



Schedule 6 – Lowes Creek Maryland Precinct

Camden City Council Camden Growth Centre Precincts -
Development Control Plan

December 2021



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1 Introduction

1.1 Name and Application of this Plan

This Schedule forms part of the Camden Growth Centre Precincts Development Control Plan (referred to as the DCP).

This Schedule was adopted by the Deputy Secretary Greater Sydney Place and Infrastructure under delegation on 24 November 2021 and came into force on 21 December 2021.

This Schedule applies to all development on the land within the Lowes Creek Maryland Precinct, as shown on the Land Application Map (**Figure 1-1**).

This Schedule and related amendments to the DCP give effect to the provisions of this DCP for land within the Lowes Creek Maryland Precinct.

1.2 Structure of this Schedule

This Schedule should be read in conjunction with the main body of the DCP. In the event of an inconsistency between this Schedule and the main body of the DCP, this Schedule takes precedence. **Table 1-1** summarises the structure of Schedule 6 Lowes Creek Maryland Precinct.

Table 1-1: Structure of this Schedule.

Part	Summary
1 – Introduction	Identifies the land to which the Schedule applies.
2 – Subdivision Planning and Design	Establishes an overall vision and Indicative Layout Plan (ILP) for the Lowes Creek Maryland Precinct. Provides Precinct specific figures that support the controls in Part 2 and Part 3 of the main body of the DCP in relation to the Lowes Creek Maryland Precinct.
3 – Centres Development Controls	Provides specific objectives and controls that apply to centres within the Lowes Creek Maryland Precinct. These controls are in addition to those in Part 5 and Part 6 of the main body of this DCP.
4 – Site Specific Controls	Specific objectives and controls for development in certain parts of the precinct including highway services, mixed use and bulky goods areas, and the heritage listed sites, Maryland Estate, Birling 1812, and Birling 1937.

Additional notes to readers are provided throughout this document. These notes are not part of the formal provisions of the DCP but are intended to provide additional guidance and explanation of the provisions. If further guidance is required on the interpretation of provisions in the DCP, readers should refer to the definitions or contact Camden Council for advice.

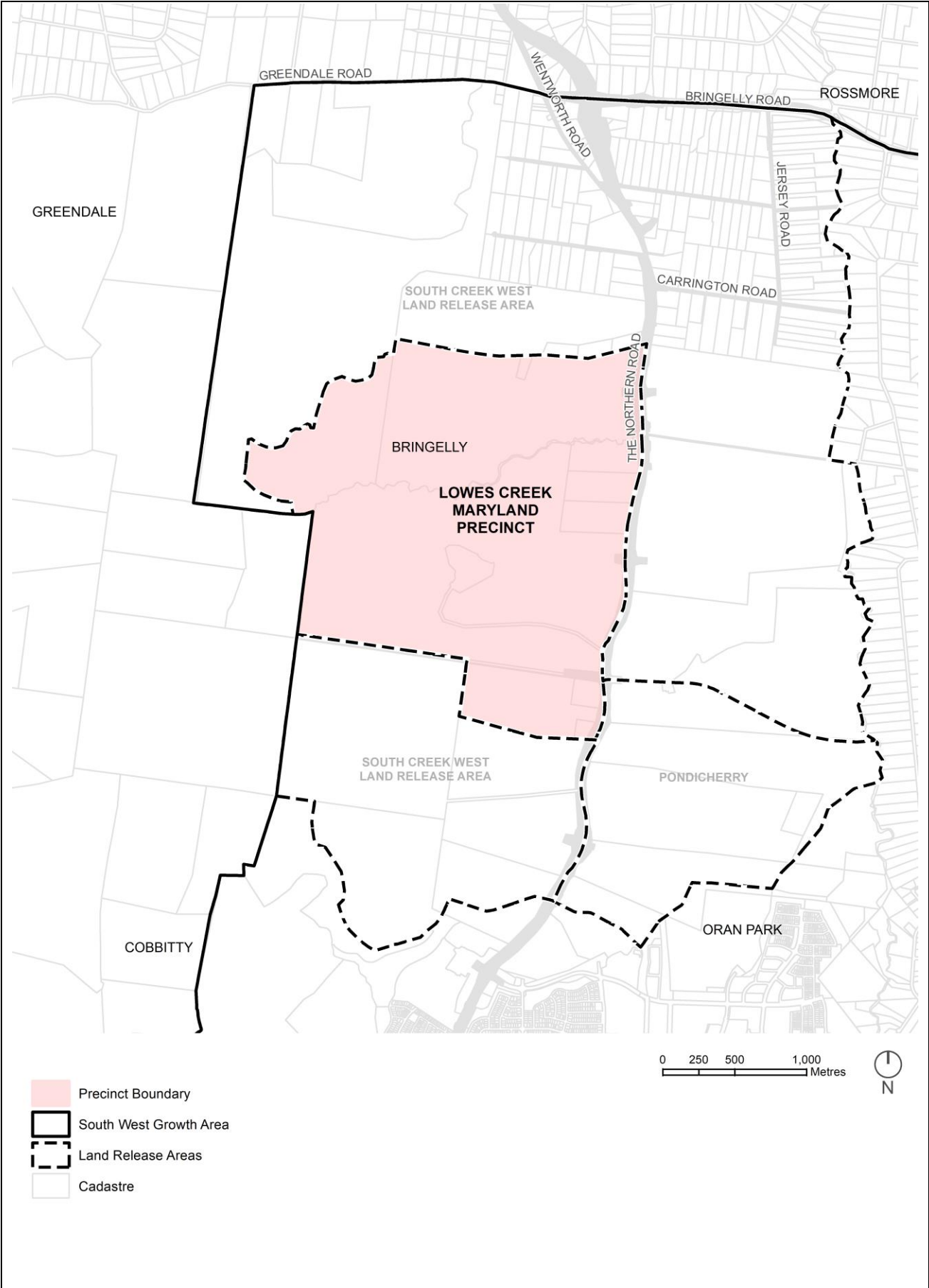


Figure 1-1: Land Application Map

2 Development planning and design

Note: This section supports the objectives and controls of **Part 2** and **Part 3** of the DCP.

2.1 Vision and Development Objectives

Vision

The vision for the Lowes Creek Maryland Precinct is for a range of housing types to meet the needs of a well-connected and diverse community, supported by local services, infrastructure and facilities in a manner that responds to the unique characteristics of the Precinct. These characteristics include waterways and landforms associated with Lowes Creek and the historically significant Birling and Maryland Estates.

The landscape setting of the Maryland homestead and grounds, its associated outbuildings, and historic driveways, will be respected and interpreted within the development layout. The proximity of the Maryland Estate's outbuildings next to the local centre will reinforce this area as the main community focus, offering opportunities for small-scale retail, commercial and social infrastructure, to meet local needs.

Lowes Creek, a western tributary of Wianamatta-South Creek will be an important blue-green corridor for the Western Parkland City and will provide an opportunity for development within the Precinct to be designed to connect with and care for Country. Lowes Creek will integrate biodiversity, water management and passive recreational values to create a significant amenity resource for the local community. Where possible, remnant vegetation will be retained in public parks. Selected parks have also been strategically positioned to preserve view corridors to the Birling and Maryland heritage sites and to conserve Aboriginal cultural heritage.

The Precinct will be an integral part of the Camden Local Government Area (LGA) and the South West Growth Area (SWGA). It will be linked to surrounding suburbs and major regional destinations such as the future Western Sydney Airport, the regional centres of Liverpool, Campbelltown, Penrith and the Western Sydney Parklands.

Key Development Objectives for Lowes Creek Maryland

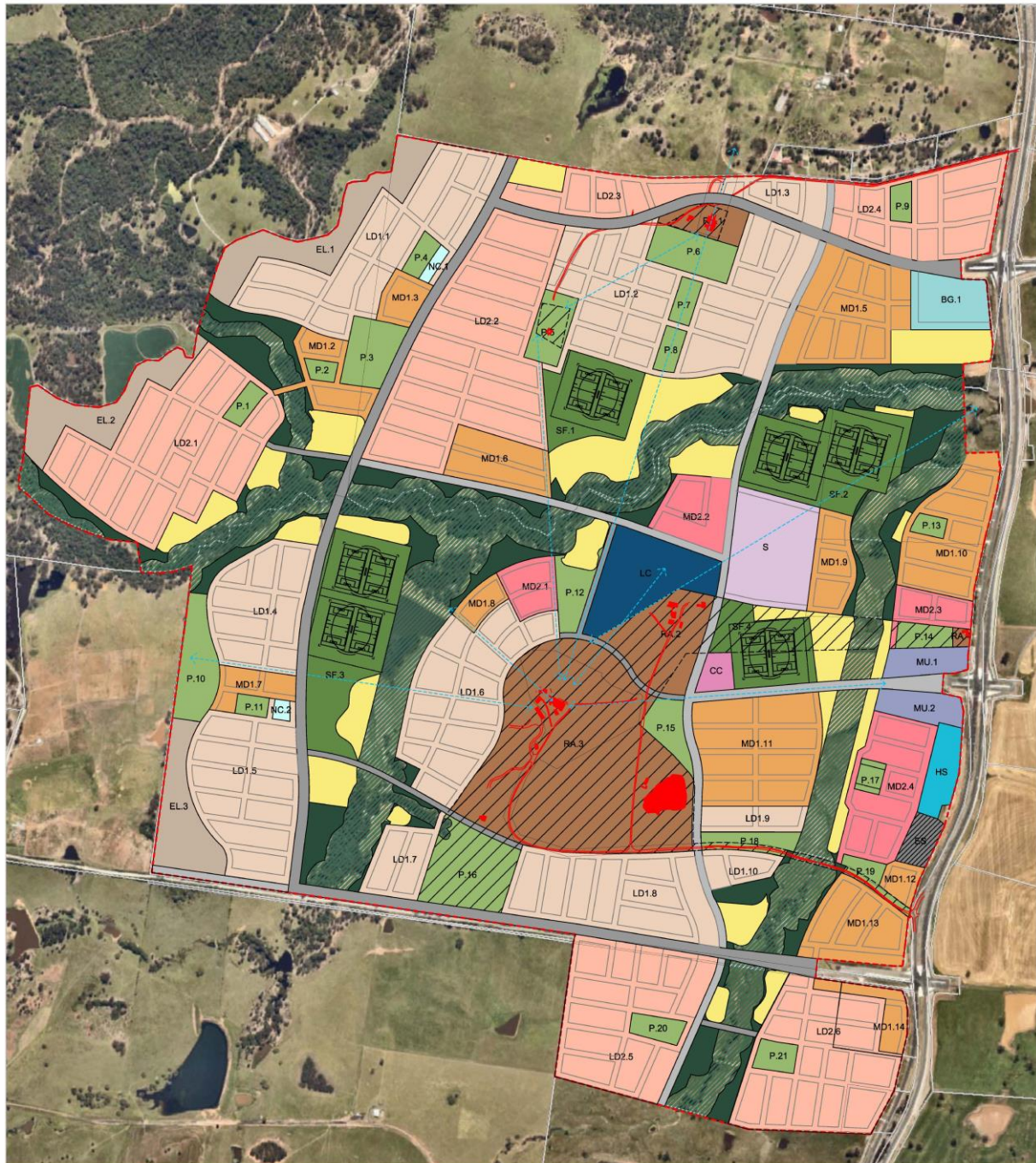
1. Protect and enhance Maryland and Birling's identified heritage values, using them to inform place-making, local park and local centre identity, and interpretation strategies.
2. Ensure all development achieves a high standard of urban and architectural design quality and environmental sustainability objectives.
3. Promote housing that provides a high standard of residential amenity.
4. Ensure Camden's housing targets are met through the provision of a range of housing types that offer diversity and affordability.
5. Create vibrant, successful centres and maximise opportunities for local employment and business.
6. Create walkable neighbourhoods with good access to public transport.
7. Protect significant views between key heritage sites and landscapes.
8. Protect and enhance Lowes Creek, including environmental conservation areas and adjacent high-quality green space.
9. Facilitate the development of vibrant, accessible and exemplary green places with a strong sense of place and custodianship, recognising and celebrating Aboriginal and European heritage spaces.

10. Provide a high-quality and connected public domain which is attractive, safe, functional, activated, accessible, sustainable, and culturally diverse.
11. Provide social infrastructure that is flexible and adaptable.
12. Ensure the timely delivery of critical infrastructure.
13. Service the future educational needs of the Precinct through the delivery of high-quality places of learning.

2.2 Referenced Figures

Note: The figures included in this section are those referenced in **Part 2 Precinct Planning Outcomes** and **Part 3 Neighbourhood and Subdivision Design** of the DCP as indicated in Table 2-1.

Referenced Figure	Section in main body of the DCP
Figure 2-1: Indicative Layout Plan	<i>2.2 The Indicative Layout Plan</i>
Figure 2-2: Flood prone land	<i>2.3.1 Flooding</i>
Figure 2-3: Key elements of the water cycle management and ecology strategy	<i>2.3.2 Water cycle management</i> <i>2.3.5. Native vegetation and ecology</i> <i>3.3.1 Layout and design</i>
Figure 2-4: Areas of potential salinity risk	<i>2.3.3 Salinity and soil management</i>
Figure 2-5: Aboriginal cultural heritage sites	<i>2.3.4 Aboriginal and European heritage</i>
Figure 2-6: European cultural heritage sites	<i>2.3.4 Aboriginal and European heritage</i>
Figure 2-7: Bushfire risk and APZ requirements	<i>2.3.6 Bushfire hazard management</i>
Figure 2-8: Areas of environmental concern	<i>2.3.7 Site contamination</i>
Figure 2-9: Geotechnical constraints	<i>2.3.7 Site contamination</i>
Figure 2-10: Odour	<i>2.3.10 Odour assessment and control</i>
Figure 2-11: Residential structure	<i>3.1.1 Residential density</i>
Figure 2-12: Precinct road hierarchy	<i>3.3.1 Layout and design</i> <i>3.3.6 Access to arterial roads, sub-arterial roads and transit boulevards</i>
Figure 2-13: Pedestrian and cycle network	<i>3.3.4 Pedestrian and cycle network</i>
Figure 2-14: Proposed road sections	<i>3.3.1 Layout and design</i>
Figure 2-20: Location of centres	<i>5.1 Introduction</i>



INDICATIVE LAND USE PLAN (ILP)

Lowes Creek Maryland Precinct

Last edited 14.07.2021

Not in scale / A3 size

0 50 100 250 500m



Legend

- | | | | |
|-------------------------------------------------|-----------------------------------------|--------------------------|----------------------------|
| Precinct Boundary | Environmental Living (Maximum 10 dw/ha) | Neighbourhood Centre | Riparian Corridor |
| Cadastre | Low Density Band 1 (10 to 20 dw/ha) | Local Centre | Environmental Conservation |
| Heritage Curtilage** | Low Density Band 2 (20 to 25 dw/ha) | Community Centre | Local Drainage |
| Recreation Area (Privately-owned heritage site) | Medium Density Band 1 (25 to 35 dw/ha) | Proposed School Location | |
| Key View Corridors | Medium Density Band 2 (35 to 60 dw/ha) | Highway services | |
| Heritage Items | Mixed Use (35 to 60 dw/ha) | Bulky Goods | |
| | Local park | Electricity Substation | |
| | Sports fields | Major Roads | |

Figure 2-1: Indicative Layout Plan

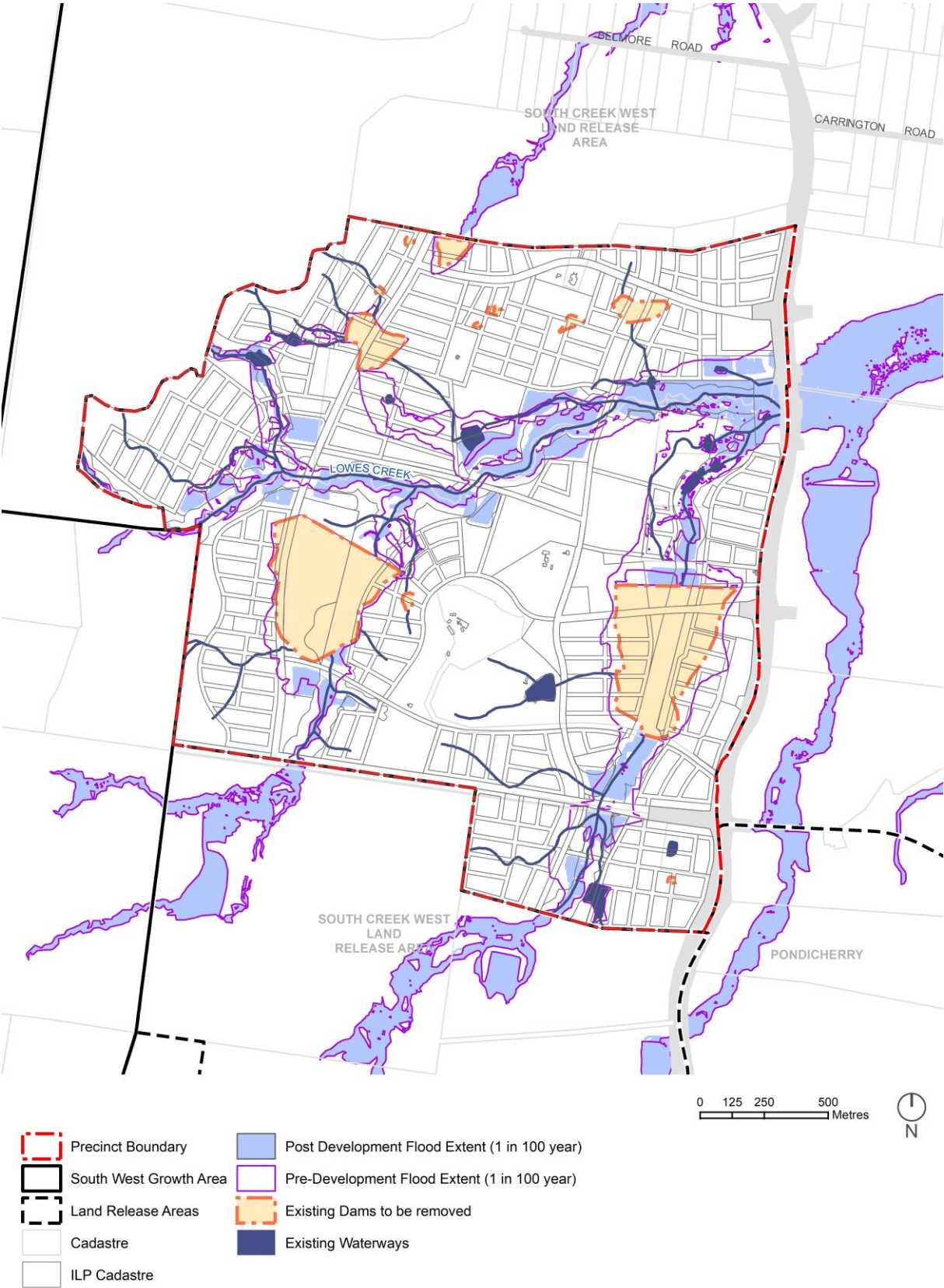


Figure 2-2 Flood Prone Land

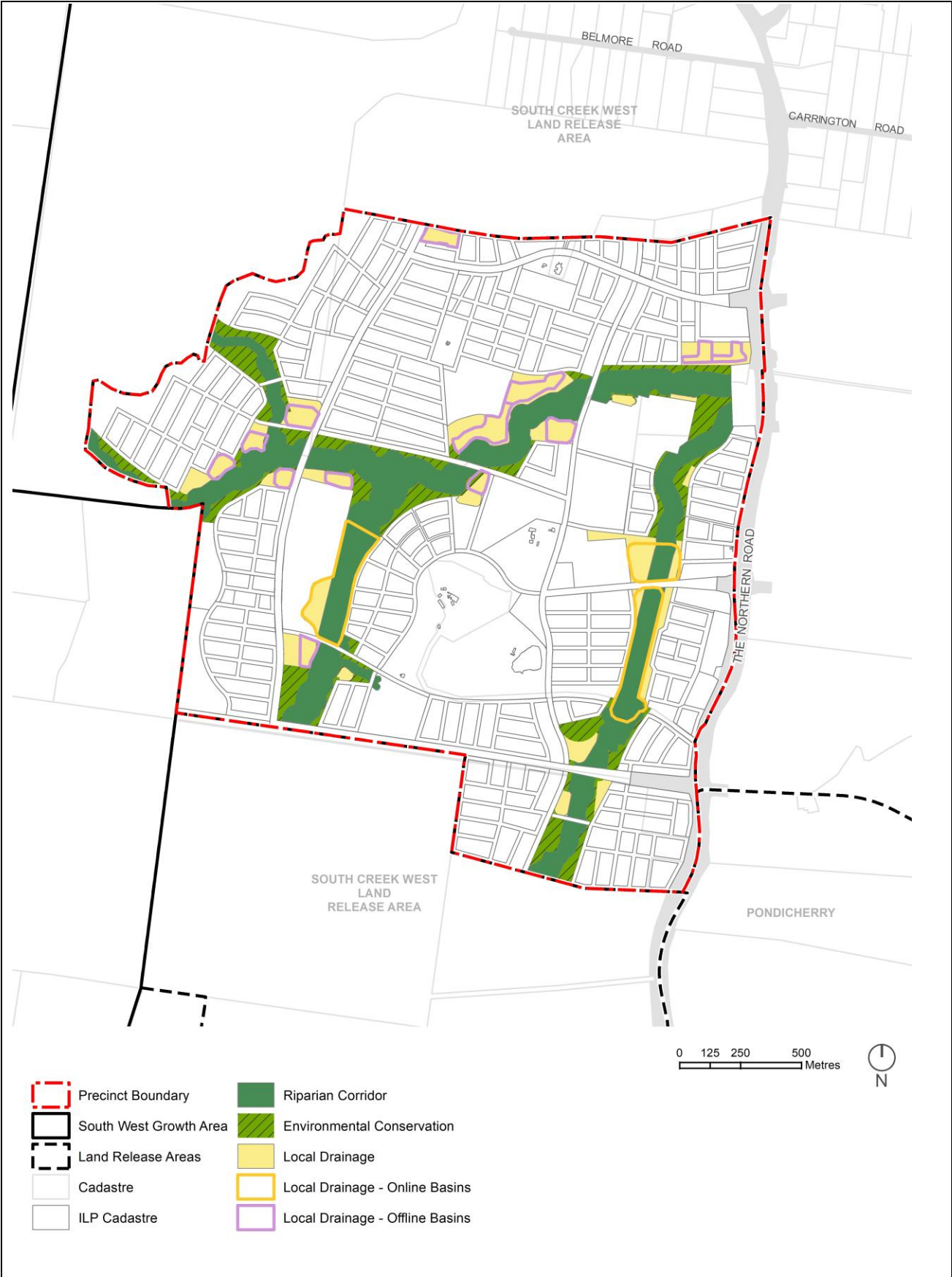


Figure 2-3 Key Elements of the Water Cycle Management and Ecology Strategy

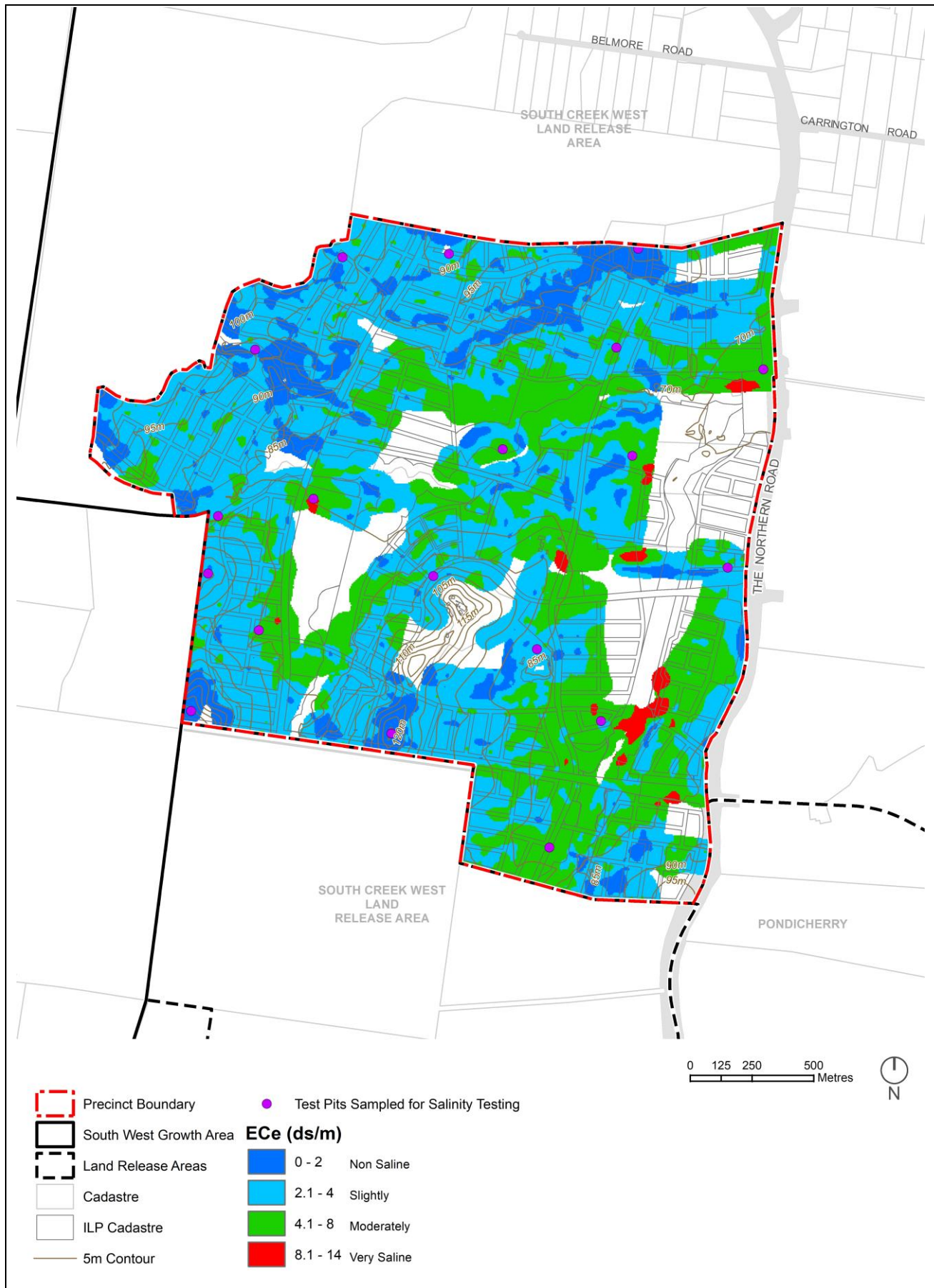


Figure 2-4: Areas of potential salinity risk

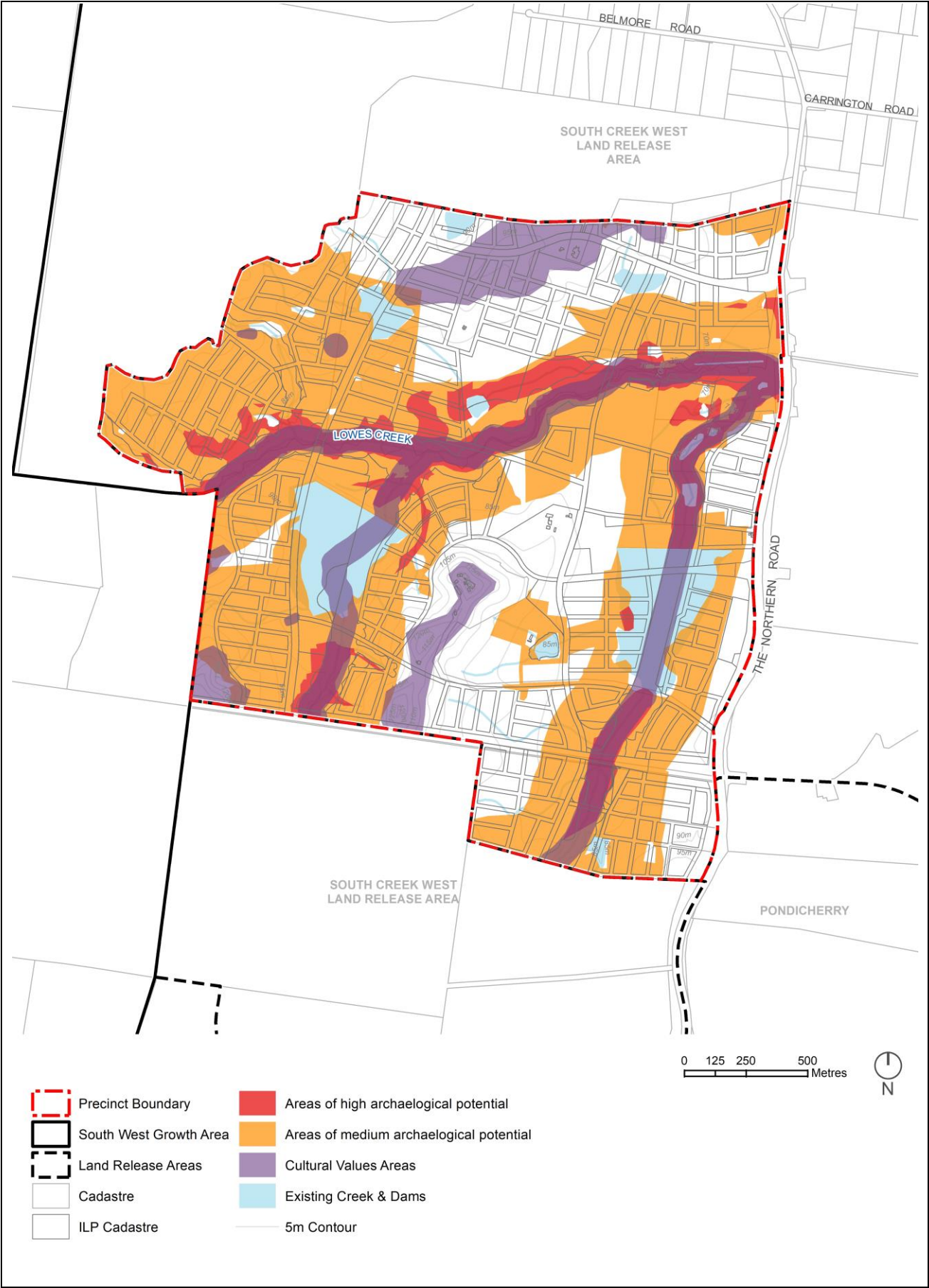


Figure 2-5: Aboriginal cultural heritage sites

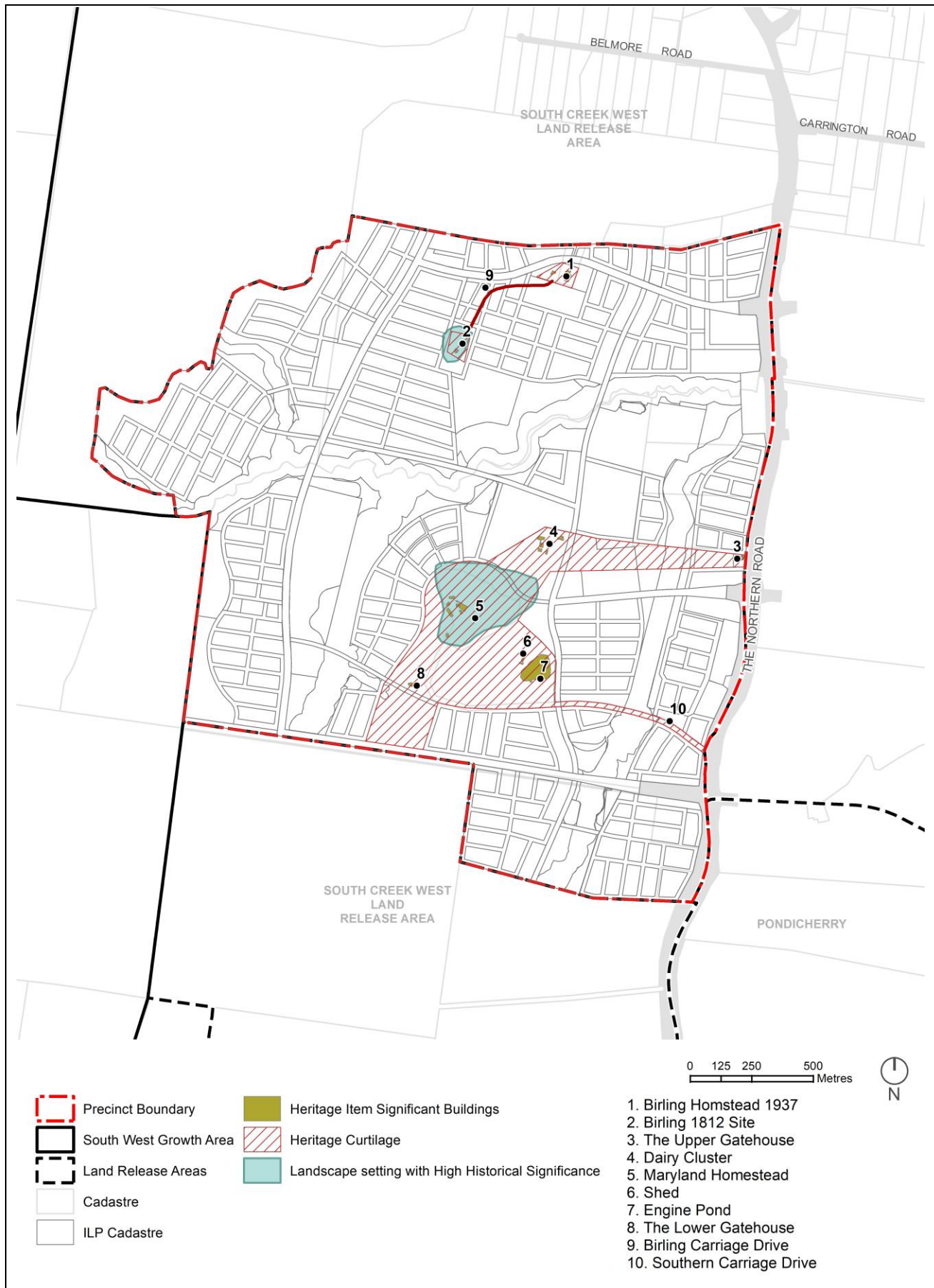


Figure 2-6: European cultural heritage sites

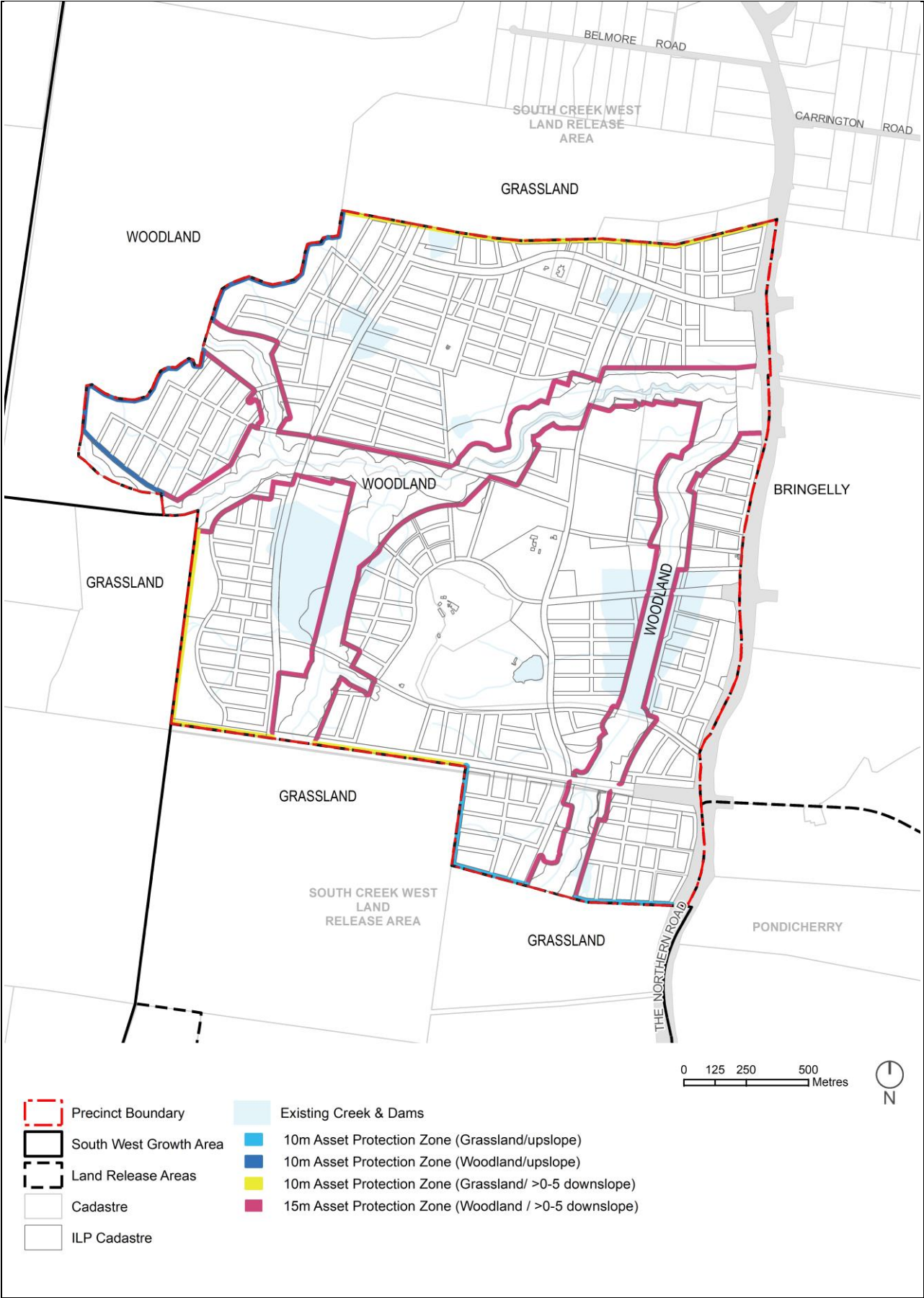


Figure 2-7: Bushfire risk and APZ requirements

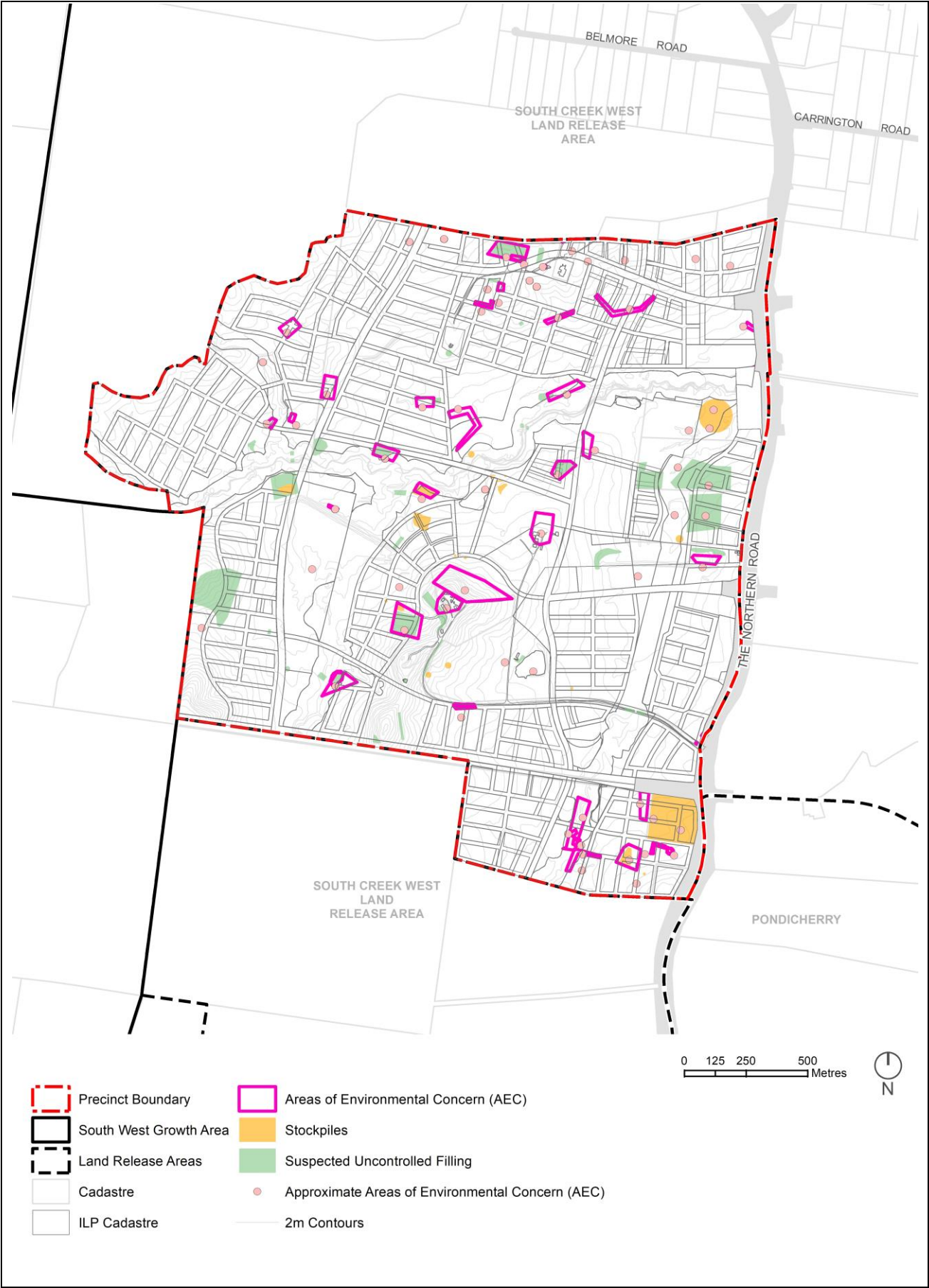


Figure 2-8: Area of environmental concern

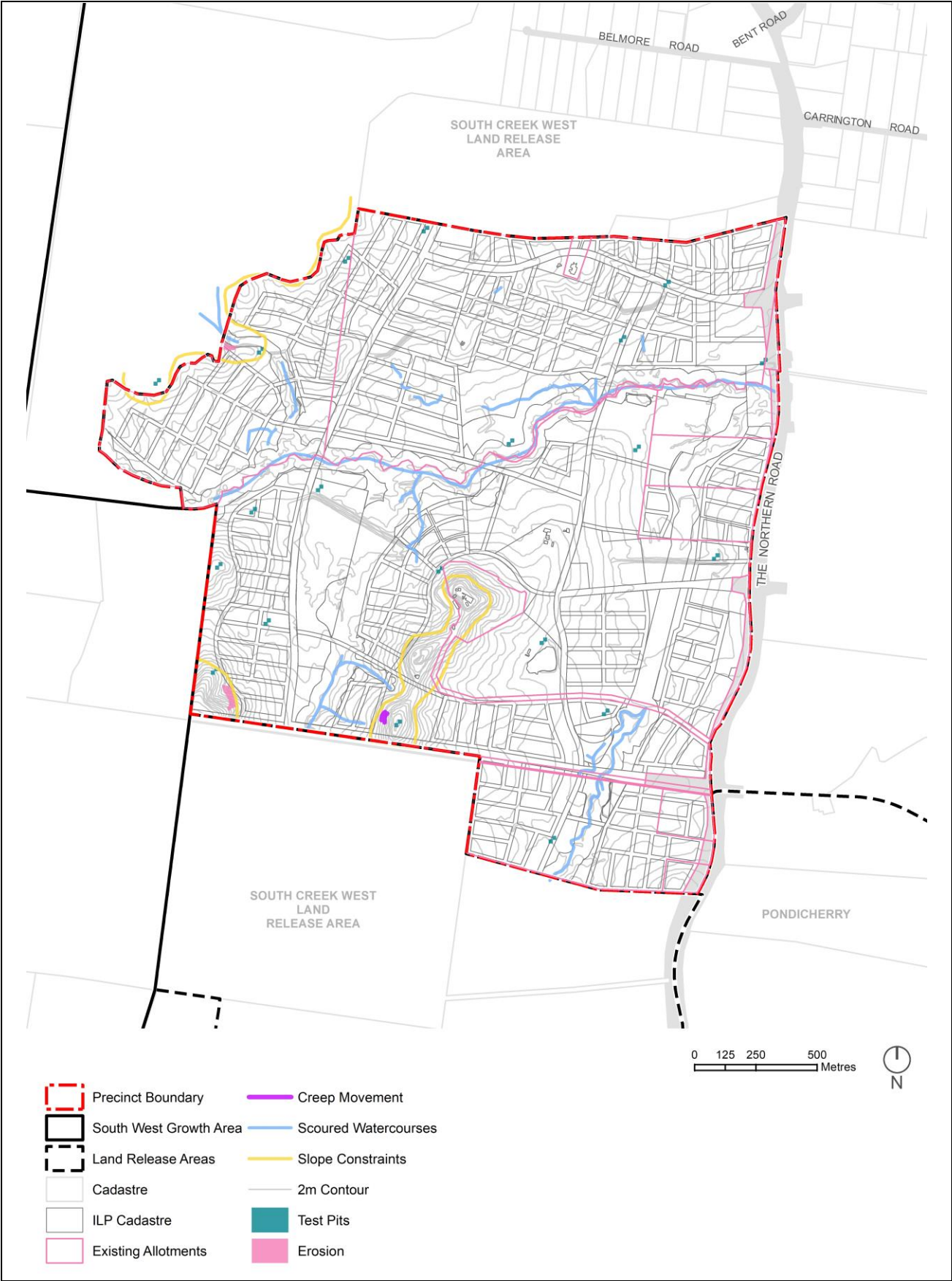


Figure 2-9: Geotechnical constraints

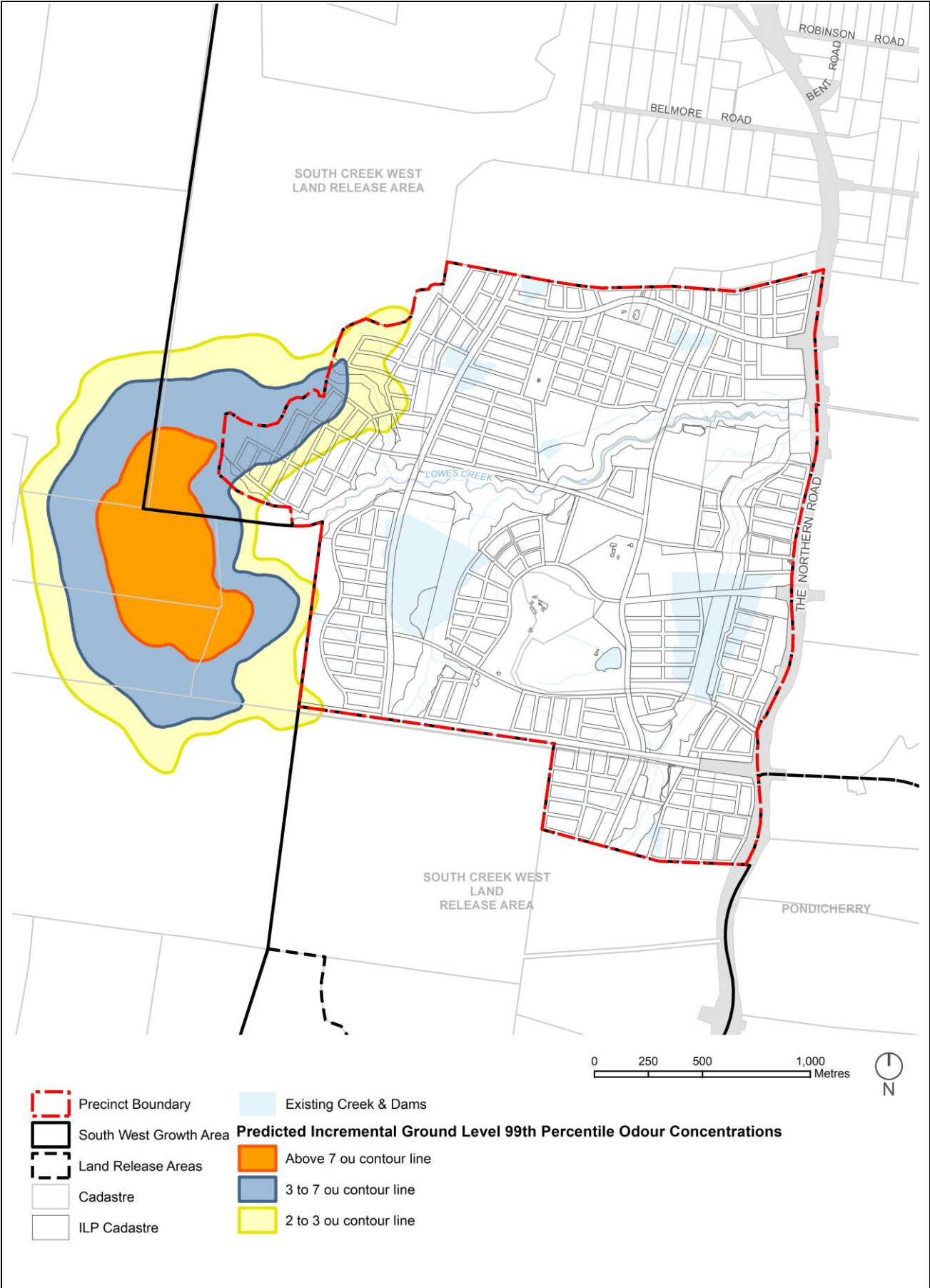


Figure 2-10: Odour

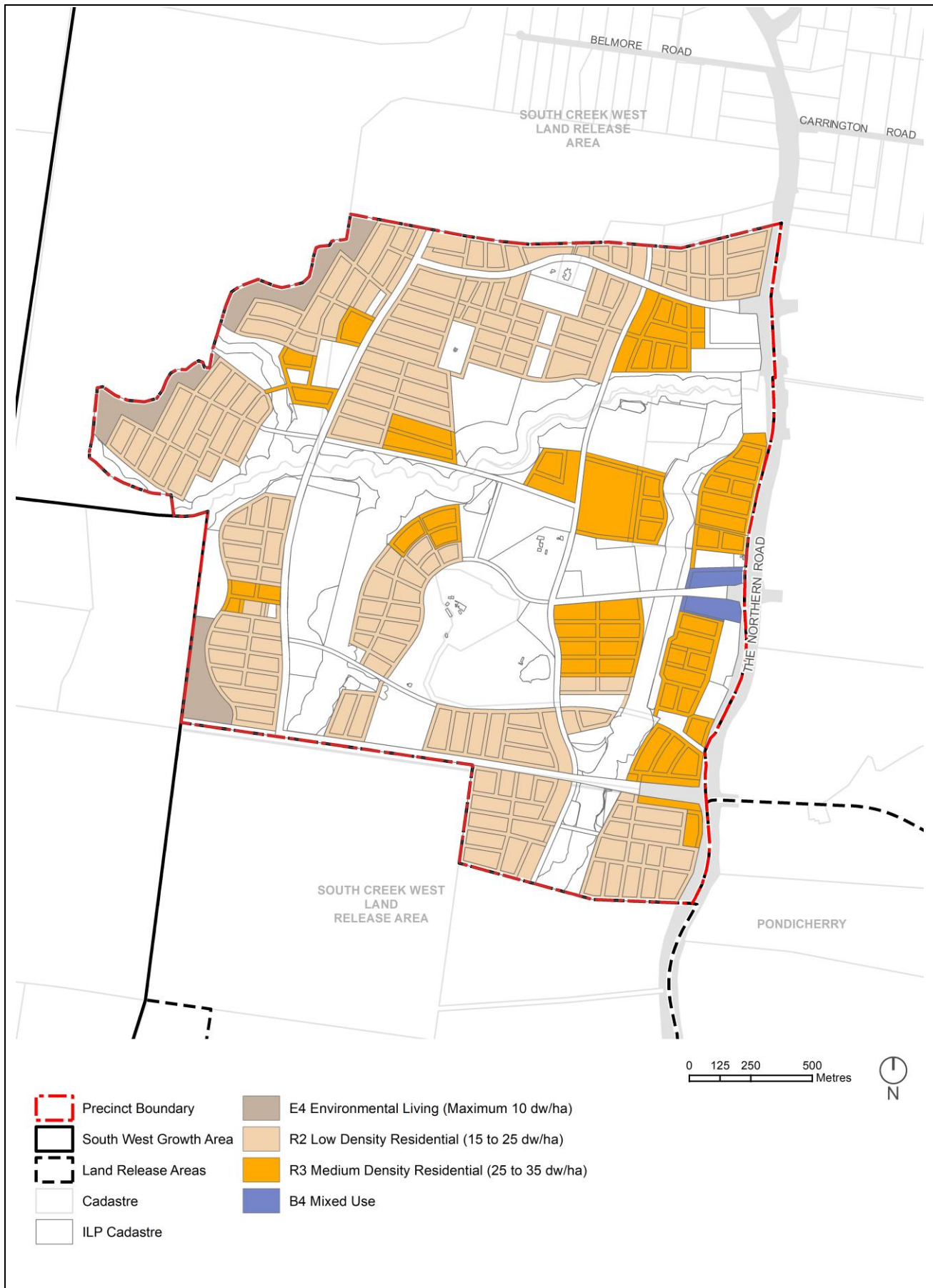


Figure 2-11: Residential structure

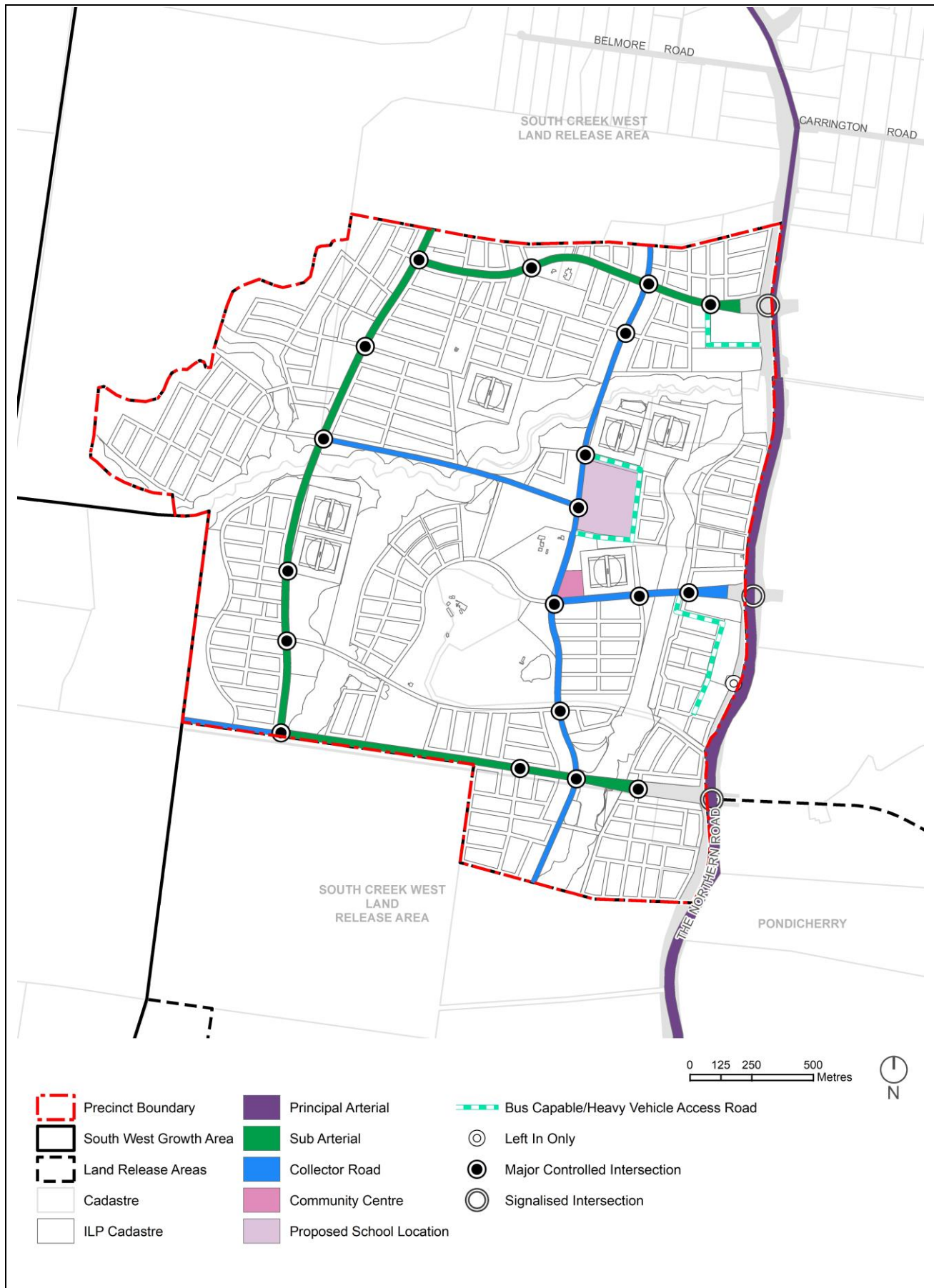


Figure 2-12: Precinct road hierarchy

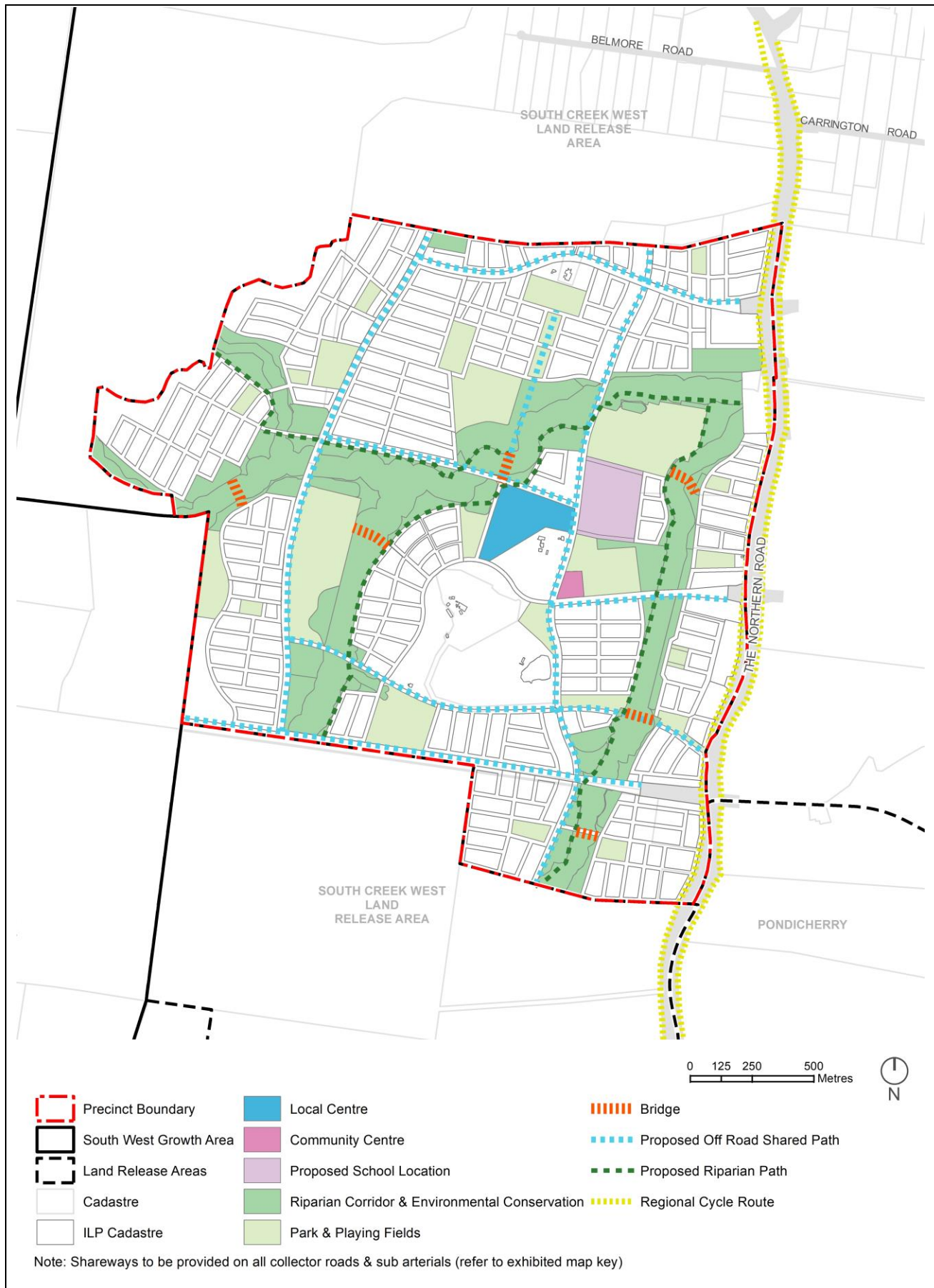


Figure 2-13: Pedestrian and cycle network

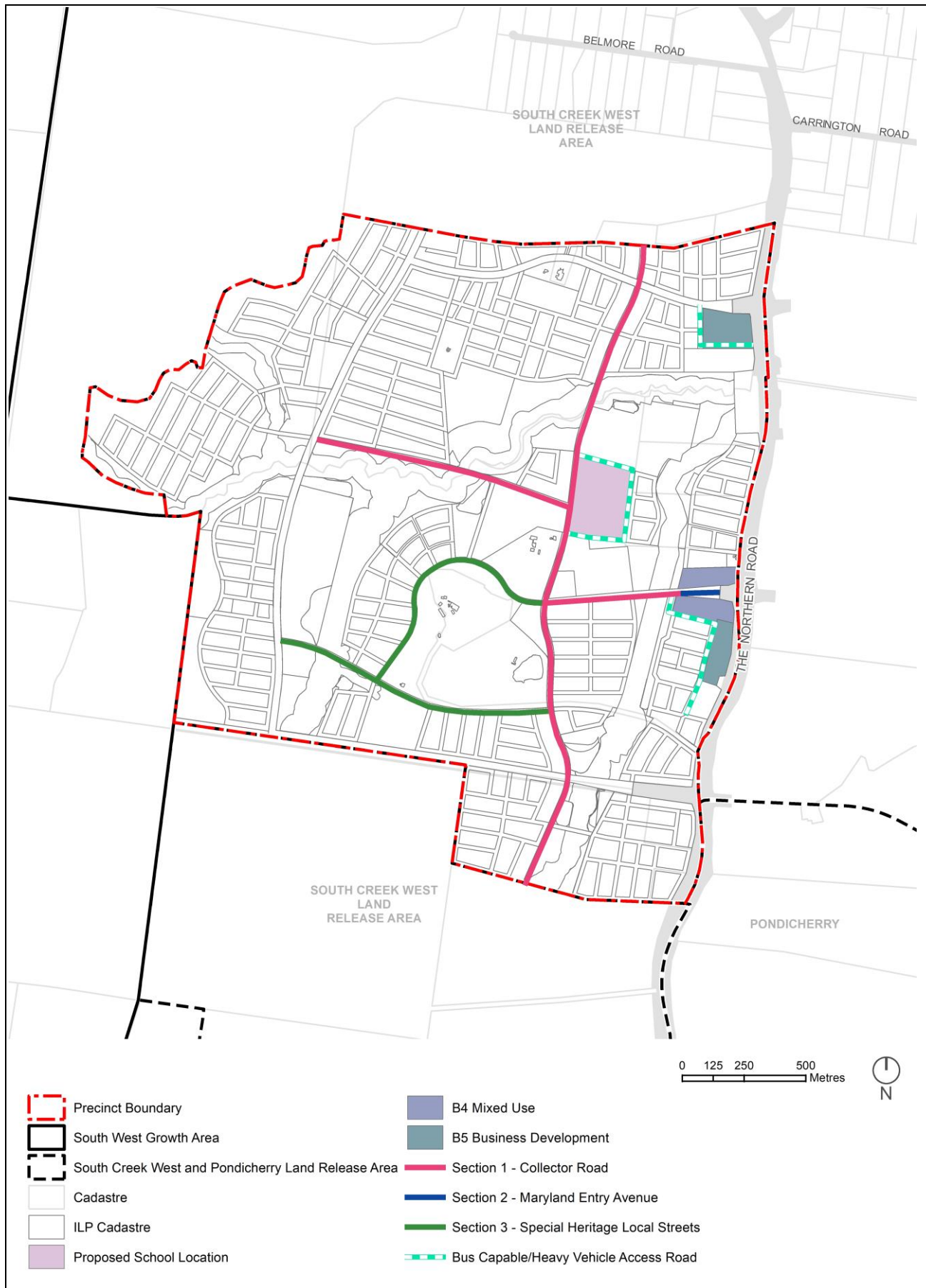


Figure 2-14: Proposed road sections

2.3 Road Network

Note: The following cross sections apply within the Precinct. The cross sections prepared under this section address heritage view lines as well as pedestrian and cyclist connectivity within the Precinct. The location and extent of each cross section can be seen in **Figure 2-14**.

Objectives

- Create a safe and permeable road network, in particular, for active forms of transport.
- Ensure streets contribute to the liveability of the urban area.
- Protect the view lines of significant heritage sites.
- Encourage active transportation within the Precinct.
- Achieve urban tree canopy cover within the Precinct.

Controls

- The design and construction of streets must be consistent with the relevant typical sections in Figures 2-15 – 2-17 and Council's Engineering Specifications.

Section 1 – Collector roads, bus capable roads and heavy vehicle access streets

- Collector roads, bus capable roads and heavy vehicle access streets (see **Figure 2-14** above) must be designed in accordance with **Figure 2-15** below.

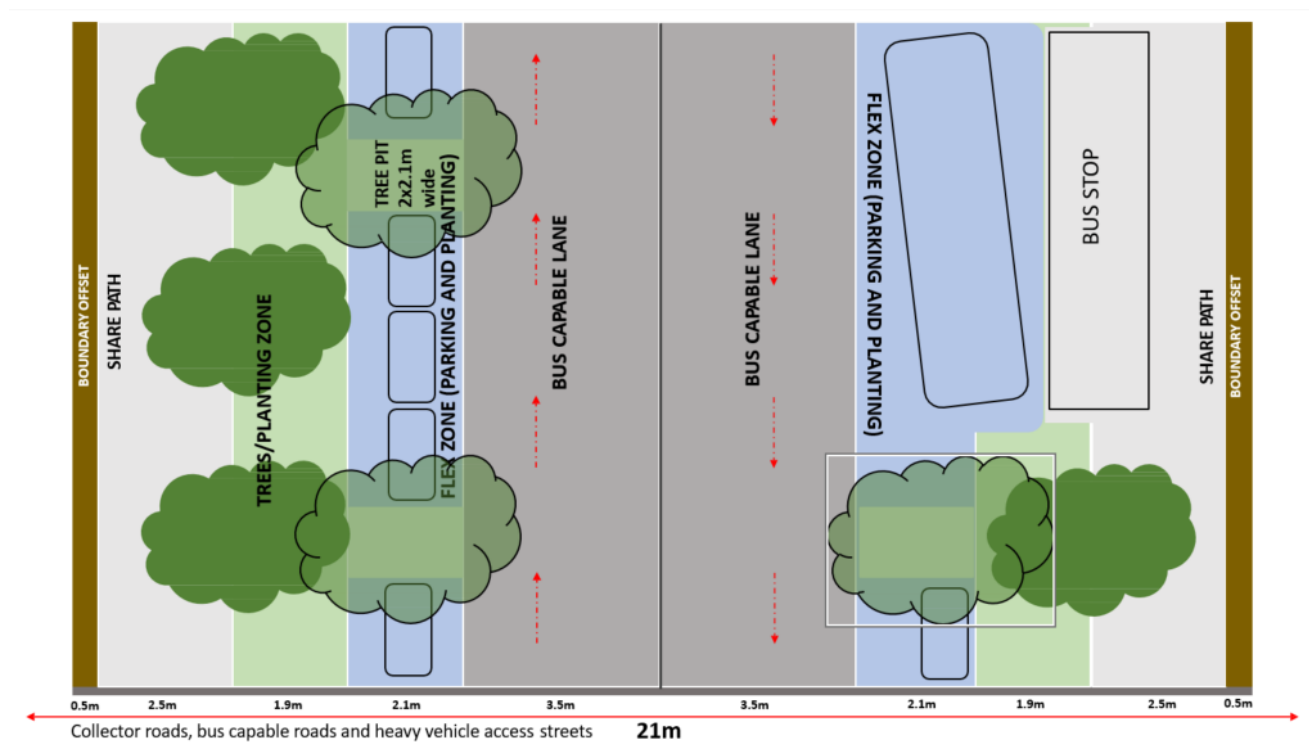


Figure 2-15: Section 1 Collector roads, bus capable roads and heavy vehicle access streets

Section 2 - Maryland Entry Avenue

3. The Maryland Entry Avenue (see **Figure 2-14** above) must be designed in accordance with **Figure 2-16** below.

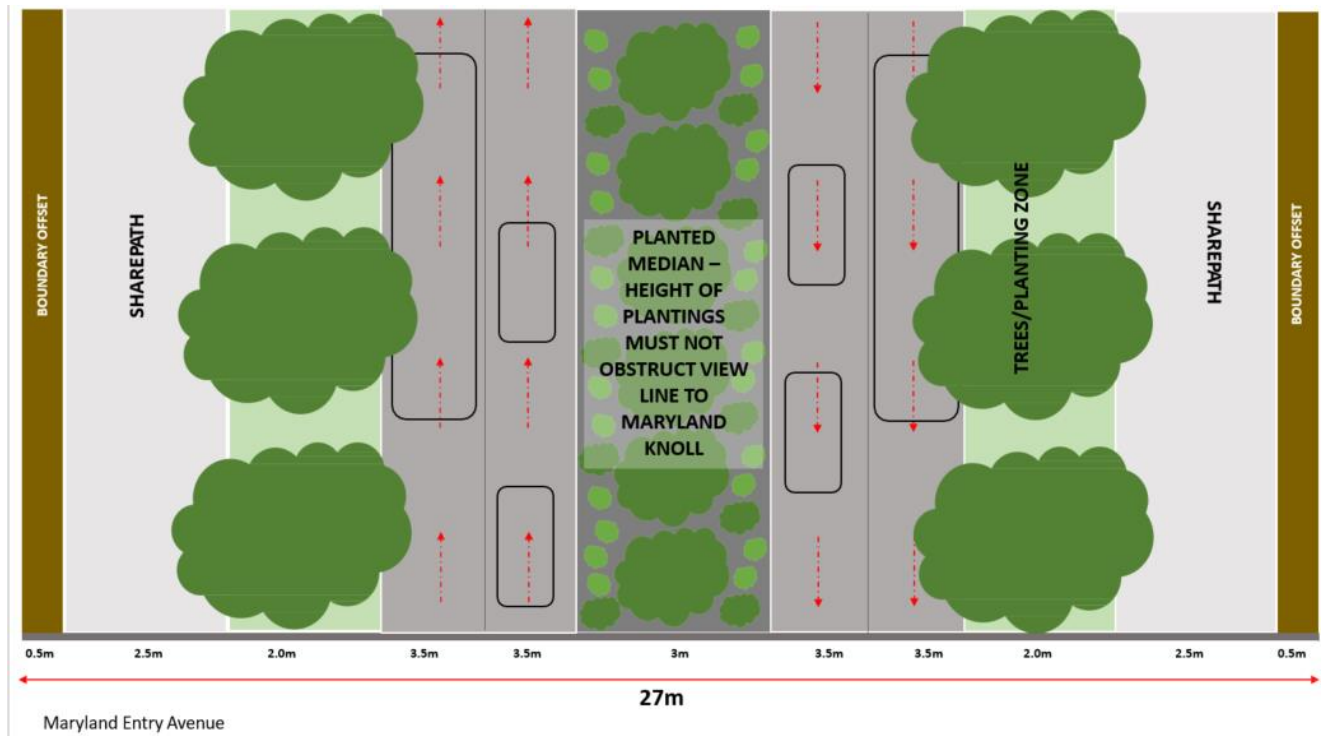


Figure 2-16: Section 2 Maryland entry avenue

4. This road section must preserve the heritage view line between The Northern Road to The Maryland Knoll (see **Figure 2-1**).
5. At full maturity, the height of plantings within the median must not obstruct the heritage view line.

Section 3 – Special Heritage Local Streets

6. The special heritage local roads (see **Figure 2-14** above) must be designed in accordance with **Figure 2-17** below.

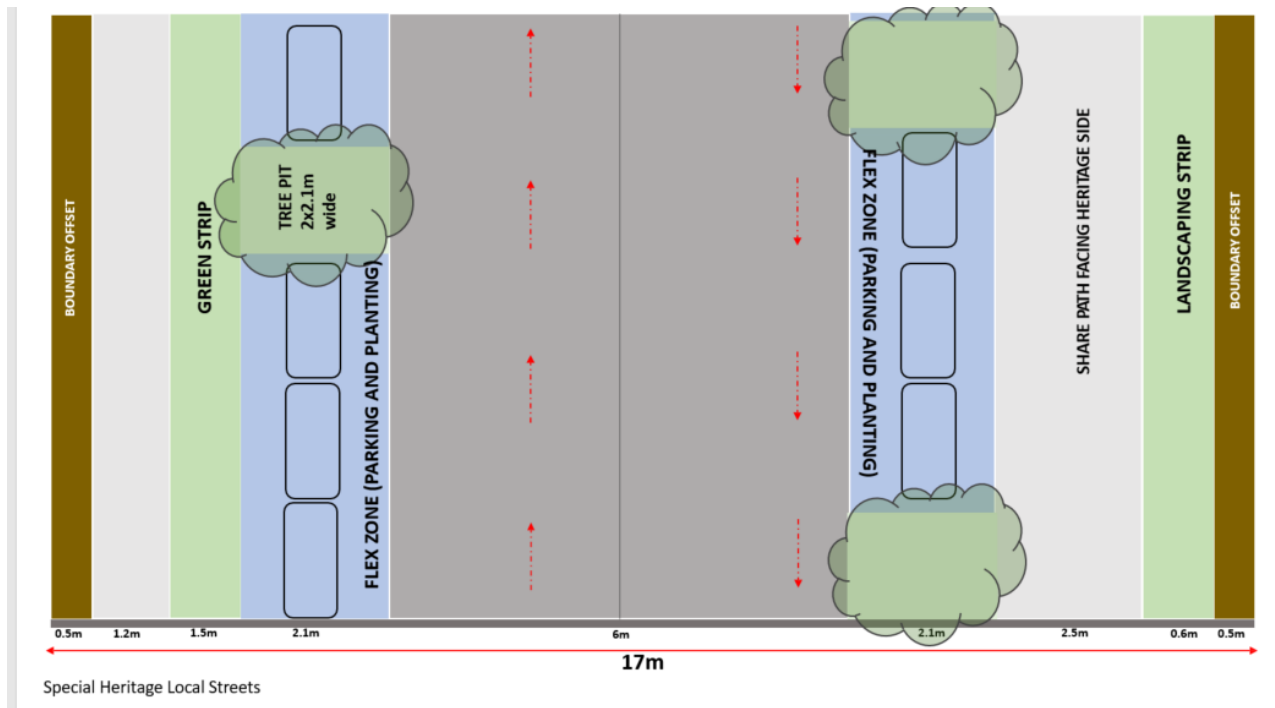


Figure 2-17: Section 3 Special heritage local roads

2.4 Public Transport, Pedestrian and Cycle Networks

Objectives

- Provide accessible public transport options to all Lowes Creek Maryland residents and visitors.
- Encourage the use of public transport through the provision of integrated bus, pedestrian and cycle routes within the Precinct.
- Encourage the use of active transport through the provision of pedestrian and cycle routes that provide links between key activities, community facilities, open space areas and the local centre within the Precinct.
- Provide a network for pedestrian and cycle routes and ensure opportunities to extend these routes beyond the Precinct are possible.

Controls

- Specific roads identified in **Figure 2-12** must have the capability to accommodate bus services as part of future local bus routes.
- Key pedestrian and cycle routes are to be generally provided in accordance with **Figure 2-13**.
- The design of footpaths and off-road cycle lanes must be consistent with road sections provided in **Section 2.3**.
- Pedestrian and cycle creek crossings must be generally provided in accordance with **Figure 2-13**.

2.5 Open Space and Recreation Network

Objectives

- a) Promote a healthy, liveable community that is characterised by an equitable distribution of public open space and recreational opportunities across the Precinct.
- b) Establish a sense of place and orientation within the neighbourhood that takes advantage of the Precinct's natural and visual character, topography, existing vegetation, riparian networks and identified cultural heritage.
- c) Capitalise on the unique heritage features of the Precinct by interfacing parks with heritage sites and associated view lines.
- d) Ensure public open spaces are accessible to all and provide opportunities for social interaction.
- e) Ensure all open spaces are multi-functional and adaptable in design to allow for a range of uses.
- f) Encourage the use of drainage land for passive recreation purposes, consistent with environmental objectives.
- g) Provide a mix of passive, active, formal and informal public open spaces and play opportunities, that will cater for and support the future community of Lowes Creek.
- h) Provide appropriate plantings and shade trees while retaining and enhancing identified significant view lines.

Controls

5. The open space and recreation network for the Precinct must be delivered generally in accordance with **Figure 2-18**.
6. The minimum provision of open space facilities must be consistent with the *Lowes Creek Maryland Precinct Section 7.11 Contributions Plan* (see **Table 3**).
7. The following must be taken into consideration in the location of local parks:
 - a. parks must be located generally in accordance with the Indicative Layout Plan (refer to **Figure 2-1**);
 - b. parks are to be generally located within 800m of all residential development;
 - c. parks are to be located and designed to retain existing vegetation and where possible, be integrated with the environmental conservation land located within the riparian corridor network;
 - d. where possible, parks should have a frontage with the road network on all sides;
 - e. dwellings must be oriented towards parks to achieve passive surveillance; and
 - f. parks must be accessible and linked through pedestrian and/or cycle networks.
8. The following principles must be taken into consideration in the detailed design of playing fields, local parks and other passive open space areas:
 - a. the need for a range of play spaces and opportunities to cater for a variety of ages and abilities, considering universal design principles;

- b. the provision of adequate parking, lighting and waste management facilities commensurate with the scale, role and function of the open space being provided;
 - c. the inclusion of interpretative signage detailing local history, Aboriginal cultural values, and environmental education themes; and
 - d. the provision of amenities such as seating and shade structures, drinking fountains, street lighting, street information signs and planted areas.
9. Riparian corridors must provide opportunities for pedestrian paths, cycleways or fitness trails in a manner that maintains the environmental significance of these areas. A range of themed elements such as boardwalks, educational signage and seating areas along pathways and educational tracks referencing local Aboriginal cultural heritage, should be incorporated at appropriate borders.
10. A Public Domain and Landscape Plan must be submitted for each local sporting field, neighbourhood park, local park and other passive open space areas at the time of subdivision of the adjoining residential area. The Plan is to provide details on these elements as relevant to the particular public open space being provided:
- a. earthworks;
 - b. public furniture and fixtures;
 - c. seating areas and shading structures for seating areas;
 - d. plant species and sizes;
 - e. equipment and shade structures for play spaces;
 - f. utilities and services;
 - g. public art;
 - h. hard and soft landscaping treatments, including edge treatments;
 - i. signage and lighting;
 - j. any entry statements or retaining or feature walls;
 - k. waste facilities;
 - l. interpretive material detailing local Aboriginal and/or European heritage;
 - m. provision of on/off-street car parking;
 - n. boardwalks or pedestrian bridges;
 - o. drainage basins;
 - p. areas of proposed irrigation and water harvesting;
 - q. sporting facilities;
 - r. retention and enhancement of view lines.
11. The selection of landscape species for public open space areas are to consider bushfire risk and consist of a species locally indigenous to the Cumberland Plain. Alternative plant species may be appropriate where identified provenance on Maryland Estate over time can

be established to reflect or interpret the area's heritage character. Retention of existing trees in public parks are to be retained wherever possible.



Figure 2-18: Open space network

Table 3 Summary of open space and recreation requirements

Open Space Type	Minimum size/number
Playing Fields (SF1)	55,315m ²
Playing Fields (SF2)	104,296m ²
Playing Fields (SF3)	112,649m ²
Playing Fields (SF4)	51,477m ²
Local Park (P1)	6,975m ²
Local Park (P2)	4,583m ²
Local Park (P3)	25,522m ²
Local Park (P4)	6,770m ²
Local Park (P5)	19,413m ²
Local Park (P6)	25,681m ²
Local Park (P7)	7,681m ²
Local Park (P8)	7,485m ²
Local Park (P9)	6,321m ²
Local Park (P10)	31,506m ²
Local Park (P11)	5,002m ²
Local Park (P12)	16,242m ²
Local Park (P13)	5,019m ²
Local Park (P14)	10,257m ²
Local Park (P15)	15,714m ²
Local Park (P16)	49,215m ²
Local Park (P17)	6,218m ²
Local Park (P18)	14,734m ²
Local Park (P19)	9,706m ²
Local Park (P20)	9,344m ²
Local Park (P21)	9,099m ²

2.6 Aboriginal Cultural Heritage

Note: This section is supplementary to **Section 2.3.4** of the DCP and provides guidance about further investigations that are required to understand and enhance Aboriginal culture and resources within the precinct.

Background

Lowes Creek Maryland contains a number of sites of Aboriginal cultural significance as part of a wider Aboriginal cultural landscape. Aboriginal people are the cultural owners and managers of information relating to Aboriginal cultural heritage. It is vital to Aboriginal people and to the richness of Camden's heritage, that the cultural values of Aboriginal Country and important spiritual and cultural links to land are maintained by conserving, protecting and interpreting places of cultural significance in consultation with Aboriginal stakeholders.

Objectives

- a) Ensure the interpretation of Aboriginal cultural heritage within the precinct is acknowledged and enhanced.
- b) Conserve and protect places of Aboriginal cultural and archaeological significance.
- c) Maintain connections between cultural landscape features and identified elements of Aboriginal cultural heritage within the Precinct and the surrounding area.
- d) Protect and enhance identified elements of Aboriginal cultural heritage significance that exhibit high cultural value.
- e) Ensure relevant Aboriginal stakeholders are appropriately consulted throughout the site planning and design process.
- f) Ensure urban development does not adversely impact areas of Aboriginal cultural and archaeological significance.
- g) Maintain access to identified Aboriginal cultural heritage (including scarred trees) within the Precinct for Aboriginal people so that connection and conservation can continue.

Controls

1. An Aboriginal Cultural Heritage Assessment Report, prepared by a suitably qualified professional, must be submitted with subdivision development applications, on land that exhibits areas of high and medium archaeological potential (refer to **Figure 2-5**).
2. Items of Aboriginal cultural value (such as scarred trees) must be preserved within passive open space or environmental conservation areas.
3. A subdivision development application of any land that contains a known item of Aboriginal cultural value (such as scarred trees) must be submitted with the following:
 - a) An Aboriginal Heritage Interpretation Plan. The Plan must be prepared in accordance with the relevant guidelines from the Heritage Council of NSW and in consultation with Council and the relevant Aboriginal stakeholders. The Plan must be approved by Council prior to lodgement of the subdivision development application.
 - b) Where landscaping works are proposed, a Concept Landscape Plan must be prepared by a suitably qualified person and in consultation with Council and the relevant Aboriginal stakeholders.
4. Naming of local roads, parks and recreation areas in the Precinct are to feature reference to local Aboriginal culture and occupation of the land where relevant. The selection of

names and locations should be identified in consultation with Council and the relevant Aboriginal stakeholders.

2.7 Odour

Objectives

- a) To ensure the cumulative impacts associated with odour do not adversely impact the quality of life for future residents.

Controls

1. Any residential subdivision DA that falls within the odour affected area (2-3 ou) (refer to **Figure 2-10**) shall be accompanied by a Level 3 Odour Impact Assessment (using the dispersion modelling program CALPUFF) to verify the actual nuisance levels of odour generated.
2. Any land identified by the Level 3 Odour Impact Assessment as being within a nominated separation distance shall not be developed until either:
 - a. Council is satisfied the odour generating business ceases to operate, or
 - b. mitigation measures are agreed by Council to lessen the impact of the odour on future properties.

2.8 Noise

Note: This section is supplementary to **Section 2.3.9** of the DCP and provides further guidance in relation to noise management.

Objectives

- a) Provide an acceptable residential noise environment, whilst maintaining well-designed and attractive residential streetscapes.
- b) Minimise noise impacts on residential properties that are located in the vicinity of arterial, sub arterial, collector, bus capable or heavy vehicle access roads and other significant noise sources within the Precinct.
- c) Minimise the impacts of noise on sensitive receivers through subdivision layout and building design.

Controls

1. Development must be designed to comply with Camden Council's Environmental Noise Policy (2018).
2. An acoustic report is required to be submitted with any subdivision development application that will result in residential dwellings adjoining principal arterial (i.e. The Northern Road), sub-arterial, collector roads, and/or bus capable and heavy vehicle access roads (refer to Figure 2-12). Acoustic reports must be prepared by a suitably qualified consultant. As a minimum, an acoustic report must:
 - a. identify receivers;
 - b. determine background noise levels (where required);
 - c. establish noise criteria;

- d. provide predicted noise levels (including relevant assumptions);
 - e. assess potential impacts; and
 - f. consider reasonable and feasible mitigation measures.
3. Council may determine whether an acoustic report is not required following consideration of a preliminary assessment from a suitably qualified acoustic consultant, justifying why an acoustic report is not required.

2.9 Biodiversity and Riparian

Objectives

- a) Protect waterways from further degradation and where necessary, improve their environmental function to mimic natural systems.
- b) Conserve, protect and enhance native riparian vegetation and associated habitat.
- c) Restore and rehabilitate degraded riparian land and only allow development which is compatible with the conservation values of these areas.
- d) Protect and improve water quality, fish habitat and passage.
- e) Maintain and enhance bed and bank stability.
- f) Ensure that development in the Precinct is integrated with the significant and sensitive environmental conditions.

Controls

- 1. A vegetation management plan (VMP) must be prepared and implemented for the Precinct at subdivision stage in accordance with the *Guidelines for vegetation management plans on waterfront land*. The VMP should incorporate rehabilitation measures for riparian areas adjacent to land to be developed (refer to **Figure 2-3**). The VMP must designate a staging program that will enable simultaneous offsetting of habitat creation for potential threatened species (including the Australasian Bittern) where there is sequential destruction of habitat.
- 2. Native vegetation must be retained within the environmental conservation areas located along riparian corridors (refer to **Figure 2-3**).
- 3. All future development applications for controlled activities in, on or under waterfront land will be referred to the Natural Resources Access Regulator (NRAR) for consideration and recommendations for minimising potential harm to waterfront land. This includes all land within 40m of the highest bank of a river, lake or estuary.
- 4. Hollow bearing trees must be retained where possible to offer potential nesting spaces for local fauna. Where hollow bearing trees cannot be retained, hollows are to be extracted where possible or offset with a similar functioning nest box and be installed at an appropriate location within the riparian corridor.
- 5. Riparian offsets are permitted in certain cases:
 - a) to allow for the protection of remnant vegetation adjacent to riparian corridors as defined under the relevant NSW Water Guidelines for controlled activities, and
 - b) where rehabilitation of cleared areas adjoining riparian corridors and protected vegetation can occur to create a 'smooth' edge to the riparian zone.

6. Where development impacts upon fish habitat, a permit will be required under the *Fisheries Management Act 1994*.
7. The design of water quality treatment devices and any works that have the potential to affect fish habitat must consider the Department of Primary Industries (DPI) '*Policy and guidelines for fish habitat conservation and management (update 2013)*'.
8. Waterway crossings over the key fish habitat of Lowes Creek are to be constructed according to: '*Why do fish need to cross the road? Fish Passage Requirements for Waterway Crossings (Fairfull and Witheridge 2003)*', in consultation with DPI Fisheries NSW.
9. Street tree planting is to incorporate species endemic to the Cumberland Plain where possible and appropriate. Other non-local trees may be considered where endemic species are unsuitable.

2.10 Bushfire

Note: This section is supplementary to **Section 2.3.6** of the DCP and provides further guidance on the treatment of Asset Protection Zones (APZ).

Objectives

- a) Mitigate and manage bushfire hazard risk within the Precinct and on adjacent lands.
- b) To ensure an appropriate level of asset protection are incorporated throughout the Precinct, consistent with guidelines for bushfire planning.

Controls

1. Asset protection zones (APZs) for future subdivisions must be in accordance with the Rural Fire Service's Planning for Bushfire Protection (2019) (PBP).

*Note: The APZ's identified in **Figure 2-7** are indicative only and were based on a superseded version of PBP.*

2. The design specifications set out in the New South Wales Rural Fire Service's Planning for Bushfire Protection (2019) must be applied to future development, including the construction of access roads, the provision of water, electricity, and gas services, and special fire protection purpose development.

2.11 Contamination and geotechnical constraints

Note: This section is supplementary to **Section 2.3.7** of the DCP. This section provides further guidance on types of areas of environmental concerns (AECs) and geotechnical constraints that have been identified and where further investigations are required, as detailed in the Lowes Creek Maryland Precinct Preliminary Site Investigation, by Douglas Partners, September 2018.

Objectives

- a) To ensure that areas of environmental concern (AECs) identified across the Precinct are remediated to a standard suitable for the identified potential land use and associated occupation.
- b) To ensure that geotechnical constraints are appropriately addressed.

Controls

1. Site specific investigations are required for areas identified as AECs (refer to **Figure 2-8**) to confirm their presence, locations and appropriate remediation strategies prior to the subdivision of land.
2. Site specific investigations are required for areas identified as geotechnical constraints (refer to **Figure 2-9**) to determine appropriate engineering standards are met for residential structures.

2.12 View lines and vistas

Note: The topography of the Precinct allows for views to and from elevated lands. Many of these views are significant as they provide visual connections between the Birling and Maryland heritage sites and landscapes.

These are reflected in clear view lines enabled by open space corridors and road alignments, as well as maximum building height controls within the Growth Centres SEPP.

Objectives

- a) Protect, interpret and enhance significant view lines.
- b) Provide for development that does not adversely affect significant view lines between key heritage sites and landscapes.

Controls

1. Low density housing, open space and roads must be located to retain and interpret key view lines as identified in the Indicative Layout Plan (**Figure 2-1**), and **Figure 2-19**.
2. Development within the local centre, mixed use entry area and school site are to maintain and interpret the significant view lines as shown in **Figure 2-19**.
3. Significant view lines should be retained and enhanced by using buildings to frame views where possible. Where practical, additional site planning considerations may be required on sites adjacent to an identified view line, to minimise potential for obscuring views (refer to **Figure 2.6 and 2-19**).
4. Landscaping and public domain elements are to complement and integrate with built form, be of an appropriate scale to retain and enhance significant view lines and vistas and provide sufficient shade and amenity.

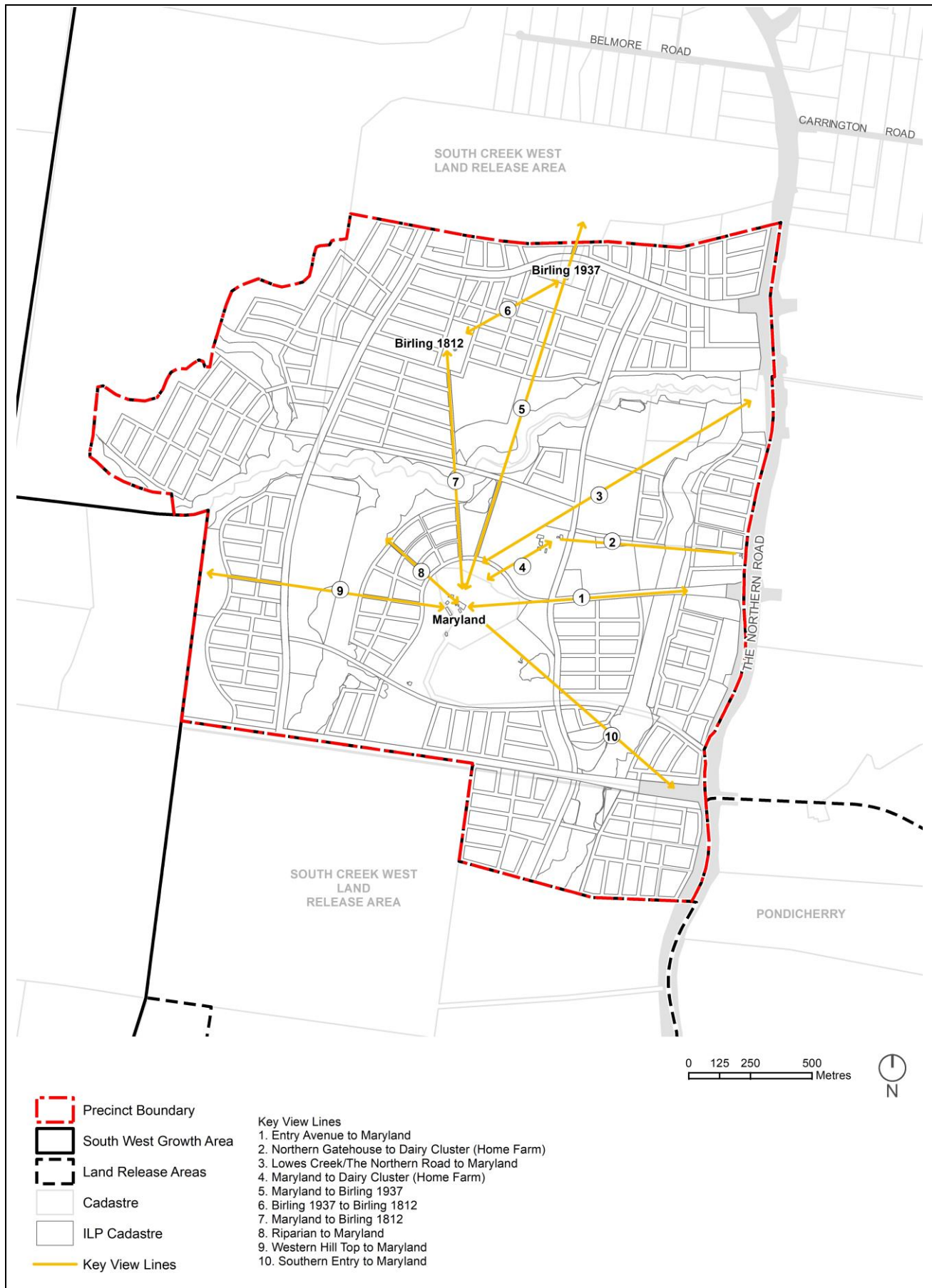


Figure 2-19: Key view lines

3 Centres and employment land

3.1 Introduction

There is a hierarchy of three centres and two employment areas within the Lowes Creek Maryland Precinct as shown in the Indicative Layout Plan (**Figure 2-1**). These include:

- A local centre that will form the civic heart of the precinct on land zoned B2 Local Centre.
- The area of land zoned B4 Mixed Use located at the main entry from The Northern Road.
- A bulky goods employment area in the north-east fronting the Northern Road zoned B5 Business Development.
- A highway services site located south of the mixed-use site fronting the Northern Road zoned B5 Business Development.
- Two neighbourhood centres in the western areas zoned B1 Neighbourhood Centre.

Objectives

- a) Ensure an appropriate supply, distribution, and mix of retail, commercial and employment floor space across the Precinct.
- b) Facilitate the provision of retail floor space that is commensurate with the Centre's role and function within the broader hierarchy of centres.
- c) Develop vibrant centres, with high quality public domain with good tree canopy, and well-designed buildings.
- d) Ensure there exists opportunities for equitable access to essential services and facilities across the precinct to promote the use of active forms of transport.

Controls

1. Centres and employment areas must be located in accordance with the Indicative Layout Plan (**Figure 2-1**).
2. Development in the centres must respond to its local context and environmental conditions.
3. Development in the centres must be of high architectural quality and ensure that massing, scale, colours and materials used for buildings result in harmonious and high-quality urban design outcomes.
4. Public spaces in centres must be designed to incorporate trees and plantings, non-reflective (high albedo) surfaces (e.g. light-coloured pavements and building materials) and permeable pavements.

5. Development in centres, where practicable, must integrate waterways and recycled water reuse into site design, maximise permeable surfaces and implement innovative solutions to retain water within the landscape.
6. Development in centres must protect, enhance and improve urban tree canopy by providing plantings and shade trees, and where practicable extend the urban tree canopy.

3.2 The Maryland Estate local centre

Desired future character

The 6.18ha (61,783m²) centrally located local centre will form the civic, commercial and cultural hub of the Precinct. The centre is anticipated to accommodate a GFA of 20,000m² for retail development and 5,000m² for non-retail floor space. It will reflect and interpret its rural past and natural setting through a considered design approach.

The centre will provide for higher order retail, commercial, community and entertainment uses, will activate the centre's heart, and will establish a meeting place for the community. Nearby, a combined primary and high school, sports fields, and parks will complement the centre, supporting its activation and amenity. Good connections to the Northern Road and public access to the adjacent state heritage listed 'Maryland Homestead Estate', will mean the centre is accessible, integrated with the broader neighbourhood and activated through local points of interest and places for community enjoyment.

The local centre is to respect and celebrate Maryland Estate as a former colonial farm, including its remaining homestead complex, garden and grounds located to the south of the site. The local centre will also conserve, adaptively reuse and activate Maryland's former Dairy complex.

Building forms and materials are to be chosen to complement the character and setting of the area, in addition to enhancing its heritage significance. Buildings will respond to site constraints, including the topography of the site.

The form and character of the local centre will seek to establish a finer grain of built form that departs from the standard 'big box shopping centre' approach, so that it does not visually dominate its surroundings and can coexist sensitively with the Maryland Homestead and its landscape.

The design of the local centre is to retain and enhance significant views to the Maryland Homestead as identified in **Figure 2-19**.

Controls

1. This section requires the preparation of more detailed planning and design controls in the form of a Part B DCP Amendment for any development within the Maryland Estate local centre, as identified in the Indicative Layout Plan (Figure 2-1, Figure 2-20), and defined by the B2 Local Centre zone boundary in the Growth Centres SEPP.

2. Council must not grant consent unless development is for works that, in the opinion of Council, do not predetermine an outcome on the land subject to a future Part B DCP Amendment.
3. The future Part B DCP amendment must be prepared using the advice of a suitably qualified heritage professional and is to respond to the advice of Council.
 - a. The future Part B DCP amendment may be prepared by an applicant in consultation with Council.

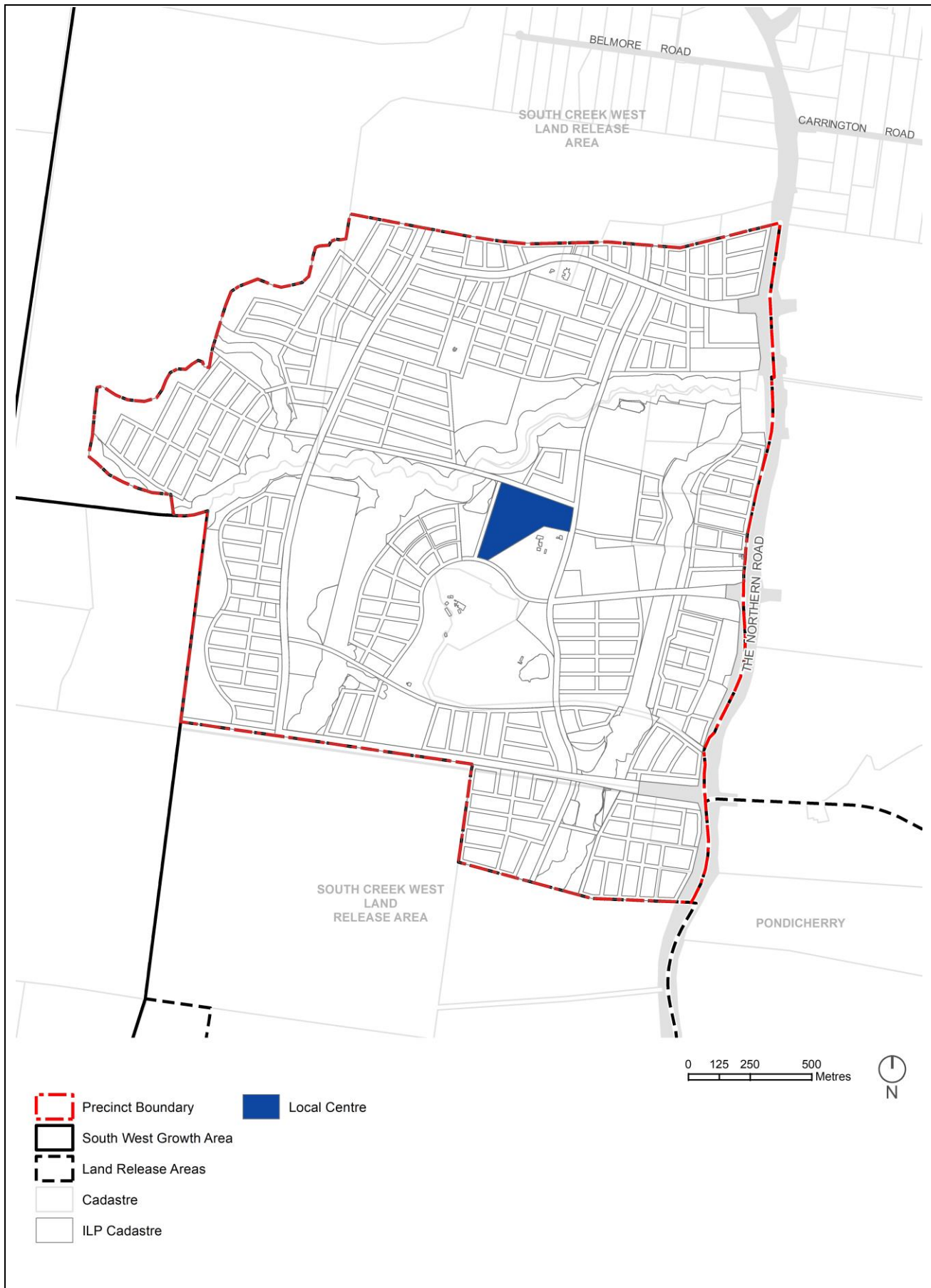


Figure 2-20: Location of local centre

3.3 Mixed use entry area

Note: This section supports the objectives and controls of **Part 5** of the DCP.

Desired Future Character

The mixed use entry area is applied to 3.66ha (36,636m²) of land situated at the main entrance to the precinct directly off the Northern Road. It comprises two sites located either side of the Maryland Entry Avenue, 1.75ha (17,465m²) site to the north and 1.9ha (19,170m²) site to the south.

The mixed use entry area will consist of landmark buildings up to six storeys with a mix of non-residential uses at the ground floor to address and activate the entry road and residential apartments above.

The Maryland Entry Avenue, to which the mixed-use sites are orientated, will maintain an important view corridor from the Northern Road to the Maryland Homestead.

Objectives

- a) Provide opportunities for and ensure the viability of commercial and retail development within the Precinct.
- b) Ensure a high-quality built form outcome that creates visual interest and clearly defines the Maryland Entry Avenue as a vibrant and key point of access for the Precinct.
- c) Ensure access arrangements do not detract from pedestrian amenity and safety.
- d) Ensure car parking and vehicular access does not diminish the attractiveness of the streetscape or visually dominate the front of the site.
- e) Facilitate appropriate levels of amenity for residents living within or adjoining the mixed-use development in the Precinct.
- f) Ensure an appropriate interface between new development and the adjacent heritage gatehouse building.

Controls

1. The mixed use entry area is to be located in accordance with the Indicative Layout Plan (**Figure 2-1**) and defined by the B4 Mixed Use zone boundary in the Growth Centres SEPP.
2. The mixed use entry area is to accommodate a maximum GFA of 4,000m² for retail uses (2,000m² on each side of the Maryland Entry Avenue) and maximum GFA of 1,000m² allocated to other non-residential retail uses.
3. Building heights must not exceed a maximum of 6 storeys and buildings must protect and provide adequate solar access to the parks, streets and public domain.
4. The mixed use development must be designed to maintain heritage view lines in the Precinct (identified as view line 1 in **Figure 2-19**) located between the Northern Road and the Maryland Knoll.
5. Development must be of a high design quality, provide an attractive visual presentation to the street and demonstrate how it will integrate, respect and appropriately respond to

surrounding land uses, land form and water systems, including the riparian corridor to the west, State heritage listed Maryland gatehouse, and adjoining park to the north.

6. Development adjacent to the State heritage listed Maryland gatehouse is to carefully consider:
 - a. maintaining sightlines towards the gatehouse from the southern approach along the Northern Road; and
 - b. establishing a positive relationship between the northern façade of the development and this heritage building to ensure a high-quality interface and avoid visually unsympathetic building elements adjacent to this heritage item.
7. Building facades should be designed to accentuate key architectural features and clearly delineate points of interest, such as building entries, through the use of vertical and horizontal building elements.
8. Architectural and non-architectural elements should be used to define prominent street corners fronting the Maryland Entry Avenue. Elements such as parapets, awnings, wrap around verandas, and soft landscaping treatment, etc. should be considered where appropriate.
9. Active street frontages must be provided at the ground floor level of development along all public streets. Fine grained and intensive land uses that provide visual interest and encourage pedestrian activity is encouraged. Residential development is not permitted at the ground floor level unless it is for an entrance or lobby, access for fire services or vehicular access.
10. Buildings must provide continuous awnings at the ground floor level wherever possible. Awnings must be a minimum height of 2.5m above footpath level.
11. Where possible, ground floor development should be transparent. The use of roller shutters in lieu of glazed facades is not permissible unless a minimum of 70% of the roller shutter is transparent.
12. Pedestrian safety must be maximised through ensuring clear sight lines at pedestrian and vehicle crossings.
13. Vehicular access to buildings is not permitted via the Maryland Entry Avenue.
14. Car parking is to be provided below ground as much as practical. Ancillary parking facilities may be considered above ground to accommodate short stay parking, loading and unloading activities, and the like.
15. In mixed use developments, separate building entries must be provided for residential and non-residential components of development.

3.4 Bulky goods

Note: This section supports the objectives and controls of **Part 6** of the DCP.

Desired Future Character

The bulky goods employment area applies to 3.28ha (32,834m²) of land situated in the north-east of the Precinct fronting the Northern Road. The area will make provision for homemaker and large format retail activities.

Objectives

- a) Maximise opportunities for local employment within the Precinct.
- b) Ensure that the detailed design of the bulky goods employment area is undertaken in a co-ordinated manner in order to achieve a high-quality urban design outcome.

Controls

1. The bulky good employment area is to be located in accordance with the Indicative Layout Plan (**Figure 2-1**) and defined by the B5 Business Development zoned boundary in the Growth Centres SEPP.
2. Access to the site is to be provided from the internal road, via the northern sub arterial road. Direct access to or from the Northern Road is not permitted to the bulky goods site at the northern end of the Precinct, unless agreed to by Transport for NSW and Council.

3.5 Highway service centre

Note: This section supports the objectives and controls of **Part 6** of the DCP.

Desired Future Character

A highway services centre applies to 2.04ha (20,363m²) of land located in the south-east of the Precinct, fronting the Northern Road. The highway service centre will cater for the provision of a service station with associated retail activity, service business and semi-industrial activities.

Objectives

- a) Maximise opportunities for local employment within the Precinct.
- b) Ensure that the detailed design of the highway service centre is undertaken in a co-ordinated manner in order to achieve a high-quality urban design outcome.

Controls

1. The highway service centre is to be located in the area zoned in accordance with the Indicative Layout Plan (**Figure 2-1**) and defined by the B5 Business Development zone boundary in the Growth Centres SEPP.
2. Direct left-in only access arrangement is permitted as shown in **Figure 2-12**. Traffic exiting this site is required to utilise the internal road network to the proposed collector road.

3.6 Neighbourhood centres

Note: This section supports the objectives and controls of **Part 5** of the DCP.

Desired Future Character

The neighbourhood centre areas apply to two sites situated in the western part of the Precinct. One is located in the north-west of the precinct, comprising of a total area of 3,321m² and one in the south-west of the precinct, comprising of a total area of 2,547m².

The desired future character is of a small-scale centre that serves the needs of people in the surrounding neighbourhood, as well as supporting walkability and social interaction within the precinct.

The neighbourhood centres will provide for convenience retailing, and other accessible convenient shopping, community and business services to meet the daily needs of local residents. Shop top residential apartments will be encouraged and should respect the scale and height of the surrounding residential area.

Development should be sensitive to the character of the local area and shall enhance the local residential and environmental amenity through appropriate and sustainable urban design.

The built form in the neighbourhood centre shall be of a scale which supports the integration of appropriate retail and commercial uses with residential uses. Shops shall address the street in order to create a sense of place. Centres will be designed as walkable neighbourhoods which are attractive to pedestrians.

Objectives

- a) Create vibrant, mixed use neighbourhood centres with opportunities for shop top housing that provide a range of small-scale retail, business and community uses to cater for the needs of the local population.
- b) Achieve high quality architecture in new development through the appropriate composition and articulation of building elements, textures, materials and colours that respond to the building's use and locality.
- c) Ensure adjacent residential buildings, other adjoining development and public open space retain sufficient solar access.
- d) Encourage development which makes a positive contribution to the streetscape, promotes active transport use, and contributes to the amenity of the centre.
- e) Create entrances which provide a desirable and safe identity for the development and which assist in visitor orientation.
- f) Minimise potential conflicts between pedestrians and vehicles.

Controls

General

1. The neighbourhood centres must be located in accordance with the Indicative Layout Plan (**Figure 2-1**) and defined by the B1 Neighbourhood zone boundary in the Growth Centres SEPP.
2. Active street frontages must be provided at the ground floor level of development along all public streets. Fine grained and intensive land uses that provide visual interest and encourage pedestrian activity is encouraged. Residential development is not permitted at the ground floor level unless it is for an entrance or lobby, access for fire services or vehicular access.

3. Incorporate residential/shop top housing above the ground floor retail/commercial tenancies where feasible.

Layout:

4. The arrangement of built forms must consider potential future noise and amenity conflicts to surrounding uses inside and outside of the neighborhood centre.
5. Development is to be designed and sited to minimise any adverse impacts from the adjacent sub arterial road.

Built form:

6. Development must be designed and sited so that it visually addresses the street and must have a clearly identifiable entry.
7. Buildings are not to exceed a maximum of 3 storeys and 12m in building height.
8. Buildings are to be articulated and visually address the street through the selection of materials, openings and entries. Where buildings are not proposed to be built to the street frontage, setbacks are to be minimised. Buildings are also to be designed and located to activate and enhance nearby public open spaces.
9. The building and landscape design is to be complementary to ensure it is legible, safe, and accessible for pedestrians from the street frontages, within the centre and to adjoining land, where appropriate.
10. Avoid the occurrence of blank walls on buildings through façade articulation that clearly delineates points of interest e.g. building entries, and vertical and horizontal elements. In circumstances where walls with minimal or no openings (i.e. windows, doors and balconies) are unavoidable, they are to be treated with appropriate design detail and visual articulation through the use of colours and materials.
11. Building heights are to take into account view lines and protect solar access to nearby parks, streets and the public domain.
12. Establish a 'sense of place' and contemporary character for the precinct through a high-quality built form and energy efficient architectural design.
13. Highly reflective materials are not acceptable for roof or wall cladding.

Public domain

14. Provide a high-quality landscape design including a coordinated package of street furniture and lighting that enhances the character of the neighbourhood centres.
15. Provide street tree and open space planting to provide generous shade for pedestrians.
16. Provide continuous weather protection for pedestrians on all commercial and mixed use buildings and in key locations.
17. Shop fronts are to be glazed to ensure visual interest, provide borrowed light and surveillance to the street in alignment with Safer by Design principles.

Transport and access

18. Walking and cycling leading to and within neighbourhood centres is to take priority over traffic circulation.
19. Incorporate transport interchanges which accommodate bicycle parking, in addition to park and ride facilities.
20. Provide on-street parking for convenience and to contribute to the activation of the street, where appropriate to support the use and function of the neighbourhood centre.
21. The visibility of parking areas at street frontages shall be minimised through:

- a. parking layout and design, building location and design and landscaping treatments;
 - b. bitumen and cars are not to be the dominant features of the landscape;
 - c. parking areas must be designed to enable legible, safe, and accessible for pedestrians from the street frontages, within the centre and to adjoining land, where appropriate.
22. Waste storage and collection areas are to be designed to minimise amenity impacts and should not impede the use of the public domain.

4 Site Specific Controls

This section provides site specific controls for three key European heritage sites within the Precinct. These are:

- Birling 1812 (known as ‘Birling’);
- Birling 1937 (known as ‘Birling’); and
- Maryland Estate (including the Dairy Cluster and the Gatehouse at The Northern Road).

Birling consists of two important archaeological sites associated with the colonial magistrate Robert Lowe and the administration of the convict system of New South Wales during a formative period of British colonial expansion. Although the location of the sites is only approximately known, they are expected to be reasonably intact and legible.

4.1 Birling 1812

Birling 1812 consists of a homestead and outbuildings which have now been demolished. The site consists of moderate to high archaeological potential, that may be of exceptional heritage significance. Further archaeological testing would be required to determine the extent of archaeological potential of the site.

Birling 1812 is protected by a heritage curtilage. Its location is shown in **Figure 2-2** and **Figure 2-6**.

Objectives

- a) Conserve and enhance the identified heritage of Birling 1812.
- b) Ensure that development in the Precinct integrates with and respects the heritage and cultural significance of Birling 1812.

Controls

General

1. The Birling 1812 site must be retained as open space and interpret the archaeological and historical significance of the site.
2. A Conservation Management Plan (CMP), incorporating a fabric analysis for the heritage site, must be submitted prior to subdivision of the site.
3. Any impacts to the archaeological site must be subject to a s140 Excavation permit application approved by the Heritage Council of NSW under the *Heritage Act 1997*.
4. An Archaeological Management Plan (AMP) must be submitted for Birling 1812 prior to Council approval of any earthworks/grading works on the site.
 - a. The AMP must identify the nature and extent of the moderate to high potential archaeological remains on the site, and identify strategies to manage archaeological heritage, in accordance with the requirements of the NSW *Heritage Act 1997*.

Planting

5. Planting may consist of species that are locally indigenous to the Cumberland Plain, or exotic or other plant species with identified provenance on Maryland Estate over time to reflect or interpret the heritage character of the site.

4.2 Birling 1937

Objectives

- a) Conserve and enhance the identified heritage of Birling 1937.
- b) Ensure that development in the Precinct is integrated in a respectful way in relation to the cultural significance of Birling 1937.

Controls

General

1. An Archaeological Management Plan (AMP) must be submitted for Birling 1937 prior to Council approval of any earthworks/grading works on the site.
 - a. The AMP must identify the nature and extent of the moderate to high potential archaeological remains on the site and identify strategies to manage archaeological heritage in accordance with the requirements of the NSW *Heritage Act 1977*.
2. Any impacts to the archaeological site must be subject to a s140 Excavation permit application approved by the Heritage Council under the *Heritage Act 1997*.
3. A Conservation Management Plan (CMP) must be submitted to Council prior to subdivision of the site.

Built form and design

4. The scale and form of development within Birling 1937 must not detract from the heritage significance of the site and must be compatible with the heritage values of the site.

Planting

5. Planting may consist of species that are locally indigenous to the Cumberland Plain, or exotic or other plant species with identified provenance on Maryland Estate over time to reflect or interpret the heritage character of the site.

4.3 Maryland Estate

Maryland Estate is a highly legible colonial farm complex planned and built by Thomas Barker comprising of an early homestead villa, cottages, farm buildings, garden, grounds, farm driveways, paddocks, dams and gatehouses. It is especially significant for its completeness as a group of buildings, degree of intactness and its relationship with the landscape setting. The winery and store may be the oldest surviving winery complex in Australia.

The location of the Maryland Estate is shown in **Figure 2-2** and **Figure 2-6**.

Objectives

- a) Provide for the retention and ongoing conservation of the Maryland Estate and appropriately address the recommendations of its Conservation Management Plan.
- b) Provide guidance for new development in the vicinity of the Maryland Estate
- c) Protect and conserve the rural and visual curtilage of the Maryland Estate.
- d) Provide for the ongoing use of the Maryland Homestead and associated buildings.
- e) Ensure that landscape treatment conserves and enhances Maryland Estate's significant landscape values.
- f) Ensure that surrounding development does not detract from the heritage significance of the Maryland Estate.

- g) Provide opportunities for interpretation of the history of the Maryland Estate.

Controls

General

1. Applications for subdivision and development within the Maryland State Heritage Curtilage will require consent from the Heritage Council of NSW and must address the requirements of the NSW *Heritage Act 1977*.

Note: Exemptions from this requirement may be granted by the Heritage Council of NSW for certain land within the curtilage where applications for subdivision and development are consistent with the requirements of this DCP.

2. Development within the Maryland State Heritage Curtilage identified in **Figure 2-6** must be in accordance with the adopted Conservation Management Plan (CMP) and the Australian ICOMOS Burra Charter.
3. A CMP must be submitted prior to subdivision of the site
4. An Archaeological Management Plan (AMP) must be submitted prior to Council approval of any earthworks/grading works on the site.
 - a. The AMP must identify the nature and extent of the moderate to high potential archaeological remains on the site and identify strategies to manage archaeological heritage in accordance with the requirements of the NSW *Heritage Act 1977*.
5. Any impacts to the archaeological site must be subject to a s140 Excavation permit application approved by the Heritage Council under the *Heritage Act 1997*.

Public Domain and Landscape

6. The first application for subdivision within the Maryland State Heritage Curtilage must be accompanied by a Public Domain and Landscape Plan prepared by a suitably qualified urban designer and/or landscape architect in collaboration with a qualified heritage consultant.
7. The Public Domain and Landscape Plan must be generally consistent with the Lowes Creek Maryland (Part) Precinct Cultural Landscape and Visual Context Review (September 2018). The Plan must respond to and interpret the key view lines of the Maryland Homestead (refer to **Figure 2-19**). Subsequent development applications within this area must be consistent with the Public Domain and Landscape Plan.
8. The Public Domain and Landscape Plan must provide details on the following matters:
 - a. a planting and restoration program that reflects the history and diversity of historical plantings forming part of the cultural landscape setting of the Maryland Homestead, as well as the Cumberland Plain Woodland;
 - b. interpretation and management of historic driveways within the Maryland State Heritage Curtilage;
 - c. design and detail of pedestrian pathways;
 - d. provision of interpretive material detailing both local Aboriginal and/or European heritage;
 - e. historic place naming;
 - f. public art; and
 - g. residential fencing guidelines.

9. Street tree plantings must not obstruct key heritage view lines identified in **Figure 2-1**, **Figure 2-6** and **Figure 2-19**.
10. Tree plantings in public parks located within the heritage curtilage may consist of a species that are locally indigenous to the Cumberland Plain or exotic or other plant species with identified provenance on Maryland Estate over time to reflect or interpret the heritage character of the site. Retention of existing trees within public parks must be considered wherever possible.

Residential development adjacent to Maryland Estate

11. More detailed planning and design controls in the form of a Part B DCP Amendment is required for residential dwellings with direct frontage to the Maryland State Heritage Curtilage (refer to **Figure 2-1** and **Figure 2-6**) to ensure they complement the topography of the site, the setting of the Maryland Homestead and associated outbuildings and the historical rural character without replicating architectural details.
12. The materials and colours used for building design must be neutral and non-reflective to ensure minimal visual impact on the heritage setting and its cultural landscape.