

# **Appendix D** – Assessment against the requirements of Newcastle DCP

**Table D-1 Newcastle DCP requirements**

DCP Chapter	Controls	Response
<p><b>3.11 Community Facilities</b></p>	<p>3.11.01 Building design</p> <p>1. When designing and siting community facilities consideration is given to, but not limited to:</p> <ul style="list-style-type: none"> <li>(a) location and use of surrounding buildings</li> <li>(b) views to and from the site</li> <li>(c) access to the site</li> <li>(d) existing vegetation and topography of the site.</li> </ul>	<p>The design development to date has considered all of these requirements. This will continue during detailed design.</p>
<p><b>4.01 Flood Management</b></p>	<p>4.01.01 Floodways</p> <p>1. No building or structure erected and no land filled by way of the deposition of any material within any area identified as a floodway except for minor alterations to ground levels which do not significantly alter the fundamental flow patterns for:</p> <ul style="list-style-type: none"> <li>(a) roads</li> <li>(b) parking</li> <li>(c) below ground structures</li> <li>(d) landscaping.</li> </ul> <p>2. Where dividing fences across floodways are unavoidable, they are constructed only of open type fencing that does not restrict the flow of flood waters and are resistant to blockage. New development shall be designed to avoid fences in floodways.</p> <p>4.01.02 Flood storage areas</p> <p>1. Not more than 20% of the area of any development site in a flood storage area is filled. The remaining 80% is generally developed allowing for underfloor storage of floodwater by the use of suspended floor techniques such as pier and beam construction.</p> <p>2. Where it is proposed to fill development sites, the fill does not impede the flow of ordinary drainage from neighbouring properties, including overland flow.</p> <p>4.01.03 Management of risk to property</p> <p>1. Floor levels of all occupiable rooms of all buildings are not set lower than the FPL.</p> <p>2. Garage floor levels are no lower than the 1% Annual Exceedance Probability Event. However, it is recognised that in some circumstances this may be impractical due to vehicular access constraints. In these cases, garage floor levels are as high as practicable.</p>	<p>The design to date has considered the need for the proposal to avoid impacts to flooding and impacts from flooding.</p> <p>Hydrological assessment has concluded that there would be no significant impact to flooding.</p> <p>The detailed design will consider the need for the proposal to withstand flood.</p> <p>Patron and constructor safety during flooding will be managed via an evacuation protocol.</p>

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	<p>3. Basement garages may be acceptable where all potential water entry points are at or above the probable maximum flood (PMF), excepting that vehicular entry points can be at the FPL. In these cases, explicit points of refuge are accessible from the car park in accordance with the provisions for risk to life set out below.</p> <p>4. Electrical fixtures such as power points, light fittings and switches are sited above the FPL unless they are on a separate circuit (with earth leakage protection) to the rest of the building.</p> <p>5. Where parts of the building are proposed below the flood planning level, they are constructed of water-resistant materials.</p> <p>6. Areas where cars, vans and trailers are parked, displayed or stored are not located in areas subject to property hazard of P2 or higher. Containers, bins, hoppers and other large floatable objects also are not stored in these areas. Heavy vehicle parking areas are not located in areas subject to property hazard P3 or higher.</p> <p>7. Timber framed, light steel construction, cavity brickwork and other conventional domestic building materials are generally not suitable forms of construction where the property hazard is P4 or higher. Where property hazard is P4, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p> <p>8. Property hazards of P5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p> <p>4.01.04 Management of potential risk to life</p> <p>1. Risk to life hazards of L5 are generally unsuitable for any type of building construction and building is discouraged from these areas. Reliable safe escape to high ground is likely not possible and normal building construction would likely suffer structural failure from the force of floodwaters, so that any people seeking refuge in the building would likely perish. Where building is necessary, the structure is certified by a practising structural engineer to withstand the hydraulic loads (including debris) induced by the flood waters.</p> <p>2. The formation of islands in the floodplain during a flood is a potentially dangerous situation, especially when floods larger than the FPL totally inundate the island for an extended period. Development of such land is considered with great care.</p>	

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	<p>3. On-site refuge is to be provided for all development where the life hazard category is L4 unless the proposed development is less than 40 m from the perimeter of the PMF extent and the higher ground is accessible.</p> <p>4. Where on-site refuge is required for a development, it should comply with the following minimum standards:</p> <p>(a) The minimum on-site refuge level is the level of the PMF. On-site refuges are designed to cater for the number of people reasonably expected on the development site and are provided with emergency lighting.</p> <p>(b) On-site refuges are of a construction type able to withstand the effects of flooding. Design certification by a practising structural engineer that the building is able to withstand the hydraulic loading due to flooding (at the PMF).</p>	
<p><b>4.02 Bushfire Protection</b></p>	<p>1. Development complies with the NSW Rural Fire Service Planning for Bush Fire Protection, 2006, Guidelines.</p> <p>6. Any Integrated Development Application is accompanied by a Bush Fire Risk Assessment report prepared by a suitably qualified and experienced bush fire consultant.</p> <p>7. The Bushfire Risk Assessment report outlines the proposed development's consistency with the NSW Rural Fire Service's <i>Planning for Bushfire Protection 2006 Guidelines, Australian Standard AS3959 – 2009 Construction of Buildings in Bushfire Prone Areas</i>, and any other documents that have been adopted by NSW Rural Fire Service.</p> <p>8. All Integrated Development Applications on bushfire prone land will be referred to the Rural Fire Service Headquarters for appropriate review and determination as to whether a Bushfire Safety Authority will be authorised.</p>	<p>The proposal does not incorporate rural or residential development or a special fire protection purpose, therefore a bush fire safety authority is not required.</p>
<p><b>4.04 Safety and Security</b></p>	<p>4.04.01 Crime prevention and public safety</p> <p>1. Good surveillance is achieved by:</p> <p>(a) clear sightlines between private and public places</p> <p>(b) effective lighting of public places</p> <p>(c) landscaping that makes places attractive, but not a place to hide.</p> <p>2. Good access control for the movement of people is achieved by:</p> <p>(a) landscapes and physical locations that channel and group pedestrians into target areas.</p>	<p>The proposal design includes relevant provisions to ensure crime prevention and public safety such as lighting, signage, emergency access, sufficient parking and access, fencing etc. These will be further developed during the detailed design.</p>

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	<p>(b) public spaces that attract rather than discourage people from gathering.</p> <p>(c) restricted areas to internal or high risk areas (e.g. car parks).</p> <p>3. Community ownership (territorial reinforcement) makes people feel comfortable in a place and is achieved by:</p> <p>(a) a design that encourages people to gather in public spaces.</p> <p>(b) having a clear transition between boundaries of public and private spaces.</p> <p>(c) having clear design cues as to who is to use the spaces and what it is to be used for.</p> <p>4. Space management strategies such as activity coordination; site cleanliness and graffiti repair are proposed for the development proposal.</p> <p>14. Parking areas are well-lit and allow for casual surveillance from the development.</p> <p>15. Parking areas are designed to achieve a low speed environment, particularly near areas of high pedestrian activity.</p> <p>16. A clearly defined pedestrian network is provided. These routes minimise the number of points that cross vehicle paths and are appropriately marked to heighten driver awareness (e.g. by signage, pavement markings and lighting).</p> <p>17. In large open car parks (greater than 200 spaces), a pedestrian path between parking spaces on each second aisle is provided.</p> <p>18. In multi-level car parks, each parking level is clearly identified by distinctive signage and/or colours.</p> <p>19. Security is provided between resident parking and any publicly accessible parking areas. This may be required as a condition of consent.</p>	
<b>4.05 Social Impact</b>	<p>4.05.01 Social impact</p> <p>1. Development applications comply with the requirements of the 'Social Impact Assessment Policy for Development Applications, 1999', The City of Newcastle.</p>	See Section 7.2
<b>5.01 Soil Management</b>	<p>5.01.01 Erosion prevention</p> <p>1. Vehicle admittance onto the site is restricted during wet or muddy conditions, unless on a formed access road.</p> <p>7. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').</p>	See Section 6.4

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	<p>5.01.02 Sediment control</p> <p>6. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').</p> <p>5.01.03 Cut and fill</p> <p>1. A site plan prepared by a registered surveyor is submitted demonstrating the existing levels of the property and proposed levels of the landfill.</p> <p>2. Development minimises the amount of cut and fill required by:</p> <p>(a) maximum cut of 3 m within the building envelope</p> <p>(b) maximum fill within building envelope of 1 m</p> <p>(c) maximum cut external to building envelope of 1 m</p> <p>(d) maximum fill external of building envelope of 1 m</p> <p>(e) variation to (a), (b), (c) or (d) above will require justification, design and certification by a Structural Engineer</p> <p>3. No cut or fill is to take place within easements.</p> <p>4. If landfill is to be used it is preferred that it is virgin excavated natural material (VENM). If landfill contains material other than VENM, a licence may be required from the Office of Environment and Heritage.</p> <p>5. Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties so as to cause a nuisance.</p> <p>6. Buildings are designed to relate to the existing topography with minimal excavation or fill and with the height of foundations kept to a minimum.</p>	
<b>5.02 Land Contamination</b>	<p>5.02.01 Planning making and development assessment</p> <p>5.02.01A Initial evaluation</p> <p>1. Where the proposal involves a change of use of land, or the carrying out of earthworks, Council is to undertake an initial evaluation generally in accordance with the relevant Contaminated Land Planning Guidelines.</p> <p>2. The initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or determination of the matter and whether a site investigation process is required to be carried out.</p>	See Section 6.4

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	<p>3. The evaluation is to be based upon records held by Council that are readily accessible, and may also be based upon factual information gained from a site inspection.</p> <p>There is no requirement to research or consider records held by other agencies. Matters to be considered are described in the Technical Manual for this section (Newcastle Contaminated Land Management Technical Manual).</p> <p>5.02.01B Determining if a site investigation is required</p> <p>1. If after initial evaluation there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may proceed without further reference to this Section 5.02 Land Contamination.</p> <p>2. If there are indications that:</p> <p>(a) the land is or may be contaminated land, or</p> <p>(b) there is insufficient information on which to make a decision, a site investigation process is to be carried out in accordance with the <i>Contaminated Land Planning Guidelines</i>.</p> <p>3. The circumstances in which a site investigation process is required also include those specified in clauses 6 and 7 of State Environmental Planning Policy No 55 - Remediation of Land. In accordance with these clauses, Council will require a preliminary investigation to be submitted with zoning and rezoning applications or a subdivision or development application where the land concerned is:</p> <p>(a) land that is within an investigation area</p> <p>(b) land on which potentially contaminating land use is being, or is known to have been carried out</p> <p>(c) land on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for a hospital:</p> <p>(i) where there is no knowledge (or incomplete knowledge) as to whether potentially contaminating development has been carried out on the land, and</p> <p>(ii) where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge (or incomplete knowledge).</p> <p>5.02.01C Site investigation process</p>	

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	<p>1. The appropriate level of investigation will depend on the specific circumstances and may involve one or more of the following stages as described in <i>Guidelines for Consultants Reporting on Contaminated Sites</i> (NSW EPA) and section 3.4 of the <i>Contaminated Land Planning Guidelines</i>.</p> <ul style="list-style-type: none"> <li>▪ Stage 1 - Preliminary investigation</li> <li>▪ Stage 2 - Detailed investigation</li> <li>▪ Stage 3 - Remedial action plan</li> <li>▪ Stage 4 - Validation and site monitoring.</li> </ul> <p>The proponent is responsible for undertaking and paying for the site investigation process.</p> <p>2. Reports submitted to Council must include an electronic copy consisting of a single PDF document or similar. Reports consisting of multiple files will not be accepted. Reports and associated drawings and tables must be legible when printed in black and white.</p> <p>5.02.01E Determination of development applications</p> <p>1. Following consideration of the findings of the site investigation process, Council may grant consent or otherwise authorise the matter only if it is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) the land is suitable (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and</li> <li>(b) the land will be remediated before it is subdivided or used for the proposed purpose where remediation is necessary to make the land suitable for that purpose.</li> </ul> <p>2. In determining development applications, Council is to consider:</p> <ul style="list-style-type: none"> <li>(a) the need to impose conditions relating to the remediation issues outlined in Section 5.02.03,</li> <li>(b) whether it would be appropriate to issue a deferred commencement consent or a staged consent, and</li> <li>(c) the management of below surface contamination to ensure that the community is not unduly disadvantaged by accepting the dedication of public assets that have increased human health or environmental risks or have potentially higher asset management costs due to contamination.</li> </ul> <p>5.02.01F Site audit statements</p>	

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	<p>1. Before satisfying itself that it can proceed, Council is to consider the contents of a site audit statement if any of the following circumstances prevail:</p> <p>(a) Council believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete,</p> <p>(b) Council wishes to verify that the information provided by the proponent adheres to appropriate standards, procedures and guidelines, or</p> <p>(c) Council does not have the internal resources or expertise to conduct its own technical review.</p> <p>5.02.02 Dedication of assets to Council</p> <p>1. Preliminary investigation - Where an asset is intended to be dedicated to Council, a preliminary contamination investigation of the land by a suitably qualified environmental consultant is required to be submitted to Council.</p> <p>2. Site investigation process - If there is nothing to suggest that the asset to be dedicated may be contaminated, or that further enquiry is warranted, further reference to this section may not be required. However, if there are indications that:</p> <ul style="list-style-type: none"> <li>▪ the land is or may be contaminated, or</li> <li>▪ there is insufficient information on which to make a decision,</li> </ul> <p>a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines (see Section 5.02.01). See the Technical Manual (Newcastle Contaminated Land Management Technical Manual) for Council's specific investigation requirements for roads, footpaths, open space areas and other assets intended to be dedicated.</p> <p>3. Remediation - If a detailed investigation indicates that contamination in soil or groundwater exceeds the appropriate guidelines then remediation is required prior to Council accepting the asset.</p> <p>Remediation in general must comply with Section 5.02.03. However, Council may impose site specific remediation requirements to ensure that there are no unacceptable ongoing contamination management requirements.</p> <p>Roads shall be remediated to the depth of the lowest service at a minimum.</p>	

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	<p>Open space areas and footpaths are to be remediated in such a way so that future maintenance activities such as the accessing of services, tree planting and landscaping are not impacted by contamination.</p> <p>If remediation of the site cannot be achieved to Council's satisfaction, Council may not accept the dedication of the asset and other alternatives such as placing the asset under community title in accordance with the Local Government Act 1993 and the Community Land Management Act 1989 may be required.</p> <p>4. Site audit statement - Should contamination of soil or groundwater remain at the site after remediation, or if Council believes it is otherwise necessary, then a site audit statement prepared by a NSW accredited site auditor is required. The site audit must specifically address the portion of land to be dedicated to Council stating that it is suitable for its intended land use (in accordance with Section 5.02.01F).</p> <p>5. Contamination management plan - Where an asset is to be dedicated to Council and contamination that exceeds the appropriate land use criteria has been identified in soil or groundwater following remediation, a contamination management plan is to be prepared to the satisfaction of Council (and the Site Auditor where appropriate). The plan is required to be submitted to Council prior to acceptance of the asset.</p> <p>6. Ongoing management requirements - There should be no ongoing management requirements for the asset regarding contamination to ensure the community is not unduly disadvantaged by increased health and environmental risks or increased management costs when accepting the dedication of public assets.</p>	
<p><b>5.03 Tree Management</b></p>	<p>5.03.01 Quality of information</p> <p>1. Tree assessment reports and Tree Protection Plans (TPP) are to be prepared by a suitability qualified arborist. This applies to both development applications and complying development applications.</p> <p>5.03.02 Preservation and maintenance of trees and vegetation</p> <p>5.03.02A Noxious weed control</p> <p>1. Development facilitates the removal and ongoing management of noxious weeds within the site and any adjoining bushland, wetland or riparian corridor.</p> <p>2. Development does not introduce noxious weed species as part of any plantings, imported soil, or mulch.</p>	<p>Consent is sought to remove a small area of prescribed vegetation as described in Section 6.7.</p>

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	<p>3. Landscaping excludes the use of undesirable tree and plant species, regardless if declared noxious or not, especially where in the vicinity of bushland, wetland or riparian corridor.</p> <p>5.03.02B Vegetation clearing</p> <p>1. For the purposes of Clause 5.9(2) of the Newcastle Local Environmental Plan 2012 prescribed vegetation is:</p> <p>(a) Native vegetation that is, or comprises part of, a threatened species, population or ecological community listed in the <i>Threatened Species Conservation Act 1995</i>, or <i>Fisheries Management Act 1994</i>, or</p> <p>(b) all other vegetation, except:</p> <p>(i) Native vegetation previously planted for agriculture, agroforestry, forestry, horticulture or woodlot purposes.</p> <p>(ii) Plants declared to be noxious weeds under the <i>Noxious Weeds Act 1993</i>.</p> <p>2. Clearing is undertaken only with the written agreement of the owner of the land on which the native vegetation is located.</p> <p>3. Removal of noxious weeds is in accordance with the <i>Noxious Weeds Act 1993</i>.</p> <p>5.03.02C Removal of trees</p> <p>1. In accordance with Clause 5.9(2) of the Newcastle Local Environmental Plan 2012 a prescribed tree is:</p> <p>(a) a tree that is a heritage item, or</p> <p>(b) a tree that is, or comprises part of, a threatened species, population or ecological community listed in the <i>Threatened Species Conservation Act 1995</i>, or <i>Fisheries Management Act 1994</i>, or</p> <p>(c) a tree that is required to be retained as a condition of a development consent, or</p> <p>(d) any other tree, except:</p> <p>(i) a noxious weed under the <i>Noxious Weeds Act 1993</i>, or</p> <p>(ii) a tree with a circumference breast height not greater than 450 mm for a single trunk tree or not greater than 300 mm for each trunk of a multi-trunk tree, or</p> <p>(iii) a tree that is dead and does not provide a habitat for hollow-dependent fauna, or</p>	

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	<p>(iv) a tree that is located within 3 m of the wall of the principal building (excluding carports, pergolas, fences, retaining walls and the like) on the land on which it is situated or on adjacent land, measured from the closest point of the trunk to the footings of the building.</p> <p>2. Tree removal is only undertaken, with the written agreement of the owner of the land on which the tree is located, is completed in one operation and any remaining stump is no higher than 1.4 m.</p> <p>3. To ringbark, top, lop, injure or wilfully destroy a tree is prescribed by this development control plan and therefore will require development consent, however, Council will generally not support these practices.</p> <p>5.03.04 Infill development</p> <p>5.03.04A Street trees</p> <p>1. Street trees and street tree vacancy sites located in front of development sites are considered in the development design.</p> <p>2. Street trees located in front of development sites are protected during construction in accordance with the Newcastle Urban Forest Technical Manual.</p> <p>3. Existing street trees are only removed where it is demonstrated that no practical alternative is available to allow for efficient development on site and this has been fully explored and investigated.</p> <p>5.03.04B Trees on private land</p> <p>1. The development application demonstrates how the options outlined below were considered and addressed as part of the development planning phase. The options are listed in order of importance.</p> <p>(a) Design for retention of trees.</p> <p>(b) Where the removal of trees is proposed a tree retention value assessment is completed. Alternative design options are considered that allow for the retention of any retainable tree/s with a value of 'moderate' or 'high'.</p> <p>(c) Where (a) is not achievable, suitable compensatory tree planting is included as part of the landscape concept plan for the site. Refer to the Newcastle Urban Forest Technical Manual for a guide to compensatory tree planting.</p> <p>5.03.06 Greenfield sites</p>	

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	<ol style="list-style-type: none"> <li>1. Preserve significant site trees and other vegetation and landscaping features by incorporating these features into the landscape design.</li> <li>2. The development application is supported with a detailed landscaping plan.</li> <li>3. Development on greenfield sites having a total site area greater than 2 hectares preserve a minimum of 30% of the site for the retention or provision of appropriate indigenous trees and other vegetation. Trees on developable residential lots are included in the 30% vegetation calculation where it is demonstrated that they are outside a proposed building footprint, as indicated on an 88b Instrument (<i>Conveyancing Act 1919</i>).</li> <li>4. Land set aside for stormwater detention basins, roads (excluding street trees), and other infrastructure associated with the development will not be included in the calculations of the abovementioned area set aside for conservation.</li> <li>5. If the site is generally devoid of native vegetation or contains degraded lands, the proposal should include the restoration of this land to a minimum of 30% indigenous vegetation cover of the total site area.</li> </ol>	

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<p><b>5.04 Aboriginal Heritage</b></p>	<p>5.04.01 Due diligence and development assessment</p> <p>1. Where a development will disturb the ground surface, provide documentation to satisfy the consent authority that the due diligence process has been followed. The documentation should include (but is not limited to) the following:</p> <ul style="list-style-type: none"> <li>• A statement indicating the results of the AHIMS database search and any other sources of information considered.</li> <li>• A statement indicating whether there are landscape features that indicate the presence of Aboriginal objects.</li> <li>• A statement indicating whether the proposed development is likely to harm Aboriginal objects.</li> <li>• A statement indicating whether an Aboriginal Heritage Impact Permit (AHIP) is required.</li> </ul> <p>2. Where required, prepare an Aboriginal cultural heritage assessment to assess the impact of the proposed development on Aboriginal cultural heritage consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.</p> <p>3. Where required, prepare an Aboriginal cultural heritage assessment report consistent with the Office of Environment and Heritage Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW that includes strategies to avoid or minimise harm to Aboriginal objects and places of cultural significance.</p> <p>4. Where the investigation and assessment requires the preparation of an Aboriginal cultural heritage assessment report, provide documentation to satisfy the consent authority that the relevant Aboriginal community and stakeholders have been involved in the decision making process.</p>	<p>See Section 6.11</p>
<p><b>5.05 Heritage Items</b></p>	<p>5.05.01 General principles</p> <p>1. Any development application for works to a heritage item is accompanied by a Heritage Impact Statement, Conservation Management Plan, or Conservation Management Strategy, as required by the Newcastle Local Environmental Plan 2012.</p> <p>2. Development of a heritage item:</p> <p>(a) is consistent with the Heritage Impact Statement, Conservation Management Plan or Conservation Management Strategy</p> <p>(b) is consistent with the Statement of Heritage significance for the item</p>	<p>See Section 6.10</p>

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	<p>(c) protects the setting of the heritage item</p> <p>(d) retains the significant internal and external spaces and to recycle, re-purpose and reuse fabric and building elements</p> <p>(e) 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</p> <p>(f) removes alterations and additions that are unsympathetic to the heritage significance of the heritage item</p> <p>(g) reinstates missing building elements and details</p> <p>(h) uses materials, finishes, and colours that are appropriate to the architecture, style and age of the heritage item</p> <p>(i) reinforces the dimensions, pattern and style of the original window and door openings of the heritage item</p> <p>(j) maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with its heritage significance.</p> <p>5.05.02 Integrating heritage items into new developments</p> <p>1. Where a conservation management plan or conservation management strategy, prepared for a heritage item, supports the incorporation of a development proposal with a heritage item, the design of the proposal includes appropriate measures to:</p> <p>(a) ensure the heritage significance of the item is conserved. A written statement outlines how the proposal achieves the conservation of the item’s heritage significance</p> <p>(b) retain a suitable setting for the heritage item that enables the continued appreciation and integrity of the heritage item</p> <p>(c) ensure that repair and stabilisation treatments to heritage items identified in the conservation and design process are carried out to promote the conservation of the item</p> <p>(d) ensure that interventions do not affect the long term preservation of the fabric and construction of the heritage item.</p> <p>5.05.03 Changing in the use of a heritage item</p> <p>1. Any proposal for a change of use, including the adaptive reuse of a heritage item, demonstrates the following:</p> <p>(a) compliance with the Building Code of Australia addressing the performance-based design solutions if necessary</p> <p>(b) the new use minimises alteration of significant fabric and detailing, and incorporates existing fabric into the development proposal</p>	

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	<p>(c) alterations to the interior spaces minimise the effect on the exterior of the heritage item and promotes the integrity of the heritage item</p> <p>(d) the significant original use of the heritage item is interpreted</p> <p>(e) ensures that original crests, dates, logos, and building names are retained in situ</p> <p>(f) minimises the impacts from the introduction of new services into the interior and the exterior of the heritage item.</p> <p>2. The history of uses of a building is interpreted on the site in the form of interpretation panels, artefact and photographic displays, in situ retention of machinery and signage, and or artistic interpretation.</p> <p>5.05.06 Development in the vicinity of a heritage item</p> <p>1. New development and alterations and additions in the vicinity of heritage items respects and enhances the setting and significance of the heritage item with regard to the following elements:</p> <p>(a) building envelope</p> <p>(b) proportions</p> <p>(c) setbacks</p> <p>(d) material and colours.</p> <p>2. Development in the vicinity of heritage items respect the heritage item by:</p> <p>(a) retaining adequate space around the heritage item to enable its interpretation</p> <p>(b) conserving significant landscaping including horticultural features, trees, and outbuildings</p> <p>(c) enabling archaeological sites to be conserved in accordance with relevant approvals</p> <p>(d) retaining significant views and lines of sight to the heritage item.</p>	
<p><b>5.06 Archaeological Management</b></p>	<p>5.06.01 Archaeological management</p> <p>5.06.01A Predictive modelling</p> <p>1. Establish potential archaeological significance and location of archaeological sites or potential archaeological sites during the design development process.</p> <p>2. Assess archaeological significance of the potential or known archaeological site during the design development process.</p>	<p>See Section 6.10 and 6.11</p>

DCP Chapter	Controls	Response
	<p>5.06.01B Managing archaeological resources</p> <ol style="list-style-type: none"> <li>1. Adhere to the recommendations of any archaeological assessment or preliminary archaeological assessment.</li> <li>2. Manage archaeological sites in accordance with the requirements of the NSW <i>Heritage Act 1977</i>.</li> </ol> <p>5.06.01C Conserving archaeological resources</p> <ol style="list-style-type: none"> <li>1. Adhere to the recommendations of any archaeological assessment or preliminary archaeological assessment.</li> </ol>	
<p><b>6.12 Minmi</b></p>	<p>6.12.01 Urban structure</p> <p>6.12.01A Land use</p> <ol style="list-style-type: none"> <li>1. The community centre, community facilities and preferred location for business activities are shown marked on the concept plan at Figure 1.</li> <li>2. Compatible mixed use development is encouraged throughout the village, with more intensive uses located in the village centre. In particular, art and craft related activities are encouraged.</li> <li>3. Detailed study and assessment of identified potential urban areas shall be carried out before any decision is made as to their suitability for urban purposes.</li> </ol> <p>6.12.01B Open space</p> <ol style="list-style-type: none"> <li>1. Development to comply with Section 7.02 Landscaping, Open Space and Visual Amenity.</li> <li>2. Open space shall be provided within the village and shall be integrated with community uses and access, generally as indicated on the concept plan at Figures 1 and 2.</li> <li>3. Open space adjacent to the east of the village will be integrated with the Summerhill Master Plan.</li> <li>4. Landscape design reinforces the identity of Minmi as a distinct village area separated from other residential development, by establishing and reinforcing landscape features and developing suitable planting themes based on research in the area.</li> <li>5. Open space and drainage corridors are designed for low maintenance bushland regeneration, unless the area is designated for active recreation or this treatment is inappropriate for other reasons.</li> </ol> <p>6.12.01C Water</p> <ol style="list-style-type: none"> <li>1. Development to comply with Section 7.06 Stormwater</li> </ol>	<p>The following issues of relevance to the proposal have been considered where the route is in proximity to Minmi:</p> <ul style="list-style-type: none"> <li>• The proposal will provide additional open space</li> <li>• Revegetation will utilise indigenous species and enhance connectivity</li> <li>• Appropriate heritage assessment has been completed</li> <li>• Contaminated land assessment has been completed</li> </ul>

DCP Chapter	Controls	Response
	<p>2. Riparian vegetation should be restored along major creeks and waterways.</p> <p>6.12.01D Biological diversity</p> <ol style="list-style-type: none"> <li>1. Revegetation restores the diversity of indigenous species originally present on the site which may have been lost.</li> <li>2. New development should not adversely affect (and should preferably benefit) the downstream Hexham Wetlands which is recognised as being of international significance as habitat for migratory birds.</li> <li>3. Bushland is to be retained wherever possible. A diversity of bushland types should be retained or restored.</li> </ol> <p>6.12.01E Urban design and heritage</p> <ol style="list-style-type: none"> <li>1. Refer to the Newcastle Local Environmental Plan 2012 for height and floor space ratio controls. In general no building shall exceed two storeys in height, in keeping with the existing character of the area.</li> <li>2. Vistas to rolling hills and distant rural and natural landscapes are to be retained to maintain village context and identity.</li> <li>3. A treed ridgeline should be maintained and enhanced on the prominent ridge/hill at the south of the village boundary.</li> <li>4. Any additional buildings should be designed and sited to maintain the treed ridgeline and prevent the dominance of built form.</li> <li>5. Additional tree planting to revegetate the ridgeline should be undertaken, where appropriate.</li> <li>6. Subdivision or development within the vicinity of the former Court House/Police Station is to provide right of vehicular and pedestrian access to that site.</li> </ol> <p>6.12.01F Archaeology</p> <ol style="list-style-type: none"> <li>1. Development to comply with Section 5.04 Aboriginal Heritage and Section 5.06 Archaeological Management.</li> <li>2. Where significant land disturbance is proposed, investigation of impacts on both Aboriginal and European heritage will be required and field investigations or excavation may be necessary.</li> </ol> <p>6.12.01G Stormwater management</p> <ol style="list-style-type: none"> <li>1. Development to comply with Section 7.06 Stormwater.</li> <li>2. Drainage channels are to be retained as far as possible in a natural condition. Vegetation corridors are to be maintained or regenerated along creeks.</li> </ol>	

DCP Chapter	Controls	Response
	<p>3. Discharges should be managed to ensure no excessive export of sediments.</p> <p>4. Nutrients or stormwater flow rates are to be managed to ensure the health of Minmi Creek and other waterways.</p> <p>6.12.01H Access</p> <p>1. Development to comply with Section 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required.</p> <p>2. The principles of walkability, connectivity, permeability, legibility and safety shall apply to all subdivision and access system design.</p> <p>6.12.02 Landscape design</p> <p>6.12.02A Protection of bushland</p> <p>1. Development to comply with Section 7.02 Landscaping, Open Space and Visual Amenity.</p> <p>2. Corridors of natural bushland are retained along main roads at the approaches to the village (minimum width of 50-100 metres) as identified on the landscape concept plan.</p> <p>3. Other areas of bushland may be required for the purpose of maintaining fauna habitat and wildlife corridors or to provide visual buffers, including the Back Creek system to the east of the village which provides links to Summerhill.</p> <p>4. Bushland is maintained in contiguous blocks.</p> <p>5. Previously degraded and eroded land within the Minmi area should be rehabilitated with appropriate revegetation.</p> <p>6.12.02C Landscaping in the vicinity of heritage items</p> <p>3. Views to identified heritage items are maintained where possible. However, screen planting may be introduced where necessary to prevent inappropriate views to and from incompatible land uses which may detract from the sense of place or to control views to enhance the heritage aspects of a place.</p> <p>6.12.02E Biological diversity</p> <p>1. As far as possible corridor linkages are maintained to other areas of remnant native vegetation within Newcastle city, and the adjoining local government areas of Cessnock and Lake Macquarie.</p> <p>2. Where possible remnants are preserved to ensure access for future management by providing adequate area/perimeter ratios so long narrow strips and isolated parcels are avoided.</p> <p>3. Native habitat is to be maintained and/or regenerated along major drainage lines such as Minmi Creek with a minimum width of</p>	

DCP Chapter	Controls	Response
	<p>vegetation of at least 50 m from either side of the creek banks. The final width is to be determined by site considerations.</p> <p>4. Bushland corridor linkages have a minimum width of 100 m and enable self-sustaining ecosystems to be maintained on the land as far as possible.</p> <p>5. Regeneration of trees should be undertaken along wetland fringes to provide fauna habitat. Within bushland areas, there should be retention and enhancement of fauna habitat (including retaining dead trees, fallen logs, leaf litter, etc.).</p> <p>6.12.02F Contaminated land and land suitability</p> <p>1. Development to comply with Section 5.02 Land Contamination.</p> <p>2. Measures are taken to assess the nature of any contamination or effect and take remedial action where necessary, having particular regard for past mining and filling activities that have occurred in the area.</p>	
<p><b>7.02 Landscape, Open Space and Visual Amenity</b></p>	<p>7.02.02 General controls</p> <p>1. Landscaping is in scale and context with the proposed development, street reserve width, other buildings and landscape elements within the streetscape, i.e. it is not appropriate to plant a large tree in the front garden of a small terrace or to landscape a large industrial structure with ground covers.</p> <p>2. Existing trees and vegetation should be preserved particularly street trees and those within the front setback. The existing tree canopy is retained and enhanced wherever possible.</p> <p>3. Where possible integrate on-site stormwater management with the design of landscaped areas.</p> <p>4. Plant species are selected and located to avoid structures, services and paths.</p> <p>5. Undesirable species are not selected (See Appendix 1 of Urban Forest Technical Manual and Appendix B Landscape Technical Manual).</p> <p>6. Deep soil zones are optimised within a site by:</p> <p>(a) the design of basement and sub-basement car parking, so as not to fully cover the site and conflict with tree planting</p> <p>(b) ensuring appropriate front and side setbacks are provided for tree planting</p> <p>(c) that the soil profile is free draining</p>	<p>See Section 6.8</p>

DCP Chapter	Controls	Response
	<p>(d) works, excavations, infrastructure, services and drainage pipes are located away from the deep soil zone</p> <p>(e) optimise the extent of deep soil zones beyond the site boundaries by locating them contiguous with the deep soil zones of adjacent properties.</p> <p>7. Landscape treatment within the front setback is substantial enough to enhance the appearance and integration of the development with the streetscape.</p> <p>8. Landscape design responds to user requirements, taking into account maintenance, social / recreational needs and aesthetic quality.</p> <p>9. Plant species are suitable for site conditions, using native species where possible, and local indigenous species adjoining environmentally sensitive sites, such as waterways and bushland.</p> <p>10. Landscape design is used to enhance the amenity and energy efficiency of the development where possible by providing shade to the northerly and westerly elevations of buildings in summer and adequate solar access in winter.</p> <p>11. Landscape areas to address privacy issues between dwellings.</p> <p>12. Significant site vegetation, landscape features incorporated in the public landscape areas of the development and linked to the local open space network where possible.</p> <p>13. Adequate provision is made for planted buffer zones between major road corridors and nearby development.</p> <p>7.02.02C Drainage systems</p> <p>1. Development caters for pedestrian and vehicular access within the drainage system by providing footpaths, cycleway and parking areas along the margins, while recognising the hazards associated with people using these areas.</p> <p>2. Access to all parts of the open space and drainage system is required for maintenance purposes.</p> <p>3. Permanent water bodies within the detention basin are incorporated where possible to increase the amenity value of the area and contribute to the aesthetic quality of the development.</p> <p>4. Consideration given to water quality and the incorporation of gross pollutant traps or wetlands filters upstream.</p> <p>5. Consideration given to bank treatments and the provision for safety and access to water's edge.</p>	

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	<p>6. Surface and subsurface treatments are suitable for intensity of use of the area and can be used as soon as possible after inundation, e.g. stripping and stockpiling topsoil, adding gypsum, adding sand to topsoil to improve drainage.</p> <p>7. If appropriate, automatic irrigation systems are installed in active sport areas. Consideration is also given to the installation of adequate watering points for maintenance.</p> <p>8. The functional requirements of the open space areas are reflected in the overall design, e.g. dry land grass species for informal low use areas, fine turf grass for organised sports, exotic trees within the residential component.</p> <p>9. Planting within the overland flow paths is compatible with hydraulic design for the system, and as determined by Council.</p> <p>7.02.05 Car parking</p> <p>1. Significant landscape elements are conserved and incorporated within the car park design.</p> <p>2. Generous shade trees are planted within the parking area at a rate of at least one shade tree per six parking spaces with an aim to achieve at least 50% shade cover of the area. Shade area is to be calculated from the estimated crown projections of a tree 15 years in age under suitable growing conditions. Selected tree species are to develop a clean trunk height greater than 4.5 m and a crown projection of at least 50 m<sup>2</sup> to provide adequate shade and vehicle clearance. Landscape documentation is to detail the provision of sub-grade load bearing root vaults to provide suitable rooting volume for the required number of shade trees.</p> <p>3. A landscape strip of between 1.5 m and 3 m is provided along the frontage to a street and/or other public space.</p> <p>4. Reduce the visual impact of large parking areas using canopy trees and different surface treatments, such as permeable paving and the provision of pedestrian access.</p> <p>5. Consideration is given to the following:</p> <p>(a) using contrasting paving to delineate pedestrian and vehicular zones.</p> <p>(b) lighting for night use.</p> <p>(c) using kerbs or wheel restraints to contain and define parking areas.</p> <p>(d) using shrubs to screen cars from the street.</p>	

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	<p>6. Clear sightlines are maintained between parking areas, public roads and paths.</p> <p>7. Landscaping does not conflict with lighting services and casual surveillance of parking areas.</p> <p>8. Trees and shrubs are positioned to provide adequate sight distance on corners and intersections of roads and paths within the development to avoid safety hazards to motorist and pedestrians.</p>	
<p><b>7.03 Traffic, Parking and Access</b></p>	<p>7.03.01 Traffic studies and plans</p> <p>7.03.01A Traffic impact study</p> <p>1. The Statement of Environmental Effects addresses the following issues:</p> <ul style="list-style-type: none"> <li>(a) parking facilities provided, with details of calculations, types, number and arrangement</li> <li>(b) proposed access arrangements and their compliance with design standards outlined in this Section</li> <li>(c) identification of public transport services, stops and shelters in the vicinity of the development</li> <li>(d) traffic generation, impacts expected and proposed traffic management measures.</li> </ul> <p>2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.</p> <p>3. Issues addressed in the Traffic Impact Study include:</p> <ul style="list-style-type: none"> <li>(a) review of the existing and proposed traffic network, traffic operating conditions and flows</li> <li>(b) likely car parking supply and demand, as well as servicing requirements</li> <li>(c) estimates of trip generation of the development</li> <li>(d) public transport services in the vicinity of the proposed development</li> <li>(e) impacts of generated traffic on the surrounding road network and the locality</li> <li>(f) safety of access between the site and the adjacent road network</li> <li>(g) pedestrian infrastructure, generation and movements</li> <li>(h) recommended improvement works</li> </ul>	<p>See Section 6.6</p> <p>A Construction Traffic Management Plan will be prepared as part of the CEMP.</p> <p>The proposal includes adequate vehicle, bicycle and mobility parking.</p>

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	<p>(i) linkages with existing and proposed bicycle and pedestrian routes.</p> <p>4. Further to (3) above, the Traffic Impact Study also includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.</p> <p>7.03.01B Construction traffic management plan</p> <p>1. Council requires submission of a draft Construction Traffic Management Plan, where it is likely that the demolition and construction phases of a development will significantly impact traffic movement, pedestrians and/or parking.</p> <p>2. The draft Construction Traffic Management Plan is prepared in accordance with Australian Standard 1742.3 by a Roads and Traffic Authority qualified person as defined under the RTA's Traffic Control at Work Sites.</p> <p>3. The draft Construction Traffic Management Plan clearly sets out:</p> <ul style="list-style-type: none"> <li>a) traffic generation associated with demolition and construction</li> <li>b) heavy vehicle routes</li> <li>c) impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures</li> <li>d) proposed hours of operation in demolition and construction phases.</li> </ul> <p>4. Provision is made for safe, continuous movement of traffic and pedestrians on public roads and for the erection of traffic warning signs conforming to the RTA's General Specifications. Traffic control is carried out only by flagmen with certification of training in accordance with Australian Standard 1742.3.</p> <p>5. The conditions of consent for development outline requirements of the Construction Management Plan.</p> <p>7.03.02 Parking provision</p> <p>1. Car parking is generally provided in accordance with the rates set out in Table 1 – Parking Rates, except for car parking for non-residential development in the Newcastle City Centre, which is provided at the rate of one space per 60 m<sup>2</sup> gross floor area. Council reserves the right to vary the rates, subject to merit assessment of the proposal.</p>	

DCP Chapter	Controls	Response
	<p>2. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to:</p> <ul style="list-style-type: none"> <li>(a) likely peak usage times</li> <li>(b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations</li> <li>(c) the likely use of public transport.</li> </ul> <p>3. Parking provision for developments not listed in Table 1 is assessed having regard to RTA guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria:</p> <ul style="list-style-type: none"> <li>(a) the proportion of visitors or patrons likely to arrive by car</li> <li>(b) the availability and level of service of public transport relative to the site</li> <li>(c) the number of employees and their likely spread of work hours</li> <li>(d) the hours of operation</li> <li>(e) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities</li> <li>(f) the number of occasions during the year when the proposed development is likely to be fully utilised</li> <li>(g) the availability and affordability of public parking within a reasonable distance of the proposed development</li> <li>(h) the availability of additional parking facilities to cover peak demands.</li> </ul> <p>4. Provision of car parking and associated internal vehicular access and manoeuvring areas above the maximum rates nominated in Table 1 are included in the gross floor area for the purpose of calculating floor space ratio, except where provided in association with controls 5 and/or 6.</p> <p>5. Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed by Council. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation.</p>	

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	<p>Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future development application for a change of use.</p> <p>6. Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), Council may require for such spaces to be replaced on site.</p> <p>7. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.</p> <p>8. Service vehicle parking, courier facilities and loading and unloading facilities are provided on site in a manner that is conveniently accessible for all developments likely to generate a need for such facilities. The submitted plans clearly indicate that the proposed facilities will be adequate, having regard to:</p> <ul style="list-style-type: none"> <li>(a) intended use of the site</li> <li>(b) frequency of deliveries and collections</li> <li>(c) size and bulk of goods</li> <li>(d) size of vehicles</li> <li>(e) ease of access.</li> </ul> <p>9. Table 2 shows indicative standards for provision of service vehicles for various types of development.</p> <p>10. Council may require the provision of taxi, private vehicle and bus/coach drop off/set down areas where warranted by the proposed development. Specifically, bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000 m<sup>2</sup>, convention and exhibition centres, and other development as deemed appropriate by Council.</p> <p>7.03.02C Bike parking</p> <ul style="list-style-type: none"> <li>1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking.</li> <li>2. Bicycle parking complies with the relevant Australian Standard (AS2890.3).</li> </ul>	

DCP Chapter	Controls	Response
	<p>3. Bicycle parking is clearly marked and signposted.</p> <p>4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.</p> <p>5. Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided.</p> <p>6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development.</p> <p>7. Where shower facilities and change rooms are provided for cyclists, convenient access to such facilities is to be considered in the siting of bicycle parking.</p> <p>8. Access to bicycle parking is provided in accordance with the RTA's NSW Bicycle Guidelines, which reference Austroads Guide to Traffic Engineering Practice. Slotted drainage grates, longitudinal joint cracks and sharp gradient transitions, which provide hazards to riders, are avoided.</p> <p>7.03.02D Motorbike parking</p> <p>1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances.</p> <p>2. Motorbike parking complies with the relevant Australian Standard (AS2890.3) and Council's Guidelines for Motorbike Parking in Newcastle.</p> <p>7.03.02E Parking for people with a disability</p> <p>1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia.</p> <p>2. Parking for people with a disability is designed and constructed in accordance with current relevant Australian Standards (AS2890 and AS1428) and the Building Code of Australia.</p> <p>3. Parking spaces for people with a disability are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park.</p>	

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	<p>4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts.</p> <p>5. A continuous accessible path of travel is provided from each parking space for people with a disability to the closest accessible public entrance.</p> <p>6. The minimum floor to ceiling clearance above parking spaces for people with a disability is 2.5 m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3 m.</p> <p>7. The applicant is required to demonstrate, to the satisfaction of Council, how parking restrictions are enforced. Council may enter into an agreement with the owner/operator of the premises to allow Council's Compliance Officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent.</p> <p>7.03.03 Travel demand management</p> <p>1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community centres, entertainment venues, aged persons' accommodation or other development deemed appropriate by Council, a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400 m of an existing bus stop with shelter. Alternatively, Council may accept a monetary contribution in lieu of provision of a bus stop with shelter, through a voluntary planning agreement.</p> <p>2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements.</p> <p>3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath.</p> <p>4. Signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.</p> <p>7.03.04 Design and layout of parking and access</p> <p>7.03.04A Siting</p> <p>1. Parking facilities are sited and designed to be properly integrated within the overall development/building to minimise their visual impact and any adverse impact on the continuity and amenity of street frontages.</p> <p>2. Parking is located so that it is within a reasonable distance of access to the premises it serves.</p>	

DCP Chapter	Controls	Response
	<p>3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.</p> <p>7.03.04B Parking areas and structures</p> <ol style="list-style-type: none"> <li>1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.</li> <li>2. Wherever possible, car parking structures such as multi-level car parks, enclosed half basement or single-storey car parks, incorporate active uses along the ground level frontage.</li> <li>3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6 m at the ground level and 3.3 m for the next two floors above, to enable it being adapted to an alternative use in future.</li> <li>4. The facade of an above ground parking structure is: <ol style="list-style-type: none"> <li>(a) designed and finished to complement the architecture of the building</li> <li>(b) designed to avoid domination of ramps or strong horizontal and/or vertical features.</li> </ol> </li> <li>5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.</li> <li>6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.</li> <li>7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.</li> <li>8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.</li> <li>9. Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.</li> </ol> <p>7.03.04C Access</p> <ol style="list-style-type: none"> <li>1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.</li> <li>2. Vehicular crossings are located having regard to driver and pedestrian safety, and impacts on traffic movement. Vehicular crossings are avoided in the following areas: <ol style="list-style-type: none"> <li>(a) in areas of high pedestrian movement</li> </ol> </li> </ol>	

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	<p>(b) on major roads  (c) close to intersections  (d) where the use of the driveway may significantly obstruct through traffic or the operation of bus stops.</p> <p>3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.</p> <p>4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Roads and Traffic Authority pursuant to s138 of the Roads Act 1993.</p> <p>5. Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).</p> <p>6. Access ways and structures are designed so that vehicles are able to enter or exit in a single turning movement in a forward direction.</p> <p>7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.</p> <p>8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.</p> <p>9. No additional vehicular crossings (other than from rear lanes) are provided in heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.</p>				
<p><b>7.06 Stormwater</b></p>	<p>1. For the purpose of this section, the following documents are submitted with a development application for the development type listed in Table 1.</p> <table border="1" data-bbox="663 1050 1402 1273"> <tr> <td data-bbox="663 1050 902 1273"> <p>3. All other development</p> </td> <td data-bbox="902 1050 1160 1273"> <ul style="list-style-type: none"> <li>Stormwater management plan</li> <li>Erosion and sediment control plan</li> <li>Broad scale development assessment checklist for water sensitive urban design (see Note 2)</li> </ul> </td> <td data-bbox="1160 1050 1402 1273"> <p>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.</p> </td> </tr> </table>	<p>3. All other development</p>	<ul style="list-style-type: none"> <li>Stormwater management plan</li> <li>Erosion and sediment control plan</li> <li>Broad scale development assessment checklist for water sensitive urban design (see Note 2)</li> </ul>	<p>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.</p>	<p>The CEMP for the proposal will include a Soil and Water Management Plan.</p>
<p>3. All other development</p>	<ul style="list-style-type: none"> <li>Stormwater management plan</li> <li>Erosion and sediment control plan</li> <li>Broad scale development assessment checklist for water sensitive urban design (see Note 2)</li> </ul>	<p>For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.</p>			
<p><b>7.08 Waste Management</b></p>	<p>All development applications (including demolition, construction and the ongoing use of a site/premise) are to include a SWMMP within their Statement of Environmental Effects</p>	<p>The CEMP for the proposal will include a Site Waste Management and Minimisation Plan.</p>			

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	<p>demonstrating compliance with this section's requirements.</p> <p>2. In addition to submission of a SWMMP (as part of the Statement of Environmental Effects), the waste management facilities, proposed as part of the development, clearly illustrated on the plans of the proposed development, accompanying the development application (DA).</p> <p>3. The SWMMP nominates: (a) volume and type of waste and recyclables to be generated (b) storage and treatment of waste and recyclables on site (c) disposal of residual waste and recyclables (d) operational procedures for ongoing waste management once the development is complete.</p> <p>4. The SWMMP details the method of recycling or disposal and the waste management service provider.</p>	
<b>8.00 Public Participation</b>	<p>Designated development refers to certain types of high impact development that are identified under Schedule 3 of the EP&amp;A Regulation and in Environmental Planning Instruments.</p> <p>The requirements for public notification of development applications for designated development are specified in Section 79 of the EP&amp;A Act and Clauses 77-81 of the EP&amp;A Regulation.</p>	<p>Public participation for the proposal will be undertaken by Council in accordance with the EP&amp;A Act and Regulation.</p> <p>See Section 5</p>