Development Control Plan Assessment

Table 1 Development Control Plan

Control	Requirement	Comment	Compliance
3.00 Land use Specific Provisions			
3.11 Community Services			
	3.11.01 Building Design When designing and siting community facilities consideration is given to, but not limited to: (a) location and use of surrounding buildings. (b) views to and from the site. (c) access to the site. existing vegetation and topography of the site.	Building design has been designed to consider and incorporate the location, use of surrounding building, views to and form the site, access and existing vegetation and topography of the site	Y
4.00 Risk Minimisation Provisions			
4.01 Flood Management			
	All of these provisions apply to all development on flood prone land with the exception of minor additions to existing buildings.	The site is mapped as being flood prone. Flood impacts and design input has been provided by Torrent Consulting with a Flood Impact Assessment provided at Appendix BB with further discussion and consideration provided within this EIS at Section 7.12 and the site suitability assessment in Section 8.3.	Y

<table>
<tr><td></td><td></td><td>A Flood Emergency Response Plan has been prepared by Lindsay Dynan and provided at Appendix CC.</td><td></td></tr>
<tr><td colspan="4">4.03 Mine Subsidence</td></tr>
<tr><td></td><td>1. 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.</td><td>The site is identified in a mine subsidence area, and the proposal will be referred to NSW Subsidence Advisory as ‘Integrated Development’.</td><td>Y</td></tr>
<tr><td colspan="4">4.04 Safety and Security</td></tr>
<tr><td>4.04.01
Crime Prevention through Environmental Design (CPTED)</td><td>1. Developments incorporate the CPTED Principles into the design of the proposed development.</td><td>The proposed development incorporated design principles outlined within CPTED.</td><td>Y</td></tr>
<tr><td>4.04.02 General Principles</td><td>1. A Crime Risk Assessment (in accordance with figure 1 below) may be required for developments which are: major developments; involve an increased risk to public safety; and/or include a component to serve, sell or supply alcohol.

<table><tr><th colspan="2">Information to be included in a Crime Risk Assessment</th></tr><tr><td>Introduction</td><td>• Describe the proposed development.</td></tr><tr><td>Site Analysis</td><td>• Describe the physical surrounds & topography of proposed development.</td></tr><tr><td>Crime Risk & Opportunity</td><td>• Identify existing and possible crime risks.
• Analyse the types of crime that may be prevalent in the area, and to which the development may be susceptible.</td></tr><tr><td>CPTED</td><td>• Describe how the proposed development addresses each of CPTED principles.</td></tr><tr><td>Specific Uses</td><td>• If applicable, identify how the proposed development addresses the key principles (as outlined in Section 4.04.03 below).</td></tr><tr><td>Recommendations & Mitigation Measures</td><td>• Outline whether the proposed development will have an impact on crime and safety, and why.
• Describe risk assessment recommendations and mitigation measures to be implemented as part of the development.</td></tr></table>
2. A Crime Risk Comment included within the Statement of Environmental Effects (where a Crime Risk Assessment is not required).

3. Exterior design and layout:</td><td>A Crime Risk Assessment has been undertaken and provided accompanying the application at Appendix W.

N/A, Crime Risk Assessment required.</td><td>Y

N/A</td></tr>
</table>

	(a) Building entrances are orientated to face public areas, are clearly identified and visible from the street.	Building entrances orientated towards public areas.	Y
	(b) Development is designed so as not to include entrapment locations and blind corners.	Blind corners and entrapment locations are minimalised through design.	Y
	(c) Building facades are designed so as not to include external indentations, projections or regular features that provide footholds allowing access to private property.	Façade minimizes indentations, projections or features which introduce footholds.	Y
	(d) Building walls located adjacent to carparks or other public spaces include features such as windows and/or balconies, allowing casual surveillance to these areas.	Windows provide to allow surveillance to outside areas. All walkways are well defined and will be supported with appropriate lighting.	Y
	(e) Building entrances, walkways and connecting paths, are clearly defined, visible from the street, and well-lit at night.	The proposed development incorporates features which attract people in a safe manner.	Y
	(f) Public places incorporate features to attract people in a safe manner, rather than discourage people from gathering.	Design features and materials to be implemented to discourage graffiti and vandalism.	Y
	(g) Development is designed so that it reduces the opportunity for graffiti and vandalism.	Appropriate signage and features to be implemented to assist navigation and define spaces.	Y
	(h) Cues, symbols and signs are used to assist people to navigate their environment and define appropriate use of spaces.		
	4. Surveillance and sightlines: (a) Buildings are designed to overlook public areas.	Proposed buildings overlook public areas.	Y

	(b) Ground and near-ground levels of buildings are occupied by active land uses that overlook public areas.	Active land uses proposed.	Y
	(c) New development maximises visibility and sightlines to destination points (eg. street frontage, car parks, stairwells etc).	Consideration of enhancing sightlines implemented in design.	Y
	(d) Fence designs maximise natural surveillance between the street and the building.	Natural surveillance has been incorporated into the design of the proposed fencing.	Y
	(e) Landscaping, walls and fences maintain clear sight lines between public and private areas and do not block fields of vision.	Landscaping has been designed to ensure clear sightlines between public and private areas.	Y
	(f) Mechanical/electronic surveillance systems are installed in compliance with Australian Standard 806.1: Closed Circuit Television (CCTV) Management and operation (where required by Council and/or Police).	Surveillance to be implemented around the site in accordance with AS 806:1.	Y
	5. Lighting:		
	(a) Lighting is provided in accordance with Australian Standard 1158 - Lighting for roads and public spaces and Australian Standard 4282 - Control of the obtrusive effects of outdoor lighting.	Lighting to be implemented in accordance with AS 1158 and AS 4282. A lighting report has been provided at Appendix U.	Y
	(b) All areas intended to be used at night to provide appropriate lighting and visibility.	Communal areas which may be used at night to be provided appropriate lighting.	Y
	(c) Lights are directed towards access/egress routes, and illuminate possible entrapment locations/places to hide.	Any area of potential entrapment will be well lit.	Y
	(d) Lighting is to provide a wide beam of illumination, which reaches to the beam of the next light, or the perimeter of the site	Noted.	Y

	or area being traversed; reduces light shadow contact; and is not unshielded at eye level.		
	(e) Lighting is designed so that it reduces the opportunity of vandalism (eg. anti-graffiti, anti-breakage, and scratch resistant materials).	Lighting to be implemented to discourage opportunities for graffiti and vandalism.	Y
	(f) Lighting is located so that there is no spillage to neighbouring properties.	Lighting to be oriented to prevent light spillage	Y
	(g) Growing and mature vegetation does not obscure lighting.	Landscaping to be designed to not obscure lighting.	Y
	6. Signage / Wayfinding		
	(a) Clear signage and wayfinding devices are incorporated into developments, including audible, tactile, graphic and/or architectural cues.	A range of clear signage will be incorporated into the development designs.	Y
	(b) Information and directional signs are strategically located at entrances and near activity nodes (eg. intersections of corridors and paths, landmarks).	Directional signage and information provided at entrances and activity nodes.	Y
	(c) Information and directional signs are legible and where appropriate include standard symbols and/or simple graphics.	All signage to be legible ad utilize standardized symbols and graphics.	Y
	(d) Location maps and directional signage are provided for larger developments.	Location maps and directional signage to implemented.	Y
	(e) Signposting is provided clearly identifying public amenities and hours of access (eg. toilets, carparking, lifts, ATM's).	Signposting for public amenities to be implemented where needed.	Y

4.05 Social Impact			
4.05.01 **Social Impact**	1. Development applications comply with the requirements of the 'Social Impact Assessment Policy for Development Applications, 1999', The City of Newcastle	A social impact comment is included in the EIS.	Y
5.00 Environmental Protection Provisions			
5.01 Soil Management			
5.01.01 Erosion Prevention	*General controls applying to all development where site disturbance is greater than 2,500m2 and involving construction, demolition or earth works* 7. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	The proposal has incorporated a stormwater management design, and erosion and sediment control practices which are suitable for the scale and type of building proposed.	Y
5.01.02 Sediment Controls	*General controls applying to all development where site disturbance is greater than 2,500m2 and involving construction, demolition or earthworks* 6. An erosion and sediment control plan complies with 'Managing Urban Stormwater: Soils and Construction' (the 'Blue Book').	The proposal has incorporated a stormwater management design, and erosion and sediment control practices which are suitable for the scale and type of building proposed.	Y
5.01.03 Cut and Fill	1. A site plan prepared by a registered surveyor is submitted demonstrating the existing levels of the property and proposed levels of the landfill. 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	A site survey plan has been prepared and attached at Appendix J.	Y

	(d) maximum fill external of building envelope of 1m Newcastle Development Control Plan 2012 5.01 Soil Management 5 0.00 (e) variation to (a), (b), (c) or (d) above will require justification, design and certification by a Structural Engineer. 3. No cut or fill is to take place within easements. 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. 5. Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties so as to cause a nuisance. 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. (Refer Figure 2).		
5.02 Land Contamination			
5.02.01 Plan Making and Development Assessment	A. Initial Evaluation 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. 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.	Due to the proposal including an intensification of a sensitive land use, a Preliminary Site Investigation has been prepared at Appendix X of this report. The PSI included a desktop study and soil sampling of the site.	Y

	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).		
	B. Determining if a Site Investigation is Required 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. 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. 3. The circumstances in which a site investigation process is required also include those specified in clauses 6 and 7 of State Environmental Planning Policy No 55 - Remediation of Land. In accordance with these clauses, Council will require a preliminary investigation to be submitted with zoning and rezoning applications or a subdivision or development application where the land concerned is: (a) land that is within an investigation area	A Preliminary Site Investigation has been prepared at Appendix X of this report. Based on the desktop investigation, imported fill was noted on the site with uncertainty of origin and contamination status. To establish the fill material status, soil sampling was undertaken across the site. Contamination discovered at a single location. The location contained polycyclic aromatic hydrocarbons (PAH) and Benzo a Pyrene (BaP) above the adopted health assessment criteria. As such, a RAP has been prepared and provided at Appendix Y.	Y

	(b) land on which potentially contaminating land use is being, or is known to have been carried out (c) land on which it is proposed to carry out development for residential, educational, recreational or child care purposes, or for a hospital: (i) where there is no knowledge (or incomplete knowledge) as to whether potentially contaminating development has been carried out on the land, and (ii) where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge (or incomplete knowledge).		
	C. Site Investigation Process 1. The appropriate level of investigation will depend on the specific circumstances and may involve one or more of the following stages as described in Guidelines for Consultants Reporting on Contaminated Sites (NSW EPA) and section 3.4 of the Contaminated Land Planning Guidelines. ▪ Stage 1 - Preliminary investigation ▪ Stage 2 - Detailed investigation ▪ Stage 3 - Remedial action plan ▪ Stage 4 - Validation and site monitoring. The proponent is responsible for undertaking and paying for the site investigation process. Newcastle Development Control Plan 2012 5.02 Land Contamination 6 0.00 2. Reports submitted to Council must include an electronic copy consisting of a single PDF document or similar. Reports consisting of multiple files will not be accepted. Reports and associated	A Preliminary Site Investigation has been prepared at Appendix X of this report. Further site investigation including sampling was undertaken with contamination discovered at a single location. The location contained polycyclic aromatic hydrocarbons (PAH) and Benzo a Pyrene (BaP) above the adopted health assessment criteria. As such, a RAP has been prepared and provided at Appendix Y.	Y

	drawings and tables must be legible when printed in black and white		
	D. Decision to proceed with draft plans The following controls apply when preparing a Local Environmental Plan, a Development Control Plan or a Plan of Management for Community Land. 1. Following consideration of the findings of the site investigation process, Council may: • submit a draft Local Environmental Plan to the Minister for approval, or • make a Development Control Plan, or • adopt a plan of Management for Community Land only if it is satisfied that: (a) the land is suitable (or will be suitable after remediation) for all purposes that are permitted to be carried out under the draft plan, and (b) the land will be remediated before it is subdivided or used for particular purposes where remediation is necessary to make the land suitable for such purposes. 2. For draft plans, Council is to consider the need to include special provisions in the draft plan requiring certain matters to be taken into consideration by Council when	N/A, proposal consists of a development application and not a Local Environmental Plan, a Development Control Plan or a Plan of Management for Community Land.	N/A
	E. Determination of Development Applications 1. Following consideration of the findings of the site investigation process, Council may grant consent or otherwise authorise the matter only if it is satisfied that:	A Preliminary Site Investigation has been prepared at Appendix X of this report. Further site investigation including sampling was undertaken with contamination discovered at a single location. The location contained polycyclic aromatic hydrocarbons (PAH) and Benzo a Pyrene (BaP) above the adopted health assessment criteria. As such, a RAP has been prepared and provided at Appendix Y.	Y

	(a) the land is suitable (or will be suitable after remediation) for the purpose for which the development is proposed to be carried out, and (b) the land will be remediated before it is subdivided or used for the proposed purpose where remediation is necessary to make the land suitable for that purpose. 2. In determining development applications, Council is to consider: (a) the need to impose conditions relating to the remediation issues outlined in Section 5.02.03, (b) whether it would be appropriate to issue a deferred commencement consent or a staged consent, and (c) the management of below surface contamination to ensure that the community is not unduly disadvantaged by accepting the dedication of public assets that have increased human health or environmental risks or have potentially higher asset management costs due to contamination.	Based on consideration of potential remedial options, the preferred remedial strategy for the PAH impacted soil is mixing with grout and placement within mine voids below the site. The material will replace externally purchased fly-ash for use within the grout mix applied within the areas of low-strength grout. With the implementation of the RAP, the contamination present on the site will be suitably separated from people resulting in a site suitable for the proposed development.	
	F. Site Audit Statements 1. Before satisfying itself that it can proceed, Council is to consider the contents of a site audit statement if any of the following circumstances prevail: (a) Council believes on reasonable grounds that the information provided by the proponent is incorrect or incomplete, (b) Council wishes to verify that the information provided by the proponent adheres to appropriate standards, procedures and guidelines, or (c) Council does not have the internal resources or expertise to conduct its own technical review.	Noted.	Y

5.02.03 Remediation Work	1. Remediation of land to be subdivided or developed is completed consistent with the proposed or current zoning and land use, so that it does not place any future land owner or occupier in a position where further remediation of contaminants is required. In the case of subdivision, all remediation work including site capping is to be completed on the development lots prior to the issue of a subdivision certificate. 2. Remediation of land to be subdivided or developed does not place a public agency in a position where it may have to become involved in any future management or monitoring of contaminated land. In this regard, any ongoing management and monitoring requirements need to be clearly and legally assigned to the proprietors of newly created lots. It will need to be demonstrated, to the satisfaction of Council, that any further remediation required as a result of ongoing management or monitoring requirements can be legally and practically enforced. 3. Remediation of land is carried out in accordance with this section, unless specific Council consent is granted for the remediation proposal which allows a variation. 4. Remediation of land aims to remediate land to the highest land use possible under the current or proposed zoning without the need for site specific ongoing management controls such as capping. 5. Remediation of land is carried out and completed in a manner which will not result in an unacceptable level of risk to human health or the environment. 6. Remediation of land aims to remediate groundwater to a level that allows the maximum reuse of the resource into the future.	A Remediation Action Plan (RAP) has been provided at Appendix Y. Based on consideration of potential remedial options, the preferred remedial strategy for the PAH impacted soil is mixing with grout and placement within mine voids below the site. The material will replace externally purchased fly-ash for use within the grout mix applied within the areas of low-strength grout. With the implementation of the RAP, the contamination present on the site will be suitably separated from people resulting in a site suitable for the proposed development.	Y
5.03 Vegetation Management			
5.03.01 Declared Vegetation	1. A permit from Council is required prior to clearing or pruning the following: (a) vegetation in a threatened ecological community or a threatened plant species listed	Section 7.21 of EIS discusses Clearing of vegetation. An Arborist repot has been prepared at Appendix O of is application.	Y

	under the Biodiversity Conservation Act 2016 or Fisheries Management Act 1994; or (b) vegetation that is or forms part of a heritage item, or that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance, or (c) a tree that is required to be retained or planted as a condition of a complying development certificate or development consent, or (d) a tree that was planted as a replacement tree, or (e) any other native vegetation including understorey plants, groundcovers and plants occurring in a wetland and is less than the biodiversity offsets scheme threshold identified under the Biodiversity Conservation Act 2016, or (f) all trees and shrubs, regardless of size, on land managed by a public authority including Council, or (g) all other trees or shrubs that are not listed in (a) to (f) above, unless the tree or shrub: (i) is located within 3m of the wall of an existing principal building (excluding carports, garages, pergolas, fences, retaining walls and the like); or (ii) the tree is less than 3m in height, or with a circumference (measured at 1.4m above ground level), less than 450mm for a single trunk tree, or less than 300mm for each trunk of a multi-trunk tree; or (iii) the shrub is less than 5m in height.		
5.03.02 When can declared vegetation be cleared without a permit?	1. A permit from Council is not required to clear declared vegetation (see clause 5.03.01) on private land if:	Section 7.21 of EIS discusses Clearing of vegetation. An Arborist repot has been prepared at Appendix O of is application.	**Y**

	(a) clearing of the vegetation has been authorised under other legislation; or (b) the tree or shrub: (i) poses an immediate risk to life or property due to a demonstrated sudden change to its structure as a result of severe storm or wind events, and meets the requirements of section 3.3 of the Urban Forest Technical Manual, or (ii) the tree is dying or dead and is not required as the habitat of native animals; and (c) if the dead, dying or storm damaged tree is a heritage item or forms part of an Aboriginal object or is within an Aboriginal place of heritage significance Council is notified within 5 working days of the tree removal, by supplying the completed form in appendix 6 of the Urban Forest Technical Manual; and (d) the landowners consent has been obtained		
5.03.03 When can declared vegetation be pruned without a permit?	1. A permit from Council is not required to prune declared vegetation on private land referred to in clause 5.03.01(c) to (g) if: (a) landowners consent has been obtained; and (b) for a tree or shrub greater than 5m in height: (i) the pruning is undertaken in accordance with the Australian Standard AS4373 -2007, and (ii) a pruning specification is completed in accordance with section 2 of the Urban Forest Technical Manual, or (c) for pruning of individual branches from a tree/shrub that overhangs a dwelling, formal path or driveway, where:	Section 7.21 of EIS discusses Clearing of vegetation. An Arborist repot has been prepared at Appendix O of is application.	**Y**

	(i) the pruning is to remove branches that are within 1m of the dwelling, formal path or driveway, and (ii) the pruning does not alter the overall shape or structure of the tree, and (iii) the branches removed are less than 100mm in diameter at the final cut, and (iv) the final cut is at a branch collar or appropriate growth point (see section 2.3Urban Forest Technical Manual), or (d) for shrub/s less than 5m in height, (i) it is maintained without reducing the height, or (ii) is pruned for the purposes of hedging, topiary, clearing of driveways or formal pathways, or similar.		
5.03.05 Clearing or Pruning of declared vegetation associated with a development application	1. Where the development including any ancillary development, or associated excavation, affects declared vegetation located on the site, or where the trunk of a tree is located within 5m of the development footprint,(including any ancillary development or associated excavation, the following information is to be submitted with the development application: (a) a report from a consulting arborist (AQF5) that: (i) incorporates a tree retention value assessment in accordance with section 4.1 of the Urban Forest Technical Manual, and (ii) defines tree protection zone offsets and protection requirements in accordance with section 7 of Urban Forest Technical Manual, and (iii) is prepared in accordance with Part A, section 6 of the Urban Forest Technical Manual. (b) where it is demonstrated that the development design cannot retain trees, a landscape concept plan for the site that	Section 7.21 of EIS discusses Clearing of vegetation. An Arborist repot has been prepared at Appendix O of is application.	Y

	identifies suitable locations and species for compensatory tree planting within the site.		
5.04 Aboriginal Heritage			
5.04.01 Due diligence and development assessment	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: ▪ A statement indicating the results of the AHIMS database search and any other sources of information considered. ▪ A statement indicating whether there are landscape features that indicate the presence of Aboriginal objects. ▪ A statement indicating whether the proposed development is likely to harm Aboriginal objects. ▪ A statement indicating whether an Aboriginal Heritage Impact Permit (AHIP) is required. 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. 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.	An assessment of the potential impact on Aboriginal heritage has been undertaken as part of the Heritage Assessment. Refer to Appendix Q.	Y

	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		
5.05 Heritage Items			
5.05.01 General Principles	1. Any development application for works to a heritage item is accompanied by a Heritage Impact Statement, Conservation Management Plan, or Conservation Management Strategy, as required by the Newcastle Local Environmental Plan 2012. 2. Development of a heritage item: (a) is consistent with the Heritage Impact Statement, Conservation Management Plan or Conservation Management Strategy (b) is consistent with the Statement of Heritage significance for the item (c) protects the setting of the heritage item (d) retains the significant internal and external spaces and to recycle, re-purpose and reuse fabric and building elements (e) avoids "facadism" by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials (f) removes alterations and additions that are unsympathetic to the heritage significance of the heritage item	A search of the Heritage Council of NSW administered heritage databases and the Newcastle LEP returned no records for historical heritage sites within the Development site. A Statement of Heritage Impact prepared by Heritage Now has been provided at Appendix P.	N/A

	(g) reinstates missing building elements and details (h) uses materials, finishes, and colours that are appropriate to the architecture, style and age of the heritage item (i) reinforces the dimensions, pattern and style of the original window and door openings of the heritage item (j) maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with its heritage significance.		
5.06 Archaeological Management			
5.06.01 Archaeological Management	1. Establish potential archaeological significance and location of archaeological sites or potential archaeological sites during the design development process. 2. Assess archaeological significance of the potential or known archaeological site during the design development process.	An assessment of the potential for impact on Aboriginal heritage has been undertaken as part of the Heritage Assessment (refer to Appendix Q) and the potential was found to be low.	Y
7.00 Development Provisions			
7.02 Landscaping, Open Space and Visual Amenity			
7.02.01 Categories of Development	**Category 3** - large scale development or development on prominent or ecologically sensitive sites with a high degree of visual significance and environmental impact. A landscape plan is required for a Category 3 development.	The proposal is considered to fall within category 3 large scale development under the DCP. A Landscape Plan has been prepared at Appendix K.	Y

	3. All documentation for Category 3 development is 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.	A Landscape Plan has been prepared for the communal open space areas (refer Appendix K).	Y Y
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 a small terrace or to landscape a large industrial structure with ground covers. 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. 3. Where possible integrate on-site stormwater management with the design of landscaped areas. 4. Plant species are selected and located to avoid structures, services and paths. 5. Undesirable species are not selected (See Appendix 1 of Urban Forest Technical Manual and Appendix B Landscape Technical Manual). 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	A landscape Plan has been prepared at Appendix K.	Y

	(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. 7. Landscape treatment within the front setback is substantial enough to enhance the appearance and integration of the development with the streetscape. 8. Landscape design responds to user requirements, taking into account maintenance, social / recreational needs and aesthetic quality. 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. 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. 11. Landscape areas to address privacy issues between dwellings. 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. 13. Adequate provision is made for planted buffer zones between major road corridors and nearby development. (Refer Figure 1).		

7.02.04 Car Parking	Controls applying to development which contains more than six external parking spaces		
	1. Significant landscape elements are conserved and incorporated within the car park design.	Landscaping has been conserved and incorporated in the car parking design of this development.	Y
	2. Generous shade trees are planted within the parking area at a rate of at least one shade tree per six parking spaces with an aim to achieve at least 50% shade cover of the area. Shade area is to be calculated from the estimated crown projections of a tree 15 years in age under suitable growing conditions. Selected tree species are to develop a clean trunk height greater than 4.5m and a crown projection of at least 50m2 to provide adequate shade and vehicle clearance. Landscape documentation is to detail the provision of sub-grade load bearing root vaults to provide suitable rooting volume for the required number of shade trees.	A Landscape Plan has been prepared for the development. Please see Appendix K.	Y
	3. A landscape strip of between 1.5m and 3m is provided along the frontage to a street and/or other public space.	Noted.	Y
	4. Reduce the visual impact of large parking areas using canopy trees and different surface treatments, such as permeable paving and the provision of pedestrian access.	Noted.	Y
	5. Consideration is given to the following: (a) using contrasting paving to delineate pedestrian and vehicular zones (b) lighting for night use (c) using kerbs or wheel restraints to contain and define parking areas (d) using shrubs to screen cars from the street.	Noted.	Y

	6. Clear sightlines are maintained between parking areas, public roads and paths.	Clear sightlines will be implemented and maintained in the design where applicable.	Y
	7. Landscaping does not conflict with lighting services and casual surveillance of parking areas.	Lighting and casual surveillance will remain maintained.	Y
	8. Trees and shrubs are positioned to provide adequate sight distance on corners and intersections of roads and paths within the development to avoid safety hazards to motorist and pedestrians.	Adequate sight distance on corners and intersections will remain maintained to avoid safety hazards.	Y
7.02.06 Green Walls and Roof Space	*The following controls apply for planting on roof tops, over car park structures or green walls, particularly for landscaping required as a component of mixed-use residential development, and in non-residential developments where the landscaping proposed is not on natural ground.*	The proposed development includes provision of roof top planting.	
	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.	The design of the root top space and landscape beds optimises conditions for plant growth.	Y
	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.	Appropriate soil depth to be afforded to the planters to ensure optimal plant growth.	Y

<table>
<tr><td></td><td>3. Provide sufficient soil depth and area to allow for plant establishment and growth. The following minimum standards are recommended:
<table><tr><th>Plant Type</th><th>Minimum Soil Depth (m)</th><th>Minimum Soil Volume (m^3)</th></tr><tr><td>Large trees (over 8m high)</td><td>1.3</td><td>150</td></tr><tr><td>Medium trees or shrubs(2m to 8m high)</td><td>1.0</td><td>35</td></tr><tr><td>Small trees or shrubs (up to 2m high)</td><td>0.8</td><td>9</td></tr><tr><td>Small shrubs and ground cover</td><td>0.5</td><td>Not applicable</td></tr></table></td><td>Appropriate soil depth and area to be afforded to the planters to ensure optimal plant growth.</td><td>Y</td></tr>
<tr><td></td><td>4. Green walls are used to enliven blank facades.</td><td>N/A no green walls proposed.</td><td>N/A</td></tr>
<tr><td></td><td>5. Water filtration is optimised by green roofs through the use of permeable paving.</td><td></td><td></td></tr>
<tr><td></td><td>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.</td><td>N/A, plant rooms integrated into building.</td><td>N/A</td></tr>
<tr><td colspan="4">7.03 Traffic, Parking and Access</td></tr>
<tr><td>7.03.01 Traffic Studies and Plans</td><td>A. Traffic Impact Study

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.</td><td>A Traffic Impact Assessment is provided within this report as Appendix M and includes the required details. Further discussion is provided at Section 7.10.</td><td>Y</td></tr>
</table>

	2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.	A Traffic Impact Assessment is provided within this report as Appendix M and includes the required details. Further discussion is provided at Section 7.10.	Y
	B. Construction Traffic Management Plan 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.	A Construction Traffic Management Plan has been provided within this report at Appendix N.	Y
7.03.02 Parking Provisions	A. Parking Rates 1. Car parking is generally provided in accordance with the rates set out in Table 1 – Parking Rates, except for car parking for non-residential development in the Newcastle City Centre, which is provided at the rate of one space per 60m2 gross floor area. Council reserves the right to vary the rates, subject to merit assessment of the proposal.	Section 7.10.4 of the EIS evaluates the parking requirements for the proposed development. In relation to Stage 1, an additional 10 car spaces are required to be provided. While no additional traditional car spaces are being provided, the kiss and ride facility has capacity for 7 cars to drop off children at any time, and further standby capacity. This results in at least 10 car queue spaces.	N, justified
	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.	Stage 2 includes the provision of a semi-basement car park level accommodating from between 31-35 car parks. It is noted that the ability for this kiss and ride facility to quickly and effectively manage parent parking results in an optimised parking management strategy, eliminating the need for parents to permanently park and leave their vehicles, and thereby eliminates the associated on street car parking demand. A Traffic Impact Assessment is provided within this report as Appendix M and includes the required details. Further discussion is provided at Section 7.10.	Y

	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.	Noted.	Y
	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.	Noted.	Y
	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.	The proposed development will not result in a loss of on-street spaces.	Y
	7. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.	Stack parking is not proposed within this development application.	N/A
	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.	Noted. The plans include the relevant detail and are clearly marked.	N/A

	9. Table 2 shows indicative standards for provision of service vehicles for various types of development. 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 10,000m2 , convention and exhibition centres, and other development as deemed appropriate by Council.	Appropriate provision for service and delivery vehicles provided in loading area. Noted. Appropriate outside pickup/drop off and loading areas are proposed.	Y Y
	B. Variations of Parking Rates 1. Applicants comprehensively justify any departure from the parking rates set out in Table 1 in the Statement of Environmental Effects or Traffic Impact Study. 2. Council has regard to the following when considering any departures from the parking rates set out in Table 1: (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated (b) the applicability of other Council policies (c) the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand (d) results of any comprehensive parking survey submitted in support of the application (e) whether a Green Travel Plan has been provided and a written agreement between Council and the owner/occupier is	Section 7.10.4 of the EIS evaluates the parking requirements for the proposed development. In relation to Stage 1, an additional 10 car spaces are required to be provided. While no additional traditional car spaces are being provided, the kiss and ride facility has capacity for 7 cars to drop off children at any time, and further standby capacity. This results in at least 10 car queue spaces. Stage 2 includes the provision of a semi-basement car park level accommodating from between 31-35 car parks. It is noted that the ability for this kiss and ride facility to quickly and effectively manage parent parking results in an optimised parking management strategy, eliminating the need for parents to permanently park and leave their vehicles, and thereby eliminates the associated on street car parking demand. A green travel plan has been prepared and is provided within Appendix L and discussed at Section 7.10.5 of the EIS.	Y

	established for implementation of the Green Travel Plan (f) whether a car sharing scheme is proposed to be implemented (g) access to public transport services and the probable transport mode of staff and patrons or customers of the development (h) availability and accessibility of public parking facilities in the vicinity of the proposed development (i) the availability of kerb-side parking opportunities in the vicinity of the proposed development (j) continuity, streetscape and heritage significance (k) existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety (l) the impacts of providing on-site parking (m) anticipated impacts of not providing for adequate on-site car parking. 3. For alterations, additions or change of use of an existing building, a departure from the rates set out in Table 1 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site. 4. In certain circumstances, Council may consider entering into a voluntary planning agreement to accept a monetary contribution in lieu of on-site car parking provision. A monetary contribution in lieu of on-site provision will not be accepted for bicycle parking/storage.		

	C. Bike Parking		
	1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking.	There is sufficient room on site to provide suitable facilities	Y
	2. Bicycle parking complies with the relevant Australian Standard (AS2890.3).	Noted.	Y
	3. Bicycle parking is clearly marked and signposted.	Noted.	Y
	4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.	Adequate sight lines are provided to ensure safety of uses.	Y
	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.	N/A	N/A
	6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development.	N/A	N/A
	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.	N/A	N/A
	8. Access to bicycle parking is provided in accordance with the Austroads, Cycling Aspects of Austroads Guides, 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.	Bicycle parking is provided in accordance with the RTA's NSW Bicycle Guidelines.	Y

	D. Motorbike Parking 1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances. 2. Motorbike parking complies with the relevant Australian Standard (AS2890.5) and RMS Technical direction TDT 2004/02, Motor Bike Parking	Motorbike parking is not currently detailed on the plans	N/A
	E. Parking for people with a disability 1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia. 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. 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. 4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts.	Appropriate disabled parking is to be provided in accordance with Building Code of Australia and designed in accordance with current relevant Australian Standards (AS2890 and AS1428), and the Building Code of Australia.	Y

	5. A continuous accessible path of travel is provided from each parking space for people with a disability to the closest accessible public entrance. 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. 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.		
7.03.03 Travel Demand Management	<u>A. Public Transport</u> *The following controls apply to major development, as identified* 1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community health service facilities, entertainment facilities seniors housing 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. 2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements.	N/A The development of the site has been completed in conjunction with state government to ensure outcomes for the site and the community are met.	N/A Y

	3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath. 4. Signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.	N/A, existing bus stop in place. N/A,	N/A N/A
	<u>B. Green Travel Plan</u> *The following controls apply only to major development, as defined in this DCP* 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)	A green travel plan has been appended to the Traffic Report provided by Intersect Traffic at Appendix L. It outlines the strategies and actions the school is taking to encourage the use of more sustainable modes of transport by staff and students.	Y

	(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		
	<u>C. End of Trip Facilities</u> 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.	N/A N/A N/A	N/A N/A N/A
7.03.04 Design and Layout of Parking and Access	<u>A. Siting</u> 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. 2. Parking is located so that it is within a reasonable distance of access to the premises it serves.	The carpark entry is appropriately integrated in the building design and will not detract from the amenity of the street frontage. Parking is accessible.	Y Y

	3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.	The car parking spaces are appropriately designed to minimize impact on pedestrian or cyclist access.	Y
	4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation.	Loading areas are appropriately designed to minimize impact on pedestrian, cyclist, and vehicular circulation.	Y
	<u>B. Parking Areas and Structures</u>		
	1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.	The design is compliant. Refer to the Traffic Assessment Report at Appendix L.	Y
	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.	Active uses are still provided at ground level.	Y
	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.	N/A	N/A
	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.	N/A	N/A
	5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.	Natural light and ventilation will be considered in the enclosed parking areas where permitting.	Y
	6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.	The car park layout is efficient.	Y

	7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.	Noted.	Y
	8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.	Noted.	Y
	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.	Separate access will be provided for cyclists/pedestrians	Y
	C. Access		
	1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.	This is achieved.	Y
	2. Vehicular crossings are located having regard to driver and pedestrian safety and impacts on traffic movement. Vehicular crossings are avoided in the following areas: (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.	The design complies.	Y
	3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.	N/A	N/A
	4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Transport for NSW pursuant to s138 of the Roads Act 1993.	N/A	N/A

	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).	Adequate sight lines are achieved.	Y
	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.	This is achieved	Y
	7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.	This is achieved	Y
	8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.	N/A	N/A
	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.	No additional crossings are proposed	Y
7.04 Movement Network			
7.04.01 Network	1. The movement network has a clear structure; provides physical distinctions between each road and pathway type; and is consistent with Council's adopted road hierarchy, as defined in Table 1. 2. Internal and external connectivity is enhanced through use of a modified grid pattern that minimises cul-de-sacs and dead end streets. 3. Development provides a logical extension of infrastructure and linkages to adjoining existing and potential developments. 4. The movement network incorporates appropriate paths and routes that encourage walking and cycling within the neighbourhood and to local activity centres.	N/A, no movement network alterations are proposed.	N/A

	5. Public open space, drainage reserves, ecological habitat and riparian corridors are separated from development by a perimeter road. Generally Council does not support lots proposed to have rear boundaries against such areas. 6. The design features of local roads encourages responsible driver behaviour and restrain traffic volumes and speed. 7. The orientation and placement of the movement system makes best use of: (a) opportunities for connectivity (b) the existing streetscape (c) the location of existing and proposed activity centres (d) the natural topography and vegetation (e) opportunities for views and vistas (f) natural drainage and open space systems. 8. The road layout maximises solar access to lots. Roads generally running east-west and north-south are preferred. 9. Development is suitably located on the road hierarchy 10. The road and lot layout facilitates passive surveillance of open space areas. 11. New allotments proposing access from a classified road require the concurrence of Council and the RTA. 12. The road network caters for the extension of existing or future public transport routes. 13. The movement network incorporates cycle routes identified in the 'Newcastle Cycling Strategy and Action Plan'		
	<u>A. Road Design</u> 1. The road hierarchy should be designed in accordance with the requirements of Table 1. 2. The design features of each road should convey its primary function.	N/A, no movement network alterations are proposed.	N/A

	3. The road reserve width should be sufficient to cater for all road functions including: parked vehicles; safe and efficient movement of all users; and the location, construction and maintenance of public utilities. 4. The alignment and geometry of roads identified for bus routes should allow for efficient movement of buses and provision of accessible transport stops. 5. The carriageway width of roads identified as bus routes should allow for movement of buses unimpeded by parked cars and safely accommodate cyclists. 6. Where cul-de-sacs/dead end streets are incorporated into the road design: (a) they should serve no more than 10 lots (b) the end of the cul-de-sac should be clearly visible from the cross-street (c) consideration should be given to on-street parking and the design vehicle. 7. Development should cater for the orderly provision and extension of footpaths, kerb and guttering and associated works. 8. Street name signs are to be erected at the junction of all roads in the subdivision, in accordance with Council guidelines. Proposed street names are to be submitted with the development application and should be selected in accordance with the 'Guidelines for the Selection of Road Names'. 9. The alignment and width of proposed roads, which extend existing roads, are generally to conform to existing construction. 10. On sloping land, road and allotment design should provide for dwellings to be generally parallel with contours to minimise earthworks. Roads and allotments are to be configured to: (a) minimise earthworks and retaining walls (b) minimise potential privacy and overshadowing impacts (c) optimise solar access, where slopes face south.		

	B. Pedestrian and Cycle Paths 1. Dedicated cycle paths are provided in accordance with the 'Newcastle Cycling Strategy and Action Plan'. 2. Pedestrian and cycle paths comply with relevant Australian Standards, including AS1428 (Design for access and mobility), Austroads publications and RTA guidelines as appropriate. 3. Pedestrian and cycle paths: (a) are located and designed to complement the environment and reduce conflict with motor vehicles and other road users (b) provide a shorter route (in length) than the alternative car route, between activity nodes and recreation areas (c) include hazard warning, tactile ground surface indicators (TGSIs), directional and interpretive signage (d) include support facilities such as bicycle parking, parking rails, access ramps, signage, seating, drinking water fountains.	N/A, no alterations to the existing pedestrian and cycle pathways along the existing roadways are proposed as part of the proposed development.	N/A
	C. Public Transport *The following controls apply only to major development in greenfield areas* 1. Location and design of transport stops are in accordance with Council's 'Transport Stops, Shelters and Seating Guidelines' (May, 2008) and the 'Disability Standards for Accessible Public Transport' (Commonwealth of Australia, 2002). 2. Routes for bus services are designed in accordance with Table 1. 3. Bus routes are direct and safely accessible from a majority of residences. 4. The proponent shows evidence of consultation with Transport NSW and public transport service providers for the area and prepares an application for increased route kilometres to ensure that public transport services commence with development.	N/A. No new services proposed under this development application.	N/A

7.05 Energy Efficiency			
7.05.01 Business development	The following controls apply only to "registered club, veterinary hospital, childcare centre, community facilities, public administration building, health service facilities, tourist and visitor accommodation, business premises, office premises, retail premises, environmental facilities, sex service premises," as defined within Newcastle Local Environmental Plan 2012, where not complying development. 1. Development is to meet a minimum 4 Star Green Star Rating in the Green Building Council of Australia rating system where applicable. 2. An energy efficiency report from a suitably qualified consultant should accompany any development application for new commercial office development over $5 million in estimated cost. The required report is to demonstrate that the building would achieve a rating of not less than 4 Star Green Star Rating in the Green Building Council of Australia Rating System where applicable. 3. The placement of glassing on new buildings and facades does not result in glare that causes discomfort or threatens safety of pedestrians or drivers, or negatively impact on adjoining development. 4. Building materials used on the facades of new buildings are low reflectivity. 5. Subject to the extent and nature of glazing and reflective materials used, a reflectivity report may be required that analyses potential solar glare from the proposed development on pedestrians or motorists.	Section 7.8 of the EIS discusses Energy Efficiency.	Y

	The following controls apply only to "change of use applications over 2000m2" as defined within Newcastle Local Environmental Plan 2012, where not complying development 6. Development is to achieve a minimum 3.5 Star Energy Rating with NABERS.		
7.06 Stormwater			
7.06.01 Plan Requirements	1. For the purpose of this section, the following documents are submitted with a development application for the development type listed in Table 1. Required Documents • Stormwater management plan • Erosion and sediment control plan • Broad scale development assessment checklist for water sensitive urban design (see Note 2) Modelling For large scale development hydrological and hydraulic modelling assessment is required in accordance with Section 7.06.02 of this DCP and the Stormwater and Water Efficiency for Development Technical Manual. Modelling shall be in accordance with Newcastle MUSIC-link.	The development will discharge stormwater to the existing systems. Civil Design have been prepared at Appendix I.	Y
7.06.02 All Development	1. The water cycle management plan or stormwater management plan (whichever is submitted with the development application) includes the 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	The development will discharge stormwater to the existing systems. The developments stormwater infrastructure has been detailed within civil engineering plans and provided at Appendix L.	Y

	(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. In general runoff from the development up to and including the 5% AEP shall be collected and drained underground. Public drainage (minor system) has a design capacity of the 10% AEP and connections from private development shall be made subject to the 10% AEP hydraulic grade line of the public drainage being lower than the property drainage system. iii) Runoff from the development up to the 1% AEP shall be drained to the major drainage system in a manner that poses nil adverse impact to neighbouring property.		

	iv) 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. (c) Storage i) General For sites of less than 50% impervious area, development shall provide 12mm of storage to meet the peak runoff requirements. 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 an existing site, the entire site is to be considered as pre developed or in a natural condition in regard to impervious areas for design purposes. The recommended storage provisions to satisfy the storage requirements for are shown diagrammatically in Figure 1. Examples of suitable site storage provisions, for some standard sized sites with particular impervious area coverage are shown in Table 2.		
7.07 Water Efficiency			
7.07.01 Water Efficiency	*Controls Applying to All Development (Other than Residential)* 1. Where plumbing fixtures and water appliances are proposed to be installed, such are to be of the following types: (a) a minimum WELS 3 Star Water Rating (b) maximum 6L dual flush toilet cisterns where they are not supplied by a roof water tank. 2. Where washing appliances are installed, they are WELS 3 Star (or better) Water Rated where they are not supplied by a roof water tank. 3. Where installed, garden water hoses are fitted with trigger nozzles in order to maximise the efficiency of garden watering. 4. A rainwater tank is installed for the dual purposes of mains water demand management and reducing the volume of stormwater discharge from sites. The rainwater tank must be	The proposed development will implement appropriate water efficiency fixtures for all components proposed. Management of water usage is discussed in Section 7.8 of the EIS with a Water Usage Management Report provided at Appendix KK	Y

<table>
<tr><td></td><td>connected to roof areas and not be connected to possible contaminating water sources. All rainwater tanks must be fitted with a first flush device to prevent contaminates fouling water and to prolong the life of the tank. Rainwater tanks should be designed to cater for maintenance and cleaning. Where rainwater tanks are provided, the volume of the tank can be used to offset any additional discharge control storage that is required. Rainwater tanks are to supply water for toilets, watering systems and other reuse devices and be designed and installed in accordance with Council's Stormwater and Water Efficiency for Development Technical Manual.

5. Toilets and watering systems for landscaping are connected to rainwater supply.

6. Where devices in Table 1 are installed, they are to be of the type indicated. Where water is supplied to washing appliances from roof water tanks, this requirement does not apply.

<table><tr><th>Device</th><th>Requirement</th></tr><tr><td>Shower heads</td><td>WELS 3 Star or better</td></tr><tr><td>Toilet Cisterns</td><td>6L – 3L dual flush</td></tr><tr><td>Basin Taps</td><td>WELS 3 Star or better</td></tr><tr><td>Dishwasher</td><td>WELS 3 Star or better</td></tr><tr><td>Washing Machine</td><td>WELS 3 Star or better</td></tr></table></td><td></td><td></td></tr>
<tr><td colspan="4">7.08 Waste Management</td></tr>
<tr><td>7.08.01 General Requirements</td><td>General controls applying to all development to which this section applies

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.

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</td><td>A CMP will be prepared prior to the issuance of a Construction Certificate. A WMP has been prepared and included in Appendix T.</td><td>Y</td></tr>
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	development application (DA). Newcastle Development Control Plan 2012 7.08 Waste Management 4 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. 4. The SWMMP details the method of recycling or disposal and the waste management service provider.		
7.08.02 Demolition and Construction	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). 2. Site disturbance is minimised by limiting unnecessary excavation where materials are not to be used on site as part of developments. 3. A suitable waste receptacle is provided at the work site before work commences and is regularly serviced to prevent overflowing waste and windblown waste from leaving site. 4. The SWMMP incorporates the following requirements: (a) separate collection bins or areas for the storage of residual waste are provided and clearly signposted (b) footpaths, public reserves, street gutters are not used as places to store demolition waste or materials of any kind without Council approval (c) any material moved offsite is transported in accordance with the requirements of the Protection of the Environment Operations Act 1997 (d) waste is only transported to a place that can lawfully be used as a waste facility	A CMP will be prepared prior to the issuance of a Construction Certificate. A WMP has been prepared and included in Appendix T.	Y

	(e) generation, storage, treatment, transport and disposal of hazardous waste and special waste (including asbestos) is conducted in accordance with relevant waste legislation administered by the NSW Environmental Protection Authority, NSW Environment, Energy and Science Group and relevant Occupational Health and Safety legislation administered by SafeWork NSW (f) evidence such as weighbridge dockets and invoices for waste transport, disposal or recycling services are retained and are readily accessible for inspection by regulatory authorities such as Council, NSW Environmental Protection Authority, NSW Environment, Energy and Science Group or SafeWork NSW (g) arrange contractors for the transport, processing and disposal of waste and recycling and ensure that all contractors are aware of the legal requirements for disposing of waste (h) estimate volumes of materials to be used and incorporate these volumes into a purchasing policy so that the correct quantities are purchased. For small-scale building projects see the rates in the 'Waste Management Technical Manual' for a guide (i) identify potential reuse/recycling opportunities of excess construction materials (j) incorporate the use of prefabricated components and recycled materials (k) arrange for the delivery of materials so that materials are delivered 'as needed' to prevent the degradation of materials through weathering and moisture damage Newcastle Development Control Plan 2012 7.08 Waste Management 6 (l) measures shall be implemented to prevent damage by the elements, odour and health risks, and wind-blown litter. 5. Any demolition necessary is carried out in accordance with 'AS 2601—2001, The Demolition of Structures'. 6. Handling management, transport and disposal of hazardous materials including asbestos is in accordance with relevant waste legislation administered by the Environmental Protection Authority and relevant Occupational Health and Safety legislation		

	and Codes of Practice administered by SafeWork NSW, and the Australian Standard AS2601: 2001 - The Demolition of Structures.		
7.09 Advertising and Signage			
7.09.02 General design guidelines	1. A signage strategy is submitted with all development applications for new buildings or for buildings that are a heritage item and/or within a heritage conservation area. The signage strategy is to address the general design guidelines and any applicable Key Precinct principles. The signage strategy will then be used to guide the provision of any signs at the premises. 2. Proposals for new or amended signs on existing buildings will be considered in relation to the building's streetscape, architectural compatibility and cumulative impact within the vicinity. 3. The total number of signs on a property is to be limited to those needed to reasonably identify the business. To minimise clutter, composite signs should be used where there are multiple businesses located on a property. 4. Signage is to be unobtrusive in colour, height and scale, and located so as to be integrated with the architecture and scale of the buildings and adjoining premises. The design and location of signs should not unduly detract from existing architectural features. 5. Signage is to be designed to complement the significance of heritage items and/or heritage conservation areas. 6. Signage is to be positioned so that it does not affect the safe movement of pedestrians, bicycles or motor vehicles. 7. Signage is not to obstruct or cause confusion with the interpretation of traffic signs, traffic controls or navigational beacons. 8. Signage is to be designed and built so that it is structurally and electrically sound. 9. Signage illuminated by internal or external lighting:	Signage is identified on the architectural plans, and is discussed in Section 4.11 with further discussion regarding consistency with SEPP64 at Section 5.13.4.	Y

	(a) is to meet the NSW Department of Planning and Environment's requirements regarding Illumination and Reflectance (b) is not to detract from the architecture of the host building (c) is not to cause distraction or nuisance to neighbouring properties, residential areas or traffic (d) is generally restricted to the hours between 7am and 10pm. (e) has illumination sources (including cabling) concealed or integrated within the sign		