/required, then the following guidelines/actions should be considered:

- Avoidance of adverse impacts on the pipe from any structural elements of the wall

- Footings shall be finished below the zone of influence * of the drainage line and no loading shall be directly applied to the pipe without a detailed design demonstrating mitigation of the load. Note: * The zone of influence is defined as a line drawn at 1:1 slope from the invert of the pipe.
- Maintenance of a reasonable means for physical access for personnel and light machinery to "lay, place and maintain a line of pipes" (Conveyancing Act).
- Adequate measures to eliminate any potential loading on a pipe that passes through a wall or its footing.
- If a retaining wall is permitted/required and an adjustment to the pipeline is also required, a review of the hydraulic design of the pipeline, such as Hydraulic Grade Line, surcharge, pipe capacity, etc, must be made to ensure that there is no compromise to stormwater flows, that may create an adverse affectation on properties that either benefit, or surround the proposed adjustments.

4.1.2. Design

Retaining wall design shall be in accordance with Australian Standards, and be certified by a qualified engineer, taking into account loads from existing or future anticipated dwellings, pools, vehicles, etc.

Excessive cut and fill and subsequent retaining structures are not desirable. Retaining wall heights for public land if supported, such as for road embankments, shall be subject to Council approval through development consent. The consideration of tiering versus height would be considered by Council in each location and context of safety, fencing, maintenance and other.

Where approved by Council, retaining walls shall:

- Be designed in accordance with the Australian Standards AS4678 and AS5100 Bridge Design where traffic loads, safety barriers and/or stormwater/flooding flows are expected.
- Be of the materials in the specified locations, as nominated in the section of the Manual.
- Where supporting a public/road reserve, be constructed in masonry or reinforced concrete.
- Where supporting lots adjacent to public/road reserves may be other than concrete/masonry, being installed in accordance with the manufacturer's recommendations.
- Where located within a public/road reserve, under justifiable circumstances, be constructed of reinforced concrete or an approved masonry specification (including crib wall).
- The subsoil drainage for the retaining wall must be connected to either the kerb and gutter, road pits, or an interallotment drainage system (which is sometimes located in front of the lot). Note: the retaining wall drainage cannot be directly connected to the road subsoil systems. The design must include detailed information on the subsoil drainage components of the retaining wall and its connection to the downstream system/discharge point.

5. Ancillary Design Requirements

5.1. Safety Audit

A Road Safety assessment, where required by Council, shall be conducted in accordance with the TfNSW Road Safety Audit process.

5.2. Traffic Control Devices (Traffic Committee)

Traffic control devices may include a sign, signal, marking, structure, or other device to direct or warn traffic (incl. pedestrians and cyclists) on a road or road related area that is prescribed by the regulations. Traffic control devices may also be of a type to reduce travel speeds to match urban design requirements where road geometry cannot provide that control. Such devises may also be used in conjunction with street landscaping and furniture.

The devices, including associated signposting and linemarking, shall be designed where applicable, in accordance with TfNSW, Australian Standards or Austroads guidelines, and Council's requirements. Any new and adjustment of regulatory signages and line markings will be presented to Council's Local Traffic Committee, upon receipt at Council of an acceptable engineering design.

Roads with an 11.0 metre (or greater) carriageway width, centreline and/or edgeline marking may be required. Raised pavement markers shall be provided where required by Council at intersections in accordance with TfNSW standards, in conjunction with line marking at locations that warrant particular traffic safety considerations.

The manoeuvrability of an articulated design vehicle shall be considered for traffic control devices.

5.3. Street Name Signs

Street signs shall be provided to Council's standard specifications and Standard Drawing SD029. An application for new street names shall be lodged with Council and be supported by adequate justification for the proposed names. Names shall conform to the guidelines of the Geographical Names Board.

5.4. Guard Fence and Guideposts

Guard fence refers to any approved type of safety barrier such as concrete barrier/kerb, steel W-Beam or wire rope. Where possible, effective road design should aim to negate the need for guard fence. Where there is a warrant, and where unavoidable, guard fence shall be provided in accordance with the current TfNSW Design standards or as directed by Council. Guard fence on the outer edge of a road carriageway shall be located within a constructed or extended road shoulder which shall be bitumen sealed.

Guideposts shall be provided in accordance with TfNSW.

5.5. Pavement Edge Restraints

Concrete restraints such as kerbs, flush edge-beam restraints or kerb and gutter shall be provided on both sides of all roads on urban residential subdivisions as determined by Council.

5.6. Subdivision Staging and Temporary Turning

Staging of subdivision should create staging boundaries that avoid the need for temporary turning heads. Temporary turning heads have been problematic as they have been inappropriately removed during construction of the next stages. This leads to safety issues and damage to public and private property as there is no suitable turning area during the next construction phase for garbage services, residentials and construction traffic.

- Principal Control: The requirement is to have turning available including during the next stage of construction (without the need for management plans or temporary traffic control).
- Stage boundaries should finish with a closed loop or at a T-head of a permanent intersection.
- Trunk Roads shall be staged to create a loop due to the larger size vehicle and the road function (use of a local street is allowable to create the loop).
- Any lot should not be released unless every road that adjoins its boundary is completed in the stage.
- A chevron sight board shall be placed at the termination of the prolongation of the centreline of the road.

- Stage boundaries need to consider utilities and design including stormwater and streetlighting. Any proposal may need extra pits for the temporary situation or change the stage boundary/turning solution to avoid the infrastructure and issue.
- When staging at a permanent T intersection, the length of the legs shall be maximum 30 to 35 metres being the general depth of a lot.

The following examples in Figure D-19 are preferred for use internal to the site.

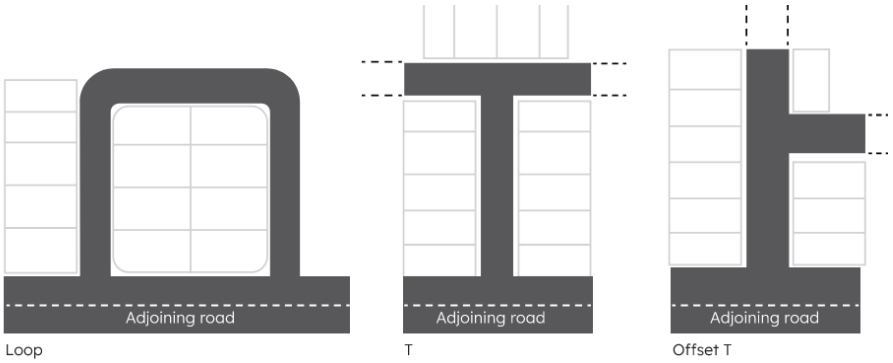


Figure D-19: Turning Design for Subdivision Staging

- At property boundaries it may not be feasible to create a loop or T. Justification shall be provided for any alternate solution that can address the Principal Control.
- Temporary Turning Treatments are to be used only at the property boundary.
- AC wearing course treatment shall be provided due to the heavy screwing and turning movements.
- Temporary turning 'heads' shall provide dimensions in accordance with SD027.

The following temporary turning examples in Figure D-20 are provided for use at site boundaries where other permanent options are not feasible. Refer to the Standard Drawings for further detail. *These are not encouraged internal to the site unless no reasonable option exists.*



Figure D-20: Temporary Tuning Heads (Loop, Offset T and Cul-De-Sac)

Note: This diagram is for illustrative purposes only, turning areas and lots are not drawn to scale.

- Lots will be withheld from the stage where easements for access are needed. Easements to extend 4.5 metres behind edge of turning area.
- Asphalt will be required in the gutter for vehicle comfort and stormwater pits (i.e. double V grate) need to be located at the upstream side
  Note: DA approvals that pre-date this version of MoES can use the temporary cul-de-sac provided in MoES Document D: Design.
- Vehicle swept paths may be requested dependant on layout, or type of road. Major trunk roads and commercial/industrial will need to cater for the relevant design vehicle.

5.7. Driveways and Crossings

Also known as footway crossings or vehicle crossing is the section of driveway that crosses the road reserve between the front boundary and the edge of the formed road pavement.

A technical Document is provided for Driveway Crossings as there are multiple ways a driveway can be applied for and required. These include with building construction with a Development Application, Complying Development and simply as a driveway application outside of these processes. Additionally, subdivision of vacant lots also needs to demonstrate that a location for a driveway is feasible in the creation of each lot.

Development must use the Technical Document: Driveway Crossings to demonstrate that a compliant driveway location is being proposed, or for the scenario of a vacant lot that a location can be achieved. Where public infrastructure or safety constraints (e.g. roundabouts, pedestrian refuges, cycle path kerb ramps etc.) limit the driveway to a specific location, the driveway may be required to be constructed at the Subdivision Works Certificate stage.

5.7.1. Driveway Handles (dual)

Driveway handles, including battle-axe handles, can come in a couple of forms. Those are internal driveway corridors within subdivision or easement, and a battle-axe handle within lot access handle or an easement including a reciprocal right of carriageway/right of access.

Council's DCP is the governing document for Development Applications when access easements and handle widths are involved.

5.7.2. Rights of Access and Carriageway (No Handle)

Where site constraints dictate, particularly within the existing built environment, a right of access/carriageway in lieu of an access handle may be considered.

5.7.3. Underground Services

Services, including stormwater conduits, shall be provided within and along the full length of individual access handles.

5.7.4. Driveway Pavement

Driveway pavements shall be provided along the full length of the access corridor handle prior to issue of a Subdivision Certificate in accordance with Standard Drawing SD012, including splays at each end and may be shared between adjoining properties. Pavements within Rights of Carriageway for all zone areas shall be provided as heavy-duty "commercial/industrial standard" slab type reinforced concrete, or to a greater design as determined by expected usage.

In single-lot residential areas concrete drive wheel-strips within the handle length are encouraged in order to reduce impervious surfaces and hard surface expanse. Pavement widths are subject to an assessment for the potential for vehicle-passing and turning movements.

6. Roads For Large Lot Residential

For road dimensions refer to the Road Types - Table C of this Document. Subject to Council approval the following design elements should be applied/considered:

- Road pavements shall be provided with an asphaltic concrete or bitumen wearing surface in accordance with the requirements of this Manual.
- The requirement for a table drains (swale) on the low side of the road is subject to specific design geometry such as downhill batter slope, road longitudinal grade and swale-drain relief. In situations where the batter slope is significant, the longitudinal grade is low, and the catchment area is small the swale may be deleted.
- In lieu of a swale, one-way crossfall on the road pavement against the natural topography is optional.
- Swale (or table drains) that may be crossed for vehicle access should be designed wherever possible to provide vehicle clearances for a dished invert crossing in accordance with AS2890, to avoid the necessity for a pipe crossing. Acceptable grades can often be achieved with reshaping of the natural surface within the property.
- In cut situations where a dished crossing is not practical, a 5 metres long, 375 mm (minimum diameter) Class 4 new concrete or equivalent pipe, with attached sloping headwalls, shall be provided for each lot, preferably in the centre of the lot but subject to adequate sight distance requirements. The pipe size should provide sufficient capacity for the 10% AEP storm event for the contributing catchment area or sized to take the majority of the table drain flow, ensuring that major overflows and driveway overtopping can be contained within the road reserve. Driveway details are shown on Council's Standard Drawing SD013.

7. Rural Roads

Rural roads in this Manual are assumed to be new roads within RU zones that either, service rural properties fronting the road, or roads (new or existing) that extend access to those roads from an existing public road. Such roads do not usually relate to existing rural roads under Council's control, such as a classified "main road", although Council may apply the design principles herein to those roads where works on those roads are necessarily the subject to development consent.

The parameters shown in Section 1.1 of this Document are specific to subdivisions with a minor vehicle catchment; otherwise, rural road and drainage design shall conform generally to the parameters required by Council based on Austroads and TfNSW design guidelines.

7.1. Rural Design Elements

Subject to Council approval the following design elements should be applied/considered:

- Rural roads shall be provided with a two-coat bitumen flush seal wearing surface across the full formation width.
- Table drain (swales) shall be grassed with a stable medium such as a jute-mesh type product or similar means.
- Driveways for vehicle access shall be provided, including a recessed access where appropriate where a vehicle with trailer can park clear of the road pavement.

- Clear zones shall be provided in accordance with the Austroads and TfNSW Design standards.

8. Pavement Design

In general, all infrastructure elements whether public or private including community title subdivisions and lot-specific features must be designed to last for the relevant design life of 25 to 40 years, unless higher durations are specified within MoES or by relevant standards including Austroads and Australian Standards.

The minimum design life for road pavement including public and private (such as community title subdivisions etc.) shall be:

- Flexible, 35years (Unbound Granular and containing one or more bound layers)
- Rigid (Concrete) - 40 years
- Private roads - 25 years including Segmental Block

Road Pavements

All road pavements shall be designed in consideration of design traffic loadings and evaluation of subgrade materials, environmental factors, and available materials.

8.1. Pavement Types

Typical pavement types are as follows:

- Unbound granular flexible pavement which may contain one or more modified layers.
- Bound granular flexible pavement.
- Rigid pavements (concrete)

8.2. Design Report

For purposes of determining an acceptable sub-grade and pavement design, designers should satisfy themselves that the pavement materials will perform to achieve the pavement design life, and that the design will satisfy characteristic deflection testing for construction purposes.

Refer to Document C: Construction and Appendix D for pavement material specifications and testing requirements.

A pavement design for all new road works shall be prepared for approval by Council, subject to a geotechnical engineer's report. The report shall utilise 10-day soaked "Californian Bearing Ratio" (CBR) testing undertaken on the relevant subgrade in accordance with AS1289 and shall recommend a design CBR and a pavement design thickness, determined using the methods outlined in Austroads standards for pavement design, based on Council's minimum standard Equivalent Standards Axle (ESA) requirements. Sub-grade and/or pavement material modification may form part of the design. The geotechnical report and pavement design report shall be submitted with the engineering plans. The engineering plans shall show pavement layer thicknesses (including the nominated ESA and design CBR parameters) based on the reports. Where alternative pavement designs are offered, the alternative design shall be presented by the supervising geotechnical engineer and be submitted to Council's Engineer for approval prior to construction of the pavement. Generally, pavements shall be consistent over long lengths of road, such that alternative designs for short sections of pavement are avoided.

In deep cuttings, fills or other instances where testing of subgrade is not possible until completion of bulk earthworks, pavement design or re-evaluation of a design shall occur upon assessment at subgrade level.

8.3. Minor Pavement Works

For minor works within a public road (isolated minor projects such as short lengths of shoulder, kerb and gutter in-fill, minor road widening or access works) full testing described above may not be necessary, subject to Council's assessment.

Minimum requirements may be as follows: -

- 30 mm AC10 over a 10 mm primer seal or a 2-coat bitumen seal.
- 300 mm minimum compacted thickness of a granular base course material for low-traffic roads (200 mm for very minor traffic loadings) and 300 mm minimum compacted thickness of a heavy bound granular base course for heavy-traffic roads and industrial areas.
- A compacted and stable subgrade.

Alternatively, the developer may submit a design report for alternative pavement treatments.

8.4. As-Built Records

Records of actual pavement construction, including where pavement amendments occurred, or where alternative pavements were approved, together with any subgrade replacement or modification, shall be collated as a final report to accompany the Works-As-Executed (WAE) plans and documentation.

9. Design Traffic Loadings

The design traffic loadings of Equivalent Standard Axels (ESA) are provided in the Road Types table in Section 1.1.10. The nominated values may be increased by Council, subject to an assessment of any special circumstances for subdivision or development, where a higher value is adopted, based on ultimate traffic generation for the catchment area, originating from:

- Strategic planning for future rezoning of land.
- Ultimate development of current zoned land.
- Staging of works and the resultant development and construction traffic.

Council or the TfNSW reserve the right to nominate specific ESAs for Arterial roads such as a State or Regional roads. A general minimum of $1x10^7$ will apply.

10. Subgrade Evaluation

Investigation and testing of existing subgrade materials shall be conducted by a practicing geotechnical engineer (Level 1 responsibility AS3798) using a NATA-registered laboratory in accordance with AS 1289.0. A pavement design report including subgrade investigation and 10-day soaked CBR test results establishing the "design CBR" and "shrink and swell results" must accompany the Subdivision Work Certificate or equivalent design approval process and be submitted to Council for approval.

Design subgrade CBR shall be determined in accordance with current Austroads, TfNSW Supplements and Australian Standards. At the time of publication these were Austroads Guide to Pavement Technology - Part 2 Pavement Structural Design', A Supplement to Austroads Guide to Pavement

Technology Part 2: Pavement Structural Design, Roads and Maritime Supplement to Austroads Guide to Pavement Technology Part 2: Pavement Structural Design and AS 1289.0.

The testing authority shall confirm in writing that the location and depth of testing has been adequately defined, and what method and survey accuracy was used to positioning and height. The evaluation must assess natural material properties as follows:

- To a depth of one (1) meter below the design pavement subgrade levels (unless rock is encountered).
- With sample data recordings of borehole logs at intervals no greater than 50 metres and testing at intervals no greater than 100 metres.
- In variable conditions, the intervals shall be reduced to each homogenous sub-sections of subgrade.
- A minimum of two (2) samples must be taken for each lot (work lot) and/or road segment.
- Each soil layer with each log shall be tested and the lowest/poorest result used as the governing input for all relevant factors including CBR, shrink/swell/fit for purpose.
- Council must be satisfied that the location and depth of the test samples have been accurately surveyed to ensure they represent material that will remain in place when the subgrade is exposed.

Assessment of the supporting subgrade strength shall conform to Austroads Pavement Design guidelines. All pavement investigations and designs by the geotechnical engineer shall include comments on Austroads AGPT02 and supplements, and TfNSW Supplements, addressing the extent of testing, site investigation, assessment, and pavement design.

The report will include discussion and consideration on section 5.3 AGPT02. Factors to be considered in estimating subgrade support including but not limited to:

- Subgrade variability
- Target compaction moisture content and field density achieved
- Moisture changes during service life
- Pavement cross-section
- Presence of weak layers below the design subgrade level
- What allowances have been made for any changes in subgrade moisture content that may occur after construction while the pavement is in service.
- 5.3.5 Moisture Changes during Service Life including saturation or drying of the shoulders due to influences of street trees, utility crossing, water mains and stormwater
- Expansive soils and Volume changes
- Edge effects generally within the 1 to 2 metres of the sealed surfacing.

Subgrades need to be improved when subgrades are either soft and or expansive in accordance with TfNSW Supplement to AGPT. Table is provided below however further requirements are contained within the supplement.

Table D-13: Design CBR

DESIGN SUBGRADE CBR	CBR<2.5%	SWELL≥ 2.5%
<2%	Working Platform Needed	Working platform and capping layer

≥2%	N/A	Capping layer

Working platform is minimum 200 mm thick for presumptive CBR 3.

Design provisions shall be provided for Expansive subgrades. 10-day soaks shall be used due to Maitland soil conditions (eg 5.6.2 AGPT02 and Table 6 TfNSW Supplement).

Determination of Moisture Conditions

A select layer shall be added – between at least 300 mm to 600 mm thick as recommended by the Geotech engineer to be fit for purpose and achieve the design life for the reasonable moisture range for the life of the pavement.

The select layer shall be 'in addition' to the minimum (Empirical) pavement design as per section 12 below. i.e. Do not use mechanistic design to reduce the buffer distance.

Design of select layer must include:

- permeability < $5x10^{-9}$ m/s
- CBR > 8%
- swell < 1.0%
- A select (capping layer) shall be between 300 and 600 mm thick as justified by the geotechnical engineer to achieve the design life and project reliability
- Out of specification homogeneous quarry gravel shall be reviewed and approved in writing by Maitland City Council (MCC).

11. Subsurface Drainage

Subsurface drainage must be provided to protect the subgrade and pavement in locations that necessitate its use such as boxed construction, cuttings, or areas with high water tables or in areas where subsurface moisture requires treatment.

Subsoil drainage pipes shall be provided on both sides of road pavements and where required by design, at new-to-existing pavement joints (see SD003, SD035 and SD032)

Where highly expansive soils and/or high moisture conditions are encountered special care should be taken for the placement of subsoil drains with respect to the any potential adverse effects upon the road pavement from significant moisture removal from the deeper levels of the subgrade.

12. Pavement Design

Public road pavements shall comprise of at least one subbase layer and one basecourse layer with a sealed wearing surface. Pavement layers may be combined into a single layer of base course material.

12.1. Flexible Pavement

Pavement thickness designs shall be based upon assessed subgrade strength and the following charts, with the nominate/approved traffic loadings.

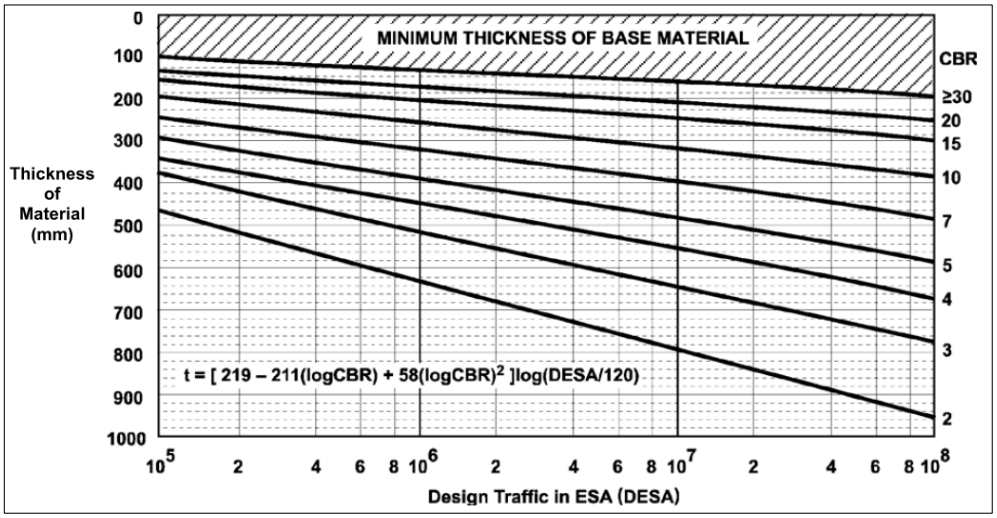


Figure D-21: Design Chart for Granular Pavements with Thin Bituminous Surfacing (Austroads Pavement Design Guide)

The minimum pavement thickness for flexible pavements will be derived as follows:

- Overall pavement thickness shall be a minimum of 300 mm (excluding any select layer).
- The asphalt thickness (AC) shall be excluded from the total granular pavement calculation.
- Base-course shall be determined from the Pavement Thickness Design Chart, where the minimum thickness is 100 mm. Ideally the depth is 150 mm to align with kerb depth.
- Sub-base thickness shall be determined from the Pavement Thickness Design Chart, using the relevant CBR curve by subtracting the base-course layer thickness from the required total pavement thickness. Irrespective of the foregoing, the minimum sub-base thickness shall not be less than 125 mm.
- Any Select or capping layers shall be additional to the minimum pavement thicknesses determined by the charts
- Asphaltic concrete (AC) thickness shall have a minimum thickness as follows
  - Local Streets up to $4x10^5$ - 30 mm thick AC10 mix.
  - Design traffic over $4x10^5$ - 45 mm thick AC14 dense graded mix.
- The pavement designer should be satisfied that the design will meet the requirements of this Manual in respect to permissible deflection and pavement life.
- Where a combined sub-base/base single-layer (with for example bound materials) pavement is proposed, a geotechnical engineer shall report on the proposal, nominating the materials (source) and relevant compaction and testing methods.
- Base-course for rural roads is shown in the Pavement Thickness Design Chart below. Overall pavement thickness shall be a minimum of 300 mm.

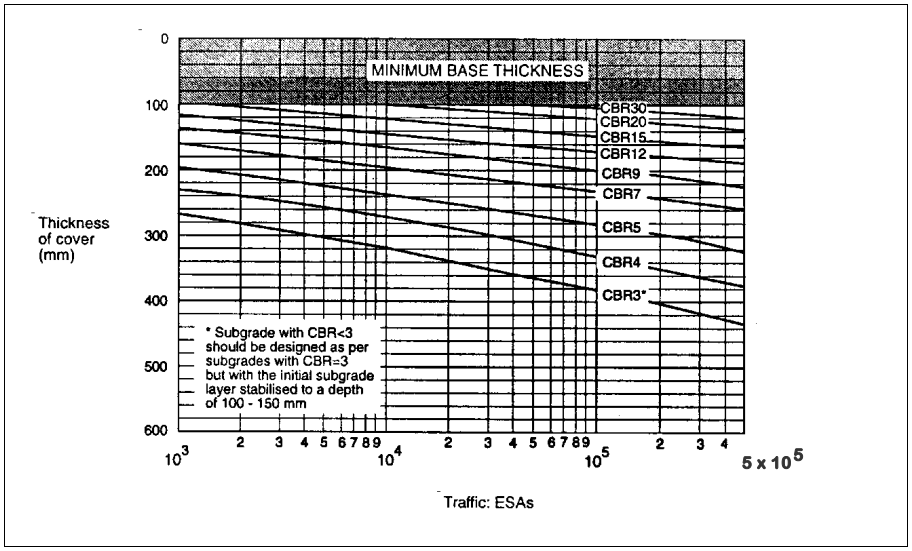


Figure D-22: Design Chart for Granular Pavements with Thin Bituminous Surfacing (Based on a 90 percent confidence level for minor rural roads).

12.2. Rigid Pavement (Concrete)

Rigid pavements on public roads shall be designed in accordance with the following documents:

- Concrete Pavement Design for Residential Streets - Cement and Concrete Assoc. of Aust.
- Pavement Design - Austroads Standards
- TfNSW supplements and directory notes to Austroads standards.
- TfNSW Concrete Pavement Manual.

Minimum thicknesses shall be:

- Sub-base - 150 mm minimum
- Base - 170 mm minimum

The base shall be jointed, reinforced concrete.

Details prepared by an engineer, are required for (but not limited to):

- Subgrade preparation to achieve a design CBR.
- Rigid Pavement thickness and design: Determine the pavement thicknesses/design as follows:
  - Design traffic up to 10^6 ESAs will use Austroads AGPT02 (including Figure 12.2 for Ver 2019).
  - Design traffic over 10^6 ESA will use Austroads AGPT02 (including Figure 8.4 for Ver 2019).
- A nominated maximum slump and testing procedure
- A proposed thickness for sub-base and base courses
- Steel reinforcement
- Joint types and locations

- Interface treatments between layers.
- Placement, compaction, surface texture and curing methods.
- Nominating the finished surface to be rake-textured in accordance with the TfNSW rake specifications.
- Nominating the application of a curing agent.

12.3. Segmental Block Pavement

Segmental block pavements, where permitted, shall be constructed of concrete or clay pavers. Such pavements shall be designed in accordance with the following: -

- Clay segmental block pavements: -
- Up to 10^6 ESAs – Clay Segmental Pavements – Design manual, Clay Brick and Paver Association.
- Between 10^6 ESAs and 10^7 ESAs – The design will involve the above document and Austroads Pavement Design Manual with the method producing the thicker design to be adopted.
- Over 10^7 ESAs – Austroads Pavement Design Manual.
- Concrete segmental block pavements.
- Up to 10^6 ESAs – Cement and Concrete Association Technical Note 35.
- Over 10^6 ESAs – Austroads Pavement Design Manual.

Concrete pavers shall be 80 mm thick Shape 'A'; clay pavers being 65 mm thick Class '4' being laid in a herring bone pattern. All areas of block paving shall be provided with a suitable concrete edge restraint. Large paved areas shall be bedded and laid in accordance with the supplier's guidelines. Allowance must be made for an adequate number of expansion joints and restraining beams.

Shape "C" concrete pavers may be permitted in small infill areas such as residential street thresholds. (see below)

12.4. Accessways

Accessways to specialty-use areas or facilities such as public utility plant, parks, pollution control devices etc. where heavy vehicles are expected to gain access, shall be a minimum of 3.5 metres wide and constructed in concrete in accordance with the publication by the Cement and Concrete Association of Australia – "Concrete Pavement Design for Residential Streets". Generally, the following parameters shall be maintained (see SD012):

- 150 mm thick.
- 32 MPa 28-day strength.
- Two layers of SL72 mesh fabric.
- Sub-base, 100 mm compacted thickness of "road-base" material.

12.5. Roundabouts Pavements

All roundabout road pavements servicing industrial subdivisions or commercial areas shall be constructed of fibre reinforced concrete in accordance with TfNSW TS 02764 Concrete Roundabout Pavements or greater.

All roundabout road pavements servicing residential subdivisions shall be constructed of 190 mm AC base and wearing course (A15E binder) with heavily bound sub-base or 5 MPa concrete sub-base.

Council may require a concrete roundabout for significant locations such as large sub-arterial roads, large numbers of heavy vehicles or other.

Adequate design capacity and strength, with a 40-year (min) design life for concrete. For other pavements add additional ESAs to the largest connecting road type (see section on pavement design). Increased heavy vehicles may need additional ESA considering Industrial or sub-arterial sized ESA's. See Rigid Pavements.

12.6. Intersection Thresholds

Where intersection thresholds are approved, they shall be provided in accordance with Standard Drawing SD025 – sheet 1, as a "heavy duty" plain concrete pavement as shown on SD012, with reference to SD026 where a dished drain is necessary.

Coloured concrete is not considered a satisfactory long-term treatment, but where approved, colour additive must include hardener (75-90 mPa), be applied as a minimum of two coats and be sealed with a polymer solvent-based sealer. Texture may be applied to a maximum depth of 5 mm.

12.7. Pavement Joints

All vertical pavement joints (new-to-existing), whether longitudinal or transverse, shall be benched a minimum of 300 mm. (with reference to SD032). Pavement joints and the wearing course shall be positioned away from under wheel paths to avoid accelerated wear and cracking.

Unless the adjoining pavements consist of the same material, and satisfactory compaction bonding of those materials can be achieved, subsoil drainage shall be provided in accordance with TfNSW QA Spec TS 03261 "Intra-pavement Drains" (Old number: IC-QA-R37) at the direction of Council or the geotechnical engineer.

13. Wearing Course

For the application of bituminous surfacing, refer to Document C: Construction.

For alternative decorative finishes, Council's approval is required to use such finishes in public roads. Smooth and/or irregular surfaces for roads and footway crossings, such as "deep-stamped" or "exposed river gravel" paving, is not permitted. Supporting documentation shall be submitted with any request to decorative finished products and shall include: -

Full specifications of the product.

- Durability and colour fastness
- Skid/abrasion resistance.

14. Existing Pavement Reconstruction

Where required by Council, existing road pavements shall be reconstructed, rehabilitated or re-surfaced. A pavement design shall be prepared for and approved by Council based on this Document adopting an ESA value as determined by Council.

Where new works abut an existing natural gravel pavement, it is preferred that the new pavement materials be an approved natural gravel in accordance with the specifications of this Manual. (Refer to "Pavement Joints" above).

Circumstances where construction works may be necessary are:

- Where either the existing pavement or surface quality are assessed by Council as incapable of sustaining the additional traffic loads from the development.
- Where vehicle turning movements occur, such that an asphalt wearing surface is appropriate to control premature surface deterioration.
- Where a longitudinal surface profile is significantly irregular.
- Where surface shape (e.g. crossfall) does not conform to standard design parameters.
- Where small local "patching" type pavement failures are required by Council.
- Where works coincide with Council's Forward Works *Management Plan*.

The limits of such works shall be determined by Council, but will normally be applied to development that:

- Creates new intersections onto an existing road.
- Requires shoulder or parking lane works.
- Warrants new or replacement kerb and gutter.
- Has frontage to or requires vehicle access along an existing road that exhibits stress and/or has significant surface deterioration, and (subject to geotechnical testing) exhibits a failure to meet design requirements in this Manual.

Best design practice shall be employed such that a holistic approach is achieved, eliminating partial ("patchwork"), or part-lane, pavement sections.

15. Stormwater Drainage

General

This Document addresses stormwater design for the development of land (principally as greenfield subdivision sites) and does not assume coincidental influence from Hunter River flooding beyond normal flow levels, nor addresses drainage structures which may be affected by flooding of the Hunter River. Drainage structures inundated by such flooding are not prohibited by this Manual, although particular requirements may apply.

Stormwater drainage systems shall be designed to achieve the following goals:

- An underground “minor system” of conduits that eliminates inconvenience to traffic and pedestrians.
- An overland (open-style) “major system” that conveys stormwater flows within suitable velocity/depth limits, located within public land for residential zones, or where approved or unavoidable or undesirable, within private land (in rural zones), covered by an easement. Major drainage at road crossings will be constructed as drainage culverts.
- Detention of stormwater flows that mimics natural, pre-developed flows for all storm events up to and including the 1% AEP storm event.
- Retention of stormwater flows to achieve target water quality standards.
- Control of stormwater flows to minimise the impacts of erosion and sediment in the environment.
- Consideration of upstream and downstream catchments in their ultimate developed state to achieve a total system which does not adversely affect existing systems or properties within the flow path and catchment.
- Minimisation of the maintenance burden of Council
- Enhancement of the urban landscape.
- Employment of principles of Water Sensitive Urban Design and Stormwater Reuse.

16. Design Standards

Drainage design for roads, reserves, and inter-allotment systems the subject of this Document, shall adopt the principles of a major/minor drainage system in accordance with the current publication of Australian Rainfall and Runoff (ARR) and Australian Runoff Quality (ARQ) and as specified in this Manual. Other accepted reference material may be used, with acknowledgement.

All calculations must be carried out by competent persons, qualified, and experienced in hydrologic and hydraulic design, utilising drainage models that are accepted as current industry standards.

The requirements of Council’s Hunter River Floodplain Management DCP shall be observed for all developments.

17. Hydrology

17.1. Rainfall Data

Rainfall Data and other parameters shall be derived in accordance with ARR for the particular location and catchment. The ARR Hub and Bureau of meteorology websites provide details.

MUSIC Input Parameters for the Maitland area may be available from Council.

17.2. Annual Exceedance Probability

Minimum design Annual Exceedance Probability (AEP) for the major/minor systems are:

Table D-14: Minor System

MINOR SYSTEM	AEP (%)
Residential 'R1' & 'R5' (Streets and IAD)	10
Business 'B' & General Industrial 'IN' (Streets and IAD)	10
Public & Drainage Reserves (acting as flow paths)	10 (1)
Rural 'RU' - Longitudinal Drainage	20

Table D-15: Major System

MAJOR SYSTEM	AEP (%)
Urban Trunk Drainage Conduit at Road Crossing	1% plus freeboard (2,3)
Rural – Low-point Culvert Crossings	5 (4)
Overland Flow Paths & Trunk Drainage	1 (5)
Structural Adequacy of Major Drainage Items	PMF (5)
Land Depressions with No Outlet	PMF
Safety: Pedestrians and Vehicles Safety: Vehicles only	0.4 m^2/s. Max velocity x depth product and 0.2 m max water depth 0.6 m^2/s. Maximum VxD

Notes:

1) May be reduced (minimum being 20% AEP) only in special circumstances, subject to specific design merits.
2) See Sections 20. Open Channels and 21. Major Drainage Structures of freeboard. Freeboard at the road reserve could be ignored for local streets (excluding trunk roads) if velocity x depth product is achieved, and alternative routes exist.
3) Depending on road hierarchy. Typically (subject to Council approval), Distributor Roads and higher should provide flood-free access up to the 1% AEP. Lower order roads may be inundated, with a design aim to maintain at least single-lane traffic movement in the 1% AEP.
4) Applies to minor roads. The 1% AEP event shall be catered for, typically including a causeway with signposting and water depth markers.

5) Probable Maximum Flood (PMF), to ensure that major drainage will not be washed away if overtopped or flooded.

As a first step approach, the designer should attempt to contain the whole of the major storm discharge within the road and footway cross section. (see ARR: Book 9 Runoff in Urban Area, Chapter 5: Stormwater Conveyance).

Trunk drainage system (major) shall be provided when the minor system exceeds 10% AEP, or under road pipe size is unreasonable, generally 15 hectares maximum catchment need to convert to major system open channels or similar. See D19.1 Overland Flowpaths

Council may require that the design AEP's for the subject drainage system be varied in certain circumstances.

17.3. Catchments

The catchment at an outlet is defined as the limits from where surface water will make its way by either natural or manmade features to this outlet.

Catchment area land-use shall be taken into consideration and be based upon current and possible future planning constraints and zonings. The ultimate developed state of each catchment shall be adopted. Notwithstanding the table below, in some areas Council may nominate design parameters regarding higher urban density uses.

Catchment plans showing the proposed pipeline layout shall be included in Engineering Design plans.

17.4. Fraction Impervious

Hydraulic calculations shall be based on the following fraction impervious figures:

Table D-16: Fraction Impervious Rates for Land Uses

LAND USE	FRACTION IMPERVIOUS (MAX)
Residential Low Density (Min lot size – m^2)	
<1500	0.75
1500 to <2500	0.5
2500 to <4000	1000 sq.m
Over 4000	1250 sq.m per lot
Medium Density Residential Zones and Small Lot Density	0.8
Road Reserve	0.8
Business Areas	1.0
Industrial Areas	0.9

Active open space - Public Recreation Areas (mowed and with improvements)	0.4
Passive open space - Parkland, Natural Public Reserve	0.1

17.5. Coefficient of Runoff

Coefficients of runoff shall be determined in accordance with ARR. Full details of coefficients used shall be provided in the calculation documents.

17.6. Partial Area Effects

17.7. Rational Method

Rational method has predominantly been superseded in ARR and may only be used for small scale developments at Council's discretion. Rational method calculations to determine peak flows shall be carried out in accordance with ARR, utilising the Kinematic Wave equation or an appropriate computer programme. Time of Concentration and modelling parameters shall be in accordance with ARR. The surface roughness coefficient, pipe capacity check, and pit inlet efficiency are provided in Appendix C.

17.8. Hydrological Models

Hydrologic and hydraulic models (such as RAFTS, DRAINS, MIKE 11, or HECS-RAS) shall be utilised for subdivisions and large-scale developments, providing the requirements of the latest ARR are met. Summary of calculations shall be provided within Engineering plans. Where computer analyses are used, details of all programme program input parameters and output data files shall be provided in the stormwater report.

18. Hydraulics

18.1. Hydraulic Grade Line

Hydraulic calculations shall substantiate the hydraulic grade line (HGL) adopted for the design of the system and shall be shown on the drawings.

Controls for a downstream hydraulic grade line design are as follows:

- Hydraulic grade line levels based on downstream calculations including pit losses at the starting pit in the design event.
- If the downstream start point is an existing pit and the HGL is unknown, a level of 0.15 metres below the pit inlet in this pit shall be adopted.
- If the downstream start point is an outlet into an open channel and;
  - the design storm is the minor event, the outlet pipe shall be the downstream control,
  - the design storm is the major event, and the design flood levels in the channel are unknown, the top of the outlet pipe shall be the control,
  - The flood levels are known, the control shall be 1% AEP flood level.
- Where appropriate the Hunter River Flood shall be considered as an outlet control.

- The HGL level in drainage pits shall be not higher than 150 mm below the top of the inlet grate, gutter, or lid in the minor storm event.

18.2. Underground Drainage System

Drainage systems shall be designed as gravity systems and as an overall pipe design having due regard to upstream and downstream systems.

Dual pipes are not supported longitudinally under pavement/kerb (including piping above 10% AEP).

18.2.1. Pipe Conduits

Minor drainage pipe/conduit systems shall conform to the following requirements:

Table D-17: Piped Conduit Requirements

PARAMETER	REQUIREMENT
Minimum Pipe Size	375 mm
Minimum Box Culvert Size	600 mm wide x 300 mm high
Minimum Flow Velocity	0.6 m/sec.
Maximum Flow Velocity	6.0 m/sec (1)
Minimum Pipe Grade	0.5% (2)
Minimum Pipe Class	2 for drainage reserve, 4 under kerb line and road crossings .
Pipe Depth - Under road crossings and longitudinal (3) and to upstream subdivision/sites	1.1 m between top of collar and invert of kerb

Notes:

1) If exceeding, subject to greater scouring considerations and velocity/depth coefficient.
2) Unless otherwise approved in writing by Council Engineers.
3) Pipes should be provided with sufficient cover to avoid conflicts with service conduits (see pipe depth), ensuring adequate protection from damage during construction and to prevent pipe collars from protruding into the road pavement.

Pipe size reduction, from large upstream pipes to smaller downstream pipes is not permitted, unless approved in writing by Council.

The designer shall nominate on the plans all specific pipe details and their alignment and level. All drainage pipes within Council controlled drainage systems and to be dedicated to Council shall be

reinforced concrete rubber ringed jointed (RCP) spigot and socket type. Concrete pipes shall comply with AS 4058 “Precast Pressure and Non-Pressure Pipes”. The class of pipe proposed will be determined to suit the design use and shall comply with the Concrete Pipe Association of Australia (CPAA) minimum cover or Australian Standard 3725 “Loads on Buried Pipes” requirements. Fibre reinforced (FRC), Blackmax and plastic pipes are not permitted for public system.

18.2.2. Box Conduits

Precast reinforced concrete box culverts (RCBC) shall comply with AS 1597. The minimum size shall be 300 mm high by 600 mm wide. Only cast in-situ slabs are permitted for box culverts in public ownership, precast base slabs are not supported.

18.2.3. Pipeline Radii

The minimum radius on which pipes may be laid shall not exceed the manufacturer’s recommendation. Where smaller radii are required, the designer should consider short pipe lengths, extended collars, or alternative chord configuration.

18.3. Trench Stops

Thrust blocks/collars shall be provided generally where pipe grades exceed 12% and/or in embankments for storing water, to prevent seepage piping.

18.4. Pits

18.4.1. Pit Inlet Capacity

Blockage factors of 0.5 (50% blocked) for sag and 0.8 (20% blocked) for on-grade pits shall apply in the major storm calculations. Consideration of applying a factor to the minor storm should be considered where excessive debris is very likely to be a factor.

18.4.2. Pit Locations

Pit locations shall be provided to:

- Prevent ponding.
- Allow change of alignment, grade, or pipe size/number.
- Enable adequate vehicle entry points to lots. Preferably, pits should be located:
  - In the central section of lot frontage in residential areas, and
- At the high side of each lot in industrial areas, immediately downstream of the prolongation of the common side boundary, in order to provide direct discharge points for each individual lot, and/or IAD drainage systems.
- Prevent gutter flows crossing an intersection and/or a pram ramp.
- Limit flow widths to table below:

Table D-18: Overland Flow Parameters (10% AEP)

GUTTER FLOWS	WIDTH
Gutter Flow at Intersection	1 m
Gutter Flow at Bus Stop and Pram Ramps	0.5
Gutter Flows General	2*
Pits Upstream of Kerb Returns	<30 m radii
*During major storms, one lane in each direction of travel free of water must be achieved in a multi-lane road and a width of 3.5 m (one lane width) clear of water down the centre for residential streets. Water depth shall be limited to top of kerb to prevent flow from the roadway entering onto the property.	

Subject to the above table, the maximum recommended spacing of pits is: -

Table D-19: Maximum Pit Spacings

PIPE SIZE	SPACING
Less than 1200 mm	80 m
1200 or larger	100

18.4.3. Pit Construction

Pit Construction shall conform to Council's Standard Drawings. Non-standard pits include; pits greater than 2.5 metres high or 900 long, or 1450 wide and with oversized soffits, should try to be avoided. Where needed shall be designed by a structural engineer, and the details provided in Engineering design plans.

Pre-cast pits for public infrastructure

- have structural certification and list conformance to relevant Australian Standards.
- shall be a minimum 150 mm thick for pipes of 600 mm diameter or over.
- <600 diameter pipe shall be a minimum 150 mm thick wall for every component (pit, riser, etc).
- all protrusions including pipe and subsoil are to be provided. No cutting or modifications are allowed as structural certification will be voided.
- 100 mm cover of all block-outs to internal side walls, top edges and soffit, (subsoil on merit).
- shall only be 4 sided rectangular pits.

- minimum 200 mm clearance from top of soffit to bottom of precast lintel/grate units i.e. 350 mm from top of soffit to seal/lip of gutter
- rebates shall be provided at lift joints; flush joints are not generally acceptable.
- Not appropriate for multiple culvert or pipe protrusions within the same wall (excluding subsoil systems).

18.4.4. Extended Kerb Inlet (EKI)

Lintels shall have a desirable maximum nominal length of 3.6 metres and a minimum nominal length of 1.8 metres. In brownfield developments, a minimum nominal length of 1.2 meters may be considered under extreme circumstances and limitations.

The general maximum in industrial areas shall be 2.4 metres to avoid potential breakage due to heavy loads. Nominated kerb inlet length refers to clear opening length, (refer to SD039 for details). A 150 mm minimum race depth shall be provided at lintels.

18.4.5. Step Irons

Step Irons shall be provided in pits deeper than 1.2 metres from pit invert to top of kerb. Step irons are to comply with AS1657 and start no lower than 600 mm below invert of gutter with 300 mm spacings.

18.4.6. Benching

Provide benching in pits to reduce ponding and sediment, and improve hydraulic efficiency.

18.4.7. Grates

Grates shall be provided at all pits unless directed by Council or as specified on the plans. Grates in road/public lands shall be provided with lock-down 'J' bolts. Road gutter grates shall be a minimum of 900 mm long and shall include RHS steel reinforcement supports of the grate at both the lip line and the gutter line. Grates in pathways shall be "bicycle safe" to avoid tyres entering grate, to the manufacturer's recommendations.

Grate loadings shall conform to the intended use of the grate or adjacent area.

Class B type grates may be utilised in parks and reserves. Class D type grate shall be utilised in roads.

Grates within flowpaths such as table drains, catch drains and watercourses, shall be "raised" (see SD041).

Grates which may be subject to blockage by tree branches, twigs, leaf litter etc, shall, unless approved otherwise by Council, be typically an TfNSW "median pit" raised grate TfNSW Drawing No. R0220-52 (Old number:R11.B33.A.1) or similar, providing a grid opening of 150 mm x 200 mm.

18.5. Hydraulic Losses

The pressure change coefficient "K" shall generally be determined from the 'Missouri Charts' and the 'Hare Equations'. The Hare Equations shall only be used as a guide and the Missouri Charts shall have precedence where discrepancies between the two exist.

Computer program default pressure change coefficients (K) shall not be acceptable unless they are consistent with the above statement.

Pipe friction losses and pipe sizes in relation to discharge shall be determined using the Colbrook White Formula with the following coefficients for roughness (see Table D-20), unless circumstances exist that may give effect to “poor” pipe surface quality:

Table D-20: Pipe Friction Losses

PIPE TYPE	ROUGHNESS COEFFICIENT
Concrete Pipes	0.15
FRC, PVC, PE, PP	0.03

19. Overland Flow Paths

Flow paths shall be provided to convey runoff from rainfall events that exceed the minor pipe system capacity. Flow paths shall cater for the 1% AEP flows. These flow paths shall be in public roads and drainage reserves linked to provide a continuous flow at acceptable velocities and depths.

For reasons of public safety, the coefficient of velocity and depth, should not exceed 0.4 for the major storm event (v.d < 0.4). Higher velocity, depth products may be permitted by Council where a risk assessment shows limited adverse effect to public safety such as in rural areas.

Where flow paths other than the normal road reserve are necessary, the minimum corridor width shall be minimum 3.5 metres running parallel to a road reserve and shaped to contain the 100-year flows within an open channel (major system drainage). Overland flow paths as ‘pathway corridors’ between lots are not supported in low to medium density residential areas due to poor CPTED. See D 1.3.2 When running along open space, etc, where one side has full casual surveillance, should have as a minimum treatment a concrete invert, and the remaining area of the flow path fully turfed with couch grass (beyond any concrete paving). The flow path shape shall provide reasonable access for vehicles where necessary for maintenance purposes and on the low side of a road should incorporate a weir within the section of the footway crossing, ensuring that property boundary levels are flood-free (with 100 mm minimum freeboard), thence graded to direct the major storm flow downstream. A Typical flow path section is shown on Standard Drawing SD037.

Overland flowpaths (public stormwater) are not supported over private property and should be dedicated as drainage reserve. Large lot rural zones can be considered for easement over existing gullies. Any agreement for easements across private property will only be accepted if the piped system and pits are designed for the 1% AEP flows, with a 50% blockage factor applied for pit entry capacities. An emergency overland flow path, over the piped system, shall be provided. The easement surface/shape shall be protected against alteration or by obstruction by a “restriction” on the property title, and by the construction type (i.e. concrete invert to appropriate scale of the flows. Overland flowpath shall be a minimum 300 mm deep trapezoidal channel and maximise the width of the easement width, and convey at least 50% of the 1% AEP volume.

19.1. Freeboard

For the calculated 1% AEP flow level in the road gutter and for major flow paths in drainage reserves, a minimum of 100 mm freeboard (being measured from the top of water level) shall be provided to properties boundary surface levels. Particular care should be given to properties at levels lower than the footpath or reserve. Where design allows, greater freeboard heights should be achieved.

20. Open Channels

Open channels generally form part of the trunk drainage system that cater for the major events (1% AEP) and shall be designed with smooth transitions with adequate access for maintenance and cleaning.

Design of open channels (including safety and maintenance matters) shall be in accordance with ARR providing:

- A minimum of 300 mm of freeboard to the top of the channel (600 mm in mine subsidence areas).
- A minimum of 500 mm freeboard to adjacent dwelling floor levels.
- Maximum side slopes on conventional grass lined channels shall be 6H :1V for grassed batters for mowing, 4H:1V for landscaped.
- Friction losses in open channels shall be determined using Mannings “n” values, or as approved by Council.
- Provision for low flow structures within open grass lined channels shall be provided. In addition, subsurface drainage may be required to prevent water-bogging of the channel bed. The low-flow design parameters shall be nominated in the design and be approved by Council.
- Open channels need to provide all-weather maintenance access along drains and open channels starting from a public road. Provide a minimum of 200 mm thick 3 metres wide gravel track, or concrete access depending on the scope and nature of the drain. The access may be required on both sides where the arm reach of maintenance machinery is exceeded. Turning paths shall be provided to accommodate the excavator and dump truck.

The following design features should be avoided:

- Hydraulic jumps/supercritical flow
- Transitional changes in cross section
- Superelevated flows

Channels shall be signposted with a “WARNING” sign in accordance with Standard Drawing SD038.

21. Major Drainage Structures (Bridges and Culverts)

Major structures shall be designed to cater for the AEP event. Major structures in rural areas shall be designed to accommodate flood events as nominated by Council. Bridges shall generally be designed to provide a waterway area catering for the 1% AEP event for the contributing catchment, including afflux (300 mm minimum), any freeboards and blockage factors.

A certified structural engineer’s design shall be required for bridges and major structures and shall be in accordance with Australian Standard AS5100, and culverts designed in accordance with Austroads Waterway Design.

22. Stormwater Volume and Quality Control

The purpose for the control of flowrate and quality of stormwater runoff from new development is to minimise potential adverse effects generated from development on the downstream environment, and to maintain as close as practically possible the pre-developed flow regime, with the employment of storage structures for detention or retention such as earth basins, usually incorporating pollution control facilities (wetlands, concrete GPT’s etc).

22.1. Detention Basins and Ponding Structures

The basin access must meet the following design requirements:

- Freeboard above 1% AEP in any basin is 500 mm to floor levels.
- The gravelled access track around the perimeter of the basin shall be 3 metres wide on straight sections and 4 metres wide on bends, with a minimum design (inside) turning radius of 10 metres. *Note: A swept path plan for maintenance vehicle movements (MRV) around the track may be requested by Council when irregular geometry warrants.*
- A concrete access must be provided from the road pavement to the GPT areas and to the boundary of the public drainage reserve, connecting to the 3 metres wide gravel maintenance track with a minimum thickness of 200 mm.
- A concrete turning head constructed in accordance with SD027 standards shall be provided where required to facilitate forward exit movements for maintenance vehicles. The turning head may form part of the access track perimeter.
- A concrete surround with adequate space adjacent to the concrete GPT opening must be included for maintenance crews to stand while operating the sucker hose for cleaning. Dimensions should be determined in consultation with Council.
- A 3 metres to 4 metres offset from the outside edge of the access track to the property boundary and/or fences must be provided for safety of loading trucks, as well as for excavator turning and other.
- For maintenance purposes of basin and other structures, vehicle access around the item shall be an all-weather access road.
- Access to and including the standing area to GPT's shall be provided as concrete. T head turning shall be included unless reversing is in a straight line and less than 20 metres in length.

22.1.1. Type and Location

Basins and structures come in different types including wet or dry. Wet basins may include an artificial wetland facility, that incorporates a deep-water zone.

Dry basins drain to empty but may include a bio-retention treatment and/or a localised silt trap at pipe inlets. The minimum slope of a dry basin floor should be 2%. Maintenance practices of the floor should be considered if floor widths exceed practical machinery reach from the banks.

Location and Positioning

Basins and structures must be located immediately against a public road where they are readily accessible by maintenance vehicles from a public road, must be contained within a public Drainage Reserve and have casual surveillance for public safety, and preventative anti-social behaviour. The long side of the basin should adjoin the road and achieve surveillance from the (centre of) dwelling frontage of two (2) lots to each area of the drainage reserve. Note: Lots can look across a road.

Location to Flood

Basins are discouraged from being within the 1% AEP flood waters. The LEP, DCP and adopted flood policy set the policy on flood matters and locating any basins or significant stormwater structures within the flood. Consult those documents for any assessment requirements if proposing to move into the flood area. Even when adjacent to the flood zone a design should achieve its maximum elevation

(RL) to limit inundation by flood waters. The lowest desirable level of the spillway shall be higher than the 5% AEP event even when basin walls are located outside of the 1% AEP contour.

22.1.2. Capacity and Discharge

Detention basins retaining stormwater runoff shall be designed so that peak discharges from new development are not increased beyond that of the pre-developed environment for the critical storm events up to and including the 1% AEP event. Basin design should result in a "flowrate which fills the basin to the greatest extent, or possibly the longest time. Where a drainage system is complex, it is likely that storms of different durations will be critical for various parts of the system" (ARR). To satisfy this requirement it is expected that a multi-staged outlet will be necessary to control the outflow, ensuring adequate flow-rate control for the more frequent storm events. A drainage report and calculations shall accompany the detailed design proposal.

Flood routing should be modelled by methods outlined in this Manual and shall include assessment for a basin catering for the total contributing catchment, inclusive of the catchment with its potential of being fully developed.

22.1.3. Overflow

The overflow weir, or high-level outlet for any basin shall be set at a level and have the capacity to maintain the 1% AEP flood event for the approved detained discharge rate.

The overflow weir (and spillway) should be designed in accordance with weir design principles. The weir crest shall be constructed in concrete, keyed into the embankment, and be designed to avoid possible failure in extreme storm events (greater than the 100yr event). The spillway down the embankment wall and at its toe should be protected from erosion with, as a minimum treatment, an approved robust stabilised (reinforced) earth/turf treatment including protection against turbulence/erosion at the embankment toe.

22.1.4. Outlet

Pipe systems shall contain the design outflow through the detention basin embankment with suitable bulkhead (trench-stop) protection to prevent water infiltration and "piping" between the conduit and the surrounding material. The pipe inlet structure shall be designed to avoid blockages, where a catchment may be the source of significant amounts of vegetation matter (see "Grates" above). Outlets shall include a device for energy dissipation.

22.1.5. Water Depth

Temporary water depth calculated for the 5% AEP event, in either a wet or a dry basin, shall be limited to a maximum of 1.2 metres (above either permanent water level, or dry floor). Where justified by reason of restrictive access, available area or other reasons, a greater depth may be considered.

22.1.6. Embankment

The following batter slope requirements apply:

Table D-21: Basin Embankment

STORMWATER BASIN SLOPES	MAXIMUM SLOPE
Internal Batter below Top of Embankment	1:6 grass or (basin) landscaped*

Internal batter slope above floor/Permanent Water Level PWL	1:6 grassed or landscaped*
External batter slope below basin embankment	1:6 grass or landscaped* 1:4 (basin) landscaped where topography or area is restrictive (needs 1:6 mowing between landscaped and private boundary
Submerged batter for 500 mm below PWL Max submerged batter after ledge	1V:8H 1V:3H
Above embankment and the maintenance track	1V:3H landscaped*

Note: (Basin) *Landscaped refers to native grasses, small shrubs (600mm max height) and groundcovers but excludes trees. See landscape requirements for stormwater.

The embankment shall be designed, and supervised in construction, by an engineer. The embankments shall be founded on and bonded to sound natural clay material incorporating a keyway and be compacted to (density and moisture) specifications prepared by a geotechnical engineer. Full details shall be shown on the plans. The embankment, batters and basin floor shall be fully turfed with couch grass.

22.1.7. Dams

Existing dams that are intended to remain or be adjusted for use as part of a detention system shall be reported by geotechnical investigation for adequacy for the purpose. The report shall be submitted as part of the engineering design.

22.1.8. Gross Pollutant Traps and Basin Inlets

All basins should incorporate permanent concrete Gross Pollutant Traps (GPT), to collect silt, trash, and litter from the road drainage system. Plastic and fibreglass GPT units are not accepted for public drainage systems.

As a temporary arrangement, road drainage discharge should be treated, within the basin floor with a sediment-pond/silt-trap. This area should generally be confined to the basin inlet pipe discharge point(s), being located and/or protected (e.g. off-line to accept minor flows only) to avoid scour and dislodgement of sediment. Such traps may eventually become redundant upon stabilisation of the subdivision catchment and may be removed by Council.

A note shall be included on the plans to ensure that the pollutant traps shall be cleaned out prior to issue of “practical completion”.

Where practical, basin inlet pipes for inter-allotment drainage may be separated from the road inlets and associated pollution controls due to the relatively “clean” nature of the stormwater discharge.

22.1.9. Safety

Detention basins shall be signposted with a “WARNING” sign in accordance with Standard Drawing SD038.

The designer shall take into account the requirements (in terms of potential risk/threat to downstream property/community) of the NSW Dams Safety Committee regarding a basin/dam proposal making reference to the NSW Dams Safety Act. Inlet and outlet pipes must be adequately screened with child-proof grates if they are large enough for children to enter or for flood safety reasons.

22.1.10. Access for Maintenance

The basin access track shall be of compacted gravelled 200 mm minimum thickness on a compacted and stable subgrade. For large basins, the track may need to be continued to the basin floor for maintenance of the biofilter. The crossfall of the access shall be maintained at the standard 3% (maximum 5%). Access grades and changes in grade are to comply with AS2890.2 for a medium rigid design vehicle. Suitable turnings shall be provided as necessary to facilitate service vehicle turning manoeuvres and enable the service vehicles to exit the basin area in a forward direction.

22.2. Stormwater Quality

Stormwater runoff from areas that may be a source of pollutants, such as roads and gardens, shall be treated to provide a means of "polishing" of the runoff prior to its discharge beyond the site. Constructed wetlands, bio-retention filters, silt traps, gross pollutant traps etc, shall be employed for this purpose. Exposed areas of soil/gravel shall be stabilised against erosion.

Design and construction parameters for constructed wetlands, silt traps, swales, bio-retention filters, etc, shall be determined with recognised computer software such as *MUSIC*, with supporting reference made to the publication "*The Constructed Wetlands Manual*" (1988); Water by Design publication "*Construction and Establishment Guidelines - Swales, Bioretention Systems and Wetlands*"; Landcom publication "*Managing Urban Stormwater – Soils and Construction*" or their equivalent.

The following table shall be used as a target for pollutant retention goals.

Table D-22: Post Construction Stormwater Management Targets

POLLUTANT	RETENTION CRITERIA
Suspended Solids	80% of average annual load
Total Phosphorus	60% of average annual load
Total Nitrogen	45% of average annual load
Gross Pollutants >5 mm	70% of average annual load
Litter > 50 mm	Retention up to the 4EY (3-month flow)
Oil and Grease	90% of average annual load

The above retention criteria relate to "reduction of average annual load" of stormwater pollutants that may be expected from a fully developed catchment or site.

22.3. Constructed Wetlands

For wetlands to operate efficiently they should be "off-line" accepting, typically, flows up to the 1-year ARI storm event. General objectives for wetland area design are as follows:

- The shape of the wetland should be designed to optimise the treatment of the flows with lengthy flowpaths through the wetland.
- Wherever possible, existing natural drainage gullies should form part of a stormwater and runoff drainage management system incorporating detention basins and/or wetlands to alleviate stormwater peaks and retain pollutants.
- Wetlands should be well-designed creating an attractive, safe amenity and be highly visible for both the adjoining residents and passers-by.
- Walking paths should have frequent contact adjacent to the wetland edge.
- Vegetation should be designed such that generous unobstructed view of the wetland is provided, but with dense planting where access should be restrictive, such as near deep water.
- The design should ensure that emergent macrophytes are minimal and manageable.
- Surrounding slopes to wetlands should be gentle and offer convenient tractor-mowing access – general maximum of 5H:1V.

The planting list for each section of the wetland shall be provided with the design, refer to Council's preferred species list available in Standard Drawing SD048.

A management plan, including lifecycle costing (MUSIC), shall be submitted with the design indicating a Program of On-Going Maintenance, appropriate for the particular wetland design. All wetlands shall be provided with a valve/pipe mechanism (other than mechanical pumping) to drain to the lowest possible level for periodic "clean-out" and harvesting of vegetation growth. A typical cross-section of a constructed wetland utilising the general objectives above is shown in Standard Drawing SD050.

Wetlands shall be signposted with a "WARNING" sign in accordance with Standard Drawing SD038.

22.4. Swales

Swales assist in the attenuation of flow and the removal of pollutants. Swales are most effective as source controls as opposed to end of pipe solutions.

Vegetated swales are suitable for catchments where they can convey flows longitudinally, with ultimate relief into a drainage conduit, device, or system, and are commonly used as an alternative to kerb and gutter within the road. Swales are intended to be non-trafficable and should only be employed where vehicle crossing is not required, such as within medians of dual carriageways and adjacent to reserves.

Where for a particular reason vehicle access is required, a concrete driveway may be provided across swales either within the swale invert or with a culvert/pipe.

Swale velocity depth coefficient should be kept below 0.4 and longitudinal slope of the swale should be kept between approximately 1% and 4%.

Swales must be fully vegetated on a sandy loam topsoil to ensure maximum filter effectiveness, and plantings, other than couch grass, will be considered on their low-maintenance merits, having regard to flow capacity and long-term maintenance. Woodchip is not permitted. Refer to SD046.

22.5. Bio-Retention Systems

Bio-retention systems are filtration devices sometimes located within smaller detention basins which comprise of porous subsurface soil layers and pipes and in some circumstances suitable vegetation (other than grass turf) to filter stormwater. Plant species shall be chosen from Table 15 of the CRC Water Sensitive Cities – Adoption Guidelines for Stormwater Biofiltration Systems (2015).

Like swales, these systems must be non-trafficable and designed for easy maintenance.

A concrete edging strip measuring 300 mm in width and 250 mm in depth installed on a gravel bed (or alternatively an SFM kerb profile on 100 mm compacted gravel) is essential between the basin's turf floor and the basin bio-retention stem. This measure defines and safeguards the bio-retention treatment area, preventing erosion, ensuring operational efficiency, offering structural stability, promoting longevity, and enhancing visual aesthetics. Other WSUD Treatments

Examples of other common WSUD treatments that may be provided include:

Primary Treatments:

- Pit inlet protectors
- Trash Racks
- Gross Pollutant Traps (e.g. Baramy Traps, CDS Units, ECOSOL Units, Humeceptor, Humeguard or other manufacturer's equivalent)

Secondary Treatments:

- Wet Basins
- Bio-retention swales
- Infiltration systems
- Vegetated Filter Strips
- Sand Filters
- Surface Retention
- Porous Paving

Tertiary Treatments:

- Constructed Wetlands
- Bio-retention

22.6. References for WSUD Design

- WSUD Technical guide for Western Sydney (Upper Parramatta Catchment Trust 2004)
- WSUD Basic Procedures for "Source Control" of Stormwater – a handbook for Australian Practice (Argue 2004)
- WSUD Engineering Procedures Stormwater (Melbourne Water 2005)
- Australian Runoff Quality – A guide to WSUD (Engineers Australia)
- SE Qld WSUD Engineering Design Guidelines (Healthy Waterways, June 2006)
- Water Smart Model Planning Provisions (HCCREMS 2007)
- Water Smart Practice Notes 1 to 11 (HCCREMS 2007)

22.7. Fencing

Warrants for fencing of permanent water wetlands, ponds, basins, and concrete GPT's shall be determined based on a risk assessment. Where pool-fencing style is approved, the fence shall be installed with tamper-proof screws (as approved by Council) or be welded to deter vandalism/theft.

Additional fencing as per SD057, or as specified by Council, may be necessary along overland flowpaths and drainage reserves at the discretion of Council to prevent unauthorised access and or where public safety is a concern. Fencing should not be proposed as a treatment to vary safe slope requirements. Access points and gates must be designed and installed to allow authorised entry for maintenance.

A concrete mowing strip 100 mm deep and 350 mm wide shall be constructed along the fence line. Additionally, mass concrete footings must be provided according to the specifications outlined in SD057 for public fences.

See Standard Drawing SD057 for Council's "wire rope" style fence option.

23. Allotment Drainage

This section addresses interallotment drainage requirements with the focus on major subdivision works. For small project developments such as two or three lot subdivisions refer to *Document L: Lot Scale Engineering.*

Inter-allotment drainage (IAD) shall be provided to every lot that cannot adequately drain to its street frontage. The drainage shall be designed to accept concentrated developed flows from each lot for the 10% AEP event. Where new lots adjoin existing properties minor/major flows from those existing uphill properties shall be catered for, with a pipe/pit/flowpath system. Depending on circumstances benefiting easements may be necessary.

Pipes shall be a minimum diameter of 150 mm UPVC, PE or PP and have minimum cover of 300 mm (greater where subject to vehicle loads), designed to flow full without surcharging at pits. Concrete pipes should not be used for IAD expect for crossing a road verge. Minimum grade shall be 0.5%. Where IAD pipes are laid parallel to sewer mains, a clearance is to be the greater of 750 mm between pipe centrelines, and 450 mm clearance outside to outside of pipes (generally >300 mm diameter). If practical, the sewer shall be laid closest to the dwelling being served.

The maximum capacity for an interallotment drainage line shall be the 8 lots desirable, 10 lots maximum, and does not exceed 300 mm diameter. Other zones is maximum 8 to 10 lots but could negotiate on the maximum area if demonstrating lot numbers are fixed long-term.

Table D-23: Inter-Allotment Drainage Line Pipe Sizes

Subject to hydraulic design the following pipe sizes may be used as a minimum requirement.

NO. OF DWELLINGS SERVED (LOTS <600SQ.M)	PIPE DIAM MINIMUM (MM)
Up to 2	hydraulic design, 150 min
3 to 6	hydraulic design, 225 min
7 to 10	hydraulic design, 300 min

23.1.1. IAD Connecting to Kerb

For single-allotment drainage, each lot within a subdivision that drains to the road, shall be provided with a galvanised steel pipe or rectangular hollow section (RHS) with a minimum sectional area equivalent to a 100 mm diameter pipe (7850 mm^2) across the footway. The conduit shall be located adjacent to the side boundary or at the lowest point of the lot frontage, connected to kerb outlet insert and extended into the lot being serviced with a pit just inside the property boundary.

23.2. Pits

Grated pits shall be provided to the low corner of each lot serviced, in accordance with Standard Drawing SD043, unless otherwise approved. Pits shall be concrete, to the following dimension:

Table D-24: Inter-Allotment Pit Depth: Size Relationship

DEPTH (MM)	SURF. DIM. (MM)
< 900	450 x 450
900 - 1200	600 x 600
1200 to 1500 (pipes discourage at these depths but may have to get under retaining wall footings)	600 x 900

Pits shall be depressed 100 mm below the surrounding ground level, to provide efficient surface water inflow. A 450 mm wide turf strip shall be laid around the perimeter of the pit. Segmental pit risers shall be adequately sealed at the joints.

Each pit shall have a capped stub for the dwelling connection, and all pit/pipe joints mortared. (Refer SD043). Where pit depth is designed to drain low areas of lots, the riser shall enter the pit at its base.

Interallotment drainage pits shall be 1.2 metres maximum deep to ensure reasonable access and maintenance by lot owners without requiring excessive excavation, machinery and/or shoring for pipe replacement. Pipes can be kept high in the pit and a drop pit used to get under retaining wall footings.

24. Drainage Easements

Within lots, easements shall be provided over pipe systems and overland flow paths. The minimum width of easements shall be as follows:

Table D-25: Piped Drainage Easement Widths (Minimum)

TYPE AND DIAMETER [2][6]	EASEMENT WIDTH (M) [3]
IAD up to and including 300 mm dia. [1][2][3]	Greater of 1.5 m OR (1.5 x trench depth) + nominal pipe diameter [4]
IAD greater than 300 mm dia. [2][3]	Greater of 2.5 m OR (1.5 x trench depth) + nominal pipe diameter [4]

Public Drainage System up to & including 1200 mm dia. [2][3][5]	Greater of 3 m OR (1.5 x trench depth) + nominal pipe diameter [4]
Public Drainage System 1350 mm dia and greater [2][3][5]	Greater of 5 m OR (1.5 x trench depth) + nominal pipe diameter [4]

Notes:

1) Where site constraints exist, such as in-fill developments, 0.9 metres wide IAD easements may be considered for 2 lot maximum to pass down the side of an existing dwelling.
2) For pipe diameters larger than specified and for multiple pipe systems, the minimum clearance from the outer edge of the pipe to the easement limits shall be 1.0 metres.
3) The zone of influence (ZOI) should still consider existing and potential structures in the vicinity of the easement. There may be occasions to widen the easement to cover the whole ZOI.
4) Easement width shall be increased by 0.5-meter increments.
5) An additional easement width of 3 metres applies to stormwater channels and major swale drains where access for maintenance vehicles is necessary. Maintenance tracks are required on both sides when width exceeds maintenance machinery reach. See any requirements for open channels and maintenance.
6) Depths over 1.5 metres are not acceptable for IAD. Any public pipelines exceeding 1.5 metres in depth must be adequately benching or battered to Safework NSW requirements and the easement cover the extent of batter, etc.
7) All Drainage lines are to be centrally located within the easement.
8) The width of excavation shall be contained within the easement

25. Stormwater Outlet

Permanent, durable, and effective scour protection and/or energy dissipaters shall be provided at pipe outlets (and inlets where warranted).

In the absence of a defined natural watercourse or stream, points of discharge of concentrated stormwater onto an adjoining property, shall not be permitted without the agreement of the affected property owner. Where an agreement is reached with the adjoining owner, a letter and a drawing shall be signed and submitted to Council as evidence of the agreement, prior to issue of the DA. Drainage easements shall be created, as necessary, prior to or upon certification under part 4A of the EP&A Act.

Where permitted, piped discharge shall be in a suitable watercourse and shall extend a minimum of 10 metres past a building or future building envelope.

Similarly, discharge through parks or reserves, if permitted under the plan of management, should be directed to suitable watercourses. Easements are required on public land that is not drainage reserve.

26. Subsoil Drainage

Subsoil drainage shall be designed for installation in areas that are susceptible to groundwater seepage into the pavement and subgrade, and may be in the form of pipes, strips and/or mats.

Subsoil drains shall be placed on each side of all road pavements and in all stormwater pipe trenches within the road pavement in accordance with Standard Drawings SD035 and SD003 with flush points

placed behind the kerb (level with the kerb), as a screw-locked plastic fitting in a concrete surround and should be placed at approximately 60 metres intervals. Flush points within drainage pits are not permitted.

The design should indicate a subsoil drain “lead-in”, 3.0 metres long installed in Inter-Allotment Drainage lines where the line connects to the road pit, and at every second pit upstream within the IAD pipeline.

Subsoil drainage shall be shown at new pavement interfaces with existing pavements.

All subsoil pipes shall be, nominally, 100 mm diameter, and be “socked” with geotextile fabric.

27. Access Restriction to Drainage Structures

A risk assessment shall be undertaken on any open drainage structure that could be readily accessed by the public. If that assessment indicates a necessary treatment, and/or at Council’s discretion, a barrier grate shall be provided.

28. Earthwork and Regrading

Site regrading and bulk earthworks must be designed and constructed in accordance with the DCP and the development consent. Should minimise cut, fill, offsite haulage and environmental impacts. A cut-and-fill balance diagram within an Earthworks Management Plan must be submitted to Council. Pavement can be included in the net balance.

A certified geotechnical engineer shall have level 1 responsibility in accordance with AS3798 unless otherwise agreed in writing by Council in advance. A comprehensive Geotech report shall be provided in accordance with Australian Standards, and Council’s requirements.

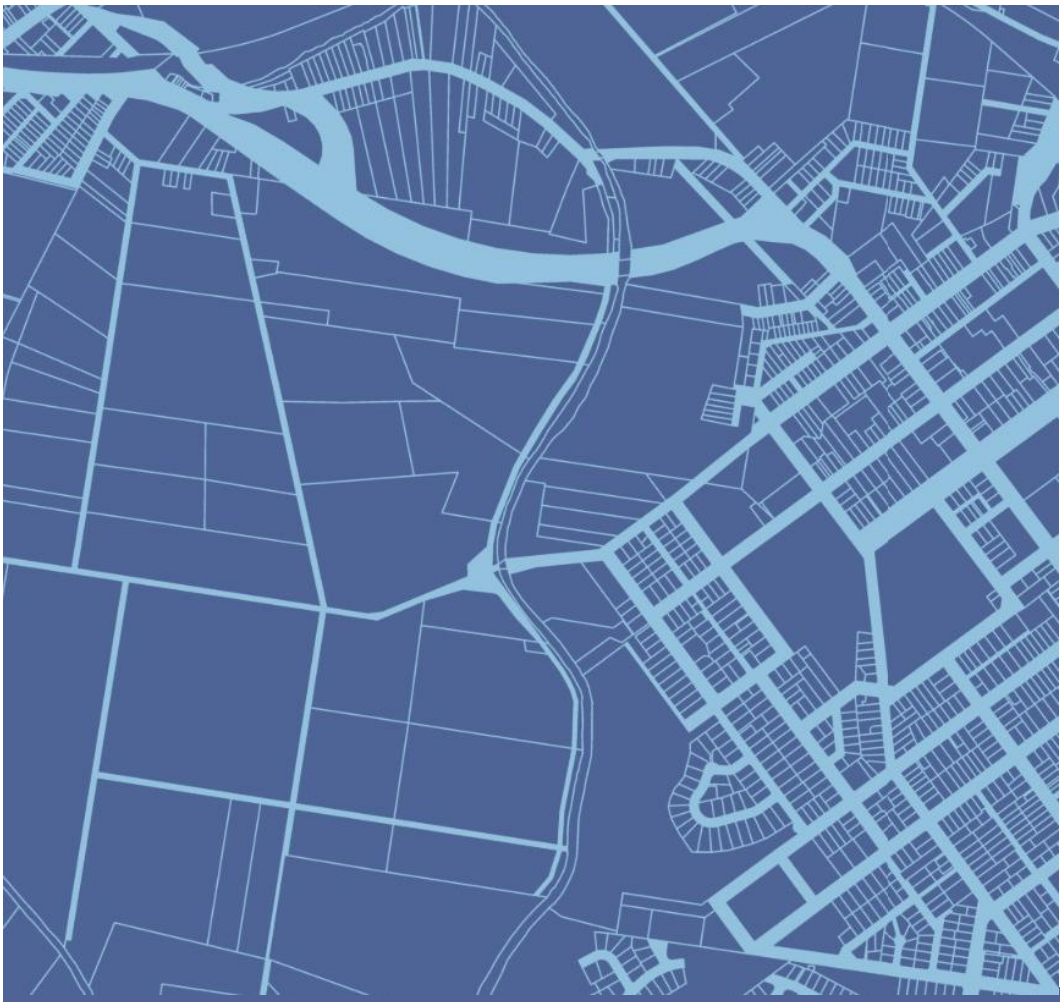
Filling on land adjacent to developments requires written consent from adjoining landowners.

Site fencing and barricades should avoid encroachment into public roads and lands. Where unavoidable and approved, works shall be prioritised to minimise disruption times, or made safe and re-opened until works can recommence.

If filling of existing dams or watercourses is authorised, the geotechnical report must outline necessary works. The certifying geotechnical engineer, as per AS 3798, holds Level 1 responsibility unless otherwise agreed upon by Council.

Batter slopes and requirements shall be in accordance with Maitland City Council Development Control Plan and MoES.

Surface grading shall ensure no surface ponding will occur, and flows are directed to the required discharge points without creating erosion problems.



MoES – C 2025

Construction (Civil)

Manual of Engineering Standards

maitland
CITY COUNCIL

Table of Contents

C – Construction **1**
1. Traffic **1**
1.1. Traffic Control 1
1.2. Partial Road Closure 1
1.3. Full Road Closure 2
1.4. Road Opening Permit 2
1.5. Haulage Routes 2
1.6. Detour Routes 2
2. Contractors **3**
2.1. Sub-Contractors 3
2.2. Working Hours 3
2.3. Safety 3
3. Site Management **4**
3.1. Survey Marks 4
3.2. Material Storage 4
3.3. Adjoining Land 4
4. Inspections **4**
4.1. Limitations on Approvals 4
4.2. Inspection Meetings 5
4.3. Inspections Outside Normal Hours 5
4.4. Approval of Works 5
4.5. Additional Works 5
4.6. Inspection Regime 5
5. Environment **7**
5.1. Contamination 7
5.2. Erosion 7
5.3. Tree Clearing 8
5.4. Vegetation Disposal 8
6. Earth - Fill **8**
6.1. Standards 9
6.2. Topsoil 9
6.3. Retailing Walls 9
6.4. Dams and Basins 9
7. Road Formation (Subgrade) **10**
7.1. Materials and Testing 10

maitland CITY COUNCIL

maitland CITY COUNCIL

7.2. Fill 10
7.3. Cut 11
7.4. Sub-Grade (Natural) 11
7.5. Sub-Grade (Select) 12
8. Stormwater Drainage 12
8.1. Subsoil Drainage 12
Table C-1: TfNSW Type A Filter Material 13
Table C-2: TfNSW Type S Filter Material 13
Table C-3: Austroads Type A (Sand) Filter Material 13
Table C-4: Austroads Type B (Aggregate) Filter Material 14
8.2. Pipe Conduits 15
8.3. Pipe Installation (Concrete) 15
8.4. Pipe Bed, Haunch and Sides 16
Table C-5: Bed and Haunch Zone 16
Table C-6: Side Zone 16
8.5. Pipe Overlay 17
8.6. Pipe Backfilling 17
8.7. Trench Compaction Testing 18
8.8. Precast Box Culverts 18
8.9. Base Slabs 18
8.10. Pits 18
8.11. Gross Pollutant Traps 20
8.12. Scour Protection 20
8.13. Open Drains 20
8.14. Inter-Allotment Drainage 20
8.15. Culverts 21
8.16. Pipe Tolerances 21
Table C-7: Pipe Construction Tolerances 21
8.17. CCTV Requirements 21
9. Pavement Construction 22
9.1. Flexible Pavement 22
Table C-8: Pavement Construction Tolerances 22
Table C-9: Acceptable Material Types 23
Table C-10: Pavement Compaction Requirements 24
Table C-11: Benkelman Beam Deflection Requirements 25
9.2. Rigid Pavement (Roads) 26
10. Kerb and Gutter 28

maitland CITY COUNCIL

maitland CITY COUNCIL

10.1. Concrete Supply and Placement 28
11. Wearing Surface 29
Table C-12: Acceptable Wearing Surfaces 29
11.1. Bitumen Flush Seal 29
11.2. Primer Seal 30
11.3. Asphalt 30
12. Concrete Items 30
12.1. Driveway Access Handles 30
12.2. Paths 30
12.3. Concrete Linings 31
12.4. Concreting Placement and Practise 31
Figure C-1: Evaporation from Concrete Placed on Site 33
13. Conduit and Road Crossings 33
14. Surface Restoration 34
14.1. General 34
14.2. Footways 34
14.3. Trenches 34
14.4. All- Weather Surfaces 34
14.5. Mulch and Turf 35
14.6. Street Trees 35
15. Locks and Keys 35
16. Linemarking and Signposting 35
17. Site Preservation 35

maitland CITY COUNCIL

maitland CITY COUNCIL

C – Construction

This Document C: Construction is part of the MoES suite of Documents. Document G: General Requirements serves as the primary source of information and guidance on how this document functions within the entire suite.

This document, found in the Council's Manual of Engineering Standards, provides a comprehensive guide to the principles and practices governing infrastructure construction in the Maitland Local Government Area. It outlines essential standards and procedures that are crucial for safe, efficient, and sustainable construction. Adhering to these guidelines ensures quality assurance, risk mitigation, and consistency in construction practices. Engineers, contractors, and stakeholders will find this document beneficial for executing projects that enhance infrastructure resilience and functionality.

All works shall be performed to the requirements of this Manual and as directed by Maitland City Council.

As the Principal Certifying Authority, Council must be notified two days prior to commencement of any works and may inspect the works, where necessary, at any stage of construction. Appropriately qualified and experienced Contractors shall carry out all work in a competent manner, in accordance with the Approved Construction Plans, this manual, relevant Occupational Health and Safety and WorkCover requirements.

1. Traffic

1.1. Traffic Control

Where impacts are expected within the existing road network, traffic control plans in accordance with Transport of NSW TfNSW “Traffic Control at Worksites” shall be prepared by a certified person and be submitted to Council for acceptance prior to the works commencing.

The control of works shall be undertaken to assist the passage of motorists and pedestrians through the worksite. Signposting shall ensure separation of motorist traffic and pedestrian traffic, and each from workers and machinery.

It is the developer/contractor’s responsibility to maintain all temporary signposting for the duration of the construction works, which includes regular checking of the signposting to avoid accidental disturbance, displacement, interference, or vandalism. Signs and their placement shall be in accordance with Transport of NSW “Traffic Control at Worksites”. Council reserves the right to request additional signposting where it is considered appropriate to enhance safety for road users.

All Traffic Controllers are subject to TfNSW regulations and WORKCOVER requirements. Controller certification and their traffic control methods are subject to inspection and if necessary, enforced compliance with the relevant standards.

1.2. Partial Road Closure

Minor closures such as footway and parking lanes or road shoulders constitute a temporary partial road closure to vehicular and/or pedestrian access for construction purposes. A more significant partial closure may include the closure of a vehicular traffic lane and the subsequent need for traffic control for single lane flow.

Permission for the closure must be obtained from Council, and such a closure may only occur in normal daylight working hours, unless special circumstances exist where night-work is essential. Such

controls must be employed with the standard signposting, and manual or signalised traffic flow controls. Two-way flow for vehicle traffic must be reinstated for each night.

Acceptance of a Traffic Control Plan prepared by a certified traffic controller must be received from Council prior to implementing the plan.

1.3. Full Road Closure

Permission to temporarily close the whole of a public road to vehicular or pedestrian traffic for construction purposes must be obtained from Council - a fee applies. Application for road closure must be received at Council at least six weeks prior to the desired closure date.

1.4. Road Opening Permit

Permission to "open" public roads by excavation for purposes of installing underground structures, services and conduits must be obtained from Council – a fee applies. The area defined by a public road is any part within the road reserve. Council may require under-boring methods under road pavements and paving. General term of conditions is available as part of the application.

1.5. Haulage Routes

Haulage routes to, or from, the development or work site will be subject to approval by Council prior to the commencement of work. The Contractor shall ensure carriers comply with approved routes.

1.5.1. Damage to Roads

Damage to roads directly attributed to operations of construction plant serving the development shall be repaired to the satisfaction of Council, at no cost to Council.

It is advised that the Project Manager accompany Council's representative on the assessment of the approved haulage route and document the condition of the approved route. Such documentation prepared by the Project Manager shall be agreed upon with Council.

Where required by Council, a bond shall be submitted to Council to cover possible pavement rectification due to damage of the haulage route roadway.

1.5.2. Overweight Vehicles

Where required by Council, a vehicle that is suspected of being overloaded, carrying a weight more than the legal limit for the vehicle, the vehicle shall be directed to a public weighbridge for confirmation with compliance, or otherwise, at no cost to Council. The vehicle shall not leave the weighbridge site until any necessary adjustment of weight is rectified.

1.6. Detour Routes

Where it is determined by Council that there is a need for a temporary road detour route to be established during development-related works, the proposed route(s) must be submitted to Council for approval, and the contractor shall be responsible for the on-going maintenance of the road pavement along the detour route.

When choosing a detour route, it must have where possible, a similar capacity for the expected traffic to that of the temporarily closed road.

An assessment of the risks associated with detouring vehicles onto other roads should be made regarding potential inclement weather. The existing condition of the chosen detour route must be

recorded prior to the commencement of development works, and any damage caused, rectified, as discussed under “Haulage Routes”.

2. Contractors

Contractors must be experienced and competent to perform all work in compliance with the approved Subdivision Works Certificate and the approved plans, this manual, relevant occupational health and safety standards, and WORKCOVER requirements. They also need to have the appropriate certifications for all aspects of the project.

Contractors need to know and follow their responsibilities according to relevant acts and regulations related to construction.

During the construction startup meeting, the contractor must provide Council with contact details for all relevant officers and parties involved in the project. This includes, but is not limited to, the Site Supervisor, Site Engineer, Project Manager, Environmental Manager, Geotechnical Engineer, Surveyor, and utility installation Subcontractors.

Any changes to the plan must be approved in writing by the Accredited Certifier or Council, depending on who issued the Subdivision Works Certificate. These changes might require submitting a new design for approval.

2.1. Sub-Contractors

Upon request the identity of sub-contractors and their proposed scope of works shall be supplied to the certifier or Council. The certifier or Council reserves the right to preclude any sub-contractor.

2.2. Working Hours

Construction workhours, particularly relating to noise generation, shall not be performed outside the hours that apply under legislative requirements or as determined through development consent conditions.

As a guide, time restrictions (as stated by State Government guidelines “*Construction Noise*”) are:

- *Monday to Friday:7am to 6pm*
- *Saturday:8am to 1pm if audible on residential premises,*
- *otherwise 7am to 1pm*
- *Sunday and Public Holidays: No construction work.*

Construction activity such as “emergency” or “night” work should be notified to Council. Construction works that may be considered to generate offensive noise may be subject to restrictions.

2.3. Safety

All adequate safety precautions in accordance with WORKCOVER and relevant legislation and codes of practice shall be the responsibility of the contractor. This will include matters related to public safety where interaction is expected (and may include fencing), traffic related matters discussed above and adequate induction and assistance for site visitors. Council or the TfNSW will not be liable for any consequence from the developer's inaction or omission.

3. Site Management

3.1. Survey Marks

Adequate precaution shall be taken to protect and preserve all survey marks, such as SSM, PM, etc., relative to or affected by the work. New survey marks and replaced marks shall be installed by a Registered Surveyor. An appropriate plan of survey showing the relocated marks shall be prepared by the Surveyor and lodged for registration in accordance with the Survey Practice Regulation. Survey marks for the purpose of property boundary definition shall not be placed in any concrete path or kerb.

Survey set out for the purposes of construction of the works shall be performed by a surveyor. Recovery marks or stakes are not to be placed in locations that present a hazard to pedestrian or vehicular traffic unless suitably protected.

3.2. Material Storage

Storage of pipes, gravel and other materials on public roads or reserves is not permitted unless extenuating circumstances prevail, whereupon Council approval must be obtained. Any damage shall be made good to the satisfaction of Council or costs met where Council performs the restoration works.

Storage of material shall be in a non-hazardous manner and shall include the use of safety barriers, fencing and sediment controls as appropriate to the material. (See also Document G: General Requirements - Environment)

3.3. Adjoining Land

The Contractor shall liaise with adjoining property owners affected by the work and take precautions to prevent deterioration of or damage to private property, public roads, public utilities, and reserves during construction. Such property may include dwellings. It is recommended that the Contractor organise preconstruction inspections with adequately qualified independent inspectors to identify existing structural conditions that are within proximity of the proposed works and should keep written and photographic records for future reference.

4. Inspections

Inspections are required at certain hold points of construction as set out below. Principal Certifying Authorities and Accredited Certifiers shall be bound by this Manual's construction and inspection requirements.

4.1. Limitations on Approvals

During construction, approval of any critical stage of the work (as nominated below), will be given in regard to structural standard *only at the time of inspection*, and does not absolve the Contractor of responsibility for rectification of any damage or deterioration occurring before "final inspection" and/or "practical completion".

Where a third-party certifier is involved in the inspection regime (such as a geotechnical engineer) who gives approval for works, that approval will not be construed to be an approval of Council. Council reserves the right to take any course of action, or decide regarding the progress of works, deemed necessary to rectify a construction problem or disputation.

4.2. Inspection Meetings

The Contractor shall be present during each inspection to receive approval or otherwise of the works prior to proceeding to the next stage of works. Amended works may be subject to re-test or an additional inspection and therefore may attract a fee for that inspection.

4.3. Inspections Outside Normal Hours

Inspections of work outside of normal working hours may be possible with prior arrangements. For Council's attendance, the cost of the inspection, in accordance with Council's fees and charges, shall be borne by the Developer/Contractor. At Council's discretion, a suitable qualified person may be appointed for an inspection to which Council cannot attend.

4.4. Approval of Works

Approval to proceed through the critical stages of the various components of works must be obtained. "Critical Stage" approval does not absolve the developer from responsibility to correct defects or failure in the work that may become apparent prior to "practical completion" and/or dedication to Council. It is also the Contractor's responsibility to obtain any necessary approvals from the appropriate Certifier and Council prior to proceeding to subsequent stages.

4.5. Additional Works

Additional requirements beyond the Construction Certificate design plans, which become apparent during construction, shall be completed as directed. Where such works do not require in the opinion of the Principal Certifying Authority, a new design, additional works shall be shown on the Works-As-Executed (WAE) Drawings.

4.6. Inspection Regime

The minimum occasions as "hold points" for the following critical works, requires inspections to confirm that the nominated standards and approvals given under this Manual are met. Pavement reinspection is required after any rainfall event greater than 5mm and after any rainfall event that necessitates a proof roll, at Council's discretion.

A. Traffic

- Temporary signs and markings.

B. Environmental

- Erosion controls.
- Vegetation clearing (optional).

C. Stormwater

- Stormwater basins: inspection of the keyway floor prior to filling and monitoring of Level 1 clay core construction.
- Stormwater Pipes: prior to backfill above the haunch zone of type, class, bed, haunch, alignment, clearances, joints, plugs etc.
- Subsoil drainage pipe: prior to backfill of filter material.
- Stormwater pits: prior to concrete pour of forms and reinforcement.

D. Subgrade (Natural and Select)

- Proof-roll of full prepared width.

- String-line at centre, kerb-line, and intermediate points, alternatively, confirmation by electronic field survey.
- Density test (compaction and moisture including CBR shrink and swell).

E. Sub-Base

- Proof-roll under kerb and gutter.
- Proof-roll full pavement width.
- String-line at centre, kerb-line, and intermediate points, alternatively, confirmation by electronic field survey.
- Density test (compaction and moisture).
- Inspect road pits to ensure alignment of lintels is consistent and satisfactory.

F. Base

- Proof-roll full pavement width.
- String-line at centre and intermediate points, alternatively, confirmation by electronic field survey prior to application of primer seal.
- Density test (compaction and moisture).
- Benkelman Beam, prior to final wearing course.
- Primer seal prior to final wearing course.

G. Concrete

- Paths, driveways and pits and other structures prior to concrete pour.

H. Retaining Walls

- Foundations, backfill and drainage. Council will accept a geotechnical engineer's report for backfill and reinforced earth where required by design.

I. Final

- General workmanship of all works including pit/lintel/grate finish.

Notes:

1) Some items will require certification by a practising professional in the respective discipline.
2) Council/PCA reserves the right to request additional tests where considered necessary.
3) Council shall not be responsible for expenses arising from testing.
4) Inspections requested and either not ready at the appointed inspection time or work is obviously incomplete, may incur a re-inspection fee.
5) In the event that a Council officer is unavailable for a particular inspection, an inspection report from an independent professional may be permitted, with prior approval from the principal certifier (Council).
6) Inspections are only appropriate where the work is uncovered and capable of being inspected. IT IS NOT POSSIBLE to certify an inspection retrospectively where work has been completed and covered prior to being inspected.
7) Failure to call for an inspection or failure to carry out any rectification works found to be defective may result in certification being withheld.
8) Where an inspection reveals unsatisfactory or defective results, a re-inspection may be required, and fees may be applied for any subsequent or additional inspections. Continuation of further

works reliant on defected works is PROHIBITED until such times as a satisfactory inspection has been carried out and/or approval to continue is obtained.

9) All inspections must be booked with Council 24 hours in advance no later than 3.00 p.m. on the day before the inspection is required. Inspection bookings may be made by telephone to Council in normal office hours.

10) Inspections will generally be carried out between 8.30 am and 4.30 pm on the requested day (Mon-Fri).

11) A pavement re-proof roll is required after any rainfall event greater than 5mm, after any rainfall event that necessitates a proof roll at Council's discretion and following any extended period of inactivity.

5. Environment

This section relates to environmental controls and safeguards within a construction site and the requirement to maintain a "clean" environment in the surrounding area where works may impact that area.

5.1. Contamination

Measures must be taken to ensure that no contaminated material or noxious weeds are transported off site without due care, and with diligence and authorisation for removal and/or disposal. No contaminates, contaminated material or noxious weeds shall be transported onto the site. The contractor shall employ methods to discourage illegal dumping of waste materials on the construction site, and if occurring, remove the waste to an approved waste disposal depot.

Transported loose material must be covered to prevent loss.

5.2. Erosion

The Contractor shall take any necessary steps to prevent erosion occurring on the construction site. Effective sediment control measures must be employed. For works where there is a possibility of dust or water erosion problems, the Engineer's endorsement of treatment methods is required.

It is an offence under the Protection of the Environment Operations Act to pollute the environment as a result of sediment leaving the site, and that a breach may result in the issue of an infringement notice, attracting a monetary fine. Reference should be made to Council's Standard Drawings and the Landcom/Dept of Housing manual, "Managing Urban Stormwater - Soils and Construction" for examples of methods of control.

Regarding erosion control, Council may request certain preventative measures to be implemented, such as watering loose surface areas or constructing silt traps. Silt traps shall be employed in advance of existing downstream systems, basins, wetlands, natural gullies, etc.

For medium and large subdivisions, an earthwork plan with agreed allotment sizes and an indicative sequencing plan must be provided (if not already included in the SWC/construction plans). A cut sequence and a fill sequence may be necessary. The contractor shall not disturb more land than can be suitably worked to the design height and stabilised within 3 months, and in a size that can be managed 24/7, including non-workdays, to control dust, erosion, and sedimentation. It is not acceptable to rely only on water carts during working hours. Details of how the allotments will be stabilised, such as with hydro-spray applications, dust fences, and other techniques, must be provided with the plan.

The contractor must schedule the construction program to ensure that bulk earthworks are completed, and the area is brought to size within 3 months of commencing work. Once the area is properly shaped, or if it is not being worked for 20 days, it must be rehabilitated and/or stabilised.

Bulk earthworks for subdivisions must not expose more than three (3) hectares of unstabilised area (subject to wind and rain) at any one time, in accordance with the MCC DCP.

Progressive stabilisation can exclude, within reason, the road corridor. Lots and open space drainage areas must be stabilised progressively to minimise erosion, sedimentation, and dust. Small corridors, such as those for retaining walls, may be excluded, provided the adjacent area is fenced off or otherwise protected to prevent further disturbance. All disturbed ground due to the development must be progressively stabilised and rehabilitated so that it no longer acts as a source of sediment.

For building works, all landscaping must be installed in accordance with the approved landscape or rehabilitation plan before occupation or use of the premises. Such works must be maintained in a stable and effective condition.

5.2.1. Maintenance of Devices

Erosion control devices must be inspected on a regular basis, particularly following any rainfall event, and cleaned where necessary or as instructed, to ensure the devices are in working order.

5.3. Tree Clearing

For purposes of road infrastructure construction, the extent of clearing shall be limited to the road reserve and associated drainage facilities, and service corridors.

Unless inherent within the engineering design or explicit within Development Consent, approvals must be sought and obtained for site clearing beyond these limits prior to works commencing.

The Contractor should be made or make him/herself aware of the developer's responsibility regarding tree and habitat disturbance, and of the services of a suitably qualified ecologist engaged to supervise the site's clearing activities. (See also Document G: General Requirements - Environment).

Any trees associated with the development/subdivision works, considered by the engineer to be hazardous to traffic or pedestrian activity, shall be removed or pruned accordingly.

5.4. Vegetation Disposal

Disposal of vegetation that is chipped or tub-grinded may be either, spread over the site at specified locations, (particularly avoiding stormwater inundation or significant/major flow-path areas) as stabilising mulch (approximately 100mm thick), or stockpiled. Excess material not used as mulch shall be removed from site.

Approval for disposal by dumping to Council's "waste facility" may be considered.

6. Earth – Fill

This section relates to earth-fill material within subdivision construction projects, and within existing and/or proposed public land projects, its quality, importation, placement and retention with walls or batters.

The Protection of the Environment Operations (Waste) Regulations allows for certain materials to be used under the resource recovery exemptions. These materials are permitted to be used if they are

shown to Council to be fit for purpose. Usage of the materials must be in accordance with the approved development consent.

6.1. Standards

Filling of lots for residential development must be performed under specific controlled conditions. Lot-fill on residential land shall be consistent with the requirements of AS 2870 and reported by a geotechnical engineer verifying that compaction of fill-material on the lots is in accordance with AS 3798, providing 95% Minimum Relative Compaction (for cohesive soil) employing a "Level 1" inspection and testing regime adopting Type 1 Density Test frequency.

The geotechnical engineer's report verifying satisfactory results shall be submitted to Council.

Further:

- Where isolated surface disturbance (such as tree removal) is filled, the filling shall be reported in accordance with the Australian Standard.
- Road fill batters that extend onto lots are considered lot-fill under this clause.

Filling of land for purposes other than residential development (such as open space, parks or playing fields) may be at a reduced standard than that for residential, subject to its type of use and the possibility of future building construction, as determined by Council for each specific site.

6.2. Topsoil

The contractor shall reclaim, and stockpile topsoil won from construction works where it is suitable for re-use on site. Where topsoil is imported it shall be in accordance with the resource recovery exemptions under the Protection of the Environment Operations (Waste Regulation) and shall be friable, of porous nature, relatively free of weeds contain no rocks, tree roots, clay lumps, chitter, ash or building waste. Topsoil shall have a maximum thickness of 150mm in road reserves and 300mm maximum in lots.

6.3. Retailing Walls

Retaining wall location and design is addressed in Council's Manual of Engineering Document D: Design. The subsoil shall be connected to either the kerb and gutter, road pits, or interallotment drainage system by gravity and shall not be directly connected to the road subsoil.

The removal of any existing fence adjoining the works for purposes of constructing a retaining wall is the responsibility of the developer/contractor, together with the need for shoring and/or negotiations with adjoining owners regarding any adverse works affecting those properties.

6.4. Dams and Basins

Earth embankments constructed for the purpose of retaining stormwater runoff with or without permanent water storage shall be constructed in accordance with an engineer's design as part of a Subdivision Works Certificate.

6.4.1. Redundant Dams

Where redundant dams are to be removed and filled, the contractor shall attend to the following matters:

- Flocculation of turbid water prior to release.
- Dewatering without causing erosion, such as by pumping.

- The removal of silt and organic matter prior to filling and its disposal in an approved manner.
- Backfilling under geotechnical supervision, and in accordance with this Manual.

7. Road Formation (Subgrade)

Material for road formation shall generally be won as a cut/fill operation within the site. Where material is imported to balance earthworks, it shall comply with Section 6 above.

7.1. Materials and Testing

All materials required for the project, whether won as natural earth or as a processed soil or granular or man-made, shall be in as new/original condition and of an approved standard, free of contamination or defects. If required, the contractor shall provide full testing information with respect to the materials. Test results of particular proposed imported materials shall be submitted to the Certifier and/or Council for approval prior to placement.

Materials (from established suppliers) that are subjected to a regularly testing programme and have been accepted by the Engineer as Quality Assured material, may be used without further testing. The Engineer/Council may instruct the amendment or removal of works or material not in accordance with the approved plan, specification, standards, or best practice.

In the event of dispute of material quality, the subject material will be submitted for testing/examination by an independent certified body or company registered with NATA qualification. The cost of testing shall be met by the developer/contractor.

7.1.1. Compaction Tests

Compaction of the natural and select subgrade to a minimum of '100% standard' shall be confirmed by a geotechnical engineer/NATA laboratory and tested at 50 metres intervals or part thereof for compliance under AS1289. The location of intermediate tests shall be at random locations. Additional test locations may be required if there are changes in the soil profiles.

Where subgrades are modified or stabilised, the application process shall be tested and reported for compliance with an approved geotechnical report.

Moisture content of the fill material shall be specified by the geotechnical engineer and shall be observed and/or tested.

7.1.2. Proof-Roll Test

Monitoring the results of natural and select subgrade compaction by "proof-roll" testing shall be observed by Council, or at Council's discretion, by an appropriate Certifier. The contractor should be confident that the prepared surface is ready for test, prior to the inspection. If re-inspection is required, an additional fee may apply.

Acceptable machinery for testing the subgrade includes a large grader. For proof rolling on gravel layers, the contractor may use a fully laden water cart or a three-point roller, with the preferred option listed first. The proof roll test shall be performed by an experienced road construction testing professional representing Council and/or the geotechnical engineer, as directed by Council. Any works that are considered by that person to be deficient, shall be rectified.

7.2. Fill

Fill material shall be tested and supported by a geotechnical engineer and shall be uniform, sound, and free from deleterious material. Approved fill shall be placed in compacted layer thickness of

200mm (max) and spread evenly for the width of formation, subject to the supervision of the geotechnical engineer. Placement of loose material over partially compacted filling to achieve road width is unacceptable.

On completion of filling to the bottom of road pavement (including bottom of any select) the inspection and testing regime shall conform to 7.4 Sub-Grade (natural) where the Geotech engineer provides results and recommendations to the engineer for approval of the road pavement design

Adequate support benching shall be provided in fill, on side grades in excess of 20%, or where considered necessary by the engineer to improve stability. Fill containing rocks or clay lumps will not be permitted in footways.

Batter faces shall be stabilised in accordance with erosion control procedures, typically, scarified, topsoiled and strip turfed and seeded between strips. The turf strips shall be run either along the contour or at a flat angle to the contour in order to intercept runoff.

7.3. Cut

7.3.1. Catch Drains

Are required at the top of cuttings intercepting large catchments or as directed. Catch drains shall be sized for the contributing catchment.

7.3.2. Batter Faces

All batters must be cut clean and free of loose or overhanging rocks. If the cut is more than 5.0 meters high, it must be benched with catch drains at the bottom of each step. For cuts higher than 2.0 meters, a geotechnical assessment is needed to determine the appropriate slope or treatments, see Document D: Design Document - Batters for more details. The cut faces should be stabilised using erosion control methods, such as scarifying, adding topsoil, and planting turf and seeds between strips. The turf strips should run along the contour or at a flat angle to intercept runoff.

7.4. Sub-Grade (Natural)

The road subgrade shall comprise of sound material compacted and trimmed evenly to design levels and cross-fall. The depth of cut/fill to subgrade level shall be governed by the approved pavement depth making allowance for cross-fall at any point of measurement, in particular at the centreline and the gutter lip ensuring a straight profile between each point.

Any unsuitable material shall be removed and replaced with approved material in layers and compacted to the required density in accordance with the process below.

The Geotech engineer shall undertake all necessary observations, additional testing, and any other matters in accordance with the approved (pre-construction) geotechnical report, MoES, and the Austroads and TfNSW documents as listed in Appendix E.

A (sub)report, including results, observations, and revised CBR, shrink and swell, pavement designs, and any need for select or working layers, shall be presented in writing to Council for approval. The report shall include any other matters such as construction techniques, concerns, and other issues as required or mentioned in the pre-construction (SWC) pavement design. The design shall be in accordance with Document D: Design - Pavement Design requirements.

The Geotechnical consultant will supply a ‘component’ compliance certificate for the natural subgrade prior to the placement of any layer (i.e., select, working platform, subbase), certifying the revised CBR, pavement design, and that the construction and site conditions, including moisture conditions, fall within the design ranges. The component certificate shall provide the minimum information in

accordance with the requirements in Document G: General and list the location specifically with road name, chainages, and offsets where part widths are being certified.

Where subgrade replacement with a granular pavement material (i.e. not using the natural soil or clay) is proposed, the excavation shall extend and grade to a subsoil drainage system, extending at least 500mm minimum behind the back of the kerb. Subgrade replacement shall be inspected and tested as per normal sub-grade inspection requirements.

Rock sub-grade shall be thoroughly ripped up to a depth of 300mm below sub-grade level and shall extend to the edge of the pavement. Ripped material shall be compacted to provide a sub-grade layer of homogenous density.

Construction works shall not proceed until the sub-grade, including floor of unworked excavation, has been certified by council as complying.

For subgrade bearing capacity under pavements, the use of geotextile materials is permissible, subject to recommendations by the Geotechnical Engineer, the suitability of the materials for the location, and only at the discretion and approval of Council.

7.5. Sub-Grade (Select)

A "select" subgrade where required, shall be of an approved material and be constructed similar to the requirements for natural sub-grade. The geotechnical engineer will confirm in writing to Council that the material specification is consistent with and fit for purpose according to the expected performance requirements of the geotechnical engineer's approved (construction) pavement design. Council's subdivision engineer shall approve the proposed material for use as "select".

8. Stormwater Drainage

8.1. Subsoil Drainage

Subsoil drainage shall be provided on both sides of the road pavements and in all road stormwater pipe trenches in accordance with Council's Standard Drawings SD035 and SD003, and additionally as required by Council, or the geotechnical engineer where for example, drains are considered necessary where sub-soil moisture problems are encountered. The type, location and extent of subsoil drainage may vary depending on pavement materials or in-situ conditions.

A subsoil drain "lead-in", 3.0 metres long, shall be installed in Inter-Allotment Drainage lines where the line connects to the road pit, and at every second pit upstream within the IAD pipeline.

Subsoil drainage shall be installed at new pavement interfaces with existing pavements at Council's discretion or under the direction of a geotechnical engineer, refer to Council's Manual of Engineering Document D: Design and Standard Drawing SD032.

All subsoil pipes shall be, nominally, 100mm diameter, and be "socked".

8.1.1. Trenches

Trench dimensions shall suit the size of the pipe/conduit used but generally trenches shall be a minimum of 200mm wide. The depth of trench shall be 600mm below subgrade level or deeper where it is necessary to drain intersecting service trenches. Depths less than 600mm may be considered by Council where sub-grade warrants exist, such as in rock.

The minimum grade on subsoil drainage shall be 0.5%.

8.1.2. Filter Material

Unless approved otherwise, the filter material shall conform to TfNSW TS 03357.1 (Old number: IC-QA-3580) or Austroads specification for subsoil drainage, reproduced as follows (See Table C-1 to Table C-4).

Other materials, not meeting the specifications in this Manual, may be considered subject to confirmation from a geotechnical engineer of compliance as free draining to achieve a sustained flow rate of 8 metres per day. (See Common Trench with Subsoil Drainage where stormwater pipe support should be considered)

Where "one-size" aggregate material is proposed as a medium surrounding the subsoil pipe, the material shall be wrapped in a geotextile fabric at its interface with adjoining natural or imported material and the pipe shall be un-socked.

Table C-1: TfNSW Type A Filter Material

GRADE	AGGREGATE SIZE (mm)
F20	20
F14	14
F10	10
F7	7
F5	5

Table C-2: TfNSW Type S Filter Material

SIEVE SIZE (mm)	WEIGHT PASSING (%)
4.75	100
2.36	95 - 100
0.425	20 - 80
0.300	0 - 30
0.150	0 - 10
0.075	0 - 1

Table C-3: Austroads Type A (Sand) Filter Material

TYPE A	PERCENTAGE PASSING SIEVE (%)

	A1	A2	A3	A4	A5	A6
Description of Filter	Dune Sand	Course Washed Sand		5mm One Size	6 – 8mm One Size	Sandy Gravel
37.5mm						100
26.5mm						
18.0mm					100	85 - 100
13.2mm					90 - 100	
9.50mm		100	100	100	70 - 100	65 - 100
4.75mm		90 - 100	90 - 100	70 - 100	28 - 100	45 - 82
2.36mm	100	75 - 100	70 - 100	0 - 50	0 - 28	30 - 60
1.18mm	95 - 100	50 - 98	40 - 65	0 - 10	0 - 8	15 - 40
600µm	70 - 98	30 - 80	12 - 40			5 - 25
300µm	30 - 60	10 - 40	0 - 16	0 - 5	0 - 5	0 - 10
150µm	0 - 12	0 - 7	0 - 4			0 - 5
75µm	0	0 - 3	0 - 3	0 - 3	0 - 3	0 - 3

Table C-4: Austroads Type B (Aggregate) Filter Material

TYPE B	PERCENTAGE PASSING SIEVE (%)			
	B1	B2	B3	B4
Description of Filter	5mm One Size	6 – 8mm One Size	10mm One Size	19mm One Size
37.5mm				
26.5mm				100
18.0mm		100	100	70 - 100

13.2mm		90 - 100	90 - 100	0 - 30
9.50mm	100	70 - 100	40 - 70	0 - 10
4.75mm	70 - 100	28 - 100	0 - 15	
2.36mm	0 - 50	0 - 28	0 - 5	0 - 5
1.18mm	0 - 10	0 - 8		
600µm				
300µm	0 - 5	0 - 5		
150µm				
75µm	0 - 3	0 - 3		0 - 3

Glass sand requires pre-approval by Council, with considerations including respiratory and safety concerns.

8.1.3. Common Trench (with Water Main)

Where it is practical to provide common trenching with a water-main, the location and materials are specified on Council's Standard Drawing SD035.

8.1.4. Flush Points

Flush points shall be provided generally at the crest point of the road and adjacent to drainage pits or at intervals of approximately 60 metres. Flush points shall be plastic screwcaps with concrete surrounds, placed behind the kerb and gutter in urban areas, or in road shoulders in rural areas. Flush points shall not be placed within stormwater pits.

8.2. Pipe Conduits

Unless nominated on the construction plans, all drainage pipes within Council's controlled drainage systems shall be of steel reinforced concrete (SRC) or fibre reinforced concrete (FRC), rubber ringed jointed spigot and socket type and installed in accordance with the manufacturer's guidelines. Conduits that will not be under Council ownership/control (such as IAD systems) may be, concrete (as noted above), polyethylene, or UPVC complying with AS 1254 for un-plasticized PVC (UPVC), and PE and PP pipes.

8.3. Pipe Installation (Concrete)

Concrete Pipes shall be laid in the location as shown on the engineering plans, or as varied by the superintendent, with Council's approval. In general, the road formation should be completed to at least subgrade level, or top of select, prior to pipe installation. The appropriate excavation, bedding, backfill and cover shall be provided as specified by the manufacturer and/or in accordance with the Concrete Pipe Association of Australia (CPAA) or Australian Standard 3725 "Loads on Buried Pipes".

The minimum pipe support type under roads shall be "HS2".

The minimum pipe support type in other public areas shall be “H2”.

For pipes of 900mm diameter and less, the trench excavation shall provide a minimum of 150mm clearance to the pipe. Pipes greater than 900mm diameter, should provide a clearance of ‘D/6’.

Thrust blocks/collars shall be provided at every pipe joint, or as directed by Council, being generally where pipe grades exceed 12% and/or in embankments for storing water, to prevent seepage piping.

8.4. Pipe Bed, Haunch and Sides

The “bed zone” shall be a minimum of 100mm thick for pipes up to 1500mm drain. For pipes greater than 1500mm, the bed thickness shall be a minimum of 150mm.

The bed, haunch and side zone material shall be a graded material in accordance with AS3725, Table C-5 to Table C-6, or similar.

Table C-5: Bed and Haunch Zone

SIEVE SIZE (mm)	WEIGHT PASSING (%)
19.0	100
2.36	50 - 100
0.600	20 - 90
0.300	10 - 60
0.150	0 - 25
0.075	0 - 10

Table C-6: Side Zone

SIEVE SIZE (mm)	WEIGHT PASSING (%)
75	100
9.5	50 - 100
2.36	30 – 100
0.600	15 - 60
0.075	0 - 25

Compaction of the bedding material shall comply with AS3725 providing 60% Density Index for cohesionless material, and 90% Dry Density Ratio for cohesive materials. Where FRC pipes are

proposed bedding shall be a cohesive material (such as road-base) compacted to 95% Dry Density Ratio.

With all pipes the “haunch and side zones” shall be compacted to a minimum overall depth of 50% of the pipe diameter, with the haunch zone height being 0.3 x Diameter. For practical purposes the side zone material may be substituted with the haunch material.

In wet ground conditions pipes shall be laid on crushed rock and/or low strength concrete to the requirements of the engineer. Unsuitable material such as soft clays, irregular broken rock or saturated soils shall be removed and replaced with an approved support material.

The side zone shall not be considered to be effective in supporting pipes unless the trench walls or surrounding embankment have density and stiffness not less than those of the adjacent compacted fill. (AS3725)

The contractor shall produce, when requested, evidence that the specified or approved material is the material in use.

8.4.1. Common Trench (with Subsoil Drainage)

It should be noted that where subsoil drainage is installed with the stormwater pipeline the haunch, side and overlay/backfill zone materials must display, when compacted, both the desired characteristics of those zones for pipe support/cover, and the characteristics of a filter medium in terms of “filter material” for subsoil drainage, within the area of the trench effectively acting as “subsoil drainage”.

The material should exhibit zero or low occurrence of fine particles and may be a uniformly graded aggregate either compacted or otherwise to achieve the objectives for a cohesionless material nominated above. A geotechnical engineer’s concurrence, that the proposed material meets these objectives, shall be submitted to Council.

Pipe support material for each side of the pipe, must be the same material.

The contractor shall produce, when requested, evidence that the specified or approved material is the material in use.

8.5. Pipe Overlay

Other than in roadways the “overlay zone”, shall be an approved suitable/workable natural material, (not being large lumps of clay) compacted to a minimum depth of 150mm above the top of the pipe, not containing any stones larger than 150mm, nor more than 20% with a size between 75mm and 150mm.

The “overlay” zone in the roadway shall satisfy the parameters detailed under “pipe backfilling” below.

8.6. Pipe Backfilling

Other than in roadways, backfilling shall comprise of natural available earth material, suitable for adequate compaction to avoid surface slumping.

Where pipes are laid in roadways, backfill to the road sub-grade level shall be with approved crushed rock or sand filter materials. Compaction shall be by mechanical, and/or flooding or other approved means. Mechanical tampers shall be utilised for compaction in layers of not more than 300mm to “95% Modified” (for cohesive materials) and 65% density index (for sand) in accordance with AS 1289.

8.7. Trench Compaction Testing

Compaction of backfill materials in excavations for conduits and pits, usually within road and public reserves (or elsewhere as directed by Council), shall be certified by a geotechnical engineer as compliant with the standards within this Manual. Testing locations shall be chosen by the engineer at random locations that are considered to be representative of the works, generally being one test per 200 metres of stormwater pipe trenching and at two service crossings per project.

8.8. Precast Box Culverts

Precast concrete box section crown units and slabs shall comply with TfNSW Specifications for supply and delivery of precast RCBC sections and shall be installed to comply with AS 1597. Only cast in-situ slabs are permitted for box culverts. Refer to Document D: Design, D19.2, for further information.

Where rock is encountered it shall be neatly excavated to the underside of the bedding material. Unsound material shall be removed and replaced with compacted and approved select material.

Bedding shall be either mass concrete or lightly bound approved granular material unless otherwise approved by geotechnical and structural recommendations.

No bedding shall be placed until the foundations have been inspected and approved by the engineer or Council.

Mass concrete bedding shall be not less than 50mm thick. Granular bedding shall be a minimum of 100mm thick, compacted to 95% modified maximum dry density in accordance with AS 1289.

8.9. Base Slabs

In-situ base slabs shall be constructed as shown on the approved engineering plans. Slabs shall not be poured until the reinforcement, and formwork has been inspected and approved by the engineer or Council, and upon completion, the slab shall be cured in adverse weather conditions. Cells shall not be applied to the slab until the concrete has reached at least 70% of the design strength. Cells shall subsequently be placed on a bed of mortar in the recessed edge of the slab. Transverse cell joints shall be covered with a bituminous strip located centrally over the joint and adequately secured. Longitudinal joints in multi-cell components shall be mortar-filled.

8.10. Pits

Pits and associated drainage structures shall be constructed in concrete, in accordance with (firstly) Council's standards or the approved plans, thereafter TfNSW Standards, and in accordance with the requirements of AS 3600 - Concrete Structures. All drainage structures (pits, wingwalls, slabs etc) shall be constructed on a compacted granular foundation.

Pits shall be benched in the base, and subsoil drainage pipe outlets within pits shall be installed at the same level as the invert of the upstream pipe, regardless of pit-benching.

Grates at road kerb inlets shall be galvanised and of the type that provides an RHS support along both edges of the grate, (see SD039), and shall be hinged within a frame with a lock-down J-bolt.

Where pits are greater than 1.2 metres in depth step-irons shall be installed (see SD039).

8.10.1. Cast In-Situ Pits

All cast-in-situ pits shall be constructed with 25 MPa (minimum) concrete, including soffits and grate support, and shall be constructed using formwork. The base (reinforced concrete floor) shall be poured

first. Standard pits, up to 2.5 metres high, shall be reinforced as noted on the Standard Drawings in this Manual. Reference should be made to an engineer's design for non-standard pits. Minimum floor, wall and soffit thickness for in-situ pits shall be 150mm.

All "cold" joints shall have "starter" reinforcing steel consistent with drawing SD039 or the special pit design. Pit wall-to-base connections shall have "starter" reinforcing of N12 "L" bars (450 legs), at 400mm (max) centres.

8.10.1. Precast Pits

All precast pits require prior approval from Council before any work commences. Their shop drawings must be submitted to PCA and Council for review before installation to demonstrate compliance with requirements in Document D for precast pits, D.18.4.3.

Where precast units are utilised, the units shall be transported, stacked, stored, and installed in accordance with the manufacturer's specifications.

8.10.2. Pit Formwork and Backfill

All external formworks shall be removed (stripped) before backfilling. Reference should be made to the requirements of AS 3610, but also generally, as follows. Formwork shall not be removed from:

- Walls:
  - within an **18**-hour period from the time of the pour (i.e. when air shade temperature is between 5^0C and 12^0C); or
  - within a **12**-hour period from the time of the pour (i.e. when air shade temperature is between 12^0C and 20^0C).
- Soffits:
  - within a **5**-day period from the time of the pour.
  - No backfill shall be placed against a wall, within an **18**-hour period from the time of the pour, and then only loose material for purposes of a working platform.
  - No compaction of backfill by means of "flooding" shall occur within a **24**-hour period from the time of the pour.
  - No compaction of backfill by means of mechanical vibration shall be applied adjacent to a wall until the concrete has reached a compressive strength of at least **15MPa**, (generally achievable after 96 hrs - 4 days with 25MPa design strength) unless effectively supported by horizontal struts, and then not before a **48**-hour period has expired.
  - No backfill shall be placed on a soffit for a period of **5** days from the time of the pour unless effectively supported by propping and then not within a **3**-day period, preferably with internal formwork in place.
  - No construction loads or compaction of backfill by means of mechanical vibration shall be applied over a soffit for a period of **7** days from the time of the pour, and then not without effective propping supports, preferably with internal formwork in place.
  - Whilst under construction loads, propping shall remain in place until full design strength is reached (nominally 28 days).

The above criteria may be *extended or shortened* by the engineer subject to air shade temperature falls or rises beyond that specified. Backfill material shall be placed, and be of a type, similar to that required for pipes. All strutting and propping shall be to the satisfaction of the engineer.

8.11. Gross Pollutant Traps

Gross pollutant traps shall be constructed as shown on the approved plans, with all steel items being hot-dipped galvanised or stainless steel. Large top grates shall be lockable and removable, with lifting hooks, and shall include a hinged access grate component.

8.12. Scour Protection

Scour protection at headwall outlets, shall be caged rock or plain concrete, or large rocks that will remain stable under full flow conditions, to a distance of generally 4 times the pipe diameter (see Standard Drawing SD045), and be returned up the bank adjacent to the end of the wing-wall approximately 300mm. Rock mattresses shall have a geo-textile fabric underlay. Rocks within a wire cage shall be a size sufficient (100mm to 150mm) to be contained by the cage. Designers shall also consider energy dissipation and scour protection requirements consistent with industry guidelines, including Austroads standards.
Indicative Example (for pipe diameters up to 450 mm):

- Flow velocity below 2 m/s – Rock in concrete or gabion construction.
- Flow velocity greater than 2 m/s – Design and implement a suitable energy dissipator (with a proper rock size and length of apron.

8.13. Open Drains

Temporary catch drains shall be constructed in accordance with the plan or where considered necessary by the Engineer. Drains shall be sized to suit the catchment area. Drains may require erosion prevention measures. Temporary drains shall be backfilled and restored to the natural surface upon completion of works.

Permanent catch drains and batter drains shall be lined for protection against erosion, to the shape and location as shown on the approved plans. Prior to the placing of the lining material the foundation shall be shaped and compacted to form a firm base. Concrete lined inverts shall be a minimum of 600mm wide.

Concrete wing drains shall be constructed as cast-in-place or sprayed concrete. Weepholes shall be provided at regular intervals.

Stone pitching of open drains shall be of sound durable rock not less than 100mm thick and laid on approved geotextile fabric.

8.14. Inter-Allotment Drainage

Inter-allotment drainage details are also referenced in the above sections of this Document.

Pipes shall be constructed as shown on the approved plans, and laid centrally within easements, subject to sewer pipe location.

The following installation criteria shall be employed:

- Pipe “cover” shall be a minimum of 300mm (where vehicle loads are not expected).
- Trench “side” clearance to the pipe shall be a minimum of 100mm.
- The “bed” shall be a free-draining sand (or crushed rock aggregate – 14mm max.) and shall have a minimum compacted thickness of 75mm.

- The “side” support shall be a compacted, free-draining sand (or crushed rock aggregate) and shall extend to the top of the pipe.
- The “overlay” shall be an approved suitable/workable natural material, (not being large lumps of clay) compacted to a depth of 150mm above the top of the pipe, not containing any stones larger than 150mm, nor more than 20% with a size between 75mm and 150mm.
- The installed pipe shall be inspected prior to placement of the overlay zone.
- The “backfilling” shall comprise of natural available earth material, suitable for adequate compaction to avoid surface slumping.
- A 3 metres length of socked subsoil pipe shall be installed upstream at every second pit within IAD pipe system.
- All disturbed surfaces shall be fully restored.

Each IAD pit shall have a capped stub for the dwelling connection, and all pit/pipe joints shall be mortared flush with the pit. (see SD043).

8.15. Culverts

Culvert type road crossings shall be constructed such that granular bedding or subsoil drainage is well confined by a cut-off wall, wingwall and compacted clay embankment backfill. Where subsoil pipes are approved the inlet end shall be raised to the surface and capped.

8.16. Pipe Tolerances

Allowable construction tolerances for pipelines shall be as follows:

Table C-7: Pipe Construction Tolerances

ALLOWABLE CONSTRUCTION TOLERANCES FOR PERMANENT PIPES, CULVERTS AND DRAINS	
Grade Line (Vertical Alignment)	**Tolerance per 2.4m Length or part thereof deviation from the design grade line level**
Less than 1%	10mm
1% to 4%	15mm
4% to 7%	20mm
>7%	25mm
Horizontal Alignment	50mm

Notwithstanding the above each 2.4 metres length of pipe shall have fall in the direction of the design grade line.

8.17. CCTV Requirements

Requirements for CCTV are outlined in Document G: General Requirements.

9. Pavement Construction

Subgrade preparation shall be carried out in accordance with Section 7: Road Formation of this Document.

9.1. Flexible Pavement

A flexible granular pavement, whether of modified material or otherwise, shall be constructed in accordance with the approved construction plans or as amended through geotechnical advice, with Council approval.

Nominated pavement depths refer to the compacted material depths of each layer.

9.1.1. Tolerances

The following table of construction tolerances, relative to the approved design for flexible unbound pavements, shall apply to subgrade, sub-base and base courses, and asphaltic concrete (AC10) wearing surface.

The approved design thicknesses/levels are to be achieved generally throughout the work. Variations of "Construction Tolerance" should not be assumed as a general variation and will only be accepted as an exception for minor areas.

Table C-8: Pavement Construction Tolerances

TOP OF LAYER	CONSTRUCTION TOLERANCE (FROM DESIGN LEVEL)	SHAPE (DEVIATION FROM 3 METRES STRAIGHT EDGE)
Sub-Grade	+ 0 to – 50mm	
Sub-Base	+ 10mm to – 20mm	Not greater than 20mm
Base	+ 15mm to – 0mm	Not greater than 10mm
Wearing Surface, AC Thickness (1)	-5mm to + 20mm	Not greater than 7mm

Notes:

1) The minimum AC Thickness is 40mm.

Sub-grade, sub-base and base course finished surface levels, at the gutter lip-line and the "crown", shall be verified by Council. Where requested by Council such measurements may be subject to verification by survey prior to adding of any subsequent layers.

The finished wearing surface shall not be lower than the lip of the gutter or edge constraint.

9.1.2. Pavement Materials

All pavement materials shall comply with the requirements of:

- TfNSW Specification TS 03315.1 (Old number: IC-QA 3051 Ed.7) and TS 03315.2 (Old number: IC-QA 3051 Ed.2) for unbound base and unbound sub-base or,
- ARRB Special Report No 41 and APRG Report No 21 for granular materials; or
- The material properties detailed at Appendix D.

The use of materials not meeting these specifications, including recycled materials may be considered for Council's approval, subject to an evaluation by a geotechnical engineer. Materials subjected to treatment by a suitable modifying/stabilising agent must be through a mechanical mill and must meet the relevant specification for modified material. Each pavement layer at compaction shall have moisture content between 60% and 90% of Optimum Moisture Content (OMC).

Council's Environmental Sustainability Strategy 2030 supports the appropriate use of recycled products. A recycled gravel can be proposed to council demonstrating it is fit for purpose for the relevant or specific use. A register of pre-approved materials will be kept by council.

For subgrade bearing capacity under pavements, the use of geotextile materials is permissible subject to recommendations by the Geotechnical Engineer and suitability of use with location.

Where a combined sub-base/base single-layer constructed pavement is proposed, such a layer shall consist of base course material only. (See 'testing" below).

The following table provides details of acceptable material types:

Table C-9: Acceptable Material Types

DESIGN TRAFFIC	BASE	SUB-BASE
= > $1x10^7$	DGB20, GMB20	DGS20, DGS40, GMS40
=> $4x10^6$ & < $1x10^7$	DGB20, GMB20	DGS20, DGS40, GMS40
=> $1x10^6$ & <$4x10^6$	DGB20, GMB20	DGS20, DGS40, GMS40
=> $1x10^5$ & < $1x10^6$	DGB20, GMB20, NGB20-2c	DGS20, DGS40, GMS40, NGS20, NGS40
< $1x10^5$	DGB20, GMB20, NGB20-2c, NGB20-2d	DGS20, DGS40, GMS40, NGS20, NGS40

Generally, plasticity indices shall be restricted to 6 (max) for base material and 12(max) for sub-base material.

The pavement designer should be satisfied that the pavement material type and quality will, with suitable construction methods, meet the requirements of this Manual in respect to compaction and deflection standards for the nominated CBR and ESA requirements.

For select materials, the plasticity index must be limited to a maximum of 15. The material shall be well-graded, homogeneous, and generally meet subbase quality grading standards. It must have a swell of 1% or less and a minimum CBR of 8%.

9.1.3. Pavement Compaction

Unless the subject of special design, pavement layers (including "select material") shall be placed in compacted layers not exceeding 200mm and not less than 100mm thick.

Minimum dry density compaction requirements are as follows:

Table C-10: Pavement Compaction Requirements

LAYER	COMPACTION REQUIREMENT (MIN)	STANDARD
Sub-Base	95% Modified	AS1289
Base	98% Modified	AS1289

Where a combined sub-base/base single-layer constructed pavement is proposed, testing shall be undertaken in accordance with TfNSW TS 03267.1 (Old number: IC-QA-RN73). Such a layer shall be base course material only.

9.1.4. Pavement Testing

Pavement testing for compaction density and deflection shall be undertaken by a NATA registered laboratory and a certificate of compliance shall be issued together with test results. All layers shall be tested.

Density testing by sand replacement, nuclear densometer or other NATA approved means is required at the start and finish limits of the work (within the first and last 5.0 metres) and thereafter as "Random Testing" in accordance with TfNSW or Australian Standards. A minimum of two tests shall be carried out for any road less than 50 metres in length.

Testing within cul-de-sac turning heads is also required.

The location of tests within the road cross section shall be randomly selected to ensure that the full width of the road pavement undergoes representative testing.

Proof-roll testing shall be observed at each layer using acceptable machinery to perform the test, such as a three-point roller, a fully laden watercart or a large grader, with preference in that order. The test shall be performed by a person experienced in road construction testing representing Council or geotechnical engineer.

Individual pavement layers shall not be covered by succeeding layers until test results have demonstrated that the layer has passed the nominated standard. Where a combined sub-base/base single-layer constructed pavement is proposed, testing shall be undertaken in accordance with TfNSW TS 03267.1 (Old number: IC-QA-RN73).

All test results shall be submitted to Council and accepted as compliant, prior to granting of "practical completion".

Where test results fail to meet nominated standards, additional testing shall be carried out to isolate the failed area prior to reworking and retesting showing that nominated standards have been achieved.

Prior to application of the wearing surface, an assessment of the pavement shall be undertaken according to the elastic rebound deflection test, in accordance with Test Method T160, utilising the

Benkelman Beam or an equivalent method. The resultant Characteristic Deflection for a section of pavement, calculated as the "mean" plus "standard deviation", should not generally exceed the values (for unbound pavements) in the table below.

As part of the assessment, for roads greater than Distributor (secondary) status, a “reliability” product factor (f=1.65) should be applied to standard deviation. The coefficient of variation ("standard deviation" divided by "mean") should not exceed 0.3. Subject to assessment, upon failure of a test, further testing may be employed to “track” possible improvement and ultimate compliance of test results.

The frequency of testing shall be conducted on alternate wheel paths at intervals of up to 15 meters. For short road constructions, the testing frequency shall be reduced accordingly to ensure an accurate analysis on characteristic deflection.

Table C-11: Benkelman Beam Deflection Requirements

ROAD TYPE	ESA'S	CHARACTERISTIC DEFLECTION	MAXIMUM DEFLECTION
Laneway Residential (LR)	1×10^5	1.20	1.80
Yield Street (L8) < 100 lots	5×10^5	1.10	1.40
Yield Street (L8)	1×10^6	1.10	1.40
Local Street (L10)	1×10^6	1.10	1.40
Local Collector (LT11)	1.5×10^6	1.00	1.30
Local Distributor (T12)	2×10^6	0.90	1.10
Secondary Distributor (T14)	4×10^6	0.80	1.05
Primary Distributor (T15)	5×10^6	0.77	1.00
Minor Sub-Arterial (T15.4)	1×10^7	0.70	1.00
Sub-Arterial Urban (SA13)	1×10^7	0.70	1.00

Business/School Precinct	1 x10^7	0.70	1.00
Industrial (I13)	1 x10^7	0.70	1.00
Residential (R5-V), Residential (R5-X), Residential (R5-Y), Residential (R5-Z)	Apply deflections as per lot catchment and ESAs defined under road type and dimensions table (ESA 1 x10 ^{5} minimum)		
Sub-Arterial Rural	Apply deflections as per ESAs defined under road type and dimensions table		
Arterial Rural	Apply deflections as per ESAs defined under road type and dimensions table		

9.1.5. Pavement Joints

Where new pavements abut existing pavements (whether longitudinal or transverse pavement joints), benching of the base course to a minimum width of 300mm shall be provided to achieve an effective key-in. Longitudinal joints located along wheel paths should be avoided. (See SD032)

Pavement joints and the wearing course shall be positioned away from under wheel paths to avoid accelerated wear and cracking. This approach enhances the pavement's durability, minimises maintenance requirements, and ensures a smoother and more aesthetically pleasing surface.

9.2. Rigid Pavement (Roads)

Rigid concrete pavements shall be constructed in accordance with TfNSW TS 03270 (Old number: IC-QA-R82) "Lean-Mix Concrete Sub-Base and TS 03271 (Old number: IC-QA-R83) "Plain Concrete Base" guidelines. Australian Standards shall apply with respect to concrete:

- supply - materials
- delivery - mixing, transport, time, consistency
- placement - compaction, evaporation rates, texture
- curing - method/product, protection
- texture – cove, broom, rake etc.
- jointing - cutting, filling

9.2.1. Materials

Material quality requirements for base and sub-base concrete, shall be as specified in the TfNSW Concrete Pavement Guidelines.

9.2.2. Components

The following limited details are summary guidelines for good-practise concrete road construction.

Subbase
Concrete shall be compacted by means of “needle” immersion vibrators. Screeding may be by hand or vibrating screed. The surface shall be finished with a steel float and shall be covered with an approved curing agent. A bond-breaker shall be applied to the surface of the sub-base.

The sub-base shall not be subjected to traffic until the concrete has attained a compressive strength of 4MPa.

Base
Concrete shall be compacted by means of “needle” immersion vibrators and two passes of a vibrating screed. If required, the surface shall be finished with a steel float.

The surface shall be covered with an approved curing agent.

The base shall not be subjected to traffic until joints are sealed, and the concrete has attained a compressive strength of 20MPa (generally at 7 days for specified 32MPa). High early strength concrete may be used if earlier traffic use is necessary, where approved by the engineer.

Anchors and Terminal Slabs
Anchors shall extend over the full width of the base (not under the kerb and gutter) and the associated joints shall be no closer than 2 metres from other pavement joints. Terminal slabs shall be constructed adjoining bridges and at junctions with flexible pavements.

Characteristic concrete strength shall be a minimum of 32MPa.

Sub-grade Beams
Sub-grade beams shall be constructed flush with the sub-grade level. The beams shall be compacted by mechanical vibrator equipment, finished with a steel float, and cured and de-bonded as per the sub-base specification.

Characteristic concrete strength shall be a minimum of 25MPa.

Tie Bars
Tie bars shall be N12(min) galvanised bar of a minimum length of 25 times bar diameter and spaced at 900mm (in a 200mm thick slab).

Curing and Texture
Control of moisture for evaporation and curing shall comply with the requirements of TfNSW TS 03270 (Old number: IC-QA-R83). Methods for moisture-loss control shall be by the application of an evaporation retardant (such as an aliphatic alcohol) followed by curing with a water-based hydrocarbon resin or similar. Unless approved otherwise, road pavements shall be texture with an TfNSW type “rake” finish.

9.2.3. Concrete Testing

Concrete testing for hand-paved placement shall be sampled in accordance with AS1012 and AS1379, and tested at a minimum for each continuous pour, as follows:

Base and Sub-Base
Slump
- The first three truckloads of the project first day pour and,
- Each truck load during continuous pour-days at compression testing site visits.

Compression (One test being, 1 pair at 7day and 1 pair at 28 days).
- One test from the first load,

- Thereafter one test per 50m³ or part thereof.
- For small quantity "infill" pours, compression testing may be waived at Council's discretion (with 24 hrs notice to batching plant)

Base
Flexural (Steel Fibre Reinforced Concrete SFRC only)
- One test per 50m³ or part thereof.

10. Kerb and Gutter

Kerb and gutter and other concrete edged construction shall be graded and aligned in accordance with the approved engineering plans. Kerb, gutter and edge restraint profiles shall be provided as shown on Standard Drawing SD004.

Kerb and gutter shall be laid on an approved sub-base material of a minimum 150mm compacted thickness in accordance with the requirements for sub-base within this Document, with no loose material beneath the concrete, and may be placed on an approved and tested "kerb-run" of sub-base material of an adequate width or be the prepared road sub-base.

Minor construction variations of up to 20mm in line and 10mm in level over a distance of 5 metres may be accepted, providing the design layout (particularly for traffic control devices), appearance and drainage are not compromised. Construction works that exhibit ponding will not be accepted.

Kerb Outlets for roof stormwater discharge to the street for allotments shall be provided in the kerb usually on each side of each lot (or as directed by Council for unusual lot layouts or as appropriate for corner-lots), within 1.0 metre from the side boundary alignment, in accordance with Council's Standard Drawing SD036.

Pipe crossings (x2) to each lot within a subdivision that drains to the road shall be provided across the footway generally adjacent to each side boundaries of each allotment, connected to kerb outlet inserts and extended into the lot being serviced. The pipe shall be 100mm sewer grade PVC.

10.1. Concrete Supply and Placement

All concrete for kerb and gutter shall have a minimum compressive strength of 32 MPa at 28 days. Documentary evidence of concrete testing for compliance shall be submitted to Council as part of the final report. Concrete Slump shall be as follows:

- Machine extruded: 10-20mm.
- Manually formed and poured: 70-80mm.

Contraction joints shall be cut to within 50mm of the base of the kerb front and rear at 3 metres intervals. Gutter crossing laybacks, where required, shall be poured integral with the gutter. Kerb transitions are to be shaped into a lipless flattened section for a future (dowelled) pram ramp connection.

Concrete in kerb and guttering shall be placed in accordance with the general requirements for concrete within this Manual and Australian Standards. The surface shall have a smooth steel-trowel finish.

Excessive amounts of concrete expelled from the extruder onto the sub-base material shall be removed to leave a near vertical face.

11. Wearing Surface

The wearing surfaces shall generally be as follows: -

Table C-12: Acceptable Wearing Surfaces

ROAD TYPE	ACCEPTABLE STANDARD
Residential	Asphalt (AC10 “residential mix”) 40mm (min) depth
Business and Industrial	Asphalt (AC14) “Heavy Duty” 50mm depth.
Rural	Bitumen flush seal 1st coat 14mm, 2nd coat 10 or 7mm.
Classified Roads	Bitumen flush seal 1st coat 14mm, 2nd coat 10mm, OR Asphalt (AC14) “Heavy Duty” - 50mm depth.

Variations to the above table may be required where an existing road surface type may dictate the specification for any abutting works.

The application of a single coat reseal shall be nominally, a 10 or 7mm seal. Documentary evidence of wearing surface testing and/or application shall be submitted to Council as part of the final report.

11.1. Bitumen Flush Seal

All design material, quality and field procedures for sprayed sealing shall be in accordance with the TfNSW Sprayed Sealing Guide and Australian Road Research Board Sealed Local Roads Manual.

Works shall be carried out by contractors with established competence in hot bitumen sealing.

All new roads shall be surfaced for the full extent as shown on approved plans and shall merge with the existing to neatly match levels. Minimum overlap for top-coat spray seals onto existing bitumen surfaces shall be 300mm.

All flush seals shall comprise of two coats of bitumen and two coats of aggregate.

All aggregates shall be “pre-coated”.

Areas of high torsional loads may require polymer modified asphalt.

All binders for sprayed sealing shall have added an approved adhesion agent in accordance with manufacturer’s recommendations.

11.2. Primer Seal

A 7 or 10mm primer seal shall be placed under all asphaltic concrete wearing surfaces.

A minimum of fourteen days duration shall apply prior to application of subsequent asphalt layer(s). That period may be extended or shortened by Council subject to justifiable reason such as:

- providing an extended “test” period to monitor performance.
- reduction (minor) due to weather or contractual influences.

Primed areas subjected to damage shall be re-primed prior to placement of asphalt to the satisfaction of Council.

11.3. Asphalt

Asphalt wearing surfaces shall be provided in all new residential, commercial, and industrial roads, other than where concrete or segmented block paving is proposed. No asphalt shall be placed until the base course construction has been approved by Council.

The asphalt mix shall be designed in accordance with TfNSW Specification TS-03283 (Old number: IC-QA-R116) or similar for dense graded asphalt.

Works shall be carried out by contractors with established competence in asphalt application.

Construction practice for asphalt works shall be in accordance with TfNSW Specification TS-03276 (Old number: IC-QA-R106) and TS-03283 (Old number: IC-QA-R116) and Australian Road Research Board Sealed Local Roads Manual.

Hand placement of asphalt shall be kept to a minimum and only permitted for minor correction works or in areas where placement by paver is impracticable.

The contractor shall rectify any damage to the pavement surface adjoining the area of works. Minor depressions may be filled with asphalt and compacted as directed prior to placement of the final pavement wearing surface.

The finished asphalt surface adjacent to the concrete gutter lip or edge restraint shall not be lower than the concrete surface.

12. Concrete Items

Premixed concrete shall be from an approved supplier and must conform to Australian Standard 1379. Formwork shall conform to Australian Standard 3610 – Formwork for Concrete. All concrete components shall be designed in accordance with Australian Standard 3600 – Concrete Structures.

12.1. Driveway Access Handles

Construction shall be in accordance with the approved plans, or where additional detail is required, Council’s Standard Drawing SD012. Inspection is required of formwork and reinforcement prior to concrete placement.

12.2. Paths

Concrete footpaths shall be constructed and provided where detailed on the engineering plans, and in accordance with Council’s Standard Drawings SD002, SD007, SD012 & SD019. Variations on the location of the footpath may be required depending upon special site circumstances.

Joint layouts shall ensure that acute angles forming narrow triangular shapes are avoided.

Protrusions into paving such as service authority pits should be avoided, but where necessary shall have full depth compression joint fillers on all sides and at least two joints projecting from opposite corners of the pit to the edge of the paving.

Unplanned cracks in paving slabs may render such slabs unacceptable, resulting in their removal and replacement.

Adjacent surface levels shall be such that they do not intercept, pond, or concentrate stormwater flows onto footpaths.

12.3. Concrete Linings

Where concrete lining of small open drains inverts is required, the minimum thickness of concrete shall be 100mm. Sprayed concrete less than 1.0 metre wide, will not be permitted in drains, and the final surface being uniform and free of depressions.

Sprayed concrete shall conform to Australian Standard 3600 and all contractors shall be skilled and experienced in its application. Mix proportions, procedures etc. shall be submitted to Council or the Engineer for approval prior to placement.

Earth subgrade surfaces shall be graded, compacted, shaped, and dampened prior to applying concrete. Concrete can either be coloured to match surrounding conditions or natural (plain).

12.4. Concreting Placement and Practise

12.4.1. Sub-Base

Concrete shall be placed on an approved base material comprising either 50mm of sand, or 100mm compacted approved granular material or minimum 50mm thickness mass concrete, with this being placed on a firm subgrade. An approved plastic sheet underlay or sufficient wetting of the subgrade surface shall be provided.

12.4.2. Reinforcement

All reinforcement shall conform to Australian Standard 1302 – Steel Reinforcing Bars for Concrete, Australian Standard 1303 – Steel Reinforcing Wire for Concrete and Australian Standard 1304 – Welded Wire Reinforcing Fabric for Concrete and be free of excessive rust, oil, grease, or other deleterious matter.

All steel shall be overlapped as specified on the approved drawings (or if not stated, generally 30 x diameter) and securely tied at joints to provide a rigid matrix and correct load transfer.

Steel shall be supported by “bar chairs” or metal hangers of the necessary dimensions to provide the specified cover and adequate support at maximum 1.0 metre spacings ensuring that the steel is not dislodged during the concrete pour and compaction.

12.4.3. Placement

Concrete shall be compacted to expel air voids and where specified or directed, vibration by mechanical means. “Vibrators” shall not be left in one position for greater than 30 seconds and shall not vibrate reinforcement or formwork.

12.4.4. Joints

Joining of works shall provide the completed section with a clean cut off with residue concrete removed and an approved joint placed before recommencement of works. Expansion, contraction, tied, dowelled, longitudinal and construction joints, including joints between precast units, shall be provided where shown on the approved plans or where is has been nominated by the Engineer.

Generally, contraction joints, consisting of narrow transverse vertical grooves 30mm deep shall be formed or cut at intervals that provide individual slab side/length ratios of approximately 1:1.5. Expansion/construction joints with a filler material shall be full depth (see Standard Drawings). Joint filler material shall extend the full depth of the joint.

12.4.5. Surface

Pedestrian trafficked areas shall have an approved non-slip finish as a light broom finish. Trimming with steel edging tools shall be overworked with a textured finish (broom). Minor imperfections in stripped concrete shall be repaired.

12.4.6. Curing

Newly placed concrete shall be protected from rain by PVC sheeting. Curing of concrete shall be obtained with an approved curing compound or covering.

12.4.7. Damage

Concrete that is damaged or vandalised shall be repaired or replaced at the discretion of Council.

12.4.8. Testing

Council may require testing of concrete by slump or core samples (post-construction), if it is considered that the concrete mix may be sub-standard.

12.4.9. Weather

Concrete works shall not be carried out during adverse weather conditions such as when ambient temperatures are higher than 30^{0}C or lower than 10^{0}C without taking appropriate precautions. If temperatures exceed 35^{0}C or fall below 5^{0}C, placement should not take place. Council may direct that concrete placement be postponed. The following graph may be used as a guide to determine acceptable whether conditions to allow unprotected placement in order to achieve a rate of evaporation of 1.0 or less.

Precautions shall be taken to ensure that moisture content in the concrete is not reduced due to dry foundations.

(RTA COPYRIGHT AND USE OF THIS DOCUMENT - Refer to the Foreword after the Table of Contents)

A4.3.5 Prevention of Moisture Loss

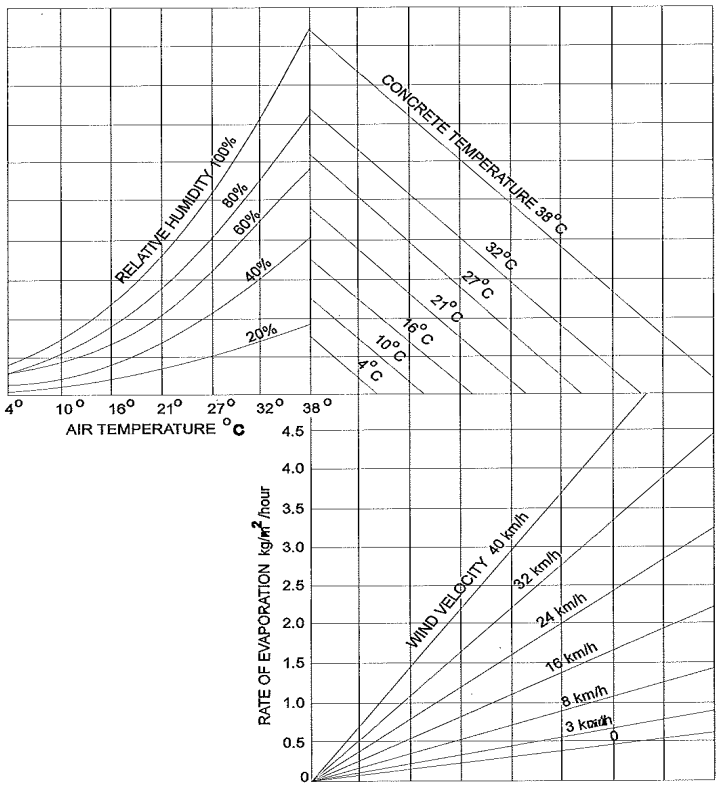


Figure A3.2 - Evaporation from Concrete Freshly Placed on Site

The graph shows the effects of air temperature, humidity, concrete temperature and wind velocity together on the rate of evaporation of water from freshly placed and unprotected concrete. An example follows:

With air temperature at 27°C, relative humidity at 40%, concrete temperature at 27°C, and a wind velocity of 26 km/h, the rate of evaporation would be 1.6 kg/m^2/hour. To determine the evaporation rate from the graph, enter the graph at the air temperature (in this case 27°C), and move vertically to intersect the curve for relative humidity encountered (here 40%). From this point move horizontally to the respective line for concrete temperature (here 27°C). Move vertically down to the respective wind velocity curve (in this case interpolating for 26 km per hour) and then horizontally to the left to intersect the scale for the rate of evaporation.

Source: Gelber, S, 1984, "Predict evaporation rate and reduce plastic shrinkage crack", Concrete International (ACI) v5 n4, 19-22

Figure C-1: Evaporation from Concrete Placed on Site

13. Conduit and Road Crossings

All “Road Crossings” for primary services shall be laid in conduits and backfilled and thoroughly compacted no later than subgrade stage and shall be at a depth to ensure they are not damaged during the pavement construction process.

In urban areas the location of all crossings shall be marked (but not painted) on the top of the kerb as follows:

- Flushing points - “FP”
- Water - “W”
- Power - “E”
- Communications - “T”
- Gas - “G”

Water supply shall be provided to a point within each lot.

14. Surface Restoration

14.1. General

Any existing pavements, lawns etc, adjoining the works shall be protected from damage. If damage does occur, all remedial works shall be performed to restore the original item or surface, to the satisfaction of Council.

Restorations within Maitland CBD (the Levee and Mall restorations) are to be completed by Council in accordance with Council’s fees and charges, which must be paid by the applicant prior to the commencement of works.

14.2. Footways

Footway verges shall be constructed as shown on the plans and shall be fully topsoiled 150mm thick and stabilised with grass seed or be fully turfed. Where concrete paths are provided, the area between the kerb and the path shall be fully turfed.

A turf strip shall be placed along the edge of all concrete slabs. Additional turf strips may be required across the footpath on steeper longitudinal grades to prevent erosion.

Turf type is optional and may be Couch, Buffalo, or Kikuyu.

14.3. Trenches

Backfill of trenches shall be placed sufficiently high to allow for settlement. Further backfilling shall be carried out to restore ground conditions over trenches to match adjacent surface levels.

Backfilling of trenches through existing road pavements must be immediately restored to the existing surface. Where the trench crosses a bitumen or asphalt surface, pre-mixed asphalt shall be used for restoration. Any subsequent settlement of trenches not adequately filled or compacted shall be made good by the contractor.

14.4. All- Weather Surfaces

An all-weather surface is defined as a surface capable of being trafficable in all-weather condition and will generally consist of an approved gravel material. For minor access treatments, a pavement 4 metres wide and with 150mm compacted pavement thickness should be the minimum treatment. Cement modifying material may be utilised to bind the surface if bitumen seal is not proposed.

Where bitumen seal is proposed, the pavement thickness shall be increased to 200mm. Pavement crossfall, of 4% minimum shall be applied, and adequate longitudinal and transverse drainage installed. The engineer may consider the use and treatment of alternate materials where proposed.

14.5. Mulch and Turf

All disturbed earth areas shall be topsoiled (150mm maximum thickness in road reserves and 300mm maximum in lots) and seeded, together with turf strips on slopes likely to scour. Distinct flow-paths shall not be protected with mulch/woodchip. Holding-berms shall be installed as directed. All batters shall be similarly treated and must include turf strips. For areas that will be maintained by Council, turf and grass shall be “couch”. Other areas may employ species other than couch grass, such as Buffalo or Kikuyu.

All constructed earth drainage structures, such as basins, channels, overland flow-paths etc, shall be topsoiled (150mm maximum thickness) and fully turfed with couch grass to a point where scour is unlikely. Grassing of footways adjacent to lots may be Couch, Buffalo, or Kikuyu types.

14.6. Street Trees

Street trees in the footway shall be planted and located in accordance with Standard Drawings SD001, SD002 and SD049.

15. Locks and Keys

Where requested by Council, items such as gates, nominated grates, bollards etc, shall be locked with a padlock (and chain where necessary). The keys shall be delivered to Council.

16. Linemarking and Signposting

All linemarking, pavement markers and signposting shall be set out in accordance with the approved plan or as varied by Council. All linemarking set-out shall be inspected by Council prior to placement. Warning signs and temporary pavement marks must be employed in any interim period.

Application rates for beads and paint shall be in accordance with Austroads.

All new linemarking and signposting on public roads must be carried out after ensuring the surface is clean and free of loose aggregate, if applicable. A clean surface ensures better adhesion of the linemarking materials and leading to more durable and visible markings. The work shall be completed as soon as practicable after the wearing surface is finished and ideally within one week of completion. This helps to maintain the effectiveness and longevity of the linemarking and reducing the risk of it being compromised by contaminants or traffic wear.

- Pavement marking materials are essential for road safety and clarity, each offering unique benefits and applications. Applicants should consult with Council covering with a single coat bitumen spray seal with 10 mm (max) aggregate over an existing spray seal utilising a bitumen-spraying vehicle (or an alternative approved method for very minor needs) or,
- Removal by sandblasting or grinding on an existing asphalt surface.

17. Site Preservation

Upon completion of works, all buildings, construction plant, spoil, debris, and excess material used for the development shall be removed and the site left in a safe, clean, and restored condition. Where a significant time delay between “practical completion” and issue (or registration) of the Subdivision Certificate has occurred, Council will reinspect the works for any possible defects that may have arisen. Inspection fees may apply. The developer is responsible for the continued maintenance of all roads/drainage systems and reserves during the period, prior to “dedication”.

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Draft Maitland Manual of Engineering Standards 2026 - Supporting Documents (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 5

Number of Pages: 57

Appendix A: Engineering Design Plans

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Appendix A: Preparation of Development & Engineering Design Plans

1. Plans

Plans shall be presented in a professional manner to normal industry standards and generally in accordance with AS1100. Any plan sets submitted to Council shall be marked with an issue/revision number, together with the associated date on each sheet.

DWG files shall be provided to Council. All hardcopy plans shall be presented in A1 drawing size.

2. Scales

PLAN TYPES	SCALE REQUIREMENTS
Roads and drainage	1:500 minimum or as required for clarity.
Site plans	1:1000 min.
Long sections	1:500 horizontal & 1:100 vertical
Cross sections	1:100 natural or 1:200
Catchment plans	1:1000 or sufficient to cover area and provide clarity.
Kerb profiles	1:200 H and 1:20 V

3. Details to be Shown on Plans

The plan set should have the following information:

- Property description.
- Owner/developer.
- Surveyor/engineer/designer and contact details.
- Scale, benchmark, and datum.
- Plan number and sheet number (sequential).

- Description of works on each sheet.
- Panel for signature of designated Council officer or Accredited Certifier.
- Plans shall show the location by survey or by service authority plans of all utility services.
- General, or Construction notes must include the following statement:

All works shall be carried out in accordance with the approved plans, subject to Maitland City Council's "Manual of Engineering Standards".

Other notes such as the following are recommended for inclusion.

3.1 Survey

All levels shall be obtained from established benchmarks to Australian Height Datum (AHD).

3.2 Traffic

Traffic control measures shall be in accordance with the RMS document "Traffic Control at Worksites"

3.3 Trees

All trees within the allotments and reserves (other than road reserves) shall be retained, unless otherwise nominated by an approved landscape plan and/or consent condition.

3.4 Utilities

Points of conflict between new construction and existing utility service mains shall be identified, exposed, and reported to the Project Manager prior to construction.

Service conduits shall be laid in positions as approved by the relevant authority.

3.5 Adjoining Access

Provision shall be made for suitable protection of the existing road pavement, kerb and gutter and footpath formation.

Vehicular access and all services to adjoining properties affected by construction works, shall be maintained at all times.

3.6 Soil/Grass

Topsoil, 150 mm thick shall be applied to all footpaths and filled areas. Where turf is not requested, all exposed topsoil shall be seeded immediately upon completion of the soil spreading operation.

A turf strip shall be placed along each side of concrete pathways, drainage structures, driveways, pedestrian/cycleways and at rear of all kerbs.

3.7 Erosion Control

All silt control measures shall be placed prior to the commencement of earthworks. Such measures shall be subject to further additions or alterations, where considered necessary, as directed by the Project Manager or Council, during the progression of works.

All final erosion prevention measures including establishment of grass shall be completed prior to the "final" inspection.

3.8 Subsoil Drainage

Subsoil drains shall be provided as shown on the plans. Additional drains shall be provided where considered necessary, by Council or a geotechnical engineer.

3.9 Materials & Testing

All materials and products for installation and construction shall comply with Australian Standards.

Monitoring testing ("stringline" and "roll") where specified by Council's Manual of Engineering Standards, to be performed by Council, shall be arranged 24 hours in advance. Where a Council officer is not available, a geotechnical engineer may perform such tests.

4. Plans

4.1 Layout Plans

Road plans as a minimum shall contain the following:

- Locality sketch.
- Site location.
- Centreline chainages as pegged.
- The chainage shall be aligned with the long section and run left to right across the plan for plans and long section.
- North point.
- Location and description of benchmarks (BM's) to AHD or other appropriate datum.
- Subsoil drainage location and a typical section.
- Existing road names and proposed road names, (determined prior to release of engineering plans).
- Proposed lane widths and types of kerbs.
- Dimensions of all linemarking.
- All existing services to location and level.
- All drainage and structures with pipe and lintel sizes.
- Kerb radii.
- Existing drainage and road feature and their levels.
- Existing and proposed contours at 0.5 metres interval or 0.2 metres in flat terrain.
- The determined High Flood Level (HFL).
- Cut and fill batter limits and road reserve boundaries.

- Major trees or natural features affected by the design.
- Intersection and cul-de-sac details including lot boundaries, street sign location, pram ramps, pits, vehicular crossings, pipe crossing locations and contours (for abnormal complex shapes).

4.2 Longitudinal Sections

The chainage should run left to right across the page and shall include:

- Chainages.
- Natural surface levels on pegged centreline or design control line.
- Design surface levels.
- Vertical alignment details.
- Grade lines, vertical curves and lengths, high points (HP), low points (LP) and RL of intersection points (IP).
- Datum of long section.
- Chainage, conduit size and location of public utilities.

4.3 Cross Sections

Cross sections shall be shown generally at no more than 20 metres intervals and at all key points for design purposes, i.e. access, intersection or kerb service locations. Where appropriate for level control designs may require cross-sections down to 5 metres intervals.

Cross sections shall be laid out from left to right, bottom to top, on sheets sequentially numbered with the appropriate chainage shown in the title block.

Cross sections shall extend for the full width of the road reserve or sufficient to detail batters and shall show enough detail to transition to existing works such as grades, distances, etc. and crossfalls to such new works shall be generally within the range of 2% to 7%.

Details on cross sections shall include:

- Road centreline.
- Offset chainage.
- Existing surface RL and design surface RL.
- Design crossfall in % batter slope ratio and access grades.
- Design centreline shift, offset crown or transitions if applicable.
- Public utility location for offset distance and RL.
- Existing and proposed road reserve boundaries and levels.

A Typical Cross Section shall be included and shall show (in addition to the points above):

- Crossfalls & batter slopes.

- Subsoil drainage.
- Footpath and/or cycle path.
- Turfing (strip & full).
- Road pavement details including a table of pavement parameters, with design CBR and ESA details.
- Dimensioned widths.

5. Kerb Return Profiles and Plans

Each profile should have a kerb return number (e.g. KR1) corresponding with a KR1 number shown on the plan view. The profile chainages should follow the flow of traffic direction.

- The details to be shown include:
- The horizontal and vertical scale.
- Chainage. The running face of kerb chainage related to the profile, together with the chainage related to the road centrelines, generally tangent points (TPs).
- Design level, specifying either top of kerb or lip of gutter.
- Existing kerb levels where appropriate.
- The applicable road/street names/numbers leading into the profile.
- An extension of a minimum of 15 metres beyond the tangent points to ensure a smooth profile is achieved.
- Show location and number of proposed drainage structures.
- Datum RL of kerb return.

Kerb or pavement profiles should be provided for traffic islands etc. at large, complex intersections and roundabouts to provide additional level control.

6. Stormwater

The stormwater detail sheets shall show catchment plans including areas outside of the development, calculations, pit sub-catchments numbered or referenced, and overland flow paths for the 100-year ARI storm event including flow path capacity calculations.

Stormwater plans shall include the following:

- North point.
- Numbering of drainage lines.
- The pit/structure nomenclature.
- The location of any pit utility mains/services crossing influenced by the pipeline or pit.
- The location and centreline chainage of any applicable drainage structure.

- Note referring to type of bedding.
- Location and width of existing or proposed drainage easements.
- Overland flow paths, typical sections, and capacities.
- The 100-year flood contour/line, whether from the Hunter River or the local catchment.

Drainage longitudinal section sheet shall show the chainages running left to right across the sheet starting at the upstream end of the system.

Details on the longitudinal section shall include:

- Consecutive centreline chainages and finished surface levels.
- Pipe design invert level, grade, and existing surface level.
- Inverts of existing drainage open channels where necessary.
- Pipe size, class and type and hydraulic grade line.
- Public utilities affected.
- Pit structure, type, and reference number.
- Datum RL to AHD.
- Capacity and design flow.
- Bulkheads, trench stops and any bedding requirements.

7. Engineering Survey

Engineering survey of the proposed development/subdivision shall accurately show landform and features. Prior to any layout design all physical features that may affect design and construction shall be located, levelled, and plotted on the plan including: -

- Rock outcrops.
- Trees, their diameter and canopy spread.
- Watercourses, dams, springs, etc.
- Any manmade structures, drainage, kerb and gutter, buildings, fences, property access etc.
- Existing utilities and services.
- Top and bottom of banks, gullies, etc.
- Contours to 0.5 metres intervals (or 0.2 metres in flat terrain).

7.1 Datum / Benchmarks

Benchmarks related to Australian Height Datum (AHD), shall be located clear of any proposed works with a maximum spacing of 150 metres. Benchmarks shall be clearly shown on the plans with origin of levels and datum. Road pegging shall commence at zero at the centreline of any intersecting road. The centreline shall be approximately indicated and labelled at each chainage.

Unless adequately justified, all survey shall be related to Australian Height Datum (AHD) and the appropriate grid, in accordance with Survey Practise Regulations.

7.2 Cross Sections

Cross sections shall be located at 20 metres (max.) intervals on straights and 15 metres (max.) on curves. Cross sections shall also be located at tangent points (TP) of curves and to superelevation widening transitions. The above spacings are a maximum and additional cross section may be necessary in difficult terrain or unusual features.

Cross sections shall be provided at least 60 metres along any existing intersecting roads to assist a satisfactory design match.

7.3 Longitudinal Sections

Longitudinal sections shall extend a minimum of 60 metres along any intersecting roads to assist a satisfactory design match. The long section for cul-de-sacs shall be carried 20 metres beyond the kerb or to the recovery peg on the centreline prolongation.

Long sections on offset cul-de-sac heads shall be along a curve between the TP and centreline and shall also extend beyond the kerb a minimum of 20 metres. Hammerhead turning areas shall be treated similarly.

8. Erosion & Sediment Control Plans

These plans shall be clear and legible and show the location and type of each structure or device.

Details on sediment control plans shall show:

- Capacity of structures.
- Batter slopes and lengths.
- Maintenance access – fences, spillways.
- Proposed staging of restoration/vegetation works.
- Stockpile sites and treatment.
- Construction entry/exits.
- Details of the type of control (sketch).

9. Traffic Management Plans (& Traffic Control Plans)

Traffic/Pedestrian Management Plans shall be provided where the works impact on public roads and footpaths, in accordance with AS 3742.3 or RMS Traffic Control at Worksites.

The plan shall be certified by an approved designer and shall include (but not be limited to) the following:

- Total area of works and management features.
- Constructional stages resulting in changed provisions.
- Pedestrian movements and safe barriers.

- Detailed signposting, barricading, linemarking, lighting or any temporary works of such nature.
- Construction Zone speed restrictions including traffic control signals and signposting will necessitate liaison with the RMS for approval.
- Partial or full road closures (if permitted) will require liaison with Council and/or the RMS through Traffic Committee. Any advertising or public notification of such requirements will require adequate lead-time.

The Traffic Management Plan may be amended by Council's engineer, (or the RMS or Police where necessary), at any time during construction, as the need arises. No works shall commence prior to Council or RMS concurrence to the plan.

10. Miscellaneous

Sufficient survey, design and drawing detail to define all works on the plan of the proposed development or subdivision shall be shown. These details shall include:

- Site regrading (cut and fill).
- Batters.
- Retaining walls and structures, heights, structural design details.
- Drainage transitions/connections.
- Limits of works.
- Terraced areas including long sections and typical cross sections.
- Treatment of trees to be retained.
- Restoration or transition of new works to existing infrastructure.
- Pathways and overland flow routes.
- Detention basins/gross pollutant traps.
- Battleaxe handle, access grades and transitions/connections.

Appendix B: Erosion and Sediment Control

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Appendix B: Erosion and Sedimentation Control

1. Introduction

Works shall be carried out in accordance with this document relating to the design, construction and maintenance of erosion and sediment control structures. Such structures may be either temporary or permanent.

The contractor shall carry out all works with an approach that is well planned, and which minimises the likelihood of erosion and sediment affecting downstream lands, watercourses, wetlands, or water bodies.

Developers are reminded of their obligations under the Environmental Planning & Assessment Act, the Protection of the Environment Operations Act and regulations and ordinances under those Acts, and the Local Government Act.

It is the responsibility of the developer, and/or representative, to be fully informed of their obligations with respect to legislative requirements. Neglect of these requirements may result in the issue of infringement notices, attracting appropriate fines.

The following guidelines should be understood in their context with the overriding parent publication "Managing Urban Stormwater – Soils & Construction," the "*Blue Book*".

2. Soil Erosion & Sediment Loss

Soil erosion and sediment loss can either result from disturbance to land by the subdivision construction processes or development.

Soil disturbance is an integral part of development however it is essential that construction activities limit exposure to erosion. This may be achieved by:

- Limiting the area of site disturbance.
- Isolating catchment areas of the site so that clean (upstream) water is not directed through the works area.
- Retain and stockpile topsoil for reuse and revegetation.
- Control runoff and sediment movement at point source by the implementation of protection measures.
- Progressively vegetate disturbed areas as the work proceeds to minimise area of exposure.
- Provide large sediment capture systems where appropriate sized to the contributing catchment.

- Filtering/polishing of the trapped water prior to release to receiving watercourses/drainage system.

3. Erosion & Sediment Control Plan

Designers and consultants must be familiar with the principles and objectives of soil erosion and sediment control prior to the preparation of such plans.

No works shall commence on the site until the erosion and sediment control plan has been approved by the Engineer or Accredited Certifier. The design plan shall in all cases be site specific and not a generalisation of soil erosion and sediment control philosophies.

The erosion and sediment control plan shall include, but not be limited to, the following:

- Existing site catchment topographic details and contours of natural surface and regrade areas.
- Lot layout, sewer, water, roads, and areas of disturbance.
- Nominated and fenced “NO-GO” areas to retain existing vegetative cover.
- Site works staging where appropriate and location of critical vegetation areas & watercourses.
- Location of soil stockpiles, sediment control fences and other sediment control works.
- All hydrological information and calculations relative to sediment traps and basin designs.
- Type and location of ‘clean water’ diversion works.

Council must be provided with at least two days’ notice, prior to the commencement of construction.

The contractor shall strictly follow the works and recommendations contained within the soil erosion and sediment control plan and must discuss and gain approval for any possible changes for improvement.

4. Maintenance

Transportation of materials to and from the site shall not cause deposition of material onto surrounding roads. Any inadvertent deposition shall be immediately removed from the road.

The contractor shall maintain all erosion control devices such that runoff from all disturbed areas shall be free from sediments and pollutants.

5. Temporary Minor Erosion & Sediment Controls

5.1 General

Such barriers, traps and point source control measures shall generally cater for catchments of less than 0.5 hectares. They shall be used on the downstream side of disturbed areas or around drainage pits below water outlet sites, and around culvert inlets and outlets.

5.2 Hay Bale Barriers

Straw bales should be installed on a similar basis to Silt Fences.

5.3 Silt Fences

Silt fences shall be employed to filter runoff leaving the site, to trap sediment. They are normally placed on the contour with slight convex to the contour to form a pond for water collection. Each fence should be no longer than 20 metres, should be overlapping, and they should not capture large or concentrated flows.

Areas below silt fences should be undisturbed or revegetated. They should also have a stable outlet condition. Silt fences shall receive regular maintenance. The base of silt fences should be buried to prevent stormwater flows passing beneath the fence.

5.4 Stormwater Pit & Inlet Traps

Such sediment traps shall be used to protect constructed inlet pits, stormwater piping, culvert inlets and outlets etc. They can either be built from hay bales, silt fence or silt fence 'sausages', gravel filled, or rock filled wire baskets. The choice of material depends upon the catchment area, type of material and the structure type shall be protected. These traps must be regularly maintained.

5.5 Buffer Zones

Buffer zones are corridors of existing vegetation intervening between the area of works and necessary areas of stormwater, gullies, creeks, Hunter River, and the like. The vegetation filters impede solids and reduce nutrient levels in runoff. Wetlands, streams, rivers and remnant bushland on Council's reserves and public land shall be protected by buffers. Buffer zone performance increases as catchment area and slope gradient decreases. 35 metres wide buffer zones generally provide adequate protection.

Batter Slopes

SLOPE (%)	BUFFER LENGTH (M)
2	15
4	20
6	30
8	40
10	50
12	60
14	70

Such areas are required to be fenced where shown on the approved engineering plans as directed by the Engineer. Such fencing must be plainly visible to all machine operators.

Buffer zones and "no access" vegetation areas may sometimes be utilised as minor filter systems for small catchments. Council may also require binding upstream of buffer zones to divert surface waters

and/or stilling ponds to slow water and stop weed invasion into bushland areas, particularly adjoining sensitive environmental sites, or wetlands.

5.6 Diversion Banks & Drains

Runoff from natural areas and disturbed areas shall be controlled by the construction where appropriate of diversion drains. These may be in the form of earth or lined drains/banks, hay bales, sandbags, or pipelines. They may require progressive implementation and frequent alteration as works proceed. Diversion drains shall be provided along haul roads and access tracks where such roads are considered to constitute an erosion hazard.

5.7 Level Spreaders

These are generally used at the outlet to diversion drains and have a level cross section to convert concentrated flows into non-erosive sheet flows. They may only be used to dissipate flows from small catchments.

5.8 Shake Down Areas/Access to Sites

Shake down areas shall be provided to vibrate loose material adhering to the wheels and bodies of vehicles and plant. They shall be provided at the entry/exit to construction sites and are to reduce the tracking of sediments onto roadways from sites. They can be provided by a bed of large aggregate or cattle grid or similar.

6. Permanent or Semi-Permanent Controls

These are control devices that intercept sediment from catchments generally greater than 0.5 ha and mainly at the outlet or discharge point of the site. They should not be considered for use in isolation of the temporary or point source measures. There are generally two types:

- The dry basin.
- The wet basin (wetland).

Basin designs must meet the following:

- Volume/capacity of the trap shall be at least 250 m^3/ha of the site for the undisturbed area of the contributing catchment, dependent on soil types.

The capacity shall be measured below the invert of the lowest incoming flow into the trap. A secondary or emerging stabilised spillway shall be provided to prevent overtopping the structure. The basin shall have a 0.3 metres freeboard at the spillway.

The basin internal batter slopes shall be no steeper than 6h:1v in accordance with safety requirements of Australian Rainfall and Runoff. External batter slopes shall be no steeper than 2h:1v.

An all-weather access shall be provided to the basin to allow access for maintenance in all conditions.

The basin shall have an arbitrary length to width ratio of 3:1 to encourage sediment settlement and longer distance travel.

Depending on the type of basin, discharge from the basin shall usually be via a perforated riser outlet encapsulated within a filter medium adequately joined to a pipe extending through the embankment to outlet to an approved area.

7. Channel Stabilisation

Channels should be stabilised where high flows or velocities may cause erosion and scouring of the channel. Techniques employed depend upon the velocity of the flow and materials. Materials for stabilisation should be chosen accordingly. Such materials comprise:

- Jute mesh.
- Reinforced turfing.
- Revetment mattress.
- Geotextile or plastic lining.
- Stone pitching concrete or rip rap.

8. Installation of Services

It is the responsibility of the contractor and developer to install the necessary structures to services, which require protection. Such protection shall include the following:

- Minimise the time any trench is open.
- Protect all road drainage pits and inlets.
- Progressively backfill all other service authority trenches.
- Revegetate specific areas, i.e. turf strip, or grass seed and mulch.
- Place backfill on side of trench away from road.
- Surplus material removed immediately to stockpile.
- Protect stockpiles with silt control.
- Divert runoff away from trenches.

8.1 Wind Erosion

The developer shall comply with statutory controls.

An exposed site that is susceptible to wind generated dust particles, shall be progressively vegetated and watered. Where vegetation is not yet possible, dust suppression by constant watering shall be provided.

Mulching should be provided to minimise wind erosion. In some cases, the provision of windbreaks may be necessary in highly exposed or sensitive areas. These requirements will be considered on merits.

8.2 Soil Stockpiles

Soil stockpiles shall be located as shown on the approved plans and shall:

- Be located outside of watercourses or flow paths.
- Be no higher than 3.0 metres, (however 1.0 metre is preferable).

- Slopes shall not exceed 2:1.
- Revegetated with a seed mix of oats, rycorn or Japanese millet or similar.
- Provision of soil erosion protective measures shall be placed around the stockpile.

9. Progressive Revegetation

- All disturbed areas should be revegetated immediately after construction with the provision of topsoil, grass seeding or turf, or a combination of each.
- Footpaths shall be topsoiled following provision of all services and a turf strip placed behind the kerb.
- Staging of works shall allow for the progressive revegetation of disturbed areas to minimise potential for erosion.
- All large disturbed areas (such as within lots) must be scarified to a depth of 75 mm and topsoiled to a minimum depth of 50 mm. Should the Engineer or Accredited Certifier deem that the topsoil stockpiled is unsuitable for use, then he/she will direct that the contractor imports suitable topsoil for the works.
- Hydromulching of all disturbed areas is recognised as an effective and speedy method of achieving revegetation and will be considered by the Engineer or Accredited Certifier as an acceptable practice where appropriate. Hydromulching shall be provided in accordance with the experienced and accredited supplier's specifications.

10. Hay/Straw Mulching

10.1 Surface Preparation

Surface preparation shall comprise topsoil over the area scarified to achieve a 50 mm depth massed into a scarified 75 mm subgrade. Seed and fertiliser to be sown at specified rates. Hay/straw shall be applied must be free from thistle or other woody species of acceptable quality and not rain affected.

Hay/straw shall be applied at the rate of 5 tonne/ha evenly spread over the soil surface. The hay/straw shall be tacked with nontoxic biodegradable binder at the rate of 2,500 litres/ha.

The following is a recommended seed mix:

- Spring/Summer
  - 12 kilograms per hectare of Japanese millet.
  - 8 kilograms per hectare of Perennial rye grass.
  - 3 kilograms per hectare of Red Clover.
  - 3 kilograms per hectare of White Clover.
  - 5 kilograms per hectare of Hulled Couch.
- Autumn/Winter
  - 15 kilograms per hectare of Oats or Black Winder rye corn.
  - 10 kilograms per hectare of Wimmera rye grass.

- 5 kilograms per hectare of Red Clover.
- 5 kilograms per hectare of White Clover.
- 5 kilograms per hectare of Couch.

The above seed mixtures are appropriate for urban areas only. Where any “bush” areas or reserves shall be seeded with native species these will be determined by Council.

“Rhodes Grass” sown at 3 kg/ha may be included in harsh environments, e.g. quarry sites or similar.

10.2 Fertiliser

Fertiliser at the rate of 250 kg/ha should be provided where approved.

10.3 Watering

The developer is responsible for the adequate watering of all revegetated areas and turf to ensure its natural regrowth from the time of planting through to issue of the subdivision certificate, although, if within a reasonable time beyond that date it is determined by Council that the works have failed to provide the intended result, the developer shall make good the defect.

Upon completion of construction works and full revegetation temporary sediment control structures shall be removed and those areas once containing the structures shall be revegetated and made good.

Mowing of revegetated areas and turf strips adjacent to kerb and gutter and pathways etc. shall be carried out to maintain the subdivision/development works in a tidy and presentable state.

Appendix C: Stormwater Drainage

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

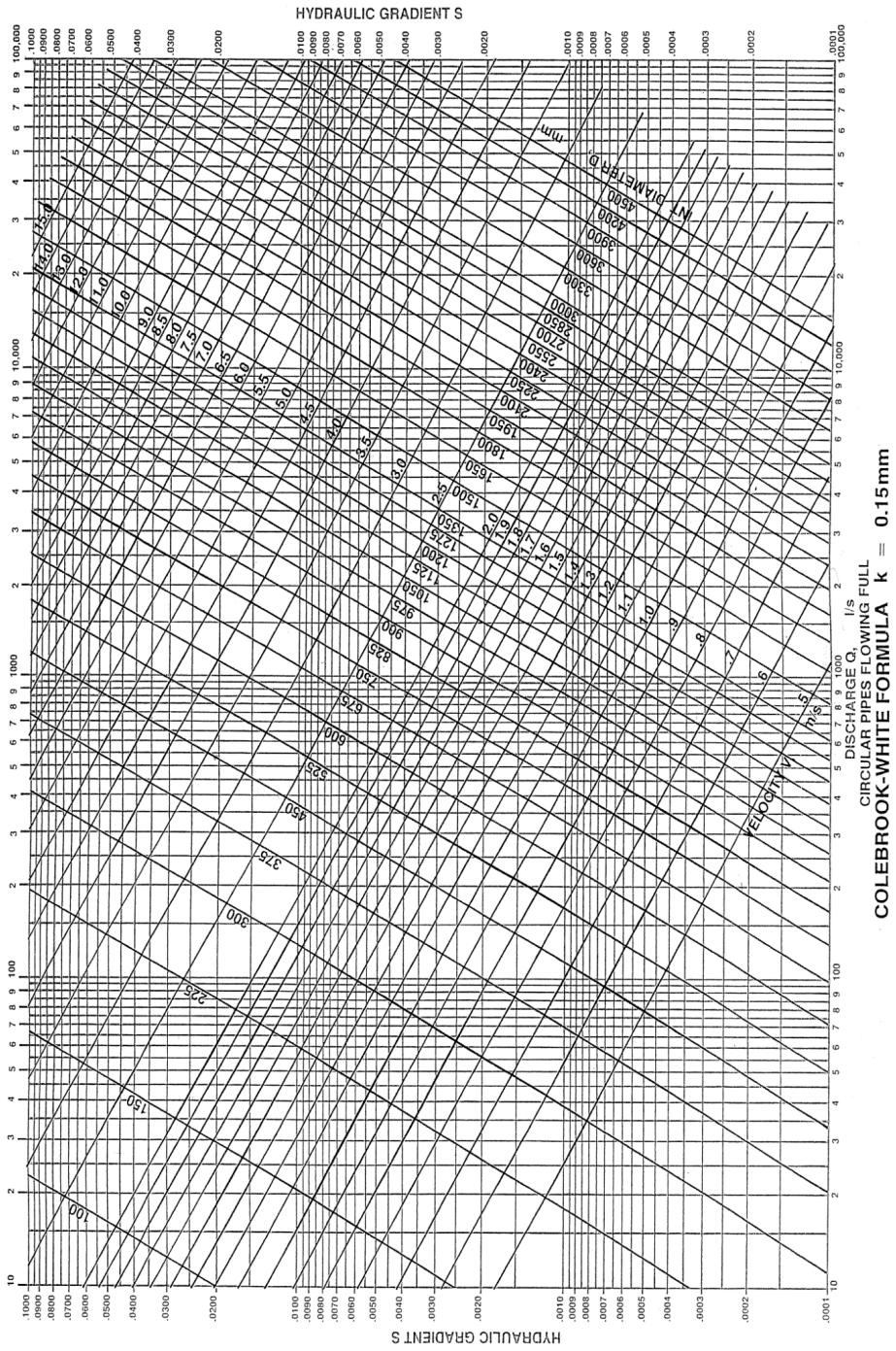
Appendix C: Stormwater Drainage

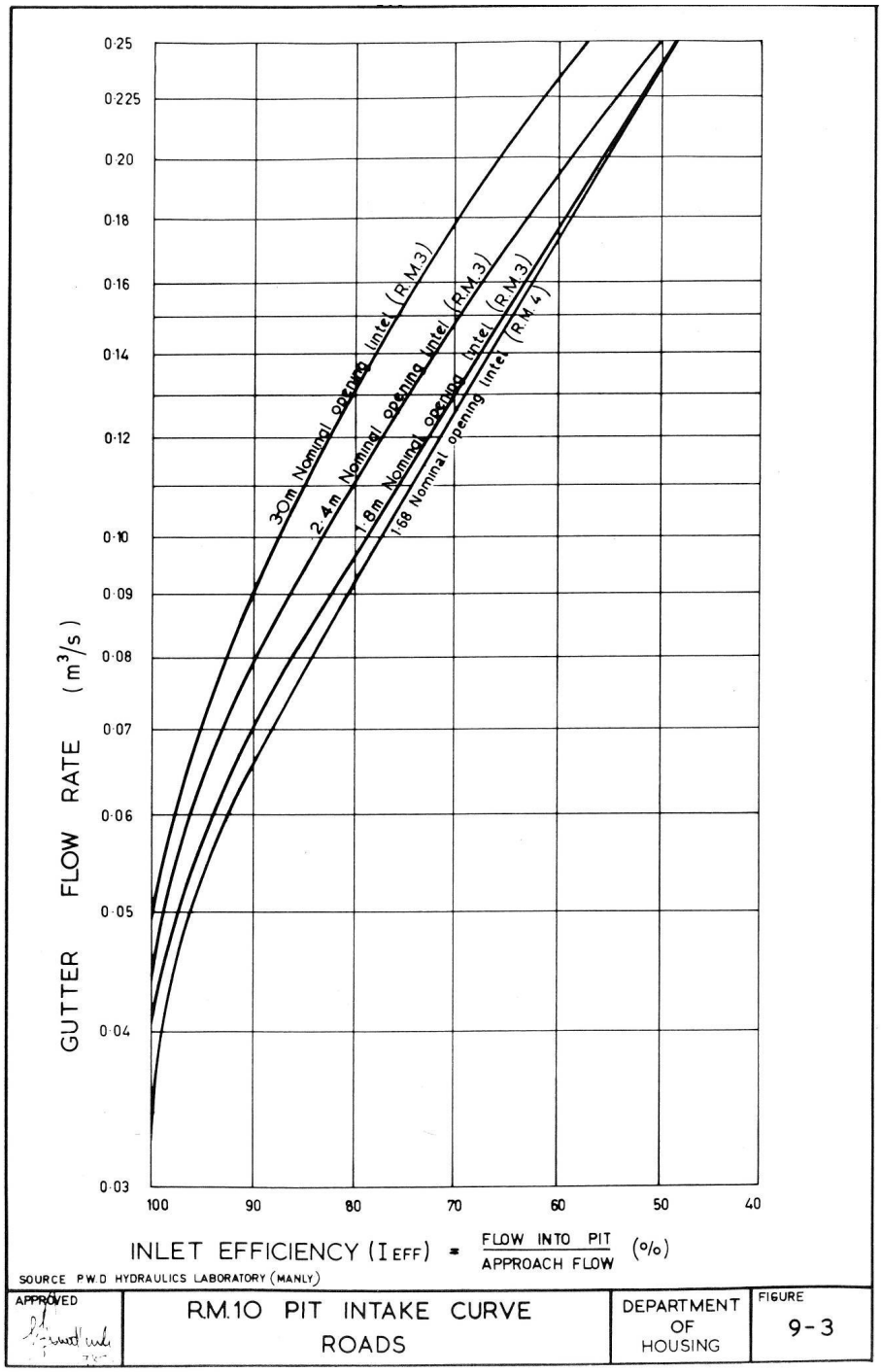
Surface Roughness or Retardance Factors

SURFACE TYPE	ROUGHNESS COEFFICIENT
Concrete or Asphalt	0.010 – 0.013
Bare Sand	0.010 – 0.016
Gravelled Surface	0.012 – 0.030
Bare Clay-Loam Soil (eroded)	0.012 – 0.033
Sparse Vegetation	0.053 – 0.130
Shod Grass Prairie	0.100 – 0.200
Lawns	0.170 – 0.480

Eg: For a sub-catchment length of 60 metres, a slope of 2 percent and a roughness of 0.05.

K = 43.38 For a 10-year ARI and the Overland Land Travel Time is 6 minutes.


HYDRAULIC GRADIENT S
COLEBROOK-WHITE FORMULA k = 0.15mm
CIRCULAR PIPES FLOWING FULL
DISCHARGE Q, l/s
VELOCITY V, m/s
DIAMETER D, mm
HYDRAULIC GRADIENT S


0·25
0·225
0·20
0·18
0·16
0·14
0·12
0·10
0·09
0·08
0·07
0·06
0·05
0·04
0·03
GUTTER FLOW RATE (m³/s)
3·0m Nominal opening lintel (R.M.3)
2·4m Nominal opening lintel (R.M.3)
1·8m Nominal opening lintel (R.M.3)
1·68 Nominal opening lintel (R.M.4)
100
90
80
70
60
50
40
INLET EFFICIENCY (IEFF) = FLOW INTO PIT / APPROACH FLOW (%)
SOURCE P.W.D HYDRAULICS LABORATORY (MANLY)
APPROVED
RM.10 PIT INTAKE CURVE
ROADS
DEPARTMENT OF HOUSING
FIGURE
9-3

Appendix D: Pavement Material

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Appendix D: Pavement Material

Unbound Base Material Properties – AUS-SPECS

TEST METHOD	DESCRIPTION	BASE MATERIAL REQUIREMENTS			
		DGB20	GMB20	NGB20-2C	NGB20-2D
AS1289.3.6.1	Coarse Particle Size Distribution				
	% pass 75.0 mm sieve	-	-	-	-
	% pass 53.0 mm sieve	-	-	-	-
	% pass 37.5 mm sieve	-	-	-	-
	% pass 26.5 mm sieve	100	100	100	100
	% pass 19.0 mm sieve	95-100	95-100	93-100	93-100
	% pass 13.2 mm sieve	-	-	-	-
	% pass 9.5 mm sieve	-	-	71-87	71-87
	% pass 6.7 mm sieve	50-70	30-55	-	-
	% pass 4.75 mm sieve	-	-	47-70	47-70
	% pass 2.36 mm sieve	35-55	20-30	35-56	35-56
	% pass 0.425 mm sieve	-	-	14-32	14-32
	% pass 0.075 mm sieve	-	-	6-20	6-20
AS1289.3.6.3	Fine Particle Size Distribution Ratios expressed as % (for that portion of the material passing 2.36 mm sieve)				
	A. Pass 425 µm sieve %	35-55	30-50	-	-

	B. Pass 75 µm sieve %	35-55	30-50	-	-
	C. Pass 13.5 µm sieve %	35-60	-	-	-
AS1289.3.1.1	Liquid Limit (if non plastic) ⋎	max 20	max 20	max 20	max 20
AS 1289.3.3.1	Plastic Limit (if plastic)	max 20	max 20	max 20	max 20
AS 1289.3.3.1	Plasticity Index ■	max 6	max 6	max 6	max 8
T114	Maximum Dry Compressive Strength on fraction passing 19 mm sieve. (only applies if Plasticity Index is less than 1)	min 1.7 MPa	min 1.7 MPa	min 1.7 MPa	min 1.7 MPa
AS 1141.14	Particle Shape by Proportional Calliper. % misshapen (2: 1)	max 35	max 35	-	-
AS 1141.22	Aggregate Wet Strength (kN) ◊ For category 1 or 2a For category 2b or 2c For category 2d	 min 80 min 70 min 60	 min 150 min 130 min 100	 - - -	 - - -
AS 1141.22	Wet/Dry Strength Variation ◊ <u>Dry - Wet %</u> Dry For category 1 or 2a For category 2b or 2c For category 2d	 max 35 max 40 max 45	 max 30 max 30 max 30	 - - -	 - - -
AS 1289.F1.1	4 days Soaked CBR (98% Modified Compaction)	-	-	80	60

Notes:

Material consisting of rounded river stone shall have a minimum of two fractured faces on at least 75 per cent of the particles larger than 6.70 mm.

⋎ The maximum value of the Liquid Limit may be increased to 23 for non-plastic material, provided that the value determined is not influenced by the presence of adverse constituents.

■ For category 2d base materials the maximum Plasticity Index shall be 8.

◊ All fractions of the sample specified by AS 1141.22 must be within specification. The fraction with the highest wet/dry strength variation is the value for determining conformance with the specification. The fractions 19.0 mm to 13.2 mm and 6.7 mm to 4.75 mm must be tested. The other fractions do not need to be tested unless there is a risk in the opinion of the Superintendent that such fraction may fail the specification. Any fraction at risk of failing must be tested.

Unbound Sub-Base Material Properties – AUS-SPECS

TEST METHOD	DESCRIPTION	BASE MATERIAL REQUIREMENTS				
		DGS20	DGS40	GMS40	NGS20	NGS40
AS1289.3.6.1	Coarse Particle Size Distribution					
	% pass 75.0 mm sieve	-	-	-	-	-
	% pass 53.0 mm sieve	-	100	100	-	100
	% pass 37.5 mm sieve	-	-	-	-	95-100
	% pass 26.5 mm sieve	100	-	-	100	80-97
	% pass 19.0 mm sieve	95-100	50-85	50-75	96-100	-
	% pass 13.2 mm sieve	-	-	-	-	-
	% pass 9.5 mm sieve	-	-	-	65-89	48-85
	% pass 6.7 mm sieve	50-70	30-55	15-35	-	-
	% pass 4.75 mm sieve	-	-	-	47-80	35-73
	% pass 2.36 mm sieve	35-55	25-50	5-15	32-67	25-58
	% pass 0.425 mm sieve	-	-	-	14-42	10-33
	% pass 0.075 mm sieve	-	-	-	6-26	3-21
AS1289.3.6.3	Fine Particle Size Distribution Ratios expressed as % (for that portion of the material passing 2.36 mm sieve)					
	A. Pass 425 µm sieve %	35-55	35-60	25-50	-	-
	B. Pass 75 µm sieve %	35-55	35-60	25-50	-	-
	C. Pass 13.5 µm sieve %	35-60	35-65	-	-	-
AS1289.3.1.1	Liquid Limit (if non plastic)	max 23	max 23	-	max 23	max 23
AS 1289.3.3.1	Plastic Limit (if plastic)	max 20	max 20	-	max 23	max 23
AS 1289.3.3.1	Plasticity Index	max 12	max 12	max 12	max 12	max 12

T114	Maximum Dry Compressive Strength on fraction passing 19 mm sieve. (only applies if Plasticity Index is less than 1)	min 1.0 MPa	min 1.0 MPa	-	1.0 MPa	1.0 MPa
AS 1141.14	Particle Shape by Proportional Calliper. % misshapen (2: 1)	max 35	max 35	max 35	-	-
AS 1141.22	Aggregate Wet Strength ♦ For category 1 or 2a For category 2b or 2c For category 2d	min 50kN	min 50kN	min 130kN	-	-
AS 1141.22	Wet/Dry Strength Variation ♦ Dry - Wet % Dry	max 60	max 60	max 30	-	-
AS 1289.F1.1	4 days Soaked CBR (98% Modified Compaction)	-	-	-	30	30

Notes:

Material consisting of rounded river stone shall have a minimum of two fractured faces on at least 75 per cent of the particles larger than 6.70 mm.

♦ All fractions of the sample specified by AS 1141.22 must be within specification. The fraction with the highest wet/dry strength variation is the value for determining conformance with the specification. The fractions 19.0 mm to 13.2 mm and 6.7 mm to 4.75 mm must be tested. The other fractions do not need to be tested unless there is a risk in the opinion of the Superintendent that such fraction may fail the specification. Any fraction at risk of failing must be tested.

Where the proposed unbound base material complies with all of the requirements of the Unbound Base except gradings (AS1289.3.6.1 and AS1289.3.6.3), the Contractor may propose the use of the material, subject to approval of the Superintendent, if the material complies with the RMS Modified Texas Triaxial Classification Number (T171) requirements specified in table below, (T171 tested at not less than 85 per cent of Optimum Moisture Content and 98 per cent of Maximum Dry Density as determined by AS1289.5.2.1).

RMS Modified Texas Triaxial Classification Number Requirements

TRAFFIC CATEGORY	MODIFIED TEXAS TRIAXIAL CLASSIFICATION NUMBER (TEST METHOD T171)
1	max 2.0
2a	max 2.2
2b	max 2.5
2c	max 3.0
2d	max 3.0

Appendix E: Best Practice

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Appendix E: Best Practice

Engineering submissions shall be prepared by a suitably qualified and accredited professional in accordance with Council's Manual of Engineering Standards (MoES), Maitland Development Control Plans (MDCP), and the following supplements. These documents expand on and provide further guidance to MoES, as well as professional and reasonable design and construction standards.

Some publications may overlap into other Topics but have not been listed again for brevity. For example, Road Design, Traffic and Transport, and Movement and Place share many linkages.

TOPIC	PUBLICATIONS AND REFERENCE MATERIAL
Road Design	• Transport for NSW (TfNSW) publications - supplements, technical directions, specifications, etc. • Austroads Guide to Road Design • Australian Road Research Board (ARRB) • Australian Standards • Fire and Rescue NSW: Fire Safety Guideline – Access for Fire Brigade Vehicles and Firefighters • TfNSW Delineation Guidelines
Traffic and Transport	• TfNSW publications • TfNSW Guide to Transport Impact Assessment • Australian Standards AS 1742: Traffic Control Devices • SOCC Guide to Codes and Practices for Streets Opening (7th edition) • Austroads Guide to Traffic Management • MCC Integrated Land Use and Transport Study

Movement and Place (Urban Design within road reserves)	• TfNSW Movement and Place: Design of Roads and Streets • NSW SES Design Safer Subdivisions • NSW Architect (Greener Places, Urban Design Guide for Regional NSW, etc)
Geotech Road Pavement and sealing	• TfNSW Supplements • Austroads Design Guides • ARRB • TfNSW Supplement to Austroads Guide to Pavement Technology Part 2: Pavement Structural Design
Earthwork	• Australian Standards AS 3798: Guidelines on Earthwork
Geotech	• Australian Standards AS 1726: Site Investigations
Parking	• Australian Standards AS 2890
Bridges and Structures	• Austroads • Australian Standards • Australian Standards AS 1170: Structural Design Actions • Australian Standards AS 5100: Bridge Design • Australian Standards AS 3600: Concrete Structures • Australian Standards AS 4100: Steel Structures • Australian Standards AS/NZS 3845: Road Safety Barrier Systems
Bus	• TfNSW State Transit Bus Infrastructure Guide • TfNSW Guidelines for Public Transport Capable Infrastructure in Greenfield Sites
Stormwater	• Australian Rainfall and Runoff • EA Australian Runoff Quality: A Guide to Water Sensitive Urban Design • Australian Standards AS 3500.3: Plumbing and Drainage • Australian Standards AS/NZS 3798: Precast Concrete Pipes

	• CRC Adoption Guidelines for Stormwater Biofiltration Systems • Water by Design WSUD Publications • FAWB Guidelines for Filter Media in Biofiltration Systems
Cycling	• Austroads Guide to Road Design • TfNSW Planning Guidelines for Walking and Cycling
Street Lighting	• Australian Standards AS 1158
Erosion and Sediment Control	• Landcom Managing Urban Stormwater: Soils and Construction (Volume 1) • Department of Planning Guidelines for Erosion and Sediment Control on Building Sites
Bushfire	• NSW Rural Fire Service (RFS) Planning for Bushfire Protection

Technical Document: Driveway Crossings

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Technical Document: Driveway Crossings

The objective of this section is to ensure that development provides safe, practical, and durable vehicular access between the property boundary and the public roadway. The driveway within the property shall also adequately accommodate vehicle loads and manoeuvring with acceptable gradients. To achieve these goals and ensure safety for all road users, driveways and crossings are to be designed in accordance with this document and relevant standards, specifically Australian Standard 2890 and Austroads Standards Part 3 (particularly relevant to rural environments).

Works within the road reserve cannot commence until approval is obtained from Council. For a list of relevant application forms, including the "Application for Vehicle Access Crossing (Driveway)" and "Application for a Road Opening Permit," please refer to Council's website under the section "Work Applications on Council Land and Roads."

1. Specifications

1.1 Crossing Width

For residential developments, driveway crossovers for single-garage dwellings shall be 3 metres wide. The crossing may be reduced to 2.7 metres in width where site constraints exist for existing dwellings. Where a crossover services a double-garage dwelling, a maximum crossover width of 4.5 metres may be adopted. For multi-dwelling housing, the driveway crossover shall be a minimum of 5.5 metres wide (a maximum of 6 metres) and shall extend 6 metres minimum inside the property boundary to accommodate vehicle passing. Where drive strips are installed inside the boundary, their width should accommodate vehicle turning wheel paths (refer to SD015). Crossings should be perpendicular (i.e., straight) to the kerb and maintain the same width from the kerb line to the property boundary.

For business, commercial, and industrial developments, the crossing width shall accommodate the expected design vehicle turning paths as determined by the AS2890 series.

For rural accesses, the width shall be sufficient to cater to expected usage and shall be a minimum of 3.6 metres (a maximum of 7.1 metres), with additional width for splays at the junction with the edge of the road (see SD013).

For high-use access or high-traffic-generating developments, such as markets, events, and centres, the crossing shall be designed to accommodate the expected design vehicle turning paths, with minimum intersection treatment in accordance with Council's Standard Drawing (see SD031) and Austroads as applicable.

1.2 Construction Requirements

The Standard Drawings that must be followed are set by Council typically through the 'Application for Vehicle Access Crossing (Driveway)' process, and sometimes through the Development Application

(DA) process. The standards listed below can be used as a guide to prepare plans for DA and CDC approval however Council may assess that a different drawing shall be used.

For urban residential developments, the crossing shall be provided in accordance with Council's Standard Drawings SD007, SD008, SD009, SD010, SD011, and SD012. Grated trench drains shall be installed at the low points of the driveways either in front of a garage or at the property boundary (inside the lot) and connected to the onsite or street drainage system.

For heritage areas, the vehicular crossing shall comply with Standard Drawings SD014 and SD015. The concrete colour should be selected in accordance with Council's requirements for heritage areas. Any site-specific requirements in Council's Development Control Plan will also be considered during the driveway approval process.

For business and industrial developments, the crossing shall be provided in accordance with Council's Standard Drawings SD007, SD008, SD010, and SD012, using "Commercial/Industrial Driveway Crossing" concrete construction, or as designed by a qualified engineer to accommodate expected (heavy) vehicle loads.

For rural developments, the crossing shall be provided in accordance with Council's Standard Drawing SD013. Driveway crossing roadside table drains should be installed as a dished crossing with a regrade to avoid scraping. Where the depth of the drain makes a dish impractical, 5 metres long, 375 mm diameter (minimum) concrete Class 4 pipe (or equivalent Fibre Reinforced Concrete pipe if appropriate) with headwalls shall be provided. The table drain shall be diverted so that the pipe is located at least 2 metres from the edge of the road bitumen. The pipe size must provide sufficient capacity for the 10% Annual Exceedance Probability (AEP) storm event for the contributing catchment area, with larger overflows being contained by the road pavement/reserve. The crossing shall consist of compacted gravel (minimum 200 mm thickness), with a 2-coat or asphaltic bitumen seal from the edge of the existing road seal to the property boundary, or as shown on Council's Standard Drawing SD013.

2. Profiles

Driveway crossing profiles shall be designed and drawn to show levels for both the design surface and the existing surface in compliance with the specifications for high/low level driveway crossing construction as indicated on Council's Standard Drawing SD008.

The designer/builder should aim to match the existing surface levels as closely as possible while complying with the standard profile. Minor cuts and fills of up to 120 mm may be acceptable in the footway provided a 14:1 slope is achievable as it transitions to the adjoining sides/existing surface levels.

Where there is no footpath, the profile should have a maximum grade of +4% (parallel to the longitudinal fall of the footway) over the road footway.

Where the footpath exists in the footway verge, the profiles shall be +4% from the back of layback to the front of footpath, +2.5% maximum grade over the concrete footpath and may vary from the back of the footpath to suit property or garage levels, as per SD008.

Where requested by Council, a 1.5 metres wide section within the crossing with a maximum grade of +2.5% for a future footpath construction shall be provided or another width may be specified for wider paths at +2.5%.

Where an existing concrete path crosses the driveway crossing, the path shall be retained to maintain the appearance of continuity.

Development on the low side of a road must consider the potential for stormwater runoff from the roadway or gutter to enter the site via the driveway layback. The design profile should be designed and constructed to effectively manage and contain stormwater flows within the roadway.

The design shall have a maximum internal driveway grade of 25% at any point and shall include suitable grade change transitions to facilitate driveway and garage entry in accordance with AS2890.

3. Clearances to Utilities and Street Furniture

Crossings shall provide a minimum clearance of 600 mm from the edge of the crossing to service poles, edge of lintel kerb transitions, and pillars (a minimum of 300 mm may be considered where constraints exist), and a minimum of 2 metres clearance from the edge of the crossing to any street tree, as per SD009.

The minimum clearance to any obstructions higher than 150 mm shall be 300 mm or as required by the relevant authority and standards, whichever is greater.

Note: Variations may be considered in older areas where constraints exist. This does not apply to new areas.

4. Table Drain Crossings

Where crossings run through a shallow roadside table drain, a concrete dish crossing may be the preferred option for crossing within the table drain in accordance with Council's Standard Drawing SD004. To achieve this, regarding the surface by cutting into the verge and extending into the property may be necessary to prevent vehicle scraping.

5. Public Laneways (Existing)

Where permitted by consent, access to property development via an existing public laneway (or unformed or informal 'paper road') is subject to an assessment of the existing road pavement (if any). This may require construction or rehabilitation of the laneway to meet Council's standards, either as a bitumen-sealed gravel, flexible or reinforced concrete pavements, unless otherwise justified. All works shall be carried out in accordance with Council's Manual of Engineering Standards with the pavement generally being a minimum of 4 metres wide. Additional pavement width may be required depending on factors such as the type and volume of traffic, passing opportunities, length of works, sight distances, and other relevant considerations.

6. Removal of Paths

Where path removal is necessary due to damage, required strengthening, level adjustment, or for drainage pipes, the path shall be removed to the nearest existing joint and reinstated to match the appearance of the existing path (plain concrete). The reinstated path shall be dowelled to the existing concrete and constructed in accordance with Council's Manual of Engineering Standards.

7. Verge Damage

Any damage to existing verges or paths caused by building construction activity should be prevented. Access to the building site should be restricted to limit potential damage to a single point. Any necessary reinstatement of the verge (with full turf cover) or path (with new reinforced concrete) must be completed prior to the occupation of the development and in accordance with Council's requirements.

8.Redundant Laybacks

Redundant laybacks shall be removed and reinstated with integral kerb and gutter, and the footways and road surfaces shall be restored to match the existing surfaces.

9. Service Conduits

Service connections must be provided along the full length of the corridor to all rear lots.

10. Sight Distances

Fencing and landscaping on both sides of driveways, at least 2 metres wide and within a distance of 2.5 metres from the property boundary, shall be limited to a height of 1 metre to maintain sight distances in accordance with AS2890.1 and as shown in Figure 1 below.

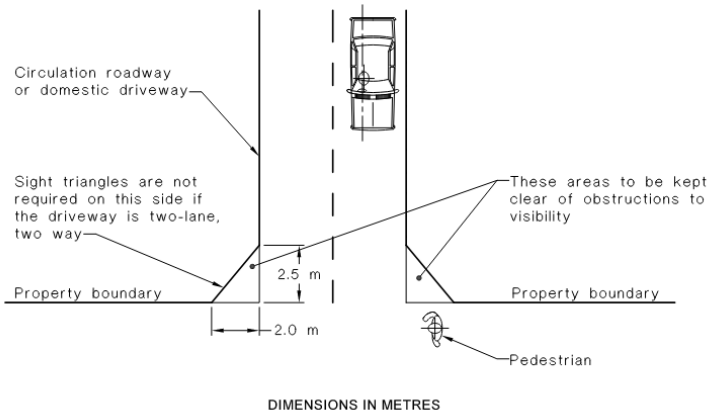


Figure 1: Minimum Sight Lines for Pedestrian Safety (AS2890.1)

11. Lintel & Grate Adjustments

Driveway crossings shall not be located on stormwater pits, utilities, and other street furniture. Council will not approve the removal or relocation of pits/lintels in relatively new subdivisions due to the potential for excessive damage to new infrastructure.

If a crossing is located over a pit in older roads, it is a standard requirement to provide a new pit adjacent to the crossing, and to replace the existing pit with a heavy-duty "V" grate to ensure adequate inlet capacity. Council may consider the removal of the additional pit/lintel only if an engineer can demonstrate that the stormwater inlet capacity, including gutter flow widths, will not be compromised, and subject to Council's discretion.

The surplus lintel and grate shall be delivered to Council's depot in good condition.

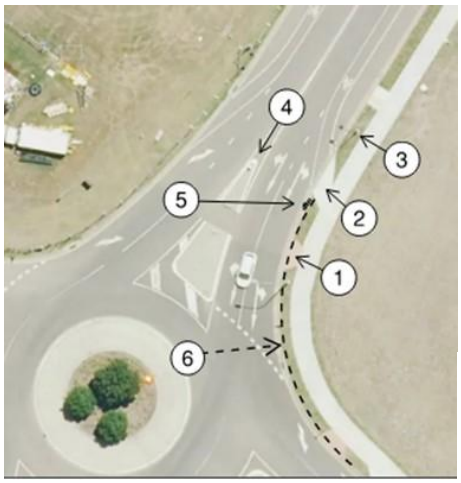
12. Locations of Crossing

Crossing locations shall comply with the following guidelines set by Council:

- Crossings shall be aligned with the garage, not angled to the road. This alignment enhances

safety and sightlines, improving visibility when entering or exiting. Angled crossings can create blind spots, limit the driver's field of sight (especially when reversing), and increase the risk of accidents with pedestrians, cyclists, and other vehicles. Straight crossings provide safer, more predictable navigation, making it easier for drivers to reverse or pull forward without dealing with sharp turns or restricted visibility. Generally, crossings shall be between 70 and 110 degrees (ideally 90 degrees) to the kerb line or road pavement to ensure safe and efficient vehicle access.

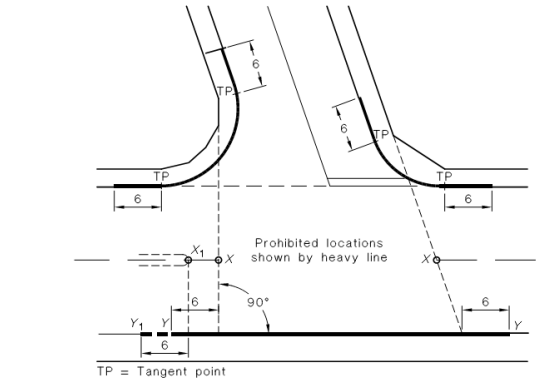
- Crossings shall be spaced less than 1.5 metres apart or greater than 6 metres apart to maximise retention of on-street parking, especially for the secondary driveway crossing.
- Crossings shall be positioned 0.9 metres minimum from any side boundary, providing a landscape area as per Council's DCP.
- Crossings are not to be located at pedestrian pram ramps or bus stop concrete pads.
- In residential areas, crossings may be located within bus zones, which is acceptable for small residential developments. However, for larger developments or bus stops with rapid turnover, crossings should be positioned so that laybacks do not align with the front or back door, and they should be placed outside the bus drawn out length.
- Crossings are not permitted at bicycle lane on/off ramps (consideration may be given to relocating the bicycle ramps to the next lot frontage, at Council's discretion).
- Crossings must not align with existing aboveground utilities, including street lighting.
- Crossings cannot be placed over public stormwater pits or lintels.
- Crossings are prohibited within the main radius kerb return at intersections and roundabouts.
- Crossings are not allowed opposite isolated central median islands/refuges.
- Crossings must be located at least 10 metres from the hold line of the intersections/roundabouts where a continuous central median exists.



Note: 1 – Pedestrian Pram Ramp
2 – Bicycle Lane on-off Ramp
3 – Above Ground Utilities
4 – Central Median
5 – Stormwater Pits/Lintels
6 – Main Radius Kerb Return

Figure 2: Locations to Avoid for Crossing Placement

- Crossings are not permitted in the sections of the kerb marked with heavy lines in Figure 3 (AS2890.1). Access to domestic crossings is excluded from this prohibition with respect to the kerb section marked Y-Y, as per AS2890.1.



NOTES:

1 Accesses to domestic driveways are excluded from the prohibition in respect of the kerb section marked *Y-Y* (see Clause 3.2.3(a)).

2 The points marked X_1 and X are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension *Y-Y* extends to Point Y_1.

DIMENSIONS IN METRES

Figure 3: Prohibited Locations of Access Crossings

- Figure 3 above is based on a standard kerb return with an 8 metres radius. Where the kerb return exceeds an 8 metres radius, the prohibited crossing location is the first 15 metres from the intersection, measured from the prolongation of the side kerbline.

13. Driveway Handles

Driveway handles, sometimes referred to as battle-axe handles, can be categorised into two types: internal driveway corridors within developments such as strata or enterprise properties and battle-axe handles used for lot access or easements. Council's Development Control Plan is the governing document when easements and handle widths are involved.

Access handles and carriageways must comply with Council's DCP Design Guidelines.

The DCP extract below is provided for convenience. The most current version of the DCP shall take precedence.

ZONING[1]	SINGLE HANDLE [2]	DUAL HANDLES[3]	PAVEMENT WIDTH[4]
Residential (R1)	4.0	(2x) 3.0 or (2x) 3.5 [5,6]	3.0 [7]
Residential (R5-V & X)	4.0	(2x) 3.0	3.0
Residential (R5-Y)	4.5	(2x) 3.0	3.0
Residential (R5-Z)	6.0	(2x) 3.0	3.0
Business (B) & Industrial (IN1)	6.0 or 8.0 [8]	(2x) 4.0	3.3 min or 6.0 [9]
Rural (RU)	6.0	(2x) 4.0	3.5

Notes:

(1) For minimum lot size: V=2,000, X=5,000, Y=10,000, Z=20,000 and above

(2) For a single allotment. Long or bent handles may require greater widths for passing

(3) Each handle width for two adjoining lot handles, with a single driveway covered by a full-width reciprocal ROC.

(4) For single lane. Note: concrete wheel strips can be provided for residential

(5) Three metres (x2) permits vehicle passing within o/a 6m width for each residential zone. It is assumed regular conflict is unlikely and "give-way" will apply in residential zones.

(6) Where lots are >600m2 (excluding handle), OR having potential for further subdivision or additional dwellings, adopt 3.5m each.

(7) Where lots have potential for high density development with regular traffic movements, adopt 5.5m, preferably as two carriageways with a 400mm grassed separation.

(8) Increase to 8m where regular two-way conflict is likely.

(9) Generally for one-way or minor two-way movements with "give-way". For two-way movements with regular traffic conflict 6.0m min should be provided.

Figure 4: Handle Width Requirements

Note: It is recommended that the applicant refer to the DCP for the latest requirements, as the specifications in the DCP will take precedence in this instance.

13.1 Pavement Handle Width

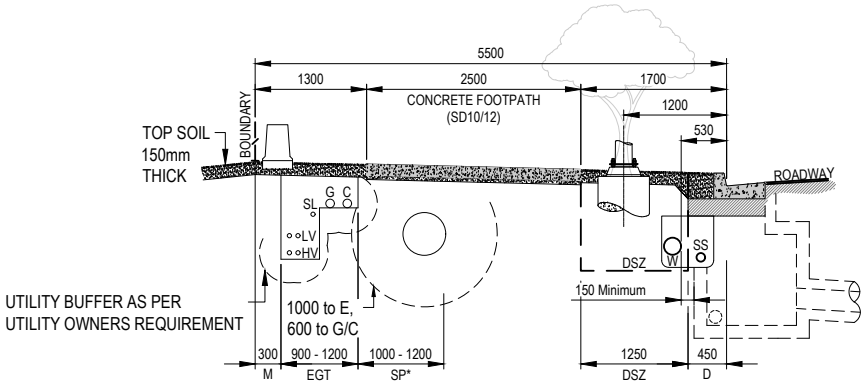
For internal driveway corridor widths, the designer shall consider Council's Development Control Plan (DCP), the relevant planning legislation or scheme, and Australian Standard AS2890.

13.2 Pavement Handle Construction Specifications

Driveways for residential land use shall be constructed using reinforced concrete, segmental pavers, bitumen, or asphalt, with an appropriate depth of compacted road-base material. "Shared" driveways shall be covered by a reciprocal right of access (or carriageway) and/or designated as common or community property. Driveways for business and industrial land use shall consist of reinforced concrete across the verge, with either reinforced concrete or asphaltic concrete (AC) used internally. All driveways must meet the minimum construction thickness requirements outlined in Council's Standard Drawings SD007 to SD015. The designer or engineer is responsible for ensuring that the pavement thickness is appropriate for its intended use and for specifying a thicker pavement where necessary.

13.3 Pavement Handle Grades

The recommended maximum driveway grade for standard residential scenarios is 4 horizontal to 1 vertical (25%), as shown in Standard Drawing SD008. Where possible, driveways within the property should be graded to evenly shed water runoff toward adjacent landscaped or grassed areas, ensuring that runoff is not directed as concentrated flow onto adjoining properties. Stone or sand-filled trenches adjacent to driveways are encouraged to promote infiltration, provided a subsoil outlet is available at the low point of the trench. Otherwise, stormwater collected from the driveway should be conveyed via pipes and/or concrete kerbing to the on-site or street drainage system.

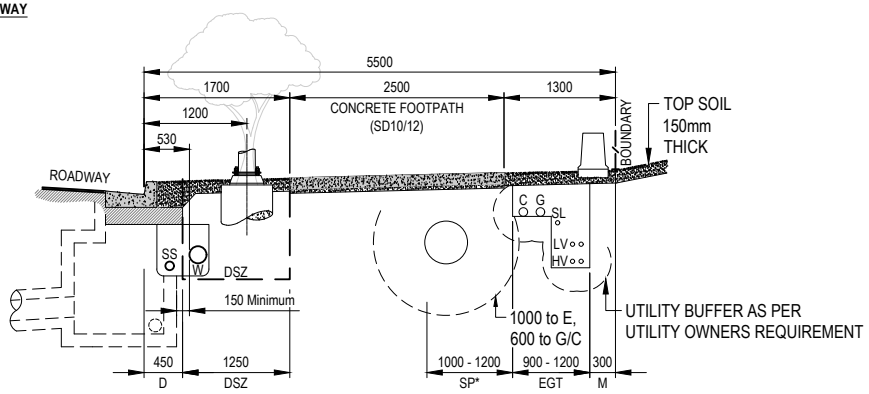


5.5m FOOTWAY

NOTE:
1. ALL DIMENSIONS ARE IN MILLIMETRES
2. KEEP SP TO THE OUTSIDE OF VERGE. PUT IN THE VERGE THAT HAS A PATH AS THE FIRST PREFERENCE. SECOND PREFERENCE IS IN THE VERGE WITHOUT A PATH
3. WHERE STREETS RUN PARALLEL TO A CONTOUR AND CREATE 'HIGH-SIDE / LOW-SIDE' LOTS, IT IS PREFERRED THAT THE CONCRETE PATH BE LOCATED ON THE LOW SIDE TO HELP PREVENT ROAD WATER FROM FLOWING INTO PROPERTIES.

LEGEND

E	- ELECTRICITY
M	- MISCELLANEOUS - TEMPORARY WATER SERVICE, PRIVATE PUMPING MAINS, TRAFFIC LIGHT CONTROLS, PRIVATE COMMS
DSZ	- DEEP SOIL ZONE, STREET LIGHT POLE AND TREE. NO UTILITIES EXCEPT WATER MAIN (W)
W	- RETICULATED WATER ≤ Ø200
LV	- LOW VOLTAGE
HV	- HIGH VOLTAGE
SL	- STREET LIGHT CABLE
C	- TELECOM
G	- GAS
SS	- SUBSOIL DRAINAGE
D	- STORMWATER DRAINAGE
SP	- SPECIAL SERVICES - SPECIAL SERVICES EGT, TRUNK MAINS W>Ø300mm, MANHOLE (eg. COMMS) BOXES



5.5m FOOTWAY

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

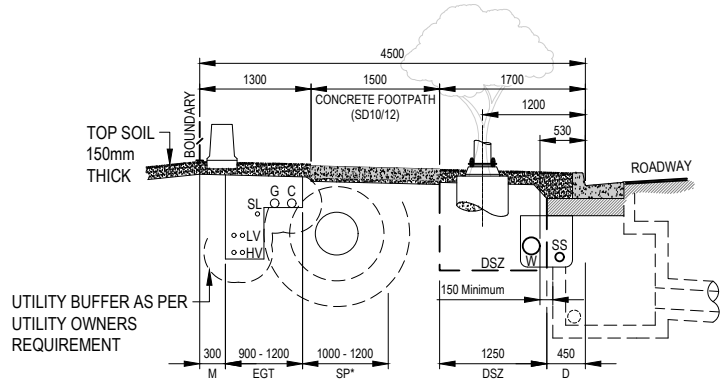
FOOTPATH ALLOCATIONS FOR SERVICES AND ACCESS

MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

Rev: 06/05/2025

SD001

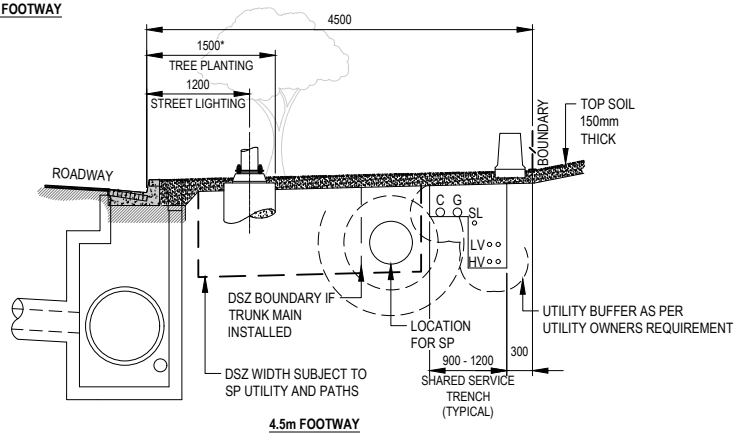
SHEET 01 of 02



NOTE:
1. ALL DIMENSIONS ARE IN MILLIMETRES
2. KEEP SP TO THE OUTSIDE OF VERGE. PUT IN THE VERGE THAT HAS A PATH AS THE FIRST PREFERENCE. SECOND PREFERENCE IS IN THE VERGE WITHOUT A PATH
3. WHERE STREETS RUN PARALLEL TO A CONTOUR AND CREATE 'HIGH-SIDE / LOW-SIDE' LOTS, IT IS PREFERRED THAT THE CONCRETE PATH BE LOCATED ON THE LOW SIDE TO HELP PREVENT ROAD WATER FROM FLOWING INTO PROPERTIES.

*THE 1.5M TREE SETBACK CAN ONLY BE APPLIED TO GREENFIELD SITES WITH A VERGE THAT DOES NOT HAVE A CONCRETE FOOTPATH.

4.5m FOOTWAY



4.5m FOOTWAY

LEGEND

E	- ELECTRICITY
M	- MISCELLANEOUS - TEMPORARY WATER SERVICE, PRIVATE PUMPING MAINS, TRAFFIC LIGHT CONTROLS, PRIVATE COMMS
DSZ	- DEEP SOIL ZONE, STREET LIGHT POLE AND TREE. NO UTILITIES EXCEPT WATER MAIN (W)
W	- RETICULATED WATER ≤ Ø200
LV	- LOW VOLTAGE
HV	- HIGH VOLTAGE
SL	- STREET LIGHT CABLE
C	- TELECOM
G	- GAS
SS	- SUBSOIL DRAINAGE
D	- STORMWATER DRAINAGE
SP	- SPECIAL SERVICES - SPECIAL SERVICES EGT, TRUNK MAINS W>Ø300mm, MANHOLE (eg. COMMS) BOXES

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

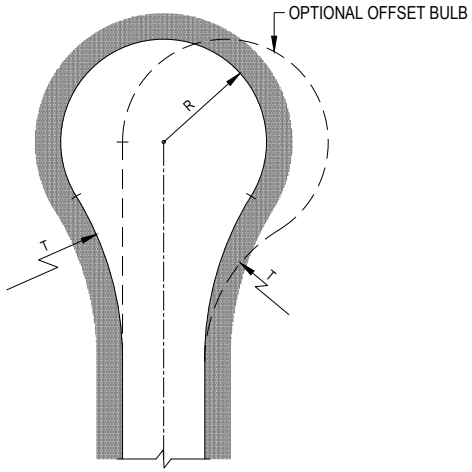
FOOTPATH ALLOCATIONS FOR SERVICES AND ACCESS

MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

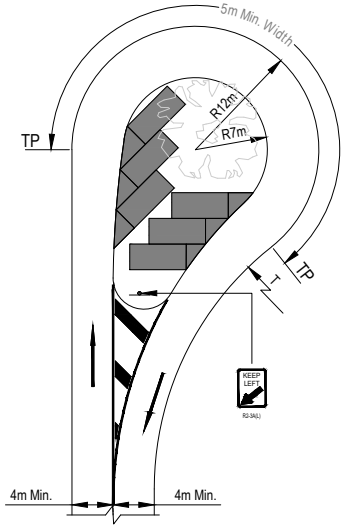
Rev: 06/05/2025

SD001

SHEET 02 of 02



CUL-DE-SAC



CUL-DE-SAC (BUSHFIRE)

	LOCAL STREET	RESIDENTIAL BUS/TRUNK	BUSHFIRE	INDUSTRIAL
CUL-DE-SAC RADIUS (R)	10	16*	14.5*(12m + 2.5m PARKING ON ARC)	16
TRANSITION CENTRED (T)	30	30	30	50
TRANSITION OFFSET (T)	15	15	15	30

NOTE:
1. NO PARKING RESTRICTION ALONG THE WHOLE ONE WAY SECTION.
2. WIDTH OF THE BEND (5m MINIMUM) IS PROVIDED TO SUIT TURNING MOVEMENT OF DESIGN VEHICLE.
3. DESIGN VEHICLE - MEDIUM RIGID VEHICLE.
4. PROVIDE CONCRETE PAVEMENT AROUND ONE WAY SECTION.
5. ROLL KERB INSIDE AND OUTSIDE.
6. PARKING - 1 SPACE PER LOT.
7. PROVIDE PARKING SPACE (2.5m WIDE AND 5.5m LENGTH) AS PER AS2890.1.
8. PARKING AREA TO BE FULLY CONCRETED WITH RUNOFF SLOPING TOWARDS THE TREE.
9. PROVIDE SUBSOIL AND INTERNAL DRAINAGE TO INNER LANDSCAPED AREA.

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

TURNING AREAS - CUL-DE-SAC OPTIONS

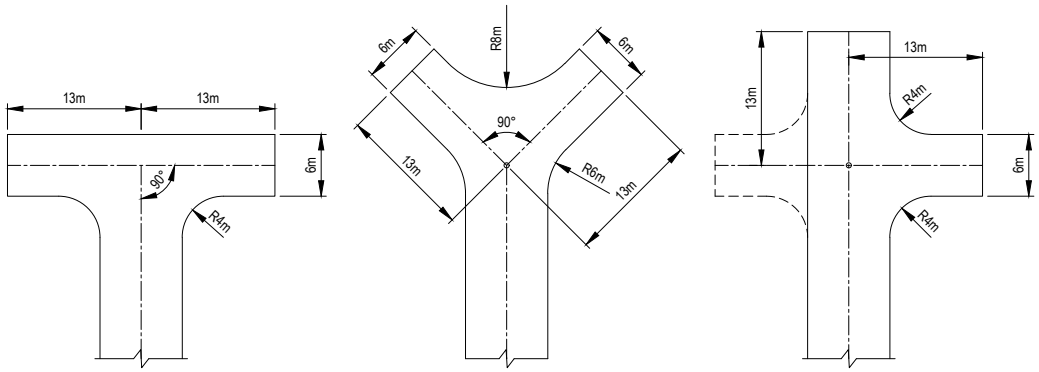
MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

Rev: 30/04/2025

SD027

SHEET 01 of 03

FOR SERVICE TURNING SUCH AS GPT, BASIN, ETC. NOT FOR PUBLIC ROAD.



T-HEAD Y-HEAD MODIFIED T-HEAD

NOTE:
1. INCOMING WIDTHS DETERMINED BY ROAD CATEGORIES SETOUT IN THE ROAD DESIGN SECTION OF COUNCIL'S "MANUAL OF ENGINEERING STANDARDS".
2. NOTWITHSTANDING THE ABOVE DIMENSIONING, AUSTRALIAN STANDARD *AS 2890.2 - PARKING FACILITIES PART 2: OFF-STREET COMMERCIAL VEHICLE FACILITIES* SHALL BE USED TO VERIFY ADEQUATE MANOEUVRING AREA.
3. ALTERNATIVE LAYOUTS WILL BE CONSIDERED BY COUNCIL.

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

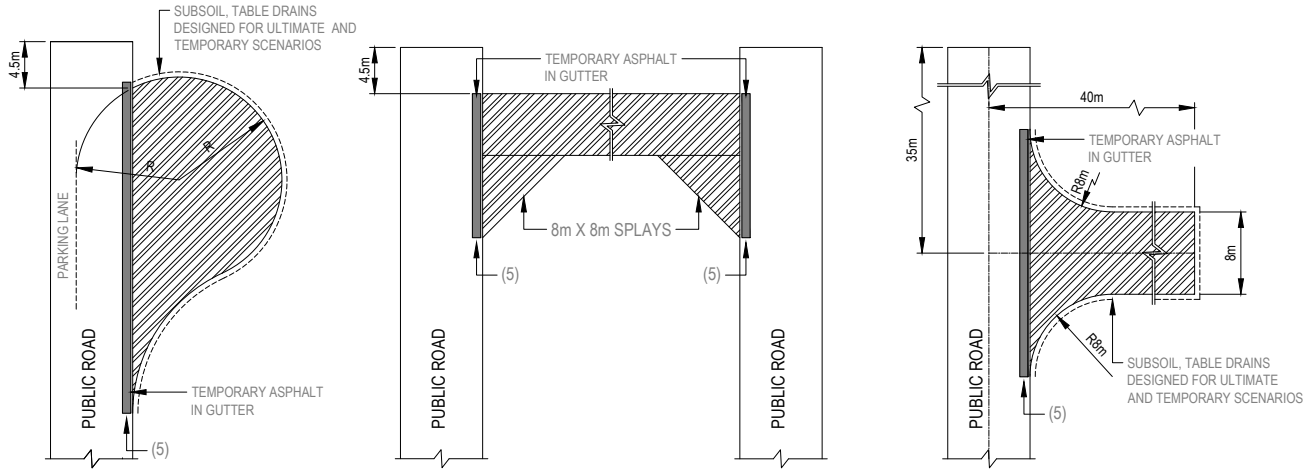
TURNING AREAS - SERVICE AREAS

MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

Rev: 30/04/2025
SD027
SHEET 02 of 03

NOTE:
R AND T - SEE TABLE ON SHEET 1
* CLEAR OF PARKING LANE

OFFSET T ONLY SUITABLE FOR MAXIMUM 120m FROM CROSS STREET AND ON 8m TO 10m WIDE ROADS



OFFSET BULB

TEMPORARY LOOP CONNECTION

OFFSET T

NOTE:
1. INCOMING WIDTHS DETERMINED BY ROAD CATEGORIES SETOUT IN THE ROAD DESIGN SECTION OF COUNCIL'S "MANUAL OF ENGINEERING STANDARDS".
2. NOTWITHSTANDING THE ABOVE DIMENSIONING, AUSTRALIAN STANDARD AS 2890.2 - PARKING FACILITIES PART 2: OFF-STREET COMMERCIAL VEHICLE FACILITIES SHALL BE USED TO VERIFY ADEQUATE MANOEUVRING AREA.
3. PROVIDE BUSHFIRE AND REGULATORY TRAFFIC CONTROL INCLUDING GUIDEPOSTS, PARKING RESTRICTIONS, SIGNAGE AND LINEMARKING.
4. PROVIDE G9-18 - NO THROUGH ROAD SIGNAGE.
5. PROVIDE STORMWATER PIT UPSTREAM OF EACH TURNING HEAD AS NEEDED TO CATER FOR TEMPORARY DRAINAGE REQUIREMENT.

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

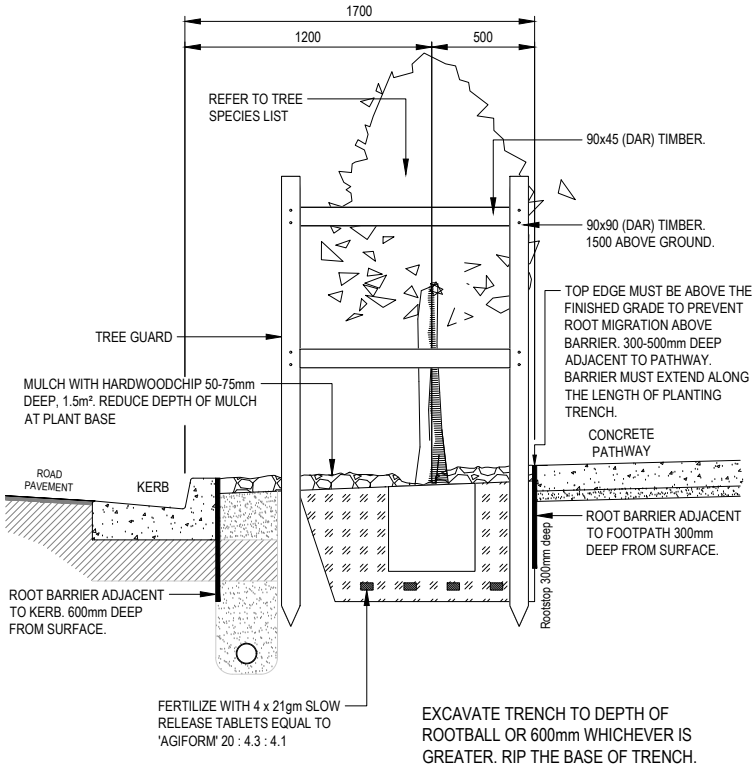
TURNING AREAS - TEMPORARY TURNING SUBDIVISION STAGING

MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

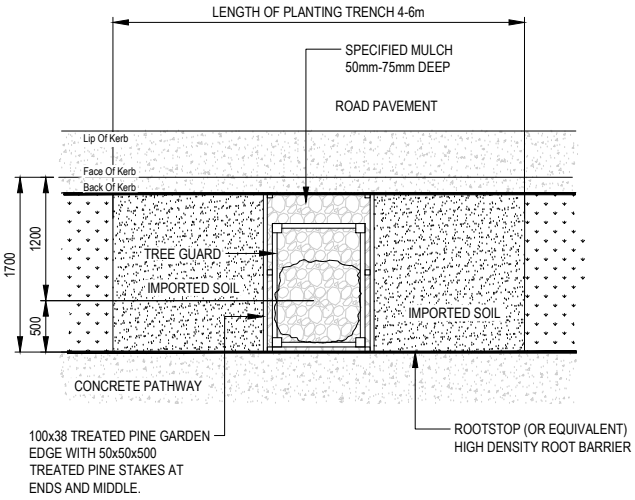
Rev: 30/04/2025

SD027

SHEET 03 of 03



EXCAVATE TRENCH TO DEPTH OF ROOTBALL OR 600mm WHICHEVER IS GREATER. RIP THE BASE OF TRENCH.



NOTE:

1. REFER TO SD001 PRIOR TO EXCAVATION WORKS.
2. ROOT BARRIER SHALL BE MANUFACTURED FROM 100% RECYCLED HIGH DENSITY POLYETHYLENE HDPE WITH MINIMUM THICKNESS OF 1mm.
3. NO BARRIER WHERE PATHWAY ARE NOT PRESENT.
4. 4m LENGTH OF PLANTING TRENCH FOR SMALL TREES AND 6m FOR MEDIUM TREES.
5. LANDSCAPE ARCHITECT TO PROVIDE FOR COUNCIL APPROVAL, SOIL SPECIFICATION FOR IMPORTED TRENCH SOIL.
6. ALL DIMENSIONS ARE IN MILLIMETRES (UNLESS SHOWN OTHERWISE)

maitland city council
city services
po box 220, maitland nsw 2320
email: mcc@maitland.nsw.gov.au

STREET TREE PLANTING DETAIL

MANUAL OF ENGINEERING STANDARDS - STANDARD DRAWINGS

Rev: 26/11/2025

SD049

SHEET 01 of 01

Technical Document: Street Lighting

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Technical Document: Street Lighting

- Street lighting shall be provided in accordance with Council's requirements (low-cost and efficient) and be designed by a suitability qualified consultant.
- According to Australian Standards, the primary purpose of street lighting is to *"assist pedestrians to orientate themselves and detect potential hazards and to discourage fear of crime and crime against the person while protecting the integrity of the nighttime environment through control of light spill and glare"*.
- Street lighting shall be constructed as a standard (height and style) galvanised pole. Black powder coating is allowable but will be replaced without powder coating when/if replacement occurs.
- Decorative luminaries/columns, paint and coloured column treatments are not permitted or supported.
- The default globe type shall be the one nominated by Council and supplied by Ausgrid generally based on energy efficiency. The street lighting design must incorporate cut-off luminaires to reduce glare and ensure adequate illumination for pedestrian activities, with the default lamp type being that provided by Ausgrid.
- Street lighting for new subdivisions shall be provided in accordance with AS1158 series, Ausgrid NS119, Council's Standard Drawing SD001 (for pole location and footing) and this Technical Document:

Road Type	Road Width	Mid-Block Lighting Category	Intersection Lighting Category[B]
Pedestrian Crossings	-	PX1 Arterial/Sub-Art[F] PX2 Local Collector/Sub-Art[G] PX3 Local Road	-
Pedestrian Refuges	-	A minimum horizontal illuminance of 3.5 lx or greater AS1158.3.1	-

Pedestrian Paths and Shared Paths (off road)	-	As required by council, use Tables 2.2 and 3.4 in AS1158.3	-
Cul-de-sacs (on L8 Yield or L10 Local streets)	8 m	PR5 PR4 with pedestrian through traffic	Same as mid-block
L8 Yield and L10 Local Street (at Council's discretion considering pedestrian traffic)	8 to <11 m	PR4	Same as mid-block
LT11 Local Collector	11 m	PR4	Same as mid-block
T12 Local Distributor (Public Bus Route)	12 m	PR3	V5[A, B, C]
T14 Secondary Distributor	14 m	PR3	V5[A, B, C] V4[D]
T15 Primary Distributor	15 m	PR3	V5[A, B, C] V4[D]
≥T15.4 Minor Sub-Arterial	≥15.4 m[E]	PR3	V5[A, B, C] V4[D]
I13 Industrial Areas	13 m & other	PR4 Minor Industrial PR3 Trunk/pedestrian traffic	V5[A, B, C] V4[D]
Business / School Precinct	13 m & other	PR3	V5[A, B, C] V4[D]
Laneways (residential)	-	As required by council, consider PR5 for pedestrian activity and/or with development adjoining laneways and PR6 for lower pedestrian activity and no development adjoining laneways.	-

A. Consider trunk road to trunk road intersections. (Not local to trunk which uses mid-block

requirements)

B. For Channelised intersections and roundabouts on local distributors and above.

C. Intersections with state roads/highways require consultation with TfNSW for suitable illumination.

D. Posted speed limit greater than or equal to 80 km/h.

E. Road connecting Arterial Roads to urban districts and carrying traffic directly from one district or precinct to another, for example Settles Boulevard.

F. Sub-Arterial with a posted speed limit greater than 60 km/h.

G. Sub-Arterial with a posted speed limit less than or equal to 60 km/h.

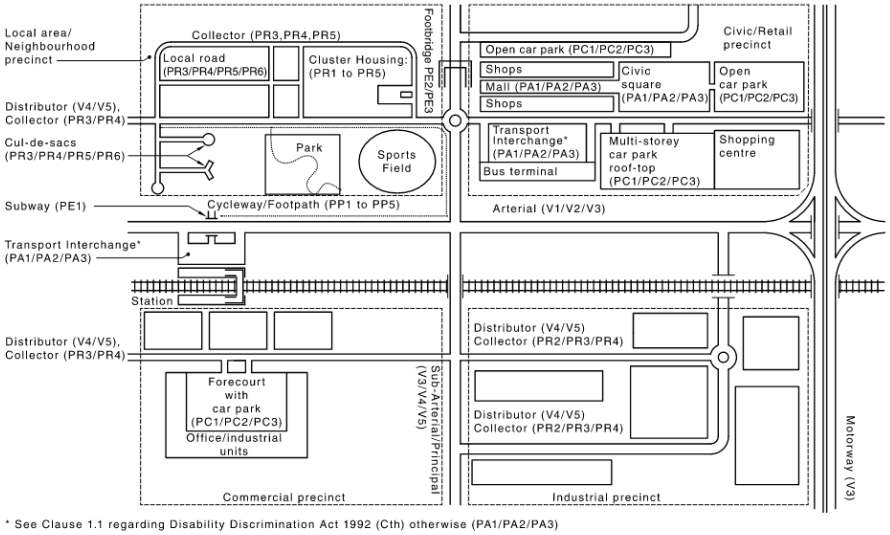


FIGURE 2.1 EXAMPLE OF ROAD AND PUBLIC SPACE TYPES AND INDICATIVE LIGHTING CATEGORIES AND SUBCATEGORIES

AS/NZS 1158.3.1:2020

- Street lighting may require a higher standard at the following locations:
  - Major road intersections
  - Minor rural road intersections (consider flag-lit subject to speed zone and safety)
  - Pathways and underpasses
  - Public carparks
  - Taxi ranks
  - Bus stops/shelters
  - Stairways

- Luminaires shall be the default supply of Ausgrid (Light Emitting Diode Type) that contain both a NEMA and Zhaga Book 18 Receptacle.
- Solar-powered street lighting is not generally accepted. Special circumstances may only be considered following extensive consultation with Council.
- Street lighting is generally not supported in Large Lot (R5) and Rural (RU1 and RU2) zone areas. Lighting in these areas may be required by Council, subject to adequate warrants, where special circumstances exist such as proximity to destination points for potential nighttime pedestrian traffic.
- Lighting in the vicinity of the Rutherford aerodrome shall comply with the Civil Aviation Safety Authority's Civil Aviation Regulations, specifically the "Manual of Standards Part 139."
- Street lighting shall be placed at the entrance and termination of new laneways with an appropriate lighting category as determined by Council.
- Consideration shall be given to roads with central medians ensuring that street lighting design accounts for the required landscape and trees in the medians while still providing adequate illumination to the public areas.
- Street lighting shall be located:
    - Complementary with tree planting locations, medians, footpaths, and pram ramps that optimise pedestrian safety and complement lighting spillage.
    - On trunk roads, generally one (1) lux for public footpaths and three (3) lux for minor intersections to enhance safety and minimise areas of low visibility.
    - At sharp bends and traffic control devices (kerb blisters etc.).
    - Generally, in line with abutting property boundaries and offset from the face of the kerb as per Council's Standard Drawings.
    - in a staggered pattern alternating from one side of the road to the other.
- Electrical conduits:
    - Shall be found no less than 750 mm from the finished surface level under roads.
    - Shall be found no less than 600 mm from the finished surface level under footpaths.
- Any major utility items (kiosks and the like) larger than individual lot scale provisions, are to be located within the private lots covered by easements and are not to be located on the public road reserve and public drainage reserve. All kiosk substation sites shall comply with the Ausgrid Technical Guide NS141 and the Standards Australia Handbook SAA HB100 (CJC4). Note: Typically, Council does not accept major utility items in parks. If no suitable alternative solution is available, approval from Council's recreational team shall be obtained.
- A Lighting Spill Diagram is required to be submitted to Council with any public lighting designs. The performance criteria for public lighting designs include facilitating safe movement and reducing the fear of nighttime crime by eliminating significant dark spots.

Technical Guideline: Street Trees

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Technical Guideline: Street Trees

- This technical guideline provides guidelines for future tree plantings to enhance landscapes and streetscapes with appropriate species that minimise maintenance requirements and Council's liability. This guideline applies to all trees on public roads, under the control of Maitland City Council.
- Unless directed otherwise by Council, all new road reserves are to be landscaped with street trees as per this Technical Guideline.
- Council's policies including the Development Control Plan and its associated Appendix for Canopy Cover, the Environmental Sustainability Strategy and the Manual of Engineering Standards may provide additional requirements for planting or other supplement background information.
- For new streets, the design approach shall prioritise the creation and preservation of an effective tree canopy. Infrastructure and utility policies should focus on maximising both above ground and underground space to support and protect urban street trees.
- Subdivision creating new street or lots shall be designed with appropriate soil volume and space to support healthy tree growth. To achieve this, utility services should be consolidated into shared trenches, and power lines should be placed underground.
- One of the main challenges in planting public trees is ensuring adequate space for their growth at maturity. The key to creating a resilient and aesthetically pleasing urban forest lies not just in planting more trees, but in planting the 'right' trees in the 'right' locations, where they can become established and thrive. Therefore, no tree should be 'shoehorned' into an impractical or inadequate planting space simply to meet targets.

1. Approved Species Matrix

1.1 Street trees are to be selected from Council's Tree Species List (available on Council's website) and should complement the existing streetscape. Council has an approved list of species ensuring that their expected mature size is appropriate for the available footway space. Preference shall be given to tree species that occur naturally in Council's local environment.

1.2 Greenfield subdivisions and other developments are to provide a landscape plan prepared by an experienced landscape designer and be approved by Council. Minimum requirements for a landscape plan are provided in Appendix A: Application Requirements – Other Development of Council's DCP.

1.3 The landscape designer shall use a variety of species in the designs. Variations to approved species would generally be for a feature tree such as in a roundabout, or due to supply issues of other approved species. Any species not included in the approved list must be preapproved in writing by Maitland City Council. This will be at the discretion of Council and based on its

suitability, safety, maintenance, and liability.

2. Pot Size

2.1 Ideally, small street trees should be chosen that reach a mature height of 10 to 15 metres and be able to be undercut to a specified height for safe sightlines for pedestrians and vehicular traffic. When mature, street trees must be of a size that will sustain foliage undercut to a minimum height of 2 metres. Where shrubs are provided, they shall be of a kind able to be maintained through trimming below a height of 1.2 metres. Greater consideration is required for trunk roads and any overhang into trafficable lanes.

2.2 For street tree planting in the verge, a minimum pot size of 45 litres (L) is required, however 75L or 100L pots may be provided if preferred by the Proponent.

2.3 For trees planted in pavement areas, such as central landscape medians and roundabouts, a minimum pot size of 100L is required. Council is required to be consulted with in these circumstances to confirm any specific requirements. *Note: Tree pits in pavement areas must be constructed with concrete and as an integrated structure into the road pavement.*

3. Soil Volume

The following terms and requirements are used in defining the available area and volume for plantings:

3.1 **Soil Volume (Unobstructed root area)** – the available volume for root to spread. Obstructions up to 300 mm in diameter such as a utility crossing (conduit) or reticulated water main (located behind kerb) are permitted within the volume but must be positioned toward the outer edges of the soil volume, away from the tree trunk. Unless otherwise specified, when multiple trees share the same soil volume, the required volume may be reduced to 66.7% of the individual requirement per tree. This reduction does not apply to imported soil volumes.

3.2 **Imported Soil Volume or Improved Soil Volume –** a smaller volume within the unobstructed root area that consists of either imported soil or existing soil that has been improved (improved soil) to enhance and support healthy root growth.

3.3 **Planting Width** – an unpaved area with mulch and/or grass that allows surface water and irrigation to penetrate the soil. A planting width of 1.5 m is used between the footpath and the kerb to simplify calculations. This allows the width of the kerb including the kerb track to be included within the 1.7 m setback from the face of kerb to the footpath.

In confined spaces such as larger carparks and commercial areas, where wider footpaths or pavements are required, the planting width may be reduced to 1.0 metre only if the soil volume, and ability to get moisture into that volume, is achieved under the footpath through the use of structural cells or structural soils. In these circumstances, passive watering systems are required.

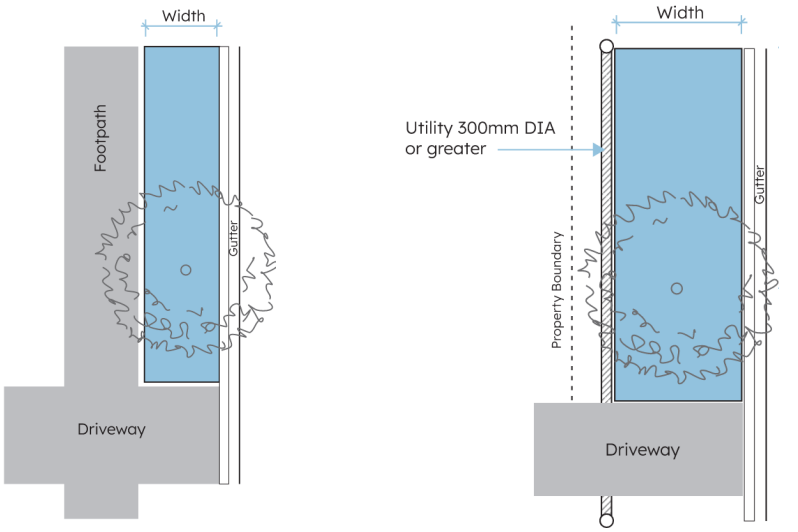


Figure 1: Planting Width

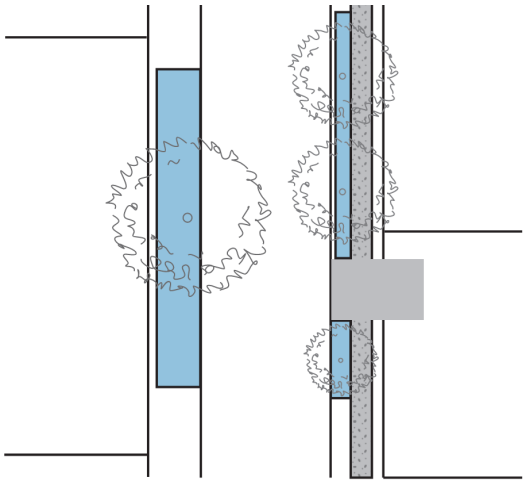


Figure 2: Soil Volume and Canopy Cover on Local Roads with Footpaths

4. Design

Planting Width (minimum width of unobstructed root volume)	1.5 m minimum width *(back of kerb to footpath)* *1.0 m in approved commercial areas if structural soils or structural cells are placed under footpath/concrete to achieve 1.5 m or greater soil volume width.*
Soil Volume (Unobstructed Root Volume)	Soil volumes specific to each species are provided in Council's Tree Species List.
Max depth for Soil Volume calculations	1 m depth for calculations *Tree roots typically grow within the top 500-600 mm of soil depth and occasionally to a greater depth. Soil volume below 1 m depth is not included in any calculations.*
Imported soil volume (improved soil volume)	See MoES Standard Drawing.
Planting (pot) sizes for DA requirements – Litres (minimums)	• Street trees in verge: 45L minimum pot size, with the option for 75L or 100L pot size. • Medians, Roundabouts, Sealed tree pits: 100L minimum pot size.
Offsets behind face of kerb	<u>Greenfield Subdivision</u> • 1.2 m for road reserves with footpaths (small trees) • 1.7 m for road reserves with no footpath on Local Streets (Small/Medium trees) <u>Existing Streets</u> • 1.2 m ideally for small trees. Utility locations and potential footpath locations shall be checked.
Offsets to footpath (i.e. footpath parallel to kerb)	See MoES Standard Drawings (SD049, SD001, SD002) minimum 500 m for small tree between footpath
Offsets to driveways (perpendicular to kerb)	2 m
Offsets to street lighting	4 m (minimum) or outside matured tree canopy
Offsets to electricity and communication poles	4 m
Offsets to intersections	10 m measured from the face of kerb of the adjoining street

5. Canopy Cover Targets in Roads

Council's Canopy Cover Guidelines, which is appended to Council's DCP, provides methods to assist in achieving canopy cover targets for different Land uses, including certain road reserves, mainly within towns and Urban Release Areas. To achieve these targets, it may take a couple of actions to get to the ultimate coverage. For example, it may be a multi-phase implementation program: being at the greenfield subdivision, additional planting by muti-dwelling approvals, and then supplementary planting programs by the community or Council.

For greenfield subdivision, the majority of driveway locations have not yet been determined, so a lesser canopy cover may be required in locations where driveways will not be located.

Greenfield Subdivisions will be required to plant the following as a minimum:

5.1 1 tree in the middle of each proposed and/or registered lot frontage to the maximum size allowable.

5.2 1 small tree on every second common (side) boundary. Utility crossing can be restricted to every second lot corner. A small tree should have sufficient volume even if future driveways are close to both sides of the tree.

5.3 Within new Laneways provide 1 small tree on every common (side) boundary (e.g. for new medium density lots).

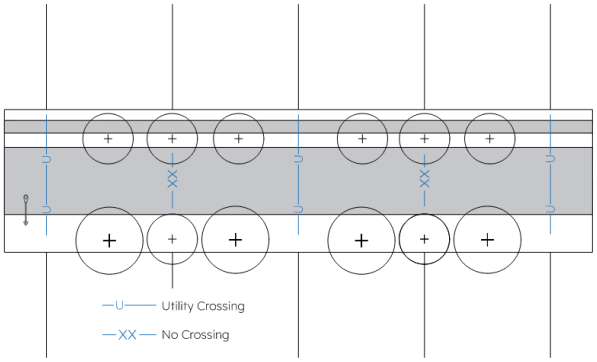


Figure 3: Indicative Planting at Greenfield Subdivision (driveway locations unknown)
Note: Additional trees on alternate side boundary lines are subject to utility crossings.

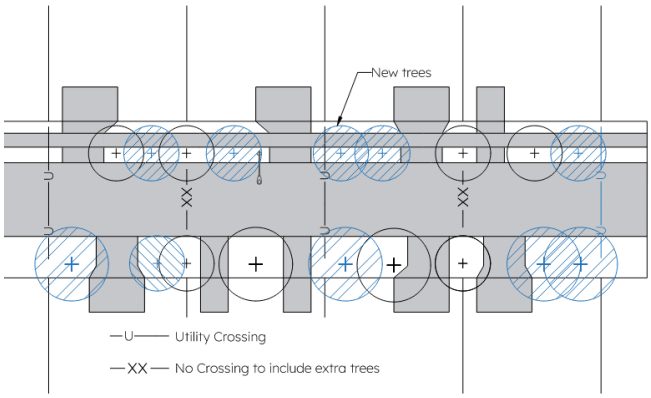


Figure 4: Indicative Infill Planting (once driveway locations are confirmed or built)

Additionally, the following design criteria for canopy cover is to be followed:

5.4 Maximise canopy in local street intersection blisters (See example below).

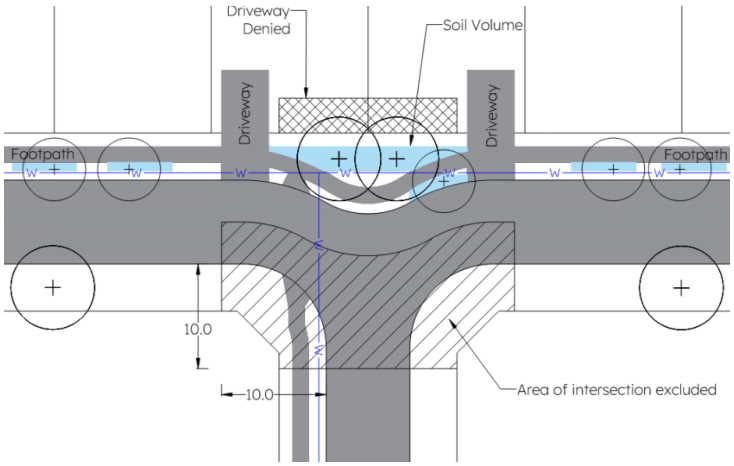


Figure 5: Indicative Planting at Intersection Blister
Note: Driveways must be located outside the blister by an 88b restriction.

5.5 Maximise coverage (by soil volume) in all lots where driveways are pre-determined including access denied (vehicle) frontages.

5.6 Maximise coverage (by soil volume) to non-residential lots and access denied frontages. e.g. reserves, access denied, public land.

The following additional considerations apply to the above:

5.7 Utility plans and civil plans (utilities above and below ground including streetlights, civil plans including stormwater pits pipes, pathways, structures) will need to be overlayed on landscape plans to demonstrate consideration and conflicts.

5.8 Trees are to be located with sufficient spacing from relevant utilities.

5.9 Utilities will be located to maximise tree canopy coverage.

5.10 The applicant is to provide indicative locations for the DA and detailed plans for construction approvals (e.g. SWC).

5.11 Bushfire areas subject to flame zone are excluded from achieving the full target and will provide the upper limit specified by RFS GTA's. Generally, this will be one tree in the centre of the proposed and/or registered lot frontage at a maximum size to meet Council soil volume, and the applicable RFS bushfire canopy limit.

5.12 The location of trees in the footway (verge) should consider street intersection sightlines, utilities, and street furniture, and are not to impede personal surveillance or public safety. *Note: This includes items such as stormwater pits, pedestrian ramps, power & street light poles, driveways, utility services.*

5.13 Trees shall be planted and located in the footway in accordance with Standard Drawings SD001, SD002, and SD049 (subject to satisfying standard "clear zone" requirements).

5.14 Prior to any excavation work commencing, the existence and location of any underground services must be established.

5.15 Where overhead power supply mains exist, consideration must be given to the location of the trees and the mature height of proposed trees, such that the street infrastructure is not affected.

5.16 Tree planting locations should be complementary to street lighting to optimise pedestrian safety. Planting locations should be planned around light locations.

5.17 Tree-guards (other than supporting stakes) are not encouraged when infilling residential areas where driveways are already established.

5.18 Tree-guards are required in new subdivisions and will generally be required to be removed by the developer at the end of the maintenance period of the final stage of the development.

5.19 Shrubs, if approved, must satisfy sightline and CPTED requirements. Hedges are not permitted in the road reserve.

5.20 Designs must provide sufficient deep (imported) soil to support an urban tree canopy. For the purpose of calculating deep soil at least 1.5 metres width of clear deep soil is required. The following can be included in the width/volume:

- A path, access ramp, or paved area with a maximum width of 1.2 metres.
- Essential services infrastructure (e.g., stormwater pipes) with a maximum diameter of 300 mm.
- Landscape structures (e.g., lightweight fences, light poles, or seating) that require a footing

with a maximum size of 300 mm x 300 mm in cross-section.

5.21 Certification by a qualified arborist or a qualified landscape designer/architect confirming that street trees and landscaping have been completed in accordance with the approved plans and Council's specifications, may be required for subdivision works and development projects at the discretion of Council.

6. Tree Establishment

6.1 Mulching to a depth of 50-75 mm over the root zone is required to help retain moisture, inhibit weeds, and reduce damage from mowers and whipper snippers. This is particularly importance for establishing younger trees.

6.2 New plantings need to be thoroughly watered at the time of implementation. For the first two (2) months, watering should occur weekly, then fortnightly for the next three (3) months during summer, or monthly for three (3) months in other seasons. Watering of new plantings is required for a minimum of five (5) months.

7. Grasses

7.1 In cases where disturbed areas require coverage or new grass is provided and will be maintained by Council, Couch (Cynodon dactylon) must be used. Such areas may include drainage reserves, public reserves, and road reserves adjacent to those public land reserves. Other turf grasses such as buffalo and kikuyu are optional for lot frontages and areas outside of perimeter roads.

8. Maintenance

8.1 Council's approval must be obtained for pruning and removal of public trees.

8.2 Performance bonds may be required as security for completed public trees and landscape features.

Tree Species List

MoES 2025

Date Adopted: Draft 2025

Version: 1.0

Tree Species List (Public Land)

This document is the pre-approved list of trees that can be used in public land including road reserves and open Space and recreational land. The document provides criteria for where a certain tree is suitable. This document needs to be read in conjunction with:

- MoES Technical Guideline: Street Trees
- Canopy Cover and Maitland City Council DCP

FIELD	DESCRIPTION
Location Type	L1 (Small): 1.2 – 2.5 m soil width (e.g., verge on footpath side between kerb and footpath)
	L2 (Medium): >2.5 – 3.5 m soil width (e.g., verge on non-footpath side or blisters)
	L3 (Large): >3.5 – 4.5 m soil width (e.g., blister on non-footpath side, medians)
	L4 (Parks & Open Spaces): > 4.5 m wide soil width – not suitable for street tree planting
Under Power Lines	Indicates if species are suitable for growing under or near power lines. Species may still require trimming but can tolerate regular crown reduction (AS4373).
Height	Estimated mature height (in metres) under typical street conditions. Influenced by soil quality and surrounding environmental conditions.
Width	Estimated mature canopy spread (diameter in metres).
Minimum Soil Volume	The minimum soil volume (in cubic metres) needed to support basic tree health and growth for the species.
Desirable Soil Volume	The recommended optimal soil volume (in cubic metres) for long-term tree health, growth, and canopy development.
Predicted Canopy Area	The expected canopy area (in square metres) at maturity under typical growing conditions.
Origin	**A** = Australian (non-local)
	L = Locally Native
	E = Exotic
Restrictions	Any site or species-specific limitations, including infrastructure conflicts, invasive tendencies, or unsuitable conditions.

*Maitland City Council acknowledges that its Tree Selection Matrix has drawn upon information and guidance provided in the Newcastle City Council Street Tree Selection Manual (March 2016). We appreciate the valuable work undertaken by Newcastle City Council in developing this resource and recognise its contribution to promoting best practice in urban tree selection and management.

SCIENTIFIC NAME	COMMON NAME	FAMILY	LOCATION	UNDER POWERLINES	HEIGHT	WIDTH	MINIMUM SOIL VOLUME (M^3)	DESIRABLE SOIL VOLUME	PREDICTED CANOPY AREA	ORIGIN	RESTRICTIONS
Acer rubrum (varieties)	Maple varieties	Aceraceae	L1	N	12-15	6-8	20	40	50	E	
Acer rubrum 'Fairview Flame'	Red Maple	Aceraceae	L1	N	12-15	6-8	20	40	50	E	
Alphitonia excelsa	Red Ash	Rhamnaceae	L1	N	8-12	6-8	20	40	50	L	
Alphitonia petriei	Pink Almond	Rhamnaceae	L1	N	8-12	3-6	5	15	28	A	
Auranticarpa rhombifolia	Diamond-Leaf Laurel	Pittosporaceae	L1	N	8-12	3-6	5	15	28	A	Columnar form - not to be used where shade tree required. *prev. Pittosporum rhombifolium.*
Elaeocarpus eumundii	Smooth-leaved Quandong	Eleocarpaceae	L1	N	8-12	3-6	5	15	28	A	
Elaeocarpus obovatus	Hard Quandong	Eleocarpaceae	L1	N	8-12	3-6	5	15	28	L	
Grevillea baileyana	White Oak	Proteaceae	L1	N	8-12	6-8	20	40	50	A	
Acacia maidenii	Maidens Wattle	Mimosaceae	L1	Y	8-12	6-8	20	40	50	L	
Acmena hemilampra	Broad-leaved Lillypilly	Myrtaceae	L1	Y	< 8	3-6	5	15	28	A	
Angophora hispida	Dwarf Apple	Myrtaceae	L1	Y	< 8	3-6	5	15	28	L	
Backhousia citriodora	Lemon Myrtle	Myrtaceae	L1	Y	< 8	3-6	5	15	28	A	
Backhousia myrtifolia	Grey Myrtle	Myrtaceae	L1	Y	< 8	3-6	5	15	28	L	
Banksia integrifolia	Coastal Banksia	Proteaceae	L1	Y	< 8	3-6	5	15	28	L	Does not tolerate waterlogged soils. Must review soil type and drainage in planting area.
Buckinghamia celsissima	Ivory Curl Flower	Proteaceae	L1	Y	< 8	3-6	5	15	28	A	
Buckinghamia ferruginiflora	Noah's Oak	Proteaceae	L1	Y	< 8	3-6	5	15	28	A	
Callistemon salignus	Willow Bottlebrush	Myrtaceae	L1	Y	8-12	3-6	5	15	28	L	
Cupaniopsis anacardioides	Tuckeroo	Sapindaceae	L1	Y	< 8	3-6	5	15	28	L	
Eleaocarpus reticulatus	Blueberry Ash	Eleocarpaceae	L1	Y	< 8	3-6	5	15	28	L	
Geijera parviflora	Wilga Wilga	Rutaceae	L1	Y	< 8	3-6	5	15	28	A	
Glochidion ferdinandi	Cheese Tree	Phyllanthaceae	L1	Y	8-12	3-6	5	15	28	L	
Gordonia axillaris	Gordonia	Theaceae	L1	Y	<8	3-6	5	15	28	E	
Harpullia pendula	Tulipwood	Sapindaceae	L1	Y	< 8	6-8	20	40	50	A	
Lagerstroemia indica (varieties)	Crepe Myrtle	Lythraceae	L1	Y	< 8	3-6	5	15	28	E	
Lagerstroemia indica 'Biloxi	Crepe Myrtle	Lythraceae	L1	Y	< 8	3-6	5	15	28	E	
Magnolia grandiflora 'Little Gem'	Little Gem Magnolia	Magnoliaceae	L1	Y	8-12	3-6	5	15	28	E	
Melicope elleryana	Pink Euodia	Rutaceae	L1	Y	< 8	3-6	5	15	28	A	
Pistacia chinensis	Chinese Pistachio	Anarcardiaceae	L1	Y	< 8	3-6	5	15	28	E	
Tristaniopsis laurina	Watergum	Myrtaceae	L1	Y	< 8	3-6	5	15	28	L	
Tristaniopsis laurina 'Luscious'	Luscious Watergum	Myrtaceae	L1	Y	< 8	3-6	5	15	28	L	
Backhousia anisata (syn Anetholia)	Aniseed Tree	Myrtaceae	L2	N	8-12	6-8	20	40	50	A	
Brachychiton acerifolius	Illawarra Flame Tree	Sterculiaceae	L2	N	8-12	6-8	20	40	50	L	

SCIENTIFIC NAME	COMMON NAME	FAMILY	LOCATION	UNDER POWERLINES	HEIGHT	WIDTH	MINIMUM SOIL VOLUME (M^3)	DESIRABLE SOIL VOLUME (M^3)	PREDICTED CANOPY AREA	ORIGIN	RESTRICTIONS
Brachychiton discolor	Lacebark	Sterculiaceae	L2	N	12-15	6-8	20	40	50	L	
Brachychiton populneus	Kurrajong	Sterculiaceae	L2	N	12-15	6-8	20	40	50	L	Not suitable as shade tree due to leaf loss in hot/dry periods.
Grevillea hilliana	White Silky Oak	Proteaceae	L2	N	12-15	6-8	20	40	50	A	
Lophostemon confertus	Brushbox	Myrtaceae	L2	N	12-15	6-8	20	40	50	A	
Rhodosphaera rhodanthema	Tulip Satinwood	Anarcardiaceae	L2	N	8-12	6-8	20	40	50	A	
Streblus brunonianus	Whalebone Tree	Moraceae	L2	N	8-12	3-6	20	40	28	L	
Waterhousea floribunda	Weeping Lilly Pilly	Myrtaceae	L2	N	12-15	3-6	20	40	79	L	
Xanthostemon chrysanthus	Golden Penda	Myrtaceae	L2	N	8-12	6-8	20	40	50	A	
Zelkova serrata 'Green Vase'	Japanese Zelkova	Ulmaceae	L2	N	12-15	8-10	20	40	79	E	
Acmena smithii	Lilly Pilly	Myrtaceae	L2	Y	8-12	6-8	20	40	50	L	
Koelreuteria paniculata	Golden Rain	Sapindaceae	L2	Y	< 8	3-6	5	15	28	E	
Acer rubrum (varieties)	Maple varieties	Aceraceae	L3	N	12-15	6-8	20	40	50	E	
Acer rubrum 'Fairview Flame'	Red Maple	Aceraceae	L3	N	12-15	6-8	20	40	50	E	
Araucauria heterophylla	Norfolk Pine	Araucariaceae	L3	N	20+	6-8	20	40	50	A	
Caesalpinia ferrea	Leopard Tree	Ceasalpinaceae	L3	N	8-12	6-8	20	40	50	E	
Calodendrum capense	Cape Chestnut	Rutaceae	L3	N	8-12	6-8	20	40	50	E	
Corymbia eximia	Yellow Bloodwood	Myrtaceae	L3	N	12-15	6-8	20	40	50	L	
Corymbia maculata	Spotted Gum	Myrtaceae	L3	N	15-20	6-8	20	40	50	L	
Drypetes deplanchei	Yellow Tulipwood	Putranjivaceae	L3	N	8-12	3-6	20	40	28	L	
Eucalyptus microcorys	Tallowwood	Myrtaceae	L3	N	15-20	6-8	20	40	50	L	
Eucalyptus punctata	Grey Gum	Myrtaceae	L3	N	15-20	6-8	20	40	50	L	
Eucalyptus sideroxylon 'Rosea'	Ironbark	Myrtaceae	L3	N	12-15	6-8	20	40	50	L	Not for exposed areas, prevailing winds due to high prevalence of branch drop.
Flindersia australis	Crows Ash	Rutaceae	L3	N	12-15	8-10	20	40	79	A	
Flindersia xanthoxyla	Yellowood	Rutaceae	L3	N	15-20	6-8	20	40	50	A	
Magnolia grandiflora 'Exmouth'	Evergreen Magnolia	Magnoliaceae	L3	N	12-15	6-8	20	40	50	E	
Syzygium australe	Brush Cherry	Myrtaceae	L3	N	8-12	6-8	20	40	50	L	
Syzygium jambos	Rose Apple	Myrtaceae	L3	N	8-12	6-8	20	40	50	A	
Syzygium luehmannii	Small-leaved Lilly Pilly	Myrtaceae	L3	N	8-12	6-8	20	40	50	A	
Syzygium moorei	Rose Apple	Myrtaceae	L3	N	8-12	6-8	20	40	50	A	
Syzygium oleosum	Blue Lilly Pilly	Myrtaceae	L3	N	8-12	6-8	20	40	50	L	
Syzygium paniculatum	Magenta Cherry	Myrtaceae	L3	N	8-12	6-8	20	40	50	L	
Ulmus parvifolia 'Burnley Select'	Chinese Elm	Ulmaceae	L3	N	8-12	6-8	20	40	50	E	

SCIENTIFIC NAME	COMMON NAME	FAMILY	LOCATION	UNDER POWERLINES	HEIGHT	WIDTH	MINIMUM SOIL VOLUME (M^3)	DESIRABLE SOIL VOLUME	PREDICTED CANOPY AREA	ORIGIN	RESTRICTIONS
Zelkova serrata 'Green Vase'	Japanese Zelkova	Ulmaceae	L3	N	12-15	8-10	20	40	79	E	Columnar form - not to be used where shade tree required.
Agathis robusta	Kauri Pine	Araucariaceae	L4	N	20+	6-8	50	80	50	A	
Alloxylon flammeum	Tree Waratah	Proteaceae	L4	N	12-15	6-8	50	80	50	A	
Angophora costata	Smooth-barked Apple	Myrtaceae	L4	N	12-15	8-10	50	80	79	L	
Araucaria columnaris	Cook Pine	Araucariaceae	L4	N	15-20	3-6	50	80	28	A	
Araucaria cunninghamii	Hoop Pine	Araucariaceae	L4	N	20+	8-10	50	80	79	A	
Argyrodendron actinophyllum	Black Booyong	Sterculiaceae	L4	N	15-20	12-15	50	80	177	A	
Carya illinoiensis	Pecan	Juglandaceae	L4	N	12-15	8-10	50	80	79	E	Not to be planted adjacent to footpaths due to seed drop.
Castanospermum australe	Blackbean	Fabaceae	L4	N	15-20	10-12	50	80	113	A	Not to be planted adjacent to footpaths due to seed drop.
Doryphora sassafras	Sassafras	Antherosperataceae	L4	N	15-20	6-8	50	80	50	L	
Elaeocarpus grandis	Blue Quandong	Eleocarpaceae	L4	N	15-20	6-8	50	80	50	A	
Eucalyptus capitellata	Brown Stringybark	Myrtaceae	L4	N	8-12	6-8	50	80	50	L	Not to be planted adjacent to footpaths due to seed drop.
Ficus macrophylla	Moreton Bay Fig	Moraceae	L4	N	20+	15-20	50	80	314	L	
Ficus microcarpa var. 'Hillii'	Hills Weeping Fig	Moraceae	L4	N	15-20	15-20	50	80	314	L	
Ficus rubiginosa	Port Jackson Fig	Moraceae	L4	N	12-15	10-12	50	80	113	L	
Ficus superba var Henneana	Deciduous Fig	Moraceae	L4	N	12-15	10-12	50	80	113	L	
Gmelina leichhardtii	White Beech	Verbenaceae	L4	N	8-12	6-8	50	80	50	L	
Grevillea robusta	Silky Oak	Proteaceae	L4	N	12-15	6-8	50	80	50	A	Should not be planted adjacent to natural areas due to potential to be invasive.
Jacaranda mimosifolia	Jacaranda	Mimosaceae	L4	N	8-12	6-8	50	80	50	E	May replace existing Jacaranda street tree, otherwise only for parks/open spaces. Not adjacent to footpaths due to slippery flowers.
Liquidambar formosana	Formosan Sweetgum	Altingiaceae	L4	N	12-15	6-8	50	80	50	E	
Melaleuca quinquenervia	Swamp Paperbark	Myrtaceae	L4	N	12-15	6-8	50	80	50	L	
Melaleuca styphelioidies	Prickly Paperbark	Myrtaceae	L4	N	3-6	3-6	50	80	28	L	
Nyssa sylvatica	Blackgum	Cornaceae	L4	N	8-12	3-6	50	80	28	E	
Podocarpus elatus	Plum Pine	Podocarpaceae	L4	N	8-12	6-8	50	80	50	L	
Quercus ilex	Holm Oak	Fagaceae	L4	N	15-20	10-12	50	80	113	E	
Syncarpia glomulifera	Turpentine	Myrtaceae	L4	N	12-15	6-8	50	80	50	L	
Synoum glandulosum	Scentless Rosewood	Meliaceae	L4	N	8-12	3-6	20	40	28	L	
Taxodium distichum	Swamp Cyprus	Cupressaceae	L4	N	15-20	6-8	50	80	50	E	
Toona ciliata	Red Cedar	Meliaceae	L4	N	8-12	6-8	20	40	50	L	
Pararchidendron pruinosum	Snowwood	Fabaceae	L4	Y	< 8	3-6	50	80	28	L	
Rapanea variabilis	Muttonwood	Myrsinaceae	L4	Y	8-12	3-6	50	80	28	L	

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Register of Changes (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 6

Number of Pages: 128

MAITLAND DEVELOPMENT CONTROL PLAN & MANUAL OF ENGINEERING STANDARDS 2026

Exhibition Register of Changes

maitland CITY COUNCIL

Table of Contents

Maitland DCP 2026 Exhibition Register of Changes 1
Maitland DCP 2026 Key Changes 1
Maitland DCP 2026 Long-Form Register Table (Public Submissions) 2
Maitland DCP 2026 Long-Form Register Table (Additional Changes) 80
Maitland MoES 2026 Exhibition Register of Changes 113
Maitland MoES 2026 Key Changes 113
Maitland MoES 2026 Long-Form Register Table 114

Maitland DCP 2026 Exhibition Register of Changes

This document provides a full register of the changes made to the Draft Maitland DCP 2025 since its public exhibition. In all, there has been 250 control-specific proposed changes made to the DCP from public submissions. A broad summary is as follows:

Of 250 control-specific items:

- 110 (44%) have been amended as recommended by the submitter
- 49 (20%) have been amended to meet part way or in another manner
- 78 (31%) have been kept 'as is'
- 13 (5%) have been noted

A further 190 changes have been amended as a result of internal review. These changes relate to cases of error, grammar and spelling mistakes, clean-up of duplication, or where additional clarity is needed. Justification has been given for each proposed change, irrespective of whether it has been integrated into the DCP or left 'as is'. A summary of the Key Changes resulting from the proposed changes is provided below.

Maitland DCP 2026 Key Changes

TOPIC	CHANGE MADE
Flood Planning	Removal of Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines.
Extractive Industries	Significant revisions to water quality, internal access, and setback considerations.
Status and Purpose of the DCP	Brought into line with the legislative definition under the act and changed what is required when an Applicant is knowingly requesting a variation to a DCP control.
Morpeth HCA	Inclusion of Queens Wharf within the Community and Public Recreation precinct, reclassification of Closebourne House to Rural and Residential precincts. Numerous other refinements based on ground-truthing and fixing of errors.
Land Use Conflict Assessment	Introduction of Land Use Conflict Risk Assessment for most uses in Chapter 9 using Department of Primary Industries standard template.
Utility positions	Rectified error in drafting that meant that there were conflicting provisions. Now standardised as intended to allow kiosk substations in road reserve subject to specific criteria.
Landscaped Area, Private Open Space, and Impervious Area	Sense check of numerical standards in each of these sections to ensure they were fit for purpose. Minor changes to landscaping requirements for secondary dwellings and improving private open space minimum dimensions.
Units into two categories	Units (Residential Flat Buildings) have been split into a two-tier system in some areas, such as setbacks. Now proposed to be Tier 1 (1-3 stories) and Tier 2 (over 3 stories).
Stormwater Management Plan	Requirements for what is to be included for stormwater management plans for minor development has been reduced.

Maitland DCP 2026 Long-Form Register Table (Public Submissions)

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
1 – Intro and Admin	**1.9 Variations to this DCP**	Any variation or departure will only be considered where it can be demonstrated, to Council's satisfaction, that there is a clear case for variation of the provisions, and that there are no detrimental environmental impacts, with the overall zone objectives and any specific provisions of MLEP 2011 and Maitland DCP are satisfied. Council will only consider variations or departures that result in a demonstrable improved environmental or urban outcome over compliance with the provisions of this DCP.	The current draft states: "Any variation or departure will only be considered where it can be demonstrated, to Council's satisfaction, that there is a clear case for variation of the provisions…" This could and should be rewritten more constructively as: "Council will consider variations or departures from DCP provisions where a clear and well-justified case is presented, demonstrating no adverse environmental impacts and consistency with the objectives of the MLEP 2011. Proposals that achieve an equal or superior environmental or urban outcome will be favourably considered." Such language reflects the intended flexibility of DCPs, encourages innovation, and supports good planning outcomes.	**Amended (as recommended)**	Wording updated in 'Variations to this DCP' to reflect the proposed wording change from the submitter in order to reflect a DCP's actual function and role.	If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should: 1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation, 2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and 3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated. This variation should be justified in the Statement of Environmental Effects accompanying the development application.
1 – Intro and Admin	**1.4 Status of this Plan**	This Development Control Plan (DCP) was prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the EP&A Act 1979 states that the EPI prevails to the extent of the inconsistency. A consent authority is required to consider this DCP when determining Development Applications (DAs) under Section 4.15 of the EP&A Act 1979 in its assessment of a Development Application. However, compliance with the provisions of this DCP does not necessarily imply that a consent authority will consent to the application.	Clause 1.4 should clearly state that the DCP is a guide only.	**Amended**	Updated language to refer to Section 3.42 and 3.43 of the EP&A Act.	This Development Control Plan (DCP) was prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the EP&A Act 1979 states that the EPI prevails to the extent of the inconsistency. This is reinforced by Section 3.42 and 3.43 of the EP&A Act 1979, which establish the purposes of a DCP.
1 – Intro and Admin	**1.7 How to use this DCP**	This DCP applies to all development that may be carried out with development consent in the Maitland LGA. Any development application within the Maitland LGA will need to address the relevant provisions contained in this DCP. The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following purposes: Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP. If an alternative is proposed to an Acceptable Solution (defined below), then the Objectives must be adequately addressed to the satisfaction of Council. Prescriptive Controls (PC) are requirements that an	Clause 1.7 should promote merit-based assessment rather than prescriptive tick-box solutions.	**Amended (as recommended)**	Wording updated in 'Variations to this DCP' to reflect the proposed wording change from the submitter in order to reflect a DCP's actual function and role.	If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should: 1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation, 2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and 3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code 'PC', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'. Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code 'AS', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'.				properties, and how these potential impacts have been mitigated. This variation should be justified in the Statement of Environmental Effects accompanying the development application.
1 - Intro and Admin	**1.13. Post Determination Matters**	1.13.1. SubdivisionIf the development consent requires the carrying out of any works associated with the subdivision of land, a Subdivision Works Certificate (SWC) is required prior to any work being undertaken. Detailed Engineering Plans will be required for approval. In the majority of cases, Council is the sole entity authorised to be the Principal Certifier (PC) able to oversee the SWC process.A Subdivision Certificate is required prior to release of the final plan for survey, so that the plan of subdivision can be registered under the Conveyancing Act 1919. All required work must be completed, and consent conditions satisfied prior to issue of a Subdivision Certificate. Details of requirements for Subdivision Works Certificates and Engineering Plans are contained in Council's Manual of Engineering Standards (MoES).1.13.2. Modifications of Consents Sections 4.55 and 4.57 of the EP&A Act 1979 set out the procedure for modification of development consents. An application for modification must be made to the consent authority, and fees paid, in accordance with the EP&A Regulation 2021. Minor errors, misdescriptions or miscalculations may be modified without further referral or notification. However, more significant modifications may require re-advertising and referrals to government authorities. In all cases, the consent authority must be satisfied that the development to which consent as modified relates, is substantially the same development. For significant modifications, lodgement of a new development application will be required.1.13.3. Lapsing of ConsentsA development consent generally lapses five years after the date from when it starts to operate, as set out within the provisions of the EP&A Act 1979. However, this does not mean that the development covered by the consent must be completed within the five-year period to stop the consent from lapsing. A development consent for the erection of a building, the carrying out of works or the subdivision of land doesn't lapse if building, engineering, or construction work related to the consent is physically commenced on the land before the date on which the consent would otherwise have lapsed.1.13.4. Review of Applications and Rights of Appeal Should an applicant be dissatisfied with the determination of a development application where Council is the consent authority, a	Clause 1.13 should provide for bonding of works and be updated to reflect case law on modifications and appeal rights.	**Noted**	Bonding of works is provided for under Council's MoES, and Council has reviewed the modification and appeal rights in reference to case law.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		Review of Determination may be requested under the EP&A Act 1979. This request must be made within 28 days of the determination of the application, accompanied by the prescribed fee. The Rights of Appeal also exist to the Land and Environment Court of NSW. These rights are set out in the EP&A Act 1979.				
1 - Intro and Admin	**1.7. How to use this DCP**	This DCP applies to all development that may be carried out with development consent in the Maitland LGA. Any development application within the Maitland LGA will need to address the relevant provisions contained in this DCP. The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following purposes: Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP. If an alternative is proposed to an Acceptable Solution (defined below), then the Objectives must be adequately addressed to the satisfaction of Council. Prescriptive Controls (PC) are requirements that an Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code 'PC', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'. Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code 'AS', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'.	Firstly, the Draft DCP must establish itself within the legislative frameworks that it is afforded under the Act. The Draft DCP, as it is presented, appears to be contrary to the legislative provisions of the Act, with the inclusion of "Prescriptive Controls" which, if interpreted as detailed in Part 1.7, will remove the flexibility that must be afforded to the standards. Therefore, the Draft DCP must be amended to reflect its statutory obligation and make it clear that where a proposal can achieve the objectives of a control, the development standards must be applied flexibly. This change will ensure consistency with the Act and make it easier for assessing officers to assess future development applications against the objectives, with the understanding that the development standards are there to guide how the objectives could be met.	**Amended (as recommended)**	Wording updated in 'Variations to this DCP' to reflect the proposed wording change from the submitter in order to reflect a DCP's actual function and role.	If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should: 1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation, 2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and 3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated. This variation should be justified in the Statement of Environmental Effects accompanying the development application.
1 - Intro and Admin	**1.5 Purpose of this Plan & 1.7 How to use this DCP**	1.5. Purpose of this Plan The purpose of this DCP is to provide more detailed guidelines for future development within the Maitland Local Government Area (LGA) to: • Give effect to the aims, objectives and other provisions of the Maitland Local Environmental Plan 2011 (MLEP 2011). • Ensure that development is economically, socially and environmentally sustainable. • Ensure that development positively responds and contributes to the site and its context. • Facilitate development consistent with the established vision, adopted plans, strategies and policies including Council's Local Strategic Planning Statement (LSPS). 1.7. How to use this DCP This DCP applies to all development that may be carried out with development consent in the Maitland LGA. Any development application within the Maitland LGA will need to address the relevant provisions contained in this DCP. The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following	The Department of Planning, Housing and Infrastructure (DPHI) reinforces that a DCP is intended to serve as a guide, stating that "the DCP provides guidance only, which means there can be flexibility to make variations when supported by a good argument in your DA." Despite this clear purpose, the Maitland Draft DCP includes many prescriptive controls that rely on rigid language such as "must," "shall," "will," "is to," and "are to," which appear throughout the documents. These controls risk being interpreted as mandatory requirements, undermining the flexibility that should be available under a merit-based assessment framework. As a result, applicants who are	**Amended (as recommended)**	Language has been revised in line with other recent DCPs throughout NSW and to clearly communicate the role of the DCP. Variation criteria has also been revised to align with peer high-growth and other Hunter Councils.	1.4. Status and Purpose of this Plan This Development Control Plan (DCP) was prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the EP&A Act 1979 states that the EPI prevails to the extent of the inconsistency. This is reinforced by Section 3.42 and 3.43 of the EP&A Act 1979, which establish the purposes of a DCP. The purpose of this DCP is to provide more detailed guidelines for future development within the Maitland Local Government Area (LGA) to: • Give effect to the aims of any environmental planning instrument that applies to the development. • Facilitate development that is permissible under any such instrument • Achieve the objectives of land zones under any such instrument.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		purposes: Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP. If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined below), then the Objectives must be adequately addressed to the satisfaction of Council. Section 1.9 provides the relevant considerations for when this occurs. Prescriptive Controls (PC) are requirements that an Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code 'PC', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'. Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code 'AS', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'. Note: Boxes that appear like this are used for the following purposes: • Providing additional information, • Application of a section to different land zonings defined under the MLEP 2011, • References to other relevant DCP Chapters/Sections, EPIs, or relevant Council documents, or • Background context for why a Prescriptive Control/Acceptable Solution functions in the manner it does.	otherwise able to meet the objectives of the Local Environmental Plan (LEP) or other instruments may be left with no option but to seek resolution through legal proceedings, thereby placing unnecessary financial and administrative strain on both themselves and Council. For this reason, ...recommends the Draft DCP should be revised to make clear that the development standards will be applied with flexibility. This approach will not only ensure consistency with the EP&A Act but also support more efficient and objective assessment processes for Council staff by reinforcing that the standards are a means of achieving — not rigidly dictating — compliance with planning objectives.			A consent authority is required to consider this DCP when determining Development Applications (DAs) under Section 4.15 of the EP&A Act 1979 in its assessment of a Development Application. However, compliance with the provisions of this DCP does not necessarily imply that a consent authority will consent to the application. 1.5. Aims of this Plan The Maitland Development Control Plan 2026 aims to: 1. Ensure that development is economically, socially and environmentally sustainable. 2. Ensure that development positively responds and contributes to the site and its context. 3. Facilitate development consistent with the established vision, adopted plans, strategies and policies including Council's Local Strategic Planning Statement (LSPS). 1.8. Variations to this DCP If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should: 1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation, 2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and 3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated. This variation should be justified in the Statement of Environmental Effects accompanying the development application.
10 – Precincts, Locality Plans, and Urban Release Areas	**All of Chapter**	N/A	Development Restrictions: Revise zoning in Chapter 10 of MDCP2025 to limit impervious surfaces in upstream areas contributing to runoff. Require developers to specifically assess cumulative runoff impacts on Dagworth and Wentworth Swamps as part of the approval process.	**As Is**	Stormwater Requirements and Impervious Area have been updated and addressed in Chapters 3 and 6 when compared to their MDCP 2011 counterparts. This assists in addressing cumulative runoff.	As Is
10 – Precincts, Locality Plans, and Urban Release Areas	**10.4.14. Louth Park URA**	N/A	With respect to Chapter 10: Special Precincts, Locality Plans and Urban Release Areas (Louth Park), given recent discussions with Council regarding the Northern Precinct, and beyond, it is recommended a note be included that this section is subject to further review.	**As Is**	The noted discussions by the submitter with Council are subject to an ongoing project that has not been publicly exhibited and cannot be incorporated into the Louth Park URA section at this stage.	N/A - As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
10 – Precincts, Locality Plans, and Urban Release Areas	**10.3.5. Louth Park (Waterforde Estate)**	PC.2 No development is to occur between the 20m isopach and the extent of mine workings as shown in Figure 10-9. Development between the 20m and 30m isopachs is to be limited to lightweight-type structures only (clad frame), to the requirements of Subsidence Advisory NSW. PC.4 No dwellings are to be erected within the area shown as 'Coal Mining Buffer' on Figure 10-9. AS.2 Consideration must be given to the land indicated on Figure 10-9 as a 'Waste Facility Buffer' Restrictions may apply to development which will support human habitation located within 500m from the Maitland Resource Recovery Facility located within this buffer.	For existing zoned land within the precinct, cadastral layers and recommendations relating to the viewing corridor, mine working line and waste buffer area require further review as part of the DCP amendment. The mapping is outdated and is not contained within any endorsed strategy. From review of historic subconsultant documents available, recommendations were not included relating to these cadastres, therefore it is not clear whether they have been extracted from, resulting in unnecessary development burdens on the landholders. For example, high density development has been allowed within the Ashtonfield URA, within 500m of the extent of the waste buffer cadastre. Louth Park is a greater distance from the waste management facility, than the approved and delivered Ashtonfield URA, which indicates clear suitability for the buffer to be removed, from a commonsense perspective. Removal of the buffer and associated limitations will assist in enabling the delivery of land for infill residential development to meet the housing targets, without unnecessarily burdening surrounding land and essential services.	**Amended (as recommended)**	Changes made to update controls to the modern planning context in respect to waste buffers and Subsidence Advisory NSW's position on mine subsidence.	PC.2 The southern part of the locality is partly affected by shallow mine workings, and accordingly detailed geotechnical investigations will be required to inform the future subdivision layout, allotment sizes, building design controls and any designated building envelopes. Any development application in the affected areas will require the approval of Subsidence Advisory NSW. PC.3 Geotechnical investigations are to include details of the depth of coal seam, height of workings, floor conditions and thickness of competent rock over mine workings to the satisfaction of Subsidence Advisory NSW. At the completion of any geotechnical remediation works, a qualified geotechnical engineer is to certify that the remediation of the mine workings has been achieved.
10 – Precincts, Locality Plans, and Urban Release Areas	**10.4.14. Louth Park URA**	Transport Movement Hierarchy Plans	It is noted that several development applications (DAs) have been determined within the Louth Park URA since the original gazettal of the DCP. The approved layouts include departures from those contained within the draft MDCP. For clarity and consistency, the draft MDCP layouts should be updated to reflect the approved and built subdivision layouts.	**As Is**	The indicative subdivision layout has not been changed as this was the original intended layout for the various precincts. Additionally, the transport movement hierarchies under each Precinct provide the flexibility for the road layout to be varied (as it has been). This does not inherently conflict with the layouts as shown in the DCP.	As Is
10 – Precincts, Locality Plans, and Urban Release Areas	**10.4.15.2 Anambah Employment Area (Transport Movement Hierarchy) PC.2**	No new future lot is to have direct vehicular access to Anambah Road or the New England Highway, except where the development satisfies the requirements of Section 2.119 of the State Environmental Planning Policy (Transport and Infrastructure) 2021.	Relevant to traffic and access, PC.2 of the draft DCP requires that no new lot within the employment area is to have direct vehicular access to Anambah Road, 'except where the development satisfies the requirements of Section 2.119 of the SEPP (Transport & Infrastructure) 2021'. The established Quarry relies on Anambah Road for access and HQPL seek to ensure that any potential for traffic / road safety conflict is minimised. HQPL supports the DCP provisions which encourage	**Noted**	Council notes that the control is as strong as it can be within the legislative framework.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			no new access to Anambah Road. Any development proposing new direct access to Anambah should be accompanied by a Traffic Impact Assessment that considers existing uses, including heavy vehicles associated with the Quarry site. HQPL considers it essential that continued heavy vehicle access to the GRQ site is maintained.			
2 – Environmental Considerations	**s2.2.2. Explanatory note**	Controlled activities carried out in, on or under waterfront land are regulated by the Water Management Act 2000. The Department of Industry - Water administers the Water Management Act 2000 and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary. If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the Department of Industry - Water (or their equivalent agency) before commencing the controlled activity.Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:• Water Management Act 2000• Protection of the Environment Operations Act 1997• Clause 7.4 Riparian land and watercourses and Watercourse Maps of Maitland Local Environmental Plan 2011• NRAR Guidelines for waterfront land• Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water• Council's Manual of Engineering Standards (MoES)	Include explanation as to when a Fisheries permit might be required.	**Amended (as recommended)**	Added context for when a fisheries permit may be required; relevant inclusion.	Controlled activities carried out in, on or under waterfront land are regulated by the Water Management Act 2000. The Department of Industry - Water administers the Water Management Act 2000 and is required to assess the impact of any proposed controlled activity to ensure that no more than minimal harm will be done to waterfront land as a consequence of carrying out the controlled activity. Waterfront land includes the bed and bank of any river, lake or estuary and all land within 40 metres of the highest bank of the river, lake or estuary. If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the Department of Industry - Water (or their equivalent agency) before commencing the controlled activity.A permit under the Fisheries Management Act 1994 may also be required in cases where:• Works include dredging or reclamation,• Works within a waterway that may result in the temporary or permanent blockage of the passage of fish, such as dams, weirs, and changes to velocities and water quality.Relevant legislation and policy that should be read in conjunction with this Chapter are listed below:• Water Management Act 2000• Protection of the Environment Operations Act 1997• Fisheries Management Act 1994• Clause 7.4 Riparian land and watercourses and Watercourse Maps of Maitland Local Environmental Plan 2011• NSW Natural Resources Access Regulator Guidelines for waterfront land• Controlled activities – Guidelines for riparian corridors on waterfront land – Department of Planning and Environment – Water• Policy and guidelines for fish habitat conservation and management (2013) – Department of Primary Industries• Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2003) – NSW Fisheries • Council's Manual of Engineering Standards (MoES)
2 – Environmental Considerations	**s2.2.2. PC.7**	Bridges and crossings over waterways must not interfere with the connectivity of vegetation, alignment or profile of stream banks, and must not restrict flow during flood events.	Add Note: Bridges and crossings over waterways must also allow for the passage of fish, in accordance with the Fisheries Management Act 1994 and associated guidelines published by the Department of Primary Industries & Regional Development (or equivalent agency).	**Amended (as recommended)**	Added as recommended.	Bridges and crossings over waterways must not interfere with the connectivity of vegetation, alignment or profile of stream banks, and must not restrict flow during flood events. Note: Bridges and crossings over waterways must also allow for the passage of fish, in accordance with the Fisheries Management Act 1994 and associated guidelines published by the Department of Primary Industries & Regional Development (or equivalent agency).

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
2 – Environmental Considerations	**Entire Chapter**	N/A	Overall, a number of terms are utilised, however they are not defined. Do the references relate to the Biodiversity Conservation Act 2016? The terms should be clearly defined.	**Noted**	A series of definitions are provided throughout the Glossary for a variety of terms, including all those that are bolded. Council will review and consider if any further terms are required.	N/A
2 – Environmental Considerations	**2.1.2. Relationship to other Chapters Guidance Note**	Note: Where no site-specific Chapter or Locality Plan applies to a development site, or the site falls within land marked as an Urban Release Area under the MLEP 2011, Council may require one to be prepared prior to lodgement of development applications in the following cases: a. If the land is subject to Clause 6.3 of the MLEP 2011, OR b.a. where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.	Unlike provisions relating to urban release areas, there is no legislative requirement to require preparation of a DCP chapter/locality plan 'where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved'. This is subjective and not reflective of the legislative framework.	**Amended (as recommended)**	Updated in accordance with submitter recommendation; the previous wording created a degree of uncertainty in the process. The same amendment has been made throughout the entire DCP.	Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.
2 – Environmental Considerations	**2.2.1. Biodiversity Guidance Note 1**	The aim of this sub-section is to ensure that, subject to any relevant overarching state or commonwealth legislation, the planning, design, and implementation of new development results in net positive biodiversity outcomes for the long term.Additionally, this sub-section provides a policy framework of the avoid, minimise, and offset environmental hierarchy, in particular the clearing of vegetated land for medium to large scale development. The approval process for development which will impact upon vegetation is as follows: 1. Any vegetation clearing on rural zoned land is assessed by Local Land Services under the Local Services Act 2013. 2. Any vegetation clearing in any non-rural zone that reaches the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016 will require a Biodiversity Development Assessment Report. 3. Any vegetation clearing in any non-rural zone that does not reaches the Biodiversity Offset Scheme under the Biodiversity Conservation Act 2016 may require (at Council discretion) a Flora and Fauna Assessment and/or a Biodiversity Offset Plan per the Environmental Planning and Assessment Act 1979.4. Any other vegetation clearing not falling into these categories is assessed under Section 2.3.1 of this Chapter.Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:• Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (Biodiversity & Conservation) 2021 • Fisheries Management Act 1994 • Biodiversity Conservation Act 2016 • Local Land Services Act 2013 • Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth) • Biosecurity Act 2015	The avoid, minimise and offset hierarchy is a requirement of the Biodiversity Conservation Act 2016; there is no requirement to 'provide a policy framework' under the DCP as to how the avoid, minimise and offset hierarchy is to be achieved.The Biodiversity Conservation Act 2016 is structured around the principles of avoid, minimise and offset. With respect to local development, these principles are applied when the Biodiversity Offsets Scheme threshold is triggered. Subsequently, all proposed native vegetation clearing must be considered in these circumstances.The Draft DCP applies avoidance measures, and prescribes that, where avoidance is not possible, an applicant must demonstrate measures to minimise and mitigate impacts (AS.1). This provision is proposed to be applied in all circumstances, even to proposals that do not trigger the Biodiversity Offsets Scheme threshold.The Biodiversity Conservation Act 2016 is a legislative framework that has significant weight and oversight.Including a general requirement such as this, which is proposed to be applied in all circumstances, is considered unreasonable.	**As Is**	Under the BC Act, the avoid, minimise and offset hierarchy is focused on developments that enter into the BOS. Having a avoid and minimise control within the DCP requires all developments to consider avoidance and minimisation of biodiversity within their submissions. This is important as protection to all native biodiversity entities are an objective of the EP&A Act. Also, important to note that this mitigation hierarchy is already embedded within the existing DCP as an objective under B.5 – Tree and Vegetation Management , making this an insignificant diversion from the original DCP provisions. The BC Act takes precedence where both would apply.	As Is
2 – Environmental Considerations	**2.2.1. Biodiversity AS.1 and PC.1**	AS.1 Development should be sited, designed and managed to ensure adverse impacts to biodiversity values, including avoidance of areas identified in the Council's Green and Blue Grid, and Council's Biodiversity Corridors. Genuine and robust exploration of reasonable avoidance measures must be presented and submitted as part of a	Repeated references to the 'Green and Blue Grid'. The report referred to Council's meeting of 24 October 2023 regarding the Environmental Sustainability Strategy stated 'The ESS provides a high-level, strategic direction for	**Amended**	Yes, the green blue grid and biodiversity corridors data will be available. Assessment of DAs impacting these areas will be undertaken pragmatically and FFAs will only be required for areas that will have impact to native	If the development application is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR), and is required to be assessed under the Environmental Planning and Assessment Act 1979, a Flora and Fauna Assessment (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		development application where native vegetation has the propensity to be affected. Where avoidance is not possible, measures to minimise and mitigate impacts must be demonstrated. Only after avoid and minimise measures are suitably addressed will biodiversity offsetting be considered. Specific controls relating to avoidance of the Green and Blue Grid are provided in Section 2.2.3 of this DCP. PC.1 If the development application is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR), and is required to be assessed under the Environmental Planning and Assessment Act 1979, a Flora and Fauna Assessment (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors. c. potential significant biodiversity impacts are identified by Council following a site inspection. Note: For development applications required to be assessed under the Environmental Planning and Assessment Act 1979 and the Biodiversity Conservation Act, a Biodiversity Development Assessment Report (BDAR) must be prepared in accordance with the Biodiversity Assessment Method (BAM).	biodiversity corridors and preservation and enhancement of bushland, wetlands and waterways within Maitland. The Green and Blue Grid map is a starting point for further detailed investigation and delivery of a protected green and blue grid via the planning process'. The ESS was intended to provide a high-level, strategic direction, however the DCP requires any clearance/disturbance of native vegetation overlapping the Green and Blue Grid or within the Biodiversity Corridors to be supported by a specialist report (Flora and Fauna Assessment). This would appear to be contrary to the commentary outlined above whereby it was noted that the Green and Blue Grid map is a 'starting point'. Furthermore, the mapped corridors are high level – can stakeholders (other than Council) access the data to identify whether clearing is located within the Green and Blue Grid? The provision of a Flora and Fauna Assessment where 'potential significant biodiversity impacts are identified by Council following a site inspection' is subjective. This is problematic in circumstances when a DA has been prepared and lodged, and Council is then able to require submission of a Flora and Fauna Assessment. This will also adversely impact DA determination timeframes.		vegetation within these mapped areas. For very low areas of impact, council may elect to waive FFA requirements. If in doubt, biodiversity requirements can be discussed during per-lodgement meetings. Council already requests FFAs per its adopted DCP in particular instances. (c.) of PC.1 has been removed in response to the submission.	circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors.
2 – Environmental Considerations	**2.2.1. Biodiversity PC.2**	A Biodiversity Management Plan (BMP) is required in accordance with Appendix C: Biodiversity Guidelines in circumstances where: a. a FFA is required, and Council deems that a BMP is necessary for managing biodiversity impacts, OR b. the Biodiversity Offset Scheme applies, OR c. a Council inspection determines that land with high biodiversity value will likely be impacted by development and requires ongoing management. Note: Council's Natural Environment & Resilience team may choose to require the preparation of a BMP prior to issuance of a Construction Certificate or a Subdivision Works Certificate, rather than as part of a Development Application.	The provision of a Biodiversity Management Plan where 'a Council inspection determines that land with high biodiversity value will likely be impacted by development and requires ongoing management' is subjective. The Note is unnecessary, and it should be made clear that submission of a BMP is a matter that can be addressed via the imposition of a condition of consent.	**Amended (as recommended)**	Disagree. The quote "a Council inspection determines that land with high biodiversity value will be impacted" is not subjective. It applies to developments that have biodiversity values, such as habitat features or may cause indirect impacts to adjacent threatened ecological communities, habitat features, corridors etc but the extent of clearing on the subject land is below thresholds entering the BOS or requiring a FFA under the DCP. However, (c) has been removed and the note has been amended to state 'may choose to require the preparation of a draft BMP prior to the determination of a DA.	A Biodiversity Management Plan (BMP) is required in accordance with Appendix C: Biodiversity Guidelines in circumstances where: a. a FFA is required, and Council deems that a BMP is necessary for managing biodiversity impacts, OR b. the Biodiversity Offset Scheme applies. Note: Council's Natural Environment & Resilience team may choose to require the preparation of a draft BMP prior to the determination of a DA.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
2 – Environmental Considerations	**2.2.1. Biodiversity PC.3**	Where development results in removal or significant impacts to hollow-bearing trees or existing artificial hollows, removed hollows are to be offset in accordance with Appendix C: Biodiversity Guidelines. Unless adequately justified to the satisfaction of Council, installation of salvaged and augmented hollows is to occur whenever possible. All artificial hollows must be installed within retained trees on site.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	Kept as is. Not all applicants will be experienced with council's development expectations and remains to inform the public of what may be required as part of an approved DA. Additionally, it help informs any conditions of consent granted for a site.	As Is
2 – Environmental Considerations	**2.2.1. Biodiversity PC.5**	Where appropriate, suitable fencing, barriers or other measures are to be used to limit or control human access (e.g. motor vehicles) to environmentally sensitive areas.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	Kept as is. Not all applicants will be experienced with council's development expectations and remains to inform the public of what may be required as part of an approved DA. Additionally, it help informs any conditions of consent granted for a site.	As Is
2 – Environmental Considerations	**2.2.2. Waterways and Riparian Corridors Guidance Note 1**	If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the Department of Industry -- Water (or their equivalent agency) before commencing the controlled activity.	The Department of Industry – Water, no longer exists and is therefore not responsible for administering the Water Management Act 2000.	**Amended (as recommended)**	Updated to correct agency body responsible.	If you are planning any work / development, in, on or under waterfront land, approval must be obtained from the NSW Department of Climate Change, Energy, the Environment and Water (or their equivalent agency) before commencing the controlled activity.
2 – Environmental Considerations	**2.2.2. Waterways and Riparian Corridors Guidance AS.2**	Asset Protection Zones (APZs) are not to be located within riparian areas.	This provision is in direct contradiction to the NSW Government Fact Sheet 'Controlled activities - guidelines for riparian corridors on waterfront land', which confirms that 'Asset Protection Zones are allowed within the outer 50% of Vegetation Riparian Zones……' (page 5).	**Amended (as recommended)**	Removed from DCP. Noted contradiction with State government advice	Control removed.
2 – Environmental Considerations	**2.2.3. Green and Blue Grid AS.1**	The avoid, minimise, offset hierarchy is to be applied to the Green and Blue Grid. Development that compromises the functionality of the Green and Blue Grid, including mapped biodiversity corridors will generally not be supported.	Statements such as 'development that comprises the functionality of the Green and Blue Grid, including mapped biodiversity corridors will generally not be supported', are inappropriate in the context of DAs being assessed on merit.	**As Is**	Kept as is. The supporting BDAR or FFA will be required to show that impacts to the Green and Blue grid will not impact the functionality of biodiversity corridors, supported by references to literature and guidelines. Failure to maintain biodiversity functionality in accordance with literature and guidelines will therefore be a position of 'not supported' based on merit. 'Generally not supported' additionally provides Council the avenue to assess applications on their individual merits regardless.	As Is
2 – Environmental Considerations	**2.3.1. Tree and Vegetation Management Table 2–1**	Development consent issued by Council is required for the removal or pruning of a tree or vegetation that is ancillary to other development proposed, or is, or is part of: a. a heritage item, b. a heritage conservation area, c. an Aboriginal object, d. an Aboriginal place of significance	The requirement for development consent to be obtained in order to remove or prune a tree within a heritage conservation area etc., is considered onerous.	**As Is**	This is a common process throughout many Councils and is consistent with Council's current practice, the relevant legislation, and need to protect certain tree species. There are additionally	N/A - As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		and that being which Council is not satisfied that the removal or pruning is: • of a minor nature or is for the maintenance of the applicable item, area, object or place, AND • Council considers that the removal or pruning will not adversely affect the significance of the applicable item, area, object or place.			caveats to the need for development consent. No change.	
2 - Environmental Considerations	**2.3.1. Tree and Vegetation Management Table 2-1 Note 2**	2. Council staff are able to assist applicants to identify whether trees and vegetation on their land could be a Threatened Ecological Community or is in proximity to Council's Green and Blue Grid or Council's Biodiversity Corridors.	What is the process to obtain this advice?	**Noted**	A Duty Enquiry to the Development Assessment Team or an enquiry via the Customer Experience Team. Additionally, the Green and Blue Grid mapping is available in Council's Environmental Sustainability Strategy.	N/A - As Is
2 - Environmental Considerations	**2.3.1. Tree and Vegetation Management PC.5**	All pruning, including that which is undertaken as part of removal, must be conducted in accordance with australian standard as4737-2007.	This matter could be addressed via the imposition of a condition of consent.	**Amended (as recommended)**	Agreed that this matter is better as a condition of consent, not a control, particularly as the activity will not yet have occurred as part of the Development Application. Additionally, enforcement of a lack of consideration of this Australian Standard would be carried out by Compliance irrespective of a consent. Removed.	N/A - Control removed
2 - Environmental Considerations	**2.3.1. Tree and Vegetation Management AS.2**	Compensatory planting for the removal of a tree or vegetation may be required, up to 4 trees for every 1 tree removed. Compensatory planting is to have a minimum 45 litre pot size and must consider the location of utilities on the site.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	Kept as is. Not all applicants will be experienced with council's development expectations and remains to inform the public of what may be required as part of an approved DA. Additionally, it help informs any conditions of consent granted for a site.	As Is
2 - Environmental Considerations	**2.3.2. Street Trees and Canopy Cover PC.5**	Deep soil planting areas are to be de-compacted before planting, with no services or utilities to be installed within these zones.	This matter could be addressed via the imposition of a condition of consent.	**Amended (as recommended)**	Agreed that this is better as a condition of consent, control removed.	N/A - Control removed
2 - Environmental Considerations	**2.3.3.Vegetation Management Plans PC.1**	Where retention or rehabilitation of native vegetation and/or habitat is required within: a. Council's Green and Blue Grid, b. Council's Biodiversity Corridor, or c. where works subject to a Controlled Activity Approval will be undertaken within 40m of the top-of-bank of a mapped watercourse, A Vegetation Management Plan (VMP) is to be prepared and implemented, in accordance with Appendix C: Biodiversity Guidelines, to restore, protect, and manage areas identified for rehabilitation and preservation for a minimum period of 5 years.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	Requirements for a Vegetation Management Plan or where one is applicable should be addressed within the DCP. It also communicates to an Applicant where a VMP is expected to be required.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
2 - Environmental Considerations	**2.4. Flood and Floodplain Management**	All of Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines.	Overall, the proposed controls are complex, both in respect of the technical terminology utilised, and the relevance of Section 2.4 of Chapter 2: Environmental Considerations, and Appendix E: Flooding Guidelines, to different circumstances. For example, Section 2.4 of Chapter 2: Environmental Considerations, and Appendix E: Flooding Guidelines, both apply to all properties identified as being located within a flood risk precinct (FRP). Conversely, with respect to parts of Central Maitland and Lorn identified as being located within the draft Exclusion Zone, only Appendix E: Flooding Guidelines, applies. Whilst it is acknowledged that flooding is a very complex issue, the separation of the controls is questioned. Furthermore, whilst it may be possible for stakeholders within the development industry to interpret and apply the draft provisions, it is unlikely that residents will be able to do the same. Considering these provisions will apply to any development proposed to be carried out within a FRP, even 'concessional development' such as an outbuilding with a floor area of no greater than 30m², a resident will have no option but to engage a specialist consultant to assist them in preparing a development application, thereby incurring considerable additional costs.	**Amended (as recommended)**	The detailed comments and feedback regarding the flooding controls are noted and appreciated. Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines have been removed from the draft MDCP. The existing controls under the MDCP 2011 for flooding (B.3 Hunter River Floodplain) will continue usage.
2 - Environmental Considerations	**2.5.1. Bushfire PC.2**	Vegetation management for the purposes of bushfire risk management must be accommodated within the site, not through the clearing, adjustment or management of vegetation on land managed by Council.Note: Vegetation management for private benefit cannot be imposed on any land managed by Council or any other public land.	Planning for Bushfire Protection 2019 (Clause 3.2.5) allows APZs to be provided on adjoining land in circumstances where evidence is submitted that confirms the land will be managed in perpetuity, via a Section 88B restriction or similar.The proposed control is inconsistent with Planning for Bushfire Protection 2019.	**Amended**	Amended but not as recommended. Leaving the control as "cannot" makes it definitive that MCC will not accept any restrictions on Council land for private benefit i.e. Council will not provide owner's consent as is its right under Clause 3.2.5. of Planning for Bushfire Protection. However, wording cleaned up to make it clear that this control only applies to public managed/owned land, and not any private land (where private agreements can provide an APZ)	Vegetation management for the purposes of bushfire risk management must not be achieved through the clearing, adjustment or management of vegetation on land managed by Council.Note: Vegetation management for private benefit cannot be imposed on any land managed by Council or any other public land.
2 - Environmental Considerations	**2.5.1. Bushfire PC.4**	Any Asset Protection Zone must be located outside of areas of environmental significance, including: a. a key habitat such as threatened species and populations and threatened ecological communities	Similarly to the above, provided the area complies with the requirements of Planning for Bush Fire Protection 2019, there is no reason why this area	**As Is**	No change; Clause 3.2.5. APZs on adjoining land states that "Easements should not be considered where the adjoining	N/A - As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		b. vegetated riparian zones c. other vegetation to be retained or protected due to environmental constraints. Note: Asset Protection Zones for private benefit cannot be imposed on any land managed by Council or any other public land.	should be excluded from being utilised as an APZ.		land is used for a public purpose and where vegetation management is not likely or cannot be legally granted (eg, National Park, bushland reserve, critical habitat, 'coastal wetlands' or 'littoral rainforests' mapped in the Coastal Management SEPP)." The control proposed is consistent with PFBP 2019 and provides clarity to Applicants as to Council's position in respect to this.	
2 - Environmental Considerations	**2.5.1. Bushfire PC.5**	Clearing of native vegetation or trees for the purposes of reducing bushfire risk must be consistent with any current applicable Bushfire Risk Management Plan prepared under the Rural Fires Act 1997.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	Disagree. Flags bushfire risk management plan with applicant and planner to consider. No change made.	N/A - As Is
2 - Environmental Considerations	**2.5.2. Mine Subsidence Guidance Note**	This section applies to all development consisting of a new building or structure, extension or structural alteration, or subdivision located on land within a proclaimed mine subsidence district. Mine Subsidence Districts (districts) are proclaimed in areas where there are potential subsidence risks from active or non-active underground coal mining. A district is a land zoning tool administered by Subsidence Advisory NSW under the Coal Mine Subsidence Compensation Act 2017. Subsidence Advisory NSW regulates building and subdivision works within districts to ensure new homes, buildings and structures are built to an appropriate standard that reduces the risk of damage should subsidence occur.Relevant legislation and policy that may be read in conjunction with this Chapter are listed below:• Coal Mine Subsidence Compensation Act 2017• Subsidence Advisory NSW Surface Development guidelinesFurther information to find out if a site is located within a proclaimed mine subsidence district can be found at Council's Mapping webpage, NSW Planning Portal Spatial Viewer, or contacting Subsidence Advisory NSW.	Clearly articulate that a different process is relevant for certain DAs within a proclaimed mine subsidence district.	**As Is**	The guidance note provides the relevant criteria as to where the section applies, being: all development consisting of a new building or structure, extension or structural alteration, or subdivision within a mine subsidence district. As with all development, if the DA pathway is not applicable then the relevant pathway applies.	N/A - As Is
2 - Environmental Considerations	**2.5.3. Contamination PC.5**	The site must be validated as suitable for its intended use prior to the issue of an occupation certificate. Council may request a review by an NSW Accredited Independent Site Auditor.	This matter could be addressed via the imposition of a condition of consent.	**Amended (as recommended)**	Control removed - adequately captured by Council's Contaminated Land Use Policy which provides certainty as to the land being fit for purpose. Will be imposed as a condition where needed.	N/A - Control removed
2 - Environmental Considerations	**2.5.4. Acid Sulfate Soils**	Relevant legislation and policy that should be read in conjunction with this Chapter are listed below: • Clause 7.1 of the Maitland Local Environmental Plan 2011 • NSW Acid Sulfate Soils Planning Manual • NSW EPA Waste Classification Guidelines Part 4: Acid sulfate soils Further information to find out if a site is impacted by acid sulfate soils can be found on Council's Mapping webpage, or the NSW Planning Portal Spatial Viewer. Objectives O.46 To manage and mitigate the impacts of land development in relation to acid sulfate soils, where present in the landscape.	How does this interact with the provisions contained within the LEP and why are the LEP provisions not sufficient as they carry more weight?	**Amended (as recommended)**	Agreed with the submitter; these DCP controls completely duplicate existing requirements under Clause 7.1 of the MLEP 2011. Guidance note instead provided under 2.5.3. Contamination referring off to the LEP clause related to Acid Sulfate Soils.	Consideration of Acid Sulfate Soils is covered by Clause 7.1 of the Maitland Local Environmental Plan 2011. Relevant policy that should be read in conjunction with this Chapter are listed below: • NSW Acid Sulfate Soils Planning Manual • NSW EPA Waste Classification Guidelines Part 4: Acid sulfate soils Further information to find out if a site is contaminated, potentially contaminated, or impacted by acid sulfate soils can be found on Council's Mapping webpage, or the NSW Planning Portal Spatial Viewer.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		O.47 To ensure the environmental value and ecological health of waterways, soil, trees, and vegetation are appropriately protected from the release of acid water from disturbed acid sulfate soils. O.48 To manage and mitigate the impacts on infrastructure within acid sulfate soils and waterways where degradation and accelerated corrosion could occur. PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS AS.1• O.46 Development should be sited or designed to avoid the disturbance of acid sulfate soils or potential acid sulfate soils. PC.1• O.46• O.47• O.48 Where the disturbance of Class 1, 2, or 3 acid sulfate soils is unavoidable, a Preliminary Acid Sulfate Soil Assessment report must be submitted with the development application, in accordance with the NSW Acid Sulfate Soils Planning Manual. PC.2 O.46• O.47• O.48 Where a Preliminary Acid Sulfate Soil Assessment report identifies potential adverse impacts, a detailed assessment report and management plan must be submitted, in accordance with the NSW Acid Sulfate Soils Planning Manual. PC.3• O.46• O.47• O.48 Disposal of any acid sulfate soil as waste during development is undertaken in accordance with the NSW EPA Waste Classification Guidelines Part 4: Acid sulfate soils.				
2 - Environmental Considerations	**2.5.5. Noise and Vibration Guidance Note**	Development that is likely to produce an adverse noise or vibration impact on occupants of the site or of nearby properties include, but are not limited to: • clubs, hotels and pubs with outdoor smoking, dining and gaming areas, mechanical plant, carparks, • function centres, • childcare centres, • educational establishments, • industrial uses that interface with residential or sensitive land uses, • residential developments with ventilation and air-conditioning plant, carparks, and • commercial developments with workshops, mechanical and ventilation plant such as air exhaust and supply fans, chillers, cooling towers, truck and freight train movements, loading docks and the like. Relevant legislation and policy that should be read in conjunction with this Chapter are: • Protection of the Environment Operations Act 1997 • NSW EPA Noise Policy for Industry Further information can be found at the NSW EPA website on noise legislation and guidelines.	Most residential development contains an air conditioning plant.	**Amended (as recommended)**	Agreed; removed residential development from scope broadly and provided just RFBs (which was the original intent of the applicability, with residential development being a drafting error).	Development that is likely to produce an adverse noise or vibration impact on occupants of the site or of nearby properties include: • clubs, hotels and pubs with outdoor smoking, dining and gaming areas, mechanical plant, carparks, • function centres, • childcare centres, • educational establishments, • industrial uses that interface with residential or sensitive land uses, • residential flat buildings (RFBs) with ventilation and air-conditioning plant, and • commercial developments with workshops, mechanical and ventilation plant such as air exhaust and supply fans, chillers, cooling towers, truck and freight train movements, loading docks and the like. Relevant legislation and policy that should be read in conjunction with this Chapter are: • Protection of the Environment Operations Act 1997 • NSW EPA Noise Policy for Industry Further information can be found at the NSW EPA website on noise legislation and guidelines.
2 - Environmental Considerations	**2.2.1. Biodiversity**	All of section.	This section is stated to be triggered for sites below the BAM (Biodiversity Assessment Method) threshold and introduces a new target of just five trees. While conducting a flora and fauna study can be appropriate, the	**As Is**	Disagree. Under the BC Act, the avoid, minimise and offset hierarchy is focused on developments that enter into the BOS. Having a avoid and minimise control within the DCP requires all	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			methodology described is lengthy, complex, and onerous, targeting all species rather than focusing on key considerations. The BAM process exists for a reason, and the DCP should not extend its requirements to lesser-impacted sites. Such measures will further hinder development and future growth within existing residential areas. Has Council considered the long-term implications of these policies, particularly how promoting and retaining vegetation for bushfire mitigation may affect the future of our built-up communities?		developments to consider avoidance and minimisation of biodiversity within their submissions. This is important as protection to all native biodiversity entities are an objective of the EP&A Act. It is noted that current provisions of BC Act (No net loss) take precedence over local net positive controls until transition to net positive in BC Act is implemented. This may be a consideration in instances where the DCP and BC Act both apply. Additionally, this is consistent with Council's current requirements to provide a Flora and Fauna Assessment below the BAM threshold when certain development/clearance occurs.	
2 - Environmental Considerations	**2.4. Flood and Floodplain Management Legislation Guidance Note**	Relevant legislation and policy that may be read in conjunction with this Chapter are listed below: • Environmental Planning and Assessment Act 1979 • Water Management Act 2000 • Clause 5.21 Flood Planning of Maitland Local Environmental Plan 2011 • NSW Flood Risk Management Manual • Hunter River Floodplain Risk Management Study and Plan (2015) • Wallis and Swamp-Fishery Creek Flood Study (2019) • Paterson River Flood Study Vacy to Hinton (2017) • Hunter River Branxton to Green Rocks flood study (2010) • Lochinvar Flood Study (2019) • Greta Flood Study (2019) • Williamtown Salt Ash Flood Plain Risk Management Study (2017)	Consider including a reference to the DPHI 2025 Shelter-in-Place guideline. These DCP controls allow shelter-in-place where it has been identified as a suitable option. However, the DCP lacks criteria for assessing if shelter-in-place is an appropriate emergency management strategy. This gap could be addressed by referencing the shelter-in-place considerations listed in the guideline.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.
2 - Environmental Considerations	**2.4. Flood and Floodplain Management Table 2-4**	N/A	Consider establishing a distinct flood risk precinct for the area protected by the Maitland Ring Levee, as the levee significantly modifies the natural risk profile. This area would likely be classified as a high flood risk precinct, and the proposed controls may not be achievable or practical.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable	Removed.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
					community consultation in greater depth.	
2 - Environmental Considerations	**2.4.6 Emergency Management PC.7**	A site flood emergency response plan (FERP) is to be prepared. Note: A FERP should form part of a broader flood impact and risk assessment (FIRA) where that is also required.	Do council planning staff possess the necessary expertise and resources to adequately assess Flood Emergency Response Plans (FERPs). If not, then this may create legal risks if Council approves a development that relies on a poorly prepared FERP.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Control removed.
2 - Environmental Considerations	**2.4.9. Off-site Flood Levels**	N/A	Consider establishing maximum permissible flood impact criteria (depth and hazard) for roads designated as emergency evacuation routes. This will ensure that these routes remain viable during flood events and maintain public safety	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Control removed.
2 - Environmental Considerations	**2.4.8. External and Cumulative Flood Impacts Controls AS.1**	AS.1 The site-specific flood impact assessment should consider any existing applicable broader flood impactand risk assessment (FIRA) to address other floodplain risk management considerations such as emergencymanagement	AS.1 The site-specific flood impact assessment should consider any existing applicable broader flood impactand risk assessment (FIRA) to address other floodplain risk management considerations such as emergencymanagementSpecifically the development must demonstrate no material increase in cumulative flood impact, includingchanges to peak flood levels, flood storage displacement, or the timing of flood peaks, for both riverine andnon-riverine flood sources. Applications must consider and model the additive effects of flooding from southern non-	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			riverine catchments(e.g. Dagworth and Wentworth Swamps) and their potential interaction with Hunter River floodwaters.Where modelling or historical records indicate concurrent or near-concurrent flooding is possible, impactassessment must reflect the worst-case combined flood scenario."		process, which will enable community consultation in greater depth.	
2 - Environmental Considerations	**Section 2.4. Table 2-5 External and Cumulative Flood Impacts**	N/A	Problem: This table outlines the decision criteria for developers to prepare a flood Impact Assessment (FIA) and fails to mention the impact of developments in the catchment areas of non-riverine waterways. We suggest the following language be added with appropriate reference to controls in Table 2-5. Proposed Development (as defined by Section 1 of Appendix E: Flooding Guidelines) Cumulative Flood Impact Assessment Threshold Criteria (Notes 1 and 3) Local Siting Criteria Site-specific Flood Impact Assessment (FIA) required if exceeded (Note 3) *Subdivision in Non Riverine Catchments (note 4) The threshold criteria are exceeded by any subdivision of land that involves the creation of a new lot or lots that will drain into nonriverine catchments (including Wallis Creek, Dagworth Swamp and Telarah Lagoon), Flood impact assessments must include sub-catchment modelling that simulates: 1. Flash flood scenarios (e.g. 20% AEP) 2. Combined non-riverine and riverine flood events 3. Peak timing and convergence effects on downstream flood hazard in Central Maitland, South Maitland and Louth Park and other such areas as Council may deem affected by development*	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
2 – Environmental Considerations	**Section 2.2.2. Waterways and Riparian Corridors**	PC.11 • O.8 • O.10 • O.11 Stormwater detention areas and infrastructure are to maintain appropriate engineering design and mechanisms to ensure that all stormwater is treated prior to entering riparian waterways, whilst ensuring that such engineering and the location of stormwater devices does not compromise the connectivity and functioning of riparian vegetation, waterways and wildlife habitat.	Problem: The primary concern of this submission is the impact of rapid stormwater runoff from development that feeds into the Southern Waterways (Wallis and Fishery/Swamp Creek). Runoff in development areas have been massively accelerated through addition of hard surfaces (ie not grass and trees which slow the water movement). It is proposed that, given	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			the inarguable evidence of changed flooding patterns in Central and South Maitland, stormwater detention should be used to slow the storm "surge" now associated with flooding events. We suggest the following language be added PC.11 • O.8 • O.10 • O.11 *All new development must incorporate on-site stormwater detention systems designed and constructed in accordance with best-practice engineering standards. These systems must ensure that stormwater discharge during all rainfall events up to and including the 1% Annual Exceedance Probability (AEP) event does not increase downstream flood levels, flow velocities, flow volumes, or alter the timing of peak flows in receiving riparian or non-riverine waterways.* *The location and design of stormwater detention infrastructure must not impede the ecological connectivity or function of riparian corridors, water-dependent ecosystems, or wildlife movement pathways.* *On-site detention systems must retain and attenuate stormwater flows such that post-development discharge rates for all events up to the 1% AEP are equal to or less than pre-development levels, unless otherwise supported by a site-specific flood or hydraulic impact assessment accepted by Council.*		continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	
2 – Environmental Considerations	**Section 2.2.1. Biodiversity**	If the development application is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR), and is required to be assessed under the Environmental Planning and Assessment Act 1979, a Flora and Fauna Assessment (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors.	Clause 2.2.1 requires clarity on when biodiversity assessment is triggered.	**As Is**	No change; PC.1 provides criteria alongside Appendix A and Appendix B	If the development application is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR), and is required to be assessed under the Environmental Planning and Assessment Act 1979, a Flora and Fauna Assessment (FFA) prepared by a suitably qualified ecologist in accordance with Appendix C: Biodiversity Guidelines, is required under the following circumstances: a. development involves significant disturbance or removal of native vegetation (i.e., removal of more than five (5) native trees,) or is likely to impact upon threatened species habitat, threatened ecological communities or important habitat features such as hollow bearing trees, watercourses, wetlands, or dams. b. development involves clearing or disturbance of native vegetation overlapping Council's Green and Blue Grid or within Council's Biodiversity Corridors.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		c. potential significant biodiversity impacts are identified by Council following a site inspection. Note: For development applications required to be assessed under the Environmental Planning and Assessment Act 1979 and the Biodiversity Conservation Act, a Biodiversity Development Assessment Report (BDAR) must be prepared in accordance with the Biodiversity Assessment Method (BAM).				c. potential significant biodiversity impacts are identified by Council following a site inspection. Note: For development applications required to be assessed under the Environmental Planning and Assessment Act 1979 and the Biodiversity Conservation Act, a Biodiversity Development Assessment Report (BDAR) must be prepared in accordance with the Biodiversity Assessment Method (BAM).
2 – Environmental Considerations	**Section 2.2.2. Waterways and Riparian Corridors**	All of Section	Clause 2.2.2 seeks to impose obligations beyond Council's role in integrated development.	**Amended (as recommended)**	Removed a control that conflicted with State Government guidance on riparian areas. The remainder of the section provides guidance on appropriate assessment against Clause 7.4 of the MLEP 2011 and other circumstances where watercourses need to be appropriately assessed, and do not contradict the scope of other legislation.	Removed AS.2 Asset Protection Zones (APZs) are not to be located within riparian areas.
2 – Environmental Considerations	**Section 2.3.1. Tree and Vegetation Management**	All of Section	Clause 2.3.1 may impose unreasonable obligations on private residential properties.	**As Is**	These are common provisions across many LGAs throughout NSW, and provide clear guidance as to the correct pathway. Additionally, the controls associated with them are broadly in accordance with Council's existing position.	As Is
2 – Environmental Considerations	**Section 2.5.1. Bushfire PC.3**	Development that is within or adjacent to bushfire prone land must comply with the NSW Rural Fire Service Planning for Bushfire Protection Guidelines.	Clause 2.5.1 expands bushfire obligations to land not mapped as bushfire-prone under the LEP.	**Amended (as recommended)**	Removed, control created room for confusion and it was not the intent for it to be read as expanding BFPL obligations.	Control removed.
2 – Environmental Considerations	**All of Section**	All of Section	The Draft DCP provides unnecessary interpretations of statutory requirements called up by the Rural Fires Act 1997 and the Biodiversity Conservation Act 2016. These are standalone and higher-order documents, providing interpretation of them leads to contradictions and ambiguity that delays the delivery of development and wastes Council's resources. The Draft DCP should be amended accordingly to address local standards and not interpret the provisions afforded under other legislation.	**Amended (as recommended)**	Minor changes made in respect to the applicability of Bushfire Prone Land (control removed), and small changes to the language used in the Biodiversity section to make clear the delination between local standards and other legislation.	2.4.1. Bushfire PC.3 'Development that is within or adjacent to bushfire prone land must comply with the NSW Rural Fire Service Planning for Bushfire Protection Guidelines' - control removed.
2 – Environmental Considerations	**2.4 Flood and Floodplain Management**	All of section	Following review of the draft MDCP, new flood categories and associated mapping has been incorporated, to address the above. However, no Shelter in Place Policy has been included yet, and no details on this aspect are provided. Whilst alignment and amendment to achieve the above	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the	N/A - Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines have been removed from the draft MDCP. The existing controls under the MDCP 2011 for flooding (B.3 Hunter River Floodplain) will continue usage.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			goals is understood, the impacts on rural landowners within the LGA, and residents and business owners of Central Maitland have been understated.		controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	
2 - Environmental Considerations	**Section 2.4. Flood and Floodplain Management Table 2-4 Flood Planning Matrix**	All of Table	The Matrix is overly complicated to understand and align development with and raises significant concerns regarding the following:1.The sterilisation of valuable farmland, located within a High Risk FRP, through significant restrictions being applied to development and earthworks.2.The restrictions on development within Central Maitland in particular, noting it majority of it is located within a High Risk FRP.The Matrix states that most development is restricted in this precinct [the high risk FRP]. In this precinct, there is a significant risk of flood damages without compliance with flood relates building and development controls. The matrix presents a blanket 'solution' where the outcome to development appears result in a 'not supported' or 'prohibition' or extremely limits the type of development that can occur within these 'significant risk areas' that are valuable sites (whether it be rural / agricultural or the centre of Maitland and Lorn for residential/commercial development).	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines have been removed from the draft MDCP. The existing controls under the MDCP 2011 for flooding (B.3 Hunter River Floodplain) will continue usage.
2 - Environmental Considerations	**N/A**	N/A	Simplified fact sheets are prepared for landowners within a High Risk FRP, to properly inform them of the key changes and affectation of the DCP amendments.	**Noted**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable	N/A - Section 2.4. Flood and Floodplain Management and Appendix E: Flooding Guidelines have been removed from the draft MDCP. The existing controls under the MDCP 2011 for flooding (B.3 Hunter River Floodplain) will continue usage.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
					community consultation in greater depth.	
2 – Environmental Considerations	**Section 2.4. Flood and Floodplain Management**	N/A	The draft MDCP contradicts the position of several Government Agencies that visited the LGA and landowners of flood liable land following the most recent flood event. Throughout visitation it was emphasised that their land and agricultural work is critical to the function of the region and country and that Council from a local control perspective, must employ measures to increase flood resilience, such as building mounds to raise sheds and provide refuge etc. The draft MDCP and associated mapping contradicts with this messaging from Government Departments and should be clarified.	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
2 – Environmental Considerations	**N/A**	N/A	The last physical flood information kit was issued by the SES in 2007. This should either be updated, or a new kit includes within the Flooding Guidelines of the draft draft MDCP, to assist and educate landowners.	**Noted**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth. Council is in continued discussions with SES regarding their work program.	N/A - Control removed
2 – Environmental Considerations	**N/A**	N/A	The draft MDCP requires clear transitional arrangements, and associated savings provisions applying to approved Development Applications (DA) to make it clear that the draft MDCP does not apply in those circumstances. The draft MDCP should only apply to new DA's submitted after the draft MDCP is implemented.	**Amended (as recommended)**	Transitional arrangements for the DCP as a whole will be provided as part of the Council resolution for the adoption of the DCP.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
2 - Environmental Considerations	**Section 2.4. Flood and Floodplain Management**	N/A	The draft MDCP should afford options for alternative performance solutions / provisions applicable to any DA, to be signed off supported by a qualified and experienced flood engineer. Not all development in the risk precincts is the same and should be reviewed on a case-by-case basis if the hazard is high.	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
2 - Environmental Considerations	**Section 2.4. Flood and Floodplain Management**	N/A	future development in the exclusion zones for Lorne and Maitland areas should also be required to meet these or similar flood controls to manage, reduce and avoid any increase in flood risk, acknowledging the historical buildings may not be able to meet these controls.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A
3 - Site Requirements	**3.4.4 Parking Provisions AS.1 Table 3-5: Parking Provision Rates**	Residential flat buildings, Multi dwelling housing, Attached dwellings, and Shop-top housing: One- or two-bedroom dwelling: 1 covered space per dwelling or Three or more-bedroom dwellings: 2 spaces per dwelling, 1 being covered PLUS 1 dedicated visitor space for the first three dwellings and 1 space for every five dwellings thereafter or part thereof	Parking provisions in Chapter 3 require RFB parking to be under cover. ...agrees that undercover parking is a good outcome in general, however in the Chelmsford example, it may foster anti-social behaviours as the layout relies on passive surveillance of all dwellings in the complex, particularly on the upper levels and a roof over the central parking area will prevent this. In situations where site area allows for greater visibility or higher density developments incorporating undercroft parking and basement parking, under cover parking would be more achievable. Therefore, could Council please consider a merit-based	**As Is**	By being an AS the entire control is an acceptable solution and subject to merit, however providing a covered space is industry standard and justification would be required to justify any departure for this	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			approach to undercover parking. Current 3.4.4 Parking Provision AS.1 refers to variation to parking "rates" but unclear whether "undercover" can also be subject to merit assessment.			
3 – Site Requirements	**3.4.7 Electric Vehicle parking PC.1**	All development classified under the National Construction Code (NCC) as Class 2-9 buildings, must follow the provisions for EV charging as identified in Part J9D4- Facilities for electric vehicle charging equipment. Note: Under Part J9D4 of the NCC, all development is to support the future installation of a 7 kW (32 A) type 2 electric vehicle charger in— i. 100% of the car parking spaces associated with a Class 2 building, or ii. 10% of car parking spaces associated with a Class 5 or 6 building, or iii. 20% of car parking spaces associated with a Class 3, 7b, 8 or 9 building.	Is it necessary to duplicate the requirements of the NCC within the DCP given NCC is a legislated requirement nationally. Not clear of the planning benefits to "double handle" as NCC is typically updated annually with substantial updates every 3 years or so.	**As Is**	As the model for DCP reviews are shifting to a rolling review elements such as this reference will be accounted for; as such, no change.	As Is
3 – Site Requirements	**3.6.2 Circular Economy**	The following elements should be considered in the choice of building materials in all developments: a. energy efficiency, b. use of renewable resources, c. maintenance cost and durability, d. recycled or recyclable materials, e. non-polluting, f. minimal PVC content, and g. locally sourced materials (where possible).	Low Emissions Materials Register will be important to understand, it doesn't appear to be in the current version of MOES. There are particular requirements around material use for Social and Affordable housing that directly affect operational efficiency and risks management.	**Amended**	The control which spoke to the Low Emissions Materials Register was removed as part of the internal review	N/A
3 – Site Requirements	**Section 3.5.2. Operational Waste Management Table 3-6 Residential Waste Generation Rates**	DWELLING TYPOLOGY GENERAL WASTE (LITRES PER DWELLING PER WEEK) RECYCLING (LITRES PER DWELLING PER WEEK) FOOD ORGANICS/GARDEN ORGANICS (LITRES PER DWELLING PER WEEK) Dwelling house, Secondary dwellings, Dual occupancies, Semi-detached dwellings, and Attached dwellings 240L 240L 240L Residential flat buildings (1- or 2-bedroom dwellings) 120L (+1 240L per every 10 dwellings) 120L (+1 240L per every 10 dwellings) Merit-based. Multi-dwelling housing 240L 240L 240L Residential flat buildings (3+ bedroom dwellings) 240L 240L Merit-based. Seniors housing (strata title) 80L 120L 80L Seniors housing (community title) Private collection. Private collection. Private collection.	I believe this table does not reflect Council's waste minimisation strategy which aims at reducing waste generation. The requirement for 240lt weekly bin for general waste is incorrect. Consideration should be given for 120lt bins for multi dwelling housing.	**Amended**	The requirement for 240L General waste bin provision for most dwellings is a Council position that has been resolved and reinforced over a number of years, and Council's Waste Minimisation Strategy was prepared in that context. However, waste provision for 1-2 bedroom dwellings in multi-dwelling housing circumstances has been considered and has been identified as an appropriate amendment, as it brings it in line with Residential Flat Buildings.	DWELLING TYPOLOGY GENERAL WASTE (LITRES PER DWELLING PER WEEK) RECYCLING (LITRES PER DWELLING PER WEEK) FOOD ORGANICS/GARDEN ORGANICS (LITRES PER DWELLING PER WEEK) Dwelling house, Secondary dwellings, Dual occupancies, Semi-detached dwellings, and Attached dwellings 240L 240L 240L Multi-dwelling housing or Residential flat buildings (1- or 2-bedroom dwellings) 120L (+1 240L per every 10 dwellings) 120L (+1 240L per every 10 dwellings) Merit-based. Multi-dwelling housing (3+ bedroom dwellings) 240L 240L 240L Residential flat buildings (3+ bedroom dwellings) 240L 240L Merit-based. Seniors housing (strata title) 80L 120L 80L Seniors housing (community title) Private collection. Private collection. Private collection.
3 – Site Requirements	**Section 3.4.7. Electric Vehicle Parking PC.2**	Electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points is to be integrated into all off-street car parking of new Class 1 residential development, including where an alteration or addition to a car space occurs. This is to satisfy the following design criteria: a. Circuitry is to ensure adequate electrical capacity and infrastructure (cable size, distribution board size and circuit space allocation etc.) for the electric vehicle charging point system	This represents an onerous obligation for new households to install and prepare electric vehicle charge points, which may not be feasible or required by many homeowners. It also places additional demand on electrical networks and is unlikely to be adopted universally. Specifically, we recommend that Class 1A residential properties be exempted from this	**As Is**	The control is not to install an EV charge point for all Class 1 residential developments, but to install circuitry capable of allowing future upgrades for a EV charge point without the need for further electrical work by residents in the future. This approach also enables home businesses and home industries, which Maitland has a	N/A - As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		i. It is preferable if electrical circuitry is run in conduit from the main board to the termination point. b. Minimum electric circuitry for a 'Level 2' electric vehicle charging point is to be either: i. A single-phase, 32 Amp circuit with 7kW power output, or ii. A three phase, 16 Amp circuit with 11 kW power output. c. The circuit should be accompanied with a communications conduit that can support the connection of either a current transducer or ethernet cable back to the main board to support load control and smart charger operation. d. For single residential dwellings with a two or more car garage the circuit should be located to allow a 7kW charge to at least 1 space. Other spaces should have a suitably located 10 Amp power point to support slower charging.	requirement to avoid imposing undue costs and complexity on standard single-dwelling homes. Furthermore, special considerations should be made for sensitive uses such as childcare centres, medical facilities, and aged care homes. Given the importance of public access to these buildings and the need for robust security measures, the current technology for EV charging—known to be volatile— could pose safety risks to vulnerable users. Council should ensure that any EV infrastructure in these settings prioritises safety and security for occupants and visitors.		significant amount of, to take advantage of the augmented circuitry without the need for further electrical upgrades. Garage conversions to a secondary dwelling are also enabled by this control, which will allow ease of split utilities without the new for expensive future electrical work and associated trades. In respect to sensitive uses, Class 2 to 9 buildings are governed by the requirements of the National Construction Code, which we cannot offer to a lower standard than what it governs.	
3 - Site Requirements	**Section 3.3. Stormwater Management**	N/A	Upstream Retention Systems: Amend MDCP2025 to mandate robust on-site detention systems innew developments in Gillieston Heights, Cliftleigh, East Maitland, Rathluba Ridge, Louth Park andFarley. These systems should be designed to slow runoff into non-riverine floodways, with capacitiesinformed by updated flood modelling.	**As Is**	Stormwater Requirements and Impervious Area have been updated and addressed in Chapters 3 and 6 when compared to their MDCP 2011 counterparts. This assists in addressing cumulative runoff.	As Is
3 - Site Requirements	**Section 3.3. Stormwater Management**	Stormwater and water quality systems must be provided for all development including residential, industrial and commercial. Regional stormwater and water quality devices are required where public roads and/or major development is proposed. Stormwater and water quality systems include, but are not limited to: • Rainwater tanks • Swales • Bioretention basins • Porous paving • Constructed wetlands • Sediment basins • Gross Pollutant Traps (GPTs) Further details for stormwater and water quality systems are provided in Council's MoES.	Requiring additional detention at the dwelling level where subdivision detention already exists is duplicative.	**As Is**	This is in alignment with the Exempt and Complying Development Codes SEPP and improves water reuse for households. This detention on a dwelling level can be achieved by a rainwater tank, as stated in the control.	As Is
3 - Site Requirements	**Section 3.4.4. Parking Provision AS.1**	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement etc) in the following circumstances: a. Certain Commercial Precincts: The capability of the majority of properties to provide adequate off-street parking and loading facilities is either not achievable or highly restrictive in the following areas: • Maitland o High Street between Ken Tubman Drive and Abbot Street, and o Church Street between Charles Street and High Street. • Lorn o The E1 Local Centre zoned land along Belmore Road.	Clause 3.4.4's suggestion that public car parking availability should influence private development consent is unworkable and contrary to CBD revitalisation efforts.	**As Is**	This control provides discounts for scenarios where new parking spaces are not achieveable, and benefits applicants in areas of the Maitland CBD where space is heavily restricted.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		• Morpeth o The E1 Local Centre zoned land in Morpeth. • Woodberry o The E1 Local Centre zoned land in Woodberry. • Tenambit o The E1 Local Centre zoned land in Tenambit Consequently, these areas presently are reliant on street parking, loading zones, and public car parking spaces to satisfy their vehicular parking and servicing. Proposed development in these areas will be assessed on a case-by-case basis and are to consider the capacity of surrounding public car parking to meet the parking needs of the development.				
4 – Heritage	**Throughout**	Aboriginal Heritage	revision of terminology within the Draft DCP to reflect heritage best practice and align withrelevant legislation, including amending the term 'Aboriginal Heritage' to 'Aboriginal cultural heritage'	**Amended (as recommended)**	Broadly amended as recommended except where an official title differs, e.g. Aboriginal Heritage Impact Permit.	Aboriginal cultural heritage
4 – Heritage	**Throughout**	European Heritage	revision of terminology within the Draft DCP to reflect heritage best practice and align with relevant legislation, including amending the term 'European Heritage' to 'environmental heritage' unless it is in specific reference to specific events, such as European settlement. European heritage is a narrow term which excludes non-European post-contact heritage	**Amended (as recommended)**	Language amendments have been made in 3 instances where appropriate throughout Chapter 4. Definition added to glossary.	Environmental heritage
4 – Heritage	**Section 4.2 Aboriginal Heritage**	N/A	amending Section 4.2 of Chapter 4 to identify that an Aboriginal Cultural Heritage Assessment (ACHA) should be the first step in the assessment of Aboriginal cultural heritage impacts on a site, unless the site has already been subject to a previous ACHA, this is because: o the Aboriginal Heritage Information Management System (AHIMS) only records known Aboriginal objects. In many cases, the absence of recorded Aboriginal objects on AHIMS simply means that there has not been an ACHA on that land o an assessment under the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW is not considered to be a substitute for an ACHA. The Due Diligence process does not adequately assess impacts on Aboriginal cultural	**As Is**	An ACHA as the first step in the assessment process is presently not legislated in NSW at this stage, and presents a number of implications to Maitland's Aboriginal peoples, Council, and applicants. This includes the sheer number of sites in Maitland that have not previously experienced an ACHA, which number over 500 applications a year. Mindaribba LALC, alongside local elders, would be inundated with 2 invitations per day to engage on projects that require weeks long involvement. Additionally, ACHA processes in NSW are currently cost-prohibitive for small-scale development, and would significantly impact upon affordability and assessment timeframes. Council has committed to a Due Diligence assessment process in particular instances which serve as a trigger point for an ACHA as needed. This includes	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			heritage, as without Aboriginal community consultation and archaeological assessment the extent of the impacts on Aboriginal objects and heritage values from development is not known		baseline assessment beyond that of an AHIMS search.	
4 - Heritage	**Throughout**	N/A	Council should regularly review the DCP to ensure that it continues to meet heritage best practiceand remains up to date, including alignment with relative heritage and planning legislation andguidelines, as well as the number of heritage items and HCAs identified in the DCP.	**Noted**	Council has committed itself to facilitating a rolling review of the DCP to keep it up to currency with the wider development industry and legislative structure, as we shift towards reducing the amount that needs to be actioned in the pipeline.	N/A
4 - Heritage	**Section 4.13.3 PC.4**	The following properties are partially located within the Aberglasslyn House HCA: a. 30 Corella Close, Aberglasslyn. b. 38 Plover Circuit, Aberglasslyn. c. 30 Plover Circuit, Aberglasslyn. d. 70 Cockatoo Ridge, Aberglasslyn. e. 64 Cockatoo Ridge, Aberglasslyn. f. 56 Cockatoo Ridge, Aberglasslyn. g. Cockatoo Ridge, Aberglasslyn. h. Cockatoo Ridge, Aberglasslyn. i. Cockatoo Ridge, Aberglasslyn. j. 16 Cockatoo Ridge, Aberglasslyn. k. 8 Cockatoo Ridge, Aberglasslyn. The following controls relate to the abovementioned properties: 1. Where new development is proposed, buildings should be one storey in height and for residential or agricultural purposes only. 2. New development proposed at the above properties should be concentrated within the residential development zone (refer to Figure 4-17) and be oriented towards the vehicular access handle adjoining Corella Close, Plover Circuit or Cockatoo Ridge. 3. The roof height of new development within the residential development zone should be below the ridgeline of the natural landform to the north to avoid impacts to views to and from the HCA and Aberglasslyn House (refer to Figure 4-17Figure 4-17: Residential development zone within the Aberglasslyn House). Figure 4-17: Residential development zone within the Aberglasslyn House HCA 4. New development proposed at the above properties should utilise traditional materials and colours that blend into the surrounding pastoral landscape. 5. New development proposed at the above properties should reflect the historical character of the HCA and avoid large, faux-style development that mimics heritage features. 6. New landscaping along the lot boundaries of the above properties, such as rigid paddock boundary hedges or	The proposed amendments to the development controls for the heritage area in aberglasslyn along plover cct and cockatoo Ridge has a designated developement zone which allows for construction of residential dwellings within the designated zone however i believe this area should be part of the heritage conservation area and NOT a designated development zone. (Screenshot of the error included) Currently, this area does not allow for residential dwellings and is restricted to non-habitable structures such as sheds. If the proposed amendments remove these restrictions and permit residential construction within the current heritage conservation area, this would negatively impact on property values in the affected lots.	**Amended (as recommended)**	Removed conflicting control and provided reference off to the relevant URA sections.	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		avenues, are not permitted. 7. Retain extant timber post and wire paddock fencing with like-for-like fabric. Remnant patterns of lots and paddocks within the HCA should be retained.				
4 - Heritage	**4.12 Morpeth HCA**	N/A	Please adjust the location of the historic Queens Wharf. It is not located at the end of Robert St. This has been reported several times. I am available to show you where Queens Wharf is located if you need assistance in this matter.	**As Is**	The location of the historic Queens Wharf is erronerous, however this can only be rectified through an amendment to the Maitland LEP 2011. This work is currently underway. Until such a time this is adopted the item will continue to be displayed incorrectly in the DCP also.	N/A
4 - Heritage	**Section 4.12 Morpeth HCA Figure 4-13**	Figure - Significant views within the HCA	Views towards Morpeth when approaching via Metford Road have been omitted from the View Corridors map. This is an absolute disgrace and would appear to indicate some complicity with the owner. This paddock has been deliberately planted with many trees along the boundary of Tank St. This is clearly in order to obscure this historic view of Morpeth. Why? Quite obviously this is to ensure that there no impediment to both his and other landowners of this part of Morpeth submitting an application for some residential development of this area. I have written this comment before in 2021 when a review of the Morpeth Heritage Conservation Area was carried out. As the planting of these trees was contrary to the DCP 2011 (refer View Corridors PART E) why was no action taken by MCC to remove these trees? I can only assume complicity with the landowner on the part of Maitland City Council.	**Amended (as recommended)**	Added the recommended view corridor as it is a logical inclusion that has reciprocal scope preserved from the north.	22. View from Metford Road north-east towards the lake and the southern extent of the township.
4 - Heritage	**4.6.6. Alterations and Additions to residential buildings PC.33**	New garage structures are not to have roller doors and are to be single width garage doors.	Whilst agreeing with the control on roller doors, the control on door width is too restrictive. Most garages are now double width, therefore a double width panel door would be a better solution to better enable 2 cars to be accommodated in a garage without the need for a central pillar to separate the single doors. Again there are many great examples of double width panel doors on garages that do not detract from the area.	**Amended**	Changed to an Acceptable Solution as it facilitates better development outcomes where double width panel doors are still an available option.	New garage structures are not to have roller doors and should have single width garage doors.
4 - Heritage	**4.6.6. Alterations and**	4.6.6. AS.30 Garages and carports should have simple hipped or gable roofs depending on the roof design of the principal building on the site.	Prescribing roof design to emulate the principal building on site will detract further from the character of the area.	**Amended**	Partially amended as suggested. 4.6.6. AS.30 is a general Acceptable Solution, and is more flexible in	4.6.6. AS.30 As Is 4.10.3 PC.4 New garages and carports are to be single-storey in height, subordinate in scale and visually

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	Additions to residential buildings AS.30 & 4.10.3 Objectives and controls for Lorn HCA PC.4	4.10.3. PC.4 New garages and carports are to be single storey in height and secondary in scale to the principal building on the site. The roof form and pitch should emulate the roof style of the principal building on the site.	Through most of the Lorn area there are a variety of garage and carport rooves that do not emulate the principal building's roof line, none of which detract from the heritage value of the area. It would be better to leave this as a merit based decision		alternative solutions that are proposed. 4.10.3 PC.4 has been amended to make the language more accommodating to alternative designs, being complementary rather than an emulation threshold.	recessive in relation to the principal building on the site. The design, including roof form and pitch is to complement the architecture of the principal building on the site.
4 - Heritage	**4.6.8. Infill Development AS.3**	Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings, and should instead reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.	There are many bad examples of infill development, both modern contemporary and modern heritage in the HCAs already. However, there are many great examples in the Lorn HCA of good architectural design that has a heritage look and that sits well in the streetscape. Requiring contemporary development at the expense of well thought out design that compliments the heritage characteristics of an HCA will see the erosion of the area over time. If this DCP will be requiring additions and alterations to be built in similar materials and features as the existing building, then why not new development? It is not cost prohibitive nor impossible to design and build quality development with more than a token gesture to heritage.	**As Is**	In cases where alterations and additions are undertaken, due to the scale and nature of these type of works it is Council's view that these should be of complementary design to that of the existing development. However, new infill development attempting to mimic heritage fabric can devalue and damage the integrity and overall significance of a HCA by diluting true heritage items within the existing environment.	As Is
4 - Heritage	**4.12 Morpeth HCA**	N/A - Morpeth HCA Boundary	It is of great concern that the western boundary, as depicted on the Pin map, specifically excludes the western end of Steamer St and the very early stone culvert located at the intersection of Steamer St and Morpeth Rd. I can see that the map is a little hazy in the DCP 2011 but it can easily be argued that the thick line includes the end of Steamer St. These items were quite clearly included in the conservation area as defined by the 1982 Conservation Planning Study boundary so why has the boundary been changed?...This boundary must be amended to include the end of Steamer St and the Morpeth Rd culvert which are two significant heritage items which must be included in the conservation area.	**As Is**	Amending the boundary of the Morpeth HCA, along with any other HCA within the Maitland LGA, requires an amendment of the MLEP 2011 to occur. The DCP does not control these boundaries and as such has to reflect the boundary as currently in force within the MLEP 2011. This requested change has been noted and will be considered as part of Council's ongoing LEP work.	N/A - As Is
4 - Heritage	**4.4 Locally Listed Heritage Items**	N/A	Heritage classification is a specialist field and any recommendations from the public need to be professionally assessed. There have been many studies and heritage items identified. I am not in favour of miscellaneous	**Noted**	New classification for locally listed heritage items fall under the jurisdiction of the MLEP 2011. The draft MDCP does not propose any changes to listings as it is not within it's jurisdiction. It does	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			additions. There is an accepted status for listing items and that should be carefully followed.		provide clearer controls in alignment with the Character Statements for all HCAs across our LGA.	
4 - Heritage	**Section 4.12 Morpeth HCA Figure 4-12 Precincts within the Morpeth HCA**	Categorisation of the 'rural' precinct.	Views Towards the Town from Approach Road and Outlying Areas (DCP 2011 Part E Special Precincts - Heritage Conservation Areas. Page 87) The Aim of this appears to conflict with the Requirements. Aim: To maintain the setting of the village within an open rural landscape. Requirements: Point 1. When assessing development I am concerned that "Non-Rural" will not hold up in a court of law. Maitland Councillors have been very loath to refuse a development application if it is uncertain as to whether or not the grounds for refusal are sound. I question whether the simple inclusion of the wording "Non-Rural uses" in the DCP would stand up to legal challenge in the Land and Environment Court where the interpretation of such wording would likely be argued. I would like to see this wording amended to ensure no developer will be able to push through a development on legal advice that the "non-rural" wording will not withstand a challenge in the courts.	**Amended (as recommended)**	Note that the submission consists of a letter submitted to Council in 2021 in respect to the MDCP 2011's Morpeth HCA chapter. The lack of clarity around the concept of 'non-rural' uses was addressed in the preparation of the Draft MDCP by enshrining the outlying areas of the Morpeth HCA as a 'Rural Precinct'. The control relating to this (4.12.3 PC.2) formalises a rural outcome, rather than a non-rural wording.	As Is
4 - Heritage	**Section 4.12.1 Statement of Significance, Figure 4-13: Significant views within the HCA, Section 4.12.3 AS.15 and PC.14**	AS.15 Where existing rural views would be interrupted, new trees and plantings should have a mature height of 3 metres.' PC.14 Plantings over 1.5m within identified view corridors are not appropriate.	reference should be made to the identified view corridors.... which should not be obstructed by new development.	**Amended (as recommended)**	Note that the submission consists of a letter submitted to Council in 2021 in respect to the MDCP 2011's Morpeth HCA chapter. Where development involves plantings, these are now controlled to limit their visual impact on key view corridors.	As Is
4 - Heritage	**Section 4.12.1 Statement of Significance, Figure 4-13: Significant**	AS.15 Where existing rural views would be interrupted, new trees and plantings should have a mature height of 3 metres.' PC.14 Plantings over 1.5m within identified view corridors are not appropriate.	[MDCP 2011:] planting and enhancement of the "green belt" approaches to Morpeth is encouraged. How does this ensure the preservation of the defined view corridors? Point 2 and 3, as they relate to vegetation, are	**Amended**	Note that the submission consists of a letter submitted to Council in 2021 in respect to the MDCP 2011's Morpeth HCA chapter. Planting of vegetation associated with development has height controls so as to limit their impact	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	views within the HCA, Section 4.12.3 AS.15 and PC.14		at complete odds. Is the planting of trees defined as “development”? Does this section provide adequate protection for view corridors? It should be noted that an owner has recently planted a long row of trees along the eastern side of Tank St which when mature will obstruct one of the most important defined view corridors on the approach to Morpeth via Metford Rd. This barrier of vegetation could in future be used to justify development of the rural land which will by then be obscured, along with the ridge line view of Morpeth, by the vegetation.		on the identified view corridors towards and from Morpeth. However, the planting of trees in and of themselves does not constitute 'development', and as such the mentioned vegetation planting undertaken within one of the view corridors cannot be controlled by the DCP.	
4 - Heritage	**Section 4.12. Rural Precinct**	• Open farming plains that provide clear views to the township of Morpeth from surrounding areas	It is important that Morpeth remains a distinct entity "an historic village in a rural setting".	**Noted**	This has been incorporated further down within this section. MCC does not deem it necessary to reiterate in the Rural Precinct section.	As Is
4 - Heritage	**Section 4.12. Industrial Precinct**	The specific character of this precinct is defined by the large industrial buildings located along the edge of the Hunter River associated with the town as a river port and the Morpeth railway line. Consisting of a combination of building forms these industrial sheds are constructed in both metal sheeting and timber.	Many of these industrial sheds are clad with asbestos, this is history in itself, but maybe not necessary to record in this document?	**Amended (as recommended)**	Changed to remove commentary on materiality while retaining general comment around built form.	The specific character of this precinct is defined by the large industrial buildings of a variety of building forms located along the edge of the Hunter River associated with the town as a river port and the Morpeth railway line.
4 - Heritage	**Section 4.12. Community and Public Recreation Precinct**	Figure 4-12 Precincts within the Morpeth HCA There are two community and public recreation precincts in Morpeth.	There should be three precincts, add Queens Wharf	**Amended (as recommended)**	Revised the precincts to reflect actual uses and ownership structures.	Figure 4-12: Precincts within the Morpeth HCA - Amended Queens Wharf and all RE1 land along the river to Community and Public Recreation Precinct in the mapping. Amend Closebourne from Community and Public Rec to Rural Precinct.
4 - Heritage	**Section 4.12.1. Statement of Significance - State and Regional Significance**	N/A	State Significance - Morpeth was the end point of a spur off the Great North Road, evidence still exists Regional Significance - "historic village in a rural setting" should be recorded.	**Amended (as recommended)**	Added additional context to existing dot points; these are reasonable inclusions.	• For its role in the pattern of NSW’s cultural history: As the major river port town in the European settlement and development of the Hunter region in the 19th Century, and as an end point of a spur off the Great North Road. • As an uncommon example of a town whose road layout and extent has changed little since the mid-19th century and has developed and maintained a clear edge and distinctive form as an historic village in its rural setting.
4 - Heritage	**Section 4.12.1. Statement of significance Characteristic Elements**	• Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive form in its rural landscape setting.	"Morpeth as an historic village in a rural setting" could be recorded here.	**Amended (as recommended)**	Added the term 'village' contextually.	• Intact Georgian period grid land subdivision and street pattern, comprising three main streets with lanes between, and five minor cross streets. The township maintains a clear edge and distinctive village form in its rural landscape setting.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
4 - Heritage	**Section 4.12.1 . Statement of Significance - Significant Views**	N/A. Figure 4-13 Significant views within the HCA	Siginificant Views - This should be recognised as View Corridors, the views looking into Morpeth are as important as the views looking out. This message promotes the key feature that Morpeth is "an historic village in a rural setting". This will be enhanced by adding view 22 and 23. Add 22. views from Metford Rd as you come past the cemetery of the back of town. Add 23. view from McFarlanes Rd as you come in from Raymond Terrace.	**Amended (as recommended)**	Added the recommended Item 22 and 23 view corridors as these are logical inclusions that have reciprocal scope preserved from the north.	22. View from Metford Road north-east towards the lake and the southern extent of the township. 23. View from Mcfarlanes Road north-west towards the lake and the southern extent of the township.
4 - Heritage	**Section 4.12.2. Desired Future Character**	3. Maintain Morpeth's contained and distinctive form in the rural landscape setting.	Reword 3. or add the words "an historic village in a rural setting".	**Amended (as recommended)**	Changed to incorporate language	3. Maintain Morpeth's contained and distinctive form as an historic village in a rural setting.
4 - Heritage	**Section 4.12.3. Objectives**	N/A	Add "Retain Morpeth as an historic village in a rural setting"	**As Is**	Captured by O.124, however amended to change town to village to better reflect character	O.124 To retain and conserve the contained and distinctive village layout in the rural landscape.
4 - Heritage	**Section 4.12.3. PC.2**	There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	"vacant land on the corner of Tank St and Close St" needs clarification. Someone needs to have a look, I don't think there is vacant land in these locations.	**Amended (as recommended)**	Removed; there is no road interface between Tank St and Close St and no other areas within the Morpeth HCA appear to match this description.	There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.
4 - Heritage	**Section 4.12.3. PC.7**	The maximum height of buildings west of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.	"West" is incorrect, the land west of Northumberland St is described in PC.6. This PC is intended to describe the Commercial Precinct east of Northumberland St.	**Amended (as recommended)**	Changed to reflect actual intent.	The maximum height of buildings east of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.
4 - Heritage	**Section 4.12.3. PC.29**	No new kerb crossings for vehicles in areas of sandstone kerb and guttering, particularly along High, Swan and major cross streets. Access should be provided from rear lanes.	"no new kerb crossings" could be an onerous requirement that could be challenged. Council should offer laybacks where possible.	**Amended**	Changed to an Acceptable Solution. Sandstone kerb and guttering is important to retain in situ within the Morpeth HCA, however there are some cases where this is not possible.	New kerb crossings for vehicles in areas of sandstone kerb and guttering, particularly along High, Swan and major cross streets, are strongly discouraged. Access should be provided from rear lanes.
4 - Heritage	**Section 4.12. Morpeth HCA - Commercial Precinct**	The southern side of Swan Street also has a fine collection of civic buildings constructed in the nineteenth century and designed by the Government architects. These include the former Courthouse, the former Bond Store group, the former CBC Bank, and the former Post Office. The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey buildings. This northern side of Swan Street due to the placement of freestanding buildings maintains defined view corridors to the Hunter River and the rural plains beyond.	Page 81 paragraph 4 refers to buildings on the southern side of Swan Street. Among the buildings listed is "the former Bond Store group" which is actually on the northern side of Swan Street. Reference to the former Bond Store group should be deleted from this paragraph. To address the above discrepancy page 81 paragraph 5 should read: "The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey	**Amended (as recommended)**	Fixed error and revised relevant paragraphs.	The southern side of Swan Street also has a fine collection of civic buildings constructed in the nineteenth century and designed by the Government architects. These include the former Courthouse, the former CBC Bank, and the former Post Office. The northern side of Swan Street by comparison is characterised by predominantly freestanding one and two storey buildings, including the former Bond Store group. This northern side of Swan Street, due to the placement of freestanding buildings maintains defined view corridors to the Hunter River and the rural plains beyond.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			buildings including the former Bond Store group."			
4 - Heritage	**Section 4.12. Morpeth HCA - Community and Public Recreation Precincts**	There are two community and public recreation precincts in Morpeth. The first comprises the grounds of Closebourne House and Morpeth House. The second includes Morpeth Common and Morpeth Oval on the eastern side of Edward Street. Surviving community buildings in Morpeth, include the grandstand located in Morpeth Oval, the Morpeth Bowling Club and the Morpeth School of Arts building.	On page 82, should the Queens Wharf Area be included in this precinct as a public recreation area? If so, paragraph 1 should read: "There are three community and public recreation precincts in Morpeth. The first comprises the grounds of Closebourne House and Morpeth House. The second includes Morpeth Common and Morpeth Oval on the eastern side of Edward Street. The third is the Queens Wharf Area on the southern side of the Hunter River and north of Queens Wharf Road. Surviving community buildings in Morpeth, include the grandstand located in Morpeth Oval, the Morpeth Bowling Club (now a pre-school) and the Morpeth School of Arts building. Also, Figure 4-12: Precincts within the Morpeth HCA should be amended accordingly.	**Amended (as recommended)**	Revised the precincts to reflect actual uses and ownership structures.	Figure 4-12: Precincts within the Morpeth HCA - Amended Queens Wharf and all RE1 land along the river to Community and Public Recreation Precinct in the mapping. Amend Closebourne from Community and Public Rec to Rural Precinct.
4 - Heritage	**Section 4.12. Morpeth HCA - Significant Views**	Significant Views The significant views to and from the Morpeth HCA include: 1. View from Morpeth Road to Morpeth HCA on entry to the town. 2. View from Morpeth Road to Morpeth House. 3. View from Closebourne House towards Hunter River and northern rural landscape. 4. View from Queens Wharf Road to Hunter River. 5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape. 6. View to the cemetery from Tank Street. 7. Views between buildings on Swan Street to the Hunter River. 8. View from the Morpeth Bridge to the northern rural landscape. 9. View from the intersection of Robert and Swan streets to the northern rural landscape. 10. View from the intersection of George and Swan streets to the northern rural landscape. 11. Views from the intersection of Swan and Edward streets to the rural landscape. 12. View from Edward Street to Morpeth Common and western rural landscape. 13. View from Edward Street to Morpeth Oval and the western rural landscape. 14. View from Duckenfield Road to the southern rural landscape and lake. 15. View from the corner of John Street and Duke streets to the southern rural landscape and lake. 16. View from Little James Street to the southern rural landscape. 17. View from the intersection of George and James streets	In addition to significant views to and from the Morpeth HCA we believe three additional views should be added to those listed on page 85 and Figure 4-13 should be amended to include view corridors 22, 23 and 24: 22. Important views from Metford Rd. and Tank St. (As per Maitland DCP 2011 and Morpeth Management Plan 2000) 23. View from Hinton (As per Maitland DCP 2011 and Morpeth Management Plan 2000) 24. Important views from McFarlanes Road of rural outskirts leading up to the defined residential town boundary	**Amended (as recommended)**	Added the recommended Item 22 and 24 view corridors as these are logical inclusions that have reciprocal scope preserved from the north. Recommended Item 23 has not been added as Hinton is not within the Maitland City Council Local Government Area.	22. View from Metford Road north-east towards the lake and the southern extent of the township. 23. View from Mcfarlanes Road north-west towards the lake and the southern extent of the township.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		looking north. 18. View from the intersection of James and Robert streets to the southern rural landscape. 19. View from the intersection of James and Northumberland streets to the southern rural landscape. 20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lake. 21. View from the floodplain to Morpeth Bridge and the township.				
4 – Heritage	**Section 4.12.1. Statement of Significance - Characteristic Elements**	• Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.	Refers to the "northern end of Swan Street" Since Swan Street runs generally east to west, there can be no northern end of Swan Street. There are several possibilities of how this should read:- "northern side of Swan Street" or- "western end of Swan Street" or- "eastern end of Swan Street" or- something else altogether Some clarification is required.	**Amended (as recommended)**	Error fixed; intended to state northern side.	• Old and prominent cultural plantings, including Araucaria pines and large Figs, located at the entries to the town on Morpeth Road, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
4 – Heritage	**Section 4.12.3**	O.135 To retain old and prominent cultural plantings on Morpeth Road, High Street, the northern end of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.	O.135 again refers to the "northern end of Swan Street" Since Swan Street runs generally east to west, there can be no northern end of Swan Street. There are several possibilities of how this should read:- "northern side of Swan Street" or- "western end of Swan Street" or- "eastern end of Swan Street"- something else altogether Some clarification is required	**Amended (as recommended)**	Error fixed; intended to state northern side.	O.135 To retain old and prominent cultural plantings on Morpeth Road, High Street, the northern side of Swan Street, within and around Morpeth Common and Morpeth Oval, in the town's former colonial mansions and within several churchyards and historic homes.
4 – Heritage	**Section 4.12.3. PC.1**	Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road and Morpeth Road—to retain the existing setting of the township.	One of the major entrances to Morpeth is via McFarlanes Road. Therefore Mcfarlanes Road should be included in this prescriptive control as follows: PC.1 Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road, McFarlanes Road and Morpeth Road - to retain the existing setting of the township.	**Amended (as recommended)**	Added; this is a missing component of the entires to the township and appears to have been an unintentional omission.	Future development in Morpeth is not to impinge on the existing composition of road entrances to Morpeth—via Tank Street, Phoenix Park Road, Duckenfield Road, Mcfarlanes Road, and Morpeth Road—to retain the existing setting of the township.
4 – Heritage	**Section 4.12.3. PC.2**	There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	Refers to "the vacant land on the corner of Tank Street and Close Street,"..... Since Tank Street and Close Street do not intersect some clarification is required.	**Amended (as recommended)**	Removed; there is no road interface between Tank St and Close St and no other areas within the Morpeth HCA appear to match this description.	There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.
4 – Heritage	**Section 4.12.3. PC.7**	The maximum height of buildings west of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.	Refers to "buildings west of Northumberland Street" Buildings west of Northumberland Street are covered by PC.6 PC.7 should read: "The maximum height of buildings east of	**Amended (as recommended)**	Changed to reflect actual intent.	The maximum height of buildings east of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building."			
4 - Heritage	**4.12.3**	PC.1 There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	The landowner urges Council to exclude the site from its "prescription" and provide the opportunity for a sympathetic housing development which will also contribute to the major contributor the housing crisis, which is a lack of housing supply. On the grounds that: 1. The Draft DCP's "prescription" lacks legal validity as it proposes that a DCP provision overrides the provisions of an LEP concerning what land uses are permissible or prohibited. In this regard there are a range of land uses in the RU2 land use table that may be approved. Further, the term "rural development" implies a control on rural uses that are not controlled by an LEP. 2. Council's position against expansion seems at odds with its broader intent to increase housing a'ordability and acceptance of evolution of architectural styles. 3. The proponent has been provided by expert advice by a Heritage Architect that the site can be developed for residential development without compromising the heritage character of Morpeth township. 4. Morpeth's rural setting is gradually changing. In particular, the rural landscape immediately to the south of the town edge is being altered by rural residential development and tree planting along property boundaries - altering the setting but not altering the fabric or the historical integrity of Morpeth itself. Boundary planting, undertaken to delineate ownership, provide privacy and shade for livestock is removing the open rural character but without detriment to the overall character. The planting Is also is having an impact on view corridors	**As Is**	Council disagrees that further development south of the Morpeth township within the HCA will not harm or compromise the view corridors. Morpeth is a clearly defined layout, hugging the ridgeline above the wetland below that is very recognisable and iconic in the Maitland LGA. Further expansion of the township to the south of Morpeth will impact on this setting and ultimately the integrity of the township.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			that are found in the DCP, either terminating or obscuring them. 5. Rather than alter the town's layout, a residential development on the land seeks to extend the town via one of the historic cross (George Street). 6. Morpeth's original town boundary contains both town and rural lands. Its development, prior to the introduction of zoning controls in the 20th Century was dictated by economic factors and geography. However, even with planning controls, redevelopment, infill and expansion has occurred and is on-going.			
4 - Heritage	**4.2. Aboriginal cultural heritage**	All of Section	References to Aboriginal cultural heritage assessments must defer to applicable state policy, not redefine it.	**As Is**	This has been assessed by Heritage NSW and no issues raised in respect to the controls, and consistent with other Councils with Aboriginal Heritage controls.	As Is
5 - Subdivision	**5.1.4. Intent of this Chapter**	The intent of this Chapter is: • To promote the efficient use of developable land resources in the Maitland LGA. • To ensure that subdivision occurring within the Maitland LGA gives due regard to site constraints and opportunities. • To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing. • To ensure that all new lots can support the intended development outcomes for which it is proposed, and have appropriate levels of amenity, services and access.	To ensure land use conflict risk between the subdivision development and surrounding land is minimised	**Amended (as recommended)**	Added; this is a reasonable inclusion and is in line with a number of the controls throughout Chapter 5, including LUCRA requirements.	The intent of this Chapter is: • To promote the efficient use of developable land resources in the Maitland LGA. • To ensure that subdivision occurring within the Maitland LGA gives due regard to site constraints and opportunities. • To ensure that the principles of Ecologically Sustainable Development (ESD) are applied to the design of subdivisions and subsequent housing. • To ensure that all new lots can support the intended development outcomes for which it is proposed, and have appropriate levels of amenity, services and access. • To ensure land use conflicts between new subdivision and surrounding land is minimised.
5 - Subdivision	**5.2.2. Infrastructure and Network Delivery PC.1**	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: *a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011),* b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix E: Flooding Guidelines	or as amended	**Amended (as recommended)**	Amended, suitable inclusion that provides future proofing.	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: *a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended),* b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
						d. Where applicable a Flood Impact Assessment, in accordance with Appendix E: Flooding Guidelines
5 – Subdivision	**5.2.6. Community Title Subdivision**	N/A	Recommend a LUCRA is undertaken to identify land use conflict risks and manage interface issues in combination with the landscaping plan.	**As Is**	This is already captured within 5.2.2. PC.1, no change.	N/A
5 – Subdivision	**5.2.7. Subdivision Landscaping AS.2**	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment.	or LUCRA	**As Is**	This is already captured within 5.2.2. PC.1 and doesn't relate to the content of this section, no change.	As Is
5 – Subdivision	**5.3.1. Lot Size and Dimensions**	N/A	Add objective - To consider interface issues with surrounding land uses	**As Is**	This is already captured within 5.2.2. PC.1, no change.	N/A
5 – Subdivision	**5.3.1. Lot Size and Dimensions PC.1**	All lots must provide a sufficient area and suitable shape for its future use, and is to consider: solar access, access and parking, location of ancillary buildings such as garages and sheds, vegetation retention, APZ's, and soil conditions.	interface considerations when bordering other land uses, e.g. agriculture	**As Is**	This is already captured within 5.2.2. PC.1, no change.	As Is
5 – Subdivision	**5.3.3. Street Layout and Block Length PC.10**	Residential subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' applies.	or as amended	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	Subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' (or as amended) applies.
5 – Subdivision	**5.3.3. Street Layout and Block Length PC.10**	Residential subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' applies.	This should also be applicable to employment lands	**Amended (as recommended)**	Agreed, this brings the section in line with the relevant guidance.	Subdivision boundaries must account for screening and/or buffering from adjoining land uses, such as agricultural uses. For agricultural uses, the Department of Primary Industries 'Buffer Zones to Reduce Land Use Conflict with Agriculture – An Interim Guideline (2018)' (or as amended) applies.
5 – Subdivision	**5.4. Rural Subdivision O.52**	To protect productive agricultural land and avoid fragmentation of rural land.	Prescriptive controls to be included for this objective	**As Is**	This has been captured by the controls proposed in an adequate manner already. Additionally, controls in the general subdivision section of the chapter capture any additional scope relating to this.	As Is
5 – Subdivision	**5.1.2. Relationship to other Chapters**	Note: Where no site-specific Chapter or Locality Plan applies to a development site, or the site falls within land marked as an Urban Release Area under the MLEP 2011, Council may require one to be prepared prior to lodgement of development applications in the following cases: a. If the land is subject to Clause 6.3 of the MLEP 2011, OR b. where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.	Unlike provisions relating to urban release areas, there is no legislative requirement to require preparation of a DCP chapter/locality plan 'where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved'.	**Amended (as recommended)**	Updated in accordance with submitter recommendation; the previous wording created a degree of uncertainty in the process. The same amendment has been made throughout the entire DCP.	Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			This is subjective and not reflective of the legislative framework.			
5 – Subdivision	**5.2.1. Services and Utilities**	Electrical substations and pump stations are to be positioned on their own lot, with ownership to be conferred to the relevant utility provider.	The requirement to position electrical substations and pump stations on their own lot, is considered unrealistic and unnecessary.For example, in a residential context, this means creating a lot that complies with the minimum lot size consistent with Clause 4.1 of the MLEP 2011 (for example, 450m²) as no exemptions exist that permit a non-compliant lot to be created (other than Clause 4.6, however the use of this clause requires preparation of a specific report and in some instances, a development application under these circumstances must be determined by the elected Council).Apart from the loss of developable land, what is the justification for creating a lot (for example, of 450m²) so that an electrical substation can be positioned on it? Have utility providers been consulted about this proposal and are they willing to accept ownership of these lots?	**Amended**	Electrical substations and pump stations are of a size that would not create an irredeemable loss of developable land (and where present in a residential context are often in excess of 450m2). The text makes the distinction between a substation and a kiosk substation (of which the scales are significantly different). For clarity, definitions under the glossary have been added for Electrical substation, Electrical kiosk, and Pump station.	Added to Glossary: Electrical substation, Electrical kiosk, Pump station.
5 – Subdivision	**5.2.2. Infrastructure and Network Delivery PC.1**	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011), b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix E: Flooding Guidelines Note: This control does not apply in the following circumstances: • Where the infrastructure is proposed within the same zone as the lots the infrastructure is being provided for, OR • Where the infrastructure is proposed within SP2 zoned land that has been identified as part of the subdivision, and that is for the named purpose according to the Land Zoning Map under Clause 1.7 of the MLEP 2011.	The number of reports required to justify certain works being carried out within a rural or environmental zone, is considered excessive and does not reflect the specific circumstances of particular applications, for example, in some cases, these works are relatively minor.	**As Is**	Control has remained as is. These reports and additional justification are considered necessary to inform potential land use conflicts between urban and non-urban land zonings. This includes additional downstream impacts on flooding, where new subdivisions often position fringe infrastructure, such as perimeter roads, in a manner that impacts upon the flood fringe and flood storage within the floodplain. This control is consistent with Council's Rural Land Strategy and caveats have been provided to not encumber development that does not have the potential to create land use conflicts.	Where a subdivision adjoins a rural or environmental zone, all infrastructure associated with the subdivision that is constructed or partially constructed within the rural or environmental zone including perimeter roads, batters, and drainage works are required to demonstrate that there will be no detrimental impact on downstream waterways, wetland environments or agricultural productivity as a result of new development. This can be achieved by the provision of: a. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended), b. An Agricultural Productivity Assessment, if affecting over 1ha of Rural land, c. A Riparian Land Assessment, and d. Where applicable a Flood Impact Assessment, in accordance with Appendix E: Flooding Guidelines Note: This control does not apply in the following circumstances: • Where the infrastructure is proposed within the same zone as the lots the infrastructure is being provided for, OR • Where the infrastructure is proposed within SP2 zoned land that has been identified as part of the subdivision, and that is for the named purpose according to the Land Zoning Map under Clause 1.7 of the MLEP 2011.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
5 - Subdivision	**Section 5.2.2. Infrastructure and Network Delivery PC.6**	Where a staged development site adjoins a future development site, the construction and dedication of roads, drainage reserves, easements and other essential infrastructure must be incorporated by a reasonable and early stage, generally being ready for connection to a neighbouring future development site once 50-70% of lots have been released. The ability for the extension of essential infrastructure to a future development site must also be provided.	Rather than require infrastructure to be 'incorporated by a reasonable and early stage', the DCP should only require infrastructure to be provided commensurate to the extent (i.e., stage) of development proposed.	**As Is**	No change made. This gives a clear indication to developers as to how the appropriate staging of their larger subdivisions should function, and how they interact with other landowners in Maitland's Urban Release Areas. The 50%-70% threshold also allows for some built in flexibility to accommodate unique sites with challenges around topography, eatherworks, and the like.	As Is
5 - Subdivision	**Section 5.2.2. Infrastructure and Network Delivery AS.1**	Staging of subdivisions should avoid the use of temporary turning heads, including by locating stage boundaries where roads terminate with loops or at a permanent T intersection. Use of temporary turning heads may be considered in extraordinary circumstances subject to the criteria detailed in Council's MoES.	It is identified that 'staging of subdivisions should avoid the use of temporary turning heads'. It is considered that this requirement will be very problematic for delivering a staged subdivision and the provision is not reflective of the current economic conditions facing the development industry. The provision of temporary turning heads ensures that future stages of a subdivision can be constructed without additional costs being incurred up-front. Furthermore, it is not always possible for the boundaries of a particular stage to finish with a closed loop or at a T-head of a permanent intersection due to a number of factors including site topography, constraints and staging requirements.	**As Is**	This matter has been consulted on at length with the development industry, which has led to 6 total treatments provided within the draft MoES. Additionally, there is still the provision for temporary turning heads to be utilised outside of these 6 methods in extraordinary circumstances. Council acknowledges the issues at times with ending at a T-head or closed loop and as such the other treatments have been designed to accommodate this. No change made.	As Is
5 - Subdivision	**Section 5.2.6. Community Title Subdivision AS.2**	Essential services and utilities are to be connected to common areas where necessary.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	This is necessary guidance for applicants to forward plan and make arrangements for utility connections.	As Is
5 - Subdivision	**Section 5.2.7. Subdivision Landscaping AS.2**	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment.	In what circumstances is a Visual Impact Assessment required to be submitted?	**Amended**	The instances in which a VIA is required is stipulated in APP A and B by development type. A guidance note has been added to the control to clarify this.	Landscape buffers may be required where there is an interface issue with the existing context, if deemed necessary from the findings of a Visual Impact Assessment. Note: The circumstances in which a Visual Impact Assessment is required are provided in Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable.
5 - Subdivision	**Section 5.2.7. Subdivision Landscaping AS.4**	Mature trees should be retained and incorporated through appropriate public domain design in order to contribute to the mature tree canopy cover in the neighbourhood.In cases where a mature tree is dying or is not well positioned, an Arborist Report is to be prepared that satisfies, at a minimum, the details provided in Appendix A: Application Requirements – Other Development or Appendix B:	The requirement to provide an Arborist Report for the removal of one (1) tree is considered unreasonable. Why is this provision required in the first instance where tree removal is separately addressed under Chapter 2: Environmental Considerations?	**Amended (as recommended)**	This control doubles up with the provisions under Chapter 2 in respect to tree removal and as such the component discussing removal and the requirement for an Arborist report has been removed. Additionally, the first component of AS.4 is repetition of	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		Application Requirements – Minor Development, whichever is applicable.			AS.3 and as such the entire control has been removed.	
5 - Subdivision	**Section 5.2.8. Battle-axe lots PC.1 and PC.2**	PC.1 Battle-axe lots must not be located on cul-de-sac heads, corners and tight bends. Note: Tight bend is defined as a bend lower than the design speed of the road, generally being a 15m kerb radius or below. PC.2 When calculating lot size area where battle-axe shaped allotments are permitted, the area of the access handle must be excluded from the area calculation.	PC.1 prescribes that 'battle-axe lots must not be located on cul-de-sac heads, corners and tight bends', however the diagram contained within PC.2 identifies a battle-axe handle being provided on a cul-de-sac head.	**Amended (as recommended)**	This was a drafting error-per further submissions made, PC.2 under s5.2.8. Battle-axe lots has been removed.	N/A - Figure removed, see Item 111
5 - Subdivision	**Section 5.2.8. Battle-axe lots PC.2**	When calculating lot size area where battle-axe shaped allotments are permitted, the area of the access handle must be excluded from the area calculation.	In the event an applicant is required to exclude the area of the access handle from the lot area calculation, this provision should be contained within the MLEP 2011 rather than the DCP.For example, Clause 4.1(4B) of the Cessnock LEP 2011 contains the following provision to address this matter:For the purposes of calculating the size of a lot for the purposes of this clause, if a lot is a battle-axe lot or other lot with an access handle, the lot size is to be calculated by excluding the area of the access handle.	**Amended (as recommended)**	Removed per submitters advising that this would conflict with the LEP provisions.	N/A - Control removed
5 - Subdivision	**Section 5.2.8. Battle-axe lots PC.6**	Battle-axe lots must be designed so that a vehicle can enter and exit the site in a forward direction.	The requirement for vehicles to enter and exit the site in a forward direction is not a consideration relating to the design of a battle-axe lot. Rather, this is a consideration that will be relevant at the time of lodgement of a future application for the development proposed to be contained within the battle-axe lot. Provided the battle-axe lot meets the requirements of PC.7 (Table 5.1), there is no need to include PC.6.	**Amended (as recommended)**	This is correct and is not in the scope of subdivision design or considerations. Control removed.	N/A - Control removed
5 - Subdivision	**Section 5.3.1. Lot Size and Dimensions PC.2, AS.1, PC.3**	PC.2 New residential lots are to comply with Table 5.2 below. Table 5.2: Minimum Lot Dimensions MINIMUM LOT SIZE (UNDER MLEP 2011) MINIMUM LOT WIDTH MINIMUM LOT DEPTH 450m2 or greater 12.5m 25m 300m2 and less than 450m2 (Clause 4.1A) 8m 25m Notwithstanding the minimum dimensions specified in Table 5.2, the minimum lot size under the MLEP 2011 must be achieved. Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. AS.1 Lots should be rectangular in shape and should generally have a width to depth ratio aligning with Table 5.3 below. Generally accepted variations on a rectangular shape are parallelogram, trapezoidal and rhombus configurations. Table 5.3: Lot Width to Depth Ratios MINIMUM LOT SIZE (UNDER MLEP 2011) LOT WIDTH TO	PC.2 The requirement for lots with a minimum lot size of 300m² and less than 450m² (i.e., those proposing to utilise the provisions of Clause 4.1A of the MLEP 2011), to achieve a minimum lot width of 8m and a minimum lot depth of 25m as identified in Table 5.2, is not supported. Clause 4.1A of the MLEP 2011 exists to facilitate the creation of lots not less than 300m², provided that Council is 'satisfied that a dwelling house, an attached dwelling or a semi-detached dwelling house has been, or will be, erected on each resulting lot'. Taking the above into consideration, Clause 4.1A can only be utilised where an application for subdivision includes the resultant built form.	**Amended (as recommended)**	Agreed; on balance the assessing officer is to be satisfied that the proposed built form can be achieved on the site. References to Clause 4.1A have been removed alongside the relevant 300m2 and less than 450m2 controls. Minimum building envelope has been retained, however frontage has been reduced to 6m (this is to accommodate torrens terrace house products).	PC.2 New residential lots are to comply with Table 5.2 below. Table 5.2: Minimum Lot Dimensions MINIMUM LOT SIZE (UNDER MLEP 2011) MINIMUM LOT WIDTH MINIMUM LOT DEPTH 450m2 or greater 12.5m 25m Notwithstanding the minimum dimensions specified in Table 5.2, the minimum lot size under the MLEP 2011 must be achieved. Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. AS.1 Lots should be rectangular in shape and should generally have a width to depth ratio aligning with Table 5.3 below. Generally accepted variations on a rectangular shape are parallelogram, trapezoidal and rhombus configurations. Table 5.3: Lot Width to Depth Ratios

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		DEPTH RATIO 450m2 or greater 1:2 to 1:3 300m2 and less than 450m2 (Clause 4.1A) 1:3 to 1:5 Notwithstanding the minimum dimensions specified in Table 5.3, the minimum lot size under the MLEP 2011 must be achieved. Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. PC.3 All lots must include a minimum building envelope that complies with Table 5.4 below: Table 5.4: Minimum Building Envelope MINIMUM LOT SIZE (UNDER MLEP 2011) MINIMUM BUILDING ENVELOPE 450m2 or greater 10m x 15m 300m2 and less than 450m2 (Clause 4.1A) 6.5m x 15m	Therefore, there is no need to prescribe minimum lot dimensions, as the application is required to demonstrate that the built form can be appropriately accommodated within the lot. AS.1 Refer to above comments, as they apply to the lot width to depth ratio identified in Table 5.3 relating to lots with a minimum lot size of 300m² and less than 450m² (i.e., those proposing to utilise the provisions of Clause 4.1A of the MLEP 2011). PC.3 Refer to above comments, as they apply to the minimum building envelope identified in Table 5.4 relating to lots with a minimum lot size of 300m² and less than 450m² (i.e., those proposing to utilise the provisions of Clause 4.1A of the MLEP 2011).			MINIMUM LOT SIZE (UNDER MLEP 2011) LOT WIDTH TO DEPTH RATIO 450m2 or greater 1:2 to 1:3 Notwithstanding the minimum dimensions specified in Table 5.3, the minimum lot size under the MLEP 2011 must be achieved. Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. PC.3 All lots must include a minimum building envelope that complies with Table 5.4 below: Table 5.4: Minimum Building Envelope MINIMUM LOT SIZE (UNDER MLEP 2011) MINIMUM BUILDING ENVELOPE 450m2 or greater 10m x 15m 300m2 and less than 450m2 6m x 15m
5 - Subdivision	**Section 5.3.2. Solar Access and Energy Efficiency PC.1**	75% of lots in medium and major subdivision are to be aligned with Figure 5-4. Figure 5-4: Lot Orientation for Optimal Solar Access Source: https://www.yourhome.gov.au/passive-design/orientation	It is questioned as to how compliance with these requirements can be demonstrated by an applicant and secondly, whether Council staff have the resources available to them to review any documentation provided by an applicant in respect of these matters. Furthermore, it is noted that PC.1 applies to medium and major subdivisions. Therefore, the following is provided as an example of how this provision cannot be achieved: An application is lodged for a 10 lot subdivision, and it is proposed to obtain access from an existing street that is oriented north/south. No new road is proposed to be constructed. It is simply proposed to create 10 new lots, all with frontage to an existing road. In this example, the proposal cannot comply with the diagram identified in PC.1 due to the orientation of the existing street. This doesn't mean that the site is not suitable for the proposed development, however the proposed layout will clearly not comply with the solar access provisions.	**As Is**	No change; Council's existing control in relation to this that requires 80% of lots to be at the 'ideal' site orientation, with the remaining 20% to be at the 'good' site orientation. This control gives much greater flexibility to subdivision development in respect to solar orientation when compared to Council's existing policy and therefore it is considered reasonable to be applied. The existing road comment is noted, however this would fall under the inherent provisions for variations to a DCP under the EP&A Act.	As Is
5 - Subdivision	**Section 5.3.3. Street Layout and Block**	This section only applies to Medium and Major Subdivision in cases where new roads are proposed as part of a subdivision, as defined in Section 5.1.3.	5.3.3 applies to medium and major subdivisions. Putting this in context, this means that this section applies to a two-lot subdivision if it is proposed to create a new public road.	**Amended (as recommended)**	Guidance note updated to better reflect where this section will be required (i.e. where roads will be	This section only applies to subdivision that affects road locations, layout, or street block lengths.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	Length - Guidance Note		It is questioned as to why these provisions should apply to a two-lot subdivision. For example, is it reasonable to require a trunk road diagram, impose block lengths, impose walkable/driveable connections every 300m, require a minimum of two vehicle route options to enter and exit into the wider road network, require minimum vehicle travel distance etc., for a two-lot subdivision?		physically affected or new roads created).	
5 - Subdivision	**Section 5.3.3. Street Layout and Block Length PC.2**	The proportion of residential lots in a Medium or Major subdivision of the same lot type width must not exceed 40%. For the purposes of this control, a lot type is primarily determined by the lot frontage, but other variables considered are access and configuration. Subdivision plans must be accompanied by a lot width table for each street block, which is to include:• lot type calculations, and • percentages and numbers within the +/- range of each lot (see note).Integrated Development Applications for residential subdivisions are exempt from this control. An example of what such a split could look like is provided in Table 5.5 below.	It is unclear as to what is intended by the inclusion of the following: 'Integrated Development Applications for residential subdivisions are exempt from this control'.	**Amended (as recommended)**	Amended to more accurately reflect intent of the exemption - integrated DA is a defined term under the Act and was not intended to be the applicable definition here. Fixed to now state 'Development Applications for both residential subdivision and dwelling construction'	The proportion of residential lots in a Medium or Major subdivision of the same lot type width must not exceed 40%. For the purposes of this control, a lot type is primarily determined by the lot frontage, but other variables considered are access and configuration. Subdivision plans must be accompanied by a lot width table for each street block, which is to include:• lot type calculations, and • percentages and numbers within the +/- range of each lot (see note).Development applications seeking approval for joint residential subdivision and dwelling construction are exempt from this control. An example of what such a split could look like is provided in Table 5.5 below.
5 - Subdivision	**Section 5.3.3. Street Layout and Block Length PC.7**	Local collector road connections, including to bushfire and flood perimeter roads, must incorporate emergency wayfinding elements (such as signage) and be more conveniently located and driveable than local street connections. Note: Examples of emergency wayfinding elements are provided within the glossary.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	This is necessary guidance for applicants to forward plan and make arrangements to identify emergency routes and procure signage.	As Is
5 - Subdivision	**Section 5.3.3. Street Layout and Block Length AS.4**	Cul-de-sacs should be avoided. Where it is clearly demonstrated that no alternative option exists to integrate the road into a connected loop, cul-de-sacs must: a. Incorporate a minimum lot frontage of 10m on the cul-de-sac head/chord and insure adequate space for driveways, utilities and bin collection, b. Be limited to a maximum length of 80m, OR terminate at a full bulb width on an adjoining road and satisfy the walkable perimeter distance, c. Not create a need for narrow pathways (pedestrian/stormwater alley), d. Include the minimum building envelope dimensions plus the appropriate zone setbacks, and e. Include wayfinding measures (such as signage) and direct sightlines from the intersection to bulb.	It is questioned as to why cul-de-sacs are to be avoided and what justification exists for Council to adopt this approach. Additionally, points (d) and (e) are not considered necessary. Point (d) is required to be considered regardless of what type of street network is proposed, consistent with 5.3.1 (Lot Size and Dimensions). Point (e) could be addressed via the imposition of a condition of consent.	**Amended**	Cul-de-sacs have been put forward to be avoided (unless where they adhere to specific parameters) to improve permeability and wayfinding of the local road network. This is in alignment with TfNSW's Design of Roads and Streets Manual that encourages improved permeability through traffic design solutions over the use of cul-de-sacs. Point d. is noted and has been removed due to duplication, however point e. has been retained as sightlines cannot be made a condition of consent.	Cul-de-sacs should be avoided. Where it is clearly demonstrated that no alternative option exists to integrate the road into a connected loop, cul-de-sacs must: a. Incorporate a minimum lot frontage of 10m on the cul-de-sac head/chord and insure adequate space for driveways, utilities and bin collection, b. Be limited to a maximum length of 80m, OR terminate at a full bulb width on an adjoining road and satisfy the walkable perimeter distance, c. Not create a need for narrow pathways (pedestrian/stormwater alley), and d. Include wayfinding measures (such as signage) and direct sightlines from the intersection to bulb.
5 - Subdivision	**Section 5.3.5. Open Space and Recreation**	N/A	5.3.5 applies to all residential subdivisions, however the majority of controls will only be relevant to subdivision applications that propose the creation of open space, local parks and recreation facilities.	**Amended (as recommended)**	It is a reasonable inclusion to make clear that this only applies in particular circumstances; guidance note has been added.	Added guidance note - Unless otherwise stated (PC.2 and PC.4), the controls under this section only apply to subdivision that proposes the creation of open space, local parks, drainage reserves, and recreation facilities.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
5 - Subdivision	**Section 5.4 Rural Subdivision PC.1**	Where a rural subdivision is proposed with part of the existing lot affected by flood prone land, all proposed lots must have a suitable building envelope. This envelope must:a. Be above the 1% AEP flood standards,b. Be of sufficient size to allow development of improvements, with any required effluent disposal area,c. Have a minimum boundary length of 20m on each side,d. Be free of environmentally significant features,e. Provide an area for flood refuge of livestock and agricultural plant and equipment, andf. Have flood safe access to a public road.	Whilst the intention of providing an area for flood refuge of livestock etc., is acknowledged, it is considered that this is a matter for individual landowners to manage. Additionally, this requirement contradicts the draft controls relating to flooding where filling is not encouraged.	**Amended**	This control specifically pertains to a building envelope being provided above the 1% AEP flood standards, in cases where an existing lot before subdivision is only partially flood-affected. This is to ensure that new subdivision of rural lands in partially flood-affected areas do not immediately trigger the need for a flood mound for the site to be developable for a dwelling upon issuing of consent. The control has been amended with a guidance note to exclude this provision from lots subdivided under Clause 4.2. of the MLEP 2011.	Where a rural subdivision is proposed with part of the existing lot affected by flood prone land, all proposed lots must have a suitable building envelope. This envelope must:a. Be above the 1% AEP flood standards,b. Be of sufficient size to allow development of improvements, with any required effluent disposal area,c. Have a minimum boundary length of 20m on each side,d. Be free of environmentally significant features,e. Provide an area for flood refuge of livestock and agricultural plant and equipment, andf. Have flood safe access to a public road.Note: This control does not apply to land with exclusions on dwelling rights, notably lots subdivided under Clause 4.2 of the MLEP 2011.
5 - Subdivision	**5.2.6. Community Title Subdivision**	Consideration is to be given to the provision of landscape buffering of the outer perimeter of the community title, with possible treatments including tree lines, planted habitat, and vegetation corridors. Fencing treatment is to be aligned with the relevant land zoning of the subdivision.	Clause 5.2.6 requiring landscape buffers around community title developments is unnecessary and discriminatory.	**As Is**	Kept as is, the control is an Acceptable Solution intended to encourage canopy cover in a subdivision type that is not obligated to accommodate street trees.	As Is
5 - Subdivision	**5.2.1. Services and Utilities**	5.2.1.1. PC.2 Other major utility items such as electrical kiosks, community batteries and other neighbourhood scale items must not be located in road reserves or drainage reserves. Note: Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites) 5.2.1.1. PC.3 If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141, b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed, Example C: A requirement for a public park of 5000m2 that includes a community battery with a required space of 25m2 is to provide a total of 5025m2 of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans. 5.2.1.3. PC.8 In instances where they are required as part of a development, pad-mounted kiosk substations must be placed within private lot boundaries, behind landscaped screens, or otherwise sympathetically treated to reduce visual impact.	Part 5.2.1 Services and Utilities and the controls associated with electrical kiosk, 5.2.1.1. General, PC.2 states:Other major utility items such as electrical kiosks, community batteries and other neighbourhood scale items must not be located in road reserves or drainage reserves.This is basically duplicated in 5.2.1.3. Essential Services (Water, Sewer, Electricity, and Telecommunications), PC.8:In instances where they are required as part of a development, pad-mounted kiosk substations must be placed within private lot boundaries, behind landscaped screens, or otherwise sympathetically treated to reduce visual impact. Further, 5.2.1.1. General, PC.3, states:If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to:a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141,b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3,c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed,Example C: A requirement for a public park of	**Amended (as recommended)**	Changes made to remove 5.2.1.3. PC.8 and merge 5.2.1.1. PC.2 and 5.2.1.1. PC.3 into one control to make Council's position clear.	Other major utility items such as electrical kiosks (kiosk substations), community batteries and other neighbourhood scale items should not be located in road reserves or drainage reserves.If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to:a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141,b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3,c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed,Example C: A requirement for a public park of 5000m2 that includes a community battery with a required space of 25m2 is to provide a total of 5025m2 of community land as part of that public park.d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			5000m2 that includes a community battery with a required space of 25m2 is to provide a total of 5025m2 of community land as part of that public park.d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.This is clearly in contradiction to the other controls, as it indicates that electrical kiosks can be located on public land.Although this contradiction appears minor, it does have significant ramifications. It is not clear what the Council expects from a development, leading to uncertainty in the industry. This will likely require applications being amended to address differences of opinion between assessing officers, as the Council itself does not appear to know what it wants.			
6 - Residential Use	**6.5 Secondary Dwellings PC.6**	The secondary dwelling must have a window to a habitable room facing a primary road and secondary road where the land is a corner lot	For corner lots, having the Secondary dwelling addressing both frontages will make overall siting and design of the development particularly difficult, especially given the size constraints for a secondary dwelling- Suggest this requirement be altered to have at least one window from the primary or secondary dwelling to add ress both street frontages.	**Amended (as recommended)**	Generally changed to refer to at least one road, consistent with that of a dwelling house.	The secondary dwelling must have a window to a habitable room facing a road where the land is a corner lot
6 - Residential Use	**6.6 Dual Occupancies and Semi-Detached Dwellings PC.1**	Dual occupancy and semi-detached development on corner lots must be designed to address both street frontages while having one front entry and one garage fronting each street.	Whilst it is preferred to have an Entry door address both street frontages, the Iocation ofthe garage should be assessed on a case-by-case basis. Site constraints such as preferred solar orientation for private open space, existing stormwater infrastructure, traffic islands, traffic volumes etc may dictate location of driveway access. Exceptions should be given to garage location being on the secondary frontage in these instances.	**Amended**	Further review as a result of this control has indicated that this is not viable outcome for every development senario and that single dwellings on corner blocks do not need to also address both street frontages. Change to AS to encourage active styreet frontage design and limit unobservable space	Dual occupancy and semi-detached development on corner lots are encouraged be designed to address both street frontages while having one front entry and one garage fronting each street
6 - Residential Use	**6.1.4. Intent of this Chapter (a)**	a. Ensure that residential development responds to the character of the site and locality, the qualities of the surrounding urban environment, and any desired future character.	Suggest deleting urban as other environments may also be applicable	**Amended (as recommended)**	Submission is correct - other environments may also apply, changed to align.	a. Ensure that residential development responds to the character of the site and locality, the qualities of the surrounding environment, and any desired future character.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
6 - Residential Use	**6.1.4 Intent of this Chapter**	N/A	Add i. Minimise the potential for land use conflict with surrounding land uses.	**As Is**	Not changed as this would generally have to be addressed as part of subdivision. Some controls within Chapter 6 incorporate these principles however we do not deem it suitable to directly call out at this stage.	As Is
6 - Residential Use	**6.2.1. Character and design**	N/A	Add control - Development design should consider land use conflict risk and land use conflict risk mitigation measures appropriate for the locality, e.g. double glazed windows	**As Is**	These elements relate to existing AS.1, and are captured on a case by case basis with developments that warrant it. No change	As Is
6 - Residential Use	**6.2.8. Housing setbacks**	N/A	Add obj - To support the reduction of land use conflict risk with surrounding land uses	**As Is**	Not changed as this would generally have to be addressed as part of subdivision. Some controls within this section incorporate these principles (dwellings in rural and environment zones)	As Is
6 - Residential Use	**6.4. Dwellings in rural and environmental zones**	N/A	Add obj - To support the reduction of land use conflict risk with surrounding land uses	**Amended**	Changed wording slightly to be more succinct without changing intent.	To support in the reduction of land use conflict.
6 - Residential Use	**6.2.6 Landscaping & landscaped area** **PC.3 Table 6.3: Minimum Landscaped Area**	RFBs: 20%, including: • A minimum of one tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.	On the requirement for one tree per five dwellings to Residential Flat Buildings, does that factor in existing trees as well? Or must it be new planting? What is the guidance on size and maturity of the trees? The main concern is not so much providing trees but more so ensuring the trees are located away from structural footings, retaining walls and the like, to ensure long term success of the buildings and mitigate structural damage and risks from roots which is a very common cause of building damage. Similarly, to ensure deciduous trees are located away from gutters to minimise maintenance and improve stormwater management. These operational considerations help reduce ongoing risks may mean limited opportunity to plant a certain number of trees. As a suggestion, a target mature canopy coverage as proportion of site area could be used as a metric rather than number of trees. This enables strategic planting of one or two large canopy species in the rear or front setbacks instead of trying to find space to scatter five to six smaller ones across a site and likely have a	**As Is**	The intent of this control is for new plantings to offset the additional hardstand on site and increase canopy cover in line with the ESS. Guidance as to species, size, materurity etc are contained within the Tree Species List. Existing trees can be utilised and contribute to this number.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			better outcome in the long term with large mature trees generating more shade and amenity than many smaller trees that create inaccessible and high maintenance bushland.			
6 - Residential Use	**6.6.10 Residential Flat Buildings PC.5 and PC.6**	Developments satisfying the following criteria are exempted from this control and are to instead adhere to Section 6.8 AS.5, PC.9, and PC.10:	PC.5 and PC.6 appear to have a few typos on references to other PCs	**Amended**	The control has been amended to reflect the correct Section	Developments satisfying the following criteria are exempted from this control and are to instead adhere to Section 6.9 AS.5, PC.9, and PC.10:
6 - Residential Use	**6.6.10 Residential Flat Buildings PC.6**	The designated communal waste collection area is to include the following: a. A loading dock or truck stand that provides enough space for the ingress, egress, and manoeuvring of Council's waste vehicles, including to adequately provide the waste service (e.g. accommodations for lifting mechanisms), b. A waste holding room adjacent to the provided loading dock or truck stand to temporarily store all bins prior to collection. This waste holding room is to be in line with the design criteria provided in PC.8 below, c. A bulky waste holding area adjacent to the waste holding room in line with the design criteria provided in PC.9 below, d. A bin storage area in line with the design criteria provided in PC.10 below, e. A bulky waste storage area in line with the design criteria provided in PC.9 below, f. bin tug devices or a goods hoist may be required where bin storage and waste collection areas are on different levels or not within proximity to each other; and g. A physical element to limit vehicular and pedestrian access to the loading dock / truck stand and communal waste collection area, such as a moveable barrier, and h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay.	Waste servicing in general for social housing developments typically avoids provision of bulky waste storage as it tends to be permanently filled with waste and sometimes hazardous materials that lead to safety issues and anti-social behaviour. Ideally an exception could be made for social housing complexes or acceptance of alternative solutions such as coordinated bulky waste collection by council or private contractor from kerbside or other temporary designated area.	**Noted**	Any DCP provides for inherent flexibility in its design, so as long as there is an alternative proposed that satisfies the objectives, it may be consented to by Council. As this universally applies there will be no baked in alternative to the DCP controls at present.	As Is
6 - Residential Use	**6.6.10 Residential Flat BuildingsPC.6**	h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay.	requirement for forward in and forward out HRV access on site is often problematic on most low-rise development sites due to the large HRV swept paths that result in large areas of dedicated hard stand space that cannot really be used for any other purpose. It also generates prolonged noise and disturbance to the residents compared to kerb side collection.	**As Is**	Kerbside waste collection is not supported for Residential Flat Buildings due to the scale and intensity of these developments. The large volume of bins generated creates significant impacts on streetscape amenity, pedestrian safety, traffic movement, and public domain usability. Forward entry and exit is required to ensure safe vehicle and pedestrian movements, minimise conflicts with traffic on public roads, and avoid the safety risks associated with reversing large vehicles. This requirement is consistent with AS 2890.2, which sets the industry	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
					standards for heavy vehicle access and manoeuvring.	
6 - Residential Use	**6.6.10 Residential Flat Buildings PC.5**	• The development proposes to construct a maximum of 16 residential dwellings on a single lot,	It is noted that the waste servicing requirements of Multi Dwelling housing are better suited to [our] development scale and there is an exemption in the RFB PC.5 section on utilizing the Multi Dwelling scenario if the development is 16 units and 3 storeys or less.	**Noted**	As noted by the submitter, exemption arrangements have been included to ensure smaller scale RFBs do not experience overly ornerous controls as a result of unified accesses.	As Is
6 - Residential Use	**N/A**	N/A	What we need is more residential expansion going up (higher density) in the city and ... keep our green spaces and conserve our environment.	**Amended (as recommended)**	The new DCP introduces stronger framework for managing residential density, including new and updated controls for higher-density forms of development such as RFBs, boarding houses, and shop top housing. These provision are designed to support more conpact, well-located housing in areas with existing services and infrastructure. In addition, Council is currently preparing Residential Density Guidelines to further support the delivery of medium and high-density housing	N/A
6 - Residential Use	**6.2.5.2 Principal Private Open Space, PC4**	Table 6.2	A minimum 4m width has been noted. It is assumed that there is no minimum depth requirement if the 4m width and area is satisfied.For example, a multi-dwelling development may incorporate a PPOS that is less than 4m in depth if it exceeds the minimum area and complies with all other solar, visual, acoustic, etc requirements.If the intent is that the width applies to each dimension of the PPOS (i.e "wide" = width and depth) then it is suggested to reduce the minimum width for mutli-dwelling housing to 3m or the like (still needing to comply with solar, etc).In smaller scale developments driveway circulation and PPOS requirements often result in compromised internal spaces or the inability to realise the development commercially.	**As Is**	The development must meet both minimum requirements, being 4m wide AND the minimum area in m2 as specified in the table for each development type.	As Is
6 - Residential Use	**6.2.5.2 Principal Private Open Space, PC4**	Figure 6-2	Figure 6-2 shows a min. 3m x 3m PPOS, while table PC4 requires minimum 4m. Suggest to amend figure or reduce table for all dwellings to 3m if that is allowable. Suggest the smaller dimension for mutli-dwelling housing.	**Amended**	Amendments have been made to Principal Private Open Space to include minimum length and width, alongside a total area. This is now in line with the 3x3m PPOS minimums on the figure.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
6 - Residential Use	**6.2.5.2 Principal Private Open Space, PC7**	Areas of ground level PPOS required for external drying facilities, garbage storage, roof water tanks etc are not to be included in the PPOS. These ancillary uses must be located where they are able to be screened from view of the street or other public place.	It is noted ground level PPOS for external drying facilities or the like are not to be included in the PPOS. It is suggested to consider many of these systems can retract or fold away when not in use. It is suggested to add 'fixed external drying facilities' in lieu of 'external drying facilities'.	**As Is**	The PPOS should be free from all potential obstructions, including garbage storage (which could also be moved) as well as drying areas.	N/A
6 - Residential Use	**6.2.8 Housing Setbacks PC.1 Table 6.5 Housing Setbacks (minimum)**	Table 6.5	The minimum front setbacks generally show 2 separate requirements (average of distance). It is assumed it is the minimum of either option. I.e. if the average setback is less than the distance noted it is permissible. Otherwise, this may result in development not proceeding where neighbouring sites are undeveloped and may have a further setback (e.g. older properties). If my understanding is incorrect suggest to note that it is the minimum of either requirement.	**As Is**	Correct - the minimum of either option is acceptable.	As Is
6 - Residential Use	**6.2.8 Housing Setbacks PC.1 Table 6.5 Housing Setbacks (minimum)**	Table 6.5	The requirements for multi-dwelling housing are noted generally as per other residential types, yet much more stringent than 'Attached Dwellings'. While consideration is made to older terrace type housing it should be considered that new style terrace housing is been seen across the state. This housing is between mutli-dwelling and dual occupancy type living in terms of density. As such, consideration should be made to reduce the setback requirements for multi-dwelling housing (there would still be the solar, acoustic, visual, etc requirements apply). Suggest: 1. Reduce the rear setback requirements for ground and upper floors. 4 and 6m on some smaller urban sites would result in a prohibitive development. Suggest 3m on ground 4m on first floors. Other PPOS, privacy, solar, acoustic requirements would still apply. 2. Reduce the PC2 requirements for side setbacks for multi-dwelling units as it promotes lower ceilings which compromise amenity to satisfy the side setback requirements (again specifically for smaller urban townhouse sites). Particularly when	**As Is**	No changes are proposed to the rear setback requirements. The setback provisions are necessary to ensure adequate private open space, solar access, and privacy for residents, and to maintain a consistent level of amenity across different residential forms. While it is acknowledged that newer terrace-style housing models are emerging in other areas, the existing standards are considered appropriate for multi-dwelling housing in Maitland and provide certainty in achieving these outcomes.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			considering if terrace type (attached) housing was incorporated there would be no setbacks.			
6 - Residential Use	**6.2.11 Driveways, PC.6**	Where required by AS.3, turning paths must be designed to in accordance with Council's MoES and are not to compromise deep soil or landscaping requirements and are to meet the following requirements.....	PC.6 notes 'Where required by AS.3'. It is unclear if this reference is correct. AS.2?	**As Is**	This is the correct reference. AS.3 speaks to driveway locations to avoid street trees	As Is
6 - Residential Use	**6.2.11 Driveways, PC.6**	Where required by AS.3, turning paths must be designed to in accordance with Council's MoES and are not to compromise deep soil or landscaping requirements and are to meet the following requirements: a. deep soil zones of a minimum width of 1m and depth of 1m must be provided along the boundary, b. contrasting pavement treatments should be used to reduce the expanse of a single pavement material, and c. landscaped area is to be provided between the driveway and the external wall of the dwelling.	There is reference to a 1m deep soil zone in part (a). In small urban multi-dwelling sites this requirement results in compromised building areas. For example a townhouse site frontage / width would require 1m wide deep soil zone, 6m driveway zone, access to dwelling zone, rear setbacks, etc. This is approx. 11-12m+ of property width without considering the building itself. Consideration should be made for small multi-dwelling sites to reduce this requirement or allow a landscaped zone that could also be used as an access path or the like. Any deep soil planting would be addressed as part of the general site and development requirements. Suggest: 1. Reducing the side deep soil zone to 0.5m for certain smaller sites, or 2. Amending the 1m requirement to require a 'landscaped zone', or 3. Limit the deep soil zone along the front boundary where there will be lower or no fencing, or 4. Allow vehicle circulation requirements to encroach the landscape zone along the boundary (e.g. where garages are located along the driveway).	**As Is**	This control is only triggered when the driveway location cannot avoid street trees and the deep soil zone is to ensure that replacement landscaping has appropriate area for compensation	As Is
6 - Residential Use	**6.9 Multi-Dwelling, PC.5**	For multi-dwelling housing, the driveway crossing is to be a minimum of 5.5m wide and is to extend 6m minimum inside the property boundary to accommodate vehicle passing.	It is noted that a minimum 6m width driveway inside the property boundary for multi-dwellings is required. Although AS2890 would require a very similar requirement, the minimum 6m requirement precludes the ability to add smaller landscaped areas along the driveway between garages and passing bays. I.e generally maintain 5.8-6m along the length of the driveway then come in for a few metres with some low height landscaping. This often allows the driveway to not be seen as a long open mass with the 'gun-barrel' effect, and/or promote people parking in the wrong areas.	**As Is**	The 6m minimum driveway width is retained to ensure safe vehicle passing for multi-dwelling developments. Landscaping opportunities are already addressed through other DCP controls, which can reduce visual impacts without compromising driveway safety.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			Suggest the 6m reference is deleted and reference to AS2890 is re-enforced for circulation and passing bay requirements.			
6 - Residential Use	**6.9 Multi-Dwelling, AS.5**	PPOS is only permitted within the front setback in instances where: • the dwelling is of a two-storey construction which provides casual surveillance to the street from a first-floor balcony; AND • the dwelling does not front a public road; and the location of PPOS in the front setback is required to achieve compliant solar access	There is reference to PPOS not being permitted for multi-dwelling housing in the front setback unless it is 2-storey and provides surveillance to the street AND the dwelling does not front a public road. Multi-dwelling housing generally encompasses common walls and is seen as a middle ground between units and terrace/dual occupancy housing. Precluding street fronting PPOS not only limits configurations but would often result in the front elevation to be a more closed up wall with less windows as it would be the side of an internal dwelling and not the dwelling frontage. It should also be considered that the front setback PPOS was permitted in the existing DCP where certain requirements are provided. Suggest to allow front setback PPOS for multi-dwelling based on conditions as per the existing DCP.	**As Is**	The intent of this control is to improve amenity and privacy for residents by discouraging private open space areas within front setbacks, while still ensuring active street surveillance. It is noted that this is included as an AS rather than a PC, meaning variations may be considered where sufficient justification is provided and the design can demonstrate good privacy, surveillance, and streetscape outcomes.	As Is
6 - Residential Use	**6.1.2 Relationship to other Chapters**	Note: Where no site-specific Chapter or Locality Plan applies to a development site, Council may require one to be prepared prior to lodgement of development applications in the following cases:a. If the land is subject to Clause 6.3 of the MLEP 2011, ORb. where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved.	Unlike provisions relating to urban release areas, there is no legislative requirement to require preparation of a DCP chapter/locality plan 'where the land is subject to environmental constraints and/or more than one land parcel or ownership is involved'. This is subjective and not reflective of the legislative framework	**Amended (as recommended)**	Dot point b. has been removed.	Note: Where the site falls within land marked as an Urban Release Area under the MLEP 2011, Council requires a site-specific amendment to the DCP to be prepared in accordance with Clause 6.3 of the MLEP 2011.
6 - Residential Use	**6.2.3 Solar access and cross ventilation, PC.1**	Shadow diagrams must be provided for residential developments of two (2) storeys or more that are within an urban area. The shadow diagram must address the overshadowing impact of new development as well as the impact from adjoining development against the criteria below: a. development must not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (21st of June); b. at least 50% of the principal area of ground level Private Open Space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). c. at least 50% of the principal area of above ground level private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter	Clarification is required as to what constitutes an 'urban area'. For example, it would provide certainty if this reference identified specific zones rather than use a generic term such as 'urban area'.	**Amended**	The existing definition in the glossary which stated Urban Zone to Urban Area/Zone to aid in clarification	Urban Areas/Zones are any land zones within the Maitland LGA that do not fall under the definition of a non-urban zone.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		Solstice (21st of June). d. at least 50% of the area of communal private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June).				
6 – Residential Use	**6.2.3 Solar access and cross ventilation, PC.1**	As above	Whilst it is acknowledged that residential development needs to be provided with adequate solar access, the proposed provisions are stringent in that four (4) requirements in total are applied to residential development, including windows of north-facing living areas, private open space at ground level, private open space above ground level, and communal private open space. Whilst it is noted that these provisions do not apply to residential flat buildings, shop top housing or the residential components of mixed-use development, considering that Council is seeking to encourage in-fill development, these controls are considered inflexible, particularly in existing residential areas where lot configurations are existing. Additionally, even with these exclusions, it is proposed to apply the same controls to various forms of residential development, i.e., from a single dwelling to multi dwelling housing. With respect to multi dwelling development, overshadowing limitations can significantly affect the amount of housing that can be delivered. Considering that some occupants, such as shift workers, do not require the high levels of sunlight afforded by the proposed controls, Council is encouraged to develop a threshold whereby a certain percentage of the dwellings provided within a multi dwelling development must comply, and relax the controls with respect to the remainder. In this type of situation, an occupant could select a dwelling which meets their individual needs. It is clear that housing diversity is encouraged, in fact, Council's adopted policies such as the Local Housing	**As Is**	The solar access controls are considered necessary to ensure adequate amenity, liveability, and health outcomes, and their consistent application provides certainty. The provisions also align with the Local Housing Strategy 2041 by supporting diverse housing while maintaining quality design standards. While it is recognised that some flexibility may be desirable in certain contexts, the consistent application of these provisions across different housing types provides clarity for applicants and certainty in assessment.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			Strategy 2041, include statements such as: Greenfield housing accounts for approximately 90% of total dwellings in Maitland. The continuation of low-density detached dwellings in greenfield release areas means there is limited housing diversity and choice, and leads to pressures for expansion of the urban footprint encroaching into our rural areas. This is an issue for residents ageing in place and small households or individuals looking for smaller and more affordable housing product in the market.			
6 - Residential Use	**6.2.5 Open space, AS.1**	Where COS is provided, it should be orientated to enable solar access to help achieve comfortable year-round use.	In what circumstances is communal open space required?	**Amended (as recommended)**	Communal Open Space is driven by the nature of the development (Strata or Community title). Guidance note added.	NOTE: COMMUNAL OPEN SPACE IS GENERALLY TO BE PROVIDED BASED UPON THE NATURE OF THE DEVELOPMENT TYPE PROPOSED. STRATA, STRATUM, AND COMMUNITY TITLE DEVELOPMENTS INVOLVE THE PROVISION OF COS.
6 - Residential Use	**6.2.5 Open space, PC.4**	Table 6.2Dwelling houses in rural or environmental zones 24m2 and at least 4m wide.	It is not considered necessary to prescribe an amount of principal private open space with respect to rural zones, considering the minimum lot sizes that apply in these circumstances and the large areas of land that are available for open space purposes.	**As Is**	The control applies to rural and environmental zones, which can include a range of lot sizes, including older lots below the current minimum. Even on smaller lots, it is important that dwellings provide sufficient open space to ensure amenity and functionality.	As Is
6 - Residential Use	**6.2.6 Landscaping & landscaped area PC.3 Table 6.3: Minimum Landscaped Area**	Table 6.3 Dwelling houses in rural or environmental zones A minimum of ten trees, with the species in accordance with Council's Tree Species List.	Similarly to the above, it is not considered necessary to prescribe the number of trees that must be planted with respect to a dwelling in a rural zone.	**As Is**	This has been included to ensure appropriate canopy cover which is aligned with the 30% canopy cover target in the ESS. There is no	As Is
6 - Residential Use	**6.2.8 Housing setbacks, PC.1**	Setbacks for a development are to be provided in accordance with Table 6.5	What setback applies in URA's and areas undergoing rapid development/change? A reference to desired future character would be useful, along with an ability to propose setbacks depending on that specific character.	**As Is**	Site specific DCP chapters (URAs) take precedent over the general controls. This is identified in those chapters	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
6 - Residential Use	**6.2.11 Impervious area, AS.3**	Driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 2:1 ratio.	It is questioned as to why, in the event it is necessary to remove a street tree, it must be replaced at a ratio of 2:1.	**As Is**	The intent of the additional planting is to aim to achieve 30% canopy cover in alignment with the ESS. Typically dual occupancies are the reason for central driveways and typically have higher site coverage. The additional street planting aids in offsetting this.	As Is
6 - Residential Use	**6.2.13. Development incorporating existing dwellings, PC.1**	Developments which incorporate existing buildings must be accompanied by a floor plan and elevations of the existing building, as well as a schedule of externals colours and materials for the development.	It is identified that, developments which incorporate existing buildings must be accompanied by a floor plan and elevations of the existing building, as well as a schedule of externals colours and materials for the development. It is not clearly identified as to whether existing buildings in these circumstances, are required to be upgraded in conjunction with a development.	**Amended (as recommended)**	Added AS.1 to address submitter's concerns.	Where an existing dwelling is to be retained and incorporated into a residential redevelopment project, this dwelling is to be treated as if it were a new dwelling in the same redevelopment project and should meet all performance criteria and design controls specified in this chapter. Where it is not possible for an existing dwelling to achieve compliance with all aspects of the chapter Council may, after consideration of a detailed submission lodged with the development application outlining grounds/justification for noncompliance, agree to vary one or more of the chapter requirements.
6 - Residential Use	**6.6 Dual Occupancies and Semi-Detached Dwellings AS.3**	Driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 2:1 ratio.	It is questioned as to why, in the event it is necessary to remove a street tree, it must be replaced at a ratio of 2:1.	**Amended (as recommended)**	The intent of the additional planting is to aim to achieve 30% canopy cover in alignment with the ESS. However, due to the inflexibility of this and the implications of no cap of additional street trees required, this control has been changed to a 1:1 ratio.	Driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 1:1 ratio.
6 - Residential Use	**6.7 Attached dwellings, AS.5**	Indoor ducted air conditioning elements are encouraged to be located towards the centre of the site and be acoustically insulated.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	It is a reasonable inclusion to make clear during design that these elements should be planned in appropriate locations	As Is
6 - Residential Use	**6.9 Multi-dwelling housing, PC.1**	Multi-dwelling housing is to only be positioned on lots that have direct frontage to a public road, or with rear laneway access i.e. not on battle-axe lots.	It is identified that, 'multi-dwelling housing is to only be positioned on lots that have direct frontage to a public road, or with rear laneway access i.e. not on battle-axe lots'. This is effectively a prohibition; inclusion of this statement is therefore not considered appropriate within a DCP.	**Amended (as recommended)**	Control removed. Agreed that this functions as a prohibition and each instance where this occurs will be assessed on merit.	Control removed.
6 - Residential Use	**6.9 Multi-dwelling housing, AS.4**	Traffic calming measures should be incorporated into the design of the internal driveway, such as speed bumps.	This matter could be addressed via the imposition of a condition of consent.	**As Is**	It is a reasonable inclusion to make clear during design that these elements should be planned in appropriate locations	As Is
6 - Residential Use	**6.9 Multi-dwelling housing, PC.10**	Waste collection areas are not to obstruct traffic flows either on the road or access to and from the property. This includes not impeding pedestrian traffic along the site frontage.	It is unclear as to what an applicant is required to demonstrate with respect to this matter. This appears to be an issue that could	**As Is**	It is a reasonable inclusion to make clear during design that these elements should be planned in appropriate locations	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			be addressed via the imposition of a condition of consent.			
6 - Residential Uses	**6.2.8 Housing Setbacks PC.1 Table 6.5 Housing Setbacks (minimum)**	Ground floor: 4mUpper floor:6m	Consideration should be given to the new requirement for increased rear setbacksfor all residential development. Whilst it's understood the purpose of this increasedsetback, it has no consideration for site orientation or solar access. Where POS has a better orientation along the side boundaries of a site, there should be an option to have a reduced setback at the rear (same requirement as side setbacks). This will better facilitate Private open space, view sharing, privacy, natural light & ventilation between buildings whilst still reducing the bulk and scale of developments.In addition, where the shape of an allotment is irregular, a large rear boundary setback may result in a poor site layout or design due to such large rear setbackrequirements.	**Amended (as recommended)**	Agreed, amended for allowance for dual occupancies	**In the case of dual occupancies on corner lots, the rear setback may be reduced with a maximum 50% of the rear setback at 4m, provided the minimum private open space and solar access requirements to all dwellings and adjoining properties are met.
6 - Residential Uses	**6.2.8 Housing Setbacks PC.1 Table 6.5 Housing Setbacks (minimum)**	Ground floor: 4m Upper floor: 6m	A description or image to clarify dwelling configuration for dual occupancy development on a corner lot must be provided. The min 4.0m ground floor setback does not lend itself to corner lot development as outlined above. Will the rear setback requirement be void if detached development is proposed on a corner lot? Consider adding diagrams similar to housing SEPP for further clarification.	**Amended**	Explanatory note now included, no additional images required	As Is
6 - Residential Uses	**6.2.10 Fencing and Walls**	Fencing, when combined with retaining walls, is not exceed: on side and read boundaries: 2m from existing ground level	Where fill retaining is proposed on the side boundary or rear of a property to aheight of 1.0m, this control would limit the height of boundary fencing to 1.0m.Therefore, the private open space (POS) or living area windows will be directly overlooking habitable wIndows or POS of the neighbouring property on the lower side	**As Is**	The intent of this control is to ensure excessing wall heights so not compromise solar access or result in poor amenity outcomes	As Is
6 - Residential Uses	**6.2.11 Driveways, carparking and garages 6.2.11.2 PC.2**	As per Table 6.7	This requirement is in excess of the minimum sizes as per Australian standards for parking spaces. The increased sizes of garages should be a recommendation only when space allows, not a requirement	**As Is**	Community feedback is that garages are too small for average vehicles. Australian Standards set a minimum, the DCP seek to set out practical outcomes for the community	As Is
6 - Residential Uses	**6.5 Secondary DwellingsPC.5**	The secondary dwelling must have a defined entrance visible from theprimary road frontage	Clarification is required for corner lots - the entrance door must face the primaryroad frontage or is direct access front the secondary frontage	**Amended (as recommended)**	The dwelling must have a defined entrance (e.g. door, footway etc) to a street frontage. This is to assist in postal services/deliveries etc and	Note: A defined entrance may include features such as a front door with direct pedestrian access, entry porch,

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			preferred?Clarification is required for the term "defined entrance". Will landscape planting and a defined entry pathway be suitable or must the frotn entry door face the street?		ensure destinction between dwellings. A guidance not is to be included	pathway, or other architectural element that clearly identifies the dwelling's access point from the street.
6 - Residential Uses	**6.2.8 Housing Setbacks PC.1 Table 6.5 Housing Setbacks (minimum)**	RFB frontset of 6m	Summary: The setbacks for Residential Flat buildings (RFB) being 6m to primary, secondary and rear as a flat rate will be difficult to meet for low-rise RFB schemes at 2 – 3 storeys. A low rise RFB has a similar built form to a row of attached townhouses but require substantially more setback under the draft DCP. This will create difficulties for the viability of the typology and may not achieve the optimal built form outcomes. On this basis, ...suggests that Council consider a different setback approach for low rise RFBs in the 2 – 3 storey range that aligns with that of town houses and other attached low rise dwelling. Mid-rise RFBs above 3 storeys understandably requires a different street interface and 6m setbacks may be reasonable due to the introduction of overshadowing and bulk. Similar principles are adopted in the Apartment Design Guide with building separation requirements becoming applicable at 4 storey and above.	**Amended (as recommended)**	Split into two separate categories per submitter's advice, as the built form of a residential flat building can be a single storey in some cases, and this would arbitrarily punish townhouse style designs that have unified entryways.	Residential flat buildings (1-3 stories) 4.5m or the average existing setback of dwellings within 40m of the lot. 2m Zero lot or attached boundary: 0m Detached boundary: 3m 4m Residential flat buildings (4 stories and over) 6m 6m 3m 6m
6 - Residential Uses	**6.2.5.2 Principal Private Open Space, PC4**	Table 6.2	There is an option to allow a smaller POS for an attached dwelling if an additional balcony is provided. It is noted this allowance is not listed on the multi-dwelling housing for 3+ bedroom dwellings (where the requirements currently are proposed as per a dwelling house).Consideration is made that multi-dwelling housing should align between dual occupancies / terrrace or attached housing and apartments with regard to density.In smaller scale developments driveway circulation and PPOS requirements often result in compromised internal spaces or the inability to realise the development commercially.Suggest:Allow the option of reduced POS for 3+ bedroom multi-dwelling as per Attached Dwelling where additional balconies are provided, orConsider a reduction for 3+ Multi-dwelling housing to be as per 1-2 bedroom dwellings	**Amended (as recommended)**	Updated to provide the same discoust for 3+ bedroom multi-dwelling housing.	Multi-dwelling Housing: 3+ bedrooms: 24m2 and at least 3m wide and 3m long.OR16m2 at least 3m wide and 3m long, and an additional balcony with a minimum width of 2.5m.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
6 - Residential Uses	**6.2.7 Impervious area, PC.1**	Impervious area must satisfy the requirements detailed in Table 6.4. All development application site plans for residential development are to provide a detailed 'percentage impervious area' calculation, including having regard to the requirements of Sections 6.2.5 and 6.2.6.	Council is encouraged to review these figures; for example, the maximum impervious area for a dual occupancy is 75%. If this is maximised, this leaves 25% of the lot area as 'not built upon' area. However, consistent with 6.2.6, 50% of the lot area (minus 100m²) must be 'landscaped area' and areas less than 1.5m in width cannot be included in the landscaped area. Overall, there are a lot of overly complicated numerical controls to consider.	**Amended (as recommended)**	As stated by the guidance note, landscaped area and PPOS take precedence over impervious area. Numbers have been revised in these sections to improve discounts and uplift potential (including balcony offsets for multi-dwelling housing). For dual occupancies, the rate of PPOS is taken per lot area (whether the individual torrens title or allocated non-communal space for strata). So a 600m2 arrangement is 300m2 per dwelling, 50%, minus 100m2 = 50m2 landscaped area + PPOS provision. COS must be separately designated per controls.	Landscaped Area: Group homes now same as dwelling house, secondary dwellings reduced from 20% to 10% of lot area. PPOS: at least 3m x 3m rather than 4m long minimum, balcony offsets for multi-dwelling housing.
6 - Residential Uses	**6.2.11.2 Carparking and garages, PC.3**	Where the prevailing pattern of development locates garages and carports to the rear of the property, new development must also locate garages and carports at the rear, provided it does not compromise deep soil or landscaping requirements.	It is identified that, where the prevailing pattern of development locates garages and carports to the rear of the property, new development must also locate garages and carports at the rear. Whilst this approach may be necessary in specific circumstances, such as heritage conservation areas, it is considered unnecessary to apply a blanket approach such as this to other residential areas. It should be acknowledged that, over time, residential housing stock will change and evolve. This type of approach does not acknowledge or consider desired future character.	**Amended (as recommended)**	Agreed with the submitter that this is appropriately covered by HCAs and that other areas in the LGA will generally take advantage of rear lane access where available, however some sites would prefer a forward garage. Control removed.	N/A - Control removed
6 - Residential Uses	**6.11 Ancillary Structures, AS.1**	Ancillary structures within the R1 General Residential, R5 Large Lot Residential, C4 Environmental Living, RU1 Primary Production and RU2 Rural Landscape zones should generally comply with Table 6.8.	It is questioned as to whether the maximum floor areas and heights identified in Tabel 6.8, are reasonable in the circumstances. For example, the table identifies that in the R1 General Residential zone, ancillary structures must be a maximum of 72m² in floor area. Conversely, in the R5 Large Lot Residential zone, ancillary structures must be a maximum of 120m² in floor area. Typically, a R1 General Residential zoned site would be in the range of 450m² to no more than 1,200m² (in older established areas), whereas the table identifies that the 120m² limitation applies to sites of less than 4,000m² in the R5 Large Lot Residential zone.	**As Is**	No change as this control does not suppress the total number of sheds and other ancillary structures allowed on a site, just the bulk and scale in order to ensure that there is a consistency throughout different land zones. It also provides variation criteria so to simply raise the controls outright will mean further pushing of the envelope.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			Effectively, this means that, on a lot zoned R5 Large Lot Residential, which is likely to be at least 4 times the size of a lot zoned R1 General Residential, ancillary structures can only comprise an additional 48m². It should be recognised that expectations regarding ancillary structures such as sheds, have changed significantly in recent years. Limiting these structures to the areas and heights identified in Table 6.8 is not reflective of the move towards residents owning multiple vehicles, boats, machinery etc.			
6 - Residential Uses	**6.2.9. Residential building height**	The maximum building height of residential accommodation is to be consistent with the MLEP 2011 Height of Buildings Map. Where no height limit is specified, a merit-based approach is taken. Table 6.6 provides recommended maximum storeys for each housing typology permitted under the definition of 'residential accommodation' in the MLEP 2011.	Building heights should be expressed by metres, not storeys, and be consistent with the LEP.	**As Is**	The heights provided are recommended maximums and are not prescriptive, due to much of the LGA not being subject to a height limit.	As Is
6 - Residential Uses	**All of Chapter**	All of Chapter	Several provisions conflict with State Environmental Planning Policies (SEPPs), particularly those relating to secondary dwellings and housing diversity.	**Amended (as recommended)**	A sense check of all provisions was conducted against the Housing SEPP and a number of changes made which have been captured elsewhere in this change register.	Various
9 - Rural and Other Land Uses	**All chapter.**	NSW Department of Primary Industries	Update name to NSW Department of Primary Industires & Regional Development (formerly DPI)	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	NSW Department of Primary Industires & Regional Development (DPIRD, formerly DPI)
9 - Rural and Other Land Uses	**9.1.4. Intent of this Chapter**	N/A	Suggested inclusion - To ensure that land use conflict risks between rural developments and surrounding land uses are avoided and/or appropriately mitigated.	**Amended (as recommended)**	Added additional intent which is consistent with the remainder of the Chapter.	c. To ensure that land use conflict risks between rural developments and surrounding land uses are avoided and/or appropriately mitigated,
9 - Rural and Other Land Uses	**9.2.1 Intensive Agriculture (Livestock and Plants) AS.1**	Pig Farms (indoor) Evaluation Trigger Distance: 500m Pig Farms (outdoor) Evaluation Trigger Distance: 500m	DPIRD Guide provides 1000m evaluation distance unless less than 200 pigs	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	Pig Farms (indoor and outdoor)*Less than 200 pigs 1000m500m*
9 - Rural and Other Land Uses	**9.2.1 Intensive Agriculture (Livestock and Plants) AS.1**	Poultry (broiler and eggs) indoor and outdoor 500m	DPIRD guide provides an evaluation distance of 1000m unless less than 1000 birds	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	Poultry (broiler and eggs) indoor and outdoor *Less than 1,000 birds 1000m 500m*

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
9 – Rural and Other Land Uses	**9.2.1 Intensive Agriculture (Livestock and Plants) AS.1**	Cattle feedlots 500m	DPIRD guide provides an evaluation distance of 1000m unless less than 50 head of cattle.	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	Cattle feedlots*Less than 50 head of cattle 1000m500m*
9 – Rural and Other Land Uses	**9.2.1 Intensive Agriculture (Livestock and Plants) AS.1**	Department of Primary Industries	DPIRD as above	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	DPIRD
9 – Rural and Other Land Uses	**9.2.1 Intensive Agriculture (Livestock and Plants) AS.1**	As a guide, a minimum separation distance of 60 metres is recommended for intermittent noise, and 500 metres for continuous noise	Suggest including a reference for these distances as a footnote	**Amended (as recommended)**	Administrative cleanup, changed as recommended.	1Planning Guidelines – Separating Agricultural and Residential Land Uses (QLD Department of Natural Resources 1997).
9 – Rural and Other Land Uses	**9.2.2 Rural Industries (Turf Farms)**	N/A	Suggest inclusion of LUCRA. Note this is stated at start of document but is specifically listed for some uses so should also be included here for consistency.	**Amended**	Removed LUCRA controls from the document and made sole point of reference the note at the start of the document to minimise bloat.	N/A
9 – Rural and Other Land Uses	**9.2.2 Rural Industries (Turf Farms)**	N/A	A biosecurity management plan. Refer to Managing biosecurity risks in land use planning and development - https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0018/1271241/managing-biosecurity-risks-in-land-use-planning-and-development-guide.pdf	**Amended (as recommended)**	Added due to agency request. This management plan assists in ensuring that potential biosecurity risks from the importation of fill and plants is properly managed.	PC.7 A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's Managing Biosecurity Risks in Land Use Planning and Development Guide (as amended).
9 – Rural and Other Land Uses	**9.2.4. Flood Mounds**	Stock refuge area is to be calculated in accordance with the NSW Prime Facts publication Edition #961 'Rural Development Guidelines (October 2009).	This Guide has been archived from our website. Link no longer works. We are seeking to have it live again or updated as appropriate. Will advise of outcome.	**As Is**	To be retained; this is important advisory content and DPIRD has flagged this as an issue that they will remedy.	Stock refuge area is to be calculated in accordance with the NSW Prime Facts publication Edition #961 'Rural Development Guidelines (October 2009).
9 – Rural and Other Land Uses	**9.2.6. Garden Nurseries**	N/A	A biosecurity management plan. Refer to Managing biosecurity risks in land use planning and development - https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0018/1271241/managing-biosecurity-risks-in-land-use-planning-and-development-guide.pdf	**Amended (as recommended)**	Added due to agency request. This management plan assists in ensuring that potential biosecurity risks from the importation of fill and plants is properly managed.	PC.2 A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's Managing Biosecurity Risks in Land Use Planning and Development Guide (as amended).
9 – Rural and Other Land Uses	**Throughout**	(as amended)	or as amended'	**Amended**	Amended; captures actual intent of the reference made, rather than what is presently written.	(or as amended)
9 – Rural and Other Land Uses	**9.4.1. Temporary Use of Land PC.5**	PC.5 An Event Management Plan is to be provided as part of the proposed development and must include details on the following:a. Noise, including noise from amplified music, generators etc, b. Waste Management, including details associated with proposed bin system to be utilised including location and type of bins, and proposed disposal	Biosecurity risks and mitigation measures in accordance with the Guideline	**Amended (as recommended)**	Added g. to ensure that these are adequately addressed within any applicable Event Management Plan.	PC.5 An Event Management Plan is to be provided as part of the proposed development and must include details on the following:a. Noise, including noise from amplified music, generators etc, b. Waste Management, including details associated with proposed bin system to be utilised including location and type of bins, and proposed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		of waste material including proposed recycling,c. Food, including compliance with relevant NSW food regulations, location on site and number of employees, waste facilities and associated facilities to be provided. d. First Aid: provision of First Aid personnel is required at all major events. An Australian Standard Complying First Aid Kit must be on hand at all smaller scale events. Any major event must provide details of the event to NSW Ambulance, e. Alcohol: If alcohol is proposed to be served all necessary licences including Responsible Service of Alcohol details must be provided, andf. Toilet Facilities, including provision of unisex and inclusive toilet facilities.				disposal of waste material including proposed recycling,c. Food, including compliance with relevant NSW food regulations, location on site and number of employees, waste facilities and associated facilities to be provided. d. First Aid: provision of First Aid personnel is required at all major events. An Australian Standard Complying First Aid Kit must be on hand at all smaller scale events. Any major event must provide details of the event to NSW Ambulance, e. Alcohol: If alcohol is proposed to be served all necessary licences including Responsible Service of Alcohol details must be provided,f. Toilet Facilities, including provision of unisex and inclusive toilet facilities, andg. Potential biosecurity risks and associated mitigation measures, in accordance with NSW DPIRD's Managing Biosecurity Risks in Land Use Planning and Development Guide (or as amended).
9 - Rural and Other Land Uses	**9.4.3. Extractive Industries PC.17**	A rehabilitation strategy is to be submitted as part of the Development Application which outlines:a. the proposed rehabilitation program including indicative timings for the progressive rehabilitation of each extractive cell, andb. details of the vegetation cover on the final landform.	Refer to extractive industries guide - https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/367763/Agriculture-issues-for-extractive-industry-development.pdf	**Amended (as recommended)**	Inserted as this is a common requirement for more large scale extractive industries and something that is crucial for Council to understand before consenting to development.	A rehabilitation strategy is to be submitted as part of the Development Application and is to be produced in accordance with NSW DPIRD's Agriculture Issues for Extractive Industry Development (or as amended).
9 - Rural and Other Land Uses	**9.4.4. Renewable Energy O.46**	To ensure that there is no unreasonable interference with the comfort or use of adjoining land.	To ensure important agricultural land is avoided (add objective)	**Amended**	Amended to be included explicitly as part of O.46 rather than a subject objective.	O.46 To ensure that there is no unreasonable interference with the comfort or use of adjoining land, especially strategically important agricultural land.
9 - Rural and Other Land Uses	**9.4.4. Renewable Energy PC.1**	A Site Plan provided for renewable energy development is to demonstrate: a. the position of the proposed solar panel arrays or wind turbines, inverters, battery storages and all construction facilities from site boundaries, b. natural land contours, c. native vegetation to be removed or retained, d. proposed vehicular access points, and e. the location and uses of all existing and proposed buildings, power lines, sub-station and fences on the land.	A description of the subject land including land and soil capability, current and historical land uses, potential impacts on agricultural production. The Large Scale Solar Guidelines may provide some other considerations that you may wish to incorporate/adjust relevant for the scale of proposals likely to be received	**Amended**	Amended to add f. for potentital agricultural production impacts. Due to scale, avoided incorporating additional elements from the Large Scale Solar Guidelines.	A Site Plan provided for renewable energy development is to demonstrate: a. the position of the proposed solar panel arrays or wind turbines, inverters, battery storages and all construction facilities from site boundaries, b. natural land contours, c. native vegetation to be removed or retained, d. proposed vehicular access points, e. the location and uses of all existing and proposed buildings, power lines, sub-station and fences on the land, and f. potential impacts on agricultural production of the land.
9 - Rural and Other Land Uses	**9.4.4. Renewable Energy PC.3**	A Land Use Conflict Risk Assessment (LUCRA) is to be prepared in accordance with NSW DPI's Land Use Conflict Risk Assessment Guide (as amended)that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact.	DPIRD (formerly DPI), or as amended	**Amended**	Removed LUCRA controls from the document and made sole point of reference the note at the start of the document to minimise bloat.	N/A
9 - Rural and Other Land Uses	**9.2.6. Garden Nurseries**	N/A	LUCRA as per comments above	**Amended**	Removed LUCRA controls from the document and made sole point of reference the note at the start of the document to minimise bloat.	N/A
9 - Rural and Other Land Uses	**9.2.7. Farm Gate Premises and Farm**	N/A	Suggest a LUCRA to ensure adequate setback and/or other mitigation to other agricultural land uses in close proximity	**Amended**	Removed LUCRA controls from the document and made sole point of reference the note at the start of the document to minimise bloat.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	Experience Premises					
9 – Rural and Other Land Uses	**9.3.1. Farm Stay Accommodation**	N/A	Suggest LUCRA here also with appropriate setback distance/buffer or other mitigation measure	**Amended**	Removed LUCRA controls from the document and made sole point of reference the note at the start of the document to minimise bloat.	N/A
9 – Rural and Other Land Uses	**9.3.1. Farm Stay Accommodation**	N/A	Would also recommend a biosecurity management plan - producers should have them anyway but particularly relevant for any agritourism development where visitors are coming on farm	**Amended (as recommended)**	Added due to agency request. This management plan assists in ensuring that potential biosecurity risks from the importation of fill and plants is properly managed.	PC.15 A Biosecurity Management Plan is to be prepared in accordance with NSW DPIRD's Managing Biosecurity Risks in Land Use Planning and Development Guide (as amended).
9 – Rural and Other Land Uses	**All of Chapter**	N/A	The DCP fails to acknowledge that designated development and SEPP provisions override local controls.	**Amended (as recommended)**	Note added to state that MLEP 2011 and the Codes SEPP prevail to the extent of any inconsistency.	Note: Uses within this section should provide a Land Use Conflict Risk Assessment (LUCRA), which is to be prepared in accordance with NSW Department of Primary Industries and Regional Development (DPIRD, formerly DPI) Land Use Conflict Risk Assessment Guide (or as amended), that also provides a land use description of the adjoining land and/or affected lands and landscape and assessment of the likely impact. Additionally, in the event of any inconsistency, the MLEP 2011 and the Exempt and Complying Development Codes SEPP 2008 (the Codes SEPP) prevail over the controls provided within this section.
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries PC.1 and PC.2**	PC.1 Development for the purposes of extractive industry are to adhere to the following minimum setbacks: a. 50m from any property boundary, i. 100m from a property boundary to a National Park, State Forest, or Crown Land, b. 30m from any private road or Right of Way shared with adjoining land holders that are not associated with the proposed development, c. 250m from any private dwelling not associated with the development, d. 40m from the top of the bank of any watercourse or drainage line, and e. An appropriate distance from any utility easement, as determined in consultation with the relevant utility provider. PC.2 All internal access roads are to satisfy the following minimum setbacks: a. 30m from any property boundary, b. 40m from the top of the bank of any watercourse or drainage line, c. 40m from any identified Endangered Ecological Community, and d. 250m from any private dwelling not associated with the development.	The draft clause is not clear however on how the setback distance should be measured. We assume that the intent of the clause is that setbacks are to be measured from the extent of the actual extractive activity works to the actual location of the private dwelling (however this is not clear). It is recommended that in finalising the DCP, Council should add a definition or note to clarify: ▪ Whether the setback distances specified are measured from the extraction area of an extractive industry or from the lot boundary; and ▪ Whether setbacks to private dwellings are measured to the relevant dwelling or the property boundary of that dwelling.	**Amended (as recommended)**	This is a reasonable inclusion and provides clarity as to the intent, removing opportunity for different interpretations. Guidance note included within PC.1. PC.2 amended to remove the need for internal access roads to be 250m from dwellings as this could not reasonably be achieved on smaller sites.	PC.1 *Added* Note: Minimum setbacks are measured from the proposed extraction area of an extractive industry, and the setback to a private dwelling is measured to the relevant dwelling. PC.2 All internal access roads are to satisfy the following minimum setbacks: a. 30m from any property boundary, b. 40m from the top of the bank of any watercourse or drainage line, and c. 40m from any identified Endangered Ecological Community.
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Setbacks and Road Access)**	N/A	A new Clause should be added to protect established extractive industry operations in relation to setback considerations (i.e. a 'grandfather' clause). This Clause should provide flexibility for established extractive	**As Is**	No grandfather clause has been incorporated. While existing operations can continue, expansion of those operations further into a setback will have increasing detrimental effects on an	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			activity operations to propose extensions within the minimum setback distances identified within the DCP provided that appropriate environmental / land use conflict studies are completed and deemed satisfactory.		unassociated dwelling. In this case the proper avenue would be making a dwelling associated through acquisition.	
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Setbacks and Road Access)**	N/A	Protection from Land Development A reciprocal of the setback clauses provided in PC.1 and PC.2 should be provided that restricts new development (i.e. for a private dwelling and access road) encroaching within the specified setback distances of an existing quarry operation (i.e. 250 m for a dwelling). In addition to this, HQPL recommends that the DCP include a provision that requires any new sensitive receiver development within 1 km of an established extractive industry by supported by relevant environmental assessments (such as Blasting & Vibration Assessment, Noise Impact Assessment, Air Quality Impact Assessment, Visual Amenity Assessment) to the satisfaction of Council.	**Amended (as recommended)**	Added controls to address this in Chapter 2, 2.4.6. Hazardous and Offensive Land Use Buffers.	PC.2 • O.52 Unless a building is for non-habitable purposes, development within 200m of an extractive industry is generally not supported. Refer to Section 9.4 of Chapter 9 regarding reciprocal setbacks for extractive industries. AS.2 • O.52 Should a development seek to provide habitable structures within 200m of an extractive industry operation, they are to demonstrate that: a. The proposed structure is associated with the relevant extractive industry, OR b. The proposed development lot is either wholly or partially within the buffer zone and cannot otherwise be positioned outside of the buffer zone (in the case of a lot partially within the buffer), AND c. An Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment are prepared by suitably qualified professionals in accordance with, at a minimum, the requirements for each assessment under Appendix A: Application Requirements – Other Development or Appendix B: Application Requirements – Minor Development, whichever is applicable, AND d. The Odour Assessment, Air Quality Assessment, and Noise and Vibration Assessment find that any impacts can be suitably mitigated through additional measures, and that any requirement for outside Private Open Space or Communal Open Space is not compromised as a result of unacceptable odour or air quality impacts, AND e. A Land Use Conflict Risk Assessment (LUCRA) in accordance with the Land Use Conflict Risk Assessment (LUCRA) Guide (Department of Primary Industries, 2011) (or as amended) has been prepared. Note: Any non-associated habitable dwelling developed in this manner will forego its right to the setback criteria of extractive industries established in PC.1 and PC.2 of Section 9.4.3. Extractive Industries in Chapter 9.
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Setbacks and Road Access) PC.3**	The primary internal road access for extractive industries development is to have a 15m wide road reserve, with a minimum carriageway width of 12m.	It is considered that internal road widths should not be strictly mandated for a 15 m wide road reserve with aminimum carriageway of 12 m. It is recommended that a flexible performance-based approach should alsobe included to allow a reduced size (subject to appropriate access and transport study) as well as tograndfather current arrangements of established quarry operations.We	**Amended (as recommended)**	Amended control to just state a minimum width for driveway access to ingress and egress to the site, with no additional controls on the internal road widths.	The primary driveway access for extractive industries development is to have a minimum width of 12m.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			consider that internal roadway dimensions and layouts are best managed under the existing regulatoryframework enforced by the NSW Resources Regulator, rather than individual councils.We therefore note the following points:• Internal access roads are not public roads that would have a road reserve.• The width of extractive industry internal access roads is typically determined by and proportional tothe type, size and frequency of vehicles that are required to access the site. This varies betweenquarry operations and is particularly relevant for smaller operations that would be within Council'sjurisdiction, rather than larger quarries that would ordinarily trigger State Significant Developmentthat are approved and managed by the NSW Department of Planning, Housing and Infrastructure(DPHI).• There are many instances where an access roads are less than 12 m in width (i.e. one way trafficflow) that is acceptable with appropriate safety controls in accordance with the NSW ResourcesRegulator and the associated Mine Design Guidelines (MDG) and Draft Technical Reference Guidesfor roads and vehicle interactions.• Mandating a standard road width requirement will result in inefficiencies and unnecessarydisturbance where a width of less than 12m can be readily accommodated.			
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Stormwater and Drainage) PC.5**	Drainage from sites is to reflect the pre-existing or natural context in terms of location, quantity, quality and velocity of flow waters discharging from the site. Water discharge is to be directed towards an existing natural watercourse or drainage line on the site and not directly onto any adjoining downstream property (other than within the natural watercourse or drainage line).	The requirement in PC.5 for extractive industries to meet pre-to-post water quantity targets is beyond Blue Book requirement which is widely adopted as the industry standard for erosion and sediment control. We recommend that the PC.5 we adjusted to require sediment dams be designed to a percentile design storm in accordance with the Blue Book. The requirement in PC.5 for extractive industries to meet "pre-existing" water quality is considered inappropriate as it is significantly beyond Blue Book standards. Furthermore, it also goes beyond Council's typical load-based targets for residential, industrial and commercial developments. HQPL has concern that the requirement to demonstrate achievement of neutral	**Amended (as recommended)**	Changed to refer off to the Blue Book. Additional water discharge component added to make clear that sediment basins can be utilised as part of the water discharge process.	Drainage from sites is to be conducted in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book). Water discharge is to be directed towards an existing natural watercourse or drainage line on the site, or an off the line sediment basin, and not directly onto any adjoining downstream property (other than within the natural watercourse or drainage line).

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			or beneficial water quality outcomes is unachievable for many extractive industry operations. PC.5 requires the velocity of drainage from sites to reflect the pre-existing or natural context. This is also beyond the requirements of the Blue Book and considered unnecessary. It is recommended that draft PC.5 be amended to require compliance with the Blue Book in place of preexisting velocities.			
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Stormwater and Drainage) PC.6**	Drainage measures are to be employed which direct upstream overland run-off to bypass the extraction site and are to be demonstrated as part of the development's Soil and Water Management Plan (see Section 3.3.3. of Chapter 3: Site Requirements).	The requirements of draft PC.6 (drainage measures) are recognised in the Blue Book as desirable but not always possible or necessary. It is recommended that draft PC.6 be amended to provide flexibility in accordance with the Blue Book; and	**As Is**	Kept as is; this assists in lowering the overall runoff from extraction cells and has been retained due to the changes to PC.5 provided to refer to the Blue Book, thereby the overall burden of sediment control during operations has been reduced compared to the public exhibition version.	As Is
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Stormwater and Drainage) PC.8**	Sediment control dams and detention basins are to satisfy the following design criteria: a. Sediment control dams are required to be located downstream of extraction areas and other operational areas, including landscaping and visual buffer zones, and between tailing dams and the downstream property boundaries. b. The sediment control dams must be designed to have a sediment trapping capacity of at least 50% of the volume of the largest tailing dam. c. All sediment control dams are to be sized to retain at least the equivalent volume of 10mm depth of run-off over the entire disturbed area. The settling volume is to be provided as active storage with a minimum depth of 0.6m. A sediment storage volume of at least half of this allowance should be provided below the settling volume. d. The design of the sediment control dam must include details of the proposed dewatering method for the settling volume and spillway configuration. e. All sediment control dams must incorporate an impermeable barrier in the dam wall. f. Batter slopes for sediment control dams / detention basins are to be a maximum of 1:4 and are to be stabilised by vegetation cover. Temporary catch drains and sediment traps are to be installed along the downstream toe of the embankment, until vegetation cover has reached 80%.	Draft PC.8 (sediment control dams and detention basins) sets out a number of detailed requirements that are considered to be overly prescriptive and refer to targets which appear arbitrary. It is recommended that draft PC.8 be simplified to reference the Blue Book rather than prescriptive standards.	**Amended (as recommended)**	Change incorporated to refer off to the Blue Book as recommended.	Sediment basins are to be designed in accordance with Managing Urban Stormwater: Soils and construction - Volume 1 (the Blue Book).
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Stormwater and Drainage) AS.1**	Topsoil stockpiles over 3m in height are encouraged to be benched to ensure stability and to include internal drains to minimise soil erosion problems.	Draft AS.1 seeks to limit topsoil stockpiles to 3 m in height to minimise erosion potential. However, this should be considered in relation to stockpile surface area as the key input rather than stockpile height. HQPL recommends that flexibility be	**As Is**	This control is an Acceptable Solution communicating a encouragement for topsoil stockpiles over 3m to be benched and include internal drains. As this is an AS, an alternative measure such as the one proposed by the submitter (being geotechnical and air quality assessment) would be	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			included in this draft clause and allow topsoil stockpiles to exceed 3 m in height if the application is supported by acceptable geotechnical advice and environmental performance criteria for visual impacts and air quality can be met. This flexibility is needed, particularly for extractive industry sites that have a limited disturbance footprint.		readily considered. No change as the language is accommodating other options, and is not a height limit (just height threshold).	
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Groundwater and Water Quality) PC.10**	The extraction depth is restricted to an absolute minimum freeboard level of 2m AHD above the wet weather high groundwater level, in order to help protect groundwater flow patterns and water quality on each extraction area.	Draft PC.10 seeks to establish a groundwater control that restricts extraction depth to a minimum 2 m freeboard above the wet weather high groundwater level. Extraction beyond the groundwater level is common practice within many quarry operations. HQPL is opposed to this restriction, and requests a flexible provision be included into draft PC.10 that allows extraction below groundwater level provided that the development is supported by a groundwater assessment that appropriately considers the significance of any adverse impact, the impact on other groundwater users, and ongoing management, monitoring and licencing measures	**Amended (as recommended)**	Changed to an AS and incorporated a caveat that groundwater assessment is to occur as part of an approval for extractive industry operations that go beyond the water table depth.	The extraction depth should be to an absolute minimum freeboard level of 2m AHD above the wet weather high groundwater level, in order to help protect groundwater flow patterns and water quality on each extraction area. Extraction depths beyond this are to be supported by a Groundwater Assessment that considers any adverse impact, adjoining groundwater users, and incorporates mitigation measures to the satisfaction of Council.
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Air Quality) PC.13**	An Air Quality Impact Assessment is to be provided as part of proposed development and must address the items detailed under Appendix A: Application Requirements – Other Development.	It is suggested that the DCP requirement be adjusted so that air quality assessment and mitigation measures are more focused on maintaining compliance with the relevant contemporary standard, which is currently the NSW Environment Protection Authority (EPA) Approved Methods for the Modelling and Assessment of Air Pollutants in NSW.	**As Is**	No change, the criteria already refers to the NSW EPA Approved Methods for the Modelling and Assessment of Air Pollutants in NSW and does not expand the scope beyond this.	As Is
9 – Rural and Other Land Uses	**9.4.3. Extractive Industries (Air Quality) PC.14**	All stockpiles of material are to propose mitigation measures to prevent any dust nuisance.	It is suggested that the DCP requirement be adjusted so that air quality assessment and mitigation measures are more focused on maintaining compliance with the relevant contemporary standard, which is currently the NSW Environment Protection Authority (EPA) Approved Methods for the Modelling and Assessment of Air Pollutants in NSW.	**Amended**	Changed wording from 'prevent' to 'limit', as prevent is an impossible standard to achieve. Limit allows an applicant to propose measures such as watering, netting, compacting and the like to satisfy this control.	All stockpiles of material are to propose mitigation measures to limit any dust nuisance.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
9 - Rural and Other Land Uses	**9.4.3. Extractive Industries (Staging and Rehabilitation) AS.3**	Topsoil and overburden used for bund walls during the extraction phase for each cell should be stabilised using appropriate native species and rehabilitation under the supervision of an ecologist. The rehabilitation of the cells should include native trees, shrubs and groundcovers which are endemic to the locality, wherever possible.	Draft AS.3 related to excavation staging and site rehabilitation. It is unclear what the term 'cell' refers to. A definition for a 'cell' and 'extractive cell' should be included.	**Amended (as recommended)**	Definition of extractive cell added in the Glossary and text in control bolded to indicate definition.	Topsoil and overburden used for bund walls during the extraction phase for each extractive cell should be stabilised using appropriate native species and rehabilitation under the supervision of an ecologist. The rehabilitation of the cells should include native trees, shrubs and groundcovers which are endemic to the locality, wherever possible.
App A - Application Req Other Dev	**55. Stormwater Management Plan**	The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales). The stormwater drainage plan and written description must include information on: • Catchment boundaries. • Existing surface conditions. • Proposed surface contours. • Proposed building flood or floor levels. • Location and levels of discharge points. • Overland flow paths and flood liable areas. • Location of drainage pits and lines. • Location and area of on-site detention easements. • Calculations for any proposed stormwater system. • Methods of draining the land. • Water quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling. • Operational plan. • Maintenance plan. If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised. Note: Hydrological/hydraulic calculations and designs shall be prepared in accordance with the approaches outlined in the current Australian Rainfall and Runoff Guidelines. Other current Australian published design guides may also be applied to particular design situations.	I note the requirements to provide hydrological/hydraulic calculations with the development application. While general concept designs are often discussed with council prior and the designs are produced by qualified engineers, it is suggested to allow 'concept' stormwater designs to be produced with the development applications. Any hydrological/hydraulic calculations would be supplied as part of the construction stage of documentation (in accordance with the MOES requirements). Removing the requirement for detailed calculations and being able to issue a concept design for DA approval would allow cost savings for development applications which may often result in additional rework as part of the construction certificate stage.	**Amended (as recommended)**	Changes made to notations to provide better clarity as to when full calculations are needed, as well as reducing what is required for minor development. Attached dwellings and multi-dwelling housing split by dwelling count as a result.	App B Minor Development 29 Stormwater Management Plan (Minor) The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales). The stormwater drainage plan and written description must include information on: • Catchment boundaries. • Existing surface conditions. • Proposed surface contours. • Proposed building flood or floor levels. • Location and levels of discharge points. • Flood liable areas. • Location of drainage pits and lines. • Location and area of on-site detention easements. • Calculations for any proposed on-site detention system. • Methods of draining the land. If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised. Any subdivision over 3,000m2 and/or impacting on the public stormwater system will require a full Stormwater Management Plan in accordance with Item 54 of Appendix A. App A Other Development 54 Stormwater Management Plan The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales). The stormwater drainage plan and written description must include information on: • Catchment boundaries. • Existing surface conditions. • Proposed surface contours. • Proposed building flood or floor levels. • Location and levels of discharge points. • Overland flow paths and flood liable areas. • Location of drainage pits and lines. • Location and area of on-site detention easements. • Calculations for any proposed stormwater system. • Methods of draining the land. • Water quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling. • Operational plan. • Maintenance plan. If you are proposing urban development or subdivision, consultation with Council's Development Engineers is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
						advised. Note: Hydrological/hydraulic calculations and designs shall be prepared in accordance with the approaches outlined in the current Australian Rainfall and Runoff Guidelines. Other current Australian published design guides may also be applied to particular design situations.
App B - Application Req Minor Dev	**29. Stormwater Management Plan**	The plan must clearly illustrate stormwater infrastructure and be consistent with the Landscape Plan. It should show in concept form the proposed stormwater drainage system and provisions for on-site detention, identify overland flow paths and include any water quality control measures (such as planting areas and swales).The stormwater drainage plan and written description must include information on:• Catchment boundaries.• Existing surface conditions.• Proposed surface contours.• Proposed building flood or floor levels.• Location and levels of discharge points.• Overland flow paths and flood liable areas.• Location of drainage pits and lines.• Location and area of on-site detention easements.• Calculations for any proposed stormwater system.• Methods of draining the land.• Water quality measures identified by Small Scale Stormwater Water Quality Model (SSSQM) or water quality modelling, such as MUSIC Modelling.• Operational plan.• Maintenance plan.If you are proposing urban development or subdivision, consultation with Council's Development Engineers is advised.Note: Hydrological/hydraulic calculations and designs shall be prepared in accordance with the approaches outlined in the current Australian Rainfall and Runoff Guidelines. Other current Australian published design guides may also be applied to particular design situations.	I note the requirements to provide hydrological/hydraulic calculations with the development application. While general concept designs are often discussed with council prior and the designs are produced by qualified engineers, it is suggested to allow 'concept' stormwater designs to be produced with the development applications. Any hydrological/hydraulic calculations would be supplied as part of the construction stage of documentation (in accordance with the MOES requirements).Removing the requirement for detailed calculations and being able to issue a concept design for DA approval would allow cost savings for development applications which may often result in additional rework as part of the construction certificate stage.	**As Is**	No change - Council needs calculations to be provided upfront to ensure that the development can provide a suitable stormwater solution, including physical area needed. Council notes the designs are already stated to be 'in concept form' within the text.	As Is
App D - Canopy Cover	**3. Canopy Cover Targets by Land Use - Table 3: Residential Lots (Private)**	N/A	Suggesting that the reference to Chapter 6 note it takes precedence for the planting requirements.	**Amended (as recommended)**	Suitable change and provides clarity for Applicants.	Note: Chapter 6: Residential Uses, Section 6.2.6 Landscaping & Landscaped Area, provides the tree planting controls for residential accommodation in the Maitland LGA, and takes precedence to the event of any inconsistency with the above recommended tree planting regime.
App D - Canopy Cover	**All guideline.**	All of Appendix D: Canopy Cover Guidelines	While the canopy cover requirements appear suitable for standard residential lots, it is unclear whether these have been tested for smaller allotments, such as 300sqm lots, or multi-dwelling housing developments. The targets in Appendix D may conflict with landscaping goals and the provision of outdoor covered open space, particularly in higher-density developments. Links from the main policies to the application of Appendix D are not clear and as a result appears to reference all residential development including multi residential. This would be a	**As Is**	The guideline articulates multiple times that it provides forward guidance beyond the controls within the DCP, and notes that certain scenarios are not necessarily achieveable. Deep soil zones are not deemed to be in conflict with Council's requirement for stormwater as many of our new sites provide above ground retention rather than inground to assist in cost. Due to the Appendix only providing recommendations rather than controls no change has been made.	As Is

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			hinderance to future development of the existing centres, an approach I understand is being sought by NSW Planning. Furthermore, the requirement to achieve deep soil zones for tree planting conflicts with Council's stormwater treatment requirements. The installation of underground tanks and treatment devices necessary for stormwater management will restrict the ability to plant and sustain deep-rooted trees, making it difficult to meet the canopy cover objectives as proposed.			
App E – Flooding	**1. Definitions**	Cumulative impact assessment refers to the practice of investigating the collective impacts, both positive and negative, that can result from a clustering of all foreseeable works within the floodplain. Note: An assessment of the cumulative impact of potential future development in the floodplain of the Hunter River is detailed in the Lower Hunter River Floodplain Cumulative Development & Impact Study & Plan (Stages 1, 2 and 3: 2021; 2023 & 2023).	Cumulative impact assessment refers to the practice of investigating the collective impacts, both positive and negative, that can result from a clustering of all reasonably foreseeable works	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.
App E – Flooding	**3. Flood Impact Assessment Technical Guidelines (Definitions)**	Flood function means the flood related functions of floodways, flood storage and flood fringe within the floodplain. Flood function is equivalent to hydraulic categorisation.	Consider removing this definition as flood function is defined in the Flood Risk Management Manual	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.
App E – Flooding	**3. Flood Impact Assessment Technical**	Floodway and flood storage areas, are parts of the Hunter River floodplain shown on the maps referred to as the Maitland DCP Flood Mapping.	Again, the FRM definition may be preferable. Further, parts of the Maitland LGA are floodway and flood fringe but are not	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with	Removed.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	Guidelines (Definitions)		part of the Hunter River flood plain or mapped in a council adopted FS or FRMS.		as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	
App E – Flooding	**3. Flood Impact Assessment Technical Guidelines (Definitions)**	Flood impact assessment (FIA) refers to a site-specific study prepared to assess the impacts on flood behaviour that are likely to occur as a consequence a particular development. Flood impact and risk assessment (FIRA) refers to a study prepared to assess flood behaviour, constraints and risk, understand offsite flood impacts on property and the community resulting from the development, and flood risk to the development and its users. A FIA may form a component of a FIRA.	It is not clear what is the difference between a FIA and FIRA and under what circumstances each would be needed.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.
App E – Flooding	**3. Flood Impact Assessment Technical Guidelines (Computer Model)**	1. Unless otherwise agreed by Council or if none is available for the site of the development proposal, a Council established TUFLOW hydraulic model is to be used to prepare a FIA. 2. A fee may be payable for the use of Councils TUFLOW model. Once engaged, the consultant must enter into a license agreement for the use of Council's flood model for the specific purpose of preparing the FIA for the proposed development only.	Remove TUFLOW. Government should not mandate the services or products of a private company.	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
App E - Flooding	**4. Flood and Floodplain Maangement - Central Maitland and Lorn Exclusion Zone (Table 4-2)**	e. Freeboard: Where required the following freeboard heights apply: a. Areas subject to riverine flooding: 500mm b. Areas subject to only overland flow flooding: 300mm	Consider adding a clause stating these freeboards apply unless otherwise agreed by Council. Freeboard values (500mm/300mm) may not be practical in all cases, particularly in overland flow areas where a 0.2% AEP surface may be used.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Removed.
App E - Flooding	**4.3.1. Floor Levels PC.2**	Habitable floor levels are to be equal to or greater than the 1% AEP flood level plus freeboard.	Floor levels are to be equal to, or greater than, the level of the 1% AEP flood level plus freeboard plus climate change allowance (if applicable).	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Control removed.
App E - Flooding	**4.3.5. Emergency Management PC.1**	Reliable access for pedestrians or vehicles is to be provided from a minimum level equal to the lowest habitable floor level to an area of refuge above the PMF level. This should involve evacuation to an area outside of the PMF extent, except for areas where Shelter In Place (SIP) has been identified as a suitable option.	Consider changing to "This should involve evacuation to a safe area outside of the PMF extent."	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable	Control removed.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
					community consultation in greater depth.	
App E – Flooding	**4.3.5. Emergency Management AS.1**	The development should be designed and be able to be managed to ensure that during a flood emergency all occupants are capable of reaching safe refuge.	Consider changing to "All occupants can reliably self-evacuate to safe refuge".	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Control removed.
App E – Flooding	**3. Flood Impact Assessment Technical Guidelines**	A site-specific Flood Impact Assessment (FIA) must be prepared by a professional engineer.	We suggest that the language be changed as follows:A site-specific Flood Impact Assessment (FIA) must be prepared by a professional engineer and wheredevelopment falls in the catchment area of non-riverine waterways, this FIA should give consideration towhether the development will adversely affect flood heights or flood water velocities in areas downstream ofthe development, specifically in areas of Central Maitland, South Maitland and Louth Park	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
App E – Flooding	**1. Definitions**	Flood Impact Assessment (FIA) refers to a site-specific study prepared to assess the impacts on floodbehaviour that are likely to occur as a consequence a particular development.	Problem: The focus of FIAs tends to be on the impact of floods on the development itself and not on theimpact of the development on floods. As discussed, there has been a material change to the flood behaviourin Central and South Maitland as well as Louth Park in recent years due to developments in the catchmentareas of non-riverine waterways, this needs to be explicitly studied on all future developments. We suggest the following language be added with appropriate reference to controls in Table 2-5.Flood impact assessment (FIA) refers to a site-	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			specific study prepared to assess the impacts on floodbehaviour that are likely to occur as a consequence a particular development. Development proposalsinvolving large-scale subdivision or rezoning for residential, industrial, or commercial purposes—particularly those located within or draining to non-riverine catchments south of Central Maitland (including but notlimited to areas influencing Wallis Creek or Fishery Creek)—must be accompanied by a Flood ImpactAssessment (FIA).This assessment must demonstrate that the proposed development: i. Does not exacerbate downstream flood behaviour through changes to flood height or flow volume,direction, velocity or timing; ii. Appropriately mitigates through detention and other means any increased runoff or concentration ofoverland flow; and iii. Is consistent with relevant floodplain risk management studies and strategies applicable to theaffected catchment."		process, which will enable community consultation in greater depth.	
App E – Flooding	**All of Appendix**	N/A	Incorporate Non-Riverine Flood Studies: Revise Appendix E to explicitly reference the Wallis and Swamp-Fishery Creek Flood Study and integrate its findings into development controls. This should include specific guidelines for managing runoff from non-riverine floodways.	**As Is**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
App E – Flooding	**4. Flood and Floodplain Management – Central Maitland and**	All of section.	This appendix is the most consequential section in terms of long-term implications for Central Maitland. It fails to acknowledge: •The proven effectiveness of shelter-in-place strategies; •The robust flood planning controls that have been in place for decades;	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the	N/A - Appendix E Removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
	Lorn Exclusion Zone		•The extensive modelling in Council's own referenced studies that shows Maitland and Lorn are largely unaffected by flooding up to the 1 in 200–500-year events; •That PMF-based planning is prohibitively expensive and may preclude all future development in key urban areas. Proposals such as requiring all car parking to be located above the 1% AEP are economically and physically unviable in a CBD context and contradict Council's own goals for urban intensification.		controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	
App E – Flooding	**4. Flood and Floodplain Management - Central Maitland and Lorn Exclusion Zone**	Central Maitland and Lorn Exclusion Zone	The terminology utilised within the draft MDCP referring to an 'exclusion zone' of Central Maitland and Lorn is misleading and should also be adjusted.	**Amended (as recommended)**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed
App E – Flooding	**Definitions**	N/A	the Flooding Guidelines should also includes and defines the conditions for flood free access to assist with any new development in greenfield release areas, investigation areas, and other growth areas.	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
App G - Heritage	**1.7.6. Morpeth HCA**	(Footer) Appendix E: Heritage	The footer on all pages should read Appendix G: Heritage	**Amended (as recommended)**	Fixed error.	(Footer) Appendix G: Heritage
App G - Heritage	**1.7.6. Morpeth HCA**	The boundary of the Morpeth Heritage Conservation Area comprises part of the land grant of the early settlement established in 1823 and the Georgian period town plan. The HCA extends west along the Hunter River to Morpeth House and Closebourne House and extends east to Morpeth Common and Morpeth Oval. Morpeth Bridge provides access from Swan Street to the rural flats on the northern side of the Hunter River. The surrounding agricultural land forms the agricultural setting of the HCA.	Page 16 paragraph 1 describes the western extent of the Morpeth HCA to be Morpeth House and Closebourne House. These buildings are respectively 205m and 435m east of the nearest western boundary of the HCA. A better description of the HCA western extent would be Raworth. In addition, there is no description of the southern and northern extents of the HCA. A suggested re-wording of this paragraph would be as follows: "The boundary of the Morpeth Heritage Conservation Area comprises part of the land grant of the early settlement established in 1823 and the Georgian period town plan. The HCA extends west along the Hunter River to Raworth and extends east to Morpeth Common and Morpeth Oval. Morpeth Bridge provides access from Swan Street to the rural flats on the northern side of the Hunter River. The surrounding agricultural land forms the agricultural setting of the HCA, extending from Butchers Lane in the south to Lawlers Road and Phoenix Park Road in the north."	**Amended (as recommended)**	This is a more grounded boundary reflective of the actual HCA	The boundary of the Morpeth Heritage Conservation Area comprises part of the land grant of the early settlement established in 1823 and the Georgian period town plan. The HCA extends west along the Hunter River to Raworth and extends east to Morpeth Common and Morpeth Oval. Morpeth Bridge provides access from Swan Street to the rural flats on the northern side of the Hunter River. The surrounding agricultural land forms the agricultural setting of the HCA, extending from Butchers Lane in the south to Lawlers Road and Phoenix Park Road in the north
App G - Heritage	**1.7.6. Morpeth HCA - Significant Views**	The significant views to and from the Morpeth Heritage Conservation Area include: 1. View from Morpeth Road to Morpeth Heritage Conservation Area on entry to the town. 2. View from Morpeth Road to Morpeth House. 3. View from Closebourne House towards Hunter River and northern rural landscape. 4. View from Queens Wharf Road to Hunter River. 5. Views from the western end of High Street towards Closebourne House, its grounds, the river and northern rural landscape. 6. View to the cemetery from Tank Street. 7. Views between buildings on Swan Street to the Hunter River. 8. View from the Morpeth Bridge to the northern rural landscape. 9. View from the intersection of Robert and Swan streets to the northern rural landscape. 10. View from the intersection of George and Swan streets to the northern rural landscape. 11. Views from the intersection of Swan and Edward streets to the rural landscape. 12. View from Edward Street to Morpeth Common and western rural landscape. 13. View from Edward Street to Morpeth Oval and the western rural landscape.	In addition to significant views to and from the Morpeth HCA we believe three additional views should be added to those listed on page 19 and shown in the figure on page 20 should be amended to include view corridors 22, 23 and 24: 22. Important views from Metford Rd. and Tank St. (As per Maitland DCP 2011 and Morpeth Mgt Plan 2000) 23. View from Hinton (As per Maitland DCP 2011 and Morpeth Management Plan 2000) 24. Important views from McFarlanes Road of rural outskirts leading up to the defined residential town boundary	**Amended (as recommended)**	Added the recommended Item 22 and 24 view corridors as these are logical inclusions that have reciprocal scope preserved from the north. Recommended Item 23 has not been added as Hinton is not within the Maitland City Council Local Government Area.	22. View from Metford Road north-east towards the lake and the southern extent of the township. 23. View from Mcfarlanes Road north-west towards the lake and the southern extent of the township.

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		14. View from Duckenfield Road to the southern rural landscape and lake. 15. View from the corner of John Street and Duke streets to the southern rural landscape and lake. 16. View from Little James Street to the southern rural landscape. 17. View from the intersection of George and James streets looking north. 18. View from the intersection of James and Robert streets to the southern rural landscape. 19. View from the intersection of James and Northumberland streets to the southern rural landscape. 20. View from Butchers Lane to the north across the southern rural landscape, including the southern extent of the township and the lake. 21. View from the floodplain to Morpeth Bridge and the township.				
App G - Heritage	**Section 1.2**	• 40 state items listed under Schedule 5 of the MLEP 2011	amending Section 1.2 of Appendix G, specifically removing the dot point for '40 state items listed under Schedule 5 of the MLEP 2011'. Please note that only heritage items which are listed on the State Heritage Register (SHR) should be identified as 'State' under the Significance column in an LEP. Council should review the LEP to ensure that this is the case, and undertake a Housekeeping amendment to correct this	**Amended (as recommended)**	Removed the state items dot point in reference to the MLEP 2011.	N/A
General	**N/A**	N/A	Central Maitland needs a masterplan that facilitates the construction of greater density, and the Development Control Plan should work towards this outcome as well.	**Noted**	Council are currently preparing the Residential Density Guidelines which will provide guidance and oversight for urban density across the LGA	As Is
General	**General**	ground floor: 4m Upper floor: 6m	Agents the proposal	**As Is**	Noted	As Is
General	**General**	N/A	Agents the proposal around the park area	**As Is**	Noted	As Is
General	**General**	N/A	The document comes across as unnecessarily complex, overly prescriptive, and, at times, confrontational in tone. These characteristics risk alienating key stakeholders and may discourage vital residential and commercial investment in the Maitland CBD. More importantly, it could hinder the everyday experience of those who live and work in our community. I urge Council to consider my and other submissions and reconsider the draft's structure and approach to	**Amended (as recommended)**	As part of the exhibition process, amendments have been made in terms of readability, simplicity and clarity throughout the document. The length of the document has reduced significantly (by about 20% from the exhibited version)	Various amendments throughout the entire document

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			ensure it supports—not stifles—ongoing growth and investment in Maitland. A more balanced, collaborative, and transparent framework is essential to maintain the momentum Council have worked so hard to achieve.			
General	**N/A**	N/A	There should be a reference in the DCP concerning the potential sterilisation of adjoining land. Due to the increasing demands on land, every effort should be made to ensure provisions is made to facilitate the orderly and economic development of land. In order to achieve this the provisions of future access, drainage easements and overland flow paths should be provided where possib	**As Is**	Council cannot impose for a theoretical future private benefit a control that could adversely affect outcomes under the Matters for Consideration under the act. Controls have already been provided to ensure easements are considered where, for example, development triggers augmentation of the network e.g. new subdivision. Even for utility providers easements are privately negotitated. Achieving these easements is up to good faith negotiation between various parties to come to an agreement.	N/A - As Is
General	**Various**	Various	In addition, a DCP cannot impose contradictory interpretations or add to higher order instruments. The Draft DCP does precisely that on multiple occasions with provisions related to the Maitland LEP, flood planning, Rural Fires Act 1997, Biodiversity Conservation Act 2016 (BC Act) and Water Management Act 2000.	**Amended (as recommended)**	Multiple revisions have been made throughout the document in response to this, including a reduction in the scope of bush fire controls, changes in the riparian controls. Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Section 2.4. Flood and Floodplain Management and Appendix E removed, multiple revisions to other sections in Chapter 2: Environmental Considerations.
General	**All of Document Set**	N/A	Defer further formal action until .... earlier-provided feedback and our members' submissions are adequately addressed.	**Noted**	Council has undertaken an extensive review of the prior feedback received by the submitter and their member submissions on the DCP. In response, of 63 control-specific proposed changes made by their members: - 28 have been amended as recommended, equating to 100% of one members	Various - see DCP Register of Changes

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
					proposed changes and 42% of the other that submitted. - A further 12% have been amended to meet part way. - 3% have been noted. - 43% have remained As Is, with justification provided against each.	
General	**All of Document Set**	N/A	Ensure the documents adhere to their purpose under the EP&A Act to provide guidance which allows for flexibility.	**Amended (as recommended)**	Language has been revised in line with other recent DCPs throughout NSW and to clearly communicate the role of the DCP. Variation criteria has also been revised to align with peer high-growth and other Hunter Councils.	1.4. Status and Purpose of this Plan This Development Control Plan (DCP) was prepared in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and associated Environmental Planning and Assessment Regulation. In the event of any inconsistency between this DCP and an Environmental Planning Instrument (EPI), the EP&A Act 1979 states that the EPI prevails to the extent of the inconsistency. This is reinforced by Section 3.42 and 3.43 of the EP&A Act 1979, which establish the purposes of a DCP.The purpose of this DCP is to provide more detailed guidelines for future development within the Maitland Local Government Area (LGA) to:• Give effect to the aims of any environmental planning instrument that applies to the development.• Facilitate development that is permissible under any such instrument• Achieve the objectives of land zones under any such instrument.A consent authority is required to consider this DCP when determining Development Applications (DAs) under Section 4.15 of the EP&A Act 1979 in its assessment of a Development Application. However, compliance with the provisions of this DCP does not necessarily imply that a consent authority will consent to the application. 1.5. Aims of this Plan The Maitland Development Control Plan 2026 aims to:1. Ensure that development is economically, socially and environmentally sustainable.2. Ensure that development positively responds and contributes to the site and its context.3. Facilitate development consistent with the established vision, adopted plans, strategies and policies including Council's Local Strategic Planning Statement (LSPS). 1.8. Variations to this DCP If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined in Section 1.7), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should: 1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation, 2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
						these potential impacts have been mitigated.This variation should be justified in the Statement of Environmental Effects accompanying the development application.
General	**All of Document Set**	N/A	Ensure the documents do not contradict or go beyond higher order instruments.	**Amended (as recommended)**	Multiple revisions have been made throughout the document in response to this, including a reduction in the scope of bush fire controls, changes in the riparian controls. Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	Section 2.4. Flood and Floodplain Management and Appendix E removed, multiple revisions to other sections in Chapter 2: Environmental Considerations.
General	**All of Document Set**	N/A	Improve the structure to make the documents more user-friendly and less complicated by shortening them and focusing on positive outcomes.	**Amended (as recommended)**	To improve legibility, Council has undertaken a full sweep of duplicative controls throughout the DCP, leading to extensive length savings in a number of Chapters, particularly Heritage, Site Requirements, Subdivision, and Residential. This has been improved further by formatting changes to improve ease of reading and consistency in line spacing. Both of these measures have led to an overall reduction from 858 pages to 692 pages. This includes B.3 Hunter River Floodplain of the MDCP 2011.	N/A
2 - Environmental Considerations	**Section 2.4.9. Off-site Flood Levels AS.1, 2, 3, 4**	AS.1 The flood impact of the development should not exceed a maximum increase of 10mm at the footprint of buildings that are not associated with the development, in cases where floor levels are currently inundated in a 1% AEP flood AS.2 The flood impact of the development should not exceed a maximum increase of 20mm in inundation in a 1% AEP flood of land zoned for urban residential, industrial or commercial purposes. AS.3 The flood impact of the development should not exceed a maximum increase of 30mm in inundation in a 1% AEP flood of land zoned for rural, primary production,	Problem: The section attempts to reduce impact of cumulative development on downstream flood affected areas. However, language and controls relate to the 1% AEP riverine flood only and fails to address dual source flood risks (southern catchment flooding and riverine flooding) or consider changes to sub-catchment hydrology from development intensification in places associated	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
		environment conservation or public recreation purposes AS.4 The flood impact of the development should not exceed a maximum increase of 30mm in inundation, during floods up to a 5%, 2% or 0.05% AEP event of land zoned for residential, industrial or commercial purposes.	with areas like East Maitland, Gillieston Heights, Cliftleigh and Farley. We suggest that the language we changed as follows: *AS.1 The flood impact of the development should not exceed a maximum increase of 10mm at the footprint of buildings that are not associated with the development, in cases where floor levels are currently inundated in any flood up to a 1%AEP flood based on riverine and non-riverine flood models. Special consideration should be given to impact of development in non-riverine catchments that would affect inundation of Central and Southern Maitland and Louth Park.* *AS.2 The flood impact of the development should not exceed a maximum increase of 20mm in inundation in any flood up to a 1%AEP flood of land zoned for urban residential, industrial or commercial purposes. Special consideration should be given to impact of development in non-riverine catchments that would affect inundation of Central and Southern Maitland and Louth Park.* *AS.3 The flood impact of the development should not exceed a maximum increase of 30mm in inundation in any flood up to a 1% AEP flood of land zoned for rural, primary production, environment conservation or public recreation purposes. Special consideration should be given to impact of development in non-riverine catchments that would affect inundation of Central and Southern Maitland and Louth Park.* *AS.4 The flood impact of the development should not exceed a maximum increase of 30mm in inundation, during floods up to a 5%, 2% or 0.05% AEP event of land zoned for residential, industrial or commercial purposes. Special consideration should be given to impact of development in non-riverine catchments that would affect inundation of Central and Southern*		that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			Maitland and Louth Park. *AS.5 "The development must not result in any increase in peak flood level on any other property, whether adjacent or downstream, for any relevant flood scenario, including floods up to:* *· 1% AEP flood* *· 20% AEP (for flash flood impacts)* *· PMF (for evacuation/emergency planning)* *Where non-riverine overland flows could be a contributing factor to downstream flooding, flood modelling must assess multiple inflow paths and flood sources that affect the broader floodplain area beyond the site itself.*			
2 - Environmental Considerations	**Section 2.4.10. Off-site Flood Flow Velocities**	AS.1 The development should not result in flood flow velocities increasing at the property boundary for anyflood up to a 1% AEP flood:· by any amount where the existing condition flow velocity is greater than 1.5 m/s, or· by more than 20% where the existing flow velocity is less than 1.5 m/s.	Problem: This section allows velocity increases of up to 20% for flows <1.5 m/s and no increase for >1.5m/s — without spatial nuance or context about vulnerable areas like Regent Street that are affected byswamp-fed flash flows. The thresholds do not appear to be evidence-based and fail to consider downstreamvulnerability to rapid onset and non-riverine flooding. Nor is there a requirement for site-specifichydrodynamic modelling of how development changes velocity patterns in non-riverine overland flow paths. We suggest the language be changed as follows: *AS.1 The development should not result in flood flow velocities increasing at the property boundary or in anydownstream property for any flood up to a 1% AEP flood:a. by any amount where the existing condition flow velocity is greater than 1.5 m/s, orb. by more than 1% where the existing flow velocity is less than 1.5 m/s.And a new clause added meeting objective 0.32 through 0.37:* *AS.4 Where non-riverine overland flows could be a contributing factor to downstream flooding, flood modellingmust assess multiple inflow paths and flood sources that affect the broader floodplain area beyond the site itself.Where likely flood impact exists from development in non-riverine catchment areas the assertion that floodheight and flood velocity*	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed

DOCUMENT	REFERENCE	EXISTING TEXT	SUBMITTER COMMENT	ACTION	MCC RESPONSE	RESULTING TEXT
			impact will be within guidelines must be supported by calibrated, catchment-widehydrodynamic modelling that considers The downstream sensitivity of the area and the presence of flash flood prone low points or lagoon systems (e.g. Bonar Street, Bull Street and Regent St in Central Maitland and Telarah Lagoon.			
2 – Environmental Considerations	**Section 2.4.11. Adjoining Land Flood Hazard**	PC.1 The development is not to result in an increase in the flood hazard category of adjoining land defined according to the general hazard vulnerability curves shown in Figure 2-4 of the 'Australian Disaster Resilience Handbook 7 - Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia' (ADR 2017).	Problem: The section only references changing the flood hazard categorisation of adjacent properties and does not require evaluation of material flood hazard changes to downstream properties, which in the case of Central Maitland, South Maitland and Louth Park are located many hundreds of metres away but are directly impacted by changes in runoff timing and volume from new development. We suggest the following clause be added: *PC.2 Particular care must be taken with developments that will affect non-riverine catchment areas and the impact of those developments on Central Maitland, South Maitland and Louth Park to abide by the following principals:* *a. Retain storm runoff in the developments so as not to exacerbate the flood impacts in downstream areas;* *b. Have no material impact on the flood velocities of downstream affected areas for any floods up to the 1% AEP flood* *c. Not increase the flood heights in downstream affected areas for any flood up to the 1% AEP flood. For clarity this includes the 20%, 10% and 5% AEP floods.*	**Amended**	Flooding controls within the DCP (being Section 2.4 of Chapter 2 and Appendix E: Flooding Guidelines) are no longer being proceeded with as part of the Maitland DCP review due to significant community feedback in relation to the viability, cost, and economic vitality of the controls. The flooding controls under B.3 Hunter River Floodplain of the Maitland DCP 2011 will continue to apply until such a time that the flooding controls are reviewed. This is likely to be as part of the Maitland Flood Risk Management Study and Plan process, which will enable community consultation in greater depth.	N/A - Control removed

Maitland DCP 2026 Long-Form Register Table (Additional Changes)

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
N/A	All Objective Reference Dot Points	List indent 0.4cm, followed number with tab character	List indent 0cm, followed number with space	List indent 0cm, followed number with space	Saves extensively on space throughout the document and gives a better final display of the controls.
Appendix D: Canopy Cover Guidelines	Appendix D: Canopy Cover Guidelines 3. Canopy Cover Targets by Land Use	N/A	Trees not likely to be retained for the life of the dwelling. Applications for ancillary development (such as sheds, pools, or cabanas) may necessitate the removal of these such trees, and the property may not have sufficient space to accommodate their replacement.	Appendix D updated to properly communicate that it is a forward looking, best practice document for applicants to use in their design process, and not for assessment purposes aside from soil volume requirements.	Acknowledged that ancillary development may remove some trees however species selection initially (especially of smaller tube stock) will improve canopy outcomes overall.
Appendix A & B	Item 50. & 26.	The Site plan must be drawn to scale at either 1:100 or 1:200 and include: • North point • The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m²) and any easements, rights of way or sewer mains. • Location of proposed new building/development with outline of existing building/development on site, shown dotted. • Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings. • Details of existing and proposed fencing. • Distance from external walls and outermost part of proposed building to all boundaries. • Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties). • Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues. • Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels. • Location of proposed and existing driveways and vehicle parking and manoeuvring areas. • Extent of any existing landfill and retaining walls and any contaminated soil areas. • BASIX commitments e.g. rainwater tank. • Summary table calculations of site area, floor area, landscaped area etc.	Site plan requirements should specify that the plan must include the Hunter Water Corporation endorsement stamp, and for sites located within a mine subsidence area, the plan must also be endorsed by the Subsidence Advisory NSW.	The Site plan must be drawn to scale at either 1:100 or 1:200 and include: • North point • The legal description of the site – including the lot and DP number, property boundaries and dimensions, site area (m²) and any easements, rights of way or sewer mains. • Location of proposed new building/development with outline of existing building/development on site, shown dotted. • Location of all building/development on directly adjoining sites, including location of any windows contained within adjoining buildings. • Details of existing and proposed fencing. • Distance from external walls and outermost part of proposed building to all boundaries. • Contours or spot levels to Australian Height Datum (extended contours into adjoining roads and properties). • Differences in ground level between the site and adjoining land to identify potential overshadowing, privacy, drainage and view sharing issues. • Drainage and services including stormwater drains, flow paths, drainage easements, watercourses and channels. • Location of proposed and existing driveways and vehicle parking and manoeuvring areas. • Extent of any existing landfill and retaining walls and any contaminated soil areas. • BASIX commitments e.g. rainwater tank. • Summary table calculations of site area, floor area, landscaped area etc. • A Hunter Water Corporation endorsement stamp. • For sites within a mine subsidence area, endorsement from Subsidence Advisory NSW.	Better clarity around relevant legislative requirements.
Appendix F: CPTED and Appendix G: Heritage	N/A	N/A	Update to E & F due to Flooding Guidelines (Appendix E) having been removed.	Appendix E Heritage Guidelines	Reduces amendment needed to text; Flooding Guidelines have been removed.
Appendix A & B	Flood Impact Assessment	A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant. For detailed information about the preparation of a FIA please see Appendix E: Flooding Guidelines.	Remove reference to Appendix E Flooding Guidelines as these have been removed.	A report that measures and then details the impacts of flooding on a particular parcel of land. This report is prepared to by a qualified professional consultant. Flood Impact Assessments are to be prepared in accordance with the 'Flood Impact and Risk Assessment' – Flood Risk Management Guideline LU01 of the NSW Flood Risk Management Manual.	Provides relevant clear guidance as to the requirements for relevant assessment criteria.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
Appendix A & B	Flood Risk Management Plan	A study and subsequent plan to understand flood risk, assess how it can be managed and implement projects to reduce the threat to the community. Refer to the NSW Floodplain Development Manual for further information www.planning.nsw.gov.au.	Remove as this is deprecated.	Removed.	Deprecated reference and adequately captured by the Flood Impact Assessment guidance.
Appendix A	17. Cost Estimate Report	A cost estimate report is utilised to ensure the correct application fees are applied to developments and to provide an accurate reading of the Capital Investment Value (CIV) of a proposed development. There are three different assessment tiers with varying requirements for each: CAPITAL INVESTMENT VALUE (CIV) RANGE REQUIREMENTS FOR COST ESTIMATE REPORT Under $100,000 To be estimated by an applicant or a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA. $100,000 - $500,000 To be estimated by a suitably qualified person*, with the methodology of cost calculation to be submitted with a DA. Over $500,000 A detailed cost report is to be prepared by a registered quantity surveyor and is to be submitted with a DA.* *Further details around cost estimate reports, including requirements and suitably qualified persons, are provided in Planning Circular PS 21-022 – Calculating the genuine estimated cost of development.	Bring in line with modern language i.e. Estimated Cost of Development	A cost estimate report is utilised to ensure the correct application fees are applied to developments and to provide an accurate reading of the Estimated Development Cost (EDC) of a proposed development. There are three different assessment tiers with varying requirements for each:	Original draft was deprecated terminology.
Appendix A	Application Requirements Matrix	N/A	It would be helpful to have the 'key' to the matrix table on each page.	The key for this is provided below and at the end of the matrix:	Improved clarity and ease of use for Applicants.
Appendix A	1. ACHA	For developments that will harm Aboriginal objects or declared Aboriginal places. Not required if Heritage NSW has previously issued an Aboriginal Heritage Impact Permit for the site that remains valid and whose conditions will be complied with.	Wording is clunky. What are we trying to say?	Note: Not required if Heritage NSW has previously issued an Aboriginal Heritage Impact Permit for the site that remains valid and whose conditions will be complied with.	Improved clarity and ease of use for Applicants.
Appendix A	2. ACHA	For developments that will disturb the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.	Wording is clunky. What are we trying to say?	Generally required for developments that are an initial disturbance of the ground surface or any culturally modified trees. Not required if the development will be overlaid on a subdivision for which a report has previously been completed and accepted by Council.	Improved clarity and ease of use for Applicants.
1 – Intro and Admin	1.12 Public Notification	Modification to approvals under Section 4.55(1A) and 4.55(2) of the EP&A Act 1979 will only be notified where Council is of the opinion that the use or enjoyment of adjoining land may be detrimentally affected by the proposed modification.	With regard to s4.55(2) modifications, the DCP states the notification requirements C 13. Modification to approvals under Section 4.55(1A) and 4.55(2) of the EP&A Act will only be notified where Council is of the opinion that the use or enjoyment of adjoining land may be detrimentally affected by the proposed modification. The Act states the following: 107 Notice of other modification applications (1) This section applies to— (a) a modification application under the Act, section 4.55(2) to which section 106 does not apply, and (b) a modification application under the Act, section 4.56(1) to which sections 105 and 106 do not apply. (2) An application must be notified or advertised— (a) for the minimum period specified in the Act, Schedule 1, clause 10, and (b) otherwise in the same way as the original development application was notified or advertised. The DCP suggests that we have the discretion to determine if the modification should be notified. However, the Act	Modification applications under Section 4.55(2) of the EP&A Act 1979 will be notified in accordance with the provisions of the EP&A Act 1979 and the EP&A Regulation 2021.	ERROR - correction is now in line with the provisions of the Act.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			suggests that the modification of a 4.55(2) should be notified/advertised in the same manner as the original DA.		
1 – Intro and Admin	1.1. Adoption and Commencement	N/A	Addition of Version Amendment History to improve transparency and keep public record of MDCP 2026 versions.	Version Amendment History Table added.	ERROR - version amendment history is required to maintain transparency and is considered best practice.
1 – Intro and Admin	1.9 DCP Structure	Chapter 5: Subdivision The Subdivision Chapter gives Applicants a detailed set of controls and acceptable solutions to work to in realising effective subdivision outcomes within the Maitland LGA. It provides provisions relating to a vast range of matters, including utilities, landscaping, context-specific lot types, street layout, size and dimensions in relation to Residential, Rural, Industrial and Commercial Subdivisions.	Wording here is a bit clunky. it could alternatively read: "The Subdivision Chapter provides a detailed set of controls and acceptable solutions for realising effective subdivision outcomes within the Maitland LGA. It addresses a range of matters, including utilities, landscaping, context-specific lot types, street layout, size and dimensions in relation to Residential, Rural, Industrial and Commercial Subdivisions.	The Subdivision Chapter provides a detailed set of controls and acceptable solutions for realising effective subdivision outcomes within the Maitland LGA. It addresses a range of matters, including utilities, landscaping, context-specific lot types, street layout, size and dimensions in relation to Residential, Rural, Industrial and Commercial Subdivisions.	Wording change to improve legibility that does not change the intent or advice of the section.
1 – Intro and Admin	1.9 DCP Structure Chapter 7: Commercial Uses	...detailed controls and acceptable solutions surrounding the design of commercial premises and their intrinsic interactions...	change surrounding to relating to	detailed controls and acceptable solutions relating to the design of commercial premises and their intrinsic interactions	Improves legibility and retains intent
1 – Intro and Admin	1.12 Public Notification O.2	O.2 To ensure reasonable time is given for the public to assess applications and prepare submissions.	Change 'assess' to 'review'	O.2 To ensure reasonable time is given for the public to review applications and prepare submissions.	Wording change better aligns with the public's role to provide review and comment rather than assessment.
2 – Environmental Considerations	2.5.3. Contamination 2nd Guidance Note	Note: A PSI forms the first step in assessing if land is contaminated. If a PSI indicates potential contamination, the next assessment required is a Detailed Site Investigation (DSI). A DSI provides a comprehensive assessment of contamination and provides context for further assessment/remediation, which may result in a Remedial Action Plan.	Remove - this is covered by relevant legislation and application requirements.	N/A	This is appropriately addressed by legislation and is needless duplication of the process in respect to the notation. It is additionally also mentioned in Council's Contaminated Land Use Planning Policy. Removed.
2 – Environmental Considerations	2.4.1. How to use this Chapter	Flood and Floodplain Management This section is to ensure that properties identified as flood liable land undertake the necessary mitigation measures to reduce the impact of flooding to property, in accordance with overarching state and local legislation and flood studies.	Remove and replace with guidance note directing off to B.3.	*For Section 2.4. Flood and Floodplain Management of the Maitland DCP 2026, please refer to the document titled Part B.3 – Hunter River Floodplain.* *Maitland DCP 2011 Part B.3 - Hunter River Floodplain forms part of this DCP.*	Section removed in response to community feedback and further review. Flood and Floodplain Management will be reconsidered as part of the Flood Risk Management Study and Plan Review currently underway.
3 – Site Requirements	3.2 Earthworks and Retaining Walls PC.8 Guidance note	Note: Terracing must occur where retaining walls are in excess of 1.2 metre, at a minimum of 1.0 metre horizontal intervals, and the walls are to be designed by a suitably qualified engineer.	Clean up of grammar and sentence structure to make clearer.	Note: Terracing must occur where retaining walls are in excess of 1.2m, at a minimum of 1m horizontal intervals. The walls are to be designed by a suitably qualified engineer.	Improves legibility without changing the intent, purpose, or technical aspects of the clause.
3 – Site Requirements	3.5.3. Hazardous Goods Storage PC.3	No storage of materials which may cause pollution or be potentially hazardous during any flood event is permitted below the 1% AEP plus freeboard.	Duplicate control with flood section (including existing MDCP 2011). Suggest remove	N/A	Duplicate control - serves no purpose and is out of place in Chp 3.
3 – Site Requirements	3.4.2 Vehicle access	N/A	Could you please provide clarification regarding the applicability of this section to single residential dwellings and ancillary	Note: This section does not apply to any type of residential accommodation. Controls for vehicle access and driveways for	Provides clarity to both applicants and assessing officers as to the use case for this set of controls.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			development? Section 6.2.11 appears more relevant to these types of development, and it may be helpful to include a note under this section to clarify its intended application.	residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.	
3 – Site Requirements	3.4.3 Parking, Circulation and Design	N/A	Note stating applicability to single dwelling housing and ancillary development	Note: This section does not apply to any type of residential accommodation. Controls for parking, circulation, and design for residential accommodation and ancillary development are contained in Chapter 6: Residential Uses.	Provides clarity to both applicants and assessing officers as to the use case for this set of controls.
3 – Site Requirements	3.4.4. Parking Provision PC.1	Development is to provide the number of off-street parking spaces in accordance with their proposed land use in line with the following metrics: a. Set out in Table 3-5: Parking Provision Rates under this section (unless the proposed development satisfies the criteria provided under AS.1 of this section); or b. If the proposed land use is not listed – in accordance with Transport for NSW's Guide to Traffic Generating Developments, as amended; or c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances. No parking spaces provided under this control are to be utilised for purposes other than for residents, customers, employees, and visitors.	Wording of the control is odd as it triggers a TIA in all variation cases	Development is to provide the number of off-street parking spaces in accordance with their proposed land use in line with the following metrics: a. Set out in Table 3-5: Parking Provision Rates under this section (unless the proposed development satisfies the criteria provided under AS.1 of this section); or b. If the proposed land use is not listed – in accordance with Transport for NSW's Guide to Traffic Generating Developments, as amended; or c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances unless captured by AS.1 of this section. No parking spaces provided under this control are to be utilised for purposes other than for residents, customers, employees, and visitors.	Added after DA assessment comparison conducted to ensure AS.1 is adequately given weight.
3 – Site Requirements	3.4.4. Parking Provision AS.1	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement etc) in the following circumstances: … b. Change of Use: The proposed development is a 'change of use', where there is no additional on-site car parking required and additional impacts on on-street car parking would be minimal (to the satisfaction of Council). c. Existing structure: The proposed development involves alterations and/or additions to an existing structure that: • Are less than 25m2, and • Do not encroach or impact on existing off-street parking areas, and • The alterations and additions will not significantly intensify the land use from an on-site parking provision perspective….	No appropriate language provided for alts and adds or continuation of existing use with no intensification, leading to higher standard of traffic assessment than deemed suitable.	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement, statement of existing arrangements within the SEE and adequate justification etc) in the following circumstances: … b. Change of Use: The proposed development is a 'change of use', where there is no additional on-site car parking required and additional impacts on on-street car parking would be minimal (to the satisfaction of Council). c. Existing structure: The proposed development involves alterations and/or additions to an existing structure that: • Are less than 25m2, and • Do not encroach or impact on existing off-street parking areas, and • The alterations and additions will not significantly intensify the land use from an on-site parking provision perspective….	Added after DA assessment comparison conducted to ensure Existing Structures are not unnecessarily burdened.
3 – Site Requirements	3.3.2. Stormwater Management within the Woodberry Swamp Catchment PC.2	DEVELOPMENT TYPE DETENTION REQUIREMENTS (M3) 1 and 2 Roof area (m2) x 0.04. Minimum 4m3 per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.	Tanks for single dwellings and dual occupancies be reconsidered as the detention calculations will lead to significant tank sizes (8m3). Suggest lowering the requirement or removing	DEVELOPMENT TYPE DETENTION REQUIREMENTS (M3) 1 Roof area (m2) x 0.02. Minimum 2m3 per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge. 2 Roof area (m2) x 0.04. Minimum 4m3 per dwelling. Upper 50% capacity draining to 5mm weep hole for slow discharge.	Tank requirements have been removed for ancillary structures, reducing total tank size. Total calculation for small-scale development has also been halved to be Roof Area (m2) x 0.02, with a minimum 2m3 per dwelling to better reflect the 450m2 minimum lot size across the Maitland LGA and the inherent constraints of this lot size.
3 – Site Requirements	3.3.2. Stormwater Management within the	Note: This section applies to development within the Woodberry Swamp Catchment, as identified in Figure 3-1, and is to be read in conjunction with Section 3.3.1 – Stormwater and Drainage. Where a conflict arises between	Tank requirements should be excluded for ancillary structures, outbuildings, and swimming pools as this would involve significant additional construction cost,	Note: This section applies to development within the Woodberry Swamp Catchment, as identified in Figure 3-1, and is to be read in conjunction with Section 3.3.1 – Stormwater and Drainage. Where a conflict arises between this section and Section 3.3.1, the	Improved clarity as to how this control is intended to apply, which is for dwellings, and not for supporting

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
	Woodberry Swamp Catchment Guidance Note	this section and Section 3.3.1, the provisions of this section will prevail.	including increased stormwater piping on a site.	provisions of this section will prevail. Ancillary structures, including swimming pools and outbuildings, are excluded from the application of this section.	infrastructure such as ancillary structures.
3 – Site Requirements	3.1.4. Intent of this Chapter	• To assist in making the Maitland LGA be more resilient to adverse impacts from new development.	Remove 'be'	• To assist in making the Maitland LGA more resilient to adverse impacts from new development.	Grammar fix.
3 – Site Requirements	3.3.3. Erosion and Sediment Control O.15	O.15 To prevent erosion and sediment laden run off to occur during site preparation, construction, and operation of any use of land.	Delete "…to occur…"	O.15 To prevent erosion and sediment laden run off during site preparation, construction, and operation of any use of land.	Grammatical fix up that makes the objective clearer while not changing the substance of the text.
3 – Site Requirements	3.4.4. Parking Provision PC.1	c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances.	Add to c. "…unless captured by AS.1 of this section."	c. For uses not covered under a. or b., parking is to be provided on a merit assessment undertaken by Council. A Transport Impact Assessment (TIA) will be required as part of a Development Application (DA) in these instances unless captured by AS.1 of this section.	Added to ensure AS.1 is adequately given weight.
3 – Site Requirements	3.4.4. Parking Provision AS.1	Review to state "An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement etc) in the following circumstances:"	Review to state "An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement, *statement of existing arrangements within the SEE with adequate justification* etc) in the following circumstances:"	An applicant may be able to seek a variation to Table 3-5: Parking Provision Rates under Section 3.4.4 of this DCP if supported by a suitable level of Traffic Assessment (e.g. Transport Impact Assessment (TIA), Parking Analysis, Qualified Traffic Statement, statement of existing arrangements within the SEE with adequate justification etc) in the following circumstances:	Added to ensure Existing Structures are not unnecessarily burdened.
3 – Site Requirements	3.4.3. Parking, Circulation and Design AS.1	Internal driveways and parking areas of public car parks are to consist of concrete pavement or gravel, sealed with bitumen or asphalt. Exceptions apply to:	Is public carpark the suitable wording here? Suggest change to differentiate better between ownership structure.	Internal driveways and parking areas of customer or visitor-facing car parks are to consist of concrete pavement or gravel, sealed with bitumen or asphalt. Exceptions apply to:	Wording clarifies the intent of the control.
3 – Site Requirements	3.6.2. Circular Economy AS.1	The following elements should be considered in the choice of building materials in all developments: a. energy efficiency, b. use of renewable resources, c. maintenance cost and durability, d. recycled or recyclable materials, e. non-polluting, f. minimal PVC content, and g. local materials (where possible).	Clarity as to how this will be implemented - is it a hard and fast rule?	The following elements should be considered where possible in the choice of building materials in all developments: a. energy efficiency, b. use of renewable resources, c. maintenance cost and durability, d. recycled or recyclable materials, e. non-polluting, f. minimal PVC content, and g. local materials.	Change to language clarifies intent of the content to communicate that it is not always achievable.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Siting of new works	AS.3 - PC.9 [SIC]	Reorder controls to better fit on page and remove space.	Original PC.5 and PC.6 moved to PC.8 and PC.9, with all others before PC.10 shifting forward. Error in numbering fixed requiring edits to s4.6.6. from PC.8 onwards.	Formatting improvement with better legibility.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Fencing and gates PC.38	Modifications to the front fence of buildings within a HCA must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building and character of the streetscape.	Modifications to the front fence, gate and entry structures of buildings within a heritage conservation area must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building, its landscape setting and character of the streetscape.	Modifications to the front fence and gate of buildings within a HCA must be designed and constructed in materials that contribute to, and do not detract from, the historic style of the building and character of the streetscape.	Control would have unintentionally excluded gate structures, which are a core part of fencing treatments with HCAs.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Fencing and gates PC.40	Fences should be located on the building line.	The location of fences presenting to the street frontage shall be determined by the predominant pattern of fencing in the street and locality.	The location of fences presenting to street frontages is determined by the predominant pattern of fencing in the street and locality.	Modification made in order to ensure that HCAs remain consistent in their character and are not forced to place fencing in non-traditional areas.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Fencing and gates AS.35	Front fences in HCAs should be open or transparent, or back with a hedge, not solid.	Front fences in HCAs should be open or transparent, not solid.	Front fences in HCAs should be open or transparent, not solid.	Modification made in order to ensure that HCAs remain consistent in their character.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Fencing and gates PC.43	Side fences forward of the building line, and fences to the rear or side lanes or streets are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock or made of Colourbond are not supported. Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.	Side fences forward of the building line, and fences to the rear or side lanes, or streets or where visible from the public domain are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock, Colourbond are not supported. Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.	Side fences forward of the building line, and fences to lanes or streets are to be in traditional materials, including timber paling fences using steel posts in concrete footings. Fences using clip lock or made of painted steel are not supported. Side fences behind the building line where they do not face onto a street or public space may be in other materials, although timber paling fences are recommended.	Removal of brand name to avoid confusion.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Fencing and gates PC.44	Plain or treated corrugated metal fences and/or colorbond fences are not appropriate on front or side boundary.	Plain or treated corrugated metal fences and/or colorbond fences are not appropriate on the primary or secondary frontage.	Plain or treated corrugated metal fences and/or painted steel fences are not appropriate on primary or secondary frontages.	Removal of brand name to avoid confusion.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Services, skylights and solar panels PC.45	Solar panels and skylights are not supported to the front or side facing principal roof.	Solar panels and skylights are not supported on those roof planes which have an orientation to a street or public place.	Solar panels and skylights are not supported on roof planes which have an orientation to a street.	Ensures that side profiles are not arbitrarily limited when adjacent to private buildings while also ensuring the streetscape character is preserved.
4 – Heritage	4.6.6. Alterations and additions to residential buildings - Services, skylights and solar panels AS.36	Plant and equipment such as solar water heaters, antennas, air conditioning units, and the like should, where possible, be placed in locations where visibility from the street is minimised.	Plant and equipment such as solar water heaters, antennas, switch boards, meters, fire safety systems, air conditioning units, and the like should, where possible, be placed in locations where visibility from the street is minimised.	Plant and equipment such as solar water heaters, antennas, switch boards, meters, fire safety systems, air conditioning units and the like should, where possible, be placed in locations where visibility from the street is minimised.	Additional examples named to ensure common plant and equipment is clearly communicated.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.6.7. Alterations and additions to non-residential buildings PC.3	Upper storey additions must be set back from the primary façade of the building so that the addition is not visible from the public domain.	Additions must be set back from the primary façade of the building so that the addition is not prominent when viewed from the public domain and reinforces the significance and legibility of the building within its context. Upper storey additions must have regard to the form and significance of existing contributory roof structures, materials and elements (such as chimneys).	Additions must be set back from the primary façade of the building so that the addition is not prominent when viewed from the public domain.	Amended to ensure that additions are in alignment with the Burra Charter in respect to bulk, scale, and sympathy. Upper storey additions already covered under separate controls.
4 – Heritage	4.6.7. Alterations and additions to non-residential buildings AS.3	The original elements and details of contributory or neutral buildings should be retained, especially on front façades. This includes original windows and doors, brick detailing and parapets, original signs, roofs and verandahs.	Remove neutral, add chimneys	The original elements and details of contributory buildings should be retained, especially on front façades. This includes original windows and doors, brick detailing and parapets, original signs, roofs, chimneys and verandahs.	Amended as neutral buildings are no longer referenced in the DCP and chimneys are a common original element in dwellings within Maitland's HCAs.
4 – Heritage	4.6.7. Alterations and additions to non-residential buildings PC.4	Open verandahs and balconies of contributory or neutral buildings must not be enclosed.	Remove neutral	Open verandahs and balconies of contributory buildings must not be enclosed.	Amended as neutral buildings are no longer referenced in the DCP.
4 – Heritage	4.6.7. Alterations and additions to non-residential buildings AS.6	Awings of contributory retail buildings should be retained.	Change to 'original or significant', change to PC.	Where present, original awnings of contributory retail buildings are to be retained.	Changed to PC, ensuring that original awnings are mentioned as a desired feature for retention rather than general awnings.
4 – Heritage	4.6.8. Infill developmen t PC.1	The design of replacement buildings must sympathetically respond in scale, form, siting, materials, colours and detailing to surrounding contributory items, particularly where there is a general consistency in the building scale in the streetscape and the HCA.	Change replacement to new, change from must to shall	The design of new buildings are to sympathetically respond in scale, form, siting, materials, colours and detailing to surrounding contributory items, particularly where there is a general consistency in the building scale in the streetscape and the HCA.	Grammar fixes and clearer for the reader. No substantive change to the control content.
4 – Heritage	4.6.8. Infill developmen t PC.4	Within groups of buildings such as rows of shops, infill building and façade design should respond to the scale, materials, and massing of heritage items by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.	Within groups of buildings such as rows of shops, infill building and façade design should respond to the scale, materials, and massing of heritage items and contributory buildings and structures by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.	Within groups of buildings such as rows of shops, infill building and façade design is to respond to the scale, height, materials, and massing of heritage items and contributory structures. This is to be done by aligning eave lines, cornices and parapets, ensuring consistency in the articulation of façades and the proportion and/or rhythm of existing elements, as well as through the use of complementary colours, materials and finishes.	Added reference to contributory buildings due to being in the HCA section.
4 – Heritage	4.6.8. Infill developmen t PC.5	When infill development, large scale change or demolition is proposed, an interpretation plan should be provided with the development application. Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings. Infill development should	When infill development, large scale change or demolition is proposed, an interpretation plan shall be provided with the development application. Infill development should not copy or mimic the architectural styles of adjoining heritage	Infill development should not copy or mimic the architectural styles of adjoining heritage items and contributory buildings, and must instead reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.	Interpretation Plans are separately referenced in the Heritage Guidelines and may form part of a SoHI per the Application Requirements. Wording of control aligned with Burra Charter.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.	items and contributory buildings. Infill development shall reinterpret the scale, form, siting, materials, colours and detailing in a contemporary design.		
4 – Heritage	4.6.8. Infill development AS.4	Infill development in the form of dual occupancy development, multi dwelling housing and residential flat buildings are not appropriate: • on sites containing heritage items or contributory buildings • where single detached dwellings are the prominent building form within a heritage conservation area • where the historic subdivision pattern of a heritage conservation area would be changed, or • where the proposed design results in impacts to the streetscape character and significance of the heritage conservation area. These building types will be assessed on merit.	Infill development should be subject to specialist heritage advice and design. This advice should inform the design process from the early stages of the project.	Infill development should be subject to specialist heritage advice and design. This advice should inform the design process from the early stages of the project.	Revised to align with the principles of the Burra Charter.
4 – Heritage	4.6.9. Historic streetscape elements Guidance Note	Each of the heritage conservation areas in Maitland contains historic characteristic elements such as hitching posts, bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lampposts and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items.	Each of the heritage conservation areas in Maitland contains historic characteristic elements such as hitching posts, water troughs bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lampposts and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items	Each of the HCAs in Maitland contains historic characteristic elements such as hitching posts, water troughs, bollards, bridges, monuments, statues, memorials, gutters, kerbing, ghost signs, paving, footpaths, lamp posts, and sandstone markers. Most of these elements form part of the public domain and some may be listed as individual heritage items.	Additional examples named.
4 – Heritage	4.6.9. Historic streetscape elements PC.1	Historic town signage is to be retained and conserved.	Historic signage is to be retained and conserved.	Historic signage is to be retained and conserved.	Removes the vagueness around the statement in respect to town signage.
4 – Heritage	4.6.9. Historic streetscape elements AS.2	The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible. Where removal is unavoidable, the materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the HCA.	The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible. Where removal or alteration is unavoidable, works must be undertaken by a qualified stonemason. Recovered materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the heritage conservation area.	The removal of historic paving, sandstone gutters and kerbing and sandstone swale drains is to be avoided wherever possible. Where removal or alteration is unavoidable, works are to be undertaken by a qualified stonemason. Recovered materials are to be donated to Council, archived, and securely stored according to their condition and used for repairs within the HCA.	Additional requirement for a qualified stonemason to be employed to oversee extraction helps ensure that the materials are not damaged to an adverse extent when removed from their setting.
4 – Heritage	4.6.9. Historic streetscape elements PC.3	Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossing.	Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossings.	Development affecting streetscape elements must retain evidence of archaeological items and structures within kerb and guttering that allows for interpretation, including verandah post bases, stormwater outlets and kerb crossings.	Minor spelling fix.
4 – Heritage	4.6.11. Signage PC.3	Maximum number of signs for shopfronts: A maximum of two identification signs will be permitted per frontage (e.g. one fascia and one awning sign).	The number and location of business and/or building identification signs on buildings shall be rationalised to minimise visual clutter, respect the architecture of the host building and preserve heritage streetscapes.	The number and location of business and/or building identification signs on buildings will be rationalised to minimise visual clutter, respect the architecture of the host building and preserve heritage streetscapes.	Loosened control to ensure that signage that be commensurate with both the heritage character and the bulk and scale of the building.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.6.11. Signage PC.4	Advertising is, where possible, to be placed on areas of the building or item which would traditionally have been used for advertising. Projecting signs above awnings are not permitted. These locations are: a. under the awning, b. on the awning fascia, c. a transom sign above the door or shopfront (top hamper), d. inside the display window, e. below the windowsill, or f. flush wall signs.	Signage is to be placed on areas of the building or item which would traditionally have been used for signage. These locations are: a. under the awning, b. on the awning fascia, c. a transom sign above the door or shopfront (top hamper), d. inside the display window, e. below the windowsill, or f. flush wall signs. Projecting signs above awnings and digital panels are not permitted.	Signage is to be placed on areas of the building or item which would traditionally have been used for signage. These locations are: a. under the awning, b. on the awning fascia, c. a transom sign above the door or shopfront (top hamper), d. inside the display window, e. below the windowsill, or f. flush wall signs. Projecting signs above awnings and digital panels are not supported.	Improved formatting of the control to make it clearer and ensure digital signs are properly addressed.
4 – Heritage	4.6.11. Signage PC.6	Illuminated signs are not supported. Illumination must be by floodlighting and the source of the lighting must be concealed.	Illumination must be by floodlighting and the source of the lighting must be concealed.	Illumination must be by floodlighting and the source of the lighting must be concealed.	Removed reference to illuminated signs as it is captured by the remainder of the control, which relates more broadly to illumination.
4 – Heritage	4.6.11. Signage AS.2	The colours of signs should be based on historical research and should be appropriate for buildings in an HCA. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc.	The colours of signs should be based on historical research and should be appropriate for buildings in a heritage conservation area. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc. New signage should consist of high-quality materials such as wrought iron, stainless steel, brass, hardwood etc.	The colours of signs should be based on historical research and should be appropriate for buildings in an HCA. Generally, neutral or muted colours are appropriate, i.e. maroon, dark green, terracotta, brown or charcoal highlighted with creams, ochres, pinks and earth tones etc. New signage should consist of high-quality materials such as wrought iron, stainless steel, brass, hardwood, and similar materials.	Addition of materiality here assists in ensuring a high quality of signage provision, especially since 4.6.11. PC.3 has been changed to allow for additional signage.
4 – Heritage	4.6.11. Signage PC.9	Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting does not damage the fabric of the building. Alternatively, the signage may be fixed to a grounded post.	Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting minimises damage to the fabric of the building. Alternatively, the signage may be fixed to a grounded post.	Signage must be confined to a single nameplate for historic buildings, mounted on the wall of the buildings such that the mounting minimises damage to the fabric of the building. Alternatively, the signage may be fixed to a grounded post.	Physically impossible for mounting to not damage the fabric of a building; the change to the wording accommodates a reduction in damage instead.
4 – Heritage	4.7.2. Bolwarra HCA Desired Future Character	6. Improved cohesion of the streetscape through additional street tree planting.	Remove due to generated duplication with item 7.	N/A - line removed.	Duplication with another part.
4 – Heritage	4.7.2. Bolwarra HCA Desired Future Character	7. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA.	7.6. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA and through additional street tree planting..	6. Improved cohesion of the streetscape through generously landscaped front setbacks that are sympathetic to the character of the HCA and through additional street tree planting.	Merger of 6. and 7. provides a clearer Desired Future Character.
4 – Heritage	4.7.2. Bolwarra HCA Desired Future Character	10. Mature and landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.	Remove	N/A - line removed.	Improved consistency with the rest of Chapter and the provisions provided within Chapter 2 for vegetation management.
4 – Heritage	4.7.2. Bolwarra HCA Desired Future Character	N/A	Add 12. Retention and enhancement of the strongly defined rural edge between the urban village and surrounding rural land.	10. Retention and enhancement of the strongly defined rural edge between the urban village and surrounding rural land.	Consistent with objectives of the Bolwarra HCA.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.7.3. Objectives and controls for Bolwarra HCA O.86	O.86 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the heritage conservation area and positively contribute to the significance of the Bolwarra Heritage Conservation Area.	O.86 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Bolwarra HCA.	O.86 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Bolwarra HCA.	Neutral buildings have been removed from the Heritage Chapter as there is no associated mapping or classification at this point.
4 – Heritage	4.7.3. Objectives and controls for Bolwarra HCA PC.5	New development must be consistent with the predominant building alignment to the street.	New development must be consistent with the predominant building alignment of the principal dwellings to the street.	New development must be consistent with the predominant building alignment of the principal dwellings to the street.	Original wording would make it almost impossible to comply in cases where secondary dwellings exist.
4 – Heritage	4.7.3. Objectives and controls for Bolwarra HCA AS.3	Front fencing should be 50% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design.	Front fencing should be 25% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design.	Front fencing should be 25% transparent at a minimum. Avoid solid brick or stone fencing unless it is part of the original fencing design.	Transparency minimum dropped to accommodate garden walls and certain styles of older picket fencing.
4 – Heritage	4.8.2. Central Maitland HCA Desired Future Character	The desired future character for the Central Maitland Heritage Conservation Area is as follows: 1. Enhancement of the existing character of the HCA, being the largest commercial, civic, and religious centres in the Hunter Region. 2. Retention and conservation of the predominant grid existing grid street pattern, laneways, and side streets. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the heritage conservation area, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. 4. New contemporary infill development of a high design standard which respects the heritage significance and character of the heritage conservation area. 5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings. 6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey street building height and scale, including an appropriate parapet height and design and reinforcement of established building lines. 7. A general maximum building height limit of three storeys where appropriate. 8. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. 9. Retention and enhancement of public parks and recreation areas within the heritage conservation area. 10. Mature landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council. 11. Improvement of the public domain character to enhance the significance of the heritage conservation area (e.g. signage, lighting, paving, street trees, conservation of sandstone kerbing and flagging) and its relationship to the Hunter River and southern portion of the heritage conservation area, including conservation and enhancement of Maitland Park.	The desired future character for the Central Maitland Heritage Conservation Area is as follows: 1. Enhancement of the existing character of the heritage conservation area, being one of the largest commercial, civic, and religious centres in the Hunter Region. 2. Retention and conservation of the predominant grid existing fishbone street pattern, laneways, and side streets. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the heritage conservation area, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. 4. New contemporary infill development of a high design standard which respects the heritage significance and character of the heritage conservation area. 5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings. 6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey street building height and scale, including an appropriate parapet height and design and reinforcement of established building lines. 7. A general maximum building height limit of three storeys where appropriate. 8. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. 9. Retention and enhancement of public parks and recreation areas within the heritage conservation area.	The desired future character for the Central Maitland HCA is as follows: 1. Enhancement of the existing character of the HCA, being one of the largest commercial, civic, and religious centres in the Hunter Region. 2. Retention and conservation of the predominant grid street fishbone street pattern, laneways, and side streets. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA, particularly the excellent collection of commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. 4. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA. 5. Retention and conservation of High Street, its intact commercial streetscape, including many original shopfronts and landmark buildings. 6. Retention of the sense of enclosure of High Street by ensuring that new development maintains a two-storey building height and scale, including an appropriate parapet height and design and reinforcement of established building lines. 7. Retention and conservation of the mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. 8. Retention and enhancement of public parks and recreation areas within the HCA. 9. Improvement of the public domain character to enhance the significance of the HCA and its relationship to the Hunter River and southern portion of the HCA. 10. Retention of views and sightlines to important buildings, spires, clocktowers, and other architectural features. 11. Retention of the open landscape character around Central Maitland Railway Station.	Improved clarity and alignment with the function of the Local Environmental Plan.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		12. Retention of views to important buildings, spires, and other architectural features. 13. Retention of the open landscape character around Central Maitland Railway Station.	10. Mature landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council. 11. Improvement of the public domain character to enhance the significance of the heritage conservation area (e.g. signage, lighting, paving, street trees, conservation of sandstone kerbing and flagging) and its relationship to the Hunter River and southern portion of the heritage conservation area, including conservation and enhancement of Maitland Park. 12. Retention of views and sightlines to important buildings, spires, clocktowers and other architectural features. 13. Retention of the open landscape character around Central Maitland Railway Station.		
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA - Objectives	O.90 To retain and conserve the predominant grid street pattern, laneways, and side streets. O.91 To retain and conserve the heritage items and contributory buildings in the Central Maitland HCA. O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. O.93 To ensure the commercial character High Street is maintained. O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features. O.95 To retain and enhance public parks and recreation areas within the HCA. O.96 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Central Maitland HCA. O.97 To encourage medium density development where there is no impact to the heritage significance of the HCA. O.98 To retain significant and mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. O.99 To enhance the public domain character to enhance the significance of the HCA.	O.88O.90 To retain and conserve the predominant grid existing historic street pattern, laneways, and side streets. O.89O.91 To retain and conserve all the heritage items and contributory buildings in the Central Maitland Heritage Conservation Area., in particular very early residential and commercial buildings. O.90O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. O.91O.93 To ensure the commercial character of High Street is maintained. O.92O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features. O.93O.95 To retain and enhance public parks and recreation areas within the heritage conservation area. O.94O.96 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the heritage conservation area and positively contribute to the significance of the Central Maitland Heritage Conservation Area. O.95O.97 To encourage medium density development where there is no significant detrimental impact to the heritage significance of the heritage conservation area. O.96O.98 To retain significant and mature	O.90 To retain and conserve the predominant existing historic street pattern, laneways, and side streets. O.91 To retain and conserve the heritage items and contributory buildings in the Central Maitland HCA, in particular very early residential and commercial buildings.. O.92 To retain and enhance the mixture of building typologies, including commercial, civic, religious, and residential buildings dating from the early to mid-nineteenth century which exhibit a variety of architectural styles. O.93 To ensure the commercial character of High Street is maintained. O.94 To establish a consistent building height that is compatible with historic development and allows views to important buildings, spires, and other architectural features. O.95 To retain and enhance public parks and recreation areas within the HCA. O.96 To ensure that modifications to neutral and non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Central Maitland HCA. O.97 To encourage medium density development where there is no significant detrimental impact to the heritage significance of the HCA. O.98 To retain significant and mature cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. O.99 To enhance the public domain character to a high quality standard that reinforces enhance the significance of the HCA.	Slight changes made to improve legibility and clarity of the objectives.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			cultural plantings located in the grounds of institutions, at Maitland Park or within private gardens. O.97O.99 To enhance the public domain character to a high quality standard that reinforces enhance the significance of the heritage conservation area.		
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA PC.1	Subdivision and amalgamation that impacts the predominant grid street pattern, laneways and side streets are to be avoided.	Subdivision that impacts the predominant existing street pattern, laneways and side streets are to be avoided.	Subdivision that impacts the existing grid street pattern, laneways and side streets are to be avoided.	Removal of amalgamation as it is not a term defined by the EP&A Act or the Development Control Plan.
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA PC.3	Infill development, especially new commercial development, is to consider the height, form, scale, proportions, fenestration pattern and materials of the heritage items and contributory buildings in the HCA.	Infill development, especially new commercial development, is to consider the height, width, setbacks, form, density, scale, proportions, rhythm of fenestration, materials and the pattern of building forms of, particularly heritage items, contributory buildings in the heritage conservation area.	Infill development, especially new commercial development, is to consider the height, width, setbacks, form, density, scale, proportions, rhythm of fenestration, and materials of heritage items and contributory buildings in the HCA.	Additional aspects directly mentioned in order to align better with the principles of the Burra Charter.
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA AS.4	New residential development should be consistent with the one and two-storey detached character of the HCA.	New residential development should be consistent with and sympathetic to the one and two-storey detached character of the heritage conservation area.	New residential development should be sympathetic to the one and two-storey detached character of the HCA.	The addition of 'sympathetic to' allows for innovative designs to be proposed that are in keeping with the heritage character, and accommodates a broader range of heritage-sensitive designs.
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA AS.7	Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible.	Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible and reinstatement of missing segments is strongly encouraged.	Retention of original sandstone kerbing and guttering in situ should be pursued wherever possible. Reinstatement of missing segments is strongly encouraged.	Addition of reference to missing segments to ensure that the fabric of sandstone kerb and gutter is not increasingly diminished over time.
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA AS.8	Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street).	Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street). In these cases specimen plantings should be provided within front yards.	Street trees should not be planted in narrow streets (<8m) or in those with narrow verges and footpaths (e.g. Catherine Street). In such cases, plantings should be provided within front yards.	Provides a reference point for certain areas to employ landscape plantings on site within particular areas of the HCA.
4 – Heritage	4.8.3. Objectives and controls for Central Maitland HCA AS.9	Development to the immediate north of Athel D'Ombrain Drive should not obscure landmark trees in Maitland Park from streets to the north of the rail line.	Remove	N/A - control removed.	Landmark trees are already significantly obscured by the rail line and existing tree line to the immediate south of Athel D'Ombrain Dr. Retention of this control would be inconsistent with the pre-existing lack of viewlines.
4 – Heritage	4.9.1. Statement of Significance - East Maitland HCA	• A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms. • Significant views from the Stockade Hill and Maitland Courthouse to the heritage conservation area and surrounding district. • A predominant grid street pattern and town plan established in 1829, with wide streets that terminate at public parks. • Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol,	• A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms. • Significant views from the Stockade Hill and Maitland Courthouse to the heritage conservation area and surrounding district. • A predominant grid street pattern and town plan established in 1829 by Government Surveyor Thomas Mitchell,	• A strong axial composition due to the location of Maitland Courthouse and Stockade Hill on two opposite elevated landforms. • Significant views from the Stockade Hill and Maitland Courthouse to the HCA and surrounding district. • A predominant grid street pattern and town plan established in 1829 by government surveyor Thomas Mitchell, with wide streets that terminate at public parks. • Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former	Improvements to references and changes to positive language from neutral/negative to improve appreciation of the heritage significance of the area. Additional reference added to early colonial structures within the floodplain to clearly identify a hub of heritage item concentration.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office. • A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century. • Predominant single storey detached residential character. • Inconsistent built character due to the physical separation of the heritage conservation area by Wallis Creek, New England Highway, and railway line. • Large non-contributory commercial and light industrial buildings along the highway. • Significant landscape features, including cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens.	with wide streets that terminate at public parks. • Landmark government buildings, with links to the convict period and early immigration, including Maitland Gaol, Caroline Chisholm House, Maitland Courthouse and Lands Office and the former police buildings and Post Office. • A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century. • Predominant single storey detached residential character. • Large non-contributory commercial and light industrial buildings along the highway. • Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips (William Street), bridges, sandstone kerbing/culverts, war memorial, street trees and gardens. • Intact early Colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.	police buildings and Post Office. • A collection of residential, commercial, and government and institutional buildings, dating from the mid-nineteenth century. • Predominant single storey detached residential character. • Large non-contributory commercial and light industrial buildings along the highway. • Significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens. • Intact early colonial grouping of buildings and rural landscape on High Street/Newcastle Road in the vicinity of Wallis Creek.	
4 – Heritage	4.9.2. Desired Future Character - East Maitland HCA	The desired future character for the East Maitland Heritage Conservation Area is as follows: 1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks. 2. Retention and conservation of the natural landform and landscape. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the heritage conservation area. 4. Retention of the consistent scale and form of residential development, being single storey detached residential development. 5. Retention of the mixture of building typologies, including residential, commercial, and government and institutional buildings, particularly dating from the mid nineteenth century. 6. Maintain the historic small scale commercial character of Melbourne and Newcastle streets. 7. New contemporary infill development of a high design standard which respects the heritage significance and character of the HCA. 7. Retention of the formal street plantings and footpaths in and around William and Banks streets. 8. Retention of the landscape setting of the major administrative buildings. 9. Retention of significant landscape features including, cultural plantings, public parks, wide landscaped median strips, bridges, street trees and gardens. 10. Improvement of the public domain character to enhance the significance of the heritage conservation area.	The desired future character for the East Maitland Heritage Conservation Area is as follows: 1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks. 2. Retention and conservation of the natural landform and landscape. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the heritage conservation area. 4. The scale and form of infill development shall be sympathetic to and enhance the predominately single storey detached residential character. 5. Retention of the mixture of building typologies, including residential, commercial, and Government and institutional buildings. 6. Maintain the historic small scale commercial character of Melbourne and Newcastle Streets. Particular attention should be paid to protecting and enhancing the State Heritage Items of Caroline Chisholm Cottage and the Smith's Flour Mill and their curtilages. 7. Retention of the formal street plantings and footpaths in and around William and Banks streets. 8. Retention of the landscape setting of	The desired future character for the East Maitland HCA is as follows: 1. Retention and conservation of the early grid street pattern and town plan established in 1829, with wide streets that terminate at public parks. 2. Retention and conservation of the natural landform and landscape. 3. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the HCA. 4. A scale and form of infill development sympathetic to the predominately single storey detached residential character. 5. Retention of the mixture of building typologies, including residential, commercial, and government and institutional buildings. 6. Maintain the historic small scale commercial character of Melbourne and Newcastle Streets. Particular attention should be paid to protecting and enhancing the State Heritage Items of Caroline Chisholm Cottage, Smith's Flour Mill and each item's associated curtilages. 7. Retention of the formal street plantings and footpaths in and around William and Banks streets. 8. Retention of the landscape setting of the major administrative buildings. 9. Retention of significant landscape features and public infrastructure including, cultural plantings, public parks, wide landscaped median strips, bridges, sandstone kerbing/culverts, street trees and gardens. 10. Improvement of the public domain character to enhance the significance of the HCA.	Clean up to ensure appropriate referencing and locations mentioned, as well consolidating mention of tree plantings.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		11. Mature landmark trees are to be managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.	the major administrative buildings. 9. Retention of significant landscape features and public infrastructure, including cultural plantings, public parks, wide landscaped median strips (William Street), bridges, sandstone kerbing/culverts, war memorial, street trees and gardens. 10. Improvement of the public domain character to enhance the significance of the heritage conservation area.		
4 – Heritage	4.9.3. Objectives and controls for the East Maitland HCA O.103 and O.104	O.103 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings, particularly dating from the mid-nineteenth century. O.104 To reduce large scale commercial and light industrial sites that impact the historic streetscape character.	O.1 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings. O.2 To ensure that commercial and light industrial development maintains and reinforces the historic scale and character of Melbourne and Newcastle Streets and their side streets. Particular attention should be paid to protecting and enhancing the State Heritage Items of Caroline Chisholm Cottage and the Smith's Flour Mill and their curtilages.	O.103 To retain and enhance the mixture of building typologies, including residential, commercial, and government and institutional buildings. O.104 To ensure that commercial and light industrial development maintains and reinforces the historic scale and character of Melbourne Street, Newcastle Street, and their side streets.	Improved referencing regarding the locational importance of particular areas on and adjacent to Newcastle and Melbourne Streets. No additional reference made to existing heritage items as these are covered by the heritage item controls and must be addressed within heritage assessment.
4 – Heritage	4.10.1. Statement of Significance - Lorn HCA	Characteristic Elements • An early twentieth century example of a purposefully planned garden suburb. • Well defined boundary being located behind the river levees along the northern side of the Hunter River. • Small commercial high street comprising mixture of commercial building typologies on Belmore Road. • Unified street layout and allotment pattern with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences. • An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages. • Wide streets with inconsistent historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens. • Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment. • Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.	Characteristic Elements • An early twentieth century example of a purposefully planned garden suburb. • Well defined boundary being located behind the river levees along the northern side of the Hunter River. • Small commercial high street comprising mixture of commercial building typologies on Belmore Road. • Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings on each lot, behind low timber and masonry fences. • An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds. • Wide streets with: o Wide grassed verges and informal driveway crossovers (gravel, tyre strips). Leslie Street shall be noted as a remnant of the original informal road verge and drainage treatment. o informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens. • Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment.	Characteristic Elements • An early twentieth century example of a purposefully planned garden suburb. • Well defined boundary being located behind the river levees along the northern side of the Hunter River. • Small commercial high street comprising mixture of commercial building typologies on Belmore Road. • Unified street layout and allotment pattern, comprising typically larger lots with a cohesive building typology of predominant single storey detached dwellings behind low timber and masonry fences. • An excellent collection of intact examples of late Victorian, Federation and Californian Bungalow cottages, as well as landmark houses on extensive grounds.. • Wide streets with: o Wide grassed verges and informal driveway crossovers, including gravel and tyre strips. o Informal historical street tree planting, predominantly comprising Jacarandas but also some mature Silky Oak, Brushbox, Liquidambar, Stenocarpus, Tuckeroo and assorted exotic deciduous canopy specimens. • Mature and well-established gardens, some containing cultural plantings and features, which date from the time of the suburb's establishment. • Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.	Addition of reference to the wide streets and their characteristics aligns with the Lorn Conservation Planning Study 1982's reference and significance given to these elements.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			• Public recreation areas on the river levees as well as Lorn Park Oval, Keith Smith Reserve and Ron Bown Park.		
4 – Heritage	4.10.2. Desired Future Character - Lorn HCA	The desired future character for Lorn HCA is as follows: 1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings. 2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings. 3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages. 4. Landscaped verges with consistent plantings of street trees, such as Jacarandas. 5. Mature trees, landmark plantings and Jacarandas through Maitland Council's Significant Tree Register and tree preservation order policy. 6. Conserve generous landscaped gardens and fencing that emulate the architectural period and style of the site. 7. Cohesive commercial character on Belmore Road comprising one storey shops built to the front boundary. 8. Sympathetic contemporary infill development of a high design standard which reflect the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.	The desired future character for Lorn Heritage Conservation Area is as follows: 1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings. 2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings. 3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages. 4. Landscaped verges with consistent plantings of street trees, such as Jacarandas. 5. Conserve generous landscaped gardens and fencing. New landscaping and fencing that complements the architectural period and style of the site. 6. Cohesive commercial character on Belmore Road comprising one storey, pedestrian oriented shops built to the front boundary. 7. Sympathetic contemporary infill development of a high design standard which reflects the height, form, scale, proportions, fenestration pattern and materials of the buildings in the heritage conservation area without mimicking period elements and features.	The desired future character for Lorn Heritage Conservation Area is as follows: 1. The garden suburb character including the irregular grid pattern and layout, wide streets, and street tree plantings. 2. Conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the late Victorian, Federation and Californian Bungalow buildings. 3. Cohesive streetscape character of single lots containing one storey detached dwellings with generous landscaped gardens, low front fencing, and detached garages. 4. Landscaped verges with consistent plantings of street trees, such as Jacarandas. 5. Conserve generous landscaped gardens and fencing. New landscaping and fencing that complements the architectural period and style of the site. 6. Cohesive commercial character on Belmore Road comprising one storey, pedestrian oriented shops built to the front boundary. 7. Sympathetic contemporary infill development of a high design standard which reflects the height, form, scale, proportions, fenestration pattern and materials of the buildings in the heritage conservation area without mimicking period elements and features.	Reference to tree plantings merged with other controls.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA O.116	O.116 To enhance the streetscape character through additional street tree planting.	O.116 To retain and enhance the streetscape character through tree protection and additional street tree planting.	O.116 To retain and enhance the streetscape character through tree protection and additional street tree planting.	The addition of 'retention' assists in ensuring mature trees are not harmed by the placement and position of driveway crossings.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA AS.4	Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard and brick are preferred.	Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard and brick walls and corrugated sheet metal and tile roofs are preferred.	Infill development should be contemporary in design with simple, paired-down features and modern detailing of traditional materials. Materials such as weatherboard, brick walls, corrugated sheet metals, and tile roofs are preferred.	Additional materials referenced to provide clarity and improved context.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA AS.5	New development should be one or two storeys in height.	New development should be one storey in height with any habitable spaces above ground floor built as a 'rooms in the roof' addition.	New development should be one storey in height with any habitable spaces above ground floor built as a 'rooms in the roof' addition.	In keeping with the character of the area and existing patterns of development.
4 – Heritage	4.10.3. Objectives and controls	Single and two-storey pavilion-style additions are to be located to the rear.	Residential additions are to be located to the rear, ensuring that roof ridge heights sit below the ridge of the original roof of the existing dwelling.	N/A - control removed.	Duplication of general HCA controls

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
	for Lorn HCA PC.2				
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.3	Alterations and additions to dwellings that require changes to the roof form are to be avoided.	Alterations and additions to dwellings must conserve the form of the original roof of the existing dwelling.	N/A - control removed.	Duplication of general HCA controls
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.4	New garages and carports are to be single storey in height and secondary in scale to the principal building on the site. The roof form and pitch should emulate the roof style of the principal building on the site.	New garages and carports are to be single storey in height, subordinate in scale and visually recessive in relation to the principal building on the site. The design, including roof form and pitch is to complement the architecture of the principal building on the site.	N/A - control removed.	Duplication of general HCA controls
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.5	Existing private gardens which are characteristic of the HCA, and its Federation-era design are to be retained and recorded. Any original edging fabric framing paths are to be conserved, remediated, and extended.	Existing private gardens which are characteristic of the HCA are to be retained. Any original edging materials framing paths are to be conserved, remediated, and extended.	Existing private gardens which are characteristic of the HCA are to be retained. Any original edging materials framing paths are to be conserved, remediated, and (where needed) extended.	Direct mention of Federation-era design has been removed as the Lorn HCA has experienced various stages of development and consequent architectural styles.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.7	Rows of high planting to demarcating boundaries is to be restricted to the rear gardens of lots.	Rows of high planting to demarcate boundaries is to be restricted to the rear gardens of lots.	Rows of high planting to demarcate boundaries is to be restricted to the rear gardens of lots.	Grammar fix.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.8	When undertaking alterations and additions, re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in Federation-era gardens.	When undertaking alterations and additions, conserve and re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in period gardens.	When undertaking alterations and additions, conserve and re-establish original gardens, including paths. This would be based on information from historical Council records and building files, historical images of the subject property, and design principles and inclusions found commonly in period gardens.	Addition of 'conserve' ensures that in-situ gardens are preserved as part of development, in accordance with the Lorn Conservation Planning Study.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA PC.9	Large trees, mature trees and cultural plantings are to be retained when proposing alterations and additions. Trees are to be managed through Maitland Council's Significant Tree Register.	Large trees, mature trees and cultural plantings are to be retained.. Trees are to be managed through Maitland Council's Significant Tree Register.	N/A - control removed.	Made redundant by consolidation of this control and like controls into one sitting within Section 4.6. HCAs.
4 – Heritage	4.10.3. Objectives and controls for Lorn HCA AS.7	Generally, maintain the roll-over kerb profile and reinstate it where appropriate.	Remove	N/A - control removed.	Control was an inaccurate reflection of existing kerb arrangements in Lorn, which are of various styles and designs.
4 – Heritage	4.11.1. Statement of Significance - Regent St HCA	Characteristic elements • The former Maitland Hospital and grounds established in 1849. • The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge. • Well-defined edges to the floodplain. • Fine grain residential subdivision pattern along High Street and Regent Street. • An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings. • Semi-rural use of sites along Regent Street and Bonar Street.	Characteristic elements • The former Maitland Hospital and grounds established in 1849. • The historic relationship to the floodplain to the east of the heritage conservation area and the Central Maitland Heritage Conservation Area via Long Bridge. • Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street. • Fine grain residential subdivision pattern along High Street and Regent Street. • An excellent collection of two-storey High	Characteristic elements • The former Maitland Hospital and grounds established in 1849. • The historic relationship to the floodplain to the east of the HCA and the Central Maitland HCA via Long Bridge. • Well-defined edges to the floodplain, with clustering of built forms on the high ground adjacent to the street. • Fine grain residential subdivision pattern along High Street and Regent Street. • An excellent collection of two-storey High Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings. • Semi-rural use of sites along Regent Street and Bonar Street. • A cohesive building typology of one and two storey detached	Additional context to edges to the floodplain provides a reflection of desired built outcomes and heritage character.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		• A cohesive building typology of one and two storey detached dwellings, with established gardens and inconsistent front fencing. • Mature trees, landmark plantings, and Jacarandas on Regent Street. • The location of the former Regent Street Mill.	Victorian mansions, one storey late Victorian and Federation cottages and large residences and early twentieth century dwellings. • Semi-rural use of sites along Regent Street and Bonar Street. • A cohesive building typology of one and two storey detached dwellings, with established gardens and eclectic front fencing styles. • Mature trees, landmark plantings, and Jacarandas on Regent Street. • The location of the former Regent Street Mill.	dwellings, with established gardens and eclectic front fencing styles. • Mature trees, landmark plantings, and Jacarandas on Regent Street. • The location of the former Regent Street Mill.	
4 – Heritage	4.11.2. Desired Future Character - Regent Street HCA	The desired future character for Regent Street HCA is as follows: 1. Retention of the fine grain residential subdivision pattern along High and Regent streets. 2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the high Victorian, late Victorian, Federation periods and early twentieth century development. 3. Retention of the dominant presence of landmark buildings. 4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing. 5. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items. 6. Maintain mature trees, landmark plantings and Jacarandas on Regent Street through Maitland Council's Significant Tree Register. 7. Encourage the continuation of street trees south along Regent Street. 8. Enhancement of the HCA by improving the public domain on High Street.	The desired future character for Regent Street Heritage Conservation Area is as follows: 1. Retention of the fine grain subdivision pattern along Regent, High and Bonar streets. 2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the Victorian, Federation periods and early twentieth century development. 3. Retention of the dominant presence of landmark buildings. 4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing. 5. Retention and enhancement of existing vegetated edges to the eastern and western sides of the Conservation Area, at the same time ensuring the continued legibility of the existing significant built form of the Conservation Area from beyond. 6. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items. 7. Encourage the continuation of street trees south along Regent Street. 8. Enhancement of the heritage conservation area by improving the public domain on High Street. 9. The scale and form of infill development in and around Bonar Street shall maintain the predominantly lower density built form pattern within the Conservation Area and shall ensure that landmark buildings within the precinct retain their prominence.	The desired future character for Regent Street HCA is as follows: 1. Retention of the fine grain subdivision pattern along Regent, High, and Bonar streets. 2. Retention and conservation of the heritage items and contributory buildings that contribute to the historic character of the area, including the mansions, large residences, and cottages of the Victorian, Federation periods and early twentieth century development. 3. Retention of the dominant presence of landmark buildings. 4. Retention of the consistent scale and form of residential development on Regent Street of one and two storey detached dwellings with established front gardens and low front fencing. 5. Retention and enhancement of existing vegetated edges to the eastern and western sides of the HCA, at the same time ensuring the continued legibility of the existing significant built form of the HCA from beyond. 6. Encourage gardens and fencing that reflect the historic period and style of heritage items or contributory items. 7. Encourage the continuation of street trees south along Regent Street. 8. Enhancement of the HCA by improving the public domain on High Street. 9. To ensure that the scale and form of infill development in and around Bonar Street maintains the predominantly lower density built form pattern within the HCA and ensures that landmark buildings within the precinct retain their prominence.	The addition of the desired future character element in respect to Bonar St helps communicate expected outcomes to applicants and ensures the HCA is respected.
4 – Heritage	4.11.3. Objectives and control for Regent	Subdivision and amalgamation should be avoided where it alters the fine-grained residential subdivision pattern along Regent Street.	Subdivision should be avoided where it alters the fine-grained residential subdivision pattern.	Subdivision should be avoided where it alters the fine-grained residential subdivision pattern.	Removal of amalgamation as it is not a term defined by the EP&A Act or the Development Control Plan.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
	Street HCA AS.1				
4 – Heritage	4.11.3. Objectives and control for Regent Street HCA AS.2	Infill development, especially on Bonar Street, should consider the height, form, scale, proportions, fenestration pattern and materials of the buildings in the HCA without mimicking period elements and features.	Remove	N/A - control removed.	The requirements for this are already captured by the over-arching Section 4.6 HCAs.
4 – Heritage	4.11.3. Objectives and control for Regent Street HCA AS.3	Two storey development at the rear of sites with laneway access or a double frontage should be avoided where possible to reduce visual impacts on the streetscape.	Remove	N/A - control removed.	The requirements for this are already captured by the over-arching Section 4.6 HCAs.
4 – Heritage	4.11.3. Objectives and control for Regent Street HCA PC.5	Mature trees, landmark plantings and jacarandas on Regent Street are to be maintained through Maitland Council's Significant Tree Register.	Mature trees, landmark plantings and jacarandas on Regent Street are to be maintained through Maitland Council's Significant Tree Register.	N/A - control removed.	The requirements for this are already captured by the over-arching Section 4.6 HCAs.
4 – Heritage	4.12. Morpeth HCA - Rural Precinct	N/A	Add 'Closebourne House and Morpeth House'	Closebourne House and Morpeth House	These items are no longer in public ownership and consequently cannot be indicated as within the Community and Public Recreation Precinct.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA O.136	O.136 To ensure that modifications to neutral and detracting buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Morpeth HCA.	O.137 To ensure that modifications to non-contributory buildings are sympathetic to the character of the heritage conservation area and positively contribute to the significance of the Morpeth Heritage Conservation Area.	O.136 To ensure that modifications to non-contributory buildings are sympathetic to the character of the HCA and positively contribute to the significance of the Morpeth HCA.	Switch to positive language in order not to disparage non-heritage or heritage-significant structures.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA O.137	O.137 To allow new development only where it is consistent the existing pattern of development and forms a continuation of the original nineteenth century grid land subdivision and street pattern.	Remove	N/A - control removed.	Duplication of O.123.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.1	Subdivision and amalgamation should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.	Subdivision should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.	Subdivision should be generally avoided to retain the original late nineteenth-century land subdivision and street pattern.	Removal of amalgamation as it is not a term defined by the EP&A Act or the Development Control Plan.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.2	The approaches to the township should remain informal in character, avoiding formal footpaths along the primary access routes (e.g. Metford Road and Fig Tree Hill).	The approaches to the township should remain informal in character.	The approaches to the township should remain informal in character.	Removal of commentary in respect to formal footpaths - these are already in-situ in some areas, including along Metford Rd.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.3	The physical association between the township and the Hunter River should not be altered through river re-alignments.	Remove	N/A - control removed.	Control redundant as river re-alignments would go through multiple state agency approvals.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.2	There is to only be rural (not residential or commercial) development on surrounding rural and vacant land. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	Development on surrounding rural and vacant land shall be avoided and minimised, consistent with preserving the open pastoral landscaping which forms the edges of the town. This control applies to sites directly adjoining the urban township, the vacant land on the corner of Tank Street and Close Street, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	Development on surrounding rural and vacant land is to be minimised, consistent with preserving the open pastoral landscape which defines the edges of the town. This control applies to sites directly adjoining the urban township, allotments on the southern edge of the township and to the east of Edward Street, and holdings on the northern side of the river.	Improvements to wording to ensure that it is in alignment with the objectives of the HCA.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.5	New commercial development is to provide on-site car parking. Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly.	Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly.	Sites at the rear of Swan Street and with frontage to Close Street should be used for service access and parking and screened accordingly.	Removal of mention to on-site car parking as in an overwhelming number of cases this provision would irreparably harm heritage outcomes.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.7	The maximum height of buildings west of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.	The maximum height of buildings in the commercial precinct east of Northumberland Street should be one storey, with one and a half storeys or two storeys permissible at the rear of the building.	The maximum height of buildings east of Northumberland Street should be one storey, with one and a half storeys or two storeys encouraged at the rear of the building.	Changed to AS
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.10	Dual occupancies and multi-dwelling housing are not considered appropriate on lots with frontages to main streets (i.e. Swan, High, Tank, Northumberland, Robert, George and Edward streets).	Remove	N/A - control removed.	Some historical patterns of historic dual occupancies in-situ within these areas - this control contradicts this.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.11	Dual-occupancy development will only be considered in the following circumstances: a. where the dual occupancy includes an existing residence fronting a main street b. where the total site coverage is no more than 50 per cent of the site area c. where the side and front setback requirements identified in this plan are maintained d. where new development is not located on main streets, including Swan, High, Tank, Northumberland, Robert, George and Edward streets e. if access is provided from secondary lanes, and f. where it is a suitable design on a corner block and the proposal meets identified requirements.	Dual-occupancy development will only be considered in the following circumstances: a. where the dual occupancy includes an existing residence fronting a main street b. where the total site coverage is no more than 50 per cent of the site area c. where the side and front setback requirements identified in this plan are maintained d. where new development is not visually prominent from main streets, including Swan, High, Tank, Northumberland, Robert, George and Edward streets e. if access is provided from secondary lanes f. where it is a suitable design on a corner block and the proposal meets identified requirements.	N/A - control removed.	Some historical patterns of historic dual occupancies in-situ within these areas - this control contradicts this.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.9	New development should be contemporary in design and not include the reproduction of heritage features and elements.	Remove	N/A - control removed.	The requirements for this are already captured by the over-arching Section 4.6 HCAs.
4 – Heritage	4.12.3. Objectives and Controls	Garages, carports and sheds should be detached and located at the rear boundary.	Garages, carports and sheds should have a minimum setback of 5 metres to a	Garages, carports and sheds should have a minimum setback of 5 metres when facing a secondary frontage.	In keeping with the character of the area and existing patterns of development.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
	for the Morpeth HCA AS.10		secondary frontage or parallel street (where a property has dual frontages).		
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.12	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. In all remaining streets the setback is to be 6m. The setback requirements apply to all residential buildings.	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. In all remaining streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road in Close Street, new buildings should generally be set back the same distance. In all other streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.	Consolidated with PC.13 and AS.12
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.13	Where there are no adjoining buildings, the minimum setback of three metres is to be measured from a point four metres from the kerb line.	Remove	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road in Close Street, new buildings should generally be set back the same distance. In all other streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.	Consolidated with PC.12 and AS.12
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.12	Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road, new buildings should generally be set back the same distance.	Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road, new buildings should generally be set back the same distance.	Where there are no adjoining structures in Close and Princess streets, the setback is to be no less than 3m. In Green, Berkeley, Elizabeth, Ann, Market and William streets the setback is to be a minimum of 2m. Setback requirements for Close Street will be calculated on the basis of the setback of existing adjoining buildings. Where buildings on both adjoining boundaries have been set back to allow for a former road in Close Street, new buildings should generally be set back the same distance. In all other streets the setback is to be at least 1m behind the front wall of contributory buildings and heritage items and consistent with the prevailing setbacks of adjoining principal buildings.	Consolidated with PC.12 and PC.13
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.13	The significant views identified in Figure 4-13 should be maintained and not obstructed by new development.	The significant views identified in Figure 5.8xx should be maintained and not obstructed by new development including landscaping/plantings.	The significant views identified in Figure 4-13 should be maintained and not obstructed by new development, including any landscape plantings.	This change ensures that landscape plantings carried out in association with development are done in such a manner that does not diminish the significant views towards and from the township.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.14	New development and additions should provide generous (900mm to 1.5 metres) side setbacks to maintain existing views within the town and to and from the rural landscape. In particular, on Swan Street where views are available to the Hunter River.	New development and additions should provide generous (minimum 1.5 metres) side setbacks to maintain existing views within the town and to and from the rural landscape. In particular on Swan Street where views are available to the Hunter River.	New development and additions should provide generous (at least 1.5m) side setbacks to maintain existing views within the town and to and from the rural landscape.	Broadly applies to the whole of the HCA; no extra weight was provided by the specific identification of Swan St and as such has been removed.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.16	All utilities are to be retained within the road reserve.	Remove	N/A - control removed.	Overruled by Codes SEPP and not relevant to development applications themselves.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.17	Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, or timber paling fences to a 1.8m height.	Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, or timber paling fences to a 1.8m height for rear lot boundaries.	Fencing along Close Street is to be restricted to suitably designed front fences with a maximum height of 1.2 metres, and timber paling fences to a 1.8m height for rear fences.	Fix of an error that now ensures timber paling fences are now provided in the correct boundary areas, rather than an option in the front setback.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.20	Frontages to east–west streets (Swan, Close, High, Princess and James streets) are not to be reduced to less than 15m, and frontages to side streets are not to be reduced to less than 40m.	Remove	N/A - control removed.	Protected already by retaining existing subdivision pattern. A number of historical subdivisions are also less than the 15m frontage indicated.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.18	Development should not impact the significance or interpretability of heritage listed assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes.	Development should not impact the significance or interpretability of heritage listed landscape assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes.	Development should not impact the significance or interpretability of heritage listed landscape assets, historically significant sites and historically important landscape features, such as the old cultural plantings of fig trees in private and public landscapes.	Provides clarity that the control is in reference to significant landscaping features.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.19	Mature landmark trees in the HCA should be retained and managed through Council's Significant Tree Register.	Mature landmark trees in the heritage conservation area should be retained and managed. through Council's Significant Tree Register.	N/A - control removed.	The requirements for this are already captured by the over-arching Section 4.6 HCAs.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA AS.20	Trees and plantings located in rear gardens and behind industrial buildings along the western side of Swan Street, should be limited to a height of 3m to avoid camouflaging views of the river from Swan Street'.	Where new development proposes works within the public road reserve a historical archaeological assessment should be undertaken to identify any potential archaeological fabric.	Where new development proposes works within the public road reserve, a historical archaeological assessment should be undertaken to identify any potential archaeological fabric.	Original control now covered by the other landscape planting controls. New control ensures that artefacts such as sandstone flagging and old footings, etc are able to be appropriately identified.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.25	The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones.	The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Contrasting finish road seal material shall be provided to highlight the travel lanes as distinct from the shoulders. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones.	The existing mix of road surfaces (bitumen with gravel or grassed edges) that maintain visual emphasis on the central section of the road are to be retained. Contrasting finish road seal is to be provided to highlight the travel lanes as distinct from the shoulders. Existing road surfaces that presently feature bitumen must maintain a clearance to the outer edge of the gutter and must not extend over the surface of the gutter stones.	In keeping with the current development approach to infrastructure in the area.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.26	Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be extended, dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems. Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Consideration may be given to bitumen finished with a concrete strip with grassed verges (e.g. King Street	Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be retained. Dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems for gravel verges. Consideration may be given to bitumen	Existing road shoulders of compacted gravel and open grassed verges are to be maintained. Grassed verges are to be retained. Dust suppressants or gravel mixed with concrete are to be used as potential options to dust generation and erosion problems. Consideration may be given to bitumen finished with a concrete strip with grassed verges (e.g. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).	Improved sentence structure to provide clarity.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).	finished with a concrete strip with grassed verges (e.g. King Street Lorn and parking areas at the eastern end of Swan Street Morpeth) or permeable paving where cost effective (e.g. grass rings).		
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.28	On the western side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path.	On the northern side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path.	On the northern side of Swan Street where no awnings or verandahs exist across the footpath, paving must be maintained to a central area of between 1.5m to 1.8m with grassed verges to either side of the central path.	Error in orientation within original control.
4 – Heritage	4.12.3. Objectives and Controls for the Morpeth HCA PC.29	No new kerb crossings for vehicles in areas of sandstone kerb and guttering, particularly along High, Swan and major cross streets. Access should be provided from rear lanes.	Remove	N/A - control removed.	Contradicted a series of other controls intended to provide concessions, notably 'The intact nature of stone kerbs and guttering within the Morpeth streetscape are to be maintained and conserved by providing for kerb crossing bridges in appropriate locations.'
4 – Heritage	4.13.2. Desired Future Character - Aberglasslyn House HCA	1. Retain and conserve Aberglasslyn House, its principal garden and grounds. 2. Retain the open pastoral landscape setting of the HCA. 3. Retain the existing views to and from the house and broader HCA from the Hunter River and Aberglasslyn Lane. 4. Avoid construction of new buildings or structures within the HCA. 5. Avoid the construction of new buildings or structures near the natural landform to the south of the HCA. 6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the HCA. 7. Mature landmark trees in the HCA should be retained and managed through Maitland Council's Significant Tree Register and tree preservation order policy. Significant gardens and mature trees in private properties should be formally recorded by Council.	1. Retain and conserve Aberglasslyn House, its principal garden and grounds. 2. Retain the open pastoral landscape setting of the heritage conservation area. 3. Retain the existing views to and from the house and broader heritage conservation area from the Hunter River, areas surrounding the Hunter River and Aberglasslyn Lane. 4. Avoid construction of new buildings or structures within the heritage conservation area. 5. Avoid the construction of new buildings or structures near the natural landform (hill crest or ridgeline) to the south of the heritage conservation area. 6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the heritage conservation area.	1. Retain and conserve Aberglasslyn House, its principal garden and grounds. 2. Retain the open pastoral landscape setting of the HCA. 3. Retain the existing views to and from the house and broader HCA from the Hunter River, areas surrounding the Hunter River, and Aberglasslyn Lane. 4. Avoid construction of new buildings or structures within the HCA. 5. Avoid the construction of new buildings or structures near the natural landform (hill crest or ridgeline) to the south of the HCA. 6. Avoid subdivision of larger allotments to allow new dwellings in the vicinity of the HCA.	Removed duplication with other controls relating to landmark trees.
4 – Heritage	4.13.3 Objectives and controls of the Aberglasslyn House HCA	N/A	Add 'Note: The controls within Chapter 10, Section 10.3.10.15 and Section 10.3.10.22 are to be directly considered alongside this section.'	Note: The controls within Chapter 10, Section 10.3.10.15 and Section 10.3.10.22 are to be directly considered alongside this section.	Note for clarity to refer to other sections that require consideration.
4 – Heritage	4.6. Heritage Conservation Areas	1. Contributory buildings (originate from the historical era) 2. Neutral buildings (originate from/or near the historical era, but have had modern alterations) 3. Non-contributory buildings (do not originate from the historical era, and are of modern design)	Need to align our language here. Appendix E Heritage Guidelines does not include reference to 'neutral' buildings - just 'contributory' and 'non-contributory' buildings.	1. Contributory buildings (originate from the historical era) 2. Non-contributory buildings (do not originate from the historical era, and are of modern design)	Neutral buildings have been removed from the Heritage Chapter as there is no associated mapping or classification at this point.
4 – Heritage	4.1.4. Intent of this Chapter	The intent of this DCP Chapter is: • to promote and encourage an understanding and appreciation of Maitland's Aboriginal and environmental heritage and history. • to conserve and retain Maitland's heritage items and heritage conservation areas. • to conserve and retain Maitland's Aboriginal heritage. • to establish a framework for Aboriginal or environmental	Remove "heritage conservation and..." from "to provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.".	The intent of this DCP Chapter is: a. To promote and encourage an understanding and appreciation of Maitland's Aboriginal and environmental heritage and history. b. To conserve and retain Maitland's heritage items and heritage conservation areas. c. To conserve and retain Maitland's Aboriginal heritage. d. To establish a framework for Aboriginal or environmental heritage conservation and sympathetic new development in the	Clean up of formatting and needless repetition.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		heritage conservation and sympathetic new development in the Maitland Local Government Area (LGA). • to encourage the adaptive reuse of heritage buildings, enabling contemporary use and economic viability, while retaining and celebrating their heritage values. • to allow change to occur to meet amenity and contemporary safety, sustainability and technological standards, provided that those changes do not detrimentally affect the heritage significance of Maitland's Aboriginal heritage, heritage items and Heritage Conservation Areas (HCAs). • to support appropriate changes of use that extend the functional life of heritage places while ensuring their heritage significance is protected and respected. • to provide guidelines that are consistent with the principles outlined in the Burra Charter, and legislative requirements under the Heritage Act 1977. • to provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.		Maitland Local Government Area (LGA). e. To encourage the adaptive reuse of heritage buildings, enabling contemporary use and economic viability, while retaining and celebrating their heritage values. f. To allow change to occur to meet amenity and contemporary safety, sustainability and technological standards, provided that those changes do not detrimentally affect the heritage significance of Maitland's Aboriginal heritage, heritage items and Heritage Conservation Areas (HCAs). g. To support appropriate changes of use that extend the functional life of heritage places while ensuring their heritage significance is protected and respected. h. To provide guidelines that are consistent with the principles outlined in the Burra Charter, and legislative requirements under the Heritage Act 1977. i. To provide clarity to property owners and applicants about heritage conservation and best practice heritage conservation.	
4 – Heritage	4.2. Aboriginal Cultural Heritage PC.1	Where a development will disturb the ground surface and the natural ground surface has not been significantly disturbed, the development application must demonstrate that adequate due diligence has been undertaken. This includes (but is not limited to) submitting the following documentation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW. This includes submitting the following documentation:	Remove 'This includes submitting the following documentation' repetition.	Where a development will disturb the ground surface and the natural ground surface has not been significantly disturbed, the development application must demonstrate that adequate due diligence has been undertaken. This includes (but is not limited to) submitting the following documentation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW.	Drafting error - repetition of sentence removed.
4 – Heritage	4.4.8. Alterations and additions to residential heritage items PC.26	Solar panels or skylights are not supported to the front or side facing slopes of the principal roof.	This conflicts with Sec 4.4.8, PC.14 which allows skylights to side elevations where it can be demonstrated that the visual impact is not significant.	Solar panels are not supported to the front or side facing slopes of the principal roof.	Contradiction - removed skylight reference from this control.
4 – Heritage	4.6.6. Alterations and additions to residential buildings PC.8 and AS.8	All new development is to be sited behind the rear building line of a heritage item or contributory building, except where the design is a side extension designed in the same style and materiality as the principal building form (refer to Figure 4-4).	Example 6 includes a skylight on the street elevation which is not supported under AS.8. Amend AS.8 to allow skylights on side and rear roof planes where it can be demonstrated that it will have minimal impact on the heritage character of the building and HCA.	No change to text, Figure 4-4 amended to remove front skylight.	Skylight indicated on the figure removed. AS.8 provides accommodations for skylights where roof extensions are used in order to provide limited flexibility while remaining sympathetic to the local HCA.
4 – Heritage	4.6.6. Alterations and additions to residential buildings	Dormers to the front or side of existing roofs , where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.	Dormers should be restricted to the rear roof planes of an existing building.	Dormers to the side of existing roofs, where acceptable, should be of traditional vertical proportions with either gable or hipped roof forms. Where not visible from the street, a wider dormer form may be considered.	Contradicted AS.8, which restricted dormers to side or rear roof planes. Control now no longer references front profiles. PC.15 also removed due to this.
4 – Heritage	4.6.8. Infill Development PC.2 and PC.3	PC.2 New buildings are to be setback or sited behind the façade of heritage items and contributory buildings. PC.3 New buildings must maintain the established historically significant pattern of setbacks in the streetscape.	Can these combined as they have a degree of conflict/contradiction otherwise.	NEW PC.2 - New buildings are to be setback or sited behind the façade of heritage items and contributory buildings and are to maintain the established historically significant pattern of setbacks in the streetscape. PC.3 removed.	Merger reduces potential for conflict and non-compliance.
5 – Subdivision	5.2.5 Lots on New Laneways	O.18 To provide sufficient space to accommodate waste collection, vehicular access , and utility services without impeding the laneway's primary function.	Remove waste servicing as agreed by Waste Team and PAG.	O.18 To provide sufficient space to accommodate vehicular access and utility services without impeding the laneway's primary function.	ERROR - Original direction to remove waste collection references was not included.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
5 – Subdivision	5.2.5 Lots on New Laneways PC.1	The design of the lots fronting a new laneway must facilitate safe and efficient access for service vehicles, including waste collection trucks and emergency services.	Remove waste servicing as agreed by Waste Team and PAG.	The design of lots fronting a new laneway must facilitate safe and efficient access for service vehicles, including emergency services.	ERROR - Original direction to remove waste collection references was not included.
5 – Subdivision	5.2.5 Lots on New Laneways PC.4	Laneway design must accommodate all required underground and above-ground services, including space for utilities, lighting, and drainage infrastructure, without impacting vehicular or waste service functions.	Remove waste servicing as agreed by Waste Team and PAG.	Laneway design must accommodate all required underground and above-ground services, including space for utilities, lighting, and drainage infrastructure, without impacting vehicular functions.	ERROR - Original direction to remove waste collection references was not included.
5 – Subdivision	5.3.3. Street Layout and Block Length PC.8	New residential street blocks are to have a range of block lengths from a 100m minimum to a 240m maximum and must have a maximum walkable perimeter of 600m. New residential street blocks must range in length from a minimum of 100 metres to a maximum of 240 metres and have a walkable perimeter not exceeding 600 metres. A walkable or drivable connection—such as a street, laneway, or shared path—must be provided at intervals of no more than 300 metres to support permeability and connectivity	Sentence duplication.	New residential street blocks are to have a range of block lengths from a 100m minimum to a 240m maximum and must have a maximum walkable perimeter of 600m. A walkable or drivable connection—such as a street, laneway, or shared path—must be provided at intervals of no more than 300 metres to support permeability and connectivity	Error.
5 – Subdivision	5.3.1. Lot Size and Dimensions AS.1 Note	Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation. For the purpose of lots that include on site effluent disposal, a separate disposal area envelope is to be provided in addition to the building envelope.	Remove sentence on effluent - already captured in water and sewer controls.	Note: For the purposes of a battle axe lot, the access handle is not included as part of the minimum lot width and depth calculation.	Separately captured in other sections.
5 – Subdivision	5.2.1.3. Essential Services (Water, Sewer, Electricity and Telecommunications) PC.4	Where an onsite sewer management system is required, a nominated disposal area envelope is to be include for waste disposal in an appropriate location	Reword, fix grammar. Remove obj ref "O.4 To provide appropriate utility services to all new lots in an efficient, coordinated and cost-effective manner."	Where an onsite sewer management system is required, a waste disposal area envelope is to be nominated.	Fixed wording due to redundant repetition that only served to confuse.
5 – Subdivision	5.2.1.3. Essential Services (Water, Sewer, Electricity and Telecommunications) PC.7	Low voltage electricity supply must be available to the boundary of all new rural lots.	change available to provided	Low voltage electricity supply must be provided to the boundary of all new rural lots.	Grammatical fix that does not change the intent.
5 – Subdivision	5.2.1.1. General PC.2 and PC.3	PC.2 Other major utility items such as electrical kiosks, community batteries and other neighbourhood scale items must not be located in road reserves or drainage reserves. Note: Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites). PC.3 If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141, b. Adequate screening in the form of landscaping and privacy	Merge PC.2 and PC.3 and convert to an AS. PC.2 content "...items must not be located in road reserves or drainage reserves" to a should, and provide PC.3 as a follow up to that. Make current PC.2 note a new separate control (PC).	AS.1 Other major utility items such as electrical kiosks, community batteries and other neighbourhood scale items must should not be located in road reserves or drainage reserves. If major utility items are to be positioned within community land or public land, the following design criteria is to be adhered to: a. Electrical kiosks are to adhere to the Ausgrid Network Standard 141, b. Adequate screening in the form of landscaping and privacy screen fencing is to be provided around any utility item larger than 1m3, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed,	Clean up to provide better certainty as to the development pathway and provides appropriate AS control to ensure that major utility items can be appropriately positioned.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		screen fencing is to be provided around any utility item larger than 1m3, c. The land area required for the proposed utility item is to be in addition to any land area requirement for the community land upon which it is to be placed, Example C: A requirement for a public park of 5000m2 that includes a community battery with a required space of 25m2 is to provide a total of 5025m2 of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans.		Example C: A requirement for a public park of 5000m2 that includes a community battery with a required space of 25m2 is to provide a total of 5025m2 of community land as part of that public park. d. The major utility item, including associated screening, is to have a physical separation of at least 10m from the boundaries of any playing field or playground area, which is to be demonstrated as part of submitted landscape plans. PC.2 Details of any neighbourhood scale utility infrastructure is to be provided as part of a Development Application, including proposed locations of major utility items (multiple locations may be proposed for potential sites).	
5 – Subdivision	5.4. Rural Subdivision PC.4	When calculating the area of battle-axe allotments, the area of the access handle must be excluded from the area calculation. Figure 5-8: Battle-axe handle calculation exclusion	Public submitter identified the following for the relevant control under 5.2.8. PC.2, which is the same as this one: In the event an applicant is required to exclude the area of the access handle from the lot area calculation, this provision should be contained within the MLEP 2011 rather than the DCP. For example, Clause 4.1(4B) of the Cessnock LEP 2011 contains the following provision to address this matter: For the purposes of calculating the size of a lot for the purposes of this clause, if a lot is a battle-axe lot or other lot with an access handle, the lot size is to be calculated by excluding the area of the access handle. *SP (Arie) per the Planning Circular in relation to this matter this DCP control would be unenforceable and directly against the LEP. Per the submitter's comment we need to undertake an LEP amendment to action this*	N/A - control removed.	Per the Planning Circular in relation to this matter this DCP control would be unenforceable and directly against the LEP. Per the submitter's comment we need to undertake an LEP amendment to action this.
5 – Subdivision	5.4 Rural Subdivision	N/A	Add C4 specific control for lot width min and depth min. Cross ref with other councils.	Each new lot as part of a rural or conservation subdivision is to have: a. Except for C4 Environmental Living: at least 50m site frontage, b. C4 Environmental Living: at least 20m site frontage Lot width-depth ratios are to be to the satisfaction of Council, with long narrow lots discouraged.	C4 Environmental Living control added to align with common land application for this zone in Maitland and similar councils. Ensures that C4 zoned land is not arbitrarily burdened when compared to common use patterns.
5 – Subdivision	5.3.2. Solar Access and Energy Efficiency PC.1	75% of lots in medium and major subdivision are to be aligned with Figure 5-3.	Not sure that wording of AS1 aligns with Diagram 5-34. Diagram is not easy to interpret?	75% of lots in medium and major subdivision are to be within the 'Ideal' and 'Good' site orientation indicated in Figure 5-3.	Improved clarity while not changing the intent of the control.
5 – Subdivision	5.3.3. Street Layout and Block Length AS.2	A walkable or drivable connection should be provided every 300m.	Is this a repeat of the second part of the control at PC.8?	N/A - Control removed.	Duplication of earlier control (5.3.3. PC.8)
5 – Subdivision	5.3.3. Street Layout and Block Length PC.11	Roads are to be orientated as follows: a. Trunk roads must create direct and convenient routes along desire lines and **optimised** public transport network creation, b. Local streets that are of a slope gradient 6% or greater are to run perpendicular to the slope contour.	Should be “optimise”.	Roads are to be orientated as follows: a. Trunk roads must create direct and convenient routes along desire lines and optimise public transport network creation, b. Local streets that are of a slope gradient 6% or greater are to run perpendicular to the slope contour.	Grammar fix.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		c. All other local streets are to be orientated in accordance with the remainder of this Section.		c. All other local streets are to be orientated in accordance with the remainder of this Section.	
5 – Subdivision	5.3.5. Open Space and Recreation PC.1	The number, size and location of open space, local parks and recreation facilities must be consistent with Council's requirements, Council's Community Infrastructure Strategy and the relevant Section 7.11 Contributions Plan. Note: Sites which are developed outside of an applicable s7.11 Contributions Plan that does not **provides** size, location, and costing for recreational open space shall be assessed on a case-by-case basis.	Should read 'provide'.	The number, size and location of open space, local parks and recreation facilities must be consistent with Council's requirements, Council's Community Infrastructure Strategy and the relevant Section 7.11 Contributions Plan. Note: Sites which are developed outside of an applicable s7.11 Contributions Plan that does not provide size, location, and costing for recreational open space shall be assessed on a case-by-case basis.	Grammar fix.
5 – Subdivision	5.4. Rural and Conservation Subdivision O.52	O.52 To ensure subdivisions are designed to maintain and enhance the rural or conservation character and scenic landscape of the Maitland LGA, particularly in low lying areas and valleys which may be viewed from above.	What are we trying to say here? Do we want subdivisions in low lying areas and valleys or not in low lying areas and valleys? Note that developing on higher slopes and ridgelines can have a very significant impact on scenic quality and rural character.	O.52 To ensure subdivisions are designed to maintain and enhance the rural or conservation character and scenic landscape of the Maitland LGA, particularly along ridgelines, low lying areas, and valleys which may be viewed from above.	Added reference to ridgelines to ensure that this was adequately communicated - was part of the intent of this control however it was not made clear.
5 – Subdivision	5.4. Rural and Conservation Subdivision PC.1 (b)	b. Be of sufficient size to allow development of improvements, with any required effluent disposal area,	with' should be 'including'	b. Be of sufficient size to allow development of improvements, including any required effluent disposal area,	Clarity fix.
6 – Residential Uses	6.5 Secondary Dwellings PC.6	The secondary dwelling must have a window to a habitable room facing a primary road and secondary road where the land is a corner lot.	Make clear that this is intended to refer to both corner lots and regular lots - suggest either a comma added, or place 2nd part of sentence as a guidance note.	The secondary dwelling must have a window to a habitable room facing a road where the land is a corner lot.	Due to the nature of some secondary dwelling's design, it is not always possible for secondary dwellings on regular lots to have a window facing a road. Language has been made clearer to accommodate any road for corner lots.
6 – Residential Uses	6.2.5.2. Principal Private Open Space (PPOS) PC.8	PPOS must be screened for privacy if required by Section 6.2.4 of this Chapter.	Remove - serves as a reference to another control and makes it redundant	N/A - Control Removed	Removed as it functioned as needless duplication.
6 – Residential Uses	6.2.11. Driveways, carparking and garages	N/A	No specific requirement to implement pedestrian accessway between attached garages and dwelling houses. Could this be reinforced through a control either requiring a pedestrian access point for garages or a specific requirement for connection between attached dwelling garages?	Garages sharing a wall with an associated dwelling are to provide an internal accessway between the dwelling and the garage.	Control ensures that adequate secure access between the garage and dwelling is achieved, improving CPTED and security outcomes.
6 – Residential Uses	6.2.1. Character and design PC.4	Repetitive building designs are not supported, particularly in new residential areas where there may be a number of sites being developed simultaneously. Designs are to ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are varied.	How would you suggest Council best ensure this control is consistently applied, monitored, and enforced? Repetition can sometimes occur intentionally, particularly within volume-built estates. However, there have been past instances where dwelling applications for adjoining lots were lodged by the same developer/project home builder at the same time. Because the applications were assessed separately by different officers, and property owners did not have access to each other's dwelling designs, identical	AS.4 Repetitive building designs are discouraged. Designs should ensure that key elements such as materials, colour schemes, fencing and driveway treatments, landscaping, window configurations and roof forms are varied.	AS here allows this control to be applied on a case by case basis, and helps communicate that this primarily applies to same-site development i.e. dual occupancy and multi-dwelling. As stated by requester, separate dwelling houses generally get rectified through private industry and this is difficult to control through the DA process.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			façade treatments were approved. The duplication was not identified until the dwellings were almost complete, at which point the owners raised the issue with the builder to seek rectification.		
6 – Residential Uses	6.2.3. Solar access and cross ventilation PC.1	Shadow diagrams must be provided for residential developments of two (2) storeys or more that are within an urban area. The shadow diagram must address the overshadowing impact of new development as well as the impact from adjoining development against the criteria below: a. development must not reduce the sunlight available to windows of living areas that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (21st of June); b. at least 50% of the principal area of ground level Private Open Space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). c. at least 50% of the principal area of above ground level private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). d. at least 50% of the area of communal private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June).	Can we have a definition for 'living area/s'	Shadow diagrams must be provided for residential developments of two (2) storeys or more that are within an urban area. The shadow diagram must address the overshadowing impact of new development as well as the impact from adjoining development against the criteria below: a. development must not reduce the sunlight available to windows of habitable rooms that face north to less than 3 consecutive hours between 9.00am and 3.00pm on the Winter Solstice (21st of June); b. at least 50% of the principal area of ground level Private Open Space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). c. at least 50% of the principal area of above ground level private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June). d. at least 50% of the area of communal private open space must achieve not less than 3 hours sunlight between 9.00am and 3.00pm on the Winter Solstice (21st of June).	New definition in glossary for living areas; is the same as habitable room but excludes bedroom. 6.2.3. PC.1 updated to refer to habitable room instead.
6 – Residential Uses	6.2.5.1. Communal Open Space (COS)	N/A	Can it be noted that COS does not apply to a single residential dwelling and ancillary development	Note: Communal Open Space is provided based upon the nature of the development type proposed. Strata, Stratum, and Community title developments involve the provision of COS.	
6 – Residential Uses	6.2.6. Landscaping & landscaped area PC.3	Landscaped area for a development is to be provided in accordance with Table 6.3. Table 6.3: Minimum Landscaped Area DWELLING TYPE MINIMUM LANDSCAPED AREA (% OF LOT AREA) Dwelling house and Group homes 30%, including: • 40% of the front setback, and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List. Dwelling houses in rural or environmental zones A minimum of ten (10) trees, with the species in accordance with Council's Tree Species List. DWELLING TYPE MINIMUM LANDSCAPED AREA (% OF LOT AREA) Dual occupancies and Semi-detached dwellings 50% minus 100m2, including: • 25% of the front setback, and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List. Secondary dwellings 10%, including a minimum of 50% behind the building line. Attached dwellings 10%, including a minimum of one (1) tree along each building frontage, with the species in accordance with Council's Tree Species List. Multi-dwelling housing 15%, including a minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List.	Table 6.3 Minimum no of tree planting requirements appear to be inconsistent with Appendix D - table 3 Note: trees are not likely to be retained for the life of the dwelling/development. Applications for ancillary development (such as sheds, pools, or cabanas) may necessitate the removal of these such trees, and the property may not have sufficient space to accommodate their replacement.	Appendix D updated to properly communicate that it is a forward looking, best practice document for applicants to use in their design process, and not for assessment purposes aside from soil volume requirements.	Acknowledged that ancillary development may remove some trees however species selection initially (especially of smaller tube stock) will improve canopy outcomes overall.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		Boarding houses and Co-living housing 20% Residential flat buildings 20%, including: • A minimum of one (1) tree per five (5) dwellings, with the species in accordance with Council's Tree Species List. Shop top housing Refer to Apartment Design Guide (or equivalent).Seniors housing Refer to Apartment Design Guide (or equivalent).Note 1: The minimum landscaped area is in addition to the PPOS requirements under Section 6.2.5.2. Additionally, the minimum landscaped area contributes to the minimum unbuilt area requirements stipulated in Section 6.2.7. Note 2: Areas less than 1.5m in width are not included in the landscaped area calculation.			
6 – Residential Uses	6.2.6. Landscaping & landscaped area Table 6.3	N/A	Table format missing the row lines	Changed table formatting to include row lines	Drafting error
6 – Residential Uses	6.2.11. Driveways, carparking and garages AS.3	Aside from dwelling houses, driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 2:1 ratio.	Overly prescriptive and impractical. A 1:1 replacement is more reasonable, as most properties do not have the space to accommodate two street trees. Could you provide further justification for the proposed 2:1 replanting ratio? Have note for stating controls relating to single dwelling houses can be found under 6.3?	Aside from dwelling houses, driveways are to be located in areas that avoid street tree plantings wherever possible. Where avoidance is not possible, development must ensure that suitable arrangements have been made to replant any removed street trees at a 1:1 ratio.	2:1 ratio has the potential to exponentially increase, and with smaller frontages encouraged by the increased diversity of residential accommodation it will be difficult to achieve a 2:1 planting ratio.
6 – Residential Uses	6.11 Ancillary Structures	N/A	Can we have Swimming Pool development controls under this section? Swimming Pool controls to consider: • located behind the building line of the dwelling, or to the rear of the property. • water edge must be setback at least 1m from a side or rear boundary • The pump must be— (a) housed in a soundproofed enclosure, and (b) located more than 450mm from each lot boundary.	PC.1 • O.85 • O.87 Swimming pools are to maintain compliance with the applicable Residential Uses controls and acceptable solutions, including, but not limited to, landscaped area, impervious area, and PPOS. These controls are provided in Section 6.2 of this Chapter. PC.2 • O.85 • O.87 Swimming pools are to be located behind the dwelling's primary street building line and, if applicable, behind the dwelling's secondary street building line. PC.3 • O.87 At least 1m of clear space is to be provided around the swimming pool. The swimming pool may encroach the dwelling's rear setback provided that the 1m of clear space is maintained. PC.4 • O.86 Swimming pool decking is to be a maximum of 1.4m above existing ground level. PC.5 • O.86 • O.87 Coping width is to be a maximum of 0.3m wide if more than 0.6m above existing ground level. PC.6 • O.87 If a swimming pool has a proposed capacity equal to or more than 40,000L, it must be accompanied by a compliant BASIX certificate. PC.7 • O.87 For swimming pools in rural areas, the proposed design and location is not to impact upon on-site sewage management systems and any associated effluent disposal areas. PC.8 • O.85	Swimming pool controls added to give very clear and simple controls for assessment.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
				• O.87 Any swimming pool pump provided is to be contained in a noise-proofed enclosure. PC.9 • O.87 Child resistant barriers are to be installed and constructed in accordance with the requirements of the Swimming Pools Act 1992 (or as amended).	
6 – Residential Uses	6.2.4. Visual and acoustic privacy PC.2	Overlooking of Principal Private Open Space (PPOS) and direct views between living area windows from neighbouring dwellings and properties are to be screened or obscured using one or more of the following methods: • separation distance of at least 3m between windows of habitable rooms or balconies • separation by design • offset living room windows of opposing dwellings/units • splay windows to redirect sight lines • fencing design or privacy screens • plantings • use of fin walls • planter boxes • louvre screens (vertical or horizontal) • pergola	Clean up text by grouping similar treatments	Overlooking of Principal Private Open Space (PPOS) and direct views between living area windows from neighbouring dwellings and properties are to be screened or obscured using one or more of the following methods: • separation distance of at least 3m between windows of habitable rooms or balconies • separation by design • offset living room windows of opposing dwellings/units • splay windows to redirect sight lines • fencing design, privacy screens, or fin walls • plantings or planter boxes • louvre screens (vertical or horizontal) • pergola	Size reduction of document and cleaner appearance. Does not materially change content.
6 – Residential Uses	6.2.6. Landscaping and Landscaped Area PC.3	Secondary dwellings 20% MINIMUM LANDSCAPED AREA (% OF LOT AREA)	On a 450m2 lot plus the compulsory PPOS of 24m2, the total open space would be 114m2 for, say, a 36m2 secondary dwelling. The Codes SEPP requires 15% in comparison, or 67.5m2. Suggest a reduction to 10% as, combined with the PPOS, this would be 69m2, very similar to the Codes SEPP.	Secondary dwellings 10% MINIMUM LANDSCAPED AREA (% OF LOT AREA) including a minimum of 50% behind the building line.	Alignment with Codes SEPP and removes an excessive and difficult to enforce provision.
6 – Residential Uses	6.2.6. Landscaping and Landscaped Area PC.3	Group homes 20%	Under the definitions of the Standard Instrument and the usual use case, Group Homes are generally converted Dwelling Houses. Suggest this may create unintended lodgements for 'group homes' with a later change of use to dwelling house due to the discounted landscaped area. Change to be consistent?	Dwelling house and Group homes 30%, including: • 40% of the front setback, and • A minimum of two (2) trees, one in the front and one in the rear of the lot, with the species in accordance with Council's Tree Species List.	Under the definitions of the Standard Instrument and the usual use case, Group Homes are generally converted Dwelling Houses. Suggest this may create unintended lodgements for 'group homes' with a later change of use to dwelling house due to the discounted landscaped area.
6 – Residential Uses	6.2.5.2. Principal Private Open Space (PPOS) PC.4	Minimum PPOS 'at least 4m wide'	Change to 'at least 3m wide and 3m long'. The existing wording means that a 12m x 2m PPOS would be compliant, as would a 24m x 1m PPOS, which is not aligned with the objectives of the section or the intended outcome for a consolidated usable space.	at least 3m wide and 3m long'.	The existing wording means that a 12m x 2m PPOS would be compliant, as would a 24m x 1m PPOS, which is not aligned with the objectives of the section or the intended outcome for a consolidated usable space. Additionally aligns with Codes SEPP
6 – Residential Uses	6.2.7. Impervious area PC.1	Note 2: The remaining uncovered balance of the site is to provide deep soil zones in accordance with Appendix C: Canopy Cover Guidelines.	The definition of Deep Soil is 'a landscaped area connected horizontally to the soil system and local ground water system beyond and is unimpeded by any building or structure above or below ground with the exception of minor structures. Deep soil zones with a minimum dimension of 3m allows sufficient space for the planting and healthy growth of new trees that provide canopy cover and assist with urban	2. The minimum landscaped areas and minimum COS/PPOS required under Section 6.2.5 and 6.2.6 take precedent over any maximum impervious area provided under this section. [REMOVED DEEP SOIL PROVISION FROM APP D]	Soil volume requirements are still provided and have clear dimensions to them, whereas deep soil provision's definition was and is captured by the landscaped area requirements located throughout various chapters of the DCP.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
			cooling and infiltration of rainwater to the water table. Deep soil also allows for the retention of existing trees.' Suggest that an additional provision of deep soil zones, where we already provide landscaped area that satisfies this definition, is inconsistent with the 'best practice' guidelines App D is based on. Suggest removal of the reference.		
6 – Residential Uses	6.2.12. Fencing and walls PC.2	Fencing, when combined with retaining walls, is not to exceed: • on the front boundary: 1.2m from existing ground level • on side and rear boundaries: 2m from existing ground level	Modification to total height from EGL as having just 2m would mean 1.2m max retaining and a 0.8m fence, creating privacy issues.	Fencing, when combined with retaining walls, is not to exceed: • on the front boundary: 1.2m from existing ground level • on side and rear boundaries: 3m from existing ground level	Control improved for clarity.
6 – Residential Uses	6.7. Attached Dwellings Guidance Note	Attached dwellings (commonly referred to as terrace houses) are a group or line of housing from one side of the boundary to the other and can be either strata or Torrens title.	Clean up to be consistent with legislative definition.	Attached dwellings (commonly referred to as terrace houses) means a building containing 3 or more dwellings, where— a. each dwelling is attached to another dwelling by a common wall, and b. each of the dwellings is on its own lot of land, and c. none of the dwellings is located above any part of another dwelling. Attached dwellings must comply with the controls in Sections 6.2 and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails.	Not being consistent with the legal definition could have the potential to open us up to court challenges and the LEP definition would take precedent in any such circumstance.
6 – Residential Uses	6.9. Multi-dwelling housing guidance note	Multi-dwelling housing, sometimes referred to as townhouses or villa complexes, are a form of housing that consist of 3 or more dwellings on a single lot of land. Multi-dwelling housing can be either attached or detached, and each residence has separate accesses at ground level.	Clean up to be consistent with legislative definition.	Multi-dwelling housing are a form of housing that consist of 3 or more dwellings on a single lot of land. Multi-dwelling housing can be either attached or detached, and each residence has separate accesses at ground level. Multi-dwelling housing must comply with the controls in Section 6.2 and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails.	Not being consistent with the legal definition could have the potential to open us up to court challenges and the LEP definition would take precedent in any such circumstance.
6 – Residential Uses	6.2.11. Residential building height	The maximum building height of residential accommodation is to be consistent with the MLEP 2011 Height of Buildings Map. Where no height limit is specified, a merit-based approach is taken. Table 6-6 provides recommended maximum storeys for each housing typology permitted under the definition of 'residential accommodation' in the MLEP 2011. Table 6.6: Recommended Maximum Storeys	Improve language to ensure the role of the table is clear.	The maximum building height of residential accommodation is to be consistent with the MLEP 2011 Height of Buildings Map. Where no height limit is specified, a merit-based approach is taken. In these cases, storeys should generally be in accordance with Table 6.6. Table 6.6: Storeys Guidance for Residential Accommodation	Language is now clearer that the storeys stated are guidance.
6 – Residential Uses	6.2.3. Universal Accessible Design PC.2	Adaptable dwellings are to satisfy the requirements of AS 4299-1995, which include provision of the following: • a car park linked to the dwelling by an unobstructed path of travel, at a suitable gradient for wheelchair access and being as close as possible to the adaptable dwellings that they are intended for, • an accessible car parking space for each adaptable dwelling, • entries, doors and passageways that are of suitable dimensions to facilitate wheelchair access, and • an entrance at ground level, which is direct to a public road.	Proposed wording to improve clarity and remove duplication - Adaptable dwellings are to satisfy the requirements of AS 4299-1995, which include provision of the following: • an accessible car parking space linked to each adaptable dwelling by an unobstructed path of travel, at a suitable gradient for wheelchair access and being as close as possible to the adaptable dwellings that they are intended for, • entries, doors and passageways that are of suitable dimensions to facilitate wheelchair access, and • an entrance at ground level, which is direct to a public road.	Adaptable dwellings are to satisfy the requirements of AS 4299-1995, which include provision of the following: • an accessible car parking space linked to each adaptable dwelling by an unobstructed path of travel, at a suitable gradient for wheelchair access and being as close as possible to the adaptable dwellings that they are intended for, • entries, doors and passageways that are of suitable dimensions to facilitate wheelchair access, and • an entrance at ground level, which is direct to a public road.	Clarity and removal of duplication - new wording is now clearer and without repetition.
6 – Residential Uses	6.2.8. Landscaping and	30%, including: • 40% of the front setback, and • A minimum of two (2) trees, one in the front and one in the	Include reference to Figure 6-2	30%, including: • 40% of the front setback (Figure 6-2), and • A minimum of two (2) trees, one in the front and one in the rear	Improved legibility and relevant reference.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
	landscaped area PC.3	rear of the lot, with the species in accordance with Council's Tree Species List.		of the lot, with the species in accordance with Council's Tree Species List.	
6 – Residential Uses	6.2.10 Housing Setbacks PC.1	Figure 6-5: Secondary setbacks for corner lots - Primary: 4.5m, Secondary 3.0m	The figure shows a setback to the secondary street frontage of 3.0m. However Table 6.5 states 2.0m. Which one is it?	Figure 6-5: Secondary setbacks for corner lots - Primary: 4.5m, Secondary 2.0m	Figure modified to be in line with the setbacks table.
6 – Residential Uses	6.2.10 Housing Setbacks PC.2	Except for Residential flat buildings and Shop top housing, and notwithstanding PC.1, side setbacks are to increase with dwelling height, and the dwelling must be within a building height plane – a plane projected at an angle of 45 degrees over the land to be built upon from a distance of 3m above ground level.	Need to qualify which ground level we're talking about. Is it existing ground level or proposed finished ground level? There are advantages/disadvantages in both cases. Proposed FGL works well where levels are close to or below existing GL but not so well where new development is to be located on fill.	Except for Residential flat buildings and Shop top housing, and notwithstanding PC.1, side setbacks are to increase with dwelling height, and the dwelling must be within a building height plane – a plane projected at an angle of 45 degrees over the land to be built upon from a distance of 3m above existing ground level.	Clarified that existing ground level is used as the measure per the figure.
6 – Residential Uses	6.2.13.1. Driveways AS.3	Driveways may be required to incorporate a dedicated turning area in instances where: a. there is poor sight distance from the driveway to pedestrian or vehicular traffic, OR b. the accessway fronts a main road or highly pedestrianised area, OR c. where vehicles would otherwise have to reverse more than 30m.	Are we saying here that we are happy for vehicles to reverse onto the street where the driveway is less than 30m long? This might be OK for a single driveway servicing a single dwelling at the rear of a site eg. detached dual occupancy but might be unsuitable for more than one dwelling. A diagram might help clarify this.	Driveways may be required to incorporate a dedicated turning area in instances where: a. there is poor sight distance from the driveway to pedestrian or vehicular traffic, OR b. the accessway fronts a main road or highly pedestrianised area, OR c. in cases where the driveway services three or more dwellings, OR d. where vehicles would otherwise have to reverse more than 30m.	Added clarity around when a driveway services 3 or more dwellings that a dedicated turning area needs to be provided. This is in accordance with the residential uses section relating to multi-dwelling arrangements.
6 – Residential Uses	6.6. Dual occupancies and semi-detached dwellings AS.1	Dual occupancy and semi-detached development on corner lots are encouraged be designed to address both street frontages while having one front entry and one garage fronting each street.	Replace with "should"	Dual occupancy and semi-detached development on corner lots should be designed to address both street frontages while having one front entry and one garage fronting each street.	Change from 'are encouraged' to 'should' better communicates the intent of the control, while still acknowledging that there are cases this can't occur e.g. access-denied frontages along one road.
6 – Residential Uses	6.10 Residential flat buildings and Shop top housing Guidance Note 1	Further controls pertaining to residential flat buildings and shop top housing are provided in Chapter 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) (or equivalent). Residential flat buildings and shop top housing must comply with the controls detailed in Chapter 4 of the Housing SEPP, Section 6.2, and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails. In the event of any inconsistency between Section 6.2, this section, and Chapter 4 of the Housing SEPP, the Housing SEPP prevails for the following matters:	Should the Apartment Design Guide be referenced here?	Further controls pertaining to residential flat buildings and shop top housing are provided in Chapter 4 of the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) (or equivalent). Residential flat buildings and shop top housing must comply with the controls detailed in Chapter 4 of the Housing SEPP, Section 6.2, and this section. In the event of any inconsistency between Section 6.2 and this section, this section prevails. In the event of any inconsistency between Section 6.2, this section, and the NSW Apartment Design Guide and Chapter 4 of the Housing SEPP, the NSW Apartment Design Guide and Housing SEPP prevails for the following matters:	Added reference to the Apartment Design Guide in order to properly direct applicants to more generous provisions for certain matters under the ADG. While already referenced in Chapter 4 of the Housing SEPP, this improves accessibility for the public.
6 – Residential Uses	6.10 Residential flat buildings and Shop top housing PC.6	The designated communal waste collection area is to include the following: a. A loading dock or truck stand that provides enough space for the ingress, egress, and manoeuvring of Council's waste vehicles, including to adequately provide the waste service (e.g. accommodations for lifting mechanisms), b. A waste holding room adjacent to the provided loading dock or truck stand to temporarily store all bins prior to collection. This waste holding room is to be in line with the design criteria provided in PC.8 below, c. A bulky waste holding area adjacent to the waste holding room in line with the design criteria provided in PC.9 below, d. A bin storage area in line with the design criteria provided in PC.10 below, e. A bulky waste storage area in line with the design criteria provided in PC.9 below, f. bin tug devices or a goods hoist may be required where bin	Multiple referencing errors of other controls.	The designated communal waste collection area is to include the following: a. A loading dock or truck stand that provides enough space for the ingress, egress, and manoeuvring of Council's waste vehicles, including to adequately provide the waste service (e.g. accommodations for lifting mechanisms), b. A waste holding room adjacent to the provided loading dock or truck stand to temporarily store all bins prior to collection. This waste holding room is to be in line with the design criteria provided in PC.7 below, c. A bulky waste holding area adjacent to the waste holding room in line with the design criteria provided in PC.8 below, d. A bin storage area in line with the design criteria provided in PC.9 below, e. A bulky waste storage area in line with the design criteria provided in PC.8 below, f. bin tug devices or a goods hoist may be required where bin	Errors in referencing fixed.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
		storage and waste collection areas are on different levels or not within proximity to each other; and g. A physical element to limit vehicular and pedestrian access to the loading dock / truck stand and communal waste collection area, such as a moveable barrier, and h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay.		storage and waste collection areas are on different levels or not within proximity to each other; and g. A physical element to limit vehicular and pedestrian access to the loading dock / truck stand and communal waste collection area, such as a moveable barrier, and h. Allowances for a Heavy Rigid Vehicle (HRV) throughout the vehicle's entire onsite path of travel as per AS 2890.2. HRVs must be able to enter and exit the site in a forward direction. Reversing of a HRV onsite must only be done in the vicinity of a turning bay.	
6 – Residential Uses	6.11 Ancillary structures Guidance Note 1	For the purpose of this Section 'development ancillary to a dwelling' is defined as: a shed, garage, carport or outbuildings. This Section applies where the Exempt and Complying Development Codes cannot be complied **against**.	Replace with "with".	For the purpose of this Section 'development ancillary to a dwelling' is defined as: a shed, garage, carport or outbuildings. This Section applies where the Exempt and Complying Development Codes cannot be complied with.	Drafting error.
7 – Commercial Uses	7.1.3 How to use this chapter	Residential development is permitted only if aligned with Council adopted strategies and positions.	Should this say 'Commercial'	Sentence removed.	Residential uses in these circumstances are controlled by the MLEP 2011, and not the DCP.
7 – Commercial Uses	7.1.3 How to use this chapter	This Chapter applies to developments that share characteristics with commercial uses but do not fall within formal definitions.	Does this chapter not apply to commercial uses that are clearly defined/categorised under the LEP?	This Chapter applies to commercial premises as defined under the MLEP 2011, as well as developments that share characteristics with commercial uses but do not fall within formal definitions.	ERROR - the wording provided did not make clear that commercial uses as defined under the LEP fell under this chapter.
7 – Commercial Uses	7.6.1. New Centres PC.1 and 7.6.2.1. Thornton PC.1	Development of a new centre that has a GFA of 10,000m2 or more must be accompanied by a design masterplan that demonstrates how the centre will achieve a suitable design quality. A masterplan will include the following elements: a. Public domain space that demonstrates through design sustainable A comprehensive urban design masterplan must be prepared for the centre when any significant development is proposed that is 5,000m2 GFA, or more. A masterplan is to include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles.	These statements are not complete.	Development of a new centre that has a GFA of 10,000m2 or more must be accompanied by a design masterplan that demonstrates how the centre will achieve a suitable design quality. A masterplan will include the following elements: a. Public domain space that demonstrates Ecologically Sustainable Development principles.	Drafting error.
7 – Commercial Uses	7.3.2. Facades AS.1	Facades in all centres should satisfy the following design criteria to create a legible, high-quality, and well-proportioned design that supports vertical integration:	Is this intended to refer to commercial uses rather than centres?	Facades for commercial uses should satisfy the following design criteria to create a legible, high-quality, and well-proportioned design that supports vertical integration:	Improves clarity and confirms the intent of the control applies to all uses.
7 – Commercial Uses	7.3.2. Facades PC.3	All proposed external utility, service and firefighting fixtures that are to be installed on a street frontage, must be clearly detailed on the plans submitted at the Development Application stage to ensure they are appropriately integrated into the overall design	This is a current common condition of consent as much of these items are not indicated until CC stage.	Control removed.	Unreasonable to require evidence at DA stage when all positioning for utilities are not yet confirmed. Removed.
7 – Commercial Uses	7.3.3. Awnings PC.1	Awnings are to be provided on all building frontages that face or adjoin existing footpaths, future footpaths resulting from the development, and public open space.	This needs to be more case-specific, as currently would require awnings for structures not near the building line.	Awnings are to be provided on all building frontages that face or adjoin public open space or are situated along the active street frontage maps provided in Figure 7-1 through to Figure 7-9.	Improves the merits of this control and helps ensure that awnings are not unreasonably requested for designs and site layouts that would otherwise not provide for them.
7 – Commercial Uses	7.3.5. Sustainable Design PC.1	Developments must incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.	If this remains a PC it needs to have a measurable element to assist applicants.	Developments are encouraged to incorporate energy-efficient systems and materials, including but not limited to insulation, energy-efficient lighting, and low-emission building materials.	Ensures that this is a performance based solution, noting that is almost wholly achieved in all new builds as a base line.
7 – Commercial Uses	7.3.5. Sustainable Design PC.2	Developments must demonstrate future adaptability for the installation of renewable energy generation systems such as solar panels and the use of low-carbon technologies.	Need to clarify with an example as to what may be provided here.	Added 'Figure 7-1: Example of Site Plan with future adaptability indicated'	Clarity for applicants.

DOCUMENT	REFERENCE	EXISTING TEXT	REQUESTED CHANGE	RESULTING TEXT	JUSTIFICATION
7 – Commercial Uses	7.4.1. Active Street Frontages PC.6	Proposed development is to provide public footpath for the whole length of the development's street frontage in accordance with MoES.	Does this not step into other work programs?	Control removed.	Oversteps into Council's works schedule and asset management plan - MoES provides clarity for this element.
9 – Rural and Other Land Uses	9.2.4. Flood Mounds Guidance Note	Note: This section is to be read with direct consideration given to Section 2.4 of Chapter 2: Environmental Considerations of this DCP.	Remove due to PCG direction to Defer Flood Chapter and APP E	N/A	Flood section no longer provided.
9 – Rural and Other Land Uses	9.4.8. Sex Services Premises and Restricted Premises PC.12	Alcoholic liquor is under no circumstances to be provided or offered for sale on premises used as a sex services premises or other sex industry establishment unless such premises are appropriately licensed under the Liquor Act 2007.	Remove as this broadly applies to any venue intending to serve alcohol, and Council is not the responsible agency for the issuance and enforcement of liquor licences.	N/A - Control Removed.	Per suggested change, Council is not the responsible agency for the issuance and enforcement of liquor licences.
	Table of contents	ERROR - Numbering does not reset after 10.4 begins, stays as 10.3.XXX	Fix error	Fixed to 10.4.XXX	Error in public exhibition version
10.3.4. Greta (Orient Street)	PC.8	Development or subdivision of land identified as the Deferred Area is to ensure that a contamination assessment on and in the vicinity of the existing piggery land has been conducted by a suitably qualified person and any remediation works required have been undertaken.	Deferred area not identified in map - recommend remove/revise.	N/A - Removed.	No longer identified within the provided mapping, and Council internal mapping and historical development registers will adequately capture required contamination assessment when future application/s are lodged.
10.4.3.14 Transport Movement Hierarchy	O.131 and O.132	O.131 To promote passive surveillance of publicly accessible areas by thereby increasing safety. O.132 To provide an appropriate buffer between the rail corridor and sensitive land uses.	Delete objectives as they have no linked controls.	N/A - Removed.	No relevant controls and consequently redundant to retain.
All	10.4.1.3. Additional DCP Components	Area Plan An Area Plan may be required by Council to further coordinate the detailed strategic planning of large or complex sites where site constraints, infrastructure provision, existing development and land ownership patterns result in the identification of distinct precincts. More detailed Precinct Plans may then identify additional specific objectives and requirements for individual areas. Area Plans are not DCPs for the purpose of interpreting Part 6 in the LEP. Precinct Plan A plan that is prepared to include the matters outlined in Part 6 of the LEP will be interpreted as a DCP for the purposes of Part 6, Section 6.2 and 6.3. In most cases, this plan will be a Precinct Plan. Additional Precinct Plans or other plans that satisfy Part 6 of the LEP will be prepared as development occurs in accordance with the LHS. These Plans will be included in future amendments to the Maitland DCP 2026.	The current wording contradicts that of the Lochinvar and Farley URAs, which both state "This URA provides an at-large Area Plan rather than precincts". Noting amendments need to be made as part of this to multiple sections, to state "To satisfy Clause 6.3 of the MLEP 2011, the XXX Urban Release Area (this section) utilises one at-large Area Plan, rather than multiple precincts."	1. Changed intro title to include Precinct, 2. Edit w/textbox for figures to include 'Precinct Plan', 3. Edit figure title, 4. Add Precinct in a legend for basic figures	This is to ensure that the URA site-specific DCPs have adequate weight given despite no detailed Precinct Plan (Largs, Anambah Rd, Lochinvar, Farley, Anambah Urban Extension Site (Windella), Glebe Paddock, Mount Harris, Mala Close, Anambah Road Urban Extension Site (106 Anambah Road), Anambah Employment Area) and is no longer contradicting the advisory language at the start of 10.4. Noted that this is a current issue with Part F under the MDCP 2011.
NEW – 10.4.16	N/A	N/A	Add Mt Vincent DCP Section in new format - adopted in Oct 2025 after Draft Maitland DCP exhibition.	Added new section - 10.4.16. Mount Vincent Urban Release Area.	Part of Council's MDCP 2011 now after having been adopted in Oct 2025. No material change has been made to the document besides formatting.

Maitland MoES 2026 Exhibition Register of Changes

This document provides a full register of the changes made to the Draft Maitland of Engineering Standard (MoES) 2025 following a consultation with the UDIA engineers and after the public exhibition ended on the 4th of August 2025. In all, there has been 125 comments and/or suggestions made to the MoES. A broad summary is as follows:

Of 125 items:

- 42 (34%) have been amended as recommended by the submitter
- 9 (7%) have been amended to meet part way or in another manner
- 59 (47%) have been kept 'as is'
- 15 (12%) are DCP matters, procedural clarifications and notes

Justification has been given for each proposed change, irrespective of whether it has been integrated into the MoES or left 'as is'.

Maitland MoES 2026 Key Changes

TOPIC	CHANGE MADE
Legal Point of Discharge	In response to submissions received, the definition of a legal point of discharge was amended to be more flexible and align with legal outcomes in cases where a court has issued or amended a ruling. This reduces confusion between the courts, Council, and property owners.
Interallotment Drainage	In response to various submissions, the criteria relating to interallotment drainage have been made more flexible in order to accommodate more space-restricted developments. Most notably, the width of a stormwater easement and where a drainage easement is needed to cross under a retaining wall has new criteria in cases where space is limited.
Temporary Turning Heads	Responding to industry feedback before exhibition regarding the removal of temporary turning heads as an option during staged development of a subdivision, six options for turning heads have now been included with three permanent and three temporary options. These options ensure available turning during construction of the next stage of subdivision.
Detention Basins	In response to maintenance issues, changes were proposed to basin parameters including setbacks to lots, batter slope requirements, and passive surveillance. Responding to industry submissions suggesting that the new criteria would be challenging to satisfy all at once, a number of changes were made to reduce the initial parameters on setback distances, surveillance requirements for number of dwellings overlooking basins. This allows passive surveillance and access for maintenance around basins to be maintained while reducing the overall threshold for delivering an acceptable design.
Road Pavement (ESA's)	The pre-consultation version aimed to remove numerous pavement ESA parameters for the same width local street. These ESA's affect to total pavement depth required. In response to industry submission an extra ESA was included for the smallest road type which aligns with some surrounding councils.

Maitland MoES 2026 Long-Form Register Table

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
Overarching Comment	1. Development Feasibility, Incremental Creep	The draft MoES provides clearer guidelines and requirements for areas that were previously unclear. However, the submitters feel the draft rules are too strict and could affect project feasibility.	Procedural	N/A	This is a broad comment with no specific examples provided. The majority of the updates are in line with industry documents. MoES is 10 years out of date and is now catching up with industry and other Hunter Councils.
Overarching Comment	2. Increased Maintenance Costs to Council	The MoES update is expected to increase Council's ongoing maintenance costs.	Procedural	N/A	This is a broad comment with no specific examples provided. These standards are in line with industry practice and feedback from Council maintenance sections and are considered suitable.
Overarching Comment	3. Distributional Equality	Council may need to apply different standards on its own projects dependant on issues like multiple needs in a financial year on an extensive infrastructure network. Council should be held to the same standards as developers.	Keep as is	N/A Asset life-cycle practices	This is a courtesy note. A Developer can choose when to undertake a development, subject to their financial situation. Council maintains an extensive network of assets, each with different life-cycle and asset management requirements (new versus maintenance). There are many reasons why an older asset may be rebuilt to a different standard than a new one.
Overarching Comment	4. Design & Austroads	Austroads is referenced in several sections of the Design Document, including the stormwater. The submitters suggest adopting Austroads in its entirety to capture future updates.	Keep as is	N/A	Non-descript statement. Keep as is to list the most commonly used criteria.
Overarching Comment	General Updates	Minor non-technical changes: Grammar, Typos, Labelling, Referencing,	Procedural	N/A	Grammar correction, document formatting and other minor non-technical updates.
1 - G - General Requirements	4. Intro	The description of Lot Scale Engineering is inconsistent between Document G and Document L.	Keep as is	N/A	It is acknowledged that the sentence structures are different however there is no inconsistency in the wording.
1 - G - General Requirements	6.2. Built to Owners Scale	The retaining wall notes stating that walls 'should not be excessively high' is considered vague.	Keep as is	N/A	The topic 'build to owner's scale' was discussed to avoid constructing items during the subdivision phase that future owners may not be able to reasonably maintain. The heights are referenced in the DCP and have been omitted here to prevent duplication and potential future contradictions.
1 - G - General Requirements	6.4. Best Practice Design	The draft MoES includes references to several industry documents that shall also be followed. The submitters request that the MoES be updated more frequently to remove these external references.	Procedural	N/A	Agree. Council intends for the DCP and MoES to be updated frequently, ideally every 1 to 2 years.
1 - G - General Requirements	6.5. Safety in Design	Examples of 'Safety in Design' include locating basins next to roads and screening large underground pipes and pits to prevent child access. The submitters disagree with these prescriptive examples.	Procedural	Legislation WHS Act	This section is just to provide examples of the principles to be considered with Safety in design. It has been reworded to remove the prescriptive and numerical criteria. The prescriptive criteria will be provided in the relevant design sections, including D 22.1.9 Detention Basins (Safety), to prevent conflicting guidance.
1 - G - General Requirements	10.2. Endorsement by an Accredited Professional	Certain professional documents are to be prepared by a suitably qualified person, such as a registered NER (National Engineering Register) or CPEng (Chartered Professional Engineer). Disagree that engineers need to be chartered and shouldn't Council engineers have the same qualification	Meets part-way	Now complies with NSW requirements and local Councils (Singleton, LMCC, CN, Cessnock) and AUSSPEC	The requirement for engineers has been revised so they need to be professional but not necessarily Chartered or NER-accredited. Certifiers including Council's engineers do not need the same accreditation as the consultant engineer. The consultant is accountable for their design work, while the Council's engineer supervises construction and verifies that the appropriate professional has designed or certified work within their area of expertise.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
1 - G - General Requirements	10.11. Insurance/Levy	The General Requirements Document states that contractors shall have public liability insurance. The submitters suggest moving this requirement to the Construction Document.	Procedural	N/A non-technical & legislative requirements	These are pre-start checks and are commonly located here.
1 - G - General Requirements	10.5. Removal of Defective Works	Council has the right to alter, repair, or remove non-approved or non-compliant works considered unsafe or of poor workmanship. The submitters believe this provision is uncertain.	Procedural	N/A	The clause lists multiple examples of how it will be applied (e.g., approval has not been obtained, work not carried out in accordance with this Manual, unsound or unsafe work, poor workmanship etc.). This wording is consistent with neighbouring Councils and industry documents.
1 - G - General Requirements	13, 13.1 Utility Services	Cross-sections of non-standard and trunk utility allocations shall be submitted for approval. The submitters are concerned that this could delay the assessment.	Procedural	MCC observed issues (construction delay, interferences)	Council has had to stop works on numerous developments where non-standard utilities clashed with other items (e.g., streetlighting through trunk water mains). This will not slow down assessment time but could save developers time and costs during construction. The amended Standard Drawing SD001 provides updated guidance to help address these issues.
1 - G - General Requirements	16.4. Bond Process	Bond can be provided as cash, bank cheque, or unconditional bank guarantee. The submitters suggest adding 'Insurance bond/security bond' as an option.	Amended	N/A	The wording has been amended to permit other types of security bonds, subject to Council's satisfaction.
1 - G - General Requirements	17. Works as executed	MoES requires Work-as-executed plans (WAE) to be signed off by a qualified and Chartered Engineer. It is unclear when the Chartered Engineer needs to certify/signoff the WAE.	Procedural	Meets industry and local Councils (Cessnock, Singleton, Western Sydney)	Removed the reference to 'chartered' and clarified that signoff is required in situations such as when WAE items fall outside tolerances or when field changes have been made to the design.
1 - G - General Requirements	17. Works as Executed (WAE)	MoES requires WAE plans to show invert levels, sizes, and dimensions of new assets to define works, to ensure compliance. The submitters believe that providing these details will be costly.	Keep as is	Local Councils and MCC observed issue	MoES 2014 requirement were out of date with AUSPEC and industry requirements. This requirement is just catching up to neighbouring Council's and industry requirements. Further clarity has been included to outline Council's expectations in line with current industry practices.
1 - G - General Requirements	18. Compliance Certificates	Council may require compliance certificates for components of works, such as geotechnical certification from a geotechnical engineer and structural certification from a structural engineer. The submitters are concerned this may require multiple engineers to provide certifications.	Keep as is	Legislative Requirements	Compliance Certificates are part of the Environmental Planning & Assessment legislation and are not a new requirement for the industry. This approach is also consistent with previous UDIA requests for Council to allow professionals to be accountable for their own works.
1 - G - General Requirements	19. CCTV Inspection of Stormwater	The General Requirements Document includes CCTV as part of the quality assurance submission. The submitters suggest moving this requirement to the Construction Document.	Procedural	Meets industry (NCC, LMCC, AUSSPEC)	A reference has been added in Construction Document to link back to General Requirements Document and its requirements.
1 - G - General Requirements	19. CCTV Inspection of stormwater	Council will review all CCTV measurements for accuracy and at its discretion, determine the severity of any defects. The submitters believe this is vague and uncertain.	Keep as is	N/A	The submission suggests that Council should have no discretion and simply accept a damaged pipe if a third-party camera crew recommends it. Council should receive assets in as-new condition but will continue to exercise reasonable discretion, as it has always done.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
1 - G - General Requirements	28. Bushfire Considerations	Council requires on-road parking for residential lots in addition to the clear carriage width specified by Rural Fire Service Planning for Bushfire Protection (RFS PBP). MoES includes bushfire road widths, minimum parking widths and a cul-de-sac parking example that addresses both Council and RFS requirements. The submitters believe it is inappropriate for Council to provide such details and see it as potential conflicting with RFS requirements.	Keep as is	CSP 1.2.3 Safe and functional roads	Before exhibition, the bushfire wording and diagrams were provided to and supported by the NSW RFS. It is Council's practice to provide on street parking adjacent to residential lots. This submitter request seeks to remove parking next to the lots in order to avoid the additional travel lane widening required by the bushfire requirements.
1 - G - General Requirements	6.2. Built To Owners Scale	Interallotment drainage pipes should not be concrete, as they are difficult for lot owners to replace or maintain. The submitters suggest that avoiding concrete pipes is not always practical.	Keep as is	ESS 2030 4.2. use more recycled materials	Lightweight (plastic) pipes are proposed to facilitate future maintenance, as large machinery cannot access areas behind fences and structures. Plastic pipes also align with Council's sustainability requirements, as they are made from recycled materials.
2 - L - Lot Scale Engineering	6.3.1 Gravity Pipe Flow	Gravity Pipe Flow states that 'a pipe to a defined watercourse (a drainage easement may be required if the legal point of discharge is located on neighbouring properties).' The submission believes this contradicts established case law. Has Council obtained legal advice on the requirement to establish an easement over a watercourse.	Amended	N/A	The wording has been revised to allow for a legal point of discharge and to reference relevant case law.
2 - L - Lot Scale Engineering	6.8 General Detention Requirements	item f) Gross pollution traps or mesh screens shall be used in commercial and industrial developments. The submitters suggest this is too prescriptive and onerous and could be replaced with filter cartridges.	Amended	N/A	The submission appears to confuse fine silts with gross pollutants. The wording was updated prior to public consultation to provide further clarification and to emphasise the more cost-effective screen options for managing gross pollutants.
2 - L - Lot Scale Engineering	6.4.2. Pits & 6.4.3. Easements	Interallotment drainage pits shall be a maximum of 1.2m deep to allow reasonable access and maintenance by lot owners. The submitters suggest this is not practical near retaining walls or when avoiding existing services.	Meets part-way	AS3500.3 Plumbing and Drainage	The wording has been updated to specify that pipes should be kept at a maximum depth of 1.2m, while allowing drop pits to pass beneath retaining wall footings. This change was initiated in response to issues encountered during dwelling construction.
2 - L - Lot Scale Engineering	7.3. Erosion and Sediment Control (ESC)	ESC shall be submitted as part of the construction design. The submitters suggest this is a contractor matter and should be addressed during construction.	Keep as is	NA non-technical	Erosion and sediment plans are submitted at both the DA stage and again during construction. This approach is consistent with previous Council DCP/MoES requirements and is common practice in the industry.
2 - L - Lot Scale Engineering	8.1. Discharge from Upstream	Allowance shall be made for discharge from a fully developed upstream catchment. The submitters seek clarification on the meaning of 'fully developed catchment'.	Amended	Meets industry	Updated wording to require consideration of the allowable site coverage under the relevant land zoning and assessment of how catchment flows may change between current conditions and potential future development. This should include extended detention flows and any other anticipated changes in flow patterns.
2 - L - Lot Scale Engineering	22.2 Stormwater Quality	The Water Quality retention target for phosphorus is now 60%. The submitters suggest reducing it to 45% in line with Melbourne Water.	Keep as is	Meets industry (CN, Port Stephens, Sydney Water, Blacktown)	The 60% Prosperous standard is now the new standards and is already adopted in documents from Port Stephens, City of Newcastle, Western Sydney, and other regions. The submitter has referenced Victorian requirements instead of the applicable NSW requirements.
3 - D - Design	1.1.10. Road Types and Dimensions	Yield streets have an 8m wide pavement with parking included both sides. Residents suggest wider roads are needed to allow on-street parking and passing opportunities.	Meets part-way	MCC observed issue	A new 10m street has been created to supplement the existing 8m local street width. There is potential for future MoES/DCP updates to consider eliminating the 8m width. However, the current DCP and MoES are making other changes to improve passing and parking. These updates include changes to on-street parking, bushfire requirements, street block lengths, and intersection spacing, all aimed at improving connectivity and parking.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	1.1.10. Road Types and Dimensions	The new MoES suggests that Local streets require 1.5m footpaths on both sides. The submitters suggest one side is sufficient as two would increase construction and maintenance costs.	Amended	NA	It is not intended to provide paths on both sides of this size street. The wording has been revised for clarity. Paths on both sides would only be required where higher density, such as small lots, is proposed.
3 - D - Design	1.1.10. Notes - Road Types Tables	Note (g) 'Council may require a dedicated bicycle path fully separated from the road pavement' appear arbitrary.	Keep as is	NA	Wording is unchanged. This highlights that the table represents a minimum standard and other factors, as outlined in Section 1.3 Cycleways and Shared Paths, may necessitate larger requirements.
3 - D - Design	1.1.10. Road Types - Table B	The design vehicle for laneways is a B85 car with a 12.5m check vehicle. The submitters suggest using an 8.8m vehicle as the check vehicle instead.	Keep as is	Meets NSW practice	For road design, a design vehicle (day-to-day users) is the vehicle used to manoeuvre within the lanes, while a check vehicle (lower-frequency users) is a larger vehicle that may enter the road and cross travel lanes. A large rigid check vehicle (delivery) has been used, as deliveries to the rear garages are likely.
3 - D - Design	1.1.10. Road Types - Table B	MoES states that kerbs are not required on laneways. The submitters suggest kerbs may be needed for one-way crossfall pavements instead of an inverted crown.	Keep as is	NA	The table mentioned is to be used in conjunction with the other clause and sections of the document. Section D1.1.17 states that kerb is undesirable, but allowable with minimal additional width.
3 - D - Design	1.1.10. Road Types - Table B	The industrial road was incorrectly stated as 26m instead of 23m (13m pavement, 5.5m verge on one side and 4.5m on the other).	Amended	NA	The typo has been corrected to reflect 23m as the minimum width.
3 - D - Design	1.1.10. Road Types - Table B	The design ESA for laneways is 1×10^5. The submitters suggest reducing it to 6×10^4 which is used by other Councils.	Keep as is	Meets current NSW practice including DoP West Sydney Partnership	There may be older, outdated documents that reflect a lower standard however the new ESA listing aligns with current Council and industry standards.
3 - D - Design	1.1.10. Road Types - Table B	Industrial roads require a 2.5m path. The submitters believe that this is not standard for this type of road.	Keep as is	CSP 1.2.2, ESS 3.1	This requirement supports 1.2.2 Community Strategic Plan and 3.1 Environmental Sustainability Strategy, as well as other active transport commitments.
3 - D - Design	1.1.10. Road Types - Table B	MoES requires residential zones with 15 dwellings per hectare to have a 10m wide pavement road though the submitter believes that it is excessive.	Keep as is	NA non-technical	MoES has introduced a new 10m wide local street, as the current 8 m width is only suitable for low-density areas. With changes in planning legislation, including small-scale lots and other density variations, alternative options need to be available.
3 - D - Design	1.9. Cul-de-sac	The minimum pavement crossfall for a turning head and cul-de-sac is 2%. The submitter suggests that 2% is too flat for steep sites.	Keep as is	Meets industry (LMCC, Western Sydney, Singleton, Wollondilly)	The MoES wording states that 2% is desirable with 5% as the maximum. The scenario mentioned has already been considered in relation to the 2% guideline.
3 - D - Design	1.1.10. Road Types - Table A	A yield street requires a design ESA of 1×10^6. The submitter suggests using an ESA of 5×10^5 similar to other Councils.	Amended	Meets industry (ex. LMCC)	Amended to include a 5×10^5 ESA for lot clusters less than 100 lots, while maintaining the same ESA for lot yields exceeding 100, in line with other Councils.
3 - D - Design	1.1.10. Road Types - Table B	The laneway verge is 1.5m on both sides. The submitter suggests having 1m on one side and 2m on the other to accommodate streetlights and trees.	Keep as is	Meets NSW practice for urban heat canopy	A 1.5m verge on each side allows for trees on both sides and provides better turning access into garages.
3 - D - Design	1.1.10. Road Types Laneway	The laneway pavement shall be concrete. The submitter suggests using a flexible pavement instead.	Meets part-way	Meets NSW practice. West Sydney Partnership and Dept of Planning DCP's	It is common industry practice to visually distinguish a laneway so that it appears more like a low-speed driveway rather than a higher-speed road. Additionally, the V-shaped cross-sectional profile is not ideal for flexible pavements. Variations can always be negotiated.
3 - D - Design	1.1.17. Laneways (New Residential)	The laneway shall have a maximum length of 100m and be in a straight line. The submitter submission believes that these requirements is uneconomical.	Keep as is	Meets Dept of Planning Documents. Urban Design	Other design options are available if it is considered uneconomical however no justification was provided to support this comment. The maximum length controls functional and behavioural outcomes such as speed, passing, and CPTED.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	1.2. Footways, Footpaths and Steps	The footpath crossfall shall be between 1% and 2.5% for drainage and accessibility with 1.5% as the recommended design to ensure compliance after construction. The submitter suggests that 1.5% is over the top and onerous.	Keep as is	Meets Austroads and Ausspec	The wording states that 2.5% is the maximum crossfall slope however suggests building to 1.5%. This was a helpful recommendation to prevent construction tolerances often exceeding the maximum and thus requiring removal and replacement.
3 - D - Design	1.3. Cycleways and Shared Paths	A 3m wide trunk path is required in areas with high pedestrian and cyclist activity. The submitter submission suggests the criteria for when this is required is unclear and asks whether providing the trunk path would reduce the need for an on-road cycle path.	Keep as is	Meets and references Austroads Standards	The table should not be read in isolation. Both the table and the accompanying text confirm that the path shall comply with Austroads Part 6A, with the table applied during Strategic and DA phases of development. This 3m wide path is generally determined at the DCP stage.
3 - D - Design	1.5. Longitudinal Grades	Grading for an intersecting side street should aim to achieve a sag point where possible. In deep cuttings, this may be replaced with a 1.5m wide concrete dish. The submitter notes that this is inconsistent with SD004, which specifies a 0.9m wide dish drain.	Amended	NA	Agreed. The wording from the MoES 2014 version has been updated to specify a 0.9m dish drain, consistent with Standard Drawing SD004.
3 - D - Design	2.3. Roundabouts	Where possible and appropriate, two-lane roundabouts shall be adopted. The submitter queries whether all roundabouts are required to be two lanes.	Amended	Now Meets Austroads	The wording has been amended so it does not imply that every roundabout is required to be dual lane. The determination of a single-lane or dual-lane roundabout has always been based on a proper traffic assessment.
3 - D - Design	12.5. Roundabouts Pavements	There is conflicting information regarding roundabout pavement requirements in Sections D2.3 and D12.5.	Amended	NA	The conflict has been resolved by removing the pavement criteria from Section D2.3.
3 - D - Design	2.3. Roundabouts	Lower roundabout design and construction options such as smaller islands and mountable kerbs should be included where the check vehicle (not the design vehicle) may need to use the mountable kerb to turn at roundabouts.	Amended	NA	Additional wording has been included to allow for a lower design standard roundabout on the relevant lower order streets. (i.e. smaller central island with larger mountable anulus).
3 - D - Design	3. Public Transport (bus)	The public transport route was incorrectly listed as 11m wide. The submitter notes this is inconsistent with Council's standard requirement of 12m.	Amended	NA	The conflicting wording has been updated to specify a 12m carriageway for public bus routes, resolving the contradicting items.
3 - D - Design	4.1.1. Location	The draft MoES refers to the DCP for retaining walls within private lots. The submitter asks why these cannot be included as MoES requirements.	DCP Matter	NA	Retaining walls heights and tiering requirements are specified in the DCP and removed from MoES to avoid duplication. The DCP sets standards for lot size, retaining walls, and battleaxe lots.
3 - D - Design	4.1.1. Location	Retaining walls are not supported on public land. The submitter requests that this be revised to allow retaining walls on public land where suitable justification is provided.	Keep as is	MCC observed issues (liability, financial implication)	MoES states that retaining walls are not supported or encouraged on public land. This is because the preference is for battering which cuts down maintenance and risk of failures and injury. The wording has been softened to unfavourable and not encouraged. Walls can always be considered on merit if special circumstances exist. MoES does include numerous criteria if a wall is to be supported which demonstrates that it is not a prohibition.
3 - D - Design	4.1.2. Design	Retaining walls are limited to a maximum height of 1.5m in accordance with the DCP. The submitter requests that tiered retaining walls be allowed as they may exceed 1.5m in certain circumstances.	Amended	NA	Wording regarding tiering has been included. Reference to a maximum height has been removed to not create confusion with DCP requirements
3 - D - Design	5.6. Subdivision Staging and Temporary Turning	Temporary turning head requirements were proposed to be eliminated to only finish at a 'permanent' T or a loop in the road network. A preconsultation submission suggested these options will increase costs.	Amended	MCC observed issues (safety/infrastructure damage)	Changed from 3 options to 6 options prior to industry pre-consultation. Problems from temporary T heads will be removed for 12 months whilst next stage is constructed. Dwelling construction traffic and waste collection vehicles were having to reverse long distances or turn over private driveways and verges, causing damage. The cost would not be increased over the whole of the development with the loops and T's options as the permanent options used approved roads without redundant temporary works.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	5.6. Subdivision Staging and Temporary Turning	Change to temporary turning heads is proposed. The submission suggested to use opposing driveways to construct a concrete T in front of lots.	Keep as is	MCC observed issues (disruption/infrastructure damage)	The option suggested was in MoES 2008 and removed from MoES 2014 due to large vehicles driving onto private driveways and causing damage. New options have been included for exhibition.
3 - D - Design	5.6. Subdivision Staging and Temporary Turning	The submission suggests considering bonds as an alternative to changing the temporary turning treatment requirements.	Keep as is	NA	Amended the requirement prior to exhibition and now offering several options including 3 permanents and 3 (amended) temporary treatments. Bonds are not considered is it will not address the safety or damage issue that triggered the change.
3 - D - Design	5.6. Subdivision Staging and Temporary Turning	The draft MoES requires temporary turning heads to have an AC wearing course. The submission questions whether DA approvals prior to this MoES adoption can use the previous treatments.	Question	NA	Development would be encouraged to use the updated options to the standard drawings that reasonable eliminate the safety problem. Temporary options are still available, and Council can allow a two-coat seal for the temporary pavement components.
3 - D - Design	5.6. Subdivision Staging and Temporary Turning	The submitter questions whether these temporary turning treatments are only required for medium rigid vehicle movements.	Question	NA	No. Semi-trailers shall also be considered however multiple turns are allowable. The change to the turning head is due to damage and safety concerns for semi-trailers during the next stage of the subdivision.
3 - D - Design	5.7.5. Linemarking and Signposting	Linemarking and regulatory signage requirements are currently included in the Design Document. The submitter suggests moving these details to the Construction Document.	Amended	NA	Section 5.7.5. Linemarking and Signposting' from the Design Document has been moved to 'Section 16' in the Construction Document, as suggested.
3 - D - Design	8.2 Road pavements	A pavement design report including a subgrade investigation and a 10-day soaked CBR test is required to determine the acceptable pavement. The submitter suggests reducing the soak period to 4 days.	Keep as is	Austroads, TfNSW Supplement	This requirement aligns with industry standards and provides more accurate testing of shrink-swell clay in rainfall areas with over 800mm annual rainfall. This requirement has considered the Austroads including 5.6.2 of AGPT2, and the Transport for NSW supplement. This requirement for better assessment of expansive clays commenced in 2016 when extensive pavement cracking occurred at numerous sites.
3 - D - Design	8.3 Minor pavement works	For minor works within a public road, a minimum requirement of 30mm AC over 300mm compacted gravel is specified. The submitter suggests that the word 'may' creates uncertainty.	Amended	NA	Updated to remove some 'may' and clarify that this applies to 'isolated minor projects'.
3 - D - Design	10. Subgrade Evaluation	A select layer shall be added if recommended by the geotechnical engineer to ensure the works are fit for purpose and achieve the design life within a reasonable moisture range. The submitter concerns that the wording suggests a select layer will always be required.	Amended	NA	Clarification has been enhanced in Table D-13 Design CBR to clarify when the select layer would be required.
3 - D - Design	10. Subgrade Evaluation	There is inconsistency with one reference to a 4-day soaked CBR test results, whilst others are 10-day soak.	Amended	NA non-technical	The inconsistency was corrected prior to exhibition. All should reference the 10-day soak instead of the lower and previous reference to a 4-day soak.
3 - D - Design	10. Subgrade Evaluation	Where select layer is provided and the longer 10-day-soaked requirement is achieved, can the subbase layer be reduced to account for the additional select material.	Question	Meets industry standards	No. The intention of a select layer is to create a thicker combined pavement depth to buffer between the expansive clays under the road all the way to the sealed surface. It is counterproductive to increase the bottom layer and then reduce the middle layer.
3 - D - Design	12.1 Flexible Pavements	The asphalt thickness (AC) shall be excluded from the total pavement thickness calculation'. The submission suggests that this is not a design standard and that the AC should be included in the pavement calculation.	Keep as is	Meets industry (Ausspec, LMCC, Central Coast)	MoES previously allowed this however it is an out-of-date practice and is being updated to current industry requirements. A thickness of 40mm or less is not to contribute to the total pavement thickness design.
3 - D - Design	12.5. Roundabouts Pavements	There is an inconsistency between section 2.3 and section 12.5 for the pavement construction requirements for roundabouts.	Amended	NA	Section D2.3 has been updated to refer to Section D12.5 for consistency. Section D12.5 has been updated to clarify the roundabout pavement types for residential areas, industrial and commercial zones, and significant locations such as major sub-arterial roads.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	12.7. Pavement joints	The requirement states that pavement joints shall be positioned away from lane edge lines and under wheel paths to avoid accelerated wear and cracking. The submission says joints should be allowed at lane lines.	Amended	MCC observed issues (crack at joints, pavement failure)	Agreed. The wording has been updated to allow pavement joints at the mentioned location.
3 - D - Design	15. Stormwater General	Detention of stormwater flows that mimics natural, pre-developed flows for all storm events up to and including the 1% AEP storm event'. The submission requests inserting the phrase 'in so far as practicably possible'.	Keep as is	Meets Industry requirements	No. This is an industry requirement and complies with Australian Rainfall and Runoff as well as AUSSPEC and case laws.
3 - D - Design	16. Design Standards Stormwater	Drainage design shall adopt the principles of major and minor systems in accordance with Australian Rainfall and Runoff (AR&R), Australian Runoff Quality (ARQ) and as specified in this manual. The submitter believes that following ARQ contradicts the specified water quality targets.	Keep as is	NA	The sentence states designs shall adopt the 'principles' of a major/minor drainage system in accordance with the current publication (as listed) and as specified in this Manual. Specific (NSW) water quality targets are listed in MoES, and these will override any generic targets in those Australia wide publications. The numerical values are addressed in Section D 22.2.
3 - D - Design	17.2. AEP Major System	The draft MoES states that the structural major drainage shall be designed to the PMF. The submitter believes this is onerous and requires further explanation.	Keep as is	Meets Industry	A major structure should not be washed away if it is overtopped or flooded. This aligns with AUSPEC and other relevant industry standards.
3 - D - Design	17.2. AEP Major System	The submitter notes a typo there is no 'Note 6' in the major system drainage design parameters.	Amended	NA	Typo and this have been corrected.
3 - D - Design	17.2. AEP Major System	Urban trunk drainage conduit at road crossing requires to be design for the 1% AEP event plus freeboard. The submitters believe this is too onerous.	Keep as is	Meets Industry/local	The major culvert freeboard uses the open channel and major structures freeboard, and this has been referenced better. The freeboards are consistent with surrounding council's and AUSSPEC.
3 - D - Design	17.4. Fraction Impervious	The fractions of impervious surfaces are high for example roads are 0.8, other Councils use 0.7 for roads.	Keep as is	Meets calculations	Road types range from 75% to 85% impervious when including roads, paths, and minimal driveways. An average of 80% was used for simplicity. The sizing aligns with the DCP and accounts for amended legislation, including the Housing SEPPs.
3 - D - Design	17.4. Fraction Impervious	The fraction of impervious for active open space (recreation areas) of 0.5 seems high. There is also a typo.	Amended	NA	Amended down to 0.4 and fixed the typing error
3 - D - Design	18.1. Hydraulic Grade Line	The hydraulic grade line in drainage pits shall not be higher than 150mm below the top of the inlet grate, gutter, or lid. The submitter suggests adding' in the minor storm event'.	Amended	NA	Updated as requested to provide explanatory clarification.
3 - D - Design	18.2.1. Pipe Conduits	Pipes under road crossings shall have a minimum cover of 1.1m between the top of collar and the invert of kerb. The submitter believes this is not always achievable and requests some flexibility.	Keep as is	Addressing ongoing issues. Copied from State Government manual	Amended prior to exhibition to 1.1 m, reflecting the Department of Planning–endorsed Western Sydney Partnership Guidelines. This change was introduced due to ongoing issues with pipe collars in pavements, cracked pipes caused by insufficient construction cover, and dual-occupancy water crossings uplifting pavements. Additionally, problems have arisen where developments have reduced pipe depths for upstream properties, making it difficult to connect public road stormwater and detention systems.
3 - D - Design	18.2.1. Pipe Conduits	The submitter notes that 'Note 6' is missing from the 'Pipe Conduits' section.	Amended	NA	Reference number has been amended, See note 3.
3 - D - Design	18.2.2. Box Conduits	Only cast in-situ slabs are permitted for box culverts in public ownership. The submitter seeks clarification on why the slab cannot be precast, as is permitted by other Councils.	Keep as is	MCC observed issue (misalignment, structural)	Issues include leakages and shrink–swell distortion. The requested precast culvert bases are commonly used in rail projects but are not preferred for local road culverts.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	18.4.1. Pit Inlet Capacity	Blockage factors shall apply in both major and minor drainage systems. The submitter believes that they should only be applied to minor storm events.	Amended	Meets minimum Austroads Standards	Pre-exhibition industry discussions suggested applying pit blockage factors to both minor and major stormwater systems. Industry standards typically apply these factors to major systems with consideration for minor systems in cases of heavy debris. The wording was amended to indicate that application to minor systems should be considered when excessive debris is likely to be a factor. This approach can be revisited in future updates if increases in street trees and canopy cover warrant applying the requirement to all minor systems.
3 - D - Design	18.4.3. Pit construction	Pit construction and design requirements are listed in Section 18.4.3. The submitter suggests that this be moved to the Construction Chapter.	Meets part-way	N/A	The design of a pit should generally occur by the design engineer at the Design section. A note has been added to Document C - Construction, to reference back to Document D if the contractor needed to change a design during the construction phase.
3 - D - Design	19.1. General	The minimum overland flow path corridor width is 3.5m. The submitter suggests that there needs to be some flexibility.	Keep as is	N/A	The 3.5m width requirement is unchanged from the MoES 2014 version and is necessary to allow access for heavy machinery. Preference is to eliminate the need for these narrow corridors and the CPTED issues created by designing better road layouts that include the overland flowpaths.
3 - D - Design	20. Open Channels	Open channels shall have 1 in 6 grass batters for mowing purposes. The submitter believes that this will require more land.	Keep as is	Ausspec, Meets industry/local Councils	A 1:4 slope landscaped with ground cover and native plants is permitted and encouraged, while a 1:6 grassed slope is the industry standards partly due to allow safe grade to walk out of the water. The 1:4 landscaped batter considers safety as the nature grasses can be grabbed to aid exit from the water.
3 - D - Design	20. Open Channels	There is a typo in the Open Channels section. It should read 6H:1V instead of 4H 6H:1V	Amended	N/A	Typo has been correct 6H:1V not '4H 6H:1V:
3 - D - Design	22.1. Detention Basins	Basin access tracks shall be 4 m wide at bends. The submitter suggests that this is excessive.	Keep as is	MCC observed issues (accessibility, maintenance)	Trucks require wider turning space on bends. This has been amended to require swept paths only for non-standard bends. Other industry documents specify 4m width for the straights as well as the bends, so this is a reasonable requirement.
3 - D - Design	22.1. Detention Basins	Access to and including the standing area of GPTs shall be provided as concrete. The submitter suggests that the dimensions of the pad be specified.	Keep as is	N/A	A standard drawing can be provided in future MoES updates. Currently there are accessways and Turning head drawings that can be used for this scenario. Developments providing this scale of subdivision should also be able to provide swept paths if needed.
3 - D - Design	22.1. Detention Basins	A swept path around the access track shall be provided to support the design. The submitter questions whether Council requires a swept path for each scenario.	Meets part-way	N/A	The requirement has been updated so that swept paths are no longer needed for every design. They will only be required for basins with irregular shapes or features.
3 - D - Design	22.1. Detention Basins	A 10m offset from the inside edge of the track to the private boundary/fence shall be provided. The submitter believes this requirement is excessive and could be reduced to 5m, as the excavator is expected to operate between the basin and the track.	Amended	MCC observed issues (basin maintenance and accessibility)	This was amended prior to exhibition to a 3 to 4m offset from the outside edge of the track to a boundary to accommodate mowing, room for overswing and loading spillage, and occasional obstructions/trees etc.
3 - D - Design	22.1. Detention Basins	All-weather vehicle access typically concrete shall be provided to the concrete GPT and to the 3 m-wide gravelled maintenance track. The submitter has requested that the access track be gravel instead of concrete.	Amended	N/A	The current wording already allows the access track around the basin to be constructed with 200mm of compacted gravel. Only the crossing and access to the GPT shall be constructed in concrete. Further clarification has been added.
3 - D - Design	22.1. Detention Basins	The maintenance track shall be designed based on an MRV vehicle. The submitter believes that the width should not be specified if the design/width are to be determined based on the MRV.	Meets part-way	NA	Additional clarification has been added that an MRV design check may only be required for irregular geometry or non-standard basins.
3 - D - Design	22.1.1. Type & Location	Basins shall be positioned adjacent to roads and should provide surveillance from 4 dwelling frontages. The submitter believes this is difficult to achieve in all situations and that some flexibility is required.	Amended	CPTED (surveillance)	Amended prior to exhibition to reduce the surveillance criteria to surveillance from (2) two dwelling frontages and lots may look across the road. Required for surveillance to stop drowning, illegal dumping and anti-social behaviour

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	22.1.1. Type & Location	A basin will require a flood study when located within the 1% AEP flood level to assess its suitability and the impacts to and from flooding. The submitter considers the requirement for a flood study whenever a basin is located within or below the 1% AEP flood level to be excessive.	Amended	NA	In regard to flooding MoES should not contradict the LEP and DCP requirements. MoES previously provided a statement that basin weirs only needed to be above the 5% AEP (1 in 20 yr storm). This statement was often used to suggest that basins could be within the 1% AEP (1 in 100). Therefore, the statement has been amended to say that basins are not recommended in the flood and see the current flood policies for clarification.
3 - D - Design	22.1.1. Type & Location	A grid of subsoil drainage shall be provided across the dry basin floor. The submitter queries whether this subsoil drainage grid is required for basins that do not include a bioretention treatment.	Amended		This wording was from MoES 2014. Council has moved away from dry basins being grass and mowed. Native grasses and groundcovers are preferred now so the wording has been updated to say: Maintenance practices of the floor should be considered if floor widths exceed practical. machinery reaches from the banks.
3 - D - Design	22.1.3. Overflow	The overflow weir shall be set at a level and have the capacity to maintain the 1% AEP flood event for the pre-developed catchment. The submitter believes this should refer to the post-developed catchment rather than the pre-developed catchment.	Amended	NA	This is an existing wording however it has been updated for clarity, replacing 'pre-developed catchment' with 'approved detained discharge rate'.
3 - D - Design	22.1.5. Water Depth	Temporary water depth for the 5% AEP event, in either a wet or dry basin, shall be limited to a maximum of 1.2 m. The submitter seeks clarification and believes this is an old requirement carried over from the NSW Housing Manual, which was intended for basins integrated with parks or sports areas, and is no longer relevant.	Keep as is	Meets Industry/Ausspec	The sentence has been updated for further clarification that the depth limit is above the permanent water level or dry floor. This is industry practice for safety and other non-sporting objectives.
3 - D - Design	22.1.6. Embankment	Basin internal and external batter slopes shall be 1 in 6. The submitter believes that other Councils require a maximum of 1 in 4 or 1 in 5.	Keep as is	Meets Industry/Ausspec	The 1 in 6 batter meets Ausspec and industry standards. The MoES 2014 1 in 5 batter was outdated and also does not align with other Council. Changes were made to steeper the external batter walls where drowning is not an issue.
3 - D - Design	22.7 Basin fencing	Fencing of permanent water wetlands, ponds, basins, and GPTs shall be determined based on a risk assessment. The submitter notes that this will increase costs.	Keep as is	MCC ongoing issue (unauthorised access and safety)	This is an existing requirement and is only necessary where safety and risk is a concern, such as for heights and slopes, and occurs only occasionally. It is a common requirement across other Councils.
3 - D - Design	23. Allotment Drainage	The maximum catchment area for an interallotment drainage line shall be 3,500m² for residential lots. The submitter seeks clarification, noting that the standard requirement is a maximum of 10 residential lots and not exceed 300mm diameter, rather than a catchment area.	Keep as is	Auspec, West Sydney Partnership Manual	The requirement is aiming to limit the number of future owners involved in private easements as too many owners makes it unworkable to obtain agreements for maintenance and costs. The uncontrolled increases in dual occupancies have worsened this issue. The limit on the pipe size is also about future owners and ability to replace and maintain. The industry increases in rainfall intensity and greater site coverage on lots have also created the need to change.
3 - D - Design	23. Allotment Drainage	Where IAD pipes are laid parallel to sewer mains, a clearance of 750 mm between pipe centrelines should be provided. For IAD pipes 300mm diameter or greater, the outside clearance shall be 450mm. The submitter seeks clarification on whether the 450mm clearance refers to the pipe centrelines or the outside edges. This refers to the outside edges, as per the HWC Water and Sewer Design Manual.	Amended	Hunter Water	The wording was from MoES 2014. The wording has been amended for clarity in accordance with HWC requirements: the greater of 750 mm (diagonally) between pipe centrelines or 450 mm clearance from outside to outside of pipes (generally for pipes >300 mm in diameter).

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
3 - D - Design	23.1.1. IAD to Kerb	For single allotment drainage, each lot within a subdivision that drains to the road shall be provided with a galvanised steel pipe. The submitter believes this may result in pits being destroyed due to the shallow nature of these connections.	Keep as is	Current industry requirements, local Councils, Western Sydney	This is consistent with current industry requirements for protecting pipes from load where cover is reduced across the verge. The pit is inside the property where depth will be greater than the depth at the roadside kerb.
3 - D - Design	23.2. Pits	The submitter notes that the required pit dimensions of 600x900mm for a 1200–1500mm deep pit contradict the 1200mm maximum pipe depth requirement.	Amended	NA	Further clarification has been added to state that pits and pipes should be above depths of 1200–1500mm but may be considered where necessary to pass under a retaining wall footing. It is considered best to provide guidance if the depth is exceeded rather than have all variations need negotiation on requirements.
3 - D - Design	24. Drainage Easements	The minimum easement width shall be the greater of [(2xtrench depth) + pipe diameter]. This requirement may lead to varying easement widths across a subdivision or result in unnecessarily wide easements for shallow IAD pipes due to larger pipes elsewhere in the same easement.	Keep as is	AUSPEC, Western Sydney Manual,	MoES previously had a vague statement that said an easement should be wider for deep pipes, however MoES did not specify how wide. The new calculation provides certainty of the required width and aligns with best practice. - The 2X the depth has been revised down to 1.5x the depth which aligns with numerous new standards.
3 - D - Design	26. Subsoil Drainage	Subsoil shall be provided along roads and in all public stormwater lines. The submitter requests limiting subsoil to the start and end of each line rather than the full length, noting that this approach is common with other Councils and reduces Council assets requiring maintenance.	Keep as is	Common Industry practice,	This is an existing requirement from MoES 2014.
3 - D - Design	28. Earthwork and Regrading	A cut and fill balance diagram shall be supplied to Council along with the Earthworks Management Plan. The submitter believes that cut and fill relates to finished surface levels and is therefore not accurate, as it does not account for pavement materials, trenching, or other sub-surface works.	Meets part-way	MCC Observed Issues (excessive truck movements and soil import, road damage)	Wording has been added to clarify that pavement materials can be included in the net balance calculations. The cut-and-fill balance assists Council in controlling sites with excessive net export or import, which can cause nuisance, dust, and traffic issues for the local community.
4 - C - Construction	General Items	The submitters question that sections on Linemarking and Compliance Certificates are no longer included in the Construction Document.	Keep as is	N/A	Linemarking Plans are undertaken by the design consultants and not the construction contractors. The Linemarking section has been moved to the Document D - Design. The Compliance Certificates section has been moved to Document G - General Requirements as it related more to procedural matters than it does to construction techniques.
4 - C - Construction	General Items	One submitter suggests replacing the Construction Document with AUS-SPEC, noting that most Councils use AUS-SPEC and the majority of contractors would already be familiar with the specifications.	Keep as is	N/A	This update is the first in a rolling annual program with construction not the primary focus. Document C: Construction requires a significant update, which will occur in the next review and full adoption of Ausspec is not yet feasible due to some MCC specific requirements.
4 - C - Construction	4.6. Inspection Reime	The draft MoES states that proof roll of pavement may be required after rain events or extended periods of inactivity, at Council's discretion. The submitter suggests removing the phrase 'at Council's discretion' as it does not provide contractors with certainty.	Keep as is	Industry practice	The roads will be owned by Council so it is unreasonable to suggest that Council should not have discretion to re-check after a rain event. The clause already provide clarity that any rainfall over 5mm is automatically a re-inspection. Discretion below 5mm is mentioned as an uncompacted layer may absorb significant moisture compared to a compacted layer and this can be practically considered on merit.
4 - C - Construction	5.2. Erosion	Bulk earthworks for medium and large subdivisions shall not expose more than 3 hectares of unstabilised area at any one time. The submitter considers the 3-hectare limit unworkable and notes that 'medium' and 'large subdivisions' are not defined.	Keep as is	MCC observed issues (dust, erosion, complaints), AS3798, Moreton Bay	The phrase 'medium and large subdivisions' has been replaced with 'subdivisions'. The 3-hectare limit allows for a suitable and manageable construction size of approximately 30 lots. This is considered a standard single-stage construction size that minimises disruption, erosion, and dust in the area. This requirement aligns with the DCP.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
4 - C - Construction	7.1.2. Proof Roll Test	Acceptable machinery for testing the subgrade includes a large grader. For proof roll on gravel layers, a fully laden water cart or a three-point roller may be used, with the preferred option listed first. The submitter seeks clarification on why different machinery is specified for different layers.	Keep as is	Meets industry general practices	The previous wording did not distinguish between different pavement layers. The updated wording clarifies the Council practice that has been followed for the past 10 years.
4 - C - Construction	7.4. Subgrade (Natural)	Where subgrade replacement with granular pavement material (i.e. not using natural soil or clay) is proposed, the excavation shall extend and grade to a subsoil drainage system located at least 500mm behind the back of the kerb. The submitter notes that this requirement will increase costs.	Keep as is	Geotech advise, Austroads Guide to Pavement Technology Part 2, AS1289	This is a quote from Austroads Guide to Pavement Technology Part 2 and only applies to expansive clay conditions to provide a solid foundation, improving pavement stability and longevity. It is not a blanket requirement for areas with non-expansive soils. Any reasonable geotechnical report should already be quoting this requirement.
4 - C - Construction	7.4. Subgrade (Natural)	The geotechnical engineer shall carry out all required observations and testing and submit a component compliance certificate to Council before placing any materials. One submitter has requested that Council clarify the respective roles of the geotechnical engineer and Council in inspections and approvals.	Amended	NA	Clarification has been added to align with the theme of the MoES that geotechnical engineers provide recommendations but the Principle certifier/Council assesses and approves the recommendation. Clarification has been added to clarify that Council should inspect the floor of excavation prior to being worked.
4 - C - Construction	8.10.1. Key Specific Items	All precast pits require Council approval before any work commences. The submitter has questioned the requirement for prior approval of all precast public stormwater pits.	Keep as is	MCC ongoing issue (problems at construction, project delay, incorrect dimensions/specs)	There are several reasons why precast units shall be submitted to Council for approval prior to ordering or placement. These include: wall thicknesses not meeting minimum requirements, unregulated protrusion cover, incorrect soffit cover to AC, insufficient pipe-to-sidewall clearance, incorrect side pipe entry/exit, deviations from design depth, and lack of subsoil provision, and more.
4 - C - Construction	8.12. Scour Protection	The draft MoES states that 'scour protection at headwall outlets shall be caged rock, plain concrete, or large rocks,' but also that 'gabions should be avoided due to high velocity'. The submitter considers this unclear and questions whether the use of caged rock is encouraged or discouraged.	Amended	NA	The criteria have been clarified and are now subject to outlet diameter and flow velocities.
4 - C - Construction	9.1.2 Pavement Materials	The submitter questions whether the draft MoES aligns with Council's Environmental Sustainability Strategy 2023 and supports the use of recycled materials.	Amended	Meets Councils ESS 2023	Clarification has been added to state that Council supports the use of recycled road materials or gravels when they are pre-approved and fit for purpose, in alignment with Council ESS 4.2.1 and 4.2.2. MoES also allows other sustainable products that use recycled plastic's, low carbon concretes and more.
4 - C - Construction	9.1.4. Pavement testing	The Benkelman beam requirements need to be updated to align with the new road types in the Design Document.	Amended	NA	Benkelman beam/deflection requirements have been updated to be consistent with the road type and design ESA.
4 - C - Construction	9.1.5 Pavement Joints	Pavement joints and the wearing course shall be positioned away from lane edge lines and wheel paths. The submitter notes that this requirement does not account for the constraints of wider or multi-lane roads.	Amended	MCC observed issues (crack at joints, pavement failure)	Agreed. The wording has been updated to allow pavement joints at the mentioned location.
4 - C - Construction	11. Wearing Surface	Wearing surface thicknesses have been increased by 10mm, now a minimum of 40mm for residential roads and 50mm for business, commercial, and industrial roads. The submitter seeks clarification on the reason for this increase in thickness.	Keep as is	Updated due to Auspec and Asphalt standards, Western Sydney,	MoES was out of date with current Ausspec standards and broader industry including Lake Macquarie and Cessnock Councils. The updated specifications now reflect the new minimum wearing course thickness of 40 mm, noting that some Councils have increased this to 45 mm to improve pavement durability and performance.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
				Cessnock, Lake Mac	
4 - C - Construction	11.2 Primer Seal	The draft MoES specifies the use of a C320 binder for the 7–10mm primer seal. The submitter has requested that the requirement for the C320 binder be removed.	Amended	NA	The binder type was removed to improve clarity and allow greater adaptability.
Appendix A: Engineering Design Plans	1. Plans	Engineering design plans shall be submitted to Council in DWG format. The submitter questions this requirement and concerns that it may create copyright issues.	Keep as is	Meets industry (Port Stephens)	Noted that this is the existing requirement with no changes proposed. It is reasonable for Council to have a drawing of its asset and copyright is respected as these drawing are only used for Council purposes as the asset owner including to import data into the GIS system
Technical Document: Driveway Crossing	13. Driveway Handles	Driveway handle widths have been updated to align with DCP requirements resulting in increased widths. The submitter notes that this will result to higher costs and a loss of developable land.	DCP Matter	Meets industry, Western Sydney,	The handle widths are based on minimum access requirements in accordance with the AS2890 series, with additional provision for utilities/services and passing opportunities depending on the nature and scale of the development. These widths are consistent with the DCP controls.
Technical Attachment: Street Lighting	The Table	Road names align with previous road types and not the MoES 2025 Road Types	Amended	N/A	Amended so that all road types align to the new Road Hierarchy
Technical Attachment: Street Lighting	Dot point 4	Decorative luminaries, columns, paint, and coloured treatments for lighting poles are not permitted. The submitter requests that the restriction on coloured street lighting be removed.	Amended	MCC ongoing maintenance issue/costs	Black powder coating will be accepted however a standard pole will be installed for any future replacements to keep costs down.
Technical Attachment: Street Tree	2.3 Pot Size	Tree planting in medians and roundabouts shall be 100litre trees. The submitter questions why 45litre trees are not allowed.	Keep as is	Align with MCC DCP and Environmental Strategy	MoES specifies a 45l pot size for standard verges and 100l for medians and roundabouts, whereas Lake Macquarie uses a 75l pot for both verges and medians. On a volume basis, Maitland's approach is more cost-effective. These requirements align with the Council's strategy for establishing an effective tree canopy.
Standard Drawing SD027	Cul-De-Sac Options	Bushfire cul-de-sac options are provided in Standard Drawing SD027, based on the minimum turning area in accordance with PBP 2019, plus parking requirements. The submitter believes that these cul-de-sacs are too large and will result in excessive land loss.	Keep as is	Meets industry standards (Rural Fire Service Planning for Bushfire Protection)	The radius diameter is determined by the State Government (RFS PBP). MoES provides an option to allow some parking within the centre of the cul-de-sac, or alternatively, parking can be provided on the outside of the turning adjacent to lot frontages. Cul-de-sacs are generally discouraged and infrequently used, so the land impact is minimal in the context of an overall subdivision. Council expects that on-street parking is provided for residential subdivision developments.
Standard Drawing SD027	Cul-De-Sac Options	For non-bushfire roads, the minimum cul-de-sac radius is 10m. The submitter questions whether this radius should be increased to 12.5m to accommodate medium rigid vehicle (MRV) movements.	Keep as is	N/A	The submission is confusing bushfire requirements with areas outside of bushfire criteria. The 10 m cul-de-sac is carried over from MoES 2014 and has always been practical that parking is allowed, and that a larger vehicle would actually need to do a three-point turn utilising the parking gaps created by driveways. This does not change. It is noted that some Councils are now dropping the smaller radius and just requiring the larger bushfire radius - This can be considered in future MoES updates. Council has kept the cost and land dedication down by allowing the parking on the inside of the cul-de-sac and this benefit balances the cost of concrete.
Standard Drawing SD027	Cul-De-Sac Options	Note 4 on Standard Drawing SD027 requires cul-de-sacs (bushfire) one way pavement to be constructed in concrete. The submitter notes that this is not a requirement in the current MoES.	Keep as is	(expansive clay and narrow pavement)	This one-way circulation is new to MoES 2025, so the requirements are new. Concrete pavement is only required for the one-way circulating cul-de-sac pavement (i.e. narrow pavement). This is to account for when expansive clay conditions exist, as narrow pavements do not provide the required 1.5m distance from the pavement edge to the wheel path to stop cracking under the travel path. Additionally, it is a full lock turn for garbage trucks so screwing of pavement is considered by concrete pavement. This requirement aims to minimise premature pavement distress and reduce the potential for cracking.

DOCUMENT	ITEM REFERENCE	SUBMISSION COMMENT	ACTION	STANDARD REFERENCE	MCC RESPONSE
Standard Drawing SD027	Cul-De-Sac Options	Note 8 on Standard Drawing SD027 requires central parking areas in bushfire cul-de-sacs to slope or drain toward trees in the centre. The submitter believes this is difficult to achieve due to the longitudinal grade of the road and cul-de-sac.	Keep as is	N/A	This is a principle to assist the trees and could be varied if needed. Parking areas can include a different grade from the circulating lanes so this should be achievable in most cases.
Standard Drawing SD049	Street Tree Planting Details	Standard Drawing SD049 for street tree planting includes timber tree guards, garden edging, imported soil, root barriers, and Root Rain systems. The submitter notes that these provisions will increase construction costs.	Meets part-way	Meets industry (LMCC, CN)	The proprietary tree watering ring has now been removed however the tree guard, edging, imported soil, and root barrier remain. This amended update is consistent with industry requirements and aligns with practices adopted by other neighbouring Councils.

City Planning

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - for Adoption

Submissions (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 8

Number of Pages: 1

Draft Maitland Development Control Plan 2026 and Draft Maitland Manual of Engineering Standards 2026 - For Adoption

Attachment 8. Submissions (Under Separate Cover) has been compiled and provided in a standalone Under Separate Cover Attachments document, to accommodate the 510 pages of supporting materials.

maitland CITY COUNCIL

City Planning

Adoption of Draft Development Control Plan – Anambah Urban Release Area

Submissions (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 1

Number of Pages: 79

maitland CITY COUNCIL

VARA
CONSULTING

18 December 2025

The General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Att: Adam Ovenden

Re: Submission on Draft Anambah Development Control Plan (DCP)

Dear Adam,

Vara Consulting welcomes the opportunity to provide a submission on the Draft Anambah Development Control Plan (DCP).

I have over 25 years' experience in the property development industry, including the planning, delivery and registration of thousands of residential lots in greenfield release areas across New South Wales and the Hunter Region. I was also a long-standing member of the UDIA Hunter Chapter Committee, having contributed for almost a decade to industry engagement, policy discussion and collaboration between government agencies, councils and the development sector.

Vara Consulting is currently acting as Development Manager for several large-scale land developments across NSW, including land within the Anambah Urban Release Area. In this capacity, we are actively engaged in coordinating planning, infrastructure, staging and delivery considerations across complex, multi-landowner release areas.

This submission is therefore provided from the perspective of constructive industry engagement, with the intent of supporting the adoption of a DCP that facilitates competitive land supply, timely infrastructure delivery and long-term housing affordability, while ensuring procedural fairness across all affected landowners within the Anambah Urban Release Area.

Risk of Staging and Sequencing Creating a De-Facto Monopoly

Vara Consulting has concerns that the proposed staging and sequencing framework, as currently exhibited, risks creating a de-facto monopoly position for a single landowner within the URA.

By tightly embedding infrastructure proximity and sequencing logic into the DCP, the practical effect is that:

- early servicing infrastructure is concentrated within one landholding,
- alternative landowners are unable to bring forward independent or parallel staging solutions, and
- future development across the URA becomes contingent on alignment with one preferred delivery pathway.

While it is acknowledged that infrastructure efficiency is an important consideration, staging controls should not intentionally or unintentionally consolidate market power or restrict competitive land supply. The long-term risk of such an approach is that housing delivery becomes slower, less flexible and more expensive, ultimately placing upward pressure on housing affordability.

Best-practice greenfield planning frameworks typically allow for multiple viable delivery pathways, subject to performance outcomes, rather than locking in a single sequencing solution for decades.

VARA
CONSULTING

Absence of Contemporary Strategic Studies to Inform the DCP

It is also noted that key components of the Draft DCP appear to rely heavily on legacy studies prepared as part of earlier planning proposals, with limited evidence of updated, whole-of-URA strategic analysis.

In particular, it is unclear whether contemporary, integrated studies have been undertaken to test:

- alternative staging and sequencing scenarios,
- whole-of-URA least-community-cost outcomes across all infrastructure classes (not just water and sewer),
- the evolution of dwelling types and housing diversity over the past decade, including increased demand for smaller lots, medium-density formats and more flexible housing typologies, which were not prominent at the time the original URA planning studies were undertaken;
- updated assumptions around housing demand, delivery rates and infrastructure funding models.

Given the scale of the Anambah URA and the significant policy, economic and infrastructure changes that have occurred over the past decade, reliance on older strategic inputs raises legitimate questions about whether the DCP is fit for purpose in 2025 and beyond.

A DCP of this importance should be underpinned by current, transparent and multi-infrastructure modelling, rather than assumptions carried forward from earlier planning phases.

Uneven Landholder Consultation and Procedural Fairness

Vara Consulting is concerned about the inclusion of a detailed precinct plan for a single landholding at the draft DCP stage, prior to the DCP itself being finalised and adopted.

Including precinct-level detail at this early stage has the effect of pre-empting decisions on staging, infrastructure sequencing and access arrangements before the overarching planning framework for the Urban Release Area has been settled. This creates a perception that one delivery pathway has been advanced ahead of others, notwithstanding that the DCP is intended to function as a neutral, enabling framework applicable to all landowners.

It would appear that other affected landowners within the URA have had limited opportunity to contribute to the assumptions now reflected in the exhibited controls, including matters such as staging logic, infrastructure timing, access arrangements and land use constraints.

From a process perspective, it would be preferable for the DCP to establish the strategic framework first, with precinct-specific planning occurring subsequently through separate processes that allow equitable participation by all landowners. This would help strengthen confidence in the consultation process and support more transparent and balanced planning outcomes.

Suggested Way Forward

Vara Consulting respectfully suggests that Council consider:

- revisiting the staging and sequencing provisions to ensure they do not unintentionally constrain competition or future housing supply;
- undertaking or releasing updated, whole-of-URA strategic studies to support the DCP's infrastructure and staging framework; and
- engaging more broadly with all affected landowners to ensure the final DCP reflects balanced, inclusive and evidence-based planning outcomes.

VARA
CONSULTING

Such steps would strengthen the robustness of the DCP and help ensure it delivers on Council's strategic objectives for housing supply, affordability and orderly development.

Closing

Vara Consulting supports Council's commitment to facilitating growth within the Anambah URA and appreciates the opportunity to provide feedback at this stage of the process.

We would welcome the opportunity to participate in further consultation or discussion should Council consider refinements to the Draft DCP.

Yours faithfully,

[redacted]

Director
Vara Consulting

Resident 1

[redacted]

9th December 2025

The General Manager
Maitland City Council
By Email

Dear Sir,

SUBMISSION FOR PROPOSED AMENDMENTS TO DEVELOPMENT CONTROL PLAN 2011 (PART F - URBAN RELEASE AREAS)

We are residents of Windella and make a submission for consideration to the proposed amendments to the Development Control Plan 2011 (Part F - Urban Release Areas), specifically relating to the Anambah land release.

The draft DCP currently states that developers must upgrade River Road, Windella for access to the proposed developments in the Anambah land release. As residents of Windella we do not want any access for these developments through River Road. The road is busy enough with the current traffic and access to the New England Highway is difficult during peak periods. Further traffic along River Road would only exacerbate this problem.
We would seek that that River Road is blocked from being used to access any new developments along Anambah Road.

Access should be facilitated by the prioritisation of the upgrade to the Wyndella Road link, or by upgrading Anambah Road.

We appreciate you taking our points into consideration when making amendments to the DCP.

Kind regards,

[redacted]

2/12/26, 11:07 AM [redacted] Resident 2

Outlook

[redacted]

[redacted]

1 attachment (243 KB)
maitland council donation.pdf;

To
The Manager,
I am contacting you with concerns regarding the above subject.
The draft DCP currently states that the developers must upgrade River Road .
We DO NOT want River Road upgraded for development traffic.
Instead we want:

- River Road blocked from being used for Anambah developments
- Developers required to upgrade Anambah Road
- Construction of the Wyndella Road Link to be prioritised

Regards

****
The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.
****

[redacted]

[redacted]

[redacted]

Resident 3

Outlook

[redacted]

[redacted]

1 attachment (884 KB)
attachment 1.pdf;

From [redacted]
Se
To [redacted]
Subject: Submission re: Draft Anambah development control plan

Submission Regarding the Draft Anambah Development Control Plan

To whom it may concern,

I am writing in response to the Draft Anambah Development Control Plan and wish to formally submit the following concerns and recommendations.

Key Issues for Consideration

1. No upgrades to River Road are wanted or supported by local residents. River Road should not be considered a traffic solution for this development.
2. Developers should be required to upgrade Anambah Road to minimise traffic impacts on surrounding residential areas and reduce congestion through Windella.
3. More appropriate traffic solutions must be implemented — such as the Wyndella Road link or upgrades to Anambah Road — rather than diverting traffic through existing residential streets that will significantly impact the quality of life for Windella residents.

[redacted]

[redacted] Fw: Submission re: Draft Anambah development control pla [redacted]

I respectfully request that these concerns are given serious consideration during the planning and revision of the Development Control Plan.

Thank you for your time.

Kind regards,

[redacted]

[redacted]

****
The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.
****

[redacted]

[redacted]

Resident 4

Submission on Draft Anambah Control Plan

[redacted]

Date: 12.12.25

To: Maitland City Council
Re: Submission on Proposed Anambah Development – **No Vehicle Access to River Road**

---

1. Introduction

[redacted] I am writing to express my **serious concern regarding the proposed development in the Anambah precinct** and the potential impact on River Road.

River Road is a **local rural road** that I, along with my neighbours, use daily. It is **narrow, lightly trafficked, and designed for local residential and farm access only**. I am strongly opposed to any vehicle access from new development in Anambah onto River Road.

---

2. Concerns

2.1 Safety

- River Road is **not suitable for additional traffic**, and any increase would compromise the safety of residents, pedestrians, and cyclists.
- The road lacks footpaths, cycle lanes, and safe overtaking opportunities. Even small increases in traffic could result in accidents or near misses.

2.2 Loss of Amenity

- Increased traffic would create **noise, dust, and visual disruption**, reducing the quiet, rural character that makes Windella a safe and peaceful place to live.
- The introduction of development-related vehicles would significantly affect my daily life and that of my neighbours.

2.3 Environmental Impact

- River Road runs alongside natural vegetation and agricultural land. Additional vehicle access would **increase runoff, degrade roadside vegetation, and disturb local wildlife**.
- Upgrading the road to handle development traffic would cause further environmental disturbance.

2.4 Infrastructure Unsuitability

- The road is not designed to carry high volumes of any vehicles, including light cars and service vehicles from construction or commercial developments.
- Any modification to accommodate traffic from Anambah would be costly and disruptive.

---

3. Requested Action

I respectfully request that the Council and planning authorities:

1. **Explicitly prohibit all vehicle access to River Road from new development in Anambah.**
2. Ensure all development traffic is directed to **alternative roads that are appropriate for additional traffic** and designed for increased vehicle use.
3. Include this restriction clearly in the **Anambah Development Control Plan (DCP) and Structure Plan**.
4. Require all development applications to provide a **Traffic Impact Assessment (TIA)** demonstrating that River Road will remain closed to all development traffic.

---

4. Conclusion

I support the responsible and sustainable development of the Anambah precinct, but **it must not compromise the safety, amenity, and environment of Windella residents**.

Allowing vehicle access to River Road from new development would pose significant risks and negatively affect the quality of life of residents. I strongly urge the Council to **protect River Road from any development-related vehicle access**.

Thank you for considering my submission.

[redacted]

Resident 5

[redacted]

The General Manager,

Maitland City Council,

PO Box 220,

Maitland NSW 2320

Dear Sir,

SUBMISSION FOR DRAFT ANAMBAH DEVELOPMENT CONTROL PLAN

The draft DCP states that developers must upgrade River Road for additional development traffic.

We do not agree with upgrading River Road so that an additional thousand cars a day can use this road as the road is already dangerous.

We would like River Road blocked from being used for Anambah developments.

We would like the developers to be required to upgrade Anambah Road and the Wyndella Road link to be prioritised.

Kind Regards

[redacted]

Resident 6

[redacted]

Subject: FW: Draft Anambah DCP

[redacted]

From: [redacted]
Sent: 19/12/2025, 9:08 pm
To: [redacted]
Cc: [redacted]
Subject: Draft Anambah DCP

Dear General Manager,

I act on behalf of [redacted]

I had a very productive discussion with Mark Roser in relation to this matter.

We would like a provision to be added that makes it clearer that subdivision of land for the purposes of creating future development lots (super lots) be allowed prior to a Precinct plan being adopted. The MLEP has provisions that would suggest that this is possible however there is some ambiguity.

By allowing super lots to be created with 88b instruments preventing any urban development on the land till the precinct plan is adopted in the DCP, will allow development lots to be established across various lots. Establishing development lots will provide greater certainty of land tenure invest in preparing a Precinct Plan.

We would like it on the public record that this Draft Anambah DCP is supported but any additional clauses to encourage development lots to be established prior to the Precinct Plan being adopted would be of assistance in achieving the aims of the DCP.

Should there be any queries please do not hesitate to contact me.

Kind regards

[redacted]

[redacted]

****
The views expressed in this email are not necessarily those of the Maitland City Council unless otherwise stated. The organisation does not warrant that this message is free of viruses or any other defect or error. This message and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this message in error please contact the author.
****

[redacted]

Resident 7

[redacted]

19 December 2025

The General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Email: [redacted]

Dear General Manager,

Submission on the Draft Anambah Urban Release Area (URA) Development Control Plan / Draft Area Plan

I write to provide my formal submission regarding the **Draft Anambah Urban Release Area Development Control Plan (DCP)** and associated **Draft Area Plan**, currently on public exhibition. [redacted] I have significant concerns regarding the impacts of the proposed development framework and how the updated controls have not been adequately addressed by current development proposals.

[redacted] We [redacted] rely on the natural landscape, hydrology and rural amenity to sustain our agricultural livelihood.

The Draft DCP introduces new controls relating to stormwater, flooding, environmental protection, hazard mitigation, density, open space and movement networks. These changes materially affect the context in which development [redacted] will occur. The Draft DCP also appears to have attempt to squeeze more residential blocks into an area already limited with access, facilities and infrastructure going from 3,000 to 4,200 dwellings

Summary of Key Concerns

a. Downstream Stormwater and Flooding Impacts
The Draft DCP elevates expectations for stormwater and water-quality management, including protection of downstream land.

However, current proposals do not demonstrate that: [maitland.nsw.gov.au]

- peak flows will be maintained or reduced
- downstream agricultural land (including my property) will not be adversely impacted
- natural drainage lines will be preserved

- flood-affected land will be managed in accordance with the strengthened requirements

Any increase or concentration of runoff poses a direct risk to my pastures, fencing, cattle and equestrian operations.

b. Inconsistency With Updated Environmental Protection Controls
The Draft Plan reinforces the protection of steep land, drainage lines, visually sensitive areas and Endangered Ecological Communities (EECs).

Insufficient consideration of these environmental obligations risks:

- erosion
- habitat disturbance
- altered hydrology entering my farm
- long-term land degradation

c. Urban Density and Amenity Impacts on Rural Land
The new DCP establishes clearer guidance for residential density and built-form outcomes.

Yet the scale and intensity of development being proposed adjacent to long-established rural holdings [redacted] remains incompatible with:

- agricultural activity
- biosecurity risks
- rural amenity and heritage characteristics
- noise, traffic and dust generated by increased residential presence

d. Road, Access and Transport Network Pressures
The Draft Plan introduces a new **transport movement hierarchy** and expanded circulation network.

However, Anambah Road is already constrained, and added traffic undermines:

- farm vehicle movements
- livestock transport safety
- safe trailer, horse-float and machinery access
- rural road function and capacity

e. Tree Canopy, Landscaping and Buffering
The Draft DCP includes a target of **30% tree canopy** and requires landscaping that supports environmental resilience.

Current designs do not provide sufficient:

- rural buffers
- screening
- conflict-mitigation between rural and urban land uses

In addition to the broader planning concerns, it is essential that appropriate rural buffers and screening measures are installed to mitigate both visual and noise impacts

on adjoining rural properties. Given the proximity to established agricultural operations, these buffers must provide effective separation, reduce land-use conflict, and maintain the rural character of the surrounding area.

This should include:

- **Dense vegetative screening** using mature, locally appropriate species to soften visual intrusion from built structures, internal roadways, and increased vehicle movements.
- **Acoustic buffering** and physical separation distances that limit noise spillover onto neighbouring agricultural lands, particularly during construction and peak operational periods.
- **Landscape-based barriers** designed to maintain privacy, protect livestock from disturbance, and uphold the amenity and tranquillity expected within a rural setting.

Without robust, enforceable buffers and screening, the proposal would significantly erode rural amenity and increase conflict between urban and agricultural land uses.

I wish to formally object to the proposed increase in dwelling numbers within the Anambah Urban Release Area (URA) from the previously identified yield of **approximately 3,000 allotments** to the significantly higher **4,200 dwellings** now proposed in the Draft Anambah URA Development Control Plan (DCP).

The earlier planning framework, as set out in the Draft LEP Amendment No. 26, estimated that the Anambah URA would deliver **around 3,000 residential allotments**. However, the newly exhibited Draft DCP now increases this figure to **approximately 10,500 residents accommodated in 4,200 dwellings**, representing a **40% escalation** beyond the original strategic expectation.

This substantial uplift raises significant concerns:

The Increased Density Is Premature and Inconsistent with the Established Planning Framework

The previous dwelling estimate of 3,000 was directly tied to the area's zoning, minimum lot size framework, environmental constraints, and the urban structure envisaged during the LEP amendment process. Increasing the capacity to 4,200 homes fundamentally alters the scale and intensity of development without demonstrating that the necessary infrastructure, servicing, and environmental management measures can support such density.

Infrastructure Has Not Been Planned or Delivered for a 40% Higher Yield

Community submissions to the Planning Panel already highlight that essential infrastructure—particularly **roads, water, sewer, electricity and telecommunications—remains inadequate** even for earlier development concepts. The new DCP's higher density scenario places further pressure on:

- Anambah Road and Windella Drive, which cannot safely absorb the additional traffic;
- Overstretched utilities lacking confirmed upgrades;

- Flood evacuation capacity, already conditional on delivery of the Western Road Link before 1,200 lots can be released.

The proposal to increase dwelling numbers without guaranteed infrastructure delivery is inconsistent with orderly and sustainable development principles.

The Increased Density Exacerbates Flooding, Bushfire, and Environmental Risks
The site is known to contain flood-affected areas, ecological communities, and bushfire-prone land. Adding 1,200 more dwellings intensifies these risks, especially in relation to:

- Downstream flooding impacts,
- Stormwater catchment changes,
- Riparian corridor stress,
- Emergency evacuation bottlenecks.

No evidence has been presented to demonstrate that the uplift can be accommodated without adverse impacts on surrounding rural and residential land.

The Higher Density Is Incompatible with the Rural Interface and Local Character
Community concerns repeatedly identify **visual impact, land-use conflict, small-lot housing, and loss of rural amenity** as significant issues. Increasing the dwelling yield by 40% will further erode the rural landscape and intensify pressures on neighbouring agricultural properties, including noise, traffic, and incompatible land uses.

The Public Has Not Been Adequately Consulted on the Scale of this Increase
The uplift from 3,000 to 4,200 homes was not previously foreshadowed in public-facing strategic documents. This represents a fundamental change in the planning assumptions for Anambah and should require:

- A revised population and dwelling capacity assessment,
- Updated infrastructure and environmental impact studies,
- Re-exhibition of a revised planning package that transparently justifies the new dwelling targets.
  This has not occurred.

Request for Council Action
Given the scale of the Draft Area Plan and the strengthened environmental, hydrological and density-related controls, I request that:

1. **No development approvals be granted unless full compliance with the new Draft DCP and Area Plan can be demonstrated.**
2. **Detailed stormwater modelling** be undertaken that guarantees no adverse downstream impacts on rural landowners.
3. **Stronger buffering and transition zones** be required between urban development and surrounding agricultural areas.
4. **Transport and access upgrades** be finalised and demonstrated to protect rural road users and livestock movements **prior to release of any residential blocks**
5. **Flooding, drainage and EEC protections** be strictly applied in accordance with the updated Draft DCP.

6. **Retain the previous dwelling estimate of 3,000 allotments** or require a comprehensive review and re-exhibition of the planning controls before any increase in dwelling yield is considered.

Conclusion
The Draft Anambah URA Area Plan contains important new controls intended to improve environmental protection, stormwater management, hazard mitigation and urban design.

However, unless these strengthened requirements are enforced and demonstrated through current development proposals, significant adverse impacts will occur to downstream rural properties [redacted].

The increase in dwelling yield from **3,000 to 4,200 homes** is **unjustified, premature, and inconsistent with both the strategic intent and the infrastructure readiness of the Anambah URA**.

Until the necessary infrastructure upgrades, hazard mitigations, and strategic planning processes are complete and until transparent, evidence-based justification is provided, the proposed density uplift should not proceed.

Thank you for the opportunity to comment.

Yours kindly

[redacted]

[redacted]

Resident 8

[redacted]

23 December 2025

Mr Jeff Smith
General Manager
Maitland City Council
263 High Street
MAITLAND NSW 2320

email: [redacted]

Dear Mr Smith,

Amendment to the Maitland Development Control Plan 2011
(Part F – Urban Release Areas)

I respectfully request that Council accept this submission outside the advertised exhibition period. I apologise for the late lodgement and ask that it be considered due to the significant and ongoing implications for local residents.

I am writing in response to the draft Anambah Development Control Plan placed on exhibition following Council's resolution of 18 November 2025. While I support the intent of the DCP to provide clear rules and guidance for the future development of the Anambah Urban Release Area, I strongly object to the provision that requires developers to upgrade River Road.

The draft DCP identifies the need to manage access and traffic, mitigate natural hazards, and create a safe and logical movement hierarchy. In this context, River Road is not suitable for development traffic. It is a local residential road, subject to flooding and unsuitable for use during bushfire or emergency conditions. Upgrading it would undermine the DCP's stated objectives by directing development traffic through an unsafe and inappropriate route.

The DCP should instead provide clear and unambiguous direction that:

- River Road must not be used for access, servicing, construction traffic or emergency access for Anambah developments.
- Any Development Application that relies on River Road for these purposes should be considered unacceptable and refused.
- Developers are required to upgrade Anambah Road to accommodate development traffic.
- The Wyndella Road link is prioritised and delivered as the appropriate long-term access solution for the Anambah URA.

Including these requirements would better align the DCP with its stated aims of safety, hazard mitigation, and an appropriate transport movement hierarchy, while protecting existing residential areas from unsuitable development impacts.

Thank you for considering my submission.

Yours sincerely,
[redacted]

Resident 9

25/074

[redacted]

18 December 2025

General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Submission in Response to Public Exhibitiom of Draft Development Control Plan for the Anambah Urban Release Area – Request for Flexibility in Staging ([redacted])

Dear Sir,

We made a submission to Council on 7th August, 2025, on behalf of [redacted] in respect to the stakeholder exhibition of the Draft Area Plan for the Anambah Urban Release Area, ahead of the current public exhibition of the draft Plan. The submission is enclosed for your reference.

It is noted that the currently exhibited draft Plan is not substantively different to the document released to stakeholders in August 2025.

We now write again on behalf of the landowner, [redacted] in relation to the latest public exhibition of the Draft Development Control Plan (DCP) for the Anambah Urban Release Area (AURA). The issues raised in the original submission remain of significant concern and are not resolved. We request that Council directly responds to the issues raised.

Fundamentally the draft Plan allows the majority landowner to control and monopolise the staging and release of land to the detriment of other landowners. Moreover, the rigid staging plan does nothing to promote housing affordibilty as there is no competition between land release areas likely in the the first twenty (20) years of the AURA.

Specifically, the primary concern relates to the DCP's intent to strictly align development with the indicative staging plan (Figure 3 of the Draft DCP). We request that Council support the principle that, where a proposal is capable of proceeding with the full delivery of required infrastructure, at no cost to Council or the broader community, it should be considered on its merits, regardless of its position within the indicative staging framework.

We cannot see how the draft Plan would be consistent with the Maitland Local Environemntal Plan in so far as it effectively hinders the delivery of affordable housing outcomes by enabling a landowner to monopolise and control the release of land in the AURA. Similarly, the proposed use of River Road will leave access to the rest of the AURA at the discretion of the major landowner.



We respectfully request that Council acknowledge the potential for out-of-sequence development to occur where full infrastructure provision is demonstrated, and where no burden is placed on Council or the broader community.

The subject land is well-positioned to support the objectives of the Draft DCP and regional planning strategies, and its early development will contribute positively to housing supply, infrastructure outcomes, and strategic urban growth.

Kind Regards,

[redacted]

[redacted]

Director



Reference: 2110-1604

[redacted]

Mr Jeff Smith
General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: Mark Roser

Re: Draft Anambah Development Control Plan

Dear Mr Smith

[redacted] of Riverbend Organics Pty Ltd, the operator of the composting facility at 442 Anambah Road, Gosforth ('Riverbend Organics'), recently received notification from Maitland City Council (MCC) of the proposed amendment to Maitland Development Control Plan 2011 relating to the Anambah Urban Release Area ('Anambah DCP').

AK Environmental acts for [redacted] and we have been assisted by [redacted], Registered Planner (Fellow) for this issue. Our submission includes the following issues:

1. A description of our client Riverbend Organic's approved composting facility
2. Overlapping issue of 2 Development Applications (DAs) on the Anambah site
3. The DCP as it relates to Riverbend Organics' previously approved odour units

1. **Composting facility 'Riverbend Organics'**

As you would be aware, our client 'Riverbend Organics' at 442 Anambah Road operates a composting facility under development consent DA 2015/433. It also operates under a NSW Environment Protection Licence (EPL) 12510 and detailed operating procedures as documented in its *Operational Environmental Management Plan* (OEMP).

A modification to the original development consent was applied for in 2022 and granted by MCC on 9 May 2023. The 2023 modification was for a 'Modification to Putrescible General Waste Intake' which is described more fully in the SEE for that modification prepared by Anderson Environment and Planning in 2022. This modification application was accompanied by an *Air Quality Assessment* prepared by Todoroski Air Sciences in 2022 ('Todoroski report 2022'). This will be referred to later in this submission.

2. Related Development Applications at Anambah and overlapping issues

Please note that in addition to our submission regarding the Anambah DCP (in the section below), in investigating the Anambah DCP, we became aware of the following two DAs that were also on exhibition:

- Section 8.2 Review of DA 2024/763: Concept DA for 2 into 900 Lot Staged Torrens Title Subdivision with Stage 1 Torrens Title Subdivision of 220 Lots – with a public exhibition period of 13 November to 10 December 2025 *and*
- DA 2025/52 Concept DA for a Manufactured Home Estate (MHE) with 263 dwelling sites. Stage 1 comprises 221 dwelling sites with associated community facilities – with a public exhibition period of 17 November to 15 December 2025

For your information, we have spoken with the planners allocated to the two DAs, [redacted], and have made submissions to both DAs. These contain overlapping information, some similar to this submission. A key issue to the DAs was that our client unfortunately did not receive notification for either DA, as he did for the Anambah DCP. This is addressed in those submissions, and in a separate letter to the General Manager.

As further background to this submission for your information, we sent a letter to Council (our reference: 2108-1591, emailed 16 May 2025, as attached) regarding the above DAs, after Riverbend Organics was contacted by the developer's Social Impact Assessment (SIA) authors, Hadron Group, in May 2025 requesting information about Riverbend Organic's operation. At that time, we contacted Council staff and understood that they had requested further information from the DA applicant regarding social impacts and the impacts on our client's composting facility, hence we sent a letter to Hadron Group and to Council (details as above). We have not received any correspondence from Council about these DAs since that time.

3. The DCP as it relates to Riverbend Organics' previously approved odour units

We note that draft DCP *Figure 2 Anambah Area Plan* shows 'Odour Contours' marked as '2'. We would like Council to confirm that this is the same contour line as that shown below, being Figure 6-1 sourced from our client's Todoroski report 2022 (described in section 1 above). This shows the DA (as modified in 2023) approved 2 Odour Units (OU) contour, which defines the approved odour impact extent from our client's composting facility. The zoning shown on Figure 6-1 is the MLEP 2011 zoning at the time.

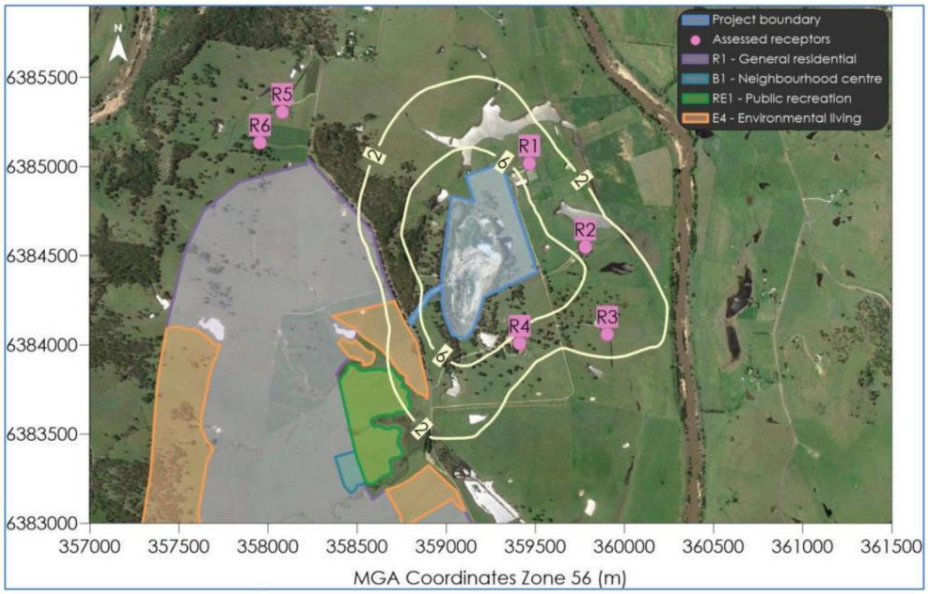


Figure 6-1: Predicted 99th percentile nose-response average ground level odour concentrations – incremental impact

Despite the applicant of DA 2025/52 currently having a different interpretation of the correct OU for their proposed development, we wish to reiterate that the Todoroski report 2022 correctly uses the 2.0 OU as the appropriate 'impact assessment criteria for complex mixtures of odorous pollutants', as required by NSW EPA's *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW* (2022) (Approved Methods). It should be understood that the odour assessment criterion is selected based on the overall community setting (e.g. rural, semi-rural, urban), not solely on a count of impacted residences. In the Anambah URA, the likely future population of the affected community exceeds 2,000 persons (being an URA of several hundred, perhaps thousands, of lots) and the appropriate impact assessment criteria for complex mixtures of odorous pollutants is therefore 2.0 odour units (OU) (Approved Methods – Table 18).

We would further like to reiterate that **no future dwelling lots should be located** within this 2 OU contour.

We note that the draft Anambah DCP gives no further detail relating to land affected by the 2 OU. We note that affected land is within the final Precinct 7 of the URA and that the draft DCP only shows a detailed Precinct Plan for Precinct 1 and for no other Precincts. It is clear that Council intends Precinct 7 to be a long way off in expected development staging.

The same as we did in our 16 May 2025 letter, we reiterate our request for detailed strategic planning to protect rural land and industries to be completed *in advance* of any DAs being lodged. This should be in the form of a detailed DCP Precinct Plan 6 and 7, at the appropriate time (ie after Precinct Plans for areas 2 to 5). We expect that we would be consulted at an early stage of the preparation of Precinct Plans 6

and 7 and that the odour unit contours would be a critical consideration in the masterplanning of those Precincts.

Our previous letter to Council of 16 May 2025 recognises the importance of the various strategic planning tasks related to rural industries such as ours, including the:

- recently exhibited (but not yet finalised) draft *Maitland DCP 2011* relating to rural lands and rural land use conflict
- *Maitland Rural Land Strategy 2041* particularly relating to land use suitability criteria and DCP controls for buffer areas and separation distances the recommendations from
- the current *Anambah to Branxton Regionally Significant Growth Area* studies, particularly as Odour, Air, Noise and Vibration Assessments are being currently undertaken as part of this, and we understand that the study area has been extended in the Maitland LGA to the Hunter River, therefore including our client's land.

The need to protect our client's approved composting facility from encroaching urban development is a prime example of why strategic work to protect agricultural and rural industries is so important for the economy and living amenity in the Maitland LGA and wider Hunter region.

In conclusion, we expect that the issues outlined in this letter are taken into consideration when finalising the draft Anambah DCP, and we particularly expect that Council confirms with us the correct odour contour in Figure 2 of the draft DCP. We expect that our client's previously approved odour units will not be compromised in any way either now or in the future. In that regard, we expect early consultation as Council prepares future Precinct Plans within the Anambah DCP area.

We are happy to talk to Council staff further to clarify any issues, and please advise us when this DCP will be reported to Council.

Kind regards,

[redacted]

[redacted]
Director
AK Environmental Pty. Limited

Reference: 2108-1591

[redacted]

Jeff Smith
General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

RE: 559 Anambah Road, Gosforth:
DA 2024/763 – Concept DA for 900 lots and Stage 1 Subdivision for 241 lots
and
DA 2025/52 - Concept DA for a Manufactured Home Estate (332 sites) and Stage 1 for 291 Dwelling Sites and associated land uses

Dear Mr Smith

[redacted] of Riverbend Organics Pty Ltd, the operator of the composting facility at 442 Anambah Road, Gosforth ('Riverbend Organics'), has recently been contacted by Hadron Group Pty Ltd, consultants for the applicants for Development Application (DA) 2024/763 at 559 Anambah Road that was submitted to Maitland City Council (MCC).

We are also aware of the separate DA 2025/52 for the same site for a Concept DA for a Manufactured Home Estate (332 sites) and Stage 1 for 291 Dwelling Sites and associated land uses. We assume, although are not entirely sure, that Hadron Group is also acting for the owner relating to this DA, so the information in this letter is pertinent to both DAs.

AK Environmental acts for [redacted] and has replied to Hadron Group regarding both DAs. We have been assisted by Jan Fallding, Registered Planner (Fellow). We therefore thought it pertinent to place on record, for Council and for the Hunter and Central Coast Regional Planning Panel, the issues outlined to Hadron Group regarding the impacts of the two DAs on [redacted] composting facility.

We have also included further information for Council in this letter as to our preference for proper strategic planning work to protect rural land and industries to be completed in advance of DAs such as these being determined.

We are aware of the Statement of Environmental Effects (SEE) and full suite of specialist studies for both DAs that are available on MCC's Application Tracker site, and can see that the 'clock has been stopped'

for both DAs. We understand that MCC has requested further information from the applicant regarding social impacts and the impacts on the composting facility. We realise that both applications will be determined by the Hunter & Central Coast Regional Planning Panel.

Further, we appreciate that both DAs are within the Anambah Urban Release Area (AURA) as subject to *Maitland LEP 2011* Part 6, *Maitland DCP 2011*, *Maitland Local Housing Strategy* and also to the Anambah to Branxton Regionally Significant Growth Area as identified in the *Hunter Regional Plan 2041*, all of which have consequences for the future planning of this site and surrounds, in particular for ways of managing urban and rural land uses and their proximities, such as this issue represents.

Riverbend Organic's operations and approved odour impacts

As you would be aware, Riverbend Organics at 442 Anambah Road operates a composting facility under development consent DA 2015/433. It also operates under a NSW Environment Protection Licence (EPL) 12510 and detailed operating procedures as documented in its *Operational Environmental Management Plan* (OEMP).

A modification to the original development consent was applied for in 2022 and granted by MCC on 9 May 2023. The 2023 modification was for a 'Modification to Putrescible General Waste Intake' which is described more fully in the SEE for that modification prepared by Anderson Environment and Planning in 2022. This modification application was accompanied by an *Air Quality Assessment* prepared by Todoroski Air Sciences in 2022 ('Todoroski report 2022').

The relevant figure representing the *consented* expected odour impacts from the composting facility site is Figure 6-1 'Predicted 99th percentile nose-response average ground level odour concentrations - incremental impact' at p13 of the Todoroski report 2022, as reproduced below.

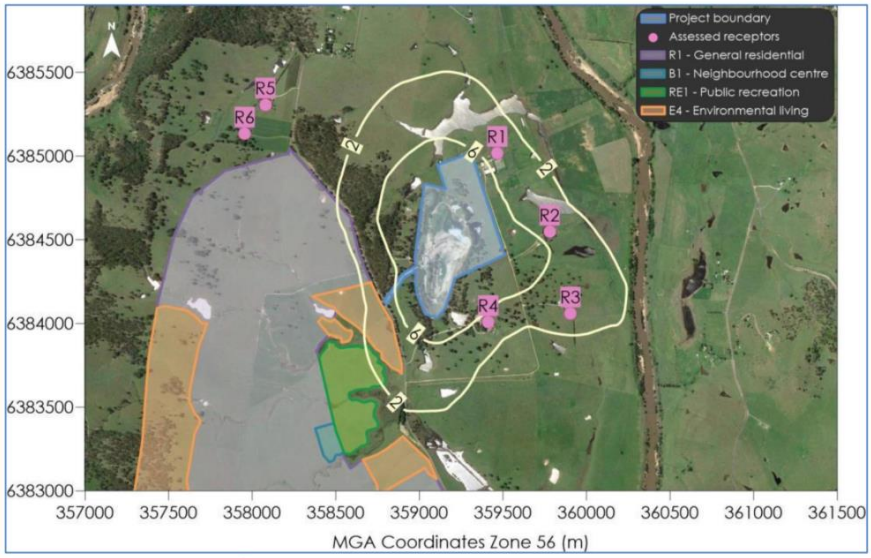


Figure 6-1: Predicted 99th percentile nose-response average ground level odour concentrations – incremental impact

You can see the 2 odour unit contour overlaps with:

- the AURA boundary;
- the Stage 1 subdivision for DA 2024/763; and
- the 'future subdivision' as shown on the notification plans for DA 2025/52.

You can also see in the above figure that the odour contours were overlain on the zones indicated in the-then 2015 Planning Proposal for the AURA. It is also noted that the 2023 DA modification took into account the likely future use of the site as urban residential development - from p25 of the 2022 Todoroski report: "*The AURA boundary has land zoned for an urban release area with residential development and would have a higher population as such a criterion of 2OU* [odour units] *has been adopted"* .

It should be noted that Riverbend Organics has not yet progressed to the stage of fully utilising its premises for the inclusion of putrescible material (as permitted under the 2023 modification approval), and is therefore currently operating at the approximate level of its original 2015 application in that only green waste is being processed. Thus the odour conditions *currently* experienced by receivers around the site are not necessarily those expected to be experienced in the *future*. Additionally, depending on market requirements for Riverbend Organic's product, the *current* odour conditions could well remain the dominant extent of expected odour impacts on receivers for the short to medium term.

It can be seen from the above information that:

- Riverbend Organics holds a current DA (as modified) and a current EPL and OEMP;
- Riverbend Organics is operating fully within the conditions of these and has been doing so for 5 years;
- MCC approved both the 2015 DA and the 2023 modification application in the knowledge that the odour impacts would affect a small portion of the AURA site; and
- Riverbend Organics has not yet fully realised the possible full potential of its approved operations.

Riverbend Organics is extremely mindful of operating a rural industry in a rural zone, and of being a good neighbour to adjoining and surrounding current and future residents. It has not received any complaints from the community since operations commenced in 2020. It is also fully aware of the impacts of possible odour on residents in the future.

Riverbend Organic's expectation of both DAs

As such, Riverbend Organics expects that both DA 2024/763 and DA 2025/52 will be amended to **remove any future dwelling sites** from within *the 2 odour unit contour* shown on the Todoroski Report 2022 Figure 6-2 above. Ideally, any land within these contours should not contain any residential lots, and should be limited to an open space reserve, with vegetated buffers. At the very least, there should be an exclusion of dwellings and their building envelopes within these areas. As a consequence, it is suggested that the subdivision layout of both DAs are amended to accommodate this. Further, it would be expected that future buyers should be made aware through Planning Certificates that a rural industry operates nearby and that the subject properties may be subject to odour impacts above that of 2 odour units.

We have communicated the above information to Hadron Group.

Protecting rural land and industries in the Maitland LGA through strategic planning in advance of DAs such as these

As stated previously, we appreciate that both DAs are within the Anambah to Branxton Regionally Significant Growth Area as identified in the *Hunter Regional Plan 2041*. The site also adjoins areas subject to the *Maitland Rural Land Strategy 2041,* adopted in 2023 (MRLS) – Riverbend Organic's composting facility is within the MRLS area. Both of these documents address the critical need to protect rural land and rural industries operating in the Lower Hunter and Maitland LGA. We feel the 'bigger picture' can be resolved by strategic planning work, and should be the preferred way of dealing with our situation, rather than us being forced to 'react' to a development proposal (as we have had to do as above).

In particular, **Planning Principle 2 of the MRLS** is to 'reduce and manage land use conflict'. The Principle, its intent and objectives, focus areas and relationship to the *Hunter Regional Plan 2041* is reproduced below:

3.3 Planning Principle 2
Reduce and manage land use conflict

INTENT

Avoid, minimise and mitigate impacts from existing and new land uses, on both high value agricultural land and from uses on non-agricultural land.

OBJECTIVES

1. Provide ongoing protection for high value agricultural land through land use buffers and separation distances.
2. Limit the impacts of non-agricultural land uses on high value agricultural land, especially those from encroaching urban areas.
3. Avoid land use conflicts and provide land use certainty for rural activities.
4. Minimise land use conflict between new development and existing sensitive land uses, whether located in urban or rural areas.
5. Support the rights of farmers to undertake lawful agricultural practices.
6. Protect rural land and activities with increased biosecurity measures.

FOCUS AREAS

The following 'focus areas' are discussed in this Planning Principle:

- Rural land use conflicts
- Land use buffers and separation distances
- Biosecurity
- Poultry industry
- Equine industry
- Infrastructure sites.

RELATIONSHIP TO HUNTER REGIONAL PLAN 2041

Objectives and accompanying strategies of the HRP 2041 relevant to this Planning Principle are:

- Objective 1: Diversify the Hunter's mining, energy and industrial capacity (Strategy 1.3, 1.4, 1.5)
- Objective 9: Sustain and balance productive rural landscapes (Strategy 9.1, 9.2, 9.5 and 9.6),

As stated at p 35 of the MRLS "Buffers and separation distances are a key tool to managing conflict between a range of rural uses and other uses in rural areas, or on adjoining or nearby urban areas". The MRLS then states that its Strategic Directions under this focus area of Planning Principle 2 are:

STRATEGIC DIRECTIONS

- Buffers and separation distances will be applied to mitigate conflict between land uses in the LGA.
- Detailed 'land use suitability criteria' guidelines are required to assist in determining appropriate locations for new development in, adjoining and near rural and environmental zones. These need to be considered in conjunction with assessing the suitability of developments on 'peri-urban' land generally.

..and further that the Actions arising from this are:

2.5	Prepare 'land use suitability criteria' to be used in the assessment of Planning Proposals for residential and non-agricultural development on rural and environmental land, and on urban land where it is within 500m of Rural or Environmental Zones or specific agricultural operations.	Council	Short term
2.6	Update *Maitland DCP 2011* to establish appropriate buffer areas and separation distances to a range of rural land uses. Refer to NSW DPI's Buffer Zones to Reduce Land Use Conflict with Agriculture – Interim Guideline (2018, or its update).	Council	Short term
2.7	Update *Maitland DCP 2011* relating to: • poultry or equine establishments and developments within the buffer areas of existing establishments. • protect Maitland Airport and its operations, particularly in relation to airport noise and height limitations. • buffers and separation distances around extractive industries, waste management facilities, wastewater treatment facilities and cemeteries.	Council	Short term

We can see that the MRLS committed Council to acting on these key rural land use conflict issues in the *short term,* and would have expected that this was completed *before* major DAs with such significant impacts on surrounding rural land uses (such as the two the subject of this letter) were determined. The existence of land use suitability criteria and DCP controls for buffer areas and separation distances would arguably have meant a different design and concept submitted for the two DAs – a design that would have respected and protected the composting facility.

Further, these two DAs are being assessed in advance of the key *Anambah to Branxton Regionally Significant Growth Area* technical studies - we understand that they are in the early stages, and that such studies would include Odour, Air, Noise and Vibration Assessment. We would expect that these studies would properly assess the impact of future residential development on current rural industries like Riverbend Organic's composting facility and recommend the location and type of residential development accordingly, via a Structure Plan that future applications would need to adhere to. This would be our general preference, rather than developers setting their own masterplans through the provisions of 'Concept DAs' such is the case in these two DAs.

The need to protect our composting facility from encroaching urban development is a prime example of why such strategic work to protect agricultural and rural industries is so important for the economy and living amenity in the Maitland LGA and wider Hunter region.

In conclusion, we would expect that Council and the Planning Panel take the range of issues outlined in this letter into consideration when assessing and determining both DAs. We are happy to talk to Council staff further to clarify any issues.

Kind regards,

[redacted]

Director
AK Environmental Pty. Limited

BARR PLANNING

22NEW0071

9 Dec 2025

Maitland City Council
PO Box 220
Maitland NSW
Submitted via email:

559 Anambah Road
Gosforth
Submission to public Exhibition of Anambah Urban Release Area Draft Area Plan

This submission is made on behalf of Third.i Communities (Third.i) and should be read in conjunction with the submission made on 29 July, 2025 prior to the Draft Area Plan being Exhibited. We remain concerned that the key issues raised in that submission were not considered.

Our particular concern is that the Area Plan does not achieve the outcomes that are mandated by the Environmental Planning and Assessment Act for a DCP, which are as follows;

3.42 Purpose and status of development control plans
(1) The principal purpose of a development control plan is to provide guidance on the following matters to the persons proposing to carry out development to which this Part applies and to the consent authority for any such development—
(a) giving effect to the aims of any environmental planning instrument that applies to the development,
(b) facilitating development that is permissible under any such instrument,
(c) achieving the objectives of land zones under any such instrument.

Our concern is that the DCP does not give effect to the aims of the Maitland LEP, including;

- to allow for future urban development on land within urban release areas and ensure that development on such land occurs in a co-ordinated and cost-effective manner,
- to encourage orderly, feasible and equitable development whilst safeguarding the community's interests, environmentally sensitive areas and residential amenity.

The Draft Area Plan does neither of these things. Rather it inhibits development, limits supply of land, limits the ability to collect Contributions to fund key enabling infrastructure and prevents the deliver of coordinated and cost effective land.

The Draft Area Plan also does not facilitate orderly feasible and equitable development.

[redacted]

maitland CITY COUNCIL

The Draft Area Plan does not facilitate development of residential land. The Draft Area Plan restricts the development of land and provides inequitable access and timing for some landowners, particularly in the south-east, while restricting other land, in particular in the north and west.

The DCP certainly does not aim to provide for the housing needs of the community, it restricts development and does not support the variety of housing types and densities on offer outside of proposed stage 1. Thirdi is offering a wide range of lot sizes to facilitate different development types, including affordable housing, small lot housing and stand alone single dwellings.

Overall the DCP does not facilitate the delivery of the Anambah Release Area, an area that has been identified by Council for future housing in strategic planning documents for decades.

Population Growth

Maitland is experiencing a population boom. The Regional movers index, issued by the Regional Australia Institute, in the March quarter report for 2025, identified Maitland as the 5th highest recipient of population from both capital cities and regional areas in Australia.

The Department of Planning is expecting Maitland to grow at an average annual growth rate of 2% between 2021 and 2041, which equates to average growth of 2211 people per annum achieving a total population of 134,849 by 2041. However, Maitland's own Community Strategic Plan identifies that actual growth is outstripping expectations, with an average annual growth rate of 2.7% and a total expected population of 144,500 by 2041 (Page 19 of the Community Strategic Plan – 2025-2034), this equates to an additional 6 people, every single day, coming to Maitland.

It is clear that the demand for housing is increasing in Maitland.

The Housing Crisis, which is currently affecting Australia, and is prevalent in Maitland, needs to be urgently addressed. According to the Reserve Bank of Australia this crisis in large part is due to the need to rebalance supply and demand and ensure that supply meets demand. That means facilitating development not restricting it, this means having policies that encourage the delivery of housing not stop it.

The DCP, as required by the Environmental Planning and Assessment Act, needs to facilitate development, particularly in an identified urban release area, not curtail it.

The DCP has a number of factors that limit the supply of land to the market. It is also important to note that limiting supply to the market is not consistent across the release area, the staging identifies the land that according to the Draft Area Plan should be released first and what land should be held back. According to the expected timing of the release of Hunter Water assets, which is based on the staging in the DCP, this means that where land is held at the extreme southern part of the Urban Release Area, this will be available for release in the short term, however the land at the north and west will not be available for release for more than 20 years.

The biggest problem with the Draft Area Plan in this regard, is that while it can provide policy settings to encourage the release of land at the south/east of the urban release area, it cannot facilitate this release or guarantee this release as this is reliant on a single Landowner. However, the Draft Area Plan can stop the release of land in the balance of the URA. In this regard, if stage 1 is never delivered or is substantially delayed, the rest of the release area is either not delivered or is delayed. This does not serve the principles of a DCP to facilitate development and arguably sets up an inequitable delivery of development, substantially benefiting landowners in the south/east extent of the urban release area and significantly disadvantaging those in the north and west of the URA extents.

To explain this in the context of the Draft Area Plan, the following controls have been proposed;

- Staging – limits the release of land out of the order prescribed, this benefits the land holders to the south, disadvantages land owners to the north and west. It holds landowners to the north at the whim of the timing and development of the single landowner in the south. (Clause AS 1 of the DCP)
- The LEP , only allows 1200 lots to be released in the URA until such time as the western link road is provided. If the southern land uses the full 1200 lot allocation and provides no road connection to the northern land for access to the western link road, the northern land becomes isolated and is completely beholden to access being provided through the southern land, unless River Road, an existing public Road is available. (Clause 18.3 of the DCP)
- River Road must not be used as restricted or emergency – only vehicular access from the Anambah Urban Release Area. (Clause PC 7 in the DCP)
- The Anambah URA Transport Movement Hierarchy Plan (Figure 4 of the DCP) removes the ability for the northern parcel to have any access on to Anambah Road and therefore must use only roads yet to be constructed as part of stages to the south.
- The road route shown in Figure 4 and reinforced in Figure 5 showing access denied and bus stop routes.
- The precinct layout shown in Figure 8 reinforces the need to deliver stage 1 and restrict other land holders from the delivery of their land. The precinct plans claim they are linked to the delivery of Water and sewer assets, however this is based on the sewer and water strategy prepared by the southern land holder. This is not consistent with advice from Hunter Water to the Northern land holders, which makes it clear services can be provided to the northern land holders as part of the development of their land.

These controls combined effectively work against the release of any land other than stage 1 and provide inequitable delivery of land in the URA.

The controls work together to ensure that the landowner in the south/east part of the site have complete control of the delivery of land for housing in the URA. This is through firstly prioritising the release of land in the south, taking away the opportunity to use River Road as emergency access (despite being adopted for this use in the LEP), using up the 1200 lot limit on southern land while excluding northern land, and not providing access to Anambah Road in the road layout.

All of these matters combine to ensure the following;

- The Anambah Release Area will not facilitate development as required under the LEP
- And does not support the objectives of the zone.

Overall the principles of the Draft Area Plan to allow development of land are reasonable, however the controls work together to ensure that the whole URA is beholden to the delivery of land in the southern part of the release area, with no ability to facilitate this delivery, rather leaving this in the hands of a single landowner to control the release area. This is not a good outcome.

The Community

The residents of Gosforth currently rely solely on Anambah Road for access. When Anambah Road floods these residents have no access to the New England Highway. The Draft Area Plan commits these residents to this continuing for at least the next 20 years while they wait for an alternate flood free access to be provided, at no cost to Council. The Draft Area Plan ignores the current needs for the community while providing priority development opportunities for the landowners in the south of the release area. This is inequitable.

What changes are we requesting;

- Staging should not be restricted to any particular sequence provided essential infrastructure is provided at no cost to the community.
- River Road within the URA must be able to be used for flood free access in accordance with the LEP. This does not inhibit the delivery of the other roads in the URA and provides relief for existing members of the community providing flood free access at the developers cost.
- The Road layout must be amended to provide direct access for stage 4 at the northern end of the URA onto Anambah Road.
- The balance of the URA outside of stage 1 must have the ability to deliver lots within the 1200 lot cap, this should not be reserved for stage 1 only and controlled by stage 1.
- The DCP must be amended to facilitate development of residential land, not restrict and control it.

It is apparent that Maitland Council is achieving substantial population growth and must allow housing supply to meet demand. This DCP does not facilitate that and does nothing to meet the challenge of the housing crisis through facilitating the delivery of housing in an Urban Release Area.

Housing Affordability

As part of ongoing engagement with Maitland Council, we have been advised that due to the Thirdi land being located on the northern periphery of the release area, this this will lead to more expensive housing, and that Council has an obligation to provide housing that is affordable. This LEP has goals that include the provision of affordable housing and to ensure development occurs in a coordinated and cost effective manner.

Ground Swell engineers have tested the infrastructure costs of stage 1 of the Draft Area Plan against the delivery of the Thirdi land to north. The outcomes showed that the land to the north had lower infrastructure costs than stage 1, offering more cost effective land. The development to the north by Thirdi offered affordable housing being delivered as part of the overall housing mix.

The outcome in the Draft Area plan will take away the opportunity to have the most efficient land delivered to the market by locking in stages and will delay the delivery of affordable housing.

The removal of the sequencing would ensure that there are opportunities to deliver the outcomes that are reflected in the LEP.

Please find attached to this letter the working from groundswell on costs to develop.

If you have any queries regarding this information, please do not hesitate to contact [redacted]

Yours sincerely.

[redacted]

[redacted]
Director

DB20 Pty Limited

9 December 2025

The General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Attention: Adam Ovenden – Co-ordinator City Planning

Delivered by Email: [redacted]

Dear Council,

Re: Submission - Draft Anambah DCP

DB20 Pty Limited (DB20) welcomes the opportunity to make this submission on the exhibited Anambah Development Control Plan (Draft ADCP).

1. **Background**

DB20 recognises that the Draft ADCP (including the Staging Plan and Transport Movement Hierarchy) is largely based on foundational planning work completed by Council and others before DB20 became involved in the Anambah Urban Release Area (AURA).

DB20 acknowledges the value of that earlier work in setting the overall structure and key movement networks for AURA. DB20's investment decisions have accepted and aligned with that foundational work.

2. **Support for Key Changes**

Where the Draft ADCP differs from the earlier work, DB20 supports in principle the changes that will benefit AURA, including:

- Enabling additional dwellings over the life of the release area
- Moving the southern connection to Anambah Road to a safer location and allowing flexibility to review the northern connection
- Recognising, in response to contemporary flooding expectations, the benefits of delivering a permanent public road connection to the west of AURA earlier (as proposed by DB20), while noting that other road connections will still be required for AURA.
- keeping the overall road network structure whilst refining the road hierarchy, cross sections and multimodal performance to meet current Council expectations
- supporting Council's broader strategies, including increasing tree canopy and improving vegetation management.

3. Planning Framework and Outcomes

DB20 considers the Draft ADCP, with minor refinements, meets the requirements of Clause 6.3(3) of Maitland LEP 2011. It provides clear guidance for landowners and delivery agencies and can support subdivision design and development assessment under the current known planning framework.

In particular, the Draft ADCP:

DB20 Pty Limited

- Sets out a staging plan for the timely release of land and sequencing of required infrastructure, while allowing variations to be assessed through the development process
- Provides a legible and safe movement network for cars, public transport, pedestrians and cyclists
- protects and improves riparian areas and remnant vegetation
- recognises natural and environmental hazards and provides for planning responses to those
- allows for more detailed controls and variations through precinct plans, consistent with Council's approach in other release areas, and
- supports housing diversity in suitable locations

4. Overall Position

DB20 **generally supports** the Draft ADCP, subject to the comments in the attached submission table to assist Council in finalising the DCP for adoption.

DB20 is available to discuss any of these matters. Please do not hesitate to contact the undersigned if any clarification or further discussion is required.

Yours sincerely,

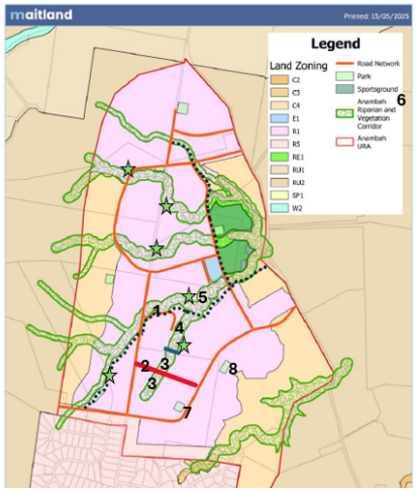
[redacted]

Director – Development

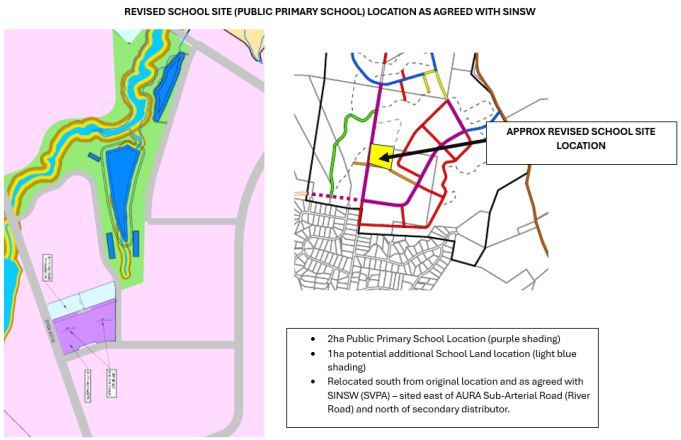
Attachment A – DB20 Review of Draft Anambah DCP

DB20 Pty Limited

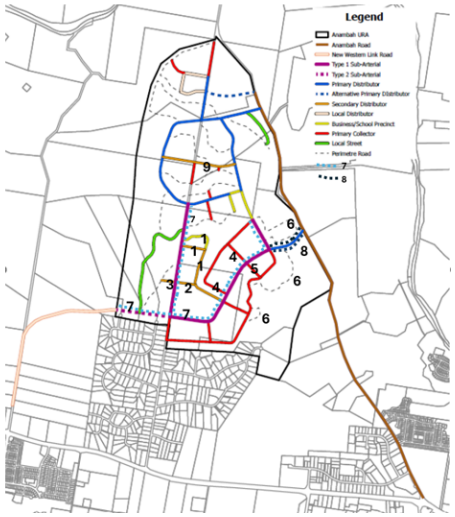
Table 1: DB20 Review – draft Anambah DCP

Item	DB20 Submission
GENERAL PROVISIONS	
Introduction Figure 2 – Anambah Area Plan	Support with refinement • The overview figure should be updated as marked:  1. Delete- school moved 2. Show primary road connection between sub-arterials for new school location (refer School Plan) 3. Delete riparian extent. All historical work and recent ground truthing have aligned with the watercourse discontinuing at location marked with blue line. 4. This line is agreed stream order 1, reduce width to reflect (20m total VRZ, 10m each side) 5. This line is agreed stream order 2, indicative width to reflect 40m total, 20m either side) 6. Add notation to legend 'Parks and Riparian Indicative Only – to be detailed in Precinct Plans and Development Applications' 7. Delete this park – workshopped to delete and consolidate into 1ha park shown at 8. 8. 1ha neighbourhood park workshopped in this location 9. Given need to identify parks co-located with linear parks, suggest delete park squares on linear edges and show asterix and include in legend as 'Linear Park Hub Opportunity' 10. Should include dashed line (black marked) depicting 3m wide off-road cycleway link as workshopped, to inform PP

DB20 Pty Limited

Item	DB20 Submission
	• Identify final school site location and reflect in structure: 
Section 18.1 Staging Plan Figure 3	Support, noting flexibility remains to justify alternative staging
Section 18.3 Transport Movement Hierarchy Figures 4 & 5	Support with refinement • Review Fig 4 updates as marked:

DB20 Pty Limited

Item	DB20 Submission
	

1. Delete 'business/school' and 'secondary distributor' and replace with perimeter road only (school moved)
2. Realign primary road connection between sub-arterials for new school location (refer School Plan), check hierarchy
3. Delete 4-way intersection on sub-arterial road and review need for secondary distributor to west
4. Precinct 1 - update location of primary collector in Precinct 1 (green street) as proposed, and review/discuss southern extent/connection as direct link not proposed
5. Delete 4-way intersection on sub-arterial road and relocate Precinct 2 primary collector to avoid. Pedestrian connection from park to green street to be provided separate to creating 4-way intersection.
6. Delete perimeter road to Stage 1 flood extent edge
7. Depict access denied (lots) location, and label as 'Access Denied Type 1'
8. Depict access denied (lots/local intersections) location, and label as 'Access Denied Type 2'
9. Reconsider this east/west road hierarchy – primary collector or local distributor only, previous traffic analysis identified as secondary collector only, not secondary distributor.
10. Add 3m wide off-road cycleway link within AURA (refer Fig 2 mark up)

- Fig 5 – Amend as consistent with Fig 4 review, adjust bus route to reflect final primary school site location, show access denied to both sides of southern Anambah Road connection and review allocation west of River Road (whilst providing for continuing access to existing dwellings prior to development of those lands).
- PC.3 – Clarify the note at 'no cost to Council' in context of future infrastructure contributions plan or local planning offers – if that road and its intersection is delivered, in a sequence and to an ultimate design to support its overall AURA traffic function (not just to serve a single DA), we would anticipate it may be eligible to be recognised as AURA infrastructure under the current planning framework?

DB20 Pty Limited

Item	DB20 Submission
	• PC.7 – Amend to exclude precautionary, low-risk, infrequent bushfire response arrangements only where outside the public road reserve.
Section 18.6 Overall Landscaping Strategy	Support with refinement • PC.4 – this requirement should be limited to residential lots of 5000m2 or less that immediately adjoin Anambah Road, as it is not necessary for larger C4 lots of 1-3ha, in the south-eastern part of AURA, that have a broad and significant setback from Anambah Road across the flood plain and to their future dwelling areas above the 1% AEP. We note that the previously exhibited draft DCP limited this requirement to the Anambah Road frontage north of the central sportsfield precinct only. • PC.4 – this requirement should also allow for alternatives provided in relevant precinct plans to encourage precinct specific solutions to soften the visual appearance of future built form.
Section 18.7 Passive and Action Recreation Areas	Support with refinement • AS.5 – amend to recognise limited crossing of riparian zones may occur in strategic locations to connect the urban structure
Section 18.11 Residential Densities	Support with refinement • Clarify if headings Streetscape, Side Setbacks, Rear Setbacks, Garage and Driveway are intended to relate only to small lot housing or more generally
PRECINCT 1 REQUIREMENTS	
Preamble	Correct typo reference to Somerset Park East Precinct.
Section 18.14 Transport Movement	Fix formatting to delete Figure 11 inserted into the table but sits as a figure outside the table • PC.5. Delete from e. reference to mature canopies generally touching, as it is already covered by the landscaping provision on tree spacing (Figure 20).
Section 18.17 Visual and Scenic Amenity	This control is more applicable to Precinct 2 than Precinct 1? However, if it is to be retained for Precinct 1, request refinement as follows: • Replace O.80 with this objective 'To consider visual impacts from Anambah House'. This is requested based on review of historical visual impact assessments and to ensure the focus is on minor visual impacts arising due to broader distant outlook from Anambah House. • PC.1 – No objection in principle to managing roof colours noting historical visual impact assessment recommendations, however, it is unclear the basis for the 1.8km distance? Clarify the basis for the 1.8km distance? • PC.2 – Whilst the intent behind this control is well understood, historical recommendations included investigating options for supplementary vegetation, rather than dictating it to be documented in DAs

DB20 Pty Limited

Item	DB20 Submission
	and constructed during certain development and to agreement of a third party on third party lands. Preferably this should be deleted in its entirety. If retained, it should be limited to investigating options for supplementary vegetation that consider visual impacts from Anambah House more generally, and advising on those in DAs, the context of the objective, in case no reasonable agreement can be reached or it varies from that dictated by the draft control or alternative options need to be contemplated.
Section 18.18 Passive and Active Recreation Areas	Support with refinement • PC.1 should be limited to DAs for Precinct 1B, and not for Precinct 1A.
Section 18.20 Key Development Sites	Support with refinement • PC.8 should have 5.5m amended to 3.0m – to recognise that secondary frontages for the parallel lots can differ from typical front setbacks as a 'counter' to the requirement for them to also address the primary frontage and encourage design solutions through DA rather than CDC process. • PC.11 – should the sentence 'building envelopes and access denied locations….' be a separate PC unrelated to PC.11? Agree generally to nominating access denied locations in DA and 88b restrictions, disagree on the need to nominate building envelopes for parallel lots in 88b instrument as controls are clear and provide for flexibility and determination as part of building design.

Department of Climate Change, Energy, the Environment and Water

Your ref: your email dated 21 November 2025
Our ref: DOC25/1013094-2

Adam Ovenden
Coordinator City Planning
Maitland City Council
263 High Street
Maitland, NSW, 2320

By email: [redacted]

Dear Adam,

Subject: Notice of Exhibition - Draft Anambah Development Control Plan (DCP)

Thank you for your email request dated 21 November 2025 seeking advice from the Conservation Programs, Heritage & Regulation Group (CPHR) of the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) on the Exhibition Draft for Anambah Development Control Plan (DCP).

CPHR has reviewed the Draft Development Control Plan (DCP) for the Anambah Urban Release Area prepared by Maitland City Council. CPHR has identified additional areas where improvement can be incorporated into the document. The main issues are summarised below, and more detailed commentary is provided in **Attachment 1** including a review of relevant chapters of the draft DCP. Identified issues include:

- The DCP needs to demonstrate how the biodiversity conservation objectives and controls align with the strategies of Objective 6 of the Hunter Regional Plan 2041.
- All areas of High Environmental Value (HEV) in the release area are required to be mapped within the DCP.
- The DCP needs to strengthen and expand objectives and controls around biodiversity conservation and enhancement.

If you have any further questions about this issue, please contact our Hunter Central Coast Planning Team at [redacted]

Yours sincerely,

[redacted]

[redacted]
Director Hunter Central Coast
Conservation Programs, Heritage & Regulation Group (CPHR)

16 January 2026

Enclosure: Attachment 1

[redacted]

Attachment 1 - CPHR Comments

Notice of Exhibition - Draft Anambah Development Control Plan (DCP)

In preparing this advice CPHR has reviewed the following documents:

- *Anambah Urban Release Area Draft Area Plan, Maitland City Council, November 2025. (DCP)*
- *Ecological Constraints Assessment, Anambah Road, Anambah, NSW, Kleinfelder, Rev 2, May 2013. (ECA)*

Key Assessment Issues

1.	*Consistency with Objective 6 of the Hunter Regional Plan 2041*	Objective 6 of the Hunter Regional Plan 2041 (Regional Plan) requires areas of High Environmental Value (HEV) to be: • identified, mapped and avoided, where possible, within urban growth 'investigation' areas • considered for offsetting opportunities. HEV includes important habitat mapping for serious and irreversible impact species, koala habitat, native vegetation of high conservation value, key habitat for threatened species and populations and threatened ecological communities, wetlands, rivers, estuaries and coastal features of high value. Areas of HEV exist on the site and these should be identified and avoided as outlined in the Regional Plan. Objective 6 of the HRP 2041 has a number of strategies and performance outcomes that are relevant to the DCP. **Recommended action:** • All areas of high environmental value (HEV) in the release area are required to be mapped within the DCP. • The DCP must demonstrate how the biodiversity conservation objectives and controls align with the strategies of Objective 6 of the Hunter Regional Plan 2041 including avoidance, impacts mitigated and provide offsets where there are unavoidable impacts.
	Extent and Timing	Pre-finalisation of DCP

2.	*Biodiversity Offsets Scheme*	The Ecological Constraints Analysis (Kleinfelder, 2013) prepared as part of the original Planning Proposal identified a number of biodiversity values in the study area including: • *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions* (NSW Threatened Ecological Community TEC) • *Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC) • Brush-tailed Phascogale (*Phascogale tapoatafa*)

		• Eastern False Pippistrelle (*Falsistrellus tasmaniensis*) • Little Bent-winged Bat (*Miniopterus australis*) • Large Bent-winged Bat (*Miniopterus orianae oceanensis*) • Eastern Coastal Freetailed-Bat (*Micronomus norfolkensis*) • Grey-headed Flying-fox (*Pteropus poliocephalus*) • 151 habitat trees including 113 hollow-bearing trees, 37 dead stag trees and a nest tree. • A key fauna corridor associated with the central western vegetation remnant on Lot 16 DP19925, Lot 3 DP785359 and Lot 4 DP785359. • Minor corridors associated with drainage lines throughout the site. Previous departmental advice to Council during the Planning Proposal process for this site (dated 2015) highlighted similar issues and recommended avoidance and minimisation of impacts. It is acknowledged that the approved Planning Proposal and draft DCP has adopted some of this advice and partly reflects the biodiversity constraints of the study area particularly in regard to riparian corridors. The Biodiversity Offsets Scheme (BOS) may however be triggered by development applications given the release area is not subject to Biodiversity Certification and there are known occurrences of threatened species, threatened ecological communities and mapped biodiversity values. Development proposals on deemed Category 1 land could also be subject to prescribed impacts under Clause 6.1 of the Biodiversity Conservation Regulation 2017. Current State Vegetation Type Mapping (SVTM) shows nine (9) plant community types (PCT) mapped for the study area. Several of these PCTs are associated with threatened ecological communities as follows: • PCT 3083 is associated with *Lower Hunter Dry Rainforest in the Sydney Basin and North Coast Bioregions (NSW TEC), Lowland Rainforest in the NSW North Coast and Sydney Basin Bioregions* (NSW TEC) and *Lowland Subtropical Rainforest Australia* (C'Wealth TEC) • PCT 3328 is associated with *Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions* (NSW TEC), *River-Flat Eucalypt Forest on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC) and *River-flat eucalypt forest on coastal floodplains of southern New South Wales and eastern Victoria* (C'Wealth TEC) • PCT 3433 is associated with *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions* (NSW TEC) • PCT 3422 is associated with *Lower Hunter Spotted Gum Ironbark Forest in the Sydney Basin and NSW North Coast Bioregions* (NSW TEC) • PCT 3466 is associated with *Hunter Lowland Redgum Forest in the Sydney Basin and New South Wales North Coast Bioregions*

		(NSW TEC) and *Central Hunter Valley eucalypt forest and woodland* (Commonwealth TEC) • PCT 3975 is associated with *Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC) • PCT 4023 is associated with *Swamp Oak Floodplain Forest of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC) and *Coastal Swamp Oak (Casuarina glauca) Forest of New South Wales and South East Queensland ecological community* (C'Wealth TEC) • PCT 4042 is associated with *Subtropical Coastal Floodplain Forest of the NSW North Coast Bioregion* (NSW TEC) In addition part of the southeast section of the study area is mapped on the Biodiversity Values Map as 'Threatened species or communities with potential for serious and irreversible impact (SAII). There is a similar area mapped adjacent to the eastern boundary of the study area on Anambah Road. This does not appear to be clearly shown or mentioned in the DCP. **Recommended action:** • Identify and map all areas of high environmental value in the study area and avoid and minimise impacts wherever possible. • The DCP must clearly state that development proposals within the release area may trigger the Biodiversity Offsets Scheme (BOS), including avoidance and impact minimisation requirements which may require amendments to proposed precinct plans, subdivision layouts and infrastructure locations.
	Extent and Timing	Pre-finalisation of DCP

3.	*Chapter 18.2 Subdivision Design*	While Objective O.3 under Chapter 18.2 mentions ecologically sustainable development, it is recommended that a specific biodiversity conservation objective including prescriptive controls are stated here to ensure that subdivision is designed to avoid direct and indirect impacts on native vegetation, riparian and vegetation corridors and limits the numbers of crossings required over streams. **Recommended action:** • Specific biodiversity conservation objectives and relevant prescriptive controls / acceptable solutions are provided within Chapter 18.2 including the requirements to avoid direct and indirect impacts on native vegetation and riparian and vegetation corridors and limit the numbers of crossings required over streams.
	Extent and Timing	Pre-finalisation of DCP

4.	*Chapter 18.3 Transport Movement Hierarchy*	Objectives and controls are needed to avoid direct and indirect impacts from road crossings of streams. It is acknowledged that the draft DCP requires perimeter roads to be used around riparian networks as per Fact sheet - Controlled activities – Guidelines for riparian corridors on waterfront land (DCCEEW, 2025). **Recommended action:** • An additional objective and related prescriptive controls/acceptable solutions which state that the road network is to be designed to avoid direct and indirect impacts on native vegetation and riparian corridors wherever possible. In this regard minimise the number of creek crossings wherever possible.
	Extent and Timing	Pre-finalisation of DCP

5.	*Chapter 18.6 Overall Landscape Strategy*	Recommendation to strengthen objectives and controls around biodiversity including: • use of only endemic (naturally locally occurring) native species in street planting and public spaces. • requirements for biodiversity rehabilitation, nestbox installation / hollow salvage where hollow-bearing trees are to be removed, and suitable ongoing monitoring and maintenance provisions to ensure effective completion of such measures noting that these could be up to several years or ongoing depending on nestbox type. • Landscaping plans must provide for fully structured native vegetation (not just canopy trees) for the majority of the riparian corridors as per the attached Fact sheet - Controlled activities – Guidelines for riparian corridors on waterfront land (DCCEEW, 2025). • Asset protection zones and all ancillary infrastructure such as utility easements, detention basins and water quality control structures, roads, paths/cycleways, should be located wherever possible outside the riparian corridor or in accordance with the department's guidelines for riparian corridors which may allow some works to be located within the outer 50 per cent of the vegetated riparian zone as per the Fact sheet - Controlled activities – Guidelines for instream works on waterfront land (DCCEEW, 2025). **Recommended action:** • Amend associated PC.1 to require the use of only endemic (naturally locally occurring) native species in street planting and public spaces. • Amend PC.3 to include requirements to prepare vegetation and riparian corridor biodiversity rehabilitation plans for Council approval and the use of only endemic native species in revegetation. Landscaping plans must provide for fully structured native vegetation for the majority of the riparian corridors.
	Extent and Timing	Pre-finalisation of DCP

6.	*Chapter 18.7 Passive and Active Recreation Areas*	Recommendation to better define core riparian zones in draft DCP and how it relates to departmental requirements. **Recommended action:** • Core riparian zones should be better defined and align with the riparian zone definition and protection widths in Fact sheet - Controlled activities – Guidelines for riparian corridors on waterfront land (DCCEEW, 2025).
	Extent and Timing	Pre-finalisation of DCP

7.	*Chapter 18.8 Stormwater and Water Quality*	This Chapter needs to be amended to better reflect the departments position that stormwater detention basins and water quality control structures should be located outside the riparian corridor or in accordance with the department's guidelines for riparian corridors which may allow some works to be located within the outer 50 per cent of the vegetated riparian zone as per the attached Fact sheet - Controlled activities – Guidelines for instream works on waterfront land (DCCEEW, 2025). Note also that the original ecology report identified that some of the riparian areas are part of the threatened ecological community *Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC). These areas should be avoided, managed and rehabilitated and are not suitable for placement of stormwater management detention basins and/or constructed wetlands **Recommended action:** • Identify areas of Freshwater Wetland on Coastal Floodplains TEC within the riparian areas. • Amend AS.2 under Chapter 18.8 to avoid wherever possible placing stormwater detention basins and water quality control structures inside riparian corridors and avoid those parts of the riparian corridor identified as a threatened ecological community and/or areas of high environmental value.
	Extent and Timing	Pre-finalisation of DCP

8.	*Chapter 18.9 Amelioration of Natural and Environmental Hazards*	The location of Objective O.42 to conserve biological diversity and protect threatened species/ecological communities in this chapter appears to be inconsistent with the title of this chapter which focuses on mitigating nature and environmental hazards including flooding and bushfire. It may be more appropriate to place conservation of biodiversity and high environmental values and specific controls in its own chapter within the DCP. CPHR acknowledges PC.7 and PC. 8 under this chapter which requires the development of a Biodiversity Offset/Mitigation Strategy and Vegetation Management Plan, incorporation of existing native vegetation into development design and provision of linkages between remnants. It is recommended that these controls be broadened to include integration with the recommended biodiversity objectives and

		actions in Chapter 18.6 and include requirements for biodiversity rehabilitation, nestbox installation / hollow salvage where hollow-bearing trees are to be removed, and suitable ongoing monitoring and maintenance provisions to ensure effective completion of such measures; noting that these could be up to several years or ongoing. **Recommended action:** • Biodiversity conservation be given its own chapter, objectives and actions. • Objective O.42 be amended to include protection and enhancement of high environmental values (HEV) including biodiversity, threatened species, ecological communities and riparian areas to better align with Objective 6 of the Hunter Regional Plan 2046. • PC.7 and PC. 8 be broadened to include integration with the recommended biodiversity objectives and actions in Chapter 18.6 and include requirements for biodiversity rehabilitation, nestbox installation / hollow salvage where hollow-bearing trees are to be removed, and suitable ongoing monitoring and maintenance provisions to ensure effective completion of such measures; noting that these could be up to several years or ongoing.
	Extent and Timing	Pre-finalisation of DCP

9.	*Chapter 18.10. Key Development Sites*	Include additional details to better define protection and enhancement of HEV. **Recommended action:** Expand PC.1 under Objective O.44 to include: • Protection and enhancement of high environmental values including wildlife corridors, riparian areas, threatened species and ecological communities including within C4 zoned private land. • Protection and enhancement of the identified key fauna corridor associated with the central western vegetation remnant on current Lot 16 DP19925, Lot 3 DP785359 and Lot 4 DP785359.
	Extent and Timing	Pre-finalisation of DCP

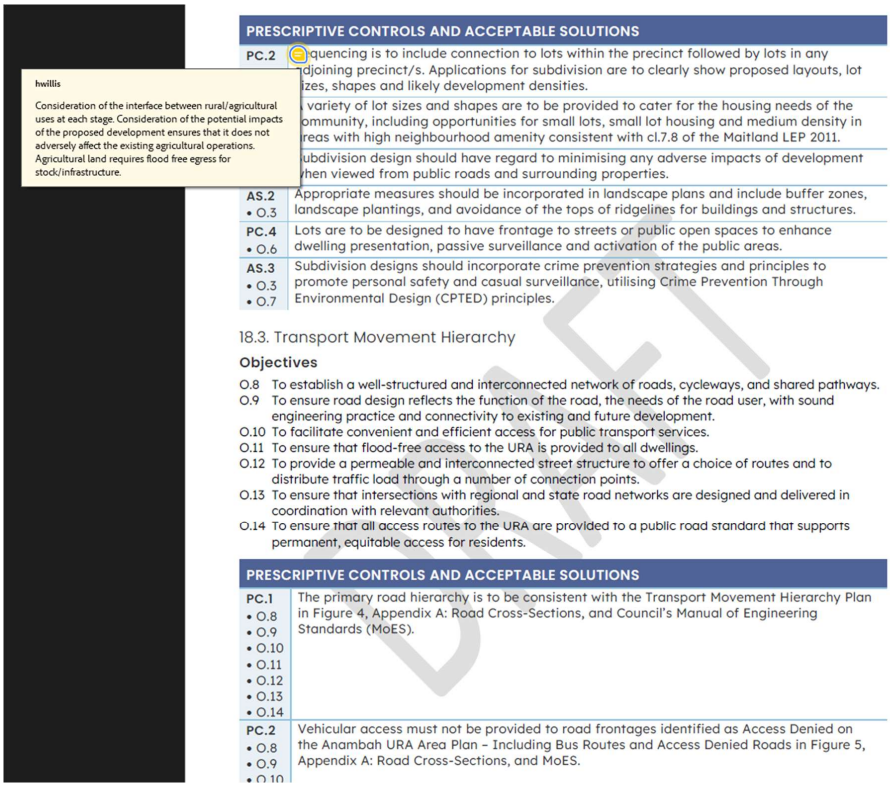
10.	*Precinct Plan Requirements - General*	Include additional details to better define protection and enhancement of HEV. **Recommended action:** • Expand requirements to include protection and enhancement of high environmental values including wildlife corridors, riparian areas, threatened species and ecological communities within each precinct.
	Extent and Timing	Pre-finalisation of DCP

11.	*Development Requirements – Anambah URA Precinct 1* *Chapter 18.16 Overall Landscaping Strategy*	Include additional details to better define protection and enhancement of HEV and rehabilitation of retained areas. **Recommended action:** • Objective O.78 and relevant controls be expanded to include protection and enhancement of high environmental values including wildlife corridors, riparian areas, threatened species and ecological communities. • Amend PC.1 under O.77 to require the use of only endemic (naturally locally occurring) native species in street planting and public spaces. • Amend PC.5 under O.78 to include requirements to prepare vegetation and riparian corridor biodiversity rehabilitation plans for Council approval and the use of only endemic native species in revegetation. Landscaping plans must provide for fully structured native vegetation for the majority of the riparian corridors.
	Extent and Timing	Pre-finalisation of DCP

12.	*Development Requirements – Anambah URA Precinct 1* *Chapter 18.18 Passive and Active Recreation Areas*	Include additional details to better define protection and enhancement of vegetation and riparian corridors. **Recommended action:** • Ensure proposed passive and active recreation areas do not impact on biodiversity conservation objectives for riparian and other vegetation corridors.
	Extent and Timing	Pre-finalisation of DCP

13.	*Development Requirements – Anambah URA Precinct 1* *Chapter 18.19 Stormwater and Water Quality*	This Chapter needs to be amended to better reflect the departments position that stormwater detention basins and water quality control structures should be located outside the riparian corridor or in accordance with the department's guidelines for riparian corridors which may allow some works to be located within the outer 50 per cent of the vegetated riparian zone as per the attached Fact sheet - Controlled activities – Guidelines for instream works on waterfront land (DCCEEW, 2025). Note also that the original ecology report identified that some of the riparian areas are part of the threatened ecological community *Freshwater Wetlands on Coastal Floodplains of the New South Wales North Coast, Sydney Basin and South East Corner Bioregions* (NSW TEC). These areas should be avoided, managed and rehabilitated and are not suitable for placement of stormwater management detention basins and/or constructed wetlands. **Recommended action:** • Identify areas of Freshwater Wetland on Coastal Floodplains TEC within the riparian areas. • Amend AS.1 under Chapter 18.19 to avoid wherever possible placing stormwater detention basins and water quality control

		structures inside riparian corridors and avoid those parts of the riparian corridor identified as a threatened ecological community and/or area of high environmental value.
	Extent and Timing	Pre-finalisation of DCP



hwillis

Consideration of the interface between rural/agricultural uses at each stage. Consideration of the potential impacts of the proposed development ensures that it does not adversely affect the existing agricultural operations. Agricultural land requires flood free egress for stock/infrastructure.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2	quencing is to include connection to lots within the precinct followed by lots in any djoining precinct/s. Applications for subdivision are to clearly show proposed layouts, lot izes, shapes and likely development densities.
	variety of lot sizes and shapes are to be provided to cater for the housing needs of the ommunity, including opportunities for small lots, small lot housing and medium density in reas with high neighbourhood amenity consistent with cl.7.8 of the Maitland LEP 2011.
	ubdivision design should have regard to minimising any adverse impacts of development hen viewed from public roads and surrounding properties.
AS.2 • O.3	Appropriate measures should be incorporated in landscape plans and include buffer zones, landscape plantings, and avoidance of the tops of ridgelines for buildings and structures.
PC.4 • O.6	Lots are to be designed to have frontage to streets or public open spaces to enhance dwelling presentation, passive surveillance and activation of the public areas.
AS.3 • O.3 • O.7	Subdivision designs should incorporate crime prevention strategies and principles to promote personal safety and casual surveillance, utilising Crime Prevention Through Environmental Design (CPTED) principles.

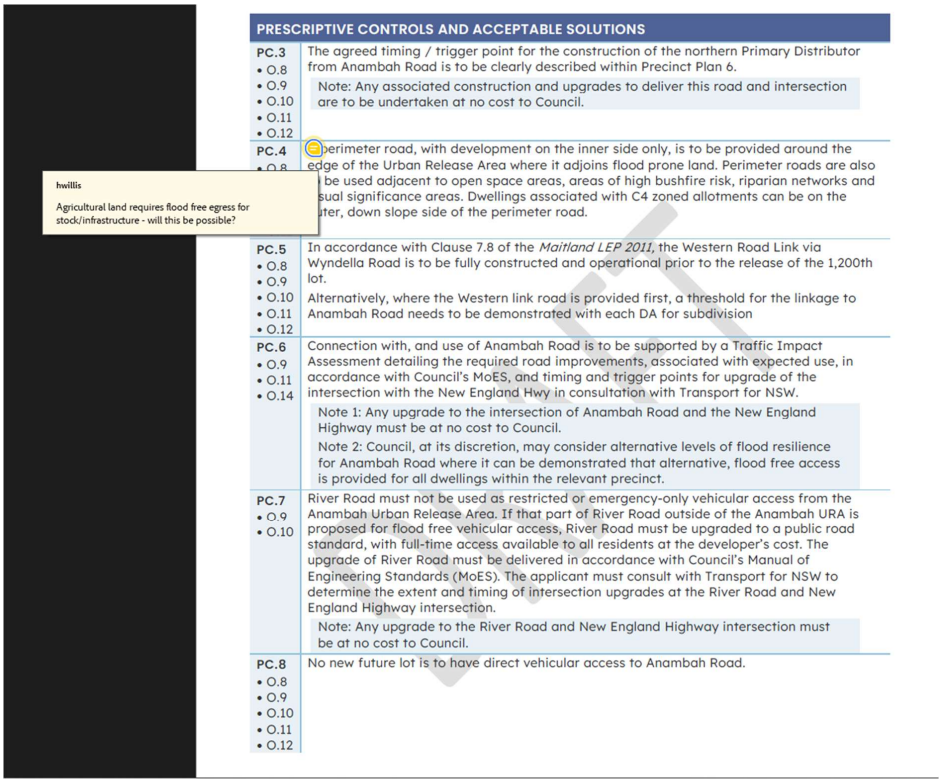
18.3. Transport Movement Hierarchy

Objectives

O.8 To establish a well-structured and interconnected network of roads, cycleways, and shared pathways.
O.9 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.
O.10 To facilitate convenient and efficient access for public transport services.
O.11 To ensure that flood-free access to the URA is provided to all dwellings.
O.12 To provide a permeable and interconnected street structure to offer a choice of routes and to distribute traffic load through a number of connection points.
O.13 To ensure that intersections with regional and state road networks are designed and delivered in coordination with relevant authorities.
O.14 To ensure that all access routes to the URA are provided to a public road standard that supports permanent, equitable access for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.9 • O.10 • O.11 • O.12 • O.13 • O.14	The primary road hierarchy is to be consistent with the Transport Movement Hierarchy Plan in Figure 4, Appendix A: Road Cross-Sections, and Council's Manual of Engineering Standards (MoES).
PC.2 • O.8 • O.9 • O.10	Vehicular access must not be provided to road frontages identified as Access Denied on the Anambah URA Area Plan – Including Bus Routes and Access Denied Roads in Figure 5, Appendix A: Road Cross-Sections, and MoES.

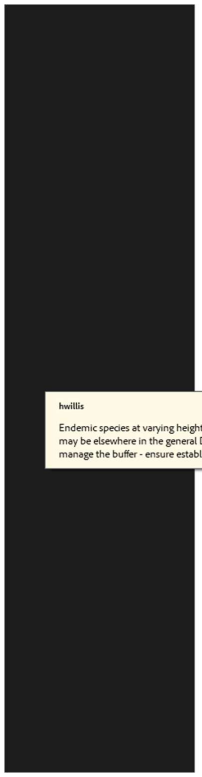
DRAFT



PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.3 • O.8 • O.9 • O.10 • O.11 • O.12	The agreed timing / trigger point for the construction of the northern Primary Distributor from Anambah Road is to be clearly described within Precinct Plan 6. Note: Any associated construction and upgrades to deliver this road and intersection are to be undertaken at no cost to Council.
PC.4 • O.8	perimeter road, with development on the inner side only, is to be provided around the edge of the Urban Release Area where it adjoins flood prone land. Perimeter roads are also be used adjacent to open space areas, areas of high bushfire risk, riparian networks and sual significance areas. Dwellings associated with C4 zoned allotments can be on the ter, down slope side of the perimeter road.
PC.5 • O.8 • O.9 • O.10 • O.11 • O.12	In accordance with Clause 7.8 of the *Maitland LEP 2011*, the Western Road Link via Wyndella Road is to be fully constructed and operational prior to the release of the 1,200th lot. Alternatively, where the Western link road is provided first, a threshold for the linkage to Anambah Road needs to be demonstrated with each DA for subdivision
PC.6 • O.9 • O.11 • O.14	Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements, associated with expected use, in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. Note 1: Any upgrade to the intersection of Anambah Road and the New England Highway must be at no cost to Council. Note 2: Council, at its discretion, may consider alternative levels of flood resilience for Anambah Road where it can be demonstrated that alternative, flood free access is provided for all dwellings within the relevant precinct.
PC.7 • O.9 • O.10	River Road must not be used as restricted or emergency-only vehicular access from the Anambah Urban Release Area. If that part of River Road outside of the Anambah URA is proposed for flood free vehicular access, River Road must be upgraded to a public road standard, with full-time access available to all residents at the developer's cost. The upgrade of River Road must be delivered in accordance with Council's Manual of Engineering Standards (MoES). The applicant must consult with Transport for NSW to determine the extent and timing of intersection upgrades at the River Road and New England Highway intersection. Note: Any upgrade to the River Road and New England Highway intersection must be at no cost to Council.
PC.8 • O.8 • O.9 • O.10 • O.11 • O.12	No new future lot is to have direct vehicular access to Anambah Road.

hwillis

Agricultural land requires flood free egress for stock/infrastructure - will this be possible?



PC.1 • O.22 • O.23 • O.24	Detailed landscape plans are to be submitted with the development application for initial subdivision of any site. The landscape plans must include, where applicable, details for all streets and public spaces, identifying appropriate street tree species and number, fencing details, landscape elements, water bodies and street furniture.
PC.2 • O.22 • O.23 • O.24	Primary landscaping works will be required for all: • major intersections, including connections to Anambah Road, • areas of open space, • riparian corridors, • playing fields, • local parks, and • identified vegetation buffer areas within the relevant Precinct Plan.
AS.1 • O.22 • O.23 • O.24	Existing trees are to be retained wherever possible within open space/ riparian areas, or in the front setback of lots fronting streets.
PC.3 • O.22 • O.23 • O.24	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.
PC.4 • O.25	10-metre-wide landscaped buffer must be provided wholly within the boundaries of lots adjoining Anambah Road to screen the built form and reduce noise impacts. Any fencing is be of an open style rural fence located on the dwelling side of the landscape buffer. tails of the buffer must be shown in the landscape plan.

hwillis

Endemic species at varying heights and spacings - this may be elsewhere in the general DCP. Who will actively manage the buffer - ensure establishment and continue

ve and Active Recreation Areas

Objectives

O.26 To ensure that neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents.
O.27 To provide an equitable distribution of public open space and recreation opportunities.
O.28 To ensure good quality of design and embellishment of the public domain.
O.29 To ensure that passive and active recreation areas are linked through an adequate active transport network.
O.30 To establish linear parks within riparian corridors that provide connected, high-quality passive recreation opportunities integrated with the natural landscape.
O.31 To ensure that linear parks are designed and landscaped to enhance biodiversity, support flood resilience, and bushfire threat management and contribute to tree canopy to compliment their public purposes for active movement, open space and recreation.

DRAFT

**Department of Climate Change,
Energy, the Environment and Water**

Our ref: HMS 12660

Adam Ovenden
Coordinator, City Planning
Maitland City Council
[redacted]

Heritage NSW advice

Draft Development Control Plan – Anambah Urban Release Area

Dear Adam

Heritage NSW appreciates the opportunity to comment on the draft Development Control Plan (DCP) for the Anambah Urban Release Area (URA).

Previous Heritage NSW advice on Anambah to Branxton Regionally Significant Growth Area

We note that the URA is in the Anambah to Branxton Regionally Significant Growth Area (RSGA). Heritage NSW provided advice on the RSGA to the Department of Planning, Housing and Infrastructure on 20 September 2024.

In this advice we made recommendations on Aboriginal cultural heritage, environmental heritage (State and Local heritage) and historical archaeology, in summary:

- preparation of the following heritage assessments to inform precinct planning:
  - Aboriginal Cultural Heritage Assessment Report
  - Statement of Heritage Impact, and
  - Historical Archaeological Assessment
- advising that given the size of the RSGA, consideration may need to be given to splitting up of specialist studies and consultation into smaller precincts or packages of work
- noting that our advice had been proposed to address potential impacts from the RSGA on listed and potential heritage values in the RSGA, and that early assessment at the strategic planning stage provided the best opportunity to:
  - identify and protect heritage values
  - provide certainty to all parties about future heritage management requirements, and
  - inform future planning and detailed design.

Advice on draft Anambah Urban Release Area Development Control Plan

Aboriginal cultural heritage

Heritage NSW has reviewed the draft DCP against our previous advice and note that it appears that Council has incorporated some our advice on the RSGA into the draft DCP, specifically in relation to Aboriginal cultural heritage assessment, including requirement for:

- an Aboriginal Cultural Heritage Assessment Report (ACHAR) to be provided with every development application for land within the Anambah URA
- development within or adjacent to land that contains a known Aboriginal cultural heritage site will consider and comply with the requirements of the *National Parks and Wildlife Act 1974*
- proposals must identify any areas of Aboriginal cultural heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that will be retained and protected with appropriate management protocols.

We consider the above to be positive Aboriginal cultural heritage requirements. We note that there may be opportunities for economies of scale for the proposed ACHA requirement, by undertaking these at a precinct-based level, or by grouping several proposed development sites.

Environmental heritage (State and Local heritage)

It does not appear the Statement of Heritage Impact (SOHI) which we recommended in our previous advice has been undertaken, as such we are unable to assess the potential impacts on either State or Local heritage.

We recommend that a SOHI is prepared prior to development of the URA to ensure identification, avoidance, management and mitigation measures for any State and Local heritage within or in proximity to the URA.

We note that, as Local heritage is protected under the *Environmental Planning and Assessment Act 1979* and under Council's LEP, Council is the consent authority, and the assessment and consideration of impacts on Local heritage rests with Council.

We note that the Heritage Council of NSW, and Heritage NSW as its Delegate, do not have a role in the assessment or approval of impacts to local heritage, unless those impacts are to archaeological sites or relics, which require management under the *Heritage Act 1977*.

Historical archaeology

It does not appear the Historical Archaeological Assessment (HAA) which we recommended in our previous advice has been undertaken, as such we are unable to assess potential impacts on historical archaeology.

We recommend that HAA is prepared prior to development of the URA to ensure identification, avoidance, management and mitigation measures for any historical archaeology within or in proximity to the URA.

[redacted]

Yours sincerely

[redacted]

Strategic Manager, Planning Referrals
Heritage NSW
As delegate of the Heritage Council of NSW and for Heritage NSW
19 December 2025

[redacted]

[redacted]

Hunter Quarries Submission:

Draft Anambah URA Development Control Plan 2025

December 2025



[redacted]

19 December 2025

Jeff Smith
General Manager
Maitland City Council
PO Box 220
Maitland NSW 2320

Via email: ask@maitland.nsw.gov.au

RE: Hunter Quarries Submission
Draft Anambah Urban Release Area Development Control Plan

Dear Jeff,

Please find attached submission from Hunter Quarries Pty Ltd (HQPL) in relation to the Draft Anambah Urban Release Area Development Control Plan (draft DCP).

HQPL own and operate the Gosforth Rhyolite Quarry (GRQ) (the Quarry), which is located at 75 Valley Street, Gosforth (Lot 3 DP 883399). The Quarry has been in operation since the early 1960's and operates in accordance with Development Consent DA/95/127 (as modified) which was granted by Maitland City Council on 13 March 2001.

The Quarry forms part of an integrated group of quarries operated by HQPL within the Hunter Region, which include the Karuah East Quarry (MP09_0175), the Karuah Hard Rock Quarry (DA 265-10-2004) and the Tea Gardens Quarry (DA 2384). The GRQ site produces high-quality rhyolite that has a high polished aggregate friction value (PAFV) allowing the material to be used for specialty road sealing and asphalt uses, particularly around intersections, deceleration lanes and other applications requiring a high degree of vehicle braking, cornering or manoeuvring.

HQPL's primary concern is to ensure that the ongoing operation of the GRQ is not compromised by future incompatible development within the Anambah Urban Release Area, which will be guided by the draft DCP.

Our submission is separated into three (3x) sections that address the following elements:

- Draft DCP Sections 18.3 Transport Movement Hierarchy and 18.4 Road Design;
- Draft DCP Section 18.10 Key Development Sites; and
- Draft DCP Precinct Plan Requirements – General.

We appreciate the opportunity to comment on Council's Draft Anambah Urban Release Area DCP. Should you have any questions regarding this submission, please contact myself on [redacted] or by email at [redacted]

Kind Regards,

[redacted]
Environment & Development Manager
Hunter Quarries

Contents

Submission Cover Letter **2**

Contents **3**

1.0 Background and Introduction **4**

1.1 Gosforth Rhyolite Quarry 4

1.2 Strategic Importance 7

1.3 Draft Anambah Urban Release Area Development Control Plan 7

2.0 Draft Sections 18.3 Transport Movement Hierarchy and 18.4 Road Design **8**

3.0 Draft Section 18.10 Key Development Sites **9**

4.0 Precinct Plan Requirements - General **11**

5.0 Summary of Submission **13**

1.0 Background and Introduction

1.1 Gosforth Rhyolite Quarry

Hunter Quarries Pty Ltd (HQPL) operates the Gosforth Rhyolite Quarry (GRQ) (the Quarry) located at 75 Valley Street, Gosforth (Lot 3 DP 883399), approximately 12 km north-west of the Maitland town centre.

The GRQ site produces high-quality rhyolite that has a high polished aggregate friction value (PAFV) allowing the material to be used for specialty road sealing and asphalt uses, particularly around intersections, deceleration lanes and other applications requiring a high degree of vehicle braking, cornering or manoeuvring.

Quarry operations at the site commenced in the early 1960's and currently operate in accordance with Development Consent DA/95/127 (as modified), which was granted on 13 March 2001 by Maitland City Council for the 'Expansion of Gosforth Quarry'. The Development Consent has been subject to one (1) modification, which was granted approval on 14 May 2002.

A Locality Plan is provided in **Figure 1** and a Site Context Plan with buffer distances provided in **Figure 2.**

The Development Consent permits the following activities at the site:

- The extraction of a total of 770,000 tonnes of rhyolite material from the site over four (4) stages. Operation of the Quarry is permitted under the Development Consent until the total resource as identified in the four (4) stages has been extracted.
- Extraction operations including drilling, blasting, crushing, screening and stockpiling material using mobile equipment.
- Maximum annual throughput of 30,000 tonnes per annum to be undertaken during two (2) campaigns annually as follows:
    - Extraction operations to occur during two (2) periods of up to seven (7) working days; and
    - The removal of crushed rock to occur during two (2) periods of up to fourteen (14) working days (the first seven being inclusive of extraction operations).
- Operating hours associated with each campaign are limited to 7.00am to 4.00pm Monday to Friday (excluding public holidays).
- Material to be hauled from the site via an internal access road to Valley Street and then via Anambah Road to reach the New England Highway and the state road network. Daily truck movements are limited to a maximum of 14 per hour (laden and/or unladen). Maximum daily truck movements are 126 in total (laden and/or unladen).

HQPL intend to rely on the Development Consent to continue to carry out quarrying operations (in accordance with the conditions of the Development Consent) until the resource has been exhausted. This is expected to occur over an extended period of time, noting that annual extraction is capped at 30,000 tonnes per annum and rhyolite sales are driven by fluctuations in market demand.

Preliminary resource investigations have identified that the site likely contains further reserves of quarry products and other construction materials (including rhyolite currently targeted) extend beyond the currently approved quarry extraction layout. As such, when the Quarry is approaching exhaustion of the approved resource, HQPL will seek to continue the GRQ operation to extract the identified resource via a new quarry development application.

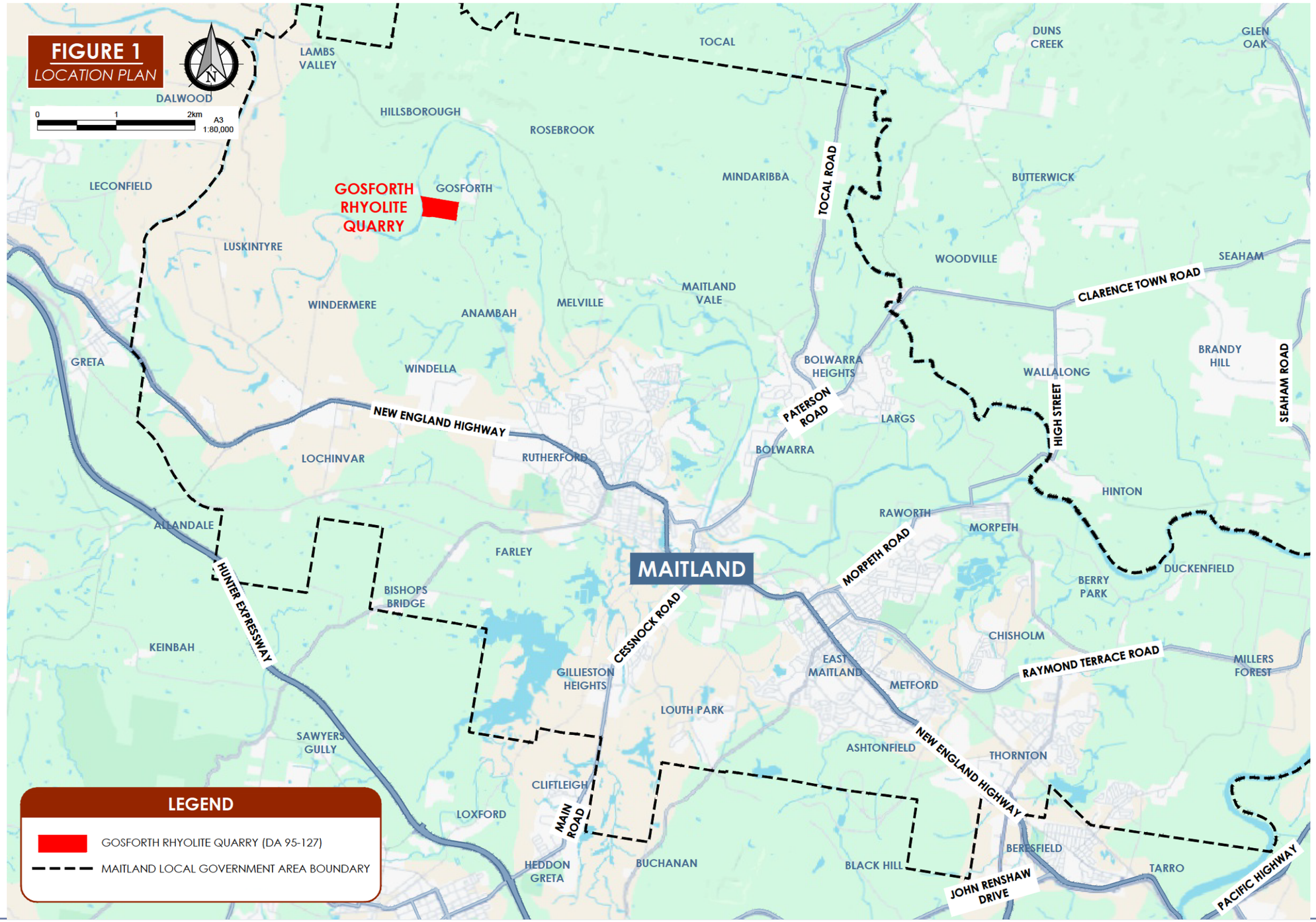


FIGURE 1
LOCATION PLAN
N
0
1
2km
A3
1:80,000
GOSFORTH RHYOLITE QUARRY
LAMBS VALLEY
TOCAL
DUNS CREEK
GLEN OAK
DALWOOD
HILLSBOROUGH
ROSEBROOK
LECONFIELD
GOSFORTH
MINDARIBBA
TOCAL ROAD
BUTTERWICK
LUSKINTYRE
WOODVILLE
SEAHAM
CLARENCE TOWN ROAD
WINDERMERE
ANAMBAH
MELVILLE
MAITLAND VALE
BRANDY HILL
SEAHAM ROAD
GRETA
WINDELLA
BOLWARRA HEIGHTS
WALLALONG
HIGH STREET
PATERSON ROAD
LARGS
NEW ENGLAND HIGHWAY
LOCHINVAR
RUTHERFORD
BOLWARRA
HINTON
RAWORTH
MORPETH
ALLANDALE
FARLEY
MAITLAND
MORPETH ROAD
DUCKENFIELD
BERRY PARK
HUNTER EXPRESSWAY
BISHOPS BRIDGE
CESSNOCK ROAD
CHISHOLM
KEINBAH
GILLIESTON HEIGHTS
EAST MAITLAND
RAYMOND TERRACE ROAD
MILLERS FOREST
METFORD
LOUTH PARK
SAWYERS GULLY
ASHTONFIELD
NEW ENGLAND HIGHWAY
THORNTON
CLIFTLEIGH
LOXFORD
MAIN ROAD
BERESFIELD
HEDDON GRETA
BUCHANAN
BLACK HILL
TARRO
JOHN RENSHAW DRIVE
PACIFIC HIGHWAY
LEGEND
GOSFORTH RHYOLITE QUARRY (DA 95-127)
MAITLAND LOCAL GOVERNMENT AREA BOUNDARY

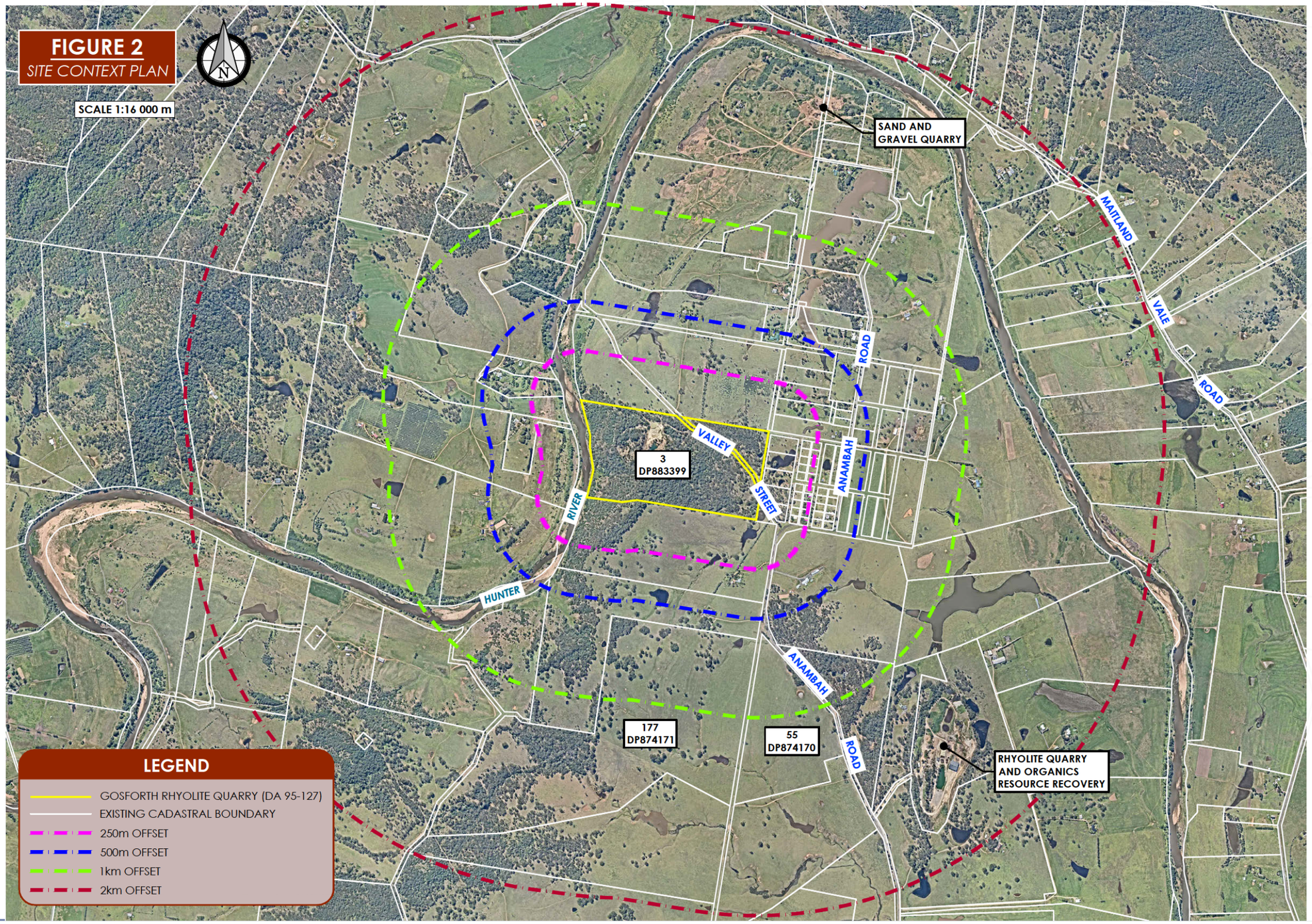


FIGURE 2
SITE CONTEXT PLAN
SCALE 1:16 000 m
N
SAND AND GRAVEL QUARRY
MAITLAND
VALE
ROAD
ROAD
VALLEY
STREET
ANAMBAH
RIVER
3 DP883399
HUNTER
ANAMBAH
ROAD
177 DP874171
55 DP874170
RHYOLITE QUARRY AND ORGANICS RESOURCE RECOVERY
LEGEND
GOSFORTH RHYOLITE QUARRY (DA 95-127)
EXISTING CADASTRAL BOUNDARY
250m OFFSET
500m OFFSET
1km OFFSET
2km OFFSET

1.2 Strategic Importance

The GRQ site forms part of an integrated group of quarries operated by HQPL within the Hunter region, which also include the Karuah East Quarry (MP 09_0175), the Karuah Hard Rock Quarry (DA 265-10-2004) and the Tea Gardens Quarry (DA 2384).

Material extracted from these operations contributes towards satisfying market demand associated with various State Significant Infrastructure (SSI) projects in the Greater Newcastle, Hunter Valley and Mid-North Coast regions. Current projects include the Pacific Highway widening at Hexham Straight, the M1 Pacific Motorway extension to Raymond Terrace (SSI-7319), the Newcastle Inner-City Bypass (SSI-6888) and the Singleton Bypass. These projects are essential to delivering improved connectivity of the Maitland LGA with the Newcastle – Lake Macquarie urban area as well as the adjacent Mid-North Coast and Upper Hunter regions.

HQPL has a large customer base that includes Transport for NSW, a number of local Councils, the Port of Newcastle, Ausgrid, Newcastle Airport as well as the general construction, development and infrastructure industries within Greater Newcastle, the Hunter Valley and the Mid-North Coast Regions. The long-term operation of the site will continue to provide an ongoing contribution to public benefits through the provision of local employment opportunities and the continued supply of quality materials to support infrastructure projects, land development and the broader construction industry.

It is essential that any new DCP provisions for the Anambah Urban Release Area (URA) do not compromise the ongoing operation of GRQ site in accordance with the existing Development Consent (i.e. by allowing incompatible development in the vicinity of the Quarry to be established).

The implementation of appropriate DCP controls for the Anambah URA will ensure that the Quarry's ongoing contribution to the local economy and the supply of quarry products and other construction materials to support local housing, development and infrastructure projects is not compromised.

1.3 Draft Anambah Urban Release Area Development Control Plan

HQPL has undertaken a review of the draft Anambah URA Development Control Plan (DCP). HQPL support the intent of establishing specific controls to guide future development within the Anambah URA.

However, we raise concerns regarding the protection of the GRQ from land-use conflicts, particularly within the northern portion of the Anambah URA. HQPL considers it essential that Development Controls are established to ensure that the ongoing operations of the GRQ are appropriately considered by new development within the URA.

Our comments on the draft DCP are provided below.

2.0 Draft Sections 18.3 Transport Movement Hierarchy and 18.4 Road Design

HQPL generally supports the Transport Movement Hierarchy Plan provided within Figure 4 of the draft DCP, in particular noting that access to the URA is to be primarily provided via a new flood free Western link Road, with secondary access from Anambah Road. HQPL notes that the Western Link Road is required to be in place before Lot 1200 is released.

HQPL also strongly supports the restriction of access for individual allotments within the URA that will have future frontage to Anambah Road (as shown as 'Access Denied' in Figure 5 Anambah URA Area Plan [Bus Routes & Access Denied Roads]) and confirmed in draft DCP provision PC.8.

Notwithstanding this, the Hierarchy Plan shows two (2) primary distributors into the URA from Anambah Road. Any future Development Applications that propose either of these future intersections should be accompanied by a Traffic Impact Assessment (TIA) that considers existing uses, including heavy vehicles associated with the GRQ site. It is acknowledged that the requirement for a Traffic Impact Assessment is included in draft control PC.6 (extract provided below), however HQPL request that a new note to the draft control be added to specifically reference heavy vehicle use associated with established extractive industries that use Anambah Road.

PC.6 • O.9 • O.11 • O.14	Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements, associated with expected use, in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. Note 1: Any upgrade to the intersection of Anambah Road and the New England Highway must be at no cost to Council. Note 2: Council, at its discretion, may consider alternative levels of flood resilience for Anambah Road where it can be demonstrated that alternative, flood free access is provided for all dwellings within the relevant precinct.

Anambah Road is a local rural road with a speed limit of 100 km/h with one travel lane available in each direction with no shoulder, kerb or gutter system, or separated cycle or pedestrian facilities. During the GRQ's operational campaigns, up to 126 heavy vehicle movements per day (total laden and/or unladen) (and up to 14 per hour) use Anambah Road to access the New England Highway and the state road network at Rutherford.

Accordingly, any future TIA should be required to consider the following:

- Potential for safety issues generated for people entering / exiting the URA and operators of heavy vehicles using Anambah Road;
- Appropriate intersection design for heavy vehicles from the Quarry using Anambah Road;
- Suitable pavement standard for heavy vehicle to pass through without any load restrictions;
- Required speed limit changes;
- Consideration of pedestrian and cyclist safety; and
- Consideration of the cumulative impacts from other quarries, resource recovery facilities and other industry within the Gosforth peninsula.

HQPL considers it essential that continued heavy vehicle access to the GRQ via Anambah Road site is maintained.

3.0 Draft Section 18.10 Key Development Sites

HQPL notes that draft control PC.1, O.44, references a 'quarry site buffer (C4 Environmental Living zoned land)'. An extract is provided below.

PC.1 • O.44	The following key development sites are to be included and appropriately addressed in the relevant precinct plans which are to include concept designs, site plans and development guidelines: • Commercial/shopping precinct and Community facilities • Windella Estate surrounds • C4 Environmental Living zone • Management of EEC's located within C4 zoned private land • School • Quarry site buffer (C4 Environmental Living zoned land) • Gateway site (Western Link Road Entrance) • Small lot housing • Recreational Sports Fields

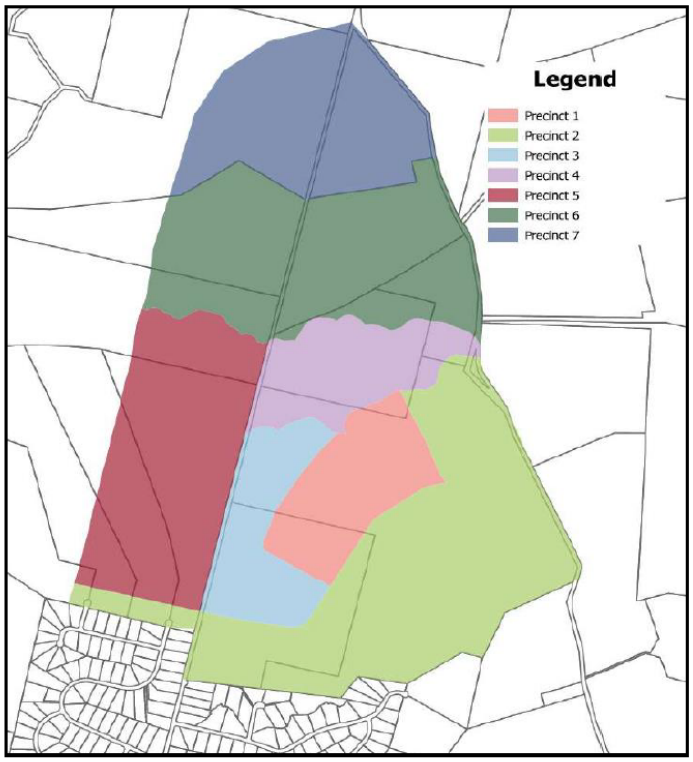
Based on a review of zonings within the URA and land uses surrounding the URA, HQPL understands that this provision is likely relevant to the established rhyolite quarry / organics recovery facility on the opposite side of Anambah Road to the east of the URA (refer to the Zoning Plan provided in Figure 3 below).

HQPL is of the position that it is also appropriate for draft clause to be included in PC.1, O.44 to establish a quarry buffer along the northern edge of the URA, generally within 1km of the GRQ as shown in Figure 3. Alternatively, for the reasons identified within Section 4.0 below, it is appropriate for any future proposed residential development within 1km from the GRQ site to be subject to a range of contemporary environmental studies to confirm that residential development is acceptable having regard to operation of the GRQ now and into the future.


FIGURE 3
ZONING PLAN
N
0
150
300
375m
A3
1:15,000
RU2
RU1
C2
C4
R1
RE1
3
DP883399
177
DP874171
55
DP874170
VALLEY
STREET
RIVER
HUNTER
ANAMBAH
ROAD
MAITLAND
VALE
LEGEND
GOSFORTH RHYOLITE QUARRY (DA 95-127)
ANAMBAH URBAN RELEASE AREA
RHYOLITE QUARRY AND ORGANICS RECOVERY
EXISTING CADASTRAL BOUNDARY
500m OFFSET
1km OFFSET
2km OFFSET
MAITLAND LEP 2011 ZONING
C2 -Environmental Conservation
C4 - Environmental Living
R1 - General Residential
RE1 - Public Recreation
RU1 - Primary Production
RU2 - Rural Landscape

4.0 Precinct Plan Requirements - General

HQPL observes that the draft DCP divides the URA into 7 precincts, as shown in the below extract. Precinct 7 sits within the 4th and final Stage of the Anambah URA (as shown in the Anambah URA Staging plan).



The draft DCP requires a 'Precinct Plan' to be adopted by Council prior to the determination of any Development Application for subdivision of land within that precinct. Requirements for each precinct plan are specified within the draft DCP.

HQPL observe that two (2) Development Applications have been submitted within 'Precinct 7', as follows:

- DA/2025/52 – Concept Development Application for a Manufactured Home Estate (MHE) (332 sites). Stage 1 - 291 Dwelling Sites, Community Facilities & Open Space, Road Infrastructure, Services, Drainage Reserve, Landscaping & Caravan Storage Area. This application is currently under assessment.

- DA/2024/763 – Concept Development Application for Two (2) into Nine Hundred (900) Lot Staged Torrens Title Subdivision, and Stage 1 Torrens Tittle Subdivision of Two Hundred and Forty One (241) Lots. This application was refused by the Hunter & Central Coast Regional Planning Panel on 20 August 2025. At the time of writing this submission HQPL understands that this application is the subject of a Section 8.2 Review which is currently under assessment.

These applications will cumulatively result in the establishment of:

- Approximately 210 MHE sites (with a target market of seniors living) within 1 km of the Quarry (all proposed within Stage 1 of DA/2025/52 and Precinct 7 of the draft DCP);
- Approximately 340 new residential allotments (27 within Stage 1 of DA/2024/763) within 1 km of the GRQ;
- A combined (Stage 1 and Concept Approved) 550 residential lots and MHE sites within 1 km of the GRQ; and
- A combined (Stage 1 and Concept Approved) 1,232 residential lots and MHE sites within 2 km of the quarry, with each of these properties to rely on access to and from the New England Highway via Anambah Road that will be shared with quarry-related heavy vehicles.

HQPL have made separate submissions in relation to both of these applications. Particular concern was raised regarding the potential for land use conflict associated with blasting & vibration, noise, air quality, traffic and road safety. As a result of the exhibition of the draft Anambah URA DCP, it is now also observed that these applications are inconsistent with the orderly delivery sequencing of the URA as will be established by the draft DCP.

To ensure the current and future operations of the GRQ are protected from new development within the URA, it is considered appropriate that a new provision is added to the 'Precinct Plan Requirements – General' section that requires future development within Precinct 7 to consider the operations of the GRQ. This could be done at the Precinct Plan stage or be flagged within the Precinct Plan as requiring detailed assessment during the preparation of any future development application.

Key issues to be considered would be blasting & vibration, noise, air quality, traffic and road safety and is expected that this would be informed by specialist assessments that address contemporary regulatory standards. This approach is consistent with the provisions of Clause 2.19 of State Environmental Planning Policy (Resources & Energy) 2021, which in part, seeks to protect current and future extraction of in-situ resources when new development is considered.

HQPL supports the delivery of appropriate residential development in the Anambah URA to cater for the growth of the local population. Where new residential development is proposed within the vicinity of the GRQ, HQPL expects this development should be designed and constructed to incorporate management and mitigation measures to avoid the generation of land use conflict.

5.0 Summary of Submission

HQPL appreciates the opportunity to review and provide comment on Council's Draft Anambah Urban Release Area DCP.

Provided below is a summary of the key items of this submission.

1. HQPL requests that an additional note be added to draft DCP control 18.3 to ensure that Traffic Impact Statements for the future two (2) intersections on Anambah Road consider existing and ongoing heavy vehicle use associated with extractive industries that use Anambah Road.

2. HQPL requests Council includes a clause in draft control PC.1, O.44 to establish a quarry buffer along the northern edge of the URA, generally within 1km of the GRQ.

3. Consistent with the provisions of Clause 2.19 of State Environmental Planning Policy (Resources & Energy) 2021, to ensure the current and future operations of the GRQ are protected from new development within the URA, it is considered appropriate that a new provision is added to the 'Precinct Plan Requirements – General' section that requires future development within Precinct 7 to consider the operations of the GRQ.

   Key issues to be considered should include blasting & vibration, noise, air quality, traffic and road safety and is expected that this would be informed by specialist assessments that address contemporary regulatory standards.

maitland city council

DISCLOSURE STATEMENT OF POLITICAL DONATIONS AND GIFTS

Requirement Under Section 10.4 of the Environmental Planning & Assessment Act 1979

A disclosure statement of a reportable political donation or gift must accompany a planning application or submission if the reportable donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application a disclosure statement must be sent to the relevant consent or approval authority within 7 days after the donation or gift is made.

☑ I/we have not made a reportable political donation or gift within 2 years prior to the date this application/submission was made

Name of the person/company making donation or gift	[redacted]
Residential address or registered /official office address	
ABN if not an individual	
Address of the Development Proposal	Draft Anambah Development Control Plan
Date application lodged	Exhibition 21/11/2025 – 19/12/2025. Submission – 19/12/2025
Consent or Approval Authority	Maitland City Council
Person's interest in the application (pls tick appropriate box)	☐ Applicant ☐ Person with financial interest Explain: Operator of Gosforth Rhydite Quarry [redacted] ☑ Person making submission in opposition (Comments) ☐ Person making submission in support
Name of the Person to Benefit From the Donation	N/A
Date of the Donation	No Donations Made
Amount of the Donation*	
Name of the Person to Whom Gift is Made	
Date Gift Made	
Amount or Value of Gift*	

By signing below I/we declare that all information contained within this statement is accurate at the time of signing

Signature(s): [redacted]

Name(s): [redacted]

* A *reportable political donation* is a donation of

- $1,000 or more made to or for the benefit of the party, elected member, group or candidate; or
- $1,000 or more made by a major political donor to or for the benefit of a party, elected member, group or candidate or made to the major political donor; or
- Less than $1,000 if the aggregated total of the donations made by the entity or person to the same party, elected member, group, candidate or person within the same financial year (ending 30 June) is $1,000 or more.

A glossary of terms/definitions is available on Maitland City Council's website www.maitland.nsw.gov.au or the Department of Planning website www.planning.nsw.gov.au

Our Ref: ID 3518
Your Ref:

8 December 2025

Adam Ovenden
Maitland City Council
PO Box 220, Maitland NSW 2320

[redacted]

Via E-mail

Dear Adam,

Anambah Urban Release Area - Draft Area Plan Development Control Plan (DCP) Section

Thank you for the opportunity to provide advice on the Draft Area Plan Development Control Plan (DCP) Section for Anambah Urban Release Area. The Anambah Urban Release Area (AURA) encompasses approximately 500 hectares of land and is anticipated to yield approximately 4,200 dwellings. The URA is located within the Anambah to Branxton Regionally Significant Growth Area as identified in the Hunter Regional Plan 2041. The URA will feature a mix of residential, commercial, and environmental living zones. Key elements include a commercial precinct, a proposed school site, playing fields, community facilities, parks, and public recreation areas along several riparian corridors.

The NSW State Emergency Service (NSW SES) is the agency responsible for dealing with floods, storms and tsunami in NSW. This role includes planning for, responding to and coordinating the initial recovery from floods. As such, the NSW SES has an interest in the public safety aspects of the development of flood prone land, particularly the potential for changes to land use to either exacerbate existing flood risk or create new flood risk for communities in NSW.

The NSW SES acknowledge that the AURA Area Plan Objectives, Prescriptive Controls (PC), and Acceptable Solutions (AS) aim to reduce the impact of flooding on individual owners and occupiers of properties, and to reduce private and public losses resulting from floods. This includes the provision of flood free vehicle access routes for new residential precincts and specific roads to achieve a PMF AEP flood event immunity.

In summary, the key issues identified are:

- **Support** the plan that access to the Anambah URA will primarily be via a flood free Western Link Road, with secondary access from Anambah Road. The Western Road Link is required to be in place before the 1200 lot is released. Until this time, flood-free access must be provided to support development of the AURA, in accordance

[redacted]

with the Flood Risk Management Manual 2023 and Clause 5.21 of the Maitland Local Environmental Plan 2011.[1]

- **Support** the Prescriptive Controls and Acceptable Solutions PC.7 *River Road must not be used as restricted or emergency-only vehicular access from the Anambah Urban Release Area. If that part of River Road outside of the Anambah URA is proposed for flood free vehicular access, River Road must be upgraded to a public road standard, with full-time access available to all residents.*[2]
- **Support** the Transport Movement Hierarchy Prescriptive Controls and Acceptable Solutions O.11 *To ensure that flood-free access to the URA is provided to all dwellings.*[3]
- **Advise** rewording to remove 'flood free' in PC4 O.39 as this implies above the PMF. *Each stage of development must demonstrate how flood free access above the 1% AEP [redacted]ll be provided.*[4]
- [redacted]onsideration should be given to the cumulative impacts of developments in Maitland City LGA and have regard to Emergency Services requirements, including future NSW SES Unit facilities which must be located above the PMF. Significant growth in urban development may require additional resources and upgrades for local NSW SES Units. This may be relevant for the Precinct Plan Requirements - General
- **Recommend** consideration of flooding issues is undertaken in accordance with the requirements of NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual 2023 (the Manual) and supporting guidelines, including the Support for Emergency Management Planning and relevant planning directions and circulars relating to the *Environmental Planning and Assessment Act, 1979*.
- **Recommend** planning principles in the Development Control Plan (DCP) should include measures to effectively understand and mitigate the impacts of natural hazard risks and adapt to a changing climate to build sustainable, hazard-resilient communities[5].
- **Advise** reference to the NSW Reconstruction Authority State Disaster Mitigation Plan 2024-2026 (SDMP) and any local Disaster Adaptation Plans (where relevant for the Maitland City Council LGA)[6].

In addition, any changes and updates to flood maps from the Floodplain Management process also inform and involve changing the Local Environmental Plan (LEP) and subsequent approvals. Master plans for existing and or new growth areas should be prepared following adequate consideration of potential flood impact and align with flood studies, flood risk management studies and plans.

[1] Maitland City Council, 2025. Anambah Urban Release Area Draft Area Plan, page 4.
[2] Maitland City Council, 2025. Anambah Urban Release Area Draft Area Plan, page 10.
[3] Maitland City Council, 2025. Anambah Urban Release Area Draft Area Plan, page 9.
[4] Maitland City Council, 2025. Anambah Urban Release Area Draft Area Plan, page 17.
[5] NSW Department of Planning and Environment - Planning for a more resilient NSW A strategic guide to planning for natural hazards 2021.
[6] NSW Reconstruction Authority - State Disaster Mitigation Plan 2024-2026

You may also find the following Guidelines available on the NSW SES website useful:

- Designing Safer Subdivisions
- Managing Flood Risk Through Planning Opportunities

Please feel free to contact Gillian Webber via email at rra@ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence. The NSW SES would also be interested in receiving future correspondence regarding the outcome of this referral via this email address.

Yours sincerely,

[redacted]

Senior Manager, Emergency Risk Management
NSW State Emergency Service

www.ses.nsw.gov.au

Transport for NSW

16 January 2026

File No: NTH25/00605/001
Your Ref: Anambah Draft DCP

General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: Mark Roser

Public Exhibition of Draft Development Control Plan – Anambah URA- Anambah Road, Anambah

Thank you for seeking comment from transport for NSW (TfNSW) regarding the Draft Development Control Plan (DCP) for Anambah Urban Release Area (URA) received on 21 November 2025.

TfNSW key interests are the safety and efficiency of the transport network, the needs of our customers and the integration of land use and transport in accordance with the *Connecting NSW Strategy*.

New England Highway (HW09) is a classified (State) road and Anambah Road is a local road. Council is the roads authority for both roads and all other public roads in the area, in accordance with Section 7 of the *Roads Act 1993*.

TfNSW has reviewed the draft DCP for Anambah URA and is generally supportive. TfNSW offers the following comments for Councils consideration prior to finalisation and adoption:

1. TfNSW notes future infrastructure upgrades to the classified (State) road network are yet to be identified and subject to future development applications.
2. At this time TfNSW has no funding to upgrade the intersections of New England Highway/Anambah Road/Shipley Drive or New England Highway/River Road.

Bus Route Planning

3. Bus Routes (Figure 5). At this stage TfNSW cannot comment on the exact paths or nature of the future bus network in this area. *Bus Capable roads* would be a better term in preference to *Bus Routes* on this map. TfNSW does not suggest the addition of any bus capable roads and cannot guarantee that all the roads marked as Bus Routes will be serviced by buses. Bus services will be designed as per the Integrated Public Transport Service Planning Guidelines - Outer Metropolitan Area - Final - June 2016.
4. As the paths of future bus routes are yet to be determined, the locations of bus stops cannot be determined until the routes have been designed. Bus Stops should be designed in reference to Functional Spaces - Part 4 Bus Stops - Transport Standards Portal and Bus Stop Urban Design Guideline - Transport Standards Portal.

5. TfNSW is willing to co-design bus routes and bus stop locations with the relevant bus operator/s and council when the road structure is formalised as part of any future Development Application process.
6. It is preferable to operate bus services on higher category roads and not divert into individual developments. All developments should have active transport facilities and connections to the surrounding road network to allow residents to access bus stops located on these roads. (Objectives O.19 & O.70 partially addresses this).

On Council's adoption of the strategic documents, please forward a copy to TfNSW for our records. [redacted]

Yours faithfully

[redacted]

[redacted]
Manager Development Services North
Technical Advice & Development Services
Transport Planning
Planning, Integration & Passenger

Third.i

18 December 2025

Mr Jeff Smith
General Manager
Maitland City Council

Dear Jeff,

RE: Response to Proposed Anambah Urban Release Area DCP

Third.i Group welcomes the opportunity to provide submissions on Maitland City Council's proposed Development Control Plan (DCP) for the Anambah Urban Release Area (URA).

Third.i is a significant landowner within the Anambah precinct and is directly affected by the proposed staging framework, infrastructure sequencing, access arrangements and servicing assumptions embedded within the draft DCP. We support Council's objective of delivering coordinated infrastructure and timely housing outcomes; however, we hold material concerns that elements of the draft DCP, as currently framed, may unintentionally constrain housing delivery, distort development sequencing, and impose unnecessary infrastructure costs on parts of the URA.

Our submission focuses on ensuring the DCP is robust, equitable, evidence-based and aligned with the statutory framework.

1. Infrastructure Staging Driven by Utility Configuration Rather Than Least Community Cost

The draft DCP appears to adopt a staging framework primarily influenced by proximity to existing sewer and water infrastructure and preferred utility network configurations.

While utility servicing considerations are clearly important, Third.i is concerned that the DCP does not demonstrate that a whole-of-URA, least-community-cost assessment has been undertaken across all infrastructure classes, including:

- road networks and intersections
- open space and community facilities
- trunk drainage
- earthworks and flood mitigation
- asset protection zones and buffers
- cumulative enabling infrastructure costs across precincts

The current staging framework appears to prioritise one utility's capital efficiency without clear evidence that this approach represents the optimal outcome when broader infrastructure costs and delivery efficiency across the entire URA are considered.

Third.i Group
[redacted]

Third.i

Third.i respectfully submits that infrastructure staging should be informed by a multi-infrastructure, precinct-wide cost-benefit assessment, rather than being predominantly shaped by individual servicing constraints.

2. Spatial Outcomes and Infrastructure Efficiency

The staging configuration shown in the DCP results in Stage 1 development being located significantly further north than alternative logical sequencing options within the URA.

This spatial outcome appears to require the delivery of substantial new road infrastructure at an early stage, notwithstanding that comparable servicing outcomes could potentially be achieved through alternative servicing extensions at materially lower cost.

From an infrastructure economics perspective, early delivery of long road corridors is typically more capital-intensive than linear utility extensions. The DCP does not appear to demonstrate why this approach represents the most efficient or equitable solution for the community as a whole.

Third.i submits that the DCP would benefit from testing alternative staging and servicing scenarios that minimise early road construction while still achieving orderly development and servicing outcomes.

3. Competition, Market Access and Anti-Competitive Sequencing Effects

The proposed staging framework has the practical effect of concentrating early enabling infrastructure and servicing capacity within a single precinct before adjacent landholdings are able to connect.

This approach risks conferring a structural first-mover advantage on one proponent, whereby access to essential infrastructure becomes contingent on the timing, commercial decisions and delivery performance of another party. In practical terms, this creates a form of monopoly control over enabling infrastructure that is critical to housing delivery within the URA.

Such outcomes are inconsistent with NSW Government competition and productivity objectives articulated by NSW Treasury and DPHI, which emphasise competitive neutrality, market contestability, and the removal of artificial barriers to housing supply. Infrastructure sequencing that suppresses parallel delivery pathways and concentrates market power is inherently anti-competitive in effect, even if not in intent.

Importantly, Council has previously acknowledged the risks of this exact outcome. In Council's pre-lodgement meeting minutes for Anambah dated July 2024, Council expressly stated that it is pivotal that development within the northern precinct must not "stifle or sterilise the remainder of the Anambah Urban Release Area" and must demonstrate consideration of the URA in its entirety, including connectivity, infrastructure networks and the timely provision of public and community infrastructure.

The proposed DCP staging framework now does precisely what Council previously cautioned against. By embedding a rigid, utility-driven sequencing model, the DCP risks sterilising adjoining landholdings, constraining access to essential services, and forcing multiple landowners to rely on a single delivery pathway outside their control.

Third.i Group
[redacted]

Third.i

This represents a clear departure from Council's own stated planning principles and creates an outcome that is both anti-competitive and contrary to State policy objectives to accelerate housing delivery through increased competition, flexibility and parallel development pathways.

Third.i submits that the DCP must be amended to explicitly facilitate competitive neutrality by allowing alternative staging and servicing solutions to proceed in parallel, where proponents can demonstrate equivalent or superior infrastructure, environmental and community outcomes, without reliance on another party's development timetable.

This comparison highlights that alternative staging scenarios exist which are demonstrably more cost-effective and capable of accelerating housing delivery, yet these options do not appear to have been tested or addressed in the draft DCP.

4. Consistency with Maitland LEP 2011 – Western Link Road Trigger

Third.i is concerned that the draft DCP's staging and transport hierarchy provisions may have the practical effect of bringing forward delivery of the Western Link Road (Wyndella Road) significantly earlier than contemplated under Clause 7.8 of the Maitland LEP 2011, which identifies a trigger of 1,200 lots.

A DCP should not operate to effectively amend, override or accelerate LEP-based infrastructure triggers through staging mechanisms.

If Council's intention is to reconsider the timing or trigger for this infrastructure, this should occur transparently through the LEP framework rather than indirectly via a DCP.

5. Consultation and Procedural Fairness

Third.i is concerned that consultation with directly affected landowners has been limited relative to the scale and impact of the proposed controls.

The draft DCP materially affects landowners through:

- access-restricted road alignments
- rigid staging requirements
- infrastructure timing obligations
- land sterilisation through buffers, linear open space and perimeter roads

Given these impacts, Third.i submits that further targeted consultation with affected landowners is warranted prior to finalisation of the DCP to ensure transparency, fairness and deliverability.

Third.i Group
[redacted]

Third.i

6. Reliance on Outdated Strategic Material

Key elements of the draft DCP appear to rely on studies and assumptions originating from the 2016 planning proposal.

Since that time, there have been substantial changes to:

- housing delivery targets and growth expectations
- state and regional planning policy
- infrastructure funding models
- servicing standards and delivery mechanisms

Third.i is not aware of any comprehensive, contemporary precinct-wide modelling undertaken to inform the 2025 DCP, including updated transport, utility, access, open space or yield analysis.

7. Requested Outcomes

Third.i respectfully requests that Council re-examine the staging framework through a whole-of-URA, least-community-cost lens; allow flexibility for alternative staging and servicing solutions that deliver equivalent or improved outcomes; ensure DCP provisions remain clearly subordinate to LEP controls; undertake further consultation with affected landowners; and refresh the strategic and technical evidence base underpinning the DCP.

Third.i remains committed to working constructively with Council and relevant agencies to achieve coordinated infrastructure delivery and timely housing outcomes for the Anambah community.

Yours sincerely

[redacted]

Head of Acquisitions

For and on behalf of Thirdiproperty Pty Limited

Third.i Group

[redacted]

City Planning

Adoption of Draft Development Control Plan – Anambah Urban Release Area

Response to Submissions Report (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 2

Number of Pages: 17

Response to Submissions Report

Draft Anambah URA Development Control Plan

maitland CITY COUNCIL

Table of Contents

Executive Summary 2
Exhibition Overview 2
Register of Submissions and Response - Draft Anambah URA DCP 3
Public Submissions - Draft Anambah URA DCP 3

Executive Summary

The Anambah URA is located west of Anambah Road and north of Wyndella Estate and was rezoned in 2020 to accommodate for urban development. It is roughly 500 hectares in size and has a diverse array of development typologies across the site that require careful consideration to balance the environmental, rural and urban footprints of the URA.

Council resolved on 18 November 2025 for the Draft AURA DCP to be placed on public exhibition for a period of 28 days. This exhibition period took place from the 21 November 2025 to the 19 of December 2025.

The purpose of this report is to provide a register of the submissions made during the public exhibition period. This includes a summary of the public exhibition period activities and forms of engagement, as well as a summary and Council's response to each of the submissions made by residents, government agencies and the development industry.

Exhibition Overview

The public exhibition period went for a duration of 28 days from the 21 November 2025 to the 19 December 2025. Prior to its formal exhibition, landowners within the Anambah URA were notified via letter that the draft Anambah URA DCP was formally on exhibition. Additionally, the draft Anambah URA DCP was advertised as on public exhibition via the Maitland Council website whereby submissions could be made online.

Register of Submissions and Response - Draft Anambah URA DCP

SUBMISSION TYPE	NUMBER OF SUBMISSIONS
Residents/Community Groups	8
Public Authorities and Government Agencies	5
Development industry (inc. developers and consultancies)	7
Total Number of Submissions	20

Public Submissions - Draft Anambah URA DCP

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
Government Agencies		
Department of Primary Industries & Regional Development	This submission provides comment on the interface between the existing rural and agricultural lands surrounding the Anambah URA. It speaks to the need to consider how this interface will be treated within each stage of development to ensure that any proposed development does not adversely impact agricultural operations. It speaks specifically to the requirement of flood-free egress for agricultural stock and infrastructure, and questions how this will be achieved throughout the development process. Additionally, the submission also requests clarification on how the landscaping	**Comment** The need to protect existing operational agricultural land uses and manage the interface of these lands with new development to mitigate land use conflicts is recognised. The remnant agricultural land within the URA is located within the riparian corridors and as such will not have any remnant agricultural uses or operations. The remnant agricultural land will have flood free egress, however, as this is the location of the riparian corridor and not for agricultural use, it is not required. In regard to the 10m landscape buffer proposed between Anambah Road and the rural land to the east, the establishment and initial maintenance is typically with the applicant under a VMP, with a restriction on the 88b instrument which places this responsibility onto the owner of the land.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
	buffers establishment and continued maintenance will be facilitated through the DCP.	
Heritage NSW	Heritage NSW states that they are generally supportive of the controls in the Draft Anambah DCP in regard to the identification and protection of Aboriginal Cultural Heritage. However, the submission highlights that their other recommendations such as the undertaking of a Historical Archaeological Assessment (HAA) and a Statement of Heritage Impact (SOHI) have not been undertaken. Thus, the submission recommends that that a HAA and SOHI to be undertaken prior to any proposed development to ensure identification, avoidance, management and mitigation measures for any State and Local heritage within or in proximity to the URA.	**Comment** The existing controls address the matters raised in the submission by way of providing landscaping treatments and building colour restrictions which address potential visual impacts associated with the listed heritage item (Anambah House), as per the recommendations in the heritage report for Anambah House. The original Historical Archaeological Assessment did not find any sites or artifacts, however controls have been included within the DCP under Section 18.5 Aboriginal Cultural Heritage which address the concerns raised.
Transport for NSW	TfNSW submission comments on two major themes: the affordance of future infrastructure and the allocation/design of bus routes. In regard to infrastructure, TfNSW notes that any future upgrades to the State road network are yet to be identified and will be determined by future development applications, but at this time, TfNSW does not have funding to upgrade the intersections of the NEH/Anambah Rd/Shipley Drive. Regarding bus routes, TfNSW cannot comment on the exact path and nature of the bus routes that will be provided for the URA as they cannot guarantee that all the roads marked as bus routes will be serviced. They recommend changing the indicative layouts to 'Bus Capable' roads and removing the bus stops from the layout as these are yet to be determined.	**Actioned** Further consultation with TfNSW is required to finalise the appropriate upgrades necessary to facilitate infrastructure delivery for the Anambah URA. Bus routes and servicing are yet to be finalised, and the impacted figures, including Figure 5, in the Draft Anambah DCP have been amended to reflect this.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
State Emergency Services	The SES submissions outline their support of proposed access points and flood-free access for the Anambah URA through the Western Link Rd and Anambah Rd. They also indicate their support for River Rd to not be included as the flood-free access for the URA, but if it is required to facilitate safe movement outside of the URA, it must be upgraded to a public road at the expense of the developer. However, the SES advised that development controls must specify that flood free access above and including 1% AEP must be achieved at all stages of development, not just above the PMF, as well as recommending planning principles should also include measures that address the mitigation of natural hazard risks and climate change risks. The submission also recommends that flooding investigations are to be undertaken in accordance with the requirements of the NSW Government's Flood Prone Land Policy and supporting guidelines including the Support for Emergency Management Planning. In addition, the submission also advises that a reference to the NSW Reconstruction Authority State Disaster Mitigation Plan 2024-2026 (SDMP) and any local Disaster Adaptation Plans (where relevant for the Maitland City Council LGA). The submission speaks to considerations that should be given to the cumulative impacts of developments in Maitland City LGA will have in regard to Emergency Services requirements, including future NSW SES Unit facilities. The submissions states that this may be relevant to include in Precinct Plan Requirements – General.	**Actioned** SES is supportive of the proposed controls for flood-free access for all access points and residents across the Anambah URA, and consultation will continue with SES during development application stages. A minor amendment to Section 18.9 Amelioration of Natural and Environmental Hazards to ensure that each stage of development demonstrates how flood free access up to and including 1% AEP flood level will be achieved. The considerations for the impact of natural hazards and climate change effects are addressed within the Section 18.9 through the objectives and controls provided. Climate change has been incorporated through the flood controls which require the addressal of climate change in the context of the FRMM. Additionally, the current controls in the DCP already require compliance with the FRMM - Section 18.9, PC.1 'Development must comply with the NSW Flood Risk Management Manual 2023.'. Any further requirements in terms of flooding will occur at development application stage. There is currently no applicable DAP over the Maitland LGA and the SDMP only provided directives to State Authorities to prepare planning controls, not local Councils. In relation to the service provisions for future SES facilities raised in the submission relate to regional and district-level strategic planning and emergency services provisioning, rather than site-specific development outcomes. The DCP operates at the development control level and is intended to guide the design and assessment of individual development applications. It does not establish requirements for the provision, location or funding of emergency service facilities, nor does it have the statutory mechanism to require or coordinate future NSW SES infrastructure, which is addressed through broader strategic planning frameworks, infrastructure planning, and State agency coordination.
Department of Climate Change, Energy, the	The submission from DCCEEW included multiple recommendations regarding the inclusion of controls that better align the DCP chapter with current State strategic policy, legislation and guidelines. The	**Partially Actioned** The recommendations submitted by DCCEEW have been reviewed and actioned in the following sections:

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
Environment and Water (DCCEEW)	submission recommended the inclusion of controls regarding the identification and avoidance of areas of High Environmental Value (HEV) to align the DCP chapter with Objective 6 of the *Hunter Regional Plan 2041*. In addition, the submission highlighted the need for clearer controls for the protection of TEC's and biodiversity values that have been identified on site. The submission recommended that the DCP must clearly state that development applications within the release area may trigger the Biodiversity Offsets Scheme (BOS), including avoidance and impact minimisation requirements which may require amendments to proposed precinct plans, subdivision layouts and infrastructure locations, as well as the need for avoidance and mitigation strategies to be built into the DCP chapter even if the BOS is not triggered through such development. Additionally, the submission also calls for more specific objectives and controls to be included within sections such as Subdivision Design, Transport Movement Hierarchy and Stormwater Quality & Infrastructure to ensure that the interface between development and the onsite and surrounding TEC's and riparian corridors are managed effectively. The submission also speaks to the addition of objectives and controls that will strengthen the biodiversity and environmental outcomes of the development through the overall landscaping strategy and the passive and active recreation areas. This includes recommendations for controls to include the use of endemic, native species for street plantings, the preparation of landscaping management plans, the utilisation of Section 88b instruments, and stronger alignments with *Controlled activities* –	Areas of high environmental value (HEV) have been included by way of new controls. At this stage this Council does not have a mapped layer for HEV, instead the criteria used in the Hunter Regional Plan 2041 has been included to ensure compliance without the need to revisit and amend when the plan is amended/updated. The corridor identified in the Environmental Sustainability Strategy is to be included on the area plan, with a new control included for protection/enhancement of this. Controls relating to biodiversity are included in 18.9 Amelioration of Natural and Environmental Hazards. Additional controls have also been included within this section which relate directly to TECs and Riparian corridors. The trunk road network has been designed with regard to the location of riparian corridors, with the aim of minimising the need for local street crossings. The current design incorporates measures to reduce impacts on riparian areas wherever possible. Amended controls have been included to prioritise the use of endemic species, while retaining flexibility to allow alternative species where appropriate. This includes situations where certain endemic species, such as Lower Hunter Spotted Gum, may not be suitable for use as street trees due to site-specific or design considerations.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
	Guidelines for instream works on waterfront land (DCCEEW, 2025).	
Development Industry (including developers, consultancies and interest groups)		
DB20 Pty Limited	This control-specific submission includes various proposed changes to Figures, objectives and controls, mostly in relation to the Transport Movement Hierarchy. Additionally, the submission also calls for changes in the Overall Landscaping Strategy, Amelioration of Natural and Environmental Hazards, Passive and Active Recreation Areas, and Visual and Scenic Amenity controls.	**Partially Actioned** The comments submitted by DB20 Pty Limited have been reviewed and partially actioned in the following sections: • Section 18.6 PC.4, the submission calls for the 10m wide vegetated buffer to be limited to residential lots 5000m2 or less that immediately adjoin Anambah Rd. The control has been reworded to start at RL14mAHD in the south east boundary of the URA. This level is outside of nuisance flooding (as recorded in 2007) and provides a straight avenue of landscaping along Anambah Rd rather than negotiating a bend in the road/boundaries. • Section 18.7 AS.5, the submission calls for amendments to recognise limited crossing of riparian zones may occur in strategic locations to connect the urban structures, rather than excluding recreation areas from the riparian zone completely. This is supported to provide flexibility, where appropriate, to ensure adequate connectivity for the URA. • The submission identifies an incorrect title being used for Precinct 1, which was referred to as 'Somerset Park'. This has been amended to reflect the correct title. • Section 18.11, clarification was sought around controls relating to setbacks and if these were specific to small lot housing. This is correct and the wording has been amended to reflect this. • Section 18.17, PC.2, a request was made to remove or limit the control requiring supplementary vegetation planting, noting that previous recommendations focused on investigating options rather than mandating outcomes on third-party land. In response, the control has been amended, clarifying that any supplementary vegetation along the western boundary of Anambah House is to be negotiated between the developer and landowner, with agreed outcomes to be

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
		documented in the relevant landscape plans and/or Development Applications. • Section 18.18 PC.1, the submission identifies that this control should only be applicable to Precinct 1B, and not for Precinct 1A, as the riparian linear parks are primarily in Precinct 1B. This change is supported, and the control has been amended to reflect the changes. • Section 18.20, the submission identified an error in setback requirements for secondary frontages which has been amended accordingly. The following proposed changes identified by DB20 have been noted, however, the following objectives/controls will remain as reflected in the Draft DCP: • Section 18.3 PC.3, the submission identifies the use of 'no cost to Council' in regard to associated infrastructure upgrades. To clarify, the note referring to works being delivered at "no cost to Council" is a standard provision used to clarify that any required infrastructure is to be funded by the proponent and not result in additional, unfunded costs to Council. This note does not preclude the future application of infrastructure contributions, local infrastructure contributions plans, or planning agreements where they are otherwise applicable under the relevant planning framework. • Section 18.3 PC.7, the submission identifies that River Road south of the URA to the New England Highway should be able to be used for precautionary, low-risk bushfire response. This is not supported, and no access via River Road outside of the URA is supported until such time that the road corridor is upgraded to current standards. Discussions with RFS and SES, as well as internal consultation confirm that the arrangement for emergency only access is not supported. • Section 18.14 PC.5, the submissions requests for the removal of subsection "e." in reference to the mature canopies being generally covered by the landscaping provisions through Figure 20. This is not supported, as this control upholds the minimum expectations for street tree canopy cover, as opposed to the landscaping provisions providing a visual representation through Figure 20.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
		• Section 18.17, the submission suggests that O.80 - To protect views to and from Anambah House, be replaced with the following "To consider visual impacts from Anambah House". This is not supported by Council as it does not provide the certainty required to ensure compliance with the intent. The controls within this section clearly identify the expectation of the treatment and management of Anambah House. • Section 18.17, the submission seeks clarification as to the basis for neutral roof colours for a distance of 1.8km from Anambah House. The distance relates to a major ridgeline running through precinct 1 and 2, which is approximately 1.8kms from Anambah House. This ridge and distance were referred to in site studies associated with visual and scenic studies and Anambah House visual assessment for the Anambah PP. • Section 18.20, PC.11, the submission seeks to amend the control to remove the requirement for building envelopes on lots with three street frontages. This control relates specifically to lots with three street frontages, which while uncommon, can be difficult to manage in terms of setbacks and access. This control is required to ensure that appropriate setbacks can be achieved during the subdivision creation.
Barr Planning	This submission was written on behalf of Third.i Group. The submission raises concerns regarding the DCP not meeting the requirements of the MLEP 2011, as it does not allow for the coordinated or cost-effective supply and development of land. Rather, the submissions states that the current Draft DCP, through its Staging Plan and Transport Movement Hierarchy, does not meet these requirements. The submission argues that the Staging Plan does not allow for out of sequence development, which, it argues, will restrict development and give the development power to the landowners in the southeast of the site. Additionally, the submissions argues that River Road should be included in the overall transport hierarchy	**Comment** The DCP provides flexibility for out-of-sequence development where appropriate and in alignment with the provisions of the Maitland LEP 2011. Section 18.1 (Staging Plan), Acceptable Solution AS.1, allows development that is inconsistent with the staging plan where detailed justification is provided demonstrating that the proposal will not compromise orderly and economic development or the provision of essential infrastructure, including water, sewer, electricity and roads. This approach ensures that infrastructure delivery is coordinated and does not place an unreasonable burden on Council or the broader community, while still allowing flexibility where a proponent can demonstrate adequate servicing and outcomes. Accordingly, no changes to the DCP are required. Consultation with technical staff, along with advice from RFS has established that emergency only access is not supported, hence this

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
	as a flood free access point. The submission also suggests that the road layout should be amended to provide direct access for Stage 4 at the Northern and of the URA at Anambah Road.	position being established as part of the draft. Any connection to or use of River Road requires upgrades to the road, as reflected in the Draft DCP. The current plans show a connection from Anambah Road into Stage 4, including a potential alternative location (both in Stage 4). It is assumed the comment relates to this stage going earlier in the sequence, which is addressed by Section 18.1 (Staging Plan), Acceptable Solution AS.1 which allows for development that is inconsistent with the staging plan where detailed justification is provided.
Vara Consulting	This submission raises concerns regarding the Staging Plan of the DCP, the technical studies informing the development controls, and the nature of landholder consultation. In regard to the Staging Plan, the submission states concern about how the staging plan will achieve cost-effective and sequenced development, and states that the current Plan will lead to a monopoly of control for one landowner. The submission also raises concerns that the Draft DCP has been constructed using out-dated technical information from the Planning Proposal phase which may not be responsive to changes in housing delivery, typologies and sequencing that would better suit the URA. Additionally, the submission states that the inclusion of a precinct level detail at this stage in the process favours larger landowners, so that one delivery pathway is to be undertaken. The submission states that this undermines the neutrality and enabling function of the document.	**Comment** The DCP provides flexibility for out-of-sequence development where appropriate and in alignment with the provisions of the Maitland LEP 2011. Clause 18.1 (Staging Plan), Acceptable Solution AS.1, allows development that is inconsistent with the staging plan where detailed justification is provided demonstrating that the proposal will not compromise orderly and economic development or the provision of essential infrastructure, including water, sewer, electricity and roads. This approach ensures that infrastructure delivery is coordinated and does not place an unreasonable burden on Council or the broader community, while still allowing flexibility where a proponent can demonstrate adequate servicing and outcomes. Accordingly, no changes to the DCP are required. The submission raised concerns that the inclusion of precinct-level detail at this stage pre-empted future decisions and created a perception of unequal consultation and procedural unfairness among landowners. Consultation was undertaken in accordance with statutory requirements and the adopted Engagement Strategy. An advanced draft DCP chapter was provided to all affected landowners prior to exhibition to enable early input on staging, infrastructure, access and land use matters. The precinct in question was prepared and submitted to Council for consideration and ultimately inclusion in the draft DCP as part of this early engagement process.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
AK Environmental	This submission is written on behalf of Riverbend Organics, a composting business that operates within the surrounding area of the Anambah URA. This submission speaks to the protection of the existing agricultural uses of the surrounding areas of the URA. Specifically, this submission calls out the *Figure 2 – Anambah Area Plan*, which shows the Odour contours of the surrounding agricultural sites and wishes to reiterate that no dwellings will be constructed within the OU2 boundaries.	**Comment** The submission sought clarification regarding the odour contours shown in the Area Plan. The contour was taken from the odour report from the development of the composting facility as stated in the submission. This area will be considered in detail in the respective precinct planning stage and any additional studies would be conducted during assessment of development applications.
Third.i Group	This submission raises concerns regarding the Staging Plan of the DCP, the technical studies informing the development controls, and the nature of landholder consultation. Regarding the Staging Plan, the submission states concern about how the staging plan will achieve cost-effective and sequenced development, and states that the current Plan will lead to a monopoly of control for one landowner and will decrease market competition for the other landowners. The submissions suggests that the Staging Plan should allow for alternative staging solutions and for infrastructure staging to occur by Utility Configuration rather than by Least Community cost. The submission also raises concerns that the Draft DCP has been constructed using out-dated technical information from the Planning Proposal phase which may not be responsive to changes in housing delivery targets, typologies and sequencing that would better suit the URA. Additionally, the submission requests that smaller landowners who are affected by rigid staging requirements and land sterilisation though the use of perimeter roads, buffers and linear open space should be allowed extra consultation time with Council prior	**Comment** The DCP provides flexibility for out-of-sequence development where appropriate and in alignment with the provisions of the Maitland LEP 2011. Clause 18.1 (Staging Plan), Acceptable Solution AS.1, allows development that is inconsistent with the staging plan where detailed justification is provided demonstrating that the proposal will not compromise orderly and economic development or the provision of essential infrastructure, including water, sewer, electricity and roads. This approach ensures that infrastructure delivery is coordinated and does not place an unreasonable burden on Council or the broader community, while still allowing flexibility where a proponent can demonstrate adequate servicing and outcomes. Accordingly, no changes to the DCP are required. The staging and sequencing for AURA has been generally consistent since the first draft DCP was prepared in 2013. Alternative approaches to servicing and sequencing development of the URA are recognised. To facilitate for this, flexibility has been built into the draft DCP (see Section 18.1), which enables alternative sequencing to be considered. The submission raised concerns that the inclusion of precinct-level detail at this stage pre-empted future decisions and created a perception of unequal consultation and procedural unfairness among landowners. Consultation was undertaken in accordance with statutory requirements and the adopted Engagement Strategy. An advanced draft DCP chapter

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
	to finalisation to ensure fairness and deliverability. The submissions also states that the current staging plan and transport hierarchy undermines Clause 7.8 in the MLEP 2011, as the development trigger for the Western Link Rd is currently at 1200 lots. This submission considers this an overreach of the function of the DCP, as infrastructure targets are identified in the MLEP 2011.	was provided to all affected landowners prior to exhibition to enable early input on staging, infrastructure, access and land use matters. The precinct in question was prepared and submitted to Council for consideration and ultimately inclusion in the draft DCP as part of this early engagement process.
Hunter Quarries	This submission states its general support for the Transport Movement Hierarchy. However, the submission requests that a TIA is submitted with Development Applications for the 2 primary distributor roads to consider the movement of heavy vehicles to the GRQ site, and the movement of heavy vehicles in general in regard to safety, intersection design, speed limit changes and considerations of the cumulative impacts on and from other quarries. The submission also calls for a quarry buffer to be established along the northern edge of the URA to ensure that any planned residential development is not impacted by quarry operations. Additionally, the submission raises concerns regarding potential for land use conflict associated with blasting and vibration, noise, air quality, traffic and road safety, and the implications that this will have on the 2 current Concept DA's submissions over Precinct 7, and that the Concept DA's are inconsistent with the Staging Plan in the Draft DCP. The submission suggests that a PC be introduced for Precinct 7 to consider and protection the operations of the GRQ, as this approach would be considered consistent with the requirements of Clause 2.19 of the SEPP (Resources & Energy) 2021.	**Partially Actioned** The submission is generally supportive of the Transport Movement Hierarchy in the Draft Anambah DCP. The submission also requests the use of a Traffic Impact Assessment to determine the requirements of the road network and its interface with existing extractive industries surrounding the URA. This is considered to be a Development Application matter, and therefore, does not need to be addressed through a control, as the outcomes of the TIA will indicate the requirements of the road network to best accommodate all road users. The submission also proposes that a 1km buffer from the quarry should be included in the DCP. Unless a building is for non-habitable purposes, development within 200m of an extractive industry is generally not supported. As the Quarry site to the north is over 500m away from the residentially zoned land, a designated buffer is not required, and thus, no additional studies are required as part of the DCP process in this regard. In regard to the Concept DA's that have been lodged and noted within the submission, the lodgement of a Concept DA is a different legal process to that of a DCP which is outlined in the EP&A Act 1979 Section 4.23 'Concept development applications as alternative to DCP required by environmental planning instruments'. Thus, these matters are dealt with separately.

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
Residents/Community Groups		
Resident 1, 2, 3, 5 and 8	These submissions raise concerns regarding the use of River Road to support flood-free access to the Anambah URA. This upgrade is not supported by local residents and that access should be provided through upgrades to Anambah Rd or to Wyndella Rd to reduce congestion and negative impacts on existing Windella residents.	**Comment** The draft Anambah DCP does not propose the use of River Road south of the URA boundary in Windella as an access point for the Anambah Urban Release Area. The primary access arrangements are via the proposed Western Link Road and Anambah Road. The DCP includes provisions relating to River Road only to address any potential future proposal. These provisions require that, if access via River Road were to be proposed, the road would need to be upgraded to Council standards and supported by appropriate traffic assessment. River Road is a public road, and Council does not have a mechanism through the DCP to restrict its use. Any future proposal to utilise River Road for development access would be subject to detailed assessment as part of a development application. No changes to the DCP are proposed as it already provides appropriate clarity and safeguards.
Resident 4	This resident raises concerns regarding the use of River Road as an access point for the Anambah URA. This includes the use of River Road being unsafe as it is not suitable for additional traffic, as well as the implications its use would have on the amenity of the area and environmental impacts on the agricultural and vegetated land that River Road adjoins.	**Comment** The draft Anambah DCP does not propose the use of River Road south of the URA boundary in Windella as an access point for the Anambah Urban Release Area. The primary access arrangements are via the proposed Western Link Road and Anambah Road. The DCP includes provisions relating to River Road only to address any potential future proposal. These provisions require that, if access via River Road were ever proposed, the road would need to be upgraded to Council standards and supported by appropriate traffic assessment. While River Road would require upgrades, it is a public road and the DCP does not provide a mechanism to restrict its use. Any future proposal to utilise River Road for development access would be subject to detailed

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
		assessment as part of a development application, which would take into consideration how the impact of its upgrade and use would interact with the adjoining land uses.
Resident 6	This submission requests that a provision is included in the DCP that outlines that large super lots can be subdivided prior to the adoption of Precinct Plans to ensure tenure certainty. Although there are mechanisms in the MLEP 2011 that suggests this can be done, including a provision in the DCP would provide more certainty for future investors.	**Comment** As per Part 6.3(2) of the *Maitland Local Environmental Plan 2011*, "development consent must not be granted for development on land in an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land." Unless a subdivision complies with Part 6.3(4)(1) of the MLEP 2011, 'a subdivision for the purpose of a realignment of boundaries that does not create additional lots' then it would be in conflict with the MLEP 2011 to approve super lots within the URA prior to the adoption of the precinct plans over the subject land.
Resident 7	This submission provides some commentary on the existing controls and potential additional considerations for Council to consider in regard to the Stormwater and Flooding impacts, Environmental Controls, Rural land conflicts, urban density and infrastructure delivery. The submissions calls for stronger controls that allow for the development and rural interfaces to be better managed in regard to stormwater run-off, flooding impacts, transition zones, vegetation buffers, and noise/visual impacts. Additionally, the submission also speaks to need for transport movement and access to ensure that the infrastructure is appropriate for the residential and rural land uses. The submission also raises concerns regarding the increase in residential density in regard to infrastructure delivery, environmental impacts, emergency access and incompatibility with the rural character of the area.	**Comment** The Draft DCP establishes overarching principles for stormwater and flood management, environmental protection, and amenity treatments (including visual and acoustic buffers) to guide future development within the precinct. Detailed assessments of matters such as downstream stormwater and flooding impacts, peak flow management, protection of downstream land, natural drainage lines, flood-affected land, and environmental and amenity considerations are undertaken at the precinct planning stage and further refined at the development application stage, addressing the issues raised in the submission. The land was rezoned in 2020 for urban development, and matters relating to land use compatibility and impacts on adjoining rural land were considered at the rezoning stage. The Draft DCP provides appropriate controls to manage interface and amenity impacts, with detailed assessment of noise, traffic and dust to occur at the development application stage. The Draft DCP requires the construction of a new Western Link Road, to be completed prior to the registration of the 1,200th residential lot (Section 18.14, PC.1). It also provides for the upgrade of Anambah Road

SUBMISSION	SUMMARY OF SUBMISSION	RESPONSE
		to Transport for NSW and Council standards, supported by a Traffic Impact Assessment. Together, these measures address the anticipated increase in vehicular traffic generated by development within the Urban Release Area. Traffic impacts were considered as part of the rezoning process and demonstrate that the planned road network is capable of accommodating the projected development yield. Further precinct-level Traffic Impact Assessments are required to confirm operational performance and to identify any additional or staged upgrades that may be necessary as development progresses.
Resident 9	This submission was written by HDB on behalf of a resident in the surrounding area of the Anambah URA. This submission raises to concerns regarding the Staging Plan which allows for a majority landowner to develop in the URA first, which the submission states, gives this landowner control over the sequencing and affordability of the resulting lots. Thus, the submission requests more flexibility in the Staging Plan for out of sequence development on the merit basis.	**Comment** The DCP provides flexibility to allow out-of-sequence development where it can be demonstrated that infrastructure can be delivered without placing a burden on Council or the wider community in alignment with the provisions of the Maitland LEP 2011. Clause 18.1 (Staging Plan), Acceptable Solution AS.1, expressly allows development that is inconsistent with the staging plan where detailed justification is provided demonstrating that the proposal will maintain orderly and economic development and ensure the timely provision of essential infrastructure, including water, sewer, electricity and roads. The staging framework included in the DCP is intended to guide the logical progression of development across the precinct. It has been established to ensure development occurs in a coordinated manner that aligns with the delivery of key access points to the New England Highway, the efficient extension of infrastructure networks, and the safe and orderly functioning of the road network. Sequencing also assists in managing cumulative impacts and avoiding fragmented development outcomes. By combining a clear staging framework with a mechanism to consider justified variations, the DCP balances certainty and flexibility. On this basis, the matters raised in the submission are already addressed, and no changes to the DCP are required.

maitland
CITY COUNCIL

maitland
CITY COUNCIL

City Planning

Adoption of Draft Development Control Plan – Anambah Urban Release Area

Anambah Urban Release Area Draft Area Plan (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 3

Number of Pages: 50



March 2026

Anambah Urban Release Area Draft Area Plan

maitland CITY COUNCIL

How to use this DCP Section

This DCP section applies to all development that may be carried out with development consent in the Anambah Urban Release Area. Any development application within the Anambah Urban Release Area will need to address the relevant provisions contained in this DCP section and the *MDCP 2011*. This DCP section prevails to the extent of any inconsistency with the over-arching *MDCP 2011*.

The DCP contains objectives and two forms of controls to guide development outcomes. These serve the following purposes:

Objectives are the broad metrics that the proposed development is to achieve. These are located at the start of each section and sub-section of a DCP Chapter, appearing under the title 'Objectives'. Objectives communicate what outcomes Council is seeking to achieve from each section and sub-section of the DCP.

Prescriptive Controls (PC) are requirements that an Applicant is to address in order to achieve an outcome that is consistent with the relevant objectives for each Section. Prescriptive Controls are identified by the code '**PC**', which appears to the left of each control. Prescriptive Controls generally use language such as 'must', 'will', 'is to', 'are to', and 'shall'.

Acceptable Solutions (AS) are controls that have language more in line with that of the Objectives. Alternatively, they have content that provide a method to meeting the Objectives while communicating that Council is open to other solutions that may be proposed. Acceptable Solutions are identified by the code '**AS**', which appears to the left of each solution. These Acceptable Solutions generally use language such as 'should', 'may', 'encourage', and 'possible'.

Variations to this Section

If an alternative is proposed to a Prescriptive Control or Acceptable Solution (defined below), then the Objectives must be adequately addressed to the satisfaction of Council. Variations may be considered where a proposed variation meets the relevant objectives and results in a same or better outcome than would have been achieved by complying with the PC/AS. Any application seeking a variation to a control must be in writing and should:

1. Identify the specific PC/AS which is proposed to be varied, and the extent of the proposed variation,
2. Outline the reasons for the variation to the PC/AS and how it satisfies the applicable objectives, including through imagery, plans, and specialist assessment where necessary, and
3. Identify any potential adverse impacts of the proposed variation on the proposed development, surrounding properties, and how these potential impacts have been mitigated.

This variation should be justified in the Statement of Environmental Effects accompanying the development application.

Note: Boxes that appear like this are used for the following purposes:
- Providing additional information,
- Application of a section to different land zonings defined under the *MLEP 2011*,
- References to other relevant DCP Chapters/Sections, EPIs, or relevant Council documents, or
- Background context for why a Prescriptive Control/Acceptable Solution functions in the manner it does.

Table of Contents – Anambah Urban Release Area

18. Anambah Urban Release Area **4**
Development Requirements – General Provisions **8**
18.1. Staging Plan 8
18.2. Subdivision Design 8
18.3. Transport Movement Hierarchy 9
18.4. Road Design 13
18.5. Aboriginal Cultural Heritage 13
18.6. Overall Landscaping Strategy 14
18.7. Passive and Active Recreation Areas 14
18.8. Stormwater and Water Quality 15
18.9. Amelioration of Natural and Environmental Hazards 17
18.10. Key Development Sites 19
18.11. Residential Densities 19
18.12. Visual and Scenic Amenity 23
Precinct Plan Requirements - General **24**
Development Requirements – Anambah URA Precinct 1 ..... **26**
18.13. Staging Plan and Infrastructure Delivery 28
18.14. Transport Movement Hierarchy and Road Design 28
18.15. Subdivision Design 35
18.16. Overall Landscaping Strategy 37
18.17. Visual and Scenic Amenity 39
18.18. Passive and Active Recreation Areas 40
18.19. Stormwater and Water Quality 42
18.20. Key Development Sites and Residential Densities 44
Appendix A: Road Cross-Sections **46**

Figures – Anambah Urban Release Area

Figure 1: Anambah Urban Release Area 4
Figure 2: Anambah Precinct/Area Plan 6
Figure 3: Anambah URA Staging Plan 7
Figure 4: Anambah URA Transport Movement Hierarchy Plan 11
Figure 5: Anambah URA Area Plan (Access Denied Roads and Indicative Bus Routes) 12
Figure 6: Residential Laneway Section 20
Figure 7: Acceptable and Unacceptable Laneway Configurations 21
Figure 8: Anambah URA Precincts 25
Figure 9: Anambah URA Precinct 1 - Overall Plan 26
Figure 10: Anambah URA Precinct 1 Staging Plan 27
Figure 11: Anambah URA Precinct 1 Street Hierarchy Plan 30
Figure 12: Anambah URA Precinct 1 Pedestrian & Cycle Hierarchy Plan 31
Figure 13: Primary Collector (Perimeter Road) 32
Figure 14: Local Collector (Typical Road – LT11) 33
Figure 15: Green Street 33
Figure 16: Yield Street (L8) 34
Figure 17: Local Access Way 34
Figure 18: Anambah URA Precinct 1 Housing Diversity Opportunities Plan 36
Figure 19: Anambah URA Precinct 1 Landscaping and Tree Canopy Plan 38
Figure 20: Street Tree Planting – Sub-Arterial Type 1 39
Figure 21: Indicative Linear Park Riparian Land Cross-Section 41
Figure 22: Anambah URA Precinct 1 Open Space and Stormwater Management 43
Figure 23: L10 Local Street Typology 46
Figure 24: LT11 Local Trunk Collector & T12 Local Distributor Typology 47
Figure 25: Sub-Arterial Type 1 (Anambah) 48
Figure 26: Sub-Arterial Road Type 2 – Anambah West of River Road 49

18. Anambah Urban Release Area

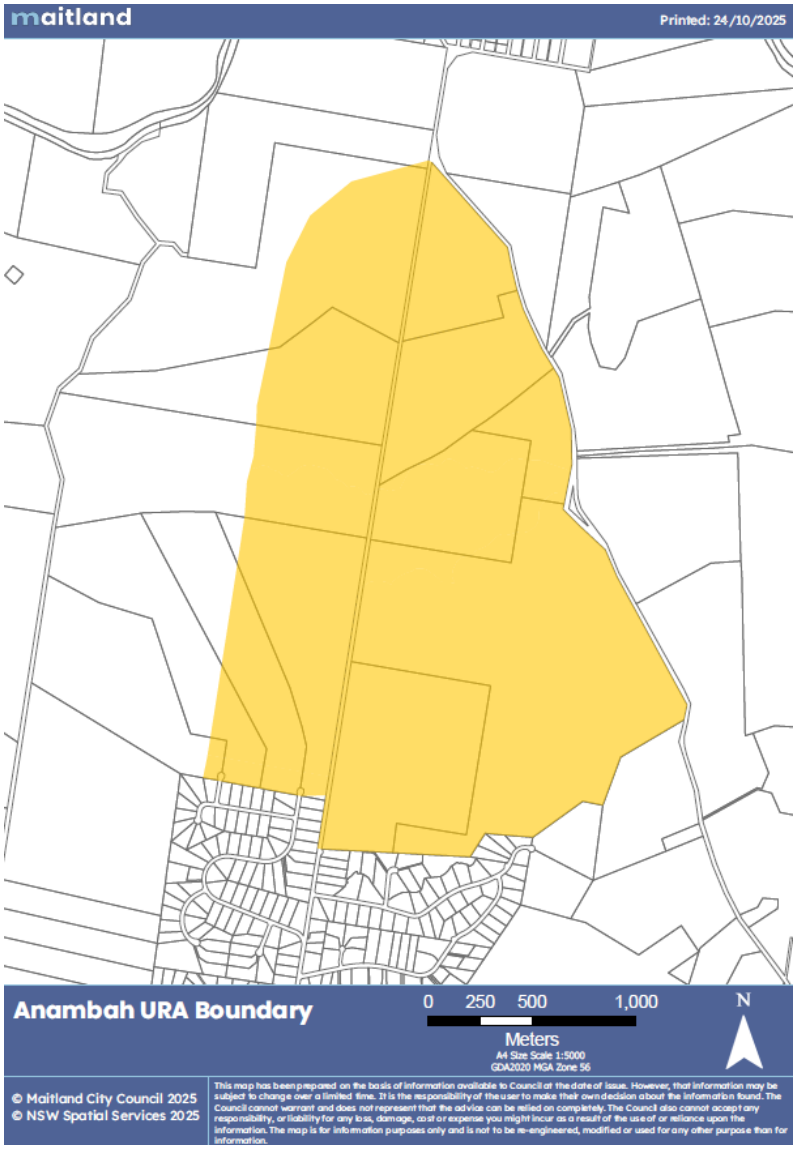


Figure 1: Anambah Urban Release Area

The Anambah Urban Release Area (AURA) (Figure 1) encompasses approximately 500 hectares of land and is anticipated to yield approximately 4,200 dwellings. The URA is located within the Anambah to Branxton Regionally Significant Growth Area as identified in the Hunter Regional Plan 2041. Situated approximately 10 km north-west of Central Maitland and 3 km north-west of the Anambah Employment Area, the site is bound by rural land to the north, west and east. The area fronts Anambah Road along its eastern boundary, and the Windella rural residential estate to the south.

The URA will feature a mix of residential, commercial, and environmental living zones. Key elements include a commercial precinct, a proposed school site, playing fields, community facilities, parks, and public recreation areas along several riparian corridors. The development aims to create walkable neighbourhoods with convenient access to amenities, supported by a well-linked pedestrian and cycle network.

Access to the URA will primarily be via a flood free Western Link Road, with secondary access from Anambah Road. The Western Road Link is required to be in place before the 1200 lot is released. Until this time, flood-free access must be provided to support development of the AURA, in accordance with the Flood Risk Management Manual 2023 and Clause 5.21 of the *Maitland Local Environmental Plan (MLEP) 2011*. Any connection to and/or use of River Road, outside the Anambah URA, is subject to additional Traffic Impact Assessment(s) to determine whether River Road and its intersection with the New England Highway can accommodate the increased traffic.

Future exploration of movement opportunities along the River Road corridor may enhance connectivity within the region. This could include improvements to support pedestrian and cycle networks, subject to feasibility studies and infrastructure planning.

Water and sewer services will require a level of augmentation and extension to service the release area. The development and staging of precincts within the release area are linked to the provision of these services as development progresses. Another factor in the staging of the development is limitations with road infrastructure, and the construction of a planned flood free “western link” to the New England Highway via Wyndella Road in Lochinvar.

Anambah Precinct/Area Plan

The purpose of the Precinct/Area Plan is to give detailed guidance to people wishing to carry out development within the Anambah Urban Release Area. The Anambah Area Plan provides objectives, requirements and development standards for the area, not otherwise included in the broader *MDCP* 2011.

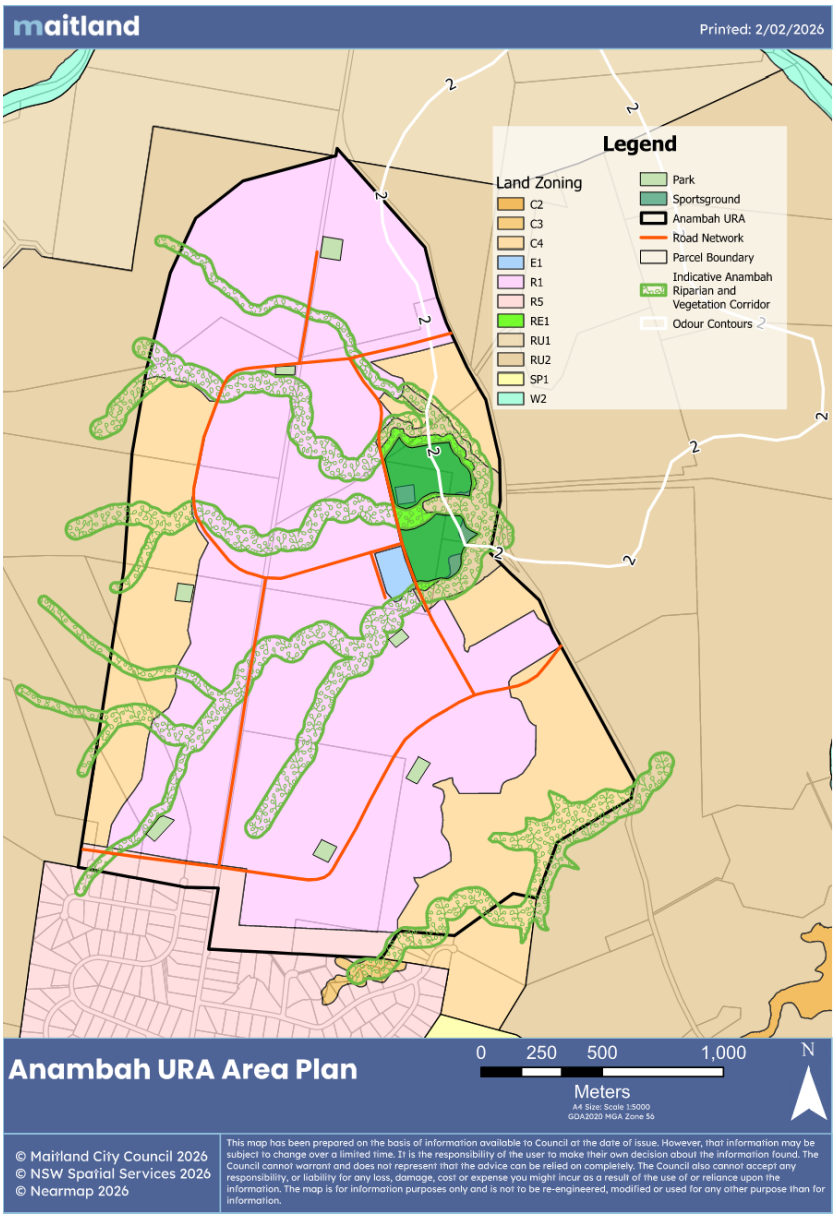


Figure 2: Anambah Precinct/Area Plan

Staging Plan

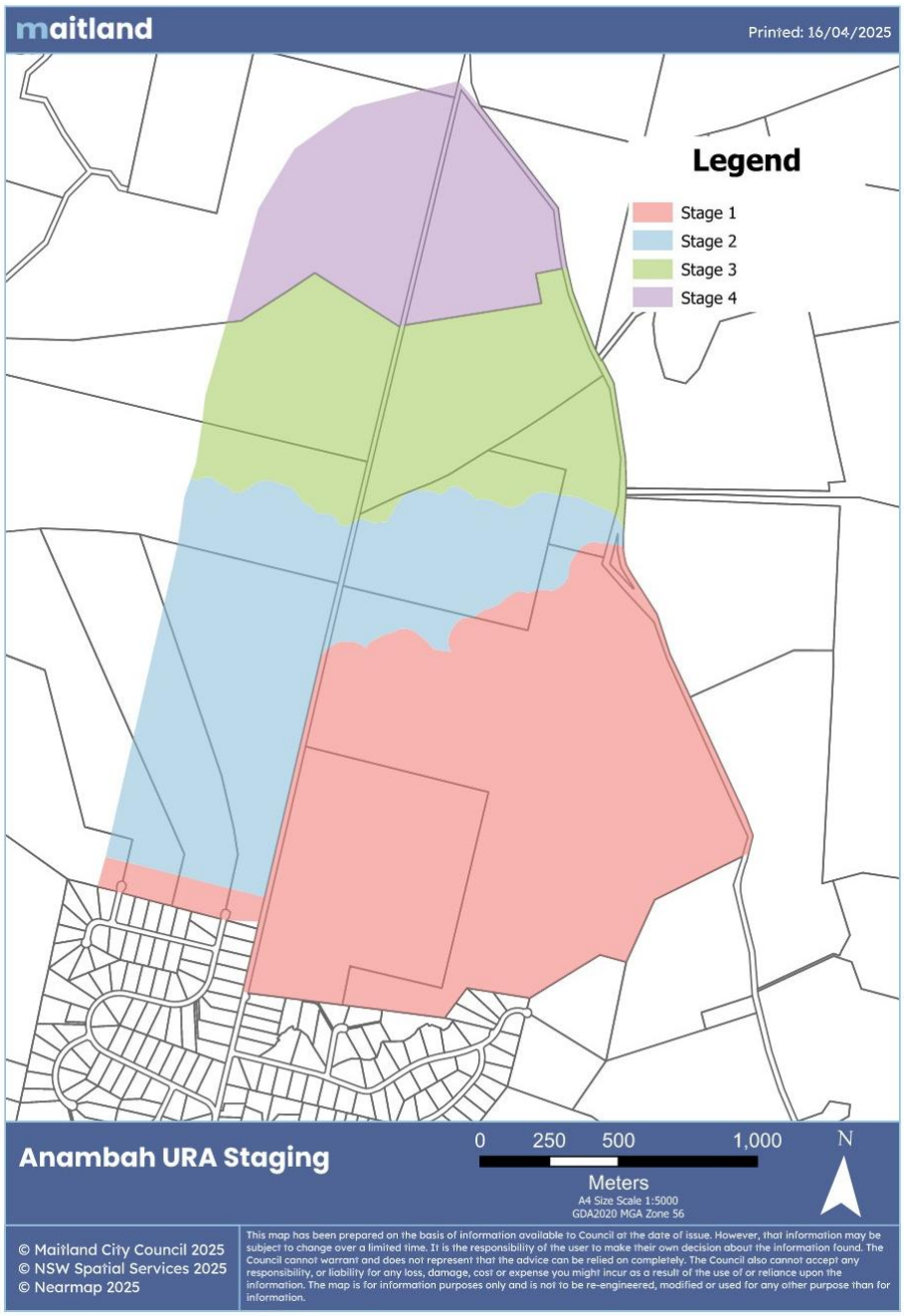


Figure 3: Anambah URA Staging Plan

Development Requirements – General Provisions

This Area Plan provides general development objectives and controls for the overall Anambah Urban Release Area (Anambah URA). The M DCP 2011 applies to the Anambah URA. Any development applications for the development of the area are required to address the provisions of the M 2011.

No specific requirements have been made for the following matters within the General Provisions for the Anambah Urban Release Area as they are already adequately addressed by other relevant provisions within the *MLEP 2011* and the *MDCP 2011*:

- Provision of Public Facilities and Services
- Neighbourhood Commercial and Retail Uses

18.1. Staging Plan

Objectives

O.1 To provide for the timely and efficient release of urban land, ensuring necessary infrastructure is in place.
O.2 To ensure that infrastructure is sequenced and provided in a logical and cost-effective manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.1 • O.2	Development should be generally in accordance with the Staging Plan in Figure 3**.** Where development is proposed that is inconsistent with the Staging Plan, detailed justification must be provided demonstrating how the proposed staging maintains orderly and economic development and infrastructure provision of water, sewer, electricity and roads.
PC.1 • O.1 • O.2	Development must demonstrate that the provision and sequencing of essential infrastructure adequately services the proposed development and are strategically designed to support the continued growth and development of the Anambah Urban Release Area.

18.2. Subdivision Design

Objectives

O.3 To ensure that subdivision provides a safe and positive character, enhances accessibility, minimises visual impacts, compatible with the surrounding area, and promotes the principles of ecologically sustainable development.
O.4 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.
O.5 To create a series of residential neighbourhoods with a distinct landscape and built form character to create a sense of identity.
O.6 To provide a range of public facilities in appropriate locations and in sequence with the land development.
O.7 To allow view sharing and to ensure privacy between lots.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.6	Development Applications for subdivision must include Staging Plans. This is to include an analysis and statement as to the intentions and philosophy of the sequencing of stages to demonstrate expansion of infrastructure networks/corridors to adjoining development lots within a reasonable timeframe/lot yield.
PC.2 • O.4	Sequencing is to include connection to lots within the precinct followed by lots in any adjoining precinct/s. Applications for subdivision are to clearly show proposed layouts, lot sizes, shapes and likely development densities.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.3 • O.7	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 consistent with cl.7.8 of the *MLEP 2011*.
PC.3 • O.5	Subdivision design should have regard to minimising any adverse impacts of development when viewed from public roads and surrounding properties.
AS.2 • O.3	Appropriate measures should be incorporated in landscape plans and include buffer zones, landscape plantings, and avoidance of the tops of ridgelines for buildings and structures.
PC.4 • O.6	Lots are to be designed to have frontage to streets or public open spaces to enhance dwelling presentation, passive surveillance and activation of the public areas.
AS.3 • O.3 • O.7	Subdivision designs should incorporate crime prevention strategies and principles to promote personal safety and casual surveillance, utilising Crime Prevention Through Environmental Design (CPTED) principles.

18.3. Transport Movement Hierarchy

Objectives

O.8 To establish a well-structured and interconnected network of roads, cycleways, and shared pathways.
O.9 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.
O.10 To facilitate convenient and efficient access for public transport services.
O.11 To ensure that flood-free access to the URA is provided to all dwellings.
O.12 To provide a permeable and interconnected street structure to offer a choice of routes and to distribute traffic load through a number of connection points.
O.13 To ensure that intersections with regional and state road networks are designed and delivered in coordination with relevant authorities.
O.14 To ensure that all access routes to the URA are provided to a public road standard that supports permanent, equitable access for residents.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.8 • O.9 • O.10 • O.11 • O.12 • O.13 • O.14	The primary road hierarchy is to be consistent with the Transport Movement Hierarchy Plan in Figure 4, Appendix A: Road Cross-Sections, and Council's Manual of Engineering Standards (MoES).
PC.2 • O.8 • O.9 • O.10 • O.11 • O.12	Vehicular access must not be provided to road frontages identified as Access Denied on the Anambah URA Area Plan – Including Bus Routes and Access Denied Roads in Figure 5, Appendix A: Road Cross-Sections, and MoES.
PC.3 • O.8 • O.9 • O.10 • O.11 • O.12	The agreed timing / trigger point for the construction of the northern Primary Distributor from Anambah Road is to be clearly described within Precinct Plan 6. **Note:** Any associated construction and upgrades to deliver this road and intersection are to be undertaken at no cost to Council.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.4 • O.8 • O.9 • O.10 • O.11 • O.12	A perimeter road, with development on the inner side only, is to be provided around the edge of the Urban Release Area where it adjoins flood prone land. Perimeter roads are also to be used adjacent to open space areas, areas of high bushfire risk, riparian networks and visual significance areas. Dwellings associated with C4 zoned allotments can be on the outer, down slope side of the perimeter road.
PC.5 • O.8 • O.9 • O.10 • O.11 • O.12	In accordance with Clause 7.8 of the *MLEP 2011,* the Western Road Link via Wyndella Road is to be fully constructed and operational prior to the release of the 1,200th lot. Alternatively, where the Western link road is provided first, a threshold for the linkage to Anambah Road needs to be demonstrated with each DA for subdivision
PC.6 • O.9 • O.11 • O.14	Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements, associated with expected use, in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. **Note 1:** Any upgrade to the intersection of Anambah Road and the New England Highway must be at no cost to Council. **Note 2:** Council, at its discretion, may consider alternative levels of flood resilience for Anambah Road where it can be demonstrated that alternative, flood free access is provided for all dwellings within the relevant precinct.
PC.7 • O.9 • O.10	River Road must not be used as restricted or emergency-only vehicular access from the Anambah Urban Release Area. If that part of River Road outside of the Anambah URA is proposed for emergency vehicular access, River Road must be upgraded to a public road standard, with full-time access available to all residents at the developer's cost. The upgrade of River Road must be delivered in accordance with Council's Manual of Engineering Standards (MoES). The applicant must consult with Transport for NSW to determine the extent and timing of intersection upgrades at the River Road and New England Highway intersection. **Note:** Any upgrade to the River Road and New England Highway intersection must be at no cost to Council.
PC.8 • O.8 • O.9 • O.12 • O.14	No new future lot is to have direct vehicular access to Anambah Road.
PC.9 • O.8 • O.9 • O.10 • O.14	School location/site must provide suitable transport routes around all boundaries in accordance the standards contained with MoES. Driveways and drop off/pick up locations must not be located on major trunk roads to reduce impacts on surrounding road networks.

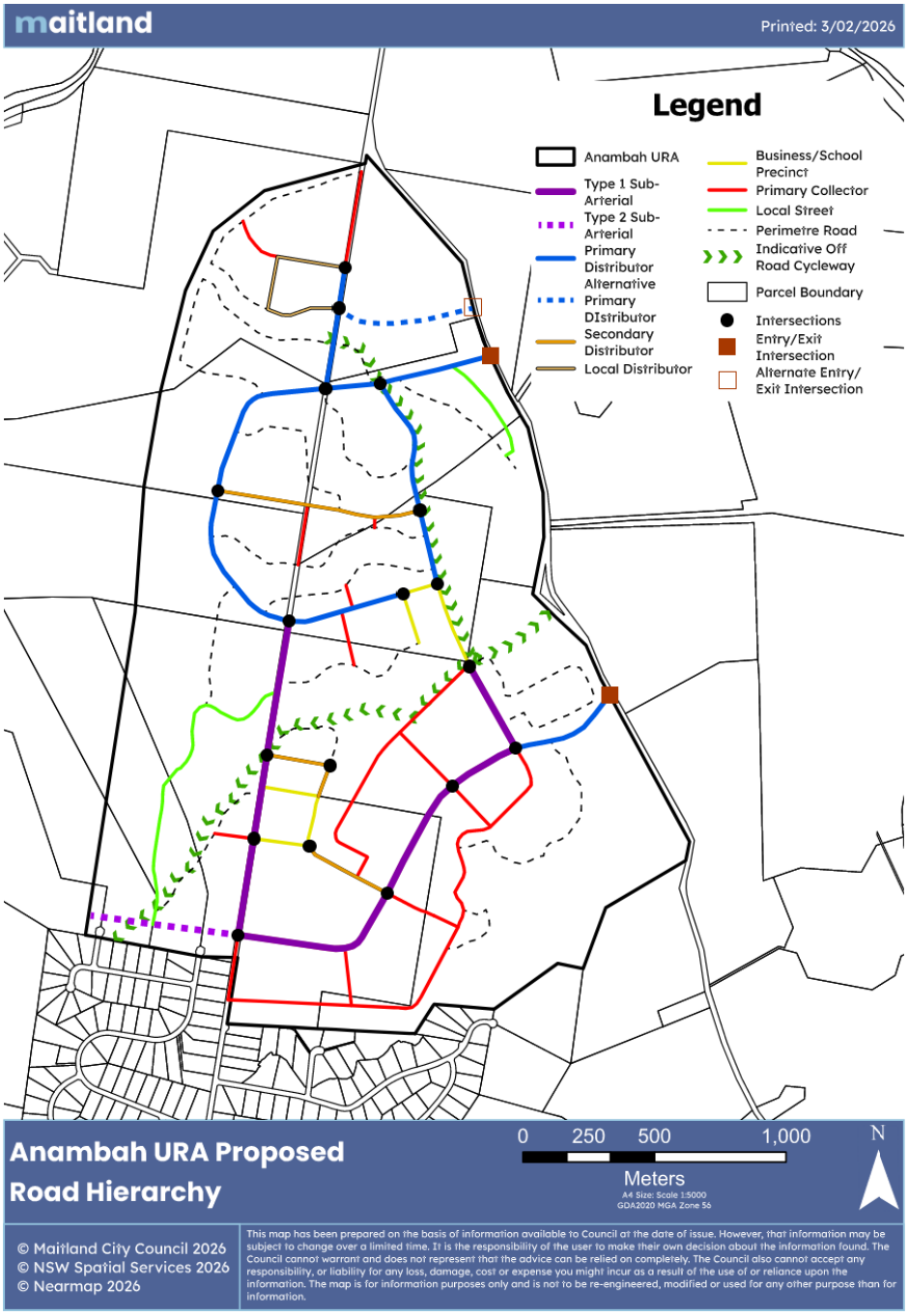


Figure 4: Anambah URA Transport Movement Hierarchy Plan

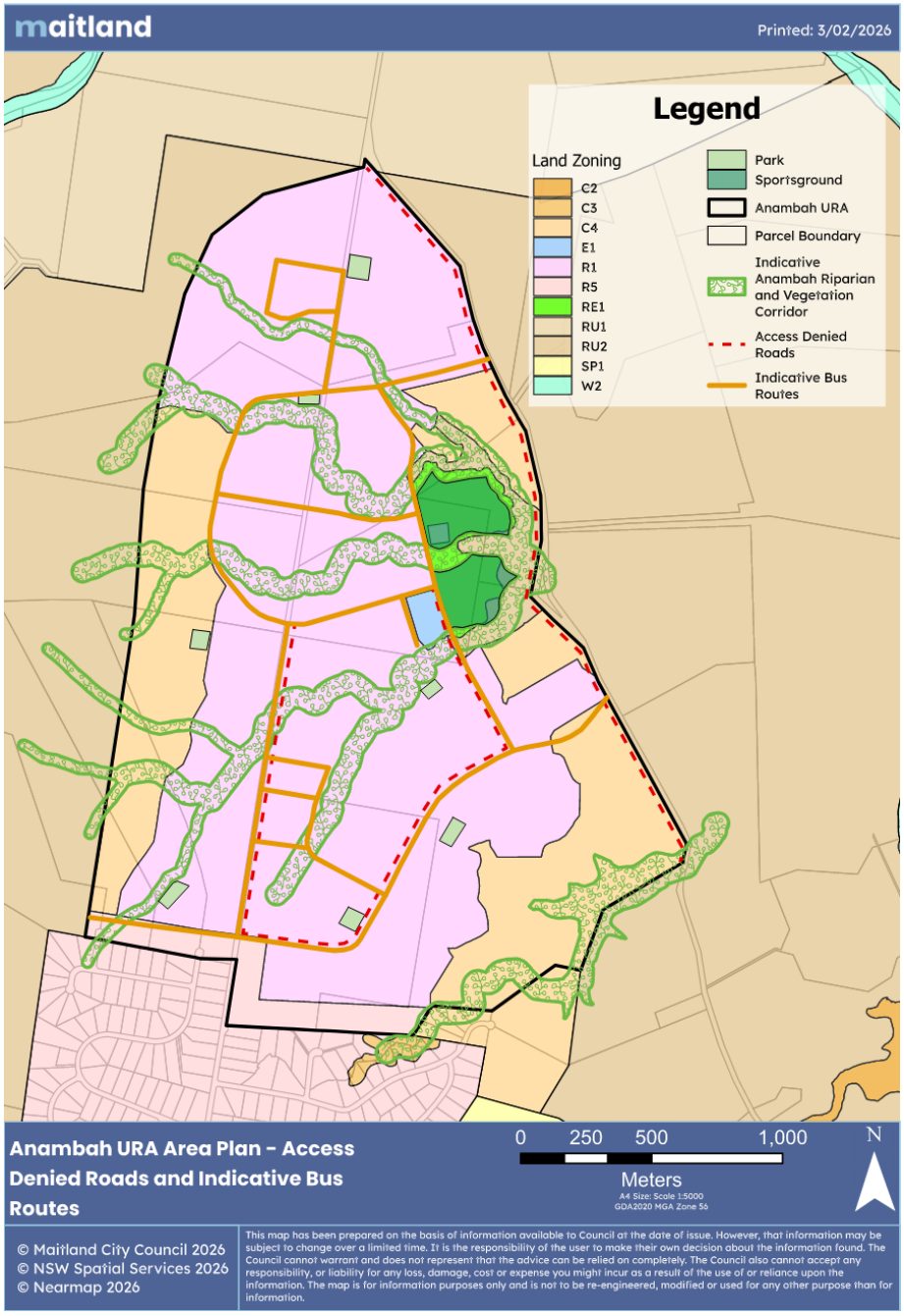


Figure 5: Anambah URA Area Plan (Access Denied Roads and Indicative Bus Routes)

18.4. Road Design

Objectives

O.15 To embellish particular roads within the urban release area with distinct design and typology to optimise functions.
O.16 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.
O.17 To ensure that the design of the streets indicates their position in the street hierarchy, their function and reflect the uses within the street in their character and detail.
O.18 To provide a permeable and interconnected street structure to offer a choice of routes and to distribute traffic load through a number of connection points.
O.19 To provide a safe, continuous and appropriate level of pedestrian and cycleway access linking residential development with schools, commercial areas, recreational areas, public transport and the wider community.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.15 • O.16 • O.17 • O.18 • O.19	Roads within the Anambah URA are to be designed and constructed in accordance with MoES and any road cross sections and plans detailed in this Area Plan, Appendix A: Road Cross-Sections, and relevant Precinct Plans.
AS.1 • O.18 • O.19	Road designs should allow for passive surveillance and access to public open space from adjoining residences.
AS.2 • O.16 • O.17 • O.18 • O.19	A modified grid network must be provided for the road network and other transport networks. Cul-de-sac and dead-end routes are discouraged unless no other practical solution can be designed.

18.5. Aboriginal Cultural Heritage

Objectives

O.20 To manage Aboriginal cultural heritage values, assisting in protecting sensitive Aboriginal landforms, items, and places of heritage significance.
O.21 To ensure enduring heritage conservation outcomes.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.20 • O.21	An Aboriginal Cultural Heritage Assessment (ACHA) is to be provided with any DA for the initial subdivision of land within each precinct of the Anambah URA.
PC.2 • O.20 • O.21	Development within or adjacent to land that contains a known Aboriginal cultural heritage site will consider and comply with the requirements of the *National Parks and Wildlife Act 1974*.
PC.3 • O.20 • O.21	Proposals must identify any areas of Aboriginal cultural heritage value that are within or adjoining the area of the proposed development, including any areas within the development site that will be retained and protected with appropriate management protocols.

18.6. Overall Landscaping Strategy

Objectives

O.22 To provide landscaping appropriate to the nature and scale of development that enhances the local character and streetscapes.
O.23 To support retention and regeneration of ecological corridors.
O.24 To assist in providing visual interest and suitable backdrops to the built form of the Urban Release Area.
O.25 To provide a landscaped buffer along Anambah Road that softens the visual impact of development and helps reduce traffic noise.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.22 • O.23 • O.24	Detailed landscape plans are to be submitted with the development application for initial subdivision of any site. The landscape plans must include, where applicable, details for all streets and public spaces, identifying appropriate street tree species and number, fencing details, landscape elements, water bodies and street furniture.
PC.2 • O.22 • O.23 • O.24	Primary landscaping works will be required for all: • major intersections, including connections to Anambah Road, • areas of open space, • riparian corridors, • playing fields, • local parks, and • identified vegetation buffer areas within the relevant Precinct Plan.
AS.1 • O.22 • O.23 • O.24	Existing trees are to be retained wherever possible within open space/ riparian areas, or in the front setback of lots fronting streets.
PC.3 • O.22 • O.23 • O.24	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.
PC.4 • O.25	A 10-metre-wide landscaped buffer must be provided wholly within the boundaries of lots adjoining Anambah Road starting from RL14.0m AHD at the south east boundary of the URA. Any fencing is to be of an open style rural fence located on the dwelling side of the landscape buffer. Details of the buffer must be shown in the landscape plan.
PC.5 • O.22 • O.24	Street planting and planting within public spaces should prioritise locally endemic native species, where suitable, having regard to site conditions, infrastructure constraints, and public safety requirements.

18.7. Passive and Active Recreation Areas

Objectives

O.26 To ensure that neighbourhoods are conveniently located close to open space areas that offer a range of recreational opportunities for residents.
O.27 To provide an equitable distribution of public open space and recreation opportunities.
O.28 To ensure good quality of design and embellishment of the public domain.
O.29 To ensure that passive and active recreation areas are linked through an adequate active transport network.
O.30 To establish linear parks within riparian corridors that provide connected, high-quality passive recreation opportunities integrated with the natural landscape.

O.31 To ensure that linear parks are designed and landscaped to enhance biodiversity, support flood resilience, and bushfire threat management and contribute to tree canopy to complement their public purposes for active movement, open space and recreation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
AS.1 • O.26 • O.27 • O.28 • O.31	The network of passive and active recreational areas is to generally be in accordance with that identified in Figure 2, and any such land or facilities within the relevant contributions plan.
AS.2 • O.26 • O.27	Neighbourhoods should include accessible open space areas that offer a range of recreational opportunities for residents, accessible within 400m walking distance from each residence within the R1 General Residential zone.
AS.3 • O.29	Linear parks and passive open space corridors connecting linear parks are encouraged along riparian corridors and are to be identified and detailed in the relevant Precinct Plan.
PC.1 • O.26 • O.27 • O.29	Linear parks must be located within riparian corridors identified for public open space, and must provide continuous passive recreation opportunities, such as shared paths, seating, and natural play areas.
AS.4 • O.30 • O.31	Linear parks within riparian corridors should have a minimum width of 10 metres (excluding the core riparian zone) to ensure safe use, functionality, and landscape integration.
PC.2 • O.30	Linear parks must incorporate native landscaping that complements the riparian corridor, provides shade and habitat, and contributes to the tree canopy targets for the URA.
AS.5 • O.31	All recreation infrastructure within linear parks should be designed to withstand flooding and be located outside of the core riparian zone, except where limited crossings are unavoidable and required at strategic locations to facilitate essential pedestrian and cycle connectivity within the urban structure.
PC.3 • O.30 • O.31	Passive and active recreation areas must be located and designed to minimise impacts on biodiversity conservation objectives for riparian corridors and other areas of High Environmental Value (HEV).

18.8. Stormwater and Water Quality

Objectives

O.32 To protect and enhance the water quality and habitat value of downstream waterways.
O.33 To prevent erosion and sediment runoff during site preparation, construction, and ongoing use.
O.34 To integrate Water Sensitive Urban Design (WSUD) into open spaces and streetscapes.
O.35 To ensure there is no detrimental impact on downstream waterways, wetland environments, or agricultural productivity as a result of new development.
O.36 To manage stormwater runoff at the precinct level so that flows outside any precinct remain at pre-development levels.
O.37 To identify and manage existing natural trunk drainage paths.
O.38 To reduce potable water consumption, stormwater pollution and manage flow attenuation.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.32 • O.33 • O.34	A Stormwater and Water Quality Report and Strategy is to be provided for each stormwater catchment and submitted with the first development application for subdivision for each precinct. The number and location of WSUD elements are to be

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.36 • O.37 • O.38	assisted by modelling to develop the WSUD strategy for the site and be integrated with the overall design.
PC.2 • O.32 • O.33 • O.34 • O.35	A Stormwater and Water Quality Report, including MUSIC modelling, must be submitted with Medium or Major subdivision applications to demonstrate water quality objectives are met. **Note:** Medium subdivisions are defined as the creation of 10 – 49 new lots, and/or where a new road is required. Major subdivisions are defined as the creation of 50 or more new lots.
PC.3 • O.32 • O.35	Stormwater management facilities must be designed to enhance ecological values (e.g. native plantings), and where possible, utilise or improve existing water bodies.
PC.4 • O.34 • O.35 • O.36	The location of stormwater detention basins and water quality controls structures should, where practical, avoid riparian corridors, particularly areas identified as threatened ecological communities.
PC.5 • O.33 • O.34 • O.35 • O.36	Stormwater runoff from each precinct must be managed so that flows outside the precinct do not exceed pre-development levels, as verified by appropriate modelling.
PC.6 • O.32 • O.33 • O.34 • O.35 • O.37	Gross Pollutant Traps (GPTs) must be integrated into the stormwater network and sized to accommodate the pollutant load.
PC.7 • O.32 • O.34 • O.35	All development must incorporate WSUD principles to demonstrate the site and catchment is achieving water quality targets. Private systems (e.g., bio-retention swales, vegetated swales, rain gardens). may be needed to supplement the public system where a site exceeds requirements including impervious coverage or pollutant loads (nutrient, etc)
AS.1 • O.34 • O.37	Developments are encouraged to implement additional WSUD measures (e.g., stormwater harvesting, reuse schemes, green roofs) to reduce potable water demand and improve stormwater quality.
PC.8 • O.33 • O.35 • O.36	Erosion and sediment control plans are required to be submitted as part of subdivision and are to incorporate, where appropriate, measures like temporary sediment basins, vegetated buffer strips, and stabilised site access points to minimise runoff.
AS.2 • O.34 • O.36 • O.37	Wherever possible, the existing riparian areas could form part of a stormwater and runoff drainage management system incorporating detention basins and/or wetlands to alleviate stormwater peaks and retain pollutants. Stormwater structures including basins, are to be positioned where the operational maintenance of the structure is not impeded by environmental constraints and plantings.
PC.9 • O.34 • O.36 • O.37	Basins must be positioned offline from 3rd order of higher waterways.

18.9. Amelioration of Natural and Environmental Hazards

Objectives

O.39 To manage the risk to human life, property, and essential services by ensuring development is compatible with flood behaviour.
O.40 To ensure negligible flood impacts on adjoining property or infrastructure.
O.41 To ensure overland flow paths are appropriately identified and managed through comprehensive flood modelling.
O.42 To conserve biological diversity and protect threatened species/ecological communities.
O.43 To ensure development is designed to avoid, minimise and manage impacts on land containing high environmental values.
O.44 To ensure that site planning and design responds appropriately to areas of high environmental value through layout, building location and design.
O.45 To ensure that development is designed to reduce the risk of bushfire to people and property.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.39 • O.40 • O.41 •	Development must comply with the NSW Flood Risk Management Manual 2023.
PC.2 • O.39 • O.40	Development must demonstrate that it does not result in an increase in flood levels on adjoining or surrounding land.
PC.3 • O.39	Internal roads are to be designed to provide flood free access to proposed allotments.
PC.4 • O.39	Each stage of development must demonstrate how flood free access up to and including the 1% AEP flood level will be provided.
PC.5 • O.41	An overland flow flood model is to be submitted for each precinct to identify and manage potential overland flow catchments.
PC.6 • O.39 • O.40	Where cut and fill and the construction of roads is proposed in the 1% Annual Exceedance Probability (AEP) floodway or within flood storage areas, a flood impact risk assessment is required. This is to be prepared in accordance with LU01 - Flood Impact and Risk Assessment of the NSW Flood Risk Management Manual 2023.
AS.1 • O.39 • O.40	Pedestrian and cycle pathways and open space may extend into the 1% AEP flood level, provided the safe access criteria contained in the NSW Flood Risk Management Manual 2023 are met and there is no impact on the flood behaviour.
PC.7 • O.42 • O.43 • O.44	Where development results in direct or indirect impacts on Threatened Ecological Communities (TECs) listed under the *Biodiversity Conservation Act 2016* or the *Environment Protection and Biodiversity Conservation Act 1999*, or habitat patches for threatened species listed under the same Acts, a Vegetation Management Plan (VMP) must be prepared and implemented to protect, manage, and improve biodiversity values. The VMP must be prepared by a suitably qualified ecologist or bush regenerator and implemented in a manner that effectively safeguards and enhances biodiversity values. **Note:** This control complements, but does not replace, obligations under the Biodiversity Offset Scheme (BOS), the *BC Act*, or the *EPBC Act*.
PC.8 • O.42 • O.43 • O.44	Riparian corridors identified in an adopted Area Plan must be retained, protected, and restored in accordance with the indicative location and intent shown in the Area Plan, irrespective of stream order classification. Where a riparian assessment or stream order analysis identifies a watercourse as a first-order stream that would otherwise be exempt

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
	from restoration or setback requirements under State legislation, this does not remove the obligation to protect and restore the riparian corridor identified in the Area Plan.
PC.9 • O.42 • O.43 • O.44	Significant trees must be retained and protected, being trees that meet either of the following criteria: a. Have a diameter at breast height (DBH) greater than 80 cm; or b. Contain more than five (5) tree hollows, or any hollow with an opening greater than 20 cm. and that also meet both of the following criteria: i. Have a safe useful life expectancy (SULE) of greater than 40 years, as determined by a suitably qualified arborist in accordance with AS 4970 – Protection of Trees on Development Sites; and ii. Are assessed as being in good structural condition, or capable of being retained in a structurally sound condition through appropriate arboricultural management or remedial pruning, consistent with AS 4970. Despite the above, this control does not apply where a significant tree is demonstrated to be in direct and unavoidable conflict with essential infrastructure identified in the adopted Area Plan, including but not limited to the road network shown in Figure 4, and where the conflict cannot be reasonably avoided through alternative design, alignment, or layout.
PC.10 • O.42 • O.43 • O.44	Remnant vegetation patches are retained and, where practicable, connected to adjoining riparian corridors and larger off-site remnant patches to maintain functional ecological linkages, and protected from impacts during construction. **Note:** For the purposes of this control, a remnant vegetation patch means a discrete area of native vegetation comprising a minimum of five (5) native canopy trees, each with a diameter at breast height (DBH) greater than 20 cm, where the horizontal canopy separation between adjacent trees does not exceed 30 metres.
PC.11 • O.42 • O.43 • O.44	If artificial nest boxes are required to offset hollow-bearing tree removal and cannot be installed on retained trees within or adjacent to the site, an alternative location within the local area or region must be identified and agreed with Council. As an alternative, nest-box poles may be installed within riparian areas where ecologically appropriate.
PC.12 • O.42 • O.43 • O.44	Future residential subdivision is to incorporate the areas of native vegetation into the character and design of the development and provide linkages between areas of remnant vegetation creating improved habitat value and filter strips along watercourses.
PC.13 • O.45	All development is to be designed in accordance with the NSW Rural Fire Service (RFS) – Planning for Bushfire Protection guidelines applicable at the time of application.
PC.14 • O.45	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.
PC.15 • O.42 • O.43 • O.44	Areas of High Environmental Value include land that contains one or more of the following characteristics: a. important habitat for species subject to serious and irreversible impacts, b. koala habitat, c. native vegetation of high conservation value, including vegetation types that are over-cleared, occur within over-cleared landscapes, or comprise old-growth forest or rainforest, d. key habitat for threatened species, threatened populations or threatened ecological communities, e. watercourses and wetlands, including their riparian buffers, and f. areas of geological significance.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.16 • O.42 • O.43 • O.44	Avoided High Environmental Value (HEV) land is to be protected and enhanced in perpetuity. Appropriate mechanisms to secure these outcomes may include section 88B Instruments.
PC.17 • O.42 • O.43 • O.44	Where the development of a Vegetation Management Plan or Biodiversity Management Plan is required, the application must demonstrate how they have engaged with local Aboriginal knowledge holders to identify shared approaches that support the health and wellbeing of Country.
PC.18 • O.42 • O.43 • O.44	All development applications are required to assess for relevant prescribed impacts on biodiversity, as outlined in the *Biodiversity Conservation Regulation 2017*. This requirement applies irrespective of whether the Biodiversity Offset Scheme (BOS) is triggered.

18.10. Key Development Sites

Objectives

O.46 To ensure that key development sites are properly planned for within Precinct Plans.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.46	The following key development sites are to be included and appropriately addressed in the relevant precinct plans which are to include concept designs, site plans and development guidelines: • Commercial/shopping precinct and Community facilities • Windella Estate surrounds • C4 Environmental Living zone • Management of TEC's located within C4 zoned private land • School • Quarry site buffer (north) • Composting facility buffer (C4 Environmental Living zoned land) • Gateway site (Western Link Road Entrance) • Small lot housing • Recreational Sports Fields

18.11. Residential Densities

Objectives

O.47 To design laneways that enhance safety, reduce maintenance liabilities, and support positive community behaviour through Crime Prevention Through Environmental Design (CPTED) principles.
O.48 To ensure laneway configurations facilitate efficient property access without compromising the integrity of the overall road network.
O.49 To align laneway design with the broader road network criteria, promoting walkability and connectivity within the AURA.
O.50 To ensure the equitable distribution of small lot housing proposals across the AURA precincts.
O.51 To ensure a mix of lot sizes and housing types.
O.52 To promote diverse and varied streetscapes through the integration of small lot housing.
O.53 To ensure that built form reflects the intended outcomes of permitting small lots as an important part of the mix of lot sizes available for varied housing needs.
O.54 To maximise private open space, visual and acoustic privacy, views, natural ventilation, and solar access for the subject site and adjoining properties through optimised setback configurations.
O.55 To provide opportunities for the planting of vegetation to enhance privacy and environmental quality.

O.56 To reduce the visual impact of garages, carports, and sheds on the streetscape and improve dwelling presentation.
O.57 To ensure garages do not dominate the streetscape, maintaining the aesthetic quality of the neighbourhood.
O.58 To minimize the visual impact of driveways on the streetscape.
O.59 To provide practical and safe access and egress to dwellings.
O.60 To minimise the impact of driveways on on-streetcar parking and utilities.
O.61 To ensure laneways are only used to facilitate access to access denied road frontages on high order roads, or to support vehicle access rear loaded small lot development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS

Laneways

PC.1
- O.47
- O.48
- O.49
- O.61

Laneways must have a minimum width of 5.5m within a minimum 8.5m road reserve in accordance with Figure 6 and in accordance with MoES requirements and typology.

Residential Laneways are to only be used as follows:

a. To service Vehicle access for dwellings on access denied roads
b. To service small lot product that creates rear loaded housing product
c. Designed in accordance with the Laneway typology in MoES
d. Lot frontages shall be located on a local street (10m wide) or greater to ensure on-street parking is provided on the primary frontage

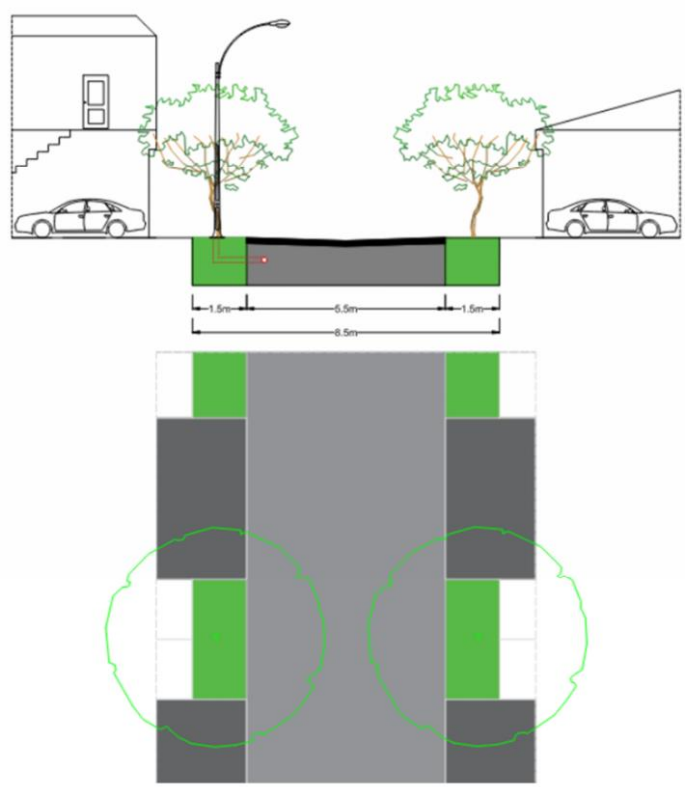


Figure 6: Residential Laneway Section

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.47 • O.48 • O.49	Laneways must have a clear line of sight from each end of the lane i.e. no bends or corners,), as shown in Figure 7.

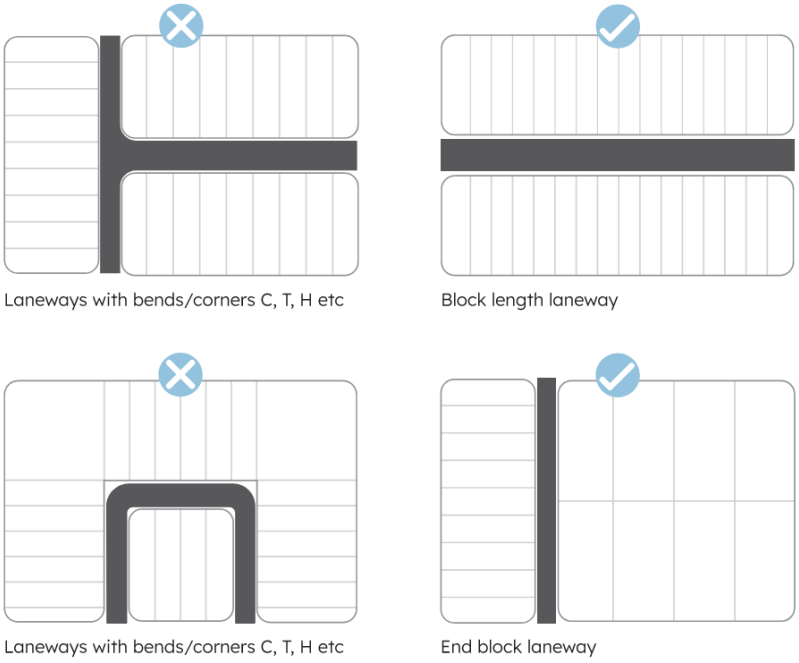


Figure 7: Acceptable and Unacceptable Laneway Configurations

PC.3 • O.47 • O.48 • O.49	Four-way intersections that incorporate laneways are permitted on local roads only and are subject to site-specific considerations and ensuring alignment with safety standards. Where two laneways create a four-way intersection they can only be on a local road (i.e. not on a trunk road)
PC.4 • O.47 • O.48 • O.49	Laneways are to be a maximum of 100m in length between intersections with other road typologies. Proposals seeking to exceed the 100m maximum length shall use local street types instead of a laneway (i.e. yield street or local street as appropriate to minimum lot sizing.
PC.5 • O.47 • O.48 • O.49	Development must be designed to ensure garbage collection occurs on the primary road frontage, including any access denied roads.
Distribution of Small Lot Housing **Note:** The sections (streetscape, side-setback, rear-setback and garages/driveways) below apply to proposals utilising Clause 7.8 of the *MLEP 2011*.	
PC.6 • O.50 • O.51	The number, size and location of small lot housing is to be consistent with Clause 7.8 of the *MELP 2011*.
AS.1 • O.50	Each Precinct Plan should indicate the general location of lots which may be created with a minimum area greater than or equal to 200m^2 and less than 450m^2. These smaller lots

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.51	are to be located within areas of high amenity and 200m walking distance to commercial premises, recreation areas or community facilities and matched to the appropriate road types on a Precinct map.
Streetscape	
PC.7 • O.52 • O.53	Articulation of the front facades of small lot housing must be varied rather than uniform to enhance visual interest and encourage housing diversity.
AS.2 • O.52 • O.53	Developments are encouraged to incorporate innovative facade treatments (e.g., varied materials, colours, and architectural features) to enhance streetscape diversity and reflect the character of small lot housing.
Side Setbacks	
PC.8 • O.54 • O.55	If the lot has a width, measured at the front building line, of at least 6m but not more than 8m, the building may be constructed to both side boundaries.
PC.9 • O.54 • O.55	If the lot has a width, measured at the front building line, of more than 8m but not more than 12.5m, the building may be constructed to only one side boundary.
PC.10 • O.54 • O.55	Where an existing boundary wall on a neighbouring lot adjoins the subject site, the new boundary wall must match the length of the existing boundary wall.
PC.11 • O.54 • O.55	Where no adjoining boundary wall exists, the boundary wall must not exceed a maximum of 50 per cent of the lot length or a maximum length of 12 metres, whichever is lesser.
PC.12 • O.54 • O.55	Walls built to the side boundary must not exceed a maximum height of 3.5 metres above existing ground level unless: a. They abut another higher existing or simultaneously constructed wall, in which case the wall must not exceed the boundary wall on the adjoining lot. b. They abut a side or rear lane, in which case the maximum height is 5.5m.
Rear Setbacks	
PC.13 • O.54	Structures built to the rear boundary must not exceed a maximum height of 3.5 metres above existing ground level unless: a. They abut another higher existing or simultaneously constructed structure, in which case the height must not exceed that of the adjoining structure. b. They abut a rear lane, in which case the maximum height is 5.5 metres.
PC.14 • O.54	Structures built to the rear boundary must be designed and constructed to allow for easy maintenance, including access for repairs and upkeep of drainage systems.
AS.3 • O.54	Developments are encouraged to incorporate integrated landscaping (e.g. shared gardens, green walls) to enhance visual continuity and provide additional outdoor living spaces.
Garages and Driveways	
PC.15 • O.56 • O.57 • O.58 • O.59 • O.60	Where a development is located on a site with rear laneway access, garages must be located fronting the rear lane with 1.0m minimum setback to garage doors. Driveway access from the primary road frontage will not be considered.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.16 • O.56 • O.57 • O.58 • O.59 • O.60	Garage doors must be visually recessive through the use of materials, colours, overhangs, and similar design elements to reduce their visual impact on the streetscape.
PC.17 • O.56 • O.57 • O.58 • O.59 • O.60	Where the lot width is greater than 12m, dwellings may have a double garage on the primary street frontage provided they do not dominate the streetscape and are visually recessive and either in line or setback from the front building line.
PC.18 • O.56 • O.57 • O.58 • O.59 • O.60	Where the lot width is less than 12m, only single-width garages are permitted on the primary street frontage.
PC.19 • O.56 • O.57 • O.58 • O.59 • O.60	Garages and carports are to be designed to blend with the architectural style of the dwelling through the use of compatible materials and colours, thereby reducing their visual dominance on the streetscape.
PC.20 • O.56 • O.57 • O.58 • O.59 • O.60	The location of driveways must be determined with regard to the location of utilities infrastructure, safe and unobstructed kerbside space for waste bin placement, street tree planting, and to maximize the availability of on-street parking and in accordance with any MoESS requirements.

18.12. Visual and Scenic Amenity

Objectives

O.62 To protect the scenic values of the landscape and environment.
O.63 Encouraging development to be unobtrusive and sympathetic to the surrounding rural setting.
O.64 To ensure that residents benefit from views to the surrounding landscape when using public streets and open spaces.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.62 • O.63 • O.64	Where practicable, vegetation is to be maintained and enhanced, particularly along ridgelines and gullies, so as to provide buffers and landscaped visual relief to subdivisions and housing development.

Precinct Plan Requirements - General

The Anambah Urban Release Area is characterised by a number of precincts or catchments informed by site attributes and constraints, infrastructure provisions, development outcomes and land ownership.

Precinct Plans must be adopted by Council prior to determination of any development application for subdivision of land within that precinct. The Precinct Plans shall be consistent with and relate to land areas included within specific stages as shown in the Staging Plan.

The precincts and staging of development are closely linked to the requirements of major infrastructure providers such as Hunter Water Corporation in respect to water and sewer, road infrastructure provisions and upgrades, and extension and augmentation of power supply.

Each Precinct Plan lodged by a Proponent must include:

a. A clear description and spatial layout of proposed land uses (e.g. residential, schools, recreation, community facilities, centres, utilities),
b. A housing typology framework, supported by a fine-grain density plan demonstrating how a diversity of housing types will be delivered,
c. Controls for key development sites, including flood fringe land, recreational areas (including any proposed linear open space), and urban land adjoining rural or environmental zones, commercial and community hub,
d. Concept design for any centres or employment land, ensuring integration with surrounding uses and transport links,
e. A visual character assessment, including measures for retaining/protecting significant landscape features and native vegetation,
f. A tree canopy strategy consistent with the Maitland *Environmental Sustainability Strategy 2030*,
g. The road network and hierarchy (sub-arterial, collector, local roads) and connections to adjoining precincts, in accordance with the Transport Movement Hierarchy Plan in Figure 4,
h. Proposed routes or corridors for public transport, bicycles, and pedestrians,
i. A water cycle management plan addressing stormwater drainage, riparian corridors, and WSUD opportunities,
j. The location of proposed Bushfire Asset Protection Zones (APZs), identified flood levels, and emergency evacuation routes for flooding and bushfire.
k. The subdivision stages of development within each precinct
l. A landscaping concept plan for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and typical landscaping requirements for both the public domain and private land, particularly adjacent to the major roads and intersections, including a perimeter road network adjacent to flood prone lands, riparian corridors and rural interface.

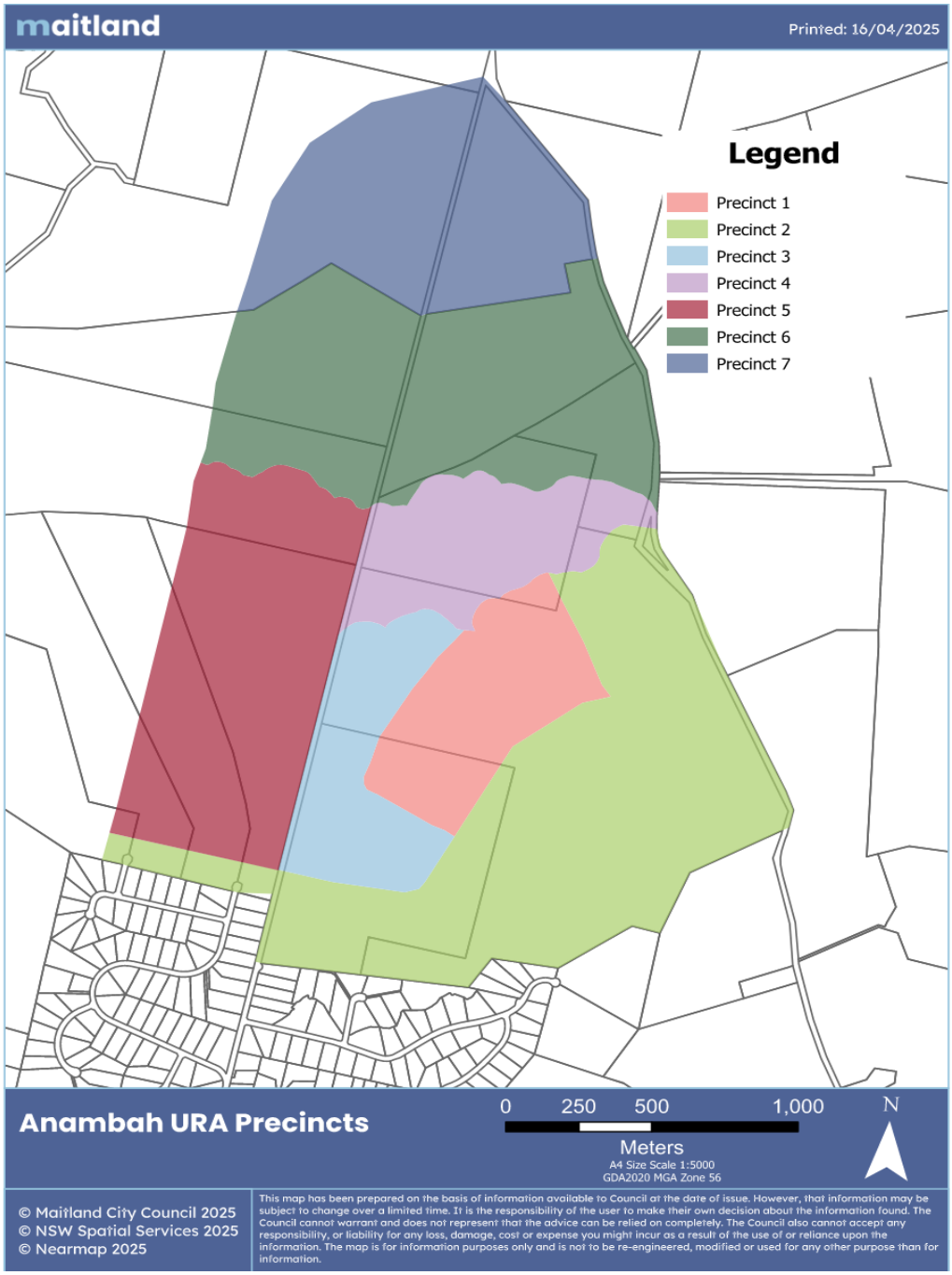


Figure 8: Anambah URA Precincts

Development Requirements – Anambah URA Precinct 1

The following section is the Precinct Plan provisions referred to in the general provisions above that applies to Precinct 1. No specific requirements have been made for the following matters within the Anambah URA Precinct 1 as they are already adequately addressed by other relevant provisions within the *MLEP 2011* and the *MDCP 2011*:

- Neighbourhood Commercial and Retail Uses
- Provision of Public Facilities and Services

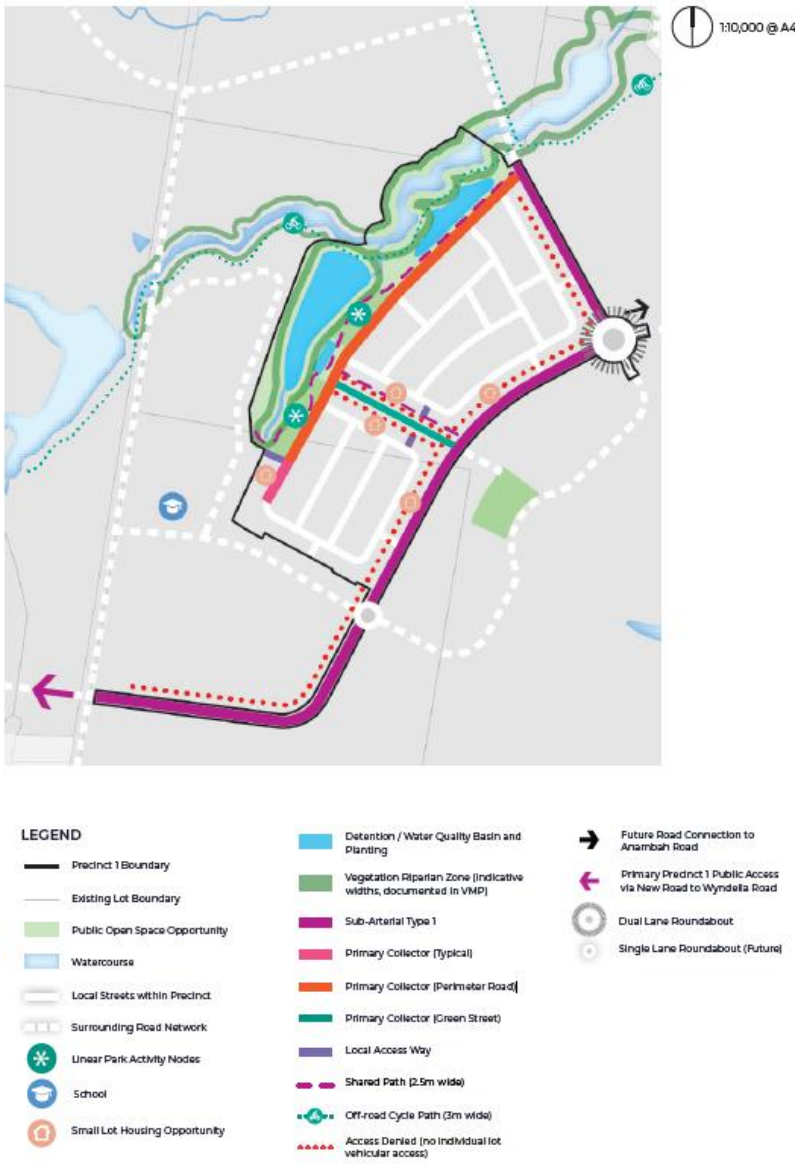


Figure 9: Anambah URA Precinct 1 – Overall Plan

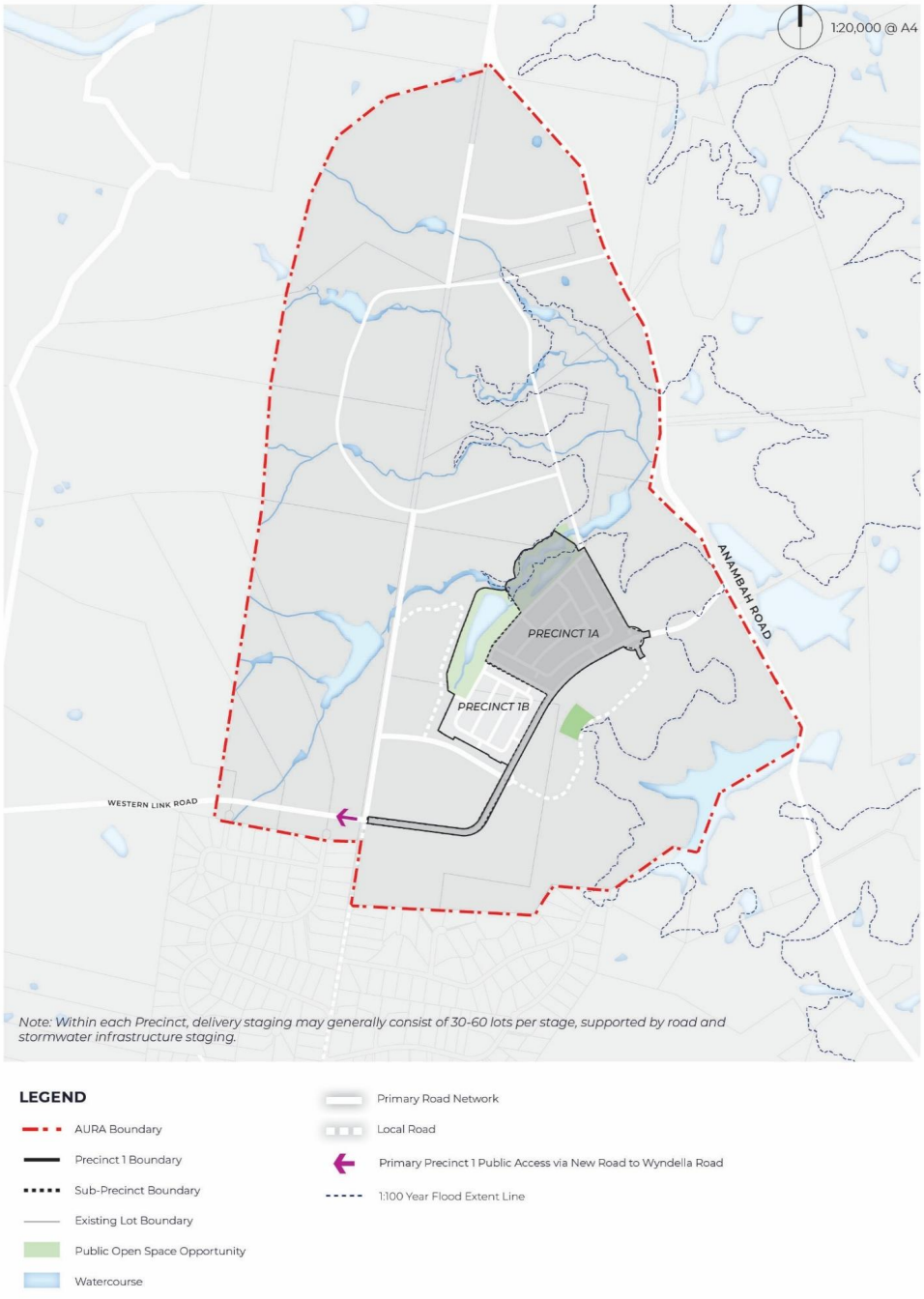


Figure 10: Anambah URA Precinct 1 Staging Plan

18.13. Staging Plan and Infrastructure Delivery

Objectives

O.65 To provide for the timely and orderly efficient release of Precinct 1, ensuring necessary infrastructure is in place.
O.66 To ensure that infrastructure for Precinct 1 is sequenced and provided in a logical and cost-effective manner.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.65	Precinct 1 comprises two sub-precincts identified in Figure 9. The development of each sub-precinct (and staging within those) must provide essential infrastructure such as utility, road and drainage infrastructure connection.
PC.2 • O.66	Where development is for the purpose of subdivision that is intended to be constructed and released in stages, a staging plan for delivery is to be provided.
PC.3 • O.66	Staging and infrastructure delivery is to demonstrate logical and timely connection with adjoining precincts. Applications for subdivision are to clearly show staging and connection points.

18.14. Transport Movement Hierarchy and Road Design

Objectives

O.67 To provide permanent, safe and suitable new public road access to and from Precinct 1.
O.68 To achieve a simple and safe movement system within Precinct 1 for private vehicles, public transport, pedestrians and cyclists.
O.69 To ensure road design reflects the function and hierarchy of the street, the needs of the road user, with sound engineering practice and connectivity to existing and future development.
O.70 To ensure that the design of the streets indicates their position in the street hierarchy, their function and reflect the uses within the street in their character and detail.
O.71 To provide a permeable and interconnected internal street structure to offer a choice of routes and to distribute traffic load through a number of connection points, with road design to allow for passive surveillance and access to the linear park and corridor.
O.72 To provide a safe, continuous and appropriate level and mix of pedestrian and cycleway access and connectivity to future development.
O.73 To provide an active verge to the sub-arterial road in Precinct 1 with future residential dwellings addressing this street.
O.74 To provide a Green Street which links with a shared path and additional street tree canopy between the linear park in Precinct 1 to future public open space to its south.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.67 • O.68 • O.69	Access to Precinct 1 is to be provided via either a new public road that connects west to Wyndella Road and its connection to the New England Highway, or connection with Anambah Road. Construction of the new road and dedication of it as a public road are required to be completed prior to registration of the 1200th residential lot. Connection with, and use of Anambah Road is to be supported by a Traffic Impact Assessment detailing the required road improvements in accordance with Council's MoES, and timing and trigger points for upgrade of the intersection with the New England Hwy in consultation with Transport for NSW. **Note:** In accordance with Clause 7.9 of the *MLEP 2011*, development consent must not be granted unless the consent authority is satisfied that suitable vehicular access is available or that adequate arrangements have been made to make it available when required.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.2 • O.67 • O.68	Prior to the release of any residential lot within Precinct 1, any requirement for a secondary access point is to be to the satisfaction of RFS and Council. Any secondary access point will need to consider its impact on its connection point and the wider road network. No gating (temporary or permanent) of public roads will be permitted.
PC.3 • O.68 • O.69 • O.70 • O.71 • O.72 • O.73	The layout, hierarchy and design of the primary street and active movement network within Precinct 1 should be generally consistent with: a. Precinct 1 Street Hierarchy Plan in Figure 11 b. Precinct 1 Street Characteristics in Table 1, c. Typical precinct specific Street Sections included in Figure 13 to Figure 17, as well as the AURA specific sub-arterial type 1 street in Figure 25), and d. Precinct 1 Pedestrian/ Cycle Hierarchy Plan in Figure 12.
PC.4 • O.68 • O.69 • O.71	A dual lane circulating roundabout is to be provided at the intersection of the Sub-Arterial streets in Precinct 1, as shown on Figure 11.
PC.5 • O.68 • O.69 • O.71 • O.72 • O.73 • O.74	An active verge is to be provided along the Sub-Arterial Type 1 street. The active verge is to include a 3m wide dual directional cycleway and an adjoining 1.5m wide pedestrian path. To support the outcome: a. Direct vehicular access to residential dwellings is to be provided from local streets within the Precinct. b. No new lot is to have direct vehicular access and crossovers to the active verge identified as "Access Denied" in the Precinct 1 Street Hierarchy Plan. c. The number of intersections to the Access Denied verge is to be limited, with designs including appropriate intersection thresholds to maximise cyclist convenience. d. Street tree canopy will sit within a widened landscape verge allocation with mature canopies generally touching (excluding offsets to streetlight/intersections).
PC.6 • O.68 • O.69 • O.70	The Sub-Arterial Type 1 street through Precinct 1 is to be designed to allow for a primary bus route and incorporate pedestrian refuges and bus stop locations at strategic locations.
PC.7 • O.68 • O.69 • O.74	The Green Street is to be designed to: a. Include 2.5m wide shared path in a widened verge, b. Provide additional street tree canopy planting with mature canopies generally touching (excluding offsets to streetlight/intersections, and c. Have 'Access Denied' verges on both sides of the street and no local vehicular intersections.
PC.8 • O.68 • O.69	The perimeter road, adjoining the Linear Park, provides access to a low-risk bushfire interface, with parking restricted on its outer (corridor) edge and provided in designated parking bays outside the main carriageway.
PC.9 • O.68 • O.71 • O.72	Shared paths and footpaths must connect to the linear park.
PC.10 • O.68 • O.71 • O.72	A section of dedicated 3m wide off-road cyclist-only path is to be provided in Precinct 1 (in stages) as shown in Figure 12, and to link to adjoining precincts.
PC.11 • O.68	Allocation of utilities and spacing in verges is subject to offsets to streetlights and trees as provided in Council's MoES.

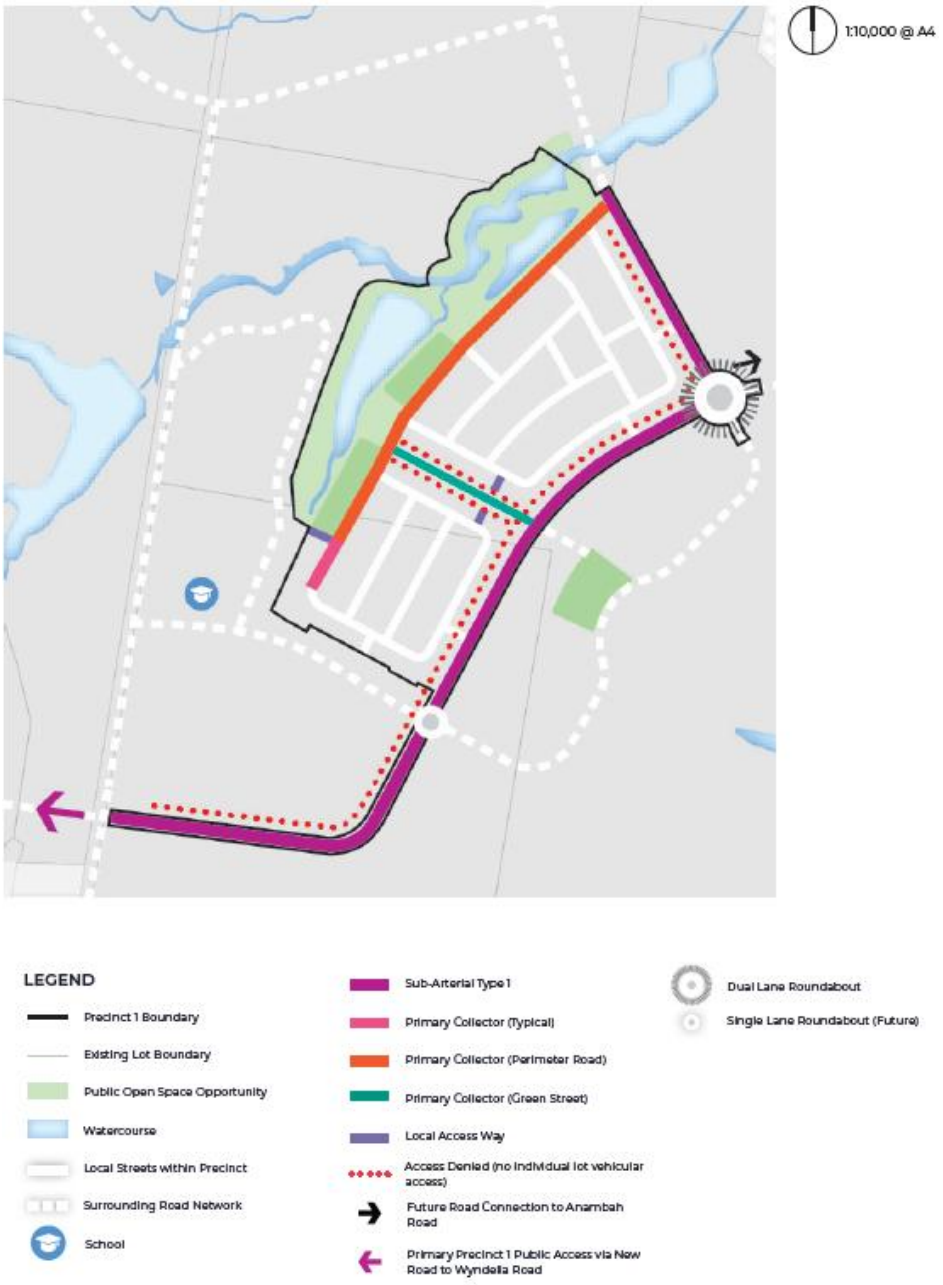


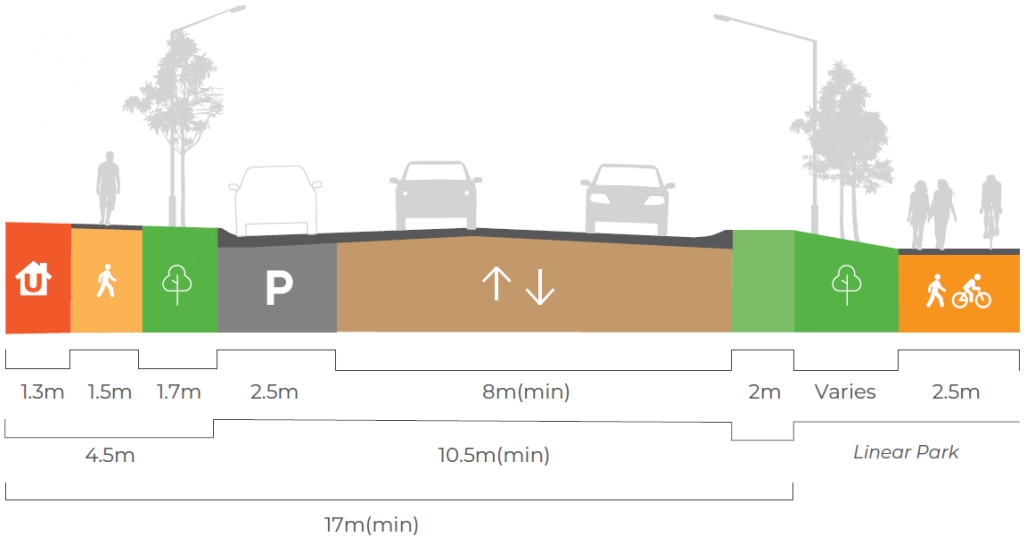
Figure 11: Anambah URA Precinct 1 Street Hierarchy Plan



Figure 12: Anambah URA Precinct 1 Pedestrian & Cycle Hierarchy Plan

Table 1: Proposed Road Network Details

ROAD NAME/TYPE	ROAD RESERVE WIDTH	FOOTPATH WIDTH	CARRIAGEWAY AND PARKING LANE	VERGE
Local Collector (Typical Road – LT11)	20m	1.5m pedestrian path one side	11m pavement 2 x 3m travel lanes 2 x 2.5m parking lanes	2 x 4.5m
Primary Collector (Perimeter Road)	16m (minimum & variable where indented parking provided)	1.5m pedestrian path lot side (2.5m shared path in adjoining linear park)	10.5m pavement (min) 1 x 2.5m parking lane (lot side only)	1 x 4.5m (lot side) 1 x 2.0m (perimeter side, other than widened where indented parking bays provided)
Green Street	22.5m	1.5m pedestrian path one side 2.5m shared path in widened verge	11m pavement 2 x 3m travel lanes 2 x 2.5m parking lanes	1 x 4.5m 1 x 7m
Yield Street (L8 – MoES)	17m	1.5m pedestrian path one side	8m pavement	2 x 4.5m
Local Access Way	12m	n/a, 2.5m shared path from end of accessway pavement to street	6m pavement 3m carriageway both ways	1 x 4.5m 1 x 1.5m



Note: Parking bays may be included along the linear park edge, clear of the carriageway.

Figure 13: Primary Collector (Perimeter Road)

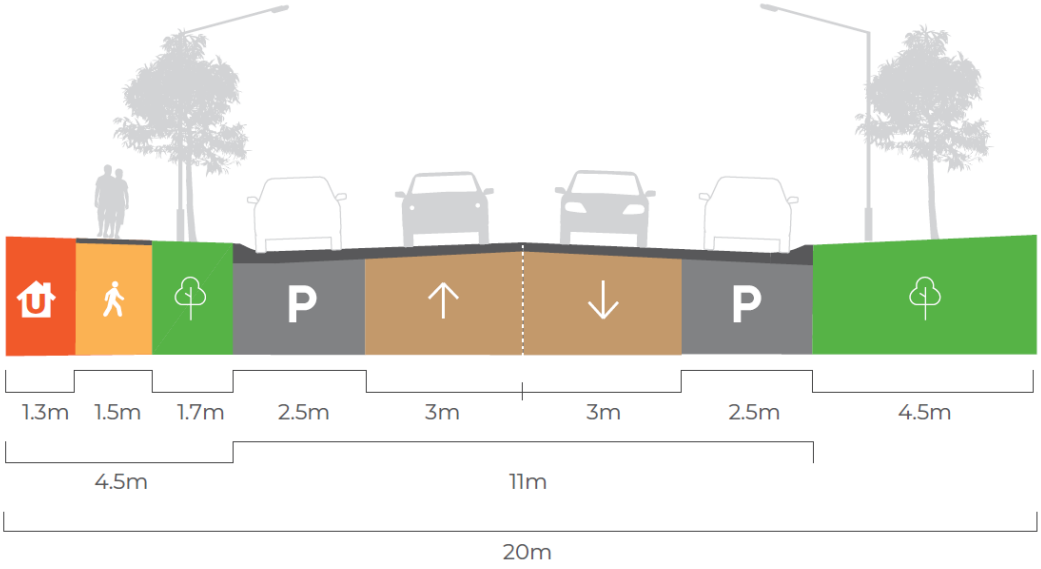


Figure 14: Local Collector (Typical Road – LT11)

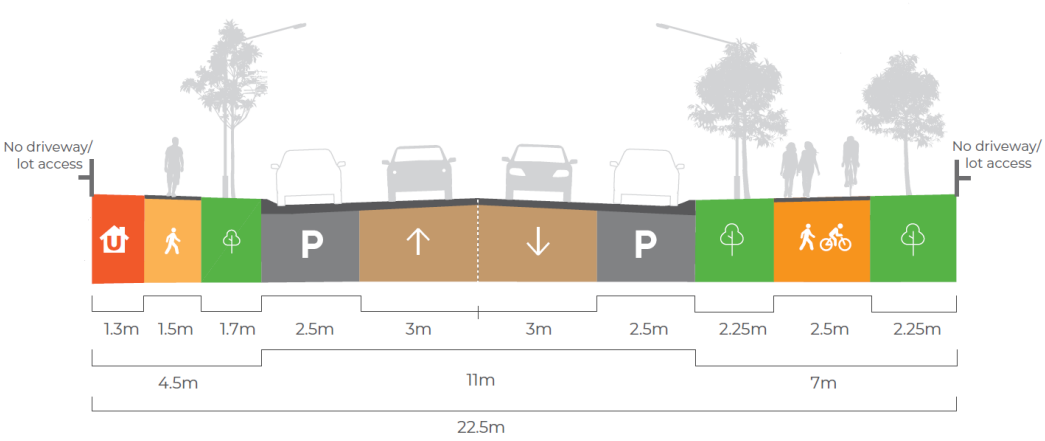
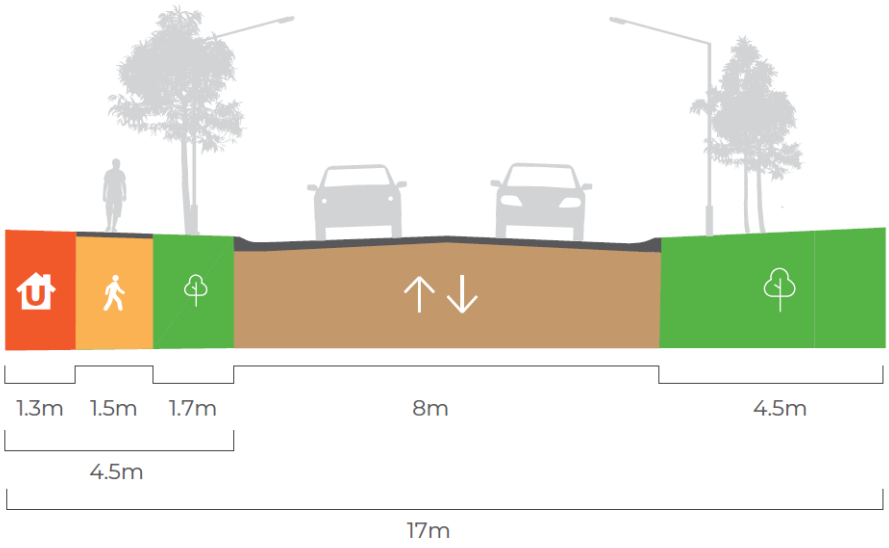


Figure 15: Green Street



Note: Parking within carriageway not allocated, 2m either side, with variable sides to match street pattern.

Figure 16: Yield Street (L8)

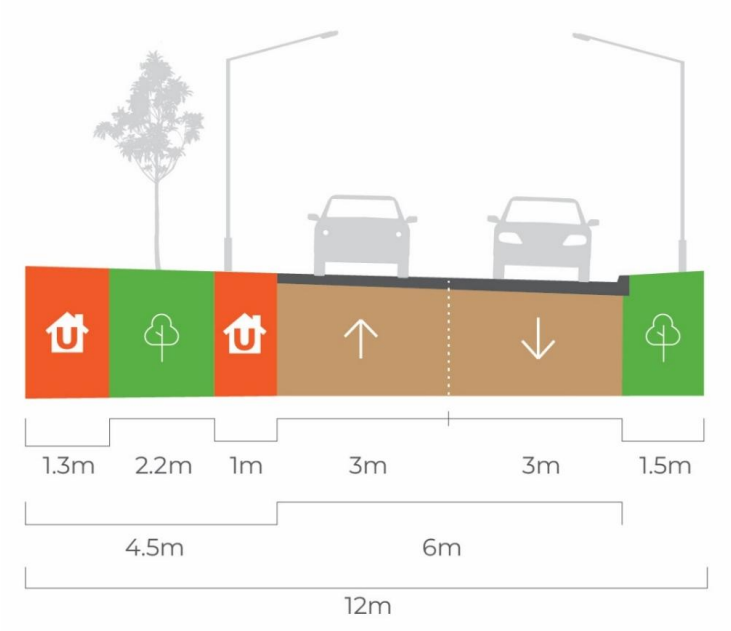


Figure 17: Local Access Way

18.15. Subdivision Design

Objectives

O.75 To create a Precinct with a distinct landscape and subdivision character that creates a sense of identity, promotes housing diversity by identifying key development sites for future small lot housing and provides opportunities for dwelling presentation, passive surveillance and activity of streets and public areas.
O.76 To promote diverse and varied streetscapes through the integration of future small lot housing opportunities in the Precinct.
O.77 To ensure that dwellings are of high quality and respond to the topography of the site.
O.78 To provide a range of public facilities in appropriate locations and in sequence with the land development.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.75	Applications for subdivision are to clearly show proposed layouts, lot sizes, shapes and likely development densities. Allotment yields should be maximised in response to the constraints of the land.
PC.2 • O.75 • O.76 • O.78	Applications for subdivision are to identify opportunities for small lots and small lot housing in areas with high neighbourhood amenity. The location of these opportunities is to be consistent with the Precinct 1 Housing Diversity Opportunities Plan in Figure 18.
PC.3 • O.75 • O.76	Subdivision and development for small lots may be sought through provisions of: a. Clause 4.1A of the *MLEP 2011*, where 2 or more lots with areas of 300-450m^2 may be provided on land zoned R1 General Residential; or b. Clause 7.8 of the *MLEP 2011*, where 2 or more lots with areas of 200-449m^2 may be provided on land zoned R1 General Residential within 200 metres from a community facility, recreation area or commercial premises, and subject to numerical limits within *MLEP 2011*.
PC.4 • O.75 • O.77 • O.78	Development Applications for subdivision submitted pursuant to 7.8 of the *MLEP 2011* are to include the following information (other than if the DA also includes application for dwellings to be approved and constructed on each lot), prepared consistently with the specific development controls outlined in any other applicable controls of this Precinct Plan and broader *MDCP 2011*: a. Character statement b. A Site Analysis Plan c. Building Envelope Plans and Subdivision Design Plans are to provide the following detail: i. The front, side and rear building setbacks, including articulation zones, ii. Lot widths and depths, iii. The location of any zero lot lines, iv. The locations for principal private open space, v. The ground floor and second floor building zones, vi. The locations for garages and driveways, vii. Where it is proposed to build dwellings to the boundary on both sides, consideration must be given to the construction sequencing and how this will be achieved, viii. Utility and stormwater easements, and ix. The location of any benching or retaining walls. d. An indication of the subdivision design and proposed building zones respond to site topography and landscape features; and e. Any site-specific development controls for the area.
PC.5 • O.77	Where PC.4 applies, the Subdivision Design Plan is to be included on the Section 88B instrument attached to the lot.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.6 • O.75 • O.77	For development applications involving the construction of small-lot housing, lot registration may occur prior to the commencement of construction. The requirement to construct the approved dwelling is to be included on the S88B instrument attached to the lot until an Occupation Certificate of the dwelling is issued.
PC.7 • O.75 • O.76 • O.77	Subdivision design is to balance cut and fill as far as practicable. Development applications must include an Earthworks Plan, detailing: a. The proposed cut and fill strategy, b. How the design manages cut and/or fill including any area where fill depth exceeds 2m, and c. Justification for the proposed changes to the landform.



Figure 18: Anambah URA Precinct 1 Housing Diversity Opportunities Plan

18.16. Overall Landscaping Strategy

Objectives

O.79 To provide landscaping and public domain works that are appropriate to the scale and nature of development, enhance local character, support establishment of tree canopy, and mitigate bushfire threat while promoting cooler, more comfortable microclimates

O.80 To protect and regenerate riparian corridors, through revegetation and sensitive landscape design that complements the built form and public domain.

O.81 To create accessible corridors of public open space that integrate pedestrian and cycle networks, enhance connectivity, and provide visual and recreational benefits.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.79	Detailed landscape plans are to be submitted with subdivision Development Applications.
PC.2 • O.79 • O.80	Landscape plans are to be generally consistent with Precinct 1 Landscaping and Tree Canopy Strategy in Figure 19 and must include details for all streets and public spaces that form part of the development application, including street verges, interfaces to riparian corridors and linear parks as listed in Figure 19 Precinct 1 Landscaping and Tree Canopy Strategy Plan as (1), (2), (3), (4), (5).
PC.3 • O.79	Development is to demonstrate a contribution toward the aim of 30% tree canopy in residential areas within the LGA.
PC.4 • O.79	Street tree planting is to be carried out as part of subdivision design and road construction (where roads adjoin proposed lots in Precinct 1). Street trees are to be designed to: a. Provide shade on footpaths, shared paths and cycleways, and b. Soften streetscapes and provide a backdrop for future built form within the Precinct. Street tree planting of sub-arterial type 1 road, identified as (5) in Precinct 1 Landscape and Tree Canopy Strategy Plan, is to be generally consistent with Figure 20.
PC.5 • O.80	Vegetated riparian zones shall be established and maintained around identified watercourses, in accordance with Riparian Vegetation Management Plan/s, consistent with relevant State Government Riparian Guidelines.
AS.1 • O.81	Pedestrian and cycle linkages within Precinct 1, as illustrated in Figure 12, may be provided, including crossings of the drainage or riparian corridor, subject to consultation and agreement with Council.



Figure 19: Anambah URA Precinct 1 Landscaping and Tree Canopy Plan

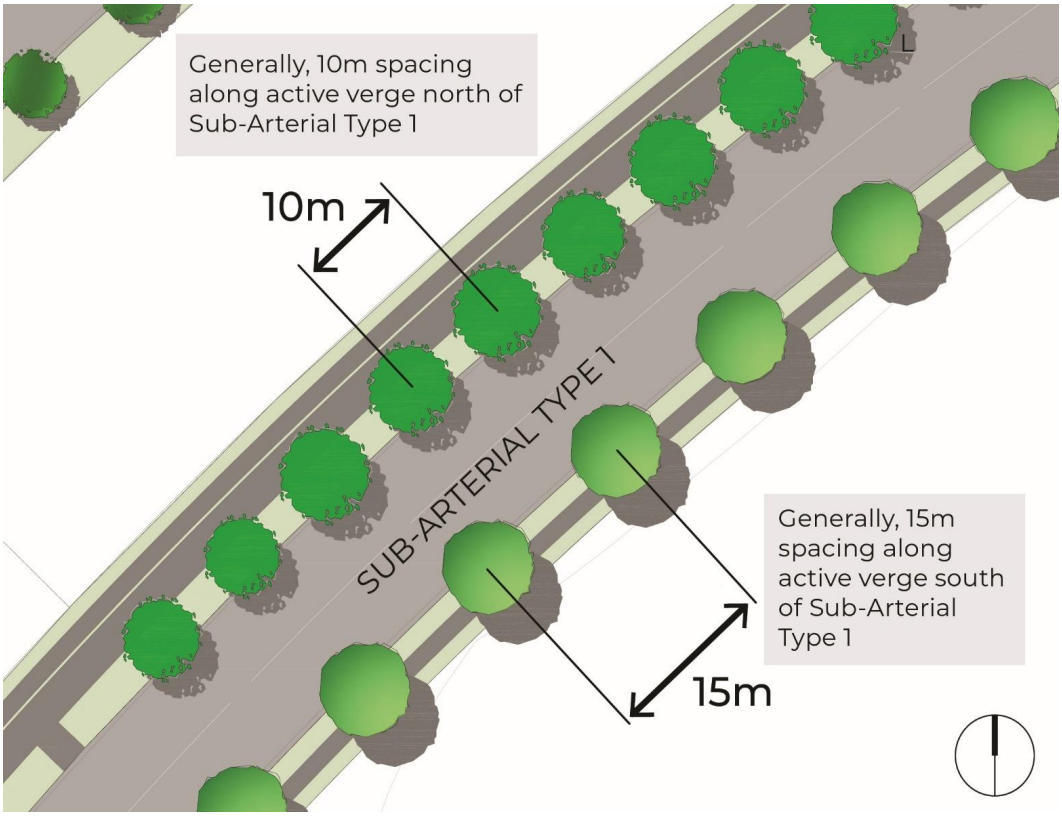


Figure 20: Street Tree Planting – Sub-Arterial Type 1

18.17. Visual and Scenic Amenity

Objectives

O.82 To protect views to and from Anambah House.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.82	Residential development within 1.8km of Anambah House are to be limited to neutral roof colours that assist to blend development into the natural environment. The range of colours proposed for this area are to be included with development applications for residential subdivisions with relevant covenants placed on the titles of the lots created.
PC.2 • O.82	Supplementary vegetation planting along the western boundaries of Anambah House is to be negotiated between the developer and owner of Anambah House. Outcomes of the agreed supplementary vegetation are to include agreed species, timing of planting and maintenance schedule. Details are to be included in landscape plans for precinct 1 and 2 and/or associated DA's.

18.18. Passive and Active Recreation Areas

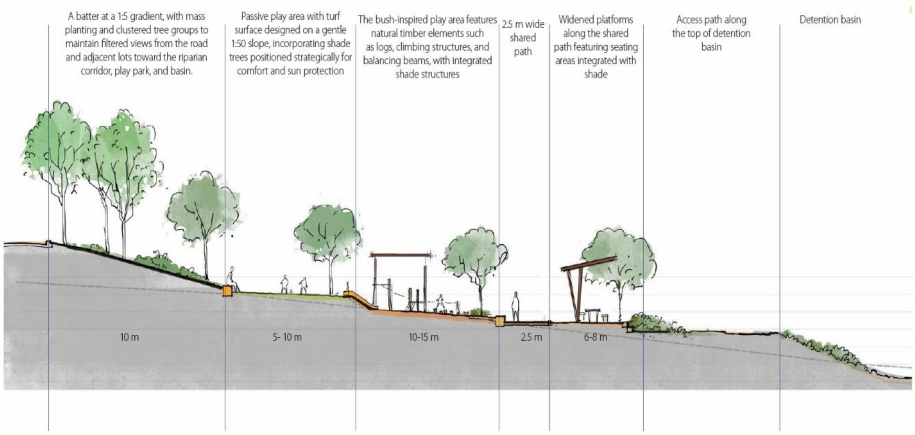
Objectives

O.83 To provide public open space land that meets the active and passive recreational needs of residents.
O.84 To provide an equitable distribution of public open space land and recreation opportunities.
O.85 To establish a linear park in Precinct 1 that includes the riparian corridor (where not part of the drainage reserve) and provides connected, passive recreation opportunities integrated with the natural landscape and supported by usable, functional and safe nodes for good quality design and embellishment for passive and active recreation.
O.86 To create linkages between areas of passive and active recreation through an adequate pedestrian and cycle network.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.83 • O.84 • O.85	Treatment of the riparian Linear Park is to be generally in accordance with **Figure 21.** **D**etails of opportunities for passive and active recreation, including integration with any drainage reserves is to be submitted with the first development application in the relevant Precinct. Embellishment will be a matter for any adopted Contributions Plan or Voluntary Planning Agreement.
AS.1 • O.83 • O.84 • O.85 • O.86	Passive and active recreational space are to be designed to include: a. Accessible paths and linkages, b. Areas for play and fitness equipment, c. Landscaping, including select tree canopy cover, d. Seating and shading structures, e. Park furniture, and f. Wayfinding signage.
AS.2 • O.83 • O.85	Passive and active recreation areas are to be designed to promote comfortable microclimates through the selection of durable materials and lighter colours for play equipment and park furniture.

Linear Park Sections

Section A-A



Section B-B

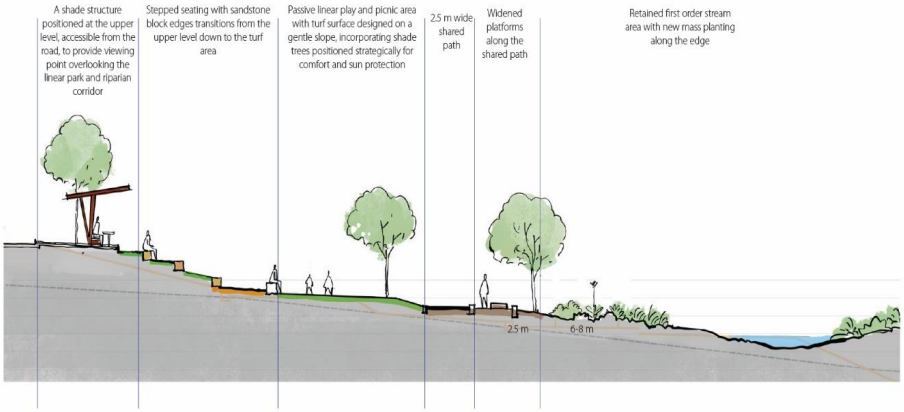


Figure 21: Indicative Linear Park Riparian Land Cross-Section

18.19. Stormwater and Water Quality

Objectives

O.87 To protect and enhance the water quality and habitat value of downstream waterways.
O.88 To prevent erosion and sediment run-off during site preparation, construction and the ongoing use.
O.89 To manage stormwater runoff at the precinct level so that flows outside any precinct remain at pre-development flows.
O.90 To identify and manage existing natural trunk drainage paths.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
PC.1 • O.87 • O.89 • O.90	The network of stormwater management areas in Precinct 1 is to be generally consistent with the Precinct 1 Open Space and Stormwater Management Plan in **Figure 22** and integrated with the overall design of the Precinct.
AS.1 • O.87 • O.89 • O.90	Wherever possible, the existing and identified riparian areas should form part of a stormwater and runoff drainage management system incorporating detention basins and/or wetlands to alleviate stormwater peaks and retain pollutants.
PC.2 • O.87 • O.88 • O.89 • O.90	Precinct 1B is to provide for the resizing and reshaping of the existing dam to provide control of water quantity for a wider catchment that includes it and future development within adjoining Precinct 3. Further detailed design is to be provided in a stormwater management plan submitted with the first DA proposing subdivision within Precinct 1B. The stormwater management plan must also outline details of any offline water quality treatment required for Precinct 1B.
PC.3 • O.87 • O.88 • O.89	Stormwater structures, including basins, are to be positioned where the operational maintenance of the structure is not impeded by environmental constraints and plantings.



Figure 22: Anambah URA Precinct 1 Open Space and Stormwater Management

18.20. Key Development Sites and Residential Densities

Objectives

O.91 To facilitate the efficient use of land that accommodates the Anambah Urban Release Area's predicted population capacity.
O.92 To ensure that built form on parallel road lots and small lot housing lots present positively to all street frontages.
O.93 To maintain the continuity and safety of parallel road lots by prohibiting vehicle access from access-denied frontages.
O.94 To ensure sufficient landscaped areas and principal private open space is provided for parallel road lots and small lot housing.
O.95 To provide safe access arrangements for parallel road lots and small lot housing.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
Parallel Road Lots **Note:** Parallel Road Lots are lots (of any size) where one frontage is to an access denied street verge (primary frontage), with the other frontage/s to a parallel road / local street (secondary frontage/s). These provisions do not apply to standard corner lots	
Primary Frontages	
PC.1 • O.92 • O.93	No vehicular access is permitted to the access denied road.
PC.2 • O.91	Dwellings must provide a positive and legible address through the incorporation of entry features, such as porticos, porches, balconies, decks, vehranda's, bay windows, eaves and awning. Dwellings must provide at least one door with direct pedestrian access from the dwelling to the street and at least one habitable room window facing the street.
PC.3 • O.91	A minimum street setback of 4.5m, with a 1.5m articulation zone forward of the 4.5m minimum setback for features listed in PC.2, for up to the full width of the front façade. Where a 4.5m setback is provided to the secondary frontage, the primary frontage street setback can be reduced to 3.0m.
PC.4 • O.94	At least 25% of the area forward of the building line is to be landscaped.
PC.5 • O.94	Principal private open space (PPOS) may be located forward of the 4.5m front building line.
PC.6 • O.91	For any fencing forward of the front building line: a. Sheet metal fencing is not supported, b. Fencing is limited to 1.2m in height, c. Fencing forward of the front building line may be permitted up to a maximum height of 1.8 metres, where it is used to enclose PPOS. That fencing: i. Must not occupy more than 50% of the lot frontage, ii. Is to be setback a minimum 3.0m from the street boundary iii. Is to provide 50% transparency and be integrated with landscaping.
Secondary Frontages	
PC.7 • O.91 • O.95	Dwellings must provide a positive and legible alternate pedestrian access to the dwelling and at least one habitable room window facing the street.
PC.8 • O.91	A minimum street setback of 3.0m, unless for a garage. Garaging is to be setback a minimum 5.5m from the street frontage.

PRESCRIPTIVE CONTROLS AND ACCEPTABLE SOLUTIONS	
• O.95	
PC.9 • O.91 • O.94 • O.95	Principal private open space (PPOS) may be located forward of the building line facing the (secondary) street.
PC.10 • O.91 • O.92	For any fencing forward of the building line facing the street: a. Sheet metal fencing is not permitted. b. Fencing is limited to 1.2m in height c. Fencing may be permitted up to a maximum height of 1.8 metres, where it is used to enclose PPOS. That fencing: i. May be provided to the property boundary, ii. May be solid to 1.2m in height, iii. Is to achieve a minimum 50% transparency above 1.2m in height to permit casual surveillance, and iv. Is to be of a high-quality material and finish.
Additional Street Frontages	
PC.11 • O.91	Where a lot has a third street frontage to a local street that is not used for vehicle access, that frontage is to be treated as a secondary setback with a minimum setback of 2.0m from the property boundary and designed consistent with standard corner lot provisions contained in Part C Section 8 of the *MDCP 2011*. Building envelopes and access denied locations will be required at DA stage and supported with 88b restrictions.
Small Lot Housing (Lot size 200m2 - <450m2)	
PC.12 • O.91 • O.94	Principal private open space (PPOS) for small lot housing is to be 16m2 and at least 3m wide, and an additional balcony or ground level alfresco area (immediately adjacent to the PPOS) with a minimum width of 2.5m.
PC.13 • O.91 • O.92 • O.94	The minimum landscaped area for small lot housing development is 15% of the lot area, which may reduce to a minimum 10% of the lot area for any lot with an area less than 300m^2.
PC.14 • O.91 • O.92	Where no adjoining boundary wall exists, the maximum length of a boundary wall is not to exceed a maximum of 50% of the lot length.

Appendix A: Road Cross-Sections

L10 – Local Street. used for all small lot subdivision including development lots and partnering roads (minimum size) for residential laneways.

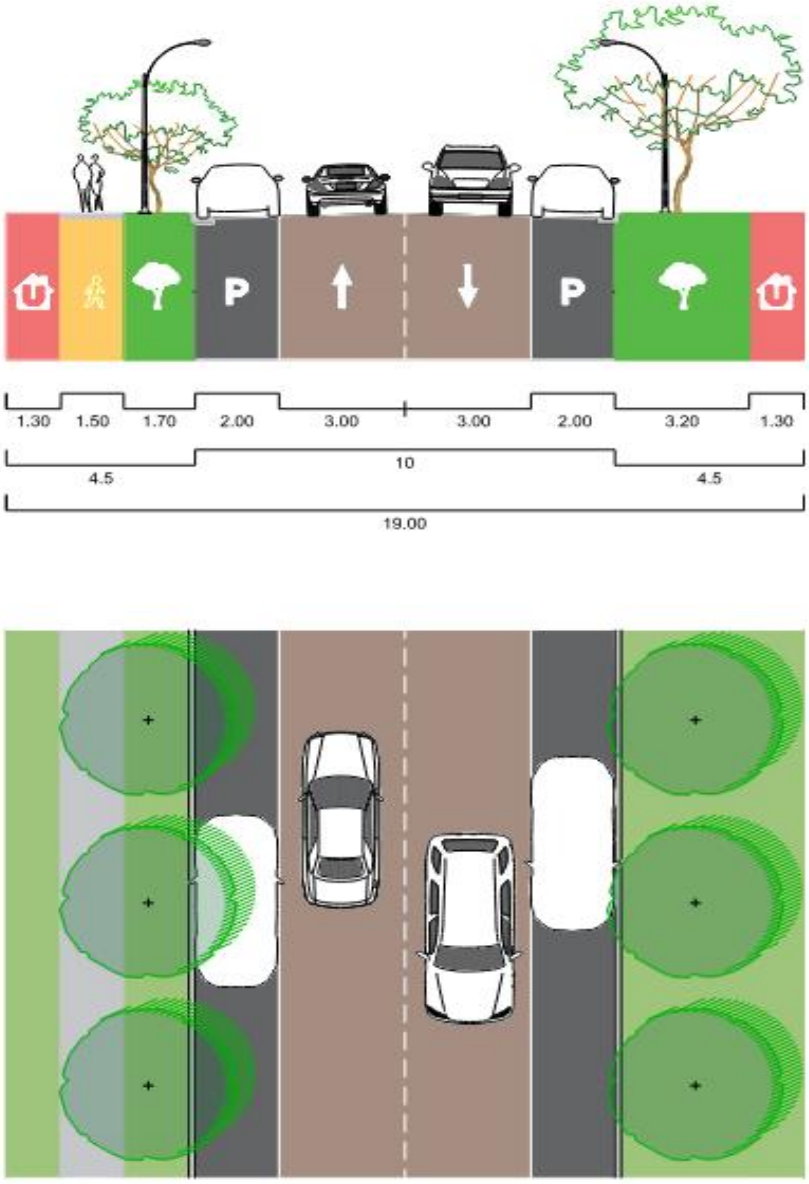


Figure 23: L10 Local Street Typology

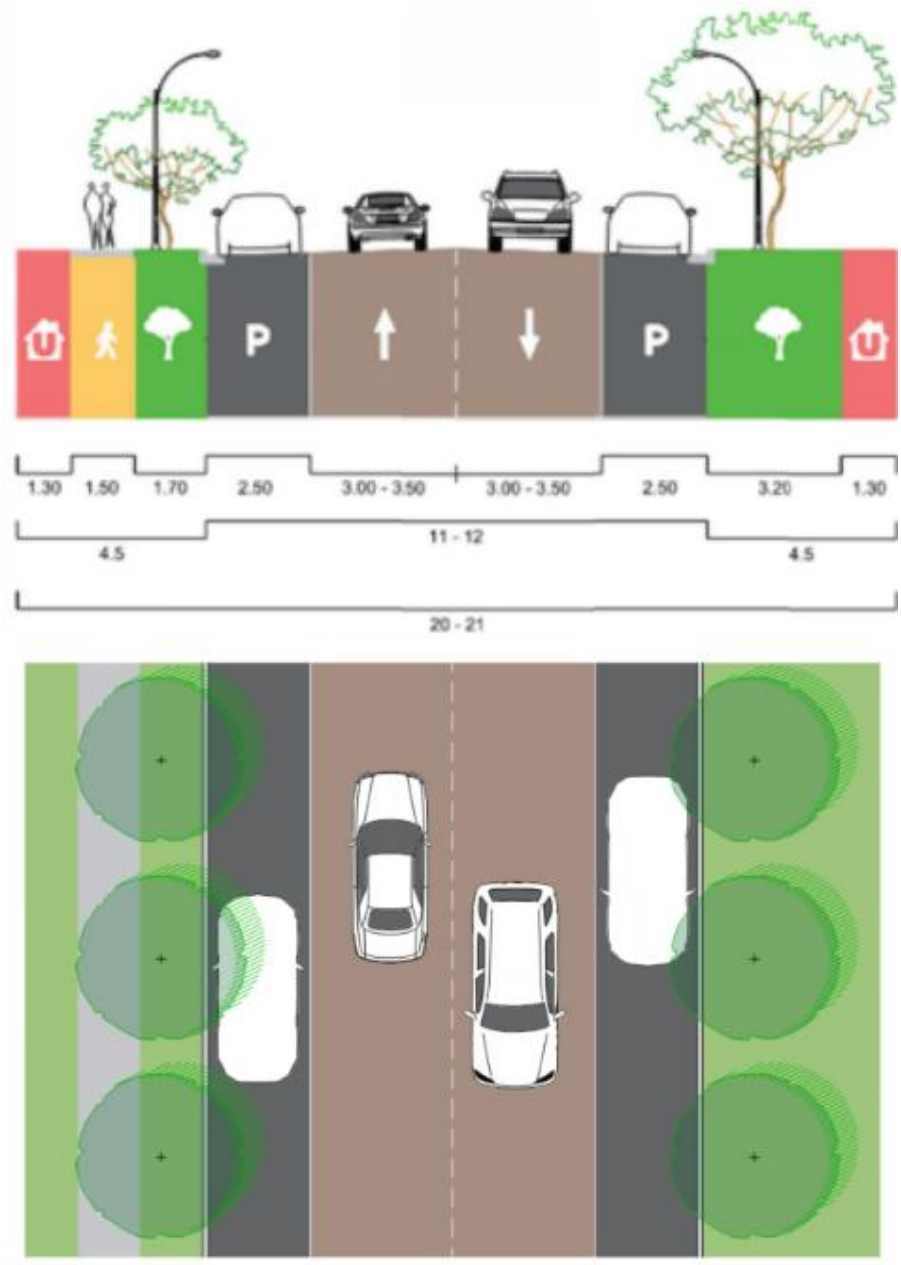


Figure 24: LT11 Local Trunk Collector & T12 Local Distributor Typology

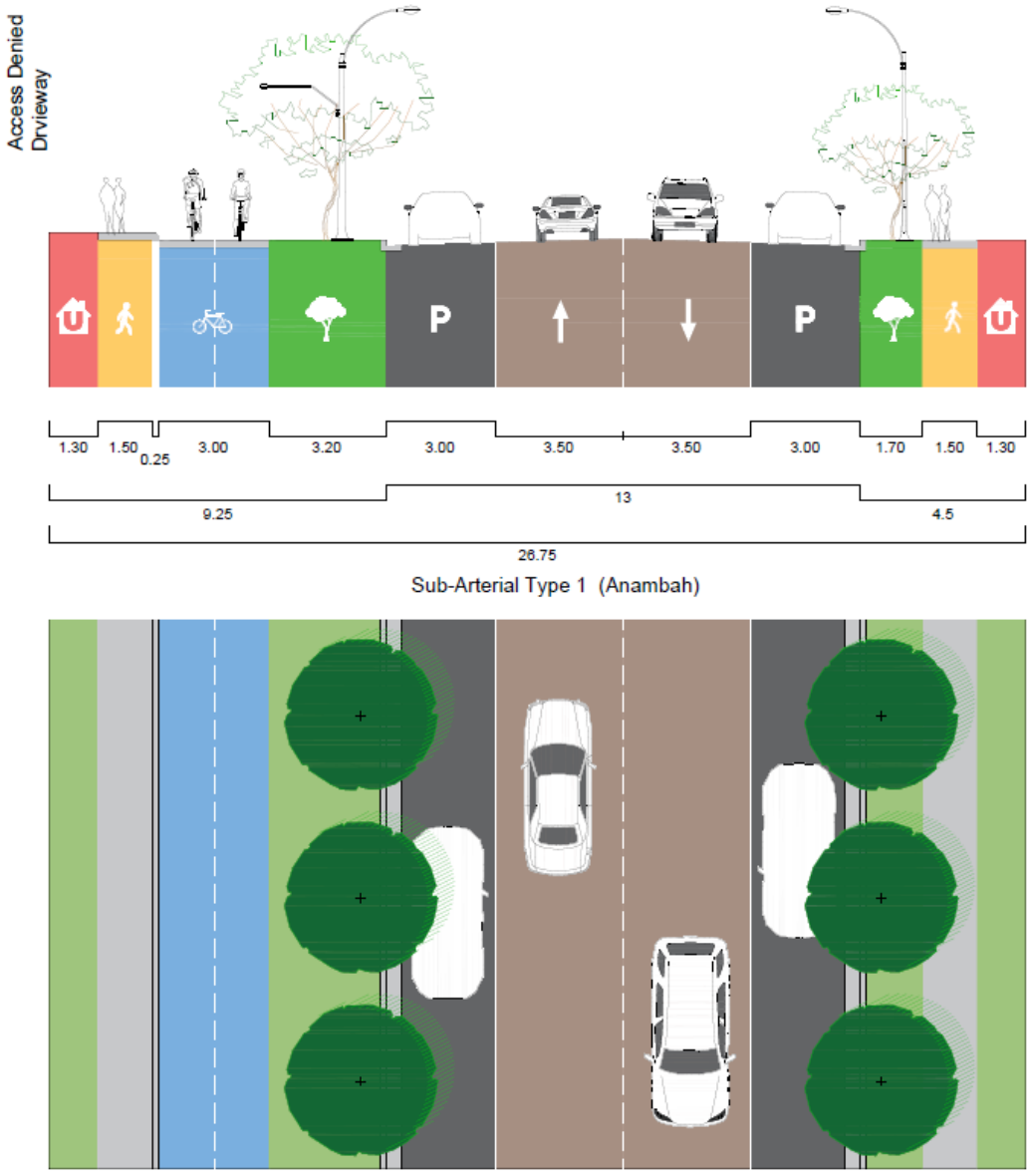


Figure 25: Sub-Arterial Type 1 (Anambah)

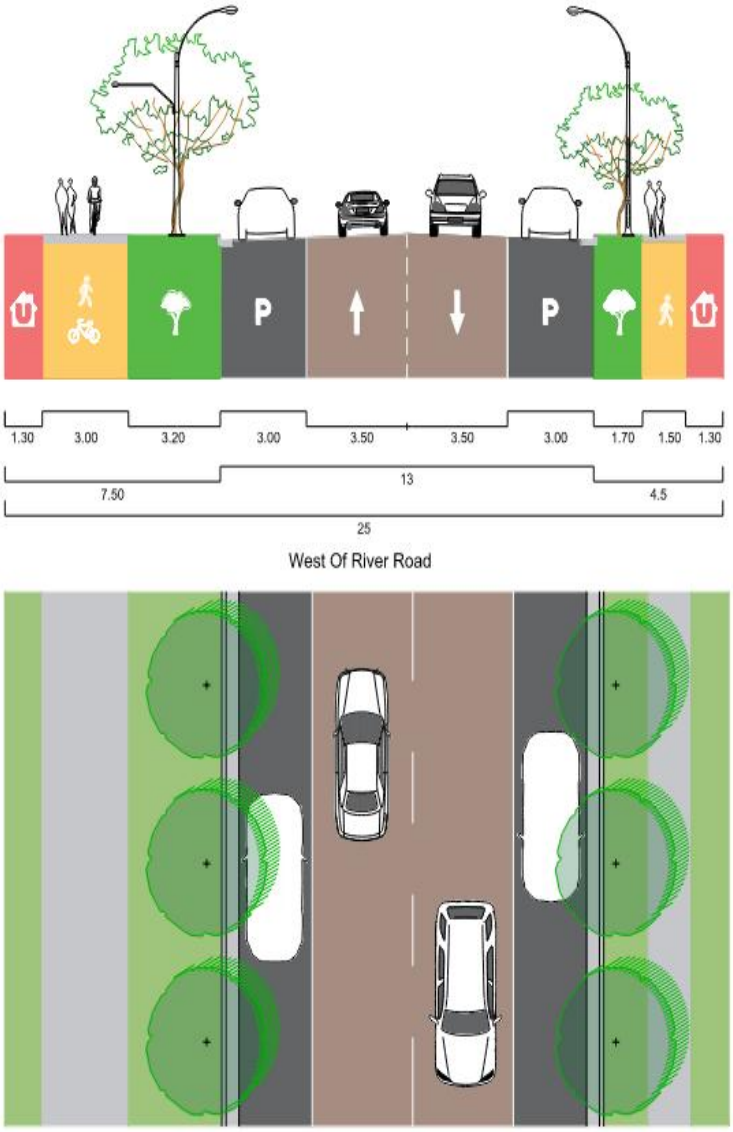


Figure 26: Sub-Arterial Road Type 2 – Anambah West of River Road

City Planning

DA2024/568 for Rural Industry - Demolition of Existing Structures and Construction of Three Sheds at 41 Cracknell Lane, South Maitland

Assessment Report (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 3

Number of Pages: 19

maitland CITY COUNCIL

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Version 1: Comprehensive

Application No:	DA/2024/568
Proposal:	Rural Industry - Demolition of One (1) Existing Structure and Construction of Three (3) Sheds
Address:	41 Cracknell Lane, SOUTH MAITLAND NSW 2320
Lot & DP No:	16/701499, 17/701499
Property No:	13624|33181
Applicant:	Hill Top Planners Pty Ltd
Owner:	Benjamin Ross Morgan and Kristy Lee Morgan
Author:	Jessica Stockham, Acting Principal Planner
Site Inspection:	19/07/2024

INTRODUCTION

DA/2024/568 proposes a Rural Industry use including demolition of one (1) Existing Structure and Construction of Three (3) Sheds.

The development application was first reported to Council for determination on 16 September 2025 with a recommendation for refusal. At that meeting, Council resolved to defer the application to provide the proponent with an opportunity to respond to a range of outstanding issues identified in the report. The application was subsequently reported back to Council on 9 December 2025 with a recommendation for refusal on the basis that key impacts remained unresolved. Council resolved to again defer consideration of the application to allow the applicant a further opportunity to address the outstanding issues and requested that a further report, including draft conditions of consent, be presented to Council as soon as practicable for future consideration.

The purpose of this report is to provide a detailed discussion and assessment of the development application with a focus on those matters which the Council resolved to be addressed by way of additional information/design amendments, as detailed in the resolution of 9 December 2025.

The assessment will include consideration of the proposal under the Environmental Planning and Assessment (EP&A) Act 1979, the Maitland Local Environmental Plan (MLEP) 2011, the Maitland Development Control Plan (MDCP) 2011 and any other relevant legislation, guidelines and policies of the Council where they are relevant.

Description of Proposed Development

The proposed development involves the following (refer to Figure 1 to 3 below):

- Removal of shipping containers and demolition of covered structures and small sheds.
- Removal of 12 trees and pruning of 10 trees.
- The construction of three (3) detached sheds. Details as follows:
    - Workshop 1 - 12m x 28m (336m^2) concrete slab walls and metal roof.
    - Workshop 2 - 12m x 18.2m (216m^2) metal framed shed with mezzanine (48m^2) and an office and reception on the ground floor.
    - Workshop 3 - 12m x 24m (288m^2) with mezzanine (110m^2).
        - Each of these buildings have a sink, toilet and shower amenities.
- Partially walled wash bay 8m x 10m (80m^2).
- Above ground water tanks, 3 x 10,000L stormwater detention tanks.
- Vehicle circulation (hardstand gravel) and vehicle parking for 12 vehicles.
- Planting of 15 Swamp mahogany trees.

The use of the buildings will be for a 'rural industry'. The owners operate a business specialising in the maintenance of farm equipment and repairs to private rural infrastructure, e.g. farm sheds. The site will be used for the servicing and repairs to machinery and equipment used in primary production and small-scale farming enterprises located in the Hunter Valley. The sheds have the capacity to accommodate up to 13 items of machinery of various sizes under repair at any given time and the storage of another 8 items of plant.

The proposal identifies that a total of 20 staff will be employed, with ten (10) staff to work on the site, whilst another 10 staff will operate off-site in utilities servicing the machinery at the rural properties. These staff will visit the site on average three times a day to get parts and receive details of their next jobs.

On average, 3 to 4 pieces of farm equipment are delivered or leave the site each day. These items are delivered by a flatbed tow truck up to 10.5m in length. On rare occasions (up to twice per year), larger equipment is delivered to site on a 12.5m flatbed truck.

The proposal seeks the following operational hours:

Monday – Friday	7am to 5pm
Saturdays	8am to 3pm
Sundays or Public Holidays	Closed

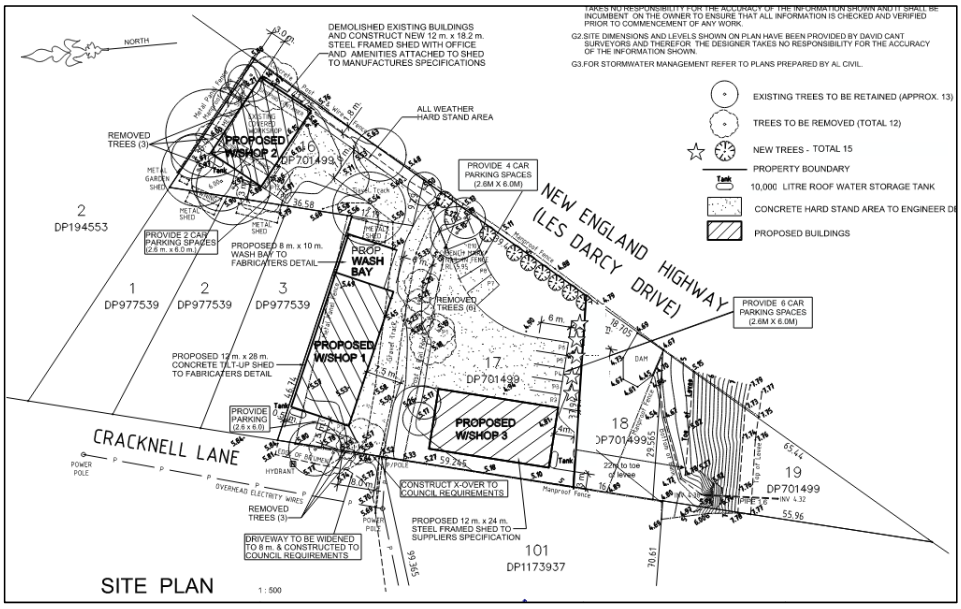


Figure 1: Site Plan

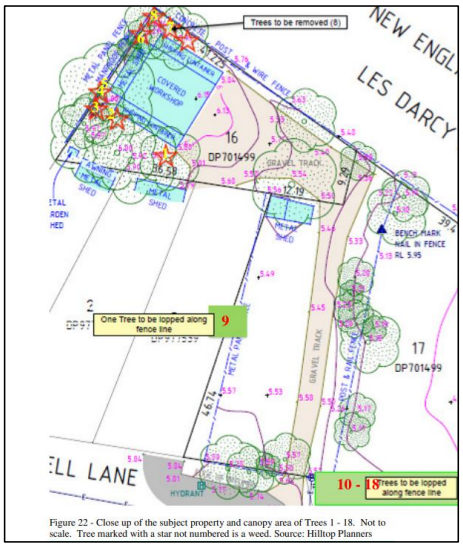


Figure 2: Proposed tree removal as per Arborist Report

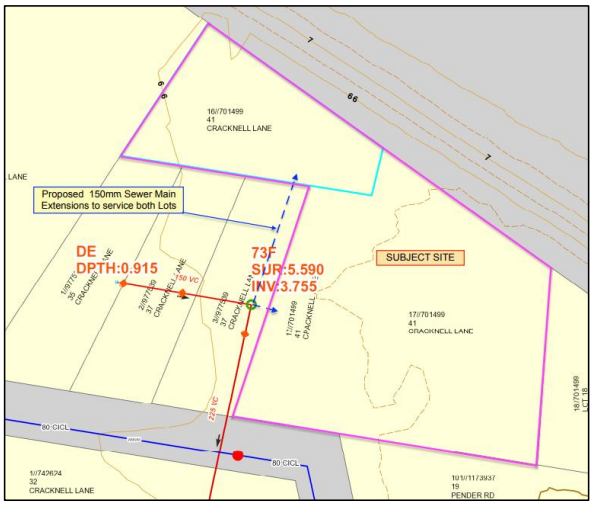


Figure 3: Sewer extension proposed for the site

Description of the Land on which the proposal is to be carried out.

The legal description of the land on which the development is to be carried out is Lots 16 & 17 in DP 701499, known as 41 Cracknell Lane, South Maitland (refer to Figure 4 below).

Lot 16 in DP 701499 comprises an area of 852m² and slopes eastward, from RL 6.14 to RL 5.4 (natural ground level). The site currently contains a covered workshop, several shipping containers, and a mix of native and exotic vegetation. It does not have legal access to a road frontage or easements to Cracknell Lane.

Lot 17 in DP 701499 has an area of 2,468m² and slopes from the south towards the east (RL 5.8 to RL 4.81). This lot features a gravel access track, multiple outbuildings, and machinery.

There are no development approvals currently in place for the existing use of the site. However, a business is actively operating on the premises, and some animal grazing (primarily horses) having been observed. The site is highly visible from the New England Highway.



Figure 4: Aerial Map of subject site

PREVIOUS DEVELOPMENT HISTORY

The table below provides a consent history and background context that is a relevant consideration in the assessment of the application.

Previous Consent History			
DA No.	**Description of Development**	**Date Determined**	**Decision Approved/Refused Key Issues**
UD99/1343	Shade Frame Houses for Nursery	14/09/1999	Approved

There are no development approvals currently in place for the existing use of the site. However, a business is actively operating on the premises, and some animal grazing (primarily horses) having been observed.

ASSESSMENT OF ADDITIONAL INFORMATION

The original Development Application Assessment Report, as provided to the Council on 16 September 2025 was included as Attachment 5 of that Agenda. This report provided a detailed assessment and response to all submissions made during the public notification of the application. It is not the intention of this report to provide a comprehensive re-assessment of

the application but rather will focus on the matters which the Council have required to be addressed within its resolution of 9 December 2025. These are presented in the Table below and comment provided:

MATTERS TO BE ADDRESSED VIA COUNCIL RESOOLUTION OF 16.09.2025		COMMENT
1a. 1c. 1b. 7a. 7b.	• Clause 1.2 - Aims of Plan (flooding); • Clause 7.2 – Earthworks. • Clause 5.21 - Flood planning; • Chapter B.3 Hunter River Floodplain: o Section 2.1 Development below the Flood Planning Level (FPL); o Section 2.3 Filling of Flood Storage and Flood Fringe Areas; o Section 2.3 General Building Requirements • A Flood Impact Assessment has not been provided to address the proposed importation of 1,000m³ of fill within a flood storage area. • The fill plan lacks essential detail, including dimensions, batter slopes, gradients, and defined flow paths	**Adequately resolved.** The applicant has now provided the required information to address flood-related matters. Council's Flood Engineer has reviewed the Stormwater Management Plan (Rev D) and the DRAINS files in relation to local catchment impacts and is satisfied that the impact of the development on Hunter River regional flooding is minimal. The proposed drainage design, including the provision of three (3) x 300mm diameter pipes, appropriately addresses potential local overland flow flooding from the upstream catchment. On this basis, the flood impacts associated with the proposed filling and development are considered acceptable, and it is concluded that the development will not result in adverse flooding impacts on the site, adjoining properties, or the surrounding environment. Accordingly, the proposal is considered to be consistent with the relevant flood planning provisions of MLEP 2011 and MDCP 2011.

PLANNING ASSESSMENT - 4.15(1) matters for consideration

Development Type

The proposal is categorised as *local development,* under the EPA Act.

Contributions

The proposal attracts a contribution of $11,068 under Council's current adopted Section 7.12 Plan.

The proposal is not subject to a Housing and Productivity Contribution. Under the Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024, a rural industry is neither classified as a commercial development nor as an industrial development (which explicitly excludes rural industry). Rural industry is defined separately under the Standard Instrument (Local Environmental Plans) Order 2006. Accordingly, HPC does not apply to this proposal.

Section 4.15(1)(a)(i) - Provisions of any environmental planning instrument

State Environmental Planning Policies

The following State Environmental Planning Policies (SEPP's) are relevant to the assessment of the proposal:

SEPP (Resilience & Hazards) 2021 - Chapter 4 - Remediation Of Land

This SEPP applies to all land in NSW. Under Clause 4.6 of the SEPP, a consent authority must not grant consent to the carrying out of any development unless they have considered whether the land is contaminated.

The site has been used for agricultural purposes up until late 2019 when a temporary industrial building was constructed on site and activities associated with the servicing of the rural sector commenced. Any contamination associated with the current activities is considered to be minor. No contamination was sighted during the site inspection. The site is not mapped as containing known or potential contamination.

Maitland Local Environmental Plan 2011

The subject land is zoned RU1 Rural Industry under the MLEP 2011. The proposed development is defined as Rural Industry which is a type of development permissible with consent and defined as follows:

> ***rural industry*** *means the handling, treating, production, processing, storage or packing of animal or plant agricultural products for commercial purposes, and includes any of the following—*
> *(a) agricultural produce industries,*
> *(b) livestock processing industries,*
> *(c) composting facilities and works (including the production of mushroom substrate),*
> *(d) sawmill or log processing works,*
> *(e) stock and sale yards,*
> *(f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.*
> ***Note—***
> *Rural industries are not a type of* ***industry****—see the definition of that term in this Dictionary.*

Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposal is considered to meet the objectives of the zone by encouraging diversity in primary industry enterprise in the area. The proposed land use satisfies the definition of 'rural industry' being - (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

The following clauses of the MLEP 2011 are relevant to the assessment of the proposal:

Clause 5.21 Flood planning

Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

Clause	Applicant Response	Planner/Engineer Response
(a) is compatible with the flood function and behaviour on the land, and	The site is inundated once the ring levee is overtopped, this being estimated to be a flood event with a frequency of over 1 in 60 years. The site was last inundated by floodwater in 1955. A Flood Evacuation Plan has been prepared.	**Adequately resolved.** In reference to the Hunter River Hunter River Floodplain Risk Management Study and Plan (FRMSP) 2015, the subject site is affected by 1% AEP flood extent with flood level 9.73m AHD. The depth of flow ranges between 3.6m - 4.8m and velocity ranges between 0m/s and 0.42 m/s. The entire site is classified as High Hazard and Flood Storage Area. Given the applicant has now provided the required information to address flood-related matters. Council's Flood Engineer has reviewed the revised Stormwater Management Plan (Rev D) and the DRAINS files in relation to local catchment impacts and is satisfied that the impact of the development on Hunter River regional flooding is minimal.
(b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and	The design has been modified to provide a drop edged beam around Workshop #3 and the associated carpark (eastern side). This reduces the amount of fill material required and provides an overland flow path around the development. The flow path is available for both storm events and flood scenarios.	As above.
(c) will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and	As the proposal is for a commercial enterprise, and there is in excess of 12 hours warning time that access to the site would be cut off, all staff would be asked to vacate the premises during a flood event. This also gives time for goods to be moved into the elevated storage areas.	**This item can be addressed via condition of consent.** The Flood Preparation and Evacuation Plan identified the need for relocation of plants, equipment and vehicles during a flooding event; however, where and how the relocation of plants, equipment and vehicles will take place has not been discussed.

		A summary of proposed evacuation methods has been provided (dated 29/10/2025, via email). This information states the following: *During a flood event the proponents will relocate plant, equipment, chemicals, and vehicles to rented premises in the Thornton Industrial area. Employees will assist by storing multiple vehicles and equipment at their own flood free residential premises, either on the street (vehicles) or under cover (equipment). Failing the above, the proponents have several clients who own rural properties in close proximity to the site, with flood free areas, who would be willing to store plant and vehicles for the duration of a flood.* While these arrangements are not ideal, Council staff can impose conditions of consent requiring the submission of detailed procedures and clearly identified evacuation routes within a Flood Emergency Response Plan (FERP).
(d) incorporates appropriate measures to manage risk to life in the event of a flood, and	As the proposal is for a commercial enterprise, and there is in excess of 12 hours warning time that access to the site would be cut off, all staff would be asked to vacate the premises during a flood event. This also gives time for goods to be moved into the elevated storage areas. The mezzanine areas provide for 160m2 of flood storage ~ 20% of ground floor area.	As above.
(e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses.	The buildings and proposed land use will not unduly impact on the environment. Being located beside the New England Highway, the environmental amenity of the site is low. Proposed landscaping will assist in mitigating visual impact.	**Adequately resolved.** The proposal includes the importation of 1428m^3 of fill material and filling depth up to 1.4m, however, the flood impact due to filling has not been assessed as insufficient information has been provided to address this matter. Council's Flood Engineer has reviewed the revised Stormwater Management Plan (Rev D) and the DRAINS files in

		relation to local catchment impacts and is satisfied that the impact of the development on Hunter River regional flooding is minimal. The proposed drainage design, including the provision of three (3) 300mm diameter pipes, appropriately addresses potential local overland flow flooding from the upstream catchment. On this basis, the flood impacts associated with the proposed filling and development are considered acceptable, and it is concluded that the development will not result in adverse flooding impacts on the site, adjoining properties, or the surrounding environment.
(a) the impact of the development on projected changes to flood behaviour as a result of climate change,	Changes to flood behaviour due to climate change are unlikely to impact on the development as the site is located in an area subject to low velocity flood water and the land use is not for habitable purposes.	As above.
(b) the intended design and scale of buildings resulting from the development,	The metal framed buildings will be designed to withstand the effects of flooding up to a 1% flood event.	**Can be satisfied through conditions of consent.** The buildings/workshops can be certified by a qualified Structural Engineer at Construction Certificate stage ensuring they have been designed to withstand the depth of inundation, buoyancy and flow velocity forces (including potential for debris impact) at the development site for a 1:100 ARI event.
(c) whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,	The mezzanine floor level is above the 1% flood level.	**Can be satisfied through conditions of consent.** The Flood Preparation and Evacuation Plan identified the need of relocation of plants, equipment and vehicles during a flooding event; however, where and how the relocation of plants, equipment and vehicles will take place has not been discussed. Workshop 2 consists of office, reception, hallway and amenities spaces. According to Part B3, section 2.3 “General Building Requirements”, any habitable room shall be no lower than the Flood Planning Level. The

		architectural plans do not demonstrate the proposed habitable spaces comply with this requirement. In this instance, the internal layout provides a mezzanine level above the FPL that can be used to locate critical equipment, storage and office functions during flood events. This enables flood-affected areas to be managed appropriately and reduces potential risk to occupants and property. On this basis, the arrangement is considered acceptable and consistent with the intent of the flood planning provisions.
(d) the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.	Not applicable.	As above.

Clause 7.1 Acid Sulfate Soils

The objective of Clause 7.1 of MLEP 2011 is to ensure that development does not disturb, expose or drain Acid Sulfate Soils and cause environmental damage. The site is identified to contain Class 4 Acid Sulfate Soils (ASS), and as no physical works are proposed below 500mm, there will be no impact on acid sulphate soil. An Acid Sulfate Management Plan is not required.

Clause 7.2 - Earthworks

The applicant has indicated that the proposed importation of 1,428 m³ of Virgin Excavated Natural Material (VENM) or Excavated Natural Material (ENM), along with the construction of three sheds, is not expected to materially affect floodwater flow on adjoining properties. Council's Flood Engineer has reviewed the revised Stormwater Management Plan (Rev D) and the DRAINS files in relation to local catchment impacts and is satisfied that the impact of the development on Hunter River regional flooding is minimal.

The proposed drainage design, including the provision of three x 300mm diameter pipes, appropriately addresses potential local overland flow flooding from the upstream catchment. On this basis, the flood impacts associated with the proposed filling and development are considered acceptable, and it is concluded that the development will not result in adverse flooding impacts on the site, adjoining properties, or the surrounding environment.

Section 4.15(1)(a)(ii) - Any draft environmental planning instrument that is or has been placed on public exhibition

At the time the development application was lodged (15 July 2024), Clause 7.9 – Essential Services had not yet formed part of the Maitland Local Environmental Plan 2011, as Amendment No. 38 was not gazetted until 28 March 2025. Amendment 38 includes a savings provision which confirms that any development application submitted prior to its commencement, and not yet finally determined, is not subject to the changes introduced by the amendment. Accordingly, Clause 7.9 is not a statutory consideration for this application.

However, Clause 7.9 was exhibited as a draft environmental planning instrument during the assessment of the application. It is noted that the proposal does meet the intent of Clause 7.9 –

Essential Services, as it has demonstrated that adequate vehicular access, stormwater drainage, and provision of water and sewer services can be made available. These matters are discussed further in this report.

Section 4.15(1)(a)(iii) - Any development control plan

Maitland Development Control Plan 2011 (DCP)

The following chapters of the MDCP 2011 are relevant to the assessment of the proposal:

Chapter B.2 – Domestic Stormwater

The amended stormwater plans incorporate on-site stormwater detention in accordance with Councils adopted Manual of Engineering Standards. Amended plans show the roofed areas being directed to rainwater tanks with tank overflow directed to three inlet pits and a surcharge pit draining to Council verge (New England Highway). The revised plans are supported by Council's Development Engineers subject to the imposition of conditions of consent.

Chapter B.3 – Hunter River Floodplain

According to the Hunter River FRMSP (2015), the subject site is affected by the 1% AEP flood extent, with a corresponding flood level of 9.73m AHD. Flood depths across the site range from 3.6 to 4.8 metres, with velocities between 0 and 0.42 m/s. The entire site is classified as both High Hazard and Flood Storage Area.

Development within a Flood Storage Area must comply with the provisions of *Section 2.3 – Filling of Flood Storage and Flood Fringe Areas*. The additional documentation submitted demonstrates that the fill will not result in adverse or cumulative flood impacts and the works proposed will address the potential local overland flow flooding on upstream catchments. On this basis, the proposal is considered acceptable in the context of the flood storage provisions.

Chapter B.5 Vegetation Management

The site contains a combination of native and exotic tree species. Twelve trees are proposed to be removed to accommodate the development, several of which are exotic. As the vegetation is isolated and the proposal includes the planting of fifteen Swamp Mahogany trees to offset the loss, the outcome is considered acceptable in terms of minimising impacts on local character, visual amenity, and the overall quality of the area.

Under Chapter B.5, a Biodiversity Management Plan is typically required for the removal of five or more native trees. However, following a site inspection by Council's Biodiversity and Resilience Officer—and considering the condition and locations of the trees, along with the identification of several as exotic—the requirement for a biodiversity assessment was waived in this instance.

Council's Biodiversity and Resilience Officer initially raised concerns regarding the potential long-term impact of the proposed 3-metre setback for Workshop 3, particularly in relation to the neighbouring Swamp Mahogany trees planted along the shared boundary.

The applicant subsequently lodged an Arborist Report (dated 22 December 2024, prepared by Abacus Tree Services). However, the report does not specifically address whether the proposed development will encroach upon the Structural Root Zone (SRZ) or Tree Protection Zone (TPZ) of the adjoining vegetation (refer to Figure 5). This concern remains outstanding, and it will be a

requirement that all works are carried out in accordance with AS 4970-2009 – Protection of Trees on Development Sites.



Figure 5: Extract from Arborist Report showing trees proposed for pruning on adjoining site

Chapter B.6 – Waste Not

A Waste Management Plan has been submitted as part of the application. Based on the estimated waste generation for the proposed use, the following waste collection arrangements are proposed by the applicant:

- General waste: 1 x 1100L bin, collected weekly;
- Recycling: 3 x 1100L bins, collected weekly.

Waste collection will occur between car parks 6 and 7. A private waste contractor will service both general and recycling waste weekly, accessing the site via Cracknell Lane and utilising the designated waste area.

Used oils and lubricants will be stored in 20L drums within a secure, covered, and bunded area. In the event of a spill, the affected area will be isolated and treated with EPA-compliant absorbent material. A 40L spill kit will be located in each of the three sheds, with signage for easy identification and access. This can be addressed through conditions of consent.

The wash bay will be enclosed by three walls and bunded. Wastewater will be directed through an approved oil-water separator before being discharged to the reticulated sewer system, which will be extended to service the site. Given the nature of the heavy machinery repair operations, there is a risk of oily runoff entering the stormwater system. To mitigate this, oil and grease separation devices must be incorporated into the stormwater design, in accordance with Council's Engineering Standards. This can be addressed through conditions of consent.

Sewer and trade waste agreement approvals can be obtained and will be required through conditions of consent.

Chapter C.11 – Vehicular Access and Car Parking

The DCP states for an industry use, 1 car space is required for every 75m^2 GFA. The floor area of 3 workshops is 840m^2 – therefore 12 spaces are required. The proposal provides 12 spaces; however, two spaces encroach on the roller door of workshop two (directly positioned in front of the office). Parking spaces 1-10 are shown as 2.6m x 6m, concern is raised there is no space or provision for the parking of larger trucks/waste collection/delivery vehicles besides within the workshops or driveway circulation areas. It is assumed that trucks and delivery vehicles shall

either utilise existing spaces or park in a workshop. A condition will be placed on the consent stating no equipment shall be stored in the car park and no vehicle can be parked in the turning areas of the site. A condition will also be placed on the consent stating P12 and P11 are for small vehicles only.

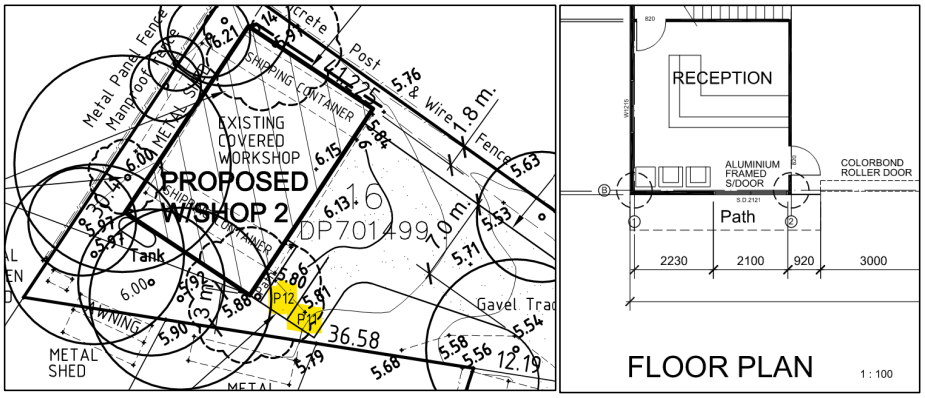


Figure 6: Location of two spaces which conflict with the use of the roller door

Concern was raised that Cracknell Lane and Pender Road lack the capacity to support the proposed use. Swept paths of a 12.5m Heavy Rigid Vehicle (HRV) have been provided in the traffic assessment demonstrating safe access for the design vehicle into the site and are shown below:

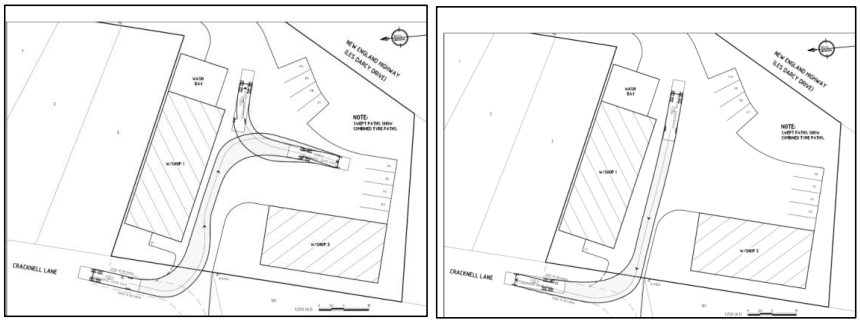


Figure 7 Entering site and exiting the site

Considering the scale of the proposed development and its limited impact on Cracknell Lane and given that the lane is already used by other developments with a similar purpose, the cost of upgrading the road should not be borne solely by the owner of this development.

The driveway access widening requires a Section 138 application and shall be conditioned accordingly.

Regarding pedestrian access and customer safety, a condition can be included on the consent requiring appropriate signage and/or line marking to indicate pedestrian zones, along with physical delineation or barriers where necessary to minimise conflict between reversing vehicles and pedestrian movements.

Section 4.15(1)(a)(iiia) – Any planning agreement that has been entered under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreements, or draft planning agreements.

Section 4.15 (1)(a)(iv) - The regulations (to the extent that they prescribe matters for the purposes of this paragraph)

The following regulations prescribed under the Environmental Planning and Assessment Regulation 2021 apply to the proposal:

Relevant Matters as Prescribed Under the EPA Regulation 2021			
Prescribed Matter	**Is the matter relevant to the proposal?**		**Comment**
	Yes	**No**	
The provisions of Australian Standard AS2601-1991 – "The Demolition of Structures"	yes		Demolition conditions can be placed on the consent should the application be favourably determined.

Section 4.15 (1)(b) - The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality.

The following table identifies and discusses the relevant matters for consideration in relation to environmental, social and economic impacts associated with the proposal.

Matters for Consideration	Comments
Economic	The development will provide economic benefits through local employment and services to the agricultural sector.
Flooding	The subject site is affected by 1% AEP flood extent with flood level 9.73m AHD. The depth of flow ranges between 3.6m - 4.8m and velocity ranges between 0m/s and 0.42 m/s. The entire site is classified as High Hazard and Flood Storage Area. The proposal seeks the importation of 1,428m³ of fill to a depth of up to 1.4 metres. A flood impact assessment has not been provided to demonstrate the proposal is compatible with the flood function on the land. Workshop 2 includes office, reception, hallway and amenities which, under the Maitland Development Control Plan, are considered "habitable rooms" in an industrial context and are generally required to be constructed no lower than the Flood Planning Level (FPL) in accordance with MDCP Part B3 – General Building Requirements. In this instance, the internal layout provides a mezzanine level above the FPL that can be used to locate critical equipment, storage and office functions during flood events. This enables flood-affected areas to be managed appropriately and reduces potential risk to occupants and property. On this basis, the arrangement is considered acceptable and consistent with the intent of the flood planning provisions.
Traffic	• Pender Road: Unsealed, with a trafficable carriageway width of 4 metres and no kerbing. • Cracknell Lane (Pender Road to Cultivation Lane): Sealed, 5.6 metres wide, with kerbing on the southern side only. • Cracknell Lane (Cultivation Lane to Anzac Street): Sealed, 7.6 metres wide, with kerbing on both sides. Vehicle access to the site is proposed from Cracknell Lane. The submitted Traffic Report (Intersect Traffic, dated 28 May 2025) indicates traffic would be

	split evenly between Cracknell Lane and Pender Road, with the largest vehicle being a 12.5 m HRV tilt tray. Swept path diagrams have been provided, demonstrating safe and convenient access for the nominated design vehicle in accordance with AS 2890.2. While the existing condition of Cracknell Lane and Pender Road remains constrained—with limited width and sections of unsealed surface—the scale of the proposed development is not expected to generate significant additional traffic. Given the lane is already used by similar developments, it is not considered reasonable that the cost of upgrading the road be borne solely by this applicant. Despite these concerns, Council's Development Engineer has reviewed the amended Traffic Assessment and is satisfied that the proposed access arrangements are acceptable, subject to appropriate conditions of consent.
Flora/Fauna	The site contains a combination of native and exotic tree species. Twelve trees are proposed to be removed to accommodate the development, several of which are exotic. As the vegetation is isolated and the proposal includes the planting of fifteen Swamp Mahogany trees to offset the loss, the outcome is considered acceptable in terms of minimising impacts on local character, visual amenity, and the overall quality of the area.
Servicing	Electricity and telecommunication services are available to the site. Reticulated water and sewer can be provided to the site and can be conditioned in the consent.
Visual Impacts	The site is readily visible from the NEH and the construction of the sheds will present new built forms into the landscape. The NEH lies some 3m higher than the subject site and is looked down upon by passing motorists. The metal sheds will be of earthy tone in colour ('pale eucalypt' or 'shale grey'). The visual impact is proposed to be mitigated via the planting of 15 Swamp Mahogany trees along the northern and eastern boundaries. These trees grow to a height of 15m and will provide an effective visual screen over time.
Bushfire	The site is located within mapped bushfire land. Section 8.3.1 Planning for Bushfire Protection (PFBP 2019) requires the development to be assessed against four objectives. The applicant has provided the below assessment: *Objective 1: to provide safe access to/from the public road system for fire fighters and for occupant during a bush fire.* *Response: - The site is accessed off Cracknell Lane. People wishing to enter or exit the site during a bushfire can do so safely in two directions – south via Trappaud Road or west via Anzac Street/NEH.* *Objective 2: to provide a suitable emergency and evacuation arrangements for occupants of the development.* *Response: - see #1 above. The site could also be accessed from NEH if the boundary fence need to be cut.* *Objective 3: to provide adequate services of water for protection of buildings during and after a bush fire.* *Response: - The site is serviced via a 100mm reticulated water main which will provide a supply in the event of a bushfire.* *Objective 4: provide storage of hazardous materials away from the hazard wherever possible.* *Response: - All hazardous material will be stored on site within one of the buildings and therefore not readily in immediate contact with flames from a bushfire.*

	The assessment team considers the above as acceptable, as the site has the ability to be connected to reticulated water. The development will be conditioned to provide adequate servicing to the site and condition for the bending of hazardous materials.
Noise	An Acoustic Assessment (prepared by Bridges Acoustics dated 10 April 2025) concluded the site receives significant traffic noise from the NEH and noise from the proposed agricultural machine repair business is likely to meet relevant noise criteria at all privately owned residences near the site. The assessment however does not consider the proponent's own residence at 37 Cracknell Lane, Maitland, as a sensitive residential receptor. The applicant has since provided an addendum to the acoustic assessment which does now incorporate the adjoining residence. The report states that it assumes in its calculations that a 1.8m steel boundary fence is present between the project site and the residential property. This fence doesn't exist and is not proposed to be installed as part of this application but rather the acoustic report notes that "such a fence would normally be constructed to separate the properties if one or both properties are sold to another party". Given the sites are not consolidated or proposed to be consolidated under this consent, a condition will be placed on the consent requiring the installation of the fence as per the assumptions made in the addendum to the acoustic report. Council's Environmental Health Officer noted that there is still outstanding information which should be considered at assessment stage to ensure the development will not generate ongoing noise issues, matters such as clarification of distance reference points and noise source locations, confirmation of reasonably worst-affected points for each property under Section 2.6 of the NSW Industrial Noise Policy, explanation of differences in results between the amended and previous reports, and revision of the Sound Power level for Workshop 2 to reflect likely use of power tools. These matters can be addressed through appropriate conditions of consent, requiring the submission of an updated noise assessment and supporting documentation prior to operation.

Section 4.15 (1)(c) - The suitability of the site for the development

The site is considered suitable for the proposed development, as the submitted information satisfactorily addresses key flood and filling matters. The impact of the development on Hunter River regional flooding is considered minimal, and the Stormwater Management Plan (Rev D) and DRAINS files demonstrate that local catchment impacts are adequately managed. Overall, the proposal demonstrates compliance with relevant standards and design controls, confirming that the site is suitable for the development.

Section 4.15 (1)(d) - Any submissions made in accordance with this Act or the regulations

The proposal was publicly notified/advertised for a period of 14 days in accordance with the EP&A Act 1979 and the MDCP 2011.

A total of one submission was received during the exhibition period. The single submission raised objection to the proposal. The issues raised re summarised below::

- **Scale and character:** Workshop 2 is considered too large and industrial in appearance, out of character with the rural setting.

- **Tree removal:** Approximately 10 mature native trees (possible koala habitat) would need to be removed, significantly impacting the streetscape and natural environment.
- **Noise impacts:** Concern about industrial-level noise from maintenance and repair activities involving up to 15 employees and 13 machines, affecting residential amenity and lifestyle.
- **Building materials and noise reflection:** The use of Colorbond cladding on a large metal structure facing the New England Highway may reflect car and train noise toward nearby properties; sound-deadening materials are requested.
- **Workshop location:** Suggest relocating Workshop 2 (e.g. opposite the proposed parking area) to a more suitable position on the site.

The application has not been subject to further advertising/notification since it was considered by the Council on 16 September 2025. The above issues have been addressed in detail under the previous assessment report provided to the Council at that meeting and are not re-addressed in this report. A copy of the previous assessment report is provided at **Attachment 5**.

Government Agency Submissions

Concurrence to the proposal has been provided by the following government agencies as summarised in the following table:

Government Agency Submissions (Concurrence)		
Responding Agency	**Section/Act under which Concurrence is required**	**Summary of requirements**
Ausgrid	Clause 2.48 works within proximity of electricity power line under SEPP (Transport and Infrastructure) 2021	Did not object to the proposal but provided information and conditions pertaining to the supply of electricity, vegetation, service mains, method of electricity connection and proximity to existing network assets.
Department of Climate Change, Energy, the Environment and Water	Clause 256 of the Water Management Act 2000	The application has been referred to DPIE (Department of Climate Change, Energy, the Environment and Water) for a response under 256(1)(a) and 256(1)(b) of the Water Management Act 2000 for ((a) construct any building, fence or structure in, on, or adjacent to, a levee bank, and (b)construct a flood work on a floodplain, in HVFM scheme). The DPIE has requested information on the proposed construction of pipes and pits within 10m of the levee toe. The applicant has advised the works are outside of 10m of the levee toe and thus a S256 is not required. Council will place the following condition of consent to cover any additional consents required before construction: “Prior to the commencement of works, the application must obtain all relevant

		approved under the Water Management Act 2000".

Section 4.15(1)(e) - The public interest

With the benefit of additional information, the proposal is now considered to be in the public interest. While it is acknowledged that the use commenced without consent, formal approval would provide an appropriate framework for Council to regulate the ongoing operation of the site. The additional information submitted has satisfactorily addressed the previously unresolved matters relating to flooding, filling, and site suitability. The proposal is considered to comply with the relevant planning controls and is not expected to result in adverse impacts on adjoining properties or the environment. Accordingly, the proposal is supported as being in the public interest.

OTHER APPROVALS

The application also seeks consent under the additional legislation as detailed in the following table:

Additional Approvals Required		
Section/Act under which approval is sought	**Type of activity**	**Comment**
S138 of the Roads Act 1993	Works in the public roadway	Driveway and road upgrades would likely be required to facilitate the proposal.

REFERRALS

Building Surveyor – Standard conditions of consent recommended. However, noted possible BCA issues that should be reviewed by their certifier.

Development Engineer – Considering the scale of the proposed development and its limited impact on Cracknell Lane and given that the lane is already used by other developments with a similar purpose, the cost of upgrading the road should not be borne solely by the owner of this development.

The amended stormwater plans incorporate on-site stormwater detention in accordance with Councils adopted Manual of Engineering Standards. The plans show the roofed areas being directed to rainwater tanks with tank overflow directed to three inlet pits and a surcharge pit draining to Council verge (New England Highway). The revised plans are supported subject to the imposition of conditions of consent.

Given the proposed use of the site for heavy machinery repairs, there is a risk of trade waste runoff entering the stormwater system from the workshop buildings and vehicle wash bay. To mitigate this, it is recommended that oil and grease separation devices be incorporated into the stormwater design in accordance with Council's Engineering Standards. This can be addressed through a condition of consent.

Flood Referral – In reference to the Hunter River FRMSP 2015, the subject site is affected by 1% AEP flood extent with flood level 9.73 m AHD. The depth of flow ranges between 3.6m - 4.8m and velocity ranges between 0m/s and 0.42 m/s. The entire site is classified as High Hazard and Flood Storage Area.

The impact of development on the Hunter regional flooding is considered minimal, and the Stormwater Management Plan Rev D and the DRAINS files are reviewed in terms of Local Catchment. 3*300mm pipe has been provided to address the potential local overland flow

flooding on upstream catchment.

Workshop 2 consists of office, reception, hallway and amenities spaces. According to MDCP, Part B3, section 2.3 “General Building Requirements”, any habitable room shall be no lower than the FPL. Any habitable floor below the Flood Planning Level is not supported.

PLANNER COMMENT: Workshop 2 includes office, reception, hallway and amenities which, under the MDCP 2011, are considered “habitable rooms” in an industrial context and are generally required to be constructed no lower than the Flood Planning Level (FPL) in accordance with MDCP Part B3 – General Building Requirements. In this instance, the internal layout provides a mezzanine level above the FPL that can be used to locate critical equipment, storage and office functions during flood events. This enables flood-affected areas to be managed appropriately and reduces potential risk to occupants and property. On this basis, the arrangement is considered acceptable and consistent with the intent of the flood planning provisions.

Environmental Health – Noted that there is still outstanding information which should be considered at assessment stage to ensure the development will not generate ongoing noise issues, matters such as clarification of distance reference points and noise source locations, confirmation of reasonably worst-affected points for each property under Section 2.6 of the NSW Industrial Noise Policy, explanation of differences in results between the amended and previous reports, and revision of the Sound Power level for Workshop 2 to reflect likely use of power tools. These matters can be addressed through appropriate conditions of consent, requiring the submission of an updated noise assessment and supporting documentation prior to operation.

ASSESSMENT CONCLUSION

An assessment of the application has been undertaken against Section 4.15(1) of the EP&A Act, 1979 as amended. The proposed development is considered not to be acceptable in terms of the relevant matters for consideration under the Act on the grounds of (the matters prescribed below) and is accordingly recommended for refusal.

RECOMMENDATION AND DETERMINATION

This application has been assessed against the relevant heads of consideration in section 4.15(1) of the Act as acceptable and is recommended for approval subject to the recommended conditions of consent.

City Services

Local Transport Forum Meeting Minutes (February 2026)

Local Transport Forum Minutes (5 February 2026) (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 1

Number of Pages: 84

LOCAL TRANSPORT FORUM

MINUTES

5 FEBRUARY 2026

Maitland City Council | Local Transport Forum Minutes

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
COMMENCEMENT		2
1	ACKNOWLEDGEMENT OF COUNTRY	2
2	APOLOGIES AND LEAVE OF ABSENCE	2
3	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	2
4	BUSINESS ARISING FROM MINUTES	2
5	LOCAL TRANSPORT FORUM REPORTS	3
5.1	EVENT - STEAMFEST 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT	3
5.2	ANZAC DAY - CENTRAL MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT	17
5.3	ANZAC DAY - EAST MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT	24
5.4	ANZAC DAY - MORPETH - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT	32
5.5	LIVE AT THE LEVEE STREET PARTY - EVENT TRAFFIC & TRANSPORT MANAGEMENT	38
5.6	LEVEL UP AT THE LEVEE - EVENT TRAFFIC & TRANSPORT MANAGEMENT	44
5.7	PROPOSED LINEMARKING AND SIGNAGE FOR SIDLAY STAGE 1 - 547 RAYMOND TERRACE ROAD, CHISHOLM	47
5.8	PROPOSED LINEMARKING AND SIGNAGE FOR HILLCREST STAGE 3 - 48 WINDERMERE ROAD LOCHINVAR	50
5.9	PROPOSED LINEMARKING AND SIGNAGE FOR RAILWAY STREET, MAITLAND - PEDESTRIAN REFUGE AND PEDESTRIAN CROSSING	55
5.10	LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS	58
6	GENERAL BUSINESS	81
6.1	UNREGISTERED TRAIL BIKES IN MAITLAND	81
6.2	REQUEST FOR PEDESTRIAN CROSSING – MAITLAND HIGH SCHOOL, HIGH STREET, EAST MAITLAND	81
6.3	SPEEDING – HIGH STREET, LARGS	81
6.4	BUS STOPS IN MAITLAND	82
7	CLOSURE	83

maitland CITY COUNCIL

maitland CITY COUNCIL

PRESENT

Cr Warrick Penfold – Councillor (Chairperson)
Giovanna Kozary – Representative for Jenny Aitcheson MP
Garry Blair – Representative for Dave Layzell MP
John Carey – Transport for NSW Representative
William Ridley – Hunter Valley Buses
Yarry Netluch – Hunter Valley Buses
Stephen Smith – Maitland City Council
Brendan Moran – Maitland City Council
Kate Taylor – Maitland City Council
Craig Parsons - Maitland City Council
Suzanne Schmidt - Maitland City Council
Roy Zhao – Maitland City Council
David Graham – Maitland City Council (until 9:50am)
Adam Franks - Maitland City Council (until 9:50am)
Christina Devine – Maitland City Council (minute taker)

COMMENCEMENT

The meeting was declared open at 9:31 am.

1 ACKNOWLEDGEMENT OF COUNTRY

2 APOLOGIES AND LEAVE OF ABSENCE

Steven Roach – Maitland City Council
Maitland Police Representative

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

No objection or amendments were received within the two week notification period with regards to the distributed Minutes of the Local Transport Forum Meeting held 4 December 2025 and the minutes were hereby considered adopted on 18 December 2025.

4 BUSINESS ARISING FROM MINUTES

- Item from November 2025 LTF Meeting – *"5.2 – Proposed Removal of Pre Existing NHVR Permit on Luskintyre Road*" was returned to LTF from Council. Addressed in report 5.10 of this meeting.
- Item from November 2025 LTF Meeting – "*5.1 - New Years Eve 2025 – Event Traffic and Transport Management".* Approximately 15,000 people attended. The feedback on the event was positive and that and the changes that were made were an improvement on previous years. CDC buses awaiting data from TfNSW on Opal Card usage. CDC Buses will report back once the information is received.

5 FEBRUARY 2026

5 LOCAL TRANSPORT FORUM REPORTS

5.1 EVENT - STEAMFEST 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO:	**140/5**
ATTACHMENTS:	**1. Steamfest 2026 Traffic Guidance Schemes**
AUTHOR:	Traffic Management Officer Events Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

The Burton Automotive Hunter Valley Steamfest event is planned to take place from Saturday 18 April – Sunday 19 April 2026. The event celebrates Maitland's steam heritage and extends across multiple Central Maitland locations including The Garnham Grounds (formerly The Rally Ground), The Maitland Railway Station Precinct and Maitland Park.

Traffic Management is an integral part in planning and delivering large scale community events. To ensure the safe delivery of Hunter Valley Steamfest, Maitland City Council Events Team have proposed a series of traffic and transport measures for the event below for approval by the Local Transport Forum.

OFFICER'S RECOMMENDATION

THAT

1. **The following temporary road closures associated with Hunter Valley Steamfest 2026, be endorsed:**
   a. **From 12am Thursday 16 April to 9am Monday 20 April 2026:**
      - **Maitland Railway Station car park areas off Station Street and Elgin Street.**
   b. **From 12am Friday 17 April to 9am Monday 20 April 2026:**
      - **Maitland Railway Station car park remaining area including access road to Elgin Street roundabout, and**
      - **Station Street between Elgin Street and cul-de-sac.**
   c. **From 6am Saturday 18 April until 8pm Sunday 19 April 2026:**
      - **Church Street between Railway Street roundabout and Les Darcy Drive (New England Highway), and**
      - **Railway Street between Church Street and Elgin Street.**

d. From 6am to 6pm Sunday 19 April 2026 - Hunter Valley Steamfest "Show & Shine":

- **Internal road through Maitland Park between main entrance off Walker Street up to the entry to the Maitland Pool, just past the old Bowling Club carpark.**
- **Loftus Street.**

2. The following changed traffic conditions associated with Hunter Valley Steamfest 2026 be endorsed:

a. From 6am Saturday 18 April to 8pm Sunday 19 April 2026:

- **Allan Walsh Drive converted to one-way eastbound lane from Ken Tubman Drive to Church Street,**
- **Westbound traffic no left turn from Steam Street onto Church Street, and**
- **Eastbound traffic no right turn from Steam Street onto Church Street.**
- **Special Event Clearway Zone from 12am Thursday 16 April – 9am Monday 20 April 2026 for Maitland Railway Station Car Park.**

COMMITTEE RECOMMENDATION

THAT

1. The following temporary road closures associated with Hunter Valley Steamfest 2026, be approved by Council:

a. From 12am Thursday 16 April to 9am Monday 20 April 2026:

- **Maitland Railway Station car park areas off Station Street and Elgin Street.**

b. From 12am Friday 17 April to 9am Monday 20 April 2026:

- **Maitland Railway Station car park remaining area including access road to Elgin Street roundabout, and**
- **Station Street between Elgin Street and cul-de-sac.**

c. From 6am Saturday 18 April until 8pm Sunday 19 April 2026:

- **Church Street between Railway Street roundabout and Les Darcy Drive (New England Highway), and**
- **Railway Street between Church Street and Elgin Street.**

d. From 6am to 6pm Sunday 19 April 2026 - Hunter Valley Steamfest "Show & Shine":

- **Internal road through Maitland Park between main entrance off Walker Street up to the entry to the Maitland Pool, just past the old Bowling Club carpark.**
- **Loftus Street.**

2. The following changed traffic conditions associated with Hunter Valley Steamfest 2026 be approved by Council:

a. From 6am Saturday 18 April to 8pm Sunday 19 April 2026:

- **Allan Walsh Drive converted to one-way eastbound lane from Ken Tubman Drive to Church Street,**
- **Westbound traffic no left turn from Steam Street onto Church Street, and**
- **Eastbound traffic no right turn from Steam Street onto Church Street.**
- **Special Event Clearway Zone from 12am Thursday 16 April – 9am Monday 20 April 2026 for Maitland Railway Station Car Park.**

3. The installation of temporary traffic control devices, to affect the proposed road closures, be endorsed.

5 FEBRUARY 2026

Local Transport Forum Reports

EVENT - STEAMFEST 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

Steamfest 2026 Traffic Guidance Schemes

Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 10

MAITLAND RAILWAY STATION CAR PARK SECTIONS

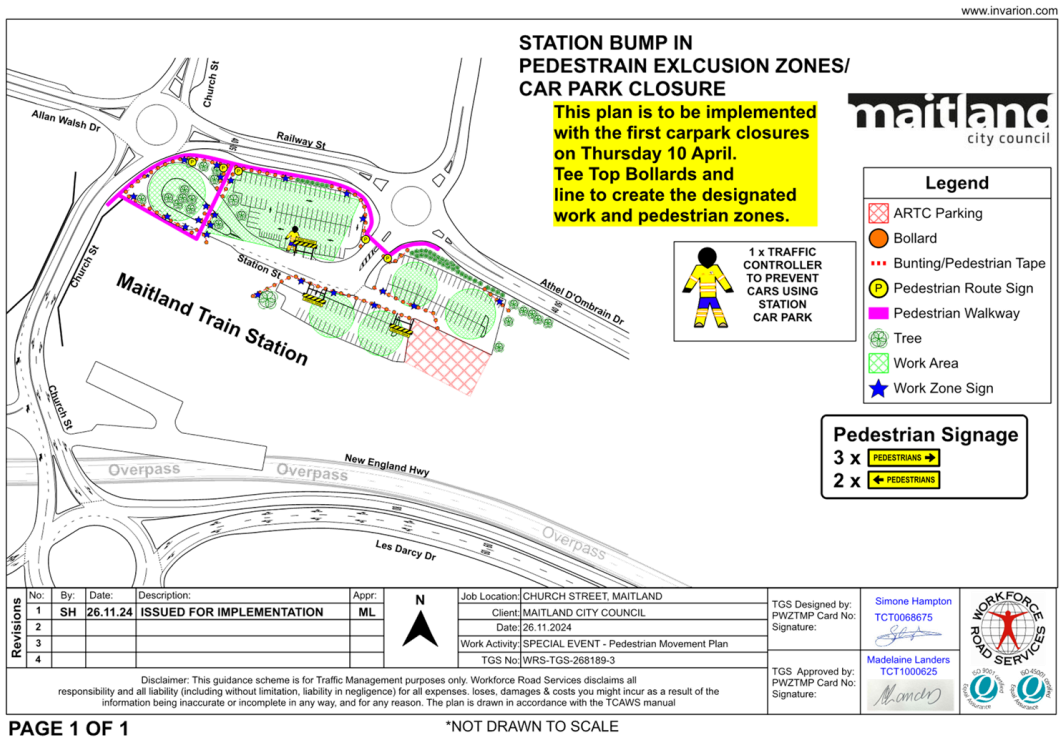


Thu 16 April 2026

Fri 17 April 2026

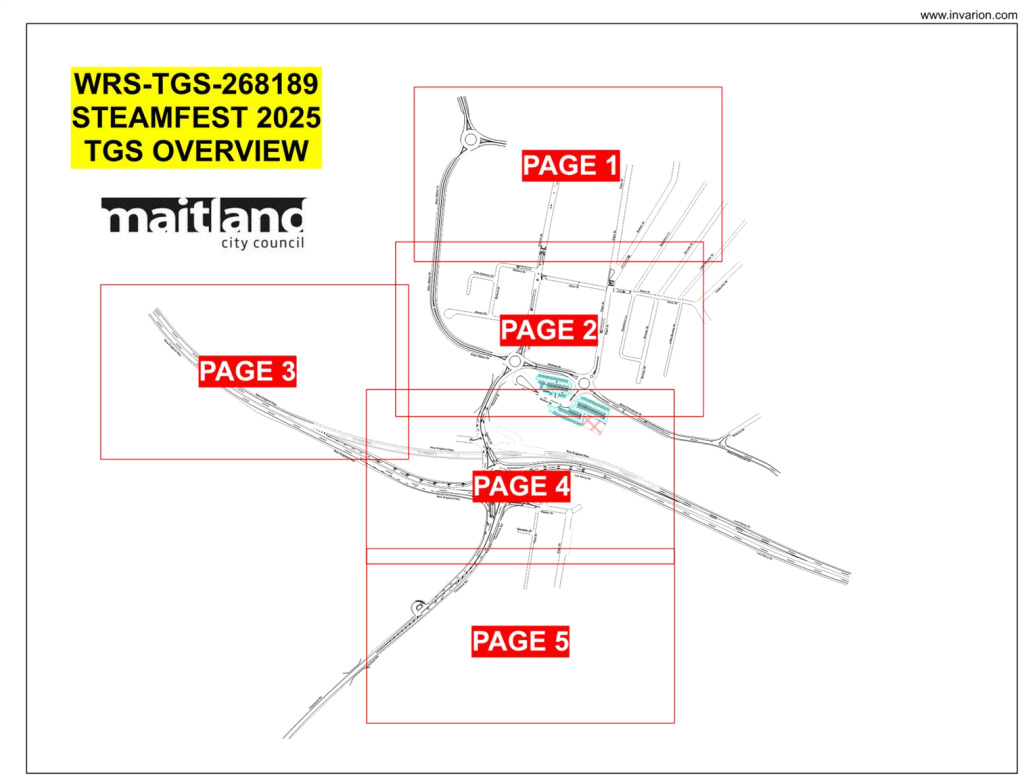
'CLEARWAY ENFORCED' SIGN

5 FEBRUARY 2026



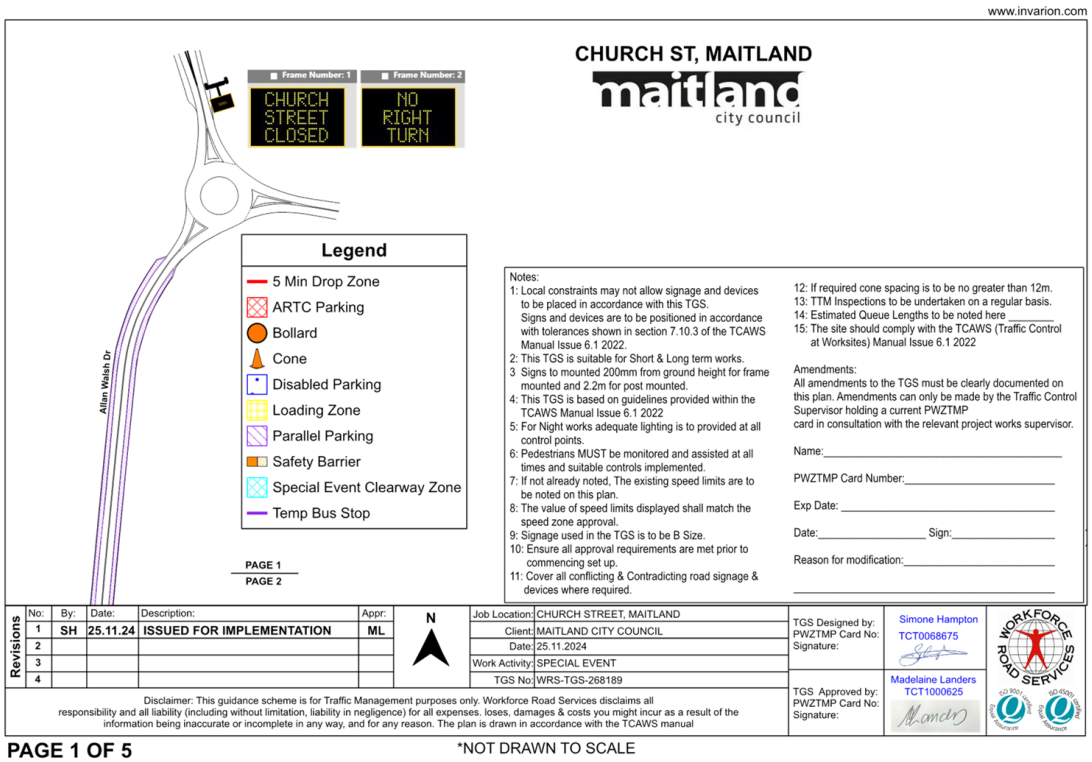
PAGE 1 OF 1

*NOT DRAWN TO SCALE

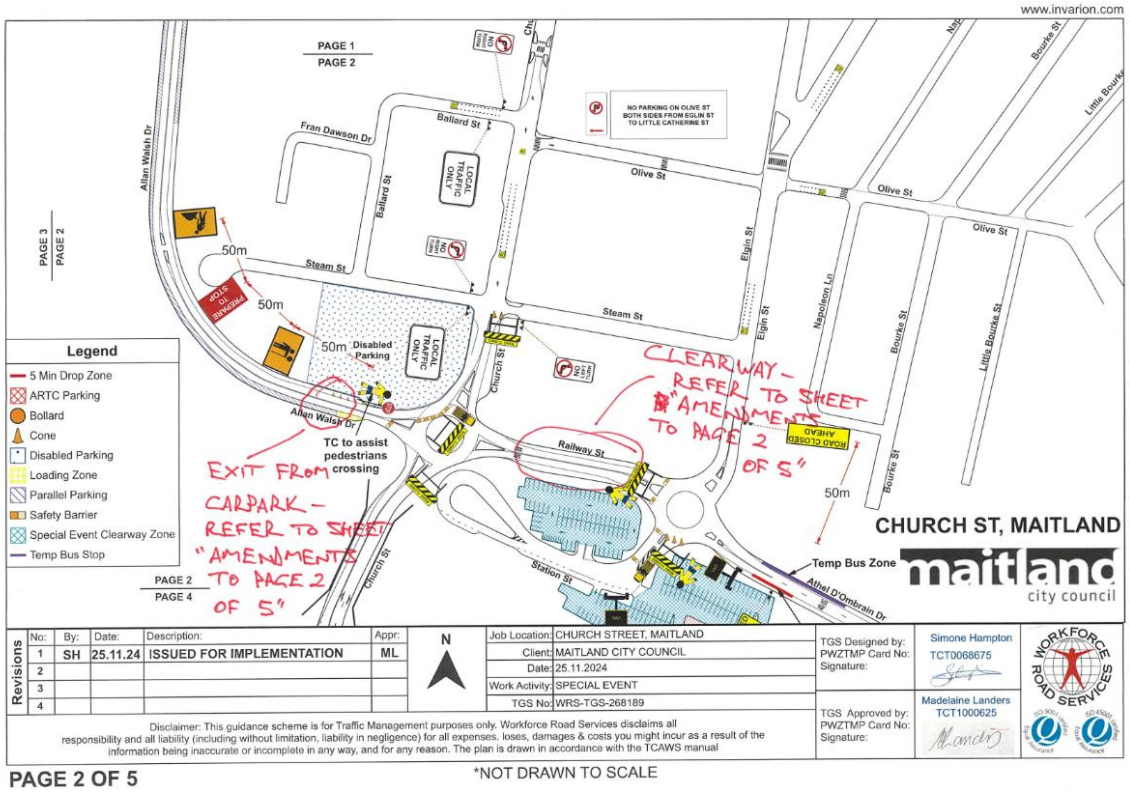

www.invarion.com
WRS-TGS-268189
STEAMFEST 2025
TGS OVERVIEW
maitland
city council
PAGE 1
PAGE 2
PAGE 3
PAGE 4
PAGE 5

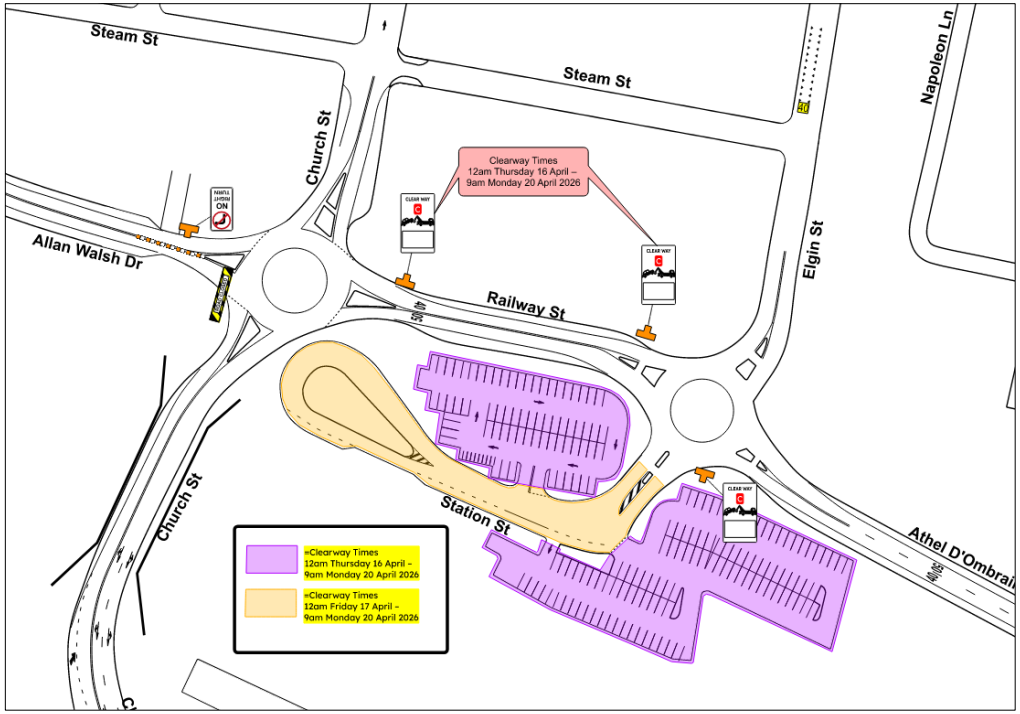
5 FEBRUARY 2026

www.invarion.com



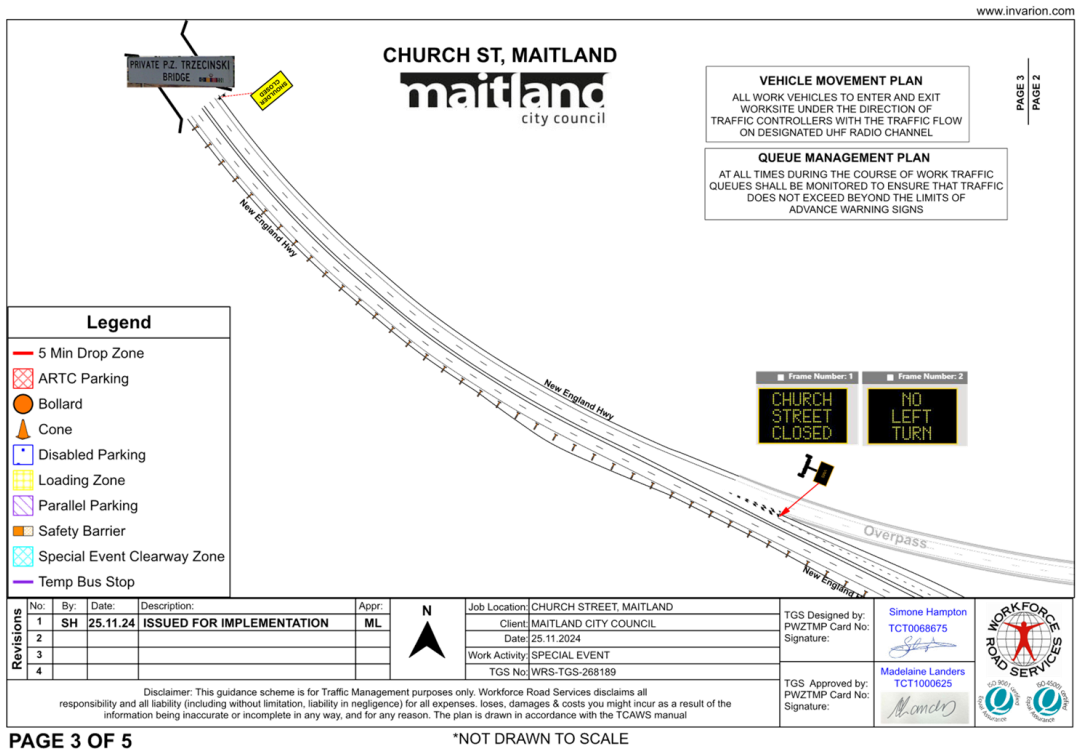
5 FEBRUARY 2026



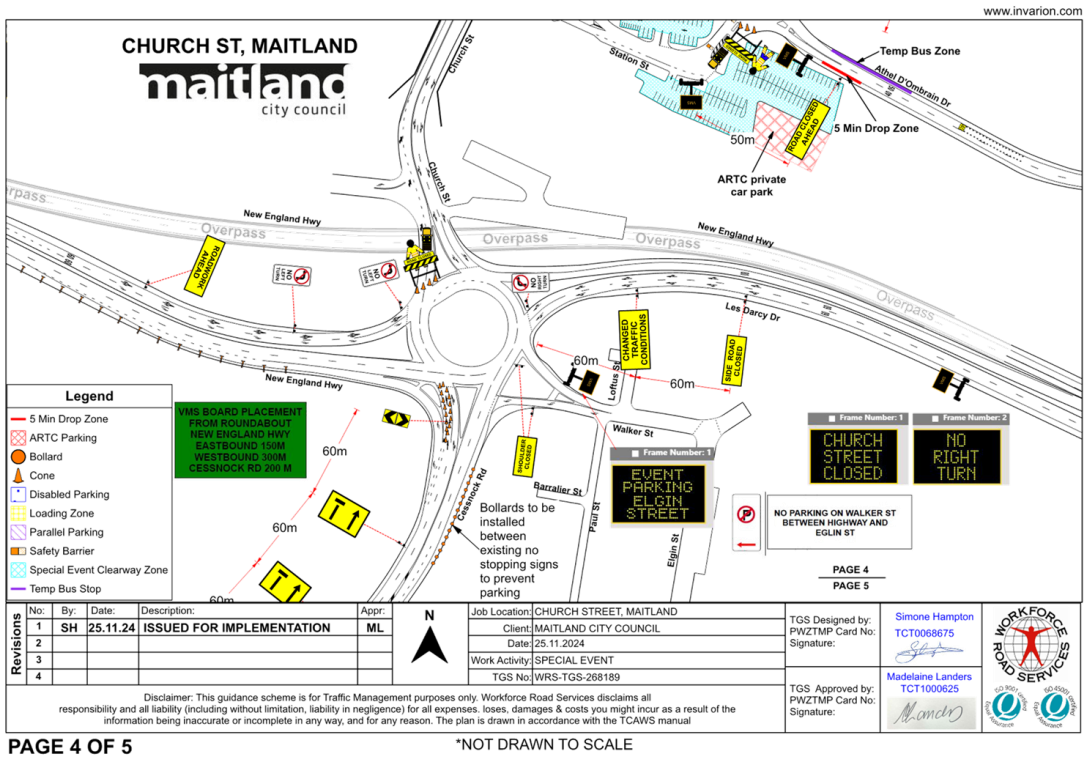


Amendments to Page 2 of 5

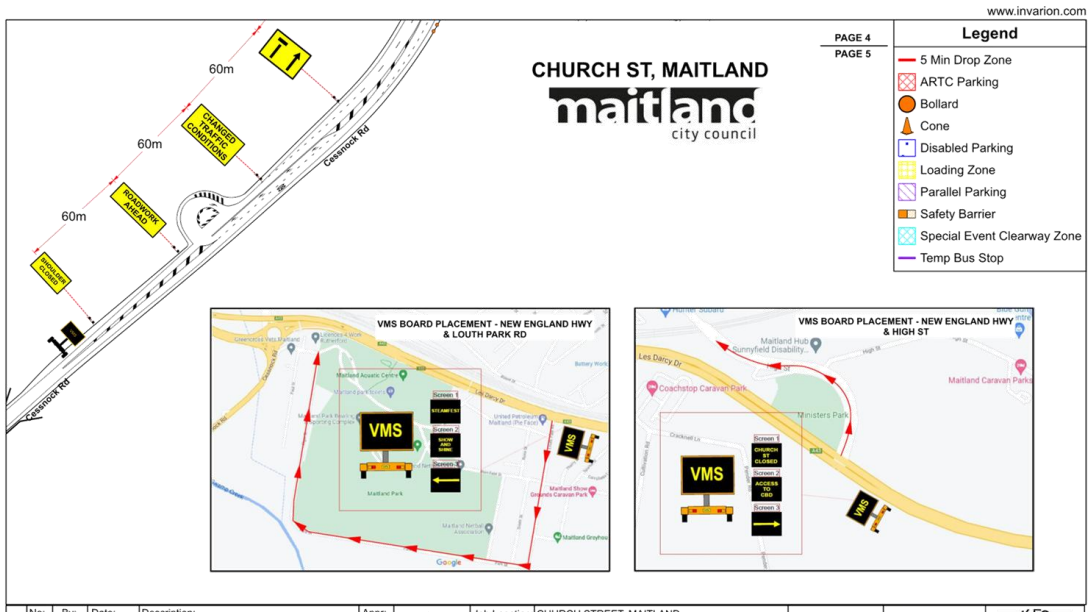
5 FEBRUARY 2026



5 FEBRUARY 2026



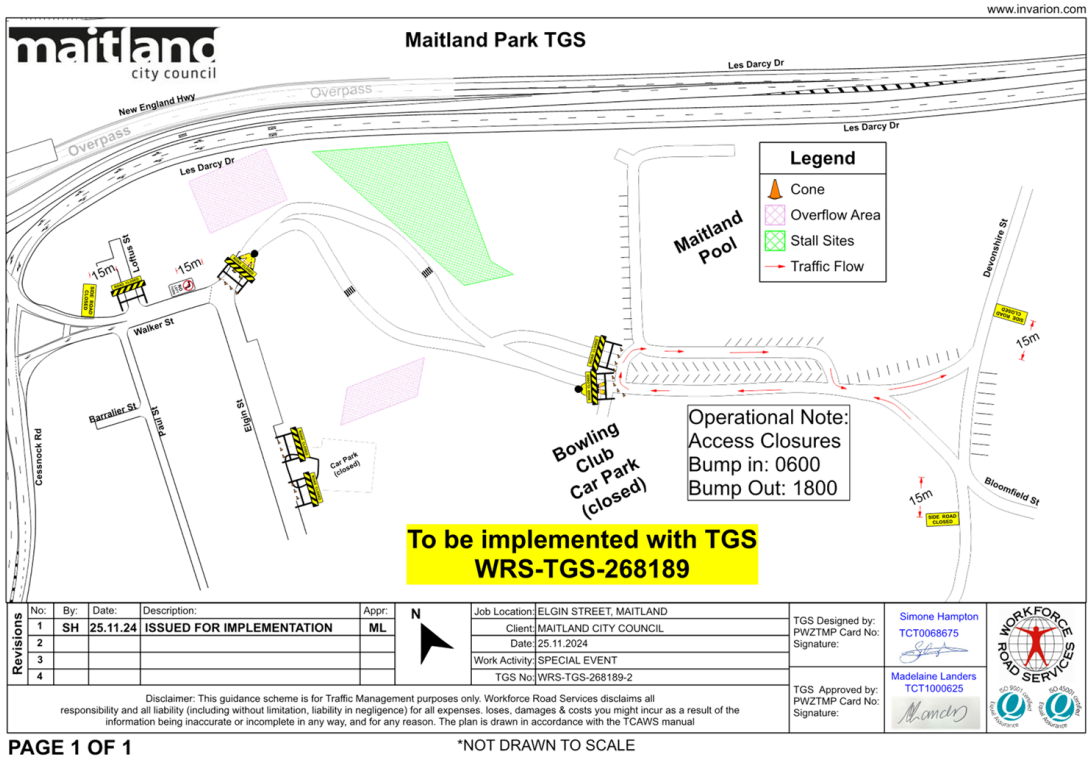
www.invarion.com



PAGE 5 OF 5

*NOT DRAWN TO SCALE

5 FEBRUARY 2026



5 FEBRUARY 2026

5.2 ANZAC DAY - CENTRAL MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO: 140/5

ATTACHMENTS:
1. Central Maitland, Maitland Park Traffic Guidance Scheme
2. Central Maitland, Transvaal Avenue Detour Route

AUTHOR: Traffic Management Officer
Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Council has received an application from the Maitland Anzac Day Committee to temporarily close sections of Transvaal Ave, Maitland Park, Maitland to hold the annual Anzac Day Ceremony on Saturday, 25 April 2026. The Anzac Day march starts at the James Wolstenholme Memorial and travels from Blomfield Street along Transvaal Ave to the Maitland Park cenotaph.

Temporary road closure devices and signs will be in place for the duration of the event.

OFFICER'S RECOMMENDATION

THAT

1. **The following temporary road closures to vehicular traffic associated with Maitland Anzac Day 2026 be endorsed:**
    a. **From 4:45am to 7am and from 9:30am to 1pm, Saturday, 25 April 2026:**
        i. **Transvaal Avenue from Maitland Pool turn-around to Elgin Street;**
    b. **From 9:30am to 1pm, Saturday, 25 April 2026:**
        i. **Transvaal Avenue, between Blomfield Street and Elgin Street**
2. **The installation of temporary traffic control devices, to affect the proposed road closures, be endorsed.**

COMMITTEE RECOMMENDATION

THAT

1. **The following temporary road closures to vehicular traffic associated with Maitland Anzac Day 2026 be endorsed:**
    a. **From 4:45am to 7am and from 9:30am to 1pm, Saturday, 25 April 2026:**
        i. **Transvaal Avenue from Maitland Pool turn-around to Elgin Street;**

b. From 9:30am to 1pm, Saturday, 25 April 2026:

i. Transvaal Avenue, between Blomfield Street and Elgin Street

2. The installation of temporary traffic control devices, to affect the proposed road closures, be endorsed.

Local Transport Forum Reports

ANZAC DAY - CENTRAL MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

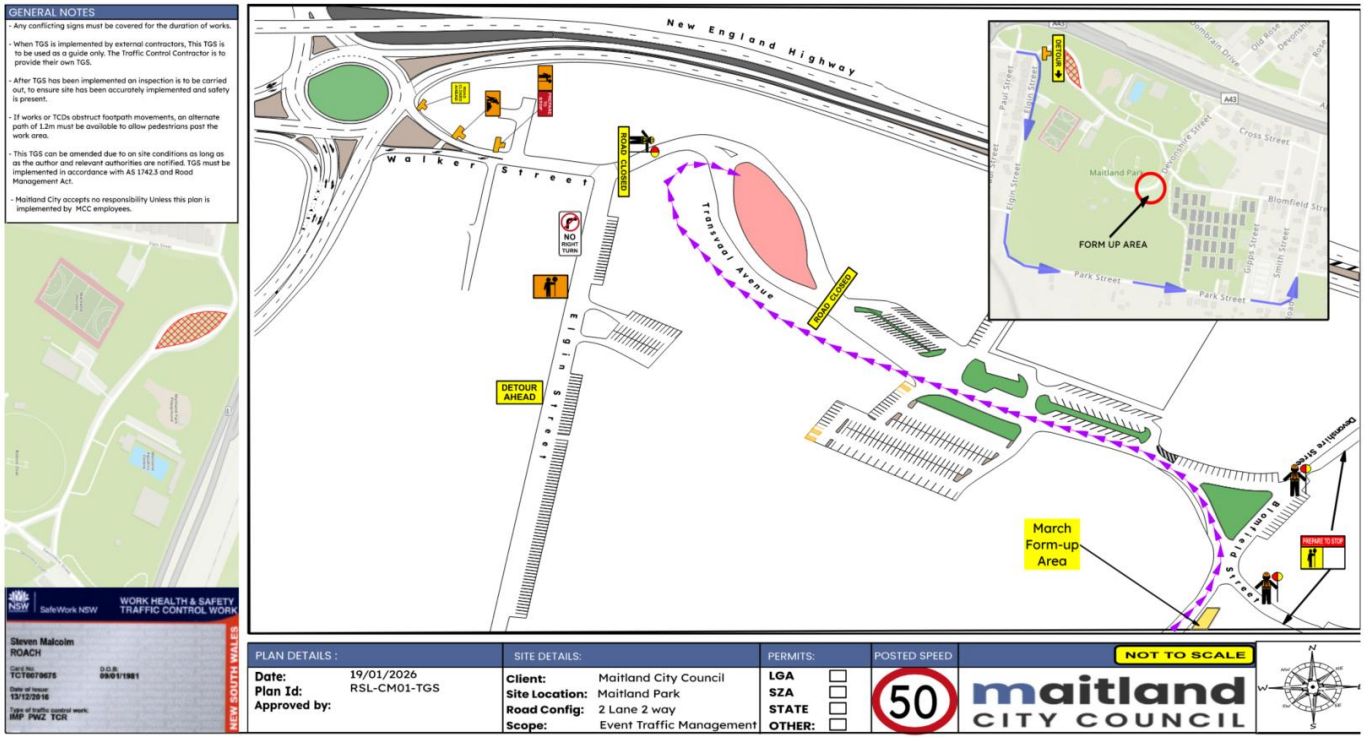
Central Maitland, Maitland Park Traffic Guidance Scheme

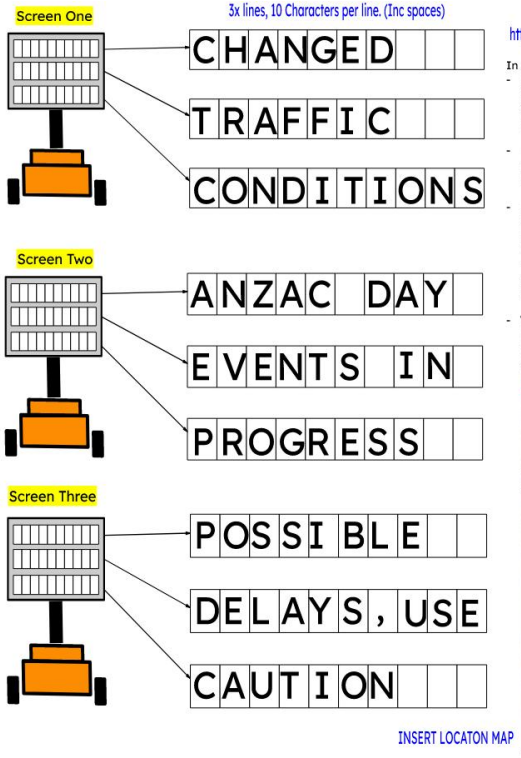
Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 2

5 FEBRUARY 2026

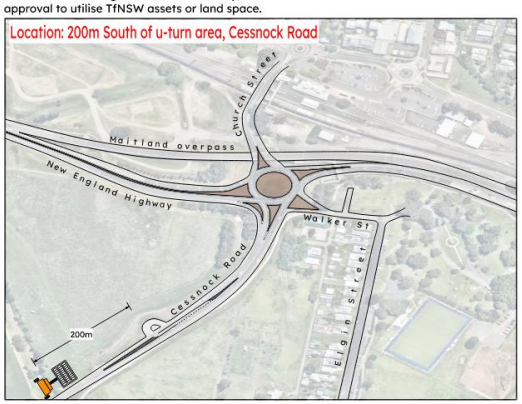




https://standards.transport.nsw.gov.au/_entity/annotation/367000e1-411e-ef11-840a-6045bdc373da

In accordance with TfNSW TS001998:10 states the following:

- Portable VMS shall only be used on a road or road-related area to: o provide traffic management messages for roadworks, incidents, special events or changed traffic conditions, including speed limit changes o display road safety messages for government and community announcements such as total fire bans.
- Alongside special events Use of portable VMS for special events helps to inform, warn and direct road users on necessary action regarding changed traffic conditions. In such instances, the requirements of TS 06336 shall be met where applicable.
- Information on advertising Portable VMS on a classified road or road reserve shall not be used for either private or community advertising. Advertising will undermine the importance of portable VMS for providing road safety and traffic management information and may distract drivers. State Environmental Planning Policy prohibits advertisements on trailers (which includes portable VMS) parked on, or visible from, roads or road-related areas. In certain situations, such advertising may be allowed with prior consent.
- Where VMS location areas impact TfNSW roads, the applicant must acquire a Road Occupancy License. Council cannot provide approval for works within a classified road corridor for which TfNSW are the designated roads authority, the Permit is not an approval to utilise TfNSW assets or land space.



FEBRUARY 2026

Local Transport Forum Reports

ANZAC DAY - CENTRAL MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

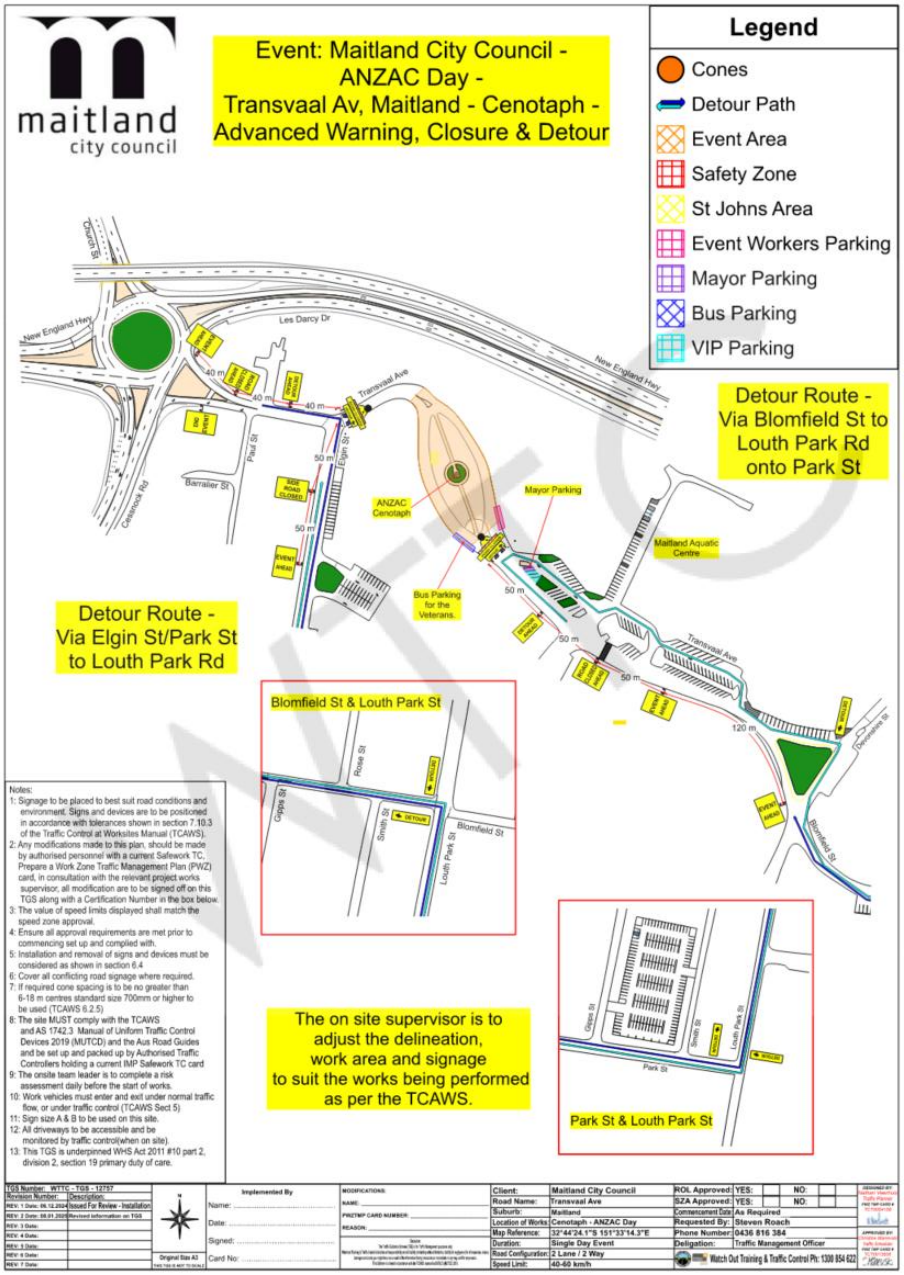
Central Maitland, Transvaal Avenue Detour Route

Meeting Date: 5 February 2026

Attachment No: 2

Number of Pages: 1

5 FEBRUARY 2026



5 FEBRUARY 2026

5.3 ANZAC DAY - EAST MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO:	**140/5**
ATTACHMENTS:	**1. 2026 East Maitland Anzac Traffic Guidance Scheme**
AUTHOR:	Traffic Management Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Council has received an application from East Maitland RSL sub-branch to temporarily close sections of the New England Highway and William Street, East Maitland to hold the annual Anzac Day Ceremony on Saturday, 25 April 2026. The Anzac Day march starts at the East Maitland RSL sub-branch located near the intersection of High Street and New England Highway, and progresses along the New England Highway westbound lane before transferring over to the eastbound lane at the intersection with George Street, before continuing to the war memorial located in William Street.

OFFICER'S RECOMMENDATION

THAT

1. **The following temporary road closure to vehicular traffic associated with East Maitland Anzac Day 2026 be endorsed:**
    a. **From 4:45am to 7am and from 8:30am to 11am, Saturday, 25 April 2026:**
        i. **William Street from New England Highway to the first northbound median vehicular turnaround.**
2. **The installation of road closure devices, signs and markings, to affect the proposed road closures, be endorsed.**
3. **The march and the temporary road closure of the New England Highway is contingent on lodgment and approval from Transport for NSW for a Road Occupancy License.**

COMMITTEE RECOMMENDATION

THAT

1. **The following temporary road closure to vehicular traffic associated with East Maitland Anzac Day 2026 be endorsed:**
    a. **From 4:45am to 7am and from 8:30am to 11am, Saturday, 25 April 2026:**

i. **William Street from New England Highway to the first northbound median vehicular turnaround.**

2. **The installation of road closure devices, signs and markings, to affect the proposed road closures, be endorsed.**
3. **The march and the temporary road closure of the New England Highway is contingent on lodgment and approval from Transport for NSW for a Road Occupancy License.**

5 FEBRUARY 2026

Local Transport Forum Reports

ANZAC DAY - EAST MAITLAND - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

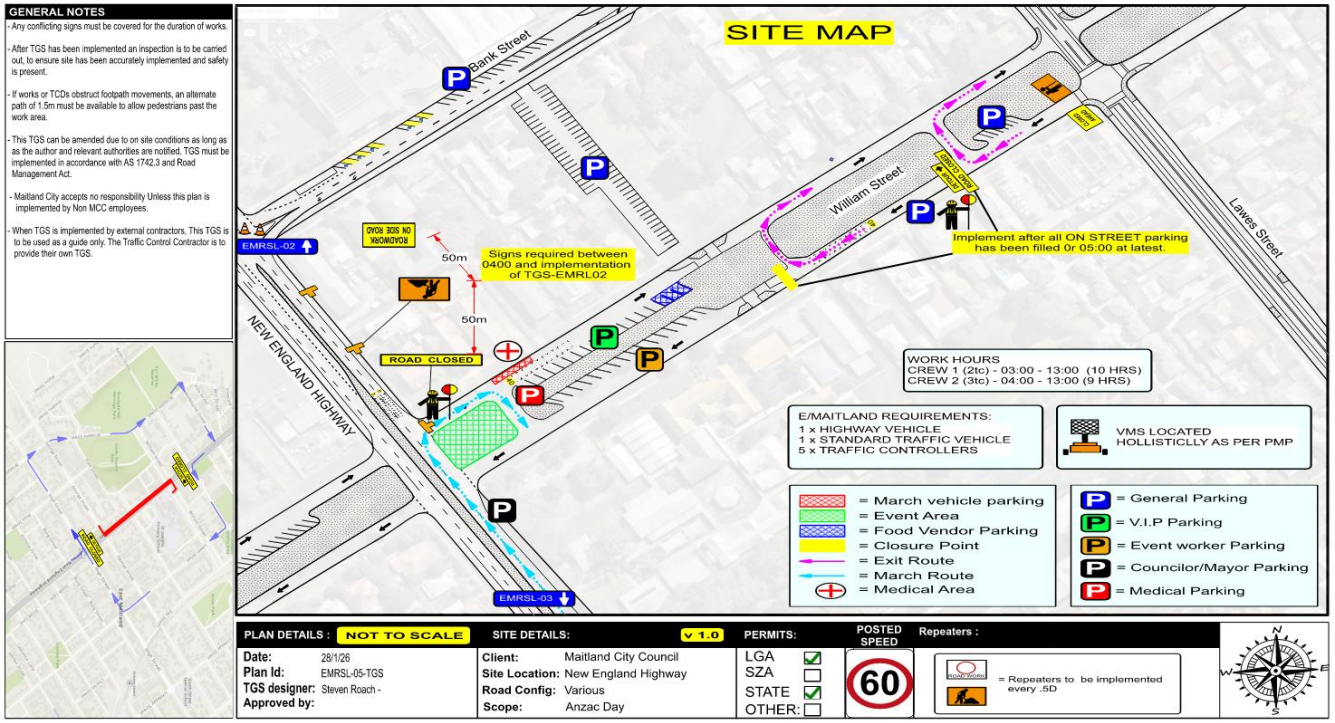
2026 East Maitland Anzac Traffic Guidance Scheme

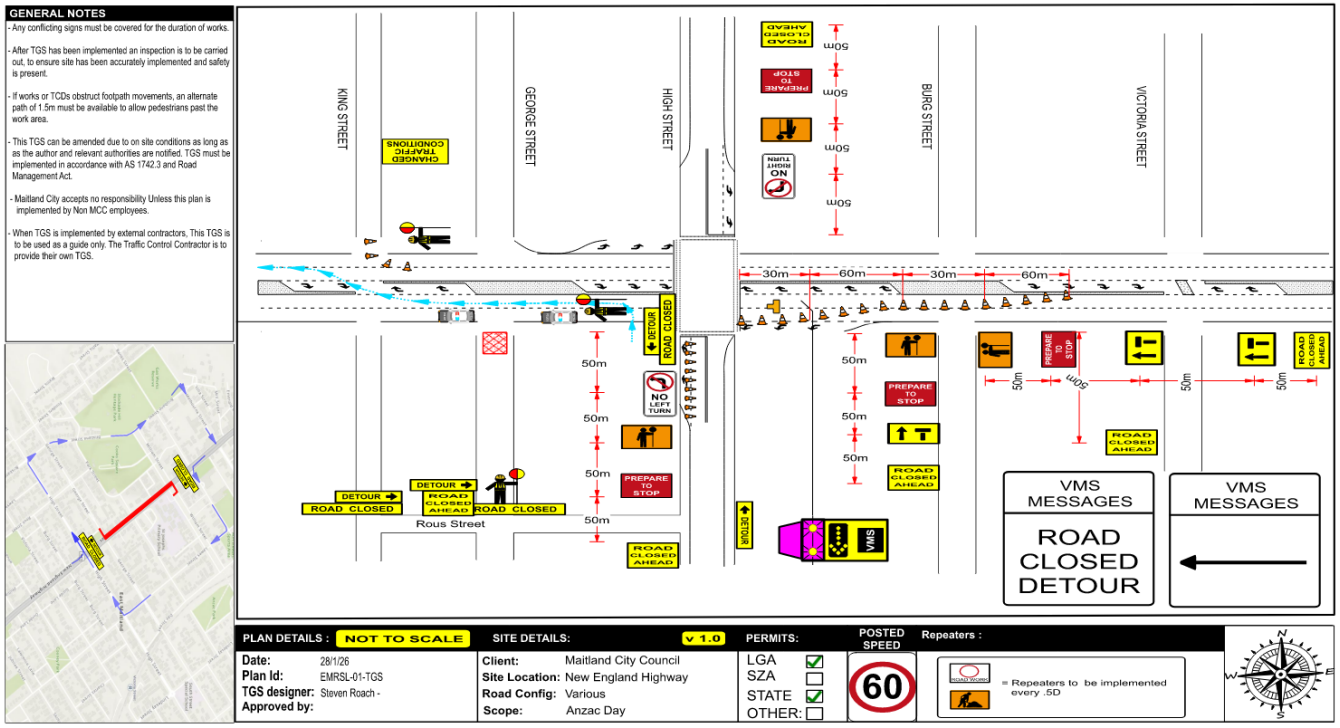
Meeting Date: 5 February 2026

Attachment No: 1

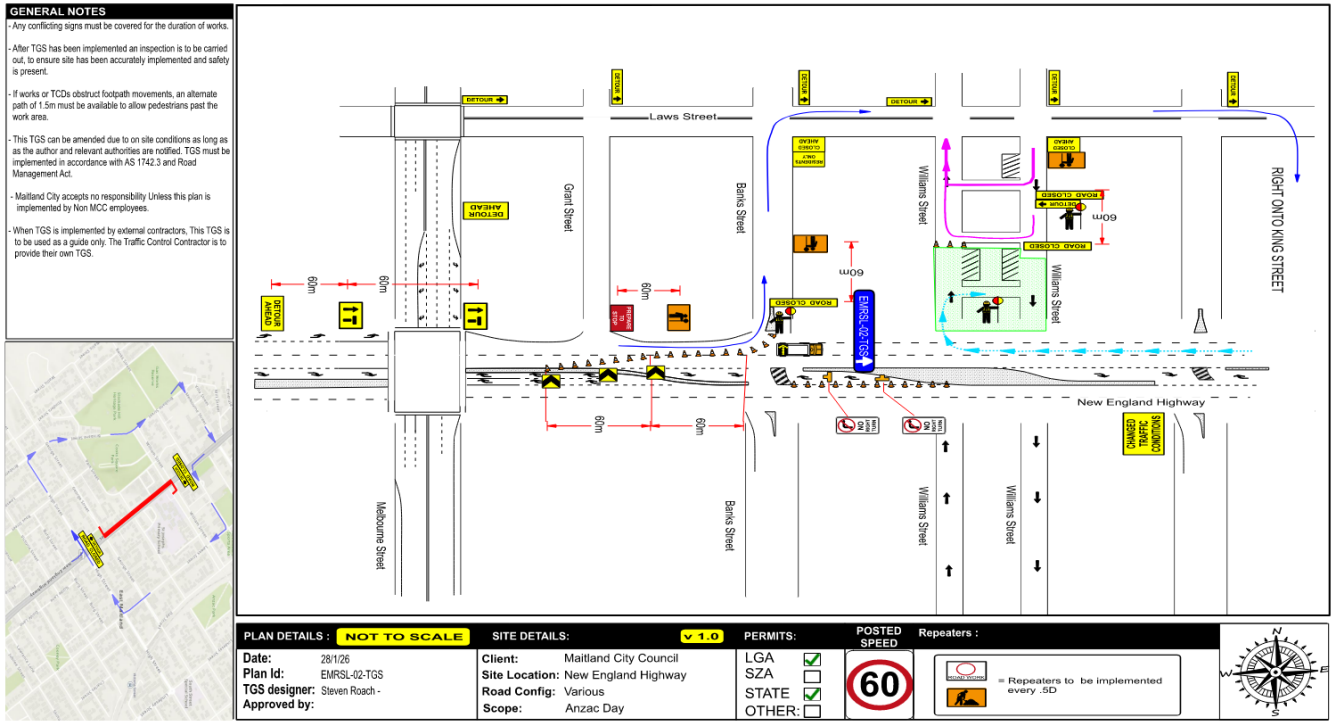
Number of Pages: 5

5 FEBRUARY 2026

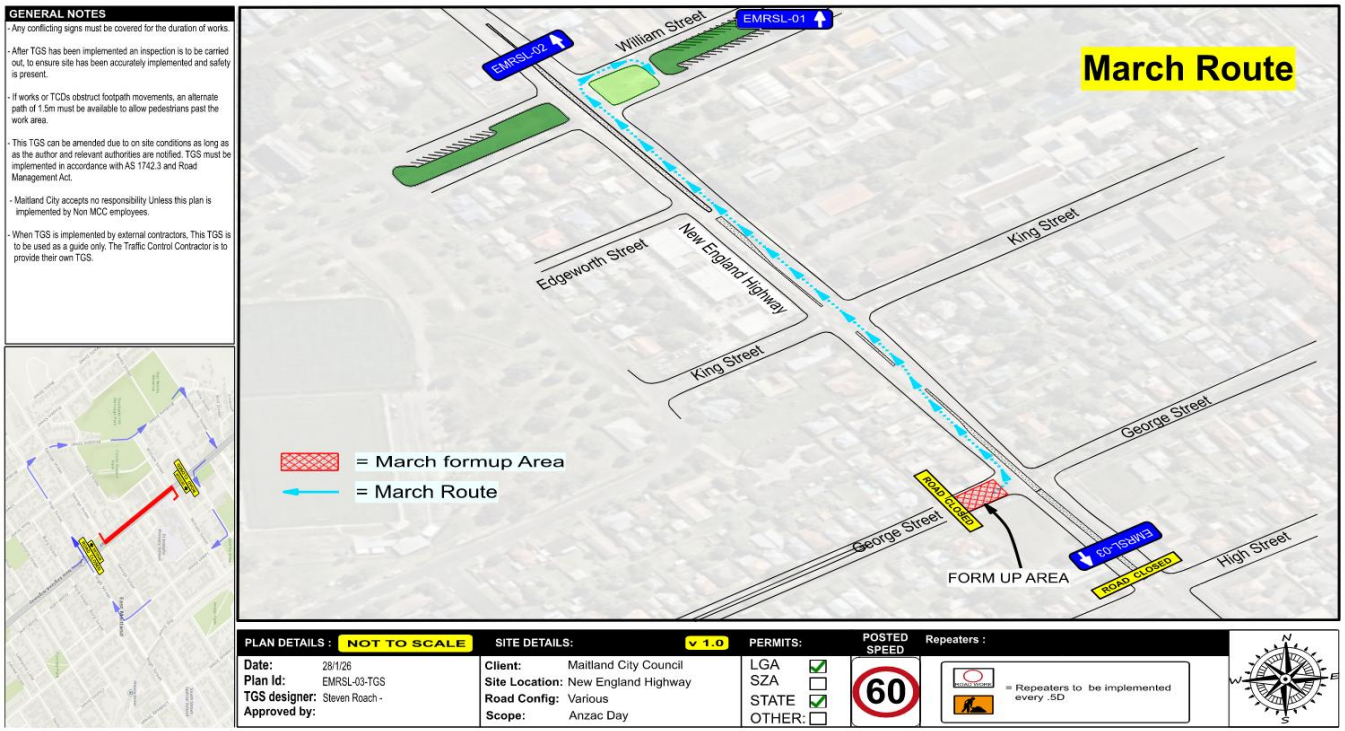


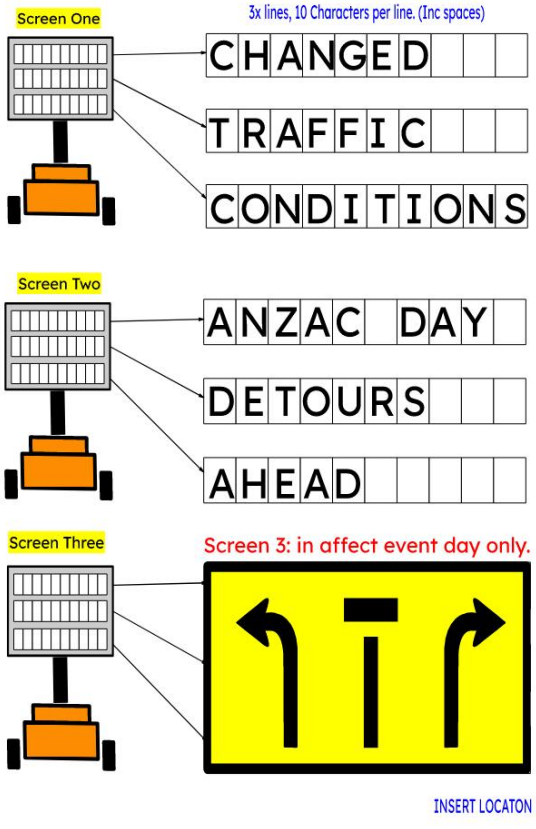

GENERAL NOTES
- Any conflicting signs must be covered for the duration of works.
- After TGS has been implemented an inspection is to be carried out, to ensure site has been accurately implemented and safety is present.
- If works or TCDs obstruct footpath movements, an alternate path of 1.5m must be available to allow pedestrians past the work area.
- This TGS can be amended due to on site conditions as long as as the author and relevant authorities are notified. TGS must be implemented in accordance with AS 1742.3 and Road Management Act.
- Maitland City accepts no responsibility Unless this plan is implemented by Non MCC employees.
- When TGS is implemented by external contractors, This TGS is to be used as a guide only. The Traffic Control Contractor is to provide their own TGS.
KING STREET
GEORGE STREET
HIGH STREET
BURG STREET
VICTORIA STREET
CHANGED TRAFFIC CONDITIONS
ROAD CLOSED AHEAD
PREPARE TO STOP
NO RIGHT TURN
DETOUR
ROAD CLOSED
NO LEFT TURN
PREPARE TO STOP
DETOUR
ROAD CLOSED AHEAD
ROAD CLOSED
Rous Street
ROAD CLOSED AHEAD
SIDE
VMS
ROAD CLOSED AHEAD
VMS MESSAGES
ROAD CLOSED DETOUR
VMS MESSAGES
30m
60m
50m
PLAN DETAILS : NOT TO SCALE
Date: 28/1/26
Plan Id: EMRSL-01-TGS
TGS designer: Steven Roach -
Approved by:
SITE DETAILS: v 1.0
Client: Maitland City Council
Site Location: New England Highway
Road Config: Various
Scope: Anzac Day
PERMITS:
LGA
SZA
STATE
OTHER:
POSTED SPEED
60
Repeaters :
= Repeaters to be implemented every .5D

5 FEBRUARY 2026



5 FEBRUARY 2026



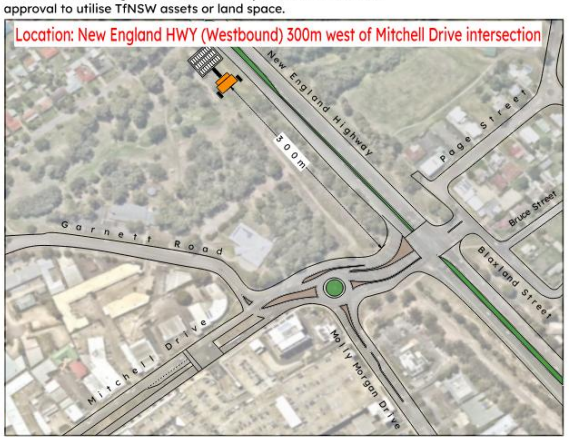


https://standards.transport.nsw.gov.au/_entity/annotation/367000e1-411e-ef11-840a-6045bdc373da

In accordance with TfNSW TS001998:10 states the following:

- Portable VMS shall only be used on a road or road-related area to: o provide traffic management messages for roadworks, incidents, special events or changed traffic conditions, including speed limit changes o display road safety messages for government and community announcements such as total fire bans.
- Alongside special events Use of portable VMS for special events helps to inform, warn and direct road users on necessary action regarding changed traffic conditions. In such instances, the requirements of TS 06336 shall be met where applicable.
- Information on advertising Portable VMS on a classified road or road reserve shall not be used for either private or community advertising. Advertising will undermine the importance of portable VMS for providing road safety and traffic management information and may distract drivers. State Environmental Planning Policy prohibits advertisements on trailers (which includes portable VMS) parked on, or visible from, roads or road-related areas. In certain situations, such advertising may be allowed with prior consent.
- Where VMS location areas impact TfNSW roads, the applicant must acquire a Road Occupancy License. Council cannot provide approval for works within a classified road corridor for which TfNSW are the designated roads authority, the Permit is not an approval to utilise TfNSW assets or land space.

Location: New England HWY (Westbound) 300m west of Mitchell Drive intersection



5 FEBRUARY 2026

5.4 ANZAC DAY - MORPETH - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO:	**140/5**
ATTACHMENTS:	**1. Morpeth Anzac Day Traffic Guidance Schemes**
AUTHOR:	Traffic Management Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Council has received an application from Morpeth Anzac Day Committee to temporarily close sections of Swan Street, Northumberland Street and Green Street, Morpeth to hold the annual Anzac Day Ceremony on Saturday, 25 April 2026. The Anzac Day march starts at the closed northbound lane of Queens Wharf Road - the assembly area, and progresses on Swan Street under police escort to the Cenotaph, where the ceremony is held. The Cenotaph is located outside the former Morpeth Courthouse / Museum.

Temporary road closure devices and signs will be in place for the duration of the event.

OFFICER'S RECOMMENDATION

THAT

1. **The following temporary road closures to vehicular traffic associated with Morpeth Anzac Day 2026 be endorsed:**
    a. **From 7:30am to 1pm, Saturday, 25 April 2026:**
        i. **Swan Street from Northumberland Street to William Street.**
    b. **From 10am to 11am, Saturday, 25 April 2026:**
        i. **Swan Street from Tank Street to Northumberland Street;**
        ii. **Elizabeth Street from Tank Street to Green Street;**
        iii. **Green Street from Close Street to Swan Street.**
    c. **From 10:50am to 11am, Saturday, 25 April 2026:**
        i. **Northumberland Street from Swan Street to Close Street.**
2. **The installation of road closure devices, signs and markings, to affect the proposed road closures, be endorsed.**

5 FEBRUARY 2026

COMMITTEE RECOMMENDATION

THAT

1. **The following temporary road closures to vehicular traffic associated with Morpeth Anzac Day 2026 be endorsed:**
    a. **From 7:30am to 1pm, Saturday, 25 April 2026:**
        i. **Swan Street from Northumberland Street to William Street.**
    b. **From 10am to 11am, Saturday, 25 April 2026:**
        i. **Swan Street from Tank Street to Northumberland Street;**
        ii. **Elizabeth Street from Tank Street to Green Street;**
        iii. **Green Street from Close Street to Swan Street.**
    c. **From 10:50am to 11am, Saturday, 25 April 2026:**
        i. **Northumberland Street from Swan Street to Close Street.**
2. **The installation of road closure devices, signs and markings, to affect the proposed road closures, be endorsed.**

Local Transport Forum Reports

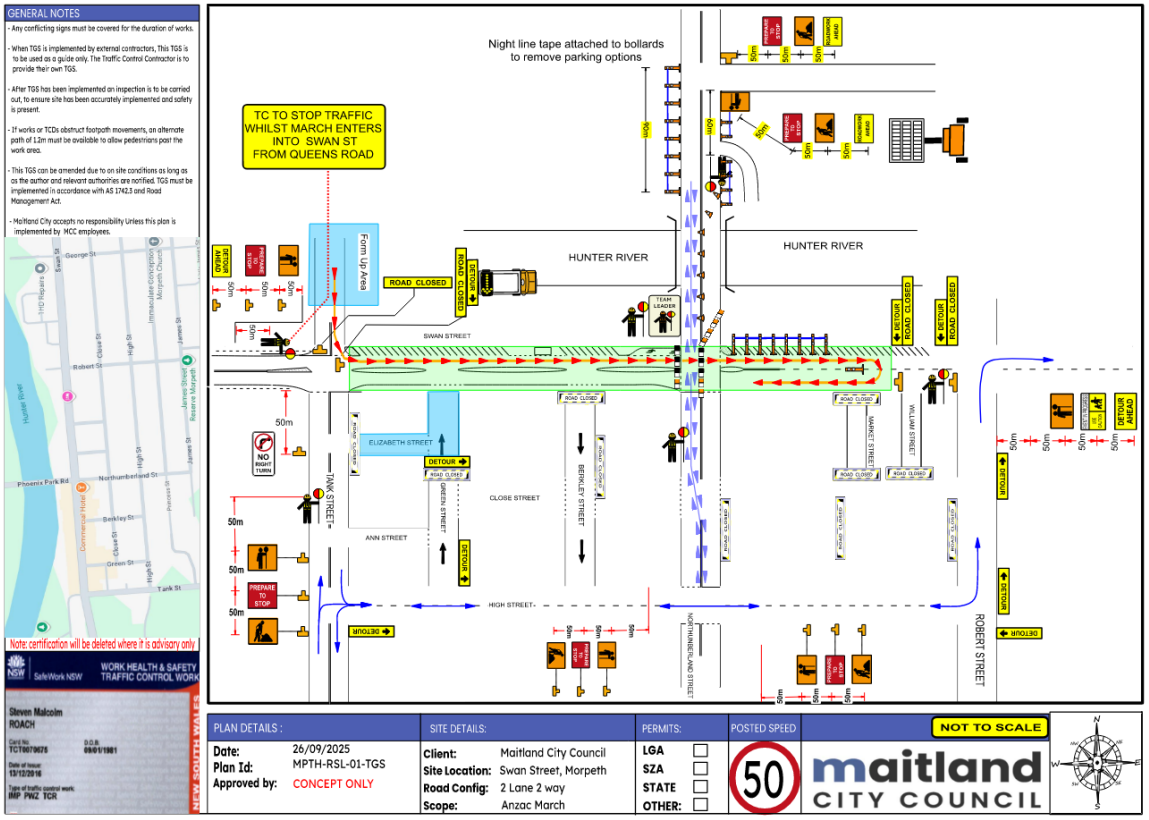
ANZAC DAY - MORPETH - 25 APRIL 2026 - EVENT TRAFFIC & TRANSPORT MANAGEMENT

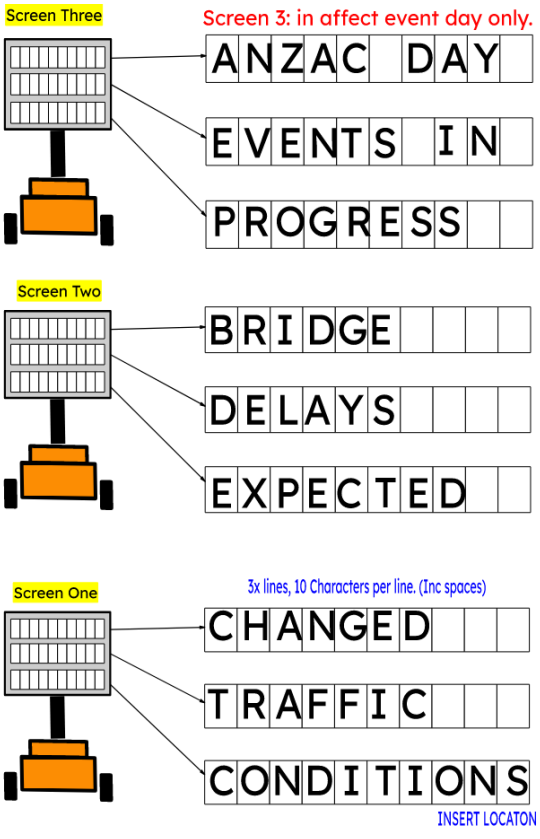
Morpeth Anzac Day Traffic Guidance Schemes

Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 3

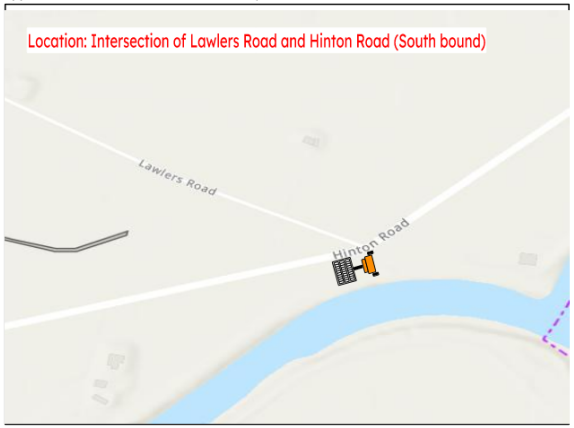

GENERAL NOTES
- Any conflicting signs must be covered for the duration of works.
- When TGS is implemented by external contractors, This TGS is to be used as a guide only. The Traffic Control Contractor is to provide their own TGS.
- After TGS has been implemented an inspection is to be carried out, to ensure site has been accurately implemented and safety is present.
- If works or TCDs obstruct footpath movements, an alternate path of 1.2m must be available to allow pedestrians past the work area.
- This TGS can be amended due to on site conditions as long as as the author and relevant authorities are notified. TGS must be implemented in accordance with AS 1742.3 and Road Management Act.
- Maitland City accepts no responsibility Unless this plan is implemented by MCC employees.
Note: certification will be deleted where it is advisory only
WORK HEALTH & SAFETY TRAFFIC CONTROL WORK
SafeWork NSW
Steven Malcolm ROACH
NEW SOUTH WALES
Night line tape attached to bollards to remove parking options
TC TO STOP TRAFFIC WHILST MARCH ENTERS INTO SWAN ST FROM QUEENS ROAD
Form Up Area
HUNTER RIVER
HUNTER RIVER
ROAD CLOSED
DETOUR
SWAN STREET
ELIZABETH STREET
TANK STREET
GREEN STREET
CLOSE STREET
BERKLEY STREET
ANN STREET
HIGH STREET
MARKET STREET
WILLIAM STREET
NORTHUMBERLAND STREET
ROBERT STREET
NO RIGHT TURN
PREPARE TO STOP
50m
PLAN DETAILS :
Date: 26/09/2025
Plan Id: MPTH-RSL-01-TGS
Approved by: CONCEPT ONLY
SITE DETAILS:
Client: Maitland City Council
Site Location: Swan Street, Morpeth
Road Config: 2 Lane 2 way
Scope: Anzac March
PERMITS:
LGA
SZA
STATE
OTHER:
POSTED SPEED
50
NOT TO SCALE
maitland CITY COUNCIL

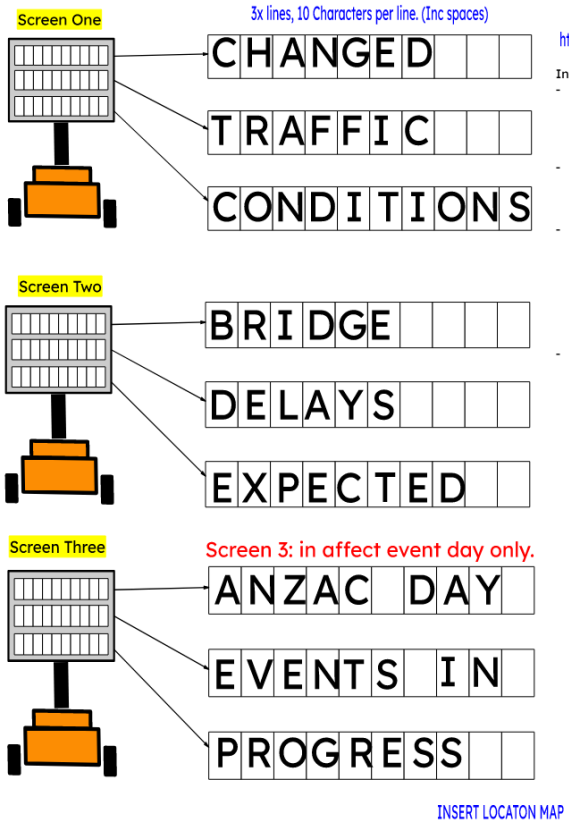


https://standards.transport.nsw.gov.au/_entity/annotation/367000e1-411e-ef11-840a-6045bdc373da

In accordance with TfNSW TS001998:10 states the following:

- Portable VMS shall only be used on a road or road-related area to: o provide traffic management messages for roadworks, incidents, special events or changed traffic conditions, including speed limit changes o display road safety messages for government and community announcements such as total fire bans.
- Alongside special events Use of portable VMS for special events helps to inform, warn and direct road users on necessary action regarding changed traffic conditions. In such instances, the requirements of TS 06336 shall be met where applicable.
- Information on advertising Portable VMS on a classified road or road reserve shall not be used for either private or community advertising. Advertising will undermine the importance of portable VMS for providing road safety and traffic management information and may distract drivers. State Environmental Planning Policy prohibits advertisements on trailers (which includes portable VMS) parked on, or visible from, roads or road-related areas. In certain situations, such advertising may be allowed with prior consent.
- Where VMS location areas impact TfNSW roads, the applicant must acquire a Road Occupanc License. Council cannot provide approval for works within a classified road corridor for which TfNSW are the designated roads authority, the Permit is not an approval to utilise TfNSW assets or land space.





https://standards.transport.nsw.gov.au/_entity/annotation/367000e1-411e-ef11-840a-6045bdc373da

In accordance with TfNSW TS001998:10 states the following:

- Portable VMS shall only be used on a road or road-related area to: o provide traffic management messages for roadworks, incidents, special events or changed traffic conditions, including speed limit changes o display road safety messages for government and community announcements such as total fire bans.
- Alongside special events Use of portable VMS for special events helps to inform, warn and direct road users on necessary action regarding changed traffic conditions. In such instances, the requirements of TS 06336 shall be met where applicable.
- Information on advertising Portable VMS on a classified road or road reserve shall not be used for either private or community advertising. Advertising will undermine the importance of portable VMS for providing road safety and traffic management information and may distract drivers. State Environmental Planning Policy prohibits advertisements on trailers (which includes portable VMS) parked on, or visible from, roads or road-related areas. In certain situations, such advertising may be allowed with prior consent.
- Where VMS location areas impact TfNSW roads, the applicant must acquire a Road Occupancy License. Council cannot provide approval for works within a classified road corridor for which TfNSW are the designated roads authority, the Permit is not an approval to utilise TfNSW assets or land space.



5 FEBRUARY 2026

5.5 LIVE AT THE LEVEE STREET PARTY - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO:	**140/5**
ATTACHMENTS:	**1. The Levee Shared Zone Half Closure**
AUTHOR:	The Levee Public Programs Officer Traffic Management Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Live at The Levee Street Party is a night-time event to be held on 21 March 2026. Attendees can enjoy a live music performance along with food from local vendors and a pop-up bar.

Catered to all ages, the evening will involve a night of live music coupled with food and beverage options, games, and other activities. Local businesses will be encouraged to trade late to take advantage of the extra foot traffic. Road closures are proposed to cater for the event as outlined within this report.

OFFICER'S RECOMMENDATION

THAT

The following temporary road closures and traffic management controls associated with the Live at the Levee Street Party be endorsed:

From 9am until 11:59pm 21 March 2026:

a) Bulwer Street North of Dransfield Lane
b) The Levee / High St between Bulwer Street & Elgin Street

COMMITTEE RECOMMENDATION

THAT

1. The following temporary road closures and traffic management controls associated with the Live at the Levee Street Party be endorsed:

From 9am until 11:59pm 21 March 2026:

a) Bulwer Street North of Dransfield Lane
b) The Levee / High St between Bulwer Street & Elgin Street

2. The installation of temporary traffic control devices, to affect the proposed road closures, be endorsed.

Local Transport Forum Reports

LIVE AT THE LEVEE STREET PARTY - EVENT TRAFFIC & TRANSPORT MANAGEMENT

The Levee Shared Zone Half Closure

Meeting Date: 5 February 2026

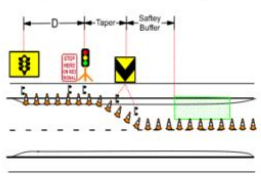
Attachment No: 1

Number of Pages: 4

5 FEBRUARY 2026

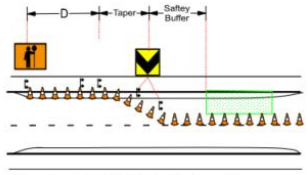
Traffic Control Types

PTCD (Portable Traffic Control Device)



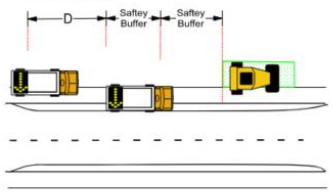
A PTCD must be used instead of a manual traffic controller for all work sites under traffic control when the existing permanent speed limit is above 45km/h. This requirement is not applicable to instances and environments of emergency response.

TC (Manual Traffic Controller)



A TC may be used provided all of the following conditions are met:
- Use of a PTCD is demonstrated to not achieve the safest outcome;
- The decision to use a manual traffic controller instead of a PTCD is documented in the TMP or supporting risk assessment; and
- Approval is granted by the one-up manager of the PWZTMP qualified person responsible for the works relevant TMP

Mobile works



Vehicle placement Dynamic works should be planned so that work vehicles do not need to straddle an edge line,and the placement of the work vehicles does not put at risk vulnerable road users.
REF Table 7.7 TCAWS MANUAL

Saftey Buffer

A safety buffer is the unoccupied space between the taper and work areas, and allows for a driver of an errant vehicle to correct, slow or stop before entering the work area. When designing a TGS, a space of no less than 30 m must be provided prior to the work area for the safety buffer.Safety buffers are not required on departure, however if road users are able approach the work area from either end, a safety buffer must be provided at both ends of the work area.Roadworks and storage of vehicles, plant, equipment and stockpiled materials must not occur in safety buffers. Road workers must not occupy the safety buffer area except when accessing the work area

Tapers

Reccomended Taper Length REF: *7.3 TCAWS manual*

	Recommended Taper Length		
Existing permanent speed limit (km/h)	Traffic control taper	Lateral shift taper	Merge taper
45 or less	15	15	15
46 to 55	15	15	30
56 to 65	30	30	60
66 to 75	N/A	70	115
76 to 85	N/A	80	130
86 to 95	N/A	90	145
96 to 105 N/A	N/A	100	160
Greater than 105	N/A	110	180

Taper lengths should be increased at locations with poor sight distances or speed compliance, and supported by a site-specific risk assessment and documented in the TMP

Multiple Tapers REF: *7.4 TCAWS manual*

Existing permanent speed limit (km/h)	Distance between tapers (m)
45 or less	10
46 to 55	25
56 to 65	70
Greater than 66 - 75	1.5D

When installing multiple tapers, the minimum distance between each taper.

*** These TGS Guidelines are for reference purposes only & may not be suitable or applicable in all circumstances. If unsure of the setup required, contact your supervisor.**

Spacing of Cones and Bollards REF: *6.2.5 TCAWS manual*

Purpose and usage	Speed zone of device location (km/h)	Maximum spacing (m)
On approach to a traffic controller position (centreline or edge line)	All cases	4
Merge tapers	55 to 75 greater than 76	9 12
Lateral shift tapers	55 to 75 greater than 76	12 18
Protecting freshly painted lines	55 to 75 greater than 76	24 60*
All other purposes	less than or equal to 55 56 to 75 greater than 76	4 12 18

Where traffic volumes are high or other conditions warrant it, consideration should be given to reducing the spacing of cones to as close as 1 m to prevent traffic taking a wrong turn through cones or bollards.

5 FEBRUARY 2026

Speed Zones

Speed Zone	Selection Criteria **REF:** *4.5.2 TCAWS manual - Table4.8*
80 km/h	**The speed limit must be reduced to 80 km/h where:** -Workers on foot, or operating plant, are between 3 m and 6 m of a traffic lane with no intervening physical barrier; km/h roadwork speed zone is used and the use of a Speed Limit AHEAD (G9-79) sign is considered inadequate - There are changed traffic conditions on the site such as, reduction in the number or width of lanes and varying surfaces;
70 km/h	**The speed limit may be reduced to 70 km/h where:** A Variable Speed Limit Signage is in place; Integrated Speed Limit and Lane Use Signs (ISLUS) are in place; or VMS are used to display regulatory speed zone signage.
60 km/h	**The speed limit must be reduced to 60 km/h where:** Workers on foot, or operating plant, are between 1.5 m and 3 m of traffic with no intervening physical barrier; Traffic control is used; There is frequent interaction between work vehicles and through traffic; There is a reduced standard of alignment due to the works; or There is a loose surface such as gravel or a newly sprayed bitumen seal.
40 km/h	**The speed limit must be reduced to 40 km/h where:** Workers on foot, or operating plant, are closer than 1.5 m to traffic with no intervening physical barrier There is a severe change in the alignment considering the surrounding speed environment; or A bridge deck has an inconsistent surface or there might be structural damage to the bridge by vehicles travelling at higher speeds.
30 km/h	**Traffic should be reduced to 30 km/h where:** Workers on foot, or operating plant, are closer than 1.5 m to traffic with no intervening physical barrier; The existing posted speed limit of a road is 45 km/h or less; or It has been identified by divisional procedures.

Roadwork speed zones must be selected in accordance with the conditions provided above, and can be supported by using appropriate signs and devices as stated.
A roadwork speed zone is only used for the duration of the need, and not used while work is not being undertaken or when road conditions have resumed to their normal operation.

*** These TGS Guidelines are for reference purposes only & may not be suitable or applicable in all circumstances. If unsure of the setup required, contact your supervisor.**

Dual Sign Arrangements **REF:** *6.5.7 TCAWS manual*

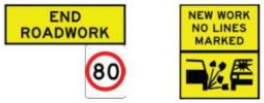
Dual sign arrangements are two independent signs displayed together at one position either side by side or 'stacked'.

Dual sign arrangements may be used, provided all of the following conditions are met:

- The size of both signs, including the legend, size of symbol or area occupied by the legend is unchanged from the standard sign;
- The lateral offset meets the Spacing of Sign requirements; and
- Where used in a dual sign arrangement, regulatory or detour signs must be located nearest to the travel edge of the lane.

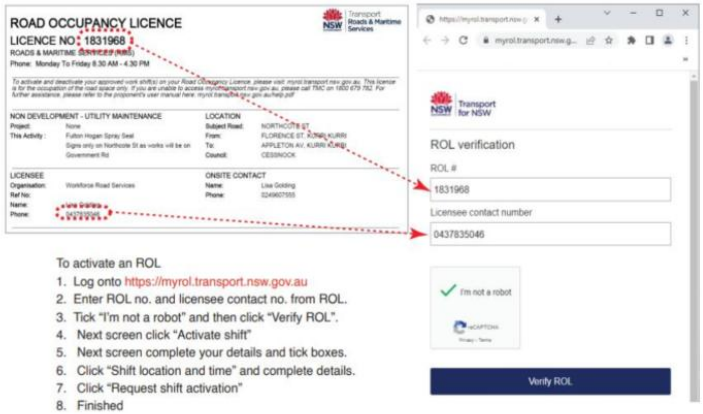


Side-by-side dual sign arrangements



Stacked dual sign arrangements

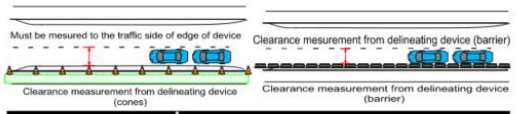
Activating an ROL



To activate an ROL
1. Log onto https://myrol.transport.nsw.gov.au
2. Enter ROL no. and licensee contact no. from ROL.
3. Tick "I'm not a robot" and then click "Verify ROL".
4. Next screen click "Activate shift"
5. Next screen complete your details and tick boxes.
6. Click "Shift location and time" and complete details.
7. Click "Request shift activation"
8. Finished

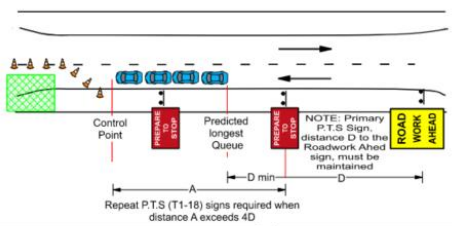
5 FEBRUARY 2026

EDGE CLEARANCES REF: 6.2.1 TCAWS manual



Edge of traffic lane to:	Edge Clearence
Line of traffic cones or bollards	- 0.5 m for traffic speeds less than 65 km/h - 1.0 m for traffic speeds greater than 65 km/h
Barrier boards, temporary guide posts or temporary hazard markers	- 1.0 m
Road safety barrier system	- 0.3 m for traffic speeds less than 45 km/h - 0.5 m for traffic speeds 45 to 65 km/h - 1.0 m for traffic speeds 65 to 85 km/h - 2.0 m for traffic speeds greater than 85 km/h

End of queue Management REF: 4.6 TCAWS manual



PEDESTRIANS REF: 4.4.2 TCAWS 6.1 (P52)

* For works on and around footpath of 1.2m shall be maintained at all times for pedestrians to pass unhindered.
* Pedestrians shall not be directed onto roadway unless traffic controllers are used to control site and proper measures are in place to conform with AS 1742.3, TCAWS v6.1 and Austroads Guide.

TOLERANCES REF: 7.10.3 TCAWS 6.1 (P179)

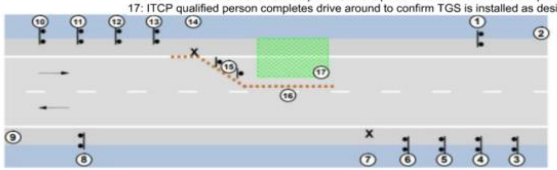
* Adjustments of signs and devices can be made of 10% towards the work area and 25% away from the work area.

* These TGS Guidelines are for reference purposes only & may not be suitable or applicable in all circumstances. If unsure of the setup required, contact your supervisor.

Installation of signs and devices REF: 4.6 TCAWS manual

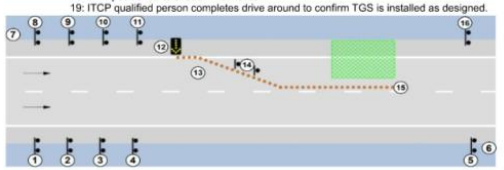
Two-lane, two-way roads:

The sequence of installation should be as illustrated in the following order:
1: Install the termination signs when initially leaving work area, 'End Road Work/speed reinstatement' (affected direction).
2: Use the existing road network to turn where safe to do so.
3 to 7: Place approach signs in unaffected direction, including the PTCD (traffic controller to remain with the PTCD).
8: Install 'End Road Work/speed reinstatement' (unaffected direction).
9: Use the existing road network to turn where safe to do so.
10 to 14: Place approach signs in the affected direction, including the PTCD (traffic controller to remain with PTCD).
15 and 16: Traffic controller/s to stop traffic and taper/lane closure delineation implemented.
17: ITCP qualified person completes drive around to confirm TGS is installed as designed.

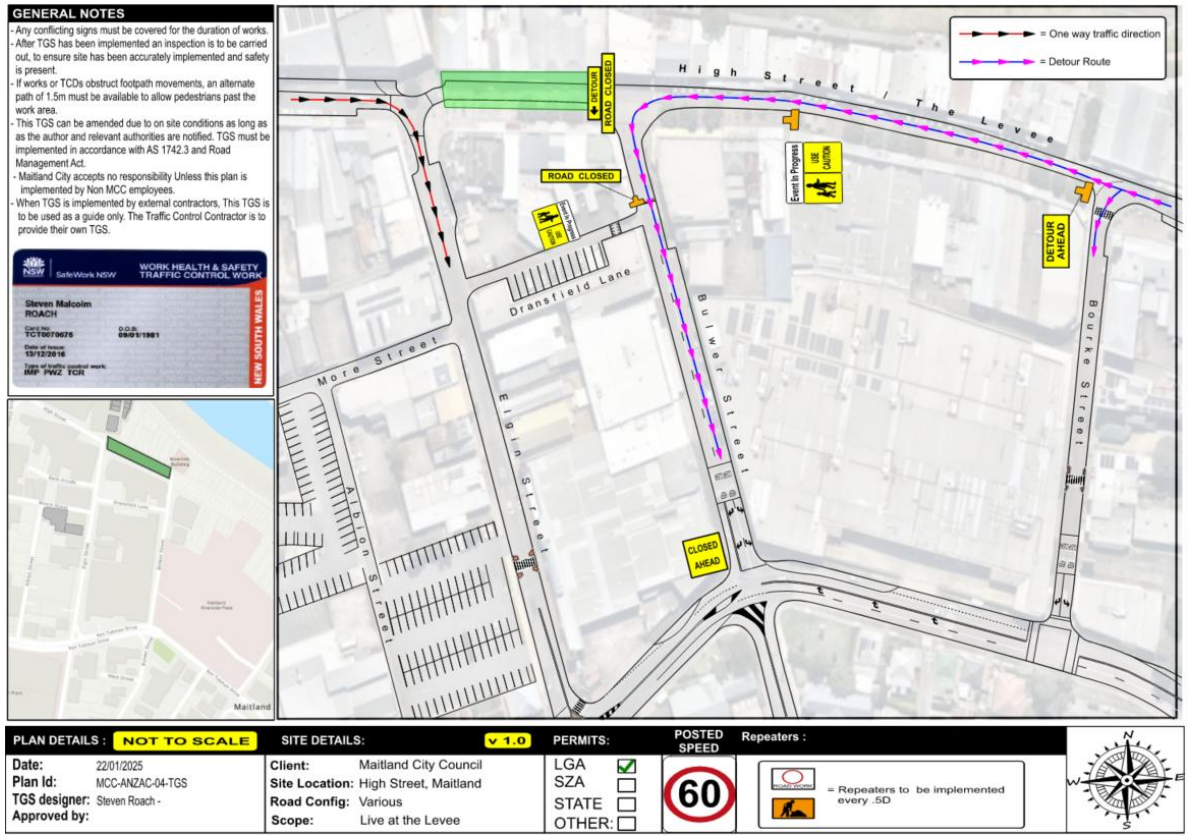


Multi-lane roads:

The sequence of installation should be as illustrated in the following order:
1: Locate advance warning vehicle and TMA to shadow sign installation vehicle.
2 to 5: Install advance warning signs in unaffected lane.
6: Install 'End Roadwork'/speed reinstatement.
7: Use the existing road network to turn where safe to do so.
8: Locate advance warning vehicle and TMA to shadow sign installation vehicle.
9 to 12: Install advance warning signs in obstructed (affected) lane.
13: Install 'Flashing Arrow' and delineation devices on approach to start of taper.
14: Position TMA in travel lane to shadow installation of taper.
14 and 15: Install taper and delineation devices to form taper, safety buffer and past work area.
16: Install 'End Roadwork'/speed reinstatement.
17: Use the existing road network to turn where safe to do so.
18: TMA positioned to shadow work area.
19: ITCP qualified person completes drive around to confirm TGS is installed as designed.



5 FEBRUARY 2026



5 FEBRUARY 2026

5.6 LEVEL UP AT THE LEVEE - EVENT TRAFFIC & TRANSPORT MANAGEMENT

FILE NO:	**140/5**
ATTACHMENTS:	**1. Live at the Levee Traffic Guidance Scheme**
AUTHOR:	The Levee Public Programs Officer Traffic Management Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Level Up at The Levee is an afternoon and evening event held on Saturday 2 May 2026. Attendees can enjoy pop-culture displays, role playing card games, market stalls and a cos-play competition.

Catered to pop-culture fans and families, the afternoon will involve feature cos-play artists, LEGO displays, costume and jewelry stalls, a photo wall and a stage featuring a cos-play competitions that will encourage the general public to dress as their favourite hero or villain. At least four local businesses will be partnering with this event, trading out into the space. This event will also benefit hospitality businesses in the surrounding area.

OFFICER'S RECOMMENDATION

THAT

1. The following temporary road closures and traffic management controls associated with Level Up at The Levee be endorsed:

From 9am to 11:59pm 2 May 2026:

a) The Levee, High Street Maitland between Bourke and Bulwer Street.

COMMITTEE RECOMMENDATION

THAT

1. The following temporary road closures and traffic management controls associated with Level Up at The Levee be endorsed:

From 9am to 11:59pm 2 May 2026:

a) The Levee, High Street Maitland between Bourke and Bulwer Street.

2. The installation of temporary traffic control devices, to affect the proposed road closures, be endorsed.

DRAFT

Local Transport Forum Reports

LEVEL UP AT THE LEVEE - EVENT TRAFFIC & TRANSPORT MANAGEMENT

Live at the Levee Traffic Guidance Scheme

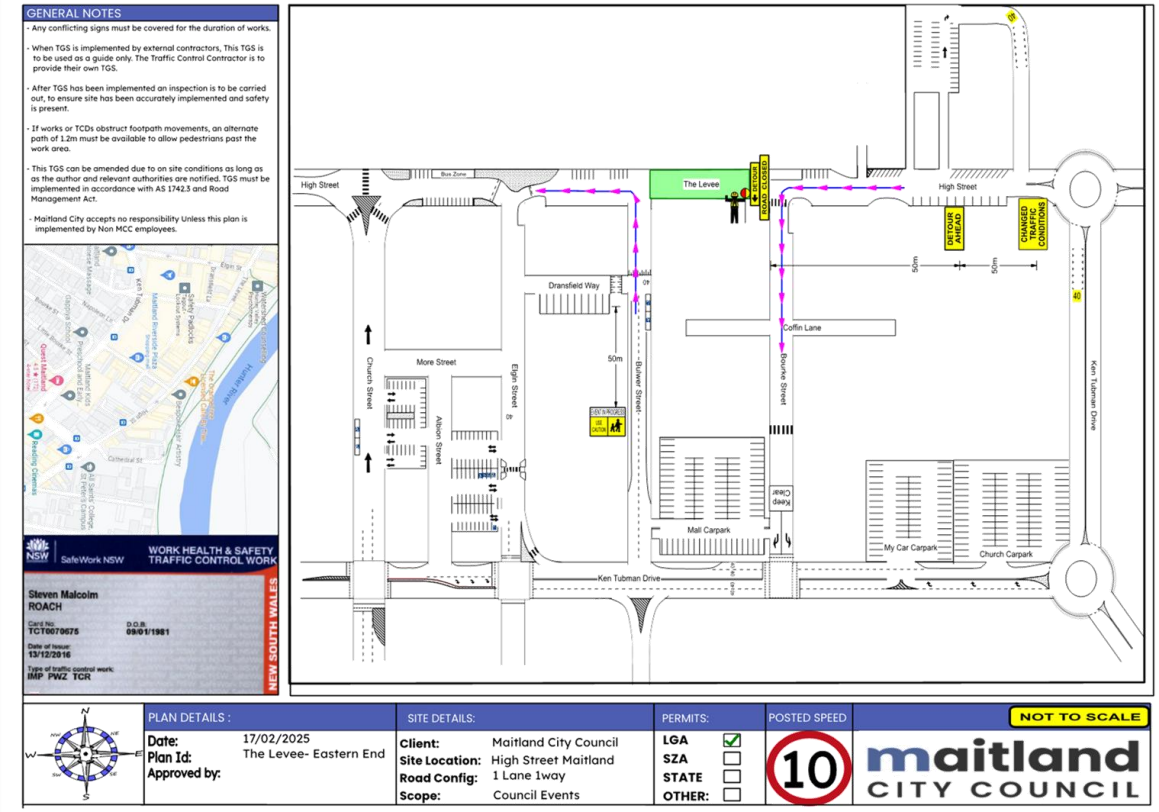
Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 1

DRAFT

5 FEBRUARY 2026



5 FEBRUARY 2026

5.7 PROPOSED LINEMARKING AND SIGNAGE FOR SIDLAY STAGE 1 - 547 RAYMOND TERRACE ROAD, CHISHOLM

FILE NO:	**SW/2025/27**
ATTACHMENTS:	**1. Signage and Linemarking Plan - 547 Raymond Terrace Road Chisholm**
AUTHOR:	Subdivision & Development Engineer Operations Manager Transport & Infrastructure Engineering Traffic Management Officer

EXECUTIVE SUMMARY

Approval is sought for the regulatory signage and linemarking for Sidlay Stage 1 – 547 Raymond Terrace Road, Chisholm to manage access and traffic control.

OFFICER'S RECOMMENDATION

THAT

1. **The regulatory line marking and signage for Sidlay Stage 1 – 547 Raymond Terrace Road, Chisholm detailed on ADW Johnson plan: Project. No. 150101(36), Page No. 701, dated 19.06.2025 (revision 0) be approved by Council.**

COMMITTEE RECOMMENDATION

THAT

1. **The regulatory line marking and signage for Sidlay Stage 1 – 547 Raymond Terrace Road, Chisholm detailed on ADW Johnson plan: Project. No. 150101(36), Page No. 701, dated 19.06.2025 (revision 0) as amended in red be approved by Council.**

Local Transport Forum Reports

PROPOSED LINEMARKING AND SIGNAGE FOR SIDLAY STAGE 1 - 547 RAYMOND TERRACE ROAD, CHISHOLM

Signage and Linemarking Plan - 547 Raymond Terrace Road Chisholm

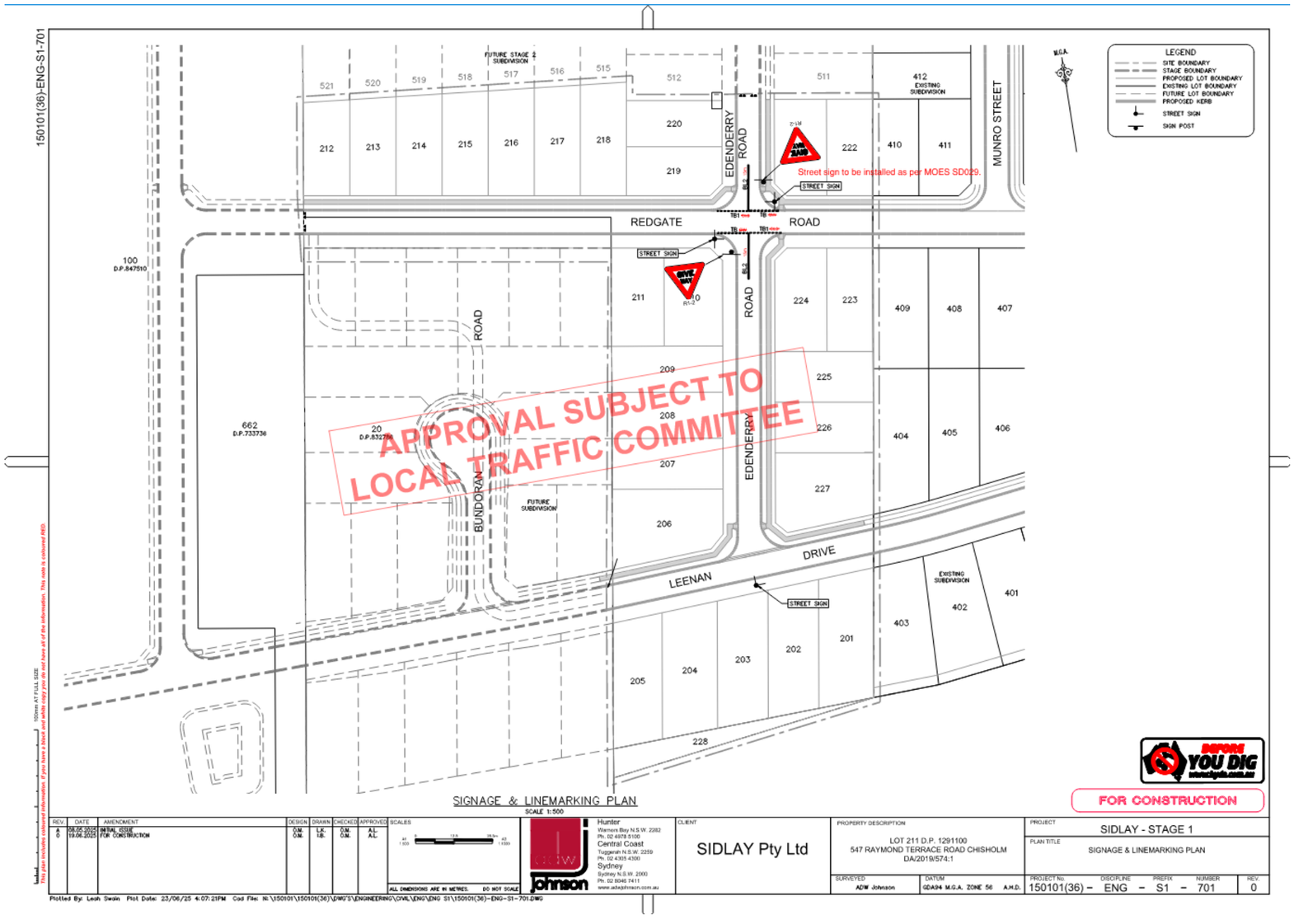
Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 1

5 FEBRUARY 2026

PROPOSED LINEMARKING AND SIGNAGE FOR SIDLAY STAGE 1 - 547 RAYMOND TERRACE ROAD, CHISHOLM (Cont.)



5 FEBRUARY 2026

5.8 PROPOSED LINEMARKING AND SIGNAGE FOR HILLCREST STAGE 3 - 48 WINDERMERE ROAD LOCHINVAR

FILE NO:	**DA/2020/1248:1**
ATTACHMENTS:	**1. Hillcrest Stage 3 Lochinvar - Linemarking and Signage Plan**
AUTHOR:	Graduate Civil Engineer Senior Subdivision & Development Engineer Operations Manager Transport & Infrastructure Engineering Traffic Management Officer

EXECUTIVE SUMMARY

A Torrens Title subdivision at 48 Windermere Road, Lochinvar has been approved. This subdivision creates several new roads and intersections. Approval is sought for new regulatory signage and linemarking associated with this stage of the new estate.

OFFICER'S RECOMMENDATION

THAT

1. **The regulatory linemarking and signage for 48 Windermere Road, Lochinvar as per GCA Plan 25062C, drawing C01 Rev 2, drawing C43 Rev 3, and drawing C44 Rev 3 be approved by Council.**

COMMITTEE RECOMMENDATION

THAT

1. **The regulatory linemarking and signage for 48 Windermere Road, Lochinvar as per GCA Plan 25062C, drawing C01 Rev 2, drawing C43 Rev 3, and drawing C44 Rev 3 as amended in red be approved by Council.**

5 FEBRUARY 2026

Local Transport Forum Reports

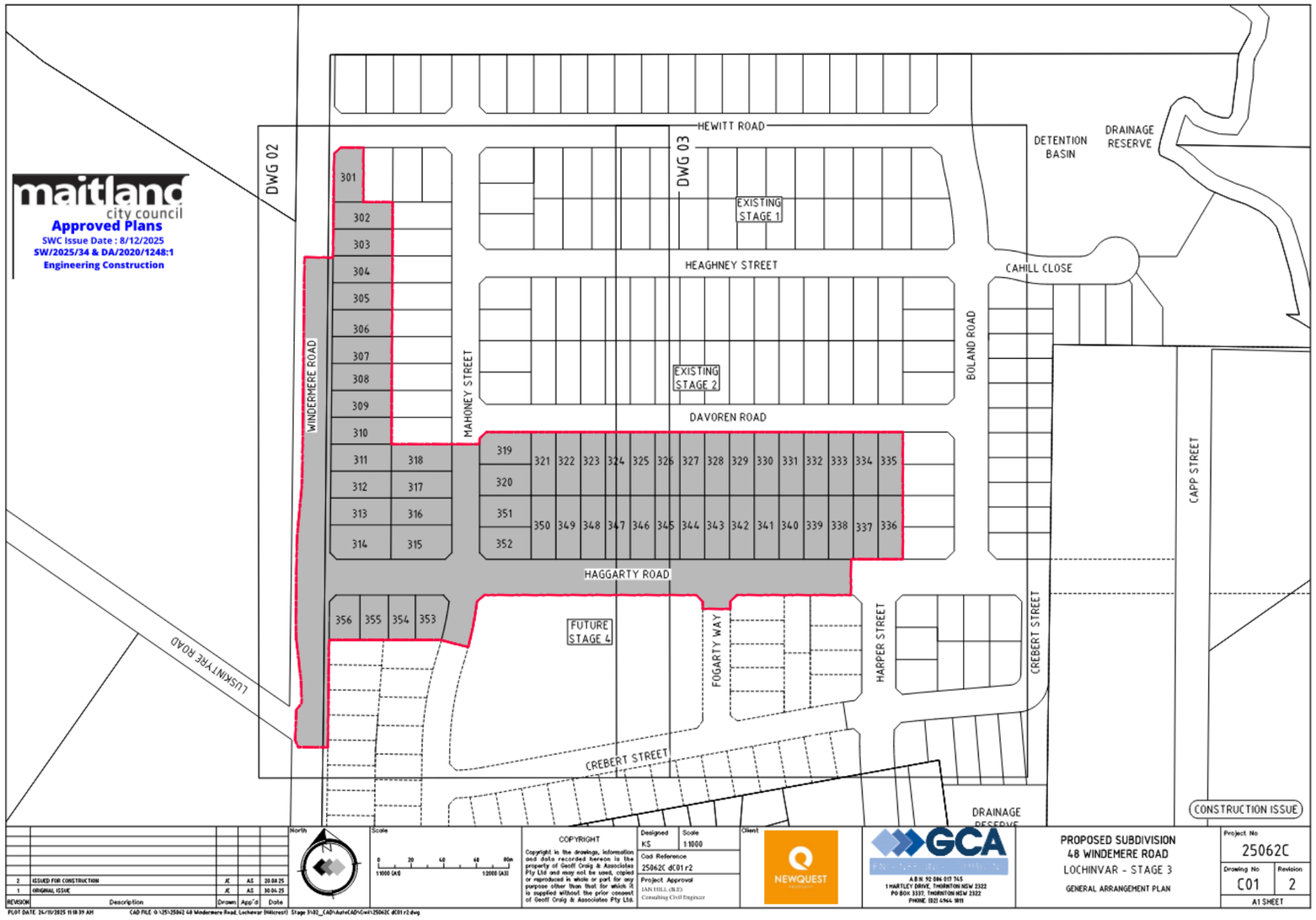
PROPOSED LINEMARKING AND SIGNAGE FOR HILLCREST STAGE 3 - 48 WINDERMERE ROAD LOCHINVAR

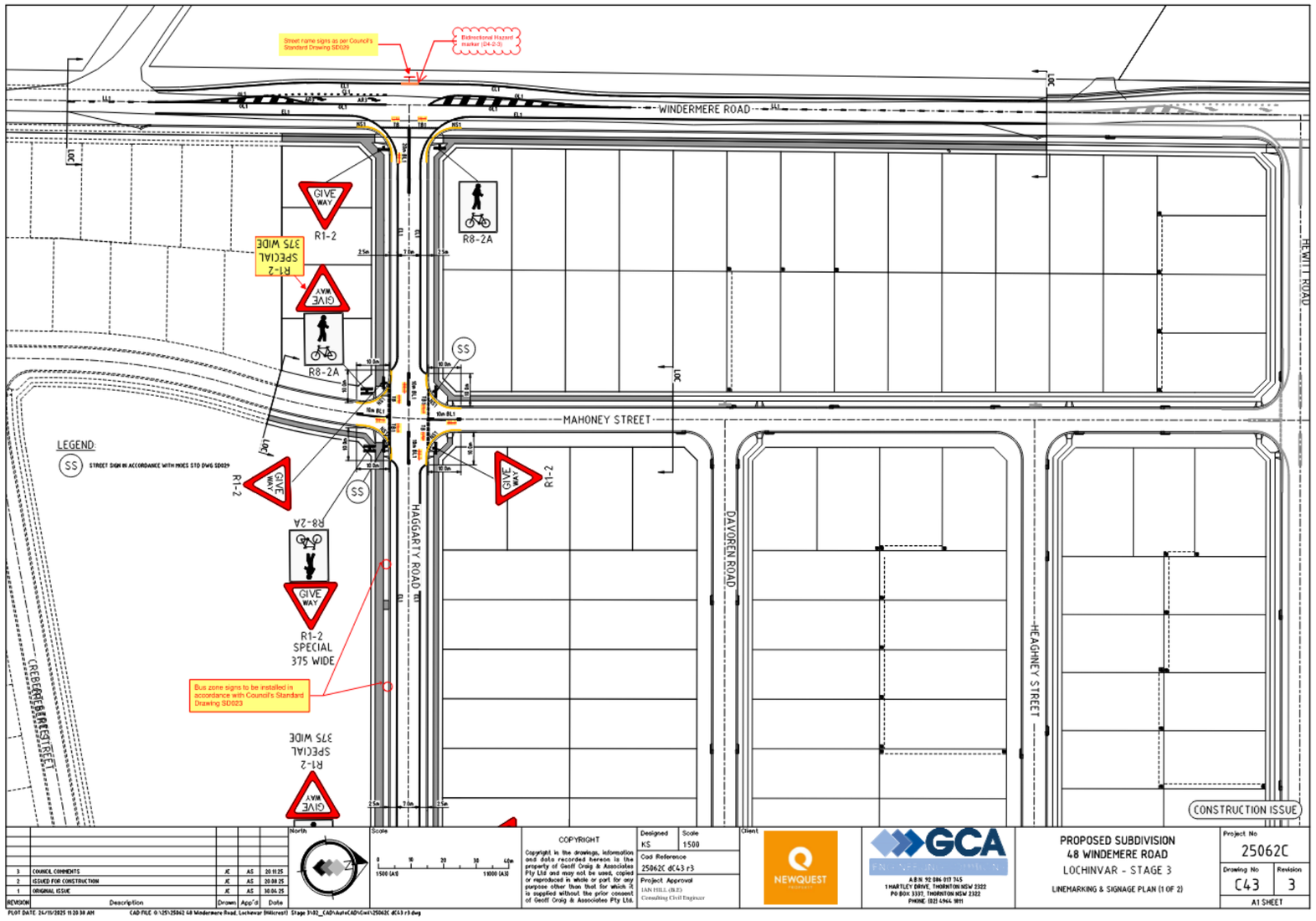
Hillcrest Stage 3 Lochinvar - Linemarking and Signage Plan

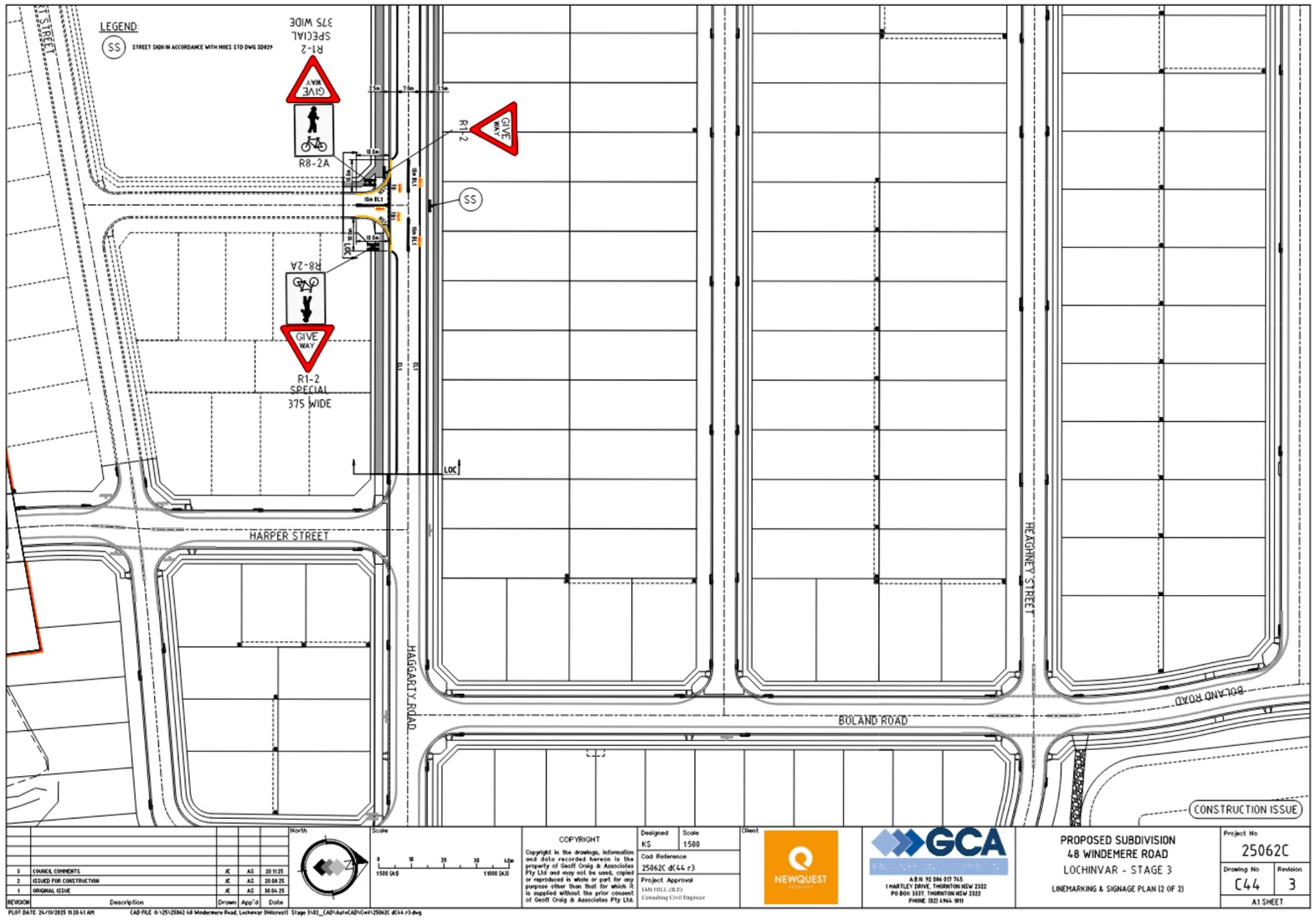
Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 3


maitland city council
Approved Plans
SWC Issue Date : 8/12/2025
SW/2025/34 & DA/2020/1248:1
Engineering Construction
DWG 02
DWG 03
HEWITT ROAD
DETENTION BASIN
DRAINAGE RESERVE
EXISTING STAGE 1
HEAGHNEY STREET
CAHILL CLOSE
EXISTING STAGE 2
DAVOREN ROAD
BOLAND ROAD
CAPP STREET
WINDERMERE ROAD
MAHONEY STREET
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
HAGGARTY ROAD
356
355
354
353
FUTURE STAGE 4
FOGARTY WAY
HARPER STREET
CREBERT STREET
LUSKINTYRE ROAD
DRAINAGE RESERVE
CONSTRUCTION ISSUE
COPYRIGHT
Designed KS
Scale 1:1000
Cad Reference 25062C dC01 r2
Project Approval IAN HILL (BE) Consulting Civil Engineer
Client NEWQUEST
GCA
PROPOSED SUBDIVISION
48 WINDEMERE ROAD
LOCHINVAR - STAGE 3
GENERAL ARRANGEMENT PLAN
Project No 25062C
Drawing No C01
Revision 2
A1 SHEET
2 ISSUED FOR CONSTRUCTION JK AS 20.08.25
1 ORIGINAL ISSUE JK AS 30.04.25
REVISION Description Drawn App'd Date


WINDERMERE ROAD
MAHONEY STREET
HAGGARTY ROAD
DAVOREN ROAD
HEAGHNEY STREET
HEWITT ROAD
CREGGAN CRESCENT
GIVE WAY
R1-2
R8-2A
R1-2 SPECIAL 375 WIDE
LEGEND:
STREET SIGN IN ACCORDANCE WITH MWDS STD DWG SD029
Bus zone signs to be installed in accordance with Council's Standard Drawing SD023
CONSTRUCTION ISSUE
PROPOSED SUBDIVISION
48 WINDEMERE ROAD
LOCHINVAR - STAGE 3
LINEMARKING & SIGNAGE PLAN (1 OF 2)
25062C
C43
3
A1 SHEET


LEGEND
SS STREET SIGN IN ACCORDANCE WITH MHCC STD DWG SD429
R1-2 SPECIAL 375 WIDE
GIVE WAY
R8-2A
R1-2
SS
R8-2A
GIVE WAY
R1-2 SPECIAL 375 WIDE
LOC
HARPER STREET
HAGGARTY ROAD
BOLAND ROAD
BOLAND ROAD
HEAGNEY STREET
CONSTRUCTION ISSUE
COPYRIGHT
Copyright in the drawings, information and data recorded hereon is the property of Geoff Craig & Associates Pty Ltd and may not be used, copied or reproduced in whole or part for any purpose other than that for which it is supplied without the prior consent of Geoff Craig & Associates Pty Ltd.
Designed KS
Scale 1:500
Cad Reference 25062C dC44 r3
Project Approval IAN HILL (BE) Consulting Civil Engineer
Client NEWQUEST
GCA
A.B.N. 92 084 017 745
1 HARTLEY DRIVE, THORNTON NSW 2322
PO BOX 3337, THORNTON NSW 2322
PHONE (02) 4966 1811
PROPOSED SUBDIVISION
48 WINDEMERE ROAD
LOCHINVAR - STAGE 3
LINEMARKING & SIGNAGE PLAN (2 OF 2)
Project No 25062C
Drawing No C44
Revision 3
A1 SHEET
3 COUNCIL COMMENTS JE AS 20.11.25
2 ISSUED FOR CONSTRUCTION JE AS 20.08.25
1 ORIGINAL ISSUE JE AS 30.06.25
REVISION Description Drawn App'd Date
PLOT DATE: 26/11/2025 11:20:41 AM
CAD FILE: G:\25\25062 48 Windermere Road, Lochinvar (Milcrest) Stage 3\02_CAD\AutoCAD\Civil\25062C dC44 r3.dwg

5 FEBRUARY 2026

5.9 PROPOSED LINEMARKING AND SIGNAGE FOR RAILWAY STREET, MAITLAND - PEDESTRIAN REFUGE AND PEDESTRIAN CROSSING

FILE NO:	**140/5**
ATTACHMENTS:	**1. Signage and Linemarking Plan - Railway Street Maitland**
AUTHOR:	Design Officer Traffic Management Officer Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

Approval is sought for the implementation of regulatory signage and line marking associated with the construction of a new pedestrian refuge and pedestrian crossing in Railway Street near the intersection with Church Street, Maitland.

OFFICER'S RECOMMENDATION

THAT

1. **The regulatory line marking and signage associated with the installation of a pedestrian refuge and pedestrian crossing in Railway Street near the intersection of Railway Street and Church Street, Maitland as per the submitted plans 4440-1A, Rev A dated 06/01/26 be approved by Council.**

COMMITTEE RECOMMENDATION

THAT

1. **The regulatory line marking and signage associated with the installation of a pedestrian refuge and pedestrian crossing in Railway Street near the intersection of Railway Street and Church Street, Maitland as per the submitted plans 4440-1A, Rev A dated 06/01/26 as amended in red be approved by Council.**

5 FEBRUARY 2026

Local Transport Forum Reports

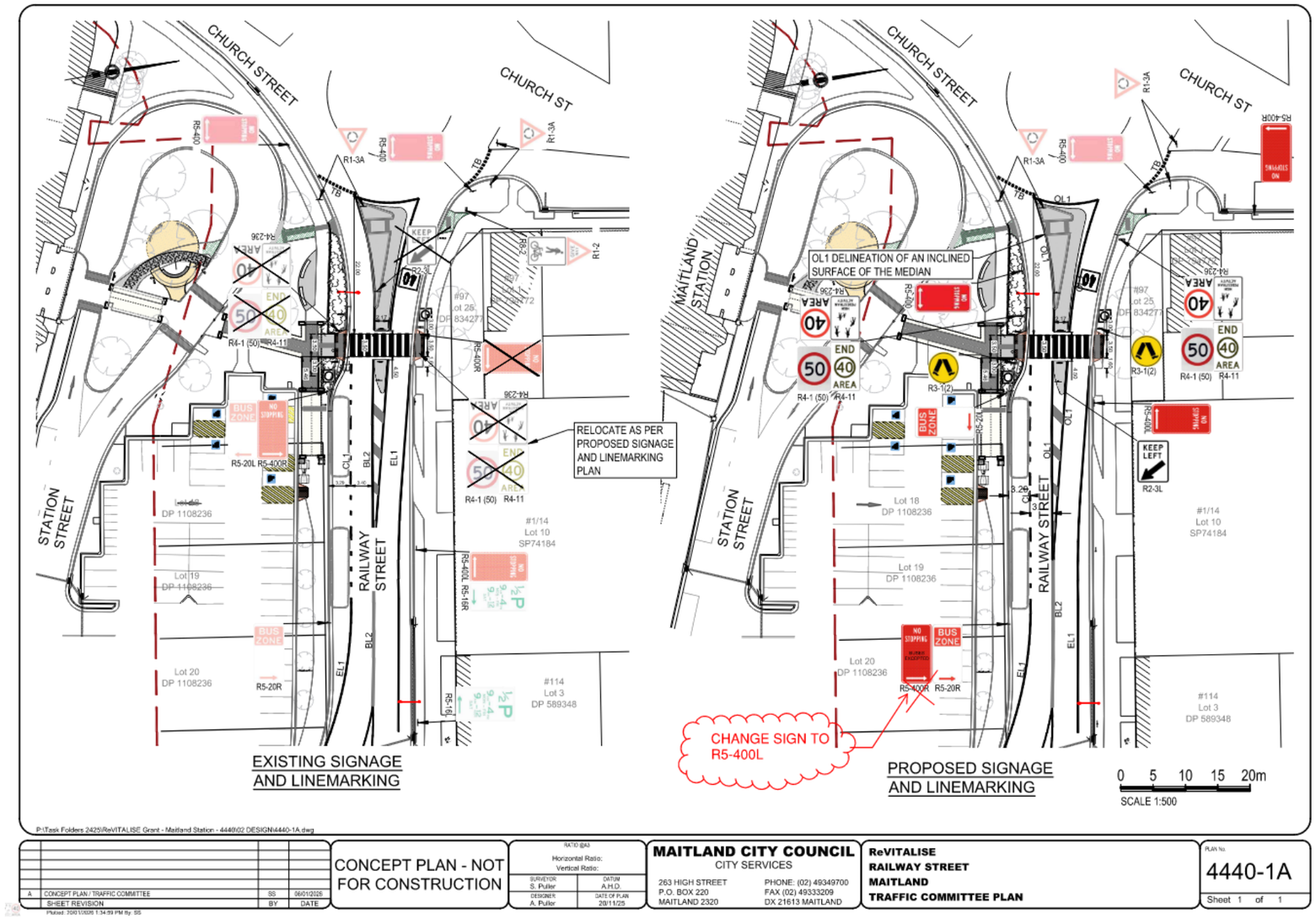
PROPOSED LINEMARKING AND SIGNAGE FOR RAILWAY STREET, MAITLAND - PEDESTRIAN REFUGE AND PEDESTRIAN CROSSING

Signage and Linemarking Plan - Railway Street Maitland

Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 1


CHURCH STREET
CHURCH ST
MAITLAND STATION
STATION STREET
RAILWAY STREET
RELOCATE AS PER PROPOSED SIGNAGE AND LINEMARKING PLAN
OL1 DELINEATION OF AN INCLINED SURFACE OF THE MEDIAN
CHANGE SIGN TO R5-400L
EXISTING SIGNAGE AND LINEMARKING
PROPOSED SIGNAGE AND LINEMARKING
SCALE 1:500
CONCEPT PLAN - NOT FOR CONSTRUCTION
MAITLAND CITY COUNCIL
CITY SERVICES
263 HIGH STREET
P.O. BOX 220
MAITLAND 2320
PHONE: (02) 49349700
FAX (02) 49333209
DX 21613 MAITLAND
ReVITALISE
RAILWAY STREET
MAITLAND
TRAFFIC COMMITTEE PLAN
4440-1A
CONCEPT PLAN / TRAFFIC COMMITTEE
SHEET REVISION

5 FEBRUARY 2026

5.10 LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS

FILE NO: 140/5

ATTACHMENTS:
1. November LTF Item 5.2 – Proposed Removal of Pre Existing NHVR Permit on Luskintyre Road
2. NHVR Permit - 15/5/25
3. NHVR Permit - 20/10/25
4. Heavy Vehicle Swept Path Analysis

AUTHOR: Operations Manager Transport & Infrastructure Engineering
Manager Asset Strategy and Engineering
Traffic Management Officer

EXECUTIVE SUMMARY

The November Local Transport Forum minutes were presented for approval at the December Council Meeting; however a motion was put forward (which became the subsequent resolution) requesting for further review and reporting back to Council for the proposed removal of the pre-existing NHVR permit on Luskintyre Road. This report provides information on the review.

OFFICER'S RECOMMENDATION

THAT

1. **Council investigates remediation of the northernmost intersection of Pywells Road and Luskintyre Road to allow general access vehicles to safely negotiate the intersection without crossing the centre line.**

COMMITTEE RECOMMENDATION

THAT

1. **Council investigates remediation of the northernmost intersection of Pywells Road and Luskintyre Road to allow general access vehicles to safely negotiate the intersection without crossing the centre line.**

2. **Council requests the National Heavy Vehicle Regulator (NHVR) rescind route 1 (1234100R1V1) only of permit number 1234100V2 for B-Double use on Luskintyre Road, Luskintyre, based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.**

3. **The information contained within the LTF agenda item 5.10 is noted.**

Local Transport Forum Reports

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS

November LTF Item 5.2 – Proposed Removal of Pre Existing NHVR Permit on Luskintyre Road

Meeting Date: 5 February 2026

Attachment No: 1

Number of Pages: 4

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

6 NOVEMBER 2025

5.2 PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD

FILE NO: 140/5

ATTACHMENTS:
1. **NHVR Permit_1234100V1_15May25**
2. **Luskintyre Rd - B Double swept path**

AUTHOR: Steven Roach - Traffic Management Officer
Brendan Moran - Operations Manager Transport & Infrastructure Engineering
Stephen Smith - Manager Asset Strategy and Engineering

EXECUTIVE SUMMARY

Approval is sought to request the rescinding of National Heavy Vehicle Regulator (NHVR) permit 1234100V1 for B-double use on Luskintyre Road, Luskintyre due to safety issues.

OFFICER'S RECOMMENDATION

THAT

1. **Council request the National Heavy Vehicle Regulator (NHVR) rescind permit number 1234100V1 for B-double use on Luskintyre Road, Luskintyre based on road safety of Luskintyre Road at the northern intersection Pywells Road.**

PURPOSE

Council has received community correspondence regarding road safety concerns around B-double truck use on Luskintyre Road, Luskintyre. The customer has raised an issue that the trucks are crossing into the opposing lane whilst negotiating bends in the road.

PROPOSAL

That Council review the National Heavy Vehicle Regulator (NHVR) permit 123400V1 to ensure road safety is not compromised on Luskintyre Road, Luskintyre by the passage of B-double trucks.

ASSESSMENT

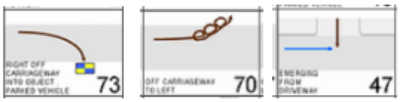
Council has undertaken a review of B-double turning movements along Luskintyre Road using design turning templates. The templates show that B-doubles are using both lanes of Luskintyre Road at the northern-most intersection with Pywells Road, crossing over double barrier lines whilst navigating the bend in the road at a design speed of 10km/hr. This is the same for both directions of travel along Luskintyre Road.

The proposed action to request for the rescinding of the current NHVR B-double permit is to comply with NSW Road Rule 132 - Keeping to the left of the centre of a road or the dividing line.

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)

Existing Conditions:

PARAMETER	DATA
Road Name	Luskintyre Road
Road Classification	Rural Landscape
Adjacent Land Use	RU1
Road Width	6.5m
Traffic Volumes	631
Traffic/ Parking Controls	No parking controls
Speed Limit	80 km/h
85th Percentile Speed	81.5 km/h
Accident History	Three reported accidents. 

With Proposal:

CONSIDERATIONS	COMMENTS INCLUDING IMPACTS
Access	**Road:** It is expected that the revoked approval will remove the safety issues associated with a B-double truck using the full road width at the intersection of Luskintyre Road and Pywells Road in order to negotiate the corner. **Parking:** There will be no changes to parking conditions.
Traffic Impacts	Road safety at the intersection of Luskintyre Road and Pywells Road will be improved through the removal of NVHR permit.
Speed	No impact to existing speed limits.

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)

Active Transport (walk/ cycle)	**Pedestrians:** No changes. Luskintyre Road is a rural road with no provision for pedestrians. **Cyclists:** No impact to cyclists using Luskintyre Road.
Public Transport (buses/ taxis)	**Bus/ Taxi:** No negative impact to buses or taxis would be expected.
Freight Transport	**Service vehicles:** There will be a negative impact on freight as B-doubles can carry more freight in one load than a general access truck.

COMMUNITY CONSULTATION

Council has received correspondence regarding road safety concerns around B-double truck use on Luskintyre Road, Luskintyre.

CONCLUSION

B- Double trucks cannot safely navigate the bend of Luskintyre Road at the northern intersection of Pywells Road. The request to rescind permit 1234100V1 will improve road safety for all vehicle users and enforce NSW Road Rule 132.

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



Locality diagram

Local Transport Forum Reports

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS

NHVR Permit - 15/5/25

Meeting Date: 5 February 2026

Attachment No: 2

Number of Pages: 5

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

B-Double Authorisation Permit

Heavy Vehicle National Law
This Permit is issued under the provisions of *Section 143 of the Heavy Vehicle National Law* for the operation of a Class 2 vehicle *(as defined in this Permit)* subject to the conditions set out in this Permit and any attachments.

Permit details

This Permit is issued to
[redacted]

Address
[redacted]

Type
B-Double

Vehicle configuration and description
B-Double
Combination (up to 9 axles)

Permit period

Start date
15-May-2025

End date
04-May-2028

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

Vehicle details

GCM must not exceed manufacturer's specifications

Vehicle dimensions

Length	Height
Up to 25m/26m	Up to 4.3m

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

Authorised Routes

Turn by turn description

1234100r1v1 - Single Route

Start: 1021 Luskintyre Road, Lambs Valley NSW
Luskintyre Road, [Lambs Valley - Lochinvar]
Windermere Road, Lochinvar
End: Approved B-Double Network, New England Highway, Lochinvar NSW

Road conditions

Maitland City Council

(1) RI06 - Position of travel - Road

The heavy vehicle must remain on the sealed sections of the road and avoid travelling off the edge (except in cases of emergency).

Regulator

(1) GO03 -

You may be required under another law to obtain consent or approval from a Third Party entity.

These approvals must be carried and produced on request by an authorised officer. In this section Third Party entity usually include the following -

(a) police especially with respect to the movement of vehicles which exceed dimension requirements due to the potential risks to other road users and possible need for police assistance to control traffic

(b) rail infrastructure managers the movement of oversize/overmass heavy vehicles across level crossings or restricted access vehicles near rail infrastructure may create risks that need to be managed

(c) utilities restricted access vehicles may have adverse effects on utilities infrastructure with over height vehicles and telecommunications/power lines being a common concern

(d) private road owners allowing public access toll roads, ports, airports, hospitals and private estates are potential examples where those road owners, who may not be road managers for the purpose of the HVNL, also need to grant consent to the use of restricted access vehicles

(e) forestry agencies roads owned by governmental agencies can possess different characteristics that may pose risks not found on typical roads and if the government agency is not a road manager for the purpose of the HVNL may require special consideration to manage risks arising from the use of restricted access vehicles on these roads.

Transport for New South Wales (TfNSW)

(1) 25m B-double Network Map - Compliance with conditions as stated on the 25m B-double GML/CML and HML Network maps available at https://maps.nhvr.gov.au.

Travel conditions

Maitland City Council

(1) TI01 -

Direction of travel - Travel

The heavy vehicle may only enter and exit properties from council roads in forward direction. However the

Page: 3 of 5 www.nhvr.gov.au

maitland CITY COUNCIL

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

operator may reverse into a property once all reasonable steps are taken to ensure safety risks to the general public and other road users are mitigate. This can be achieved by an accredited traffic control method and a corresponding approved transport management plan.

Transport for New South Wales (TfNSW)

(1) RI14 - The intersection of New England Highway and Windermere Road, Maitland.

Left turn movement onto New England Highway from Windermere Road is Approved.

Right turn movement onto New England Highway from Windermere Road is Approved.

Left turn movement onto Windermere Road from New England Highway is Prohibited.

Right turn movement onto Windermere Road from New England Highway is Approved.

Vehicle conditions

Regulator

(1) LE07 - The driver and operator of the B-double must comply with all conditions, except conditions relating to stated routes or networks, set out in the National Class 2 Heavy Vehicle B-double Authorisation (Notice) including the schedule for a participating jurisdiction when the vehicle is being used in the jurisdiction to which that schedule applies.

(2) LE12 - A B-double may be up to 26.0m long provided the vehicle meets Schedule 6 Section 3 (3) of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

(3) LEOL - Other Laws and Legislation

Nothing within this permit exempts the driver or operator of the permitted heavy vehicle from complying with legislation regulating the use of heavy vehicle. This includes but is not limited to conditions applied within the vehicles registration, compliance with sign posted restrictions, traffic law or compliance with lawful directions of authorised officer.

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR

Permit number
1234100V1

The driver of the heavy vehicle who is driving a vehicle that is subject to a permit issued under the HVNL must keep a copy of the permit for the exemption in the driver's possession.

The driver or operator of a heavy vehicle being used on a road that is subject to a permit issued under the HVNL must not contravene a condition of the permit.

The driver or operator must comply with the provisions of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation unless anything contrary is applied within this permit.

It is an offence to operate a vehicle at a mass limit greater than indicated by an official traffic sign.

Declaration

Signed:

[redacted]

NHVR Delegate

Dated: 15-May-2025

Associated documents

N/A

Disclaimer:
The National Heavy Vehicle Regulator (NHVR) accepts no liability for any errors or omissions and gives no warranty or guarantee that the material, information, maps or publications made accessible are accurate, complete, current or fit for any use whatsoever. The information contained within the NHVR Route Planner online map system is subject to change without notice.

NHVR accepts no liability for the information provided within the authorised route as part of this exemption/ authorisation. The operator must ensure prior to travel that the roads/areas/networks listed in the authorised route are still current and accessible as the approved network is subject to change at any given time.

To the extent permitted by law, NHVR excludes liability for any loss (including loss from viruses, or consequential damage) caused by use of or reliance on the NHVR Route Planner.

Access to the NHVR Portal and NHVR Route Planner is only provided for your personal use. You may not sell or rebrand information obtained from the NHVR Portal or NHVR Route Planner without NHVR's written permission, or represent that the information is from a source other than the NVHR.

Apart from the purposes required or permitted under Heavy Vehicle National Law and for private study, research, criticism or review purposes as permitted under Australian copyright legislation, no part of this permit may be reproduced, modified, stored in a retrieval system, transmitted, broadcasted, published or reused for any commercial purposes whatsoever without the written permission of the NHVR first being obtained.

END OF DOCUMENT

Local Transport Forum Reports

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS

NHVR Permit - 20/10/25

Meeting Date: 5 February 2026

Attachment No: 3

Number of Pages: 5

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V2

B-Double Authorisation Permit

Heavy Vehicle National Law
This Permit is issued under the provisions of *Section 143 of the Heavy Vehicle National Law* for the operation of a Class 2 vehicle *(as defined in this Permit)* subject to the conditions set out in this Permit and any attachments.

Permit details

This Permit is issued to
[redacted]

Address
[redacted]

Type
B-Double

Vehicle configuration and description
B-Double
Combination (up to 9 axles)

Permit period

Start date
20-Oct-2025

End date
04-May-2028

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V2

Vehicle details

GCM must not exceed manufacturer's specifications

Vehicle dimensions

Length	Height
Up to 25m/26m	Up to 4.3m

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V2

Authorised Routes

Turn by turn description

1234100r1v1 - Single Route

Start: 1021 Luskintyre Road, Lambs Valley NSW
Luskintyre Road, [Lambs Valley - Lochinvar]
Windermere Road, Lochinvar
End: Approved B-Double Network, New England Highway, Lochinvar NSW

1234100r2v1 - Area

1) Start: 1021 Luskintyre Road, Lambs Valley NSW
Luskintyre Road, [Lambs Valley - Stanhope]
Stanhope Road, Stanhope
End: Approved B-Double Network, Stanhope Road, Stanhope NSW

Road conditions

Maitland City Council

(1) RI06 - Position of travel - Road

The heavy vehicle must remain on the sealed sections of the road and avoid travelling off the edge (except in cases of emergency).

Regulator

(1) GO03 -

You may be required under another law to obtain consent or approval from a Third Party entity.

These approvals must be carried and produced on request by an authorised officer. In this section Third Party entity usually include the following -

(a) police especially with respect to the movement of vehicles which exceed dimension requirements due to the potential risks to other road users and possible need for police assistance to control traffic

(b) rail infrastructure managers the movement of oversize/overmass heavy vehicles across level crossings or restricted access vehicles near rail infrastructure may create risks that need to be managed

(c) utilities restricted access vehicles may have adverse effects on utilities infrastructure with over height vehicles and telecommunications/power lines being a common concern

(d) private road owners allowing public access toll roads, ports, airports, hospitals and private estates are potential examples where those road owners, who may not be road managers for the purpose of the HVNL, also need to grant consent to the use of restricted access vehicles

(e) forestry agencies roads owned by governmental agencies can possess different characteristics that may pose risks not found on typical roads and if the government agency is not a road manager for the purpose of the HVNL may require special consideration to manage risks arising from the use of restricted access vehicles on these roads.

Transport for New South Wales (TfNSW)

(1) 25m B-double Network Map - Compliance with conditions as stated on the 25m B-double GML/CML and HML Network maps available at https://maps.nhvr.gov.au.

Page: 3 of 5 www.nhvr.gov.au

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V2

Travel conditions

Maitland City Council

(1) TI01 -

Direction of travel - Travel

The heavy vehicle may only enter and exit properties from council roads in forward direction. However the operator may reverse into a property once all reasonable steps are taken to ensure safety risks to the general public and other road users are mitigate. This can be achieved by an accredited traffic control method and a corresponding approved transport management plan.

Transport for New South Wales (TfNSW)

(1) RI14 - The intersection of New England Highway and Windermere Road, Maitland.

Left turn movement onto New England Highway from Windermere Road is Approved.

Right turn movement onto New England Highway from Windermere Road is Approved.

Left turn movement onto Windermere Road from New England Highway is Prohibited.

Right turn movement onto Windermere Road from New England Highway is Approved.

Vehicle conditions

Regulator

(1) LE07 - The driver and operator of the B-double must comply with all conditions, except conditions relating to stated routes or networks, set out in the National Class 2 Heavy Vehicle B-double Authorisation (Notice) including the schedule for a participating jurisdiction when the vehicle is being used in the jurisdiction to which that schedule applies.

(2) LE12 - A B-double may be up to 26.0m long provided the vehicle meets Schedule 6 Section 3 (3) of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

(3) LEOL - Other Laws and Legislation

Nothing within this permit exempts the driver or operator of the permitted heavy vehicle from complying with legislation regulating the use of heavy vehicle. This includes but is not limited to conditions applied within the vehicles registration, compliance with sign posted restrictions, traffic law or compliance with lawful directions of authorised officer.

continued on next page...

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS (Cont.)

NHVR

Permit number
1234100V2

The driver of the heavy vehicle who is driving a vehicle that is subject to a permit issued under the HVNL must keep a copy of the permit for the exemption in the driver's possession.

The driver or operator of a heavy vehicle being used on a road that is subject to a permit issued under the HVNL must not contravene a condition of the permit.

The driver or operator must comply with the provisions of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation unless anything contrary is applied within this permit.

It is an offence to operate a vehicle at a mass limit greater than indicated by an official traffic sign.

Declaration

Signed:

[redacted]

NHVR Delegate

Dated: 20-Oct-2025

Associated documents

N/A

Disclaimer:
The National Heavy Vehicle Regulator (NHVR) accepts no liability for any errors or omissions and gives no warranty or guarantee that the material, information, maps or publications made accessible are accurate, complete, current or fit for any use whatsoever. The information contained within the NHVR Route Planner online map system is subject to change without notice.

NHVR accepts no liability for the information provided within the authorised route as part of this exemption/ authorisation. The operator must ensure prior to travel that the roads/areas/networks listed in the authorised route are still current and accessible as the approved network is subject to change at any given time.

To the extent permitted by law, NHVR excludes liability for any loss (including loss from viruses, or consequential damage) caused by use of or reliance on the NHVR Route Planner.

Access to the NHVR Portal and NHVR Route Planner is only provided for your personal use. You may not sell or rebrand information obtained from the NHVR Portal or NHVR Route Planner without NHVR's written permission, or represent that the information is from a source other than the NVHR.

Apart from the purposes required or permitted under Heavy Vehicle National Law and for private study, research, criticism or review purposes as permitted under Australian copyright legislation, no part of this permit may be reproduced, modified, stored in a retrieval system, transmitted, broadcasted, published or reused for any commercial purposes whatsoever without the written permission of the NHVR first being obtained.

END OF DOCUMENT

Local Transport Forum Reports

LUSKINTYRE ROAD NHVR B-DOUBLE PERMITS

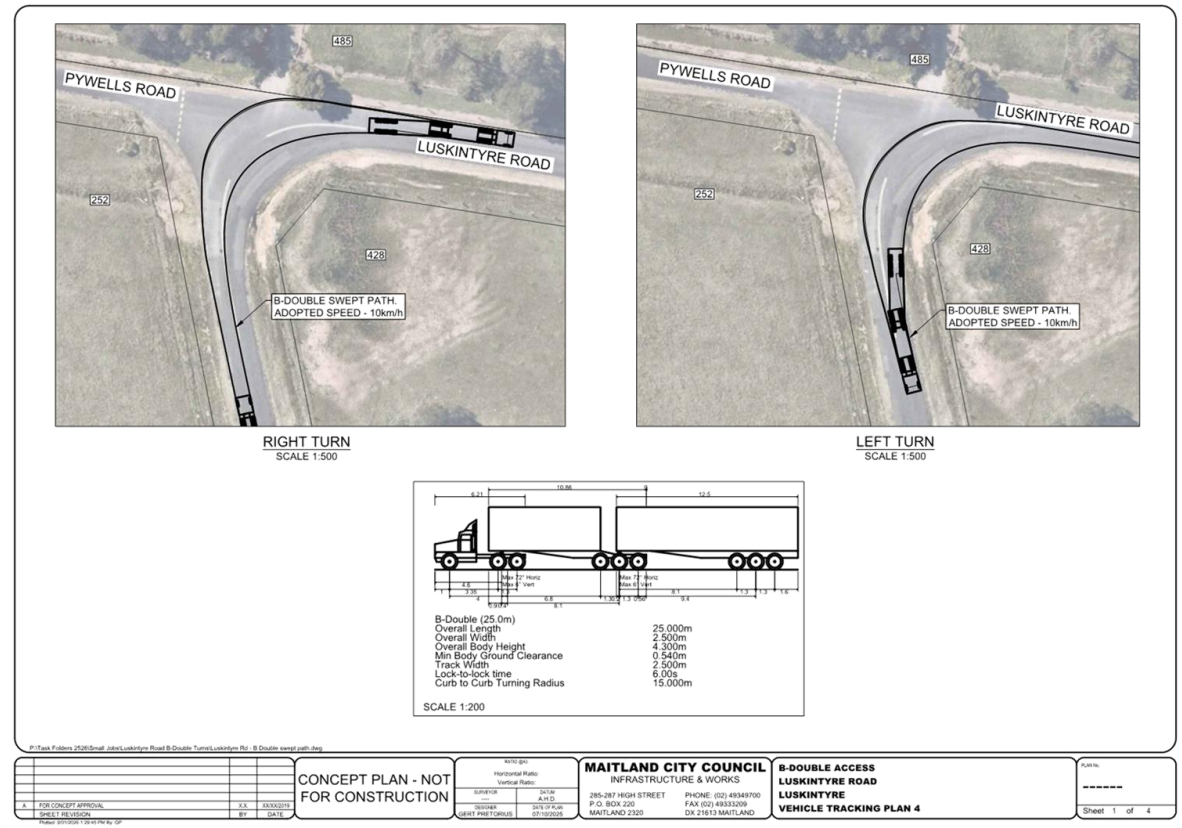
Heavy Vehicle Swept Path Analysis

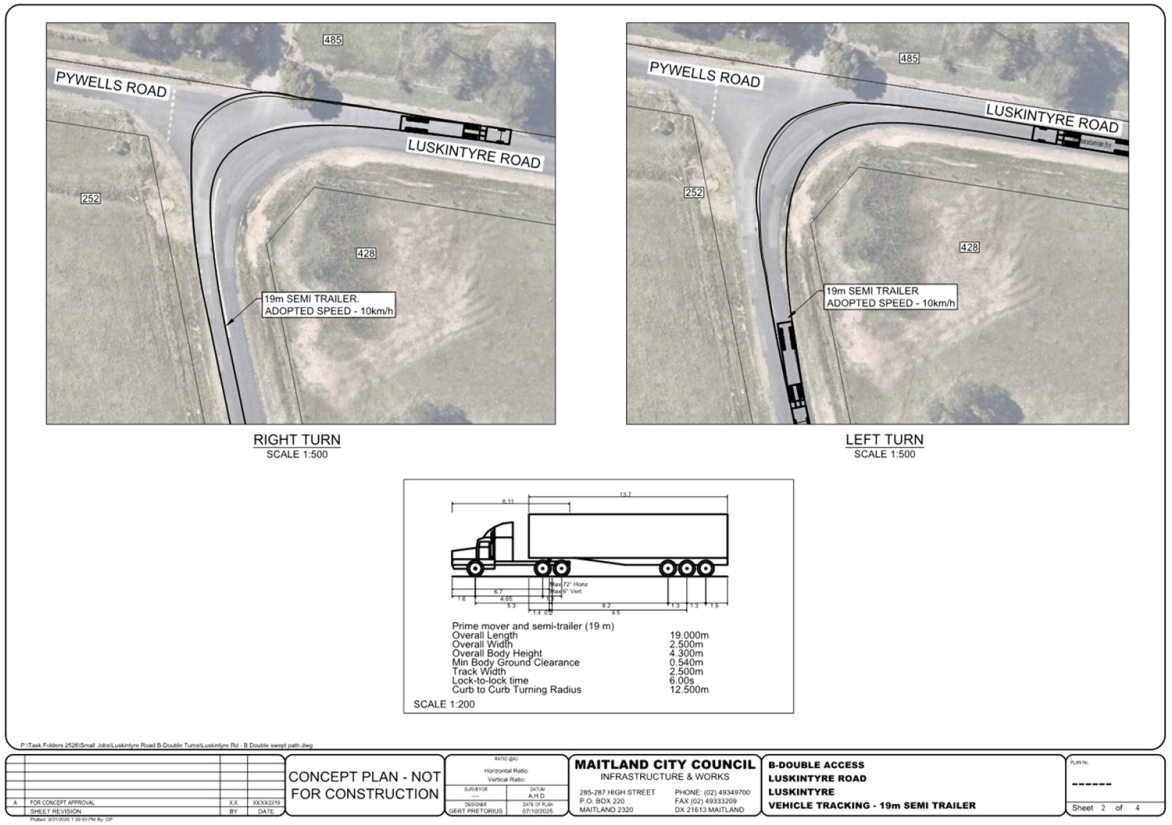
Meeting Date: 5 February 2026

Attachment No: 4

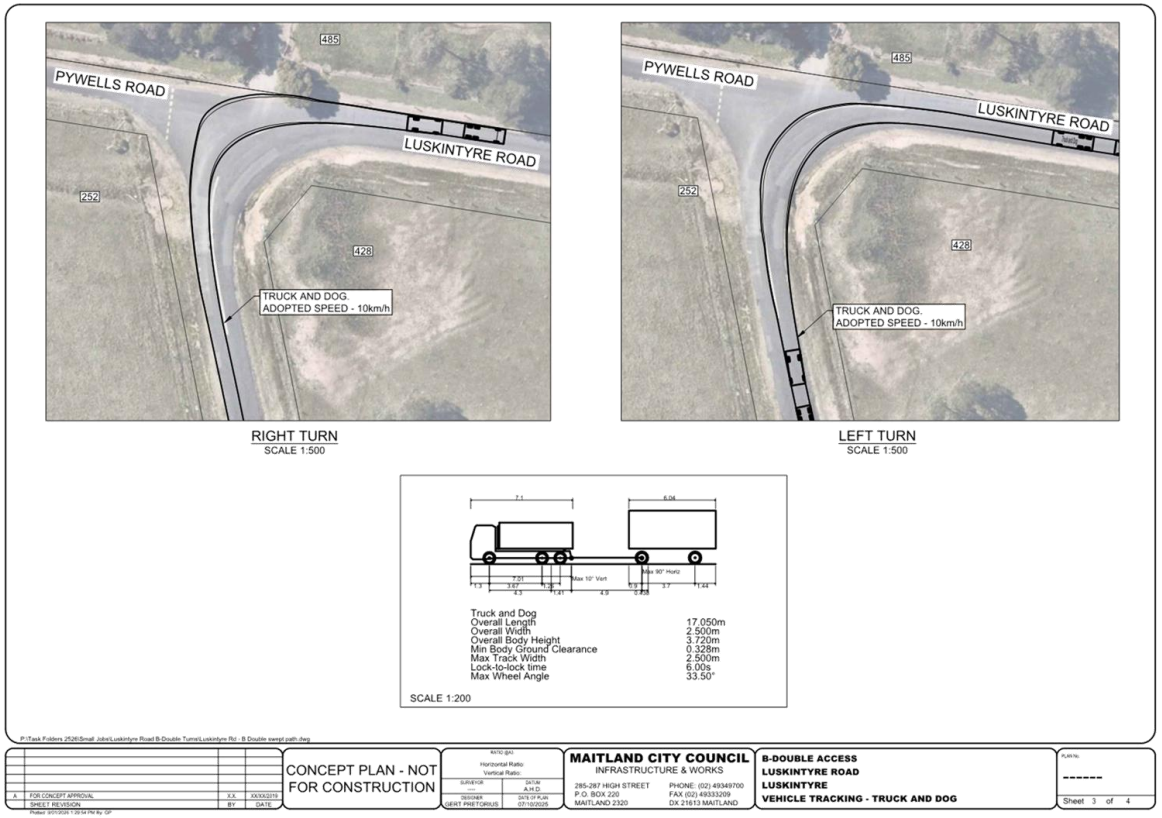
Number of Pages: 4

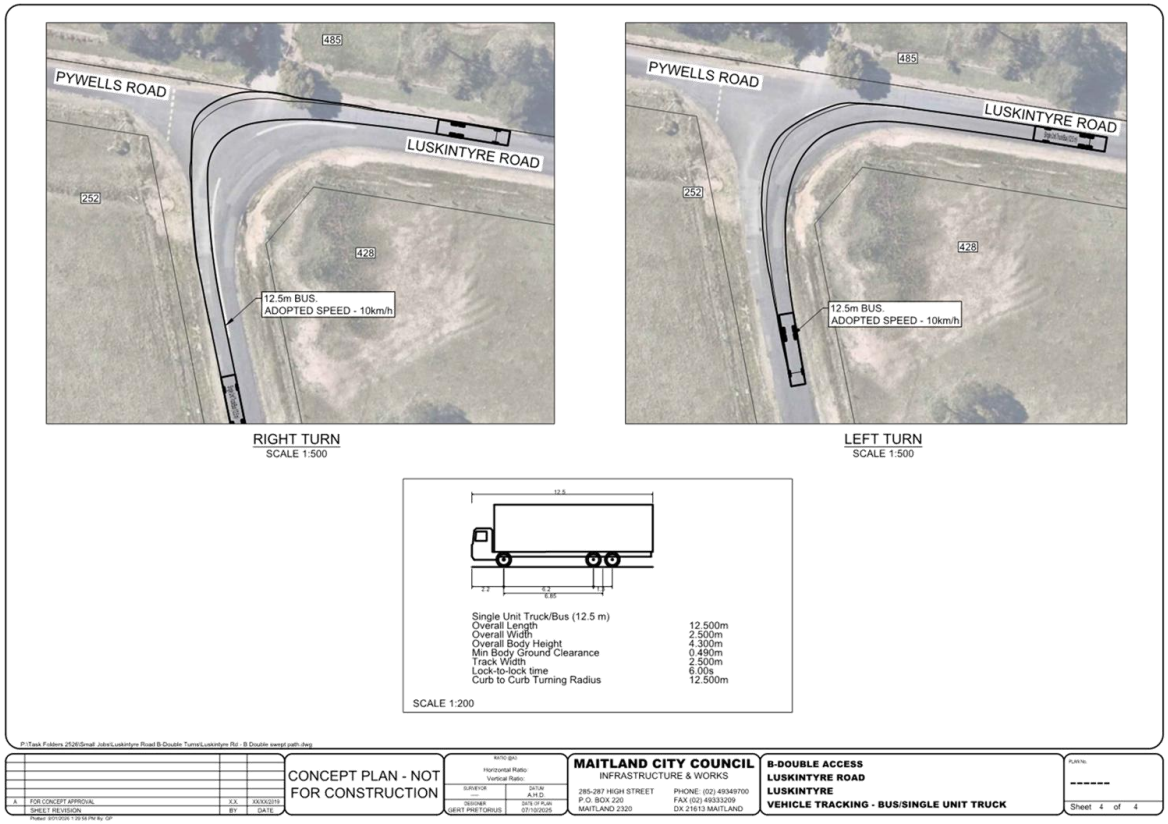
5 FEBRUARY 2026




485
PYWELLS ROAD
LUSKINTYRE ROAD
252
428
19m SEMI TRAILER.
ADOPTED SPEED - 10km/h
RIGHT TURN
SCALE 1:500
485
PYWELLS ROAD
LUSKINTYRE ROAD
252
428
19m SEMI TRAILER
ADOPTED SPEED - 10km/h
LEFT TURN
SCALE 1:500
Prime mover and semi-trailer (19 m)
Overall Length 19.000m
Overall Width 2.500m
Overall Body Height 4.300m
Min Body Ground Clearance 0.540m
Track Width 2.500m
Lock-to-lock time 6.00s
Curb to Curb Turning Radius 12.500m
SCALE 1:200
CONCEPT PLAN - NOT FOR CONSTRUCTION
MAITLAND CITY COUNCIL
INFRASTRUCTURE & WORKS
285-287 HIGH STREET
P.O. BOX 220
MAITLAND 2320
PHONE: (02) 49349700
FAX: (02) 49333209
DX 21613 MAITLAND
B-DOUBLE ACCESS
LUSKINTYRE ROAD
LUSKINTYRE
VEHICLE TRACKING - 19m SEMI TRAILER
Sheet 2 of 4

5 FEBRUARY 2026




PYWELLS ROAD
LUSKINTYRE ROAD
485
252
428
12.5m BUS.
ADOPTED SPEED - 10km/h
RIGHT TURN
SCALE 1:500
PYWELLS ROAD
LUSKINTYRE ROAD
485
252
428
12.5m BUS.
ADOPTED SPEED - 10km/h
LEFT TURN
SCALE 1:500
Single Unit Truck/Bus (12.5 m)
Overall Length 12.500m
Overall Width 2.500m
Overall Body Height 4.300m
Min Body Ground Clearance 0.490m
Track Width 2.500m
Lock-to-lock time 6.00s
Curb to Curb Turning Radius 12.500m
SCALE 1:200
CONCEPT PLAN - NOT FOR CONSTRUCTION
MAITLAND CITY COUNCIL
INFRASTRUCTURE & WORKS
285-287 HIGH STREET
P.O. BOX 220
MAITLAND 2320
PHONE: (02) 49349700
FAX (02) 49333209
DX 21613 MAITLAND
B-DOUBLE ACCESS
LUSKINTYRE ROAD
LUSKINTYRE
VEHICLE TRACKING - BUS/SINGLE UNIT TRUCK
Sheet 4 of 4

6 GENERAL BUSINESS

FILE NO: 140/5

ATTACHMENTS: Nil

AUTHOR: Support Officer Engineering & Design
Operations Manager Transport & Infrastructure Engineering

6.1 UNREGISTERED TRAIL BIKES IN MAITLAND

Query / Details

• The Representative for Jenny Aitchison MP raised ongoing concerns regarding the operation of unregistered trail bikes within the Maitland LGA.

Action / Outcome

• The Representative for Jenny Aitchison MP will compile details and locations of reported sightings and provide this information to the LTF Chairperson and Maitland Police.
• Council is exploring options for rider training and education sessions and will continue to work collaboratively with Maitland Police to address this ongoing issue.

6.2 REQUEST FOR PEDESTRIAN CROSSING – MAITLAND HIGH SCHOOL, HIGH STREET, EAST MAITLAND

Query / Details

• The Representative for Jenny Aitchison MP raised repeated community requests for a pedestrian crossing on High Street, East Maitland, to improve safety for Maitland High School students.
• Council advised that previous investigations concluded a pedestrian crossing at this location is not feasible due to inadequate sight distances and the presence of nearby driveways and bus stops.
• Council has requested additional data and information from the school to assess alternative safety treatments, however this information has not yet been provided.

Action / Outcome

• Council will continue liaising with Maitland High School to identify and develop safe road-crossing strategies or appropriate infrastructure options for students.

6.3 SPEEDING – HIGH STREET, LARGS

Query / Details

• The TfNSW Representative raised a customer complaint concerning speeding vehicles along High Street, Largs.
• Council has also received complaints relating to speeding and road damage caused by heavy vehicles on the same corridor.

• Council has submitted a Black Spot funding application for the High Street / Church Street intersection due to its crash history.

Action / Outcome

• Council recommended that the complaint and associated request be formally submitted to the Office of the General Manager for consideration and response.

6.4 BUS STOPS IN MAITLAND

Query / Details

• A Council representative raised a request previously minuted at the Sport, Recreation and Leisure Advisory Committee meeting on 22 October regarding improved shading at bus stops across the Maitland LGA.

• The Green Hills Shopping Centre bus stop was highlighted as a priority due to its west-facing orientation and high usage.

Action / Outcome

• The CDC Buses representative will review the Green Hills bus stop to Investigate feasible shading or amenity improvements. This will also include the DDA compliance documentation and any recommendations to Council.

• The CDC Buses representative will also identify if there is any other major bus stops within the LGA which incur a similar issue.

7 CLOSURE

The meeting was declared closed at 10:40 am.

City Services

Local Transport Forum Meeting Minutes (February 2026)

9 December 2025 Item 12.2 LTF Council Report and Minutes (Under Separate Cover)

Meeting Date: 17 March 2026

Attachment No: 3

Number of Pages: 55

9 DECEMBER 2025

12.2 Local Transport Forum Meeting Minutes (November 2025)

FILE NO:	**140/5**
ATTACHMENTS:	**1.Draft November LTF Minutes (Under Separate Cover)**
RESPONSIBLE OFFICER:	**Director City Services** **Manager Asset Strategy and Engineering**
AUTHOR:	**Operations Manager Transport & Infrastructure Engineering** **Traffic Management Officer**
MAITLAND'S FUTURE	**1 Liveable Maitland**
COUNCIL OBJECTIVE:	**1.2.3 Safe and efficient road networks**

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Transport Forum meeting held Thursday, 6 November 2025 are attached. At this meeting, the following items were considered:

- *Temporary road closure applications and associated traffic management plans for two (2) events; the first being New Years Eve 2025 celebrations in Maitland, and the second being the "Little Day Out" music event in Lee Street, Maitland; and*
- *A report recommending that Council request for the National Heavy Vehicle Regulator to rescind a B-double permit for Luskintyre Road due to road safety implications.*
- *A report documenting works completed for the keeping of records under delegation.*

OFFICER'S RECOMMENDATION

THAT

1. **The Local Transport Forum meeting minutes for the meeting held on 6 November 2025 be noted.**
2. **Council notes the traffic management plans and road closure information for the following events as recommended in the Local Transport Forum meeting minutes attached:**
    a. **Event – New Years Eve 2025 - Event Traffic & Transport Management.**
    b. **Event – Little Day Out - Event Traffic and Transport Management.**
3. **Council request that the National Heavy Vehicle Regulator (NHVR) rescind permit number 12341001V1 for B-double truck use on Luskintyre Road, Luskintyre based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.**

REPORT

The minutes of Maitland City Council's Local Transport Forum (LTF) Meeting held on Thursday, 6 November 2025 are attached.

Item 5.1 is the 2025/26 New Years Eve event and is an optional referral to LTF and Council. The event involving temporary road closures was considered by the Local Transport Forum as outlined in the table below.

Events / Road Closure/s	Event Timeframe
2025/26 New Years Eve event	31 December 2025 – 1 January 2026

Item 5.2 is the B-double truck use on Luskintyre Road, Luskintyre report and is a mandatory referral to LTF and Council as it restricts the travel of a vehicle for greater than 6 months. The vehicle tracking review undertaken by Council demonstrates that B-double trucks cross over the centreline of the road to navigate the corner in both directions at the northern intersection of Pywells Road and Luskintyre Road. This creates a safety issue for oncoming traffic and breaches the road rules. The National Heavy Vehicle Regulator (NHVR) are the issuing authority of NHVR permits and a Council resolution is required to formally request the National Heavy Vehicle Regulator to revoke the B-double permit that was issued for Luskintyre Road.

Item 5.3 is the Keeping of Records Notification 2026 and must be reported to LTF. This report outlines the work items which have been completed utilising this delegated authority under Schedule 4, Condition 4 of the Prescribed Traffic Control Device Authorisation instrument.
The Prescribed Traffic Control Device Authorisation is completed under the General Manager delegations, as per the Maitland City Council Delegation of Authority, dated 20 May 2025.

Item 5.4 is the 2026 Little Day Out music event and is an optional referral to LTF and Council. This was presented as a late agenda item to LTF. The event involving temporary road closures was considered by the Local Transport Forum as outlined in the table below.

Events / Road Closure/s	Event Timeframe
2026 Little Day Out music event	23 January 2026 – 25 January 2026

General business items raised during the LTF meeting are to be noted, however no determinations are required by Council.

CONCLUSION

The minutes for the LTF meeting held on 6 November 2025 are noted by the Council. Approval is sought to request that the National Heavy Vehicle Regulator (NHVR) rescind permit number 12341001V1 for B-double truck use on Luskintyre Road, Luskintyre based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.

CONSULTATION

The LTF agenda is issued prior to the meeting to allow LTF members to undertake any internal or external consultation as required before the meeting date. Items, including both agenda items and general business, are discussed with all present LTF participants prior to concluding recommendations and issuing of minutes.

In accordance with the Roads Act 1993, events and associated road closures as reported at LTF will be advertised in the local newspaper for a period of 28 days to allow the public to submit any comment. This is also advertised on TfNSW's OneRoad platform. Both event notifications will be advertised on the 21 November 2025.

RISK IMPLICATIONS

Risk	Risk Rating	Proposed Treatment	Proposed Risk Rating	Resourcing
There is a financial risk of the proposed works increasing Councils assets base that may lead to increased maintenance and resourcing requirements.	High	Anticipated increases are expected to be negligible to minor for inclusion within total assets base.	Low	Use existing resources for ongoing management and maintenance.
There is a safety risk associated with the current NHVR license for the use of B-doubles on Luskintyre Road that may lead to a road safety incident or traffic collision.	High	Request for the NHVR to rescind the B-double permit that has been issued for Luskintyre Road.	Low	Use existing resources

FINANCIAL IMPLICATIONS

Council costs associated with providing regulatory signage and line marking are to be incorporated within existing project CAPEX or OPEX budget allocations.

POLICY IMPLICATIONS

This report relates to and is consistent with Council's adopted policies including:

- Asset Management Policy and associated Asset Management Strategy and Asset Management Plans.
- Activities on Public Roads Policy.
- Events Policy

STATUTORY IMPLICATIONS

The process associated with Local Transport Forum and approval for works is in line with relevant provisions including Section 115 of the Roads Act 1993 and the Local Government Act.

9 December 2025

City Services

Local Transport Forum Meeting Minutes (November 2025)

Draft November LTF Minutes (Under Separate Cover)

Meeting Date: 9 December 2025

Attachment No: 1

Number of Pages: 48

9 December 2025

LOCAL TRANSPORT FORUM MEETING

MINUTES

6 NOVEMBER 2025

DRAFT

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
COMMENCEMENT		**1**
1	**ACKNOWLEDGEMENT OF COUNTRY**	**1**
2	**APOLOGIES AND LEAVE OF ABSENCE**	**1**
3	**CONFIRMATION OF MINUTES OF PREVIOUS MEETING**	**1**
4	**BUSINESS ARISING FROM MINUTES**	**1**
5	**LOCAL TRANSPORT FORUM REPORTS**	**2**
5.1	NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT	2
5.2	PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD	11
5.3	KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION	27
5.4	LATE ITEM - LEE STREET MAITLAND - EVENT TRAFFIC MANAGEMENT	41
6	**GENERAL BUSINESS**	**44**
6.1	MOTORHOME PARKING SIGNAGE – HAROLD GREGSON PARK	44
6.2	MOTORCYCLE PARKING IN MAITLAND LGA	44
6.3	LTF MEETING SCHEDULE – CHRISTMAS PERIOD	44
6.4	FINES ACT 2024 – LEGISLATIVE UPDATE	45
6.5	UNREGISTERED TRAIL BIKES – COMMUNITY CONCERNS	45
6.6	VEGETATION MAINTENANCE – NEW ENGLAND HIGHWAY	45
6.7	DRIVER BEHAVIOUR – HUNTER VALLEY GRAMMAR SCHOOL	46
7	**CLOSURE**	**47**

DRAFT

PRESENT

Cr Warrick Penfold – Councillor (Chairperson)
Giovanna Kozary – State Member's Representative
John Carey – Transport for NSW Representative
William Ridley – Hunter Valley Buses
Stephen Smith – Maitland City Council
Brendan Moran – Maitland City Council
Andrew McAdam – Maitland City Council
Jalal Irfani – Maitland City Council
Steven Roach – Maitland City Council
Adam Franks – Maitland City Council (until 9.47am)
Christina Devine – Maitland City Council (minute taker)

COMMENCEMENT

The meeting was declared open at 9.33am.

1 ACKNOWLEDGEMENT OF COUNTRY

2 APOLOGIES AND LEAVE OF ABSENCE

Senior Constable Rodney Minter – Maitland Police Representative
Kate Taylor – Maitland City Council

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

No objection or amendments were received within the two week notification period with regards to the distributed Minutes of the Local Transport Forum Meeting held 2 October 2025 and the minutes were hereby considered adopted on 16 October 2025.

4 BUSINESS ARISING FROM MINUTES

DRAFT

5 LOCAL TRANSPORT FORUM REPORTS

5.1 NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT

FILE NO: 140/5

ATTACHMENTS:
1. New Years Eve Traffic Guidance Scheme 1 of 2
2. New Years Eve Traffic Guidance Scheme 2 of 2
3. New Years Eve Traffic Guidance Scheme (bump in TGS)

AUTHOR: Events Officer
Traffic Management Officer
Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

An application has been received from Maitland City Council, who is hosting the 2025 New Year's Eve celebrations. This report details the proposed traffic management for the event, which includes temporary traffic management measures and temporary road closures as per the plans attached to this report.

OFFICER'S RECOMMENDATION

That during the 2025 Maitland New Year's Eve celebrations:

1. **The following temporary road closures (with associated traffic management) be approved:**

   - **From 6am Wednesday 31 December 2025 to 12pm midday, Thursday 1 January 2026:**
     - **Riverside Cark Park.**
     - **St Andrews Street, Maitland, north of High Street (from the corner near the Belmore Hotel).**
     - **Stillsbury Lane, Maitland.**
   - **From 3pm Wednesday 31 December 2025 to 1am Thursday 1 January 2026:**
     - **High Street Maitland, eastbound lane from Belmore Road to just west of Church Street.**
     - **Drop off zone area installed westbound in High Street between Church Street and Belmore Road.**
   - **From 5pm Wednesday 31 December 2025 to 10.30pm Wednesday 31 December 2025:**
     - **The Levee Shared Zone - High Street between Elgin Street and Bourke Street.**
     - **Bulwer Street, north of Dransfield Lane to High Street.**

DRAFT

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT (Cont.)

2. **The following Traffic Management be approved:**

   - **From 8.30pm Wednesday 31 December 2025 to 10pm Wednesday 31 December 2025:**
     - **Changed traffic conditions on Bulwer Street and Ken Tubman Drive to manage egress of vehicles from parking areas at the conclusion of the event.**

3. **The following traffic and parking management devices be installed:**

   a. **Temporary Bus Zones be installed on Ken Tubman Drive between High Street and Allan Walsh Drive, and Ken Tubman Drive between Church Street and Albion Street, Maitland.**
   b. **Temporary "Resident Only Parking" signs in Denman Street, Maitland.**

4. **The installation of the regulatory road closure devices and signs to affect the proposed temporary road closures and temporary traffic management be approved.**

COMMITTEE RECOMMENDATION

That during the 2025 Maitland New Year's Eve celebrations:

1. **The following temporary road closures (with associated traffic management) be approved:**

   - **From 6am Wednesday 31 December 2025 to 12pm midday, Thursday 1 January 2026:**
     - **Riverside Cark Park.**
     - **St Andrews Street, Maitland, north of High Street (from the corner near the Belmore Hotel).**
     - **Stillsbury Lane, Maitland.**
   - **From 3pm Wednesday 31 December 2025 to 1am Thursday 1 January 2026:**
     - **High Street Maitland, eastbound lane from Belmore Road to just west of Church Street.**
     - **Drop off zone area installed westbound in High Street between Church Street and Belmore Road.**
   - **From 5pm Wednesday 31 December 2025 to 10.30pm Wednesday 31 December 2025:**
     - **The Levee Shared Zone - High Street between Elgin Street and Bourke Street.**

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT (Cont.)

- **Bulwer Street, north of Dransfield Lane to High Street.**

2. **The following Traffic Management be approved:**

   - **From 8.30pm Wednesday 31 December 2025 to 10pm Wednesday 31 December 2025:**
     - **Changed traffic conditions on Bulwer Street and Ken Tubman Drive to manage egress of vehicles from parking areas at the conclusion of the event.**

3. **The following traffic and parking management devices be installed:**

   a. **Temporary Bus Zones be installed on Ken Tubman Drive between High Street and Allan Walsh Drive, and Ken Tubman Drive between Church Street and Albion Street, Maitland.**
   b. **Temporary "Resident Only Parking" signs in Denman Street, Maitland.**

4. **The installation of the regulatory road closure devices and signs to affect the proposed temporary road closures and temporary traffic management be approved.**

DRAFT

9 December 2025

Local Transport Forum Reports

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT

New Years Eve Traffic Guidance Scheme 1 of 2

Meeting Date: 6 November 2025

Attachment No: 1

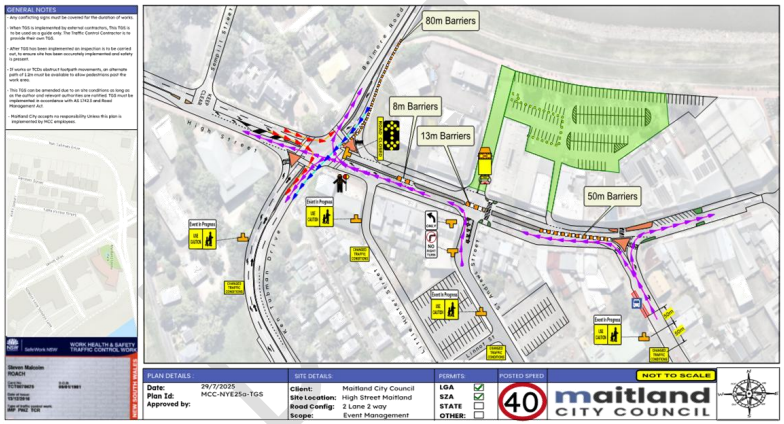
Number of Pages: 1

DRAFT

9 December 2025

6 NOVEMBER 2025

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT (Cont.)



Maitland City Council | Local Transport Forum Meeting Minutes P6

Local Transport Forum Reports

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT

New Years Eve Traffic Guidance Scheme 2 of 2

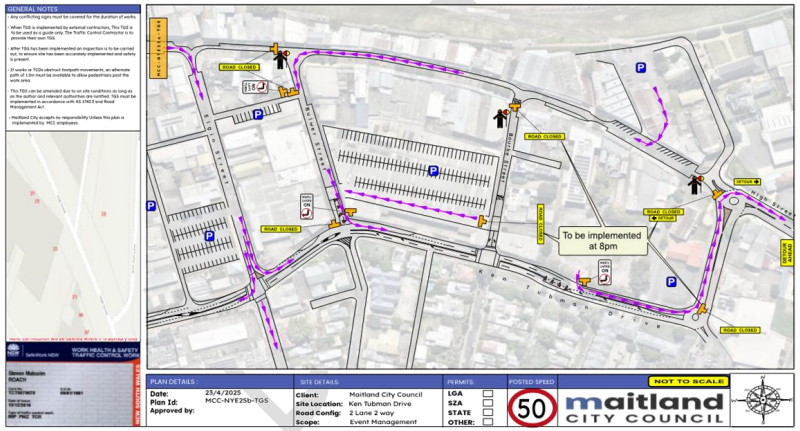
Meeting Date: 6 November 2025

Attachment No: 2

Number of Pages: 1

DRAFT

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT (Cont.)



9 December 2025

Local Transport Forum Reports

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT

New Years Eve Traffic Guidance Scheme (bump in TGS)

Meeting Date: 6 November 2025

Attachment No: 3

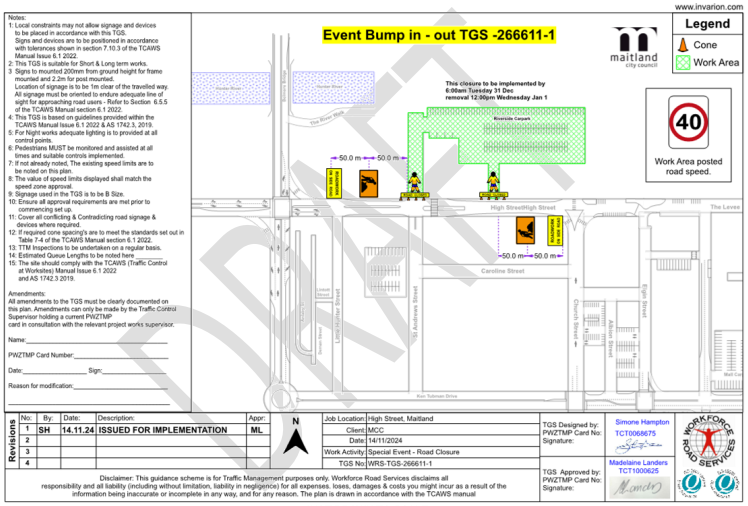
Number of Pages: 1

DRAFT

9 December 2025

6 NOVEMBER 2025

NEW YEAR'S EVE 2025 - EVENT TRAFFIC AND TRANSPORT MANAGEMENT (Cont.)



*NOT DRAWN TO SCALE

5.2 PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD

FILE NO: **140/5**

ATTACHMENTS:
1. **NHVR Permit_1234100V1_15May25**
2. **Luskintyre Rd - B Double swept path**

AUTHOR: Traffic Management Officer
Operations Manager Transport & Infrastructure Engineering
Manager Asset Strategy and Engineering

EXECUTIVE SUMMARY

Approval is sought to request the rescinding of National Heavy Vehicle Regulator (NHVR) permit 1234100V1 for B-double use on Luskintyre Road, Luskintyre due to safety issues.

OFFICER'S RECOMMENDATION

THAT

1. **Council request the National Heavy Vehicle Regulator (NHVR) rescind permit number 1234100V1 for B-double use on Luskintyre Road, Luskintyre based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.**

COMMITTEE RECOMMENDATION

THAT

1. **Council request the National Heavy Vehicle Regulator (NHVR) rescind permit number 1234100V1 for B-double use on Luskintyre Road, Luskintyre based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.**

DRAFT

Local Transport Forum Reports

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD

NHVR Permit_1234100V1_15May25

Meeting Date: 6 November 2025

Attachment No: 1

Number of Pages: 5

DRAFT

9 December 2025

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



NHVR

Permit number
1234100V1

B-Double Authorisation Permit

Heavy Vehicle National Law
This Permit is issued under the provisions of *Section 143 of the Heavy Vehicle National Law* for the operation of a Class 2 vehicle *(as defined in this Permit)* subject to the conditions set out in this Permit and any attachments.

Permit details

This Permit is issued to
[redacted]

Address
[redacted]

Type
B-Double

Vehicle configuration and description
B-Double
Combination (up to 9 axles)

Permit period

Start date
15-May-2025

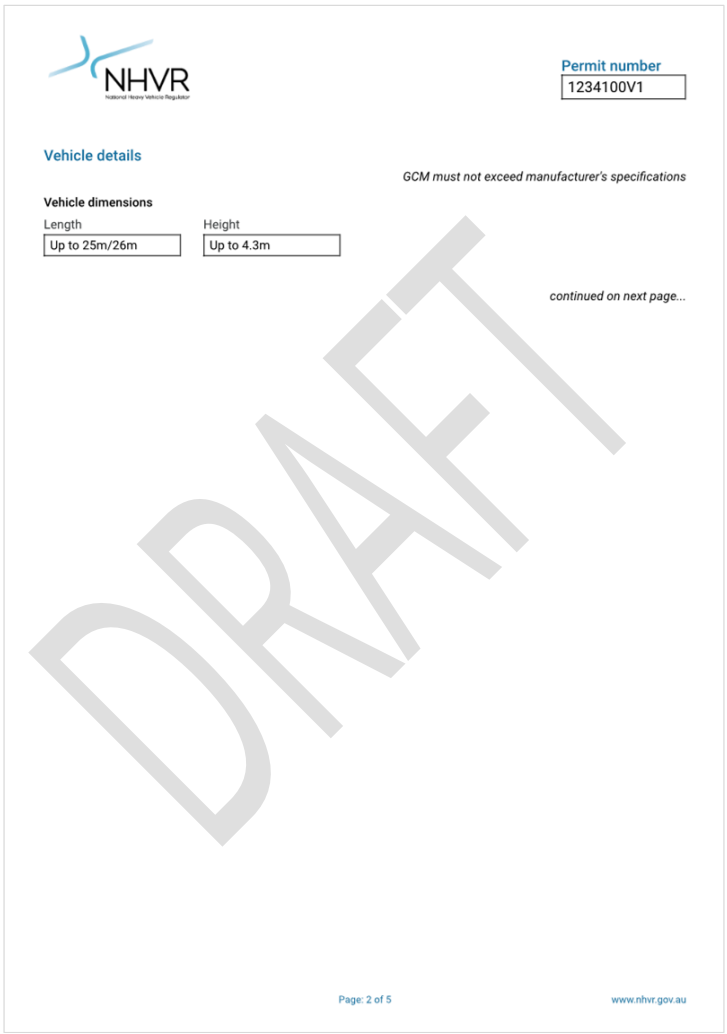
End date
04-May-2028

continued on next page...

DRAFT

Page: 1 of 5 www.nhvr.gov.au

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

Vehicle details

GCM must not exceed manufacturer's specifications

Vehicle dimensions

Length	Height
Up to 25m/26m	Up to 4.3m

continued on next page...

DRAFT

NHVR
National Heavy Vehicle Regulator

Permit number
1234100V1

Authorised Routes

Turn by turn description

1234100r1v1 - Single Route

Start: [redacted]
Luskintyre Road, [Lambs Valley - Lochinvar]
Windermere Road, Lochinvar
End: Approved B-Double Network, New England Highway, Lochinvar NSW

Road conditions

Maitland City Council

(1) RI06 - Position of travel - Road

The heavy vehicle must remain on the sealed sections of the road and avoid travelling off the edge (except in cases of emergency).

Regulator

(1) GO03 -

You may be required under another law to obtain consent or approval from a Third Party entity.

These approvals must be carried and produced on request by an authorised officer. In this section Third Party entity usually include the following -

(a) police especially with respect to the movement of vehicles which exceed dimension requirements due to the potential risks to other road users and possible need for police assistance to control traffic

(b) rail infrastructure managers the movement of oversize/overmass heavy vehicles across level crossings or restricted access vehicles near rail infrastructure may create risks that need to be managed

(c) utilities restricted access vehicles may have adverse effects on utilities infrastructure with over height vehicles and telecommunications/power lines being a common concern

(d) private road owners allowing public access toll roads, ports, airports, hospitals and private estates are potential examples where those road owners, who may not be road managers for the purpose of the HVNL, also need to grant consent to the use of restricted access vehicles

(e) forestry agencies roads owned by governmental agencies can possess different characteristics that may pose risks not found on typical roads and if the government agency is not a road manager for the purpose of the HVNL may require special consideration to manage risks arising from the use of restricted access vehicles on these roads.

Transport for New South Wales (TfNSW)

(1) 25m B-double Network Map - Compliance with conditions as stated on the 25m B-double GML/CML and HML Network maps available at https://maps.nhvr.gov.au.

Travel conditions

Maitland City Council

(1) TI01 -

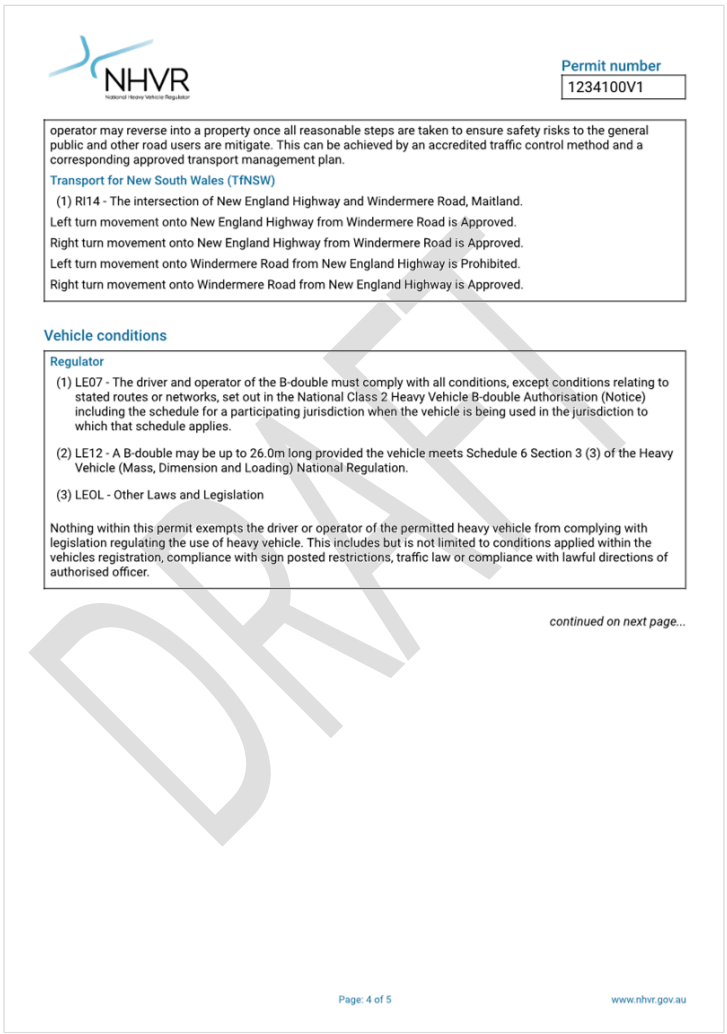
Direction of travel - Travel

The heavy vehicle may only enter and exit properties from council roads in forward direction. However the

Page: 3 of 5 www.nhvr.gov.au

DRAFT

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



NHVR

Permit number
1234100V1

operator may reverse into a property once all reasonable steps are taken to ensure safety risks to the general public and other road users are mitigate. This can be achieved by an accredited traffic control method and a corresponding approved transport management plan.

Transport for New South Wales (TfNSW)

(1) RI14 - The intersection of New England Highway and Windermere Road, Maitland.

Left turn movement onto New England Highway from Windermere Road is Approved.

Right turn movement onto New England Highway from Windermere Road is Approved.

Left turn movement onto Windermere Road from New England Highway is Prohibited.

Right turn movement onto Windermere Road from New England Highway is Approved.

Vehicle conditions

Regulator

(1) LE07 - The driver and operator of the B-double must comply with all conditions, except conditions relating to stated routes or networks, set out in the National Class 2 Heavy Vehicle B-double Authorisation (Notice) including the schedule for a participating jurisdiction when the vehicle is being used in the jurisdiction to which that schedule applies.

(2) LE12 - A B-double may be up to 26.0m long provided the vehicle meets Schedule 6 Section 3 (3) of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation.

(3) LEOL - Other Laws and Legislation

Nothing within this permit exempts the driver or operator of the permitted heavy vehicle from complying with legislation regulating the use of heavy vehicle. This includes but is not limited to conditions applied within the vehicles registration, compliance with sign posted restrictions, traffic law or compliance with lawful directions of authorised officer.

continued on next page...

DRAFT

Page: 4 of 5 www.nhvr.gov.au

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)

NHVR

Permit number
1234100V1

The driver of the heavy vehicle who is driving a vehicle that is subject to a permit issued under the HVNL must keep a copy of the permit for the exemption in the driver's possession.

The driver or operator of a heavy vehicle being used on a road that is subject to a permit issued under the HVNL must not contravene a condition of the permit.

The driver or operator must comply with the provisions of the Heavy Vehicle (Mass, Dimension and Loading) National Regulation unless anything contrary is applied within this permit.

It is an offence to operate a vehicle at a mass limit greater than indicated by an official traffic sign.

Declaration

Signed:

[redacted]

NHVR Delegate

Dated: 15-May-2025

Associated documents

N/A

Disclaimer:
The National Heavy Vehicle Regulator (NHVR) accepts no liability for any errors or omissions and gives no warranty or guarantee that the material, information, maps or publications made accessible are accurate, complete, current or fit for any use whatsoever. The information contained within the NHVR Route Planner online map system is subject to change without notice.

NHVR accepts no liability for the information provided within the authorised route as part of this exemption/ authorisation. The operator must ensure prior to travel that the roads/areas/networks listed in the authorised route are still current and accessible as the approved network is subject to change at any given time.

To the extent permitted by law, NHVR excludes liability for any loss (including loss from viruses, or consequential damage) caused by use of or reliance on the NHVR Route Planner.

Access to the NHVR Portal and NHVR Route Planner is only provided for your personal use. You may not sell or rebrand information obtained from the NHVR Portal or NHVR Route Planner without NHVR's written permission, or represent that the information is from a source other than the NVHR.

Apart from the purposes required or permitted under Heavy Vehicle National Law and for private study, research, criticism or review purposes as permitted under Australian copyright legislation, no part of this permit may be reproduced, modified, stored in a retrieval system, transmitted, broadcasted, published or reused for any commercial purposes whatsoever without the written permission of the NHVR first being obtained.

END OF DOCUMENT

Page: 5 of 5 www.nhvr.gov.au

9 December 2025

Local Transport Forum Reports

PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD

Luskintyre Rd - B Double swept path

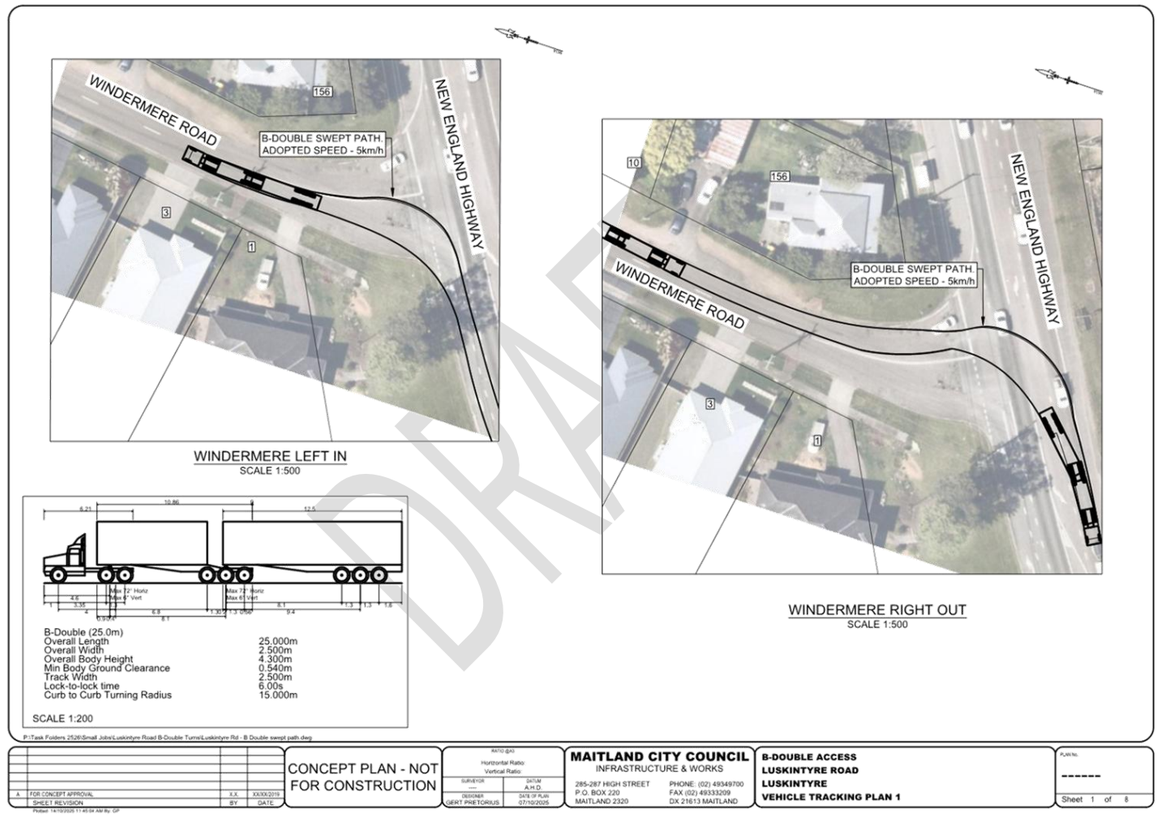
Meeting Date: 6 November 2025

Attachment No: 2

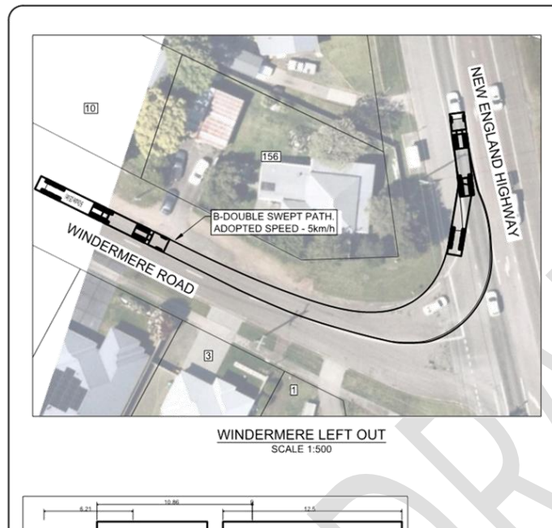
Number of Pages: 8

DRAFT

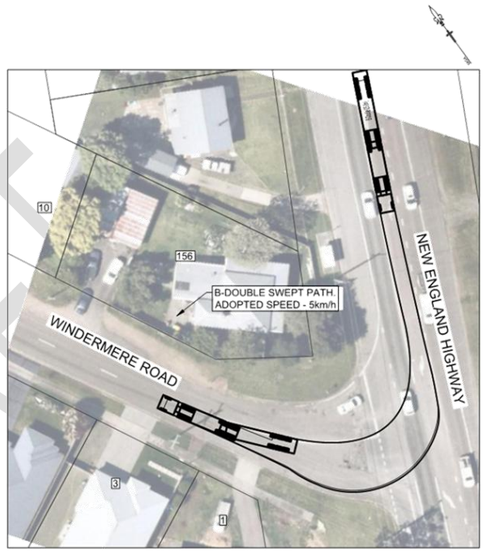
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



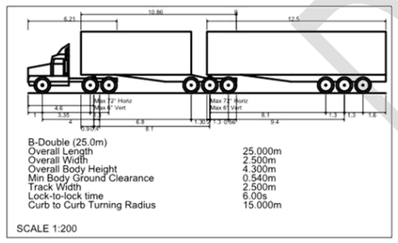
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



WINDERMERE LEFT OUT
SCALE 1:500



WINDERMERE RIGHT IN
SCALE 1:500



B-Double (25.0m)	
Overall Length	25.000m
Overall Width	2.500m
Overall Body Height	4.300m
Min Body Ground Clearance	0.540m
Track Width	2.500m
Lock-to-lock time	6.00s
Curb to Curb Turning Radius	15.000m

SCALE 1:200

P:\Task Folders 25\26\Small Jobs\Luskintyre Road B-Double Turns\Luskintyre Rd - B Double swept path.dwg

A	FOR CONCEPT APPROVAL	XX	XX/XX/2019
	SHEET REVISION	BY	DATE

CONCEPT PLAN - NOT FOR CONSTRUCTION

RATIO @A0
Horizontal Ratio:
Vertical Ratio:

SURVEYOR: ---
DATUM: A.H.D.
DESIGNER: GERT PRETORIUS
DATE OF PLAN: 07/10/2025

MAITLAND CITY COUNCIL
INFRASTRUCTURE & WORKS
285-287 HIGH STREET
P.O. BOX 220
MAITLAND 2320
PHONE: (02) 49349700
FAX (02) 49333209
DX 21613 MAITLAND

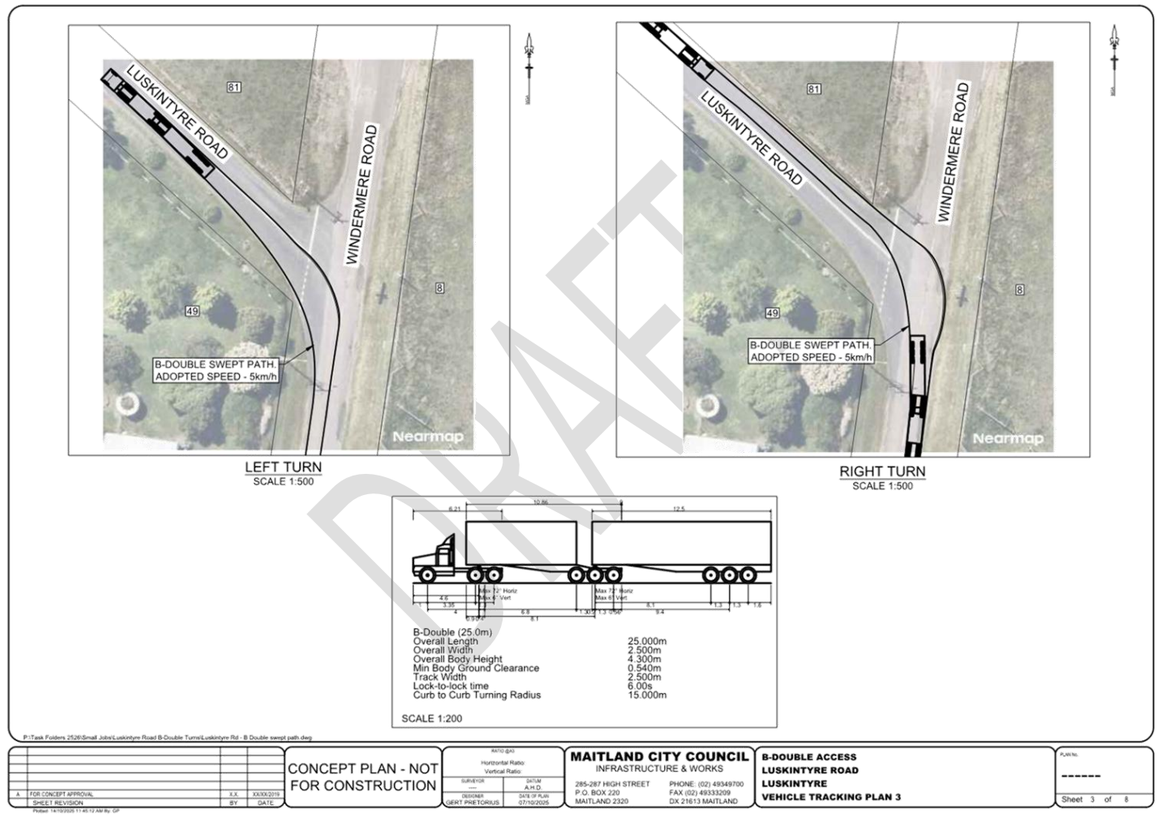
B-DOUBLE ACCESS
LUSKINTYRE ROAD
LUSKINTYRE
VEHICLE TRACKING PLAN 2

PLAN No.

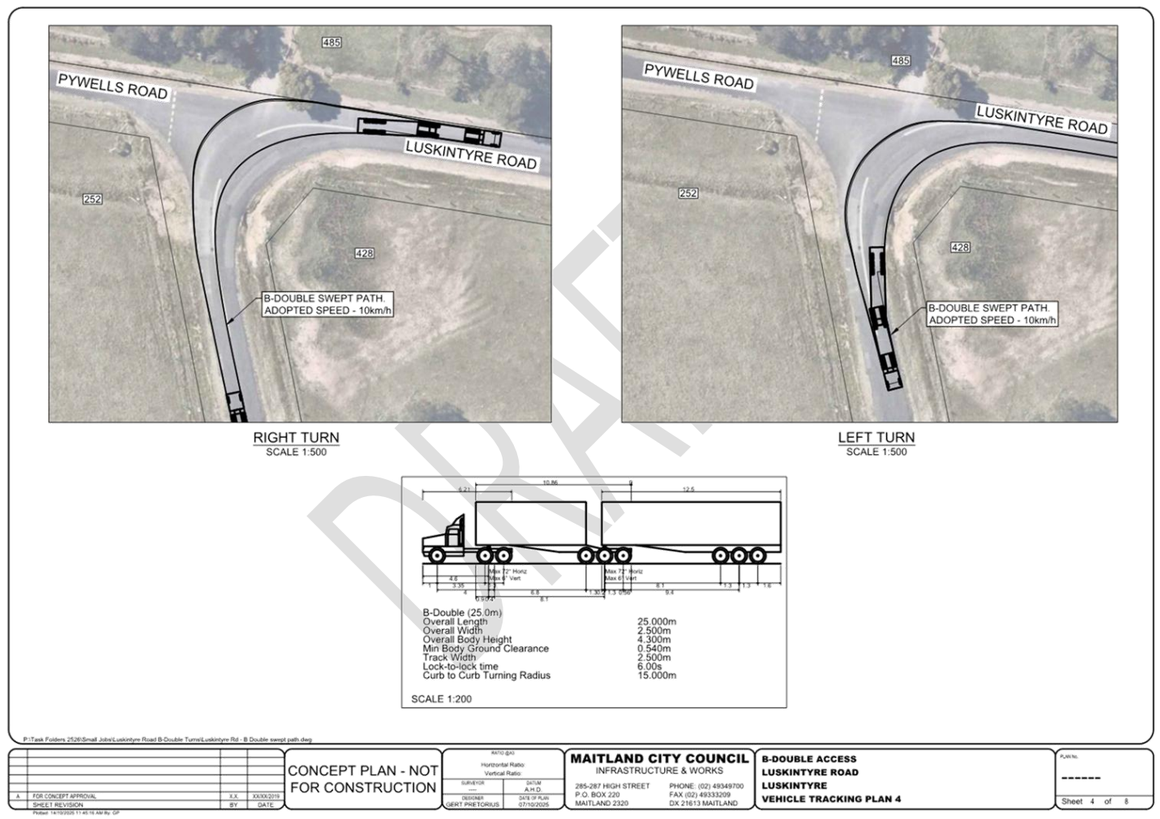
Sheet 2 of 8

DRAFT

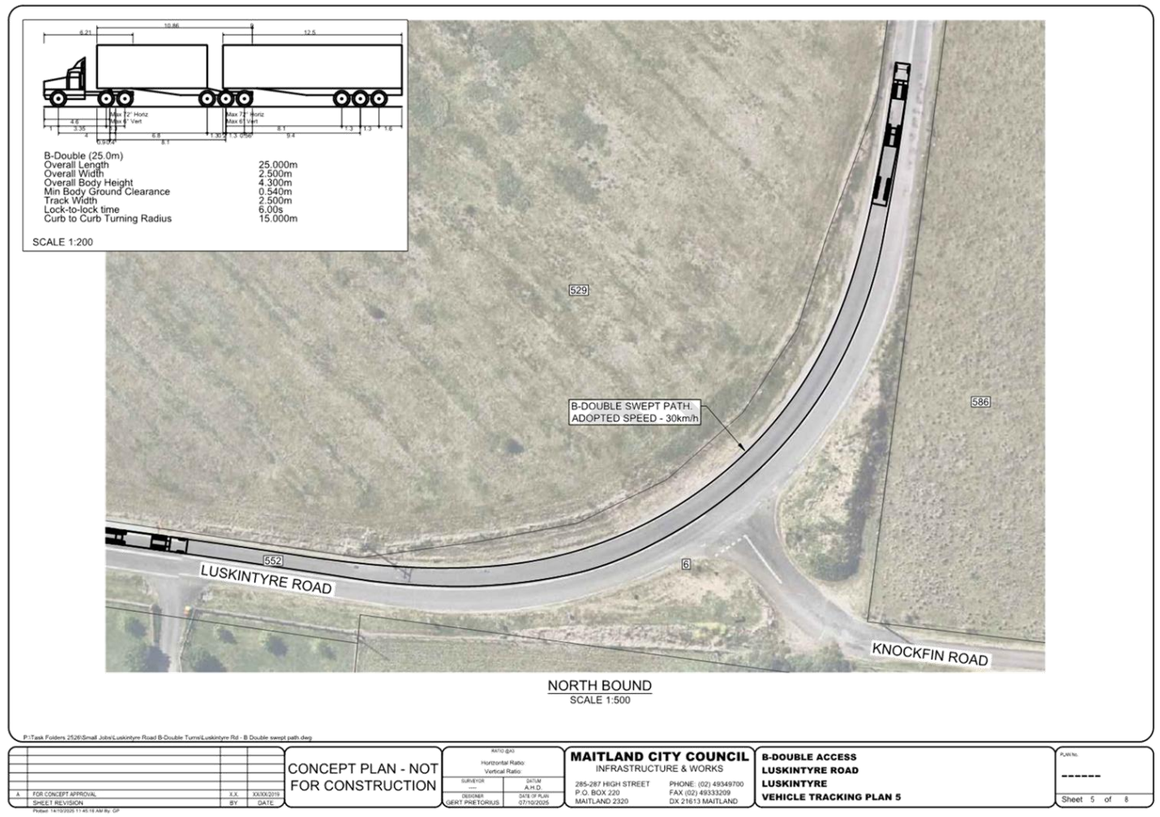
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



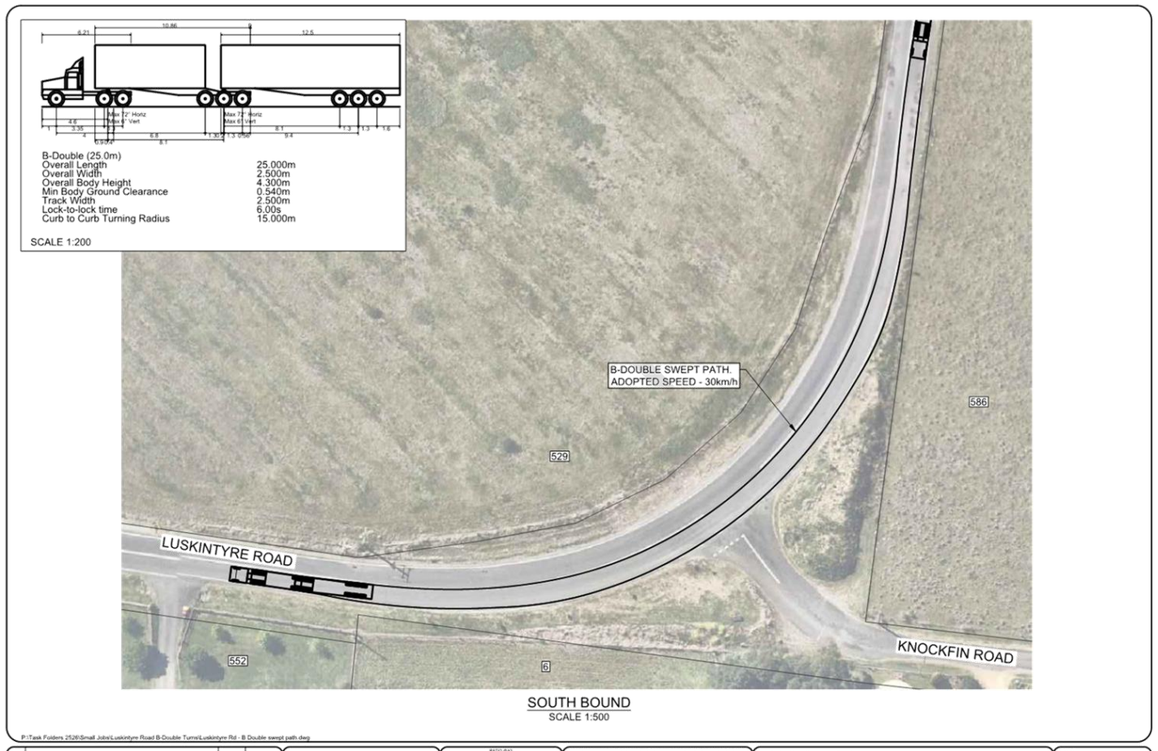
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



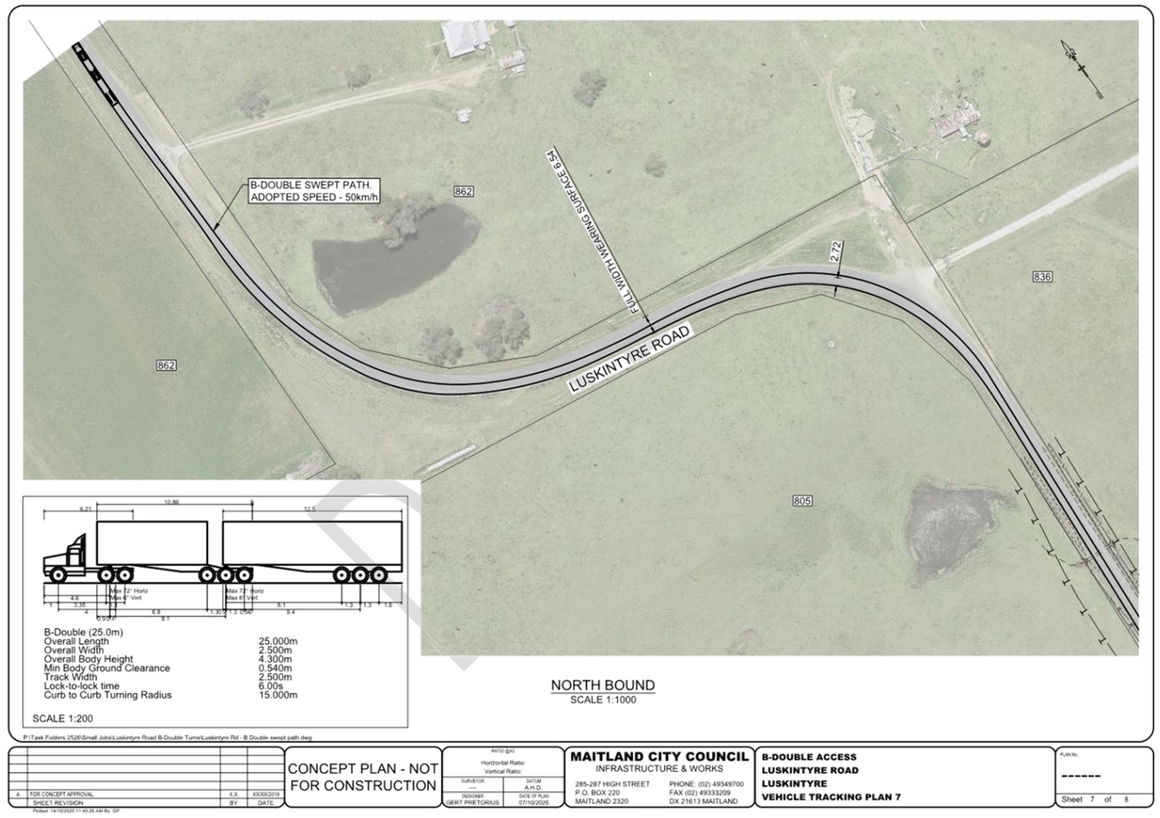
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



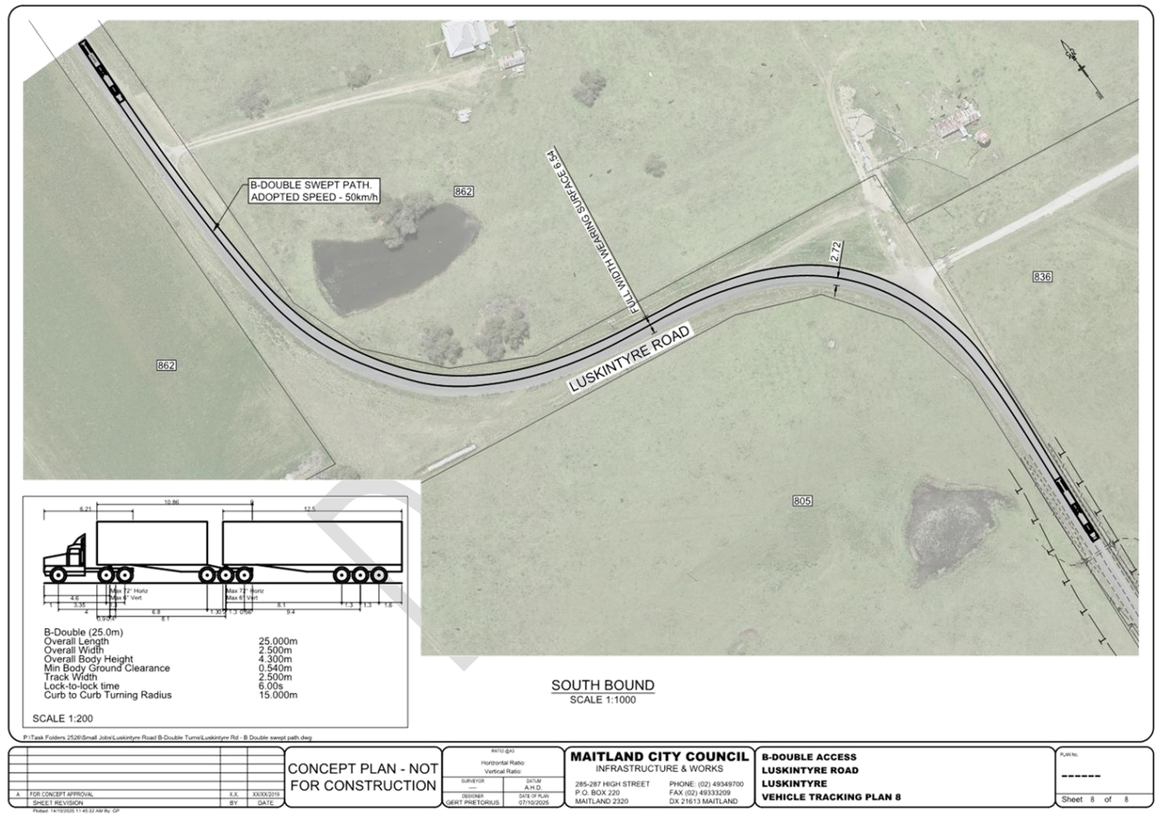
PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



PROPOSED REMOVAL OF PRE EXISTING NHVR PERMIT ON LUSKINTYRE ROAD (Cont.)



5.3 KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION

FILE NO: **140/5**

ATTACHMENTS:
1. **McKeachies Sportsground Line Marking Plan**
2. **East Maitland Remembrance Day service**
3. **Central Maitland Remembrance Day service**
4. **Domestic Violence March TGS**

AUTHOR: Traffic Management Officer
Operations Manager Civil Maintenance

EXECUTIVE SUMMARY

In accordance with the issue of the Prescribed Traffic Control Device Authorisation on behalf of Transport for NSW by the Secretary of the Department of Transport dated 21 July 2025, the following report presents those items which have been undertaken utilising this delegated authority and is tabled for the keeping of records of works carried out under this instrument.

OFFICER'S RECOMMENDATION

THAT

1. **In accordance with Schedule 4, Condition 4 of the Prescribed Traffic Control Device Authorisation dated 21 July 2025, the following items are tabled for the keeping of records as works that have been carried out by Council under this instrument:**
    a. **Implementation of No Stopping Zones (yellow line marking on corners) to increase sight distance during sporting events at the following intersections:**
        a) **Redgum Avenue and Coolabah Street.**
        b) **Redgum Avenue and Paperbark Parade.**
        c) **Redgum Avenue and Olearia Way.**
        d) **Redgum Avenue and Heath Avenue.**
        e) **Redgum Avenue and Peppermint Street.**
        f) **Peppermint Street and Olearia Way.**
        g) **Peppermint Street and Coolabah Street.**

    b. **Notification of upcoming events**
        - **East Maitland Remembrance Day service**
        - **Central Maitland Remembrance Day service**
        - **Domestic Violence March**

DRAFT

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)

COMMITTEE RECOMMENDATION

THAT

1. **In accordance with Schedule 4, Condition 4 of the Prescribed Traffic Control Device Authorisation dated 21 July 2025, the following items are tabled for the keeping of records as works that have been carried out by Council under this instrument:**
    a. **Implementation of No Stopping Zones (yellow line marking on corners) to increase sight distance during sporting events at the following intersections:**
        a) **Redgum Avenue and Coolabah Street.**
        b) **Redgum Avenue and Paperbark Parade.**
        c) **Redgum Avenue and Olearia Way.**
        d) **Redgum Avenue and Heath Avenue.**
        e) **Redgum Avenue and Peppermint Street.**
        f) **Peppermint Street and Olearia Way.**
        g) **Peppermint Street and Coolabah Street.**

    b. **Notification of upcoming events**
        - **East Maitland Remembrance Day service**
        - **Central Maitland Remembrance Day service**
        - **Domestic Violence March**

9 December 2025

Local Transport Forum Reports

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION

McKeachies Sportsground Line Marking Plan

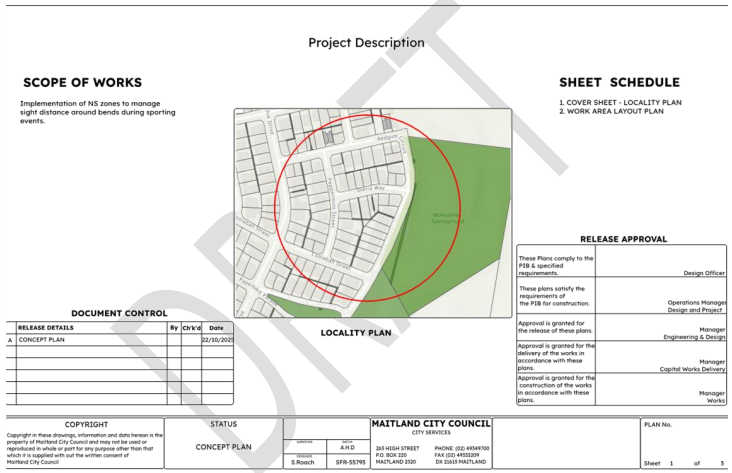
DRAFT

Meeting Date: 6 November 2025

Attachment No: 1

Number of Pages: 3

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



Project Description

SCOPE OF WORKS

Implementation of NS zones to manage sight distance around bends during sporting events.

SHEET SCHEDULE

1. COVER SHEET - LOCALITY PLAN
2. WORK AREA LAYOUT PLAN

LOCALITY PLAN

RELEASE APPROVAL

These Plans comply to the PJB & specified requirements.	Design Officer
These plans satisfy the requirements of the PJB for construction.	Operations Manager Design and Project
Approval is granted for the release of these plans.	Manager Engineering & Design
Approval is granted for the delivery of the works in accordance with these plans.	Manager Capital Works Delivery
Approval is granted for the construction of the works in accordance with these plans.	Manager Works

DOCUMENT CONTROL

	RELEASE DETAILS	By	Ch'k'd	Date
A	CONCEPT PLAN			22/10/2025

COPYRIGHT

Copyright in these drawings, information and data hereon is the property of Maitland City Council and may not be used or reproduced in whole or part for any purpose other than that which it is supplied with out the written consent of Maitland City Council

STATUS: CONCEPT PLAN

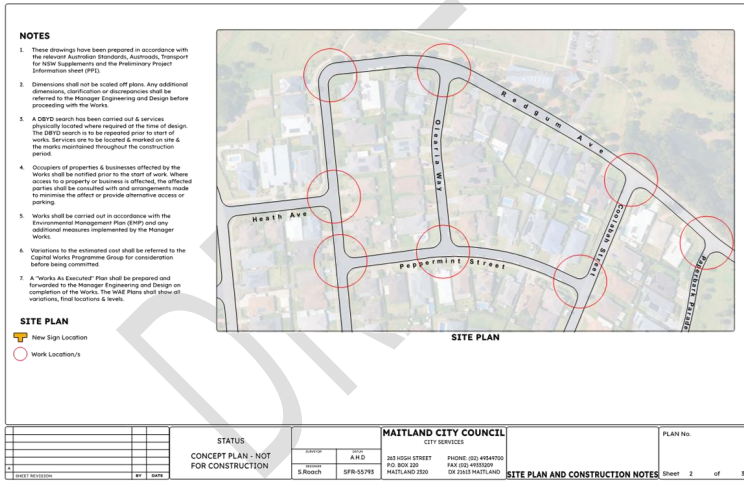
DESIGNED	A.H.D
DRAWN	S.Roach
SURVEY REF	SFR-55795

MAITLAND CITY COUNCIL
CITY SERVICES
263 HIGH STREET, MAITLAND 2320
P.O. BOX 220, MAITLAND 2320
PHONE (02) 49349700
FAX (02) 49333309
DX 23613 MAITLAND

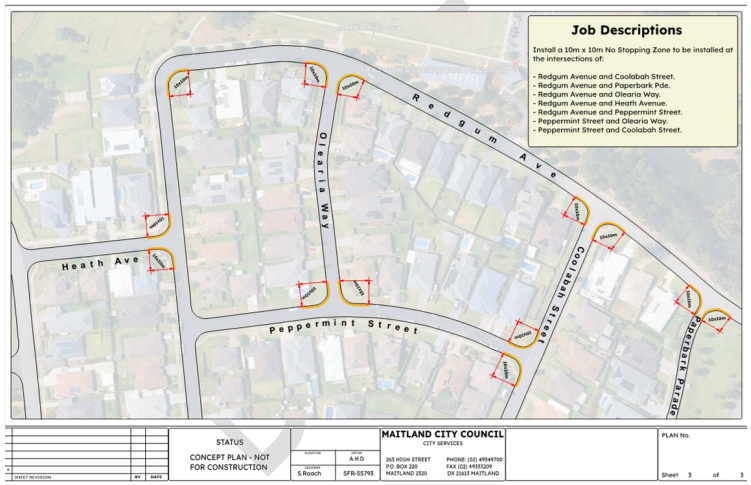
PLAN No.

Sheet 1 of 3

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



Local Transport Forum Reports

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION

East Maitland Remembrance Day service

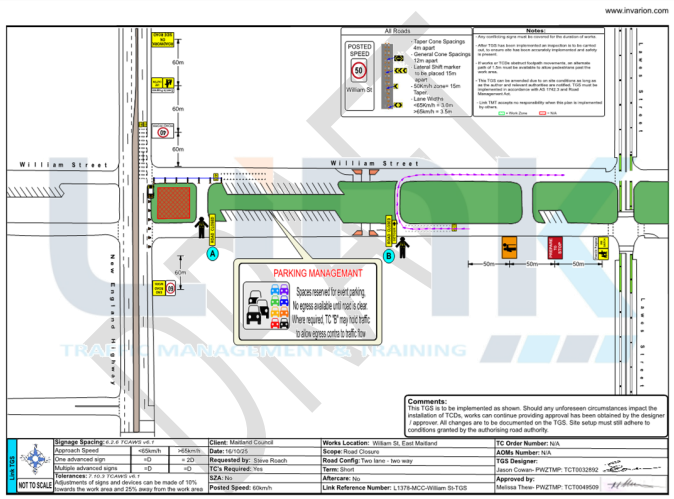
DRAFT

Meeting Date: 6 November 2025

Attachment No: 2

Number of Pages: 1

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



9 December 2025

Local Transport Forum Reports

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION

Central Maitland Remembrance Day service

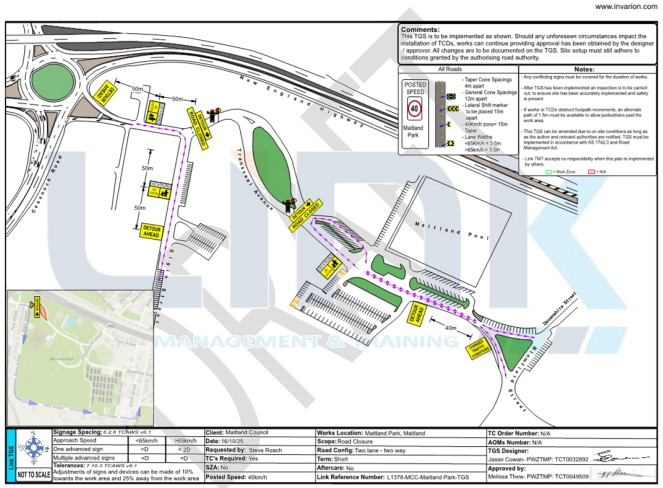
DRAFT

Meeting Date: 6 November 2025

Attachment No: 3

Number of Pages: 1

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



Local Transport Forum Reports

KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION

DRAFT

Domestic Violence March TGS

Meeting Date: 6 November 2025

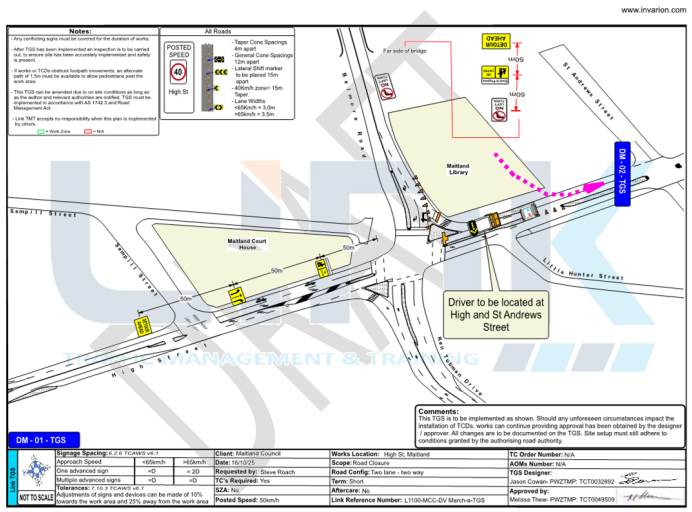
Attachment No: 4

Number of Pages: 3

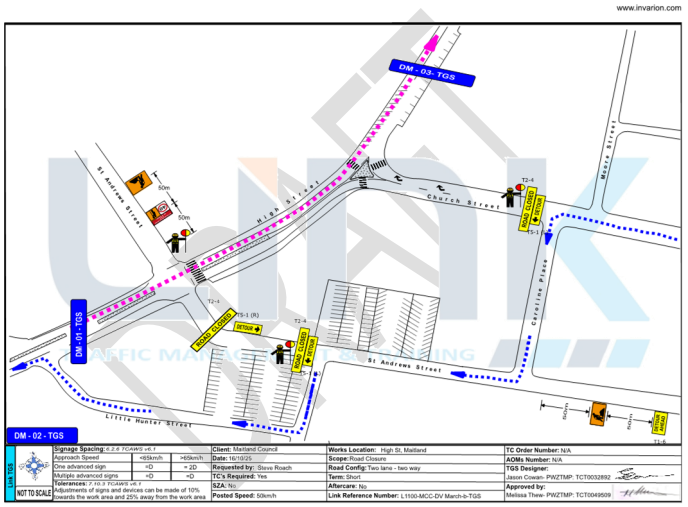
9 December 2025

6 NOVEMBER 2025

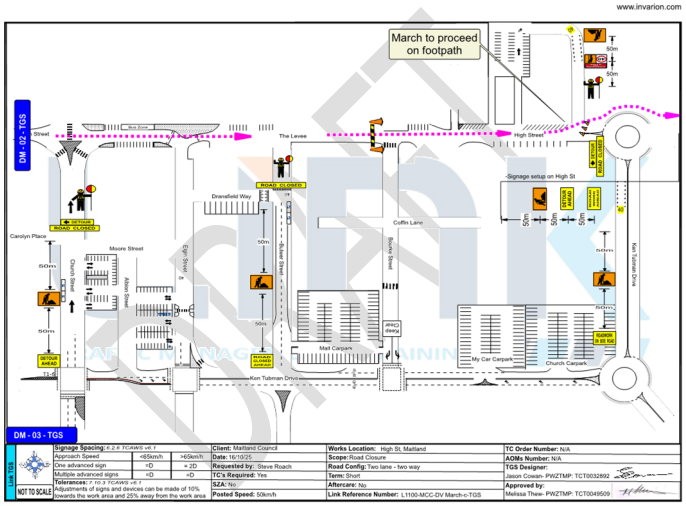
KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



KEEPING OF RECORDS NOTIFICATION OF USE OF PRESCRIBED TRAFFIC DEVICES UNDER CONDITION 4 OF THE PRESCRIBED TRAFFIC CONTROL DEVICE AUTHORISATION (Cont.)



5.4 LATE ITEM - LEE STREET MAITLAND - EVENT TRAFFIC MANAGEMENT

FILE NO:	**2025/444153**
ATTACHMENTS:	**1. The Little Day Out - Traffic Guidance Scheme**
AUTHOR:	Steven Roach - Traffic Management Officer Brendan Moran - Operations Manager Transport & Infrastructure Engineering

EXECUTIVE SUMMARY

The owner of The Pourhouse Bar in High Street, Maitland is seeking approval to temporarily close a section of Lee Street adjacent to the bar premises for the running of Little Day Out - Music Festival. It is proposed to close Lee Street Shared Zone from Friday 23 January to Sunday 25 January 2026 for the running of the event.

OFFICER'S RECOMMENDATION

THAT

1. **Lee Street, Maitland Shared Zone be temporarily closed to vehicular traffic from 6pm Friday, 23 January 2026 to 10am Sunday, 25 January 2026 to set up and conduct 'The Pourhouse - Little Day Out' event.**

COMMITTEE RECOMMENDATION

THAT

2. **Lee Street, Maitland Shared Zone be temporarily closed to vehicular traffic from 6pm Friday, 23 January 2026 to 10am Sunday, 25 January 2026 to set up and conduct 'The Pourhouse - Little Day Out' event.**

9 December 2025

6 NOVEMBER 2025

Local Transport Forum Reports

LATE ITEM - LEE STREET MAITLAND - EVENT TRAFFIC MANAGEMENT

The Little Day Out - Traffic Guidance Scheme

Meeting Date: 6 November 2025

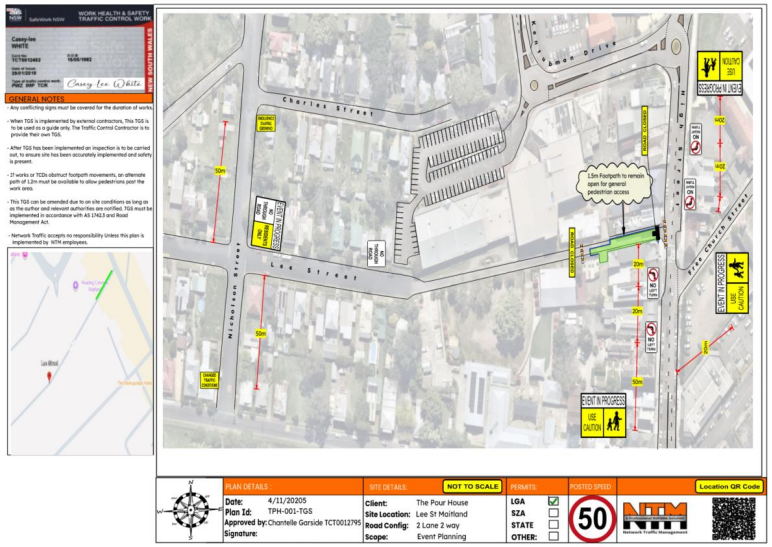
Attachment No: 1

Number of Pages: 1

DRAFT

9 December 2025

6 NOVEMBER 2025



6 GENERAL BUSINESS

FILE NO: 140/5

ATTACHMENTS: Nil

AUTHOR: Support Officer Engineering & Design
Operations Manager Transport & Infrastructure Engineering

6.1 MOTORHOME PARKING SIGNAGE – HAROLD GREGSON PARK

QUERY/ DETAILS

- The Councillor representative raised concerns regarding the absence of time-limit signage for motorhome parking at Harold Gregson Park.
- Although internally known, the three-night stay limit is not currently reflected on public signage.

ACTION/ OUTCOME

- Council will investigate the matter and report back at the next LTF meeting.

6.2 MOTORCYCLE PARKING IN MAITLAND LGA

QUERY/ DETAILS

- A recent motorcycle forum successfully established a working group.
- The group will convene in two to three weeks, with the initial agenda item focused on the lack of designated motorcycle parking within the Maitland LGA.

ACTION/ OUTCOME

- The Councillor representative will provide an update on the outcomes of the working group's meeting.

6.3 LTF MEETING SCHEDULE – CHRISTMAS PERIOD

QUERY/ DETAILS

- Council proposed that following the December meeting (held on the first Thursday of the month), the January meeting does not occur as it falls on a Public Holiday. The next LTF meeting will then be Feburary 2026.
- It was noted that urgent matters arising during this period may be addressed under the Mayor's delegations if required.

ACTION/ OUTCOME

- The proposal to not hold the January LTF meeting was supported by the Forum.

6.4 FINES ACT 2024 – LEGISLATIVE UPDATE

QUERY/ DETAILS

- Council provided an update on changes to the Fines Act 2024, as introduced by Revenue NSW.
- Councils are now required to publish parking fine statistics on their websites, including:
    - Total fines issued
    - Fines issued with immediate notification vs. post-event
    - Number of fines cancelled
    - Number of fines containing errors

ACTION/ OUTCOME

- Council will present Maitland City Council's relevant statistics at the next LTF meeting.

6.5 UNREGISTERED TRAIL BIKES – COMMUNITY CONCERNS

QUERY/ DETAILS

- The Local State MP representative conveyed community concerns regarding unregistered trail bikes operating on public roads and riders not wearing helmets.
- Problem areas include Elizabeth Street (Telarah), Aberglasslyn Road (Rutherford), Herron Close Park (Ashtonfield), and Weblands Street Reserve.
- Council noted that footage from illegal dumping cameras capturing identifiable trail bikes is being forwarded to NSW Police.

ACTION/ OUTCOME

- Residents are encouraged to report incidents to NSW Police and provide any identifying images or footage.

6.6 VEGETATION MAINTENANCE – NEW ENGLAND HIGHWAY

QUERY/ DETAILS

- The Local State MP representative raised a resident's concern about vegetation encroaching onto the bitumen along the New England Highway.

ACTION/ OUTCOME

DRAFT

- Council confirmed mowing is scheduled for the upcoming weekend, with additional weed and vegetation maintenance planned for road edges and medians in the lead-up to Christmas.

6.7 DRIVER BEHAVIOUR – HUNTER VALLEY GRAMMAR SCHOOL

QUERY/ DETAILS

- A resident's concerns were raised by the Local State MP representative regarding illegal parking in public bus zones on Norfolk Street, Ashtonfield, and general driver behaviour around Hunter Valley Grammar School.
- The resident has engaged with the school principal and Council's Road Safety Officer regarding ongoing issues.

ACTION/ OUTCOME

- Council will continue monitoring the area and collaborate with the school and NSW Police to address and improve traffic-related concerns.

DRAFT

7 CLOSURE

The meeting was declared closed at 10.28am.

DRAFT

9 DECEMBER 2025

12.2 Local Transport Forum Meeting Minutes (November 2025)

FILE NO:	**140/5**
ATTACHMENTS:	**1. Draft November LTF Minutes (Under Separate Cover)**
RESPONSIBLE OFFICER:	**Director City Services** **Manager Asset Strategy and Engineering**
AUTHOR:	**Operations Manager Transport & Infrastructure Engineering** **Traffic Management Officer**
MAITLAND'S FUTURE	**1 Liveable Maitland**
COUNCIL OBJECTIVE:	**1.2.3 Safe and efficient road networks**

EXECUTIVE SUMMARY

The minutes of Maitland City Council's Local Transport Forum meeting held Thursday, 6 November 2025 are attached. At this meeting, the following items were considered:

- *Temporary road closure applications and associated traffic management plans for two (2) events; the first being New Years Eve 2025 celebrations in Maitland, and the second being the "Little Day Out" music event in Lee Street, Maitland; and*
- *A report recommending that Council request for the National Heavy Vehicle Regulator to rescind a B-double permit for Luskintyre Road due to road safety implications.*
- *A report documenting works completed for the keeping of records under delegation.*

OFFICER'S RECOMMENDATION

THAT

1. **The Local Transport Forum meeting minutes for the meeting held on 6 November 2025 be noted.**
2. **Council notes the traffic management plans and road closure information for the following events as recommended in the Local Transport Forum meeting minutes attached:**
    a. **Event – New Years Eve 2025 - Event Traffic & Transport Management.**
    b. **Event – Little Day Out - Event Traffic and Transport Management.**
3. **Council request that the National Heavy Vehicle Regulator (NHVR) rescind permit number 12341001V1 for B-double truck use on Luskintyre Road, Luskintyre based on road safety at the northern most intersection of Luskintyre Road and Pywells Road.**

PROCEEDINGS IN BRIEF

A motion was moved
(Cr W Penfold / Cr M Griffin)

THAT

1. The Local Transport Forum meeting minutes for the meeting held on 6 November 2025 be noted.
2. Council notes the traffic management plans and road closure information for the following events as recommended in the Local Transport Forum meeting minutes attached:
    a. Event – New Years Eve 2025 - Event Traffic & Transport Management.
    b. Event – Little Day Out - Event Traffic and Transport Management.
3. Item 5.2 of the LTF meeting held 6 November 2025 (Proposed removal of pre-existing NHVR permit on Luskintyre Road) be referred back to the LTF for further review and subsequent reporting back to Council in due course

A point of order was raised by Cr M Griffin on the last speaker Cr R Barstow as she imputed an improper motive by saying that it was half a story on the flying of flags motion, he asked that it be withdrawn and an apology.

Cr Race Barstow did not withdraw her statement or issue an apology.

Mayor P Penfold expressed his disappointment in Cr R Barstow's unwillingness to retract her statement and indicated he would review the new Code of Meeting Practice on such matters moving forward.

Finance

Draft Procurement Policy

Draft Procurement Policy 4.0 (Under Seperate Cover)

Meeting Date: 17 March 2026

Attachment No: 1

Number of Pages: 11

Procurement Policy

Date Adopted:

Version: 4.0

Policy Objectives

Council operates in accordance with the principles of sound financial management under the *Local Government Act 1993* (NSW), including responsible and sustainable spending and the consideration of social justice principles.

The objectives of this Policy are to:

- ensure procurement activities comply with relevant legislative and regulatory requirements;
- promote probity, transparency and accountability in all procurement decisions;
- achieve value for money for the Maitland community over the whole-of-life of goods, works and services;
- establish a consistent, controlled and risk-based approach to procurement across Council; and
- support positive social, environmental and economic outcomes in line with Council's Community Strategic Plan, Delivery Program and Operational Plan.

Council's procurement activities are supported by documented policies, procedures, systems and controls that together form Council's Procurement Framework.

Policy Scope

This Policy applies to all Councillors, employees, agents and delegated officers involved in procurement activities on behalf of Council.

This Policy applies to procurement across the full lifecycle of planning, sourcing and management, including purchasing, ordering, tendering, contracting and supplier management.

Transactional purchasing and payment activities are supported through Council's Procure-to-Pay systems and controls.

This Policy does not apply to:

a. Property - the acquisition, subdivision, purchase, lease, statutory authority changes, mortgages or grants of easement or covenants or disposal of land or property,

b. Human Resources – determination of benefits, wages and salaries of Council employees, or

c. Inhouse Goods and Services – goods or services provided in house and paid for by internal journal/budget.

Policy Statement

Throughout the procurement lifecycle, Council will:

- comply with the *Local Government Act 1993* (NSW), its subordinate Regulation and other applicable legislation, including tendering requirements under section 55 of the *Local Government Act 1993* (NSW);
- ensure procurement processes are open, fair, transparent, consistent and defensible, and conducted in accordance with Council's Code of Conduct and Statement of Business Ethics;
- apply a documented Procurement Framework that defines the end-to-end procurement lifecycle;
- encourage competitive procurement and consider social, environmental and economic benefits for the community throughout the Maitland Local Government Area;
- consider sustainability and circular economy outcomes, including whole-of-life costs and environmental impacts;
- identify, assess and manage procurement risks in accordance with Council's Enterprise Risk Management Framework;
- ensure appropriate segregation of duties and system-based controls across procurement and payment activities;
- require procurement decisions and approvals to be appropriately documented and retained; and
- monitor compliance with this Policy through management oversight, system controls, reporting and assurance activities.
- undertake appropriate due diligence and risk assessment of suppliers and third parties prior to engagement and throughout the contract lifecycle, including consideration of financial viability, capability, work health and safety, insurance, cyber security, information security and privacy risks.

1. Principles for Procurement

Principles for Procurement

Council's procurement activities are underpinned by the following principles, which apply to all procurement decisions and processes and are supported by Council's policies, procedures, and systems.

1.1 Ethics and Compliance

Procurement must be conducted ethically, with integrity and in compliance with legislation, including modern slavery obligations, Council's Codes of Conduct and Council's Statement of Business Ethics. Conflicts of interest must be declared and managed.

1.2 Accountability and Value for Money

Procurement decisions must be documented, approved within delegated authority and demonstrate value for money over the whole-of-life of goods, services and works.

1.3 Risk and Probity

Procurement risks must be identified and managed proportionate to value and complexity. Probity must be maintained throughout all procurement activities.

1.4 Sustainability and Circular Economy

Procurement should support environmental sustainability and circular economy principles.

1.5 Social and Local Outcomes

Council will consider opportunities to support local businesses, Aboriginal enterprises, social enterprises and inclusive employment outcomes through procurement.

2. Roles and Responsibilities

2.1 Elected Body

The Elected Body is responsible for:

- setting the procurement policy framework and delegations;
- approving procurement activities within Council's delegations; and
- providing oversight of procurement performance and governance.

2.2 General Manager

The General Manager is accountable for:

- leading staff in understanding and complying with this Policy, associated procedures, and system-based controls (Technology One).
- approving resources for the development, implementation, monitoring, and continuous improvement of procurement procedures and protocols.
- resolving tenders within delegated authority and ensuring high-value or high-risk procurement is escalated appropriately.
- receiving and reviewing monthly procurement compliance and exceptions reports, including Purchase Orders raised without approvals, overdue invoices, and instances of non-compliance.
- ensuring that breaches, conflicts of interest, or probity concerns are appropriately identified, investigated and escalated, and reported to the Elected Body, Legal Counsel and the Audit, Risk and Improvement Committee, as appropriate.

2.3 Directors, Executive Managers, and Managers

Directors, Executive Managers, and Managers are responsible for:

- ensuring the procurement activities undertaken within their area comply with this Policy and its associated procedures;
- approving procurement within their delegated authority;
- ensuring procurement documentation and records are maintained;
- appointing Contract Owners for contracts; and
- managing procurement risks and escalating issues as required.

2.4 Procurement Services Department

Procurement Services are responsible for providing governance and professional leadership and guidance for the implementation of Council's procurement framework.

This includes:

- ownership and governance of the Procurement Framework (policy, strategy, procedures, manuals, templates and tools);
- providing professional procurement advice across planning, sourcing and management stages;
- supporting risk management, probity and compliance requirements;
- acting as procurement advisor on tenders and complex procurements;
- supporting contract management and supplier performance issues, in collaboration with Legal Counsel or Contracts Manager where appropriate;
- analysing procurement expenditure, patterns and opportunities to improve value for money and aggregation;
- providing procurement training and capability development across Council;
- maintaining corporate procurement systems, workflows and controls;
- maintaining the corporate contract register and framework; and
- reporting on procurement performance, compliance and trends to management, ARIC and Council.

2.6 Business Units

Business Units are responsible for:

- undertaking procurement activities in accordance with the Procurement Framework;
- not splitting orders to circumvent regulatory thresholds;
- preparing business cases for approval prior to commencing procurement activities;
- preparing procurement documentation;
- engage internal subject matter experts (including Procurement Services, Legal Services, Risk, Insurance, IT, Cyber Security and Privacy) where relevant to the nature and risk of the procurement.

- raising requisitions and ensuring valid and authorised purchase orders are in place prior to invoice receipt because invoices will not be paid unless this is completed;
- appointing appropriately skilled Contract Owners;
- liaising with the Contracts Manager with respect to the management of contracts throughout its lifecycle, including working together to actively manage performance monitoring, variations and dispute resolution (with escalation as appropriate);
- monitoring contract expiry dates and prepare for renewal, if appropriate, by contacting Procurement Services;
- maintaining complete and accurate records;
- reporting suspected breaches of this policy and conflicts of interest; and
- maintaining procurement capability through training.

2.7 Legal Services Department

Legal Services are responsible for:

- providing legal advice on procurement, contracts and disputes;
- advising on high-risk or complex procurements and probity arrangements;
- reviewing and drafting contracts and contract terms;
- supporting and advising on contract negotiations;
- advising on dispute resolution; and
- where necessary or appropriate, sourcing external legal advice with respect to the above.

2.8 Council Staff, Agents and Delegated Officers

All staff, agents and delegated officers must:

- comply with this Policy and procurement procedures;
- act within delegated authority;
- maintain complete and accurate records;
- report suspected breaches of this policy or conflicts of interest; and
- not split orders to circumvent regulatory procurement thresholds.

2.9 Suppliers

Suppliers retained by Council are expected to:

- conduct business ethically, in line with Council's Statement of Business Ethics and modern slavery legislation;
- comply with Work Health & Safety requirements;

- not lobby or seek favour with staff or Councillors related to procurement activities.
- report any suspected improper conduct or breaches of this procurement policy.
- support Council's sustainability, supplier and community outcomes.

2.10 Audit, Risk and Improvement Committee (ARIC)

The ARIC provides independent oversight of procurement governance, controls and risk management, and monitors management responses to audit findings.

3. Monitoring, Assurance and Oversight

Council is committed to ensuring procurement activities comply with this Policy, supporting procedures and legislative requirements.

Council's corporate financial systems provide controls over approvals, purchasing, receipting and payment, including segregation of duties and audit trails.

Procurement activities will be monitored through:

- System controls and exception reporting
- Management review
- Internal and external audit
- Reporting to the Executive Leadership Team and Audit, Risk and Improvement Committee, as appropriate

4.Procurement Exemptions

In exceptional circumstances, Council may approve an exemption from prescribed procurement methods or thresholds.

Exemptions may be granted where competitive procurement is not feasible or in the public interest, such as emergencies, sole supplier situations, compatibility requirements, statutory arrangements, or other exceptional circumstances.

All exemptions must be documented, approved in accordance with Council's Delegations, and recorded in Council's procurement systems.

Exemptions will be monitored and reported as part of Council's procurement compliance and assurance framework.

5. Training, Guidance and Capability

Council will ensure employees and Delegated Officers involved in procurement receive appropriate training and guidance relevant to their role.

Training and guidance requirements are detailed in Council's Procurement Framework and Procedures.

Suppliers are expected to comply with Council's procurement requirements and Statement of Business Ethics.

Evidence of compliance, including training completion and system usage, will be retained to support assurance and audit activities.

6. Breaches

Non-compliance with this Policy will be managed in accordance with the relevant Code of Conduct, relevant industrial instrument or employment contract, and relevant laws. Sanctions for breaches will depend on the severity, scale and importance of the breach and may include corrective or disciplinary action up to and including dismissal.

Policy Definitions

TERMS	DEFINITION
Circular Economy	means an economic system aimed at minimising waste and promoting the continual reuse of resources. The circular economy aims to keep products, equipment and infrastructure in use for longer, thus improving the productivity of these resources.
Conflict of Interest	means a situation where a Council Official's private interests, relationships or affiliations conflict with, or could be perceived to conflict with, their duty to act in the best interests of the community.
Contract	means an agreement, whether in writing or oral, between the Council (as the purchaser) and a supplier.
Contracts Manager	Means the Council officer accountable for assisting the Contract Owner to manage the contract, including variations, disputes, tracking deliverables, and tracking renewals.
Contract Owner	means the Council staff accountable for the delivery, performance, risk management, compliance and value-for-money outcomes of a contract over its full term.
Council Official	means the General Manager, Mayor, Councillors, employees and delegates.
Delegated Authority	means the authority formally delegated by Council or the General Manager pursuant to the *Local Government Act 1993* to approve procurement activities and expenditure within prescribed financial limits.

Delegate / Delegated Officer	means a Council staff or other person who has been given written delegated authority by Council or the General Manager, in accordance with Council's adopted Delegations, to make procurement, purchasing or contractual decisions within specified financial and functional limits.
Enterprise Resource Planning (ERP) System	Council's approved corporate system (Technology One CiA) used to manage procurement, purchasing, receipting, invoicing and payment processes.
Exemption (or Variation)	means an approved departure from prescribed procurement processes or thresholds, granted in exceptional circumstances in accordance with Council's Procurement Procedures and delegations.
Modern Slavery	means the use of coercion, threats, violence or deception to exploit or deprive a person of their freedom. Examples include human trafficking; slavery; forced labour; deceptive recruiting; debt bondage; forced marriage; deceptive recruiting; child labour and sexual exploitation.
Purchase Order	means a system-generated authorisation within Council's Procure-to-Pay system approving the commitment of expenditure for specified goods, services or works
Procurement	means the acquisition of works, goods and services and includes the evaluation of suppliers, preparation of purchase orders, receipt of goods / services, approval of payment
Procure-to-Pay	The end-to-end process covering the planning, approval, sourcing, purchasing, receipting, invoicing and payment of goods, services and works.
Procurement Thresholds	Prescribed financial limits that determine the required procurement method, approval pathway and level of competition, as set out in Council's Procurement Procedures and Delegations.
Probity	The evidence of ethical behaviour in procurement, demonstrated through fairness, impartiality, transparency, accountability and defensible decision-making.
Project Manager	The Council staff responsible for planning and delivering a project, including defining procurement requirements and overseeing contract delivery, where applicable.
Risk-Based Approach	The application of procurement controls and oversight proportionate to the value, complexity and risk of the procurement activity.

Statement of Business Ethics	means Council's Statement of Business Ethics available on its website, which is a document that provides guidance as to the values, ethical standards and expectations that apply when working with Council
Supplier	means any person or organisation that provides goods, services or works to Council, including contractors, consultants, panel members and subcontractors.
Value for Money	means the optimum combination of whole-of-life costs and benefits, including price, quality, risk, sustainability, performance and fitness for purpose, in meeting the public interest and Council's requirements.

Policy Administration

Business Group:	Finance
Responsible officer:	Corporate Procurement Coordinator
Council reference:	
Policy review date:	This policy will be reviewed every three (3) years, or earlier if: Legislative changes occur; • Council's Financial Hardship & Fee Waiver Policy or Debt Recovery Policy is amended; or • Council directs an earlier review.
File number:	35/1
Relevant legislation	This Policy is informed by and must be applied in accordance with the following legislation (as amended): • Local Government Act 1993 (NSW) • Local Government (General) Regulation 2021 (NSW) • Government Sector Finance Act 2018 (NSW) • Audit Office of NSW requirements

	• Independent Commission Against Corruption Act 1988 (NSW) • Public Interest Disclosures Act 2022 (NSW) • Code of Conduct for Local Councils in NSW • Competition and Consumer Act 2010 (Cth) • Privacy and Personal Information Protection Act 1998 (NSW) • Health Records and Information Privacy Act 2002 (NSW) • Work Health and Safety Act 2011 (NSW) • Modern Slavery Act 2018 (Cth) • Industrial Relations Act 1996 (NSW) • State Records Act 1998 (NSW)
Related documents	This Policy is to be read in conjunction with the following Council policies, plans and frameworks (as amended from time to time): • Code of Conduct • Delegation framework • Risk Management Framework • Records Management Policy • Privacy Management Policy • Fraud and Corruption Policy • Work Health and Safety Framework • Purchase Cards Policy • Data Governance Policy • Contract Management Framework (draft) • Procure to pay Framework (draft) • Procurement Procedure (draft) • Public Interest Disclosure Policy

Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	14 June 2005	New policy adopted
2.0	25 November 2014	Periodic review
3.0	6 December 2022	Major revision – including updated policy objective, addition of new principles of environmental sustainability and circular economy, local preference and social inclusion and additional responsibilities.
3.1	-	Updated to new branding and alignment to organisation structure. No change to content.
4.0	February 2026	Major revision to strengthen end-to-end procurement governance, clarify roles and responsibilities, and align with audit recommendations, contemporary best-practice and Council's Procure-to-Pay framework, systems and legislative obligations.

Finance

Draft Procurement Policy

Adopted Procurement Policy 2022 (Under Seperate Cover)

Meeting Date: 17 March 2026

Attachment No: 2

Number of Pages: 10

Procurement Policy

Date Adopted: 6 December 2022

Version: 3.1

Policy Objectives

Council operates in alignment with the principles of sound financial management, as established in the Local Government Act 1993. These principles include responsible and sustainable spending and consideration of social justice principles.

The objective of this policy is to establish guidelines to ensure Council's procurement practices comply with relevant legislation, are conducted with probity and transparency and ensure optimal value to the Maitland community in the procurement of goods, works and services

This policy will enable positive social, environmental and economic impacts through Council procurement, in accordance with priorities established in its Delivery Program and annual Operational Plan activities,

Policy Scope

This policy applies to anyone who undertakes or is involved in procurement activities including Councillors, staff and delegates.

The policy applies to all procurement processes and activities undertaken by Council, including purchasing, ordering, quotations, tendering, contracting and disposals. This policy does not apply to the purchase, lease or disposal of land or real property.

Policy Statement

Throughout the procurement process, Council will:

- Comply with the requirements of the Local Government Act (NSW) 1993 and Regulations
- Ensure the process is open, fair, transparent and consistent and in accordance with Council's Code of Conduct and all other relevant policies and procedures
- Encourage competitive procurement of goods, works and services, giving preference to procurement that maximises social, environmental and economic benefits to the Maitland community
- Consider sustainability outcomes across the entire lifecycle of the goods or services procured taking into account whole-of-life costs such as future operational costs, water and energy consumption, after sales service, warranty, safety, repair costs, spare parts, future re-sale and disposal
- Consider circular economy principles to minimise environmental impact, increase demand for recycled products and keep products and material in use longer

- Identify and manage risks, acknowledging procurement has inherent risks that need to be managed through comprehensive oversight and process
- Promote a culture of learning and continuous improvement in Council's procurement practices
- Ensure segregation of duties in the requisitioning, approval and payment functions.

1. Principles for Procurement

1.1. Ethical Practice

Council officials are at all times required to conduct business that is ethical and of the highest integrity. This includes the following standards:

Legislative compliance	All procurement and tendering activities must comply with legal obligations including the requirements of *the NSW Local Government Act 1993* and *Local Government (General) Regulation 2021*, as well as the *Competition and Consumer Act 2010 and Modern Slavery Act 2018.*
Honesty and fairness	Council officials must conduct all procurement and tendering with honesty, fairness and probity and must not disclose any confidential information.
Accountability and transparency	All procurement and tendering activities are undertaken through a process that is open, clear, documented and defensible
Consistency	Consistency is maintained throughout all stages of procurement and tendering processes
Declaration of conflicts of interest	Any conflicts of interest (actual or potential) during the procurement process must be declared and managed. For information regarding conflicts of interest, refer to Maitland City Council Code of Conduct.
No anti-competitive practices	Council officials must not engage in practices that are anti-competitive or engage in any form of collusive practice.
No improper advantage	Council officials must not engage in practices that aim to give any supplier an advantage over other suppliers.
Intention to proceed	The procurement process must be undertaken with an intention to proceed with the purchase, including having funding available for the purchase.
Cooperation	Council officials must encourage business relationships based on open and effective communication, respect and trust.
Probity	All procurement and tendering activities will encourage competition and be open, fair, consistent and transparent, in compliance with all applicable legislation and Council's Code of Conduct, and in accordance with ICAC Guidelines.
Modern Slavery	Council will take reasonable steps to ensure the goods and services procured are not the product of modern slavery, being any conduct occurring in the supply chain that involves the use

	of any form of slavery, servitude or forced labour to exploit a person.
Work Health and Safety	All procurement and tendering activities will ensure the protection of staff and other persons against harm to their health, safety and welfare through the elimination or minimisation of risks
Circular economy	All procurement and tendering activities will consider circular economy principles including use of recycled content, designing out waste and pollution and keeping products and material in use for longer

1.2. Responsible financial management

The principle of responsible financial management is to be applied to all procurement activities.

Council funds are to be used efficiently and effectively to procure goods, services and works and every attempt must be made to contain the cost of the procurement process without compromising any of the procurement principles set out in this policy.

1.3. Value for money

Procurement activities are to be carried out on the basis of obtaining value for money. This does not automatically mean the lowest price, but rather minimising the total cost of ownership over the lifetime of the good or service consistent with acceptable quality, reliability, safety and delivery considerations.

Value for money factors include experience, reliability and reputation of supplier, after sales service, and both upfront and ongoing costs.

Contracts will be sized and packaged with a view to maximising the economies available through the quotation/tender process and ensuring that the process provides real competition.

1.4. Environmental sustainability and circular economy

Procurement decisions will incorporate consideration of environmental sustainability impacts such as:

- Eliminating inefficiency and unnecessary resource consumption
- Minimising waste and maximise recycling and reuse
- Minimising pollution
- Avoiding toxic chemicals
- Saving water and energy
- Reducing greenhouse gases
- Further stimulate the demand for sustainable products.

Procurement decisions will also incorporate consideration of circular economy principles, such as use of recycled content, designing out waste and pollution and keeping products and material in use for longer.

1.5. Social inclusion

Council is committed to generating positive social benefits through its procurement practices. Procurement decisions should consider preferencing, where appropriate and permissible under legislation as follows:

- Suppliers established as disability employment organisations
- Suppliers that are creating opportunities for inclusion of people who have been excluded from work
- Suppliers that can demonstrate workforce diversity and inclusion
- Suppliers that are Aboriginal-owned businesses, as recognised by a suitable organisation such as Supply Nation of NSW Indigenous Chamber of Commerce.

1.6. Local preference

Council is committed to fostering increased local economic capacity through its procurement processes, ensuring local small to medium size enterprises are provided with opportunities within Council's procurement processes.

Procurement decisions should seek to include, where appropriate and permissible under legislation:

- Suppliers located within the Maitland LGA and broader Hunter Region
- Australian-made goods

Council's preference is to source low cost goods or services locally, and will seek to request at least one quotation from a business located in the Maitland LGA when purchasing low cost goods and services.

Council will give preference to local suppliers if assessment against selection criteria is equal/within tolerances, and in formal tenders and quotations ensure criteria is included for local economic benefit.

2. Key Responsibilities

2.1 Elected body

- Ensure understanding of, and compliance with, this policy and associated procedures.
- Resolve tenders called by Council with a value of more than $250,000, unless otherwise delegated to the General Manager

2.2 General Manager

- Lead staff in their understanding of, and compliance with, this policy and associated procedures.
- Approve resources to develop, implement and review this policy and supporting protocols and procedures
- Resolve tenders in accordance with level of delegated authority

2.3 Group Managers, Executive Managers and Managers

- Set an example for staff by complying with this policy and associated procedures in relation to all procurement activities.
- Communicate and enforce the principles of the policy and associated procedures to staff.

2.4 Finance and Procurement Department

- Lead the management and implementation of this policy and associated protocols and procedures
- Maintain systems and processes for purchasing, tendering and contracts
- Maintain oversight of strategic procurement of goods
- Procure goods as required for effective operations of Depot Store
- Provide probity advice.

2.5 Legal Counsel

- Provide specialist advice in regard to tender processes where required
- Undertake contract reviews and develop contract clauses where required
- Support staff in negotiating contract terms
- Provide advice to staff involved in contract disputes, including engagement of external advice where required

2.6 Council staff

- Ensure any procurement activities for which the staff member is responsible are undertaken in accordance with this policy and associated procedures.
- Undertake purchasing and y participate in tendering processes in accordance with their level of delegated authority
- Ensure they do not undertake order or job splitting to avoid compliance requirements.
- Maintain all required records in Council's corporate records system
- Report any suspected breaches of the policy.

2.7 Suppliers

- Conduct business with Council in an ethical manner, as expressed in our Statement of Business Ethics
- Comply with all work health and safety requirements
- Comply with provisions pertaining to modern slavery
- Must not lobby Councillors or staff or seek favour or advantage pertaining to procurement activities.
- Report any suspected inappropriate conduct of Council officials engaged in procurement processes.

3. Procurement Requirements

All Council staff are responsible for initiating the appropriate procurement process based on the approximate value of the contract or goods, works or services required. (See Table 1 below).

The General Manager has discretion to vary the process in writing as required (up to $249,999).

Suppliers contracted under Council panels, joint regional arrangements and prescribed organisations should be considered prior to undertaking procurement processes.

Table 1- Procurement Requirements

PURCHASE VALUE (INC. GST)	PROCESS	QUOTATION TYPE
$0 - $5,000	Purchase Order /Purchasing Card	Not Applicable
$5,001 - $24,999	1 Formal quote	Written quotation
$25,000 - $99,999	2 x Formal Quotes	Written quotation
$100,000 - $249,999	3 x Formal Quotes with specification (Selected / Open)	Selected- written quotation Open- written quotation, as specified in the 'request for quotation' documentation. Formal tender for works/services provided by Council staff
$250,000 and above	Prescribed agency purchase or tender in accordance *Local Government Act (NSW) 1993* and regulations	Formal Tender Process or approved exemption

3.1 Quotations

The assessment of quotations will be objective, consistent, documented, transparent and undertaken in accordance with Council's Procurement Procedures.

Council will only accept one quotation from each supplier; suppliers will not be given an opportunity to re-quote for the supply of goods and services unless the scope of work changes.

3.2 Tendering

All Tenders will be conducted in accordance with Section 55 of the Local Government Act (NSW) 1993 and the NSW Office of Local Government Tendering Guidelines.

Whilst a formal tendering process is not required for purchases under $250,000, a formal tendering process can be utilised for any purchase under the threshold. This is advisable in the following situations:

- The purchasing amount is close to $250,000
- The goods or services are of significant public interest.
- The purchase may be considered to be controversial or contentious
- The procurement process is complex
- The expected price of procurement is unknown.

3.3 Prescribed Agencies

Section 55 of the Local Government Act (NSW) 1993 provides Council with an exemption from tendering requirements where such items are available under contract by prescribed authorities. Prescribed agencies include Local Government Procurement, Regional Procurement and Procurement Australia Pty Ltd.

Prescribed agencies seek to undertake group tenders on behalf of NSW Councils to obtain competitive contracts from time to time. Council may utilize these supply arrangements where appropriate

3.4 Exemption to assist Council in natural disaster response

Section 170A of the Local Government (General) Regulation 2021, provides Council with an exemption from tendering requirements for a contract of up to $500,000, if the contract is primarily for the purpose of response to or recovery from a declared natural disaster, and is entered into within 12 months after the date on which the natural disaster is declared.

4. Purchasing Methods

4.1 Petty cash/reimbursement of incidental expenses

Petty cash will be used to meet the need for the procurement of small incidental goods and urgent situations and is limited to $100 per transaction. Employees can also make claim for such expenses after they have been incurred, and will be reimbursed by electronic funds transfer.

4.2 Credit Cards

The use of corporate credit cards must be in accordance with the Council's Credit Card Protocol, and limited to situations where use of a Purchase Order is not possible due to the nature of the supplier or expense.

4.3 Fuel Cards

Council fuel cards will only be used for the purchase of fuel for Council vehicles.

4.4 Purchase Orders

All purchases (other than exemptions below) require a purchase order to be generated in Council's corporate system prior to the order being made. This will allow Council to adequately reconcile goods ordered with goods received; monitor ordering approvals as well as monitoring Council cash flow.

Exemptions from purchase orders apply only to the following – statutory payments; payments for utilities; employee reimbursements; loans and investments; payments made under grant or other donation policies of Council; works undertaken or services performed under awarded contract.

4.5 Plant and Equipment

The procurement of plant and equipment is based on a fifteen (15) year plant replacement program which is approved by Council and is to be undertaken in accordance with this Policy and in accordance with Council's Plant and Equipment Replacement Policy.

4.6 Passenger Vehicles

The procurement of passenger vehicles will be undertaken in accordance with this Procurement Policy.

5. Probity

Under the Code of Conduct, all Council Officials have an obligation to disclose potential or actual conflict of interests. Any declared potential or actual conflict of interest in a Contract, must be declared and managed in accordance with the code.

Individuals and advisors may be removed from involvement in the process where the conflict cannot be otherwise managed.

Policy Definitions

Appropriate Person:	In relation to a tender submitted to a Council, means a person designated by the General Manager to receive or deal with tenders submitted to the Council and, if a person is not designated, means the General Manager.
Business ethics .	All procurement is underpinned by Council's statement of business ethics, provides guidance to Council officials and staff as to the values, ethical standards and expectations when working with Council
Circular Economy	A circular economy is an economic system aimed at minimising waste and promoting the continual reuse of resources. The circular economy aims to keep products, equipment and infrastructure in use for longer, thus improving the productivity of these resources.
Contract:	The written agreement between the Council (as the purchaser) and the Service Provider.
Council Officials:	General Manager, Mayor, Councillors, employees, delegates and volunteers.
Modern Slavery	The use of coercion, threats, violence or deception to exploit or deprive a person of their freedom.. Examples include human trafficking; slavery; forced labour; deceptive recruiting; debt bondage; forced marriage; and sexual exploitation.
Procurement:	The acquisition of works, goods and services. Includes the evaluation of suppliers, preparation of purchase orders, receipt of goods / services, approval of payment.
Project Manager:	The requestor of the goods, works or services.

Purchase Order:	The authority to the supplier to supply and invoice items called for at the prices shown under Council's purchase conditions imposed. The purchase order is a legal and binding contractual agreement.
Quotation:	Any offer including verbal pricing, bids and consultant proposals for projects under $250,000 and containing any requested information and accompanying documentation.
Tender:	Any offer for projects valued $250,000 and over invited and administered in accordance with the Local Government Act and Regulation for tendering and containing any requested information and accompanying documentation.
Tender Panel:	A panel comprising the Project Officer and a minimum of two (2) other appropriate persons for the purpose of assessing and recommending tenders valued at $250,000 and over.

Policy Administration

Business Group:	Finance
Responsible officer:	Kim Swan
Council reference:	Ordinary Council Meeting 6 December 2022 Item 14.1
Policy review date:	Three (3) years from date of adoption
File number:	35/1
Relevant legislation	• Local Government Act (NSW) 1993 • Local Government (General) Regulation (NSW) 2021 • Government Information (Public Access) Act (NSW) 2009 • Competition & Consumer Act 2010 • Modern Slavery Act (Cth) 2018
Related documents	• Code of Conduct • Credit Card Protocol • Fraud Control Policy • Plant and Equipment – Replacement Policy • Public Interest Disclosures Internal Reporting Policy • Right to Information Policy

Policy History

VERSION	DATE APPROVED	DESCRIPTION OF CHANGES
1.0	14 June 2005	New policy adopted
2.0	25 November 2014	Periodic review
3.0	6 December 2022	Major revision – including updated policy objective, addition of new principles of environmental sustainability and circular economy, local preference and social inclusion and additional responsibilities.
3.1	-	Updated to new branding and alignment to organisation structure. No change to content.