

Table 4 – Newcastle DCP 2012 Compliance Table

Control	Acceptable Solution	Comment	Compliance																		
<b>3.00 Land use Specific Provisions</b>																					
<b>3.03 Residential Development</b>																					
<b>3.03.01 Principal Controls</b>																					
A. Frontage Widths	<table border="1"> <thead> <tr> <th>Residential development Type</th> <th colspan="2">Site Frontage Width</th> </tr> <tr> <th>Zone</th> <th>R2*</th> <th>R3, R4 or B4</th> </tr> </thead> <tbody> <tr> <td>Dual Occupancy /attached dwellings</td> <td>12m</td> <td>12m</td> </tr> <tr> <td>Multi-dwelling with basement car park</td> <td>15m</td> <td>15m</td> </tr> <tr> <td>Multi-dwelling row housing</td> <td>18m</td> <td>15m</td> </tr> <tr> <td>Residential Flat Building</td> <td></td> <td></td> </tr> </tbody> </table>	Residential development Type	Site Frontage Width		Zone	R2*	R3, R4 or B4	Dual Occupancy /attached dwellings	12m	12m	Multi-dwelling with basement car park	15m	15m	Multi-dwelling row housing	18m	15m	Residential Flat Building			The site meets the acceptable solution as it has a frontage over 15m in the B4 zone.	Y
	Residential development Type	Site Frontage Width																			
Zone	R2*	R3, R4 or B4																			
Dual Occupancy /attached dwellings	12m	12m																			
Multi-dwelling with basement car park	15m	15m																			
Multi-dwelling row housing	18m	15m																			
Residential Flat Building																					
	2. The minimum site frontage for boarding houses, group homes, hostels and seniors housing is consistent with the minimum frontage in clause 1 based on the type of building proposed.	N/A	N/A																		
	3. In the R3, R4 and B4 zones the development does not result in the creation of an isolated lot. Where a development will result in an isolated lot, the Planning Principles outlined by the NSW Land and Environment Court for redevelopment resulting in isolated sites are satisfied.	The proposal is infill development and does not result in an isolated lot.	Y																		
B. Front Setbacks	<p>1. Compliance with the locality specific controls in section 6 of this DCP.</p> <p>Where there are no locality specific controls front setbacks are:</p> <p>(a) In established areas the proposed building is setback the average distance of buildings within 40m either side of the lot on the same primary road (see Figure 1). The setback on a corner lot (secondary road) is 2m.</p> <p>(b) If there is no established building line, the front setback is:</p> <table border="1"> <thead> <tr> <th>Road Type</th> <th colspan="2">Front Setback</th> </tr> <tr> <th>Zone</th> <th>R2</th> <th>R3, R4 or B4</th> </tr> </thead> <tbody> <tr> <td>Primary road</td> <td>4.5m</td> <td>4.5 m</td> </tr> <tr> <td>Corner lot (secondary road)</td> <td>2m</td> <td>2m</td> </tr> <tr> <td>Classified road</td> <td colspan="2">As defined in any applicable Environmental Planning Instrument, or if none exists 9m.</td> </tr> </tbody> </table>	Road Type	Front Setback		Zone	R2	R3, R4 or B4	Primary road	4.5m	4.5 m	Corner lot (secondary road)	2m	2m	Classified road	As defined in any applicable Environmental Planning Instrument, or if none exists 9m.		<p>A 16m street wall height applies to the site under the locality specific controls in section 6; however, it conflicts with a 2.5m boundary setback also required in Section 6.</p> <p>A 2.5m setback applies to all boundaries of the site under the controls in section 6.</p>	N/A			
	Road Type	Front Setback																			
Zone	R2	R3, R4 or B4																			
Primary road	4.5m	4.5 m																			
Corner lot (secondary road)	2m	2m																			
Classified road	As defined in any applicable Environmental Planning Instrument, or if none exists 9m.																				
	2. Entries to a basement car park, garage or carport are setback at least 1m behind the front building line. Where the building line is less than 4.5m, the entry to the basement car park, garage or carport is setback at least of 5.5m from the boundary with the road.	The basement entry point is setback approx. 6m from the street frontage.	Y																		
	3. An articulation zone that extends 1.5m from the building line into the setback from the primary road may be provided where the setback from the primary road is 3m or greater. The articulation zone is a maximum 25% width of the lot at the building line.	Apartment balconies that extend within the front setback area are designed in accordance with this control.	Y																		

C. Side and Rear Setbacks	1. Compliance with the locality specific controls in section 6 of the DCP.	Refer to Section 6 of the DCP.	N/A
D. Landscaped Area	REFER TO ADG ASSESSMENT.	REFER TO ADG ASSESSMENT.	N/A

### 3.03.02 Siting the Development

A. Local Character and Context	2. A detailed site analysis is undertaken to understand all issues and considerations including: (a) relationship to the public domain and surrounding development (b) existing vegetation and trees (c) boundary treatments (d) retaining walls, fences, overshadowing impacts and privacy considerations (e) orientation (f) slope (g) geology (h) contamination (i) infrastructure (j) access arrangements (k) stormwater management (l) views.	A detailed site analysis has been undertaken by SJB Architects (refer to Appendix A).	Y
B. Public Domain Interface	1. Private open space is located behind the building line of the primary road frontage, but may be partially located within an articulation zone.	Private open space within the building line conforms to the articulation zone allowance of the DCP.	Y
	2. Windows and balconies overlook the public domain.	Proposed windows and balconies overlook the surrounding public domain.	Y
	3. Direct visibility is provided along pathways and driveways from the public domain.	Direct visibility is achieved in the design.	Y
	4. Fences and walls forward of the building line of the primary road frontage: (a) have an average height of 1.2m, with a maximum height of 1.5m and are constructed using materials such as slats or pickets with at least 50% of the fence area open. (b) may use high solid acoustic fencing to shield dwellings from the noise from classified roads. These walls may have a maximum height of 2.1m and a setback of at least 1.5m from the boundary. Landscape planting with a mature height of at least 1.5m is provided between the wall and the front boundary. (c) do not use unfinished timber paling and metal panel fences forward of the building line. (d) have courtyard fences and walls to secondary street frontages align with the façade facing the street. Solid fencing components are finished with the same material as the building facade.	No new front fences or walls are proposed.	Y

	5. Retaining walls within the front setback that have a height greater than 600mm are softened by landscape planting with a minimum width of 600mm on the low side of the retaining wall.	N/A	N/A
	6. Where development adjoins public parks, open space or bushland, or is a corner site, the design positively addresses this interface by: (a) street access, pedestrian paths and building entries which are clearly defined; or (b) paths, low fences and planting that clearly delineate between communal/private open space and the adjoining public open space; or (c) walls fronting the public spaces have openings that are at least 25% of the surface area of the wall.	Clearly defined building entry points are designed, and the design facilitates pedestrian access and activity at ground level through the site and to adjoining public spaces.	Y
C. Pedestrian and Vehicle Access	1. Internal streets, lanes, driveways and parking spaces and circulation comply with AS 2890.1.	The proposed parking areas comply.	Y
	2. Battle-axe driveways, internal streets, lanes and visitor car parking spaces are setback: (a) at least 1m from a fence; (b) at least 1m from another dwelling; (c) at least 2.5m from a window to a habitable room that has 1m <sup>2</sup> or larger in size.	N/A	N/A
	3. Landscape planting is incorporated into the driveway, street and lane setbacks.	The landscape design makes use of the setback areas and connects with the surrounding public spaces.	Y
	4. Driveways that are adjacent to a tree are located outside of the dripline or comply with the recommendations in a report prepared by a qualified arborist	N/A	N/A
	5. All internal driveways, streets and lanes are overlooked by windows from habitable rooms or private open space.	The open space and through-site links are overlooked by ground floor active uses and upper level balconies and windows.	Y
	6. Open space or the window of a dwelling is provided at the termination point of an internal driveway, street or lane.	N/A	N/A
	7. Multi dwelling developments that contain 20 or more dwellings include pedestrian paths that are separated from the internal road or lane by a kerb or landscaped area.	Separate entries for pedestrians are provided to the proposed buildings.	Y
	8. Where pedestrian circulation is separated from vehicle circulation, the paths still function like streets with pavement at least 1.5m wide, clearly identifiable dwelling entrances and clear	The proposed pedestrian access ways comply with these criteria.	Y

	lines of sight to create a legible and safe network.		
	9. Lighting is provided in accordance with AS 1158.3 to roads and pedestrian spaces and avoids light spill into private open space or habitable rooms.	Suitable lighting provided for the development to maintain safety and optimum visibility particularly of the building edges and pedestrian areas.	Y
	10. The maximum length of a dead-end lane or driveway is 40m and serves a maximum of 10 dwellings.	N/A	N/A
	11. Lanes and driveways including pedestrian paths are straight and all parts have a clear line of sight from internal or public streets.	Pedestrian paths of travel are clearly visible.	Y
D. Orientation and Siting	1. The principal area of private open space and the window to a living room of an adjoining dwelling receives greater than 2 hours of solar access between 9am and 3pm on the winter solstice. Where the window or principal area of private open space is already overshadowed, solar access is not reduced by more than 20%.	Refer to the shadow diagrams provided by Architect at Appendix A.	Y
	2. On sloping sites the buildings respond to the topography with changes in floor level to minimise the need for cut and fill.	The site is generally level although the design responds to flooding level.	Y
	3. Fill outside the building footprint does not exceed a height measured from existing ground level of: (a) 600mm if located within 1m of a boundary, and (b) 1m if located greater than 1m from a boundary.	No fill outside the building envelope proposed.	Y
	4. Dwellings are orientated to maximise solar and daylight access to living rooms and private open space.	Apartments have been designed to maximise solar access.	Y
	11. Ground floor levels are not more than 1.3m above existing ground level and not more than 1m below existing ground level.	The ground level and building finished floor levels relate to the surrounding natural levels and are approx. 600mm above. Suitable landscaped transition is provided.	Y
	12. Excavation does not exceed a depth measured from existing ground level of: (a) 600mm if located within 1m of a boundary and (b) 1m if located greater than 1m from a boundary.	Excavation proposed for two basement levels.	Y
	13. Fill outside the building footprint does not exceed a height measured from existing ground level of: (a) 600mm if located within 1m of a boundary and (b) 1m if located greater than 1m from a boundary.	No fill external to the building footprint proposed.	Y

E. Building Separation	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
<b>3.03.03 Amenity</b>			
A. Solar and Daylight Access	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
B. Natural Ventilation	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
C. Ceiling Heights	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
D. Dwelling size and layout	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
E. Private Open Space	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
F. Storage	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	N/A
G. Bike and Car Parking	1. Car and bicycle parking comply with Section 7.03 Traffic, Parking and Access of this DCP.	Refer to Section 7.03 of this DCP.	Y
H. Visual Privacy	OVERRULED BY SEPP65	OVERRULED BY SEPP65	N/A
I. Acoustic Privacy	1. All noise generating equipment such as air conditioning units, swimming pool filters, fixed vacuum systems and driveway entry shutters are designed to protect the acoustic privacy of residents and neighbours. All such noise generating equipment must be acoustically screened. The noise level generated by any equipment does not exceed an LAeq (15 min) of 5dB(A) above background noise at the property boundary.	A Noise Impact Assessment has been undertaken to identify the likely impact of noise on the proposed residential apartments. Refer to Appendix H.	Y
	2. Noise sources not associated with the dwelling such as garage doors, driveways, service areas, plant rooms, building services, mechanical equipment are located at least 3m from any bedroom.	No noise sources are within 3m of bedrooms.	Y
J. Noise and Pollution	1. Dwellings that are within 100m of a road corridor with an annual daily traffic (AADT) volume of more than 40 000 vehicles (based on traffic volume data published on the website of the RMS) or 80m from a rail corridor have LAeq measures not exceeding: (a) in any bedroom: 35dB(A) between 10pm - 7am (b) anywhere else in the building (other than a kitchen, garage, bathroom or hallway): 40dB(A) at any time.	The proposal is not within 100m of a rail corridor and therefore does not need to meet these thresholds.	N/A
	2. This can be achieved by: (a) a full noise assessment prepared by a qualified acoustic engineer; or (b) complying with relevant noise control treatment for sleeping areas and other habitable rooms in Appendix C of Draft Guide to Infrastructure development near rail corridors busy roads.	A Noise Impact Assessment has been undertaken (refer to Appendix H).	N/A

	3. Dwellings within 25m of a rail corridor have a vibration assessment carried out by a qualified structural engineer.	N/A	N/A
<b>3.03.05 Environment</b>			
A. Energy Efficiency	OVERRULED BY SEPP BASIX	OVERRULED BY SEPP BASIX	
B. Water Management and Conservation	OVERRULED BY SEPP BASIX	OVERRULED BY SEPP BASIX	
C. Waste Management	1. Waste management facilities comply with the requirements of Section 7.08 Waste Management of this DCP.	A Waste Management Plan (WMP) has been prepared for the proposal and is provided at Appendix N.	Y
	2. Where a communal bin storage area is provided, it is located behind the building line of the primary street frontage and appropriately screened from public places and adjoining properties.	Internal waste storage rooms are provided.	Y
	3. Where the site characteristics or the number of bins and length of street frontage are not appropriate for kerbside collection of waste and recycling, developments are designed and constructed to facilitate onsite waste collection.	Kerbside collection is appropriate and frequency will be managed as per the WMP.	Y
<b>3.10 Commercial Uses</b>			
3.10.08 Fencing and Walls	1. The use of fencing along street frontages is not supported.	No front fences are proposed along Honeysuckle Drive.	N/A
	2. Fences and walls 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.	N/A	N/A
	3. The use of sheet-metal fencing is avoided adjacent to public places, unless the visual impact is softened by landscaping.	N/A	N/A
3.10.09 Utilities and Services	1. Mail boxes (where provided onsite) are located close to each ground floor entry, or a mail box structure located close to the major pedestrian entry to the site and complying with the requirements of Australia Post.	Mailboxes are suitably located within the building lobbies and will comply with Australia Post requirements for access.	Y
	2. Bin storage areas are roofed and designed to conceal contents from view from adjacent public space and/or other properties. The bin storage area is provided with a water-tap for wash down purposes and is drained to connect to the sewer. The bin storage area is located as close as practicable to the pick-up location.	Waste storage rooms are provided within the basement and are capable of complying with these criteria.	Y
<b>4.00 Risk Management Provisions</b>			
<b>4.01 Flood Management</b>			

4.01.01 Floodways	<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>	The proposed landscaping works within the floodway are minor and will not impede the flow paths.	Y
4.01.02 Flood Storage Areas	<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>	The site is not within a flood storage area. The proposal is accompanied by a Flooding Assessment and is suitably designed for the location having regard to flooding.	Y
4.01.03 Management of Risk to Property	<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>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 carpark in accordance with</p>	<p>The habitable floor levels of the buildings are at the Flood Planning Level for the site.</p> <p>The vehicle entry point is at the FPL and all other water entry points to the basement are at or above the PMF. The basement has access to higher levels of the building for refuge.</p>	Y

	<p>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 Risk to Life</p>	<p><u>On-site refuge</u></p> <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 40m from the perimeter of the PMF extent and the higher ground is accessible.</p>	<p>The potential risk to life can be managed, as discussed in the Flooding Assessment at Appendix F.</p> <p>On-site refuge is available for the development and satisfies these criteria.</p>	<p>Y</p>

	<p><u>Standards for on-site refuge</u></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>		
<b>4.03 Mine Subsidence</b>			
	All developments located in areas affected by mine subsidence must have approval from the Mine Subsidence Board prior to lodgement with The City of Newcastle.	Consultations have been undertaken with the Subsidence Advisory NSW. Approval from the SANSW will be provided to the consent authority prior to the determination of the application. The DA is not lodged with Council as it is SSD.	N/A
<b>4.04 Safety and Security</b>			
4.04.01	<p>1. Good surveillance is achieved by: (a) clear sightlines between private and public spaces (b) effective lighting of public places (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: (a) landscapes and physical locations that channel and group pedestrians into target areas (b) public spaces that attract rather than discourage people from gathering (c) restricted areas to internal or high risk areas (eg. car parks).</p> <p>3. Community ownership (territorial reinforcement) makes people feel comfortable in a place and is achieved by: (a) a design that encourages people to gather in public spaces (b) having a clear transition between boundaries of public and private spaces (c) having clear design cues as to who is to use the space and what it is to be used for.</p>	<p>The proposal has been designed where possible in accordance with CPTED principles. An assessment of the development against the CPTED principals is provided within Appendix O.</p> <p>The landscape design provides access control and incorporates target areas for congregation and enjoyment. Access to restricted areas is appropriately controlled through access security measures.</p> <p>The design encourages gathering and enjoyment of the public space and a connection between the open ground floor spaces and surrounding public domain. The private open spaces are overlooked by the commercial premises and have a distinct sense of place.</p>	Y

<p>4. Space management strategies such as activity coordination; site cleanliness and graffiti repair are proposed for the development proposal.</p> <p><i>For business/commercial developments:</i></p> <p>5. Clearly delineate the change from public to private space to deter intruders.</p> <p>6. Buildings are designed to maximise casual surveillance of public and communal spaces including back access lanes, carparks, streets, entrances.</p> <p>7. Provide active frontage to the public domain.</p> <p>8. Ensure fences and walls maintain surveillance of the street.</p> <p>9. Building entries are designed to: (a) provide the resident/occupier with a sense of personal address and shelter (b) incorporate a transitional space around the entry (c) be clearly visible and easily identifiable from streets, public areas or internal driveways, to enable visitors to easily identify a particular building.</p> <p>10. Pedestrian access and parking on a site is clearly defined, appropriately lit, visible, and provides direct access to buildings from areas likely to be used at night.</p> <p>11. Underground parking areas incorporate security systems, for example intercoms, to discourage intruders.</p> <p>12. Major pedestrian, cycle and vehicle thoroughfares are identified and reinforced as 'safe routes' through: (a) appropriate lighting (b) the potential for informal visual surveillance from neighbouring buildings (c) minimising opportunities for concealment (d) avoiding 'blind' corners.</p> <p>13. Use etch proof windows and materials that are graffiti resistant for all external building surfaces within or accessible to public and communal spaces, including street frontage, rear or</p>	<p>Space management will be addressed within a Plan of Management for the development.</p> <p>Clear delineation between spaces has been incorporated into the design.</p> <p>Surveillance over the open areas of the site has been incorporated into the design.</p> <p>Active ground floor frontages have been designed to the public domain and Honeysuckle Drive.</p> <p>No fences or walls are proposed to front Honeysuckle Drive.</p> <p>Building entries provide shelter, are clearly identifiable, allow for lobby circulation and transition.</p> <p>Basement entry is clearly identifiable and separate pedestrian access to the buildings is defined and will be suitably lit.</p> <p>Basement security systems will be installed.</p> <p>The through-site links and basement will be secure and appropriately lit to minimise potential for crime and achieve a genuine sense of security.</p>	
---	--	--


	<p>side access lanes, car parks, and entrances.</p> <p><u>For Residential accommodation:</u></p> <p>20. Buildings adjacent to public or communal streets or public space are designed to allow casual surveillance and have a window from at least one habitable room facing that area.</p> <p>21. Adequate lighting to all pedestrian paths, shared areas, parking areas and building entries.</p> <p>22. Shared entries are to serve a maximum of 12 dwellings.</p> <p>23. Access from car parks to dwellings is direct and safe for residents.</p> <p>24. Dwellings oriented towards the street with entrances clearly visible.</p>	<p>Suitable durable materials will be used.</p> <p>Casual surveillance over public spaces is achieved from the apartments.</p> <p>Adequate lighting will be provided.</p> <p>Each building has a separated entry which serves all apartments therein. The lift access complies with ADG.</p> <p>All access is direct and safe.</p> <p>Apartments are oriented to the street, to the adjoining public spaces and to the waterfront.</p>	
4.04.02 Crime Risk Assessment	<p>1. A Crime Risk Assessment may be required for large developments to assist Council assess crime risk in local developments. For further information please refer to Crime Prevention and the Assessment of Development Applications, 2001 (Department of Planning).</p>	<p>A Crime Risk Assessment has been undertaken for the proposed development and is provided at Appendix O.</p>	Y
<b>4.05 Social Impact</b>			
4.05.01 Social Impact	<p>1. Development applications comply with the requirements of the 'Social Impact Assessment Policy for Development Applications, 1999', The City of Newcastle.</p>	<p>The positive social impacts of the proposed development have been explained in the EIS. Potential adverse impacts include the disruption likely to occur as a result of construction activities which are proposed to be managed in accordance with a CMP. Public consultation will occur during the EIS assessment process.</p>	Y
<b>5.00 Environmental Protection Provisions</b>			
<b>5.01 Soil Management</b>			
5.01.01 Erosion Prevention	<p>General controls applying to all development where site disturbance is greater than 2,500m<sup>2</sup> and involving construction, demolition or earth works:</p>	<p>An ESCP has been prepared in accordance with the Blue Book (refer to Appendix D).</p>	Y

	7. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').		
5.01.02 Sediment Control	<p>General controls applying to all development where site disturbance is greater than 2,500m<sup>2</sup> and involving construction, demolition or earthworks.</p> <p>6. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').</p>	An ESCP has been prepared in accordance with the Blue Book (refer to Appendix D).	Y
5.01.03 Cut and Fill	<p>1. A site survey 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: (a) maximum cut of 3m within the building envelope (b) maximum fill within building envelope of 1m (c) maximum cut external to building envelope of 1m (d) maximum fill external of building envelope of 1m. (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>	<p>Site Survey Plan is provided at Appendix V.</p> <p>Basement excavation is proposed. Refer to the Geotechnical Report by Douglas Partners at Appendix I.</p> <p>No cut or fill proposed within easements.</p> <p>No fill will need to be imported to the site.</p> <p>Stormwater will not cause a nuisance to adjoining properties (refer to the Civil drawings in Appendix D).</p> <p>Basement carparking is appropriate for the intended use and scale of the development, and has been incorporated into the design for the site.</p>	Y


## 5.02 Land Contamination

5.02.01 Plan Making & Development Assessment	<p><u>A: Initial Investigation</u></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>	An initial investigation into the likelihood of contaminated soils has been undertaken by Douglas Partners (refer to Appendix I). No further assessment or management required.	Y
	<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> <p>3. The evaluation is to be based upon records held by Newcastle City Council that are readily accessible, and may also be based upon factual information gained from a site inspection. 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><u>B: Is a site investigation required?</u></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: (a) the land is or may be contaminated land, or (b) there is insufficient information on which to make a decision, a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines.</p>	As above.	Y
<b>5.04 Aboriginal Heritage</b>			
5.04.01 Due Diligence and Development Assessment	<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> </ul>	An assessment of the potential for impact on Aboriginal heritage has been undertaken as part of the Heritage Assessment (refer to Appendix K) and the potential was found to be low.	Y

	<p>A statement indicating whether the proposed development is likely to harm Aboriginal objects.</p> <ul style="list-style-type: none"> <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>		
<b>5.06 Archaeological Management</b>			
5.06.01 Archaeological Management	<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>	An assessment of the potential for impact on Aboriginal heritage has been undertaken as part of the Heritage Assessment (refer to Appendix K) and the potential was found to be low.	Y
<b>Control</b>	<b>Acceptable Solution</b>	<b>Comment</b>	<b>Compliance</b>
<b>6.00 Locality Specific Provisions – Newcastle City Centre</b>			
<b>6.01 Character Areas</b>			
Character Area Statement for Honeysuckle	Honeysuckle is currently the premier locale for A-grade large floor plate commercial office development. A range of complementary uses include higher density residential development, restaurants and hotels which take advantage of Honeysuckle's prime position on the Hunter River foreshore.	The proposed mixed-use development is consistent with the desired character of Honeysuckle.	Y

	Honeysuckle has opportunities for significant public domain. The extension of the foreshore park westwards will form a continuous publicly accessible foreshore that extends from Maryville to Merewether around the city centre peninsula.		
Principles for Honeysuckle	<p>1. Development between the former rail corridor and Honeysuckle Drive provides a building address to both frontages.</p> <p>2. Development along the waterfront, Cottage Creek, lanes or through-site links provide a building address to encourage activity, pedestrian and cycleway movement, and improve safety.</p> <p>3. Heritage items and their setting are protected Principles</p>	<p>N/A</p> <p>The proposal provides active street frontages and addresses the Honeysuckle Drive, waterfront and through-site links in an appropriate manner.</p> <p>The proposal respects the limited heritage values of the site.</p>	Y
<b>6.01 General Controls</b>			
A1 Street Wall Heights	a) New buildings have a street wall height of 16m unless indicated otherwise in Figure 6.01-11.	The site is to have a streetwall height of 16m. However, the DCP also stipulates 2.5m setback on all boundaries of the site. The 2.5m setback has been provided.	Y
	b) Any development above the street wall height is set back a minimum of 6m, as shown in Figure 6.01-12.	This is not achieved in the design, however the design is consistent with the adjoining development and appropriate for the Honeysuckle Drive location.	N
	c) Corner sites may be emphasised by design elements that incorporate some additional height above the nominated street height.	N/A	N/A
A2 Building Setbacks	<p>a) Front setbacks are nil (zero) unless shown otherwise in Figure 6.01-13 and Table 6.01-1.</p>  <p>b) Where it is not possible to meet the setbacks in Figure 6.01-13 and Table 6.01-1 new development aligns with the adjoining front setbacks.</p> <p>c) When a setback is used, footpaths, steps, ramps and the like may be provided within it.</p>	The setbacks applied to the site are 2.5 metres on all boundaries. This is achieved. The western boundary has minor encroachments for a small part of the building however this boundary adjoins a future 20m wide public space corridor and floodway, so the impact is negligible.	Y

	<p>d) Minor projections beyond the setback are possible for Juliette balconies, sun shading devices, and awnings.</p> <p>e) Projections into the setbacks are complementary to the style and character of adjoining buildings.</p>		
A2.02	<p>a) Development may be built to the side and rear boundary (a nil setback) below the street wall height.</p> <p>b) Commercial development above street wall height is consistent with the side and rear setbacks outlined in Table 6.01-1 and Figure 6.01-14.</p>	<p>The western side is proposed to be built to the boundary for a very small portion.</p> <p>No commercial land use is proposed above ground level.</p>	<p>Y</p> <p>N/A</p>
A3 Building Separation	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	
A4 Building Depth and Bulk	OVERRULED BY SEPP65	REFER TO ADG ASSESSMENT.	
A5 Building Exteriors	<p>a) Materials and finishes complement the character of the precinct.</p> <p>b) External walls are constructed of high quality and durable materials and finishes with low maintenance attributes such as face brickwork, rendered brickwork, stone, concrete and glass.</p> <p>c) An exterior material and finishes sample board and schedule shall be submitted with development application to show the quality of the materials proposed.</p>	A materials and colours and finishes board is included in the Architect's drawings package provided at Appendix A.	Y
A5.02	<p>a) Buildings are articulated to differentiate between the base, middle and top.</p> <p>b) Visually prominent parts of buildings such as balconies, overhangs, awnings, and roof tops are of high design quality.</p> <p>c) Roof lines are to be designed to create a visually interesting skyline with roof plant and lift overrun integrated into the overall architectural design of the building.</p> <p>d) Facades do not incorporate large expanses of a Photo 6.01-23 A well-articulated building which differentiates between base, single material, including reflective glass</p>	The building has a differentiated base, middle and recessed top level. The design has been prepared by SJB Architects and presents a high quality building design for the site.	Y
A5.03	<p>a) Building exteriors clearly define the adjoining streets, street corners and public spaces, designed with safety in mind and easy to navigate for pedestrians.</p> <p>b) Where development exposes a blank wall a visually interesting treatment is applied to the exposed wall.</p>	<p>The building exteriors are treated and expressed and incorporate glazing to create attractive entries and surveillance to the surrounding public spaces.</p> <p>No blank walls are exposed.</p>	Y

	<p>c) Balconies and terraces are provided where buildings overlook parks and squares to contribute to casual surveillance.</p> <p>d) External building facade lighting is integrated with the design of the building and contributes to the character of the building and surrounding area.</p>	<p>Balconies and terraces are provided to all aspects of the building and afford casual surveillance to the public domain all around the site.</p> <p>Appropriate external lighting will be incorporated.</p>	
A.04	<p>a) Adjoining buildings are considered in terms of:</p> <ul style="list-style-type: none"> <li>• appropriate alignment of building line, awnings, parapets, cornice lines and street wall heights</li> <li>• setbacks above street wall heights</li> <li>• selection of materials and finishes</li> <li>• façade proportions including horizontal or vertical emphasis</li> <li>• detailing of the interface with adjoining buildings.</li> </ul>	<p>The nearest neighbouring building is the Lume Apartments currently under construction to the east. The design of that building (in particular the massing toward the foreshore) has been referenced in the design of the proposal. The waterfront single storey building by independent Architect Sam Crawford is an example of this. The design of the proposal toward the public open space corridor also has regard to the adjoining Lume Apartments development.</p>	Y
A7 Awnings	<p>a) Continuous street frontage awnings or weather protection to entrances are provided for all new developments in areas requiring an active frontage on Figure 6.01-25 (B3 Active street frontages).</p> <p>b) Awnings are continuous to ensure pedestrian amenity.</p>	<p>The site is not identified on the DCP map as requiring an active street frontage.</p>	N/A
A8 Design of Parking Structures	<p>1. The design of entry ramps, ventilation points and pedestrian exits prevents water entering the basement until the last possible moment in a flood event, as shown in Figure 6.01-18.</p> <p>Design solutions include warning signage of the hazard and the route to safe refuge affixed in prominent locations.</p>	<p>The basement entry ramp has been designed to protect against flooding.</p>	Y
B1 Access Network	<p>a) Improved and new pedestrian connections are as shown in Figure 6.01-20 and are designed in accordance with the City Centre Technical Manual.</p>  <p>b) New pedestrian connections are within comfortable walking distance to public transport.</p> <p>c) Streets and lanes are connected to encourage pedestrian use.</p>	<p>New pedestrian connections are shown along the east west and foreshore frontage of the site. The design incorporates effective pedestrian connectivity to, within and through the site, as desired.</p>	Y

	d) Way finding signage is incorporated and clearly defined.		
B1.02	<p>2. New streets, lanes, through-site links and pedestrian paths are provided as shown in Figure 6.01-19 and designed in accordance with the City Centre Public Domain Technical Manual.</p> <p>3. Lanes and through-site links maintain clear sight lines from each end.</p> <p>4. Dead-ends or cul-de-sacs are avoided. Where they exist they are extended to the next street, where possible. Where unavoidable, way finding signage should be provided.</p> <p>5. Pedestrian bridges are avoided over public spaces, including lanes.</p> <p>6. Development adjacent to a lane or pedestrian path includes:  (a) active uses at the ground level  (b) appropriate lighting  (c) access for service vehicles if necessary.</p> <p>7. Streets, lanes and footpaths include lighting and illumination in accordance with the requirements of the City Centre Technical Manual.</p> <p>8. Blank walls and solid fencing that inhibit natural surveillance and encourages graffiti should be avoided.</p> <p>9. Laneways, paths and through site links incorporate Crime Prevention Through Environmental Design Principles.</p>	<p>The proposed through-site links are suitably designed.</p> <p>Clear sight lines from each end of the through-site links is designed.</p> <p>No dead-ends or cul-de-sacs are proposed.</p> <p>No pedestrian bridges are proposed.</p> <p>The development incorporates active ground floor use, appropriate lighting and service vehicle access is via Honeysuckle Drive.</p> <p>Lighting will be provided in accordance with the Technical Manual.</p> <p>The building facades are varied and use interesting and robust materials.</p> <p>The design is commensurate with CPTED principles.</p>	Y
B1.03	<p>a) A permeable pedestrian network from the city centre to the foreshore is provided as shown in Figure 6.01-20.</p> <p>b) Through-site connections on privately owned land are:</p> <ul style="list-style-type: none"> <li>• minimum 5m wide with no obstructions</li> <li>• lined with active street frontage and/or a building which addresses the frontage</li> <li>• clear and direct through-ways</li> <li>• open to the air and publicly accessible at all times</li> <li>• provided with signage at street entries indicating public accessibility and the street to which the through-block connections ends</li> <li>• designed in accordance with the Crime Prevention Through Environmental Design principles.</li> </ul> <p>c) Arcades in retail and commercial developments provide:</p> <ul style="list-style-type: none"> <li>• minimum width of 3m</li> <li>• ground level active uses</li> </ul>	<p>The through-site links comply with these standards.</p>	Y

	<ul style="list-style-type: none"> <li>• access to natural light</li> <li>• public access during business hours</li> <li>• clear connections to streets and lanes with a direct line of sight between entrances</li> </ul> <p>d) Pedestrian crossings should be located to enable a direct line of travel for pedestrians.</p> <p>e) Pedestrian-only public lanes are designed in accordance with the City Centre Technical Manual.</p>		
B1.04	<p>a) Pedestrian access to public transport stops is convenient, safe and accessible.</p> <p>b) Light rail and bus stop locations are coordinated to enable convenient mode change, i.e. stops are located within walking distance from each other.</p> <p>c) Cycling routes and cycle parking are coordinated and integrated with the location of public transport stops to enable convenient mode change.</p> <p>d) The design of public transport facilities should have regard to Crime Prevention through Environmental Design Principles.</p>	<p>Pedestrian access is optimal around this site, with improved footpath works to be undertaken for the frontage of the site and through-site links. The site has direct access to the foreshore promenade and cycling routes, as well as bus stops and is a short walking distance to the Interchange. No new transport facilities are required to be provided under this DA.</p>	Y
B1.05	<p>a) Separated cycle ways are provided on Hunter Street as shown in Figure 6.01-20 and designed in accordance with the City Centre Technical Manual.</p> <p>b) Cycle ways are connected into the network indicated in the City of Newcastle Cycling Strategy and accessible to public transport stops.</p> <p>c) Safety is maximised through active street frontages. Buildings that adjoin pedestrian and cycle paths are designed to address the path and provide passive surveillance opportunities.</p> <p>d) Signage should be provided along cycle routes identifying key destinations, transport stops, bicycle parking, travel times and distances.</p> <p>e) Commercial development includes end of trip cycling infrastructure. Design solutions include:</p> <ul style="list-style-type: none"> <li>• secure bike parking</li> <li>• shower and change room facilities.</li> </ul>	<p>The site already experiences great access for cycling, and will improve public access to the foreshore with the provision of through-site links.</p> <p>Cycling lockers will be provided for each resident in the development and additional visitor / staff cycling racks will be provided at ground level to facilitate this mode of transport / leisure.</p> <p>Whilst the proposal does not provide end of trip facilities to individual commercial premises, the ground floor features a gymnasium with amenities and future fit-out of commercial premises may provide shower/change room facility.</p>	Y
B2 Views and Vistas	<p>a) New development protects the views nominated in Figure 6.01-24.</p> <p>b) New development in the vicinity of views to Christ Church Cathedral nominated on Figure 6.01-24 must ensure that vistas of the Cathedral's tower, roof-scape and pinnacles of the buttresses are preserved.</p> <p>c) A visual impact assessment accompanies the application and confirms that this performance criteria has been met.</p>	<p>The site does not affect any views nominated in the DCP.</p>	Y
B2.02	<p>a) Align new development to maximise and frame view corridors between buildings, taking into account topography, vegetation and surrounding development.</p>	<p>View sharing has been considered in the design, which provides two through-site links within the site, a 20m wide corridor and a 6m corridor.</p>	Y

	<p>b) Where there is potential impacts on views an assessment of the following principles should be submitted with the application:</p> <ul style="list-style-type: none"> <li>• the views to be affected</li> <li>• what part of the property the views are obtained</li> <li>• the extent of the impact</li> <li>• the reasonableness of the proposal that is causing the impact.</li> </ul>		
B3 Active Street Frontages	<p>a) Active frontages are a minimum 70% of the primary street frontage. They have transparent glazing to allow unobstructed views from the adjacent footpath to at least a depth of 6m within the building.</p> <p>b) Active frontages are to be provided in activity nodes:</p> <ul style="list-style-type: none"> <li>• in the locations shown in Figure 6.01-25</li> <li>• on through block links, pedestrian only lanes and arcades</li> <li>• on all other streets where possible.</li> </ul>	<p>The site is <i>not</i> identified as requiring active street frontages on the DCP map. However, the through-site links are provided with active frontages to provide optimum surveillance and an active ground floor connection with the outdoor spaces.</p>	Y
	<p>c) New development:</p> <ul style="list-style-type: none"> <li>• maximises entries or display windows to shops and/or food and drink premises, customer service areas and activities which provide pedestrian interest and interaction.</li> <li>• minimises fire escapes, service doors, car park entries and plant and equipment hatches and grilles, to the active frontage</li> <li>• provides elements of visual interest such as display cases, or creative use of materials where fire escapes, service doors and plant and equipment hatches cannot be avoided.</li> <li>• provides a high standard of finish for shop fronts.</li> <li>• avoid blank walls that inhibit natural surveillance and encourage graffiti.</li> </ul> <p>d) Street frontages are activated through one or more of the following:</p> <ul style="list-style-type: none"> <li>• retail and shop fronts</li> <li>• cafés or restaurants</li> <li>• active office uses, visible from the street</li> <li>• public building or community facilities where activities inside the building are visible from the street</li> <li>• entries and lobbies</li> <li>• multiple entries for residential buildings</li> <li>• uses that overlook the street</li> <li>• uses that screen or sleeve car parks to a minimum depth of 6m from the street</li> <li>• avoiding porte cochères</li> </ul> <p>e) Ground levels of buildings in commercial core and mixed zones have a minimum 4m floor to ceiling height on the ground floor to ensure flexibility for a variety of active uses.</p> <p>f) Foyer and lobby spaces are no more than 20% of the street frontage where</p>	<p>The proposal satisfies these criteria, with glazing and large entries at ground level, active land uses around the entire ground floor, and attractive, usable pedestrian spaces in and around the building.</p> <p>The foyer, lobby and services occupy a portion of the ground floor as necessary, but this is minor and flanked by active retail premises.</p>	Y

	<p>active frontages are required as per Figure 6.01-25, or no more than 8m of a street frontage elsewhere.</p> <p>g) The ground floor level is at the same level as the footpath.</p> <p>h) Shopfronts are enclosed, unless they are food and drink premises.</p> <p>i) Security grills, where provided, are fitted internally behind the shop front, are fully retractable and at least 50% transparent when closed.</p>		
B4 Addressing the Street	<p>a) Acceptable design solutions include:</p> <ul style="list-style-type: none"> <li>• maximise the number of entries onto the street</li> <li>• ground floor internal uses are visible from the street</li> <li>• building name and / or street number signage is well designed and easily identifiable</li> <li>• well lit building entries</li> <li>• well designed efficient external lighting to nonresidential buildings</li> <li>• building frontages to incorporate Crime Prevention through Environmental Design</li> <li>• entries are at the same level as the adjacent footpath on sites not flood affected</li> <li>• finished floor levels are no greater than 500mm above or below the adjacent footpath or public domain</li> <li>• finished floor levels are no greater than 1.2m above the adjacent footpath or public domain on sites with a cross fall of greater than 1 in 10</li> <li>• high quality finishes and public art that is visible from the public domain</li> <li>• opportunities for direct surveillance from the building to the adjacent street</li> <li>• ground floor residential uses can be elevated up to 1.0m above ground level for privacy</li> </ul>	<p>The proposal adequately addresses not only the street, but the foreshore and open space corridors to the east and west. This creates optimum surveillance opportunities around the buildings and will contribute to the activity and vibrancy at ground level within this precinct.</p> <p>Entries are identifiable and safe, levels of the building relate to surrounding site levels for ease of access (as well as flooding).</p>	Y
B4.02	<p>a) Equitable access to a building is provided where the lowest level is elevated above the flood planning level.</p> <p>b) Locate accessibility ramps from the footpath to the lowest level of buildings above the flood planning level so that a positive address to the street and activated frontages are maintained.</p>	<p>Equitable access is provided for the development and an Access Report has been prepared for the proposal (refer to Appendix G).</p> <p>Access ramps within the development are wide and appropriate for intended use.</p>	Y
B5 Public artwork	<p>a) Public and civic buildings, development on key sites and development over 45m in height are to allocate 1% of the capital cost of development towards public artwork for development.</p>	<p>The proposal does not meet these triggers.</p>	N/A

	b) Council is consulted on the location and proposal for public art.		
B6 Sun access to public spaces	a) Sunlight access is provided to significant public spaces for at least 2 hours during mid-winter between 9am and 3pm, demonstrated by shadow diagrams. Significant public spaces in the city centre include: <ul style="list-style-type: none"> <li>• Civic Park</li> <li>• Wheeler Place</li> <li>• Birdwood Park</li> <li>• Little Birdwood Park</li> <li>• Cathedral Park</li> <li>• Pacific Park</li> <li>• National Park</li> <li>• Christie Place</li> <li>• Fletcher Park</li> <li>• Church Walk Park.</li> </ul>	Solar access is maintained to surrounding public spaces as much as possible and to a reasonable level. The proposal does not affect the significant public spaces listed.	Y

Control	Requirement	Comment	Compliance
---------	-------------	---------	------------

### 7.00 Development Provisions

### 7.02 Landscaping, Open Space and Visual Amenity

7.02.01 Categories of development	<table border="1"> <thead> <tr> <th colspan="4">Schedule of Landscape Categories for Development Types</th> </tr> <tr> <th rowspan="2">Development Type</th> <th colspan="3">Category</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Dwelling houses</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Small scale alterations or additions</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Change of use</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Exhibition home</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Dual occupancies</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Rural dwellings</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Advertising signs</td> <td>✓</td> <td>*</td> <td></td> </tr> <tr> <td>Multi-dwelling Housing and Residential Flat Buildings</td> <td></td> <td>3-10 dwgs</td> <td>&gt;10</td> </tr> <tr> <td>Industrial development</td> <td></td> <td>&lt;\$2M</td> <td>≥\$2M</td> </tr> <tr> <td>Special uses eg. schools, churches, hospitals</td> <td></td> <td>&lt;\$2M</td> <td>≥\$2M</td> </tr> <tr> <td>Commercial development</td> <td></td> <td>&lt; or \$2M</td> <td>≥\$2M</td> </tr> <tr> <td>Residential subdivision</td> <td></td> <td>&lt;20 lots</td> <td>≥20 lots</td> </tr> <tr> <td>Rural/residential subdivision</td> <td></td> <td>&lt;20 lots</td> <td>≥20 lots</td> </tr> <tr> <td>Industrial subdivision</td> <td></td> <td>&lt;20 lots</td> <td>≥20 lots</td> </tr> <tr> <td>Designated development</td> <td></td> <td colspan="2">Merit</td> </tr> <tr> <td>Development in or adjacent to open space or historically, visually or ecologically sensitive areas</td> <td></td> <td colspan="2">Merit</td> </tr> </tbody> </table> <p>All documentation is to be prepared by a Landscape Architect or similar qualified professional practising at the membership level of Registered Landscape Architect of the Australian Institute of Landscape Architects, or as determined by Council.</p>	Schedule of Landscape Categories for Development Types				Development Type	Category			1	2	3	Dwelling houses	✓	*		Small scale alterations or additions	✓	*		Change of use	✓	*		Exhibition home	✓	*		Dual occupancies	✓	*		Rural dwellings	✓	*		Advertising signs	✓	*		Multi-dwelling Housing and Residential Flat Buildings		3-10 dwgs	>10	Industrial development		<\$2M	≥\$2M	Special uses eg. schools, churches, hospitals		<\$2M	≥\$2M	Commercial development		< or \$2M	≥\$2M	Residential subdivision		<20 lots	≥20 lots	Rural/residential subdivision		<20 lots	≥20 lots	Industrial subdivision		<20 lots	≥20 lots	Designated development		Merit		Development in or adjacent to open space or historically, visually or ecologically sensitive areas		Merit		A Landscape Design has been prepared for the proposal by Sydney Design Collective (refer to Appendix C).	Y
Schedule of Landscape Categories for Development Types																																																																														
Development Type	Category																																																																													
	1	2	3																																																																											
Dwelling houses	✓	*																																																																												
Small scale alterations or additions	✓	*																																																																												
Change of use	✓	*																																																																												
Exhibition home	✓	*																																																																												
Dual occupancies	✓	*																																																																												
Rural dwellings	✓	*																																																																												
Advertising signs	✓	*																																																																												
Multi-dwelling Housing and Residential Flat Buildings		3-10 dwgs	>10																																																																											
Industrial development		<\$2M	≥\$2M																																																																											
Special uses eg. schools, churches, hospitals		<\$2M	≥\$2M																																																																											
Commercial development		< or \$2M	≥\$2M																																																																											
Residential subdivision		<20 lots	≥20 lots																																																																											
Rural/residential subdivision		<20 lots	≥20 lots																																																																											
Industrial subdivision		<20 lots	≥20 lots																																																																											
Designated development		Merit																																																																												
Development in or adjacent to open space or historically, visually or ecologically sensitive areas		Merit																																																																												
7.02.02 General controls	1. Landscaping is in scale and context with the proposed development, street reserve width, other buildings and landscape elements within the streetscape, ie. it is not appropriate to plant a large tree in the front garden of	The landscape design for the proposal is suited to the scale and nature of the proposed development and the location of the site and its context.	Y																																																																											

<p>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: (a) the design of basement and sub-basement car parking, so as not to fully cover the site and conflict with tree planting (b) ensuring appropriate front and side setbacks are provided for tree planting (c) that the soil profile is free draining (d) works, excavations, infrastructure, services and drainage pipes are located away from the deep soil zone (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>No existing trees exist.</p> <p>The incorporated rainbank balances stormwater requirement and adds an interesting landscaping element.</p> <p>Suitable species have been chosen for this exposed location.</p> <p>Deep soil zones have been provided and achieve the minimum area requirement of the ADG.</p> <p>Front setback provides attractive entrance to the buildings and additional street trees.</p> <p>The pedestrian use and access throughout the site is enhanced by the landscaping.</p> <p>Suitable species have been chosen.</p> <p>The landscape design assists in providing shade and amenity to the proposal.</p> <p>Landscaping is not relied on for visual privacy in this proposal.</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>N/A</p> <p>Planting of the public space corridor is attractive and substantial.</p>	
7.02.06 Green walls and roof space	<p>1. Planting on structures is designed for optimum conditions for plant growth by: (a) providing soil depth, soil volume and soil area appropriate to the size of the plants to be established (b) providing appropriate soil conditions and irrigation methods (c) providing appropriate drainage.</p> <p>2. Planters are to be designed to support the appropriate soil depth and plant selection by: (a) ensuring planter proportions accommodate the largest volume of soil possible and soil depths to ensure healthy tree and shrub growth (b) providing square or rectangular planting areas where possible, rather than narrow linear areas.</p> <p>3. Provide sufficient soil depth and area to allow for plant establishment and growth.</p> <p>4. Green walls are used to enliven blank facades.</p> <p>5. Water filtration is optimised by green roofs through the use of permeable paving.</p> <p>6. Utilities such as plant rooms, lift overruns or air conditioning units are screened with green cover to improve the aesthetic quality of the development.</p>	<p>The landscape design has selected appropriate plant species and planting techniques to ensure longevity of design.</p> <p>Refer to the Landscape design at Appendix C.</p>	Y
<b>7.03 Traffic, Parking and Access</b>			
7.03.01 Traffic Studies and plans	<p>1. The Statement of Environmental Effects addresses the following issues: (a) parking facilities provided, with details of calculations, types, number and arrangement (b) proposed access arrangements and their compliance with design standards outlined in this Section (c) identification of public transport services, stops and shelters in the vicinity of the development (d) traffic generation, impacts expected and proposed traffic management measures.</p> <p>2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement</p>	<p>The EIS addresses these matters. Refer to the EIS and the Traffic Assessment at Appendix E.</p>	Y

	<p>network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional.</p> <p><u>Construction Traffic Management:</u></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>A draft CMP has been prepared for the proposal (refer to Appendix L).</p>					
<p>7.03.02 Parking Provision</p>	<p>For residential accommodation car parking is provide at the following rate per dwelling:</p> <p>Small (&lt;75m<sup>2</sup> or 1 bedroom) = average 0.6 spaces per dwelling.  Medium (75m<sup>2</sup> - 100m<sup>2</sup> or 2 bedrooms) = average 0.9 spaces per dwelling.  Large (&gt;100m<sup>2</sup> or 3 bedrooms) = average 1.4 spaces per dwelling.</p> <p>Plus 1 space for the first 3 dwellings and 1 space for every 5 thereafter or part thereof for visitor parking.</p> <table border="1" data-bbox="421 976 842 1498"> <thead> <tr> <th data-bbox="421 976 632 1016">Land Use</th> <th data-bbox="632 976 842 1016">Car Parking</th> </tr> </thead> <tbody> <tr> <td data-bbox="421 1016 632 1498">Attached Dwellings, Dual occupancy, Multi Dwelling Housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing</td> <td data-bbox="632 1016 842 1498"> <p><u>Newcastle City Centre and Renewal Corridors:</u></p> <p>Small (&lt;75m<sup>2</sup> or 1 bedroom) average 0.6 spaces per dwelling</p> <p>Medium (75m<sup>2</sup> - 100m<sup>2</sup> or 2 bedrooms) average 0.9 spaces per dwelling</p> <p>Large (&gt;100m<sup>2</sup> or 3 bedrooms) average 1.4 spaces per dwelling</p> <p>1 space for the first 3 dwellings plus 1 space for every 5 thereafter or part thereof for visitors</p> </td> </tr> </tbody> </table> <p>2. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to: (a) likely peak usage times (b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations (c) the likely use of public transport.</p> <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>	Land Use	Car Parking	Attached Dwellings, Dual occupancy, Multi Dwelling Housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	<p><u>Newcastle City Centre and Renewal Corridors:</u></p> <p>Small (&lt;75m<sup>2</sup> or 1 bedroom) average 0.6 spaces per dwelling</p> <p>Medium (75m<sup>2</sup> - 100m<sup>2</sup> or 2 bedrooms) average 0.9 spaces per dwelling</p> <p>Large (&gt;100m<sup>2</sup> or 3 bedrooms) average 1.4 spaces per dwelling</p> <p>1 space for the first 3 dwellings plus 1 space for every 5 thereafter or part thereof for visitors</p>	<p>The proposed parking achieves the required number of spaces for the land uses.</p> <p>The additional spaces proposed will ensure that there is ample parking on site with no impacts on the</p>	<p>Y</p>
Land Use	Car Parking						
Attached Dwellings, Dual occupancy, Multi Dwelling Housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	<p><u>Newcastle City Centre and Renewal Corridors:</u></p> <p>Small (&lt;75m<sup>2</sup> or 1 bedroom) average 0.6 spaces per dwelling</p> <p>Medium (75m<sup>2</sup> - 100m<sup>2</sup> or 2 bedrooms) average 0.9 spaces per dwelling</p> <p>Large (&gt;100m<sup>2</sup> or 3 bedrooms) average 1.4 spaces per dwelling</p> <p>1 space for the first 3 dwellings plus 1 space for every 5 thereafter or part thereof for visitors</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. 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: (a) intended use of the site (b) frequency of deliveries and collections. (c) size and bulk of goods (d) size of vehicles (e) ease of access.</p> <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 10,000m<sup>2</sup>, convention and exhibition</p>	<p>surrounding road network and onstreet parking availability. The car spaces are not considered as GFA.</p> <p>N/A</p> <p>The on street loading bay proposed in front of the development is compensated for by the provision of additional spaces within the carpark.</p> <p>Tandem spaces in the basement are to be allocated to apartments and are provided surplus to the required number of spaces.</p> <p>Street drop off and pick up area is proposed, for ease of access and efficiency. There is ample car parking proposed within the carpark to compensate.</p> <p>N/A</p> <p>N/A</p>	
---	--	--

	<p>centres, and other development as deemed appropriate by Council.</p> <p><u>For Newcastle City Centre:</u></p> <p>11. Except for residential development, car parking for development in the Newcastle City Centre is provided at the rate of one space per 60m<sup>2</sup> gross floor area.</p>	<p>This has been provided in the development and complies.</p>	
	<p><u>The following controls apply only to Attached Dwellings, Multiple Dwelling Housing and Residential Flat Buildings as defined within Newcastle Local Environmental Plan 2012:</u></p> <p>12. Visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.</p> <p><u>The following controls apply only to Mixed Use Development:</u></p> <p>13. The total number of parking spaces for a mixed-use development is generally calculated on the basis of the sum of the required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur.</p> <p>14. The total number of spaces to be provided for each type of parking is rounded to the nearest whole number.</p>	<p>The proposal incorporates the required visitor parking.</p> <p>The car parking complies with this calculation.</p> <p>The car parking complies with this calculation.</p>	<p>Y</p>
<p>C. Bike Parking</p>	<p>1. Secure and conveniently accessible bicycle parking for new development is provided at 1 space per 200m<sup>2</sup> GFA for commercial premises (bikes locked to a rack in room/enclosure/cage); and 1 space per dwelling (unless separate storage is provided) plus 1 space per 10 dwellings for visitors (bikes locked to a rack in a public area).</p>	<p>Secure bike lockers are provided for residents in the basement and racks for visitors are provided at ground level.</p>	<p>Y</p>

	<p>Bike parking of 1 space per dwelling is required unless separate storage is provided (Council determine the required class of security)</p> <p>1 space per 10 dwellings (Class 3) for visitors</p>			
D. Motorbike Parking	<p>2. Bicycle parking complies with the relevant Australian Standard (AS2890.3).</p> <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>1. Motorbike parking for new development is provided at: 1 per 20 spaces.</p> <p>2. Motorbike parking complies with the relevant Australian Standard (AS2890.3) and Council's Guidelines for Motorbike Parking in Newcastle.</p>	<p>Motorbike parking is provided in accordance with this rate.</p>	<p>Y</p>
	<p><u>Disabled Parking:</u></p> <p>1. A proportion of parking spaces is designed and designated by appropriate</p>		<p>Accessible car parking spaces have been incorporated and comply with the design requirements.</p>	<p>Y</p>

	<p>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> <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 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m.</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>		
7.03.03 Travel demand management	<p><u>A. Public Transport</u></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 400m 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</p>	<p>Bus stops are located nearby therefore it isn't considered necessary for this proposal to provide additional facilities in this location.</p>	<p>N/A</p>

	<p>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><u><i>B. Green Travel Plan</i></u></p> <p>1. A Green Travel Plan is prepared and submitted to Council in support of applications for major new development. Components/strategies of a Green Travel Plan will likely vary according to the nature of the development, but may include: (a) identification and promotion of public transport options to access the site (for example, on a web site and/or business cards) (b) preparation of a Transport Access Guide (TAG) for the site/venue (c) encouragement of a car pool system for employees (d) encouragement of cycling and walking to the workplace through provision of bicycle parking, showers and lockers (e) incentive schemes to encourage employees to commute using sustainable transport modes (such as provision of public transport vouchers/subsidised public transport tickets) (f) allocation of designated parking spaces for a car sharing scheme, and/or (g) prominent display of a large map of cycling routes (for example, in the foyer of a residential complex). The undertakings made in the submitted Green Travel Plan will be included as conditions of consent to the development.</p>	<p>Details of Green Travel Plan outline are provided within Appendix Z. The site is highly accessible across various modes of transport, including rail, bus, walking, cycling, and motor vehicles. The proposed development incorporates secure bike lockers and racks to encourage active transport use (cycling and walking to work); and does not rely on motor vehicles for access to or from the development.</p> <p>Specific actions and strategies shall be outlined in the final Green Travel Plan to implement prior to occupation.</p>	Y
	<p><u><i>C. End of Trip Facilities</i></u></p> <p>1. For new development that has an estimated cost of more than \$250,000, "end of trip" facilities for employees are provided at the following rates: (a) one personal secure locker for each bicycle parking space (b) one shower cubicle, with ancillary change rooms, per 12 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility. 2. Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking. Facilities may be unisex.</p>	<p>Specific end of trip facilities for the commercial premises are not detailed within this proposal. However, there is a ground floor gymnasium and potential for the commercial fit-outs to incorporate end of tip facilities.</p>	N/A

	<p><i>D. Parking Permit Schemes</i></p> <p>1. Resident and Visitor Parking Permits are not issued to occupants of new residential developments, including dwelling houses, that have been approved by Council in accordance with this DCP, irrespective of the amount of provision of on-site parking. Similarly, permits are not issued to occupants of new development approved by any other determining authority.</p> <p>2. All intending owners, tenants and occupiers of new developments are notified by the owners of the building or individual units (once on-sold) that residents are ineligible for participation in a Council on-street parking scheme, prior to entering a purchasing, lease or occupancy agreement.</p> <p>3. Signage with words to the effect that all owners, tenants and occupiers are ineligible to obtain an on-street parking permit from Council is displayed prominently, in such a way that it can be easily observed by persons entering the building. Signage is erected within the completed buildings prior to the release of an occupancy certificate or issue of strata subdivision approval, whichever occurs first, and is maintained in good order.</p>	<p>Noted. The development incorporates sufficient parking to ensure on site parking is adequate for residents, staff and other users.</p>	<p>Y</p>
<p>7.03.04 Design and layout of parking and access</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> <p>3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.</p> <p>4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation.</p> <p><u>The following controls apply only to Residential Accommodation as defined within the Newcastle LEP 2012 where not complying development:</u></p> <p>5. Generally, car parking structures are set back a minimum distance of 5.5m from the street frontage providing access to the car parking space.</p> <p><i>B. Parking areas and structures</i></p>	<p>The basement entry is appropriately integrated in the building design and will not detract from the amenity of the street frontage.</p> <p>Parking is accessible via lifts and stairs.</p> <p>The carparking is separate from pedestrian access.</p> <p>Loading areas directly accessible to street frontage.</p> <p>The basement is setback approximately 6m.</p>	<p>Y</p>

<p>1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.</p> <p>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.</p> <p>3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6m at the ground level and 3.3m for the next two floors above, to enable it being adapted to an alternative use in future.</p> <p>4. The facade of an above ground parking structure is: (a) designed and finished to complement the architecture of the building (b) designed to avoid domination of ramps or strong horizontal and/or vertical features.</p> <p>5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.</p> <p>6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.</p> <p>7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.</p> <p>8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.</p> <p>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.</p>	<p>The design is compliant. Refer to the Traffic Assessment Report at Appendix E.</p> <p>Active uses are still provided at ground level.</p> <p>Suitable clearance have been designed.</p> <p>N/A</p> <p>Natural light and ventilation is not provided due to flooding constraint.</p> <p>The car park layout is efficient.</p> <p>Noted.</p> <p>Noted.</p> <p>Separate access is provided for cyclists/pedestrians to the carpark.</p>	
<p><u>C. Access</u></p> <p>1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.</p> <p>2. Vehicular crossings are located having regard to driver and pedestrian safety, and impacts on traffic movement. Vehicular crossings are avoided in the</p>	<p>This is achieved.</p> <p>The design complies.</p>	

	<p>following areas: (a) in areas of high pedestrian movement (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>N/A</p> <p>N/A</p> <p>Adequate sight lines achieved.</p> <p>This is achieved.</p> <p>This is achieved.</p> <p>N/A</p> <p>No additional crossings proposed.</p>	
--	--	---	--

**7.05 Energy Efficiency**

	OVERRULED BY SEPP BASIX	OVERRULED BY SEPP BASIX	
--	-------------------------	-------------------------	--

**7.06 Stormwater**

7.06.01	Plan Requirements	<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> <ul style="list-style-type: none"> <li>· Water cycle management plan</li> <li>· Soil and water management plan</li> <li>· Broad scale development assessment checklist for water sensitive urban design (see Note 2)</li> </ul>	<p>The development will discharge stormwater to the existing systems. Civil design plans are provided at Appendix E.</p>	Y
7.06.02	All Development	<p>1. The water cycle management plan or stormwater management plan (whichever is submitted with the development application) includes the</p>	<p>A stormwater management plan is provided as above.</p>	Y

following items: (i) the location of all buildings, driveways and impervious surfaces (ii) the location of any watercourses or bushland passing through or adjacent to the property (iii) any overland flowpaths which drain through the property or adjacent to the property (iv) the location, size and depth of easements or drainage pipelines (v) the discharge point of the site into the public drainage system. (vi) cross section and long sections of major drainage structures. The water cycle management plan or stormwater management plan shows the appropriate design elements to achieve compliance with the requirements set out in the following subclauses relating to:

(a) Stormwater collection i) surface levels are to be graded such that sites are generally free draining with sufficient overflow capacity to ensure that waters do not enter buildings when underground drainage systems are beyond their capacity ii) drainage pits are to be installed so that nuisance water does not collect at low points iii) gutters, down pipes and pits are to be connected to the stormwater management system for the site.

(b) Flooding and runoff regimes i) Development is to be designed so that runoff from low intensity, common rainfall is equivalent to the runoff from a natural catchment. This can be achieved by intercepting and storing 12mm of rainfall from a minimum of 90% of the impervious area of the site. ii) Runoff generated by more intense rainfall needs to be managed so that downstream drainage systems are not compromised beyond their design criteria, generally 50% of the impervious catchment area of the site. Development is to be designed so that peak runoff from the site for all events is not greater than the 'natural' drainage conditions of the site. For sites of less than 50% impervious area, this can be achieved by providing 12mm of storage. Where the proposed development covers 100% of the site area, the interception and storage of 25mm of rainfall will achieve the peak runoff requirement. The rainfall depth storage can be linearly interpolated between 12mm and 25mm for sites between 50% and 100% of the impervious area of the site. Where there is a change in the impervious area of a site, the entire site is to be considered as pre- developed or in a natural condition in regard to impervious areas for design purposes.

	<p>(c) Storage For residential development with individual roof areas, a rainwater tank with a minimum capacity of 4,000L is required per dwelling in order to reduce mains water demand and to assist in minimising stormwater discharge from the site. In some cases BASIX will require a larger tank that will further reduce mains water demand. The tank water must be used to supply all toilet cisterns and washing machine taps. The water should also be used for garden watering. Overflows must be connected to other discharge controls. The roof area directed to a rainwater tank should be maximised, to both increase the effectiveness and reliability of the reuse system, and reduce the degree of stormwater treatment required for those areas not draining to the rainwater tank. Rainwater tanks are not required for additions to existing houses, however, where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required.</p> <p>(d) Storage drawdown  (e) Site discharge controls  (f) pollutants  (g) overflow disposal  (h) existing drainage systems  (i) installation &amp; maintenance</p>		
<b>7.07 Water Efficiency</b>			
	OVERRULED BY SEPP BASIX	OVERRULED BY SEPP BASIX	
<b>7.08 Waste Management</b>			
7.08.01 General Requirements	<p>1. 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 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>	A WMP has been prepared by Elephant's Foot Recycling Solutions, at Appendix N. The WMP satisfies the requirements of the DP for waste management.	Y

4. The SWMMP details the method of recycling or disposal and the waste management service provider.

Mixed Use Development:

1. The required SWMMP shall include plans which demonstrate: (a) the location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants (b) development includes a designated waste/recycling storage area or room(s) (designed in accordance with the 'Waste Management Technical Manual') (c) the path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area). Step-free access is provided between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s) (d) the on-site path of travel for collection vehicles (if collection is to occur on-site) (e) depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy (f) all tenants keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of the waste and recyclables that are generated on site (g) waste management facilities are suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system (h) where possible, waste/recycling containers are collected from a rear lane access point (i) the size and layout of the waste/recycling storage room/area are capable of accommodating reasonable future changes in use of the development (j) a waste/recycling cupboard is provided for each and every kitchen area in a development, including kitchen areas in hotel rooms, motel rooms and staff food preparation areas. Each waste/recycling cupboard must be of sufficient size to hold a minimum of a single day's waste and to hold separate containers for general waste and recyclable materials (k) premises that discharge trade wastewater do so in accordance with a written agreement from the local sewer authority (Hunter Water Corporation) (l) premises which generate at least 50L per day of meat, seafood or poultry waste have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until

	<p>collection (m) arrangements are in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners are made aware of their obligations in regards to these matters (n) any garbage chutes are designed in accordance with the requirements of the 'Waste Management Technical Manual', the 'Building Code of Australia' and 'Better Practice Guide for Waste Management in Multi-Unit Dwellings'. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.</p> <p>2. Mixed use development incorporates separate and self-contained waste management systems for the residential component and the non-residential component. In particular, the development incorporates separate waste/recycling storage rooms/areas for the residential and non-residential components.</p> <p>3. Commercial tenants are prevented (via signage and other means), from using the residential waste/recycling bins and vice versa.</p> <p>4. The residential waste management system and the non-residential waste management system are designed to efficiently operate without conflict. For example, collection vehicles disrupting peak residential and commercial traffic flows or causing noise issues when residents are sleeping.</p>		
7.08.02 Demolition and Construction	<p>1. The SWMMP within the Statement of Environmental Effects includes details which demonstrate an allocated area for the storage of materials for use, recycling and disposal (giving consideration to slope, drainage, location of waterways, stormwater outlets, vegetation, and access and handling requirements).</p> <p>2. Site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of developments.</p> <p>4. Any demolition necessary is carried out in accordance with 'AS 2601—2001, The Demolition of Structures'.</p> <p>5. Handling, management and disposal of asbestos complies with WorkCover NSW requirements. The NSW WorkCover Authority's Working with Asbestos Guide 2008 recommends a</p>	The CMP at Appendix L details the on site arrangements with respect to waste sorting during construction.	Y

	<p>range of work procedures for dealing with bonded asbestos material including asbestos cement. This document may be obtained from the following NSW WorkCover Authority website: <a href="http://www.workcover.nsw.gov.au">www.workcover.nsw.gov.au</a></p> <p>6. A garbage receptacle is provided at the work site before works begin and must be maintained until the works are completed.</p>		
<p>7.08.03 Operational Waste</p>	<p><u><i>A. Residential</i></u></p> <p>1. The required SWMMP includes plans which show location of:</p> <ul style="list-style-type: none"> <li>(a) an indoor waste/recycling cupboard (or other appropriate storage space) for each dwelling</li> <li>(b) an identified on-site location for a compost container</li> <li>(c) an identified kerbside collection point for the collection and emptying of Council's waste, recycling and garden waste bins</li> <li>(d) storage of waste containers to avoid vandalism, nuisance and adverse visual or odour impacts</li> <li>(e) easily accessible waste storage area with unobstructed access to Council's usual collection point, minimising the distance of travel.</li> </ul> <p>2. The placement of bins for collection at the nominated collection point should ensure adequate traffic and pedestrian safety is maintained.</p> <p><u><i>Controls applying to all commercial and mixed use development:</i></u></p> <p>1. The required SWMMP shall include plans which demonstrate:</p> <ul style="list-style-type: none"> <li>(a) the location of the designated waste and recycling storage room(s) or areas, sized to meet the waste and recycling needs of all tenants</li> <li>(b) development includes a designated waste/recycling storage area or room(s) (designed in accordance with the 'Waste Management Technical Manual')</li> <li>(c) the path of travel for moving bins from the storage area to the identified collection point (if collection is to occur away from the storage area). Step-free access is provided between the point at which bins are collected/emptied and the waste/recycling storage room(s) or area(s)</li> <li>(d) the on-site path of travel for collection vehicles (if collection is to occur on-site)</li> </ul>	<p>The plans at Appendix A provide the details required to adequately address the waste requirements.</p>	<p>Y</p>

(e) depending upon the size and type of the development, it may be necessary to include a separate waste/recycling storage room/area for each tenancy

(f) all tenants keep written evidence on site of a valid contract with a licensed waste contractor for the regular collection and disposal of the waste and recyclables that are generated on site

(g) waste management facilities are suitably enclosed, covered and maintained so as to prevent polluted wastewater runoff from entering the stormwater system

(h) where possible, waste/recycling containers are collected from a rear lane access point

(i) the size and layout of the waste/recycling storage room/area are capable of accommodating reasonable future changes in use of the development

(j) a waste/recycling cupboard is provided for each and every kitchen area in a development, including kitchen areas in hotel rooms, motel rooms and staff food preparation areas. Each waste/recycling cupboard must be of sufficient size to hold a minimum of a single day's waste and to hold separate containers for general waste and recyclable materials

(k) premises that discharge trade wastewater do so in accordance with a written agreement from the local sewer authority (Hunter Water Corporation)

(l) premises which generate at least 50L per day of meat, seafood or poultry waste have that waste collected on a daily basis or must store that waste in a dedicated and refrigerated waste storage area until collection

(m) arrangements are in place regarding the regular maintenance and cleaning of waste management facilities. Tenants and cleaners are made aware of their obligations in regards to these matters

(n) any garbage chutes are designed in accordance with the requirements of the 'Waste Management Technical Manual', the 'Building Code of Australia' and 'Better Practice Guide for Waste Management in Multi-Unit Dwellings'. Garbage chutes are not suitable for

	recyclable materials and must be clearly labelled to discourage improper use.		