PORT MACQUARIE-HASTINGS COUNCIL

Development Control Plan 2013

June 2021

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PART A INTRODUCTION

A1: DEVELOPMENT CONTROL PLAN 2013

This Plan is called the Port Macquarie-Hastings Development Control Plan (DCP) 2013. It has been prepared pursuant to the provisions of section 3.43 of the Environmental Planning and Assessment Act 1979 (the Act) and Clauses 16-24 of the Environmental Planning and Assessment Regulation 2000 (the Regulation).

A2: PURPOSE OF PLAN

The purpose of the DCP is to support and give effect to the aims of Port Macquarie-Hastings Local Environmental Plan (LEP) 2011 by expanding upon its aims, objectives and other provisions.

This Plan will be used by Council and landowners as a guideline at the time of preparation and assessment of development applications.

LEP 2011 provides the statutory framework for land use management in the Port Macquarie-Hastings Local Government Area, subject to overriding planning controls in State Environmental Planning Policies and other State legislation.

When assessing and determining development applications, the consent authority is required to take into consideration relevant matters under section 4.15 of the Environmental Planning and Assessment Act 1979. These matters include the provisions of any environmental planning instrument (i.e. the LEP and State Environmental Planning Policies), and the provisions of any Development Control Plan (DCP).

A3: COMMENCEMENT OF PLAN

Port Macquarie Hastings Development Control Plan 2013 commenced on 8 November 2013 and the Port Macquarie-Hastings Development Control Plan 2011 commenced on 13 May 2011. There have been a number of amendments to these Development Control Plans since this time. Please refer to Section A9 for Amendment History.

A4: LAND TO WHICH THIS PLAN APPLIES

The Plan applies to all land in the Port Macquarie-Hastings Local Government Area.

The Local Environmental Plan applying to the land is Port Macquarie-Hastings Local Environmental Plan 2011.

Council may consider varying the development provisions where it can be adequately demonstrated that the objective to which the provision relates can be wholly achieved by reasonable or innovative solutions and the proposal is consistent with all relevant LEP aims and Zone Objectives.

A variation that is inconsistent with any LEP aim or a zone objective will not be supported.

A5: STRUCTURE

This plan currently contains four Parts, each containing:

Part A - Introduction
Part B - General Provisions
Part C - Development Specific Provisions
Part D - Locality Specific Provisions

A6: DEFINITIONS

Note:
This plan adopts the terms and definitions of the Port Macquarie-Hastings Local Environmental Plan 2011, State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and Environmental Planning and Assessment Act 1979. Additional terms used in this DCP are defined below. Where there is an inconsistency, the higher order instrument (Acts, then SEPP, then LEP) prevails.

Advertised development - development, other than State significant development or designated development that is identified as advertised development by:

a) an environmental planning instrument (e.g. SEPP No 55 - Remediation of Land) or a Development Control Plan.

b) development for the purposes of a scheduled activity at any premises under the Protection of the Environment Operations Act 1997 that is not State significant development or designated development (refer Part 1.4 Definitions in the Act).

Active street frontage - where all premises on the ground floor of the building facing the street are used for the purposes of business premises or retail premises.

Arborist - a person:

a) who holds the Australian Qualifications Framework Diploma in Horticulture (AQF5 Arboriculture) to the satisfaction of Council or an international qualification considered equivalent by Council.; or

b) the Council.

AUS-SPEC - the Port Macquarie-Hastings Council version Design and Construction Specifications for infrastructure works. The Specifications are available on Council's website.

Articulation Zone - an area of a lot forward of the building line within which building elements are permitted to be located, being an area measured from:

a) one side boundary of the lot to the opposite side boundary of the lot, or

b) if the lot is a corner lot—the secondary road boundary of the lot to the boundary opposite the secondary road boundary.

Business Cluster - an area characterised by a mix of residential and business uses, by the integrated design and development of live-work premises, home businesses, home industry, studios, workshops, etc.

Business Incubator - a business building type that provides an affordable working environment with a mix of flexible workspace types and sizes, often with shared services and meeting facilities. The role of the Business Incubator is focussed at the early stages of the workspace ladder, supporting the development of infant or fledgling businesses.

Certified practicing engineer - Someone who is certified as a member of the Institute of Engineers Australia (MIEA) or on the National Engineering register.

Dangerous tree - a tree that has lost stability or structural integrity to a point that it poses a threat to life that no remedial works can mitigate. Also refers to vegetation that interferes with the safe flight path of aircraft or sight lines for traffic.

Destroy (a tree) - includes killing, clearing, removing, cutting, burning, ring barking, knocking over, poisoning, lopping, topping or cutting of living branches of a tree, or root system, or damaging a trees root system by compaction, excavation or asphyxiation including unauthorised filling or stockpiling of materials.

Dead (tree) - a tree where all process within all of the vascular tissue has ceased.

Dying (tree) - a tree that has declined to a point that no remedial action will prevent death.

Greenfield development - development on a site not previously used for an urban purpose.

Gross leasable floor area - is the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage areas. Gross leasable floor area relates to the sum of the commercially leasable floor area and is also often referred to as Net Floor Area.

Indoor living room - includes habitable rooms frequently used for general recreation, entertainment and dining and includes living rooms, kitchen, dining, family, lounge, rumpus room and the like but excludes non-habitable rooms, bedrooms, study and other areas that are less frequently used.

Indigenous Street and Open Space Planting List - the list available from Council's Tree Management Section.

Infill development - development within an existing developed urban zone.

Unsuitable tree - a tree species that will have a negative impact on the surrounding native vegetation community as determined by Council Officers or has been planted in a location that the growth habit or mature size of a tree/s may be undesirable as determined by the Director Infrastructure Services

A7: Relationship to other Plans and Policies

This Plan is to be read in conjunction with the Port Macquarie-Hastings LEP 2011 and relevant Section 7.11 Contributions plans. It repeals the whole of Port Macquarie-Hastings Development Control Plan 2011 (Part 5 Area Based Provisions).

The Plan is applied in conjunction with other Council development guidelines, policy and/or technical manuals, where identified.

A8: Community Participation

Please refer to Council's Community Participation Plan (CPP), operational from 29 November 2019, which contains the community participation requirements relating to strategic land use planning matters and development applications.

A9: AMENDMENT HISTORY

Date adopted	Date commenced	Description	Version
20/04/2011	13/05/2011	Port Macquarie-Hastings Development Control Plan 2011	V20110513
	25/05/2011	Port Macquarie-Hastings Development Control Plan 2011 - Camden Haven (Area 15) Land Release (Amendment No 4)	
	26/08/2011	Port Macquarie-Hastings Development Control Plan 2011 - Sancrox Employment Lands (Amendment No 5)	
	04/11/2011	Port Macquarie-Hastings Development Control Plan 2011 - West Haven DCP Provisions (Amendment No 1)	
	04/11/2011	Port Macquarie-Hastings Development Control Plan 2011 - Port Macquarie Central Business District Block 11 (Amendment No 2)	
	04/11/2011	Port Macquarie-Hastings Development Control Plan 2011 - Environmental Management (Amendment No 3)	
	01/03/2013	Port Macquarie-Hastings Development Control Plan 2011 - Lake Cathie-Bonny Hills (Area 14) (Amendment No 6)	
17/07/2013	26/07/2013	Port Macquarie-Hastings Development Control Plan 2011 - Area Based Provisions for Wauchope Town Centre (Amendment No 7)	V20130726
16/10/2013	08/11/2013	Port Macquarie-Hastings Development Control Plan 2013 - Stage 1 Reformatting and housekeeping (Amendment No 0)	V20131108
	20/12/2013	Port Macquarie-Hastings Development Control Plan 2011 - Fernbank Creek Industrial Provisions (Amendment No 9)	
	04/07/2014	Port Macquarie-Hastings Development Control Plan 2011 - Settlement City Precinct (Amendment No 8)	
17/07/2013	11/07/2014	Port Macquarie-Hastings Development Control Plan 2011 - (Amendment No 8) - associated with LEP 2011 Amendment No 21)	V20140711
	11/07/2014	Port Macquarie-Hastings Council Development Control Plan 2013 - Settlement City Precinct (Amendment No 5)	
16/07/2014	15/08/2014	Port Macquarie-Hastings Development Control Plan 2013 - Thrumster (Amendment No 1)	V20140815
17/12/2014	02/04/2015	Port Macquarie-Hastings Development Control Plan 2013 - Liveable Neighbourhoods (Amendment No 3)	V20150402

Date adopted	Date commenced	Description	Version
15/04/2015	10/07/2015	Port Macquarie-Hastings Development Control Plan 2013 - Birdon Marine (Amendment No 2)	V20150710
15/07/2015	24/07/2015	Port Macquarie-Hastings Development Control Plan 2013 - Business Development at 18 John Oxley Drive, Port Macquarie (Amendment No 4)	V20150724
16/12/2015	15/01/2016	Port Macquarie-Hastings Development Control Plan 2013 - Liveable Neighbourhoods East (Amendment No 6)	V20160115
15/03/2017	29/03/2017	Port Macquarie-Hastings Development Control Plan 2013 - Lake Cathie Coastal Hazard) Amendment No 7)	
15/03/2017	12/04/2017	Port Macquarie-Hastings Development Control Plan 2013 - Rainbow Beach Precinct C (Amendment No 8)	V20170412
21/02/2018	21/12/2018	Port Macquarie-Hastings Development Control Plan 2013 - South Lindfield Urban Release (Amendment No 9)	V20181221
20/03/2019	31/05/2019	Port Macquarie-Hastings Development Control Plan 2013 - Homedale Road, Kew (Amendment No 10)	V20190531
19/06/2019	30/08/2019	Port Macquarie-Hastings Development Control Plan 2013 - Highways Gateway Sites (Amendment No 11)	V20190830
03/06/2020	17/06/2020	Repeal of DCP 2011 (Area Based Provisions) and incorporation within Port Macquarie-Hastings Development Control Plan 2013 - Administrative Amendment (Amendment No 13)	V20200617
20/05/2020	10/09/2020	Port Macquarie-Hastings Development Control Plan 2013 - Airport Business Park (Amendment No 14)	V20200910
19/05/2021	30/06/2021	Port Macquarie-Hastings Development Control Plan 2013 - Houston Mitchell Drive Employment Lands (Amendment No 15)	V20210630

PART B GENERAL PROVISIONS

B1: ADVERTISING AND SIGNAGE

Application

Section B1 applies to advertising structures and other signage that requires development consent.

Purpose

The purpose of this section is to specify development guidelines for signage requiring consent.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure, for the list of Parts.

Development Guide

1. Objective

- To ensure that signage:
  - is compatible with the desired amenity and visual character of an area, and
  - is of high quality design and finish, and
  - does not dominate the streetscape, and
  - does not add to proliferation of signage, and
  - does not obscure or limit the view of motorists or pedestrians, and
  - does not reduce the safety of pedestrians, cyclists or vehicles using public roads or footpaths
  - does not include directions to traffic (such as turn left now or wrong way), and
  - does not imitate official regulatory signage or be capable of being confused with regulatory signage,
  - does not adversely affect the amenity of residential properties.

Development Provisions

a) Signs primarily identifying products or services are not acceptable, even where relating to products or services available on that site.

b) Signage **is not** permitted outside property boundaries except where mounted upon buildings and clear of pedestrians and road traffic. **No** signage is permitted upon light or power poles or upon the nature strip (the area between the property boundary and constructed roadway). Limited directional signage and “A” frame signage may separately be approved by Council under the Roads Act 1993 or section 68 of the Local Government Act 1993.

c) An on-building 'chalkboard' sign, for the purpose of describing services or goods for sale which vary on a regular basis generally should not be any larger than 1.5m2, and should contain a sign written heading indicating the premises to which it refers.

d) On-premise signs should not project above or to the side of building facades

2. Objective

- To provide for signage that effectively promotes the areas attractions, trade and services, whilst taking into consideration both the development on which it is displayed and the amenity and character of the surrounding area.

Development Provisions

a) Where there is potential for light spill from signage in a non-residential zone adjoining or adjacent to residential development, illuminated signage is to be fitted with a time switch to dim by 50% or turn off the light by 11pm each night, depending on the nature of the development.

Note:
*Under the LEP, the group term is **signage**, which encompasses:*

- *advertising structures,*
- *building identification signs,*
- *business identification signs.*

***Signage** does not include a traffic sign or traffic control facilities.*

Generally, the latter two types are exempt development, unless they don't comply with the relevant requirements.

Other types of signage can be exempt development, e.g. as listed in the Codes SEPP and in Schedule 2 of the LEP.

State Environmental Planning Policy No 64 – Advertising and Signage applies to all signage that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and is visible from any public place or public reserve, other than signage that is exempt development. Where there is an inconsistency between the SEPP and this DCP, the provisions of the SEPP prevail. Clause 33 of the SEPP also lists as exempt development:

- *advertisements on transport corridor land,*
- *electoral matter relating to Federal, State or local government elections.*

Some signage is exempt development – refer to SEPP No 64, SEPP (Exempt and Complying Development Codes) 2008 and Schedule 2 of LEP 2011 for details.

For all other signage, consent cannot be granted unless it is consistent with the objectives of SEPP 64 and satisfies the assessment criteria specified in Schedule 1 of that SEPP. Where development consent is required for signage, the criteria in this control will be considered.

B2: Environmental Management

Application

Section B2 applies to development applications generally.

Purpose

The purpose of this section is to achieve a balance between assisting in appropriate development whilst conserving the most important biodiversity assets and maintaining the ecological processes that sustain them.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure, for the list of Parts.

Strategic Context

The PMH LGA contains outstanding areas of biodiversity and conservation importance due to its location within the confluence of tropical and temperate biogeographic regions. Coupled with relatively intact and healthy waterways, the area contains some of the highest valued biodiversity assets at regional and national scale.

The natural environment is a key asset that makes the Port Macquarie-Hastings area a highly valued place to live and it is critical to local amenity. Effective management of environmental assets is one of the key components of achieving ecologically sustainable development and is therefore a fundamental philosophy required in developing land in the region.

These DCP provisions are based on the best available science sourced from local to national peer-reviewed studies.

Vegetation and landscape elements are one of the key character elements of the regions urban precincts, contributing significantly to local views, urban character, and public domain and enhancing the experience of residents and visitors.

Management of urban vegetation is fundamental to retaining the unique character of the area and adjacent rural landscapes.

Development Guide

Waste Management and Minimisation

3. Objective

- To reduce waste to landfill
- To maximise source separation of general waste, recycling and food and garden organics
- To establish standard provisions for determining waste management requirements in developments
- To embed sustainable and effective waste management practices at events
- To ensure developments are designed with adequate storage, access and management of waste

- To embed circular economy principles by supporting the minimization of waste and promoting the continual use of resources

Development Provisions

a) Development must comply with Council's Developments, Public Place & Events - Waste Minimisation and Management Policy.

Cut and Fill Regrading

4. Objective

- To ensure that design of any building or structure integrates with the topography of the land to:
  - Minimise the extent of site disturbance caused by excessive cut and fill to the site.
  - Ensure there is no damage or instability to adjoining properties caused by excavation or filling.
  - Ensure that there is no adverse alteration to the drainage of adjoining properties.
  - Ensure the privacy of adjoining dwellings and private open space are protected.
  - Ensure that adequate stormwater drainage is provided around the perimeter of buildings and that overflow paths are provided.

Development Provisions

a) Development shall not exceed a maximum cut of 1.0m and fill of 1.0m measured vertically above the ground level (existing) at a distance of 1.0m outside the perimeter of the external walls of the building (This does not apply to buildings where such cut and fill is fully retained within or by the external walls of the building).

5. Objective

To ensure retaining walls are functional, safe and positively contribute to the development and/or the streetscape.

Development Provisions

a) A certified practicing structural engineer must certify any retaining wall greater than 1.0m.

b) Where a combination of a fence and a wall is proposed to be greater than 1.2m high:
   - be a maximum combined height of 1.8m above existing property boundary level;
   - be constructed up to the front boundary for a maximum length of 6.0m or 30% of the street frontage, whichever is less;
   - the fence component has openings which make it not less than 25% transparent; and
   - provide a 3m x 3m splay for corner sites, and
   - provide a 900mm x 900mm splay for vehicle driveway entrances.

6. Objective

- To minimise the extent of landform change to render a site suitable for subdivision.
- To minimise adverse impact on other land, persons or public infrastructure from landform change.
- To preserve levels at site boundaries.

- To preserve significant natural watercourses, riparian vegetation, environmental and topographical features.
- To preserve the visual character of the landform as viewed from within and outside the land site.
- To preserve cross boundary drainage conditions.
- To ensure runoff from upstream or upslope land is not adversely impeded.
- To ensure there are no adverse geotechnical consequences to the site or to other land.
- To ensure there are no adverse consequences to public infrastructure.

Development Provisions

a) Significant land reforming proposals where >10% gross site area or >1.0ha is to have surface levels changed by more than 5m or where earthworks exceed an average of 10,000m3 per ha shall:
   - identify the impact of the proposed land reforming on the environment, landscape, visual character and amenity, natural watercourses, riparian vegetation, topographical features of the environment and public infrastructure;
   - demonstrate compliance with the provisions of Council's AUS-SPEC design specification;
   - assess the impacts and benefits of the proposal to all impacted persons and the general public;
   - provide measures to compensate for and minimise any net adverse impacts.

b) The use of high earthworks batters should be avoided.

c) Preliminary plans indicating the final landform are required to be submitted with any master plan or subdivision application.

d) The subdivision should be designed to fit the topography rather than altering the topography to fit the subdivision.

Environmental Management Areas and Buffers

The following buffer provisions to ecologically endangered communities and watercourses do not apply:

- To land less than 1ha in area;
- To land where the is a current and valid approval for urban purposes;
- To any application to modify an existing valid approval under 4.55 of the *Environmental Planning and Assessment Act 1979*.

Where there is a conflict between the 'Environmental Management Areas and Buffers' provisions and 'Area Based Provisions' for a defined precinct, the 'Area Based Provisions' prevail.

7. Objective

- To conserve biological diversity and promote ecologically sustainable development.
- To prevent the extinction and promote the recovery of threatened species, populations and ecological communities.
- To protect the habitat of threatened species, populations and ecological communities

- To eliminate or manage processes that threatens the survival or evolutionary development of threatened species, populations and ecological communities.
- To ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed.
- To encourage the conservation of threatened species, populations and ecological communities by the adoption of measures involving co-operative management.
- To mitigate against Key Threatening Process to Threatened Species and their Habitat.

Development Provisions

a) For coastal floodplain endangered ecological communities a minimum, fully vegetated buffer of 35m must be provided.

b) For Freshwater Wetland on Coastal Floodplain endangered ecological community a fully vegetated buffer of 100m is to be provided.

c) For all other endangered ecological communities, a fully vegetated buffer of 50m must be provided.

d) Stormwater management facilities may be considered within buffer areas only where the applicant can demonstrate the proposal is justified on the basis of practical engineering related site constraints and where it is adequately demonstrated that the applicable objectives are achieved.

e) Fully vegetated buffers cannot contain road infrastructure or an asset protection zone.

f) Where different buffers (including riparian buffers) apply to an area, the greater of the buffer widths applies.

8. Objective

- Environmental areas are to be appropriately protected and managed.

Development Provisions

a) Any habitat/vegetation which will be lost as a consequence of development is to be offset through the dedication of suitable land utilising expert ecological knowledge to determine the impact and offset based on the principle of 'improve and maintain'.

b) Improvement and maintenance of existing habitat and corridors and the consolidation of fragmented bushland are to be considered as the first preference for any development offset.

c) A Vegetation Management Plan (VMP) is to be prepared for any environmental land that is to be retained or used to offset development impacts.

d) VMPs are required to address Council's VMP "Heads of Consideration"

9. Objective

- To protect and maintain:
  - water quality within waterways;
  - stability of the bed and banks of waterways;
  - aquatic and riparian habitats, and
  - ecological process within the waterways and riparian areas.

Development Provisions

a) A minimum, fully vegetated buffer from the top of bank to both sides of a watercourse is to be provided in accordance with the following:

- 10m for 1st order streams that flow intermittently.
- 30m for 1st order streams that flow permanently.
- 40m for 2nd order streams.
- 50m for 3rd order streams.
- 65m for 4th order streams.

b) Stormwater management facilities may be considered within buffer areas only where the applicant can demonstrate the proposal is justified on the basis of practical engineering related site constraints and where it is adequately demonstrated that the applicable objectives are achieved.

c) Fully vegetated buffers cannot contain road infrastructure or an asset protection zone.

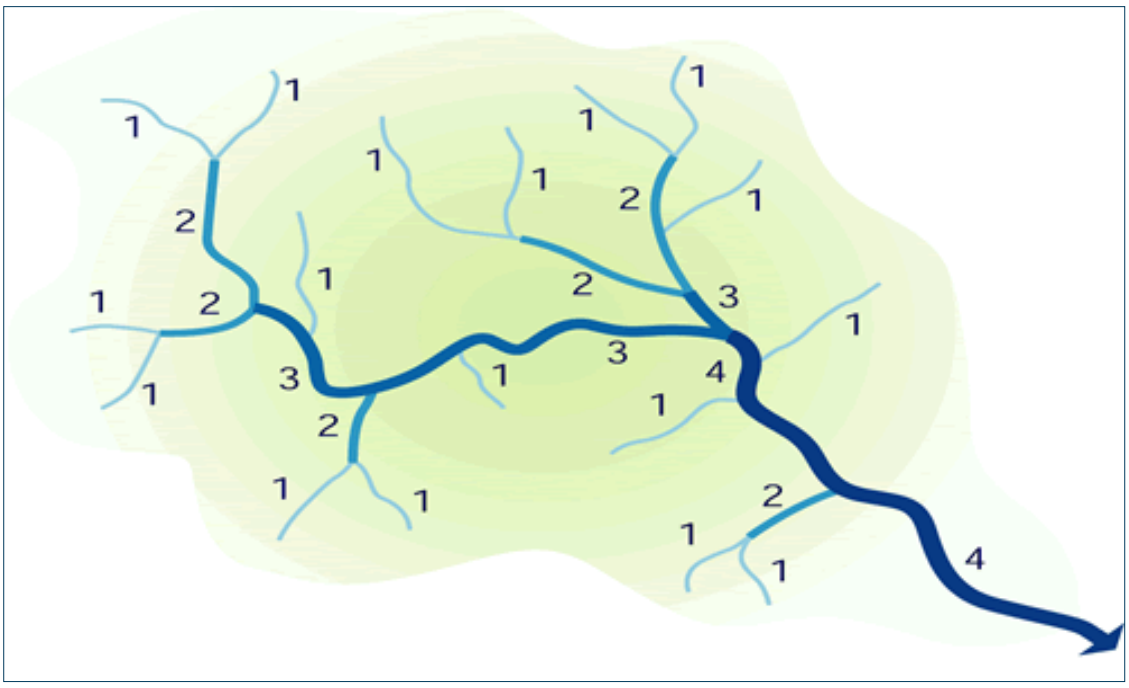


Figure 1: Hypothetical stream network ordered by the Horton Strahler Method

Note:
The stream order method which is most frequently used to classify drainage networks is the Horton-Strahler classification system. A first-order stream is the smallest unbranched stream. Two first-order streams join to form a second order stream. When two streams of order w join, a stream order of w + 1 is created. However, when two segments of different orders, for example w and w +1, join the stream segment immediately downstream retains the higher of the orders of the two contributing streams, and will have the order w + 1.

Vegetation and landscape elements are one of the key character elements of the regions urban precincts, contributing significantly to local views, urban character, and public domain and enhancing the experience of residents and visitors.

Management of urban vegetation is fundamental to retaining the unique character of the area and adjacent rural landscapes.

Tree Management - Land to which State Environmental Planning Policy SEPP (Vegetation in Non-Rural Areas) 2017 Applies

10. Objective

- To prescribe for the purposes of State Environmental Planning Policy SEPP (Vegetation in Non-Rural Areas) 2017, vegetation for preservation.
- Provide criteria that will be taken into consideration by Council as part of the assessment of applications for vegetation removal.

Development Provisions

a) Prescribed vegetation for the purposes of the SEPP (Vegetation in Non-Rural Areas) 2017 is any tree identified in Table 1 or is a mangrove or cycad and is:

- 3 metres or higher in height, or
- has a trunk diameter of 100mm measured at 1.0metre above ground level; or
- a hollow bearing tree

b) The above criteria does not apply to a tree where the nearside trunk is 3 metres from the nearest external wall of an existing, permanent dwelling or manufactured home and is located within the same property. Such trees may be removed without a permit or development consent. This Provision does not apply to areas mapped as Core Koala Habitat under the LEP. A permit will be required in these instances.

Note:

- *Clause 9 of SEPP (Vegetation in Non-Rural Areas) 2017 provides for Council to declare vegetation that requires a permit for removal in a DCP.*
- *Prescribed vegetation only applies to Land Use Zones regulated by Council under the SEPP (Vegetation in Non-Rural Areas) 2017.*
- *The 3m distance is measured from the closest point of the trunk to the external wall.*
- *A dwelling does not include a detached garage, pergola, deck or caravan.*

Tree Management – Private Land

11. Objective

- To minimise injury to or destruction of trees and native vegetation.
- To retain healthy individual trees of local amenity and aesthetic value.
- To facilitate the removal of undesirable exotics, noxious weeds, dangerous trees and any other inappropriate plantings.
- To replace the above with suitable species endemic to the North Coast Bioregion to make a positive contribution to visual and environmental amenity and ecological sustainability.
- To retain viable representative samples of native vegetation, which have an intact structure and complete floristics, wherever practical.
- To facilitate limited tree removal associated with a Complying Development Certificate.

Development Provisions

a) Pruning must be undertaken in accordance with Australian Standard AS 4373 - Pruning of Amenity Trees.

b) An application for the removal of a tree listed in Table 1 must be accompanied by an Arborist's report stating that the tree:

- is dangerous; or

- is dying and remedial pruning would not improve the deteriorated condition of the tree; or
- has a history of branch fall (documented or photographic evidence to be provided); or
- is structurally unsound or;
- diseased.
- Advice on the requirement of an arborist report associated with a tree removal permit can be obtained from Council's Tree Assessment staff.
- The requirement for an arborist report for tree removal associated with a development application will be determined on merit by Council's Development Assessment.

c) Where a tree listed in Table 1 is approved for removal it must be compensated with 2 x koala habitat trees. Significant large-scale development will require an advanced size koala food tree or habitat tree (primary Koala browse species) that meets AS2303:2015 Tree Stock for Landscape Use. The compensation tree is to be planted in a suitable location as determined by the Director of Development and Environment or their delegate.

Note: *The above replanting requirement only applies where there is no applicable KPoM.*

d) Removal of dead branches including palm fronts and the selective removal of branches up to and including a diameter of 50mm may be undertaken without a permit or development consent where the removal:

- Does not alter the canopy of the tree, and
- Does not destroy the aesthetic appearance of the tree canopy; and
- Does not alter the growth structure of the tree, and
- Is carried out in accordance with Australian Standard AS 4373 - Pruning of Amenity Trees.

e) The pruning of large garden shrubs in excess of 3 metres in height for the purpose of ornamental shaping is permitted without a permit or development consent.

f) Where a development is proposed adjoining Council controlled land, the plans must identify all trees that fall within 6.0m of the property boundary and any trees proposed to be removed, identified on that plan.

g) Any pruning or removal of any tree on private land must be undertaken in accordance with Council's tree management specifications.

h) A tree removal permit can be sought for tree removal associated with a Complying Development Certificate (CDC), subject to the tree removal meeting the following criteria:

- Must be associated with CDC and removal must not occur until CDC issued.
- Application must identify and locate all trees within proximity to the development.
- No more than 3 trees over 6m in height to be removed. Trees taken to be impacted on by the development are to be determined in accordance with AS 4970 - Protection of trees on development sites (i.e 12 x DBH tree protection zone required for those trees to be retained).
- Must not involve removal of hollow bearing trees.
- The removal of any koala browse tree species are to be replaced at a ratio of 2:1 on site or at a secure off site location agreed to by Council. Any on site replanting is to have regard for services and buildings and is to be agreed to by Council.

Tree Management – Public Land

12. Objective

- To ensure that proper consideration is given to trees and native vegetation in designing, planning and constructing development.
- To minimise injury to or destruction of trees and native vegetation.
- To retain healthy individual trees of local amenity and aesthetic value.
- To facilitate the removal of undesirable exotics, noxious weeds, dangerous trees and any other inappropriate plantings, and to replace these with suitable local indigenous species to make a positive contribution to visual and environmental amenity and ecological sustainability.
- To retain viable representative samples of native vegetation, which have an intact structure and complete floristics, wherever practical.

Development Provisions

a) Trees on public land shall not be pruned or removed unless:

- Written consent is provided by Council; and
- They are dead, dying, diseased or dangerous, or
- They are causing damage to infrastructure on public land, or
- They are impacting on pedestrian or traffic conditions; or
- They are interfering with services on private property; or
- They impact on the outlook from historic sites or significant public viewing areas, or
- The growth habit or mature size of the tree is undesirable in a particular situation, as determined by the General Manager or his delegates; or

b) The trees require removal to fulfil the requirements of section 100C of the Rural Fires Act 1997, as determined by the General Manager or his delegates.

c) Where a tree removal on public land is approved, the removal is to be supervised by the Director of Infrastructure Services or their delegate and undertaken in accordance with Council's tree management specifications.

d) A tree removed on public land is to be replaced by an approved species in a suitable location as determined by the Director of Infrastructure Services or his delegate.

e) Council will not consider the pruning or removal of trees where the intent is to enhance the views of or from private property.

f) Adhoc planting of trees or other vegetation within the road reserve (including public footpaths) is not permitted. Any planting that occurs in this manner will be removed and the road reserve restored at no cost to the Council.

g) Council may consider permitting planting on public land by an Incorporated Community Group where accompanied by a detailed report.

h) Council has no statuary obligation or onus to treat termites, however where a tree on public land is affected by termites, Council may grant permission for adjoining landowners to enter upon public land to treat termites where treatment does not include the destroying, pruning or removal of trees on public land.

i) Any pruning, removal or treatment of any tree on public land must be undertaken in accordance with Council's tree management specifications.

j) Council, or contractors working on behalf of Council are exempt from requiring an approval to remove or kill non-native or non-indigenous native trees from public bushland reserves.

Tree Management - Hollow Bearing Trees

13. Objective

- To assist with the conservation of biological diversity and promote ecologically sustainable development.
- To assist in preventing the extinction and promote the recovery of threatened species and populations
- To protect the habitat of those threatened species and populations that are dependent on hollow-bearing trees for their survival.
- To assist in the elimination and/or management of processes that threaten the survival or evolutionary development of threatened species and populations.
- To ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed.
- To encourage the conservation of threatened species and populations by the adoption of measures involving co-operative management.
- To ensure that risk to people and property is minimised.

Development Provisions

a) All hollow bearing trees within the development area are to be accurately located by survey and assessed by an appropriately qualified ecologist in accordance with Council's **Hollow-bearing tree assessment** (HBT) protocol.

b) Any tree that scores less than 8 using the HBT assessment protocol may be considered for removal subject to compensatory measures specified below.

c) Any tree that scores 8-12 using the HBT assessment protocol may be considered for removal if management measures are 'impractical to allow retention'

d) Any tree that scores more than 12 using the HBT assessment protocol the assessment must be retained and afforded a development exclusion buffer or located within environmental lands.

e) Where a development exclusion buffer is proposed it shall have a radius of 1.25 times the height of the tree measured from its base.

Note:

- *The **HBT assessment protocol** is included at the end of this section.*
- *"Impractical to allow retention" means where the hazard rating, assessed under the Tree Hazard Evaluation Form (2nd Edition, as adopted by the International Society of Arboriculture) results in a long term rating of more than 10.*

14. Objective

To ensure that, where a HBT cannot be retained and managed safely within the future developed landscape, satisfactory and effective ameliorative and compensatory measures shall be implemented prior to removal of the tree.

Development Provisions

a) A strategy for tree removal (timing and methodology) that minimises impacts on native wildlife shall accompany any development that proposes the removal of HBTs.

b) The removal of HBTs is to be offset by the retention of recruitment trees. Compensatory recruitment trees shall be provided at the rate of two for one for trees that scored 8-12,

and at the rate of one for one for trees that scored less than 8. A tree can be considered to be a compensatory recruitment tree under the following criteria:

- Does not have any major structural defects or is suffering from disease that would lead to premature death; and
- Is from the same vegetation community and same genus; and
- Are to be located within environmental lands and managed in accordance with a VMP; and
- Have a DBH of 50cm or greater and do not possess hollows. For Blackbutt Eucalyptus pilularis a DBH of 100cm or greater applies.

c) The removal of HBTs are to be offset by the installation of nesting boxes of similar number and size as those to be removed.

d) Nesting boxes are to be installed like for like (both type and number, and host tree to genus level) and must be located within proposed open space or environmental lands.

e) Nesting Boxes are to be installed and maintained within environmental lands in accordance with a VMP.

f) Nesting Boxes to be inspected and maintained by a qualified ecologist.

g) Any HBT that will not afford protection via an exclusion buffer or within environmental lands will attract the same offsetting requirements as if it was to be removed.

Table 1: Koala Food Trees

Koala Food Trees	
Common Name	**Scientific Name**
Primary browse species	
Cabbage Gum	Eucalyptus amplifolia
Orange Gum	Eucalyptus bancrofti
Tallowwood	Eucalyptus microcorys
Parramatta Red Gum	Eucalyptus parramattensis
Swamp Mahogany	Eucalyptus robusta
Forest Red Gum	Eucalyptus tereticornis
Secondary / Supplementary browse species	
Blue-leaved Stringybark	Eucalyptus agglomerata
Grey Gum	Eucalyptus biturbinata
Diehard Stringybark	Eucalyptus cameroni
Large-fruited Grey Gum	Eucalyptus canaliculata
Thin-leaved Stringybark	Eucalyptus eugenioides
Slaty Red Gum	Eucalyptus glaucina
White Stringybark	Eucalyptus globoidea
Craven Grey Box	Eucalyptus largeana
Yellow Box	Eucalyptus melliodora
Grey Box	Eucalyptus moluccana
Mountain Mahogany	Eucalyptus notabilis
Small-fruited Grey Gum	Eucalyptus propinqua
White-topped Box	Eucalyptus quadrangulata
Red Mahogany	Eucalyptus resinifera
Rudder's Box	Eucalyptus rudderi
Steel Box	Eucalyptus rummeryi
Narrow-leaved Red Gum	Eucalyptus seeana

Koala Food Trees	
Common Name	**Scientific Name**
Tindale's Stringybark	Eucalyptus tindaliae
Other browse species	
Smooth Bark Apple	Angophora costata
Lemon Scented Gum	Corymbia citriodora
Apple Box Stringybark	Eucalyptus bridgesiana
River Red Gum	Eucalyptus camaldulensis
Argyle Apple	Eucalyptus cinerea
Tasmanian Blue Gum	Eucalyptus globulus
Flooded Gum	Eucalyptus grandis
Narrow Leaf Black Peppermint	Eucalyptus nicholii
Messmate Stringybark	Eucalyptus obliqua
Blackbutt	Eucalyptus pilularis
Grey Gum	Eucalyptus punctata
Narrow-leaved Scribbly Gum	Eucalyptus racemosa
Sydney Blue Gum	Eucalyptus saligna
Wallangarra White Gum	Eucalyptus scoparia
Pink Flowering Mugga Ironbark	Eucalyptus sideroxylon
Northern Scribbly Gum	Eucalyptus signata
Broad leaf Paperbark	Melaleuca quinquenervia
Ribbon or Manna gum	Eucalyptus viminalis

Note:

- *Primary browse species and Secondary / Supplementary browse species - As detailed for the North Coast Koala Management Area in Appendix 2 of the (Approved) Recovery for the Koala Phascolarctos cinereus. Dept. of Environment & Climate Change (NSW) 2008.*
- *Other browse species - source: Jason Berrigan; NSW Koala Preservation Society, Port Macquarie*
- *SEPP (Koala Habitat Protection) 2019 commenced on 20 December 2019; Schedule 2 identifies the full list of feed tree species.*

Hollow-bearing tree assessment protocol

LGA/Project: .....

Date	Easting	Northing	Datum

Tree species (if known) .....

Status
Score: Living Tree = 3 | Dead Tree = 1

Alive	Dead	Score

DBH Score (living trees only)
Score: 80 -100+cm = 3 | 60 – 80cm = 1.5 | < 60cm = 0

Score

Number of visible hollows
Score: > 5 = 3 | 2 – 4 = 1.5 | 0 – 1 = 0

> 5	2 - 4	0 - 1	Score

Visible Hollow(s) Score (Highest value only)
1 or more > 100mm = 3 | 1+ > 50mm = 2 | 1+ < 50mm = 1

> 100mm	> 50mm	< 50mm	Score

Habitat or Linkage Proximity Score
HBT in habitat block/linkage to be retained (in situ) = 3;
< 30m from habitat block/linkage to be retained = 2
> 30m from habitat block/linkage to be retained = 0

In situ	< 30m	> 30m	Score

Longevity Ranking
High = 3 | Medium = 1.5 | Low = 0 - Refer to Notes 2.

High	Medium	Low	Score

TOTAL SCORE

Evidence of existing use .....

.....

.....

Recommendation(s) .....

.....

.....

.....

Explanatory Notes:
Hollow-bearing trees (HBTs) are an important element in the Australian landscape and a significant factor affecting biodiversity values. This assessment sheet is intended to provide a more quantitative and ecologically meaningful approach to the ranking of HBTs than is otherwise currently applied. As advocated by Gibbons & Lindenmayer (2002), the emphasis for conservation purposes is clearly on large, living trees that are likely to offer the greatest diversity of hollow types and/or size.

The assessment does not include provision for a formal survey of HBTs for use by native wildlife. This omission is deliberate and simply reflects the difficulties in accurately representing use of the HBT resource over time, aspects of which may be seasonal and/or periodic. Having said this, any observations about existing use at the time of assessment may be of some importance in the case of low scoring trees when recommendations relating to removal and/or longer- term management are being considered.

Longevity Ranking

High: Living tree (any species) with inclination from vertical of less than 10°.
Medium: Living tree with shallow adventitious root system (e.g. Blackbutt - Scribbly Gum – Bloodwoods - White Mahoganies) on skeletal soils and with an inclination from the vertical of 10 – 15°.
Low: Any dead tree and/or living trees in Medium category that have an inclination from the vertical of > 15°.
This is intended to provide an ecological perspective on the extent of likely hazard (in a developed landscape) presented by the tree in question; hence the risk of a dead tree or shallow rooted Eucalyptus spp. on a skeletal soil that has a distinct 'lean' on it must be taken into account.

The Scoring System

The scoring system is relatively straight forward and serves to facilitate a total score for a given HBT that could fall anywhere between 2 -18. The total score should be interpreted as follows:

Total Score > 12: *mandatory retention in landscape required, no disturbance of substrate within radius prescribed by dripline, no habitable dwellings or other structures within buffer area (radius 1.25 x tree height measured from tree base); fencing and hazard/interpretive signposting as required.*

Total Score 8 – 12: *retention in landscape desirable if objectively assessed hazard rating (see Note 4) can be managed long-term at 10 or less; removal subject to identification of at least 2 recruitment trees of same species & size class elsewhere on land to which DA applies + formal strategy for tree removal that minimizes impact(s) on native wildlife + compensatory nest boxes in immediate vicinity.*

Total Score < 8: *removal possible subject to identification of at least 1 recruitment tree of same species & size class elsewhere on land to which DA applies + formal strategy for tree removal that minimizes impact(s) on native wildlife + compensatory nest boxes in immediate vicinity.*

Hazard rating - as determined by use of Tree Hazard Evaluation Form (2nd Ed) – International Society of Arboriculture.

Nothing in these pages is intended to diminish the underlying importance of HBTs in the Australian landscape generally; rather, it is a tool by which the most important trees can be identified and protected in the first instance, while also offering (for lower scoring HBTs) some flexibility for planning purposes that must also be met by compensatory measures.

References

Gibbons, P., and Lindenmayer, D. 2002. Tree Hollows and Wildlife Conservation in Australia. CSIRO Publishing © biolink 2007.

B3: HAZARDS MANAGEMENT

Application

Section B3 applies to development applications generally.

Purpose

The purpose of this section is to outline guidelines for development in areas subject to hazards.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Strategic Context

The proper management of hazards is an important issue to ensure that development is not subject to hazards from a range of past and present human activities, as well from natural hazards.

Development Guide

Airspace Protection

15. Objective

- To minimise risk of obstacles to aircraft such as bird strike.

Development Provisions

a) Development shall not result in land use or activities that attract flying vertebrates such as birds and bats within proximity of flight paths associated with airport operations.

16. Objective

- To restrict development that results in emissions that may impair visual conditions or create air turbulence in the vicinity of the airport.

Development Provisions

a) Development shall not result in emission of airborne particulate or produce a gaseous plume with a velocity exceeding 4.3m per second that penetrates operational airspace. Refer Manual of Standards Part 139 – Aerodromes, Civil Aviation Safety Authority.

17. Objective

- To control potentially hazardous or obtrusive lighting within the vicinity of the airport.

Development Provisions

a) Lighting to comply with Section 9.21 of the Manual of Standards Part 139 – Aerodromes, Civil Aviation Safety Authority.

Bushfire Hazard Management

18. Objective

- To ensure bushfire management measures do not result in the loss of important habitat areas.
- To ensure that Council is not burdened with the ongoing costs associated with the maintenance of Asset Protection Zones (APZs).
- To provide a public interface to environmental assets.

Development Provisions

a) APZs are to be located outside of environmental protection zones and wholly provided within private land. Note perimeter roads provided as part of a subdivision are classified as being part of the subdivision and not a separate permissible land use within environment protection zones.

b) Perimeter roads are to be provided to all areas adjoining environmental management areas and their buffers. Refer to Figure 2.

Note:
Stormwater detention basins should be located clear of APZs unless designed to ensure suitable accessibility (e.g. batter grades) to maintain vegetation to APZ standards.

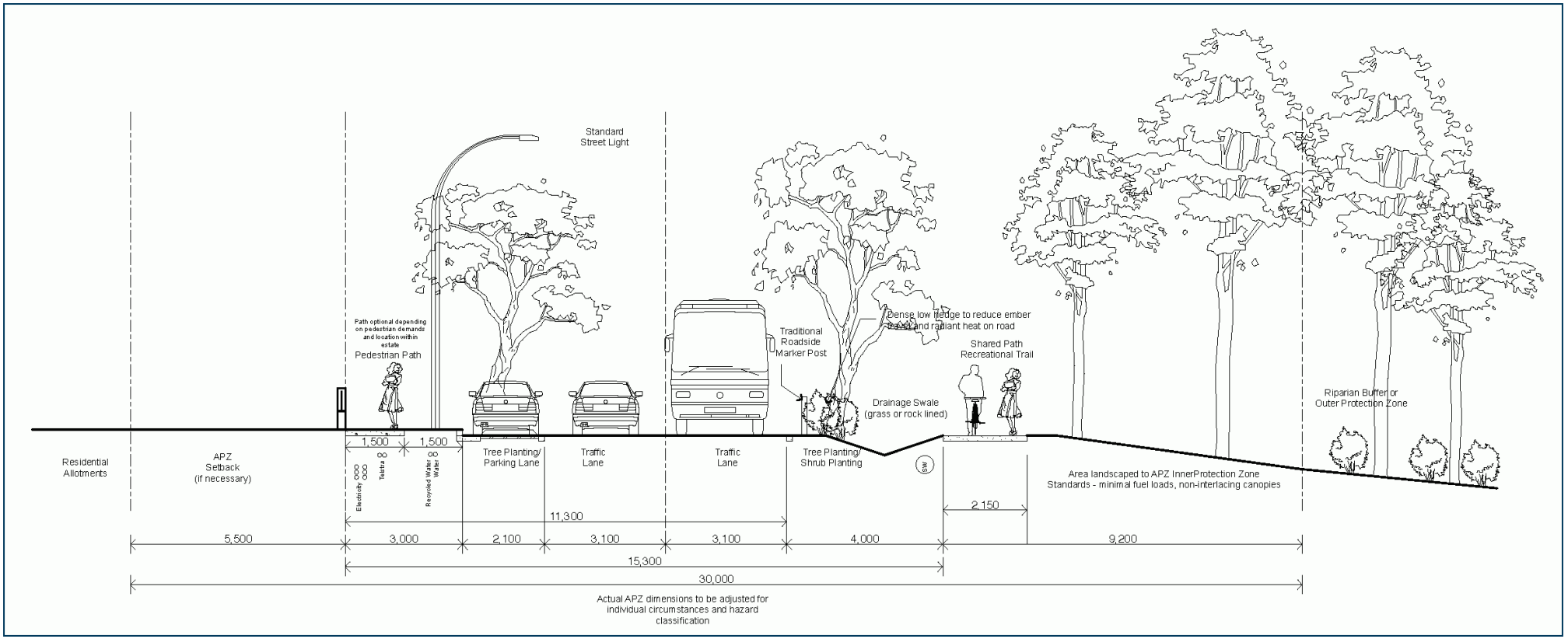


Figure 2: Road Section - Indicative Bushland or Riparian Edge Street
Source: Anterra Design Pty Ltd, 2007

Flooding

19. Objective

- To maintain the existing flood regime and flow conveyance capacity.
- To enable evacuation of land subject to flooding.
- To avoid significant adverse impacts on flood behaviour.
- To avoid significant adverse effects on the environment that would cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of the river banks or watercourses.
- To limit uses to those compatible with flow conveyance function and flood hazard.
- To limit the cost of evacuation on the general public.

Development Provisions

a) Development must comply with Council's Floodplain Management Plan and Flood Policies.

Coastal Hazard Management

Clause 7.6 Coastline hazards, in *Port Macquarie-Hastings Local Environmental Plan 2011*, contains provisions that must be considered prior to the grant of development consent on land mapped as subject to Coastal Erosion Risk.

The following DCP provisions are intended to assist in the consideration and interpretation of Coastal Hazard lines for areas covered by the Lake Cathie Coastal Zone Management Plan (2016).

A diagram of the development zone provisions relating to the 2050 planning horizon is shown on Figure 3. The key coastal hazard lines for Lake Cathie are shown on Figure 4 and Figure 5 and are defined as:

- 2050 Zone of Reduced Foundation Capacity (2050 ZRFC) - shown by dashed magenta line, and
- 2050 Zone of Slope Adjustment (2050 ZSA) - shown by solid magenta line.

These define the coastal hazard area into:

A. Landward of the 2050 ZRFC - no restrictions
B. Between the 2050 ZRFC and 2050 ZSA - restrictions
C. Seaward of the 2050 ZSA - restrictions

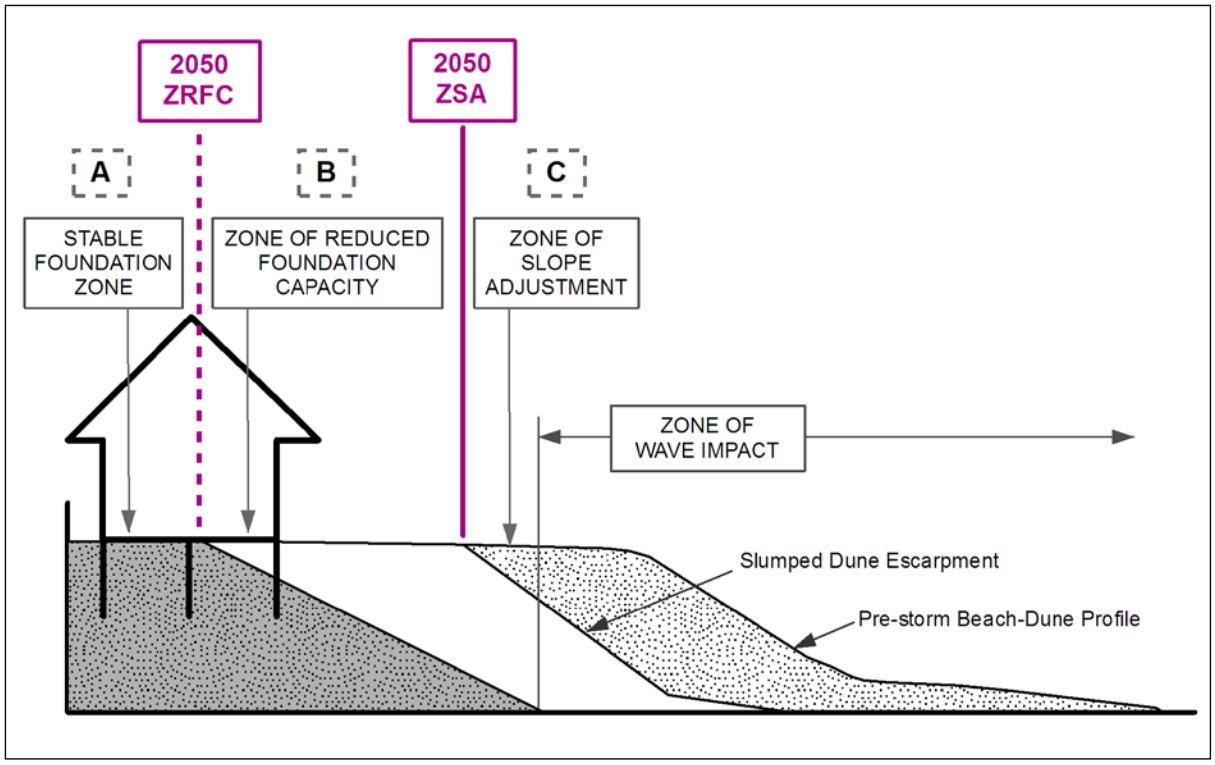


Figure 3: 2050 Hazard Zones and Stable Foundation Zone calculation guidelines

Lake Cathie Coastal Hazard Management

20. Objective

- To assist in the consideration of coastline hazards, as required by clause 7.6 of LEP 2011, relating to:
- avoiding significant adverse impacts from coastal hazards,
- enabling evacuation of coastal risk areas in an emergency,
- ensuring uses are compatible with coastal risks.
- To facilitate adaptive planning for natural hazard and risk of coastline erosion.
- To ensure new development or redevelopment of existing properties avoids significant adverse impacts from coastal hazards.
- To ensure land use that reduces exposure to risks from coastal hazards, including through siting, design, construction and operation decisions.
- To ensure uses are compatible with coastal risks.
- To mitigate current and future risk from coastal hazards by taking into account the effects of coastal processes and climate change.

Development Provisions

a) Development shall not proceed unless it can be demonstrated that the provisions of each applicable development zone can be met (Refer to Table 2).

Table 2: 2050 Development Zone Provisions

ZONE A	No coastal hazard development restrictions apply. Normal relevant planning controls apply.
ZONE B	The following controls apply for properties behind the 2050 zone of slope adjustment and forward of the 2050 zone of reduced foundation capacity. Development to existing dwellings be limited to a one off maximum 10% increase in Gross Floor Area (refer to PM-H LEP 2011 definition), calculated from the ground floor footprint only, unless provided with foundation footings extending into the stable foundation zone or the development is undertaken as relocatable structures.
ZONE C	The following controls apply for properties forward of the 2050 zone of slope adjustment. 1. Development to existing dwellings be limited to a maximum 10% increase in Gross Floor Area (calculated from the ground floor footprint only) or be undertaken as relocatable structures. 2. Ancillary development (decks/patios, carports, detached garages outbuildings and structures (including pools) must be undertaken as relocatable structures).

Note:
For engineering calculation requirements refer to Figure 6.1 on page 67 of Lake Cathie Coastline Management Study (Stage 1), available under Lake Cathie Management on Council's website.

21. Objectives

- To enable removal of relocatable structures in coastal risk areas in an emergency.
- To adopt coastal management strategies that reduce exposure to coastal hazards.
- To improve the resilience of coastal development and communities by improving adaptive capacity and reducing reliance on emergency responses.

Development Provisions

a) Relocatable structures must be designed and constructed so that they can be quickly and easily removed from the site by road vehicle.

b) Relocatable structures must be modular in construction and installation. Each relocatable structure module must be single storey.

c) Confirmation must be provided that the relocatable structures can be legally transported on NSW public roads in accordance with applicable regulations and legislation, notably the Heavy Vehicle National Law and Regulations (NSW). Specific details on escort vehicles requirements, road closure notices and traffic management permits shall be provided in the Relocation Management Plan.

d) A certificate is to be provided from a structural engineer as to the adequacy of the relocatable structure and its capacity to be easily dismantled and readily removed.

e) Plans and specifications accompanying the structural engineering certificate for the building must be provided which demonstrate that the building can be easily dismantled, prepared for removal and that removal is practical and achievable.

f) Removal of the building must be undertaken using the existing NSW public road network.

Trigger Points

g) For sites with direct frontage to Illaroo Road, relocation of the building must be initiated once the erosion escarpment reaches the seaward edge of the existing formed road surface (i.e. the sealed bitumen edge) directly seaward of the site frontage, or if the

erosion escarpment reaches such a point on the last available relocation route that would inhibit relocation of buildings offsite.

h) For sites located on a corner block (i.e. corner of Illaroo Road and Kywong Street, Kalang Street or Bundella Avenue), relocation of the building must be initiated once the erosion escarpment is within 10m of the relocatable building.

i) The erosion escarpment distance is to be measured from the closest point of the site, or for corner sites, the closest point of the relocatable building.

j) All approvals will include a condition of consent requiring the removal of structures if the above trigger points occur.

k) Refer to Figure 6 for evacuation trigger point and removal route information.

Relocation Management Plan

l) The proposed removal route and destination shall be identified and detailed on a Relocation Management Plan.

m) The Relocation Management Plan shall detail the following matters (Note: this list is not considered to be exhaustive):

- The removal route for the relocatable structure
- The final or temporary destination for the relocatable structure
- Dimensions of the relocatable structure modules
- Any requirements of the Roads and Maritime Services (RMS) and National Heavy Vehicle Regulator (NHVR)
- Method of relocating/removing the structure modules
- Proposed timeframe for relocating/removing the structure modules
- Any impacts to services (eg. water mains, power poles, etc)

n) How ancillary structures/developments/infrastructure/vegetation (eg. decks, patios, detached garages/sheds, fences, water tanks trees and the like) will be managed during relocating/removing the structure modules. Temporary storage areas for ancillary items requiring relocation/removal to enable relocation/removal of the structure modules shall be identified on the relocation.

Note:
For further information about the operation of trigger points, evacuation and relocation, refer to Lake Cathie Management on Council's website.

Figure 4: 2050 Hazard Lines: Lake Cathie - North

Figure 5: 2050 Hazard Lines: Lake Cathie - South

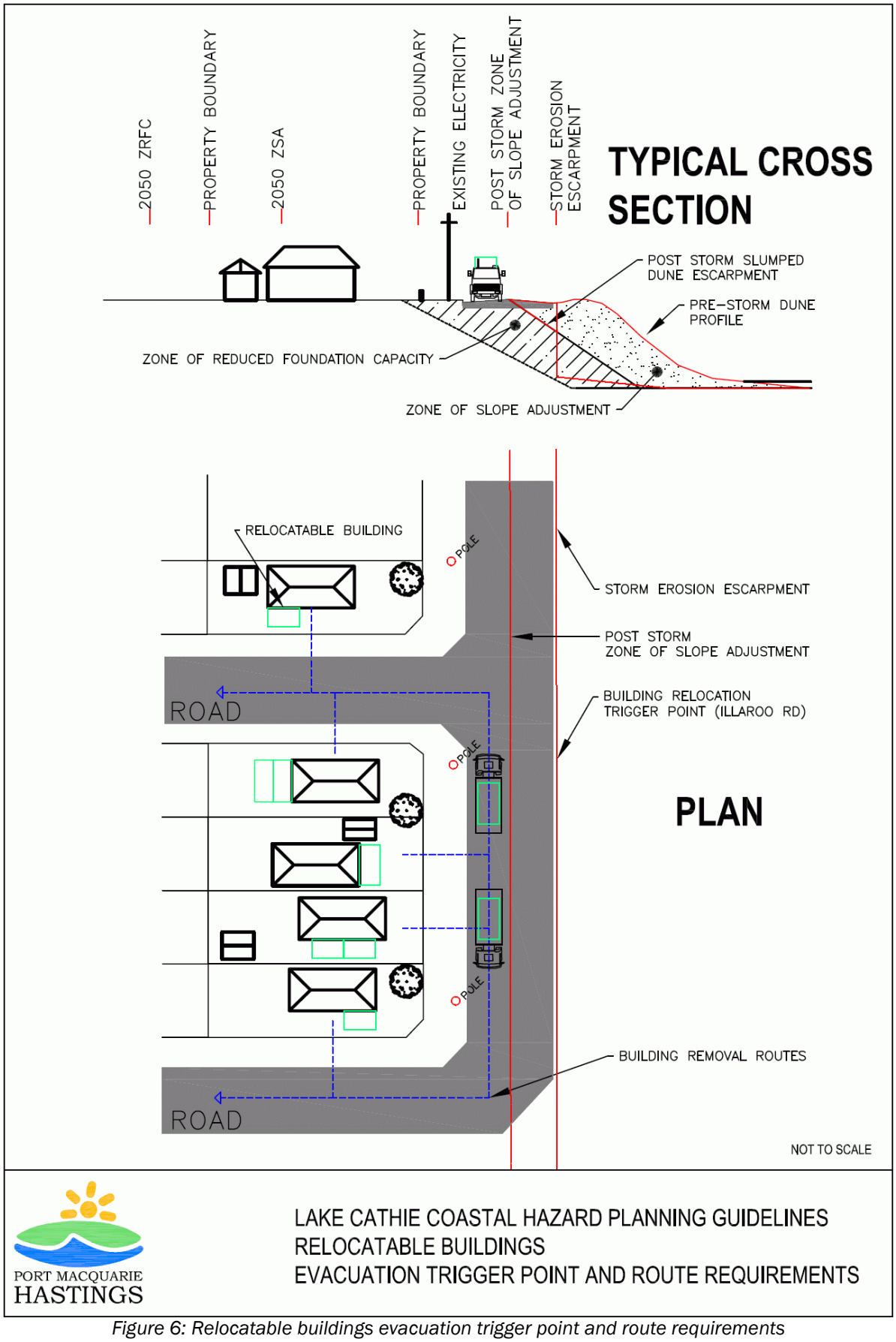


Figure 6: Relocatable buildings evacuation trigger point and route requirements

B4: TRANSPORT, TRAFFIC MANAGEMENT, ACCESS AND CAR PARKING

Application

Section B4 applies to all land within the Port Macquarie-Hastings Local Government Area.

Purpose

The purpose of this section is to encourage well-functioning roads and facilitate a vital economy by ensuring the efficient movement of freight and services and by providing access to business and commercial centres by the regions residents.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Development Guide

Road Hierarchy

22. Objectives

- To reinforce the road hierarchy and priorities for these roads.

Development Provisions

a) In new areas (as distinct from established areas with a pre-existing road pattern) each class of route should reflect its role in the road hierarchy by its visual appearance and related physical design standards, including varying levels of vehicle and pedestrian access.

b) Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.

c) All new roads are designed in accordance with Council's AUS-SPEC design specification documents.

23. Objective

- To manage the network to ensure effective and efficient movement of people and goods.
- To protect the road network from incompatible land uses and inappropriate access.

Development Provisions

a) New direct accesses from a development to arterial and distributor roads is not permitted. Routes should differ in alignment and design standard according to the volume and type of traffic they are intended to carry, the desirable traffic speed, and other factors.

b) Existing direct accesses from a development to arterial and distributor roads are rationalised or removed where practical.

c) Vehicle driveway crossings are minimal in number and width (while being adequate for the nature of the development), and positioned:

- to avoid driveways near intersections and road bends, and
- to minimise streetscapes dominated by driveways and garage doors, and
- to maximise on-street parking.

Parking Provision

24. Objective

- To ensure adequate provision is made for off-street parking commensurate with volume and turnover of traffic likely to be generated by the development.
- To ensure no adverse impacts on traffic and road function.

Development Provisions

a) Off-street Parking is provided in accordance with Table 3, located at the end of this section.

b) Where a proposed development does not fall within any of the listed definitions, the provision of on-site parking shall be supported by a parking demand study.

c) Where a proposed development falls within more than one category Council will require the total parking provision for each category.

Note:
Council may consider a reduced level of parking where it is supported by a parking demand study that assesses the peak parking demands for the overall development and completed by a suitably qualified and experienced person.

25. Objective

- The redevelopment of an existing building for a new use responds to the new use in terms of parking and access.

Development Provisions

a) A development proposal to alter, enlarge, convert or redevelop an existing building, whether or not demolition is involved, shall provide the total number of parking spaces calculated from the schedule for the proposed use, subject to a credit for any existing deficiency, including any contributions previously accepted in lieu of parking provision.

26. Objective

- The capacity of on street parking to address peak or acute demands is not compromised by individual developments unable to provide car parking within their sites.

Development Provisions

a) On street parking, for the purposes of car parking calculations will not be included unless it can be demonstrated that:

- there is adequate on street space to accommodate peak and acute parking demands of the area;
- parking can be provided without compromising road safety or garbage collection accessibility;
- parking can be provided without jeopardising road function; and
- that streetscape improvement works, such as landscaped bays and street trees are provided to contribute to the streetscape.

b) On street parking is provided in accordance with AS2890.5.

27. Objective

- On street parking contributes to the streetscape.

Development Provisions

a) On street parking will not be permitted unless it can be demonstrated that:

- parking does not detract from the streetscape; and
- that streetscape improvement works, such as landscaped bays and street trees are provided.

Parking Layout

28. Objective

- Parking areas and access-ways are easy and safe to use by vehicles and pedestrians without conflict.

Development Provisions

a) Visitor and customer parking shall be located so that it is easily accessible from the street.

b) Internal signage (including pavement markings) should assist customers and visitors to find parking and circulate efficiently and safely through a car park.

c) Parking spaces shall generally be behind the building line but may be located between the building line and the street when:

- it is stacked parking in the driveway; or
- it can be demonstrated that improvements to the open space provided will result; and
- the spaces are screened (densely landscaped or similar) from the street by a landscaping with a minimum width of 3.0m for the entire length of the parking area.

d) Parking design and layout is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking and AS 2890.6 - Off-street parking for individuals with a disability and AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.

e) Stack or tandem parking spaces will not be included in assessment of parking provision except where:

- the spaces are surplus to that required;
- in motor showrooms;
- for home business;
- for exhibition homes;
- in car repair stations;
- staff parking spaces are separately identified and delineated;
- it is visitor parking associated with a dual occupancy multi dwelling and/or terrace housing, directly in front of the garage with a minimum depth of 5.5m.

29. Objective

- Aged and disabled persons and persons wheeling prams or trolleys are provided with suitable access.

Development Provisions

a) Parking is provided in accordance with AS/NZS 2890.1 - Parking facilities - Off-street car parking, AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities, AS 1428 - Design for access and mobility and AS 2890.6 - Off-street parking for individuals with a disability.

30. Objective

- Parking is provided for other forms of transport

Development Provisions

a) Bicycle and motorcycle parking shall be considered for all developments.

b) Bicycle parking areas shall be designed generally in accordance with the principles of AS2890.3 - Parking facilities - Bicycle parking facilities.

c) Motorcycle parking areas shall be 1.2m (wide) x 2.5m (long).

Redevelopment of Heritage Items - Conservation Incentives

31. Objective

- To allow the consideration of reduced parking provision to protect heritage items where applicable.

Development Provisions

a) Council will consider discounting (i.e. exclude from calculations) the floor space of the heritage building/item when determining the total number of parking spaces to be provided on site. This will be considered in line with clause 5.10 of PMH LEP 2011, which requires the variation to be considered in the context of a heritage conservation management plan. This will only apply if Council is satisfied that the conservation of the heritage item is dependent upon Council making that exclusion. If applicants intend to seek such consideration, a detailed parking analysis of the site is to be submitted with the development application.

Section 7.11 Development Contributions

32. Objectives

- Parking requirements of the community are met without imposing an additional liability on general rating revenue.
- To provide a mechanism to offset parking shortfalls.

Development Provisions

a) Section 7.11 of the *Environmental Planning and Assessment Act 1979* permits Council, at its discretion, to accept a monetary contribution in lieu of on-site parking where it is considered impractical or undesirable to provide parking facilities on the site of the proposed development. Generally, contributions will not be accepted for the total amount of parking to be provided and will only be accepted in the commercial areas of Port Macquarie, Gordon Street, Laurieton, North Haven and Wauchope, as identified in

Council's Contribution Plan 1993, as amended. Contribution rates are indexed (CPI) each quarter with variations in the contribution rate for each area. Applicants are advised to consult Council's staff at the time of preparing the DA application should a contribution for parking be proposed.

Landscaping of Parking Areas

33. Objectives

- Parking areas are visually pleasing and easily accessible.
- Parking areas shall be landscaped to:
  - provide shade;
  - improve the visual amenity of large, unrelieved hard stand areas;
  - provide a buffer between the road and neighbouring land uses.

Development Provisions

a) Landscaping areas shall be provided in the form of large tree planting, understorey plantings, mulch areas, mounding, lawns and the like

b) Landscaping areas shall be used throughout the car park and on the perimeters of the property where it addresses the public domain.

c) Garden beds shall be a minimum of 3m in width between car parking areas and street boundaries.

34. Objective

- To contribute to the creation of functional corridors between different vegetation communities through the urban realm.
- Landscaping minimises the risk of damage to pavements, services and infrastructure.

Development Provisions

a) All plantings on public lands are to be selected from Council's Indigenous Street and Open Space Planting List from the relevant vegetation community adjacent to the Development.

b) Trees are to be grown and installed in accordance with AS *2303:2015 Tree Stock for Landscape Use* and Council's AUS-SPEC design specifications.

Surface Finishes

35. Objective

- Car parking and manoeuvring on the site does not generate dust, erosion or contaminated runoff.

Development Provisions

a) All parking and manoeuvring areas shall be constructed with a coarse base of sufficient depth to suit the amount of traffic generated by the development, as determined by Council. It shall be sealed with either bitumen, asphaltic concrete, concrete or interlocking pavers.

Preliminary details of construction materials for access and car parking areas shall be submitted with the development application. Detailed plans shall be prepared for the construction certificate by a practising qualified Civil Engineer.

b) In special cases (e.g. where traffic volumes are very low) Council may consider the use of consolidated unsealed gravel pavement for car parks. However, this should not be assumed and will need to be justified by the applicant at the Development Application stage.

Drainage

36. Objective

- Stormwater volumes and peak flows are reduced from impervious car park surfaces.

Development Provisions

a) All parking and manoeuvring spaces must be designed to avoid concentrations of water runoff on the surface.

b) Council will not permit the discharge of stormwater directly into kerbing and guttering or table drains for any development other than that of a minor nature.

37. Objective

- Landscaping is to incorporate water sensitive urban design principles and, where practical, be integrated into the water management of the site

Development Provisions

a) Car parking areas should be drained to swales, bio retention, rain gardens and infiltration areas.

Loading Bays

38. Objective

- Loading bays are provided to accommodate the maximum design vehicle likely to service the proposed development.
- To maintain traffic flow and parking on and off site.

Development Provisions

a) Off street commercial vehicle facilities are provided in accordance with AS/NZS 2890.2 - Parking facilities - Off-street commercial vehicle facilities.

b) Loading bays should be provided in accordance with the following requirements;

- Minimum dimensions to be 3.5m wide x 6m long. (This may increase according to the size and type of vehicle).
- Vertical clearance shall be a minimum of 5m.
- Adequate provision shall be made on-site for the loading, unloading and manoeuvring of delivery vehicles in an area separate from any customer car parking area.
- A limited number of 'employee only' car parking spaces may be combined with loading facilities.
- Loading areas shall be designed to accommodate appropriate turning paths for the maximum design vehicle using the site.

- Vehicles are to be capable of manoeuvring in and out of docks without causing conflict with other street or on-site traffic.
- Vehicles are to stand wholly within the site during such operations.

c) Industrial development shall provide adequate heavy vehicle access to building entries, or alternatively, external bays located appropriately for goods distribution.

d) For external bays, one bay is required for 500m² of floor space or 1000m² of site area.

e) Commercial development having a floor space less than 500m² need not provide a loading bay.

f) Other commercial development shall provide one loading bay for the first 1,000m² floor space and one additional bay for each additional 2,000m².

g) If parcel pickup facilities are provided on-site they shall be located so as to avoid conflict with general traffic flow within parking areas. Parcel pickup lanes shall be separate from through traffic lanes in major shopping developments.

39. Objective

- Loading bays do not adversely impact upon the design integrity of the building or the streetscape.
- Loading bays do not impact on visual or acoustic privacy for nearby residents.

Development Provisions

a) The location and design of loading bays should integrate into the overall design of the building and car parking areas.

b) Where visible from the public domain, loading bays are located behind the building.

c) Where loading bays are located close to a sensitive land use, adequate visual and acoustic screening is provided.

Industrial Development

40. Objective

- To ensure the specific access and loading requirements of industrial developments is provided.

Development Provisions

a) Detailed plans are required for proposed vehicular access and circulation, vehicular movement, layout and turning circles in accordance with AUSTROADS and AS/NZS 2890 - Parking Facilities.

b) An adequate area is to be shown on the plan for the loading/unloading and manoeuvring of B-Doubles on site where the industrial estate is accessed by roads approved as B-Double routes. B-Double uncoupling and lay-by areas are to be provided.

c) Sufficient area is to be provided for adequate turning circles on site to enable ingress and egress to be in a forward direction.

d) Vehicle driveways, ingress and egress are to be a minimum of 6 metres from the tangent point of the kerb radius and to be greater than 1.5 metres from the common side boundary with another lot.

e) Generally, access driveways are not to be located within the intersection and restricted areas as identified within AS/NZS 2890 - Parking Facilities Parts 1 and 2, and adequate sight distance is to be provided for vehicles and pedestrians.

Traffic Generating Development

41. Objective

- Developments that generate significant levels of traffic are referred to the Roads and Maritime Services for consideration.

Development Provisions

a) Traffic Generating Development as defined under SEPP (Infrastructure) 2007 is referred to Roads and Maritime Services. (Refer to Clause 104 and Schedule 3 of the SEPP).

Table 3: Car Parking Requirements

Land Use		Car Parking Requirements
Primary Industry Land Uses		
Agriculture		
Animal boarding or training establishments		2 per establishment [min] (up to 10 animals), + 1 per 10 animals thereafter
Accommodation Land Uses		
Residential accommodation		
	Dwelling houses Dual occupancies	1 per dwelling
	Semi-detached dwellings	1 per dwelling
	Attached dwellings	1 per 1 or 2 bedroom unit + 1 visitors' space per 4 per units 1.5 per 3-4 bedroom unit + 1 visitors' space per 4 per units
	Multi dwelling housing	1 per 1 or 2 bedroom unit + 1 visitors' space per 4 per units 1.5 per 3-4 bedroom unit + 1 visitors' space per 4 per units
	Residential flat buildings	1 per 1 or 2 bedroom unit + 1 visitors' space per 4 per units 1.5 per 3-4 bedroom unit + 1 visitors' space per 4 per units
	Seniors housing residential care facilities	See SEPP (Housing for Seniors or People with a Disability) 2004
	Hostels	1 per 5 beds
	Boarding houses	1 per 2 bedrooms + 1 per employee/manager
	Group homes	See SEPP (Affordable Rental Housing) 2009
	Shop top housing	Dwelling requirement + Shop requirement

Land Use		Car Parking Requirements
	Rural worker's dwellings	1 per dwelling
Home Activity Land Uses		
Home business Home industry Home occupation (sex services)		Dwelling requirements + 1 for visitors + 1 per 2 employees
Tourist Accommodation		
Tourist and visitor accommodation	Hotel or motel accommodation	1.1 per unit + 1 per 2 employees (onsite at any one time) + 1 for on-site manager. If public restaurant/function room included - see restaurants. For major developments, coach parking may be provided in lieu of car spaces at a rate of 1 coach space per 5 car spaces
	Serviced apartments	See hotel or motel accommodation
	Bed and breakfast accommodation	1 per bedroom + 1 manager
	Backpackers' accommodation	1 per 5 beds
Caravan parks camping ground Manufactured home estates moveable dwelling		See Local Government (Manufactured Home Estates, Caravan Parks, Camping Grounds and Moveable Dwellings) Regulation 2005
Exhibition homes		2 per home external to garage / dwelling parking space
Commercial Land Uses		
Business premises Office premises Public administration buildings Restricted premises Retail premises Sex services premises	*(excl subtypes specifically listed)*	1 per 30 m² GLFA or 1.5 spaces per office (min), whichever is the greater. An application for a major commercial development must be accompanied by a Traffic Impact Study that makes adequate provision for public transport facilities and motorcycle and bicycle parking.
	Industrial retail outlets	< 500 m² GFA - 1 per 70 m² Gross Floor Area (GFA) per individual tenancy >500 m² GFA - 1 per 100 m² GFA for display + 1 per 2 employees (warehouse area)(per individual tenancy
	Cellar door premises	See pubs
	Funeral homes	2 plus either 1 per 30 m² GFA or 1 per 5 seats in chapel, whichever is the greater
	Garden centres Hardware and building supplies Landscaping material supplies Plant nurseries	1 per 70m² display (incl. accessories). Where landscape supplies are included, 1 per employee + 2 visitor [min] + adequate loading/unloading area, to Council's satisfaction

Land Use		Car Parking Requirements
	Rural supplies Timber yards	
	Kiosks	In commercial zones: 1 per 30 m² serviced floor area. Outside commercial zones: 1 per 6 m² serviced floor area
	Markets	2.5 per stall (must be off street)
	Neighbourhood shops	1 per 30 m² GLFA or 1.5 spaces per shop, whichever is the greater plus secure cycle parking for a minimum of 5 bicycles. Secure cycle parking does include street furniture such as light or sign poles etc.
	Roadside stalls	2.5 per stall (must be off street)
	Shops	See retail premises
	Vehicle sales or hire premises	1 per 100 m² display area + 1/70 m² spare parts sales area + 1 per employee + adequate loading/unloading area for vehicle carriers.
Food and drink premises	*(This group is a subtype of retail premises)*	
	Pubs	1 per 6 m² serviced floor area (including beer garden) + 1 per 2 employees
	Restaurants	In commercial zones: 1 per 30 m² serviced floor area. Outside commercial zones: 1 per 6 m² serviced floor area
	Take-away food and drink premises No on-site seating On-site seating/no drive-through On-site seating & drive-through	12 per 100 m² GFA + queuing area for minimum of 8 cars from pickup point 12 per 100 m² GFA + greater of either; 1 per 5 seats (both internal and external), or 1 per 2 seats (internal seating) 1 per 2 seats (internal), or 1 per 3 seats (internal and external) + queuing area for minimum of 8 cars from pickup point
Industry retail outlets		Industry plus retail premises requirement.
Registered clubs		See pubs
Service stations		3 per work bay + 1 per employee + 2 customer (minimum) + any Restaurant/Take Away Food requirements
Veterinary hospitals		3 per veterinarian and 1 per 2 employees (assistants/administration)
Wholesale supplies		< 500 m² GFA - 1 per 70 m² Gross Floor Area (GFA) >500 m² GFA - 1 per 100 m² GFA for display + 1 per 2 employees (warehouse area)
Community Land Uses		
Child care centres		1 per 4 children and set down and pick up area.
Health services facilities		

Land Use		Car Parking Requirements
	Medical centres	3 per consultant + 1 per 2 employees
	Health consulting rooms	3 per consultant + 1 per 2 employees + any dwelling requirement.
Information and education facilities		
	Community facilities	1 per 30m² GFA
	Places of public worship	1 per 6 seats or 1 per 10 m² GFA, whichever is the greater. (Where church and hall are located on same land, provision need only be made for church or hall, whichever is greater)
	Educational establishments (schools)	1 per staff member + 1 per 8 students [Year 12 students] + 1/30 students for visitors. Adequate bus pickup/set down area provided + delivery/service vehicle area. Where sporting fields are provided, which are used by the community, see Recreation Area for minimum requirements.
Industrial Land Uses		
Industries		
	General industries Hazardous industries Heavy industries Light industries Offensive industries	1 per unit or 1 per 70 m² GFA, whichever is the greater, where an industrial retail outlet is included, 1 per 30m² for that area.
	Home industry	See home business
Storage premises		
	Self-storage units	1 per 2 employees + 1 per 5 units
Warehouse or distribution centres		1 per 2 employees
Vehicle body repair workshops Vehicle repair stations		Minimum 5 or 1 per work bay + 1 per employee, whichever is the greater
Recreation Land Uses		
Recreation areas		(not including neighbourhood parks) 30 minimum + any additional requirement of Council, depending on location and activity
Recreation facilities (indoor)	Bowling Alley Squash Courts Gymnasium Dance Studio	3 per lane 3 per court 7.5 per 100 m² GFA 1 per 3 pupils
Recreation facilities (outdoor)	Tennis Courts Golf Course Bowling Club:	3 per court 4 per hole on course + restaurant + pub requirements. 21 per green + restaurant + pub requirements.
Other Land Uses		
Mortuaries		See funeral chapels

B5: Social Impact Assessment and Crime Prevention

Application

Section 4.15 of the *Environmental Planning and Assessment Act* provides for the consideration of a range of matters before a decision can be made on a development application. Included in section 4.15 are subsections requiring the consent authority to consider the likely impacts of that development, including the environmental impacts on the natural and built environment, social and economic impacts on the locality, and the public interest. These encompass Social Impact Assessment and Crime Prevention.

Purpose

The purpose of this section is to ensure the public interest and potential social impacts resulting from a development are considered in the determination of development applications.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Development Guide

Social Impact Assessment

42. Objective

- To ensure adverse impacts are identified and mitigation or avoidance measures are adopted to minimise or eliminate social impact on individuals and the community.

Development Provisions

a) A social impact assessment shall be submitted in accordance with the Council's Social Impact Assessment Policy.

***Note**: Council's Social Impact Assessment policy includes guidelines to assist applicants in preparing a SIA.*

Crime Prevention

43. Objective

- Development should be designed to deter crime and vandalism and facilitate:
  - personal and property security;
  - casual surveillance of public areas;
  - activity and interaction within public spaces and movement networks

Development Provisions

a) The development addresses the generic principles of crime prevention:
   - Casual surveillance and sightlines;
   - Land use mix and activity generators;
   - Definition of use and ownership;
   - Basic exterior building design;
   - Lighting;

- Way-finding; and
- Predictable routes and entrapment locations;
- as described in the Crime Prevention Through Environmental Design (CPTED) principles.

Note:
Section 5.1 of Council's Crime Prevention Strategy, November 2010 – June 2015 states:
CPTED is a strategic approach to the built environment that seeks to influence offender behaviour prior to an offence being committed, through the use of strategies that deter unwanted behaviours and promote the appropriate and/or desired use of space.

There are four key CPTED design principles:

1. *NATURAL ACCESS CONTROL – design that directs and influences the flow of people to naturally maximize control and surveillance (e.g., exterior and interior design of a building, landscaping, lighting, and traffic calming).*
2. *NATURAL SURVEILLANCE – design to maximize visibility and ensure legitimate users can observe and monitor activities around them in a formal or casual manner (e.g., office or apartment windows with unimpeded sightlines to parking areas or other areas where crime is likely to occur).*
3. *TERRITORIALITY – design of the physical environment to extend a perceived sense of influence or territory. People taking ownership of their surroundings makes it more difficult for offenders to carry out crimes or disorder.*
4. *MAINTENANCE – enhancement, maintenance and management of the built environment encourages the users of the area to respect their surroundings (e.g., removing graffiti and litter, avoiding overgrowth of hedges, fixing inoperative lighting, installing good locks).*

PART C DEVELOPMENT SPECIFIC PROVISIONS

C1: LOW DENSITY RESIDENTIAL DEVELOPMENT

Application

This section applies to applications for development consent for the erection of, or additions to the following low density residential development types:

- Dwellings (where not part of a high density residential, commercial or industrial development)
- Dwelling houses
- Terrace housing (attached housing)
- Secondary dwellings
- Exhibition homes
- Exhibition villages,
- Semi-detached dwellings
- Dual occupancies
- Multi dwelling housing
- Ancillary development associated with these developments as defined by State Environmental Planning Policy – (Exempt and Complying Development Codes) 2008.

Purpose

The purpose of this section is to encourage development to:

- Have regard to the desired scale, bulk and height of existing residential development as well as streetscape and landscape in the locality
- Be attractive and functional
- Not unduly affect the amenity of neighbours
- Be landscaped to complement its appearance from the street, adjoining properties and vantage points in the area, and retain existing vegetation where possible
- Have adequate and functional onsite parking
- Have adequate and functional common and private open space areas on site
- Ensure that access to the property is safe and convenient for residents, visitors and at the public/private property interface (i.e. line of sight, etc)
- Consider the principles of crime prevention in the design of developments.
- Be sited and designed to have regard to adjoining and nearby existing structures, street facades and public open space
- Respond in a positive manner to the skyline
- Preserve the building's relationship to natural features
- Provide optimum solar access to public open spaces within the development and adjoining properties
- Ensure ongoing privacy of neighbouring properties
- Ensure view sharing opportunities from nearby properties and vantage points are taken into account so that adverse impacts are minimised

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Development Guide

Front Setbacks

44. Objective

- Front setbacks should support an attractive streetscape.

Development Provisions

a) Dwellings may incorporate an articulation zone to a street frontage at no less than 3m from property boundary. The following building elements are permitted within the articulation zone:

- an entry feature or portico;
- a balcony, deck, patio, pergola, terrace or verandah;
- a window box treatment;
- a bay window or similar feature;
- an awning or other feature over a window;
- a sun shading feature.

b) These building elements should not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house.

c) In all other cases the primary road front setback should be provided in accordance with the requirements in Table 4:

Table 4: Street setbacks to Dual Occupancy or Attached Dwellings

Street Frontage	Setback (min)
Classified road – any frontage	6.0m
Primary Frontage	4.5m
Secondary Frontage	3.0m
Ancillary Lane	2.0m
Large lot residential and rural zones	10.0m

Note:

- *The primary frontage is that which addresses the road with the higher volume of traffic.*
- *Primary frontage means the road to which the front of a dwelling house, or a main building, on a lot faces or is proposed to face, and includes any road that intersects with that road at an angle of more than 135 degrees and with which the dwelling house or main building has contiguous boundaries.*
- *Secondary frontage means, in the case of a corner lot that has boundaries with adjacent roads, the road that is not the primary road.*

45. Objective

- To minimise the impact of garages and driveways on the streetscape, on street parking and amenity.
- To minimise the visual dominance of garages in the streetscape.
- To provide safe and functional vehicular access.

Development Provisions

a) A garage, carport or car parking space should:

- be at least 1m behind the building line, where the dwelling(s) has a setback from a front boundary of 4.5m or more, or
- be at least 5.5m from a front boundary, where the dwelling(s) has a setback of less than 4.5m.

Note: *The distance to the garage/carport or parking space may be measured to the entry point of the garage/carport or parking space or front posts or walls.*

b) The total width of the garage/carport openings should not be more than 6m and not more than 50 per cent of the width of the building.

c) Driveway crossovers are no greater than 5.0m in width.

d) Where a dual occupancy or attached dwelling is proposed on a corner lot a garage and driveway is provided on each road frontage.

Side and Rear Setbacks

46. Objective

- To ensure no adverse overshadowing or privacy impacts to neighbouring properties.
- To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas.
- To provide useable yard areas and open space.

Development Provisions

a) A minimum rear boundary setback of 4m is to be provided to dwellings (including verandahs, patios and decks).

b) A minimum rear boundary setback of 900mm applies to sheds and swimming pools subject to achieving minimum required private open space area.

c) Council may consider varying rear setback requirements where it is demonstrated that the private open space could achieve better solar access between the building and the side setback. In that instance, one side setback should be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may be reduced to 900mm.

d) A detailed site analysis is to be provided indicating the impact of the design on adjoining dwellings and open space areas.

Note:
In relation to setback requirements for low-density development, corner blocks do not have a rear boundary.

47. Objective

- To reduce overbearing and perceptions of building bulk on adjoining properties.
- To provide for visual and acoustic privacy between dwellings.

Development Provisions

a) Ground floors (being <1m above existing ground level) should be setback a minimum of 900mm from side boundaries.

b) First floors and above (including single storey with floor level >1m) should be setback a minimum of 3m from the side boundary, or reduced down to 900mm where it can be demonstrated that the adjoining property's primary living rooms and principal private open space areas are not adversely overshadowed for more than 3hrs between 9am - 3pm on 21 June.

c) First floors and above should have building walls that step in and out at least every 12m by a minimum of 500mm articulation. Where first floors and above are setback >3m, wall articulation is not required.

Private Open Space

48. Objective

- To encourage useable private open space for dwellings to meet the occupants' requirements for privacy, safety, access, outdoor activities and landscaping.

Development Provisions

a) All dwellings should have a minimum area of private open space of 35m2, which includes a principal private open space area with:

- a minimum dimension of 4m x 4m, and
- a maximum grade of 5% for minimum 4m x 4m of the total open space requirement, and
- direct accessibility from a ground floor living area and orientated to maximise use.

b) Private open space may include clothes drying areas and garbage storage.

Public Domain and Fencing

49. Objective

- To define the edge between public and private land and to provide privacy and security.
- To ensure the adequate sight lines are provided for vehicles leaving the site.
- To ensure front fencing does not impact on the public domain.
- To encourage surveillance of the street and other public places.

Development Provisions

a) Front fences built forward of the building line for the primary road frontage should be detailed on the development application plans.

b) Solid Front fences up to 1.2m high should be:

- Setback 1.0m from the front boundary, and
- Suitably landscaped to reduce visual impact, and
- Provide a 3m x 3m splay for corner sites.

c) Front fences proposed to be more than 1.2m high should be a maximum of 1.8m in height, above existing front property boundary level, and either:

- Include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or
- be erected up to the front boundary for a maximum length of 6.0m or 50% of the street frontage,

d) have openings which make it not less than 25% transparent (no individual opening more than 30mm wide);

e) provide a 3m x 3m splay for corner sites, and

f) provide a 900mm x 900mm splay for vehicle driveway entrances.

50. Objective

- To define the boundaries between areas within the development having different functions or owners.
- To minimise the visual impact of fencing.

Development Provisions

a) For tennis courts or other similar areas, chain wire fences should be black or dark green plastic coated mesh.

b) Solid fences enclosing these facilities should not be permitted over 1.8m.

Bulk and Scale

51. Objective

- To protect the visual privacy of on-site and nearby residents.

Development Provisions

a) Direct views between indoor living rooms and principal private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots, including possible dwellings on future lots, should be obscured or screened where:

- Ground and first floor (and above) indoor living room windows are within a 9m radius.
- Direct views between principal private open space areas where within a 12m radius.
- Direct views between indoor living rooms of dwellings into the principal area of private open space of other dwellings within a 12m radius.

b) A balcony, deck, patio, pergola, terrace or verandah should have a privacy screen where there are direct views of:

- Indoor living room windows of adjacent dwellings, including proposed dwellings approved on adjoining lots within 9m radius; or
- Principal areas of private open space of adjacent dwellings, including proposed dwellings approved on adjoining lots within a 12m radius.

c) Privacy protection is not required for:

- Any Indoor living room windows with a sill height of greater than 1.5m above the finished floor level of that room or where fixed non-openable translucent glass is installed to the same height.

d) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):

- 1.8m high fence or wall between ground-floor level windows or between a dwelling and principal private open space
- Screening of minimum 1.7m height, that has 25% openings (max), with no individual opening more than 30mm wide, is permanently fixed and is made of durable materials.
- A window, the whole of which has translucent glass and is not able to be opened.

Roof Terraces

52. Objective

- To encourage minimum impact from noise and light from roof terraces.
- To encourage maintenance of visual privacy of adjoining properties.
- To promote an interesting and articulated building form.
- To minimise the impact on building design of temporary or non-fixed structures.

Development Provisions

a) Direct views between roof terraces and indoor living room windows or principal areas of private open space of adjacent dwellings should be screened where:

- Ground and first floor (and above) indoor living room windows are within a 9m radius of the trafficable area of the roof terrace;
- Direct views between roof terraces principal areas of private open space within a 12m radius of the trafficable are of the roof terrace.

b) Screening should only be considered where:

- the height of the screen does not exceed the maximum building height; and
- the screening contributes to the building form, and
- the screening is integrated into the design of the roof; and
- is constructed and designed with materials complementary to the building.

c) Lighting installations on roof terraces should be:

- contained within the roof terrace area and located at a low level, and
- appropriately shaded and fixed in a non-adjustable manner so that light is projected downwards onto the floor surface of the terrace.
- designed in compliance with Australian Standards AS4282 - *Control of obtrusive effects of outdoor lighting*.

Note:
In relation to the following, boat ramps and jetties that are proposed to be located on an allotment with a frontage to the Hastings River, owners should note that the Department of Lands is the consent authority for structures that extend over the Hastings River boundary.

Water Recreation Structure (Boat Launching Ramp, Jetty and Mooring)

53. Objective

- To facilitate private boat usage, where a reasonable depth of water exists without dredging.

Development Provisions

a) The design of any jetty or boating structure will require engineering certification.

54. Objective

- To maintain the amenity and function of waterways through appropriately designed and constructed waterfront infrastructure.
- To ensure structures do no increase flood risk or become an obstruction in a flood event.

Development Provisions

a) Mooring piles are to be set at a level no lower than the level which ensures that the floating structure is retained during the design 1:100 year flood event.

b) The width of a jetty walkway leading to a platform should not be greater than 1.0 metres.

c) The area of a platform at the end of a walkway should not exceed 16m^2.

d) The overall length of a jetty when measured from the existing revetment wall should not exceed 17metres.

e) Boating ramps should have a maximum overall width of 3 metres and a maximum overall length of 10.0 metres when measured from the existing revetment wall unless associated with a boatshed where the boat ramp should not exceed 2.7m in width.

f) Pontoons moored at right angles to the revetment wall should not extend beyond a point 17 metres from the wall.

g) Pile cut off levels should not be lower than RL3.0 metres AHD.

h) Fixed jetties may only extend to a point 7 metres from the revetment wall.

i) Any extension beyond a point 7 metres from the revetment wall is to be by way of a pivoting walkway to a floating pontoon.

j) The deck of the jetty is to be above and not resting on the revetment wall and the top surface is not to be above RL 1.4m AHD.

k) Pontoons moored parallel to the revetment wall should not extend beyond a point 12 metres from it.

l) Floating moorings should be located between 17 metres from the revetment wall.

m) Fixed mooring poles should not be greater than 17 metres from the revetment wall.

55. Objective

- To promote an equitable use of the waterway amongst adjoining landowners through the minimisation of encroachments by individual waterfront structures in front of adjoining waterfront properties.

Development Provisions

a) Jetties and moorings (both fixed and floating) should be located a minimum of 10m from any jetty or mooring (both fixed and floating) located on any adjacent property.

b) Boat ramps and jetties should be located in such a way that vessels using the boat ramp or moored on a jetty do not project past a line which is a prolongation of the side boundaries of the development site.

c) For multi dwelling housing and residential flat building development only one boat ramp and one jetty should be permitted, however where such development is carried out on a site with a frontage to a waterway exceeding 25m, then one additional jetty and one additional boat ramp may be permitted.

Ancillary Development

56. Objectives

- To facilitate and sustain certain development as ancillary development.
- Have regard to the desired scale, bulk and height of existing residential development as well as streetscape in the locality.

Development Provisions

a) For ancillary development in R1 General Residential, R2 Low Density Residential, R3 Medium Density Residential, R4 High Density Residential, R5 Large Lot Residential and RU5 Village zones:

- The height of an outbuilding or the alterations and additions to an existing outbuilding on a lot should not be more than 4.8m above ground level (existing).
- The building should be single storey construction with a maximum roof pitch of 24 degrees.
- The maximum area of the building should be 60m2 for lots less than 900m^2 and maximum of 100m^2 for larger lots.
- Ancillary development that is a garage, or an outbuilding, or a rainwater tank should not be located in front of the main building line with the exception of swimming pools.

C2: Residential Flat Development, Tourist and Visitor Accommodation, and Mixed Use Development

Application

Section C2 applies to applications for development consent for the erection of, or additions to the following residential development types as defined by the *Port Macquarie-Hastings Local Environment Plan 2011:*

- Residential flat buildings (both SEPP 65 and non-SEPP 65) hostels and shop top housing,
- Tourist and visitor accommodation (which encompasses Backpackers' accommodation, Bed and breakfast accommodation, Farm stay accommodation and Serviced apartments), and
- Any residential component of a mixed-use development.

Development that is defined as 'residential flat building' under State Environmental Planning Policy 65 - Design Quality of Residential Flat Apartment Development is subject to the provisions of that policy and the Residential Flat Building Code. The provisions apply to the:

- Erection of a new residential flat building,
- Substantial redevelopment or the substantial refurbishment of an existing residential flat building, and
- Conversion of an existing building to a residential flat building.

Applications for residential flat buildings must address the SEPP.

Purpose

The purpose of the provisions in this section are to encourage development to:

- Have regard to the desired scale, bulk and height of existing residential development as well as streetscape and landscape in the locality;
- Be attractive and functional,
- Not unduly affect the amenity of neighbours;
- Be landscaped to complement its appearance from the street, adjoining properties and vantage points in the area, and retain existing vegetation where possible;
- Have adequate and functional onsite parking;
- Have adequate and functional common and private open space areas on site;
- Provide safe and convenient access to property for residents, visitors and at the public/private property interface (i.e. line of sight).
- Consider the principles of crime prevention in the design of developments.
- Be sited and designed to have regard to adjoining and nearby existing structures, street facades and public open space.
- Preserve the skyline and the building's relationship to natural features.

- Provide optimum solar access to public open spaces within the development and adjoining properties.
- Ensure ongoing privacy of neighbouring properties.
- Ensure view-sharing opportunities from nearby properties and vantage points to minimise adverse impacts.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of other Chapters Parts.

Development Guide

Site Design and Analysis

57. Objective

- To encourage consideration of site attributes and constraints during the design phase of the development.
- To promote consideration of characteristics of adjacent and surrounding sites and the neighbourhood at the outset of the design process.

Development Provisions

a) A site analysis plan is required for all development and should illustrate:

- microclimate including the movement of the sun and prevailing winds
- lot dimensions
- north point
- existing contours and levels to AHD
- flood affected areas
- overland flow patterns, drainage and services
- any contaminated soils or filled areas, or areas of unstable land
- easements and/or connections for drainage and utility services
- any existing trees and other significant vegetation, including major and significant trees on adjacent properties, particularly those within 9 m of the site
- the location, height and use of buildings surrounding the site, and those across any road adjacent to the site, including their setback distances
- heritage and archaeological features
- the built form, scale and character of surrounding and nearby development, including fencing, boundaries and landscaping
- pedestrian and vehicle access
- views and solar access to surrounding residents
- private open space and windows of habitable rooms of nearby properties which have an outlook to the site
- difference in levels between the site and adjacent properties at their boundaries
- street frontage features including poles, trees, kerb crossovers, bus stops and other services
- heritage features and buildings of the surrounding locality and landscape
- direction and distance to local facilities including local shops, schools, public transport and recreation and community facilities
- characteristics of, and distance to any nearby public open space
- any nearby bushland or environmentally sensitive land
- any significant local noise, odour or pollution sources

- any other notable features or characteristics of the site

Site Layout

58. Objective

- To achieve a layout that provides a pleasant, manageable and functional living environment that integrates with the neighbourhood.
- To encourage consideration of energy-efficiency and solar access issues at the outset of the design process.

Development Provisions

a) All applications are to include a site plan, which annotates the manner in which site attributes and constraints have been considered, as follows:

- appropriateness of built form and landscape in relation to the site context, topography and urban character
- building arrangement and relationship to streets and open space
- access ways within and beyond the site
- location, function and opportunities for casual surveillance of open space
- ongoing site management considerations (i.e. garbage, mail collection, stormwater etc)
- location of existing and proposed stormwater and sewer pipes
- private open space and security
- parking arrangements and reduced dominance of driveways
- heritage and conservation opportunities and constraints (where relevant)
- energy efficiency in building design and siting
- solar access to subject development and adjoining residences

Streetscape and Front Setback

59. Objective

- Front setbacks are to provide adequate open space for landscaping, visual and acoustic privacy.
- To provide a streetscape that is consistent and complementary to existing development.

Development Provisions

a) In an established street, the primary setback should be within 20% of the average setback of the adjoining buildings in a R1 General Residential zone.

b) A minimum setback of 3.0m is required from all street frontages in a R3 Medium Density Residential and R4 High-Density Residential zone.

c) Where tourist accommodation is proposed a maximum setback of 9 metres is permitted to allow for a swimming pool within the front setback.

60. Objective

- To promote buildings of articulated design and massing, with useable principle private external open spaces.

Development Provisions

a) Balconies and other building extrusions may encroach up to 600mm into the required front setback.

b) Buildings should generally be aligned to the street boundary.

c) Primary openings on all developments are aligned to the street boundary or to the rear of the site.

Side and Rear Setbacks

61. Objective

- To allow flexibility in the siting of buildings while limiting the extent to which any building overshadows or overlooks adjacent properties.
- To allow adequate natural light and ventilation between dwellings/buildings and to private open space areas.
- To provide acoustic and visual privacy.
- To provide adequate area for deep soil planting.

Development Provisions

a) The following setbacks (Refer Figure 7) apply to all sites, except where the side boundary is a secondary street frontage:

- Buildings should be set back a minimum of 1.5m from side boundaries, for a maximum of 75% of the building depth.
- Windows in side walls should be set back 3m from side boundaries.
- Where the site is adjacent to an existing strata-titled building, buildings should be set back a minimum of 3m from side boundaries.

b) Side walls adjacent to existing strata-titled buildings should be articulated and modulated to respond to the existing buildings.

c) A minimum rear setback of 6.0m from the building and sub basements is required.

62. Objective

- To encourage high-density outcomes in those areas identified as medium and high density residential.

Development Provisions

a) A party wall development may be required if site amalgamation is not possible and higher density development is envisaged by these controls.

63. Objective

- To encourage good interim building design for party walls.

Development Provisions

a) Party wall development can occur only with the agreement and consent of the adjoining property owner. Exposed party walls should be finished in a quality comparable to front facade finishes

64. Objective

- To provide good streetscape for secondary streets.
- To encourage quality urban design outcomes for corner sites.

Development Provisions

a) Corner sites should be consolidated with adjacent sites, so that the building turns the corner.

b) If this is not possible, a minimum setback of 6.0m should extend to the secondary street. Refer Figure 8 and Figure 9.

65. Objective

- To encourage good quality urban design outcomes for sites that address open space.
- To encourage casual surveillance of public spaces.

Development Provisions

a) Where sites adjacent to open space are to be developed, the edge of the open space should be defined with a public road and buildings should address the open space.

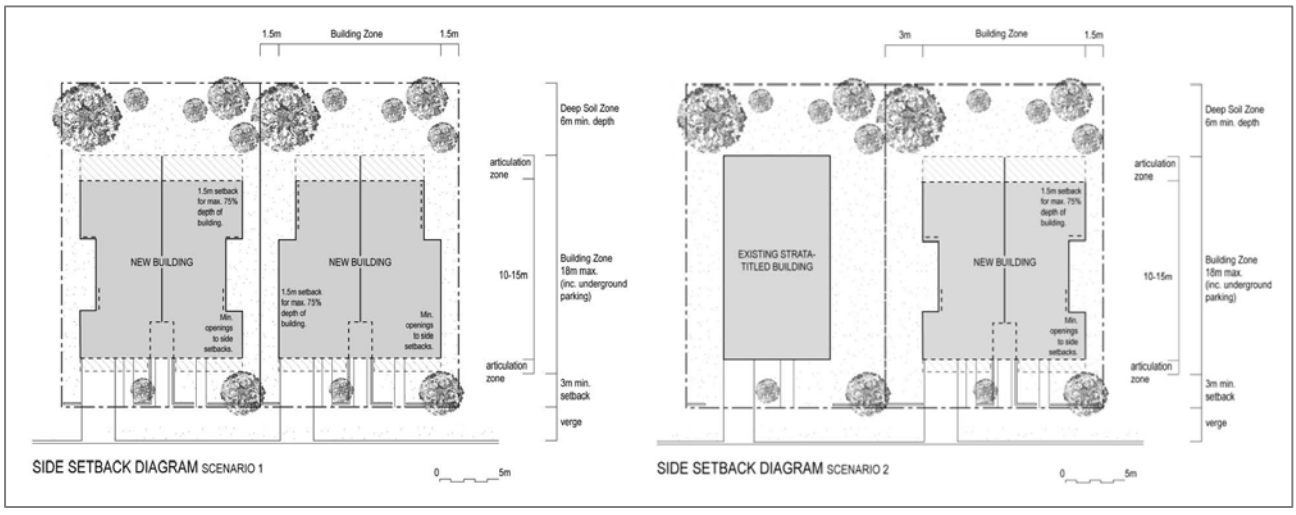


Figure 7: Side setback provisions for two scenarios

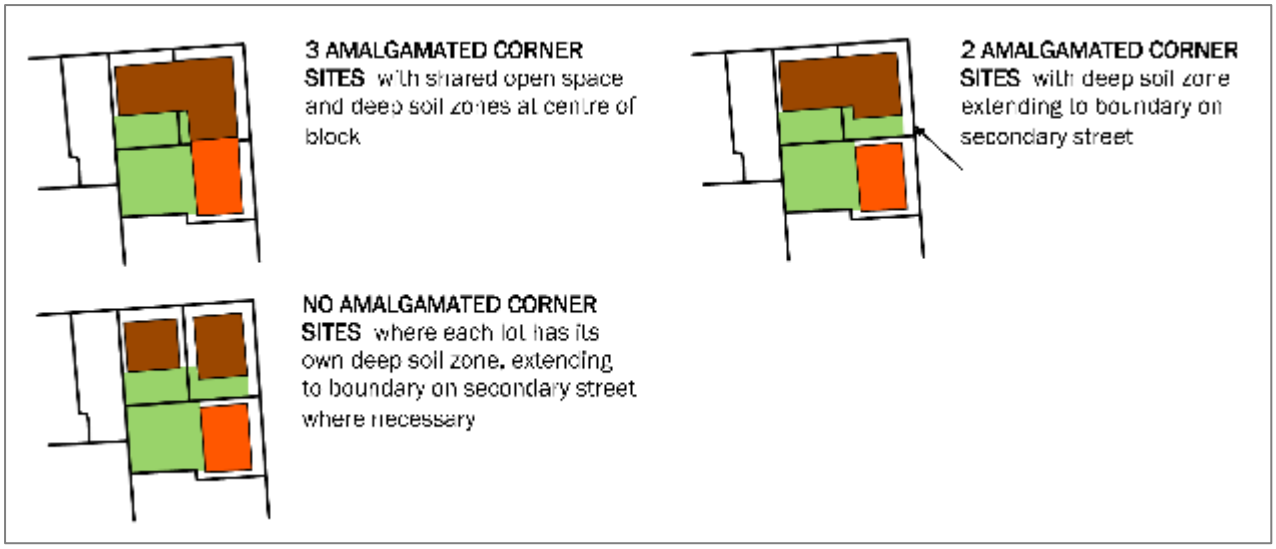


Figure 8: Deep soil requirements for development scenarios on corner lots

Deep Soil Zone (only applicable to non-SEPP 65 buildings)

66. Objective

- To enhance the appearance, amenity and energy and water efficiency of housing through integrated landscape design.
- To preserve natural drainage and subsoil water.

Development Provisions

a) Deep soils zones are to meet the minimum requirements set out in Table 5 below.

b) Deep soil zones are to be contiguous across sites and within blocks.

Refer to Figure 9.

Table 5: Deep Soil Zones

Site area	Minimum dimensions	Deep soil zone (% of site area)
Less than 650m²	-	7 7%
650m² - 1,500m²	3m	
Greater than 1,500m²	6m	
Greater than 1,500m² with significant existing tree cover	6m	

Deep soil zones should be located to retain existing significant trees and to allow for the development of healthy root systems, providing anchorage and stability for mature trees. Design solutions may include:

- Basement and sub-basement car park design that is consolidated beneath building footprints
- Use of increased front and side setbacks
- Adequate clearance around trees to ensure long term health
- Colocation with other deep soil areas on adjacent sites to create larger contiguous areas of deep soil.

67. Objective

- To improve the visual amenity of Port Macquarie by retaining, and where possible increasing the coverage of substantial vegetation.

Development Provisions

a) Deep soil zones should accommodate existing advanced trees, and allow for advanced tree planting.

68. Objective

- To increase the capacity of the site and locality for water infiltration to assist with management of the water table and water quality.

Development Provisions

a) Deep soil zones should be integrated into the stormwater management measures for the development and the site.

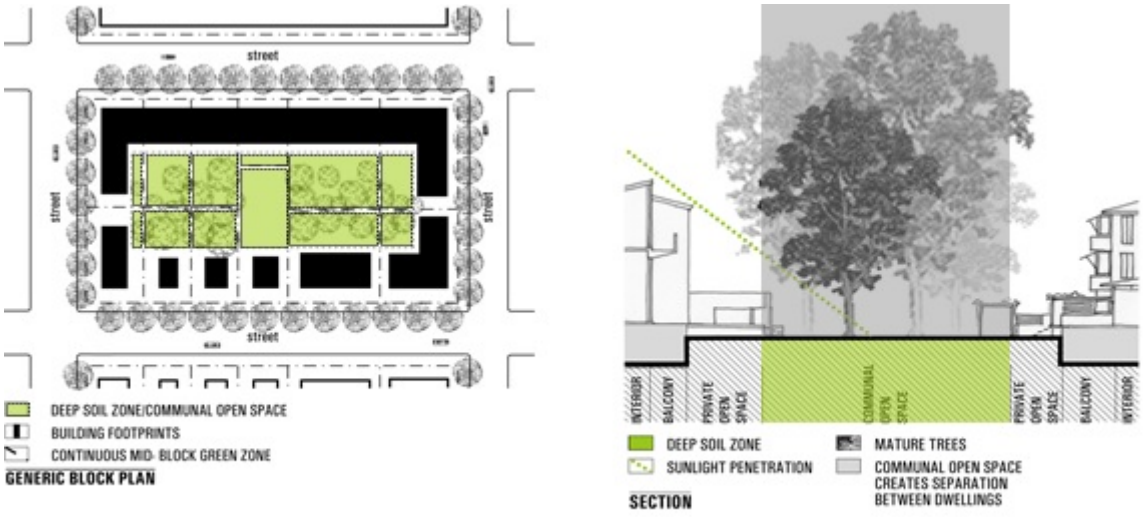


Figure 9: Preferred Deep Soil Zone Provision

Energy Conservation and Solar Access (only applicable to non-SEPP 65 buildings)

69. Objective

- To avoid the potential for significant overshadowing of habitable rooms and private open spaces.

Development Provisions

a) Where practical, sunlight to the principal area of ground-level private open space of adjacent properties should not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22. Where existing overshadowing by buildings and fences is greater than this, sunlight should not be reduced by more than 20%.

b) Where practical, buildings should not reduce the sunlight available to the windows of living areas that face north in existing adjacent dwellings to less than the above specification.

70. Objective

- To reduce total energy use in residential buildings by reducing heat loss and energy consumption for heating and cooling.

Development Provisions

a) Apartments are to provide an internal clothes drying space to discourage the use of mechanical clothes drying. Refer to Figure 10 below.

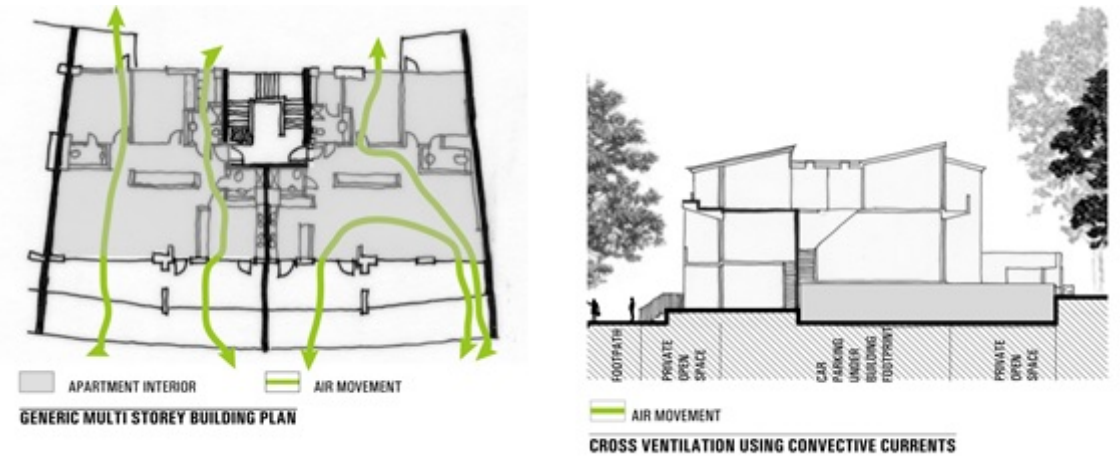


Figure 10: Building plan demonstrating how acceptable cross ventilation can be achieved

Landscape

Issues to be considered in the provision of private open space are size, proportion, location, orientation, privacy, security, safe and convenient access for residents, including disabled access.

Private open space should be designed to be:

- Capable of serving as an extension of the dwelling for relaxation, dining, entertainment, recreation and children's play and of being accessed from a main living area of the dwelling;
- Orientated to enable solar access and to achieve comfortable year round use.

The design of private open space should be sympathetic to the topography so as to minimise cut and fill.

Front fences and walls should be designed to:

- Enable outlook from buildings to the street for safety and surveillance;
- Assist in highlighting entrances and in creating a sense of communal identity within the streetscape;
- Provide visual interest to the streetscape;
- Be constructed of materials compatible with the proposed development and have regard to other good examples in the street;

- Be compatible with facilities in the street frontage area, such as mail boxes and garbage collection areas;
- Be appropriate to the heritage or environmental context of the site.

Deep soil zones are areas of the site that are not to be built upon, and are not to have parking located underneath. This allows for an area of soil for substantial deep-rooted vegetation and retention of existing mature trees and natural drainage.

Landscaping (only applicable to non-SEPP 65 buildings)

71. Objective

- To encourage useable and attractive open space that enhance the appearance and amenity of the development when viewed from public open space areas, especially from street frontages.

Development Provisions

a) Plans for the design and planting of open space areas should be submitted with the development application and include:

b) Existing vegetation and proposed general planting and landscape treatment (including species).

c) Design details of hard landscaping elements and major earth cuts, fills and any mounding.

d) Location and design of any communal recreational facilities, including methods of protecting the privacy of nearby dwellings, where applicable.

e) Street trees in accordance with Council's Indigenous Street and Open Space Planting List.

72. Objective

- To retain substantial trees and existing landscape elements, where practically possible.

Development Provisions

a) Existing vegetation is to be retained and habitat and ecology enhanced where practical.

73. Objective

- To soften the visual impacts of urban development and to enhance the urban environment.

Development Provisions

a) Street trees are to be provided along the full frontage/s of the site, generally at a rate of 1 per 20m interval, in accordance with Council's *Indigenous Street and Open Space Planting List*.

Private Open Space (only applicable to non-SEPP 65 buildings)

74. Objective

- To encourage useable private open space, which meets the occupant's requirements for privacy, safety, access, outdoor activities and landscaping.

Development Provisions

a) All dwellings at ground floor level are encouraged to have a total minimum area of 15m2 in one area with minimum dimension of 3m:

- have a maximum grade of 5%; and
- be directly accessible from a ground floor living area.

b) Private open space may include clothes drying and garbage storage areas.

75. Objective

- To discourage inappropriate or ill configured open space.

Development Provisions

a) Dwellings located on or above the first floor are to have balconies with a minimum clear, unobstructed area and width according to apartment type as follows:

- Studio - 4m2
- 1 bedroom - 8m2, minimum 2m wide
- bedroom - 10m2, minimum 2m wide
- bedroom - 12m2, minimum 2.4m wide

76. Objective

- To clearly distinguish private open space from communal open space.

Development Provisions

a) Communal open space and private open spaces are separated by landscaping, fencing or some other means that indicates the change between public and private realm.

Fences and Walls

77. Objective

- To define the edges between public and private land and to provide privacy and security.
- To ensure that fences, courtyard walls and privacy screens do not adversely impact on the streetscape and public domain areas
- To encourage surveillance of the street and other public areas.

Development Provisions

a) Solid front fences built on or near boundaries should be:

- setback 1.0m from the front boundary;
- suitably landscaped to reduce visual impact, and.
- provide a 3m x 3m splay for corner sites.

b) Front fences proposed to be more than 1.2m high should:

- be a maximum of 1.8m in height, above existing front property boundary level; and either:
  - include landscaped recesses having minimum dimensions of 1.8m long x 900mm deep which occupy no less than 50% of the total length of the fence, or
  - be erected up to the front boundary for maximum lengths of 6.0m or 50% of the street frontage, whichever is less; and
  - have openings which make it not less than 25% transparent;
  - provide a 3m x 3m splay for corner sites, and
  - provide a 900mm x 900mm splay for vehicle driveway entrances.

78. Objective

- To define the boundaries between areas within the development having different functions or owners.

Development Provisions

a) Fences constructed of chain wire, solid timber or masonry and solid steel are not permitted along the primary road frontage even if it is consistent with the existing streetscape.

b) For tennis courts or other similar areas, chain wire fences should be black or dark green plastic coated mesh.

c) Solid fences enclosing these facilities should not be permitted over 1.8m.

Note:
Applicants should consult with adjoining property owners prior to submitting the development application to ensure that the proposed materials for boundary fencing is acceptable to both parties and compatible with existing fencing. Fences constructed in flood prone areas should also comply with Council's Flood Policy.

Amenity

Developments should be designed so that the privacy of each individual dwelling and adjacent existing dwelling is reasonably protected, with particular regard to private open spaces and the windows of habitable rooms.

Measures utilised to ensure that these guidelines are satisfied may include:

- Proper consideration of privacy outcomes at the site planning stage;
- Screening;
- Offset windows;
- Separation by distance

Landscaping cannot be considered as a privacy solution because of the lead time in establishing vegetation and the difficulty in maintaining its effectiveness once established.

Site layout should separate active recreational areas, parking areas, vehicle access ways and service equipment areas from bedroom areas of dwellings and have regard to the location of habitable rooms of adjacent developments.

Acoustic Privacy

79. Objective

- To protect the acoustic privacy of onsite and nearby residents.

Development Provisions

a) Buildings are designed so that:

- busy noisy areas within the apartment face the street; and
- quiet areas face the rear or side of the lot
- bedrooms have line of sight separation of minimum 3m from parking areas, streets and shared driveways.

b) Openings of adjacent dwellings should be separated by a distance of at least 6m.

80. Objective

- To protect the acoustic privacy within the apartments and in private open space.

Development Provisions

a) Uses are to be coupled internally and between apartments i.e. noisy internal and noisy external spaces should be placed together. Refer to Figure 11 below.

Figure 11: Noisy spaces coupled

Visual Privacy (only applicable to non-SEPP 65 buildings)

81. Objective

- To protect the visual privacy of on-site and nearby residents.

Development Provisions

a) Direct views between living area windows of adjacent dwellings should be screened where:

- ground and first floor windows are within a 9m radius from any part of the window of the adjacent dwelling;
- other floor windows are within a 12m radius;
- direct views from living rooms of dwellings into the principal area of private open space of other dwellings should be screened or obscured where they are within a 12m radius.

b) Direct views described above may be reduced or obscured by one of the following measures (details to be submitted with the development application):

- 1.8m high fence or wall between ground-floor level windows or between a dwelling and open space;
- Screening that has 25% openings (max), is permanently fixed and is made of durable materials.

***Note**: Living area includes lounge room, dining room or kitchen but does not include a bedroom, bathroom or utility room.*

c) A window in a dwelling(s) should have a privacy screen if:

- It is a window in a habitable room, other than a bedroom, that has a floor level of more than 1m above ground level (existing), and
- The wall in which the window is located has a setback of less than 3 metres from a side or rear boundary, and
- The window has a sill height of less than 1.5m.

d) A balcony, deck, patio, pergola, terrace or veranda should have a privacy screen if it:

- Has a setback of less than 3m from a side or rear boundary, and
- Has a floor area more than 3m2, and
- Has a floor level more than 1 metre above ground level (existing).

Accessibility

82. Objective

- To ensure residents are able to reach and enter their apartment and use communal areas via minimum grade ramps, paths, access ways or lifts.

Development Provisions

a) Developments should be designed in accordance with Australian Standard AS1428.

83. Objective

- To maximise the number of accessible, visitable and adaptable apartments in a building.

Development Provisions

a) Barrier free access to at least 20% of dwellings in the development is provided.

Social Dimensions and Housing Affordability

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices by providing a mix of housing types to cater for different budgets and housing needs.

84. Objective

- To respond to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.
- To maximise development densities in areas identified for medium and high density residential.

Development Provisions

a) Developments should be located close to areas of open space, recreation and entertainment facilities and employment areas.

b) Where the Local Environmental Plan permits a floor space ratio greater than 1:1 a ratio of not less than 1:1 should be achieved.

85. Objective

- To optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

Development Provisions

a) A variety of apartment types including studio, 1, 2, 3 and 3+ bedroom apartments are provided within the development.

b) Studios and 1-bedroom apartments are not to exceed 20% of the total number of apartments within the development.

c) A mix of 1 and 3 bedroom apartments are provided on the ground level to cater for improved accessibility for disabled, elderly people or families with children.

86. Objective

- To address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.

Development Provisions

a) Developments should consider the principles of the Council's Affordable Housing Strategy in any application for a residential flat building.

Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

Roof Form

87. Objective

- To encourage visually interesting and harmonious roof scapes and skylines

Development Provisions

a) Lift over-runs and service plants should be integrated within roof structures.

b) Outdoor recreation areas on flat roofs should be landscaped and incorporate shade structures and wind screens to encourage use.

c) Outdoor roof areas should be oriented to the street.

d) Roof design should generate an interesting skyline and be visually interesting when viewed from adjoining developments.

Facade Composition and Articulation

88. Objective

- To encourage well articulated and harmonious facades that defines the public domain.

Development Provisions

a) Facade composition should:

- be designed with a balance of horizontal and vertical elements;
- respond to environmental and energy needs, such as sun shading, light shelves and bay windows;
- incorporate wind mitigation;
- reflect the uses within the buildings.
- include a combination of the following design elements:
  - defined base, middle and top levels;
  - a mixture of window types;
  - variation in floor height (particularly at lower levels);
  - balustrade detail that reflects the type and location of the balcony;
  - setting back the top levels of the building;
  - street level features that reinforce the human scale; and
  - balconies, awnings and recesses that create shadowing.

Entries and Corridors (only applicable to non-SEPP 65 buildings)

89. Objective

- To encourage identifiable, safe and functional accesses / entrances to development.

Development Provisions

a) Entrances should be clearly identifiable from street level.

b) Entries should provide a clear line of transition between the public street, the shared private circulation spaces and the residential apartments.

c) Entries should provide clear line of sight between one circulation space and the next.

d) Entries should avoid ambiguous and publically accessible small spaces in entry areas.

e) Entries should be sheltered and well lit.

f) Entries and circulation spaces should be sized appropriately to encourage adequate area for the movement of furniture.

g) Lobby widths should be a minimum of 1.8m wide and 3.0m high.

h) Lobby lengths should be minimised and avoid tight corners.

i) Longer lobbies should be articulated by:

- changing the direction or width of a corridor;
- using a series of foyer areas;
- providing windows along or at the end of corridor.

Balconies (only applicable to non-SEPP 65 buildings)

90. Objective

- To encourage enjoyment of indoor/outdoor living.
- To encourage useable outdoor living areas.

Development Provisions

a) A minimum of one balcony (including enclosed balcony or terrace) is to be provided per apartment.

b) The main balcony is to be directly accessible from the living area.

c) The balconies should be designed to take advantage of favourable climatic conditions.

d) Balconies and balustrades should be designed to balance views out of the building while affording adequate privacy to the residents of the apartment.

91. Objective

- To contribute to the architectural form and scale of residential buildings.

Development Provisions

a) Balconies should include sunscreens, pergolas, shutters and operable walls.

b) Balconies should be recessed to provide shadowing to the facade of the building to create visual interest and articulation.

c) Solid balustrades are discouraged but may be considered where it is demonstrated that outlook and privacy is achieved and that there is sufficient articulation or visual interest in the building facade to accommodate the solid element.

Security, Site Facilities and Services

The design and location of site facilities and services should vary with the scale, size and future tenure of the development. For example, dual occupancies should not require communal bin storage or in some cases, lighting of communal areas and footpaths. However, in larger developments, issues of garbage disposal, security, lighting etc are important in the design of the development.

Laundries and Clothes Drying Facilities

92. Objective

- To provide opportunities for secure and accessible air drying.
- To promote effectively integrated and unobtrusive site facilities.
- To reduce energy consumption.

Development Provisions

a) Secure open air clothes drying facilities that:

- are easily accessible;
- are screened from the public domain and communal open spaces; and
- have a high degree of solar access.

Mailboxes

93. Objective

- To encourage integration of mailboxes into the building design.

Development Provisions

a) Mailboxes should be integrated into building design and sighted to ensure accessibility and security.

Safety and Security

94. Objective

- To encourage safe and secure housing for residents and visitors.

Development Provisions

a) Developments should establish a hierarchy of space and clearly define the transition from public through to private space.

b) Entrances should:

- be orientated towards the public street and encourage visibility between entrances, foyers and the street.
- provide direct and well-lit access between car parks and dwellings, between car parks and lift lobbies, and to all unit entrances.
- optimise security by grouping clusters to a maximum of eight, around a common lobby.

c) Surveillance is to be facilitated by:

- views over public open spaces from living areas where possible.
- casual views of common internal areas, such as lobbies and foyers, hallways, recreation areas, and car parks.
- the provisions of windows and balconies.
- separate entries to ground level apartments

d) Concealment should be avoided by:

- preventing blind or dark alcoves which might conceal intruders particularly near lifts and stairwells, at the entrance and within indoor car parks, along corridors and walkways.
- providing appropriate levels of illumination for all common areas.
- providing graded car park illumination, with the lighting of entrances higher than the minimum acceptable standard.

e) Access to all parts of the building (including, apartments, different floors, balconies, common areas) is to be controlled.

Site Storage (only applicable to non-SEPP 65 buildings)

95. Objective

- To encourage sufficient storage space.
- To encourage dwellings with dedicated storage areas.

- To encourage safe and secure storage space.

Development Provisions

a) Accessible storage facilities provided as part of the basement or garage area should be secure and only accessible to the unit tenant.

b) One dedicated bike storage space should be provided per dwelling as part of the basement, garage area or dwelling area.

Utilities

96. Objective

- To encourage adequate provision of essential services to residential development and discourage adverse visual or acoustic impact arising from provision of essential services.

Development Provisions

a) Compatible public utility services are to be co-ordinated in common trenching in order to minimise excavations for underground services.

b) Above ground utility infrastructure such as substations, inspection cabinets are to be integrated into the design of the building or complementary to the building design in terms of colour, materials and design.

c) The site and the individual dwellings are to be numbered for easy identification by visitors and emergency personnel.

d) Common aerials and satellite dishes, with signal amplifiers are provided as appropriate.

C3: Business and Commercial Development

Application

Section C3 applies to business and commercial development proposed for land within business zones (B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core, B4 Mixed Use, B5 Business Development, B7 Business Park) in the *Port Macquarie-Hastings Local Environment Plan 2011*.

This section also applies to land subject to applications for development consent for the erection of, or additions to business and commercial development types as defined by the *Port Macquarie-Hastings Local Environment Plan 2011.*

Purpose

The purpose of this section is to specify development guidelines for commercial land uses. This includes:

- Commercial premises (which encompasses business premises, office premises and retail premises and their 'child' terms) and
- Other business or commercial uses (excluding industrial-type uses).

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Strategic Context

The provision of a hierarchy of business and commercial centres throughout the region is essential to ensure that most of the residents have access to some retail and commercial uses, to take pressure off the CBD for lower order needs and to reduce the number of private vehicle trips.

At the small scale, **B1 Neighbourhood Centre** zones provide a range of small-scale retail, business and community services that serve the needs of people who live or work in the surrounding neighbourhood. Examples of these in the region are: Waniora Parkway, Watonga Street, Clifton and local shopping centres at Bonny Hills, North Haven and Kew. These centres should be located and designed to encourage walking and cycling rather than using the private vehicle.

B2 Local Centre zones, such as the Wauchope and Laurieton Town Centres, provide a wider range of services to a greater number of people within a wider catchment.

The **B3 Commercial Core** zone is applied exclusively to the Port Macquarie Town Centre and the Settlement City Precinct. The role of the commercial core is to provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and regional community in a centralised (and established) location.

The function of business and commercial zones is largely to service the retail and commercial needs of the area's residents; however, they also provide a range of other functions that are imperative to economic, social and environmental health of the Port Macquarie-Hastings. Commercial and business zones create an environment that provides opportunities for social

interaction and engagement, for recreation and for entertainment. This occurs formally in designated venues such as hotels, cafes and restaurants and informally and spontaneously on the street, in public places and in shopping centres.

In terms of urban form, business and commercial centres contribute most to an area's identity and importantly to a visitors' perception of the town. This is particularly relevant to the Port Macquarie-Hastings as tourism is such a significant contributor to the local economy.

The Port Macquarie Town Centre has a very specific function. It services the highest order retail and commercial needs of the LGA's 81,000 residents as well as being the area's premier tourist precinct. The need to access services and employment places specific demands on CBD infrastructure such as roads, parking and access. Providing this infrastructure, particularly additional parking, whilst maintaining a highly aesthetic and attractive urban realm is an ongoing challenge.

B4 Mixed Use zone provides a mixture of compatible land uses within a single building or area. Mixed use buildings typically contain commercial or retail on the ground and first floors and residential land uses above. This type of development helps to activate commercial areas after hours leading to greater surveillance and safety and reduces reliance of private vehicle trips.

Two other business and commercial zones exist in the region – **B5 Business Development** and **B7 Business Park**. Each of these zones supports specific commercial uses and development and should be consistent with the objectives of those zones.

Development Guide

Setbacks

97. Objectives

- To provide an appropriate sense of enclosure and scale to all streets and reinforce their particular character.

Development Provisions

a) A zero metre setback to ground floor is preferred for B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Centre and B4 Mixed Use zone developments.

b) Any front setback for other commercial zones to be considered on merit, having regard to existing streetscape.

98. Objective

- To ensure that the development provides adequate pedestrian areas and integrates into the adjoining sites.
- To ensure that structures and queues do not undermine pedestrian movement.

Development Provisions

a) Where a zero setback cannot be achieved, such as where parking can only be provided between the building and the street, a minimum 3 metre pedestrian setback is provided between the edge of the car park and the building.

b) The 3 metre pedestrian setback:

- is open and accessible for pedestrians for its entire length and width;
- is clear of columns (other than awning posts where provided) and other obstructions;

- has a pavement matching the gradient of the adjoining footpath and connects pedestrian areas on neighbouring sites; and
- connects without any lip or step to adjoining footpaths or abutting pedestrian areas on neighbouring sites.

c) Where steps, escalators, ramps or lifts are set back, a further 1.2m should be provided to maximise pedestrian flow and safety and allow for adequate waiting space.

d) Any automatic teller machine does not protrude onto the footpath.

Roof Form

99. Objective

- To provide visually interesting and harmonious roofscapes and skylines.

Development Provisions

a) Variations in roof form including the use of skillions, gables and hips are to be provided in the development.

b) Variations in roof materials should be used.

c) Parapets and flat roofs should be avoided.

d) In an established street, roof form and materials should be consistent or complementary to those developments in that street.

e) Lift over-runs and service plant should be concealed within roof structures.

f) All roof plant should be represented on plans and elevations.

g) Outdoor recreation areas on flat roofs should be landscaped and incorporate shade structures and wind screens to encourage use.

h) Roof design should generate an interesting skyline and be visually interesting when viewed from adjoining developments.

Building Facades, Materials and Finishes

100. Objective

- To encourage and reinforce character and continuity of streetscapes.

Development Provisions

a) Colours, construction materials and finishes should respond in a positive manner to the existing built form, character and architectural qualities of the street.

101. Objective

- To avoid bulky and unattractive buildings by encouraging high quality architectural building facades.

Development Provisions

a) Shopfront widths are to be between 15m and 20m.

b) Widths up to a maximum of 30metres may be considered where the building achieves superior built design and streetscape outcomes.

c) The maximum length of any similar facade treatment is 22m.

d) Side and rear facades are to be treated with equivalent materials and finishes to the front facade.

e) Building facades should be designed to reflect the orientation of the site incorporating environmental control devices, e.g. sun shades, ventilation vents, overhangs, building recesses, eaves, as an integrated design feature of the building.

f) An articulation zone of between 1.8m - 4.0m is provided for the front facade of all floors containing residential and tourist uses.

102. Objective

- To promote a positive sense of space, safety and openness in the public domain.

Development Provisions

a) Any security grilles should be provided inside the building, behind glazing and designed to ensure transparency to the interior.

103. Objective

- To create a coherent streetscape,

Development Provisions

a) Infill development or alterations should respect the form, scale and massing of existing traditional buildings.

b) Where traditional frontages and facades set the architectural theme for parts of a Centre, infill buildings or alterations respect and reflect the architectural qualities and traditional materials of those buildings, but do not necessarily imitate historical architectural styles.

Active Frontages

104. Objective

- To encourage an active street experience for pedestrians by promoting streets which are evenly edged with high quality and easily accessible buildings and businesses.

Development Provisions

a) Ground floor levels should not be used for residential purposes in zones B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial core and B4 Mixed use.

105. Objective

- To encourage and enable direct contact (visual and physical) between the street and the interior of a building.

Development Provisions

a) Active frontages should consist of one or more of the following:

- A shop front.
- Commercial and residential lobbies.
- Café or restaurant if accompanied by an entry from the street.
- Public building if accompanied by an entry from the street.

b) A minimum of 50% of the ground floor level front facade should be clear glazed.

c) Active ground floor uses are to be accessible and at the same level as the footpath.

d) Restaurants, cafés and the like should provide openable shop fronts to the footpath but should not encroach into footpath.

e) Colonnade structures should not be used unless it is demonstrated that the design would not restrict visibility into the shop or commercial premise or limit natural daylight along footpaths and do not create opportunities for concealment.

Arcades

106. Objective

- To provide connections to enhance the pedestrian network and to link between shopping areas, public spaces and car parking.
- To encourage the use of parking at the rear of the development by providing good permeability to the front of the site.
- To encourage activity within arcades.

Development Provisions

a) Arcades are to:

- House active uses (e.g. shop, commercial, public building and residential lobbies, cafés or restaurants.
- Be obvious and direct through-ways for pedestrians.
- Have a minimum width of 3m clear of all obstructions.
- Provide public access from at least 7am-9pm daily.
- Where practical, have access to natural light for part of their length and at openings at each end.
- Where air-conditioned, have clear glazed entry doors at least 50% of the entrance.
- Have signage at the entry indicating public accessibility and to where the arcade leads.
- Have clear sight lines and no opportunities for concealment.

b) Where arcades or internalised shopping malls are proposed, those shops at the entrance should have direct pedestrian access to the street.

c) Non slip pavements are provided throughout arcades.

Awnings

107. Objective

- To provide pedestrian amenity by the provision of weather protection.

Development Provisions

a) Continuous shelter from the weather is to be provided for the full extent of the active street frontage.

108. Objective

- To provide a consistent building element within the streetscape.

Development Provisions

a) Awnings should be horizontal or near horizontal (maximum pitch of 10%).

b) Awnings should be consistent with the existing streetscape or be between 3.2m and 4.2m from the finished front property boundary level at the building edge to the underside of the awning.

c) A minimum awning width of 2.5m is required unless this cannot be achieved because of narrow pavements and street tree planting, traffic signals, traffic signage or utility poles.

d) New awnings should be set back at least 1.0m from the kerb line.

e) Awnings along sloping streets should step down in horizontal steps (a maximum of 700mm per step) to follow the slope of the street.

f) All contiguous awnings should be of consistent height and depth and of complementary design and materials.

g) Awnings and/or canopies should be provided elsewhere to define public entrances to buildings, including residential flat buildings.

h) Awning should wrap around street corners and contribute to the articulation and focal design of corner buildings.

i) Materials should encourage high quality design and amenity in the public domain.

j) New awning fascias should be coordinated with adjacent awning fascias where they exist. In all other instances fascias are to be solid, flat and between 300mm and 700mm in height.

109. Objective

- To promote safety and encourage the use of streets by pedestrians at all times of day and night.

Development Provisions

a) Skylights may be provided in the awning for a maximum depth of 1/3 of the total awning depth.

b) Under awning lighting should comply with AS/NZS1158 - Lighting for roads and public spaces.

110. Objective

- To encourage the use of outdoor spaces for active uses in association with ground level uses.

Development Provisions

a) Awnings are designed and constructed to encourage pavement dining in areas identified for pavement dining, along the foreshore and in piazzas.

Landscaping

111. Objective

- Planting should be utilised to provide shade, soften the built form of the proposal and enhance its appearance from public viewpoints.

Development Provisions

a) A landscape plan should be submitted with the development application and include:

- Existing vegetation; and
- Existing vegetation proposed to be removed; and

- Proposed general planting and landscape treatment; and
- Design details of hard landscaping elements and major earth cuts, fills and any mounding; and
- Street trees; and
- Existing and proposed street furniture including proposed signage.

b) Vegetation is provided on top of podium levels, on tops of car parks, and on balconies and verandahs fronting the street below podium level.

112. Objective

- To contribute to the creation of functional corridors between different vegetation communities through the urban realm.

Development Provisions

a) All street plantings are to be selected from Council's Indigenous Street and Open Space Planting List from the relevant vegetation community adjacent to the Development.

113. Objective

- To improve the amenity of places through the retention and or/planting of large and medium size trees.

Development Provisions

a) Large trees and spreading ground covers are provided in all landscape areas within the site.

b) Large screening shrubs of an appropriate density and size to complement the scale and bulk of the subject building are provided in areas where screening is a priority.

c) Where car parking cannot be provided under or behind the building and Council has agreed to permit some or all of the parking in the front setback, a landscaped strip with a minimum width of 3.0m is provided along the entire frontage/s of the site.

114. Objective

- To assist with management of the water table and water quality.

Development Provisions

a) At grade car parking incorporate water sensitive urban design principles to drain pavement areas.

115. Objective

- To ensure that fencing does not detract from the streetscape.
- To avoid privatisation of public places.

Development Provisions

a) Fencing for security or privacy should not be erected between the building line and the front boundary of a site.

116. Objective

- To ensure that rear and side fencing does not detract from the streetscape or from internal areas.

Development Provisions

a) Where fences are erected, landscaping of an appropriate height and scale should be provided to screen the fence and achieve an attractive appearance to the development when viewed from the street or other public place.

117. Objective

- To ensure that street furniture is coordinated with existing street furniture.
- To ensure that street furniture does not create clutter and obstacles in the public realm.

Development Provisions

a) Street furniture, including seats, bollards, grates, grills, screens and fences, bicycle racks, flag poles, banners, litter bins, telephone booths and drinking fountains are coordinated with other elements of the streetscape.

118. Objective

- To encourage a positive response to public areas to the needs of people with sensory disabilities.

Development Provisions

a) Any ramps are to be integrated into the overall building and landscape design.

Gateways and Landmark Sites

119. Objective

- To ensure key 'landmark' sites are developed to ensure distinctive and unique design of buildings that will form 'gateways' to town centres and business or commercial precincts.

Development Provisions

a) The design of buildings on corner sites or at the ends of business or commercial zones, should emphasise the importance of the corner as a focal point.

b) Corner sites or at the ends of business or commercial zones should be constructed to boundary or with a minimal setback with no car parking or servicing between the site boundary and the building.

c) Design devices such as:

- increased wall heights,
- splayed corner details,
- expression of junction of building planes,
- contrasting building materials; and
- other architectural features;
- should be used to reinforce the way finding attributes and significance of focal points.

d) Shopfronts should wrap around corners and entrances located centrally to the corner.

e) The tallest portion of the building should be on the corner.

Vehicular Access Location and Design

120. Objective

- To ensure that business and commercial development is pedestrian orientated whilst providing for appropriate vehicular access.

Development Provisions

a) No direct vehicular access to at grade or basement car parking from the active street frontage should be permitted in B1 Neighbourhood Centre, B2 Local Centre, B3 Commercial Core and B4 Mixed Use zones.

b) The number of vehicular crossovers should be kept to a minimum and appropriate sight lines provided to encourage safe integration of pedestrian and vehicular movement.

c) Any car park ramps are located largely within the building footprint.

d) Underground car parks should be designed to enable all vehicles to access and egress in a forward direction.

e) Vehicular entrances to underground car parks are to be:

- Located on minor streets;
- Have a maximum crossover of 6.0m;
- Should be signed and lit appropriately;
- Should be designed so that exiting vehicles have clear sight of pedestrians and cyclists.

f) At-grade / surface car parking areas adjacent to streets should be generally avoided or at least adequately softened by appropriate landscaping.

g) All stairs and elevators in the parking structure are clearly visible.

121. Objective

- To ensure that car parking does not deactivate public space, including streets, laneways and share ways.

Development Provisions

a) The street level frontage of car parking structures (including multi-level car parks) where adjoining public places, including streets, share ways and laneways, should present an active frontage along the entire frontage less any car park entry.

122. Objective

- To integrate underground car parking into the building design and streetscape.

Development Provisions

a) Internal finishes of underground car parks should be consistent with the external materials where they are visible from the public realm.

b) Underground car parks should generally be designed for natural ventilation. Ventilation ducts/grilles should integrate with the streetscape, be unobtrusive and/or appropriately screened.

c) Garage doors to underground parking should be designed to complement the materials used elsewhere on the development.

Pedestrian Entries and Access

123. Objective

- To separate and clearly distinguish between pedestrian and vehicle access ways.
- To minimise potential conflict between pedestrians and vehicles.

Development Provisions

a) Pedestrian and vehicle movement areas are separated to minimise conflict.

b) Changes in pavement material, levels, lining or tactile treatments are used to distinguish changes between vehicle and pedestrian access ways.

124. Objective

- The design of buildings and spaces should promote legibility to help users find their way.

Development Provisions

a) Pedestrian and vehicle movement areas are separated to minimise conflict.

b) Changes in pavement material, levels, lining or tactile treatments are used to distinguish changes between vehicle and pedestrian access ways.

c) Parking areas are adequately illuminated (naturally and/or artificially) during the time period the centre is open.

d) Signage is provided at the entries to the development detailing the services available within the centre and where they are located.

e) Signage to key public spaces accessible from the centre such as car parks, food courts should be provided within the centre.

f) Signage to key facilities such as rest rooms, Centre Management, baby change rooms should be provided within the centre.

g) Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.

125. Objective

- To encourage walking and cycling.

Development Provisions

a) Secure and convenient parking/storing for bicycles is provided close to the entrance of the development and with good surveillance.

Outdoor Dining

126. Objective

- To encourage appropriate outdoor dining associated with food and drink premises on public footpath areas.
- To promote vitality and interest in the streetscape.
- To promote security by activating streets.

- To allow the unobstructed movement of people and goods along all public footpaths.
- To minimise conflict between vehicles and diners.

Development Provisions

a) A minimum footpath clearance width of:

- 1.8m for high volume pedestrian areas; or
- 1.5m in all other circumstances;

  is to be maintained between the immediate front of the building (shoreline) and the proposed outdoor dining area.

b) A risk assessment should accompany any application for footpath dining that considers the risk of conflict between vehicles and diners. The assessment should recommend adequate measures to minimise any risk identified.

c) The suitability of the footpath for outdoor dining is at Council's discretion.

Note:
Footpath clearance measurements are taken from the edge of the building (shoreline) or property boundary to the back of the chair (at a distance out from the table to equate with someone seated in the chair). An outdoor dining area includes all items such as umbrellas, tables and chairs, planter boxes associated with the use.

Commercial Development Adjoining Residential Land Uses

127. Objective

- To promote compatibility between business and commercial development and preserve the amenity of adjoining residential areas.
- To ensure that the interface between business and commercial development and adjoining residential areas is of a high quality and achieves adequate visual and acoustic privacy.

Development Provisions

a) The development is designed so that all vehicle movement areas and servicing areas are located away from adjoining residential areas.

b) Where this cannot be achieved visual and acoustic treatment of the interface is required.

c) The building elevation adjoining the residential area should be:

- Articulated, with changes in setback at intervals no greater than 10m
- Use a variety of materials and treatments
- Be setback a minimum of half the height of the wall or a minimum of 3.0metres whichever is greater.

d) Waste areas are located and managed to minimise pests, noise and odour.

Mixed Use Development

Mixed use development means a building or place comprising 2 or more different land uses. Mixed use buildings typically contain commercial or retail on the ground and first floors and residential land uses above. This type of development helps to activate the commercial areas after hours leading to greater surveillance and safety and reduces reliance of private vehicle trips.

An assessment against Section C2 and C3 for any residential component of any mixed use development is required.

128. Objective

- To define the term 'place' in the Local Environmental Plan for the purposes of mixed use development in the Port Macquarie-Hastings.

Development Provisions

a) For the purpose of mixed use development, 'place' is defined as being on the same lot or within those lots that are the subject of a single development application for 'mixed use development'.

129. Objective

- To encourage the integration of appropriate retail and commercial uses with residential development.

Development Provisions

a) Mixed use developments are located in areas close to key business, commercial and employment centres with good public transport accessibility.

130. Objective

- To ensure that the design of mixed use developments maintains a reasonable level of residential amenity and preserves compatibility between uses.

Development Provisions

a) The development should be designed so that loading bays, garbage collection areas and noise and odour generating aspects of buildings are located away from residential areas.

b) Vehicular circulation systems are legible and differentiate between commercial service requirements, such as loading docks, and residential access.

c) Residential entries are located directly from the public street and clearly demarcated from entries to commercial premises.

d) Security entries are to be provided to all entrances into private areas, including car parks and internal courtyards.

e) Where possible acoustic separation between loud commercial uses (such as cafés and restaurants) and residential uses is achieved by utilising an intermediate quiet-use barrier, such as offices.

f) Plant is located on the roof or visually and acoustically isolated from the residential uses.

131. Objective

- To encourage flexible building design to accommodate a range of uses and to allow for changes to uses over time.

Development Provisions

a) Buildings are to have a simple and efficient structural grid.

b) The number of internal apartment structural walls are minimised.

c) Ceiling heights for the ground and first floors should be 3.6m.

Public Art - Additional Requirements for Land Zoned for Business and Tourism

132. Objective

- To make a positive contribution to the built environment of the Port Macquarie-Hastings region and promote the inclusion and integration of public art work in development that is responsive to and reflects the local culture and character of the Port Macquarie-Hastings region; including the area's indigenous cultural history and traditions; European heritage and contemporary culture, as well as the area's unique natural environment.

Development Provisions

a) Development proposed on land zoned Business or Tourist on sites over 5,000sqm, or where the total project capital costs exceed $5M, is to provide a Public Art Strategy for consideration as part of a Development Application.

b) The Strategy is to make provision for quality artwork(s) within the development in publicly accessible location(s) and take into account the links and connections between the development and the area's natural and cultural heritage.

c) The public art is to be 1% of the total cost of the development to provide works of art for appreciation from the public domain.

Hotel Developments

Hotel developments can substantially contribute to the tourism potential of the Port Macquarie-Hastings, by attracting increased numbers of visitors by the provision of conference or reception facilities.

These uses require large floor areas, and are typically located on the lower levels of a hotel development. Due to the nature of this type of accommodation, open space requirements may also be lower.

Council may consider relaxing open space requirements (and other Development Provisions) for a hotel development where a high quality, well designed development is proposed that incorporates retail and conference facilities.

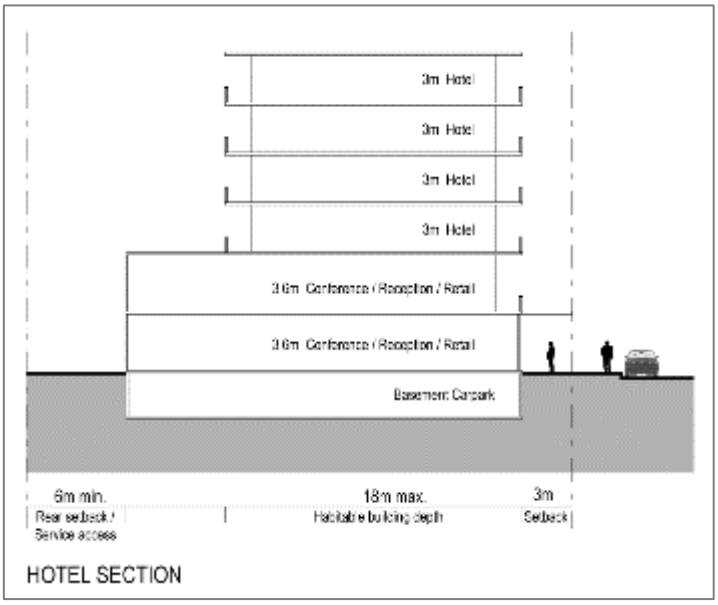


Figure 12: Hotel section

C4: INDUSTRIAL DEVELOPMENT

Application

Section C4 applies to:

- All development in land zoned IN1 General Industrial, IN2 Light Industrial, IN3 Heavy Industrial, IN4 Working Waterfront and W3 Working Waterways, and
- Industries, Heavy industrial storage establishments and Storage premises, Boat building and repair facilities, Vehicle body repair workshops and Vehicle repair stations in any zone.

It does not apply to Rural Industries.

Purpose

The purpose of this section is to enhance the amenity of the areas industrial precincts and discourage inappropriate use of industrial land for uses not associated with industrial development, such as retail, business, office and recreation facilities can undermine the integrity of the region's industrial zones.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Strategic Context

Industrial lands are important employment generators with approximately 15% of the working population of the Port Macquarie-Hastings employed in industrial and supporting industries.

Industrial lands have specific requirements such as access and often include noisy or offensive activities that require buffering from sensitive land uses.

Industrial areas support large workforces however they are sometimes poorly serviced by supporting infrastructure and services. This results in significant lunchtime traffic into and out of the industrial area and a high reliance on personal transport. Therefore, it is important that each industrial area has a range of centrally located, supporting services such as food outlets, medical facilities and banks to service the needs of the workers in that area.

The amenity of industrial areas including the design of buildings and streetscape works is often considered secondary to function. However, industrial areas are an important part of the urban fabric, they are the sites of public transactions and employ 15% of the Port Macquarie-Hastings' workforce. Therefore, it is important that the amenity and aesthetics are considered in addition to the functioning of the site.

Industrial development often has specific challenges such as stormwater from large areas of impervious surfaces and roofing, pollutants from onsite activities, noise, waste, access and servicing. Industrial development also has many opportunities to reduce energy consumption through careful site and building design. Stormwater capture and reuse and the use of water sensitive urban design principles also present significant opportunities for industrial development aiming for sustainability.

Development Guide

Setbacks

133. Objectives

- To promote an aesthetic streetscape that reflects the functions and characteristics of the street and the land use.
- To ensure buildings and parking do not dominate the streetscape.
- To ensure adequate area is available at the front of buildings to accommodate satisfactory landscaping, access, parking and manoeuvring of vehicles.
- To reduce the visual impact of development on the streetscape.

Development Provisions

a) Minimum setbacks are provided as follows:

- 10m from a classified road;
- 7.6m from any other road boundary;
- 3m from any secondary road frontage.

Building Design

134. Objective

- Industrial development is attractive and functional.

Development Provisions

a) Elevations of building which are visible from a public road, reserve or adjacent or adjoining residential areas are to be constructed using:

- brick, masonry, pre-coloured metal cladding, or
- appropriately finished 'tilt-slab' concrete; or
- a combination of a number of these materials.

b) Large unrelieved expanses of wall or building mass are not favoured, and as such should be broken up by the use of suitable building articulation, fenestration or alternative architectural enhancements.

Open Storage Work Areas

135. Objective

- To minimise the impact of open storage and work areas in the locality.

Development Provisions

a) Where storage of materials is proposed to be undertaken outside the confines of a building, full details of the areas to be used and the materials/volumes to be stored should be provided with the application.

b) Where a work area is proposed to be undertaken outside the confines of a building, full details of the areas to be used and activities to be undertaken should be provided with the application.

c) Open work and storage areas are to be located at the rear of industrial developments and should be screened from public view by the use of landscaping and/or screen fencing.

Such fencing is to be constructed of masonry materials or pre-coloured metal cladding, having a minimum height of 2m.

Landscaping and Fencing

136. Objective

- To improve the visual quality and amenity of Port Macquarie-Hastings' industrial areas through low maintenance landscape treatment of development sites.
- To provide a natural buffer between development on industrial and adjoining or adjacent non-industrial land uses.
- To encourage planting in scale with the height and bulk of the building.
- To contribute to the creation of functional corridors between different vegetation communities through the urban realm.

Development Provisions

a) A detailed landscaping plan should be submitted with the development application and include:

- All existing trees and those proposed to be removed clearly highlighted;
- Proposed general planting and landscape treatment (including species); and
- Design details of hard landscaping elements and major earth cuts, fills and any mounding; and
- Street trees in accordance with Council's Indigenous Street and Open Space Planting List.

b) A landscaped strip at least 3m wide covering a minimum of two thirds of each street frontage.

c) Front fences shall be black chain wire or Diplomat® to a maximum of 3m (consistent with the exemption under SEPP Exempt and Complying Development Codes).

Industrial Land Adjoining Sensitive Land Uses

137. Objective

- To minimise the impact of industrial development on adjoining/adjacent residential areas.

Development Provisions

a) Industrial development should comply with the provisions of the NSW Industrial Noise Policy, Environment Protection Authority 2000.

b) Windows, doors and other wall openings should be arranged to minimise noise impacts on residences where an industrial development is located within 400m of a residential zone.

c) External plant such as generators, air conditioning plant and the like, should be enclosed to minimise noise nuisance and located away from residences.

d) External and security lighting should be directed and shielded to avoid light spillage to adjoining residential areas.

e) Driveways should be arranged or screened to avoid headlight glare on residential windows.

Retailing and Offices in Industrial Areas

138. Objective

- Promote the efficient and economic use of industrial resources by ensuring that development proposed is appropriate in industrial areas and does not undermine the commercial areas of the Port Macquarie-Hastings Local Government Area.

Development Provisions

a) Office space ancillary to the industrial use is permissible with consent, subject to satisfaction of the following matters:

  - That the office component of a proposed development is ancillary to the functions carried out in the factory, warehouse or other industrial use.
  - That the office area is not leased to a separate company or entity.
  - That parking facilities are adequate to cater for the size of the office development.

Note:
Industries include:

- *Heavy industries, hazardous industry, offensive industry, light industries, high technology industries, home industry, general industries*
- *Heavy industrial storage establishments include:*
  - *Hazardous storage establishments, liquid fuel depots, offensive storage establishments*
- *Storage premises include:*
  - *Self-storage units.*

C5: SUBDIVISION

Application

Section C5 applies to any application to subdivide land unless exempt under the Codes SEPP.

Table 6 should be used as a guide in determining which section should be addressed in an application.

Table 6: Considerations for Applications

	Strata title	Major Residential (>20 lots)	Minor Residential (<20 lots)	Commercial	Industrial	Rural
Pre Lodgement Consultation	✓	✓	✓	✓	✓	✓
Community Consultation		✓	✓	✓	✓	✓
Social Impact Assessment		✓				
Hazard Management	✓	✓	✓	✓	✓	✓
Strategic Context		✓	✓	✓	✓	✓
Site Analysis		✓	✓	✓	✓	✓
Integrated Water Cycle Management	✓	✓	✓	✓	✓	✓
Stormwater Management	✓	✓	✓	✓	✓	✓
Water Supply	✓	✓	✓	✓	✓	
Sewerage	✓	✓	✓	✓	✓	
Soil Management		✓	✓			✓
Road Design and Construction		✓	✓		✓	✓
Pedestrians (P) and Cycleways (C)		P/C	P/C	P	P	P/C
Public Open Space						
Urban Structure and Lot Layout	✓	✓	✓	✓	✓	✓
Service Infrastructure and IT	✓	✓	✓	✓	✓	✓
Waste Management	✓			✓	✓	
Additional Land Uses				✓	✓	✓
Strata/Community Title Subdivision	✓					
Streetscaping		✓	✓	✓	✓	✓
Community Safety		✓				

Purpose

The purpose of this section is to achieve quality design and development outcomes by encouraging safe, convenient and attractive residential neighbourhoods, and functionally compatible industrial and commercial estates that meet the diverse and changing needs of the community.

This includes:

- A choice of good quality affordable housing.
- Promoting a compact urban form.
- Access to community and commercial facilities.

- A diversity of services providing local employment opportunities.
- Access to excellent IT infrastructure and telecommunication services.
- Encouraging sustainable transport use.
- Minimising energy consumption.
- Providing access to high quality, functional recreational open space.
- Promoting a sense of place and distinctive identity.
- Ensuring adequate site drainage and control development on floodable areas.
- Promoting safety.
- Preserving the biodiversity of the region.

Relationship to other sections of the DCP

These provisions apply in addition to any other applicable provisions within other sections of this Plan. Refer to Part A5: Structure for the list of Parts.

Strategic Context

The subdivision of land is necessary to house the expected population growth in the Port Macquarie-Hastings and to support the employment needs of the population. The Mid North Coast Regional Plan has broadly identified where it may be appropriate to accommodate this growth. The major growth areas are expected to house the bulk of the projected greenfield housing demand and planning for these areas is underway.

Urban consolidation is also expected to significantly contribute to meeting housing demand in the coming years and importantly to support the commercial and retail core and tourist precincts by activating streets, reducing congestion, reducing costs for the provision of infrastructure (roads, water, sewerage).

Subdivision of commercial or industrial zoned land is more complex as the variety of possible uses is difficult to anticipate and the service requirements of those uses may be significantly different. Therefore, the assessment of an application to subdivide commercial or industrial land should be largely merit based and where it can be demonstrated that:

- The site/s can be adequately serviced by utilities and infrastructure without unreasonable cost to the rate payers of the Local Government Area; and
- Access and road layout (internal and external) is adequate for the type and volume of vehicles likely to access the area; and
- All development costs are borne by the developer of that land; and
- The subdivision is in accordance with an adopted strategy; and
- There are no adverse environmental impacts; and
- It can be demonstrated there should be no adverse impacts on the surrounding development.

The inappropriate subdivision of agricultural land undermines the sustained viability of agricultural industries in the Local Government Area. A mixture of high quality and lesser quality agricultural land is important as it encourages diversity in the regions agriculture. Lesser quality agricultural areas often act as an interface between intensive agricultural and urban areas which are important in maintaining amenity by providing a buffer for noise, odours and spray drift.

The level of detail required in a development application will be consistent with ***Schedule 1 - Part 1 Development Applications - Information to be included in development application*** *of the Environmental Planning and Assessment Regulation 2000.*

Development Guide

Site Analysis

139. Objective

- To ensure that site attributes and constraints are carefully considered during the design phase.

Development Provisions

a) A site analysis is required for all development and should illustrate:

- microclimate including the movement of the sun and prevailing winds;
- lot dimensions;
- north point;
- existing contours and levels to AHD;
- flood affected areas;
- overland flow patterns, drainage and services;
- any contaminated soils or filled areas, or areas of unstable land;
- easements and/or connections for drainage and utility services;
- identification of any existing trees and other significant vegetation;
- any existing buildings and other structures, including their setback distances;
- heritage and archaeological features;
- fences, boundaries and easements;
- existing and proposed road network, including connectivity and access for all adjoining land parcels;
- pedestrian and vehicle access;
- views to and from the site;
- overshadowing by neighbouring structures; and
- any other notable features or characteristics of the site.

Urban Structure and Lot Layout

140. Objective

- To provide a range of lot sizes to suit a variety of dwelling and household types
- To ensure the lot layout plan reflects the site's opportunities and constraints.

Development Provisions

a) Any residential allotments created by Torrens title subdivision should satisfy the following standards:

- A minimum width of 15 metres when measured at a distance of 5.5 metres from the front property boundary;
- A minimum width of 7 metres measured when side boundaries are extended to the kerb line; A minimum depth of 25 metres;
- For lots where the average slope of the development site is equal to, or exceeds 16%, indicative road and driveway grades are required demonstrating satisfactory access.

141. Objective

- To ensure subdivision design and road layout responds to the topography of the land and the site constraints.
- To prevent servicing costs (associated with access, utilities and services) from being transferred to the land owner because of poor subdivision design.
- To reduce the impacts of battleaxe allotments in infill areas on adjoining landowners, the streetscape and the final landowner.
- To ensure that development of rear lots of battleaxe allotments does not result in the impacts greater than would be expected from a single dwelling in terms of:
  - Traffic generation
  - Noise
  - Privacy
  - Utilities
  - Waste management
  - Amenity.

Development Provisions

a) Battleaxe allotments are discouraged in greenfield development.

b) Council may consider permitting Torrens Title battleaxe allotments for "infill" development where it is demonstrated that:

  - A Torrens Title lot, that is not a battleaxe lot, cannot be achieved; and
  - the number of crossovers do not reduce the amenity of the street or on street parking; and
  - the impact of noise, dust and headlights on the land owners adjoining the driveway is addressed by the construction of an acoustic fence for the full length of the driveway; and
  - addresses privacy between the rear lot and the rear open space of the front lot by the provision of adequate screening, larger lot size and setbacks; and
  - extends utilities to the end of the axe handle; and
  - There is sufficient space for garbage collection on the frontage.

142. Objective

- To ensure that subdivision layout responds to the gradient of the land and does not:
  - result in lots that require excessive cut and fill to achieve development areas;
  - create a land slip risk;
  - result in soil creep or slip;
  - result in adverse drainage conditions;
  - reduce the life of water, sewer, drainage or road infrastructure;
  - result in un-usable private open space.

Development Provisions

a) The subdivision of land with slopes exceeding 25% is generally discouraged.

143. Objective

- To provide lot orientation that maximises energy efficiency and conservation principles.
- To create a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and solar design principles

Development Provisions

a) Wherever possible orientate streets to maximise the number of east, west and south facing lots and to minimise the number of narrow north facing lots.

b) Residential street blocks should preferably be orientated north-south with dimensions generally limited to 60 - 80 metres by 120 - 150 metres as illustrated in Figure 14.

c) Lot size and shape are to reflect orientation to ensure future dwelling construction has optimal opportunity for passive solar design.

144. Objective

- To provide a legible network for infrastructure, cycle, pedestrian and motor vehicle movement.
- To provide a clear grid layout with street connectivity and through streets.

Development Provisions

a) The site analysis, including the lot orientation, layout, and natural topography should inform and aid the design of the street pattern.

b) The street plan should provide:

- Street network, including those existing (adjacent or opposite);
- Cycleways and pathway network
- Indicative gradients and cross-sections of roads, cycle ways and pathways, particularly those with steep slopes that may present access and mobility constraints. Provide notional road batters for steep areas
- General intersection traffic dampening, related landscape features and constriction points;
- Notional drainage pattern and works where affected by road works
- Car parking
- Consideration of existing and proposed street trees
- Existing and proposed fire trails
- Street and Service Plans should need to show how the proposal should integrate with the existing system.

145. Objective

- To establish a clear urban structure that maximises the sense of neighbourhood and encourages walking and cycling over private car use.

Development Provisions

a) Subdivision applications close to urban centres should achieve a high-medium population yield (>35 dwellings per hectare).

b) Subdivisions along arterial roads and serviced by public transport should achieve a high-medium population yield (>35 dwellings per hectare).

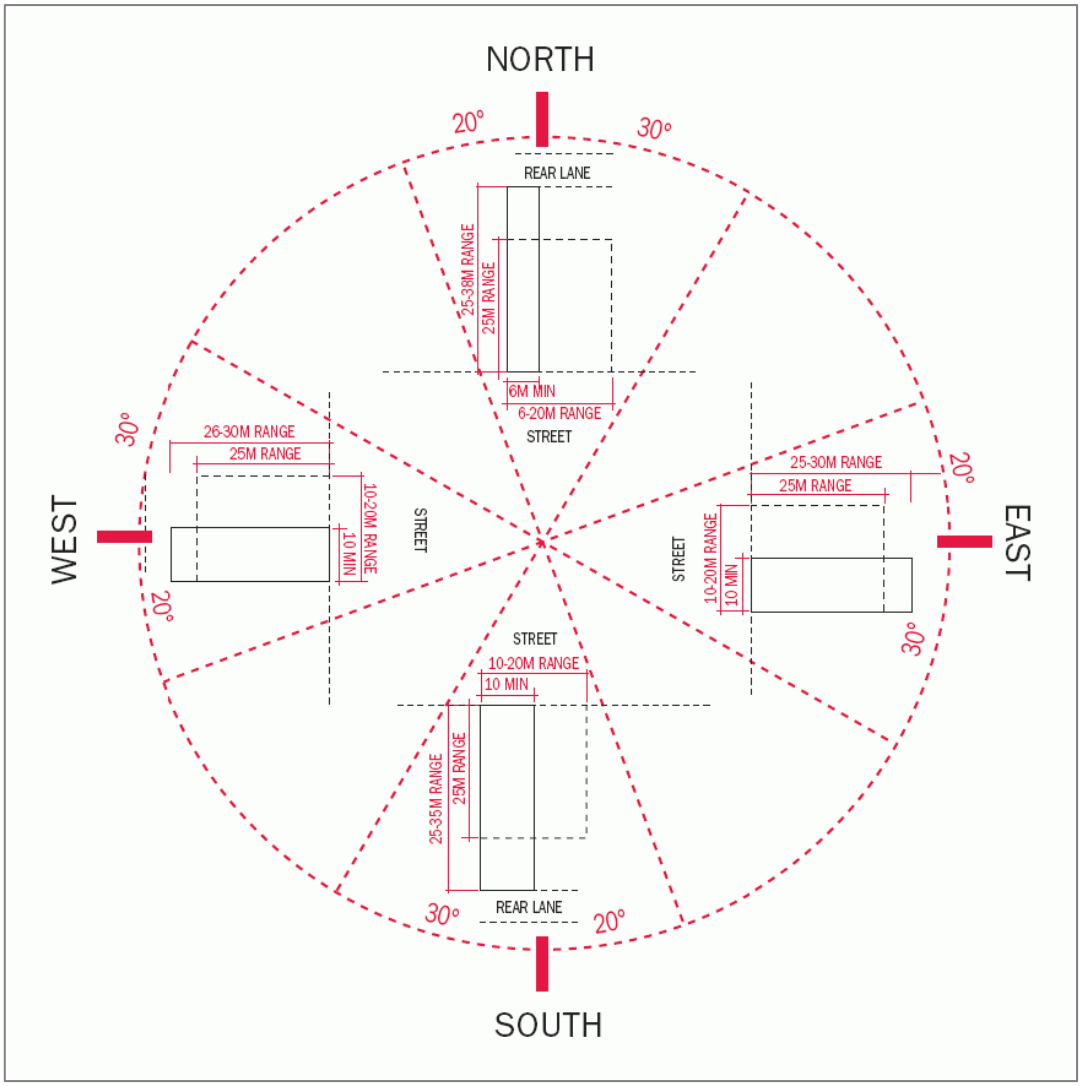
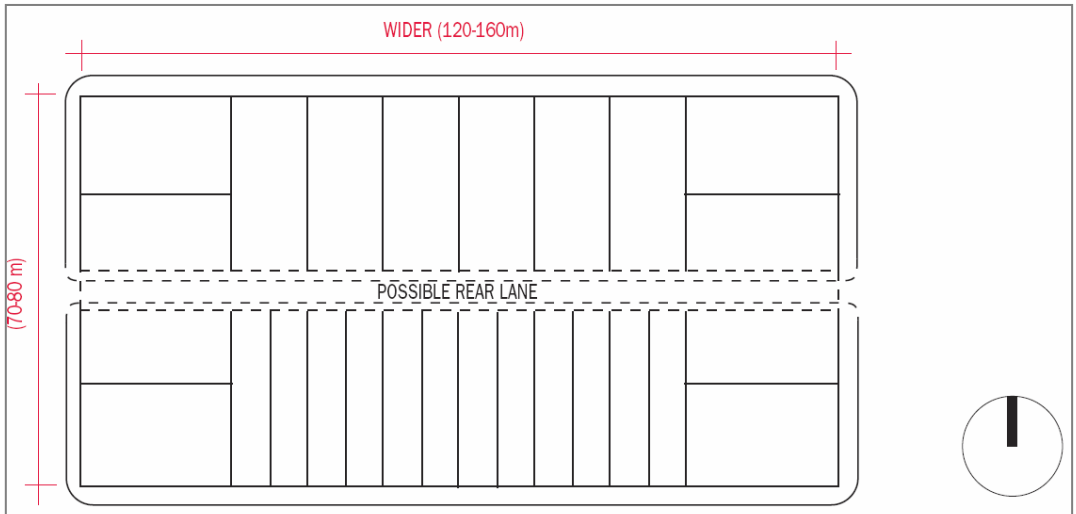


Figure 13: Indicative Block Configurations



East-west oriented blocks should be wider than a north-south oriented block. This is to enable sunlight penetration to the rear of the north-oriented lots, and for the provision of rear lanes to narrow south-oriented lots.

Figure 14: Preferred lot layout and orientation

Infrastructure - Road Design and Construction

146. Objective

- The street network is to provide convenient and safe access to all allotments for pedestrians, vehicles and cyclists.
- To provide safe, logical and hierarchical transport linkages with existing street system.
- To provide appropriate access for buses, emergency and service vehicles.
- To provide for a quality product that minimises maintenance costs.
- To provide a convenient way for public utilities. and co-ordinate the location of public utility services and drainage systems without adversely affecting road pavements.
- To provide an opportunity for street landscaping.
- To provide convenient parking for visitors.
- To have appropriate regard for the climate, geology, flora, fauna and topography of the area.

Development Provisions

a) All new roads are to be dedicated to Council designed in accordance the Council's adopted AUS-SPEC design specification documents. All applications to subdivide land should include a road layout plan that meets the Council's design requirements including providing connectivity and access for all land parcels consistent with Council's road hierarchy.

b) The design of roads identified for bus routes should comply with the AUSTROADS standards, including the design of bus bays and stops.

c) Development should provide the bus stops, including bus bays and shelters not more than 600m apart.

d) The design of roads shall be in accordance with Council's AUS-SPEC specifications.

e) At a minimum all new roads should include:

- street trees at a rate of 1 per 20m along the street frontage and in accordance with Council's *Indigenous Street and Open Space Planting List*;
- underground utilities;
- formed kerb and guttering in accordance with AUS-SPEC requirements;
- pedestrian path

f) Perimeter roads adjoining bushland should be designed in accordance with current Planning for Bushfire Standards and may be considered part of the APZ requirements for the adjoining land.

Infrastructure - Pedestrians and Cycleways

147. Objective

- To provide a clear and safe pedestrian and cycleway system that links residential areas, open spaces, schools, social and cultural facilities, town centres and neighbourhoods.

Development Provisions

a) Development for the subdivision for land or major residential development should provide footpaths on both sides of all collector and arterial roads. A shareway/cycleway may be permitted on one side of collector roads in lieu of footpath on both sides, provided it has a width of 2.5m or greater, has paved footpath connections to bus stops

on both sides, and is located along natural edges (e.g. perimeter roads, vegetative corridors, or drainage reserves).

b) Footpaths should be provided on one side of the street for access places and local streets in accordance with Council's adopted AUS-SPEC design specification documents.

c) Off street share-ways and on road cycle ways should be provided.

d) Footpaths and cycleway are to have regard for Crime Prevention Through Environmental Design (CPTED) principles.

e) The choice of direction and possible routes should be maximised, with streets and footpaths substantially capable of surveillance by residents.

148. Objective

- To provide a local cycleway network using predominately on street systems along local roads, linking to the regional network. (Local roads in this context means roads used by the cycleway network.)

Development Provisions

a) Local roads are to be designed for a maximum vehicle speed of 50kph.

b) Traffic management schemes may be appropriate to discourage speeding in long stretches of local roads or to discourage 'rat-running'.

c) On street parking should be discouraged along local roads.

d) Signage should be provided illustrating links from local roads to the regional networks.

149. Objective

- To provide a commuter cycle network.

Development Provisions

a) Cycling infrastructure should be provided in accordance with the Council's Cycling Plan.

b) Where physical infrastructure or land dedication cannot be provided or is not identified, a contribution in accordance with the Councils' contribution plan/s.

Infrastructure - Integrated Water Cycle Management

Port Macquarie Hastings Council are developing a 30-year Integrated Water Cycle Management (IWCM) strategy. The IWCM strategy uses a transparent evidence-based analysis to develop the water utilities strategy for the provision of appropriate, affordable, cost-effective and sustainable urban water services that meets the community needs and protects public health and the environment. IWCM seeks to integrate water supply, wastewater and stormwater thereby promoting the sustained health and maintenance of waterways and catchment areas.

Water Sensitive Urban Design (WSUD) is a key component of IWCM using sustainable management of water in urban areas through intelligent and integrated design. This is done by minimising impervious surfaces and mitigating changes to the natural water balance through on-site reuse of water and temporary storage.

WSUD seeks to ensure that development is designed, constructed and maintained to minimise impacts on the natural water cycle. It includes a wide range of technologies to reduce the pollution from stormwater ending up in local waterways. These can include rainwater tanks, gross

pollutant traps, on site stormwater retention and reuse, landscaped swales and infiltration systems.

150. Objective

- To reduce the lifecycle cost of public infrastructure (potable water supply, reclaimed water supply, waste water and stormwater) through efficient and effective resource use.

Development Provisions

a) An application for subdivision should include a WSUD prepared by a certified practicing engineer and in accordance with Council's adopted design specification documents.

Infrastructure - Stormwater Management

The urban environment alters the natural flow of storm water by increasing impervious surfaces, reducing groundwater infiltration, reducing evapo-transpiration by vegetation and by introducing pollutants such as sediment and nutrients to waterways. This results in increased rates and volumes of runoff and pollutant loadings which in turn create a range of management issues including, a potential for flooding, erosion, scour and sedimentation of natural watercourses and stormwater quality impacts, all of which need to be considered and addressed in any new subdivision.

151. Objective

General

- To protect property and infrastructure against flooding as a result of the surcharge of stormwater systems, or uncontrolled overland stormwater flows.
- To reduce risks to the public associated with stormwater flows and related infrastructure.
- To provide stormwater drainage infrastructure that protects and where possible improves the quality of the downstream environment.
- To incorporate principles of Ecological Sustainable Development (ESD) into the stormwater infrastructure constructed as part of urban development.
- To provide an effective legal point of discharge for all collected stormwater, from the development to a natural watercourse, Council drainage system or approved outfall.
- To achieve these objectives without detrimentally affecting the environment, surface and subsurface water quality, groundwater infiltration characteristics, the adjoining landowners and other landowners near the drainage outlet and watercourses either upstream or downstream of the subdivision.
- To ensure the protection and enhancement of natural watercourses, aquatic habitat and riparian vegetation.
- To ensure that stormwater runoff meets specified quality objectives during all phases of a development.

Development Provisions

a) An application for subdivision should be accompanied by a Stormwater Management Strategy prepared by a certified practicing engineer and in accordance with Council's adopted AUS-SPEC design specification documents.

b) The Designer should adopt the 'major/minor' approach to urban drainage systems as outlined in the current version of Australian Rainfall and Runoff utilising local parameters and factors where necessary and as defined in AUS-SPEC.

c) The 'Minor' system generally refers to a pipeline network with sufficient capacity to contain nuisance and low flows from nominated storm events. These pipelines prevent stormwater damage to properties and also limit the frequency and quantity of surface water to a level that is acceptable to the community.

d) A 'Major' drainage system caters for the runoff from rarer storms of higher intensity than for which the minor drainage system has been designed. refers to overland flow paths that are to be designed to convey the major storm flows when the capacity of the minor system is exceeded. The 'Major' drainage system generally refers to a system of safe is designed to handle flows resulting from rare storm events up to and including a 100-year ARI. These flows should follow a designated overland flow paths that are to be designed to convey the major storm flows when the capacity of the minor system is exceeded. The major drainage system is designed to handle flows resulting from rare storm events up to and including a 1% AEP event.

e) The design AEP storm events are defined in AUS-SPEC D5

f) Freeboard to buildings, structures, property boundaries above major stormwater flows shall be provided in accordance with the council's current flood policy.

152. Objective

- In addition to the objectives outlined above:
  - To provide detailed design provisions in line with ecologically sustainable development, WSUD and total water cycle management and principles.
  - To provide an effective major and minor stormwater system that is cost effective and incorporates life cycle costs of investigation, design, operation, maintenance and replacement of stormwater infrastructure.

Development Provisions

a) All Council owned stormwater infrastructure is designed in accordance with the Council's AUS-SPEC Design Specification Documents.

Infrastructure - Water Supply

Port Macquarie-Hastings Council is responsible for the provision of a reliable, safe, clean and cost effective water supply to Council's customers in a manner sympathetic and responsible to the environment.

In the Local Government Area, the delicate balance between harvesting water and the commitment to its preservation depends on a three-tiered approach – conservation through education and application of water efficiency regulations, environmentally sustainable infrastructure and water reclamation.

A separate reticulated reclaimed water supply network should be provided in suitable areas to provide fit for purpose (non drinking) water to new and existing customers.

Clause 7.13 of LEP 2011 requires the consent authority to be satisfied that essential utility infrastructure is available or adequate arrangements have been made for it to be available. This includes the supply of water.

153. Objective

- To provide a regular supply of potable water, with sufficient capacity for peak usage, fire fighting and long term development in line with Council's Water Supply Policy.

Development Provisions

a) A reticulated water supply should be required for all subdivisions except rural zoned areas greater than 40 hectares or where deemed financial unviable by the Water and Sewer Planning Manager or equivalent.

b) For all applicable subdivisions, provision is to be made to provide a separate metered water connection to Council's main for each lot. All work will need to comply with the requirements of Council's adopted AUS-SPEC Design and Construction Guidelines and Policies. Details to be provided on a hydraulic plan submitted to Council.

c) A water supply strategy should be required where there are more than 20 lots and may be required for sub-divisions of less than 20 lots as directed by the Water and Sewer Planning Manager or equivalent. The water supply strategy is to detail any subdivision staging and the corresponding water supply work (including augmentation) necessary to support each stage. The strategy is to incorporate the latest changes in water supply design requirements as well as being modelled on software compatible with that used by Council.

d) All water supply systems should be designed to meet Council's design specification documents for infrastructure external to the property.

e) Public areas such as parks created by the subdivision, are to be connected to a potable water reticulation system.

f) Proponents are required to extend and meet full cost of water reticulation.

g) Any water supply assets required prior to the timing in Council's Corporate Plan are to be funded by the developer.

Infrastructure - Reclaimed Water

154. Objective

- To provide a regular supply of reclaimed water in suitable areas, with sufficient capacity for peak usage and long term development.

Development Provisions

a) A reclaimed water supply should be constructed in accordance with Council's strategy for the provision of reclaimed water supply.

b) Where a reclaimed water reticulation system is available to the site, connection to that system should be provided and a reclaimed reticulation system within the site should be provided.

c) Where a reclaimed water reticulation system is planned to be available to the site a reclaimed reticulation system should be provided within the site.

d) Public areas such as parks created by the subdivision, are to be connected to a reclaimed water reticulation system.

e) Any amenities provided in public areas, such as toilets, should maximise the utilisation of reclaimed water where appropriate.

f) Where a reclaimed water reticulation system is available or planned to be available to the site, reclaimed water should be used for:

- Garden watering/irrigation
- Toilet flushing
- Washing machine cold water tap
- Outdoor use
- Other non potable uses as permitted.

g) Ensure infrastructure is designed to minimise the risk of cross-connection of potable and non-potable systems, for both public and private infrastructure.

h) Proponents should be required to extend and meet full cost of water reticulation.

i) Any water supply assets required prior to the timing in Council's Corporate Plan are to be funded by the developer.

Infrastructure - Sewerage

A sewerage system is primarily intended to efficiently remove all domestic and other approved wastes and to dispose of treated wastes in an environmentally satisfactory way.

Council maintains an up-to-date comprehensive dynamic simulation of the system to determine sewer main sizes required for new subdivisions, augmentation or amplification of existing reticulation, and requirements for future treatment works, pumping stations and rising mains. This should ensure that development is not projected for areas which are beyond the capacity of available sewerage disposal systems and that there are adequate sites for sewerage installations.

Council has a number of schemes for contribution to the installation of sewer mains and for the upgrading of headworks. Reference should be made to the detail of such applicable area schemes.

Clause 7.13 of PMH LEP 2011 requires the consent authority to be satisfied that essential utility infrastructure is available or adequate arrangements have been made for it to be available. This includes the disposal and management of sewage.

155. Objective

- Sewerage systems should be designed to achieve the following:
  - A level of service to Councils' customers in accordance with Councils' policies
  - A single gravity connection for each property
  - Relatively immune from breakdown or blockage
  - Zero level of infiltration on commissioning of sewers
  - Minimise installation and maintenance costs
  - Keep sewage aerobic
  - Adequate hydraulic capacity to service the full catchment
  - Allow for the impact of the total discharge on the downstream system outside the subdivision.

Development Provisions

a) A sewer system is required for all subdivisions with proposed lots smaller than 5000m 2, where Onsite Sewage Management requirements cannot by demonstrated to Council or where deemed financial viable by the Water and Sewer Planning Manager or equivalent.

b) For all applicable subdivisions, provision is to be made to provide a separate sewer junction and connection to Council's main for each lot. All work will need to comply with

the requirements of Council's adopted AUS-SPEC Design and Construction Guidelines and Policies. Details to be provided on an Engineering plan submitted to Council.

c) A sewerage strategy should be provided for an application for subdivision of 20 or more lots and may be required for subdivisions of less than 20 lots as directed by the Water and Sewer Planning Manager or equivalent. The sewer strategy is to detail any subdivision staging and include the proposed method of servicing necessary to support each stage. The strategy is to incorporate the latest changes in sewer design requirements as well as being modelled on software compatible with that used by Council.

d) All sewer systems to be designed to meet the NSW Code of Practice Plumbing & Drainage and Australian Standard AS3500 and related standards for infrastructure within property boundaries.

e) All sewer systems to be designed to meet Council's AUS-SPEC specification documents for infrastructure external to the property.

f) Sewerage systems should be planned to provide for anticipated future requirements over a period of at least twenty (20) years.

g) Proponents should be required to extend and meet full cost of sewerage systems.

h) Any sewerage system required prior to the timing in Council's Corporate Plan is to be funded by the developer.

Soil Management

Urbanisation affects the quality and quantity of runoff. Peak discharges and velocities are increased causing a greater potential for scouring of land surfaces.

During construction, the removal of vegetation and reshaping of the land creates a surface which is prone to erosion. Runoff contains sediment, oxygen-demanding organic matter, nutrients, bacteria, toxic organic chemicals, oil and litter.

There is an acute risk of impact on water quality and the aquatic environment during the construction phase and a lower, o going risk during the occupation of the site.

156. Objective

- To minimise erosion and sediment loss before, during and after construction.
- To minimise water pollution due to erosion, siltation, sedimentation and acid sulfate soils.
- To minimise the requirement for imported fill for landscaping.

Development Provisions

a) An erosion and sediment control plan should be provided for a development application to subdivide land in accordance with Council's adopted AUS-SPEC design specification documents

b) An erosion and sediment control plan should be provided for a development application to subdivide land in accordance with Council's adopted AUS-SPEC design specification documents.

c) Land identified on the acid sulfate soils map are subject to the provisions under clause 7.1 the LEP.

d) Saving and re-using top soil and the incorporation of additives to improve existing soils is preferred to the importation of soils for landscaping.

Public Open Space

157. Objective

- To provide active and passive open spaces areas that are accessible and meet the needs of the population.

Development Provisions

a) Neighbourhood parks area to be provided so that all residential areas are generally within 500m of the nearest park.

b) The location of neighbourhood parks is to be optimised so that a minimal number of parks are required.

c) Neighbourhood parks and playing fields should be connected to the cycleway and pedestrian path networks.

d) Neighbourhood parks should provide a range of facilities.

e) Sports fields should be located close to school facilities.

f) As a minimum 1.5 hectares active open space (sports fields); 5000m2 neighbourhood park; 1 hectare of linkage/amenity space (total 3 hectares open space) to be provided per 1,000 people.

158. Objective

- To ensure that new, public open space is of a high quality that is sustainable into the future.

Development Provisions

a) Neighbourhood parks are to be dedicated as development occurs, and are to include the following:

- Minimum size of 5,000m2.
- At least 2000m2 should be level to gently sloping land.
- Street frontage to the same standard as adjoining residential areas (i.e. kerb and gutter, or drainage swales where appropriate).
- Any landform grooming to ensure the park is to a standard to suit Council's maintenance regime.
- Any drainage works to ensure the functionality of the park.
- Access via more than one street.
- Integration with other community facilities.
- Should be located to cause minimal disruption to traffic.

b) Neighbourhood park embellishment is to incorporate:

- Park furniture including seats with shelters, barriers and any appropriate path and cycleway linkages along desire lines or linking to the cycleway network.
- Any boardwalks necessary to achieve the required functionality of the park.
- Works should generally be required to be undertaken prior to dedication to Council.

159. Objective

- To develop open space that connects to natural linkages, drainage and wildlife corridors; and that also enhances these natural values through appropriate protective measures and management.

Development Provisions

a) An open space management strategy should accompany any subdivision application where open space that connects to natural linkages, drainage and wildlife corridors.

160. Objective

- To provide open space in locations that benefit from casual surveillance to promote user safety.

Development Provisions

a) Lot layout should address areas of open space or public environmental management areas.

b) Perimeter roads should border any area of open space or public environmental management areas.

c) An assessment against the generic elements of crime prevention through environmental design described in the Crime Prevention Through Environmental Design (CPTED) principles is provided with the subdivision application.

Service Infrastructure and Information Technology

161. Objective

- The proposed lots are adequately serviced by service infrastructure including electricity and telecommunications and provision for fibre optic cabling.

Development Provisions

a) All service infrastructure should be underground unless otherwise approved by Council.

b) All service infrastructure should be installed in a common trench.

c) Conduits for the main technology network system should be provided in all streets.

d) Conduits are to be installed in accordance with the National Broadband Network Company Limited's 'Guidelines for Fibre to the Premises Underground Deployment'.

e) Access pits are to be installed at appropriate intervals along all streets.

Industrial Subdivision

162. Objective

- To provide industrial lots that are sufficient in size to cater for construction and building development, vehicle parking, access and loading facilities.

Development Provisions

a) Any industrial allotment created by Torrens title subdivision should satisfy the following standards:

  - Comply with minimum subdivision requirements of clause 4.1 of LEP 2011.
  - Minimum width of 20m.
  - Minimum depth of 40m.
  - The depth to width ratio should not exceed 3 to 1.

b) Lots are to be generally rectangular in shape and lot boundaries should have regard to the landform and the character of the site.

c) Battleaxe allotments should not be permitted.

d) Industrial subdivision should not be supported on land with slope greater than 15%.

Rural Subdivision

163. Objective

- To ensure site suitability and adequate access, including for emergency vehicles.

Development Provisions

a) A minimum gate width of 3.6m should be provided to any property.

b) Land with a slope greater than 15 degrees is not to be proposed for house construction or effluent disposal.

c) Unless created under clause 4.2 of LEP 2011 or clause 9 of SEPP (Rural Lands) 2008, lots in rural areas should:

- have an identified building platform for a dwelling house.
- have appropriate area and dimensions for the siting and construction of a dwelling and any ancillary outbuildings.
- demonstrate that an environmentally sensitive, 2 wheel drive standard access can be located between the driveway (referred to above) and the nominated building platform on each lot and in accordance with Council's adopted design specifications.
- have a sealed driveway, constructed from the road to 3m inside the property boundary.
- have access to a public road that is readily upgraded to all weather two wheel drive standard;
- not impact on rural activities on nearby land.

d) Where access is on a right of way over another property, the maximum number of allotments that may share in the above right of way access arrangements is 2.

e) For battleaxe or hatchet shaped allotments access width should be a minimum of pavement width (including width required for earthworks, batters, retaining walls, longitudinal drainage and services etc) as specified in Council's adopted design specification documents.

164. Objective

- Lot boundaries should not undermine the agricultural or environmental qualities of the site.

Development Provisions

a) Lot boundaries should be suitably located taking into the relevant criteria slope of the land:

- natural boundaries;
- existing fencing and paddock structure;
- protection of natural or cultural features;
- site environmental constraints;
- retention of special features such as trees and scenic topographical features.

165. Objective

- To ensure that the rural road network complements rural subdivision structure, lot layout and environmental constraints.

Development Provisions

a) Rural roads should be designed in accordance with Council's adopted design specification documents.

166. Objective

- To ensure that roads servicing rural residential development are designed to support sustainable transport such as cycling and walking and access by buses.

Development Provisions

a) Rural residential roads should be designed in accordance with Council's adopted design specification documents.

b) Pathways and cycleways are to be provided in large lot residential subdivisions.

Strata / Community Title Subdivision

167. Objective

- To promote consideration of strata subdivision with the development application.
- To clearly identify future ownership patterns for private and communal spaces.

Development Provisions

a) Strata subdivision may be applied for:

- as part of a development application for a new proposal.
- existing development, currently not subject to a strata.

Note:
For new developments applicants are advised to apply for strata title subdivision at the development application stage. Otherwise a separate and new application is required, accompanied by new fees.

Applicants are to submit an indicative concept plan with the development application showing private and common property. This does not have to be a formal strata plan at this stage. Where it is proposed to develop in stages, this should be indicated on the concept plans. The development should be completed in accordance with the consent prior to the release of the linen plan.

168. Objective

- Dividing land in parts by lease or subdivision of existing or approved buildings, whether or not including land, should not create a situation where, as a result of the subdivision:
  - the use/s or building/s become/s unlawful.
  - dependent activities of use/s become separated by means of titling.
  - the functioning of use/s or the relevant development approval is compromised.

Development Provisions

a) The use/s of the land are lawful and any existing buildings are lawfully built, and use/s and/or building/s comply with the development approval/s;

OR

b) Where, for the subdivision of approved buildings yet to be constructed, the subdivision is consistent with the development approval/s.

Note: (moved from under 3.6.2)

Staged subdivision

Where it is proposed to carry out a subdivision, or particular elements of a subdivision in stages, it is necessary to identify these details within the Development Application. In this way the Development Consent issued can be structured so that relevant conditions and developer contributions are applied at the appropriate time.

Any staging of development is to take into account the orderly and efficient extension of infrastructure services, including transport services.

Lot layout

Subdivision of dual occupancy development or multi dwelling housing where permissible in the LEP may create allotments smaller than 450m2 if:

- *Each allotment to be created is part of a community or strata title scheme, or Is carried out as part of an integrated Torrens title housing development.*

PART D - LOCALITY SPECIFIC PROVISIONS

PREAMBLE

Application

Section D applies to the lands highlighted in Figure 15 below.

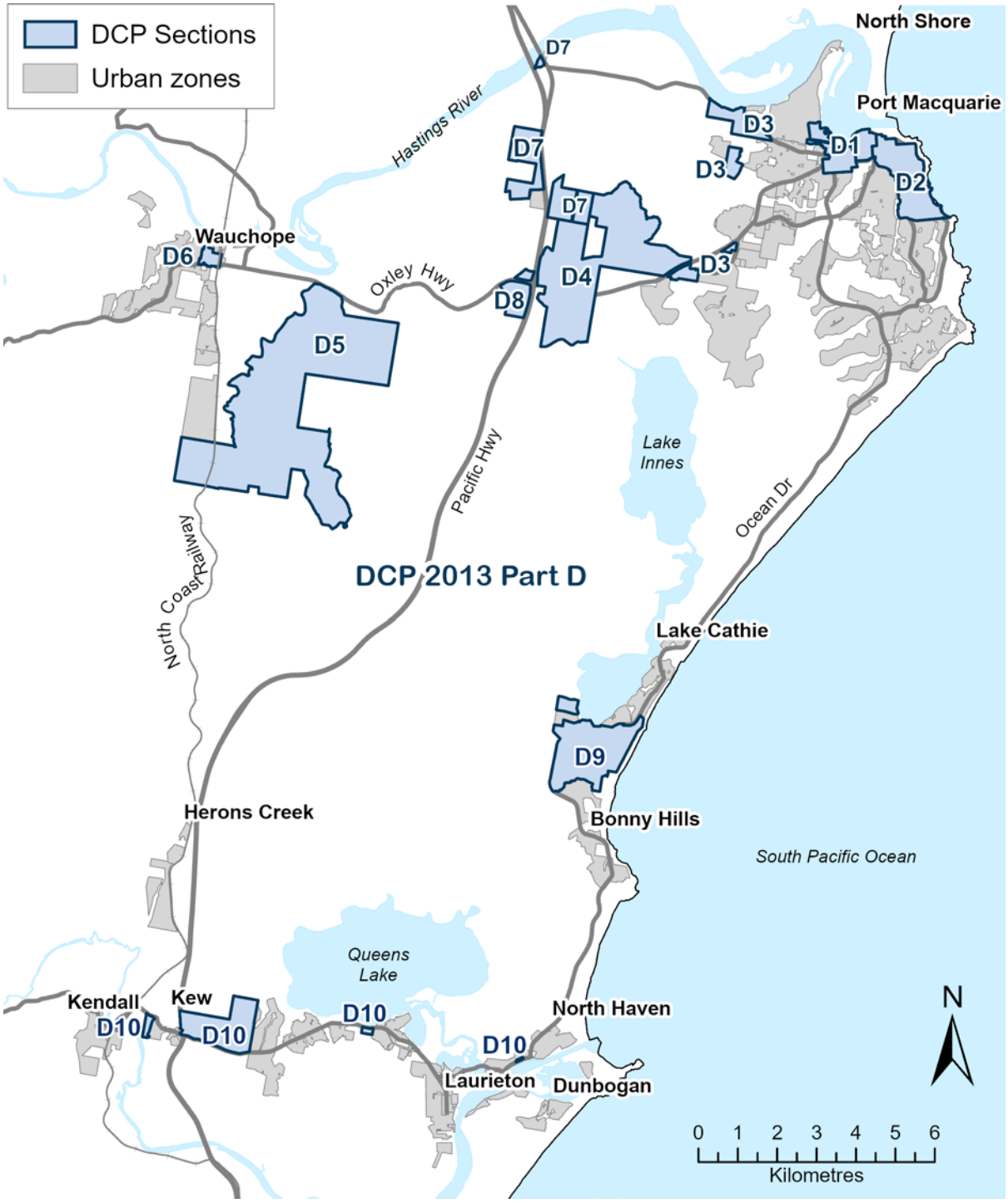


Figure 15: Land subject to Part D

The following sections within this Part are:

D1 Port Macquarie Greater Town Centre (page 116)

D2 Port Macquarie East (page 195)

D3 Port Macquarie West (page 209)

D4 Thrumster (page 224)

D5 King Creek (page 377)

D6 Wauchope (page 380)

D7 Highway Employment Lands (page 385)

D8 Highways Gateway Sites (page 418)

D9 Lake Cathie - Bonny Hills (page 426)

D10 The Camden Haven West (page 461)

Relationship to other Sections of the DCP

The following provisions are in addition to the general requirements of Parts A to C of this Development Control Plan. Where they conflict with the requirements of Parts A to C, Part D prevails.

D1: Port Macquarie Greater Town Centre

Application

Section D1 applies to the lands highlighted in Figure 16 below.

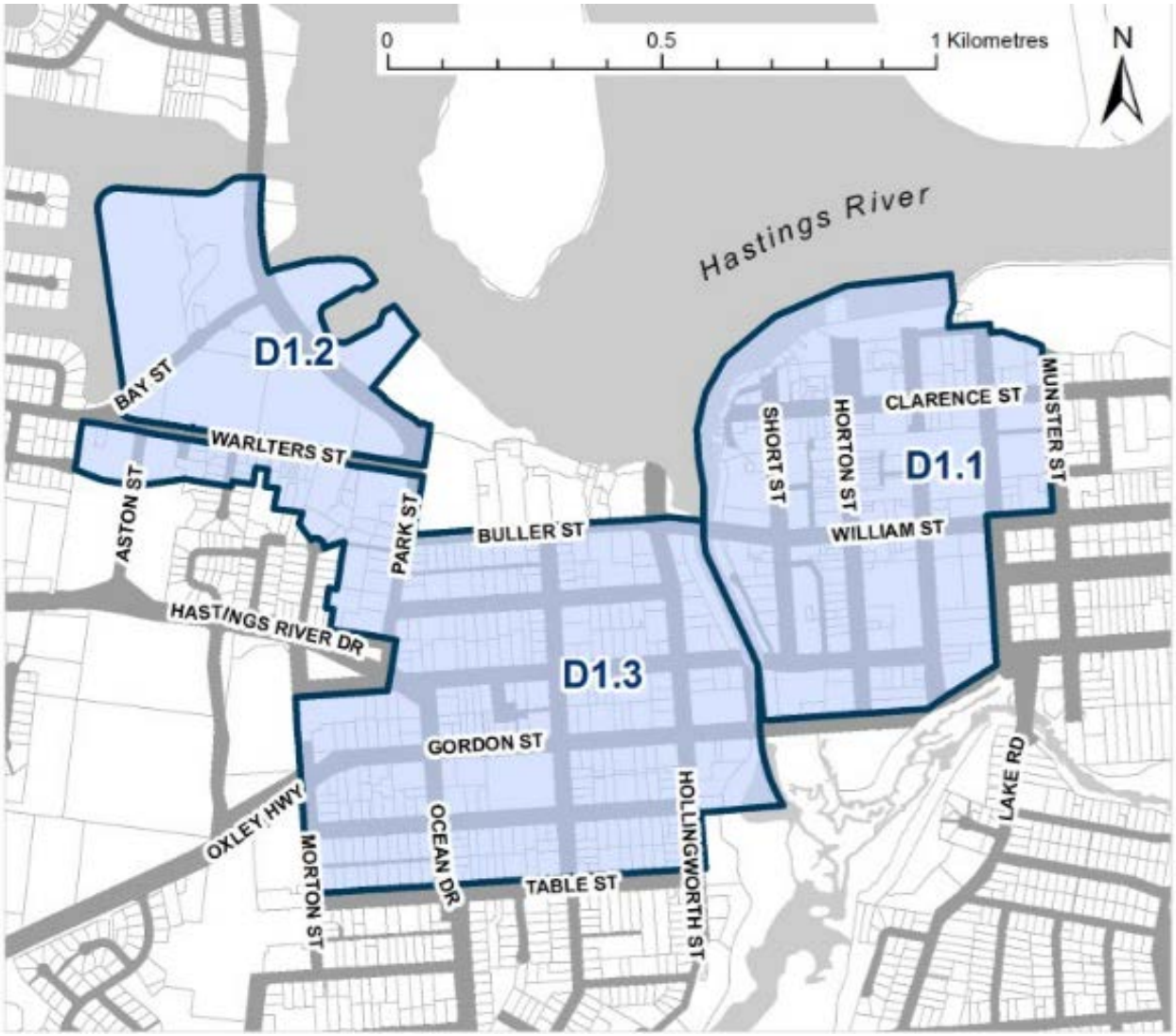


Figure 16: Land subject to Section D1

D1.1: CENTRAL BUSINESS DISTRICT

Section D1.1 applies to the land highlighted in Figure 17 below.

The intention of this Section of the DCP is to strengthen and enrich the existing urban structure of the Port Macquarie Town Centre, which is the area loosely defined by the foreshore, Munster Street, William Street, Murray Street, Gordon Street and Kooloonbung Creek.

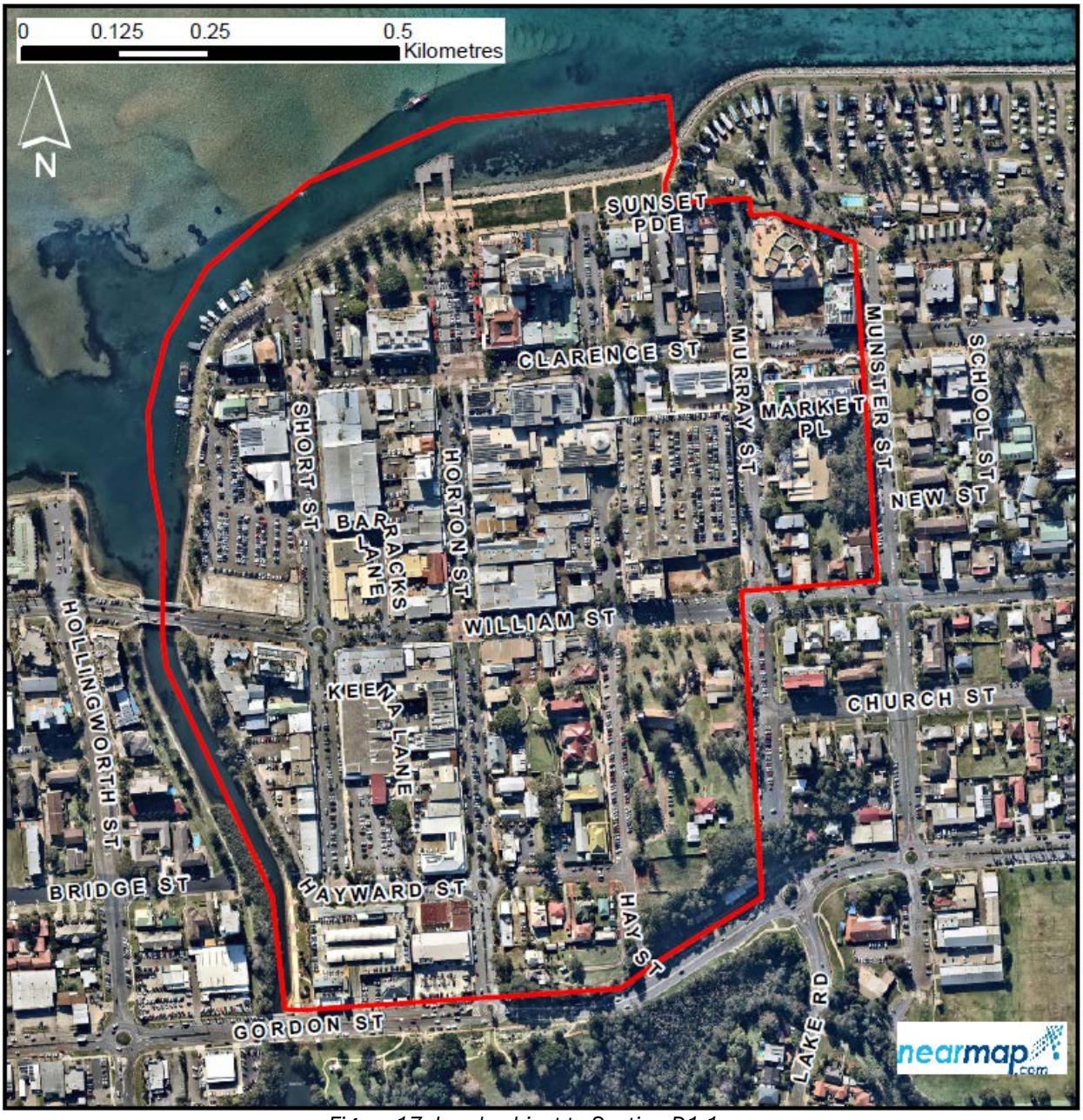


Figure 17: Land subject to Section D1.1

The role of the town centre is largely to service the retail and commercial needs of the area's residents, however it also facilitates a range of other functions that are imperative to the economic, social and environmental health of the Port Macquarie–Hastings. The town centre is an environment that provides opportunities for social interaction and engagement, for recreation and for entertainment. This occurs formally in designated venues such as hotels, cafes and restaurants and informally and spontaneously on the street, in public places and in shopping centres.

In terms of urban form, the town centre contributes most to the city's identity and importantly to a visitor's perception of the region.

The town centre is characterised by natural, architectural and cultural qualities that contribute to its character. The protection and enhancement of these qualities and the continued support of the commercial and retail functions of the town centre form the basis of many of the development provisions herein.

A detailed urban design analysis (part of the former DCP20-Port Macquarie Town Centre) was jointly funded between the Premier's Design Quality Program and the Council and should be consulted in the preparation of any development proposal in the Port Macquarie Town Centre.

Strategic Context

The current activities and built form in the Town Centre characterise seven distinct precincts.

1. The Foreshore Precinct – including the Hastings River foreshore and the Kooloonbung Creek foreshore.
2. The heritage and restaurant strip focussed around Clarence Street.
3. The institutional land holdings, churches and groups of houses set within the landscape on Church Hill.
4. The commercial and traditional shopfront main street retail precinct along Horton Street.
5. The other retail areas to the west of Horton Street and to the east through to Murray Street including the Port Central shopping centre.
6. Large lots largely undeveloped or used as at-grade car parking around Hayward Street.
7. The Civic precinct focussed around Hay Street.

Council's intention is to maintain and enhance the distinct character of each of these precincts and to clarify future roles as outlined on the following pages and their extent shown on the adjacent plan.

Any application for development in the Port Macquarie Town Centre is required to demonstrate how that development contributes to the desired future character of that precinct.

KEY

- Study area
- Foreshore Precinct
- Horton Street Precinct
- Horton Street Precinct overlapping with Clarence Street & Horton Street Precincts
- Clarence Street Precinct
- Clarence Street Precinct overlapping with Foreshore Precinct
- Hay Street Precinct
- Secondary Retail Precinct
- Large Floor Plate Retail Precinct
- B12 Block Number
- Lot Boundaries

Figure 18: Port Macquarie Town Centre Precincts

The Foreshore Precinct

Hastings River Foreshore

Existing Character
The northern edge of the Town Centre consists of a sequence of linked parklands, a formal square and active wharves along a spectacular water body. There is a pedestrian walkway with boats, jetties and pontoons along the foreshore edge. Some buildings closest to the foreshore are bulky in scale and block views around and between them to the expanse of the Bay. Maritime, tourist, retail, restaurants and cafes face the foreshore reserve adding interest and maritime character to the foreshore and make the link between business and commerce to tourism and recreation. As a sensitive foreshore area the Foreshore Precinct requires high quality design and care of the public domain.

Desired Future Character
Maritime business and tourist accommodation uses combine with active and vibrant uses such as shopping, eating, maritime and civic facilities along the foreshore edge. Buildings are set back from the reserve and modestly scaled facing both the water and the Town Centre with nominated gaps between via open air pedestrian pathways and laneways to allow views through to the Bay.

The relationship between the foreshore area and the tourist precinct has the potential to be a unique location, providing a range of marine related activities for residents and visitors within sight of a busy central business district.

The relationship between the land and water is to be strengthened by locating and designing public areas along the foreshore that optimise access to water-related activities such as fishing and tour boat charters, fish 'n chip sales, the fish co-op retail use and processing, fishing directly off the shore and private vessel moorings. Any redevelopment of Block 6 is to provide a generous and continuous high quality urban waterfront square that links directly into the foreshore pedestrian walk and offers vistas to the water and maritime activities.

Council has also adopted the Port Macquarie-Hastings Foreshore Masterplan 2009. Development along the foreshore is to meet the objectives and vision of this plan. Development along the foreshore is to meet the objectives and vision of this plan.

The foreshore will also provide a continuous high quality waterfront walk which connects Westport Park and the Marina to the Kooloonbung Creek wetland system, the Town Centre and along the breakwall to Town Beach.

Key aspects of the future character of this area include:

- Enhancing and reinforcing the Town Green as the primary Town Centre landscape open space
- Creating a vibrant, generous open space along the foreshore at Block 6 that celebrates the Maritime character of Port Macquarie
- Creating visual permeability to maximise views of the Hastings River by ensuring lower and smaller building forms on lots closest to the foreshore
- Requiring businesses to present active, attractive and accessible frontages to the foreshore reserve and to streets
- Ensuring the natural landscape dominates built form along the foreshore edge
- Ensuring surface or above ground car parking is located away from the foreshore and is not visible from the foreshore or streets, and

- Considering the quality of new buildings within the context of the whole foreshore built edge elevation as viewed from the Bay.

Block 6 will be transformed from an asphalt car park to a new Tourist / Retail / Civic / Maritime development which fronts the foreshore, Short and William Streets, and provides a high level of open air connectivity from Short Street to the foreshore.

This site is recommended to be the subject of an architectural design competition in the future. Indicative building form and massing is shown along with some artists' impressions of how the site could contribute to the Town Centre.

Kooloonbung Creek Foreshore

Existing Character
This precinct is located along the foreshore between the William Street bridge to the north and the Gordon Street bridge to the south. The northern part is currently being redeveloped as 4 - 5 storey residential / commercial whilst the southern part comprises a surface car park and various backyard service areas for properties fronting Short Street. Redevelopment of the southern part of the precinct is likely to result in a hard urban edge fronting the foreshore.

Desired Future Character
Identified as the 'gateways' to the Town Centre the bridges to the north and south of this Precinct require improvements or new pedestrian bridges to supplement the existing vehicle bridges. If no bridges are constructed, then the existing bridges should be made wide enough to allow safe travel of vehicles and pedestrians and to retain or re-establish the 'bridge' feel rather than being just another section of road. This could be achieved by a change in surface treatment and balustrading with a rise in level and/or pronounced markers.

This part of the foreshore is to continue the lively waterfront walk in the River Foreshore Precinct with a good connection for pedestrians both under the William Street bridge and over William Street. This is to continue to connect to the public open space network to the south and west along the Westport bank of the Creek.

The new foreshore street is to provide a frontage to the adjacent shops and tourist developments as well as a clear boundary between privately owned space and the public foreshore as well as Short Street reserve. The orientation of developments to face the water will re-establish the importance of the Creek front and improve the amenity of the foreshore with staff eating areas facing onto the water. Existing trees will continue to provide a shady garden frontage with views to the mangroves.

Horton Street

Existing Character
Horton Street has a strong presence as the main commercial street in Port Macquarie. The well established street trees help give it a strong character and also help give a sense of importance to the wide street.

As is usual in traditional town centres in Australia, there are many small shopfronts (some less than 10 metres wide) in separate ownership and in varying states of repair.

The buildings on both sides of Horton Street form a fairly consistent edge of generally one or two storey buildings with awnings, glazed ground floor frontages and zero setbacks. Horton Street should retain these characteristics but would benefit from some increased building heights to better enclose the wide street without increasing the width of shopfronts.

Desired Future Character
Increased heights reflect the growing population which the Town Centre services.

The traditional main street is proposed to have the tallest buildings in the Town Centre, indicating Horton Street's commercial importance. Small width shopfronts and well established street trees and consistent awnings add to the traditional grandeur of this Precinct.

Horton Street culminates to the north in the Town Green and foreshore – the most prized public location. Horton Street to the south is currently poorly defined. There is an opportunity to provide an entry marker or new civic building to signify the entrance to the Town Centre where it starts at Gordon Street.

Key aspects of the future character of this area include:

- Additional floors of office space are provided above street level retail to create a commercial core and greater worker activity,
- The traditional fine grain of active shopfronts, consistent awnings, nil setbacks and range of retail and service choices are retained,
- Residential uses are restricted to shop top housing so as to maintain this street as the commercial heart, while providing in-town accommodation,
- A consistent built form of suitable scale around Church Hill assists in contrasting with this largely unbuilt 'green' area,
- Maintained and enhanced street tree species remain a strong feature.
- Commercial development presents high quality lobby entries to this street.

Clarence Street

Existing Character
This pedestrian dominated street is characterised by memorable heritage buildings interspersed with a mixture of building styles and eras. Clear views of the water along its cross streets add to its appeal and its character.

Desired Future Character
The future heritage and leisure focus of the town for visitors and residents, Clarence Street will be a distinctive tree lined pedestrian dominated area with hotels and holiday apartments above an active street frontage lined with restaurants, heritage buildings and sidewalk cafés.

The new buildings should respond to the heritage buildings without mimicking them.

Other characteristics include:

- Modest buildings suit the foreshore feel at the western end.
- The Macquarie Hotel parapet line and awning line influence allowable height for the rest of the northern side of the street.
- Buildings on the south side of Clarence Street reflect the parapet height of the Ritz Cinema building.
- Block edge buildings strongly define the street and its corners and exhibit an architectural unity.
- Restaurants/cafes are popular in this precinct because of proximity to water and modest amounts of vehicular traffic.

- Consistent band of shopfronts but with some opportunity for increased height without losing the pattern of small separate businesses.
- Some buildings should face Clarence Street and the foreshore simultaneously.
- Breaks between building forms allowing views through to the water.
- The vista north along Murray Street should be reinstated with the acquisition of this portion of the Caravan Park for public access and alternative forms of security
- Redevelopment in Block 2 should face the new pathway and heritage Court House as well as Clarence Street.
- Materials are usually pale coloured masonry with timber elements providing sun shading and lightweight indoor/outdoor spaces.
- Roof forms relate to gable structures and small forms.
- Redevelopment of former Todd Holden site respects the height and scale of adjacent historic buildings in the precinct while screening the Port Central carpark when viewed from Clarence Street.

Church Hill

Existing Character
Views to the churches and their green hill are available from the surrounding district and are highly valued and as an integral part of the form of Port Macquarie.

Sharply contrasting in character with the other more built up areas, this precinct provides the tree and spire dominated skyline that characterises the town. It is also a setting for the town's most important historic building and is a quiet and beautiful retreat offering glimpses to the water.

The topography rises quite steeply to a level more than 12 metres higher than its surrounds and more church spires are than 30 metres higher than the majority of the Town Centre.

Desired Future Character
The distinct green backdrop to the built-up Town Centre will have modest development and will remain a tranquil place offering views to the water and distant mountains. It is primarily for civic uses with some nominated areas suited to tourist accommodation.

The mix of new and old buildings that have been designed to complement each other will create a sense of continuity and respect the existing town fabric.

Any new built form should be dominated by landscaping. The majority of land within this area should be free of building and new buildings should be in-the-round i.e. able to be viewed equally from all directions with a small contained footprint out weighed by open space.

The staircase entrance on Horton Street to St Agnes with buildings and landscaping facing both Horton Street and the stairs, refer to Block Controls, Block 16.

Along with the Conservation Management Plan for St Thomas' Church, other parts of Church Hill require master planning based on a Heritage assessment and should include landscaping and restoration of historic items such as the convict built steps.

The building type most suited to Church Hill is the Big House Type. This would be for tourist accommodation or commercial businesses rather than as a residential flat building.

A big house tourist accommodation development has the proportion and scale of a large detached dwelling. It is a freestanding building in a landscape setting. The big house can range in size. It can also be an existing large house, internally subdivided in separate holiday apartments or hotel rooms. This building type is chosen because: the topography and visibility of sites prohibits large or long building forms in preference to smaller forms within a landscaped setting. The character of the Precinct, in terms of consistent building form and front gardens, is to be maintained. Rear landscape area and mature tree plantings are desired.

Hay Street

Existing Character
Hay Street is currently fragmented due to the location of the Port Central Shopping Centre crossing Hay Street near Clarence Street. The above ground shopping centre car park does not contribute to the activation or ambiance of this street.

Hay Street contains many of the major Civic Buildings in the Port Macquarie Town Centre and changes from more urban to a more open landscaped character revealing the hilltop topography towards the south.

Desired Future Character
Hay Street crosses through a number of other precincts and terminates at the foreshore. It is a primary north south street that celebrates the civic character of Port Macquarie.

Hay Street contains the majority of Civic functions for the town including the major heritage buildings from the towns early history.

Hay Streets public domain reinforces its civic role with regular street tree plantings and strong masonry built form that responds to the proportions and character of the heritage buildings.

Redevelopment of the Port Central Shopping Centre will reinstate the alignment of the street via an open pedestrian link at ground level with active uses to Hay Street sleeving the existing car park at and above ground level. Development in the B12 / B13 blocks will reinforce the nil street setback with buildings setback at upper levels to create human scale to the street. Development builds on existing civic uses providing high quality innovative architecture for new civic uses along Hay Street (such as the Glasshouse as well as some occasional tourist uses).

To the south of Hay Street the character is more residential, refer to Precincts - Church Hill Development maintains existing street setbacks with buildings set within landscape in contrast to the northern area.

Secondary Retail Precinct

Existing Character
This precinct is made up of two areas. The eastern area is currently dominated by the Port Central Shopping Centre. It performs an important function in providing a centralised car park within walking distance of the entire Town Centre without unpleasant large expanses of asphalt at ground level. The western area is focused around the mid-section of Short Street and has a mixture of businesses the majority of which have service lane access from the rear which improves the pedestrian amenity of Short Street.

This Precinct makes up the basic fabric of the Town Centre with various shops and services provided in a range of building styles. The constant characteristics are zero setbacks to the streets, continuous pedestrian awnings and generally small to medium shopfront widths.

Desired Future Character
William Street except at Church Hill has a consistent built edge. Areas in this Precinct form lower level development on either side of the tallest built area on Horton Street north corners.
The important function of this area is a comfortable and convenient area for pedestrians which 'bridges' the space between the main commercial Horton Street Precinct and the foreshore. The western section is particularly important in achieving this function.

Development is generally taller than that in the heritage Clarence Street Precinct or the foreshore areas. It does not compete in height or built form emphasis with Horton Street. A number of arcades in this precinct provide an active secondary network.

Some lots near the corner of Horton Street and Short Street are within a significant view corridor (refer Structure Plan Views) and are lower in scale to retain it. The block to the east must provide the link between the adjoining residential areas of Town Beach and the Town Centre. Its setbacks reflect those of the courthouse and church which are buildings within garden settings.

Large Floor Retail Precinct

Existing Character
There are two blocks in the Town Centre which have unusually large lot sizes in comparison to the rest of the town centre. These areas are currently dominated by ground level car parking and some existing development. The opportunity exists to use these sites to accommodate uses that require larger floor plates. Additional car parking could be provided within new developments.

Desired Future Character
New development makes use of the amenity provided by the Creek frontage and Heritage Bridge artefact and provides economic opportunities for businesses requiring large floor areas and large shop frontages. Linked to the Gordon Street retail strip to the west, this precinct is suited to those businesses requiring large floor areas. Still contributing to a pedestrian-friendly streetscape with awnings and a 'crust' of windows, displays and finer grain retail tenancies, this area provides an opportunity to extend the variety of businesses in the Town Centre for its long-term economic health.

Development contains large retail boxes which are sleeved by active uses to create vibrant streetscapes. Car parking is a combination of basement and sleeved above ground parking.

No above car parking is visible to the street or public domain and loading / vehicle access points are minimised to reduce impact on pedestrian movements and the visual qualities of the surrounding public domain.

Development in this precinct may require amalgamation to create lots of sufficient area which also achieve sleeving of inactive uses. New development respects and celebrates the existing small lot character of Port Macquarie in the design of the facades and speciality shop frontages to lanes, streets and the foreshore.

Blocks provide shareway lanes in midblock locations to improve pedestrian permeability on axis to views and streets with active retail uses fronting these lanes.

Large retail development provides viewing opportunities at higher levels to the water and churches for the public.

Development Guide

Site Amalgamation

To achieve the appropriate development massing and relationships as well as vehicle access and floor plates it will be necessary to amalgamate some land parcels in the Town Centre.

169. Objective

- To facilitate large footprint developments where appropriate in the Town Centre.
- To enable viable development for commercial/retail users over fragmented land ownership.
- To achieve vibrant, high quality foreshore development.

Development Provisions

a) Amalgamations are desired on land identified in Figure 19 below.

b) If applicants propose a different amalgamation pattern then they must demonstrate that orderly development, high levels of connectivity and vehicle access will occur and that mid-block connections are provided appropriately.

c) For all other areas heights above 4 storeys can only be achieved for sites with a minimum area of 1200m2.

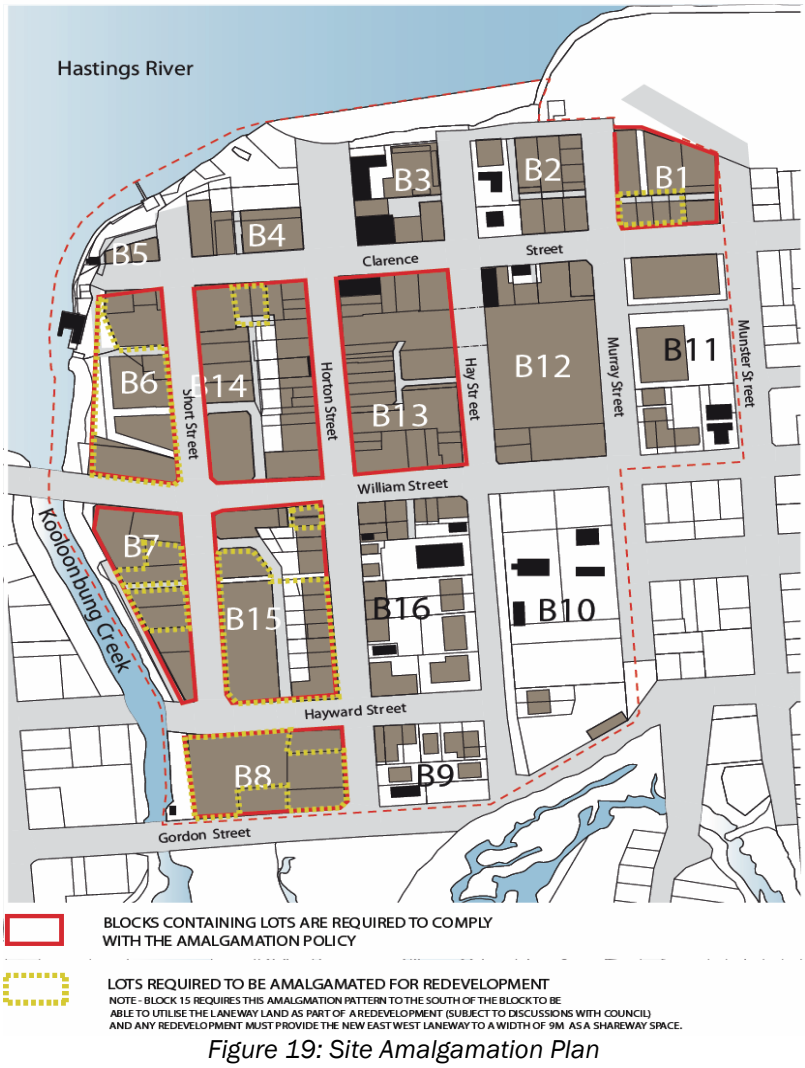


Figure 19: Site Amalgamation Plan

Active Frontages and Shop Widths

170. Objective

- To limit the street frontage of individual shops to preserve the traditional pattern of numerous small shops in the Horton Street and Clarence Street precincts in particular.

  – Development Provisions
  – Maximum shop widths comply with Figure 20.
  – No vehicular access to properties is permitted from Horton Street.

171. Objective

- To ensure the boundaries between the Town Green and private land is edged with public and civic uses.
- To provide a visually appealing, secure and lively experience for pedestrians on the Foreshore Reserve.

Development Provisions

a) Within the Hastings River Precinct:

  – Have active edges, setback from the reserve with outdoor eating areas for buildings adjoining the Town Green.
  – Maintain a publicly accessible interface along the foreshore, incorporating where possible cafes, shops and pedestrian entrances to buildings.
  – Encourage indoor/outdoor rooms and/or openable sunrooms or decks.
  – Avoid presenting back of house uses, car parking and blank walls to the foreshore.
  – Prohibit fencing adjacent to the foreshore except as shrub hedging or where unavoidable need is clearly demonstrated.

b) Provide active ground floor uses and balconies on upper levels which face both street and foreshore where lots have both street and foreshore frontages.

172. Objective

- To encourage some businesses that require wider shop frontages to locate in suitable areas within the Town Centre.

Development Provisions

a) Maximum shop widths comply with Figure 20.

173. Objective

- To provide greater façade enclosure in urban areas and more ‘open façade’s in foreshore areas.

Development Provisions

a) Provide a greater degree of façade enclosure with the Horton Street and secondary retail precincts.

Façade Enclosure

174. Objective

- To have the ground floor have a high percentage of enclosure to provide a consistent edge to the streets and an urban character.
- To have upper floors in the commercial areas to have a high percentage of enclosure.
- To have upper floors in the tourist/foreshore areas have more balconies to provide 'lighter', more coastal character building forms.
- To provide buildings in the Church Hill Precinct and Civic buildings flexibility to provide façade enclosure most suited to their content and use.

Development Provisions

a) Façade enclosure complies with the block controls.

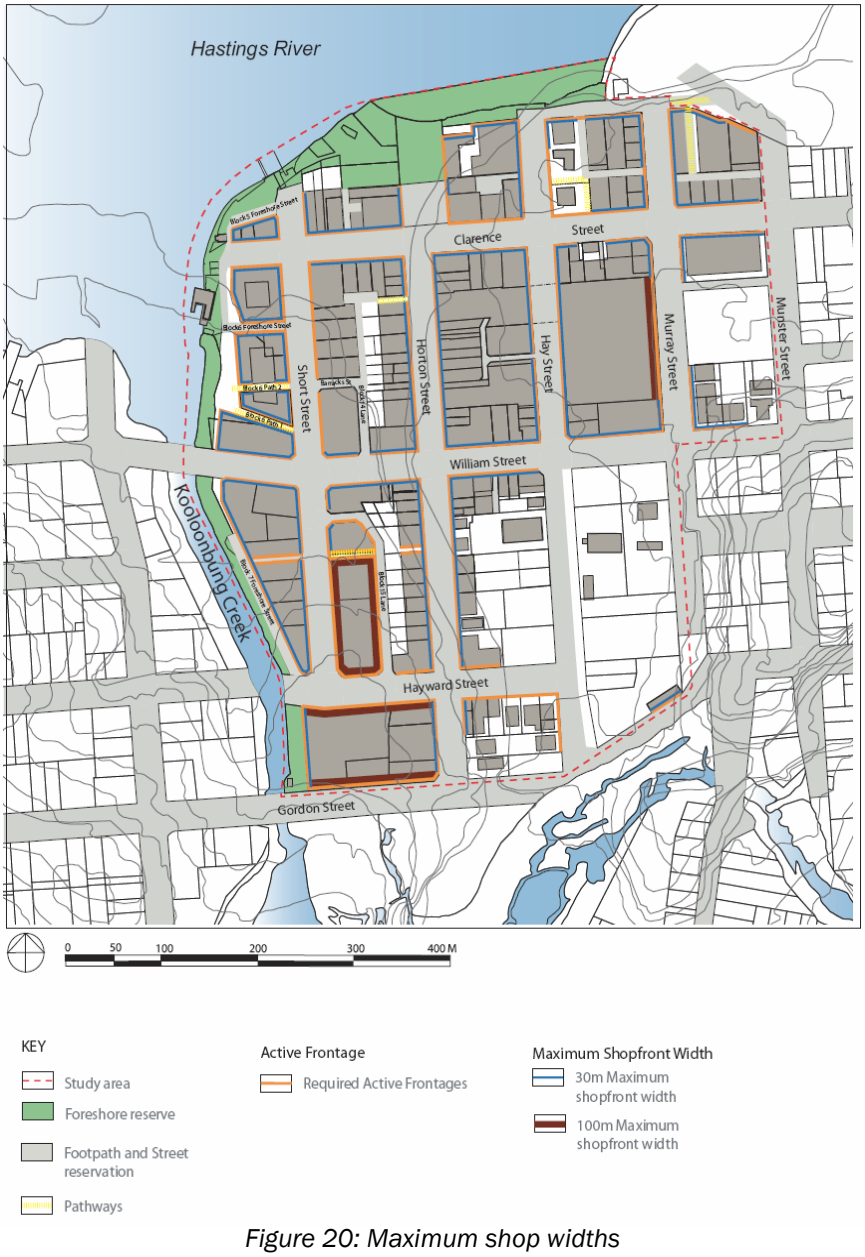


Figure 20: Maximum shop widths

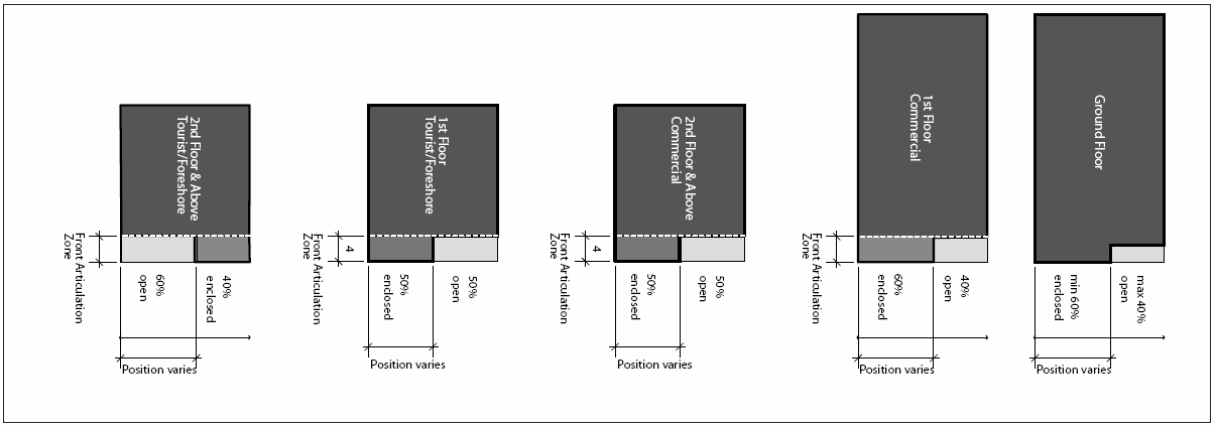


Figure 21: Facade enclosure diagram

Roof Design

It is necessary to respond to the Church Hill high point in the Port Macquarie Town Centre and the extensive views of roof tops.

The trend toward large floor retail has meant that large expanses of metal deck roofing are common. This detracts from the character of the Port Macquarie roof line and views from key locations in the town centre.

175. Objective

- To improve the roofscapes impression of the Town Centre.

Development Provisions

a) Break up roofs where possible with hips, gables and changes in materials

b) Where seen in relation to historic buildings, pitched roof of equivalent slope, scale and colour may be appropriate to historic pitched roofs.

c) In other circumstances, continuity of parapet lines may be appropriate.

d) Roof colours shall not contrast strongly with the dark green of the Church Hill backdrop the Town Centre.

176. Objective

- To make use of large roof spaces for environmentally sustainable rainwater capture and reuse.

Development Provisions

a) Make roofs into roof top recreation terraces and/or green roofs with living roof gardens which have rainwater capturing and reuse benefits as well as aesthetic ones.

177. Objective

- To make use of roof spaces for outdoor recreation.

Development Provisions

a) Make roofs into roof top recreation terraces for staff, public access or for tourists in tourist accommodation buildings.

Block Controls

The block controls are the key controls to use when designing new buildings within Port Macquarie Town Centre. The controls provide the broad framework within which actual development proposals are to be designed to achieve site specific, high quality built form outcomes.

The Interim Block Plan – Some blocks within the Town Centre contain a number of buildings such as heritage items, strata titled buildings or major tourist development. The site containing these buildings are unlikely to develop in the short or even medium term. Therefore, interim plans are provided to illustrate how new development shall relate to these buildings whilst still achieving the long term goal for the block.

Diagrammatic Block Plan (Long Term) - This control plan represents the desired outcome in the longer term when all land within the Port Macquarie Town Centre apart from Heritage Items may redevelop.

The Interim Block Plan is not shown when it is identical to the Diagrammatic Block Plan - Long Term. For some blocks such as Block 15 two alternative final scenarios are shown to provide for large format retail.

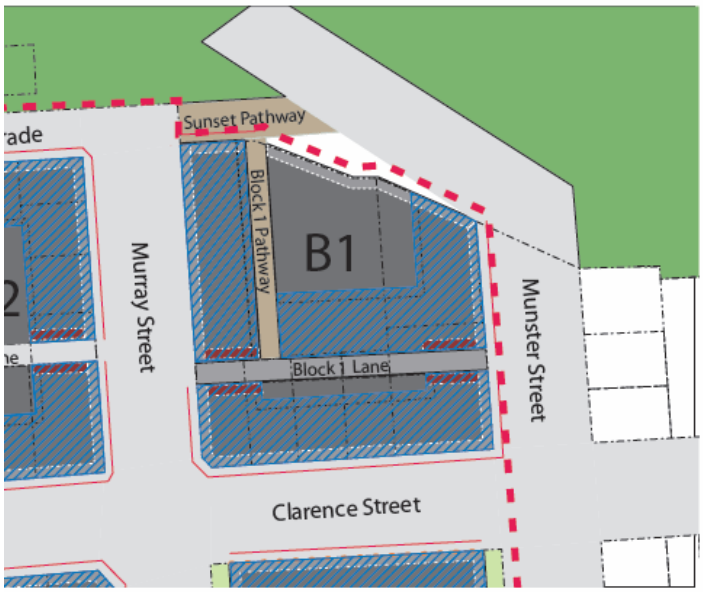
Figure 22: Port Macquarie Town Centre Blocks

Block 1				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary	20m maximum from street boundary	20m maximum from street boundary
Front Setback				
Clarence Street	0m, build to line	0m, build to line	0m, build to line	3m, build to line
Munster Street	0m, build to line	0m, build to line	0m, build to line	3m, build to line
Murray Street	0m, build to line	0m, build to line	0m, build to line	3m, build to line
Sunset Pathway	0m, build to line	0m, build to line	0m, build to line	3m, build to line
Rear Setback Block 1 Pathway	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Side Setback Block 1 Pathway	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Façade Enclosure	60%	50%	40%	40%
Front Articulation Zone	Minimum 0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	N/a
Rear/Side Articulation	0m			
Vehicle Entry	Vehicle entry from streets and paths			
New Streets, Laneways & Paths Block 1 Lane Sunset pathway Block 1 pathway	Off Block 1 Lane, Munster or Murray Streets Minimum 7m wide - two way vehicle movement and 1m footpath Minimum 3m wide, extension of Sunset Parade Minimum 3m wide			
Arcades	N/a			
Car Parking	Underground, on street, some on grade			
Landscaping Soft Hard				

PART 4 BLOCK CONTROLS

Block 1

Location map



DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.

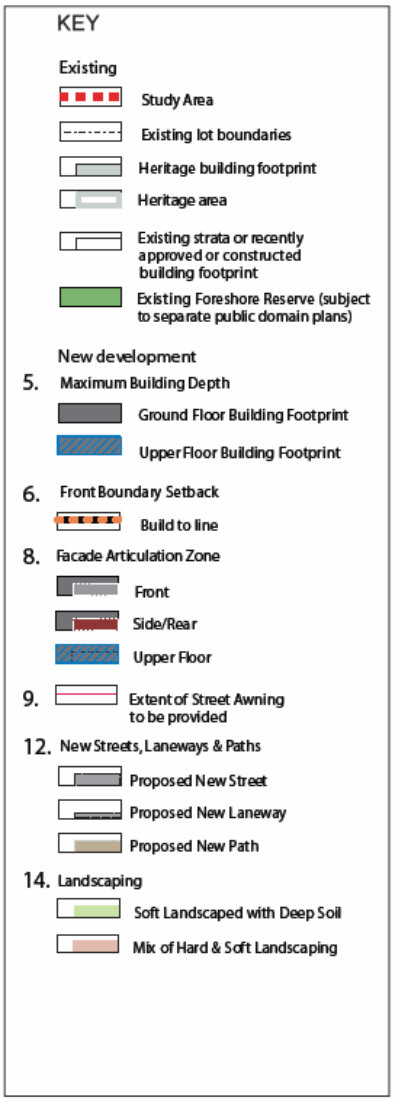


Figure 23: Port Macquarie Town Centre - Block 1 controls

Block 2				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary	20m maximum from street boundary	20m maximum from street boundary
Front Setback				
Hay Street	Minimum 5m	Minimum 5m	Minimum 5m	N/a
Clarence Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Murray Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Sunset Pathway	Minimum 0m	Minimum 0m	Minimum 0m	N/a
Rear Setback East-West Block 2 Lane	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Side Setback Block 2 Pathway	Minimum 0m	Minimum 0m	Minimum 0m	
Façade Enclosure	Minimum 60%	50%	40%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	N/a
Rear/Side Articulation	Location on plan			
Awnings	Location on plan			
Pedestrian Entry	From streets and paths			
Vehicle Entry	Off Block 2 Lane, Murray Street or Sunset Parade			
New Streets, Laneways and Paths Block 2 Lane Block 2 Pathway	Minimum 7m wide - two way traffic and 1m footpath Minimum 3m wide, extension of Block 2 Lane. Design and materials to respond to Heritage Items			
Arcades	N/a			
Car Parking	Underground			
Landscaping Soft Hard	Location on plan			

Block 2

Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.

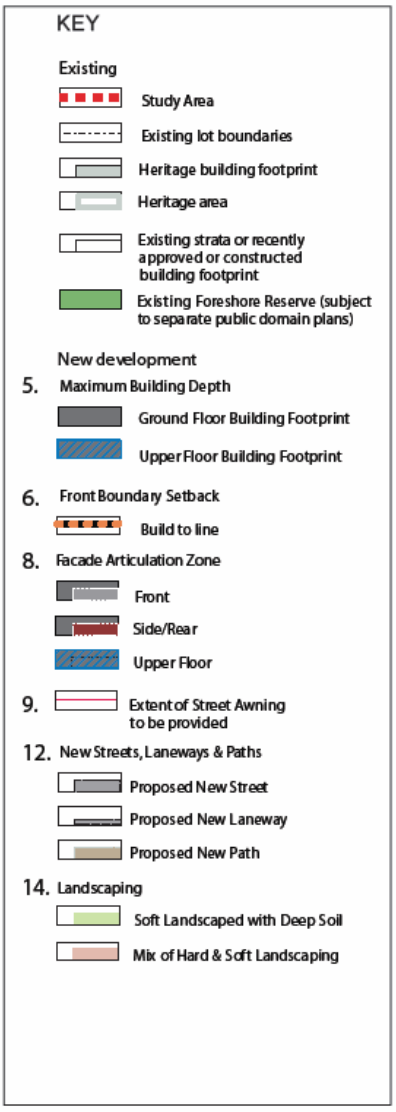


Figure 24: Port Macquarie Town Centre - Block 2 controls

Block 3				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary and north from Block 3 Lane.	20m maximum from street boundary and north from Block 3 Lane.	20m maximum from street boundary and north from Block 3 Lane.
Front Setback				
Horton Street	0m, build to line	0m, build to line	Minimum 0m	N/a
Hay Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Clarence Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Foreshore	Minimum 3m	Minimum 3m	Minimum 3m (2nd Floor) Minimum 5m (3rd Floor)	N/a
Rear Setback Block 3 Lane	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Side Setback From Royal Hotel	Minimum 5m (to 20m inside boundary) Minimum 12m (from 20m inside boundary to rest of site)	Minimum 5m (to 20m inside boundary) Minimum 12m (from 20m inside boundary to rest of site)	Minimum 5m (to 20m inside boundary) Minimum 12m (from 20m inside boundary to rest of site)	Minimum 5m (to 20m inside boundary) Minimum 12m (from 20m inside boundary to rest of site)
Façade Enclosure	Minimum 60%	50%	40%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	N/a
Rear/Side Articulation	Location on plan			
Awnings	Location on plan			
Pedestrian Entry	From streets			
Vehicle Entry	Off Block 3 Lane or Hay Street			
New Streets, Laneways and Paths Block 3 Lane	Minimum 7m wide with suitable turnaround area for service vehicles.			
Arcades	Connect block 3 lane to Horton Street 3m – refer to Arcade Design Guidelines.			
Car Parking	Underground and in Block 3 Lane			
Landscaping Soft Hard	Location on plan			

PART 4 BLOCK CONTROLS

Block 3

Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.

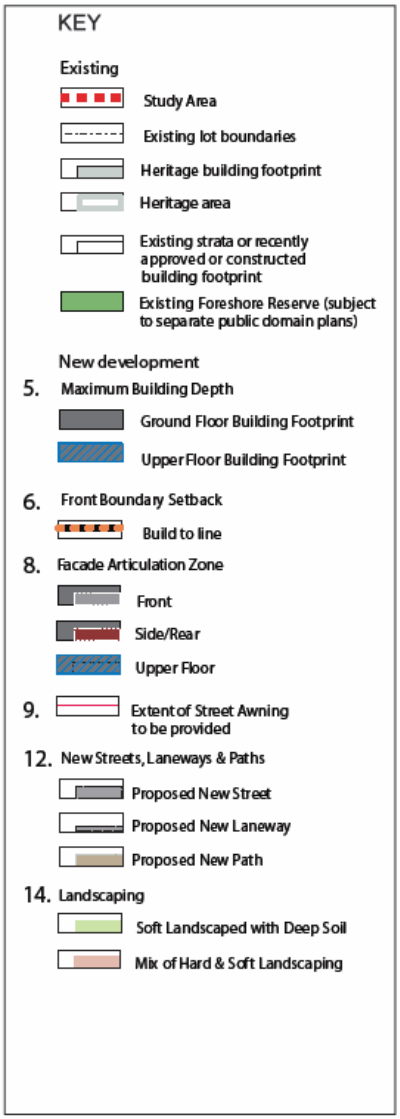


Figure 25: Port Macquarie Town Centre - Block 3 controls

Block 4				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary	20m maximum from street boundary	20m maximum from street boundary
Front Setback				
Short Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Horton Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Clarence Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Foreshore Western Lot Other foreshore lots	Align to adjoining façade Minimum 0m	Align to adjoining façade Minimum 0m	Align to adjoining façade Minimum 0m/2nd Minimum 3m/3rd	Align to adjoining façade Minimum 3m
Rear Setback Block 4 Lane East West	Minimum 0m Minimum 2m	Minimum 0m Minimum 2m	Minimum 0m Minimum 2m	Minimum 0m Minimum 4m
Side Setback	0m	0m	0m	0m
Façade Enclosure	Minimum 60%	50%	40%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on plan			
Awnings	Location on plan			
Pedestrian Entry	From streets and foreshore reserve			
Vehicle Entry	Off Block 4 Lane or Short Street			
New Streets, Laneways and Paths Block 4 Lane	Minimum 7m wide (including setback) – two way traffic and 1m footpath.			
Arcades	N/a			
Car Parking	Underground and on street			
Landscaping Soft Hard	Location on plan			

PART 4 BLOCK CONTROLS

Block 4

Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.

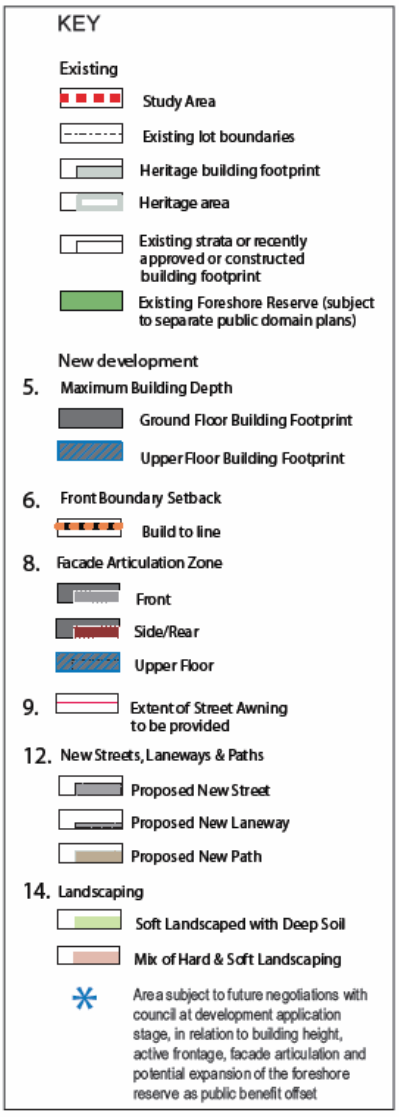


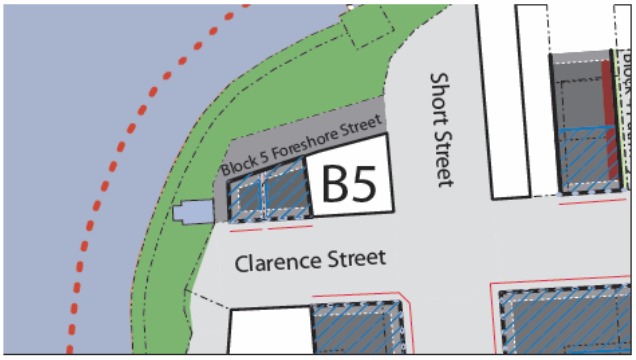
Figure 26: Port Macquarie Town Centre - Block 4 controls

Block 5			
Control	**Ground**	**First**	**Second/Third**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary	20m maximum from street boundary
Front Setback			
Short Street	0m, build to line	0m, build to line	
Clarence Street	0m, build to line	0m, build to line	0m, build to line
Block 5 Foreshore Street	Minimum 0m	Minimum 0m	0m, build to line
Rear Setback	N/a	N/a	Minimum 0m
Side Boundary Setback Between western lots Eastern lot	Minimum 1m Minimum 3m	Minimum 1m Minimum 3m	Minimum 2m Minimum 4m
Façade Enclosure	Minimum 60%	50%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	None		
Awnings	Location on plan		
Pedestrian Entry	From streets and foreshore reserve		
Vehicle Entry	Off Short Street, or if unavoidable off Clarence Street.		
New Streets, Laneways and Paths Block 5 Foreshore Street	Minimum 12m wide along east west section		
Arcades	N/a		
Car Parking	Underground and maximum of one row of on street parking on Block 5 Foreshore Street.		
Landscaping Soft Hard	None		

Block 5

Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM



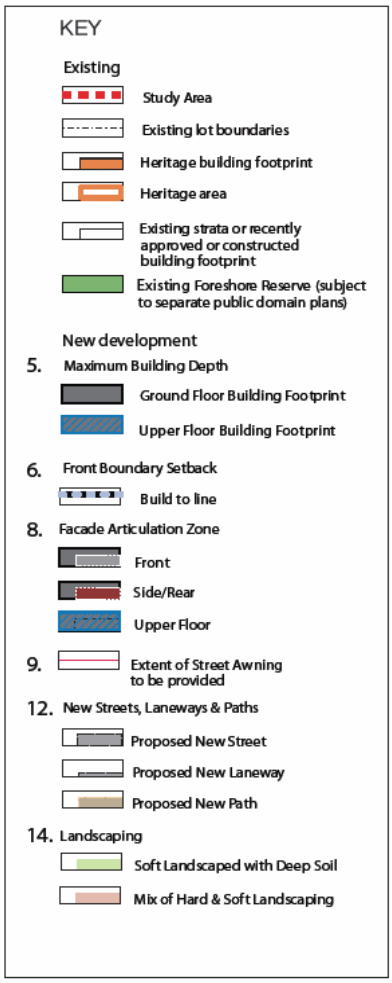


Figure 27: Port Macquarie Town Centre - Block 5 controls

Block 6			
Control	Ground	First	Second/Third
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary	20m maximum from street boundary
Front Boundary Setback			
Block 6 Foreshore Street	0m, build to line	0m, build to line	0m, build to line
Short Street	0m, build to line	0m, build to line	0m, build to line
Clarence Street	0m, build to line	0m, build to line	0m, build to line
William Street	0m, build to line	0m, build to line	0m, build to line
Foreshore	Average 14m – 30m from waters edge	Average 14m – 26m from waters edge	Average 14m – 26m from waters edge
Rear Boundary Setback Block 6 Lane	Minimum 0m	Minimum 0m	Minimum 0m
Side Boundary Setback	Minimum 0m	Minimum 0m	Minimum 0m
Façade Enclosure	Minimum 60%	50%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	None		
Awnings	Location on plan		
Pedestrian Entry	From streets and foreshore reserve		
Vehicle Entry	Off Block 6 Lane or East-West section of Block 6 Foreshore Street.		
New Streets, Laneways and Paths Block 6 Foreshore Street Block 6 Pathway 1&2	Minimum 10m wide, requires high quality detail design and finish Minimum 7m wide		
Arcades	N/a		
Car Parking			
Landscaping Soft Hard	Location on plan		

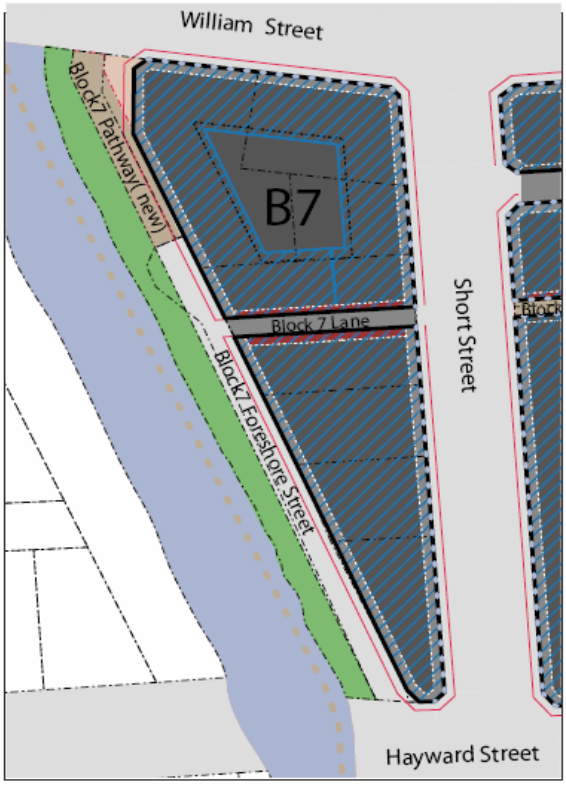
Figure 28: Port Macquarie Town Centre - Block 6 controls

Block 7				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area less setbacks	20m maximum from street boundary and north from Block 7 Lane	20m maximum from street boundary and north from Block 7 Lane	20m maximum from street boundary and north from Block 7 Lane
Front Boundary Setback				
Short Street	0m, build to line	0m, build to line	0m, build to line	Minimum 3m
William Street	0m, build to line	0m, build to line	0m, build to line	Minimum 3m
Block 7 Foreshore Street	Minimum 0m	Minimum 0m	Minimum 2m	Minimum 3m
Block 7 Pathway	Minimum 0m	Minimum 0m	Minimum 2m	Minimum 3m
Rear Boundary Setback Block 7 Lane	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Side Boundary Setback	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 0m
Façade Enclosure	Minimum 60%	50%	40%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on Plan			
Awnings	Location on Plan			
Pedestrian Entry	From streets, pathway and foreshore reserve			
Vehicle Entry	Block 7 Foreshore Street or Short Street.			
New Streets, Laneways and Paths Block 7 Foreshore Street Block 7 Lane Block 7 Pathway	Minimum 10m wide, with adequate turning area at the northern end. Minimum 7m wide, location to align with axial view of St Agnes' and St Thomas' churches Minimum 3m wide extension of Block 7 Foreshore Street and linking both William Street footpath and the foreshore reserve path.			
Arcades	N/a			
Car Parking	Underground or semi-submerged			
Landscaping Soft Hard	Location on plan			

PART 4 BLOCK CONTROL

Block 7

Location map



DIAGRAMMATIC BLOCK PLAN - LONG TERM

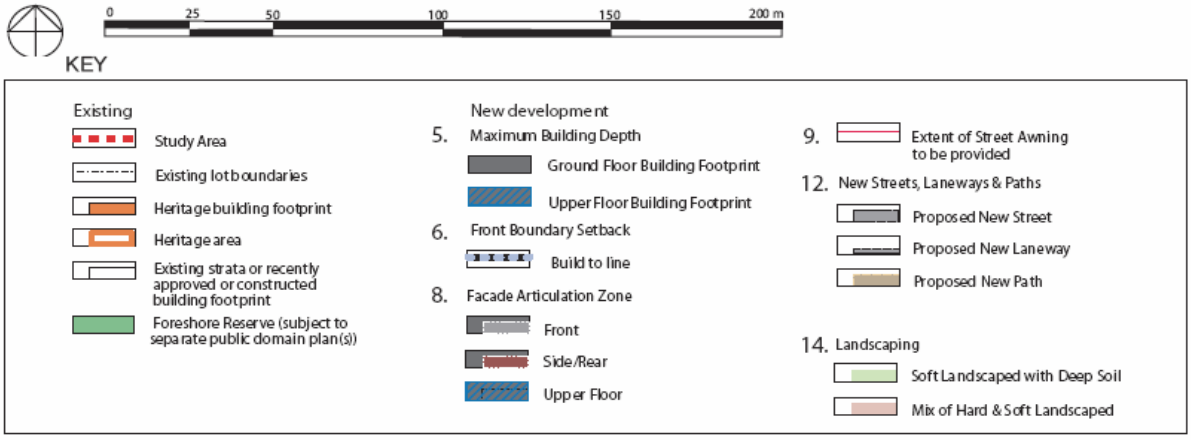


Figure 29: Port Macquarie Town Centre - Block 7 controls

Block 8				
Control	**Ground**	**First**	**Second/Third**	**Top Floor**
Maximum Building Depth	Whole site area	Whole site area	Whole site area	Whole site area
Front Boundary Setback				
Foreshore	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Horton Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Hayward Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Gordon Street	0m, build to line	0m, build to line	Minimum 0m	Minimum 3m
Rear Boundary Setback Block 7 Lane	N/a	N/a	N/a	N/a
Side Boundary Setback	0m	0m	0m	0m
Façade Enclosure	Minimum 60%	60%	50%	40%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	None			
Awnings	Location on Plan			
Pedestrian Entry	From streets and foreshore reserve			
Vehicle Entry	Off Hayward Street, Morton and Gordon Street (note loading to be position midblock on Gordon away from Horton Street or the Creek.)			
New Streets, Laneways and Paths	N/a			
Arcades	N/a			
Car Parking	Underground, semi-submerged. Above ground car parking only if sleeved with active uses to Hayward, Foreshore and Horton Street. Any car parking above ground to Gordon Street to be above 1st Floor and designed with high quality façade. Ideally roof car parking to be screened from Church view.			
Landscaping Soft Hard	To foreshore and streets			

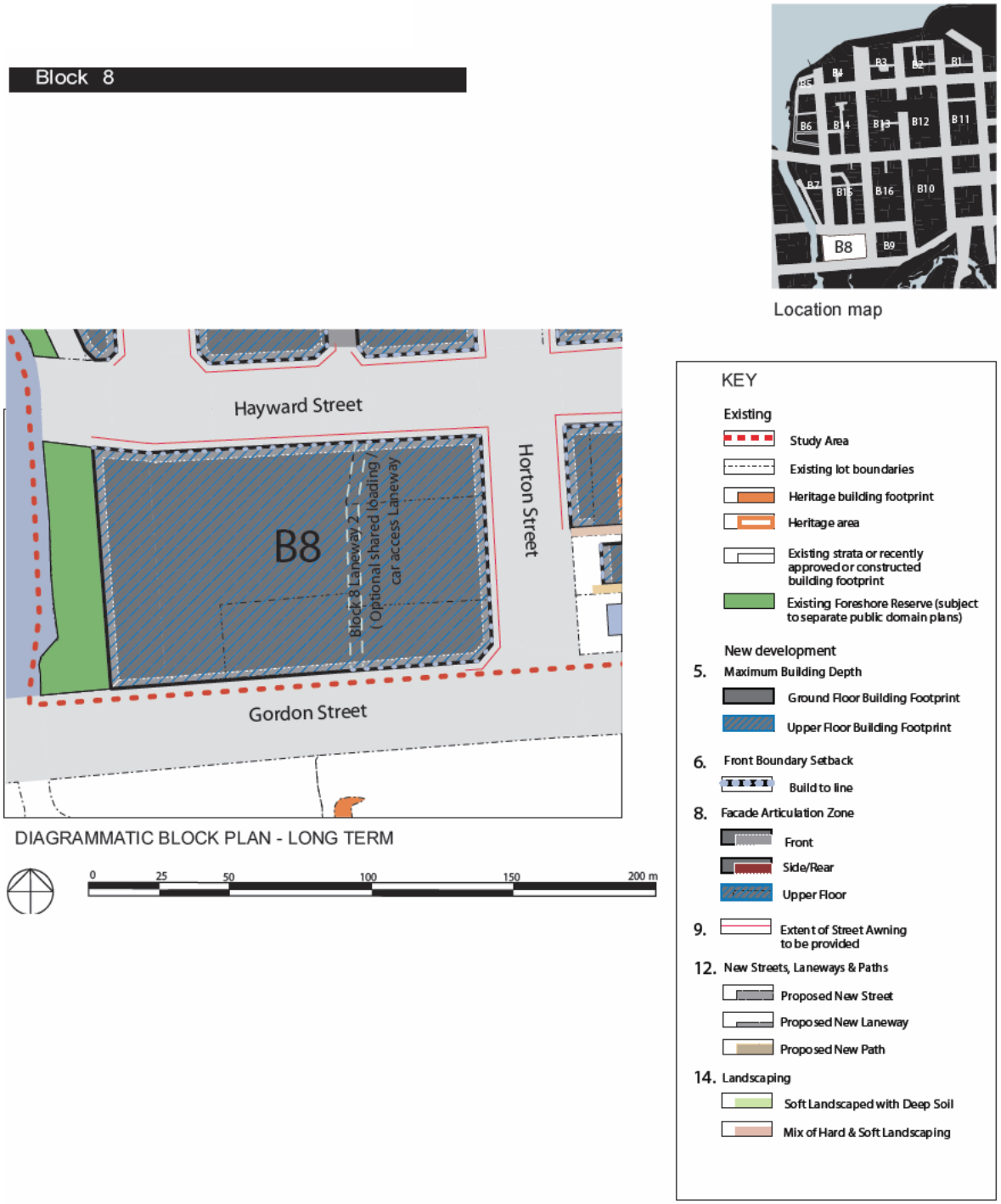


Figure 30: Port Macquarie Town Centre - Block 8 controls

Block 9			
Control	**Ground**	**First**	**Second and above**
Maximum Building Depth Horton Street Precinct Church Hill Precinct	 20m max from street boundary 20m max	 20m max from street boundary 20m max	 20m max from street boundary 20m max
Front Boundary Setback			
Horton Street (Church Hill Precinct)	0m, build to line	0m, build to line	Minimum 0m
Horton Street	10m, build to line	10m, build to line	N/a
Hay Street	Minimum 5m	Minimum 5m	N/a
Hayward Street	Minimum 10m	Minimum 10m	N/a
Rear Boundary Setback Church Hill Precinct	Minimum 9m	Minimum 9m	N/a
Side Boundary Setback	Minimum 3m	Minimum 3m	Minimum 3m
Façade Enclosure	Minimum 60%	60%	50%
Front Articulation Zone Horton Street Precinct Church Hill Precinct	0m Minimum 1.8m Maximum 4m	 Minimum 1.8m Maximum 4m Minimum 1.8m Maximum 4m	 Minimum 1.8m Maximum 4m Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on Plan		
Awnings	Location on Plan		
Pedestrian Entry	From streets		
Vehicle Entry	Off Hayward Street or Hay Street. If unavoidable also off Horton Street		
New Streets, Laneways and Paths	N/a		
Arcades	N/a		
Car Parking Horton Street Precinct Church Hill Precinct	 Underground or centre block Underground, some on grade parking		
Landscaping Soft Hard	Location on Plan		

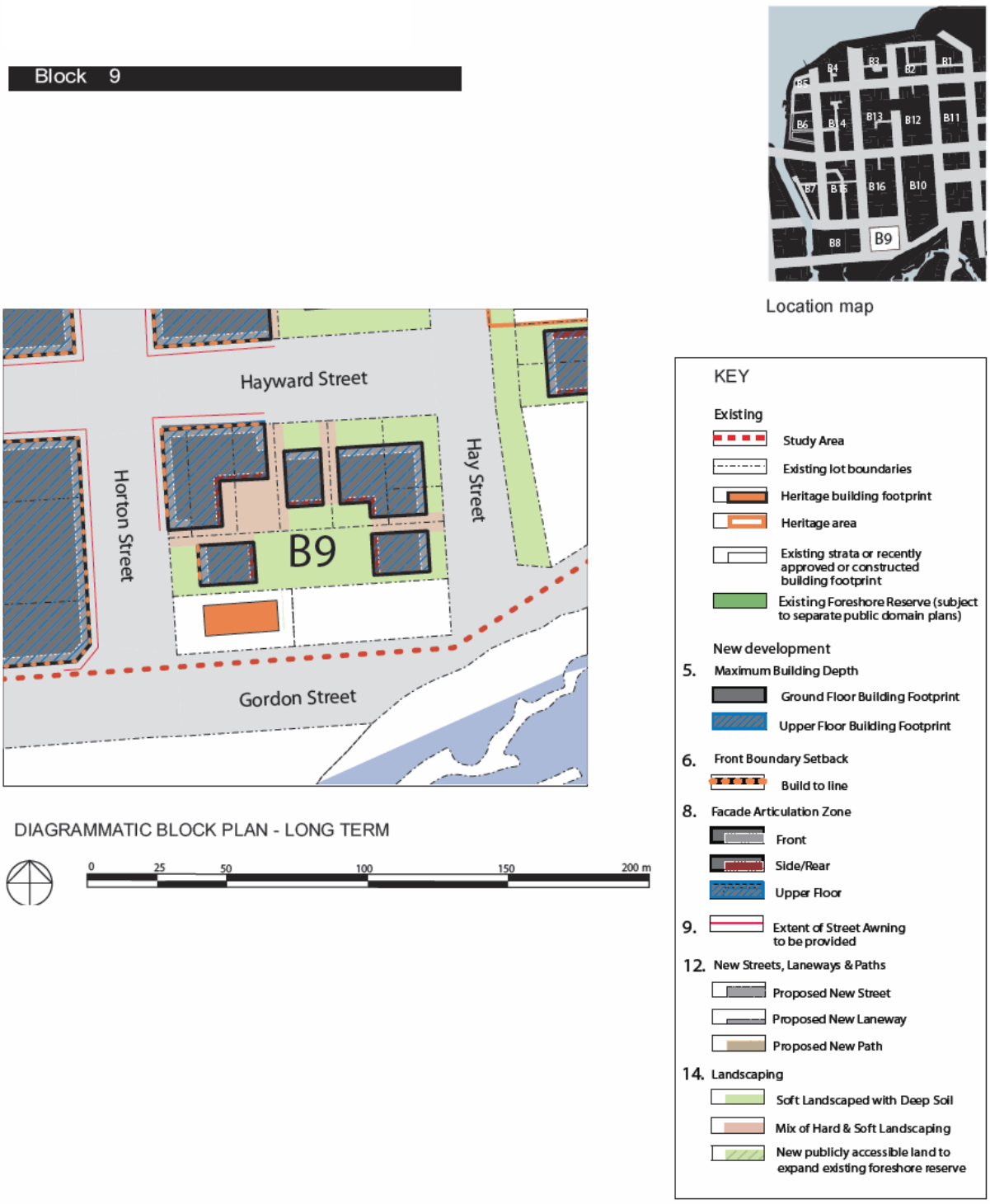


Figure 31: Port Macquarie Town Centre - Block 9 controls

Block 10			
Control	**Ground**	**First**	**Second and above**
Maximum Building Depth	20m maximum	20m maximum	N/a
Front Boundary Setback			
Hay Street	Minimum 10m	Minimum 10m	N/a
Gordon Street	Minimum 0m	Minimum 0m	N/a
Rear Boundary Setback Western Lots South Lot	 Minimum 12m Minimum 0m	 Minimum 12m Minimum 0m	 N/a N/a
Side Boundary Setback Western Lots South Lots	 Minimum 3m Minimum 0m	 Minimum 3m Minimum 0m	 N/a N/a
Façade Enclosure	Flexible	Flexible	N/a
Front Articulation Zone Western lots South Lot	 Minimum 1.8m Maximum 4m 0m	 Minimum 1.8m Maximum 4m Minimum 1m Maximum 3m	 Minimum 1.8m Maximum 4m Minimum 1m Maximum 3m
Rear/Side Articulation	Location on Plan		
Awnings	N/a		
Pedestrian Entry	From streets		
Vehicle Entry	Off Hay Street and Gordon Street		
New Streets, Laneways and Paths			
Arcades	N/a		
Car Parking	Underground, on street, some on grade		
Landscaping Soft Hard	Location on Plan		

Figure 32: Port Macquarie Town Centre - Block 10 controls

Block 11				
Control	**Ground**	**First**	**Second / Third**	**Top Floor**
Maximum Building Depth				
Northern Lot Courthouse Lot Southern Lots	Whole site area minus required setbacks Whole site area minus required setbacks Whole site area minus required setbacks	20m maximum from street boundary 20m maximum from street boundary 20m maximum from street boundary	20m maximum from street boundary 20m maximum from street boundary 20m maximum from street boundary	
Front Boundary Setback				
Northern Lot Clarence Street Murray Street Market Place Munster Street	 0m, Build to line 0m, Build to line Minimum 6m 0m, Build to line	 0m, Build to line 0m, Build to line Minimum 6m 0m, Build to line	 0m, Build to line 0m, Build to line Minimum 6m 0m, Build to line	 Minimum 3m Minimum 3m Minimum 9m Minimum 3m
Courthouse Lot Murray Street Munster Street	 0m, Build to line Minimum 35m	 0m, Build to line Minimum 35m	 0m, Build to line Minimum 35m	 0m, Build to line Minimum 35m
Southern Lots Murray Street William Street Munster Street	 0m, Build to line 0m, Build to line 0m, Build to line	 0m, Build to line 0m, Build to line 0m, Build to line	 0m, Build to line 0m, Build to line 0m, Build to line	 Minimum 3m Minimum 3m M
Rear Boundary Setback Northern and Courthouse Lots Southern Lots	N/a Minimum 6m	N/a Minimum 6m	N/a Minimum 6m	N/a Minimum 9m
Side Boundary Setback Courthouse Southern Lots North East Other	Minimum 6m Minimum 0m 0m, Build to line 0m	Minimum 6m Minimum 0m 0m, Build to line 0m	Minimum 6m Minimum 0m 0m, Build to line 0m	Minimum 6m Minimum 3m Minimum 3m 3m
Façade Enclosure Northern Lots Southern and Courthouse Lots	Minimum 60% Flexible	50% Flexible	40% Flexible	40% Flexible
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on Plan			
Awnings	Location on Plan			
Pedestrian Entry	From streets			

Block 11				
Control	**Ground**	**First**	**Second / Third**	**Top Floor**
Vehicle Entry	Off Market place, Murray and Munster Streets. If unavoidable also off William Street and is supported by a traffic impact assessment demonstrating minimal adverse impact on traffic and pedestrian movement along William Street and meets the following objectives: To integrate adequate car parking and servicing access without compromising street character, landscape or pedestrian amenity and safety. To avoid vehicular access from Clarence, William and Horton Streets. To locate any car park ramps completely within the building footprint to avoid retaining walls in the public domain. To provide access to parking and service areas from secondary streets and lanes serving the rear of the properties where possible. To ensure adequate separation distances between vehicular entries and street intersections. To optimise the opportunities for active use of street frontages by: making vehicle access points as narrow as possible and consolidating vehicle access for multiple ownerships; To improve the appearance of car parking and service vehicle entries.			
New Streets, Laneways and Paths	An additional mid block, pedestrian connection is encouraged between Murray and Munster Street and opposite New Street.			
Arcades	N/a			
Car Parking Northern and Courthouse Lots Southern Lots	 Underground Underground, on street, some on grade			
Landscaping Soft Hard	Location on Plan			

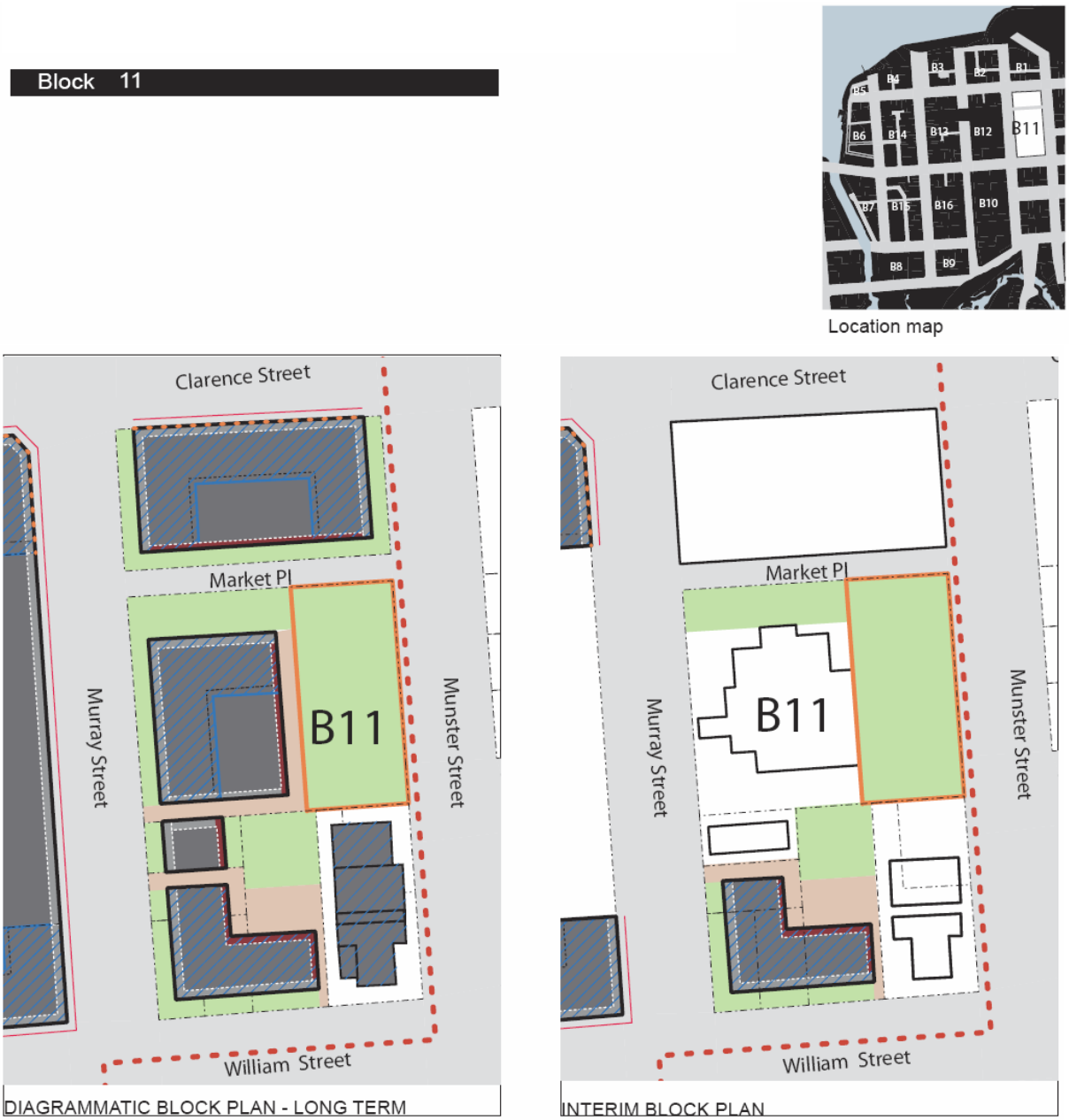


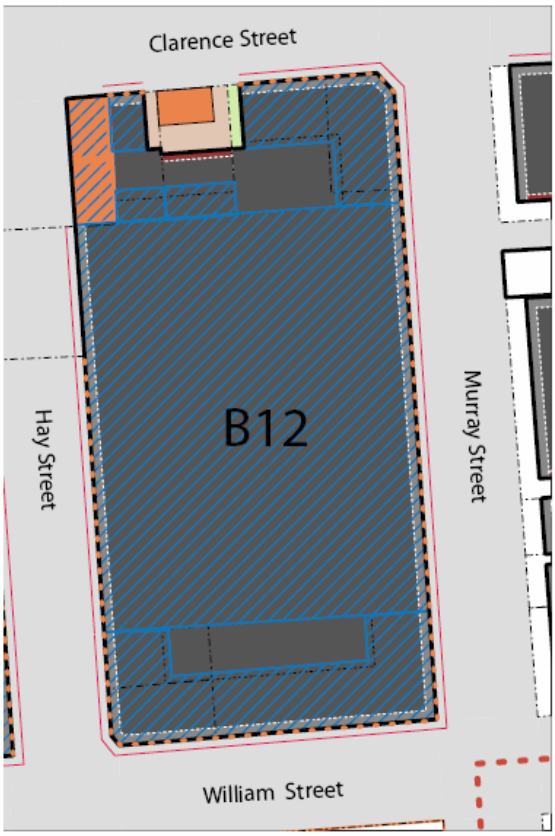
Figure 33: Port Macquarie Town Centre - Block 11 controls

Block 12 Control	Ground	First	Second / Third	Top Floor
Maximum Building Depth				
Adjacent to Heritage Items	Whole site area minus required setbacks	Whole site area minus required setbacks	Maximum 20m from street boundary	
Others	Whole site area minus required setbacks	Maximum 10m rear boundary and maximum 20m from street boundary	Maximum 10m rear boundary and maximum 20m from street boundary	
Front Boundary Setback				
Front Boundary Setback lot with Heritage Item	Minimum 9m from Heritage Item	Minimum 18m from Heritage item	Minimum 18m from Heritage item	
Others	0m, Build to Line	0m, Build to Line	Minimum 0m	Minimum 3m
Rear Boundary Setback				
Northern and Courthouse Lots	N/a	N/a	N/a	N/a
Southern Lots	Minimum 6m	Minimum 6m	Minimum 6m	Minimum 9m
Side Boundary Setback				
Courthouse	Minimum 6m	Minimum 6m	Minimum 6m	Minimum 6m
Southern Lots North East Other	 Minimum 4.5m Minimum 3m 0m	 Minimum 4.5m Minimum 3m 0m	 Minimum 4.5m Minimum 3m 0m	 Minimum 7.5m Minimum 6m 3m
Façade Enclosure				
Northern Lots	Minimum 60%	50%	40%	40%
Southern and Courthouse Lots	Flexible	Flexible	Flexible	Flexible
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on Plan			
Awnings	Location on Plan			
Pedestrian Entry	From streets			
Vehicle Entry	Off market Place, Murray and Munster Streets. If unavoidable also off William Street.			
New Streets, Laneways & Paths	N/a			
Arcades	N/a			
Car Parking				
Northern and Courthouse Lots	Underground			
Southern Lots	Underground, on street, some on grade			
Landscaping Soft Hard	Location on Plan			

PART 4 BLOCK CONTROL

Block 12

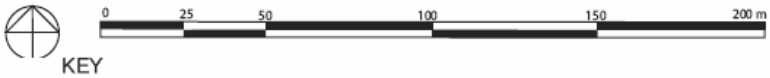
Location map



DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.



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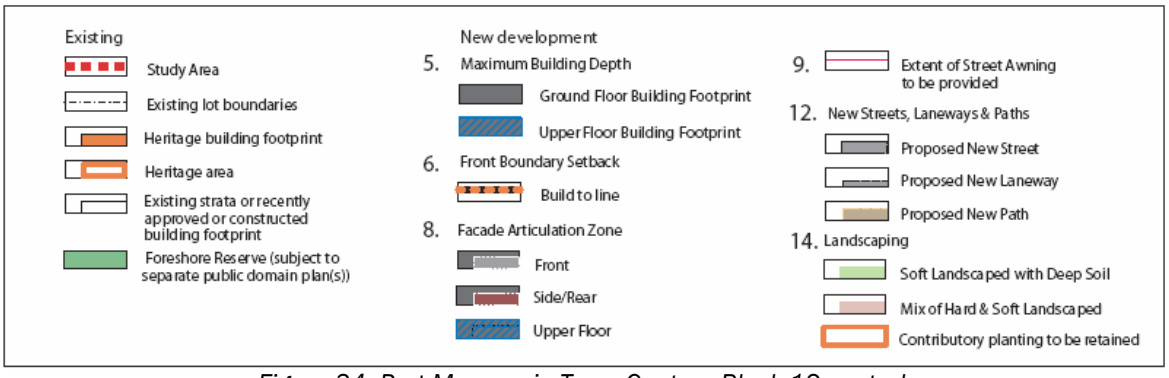


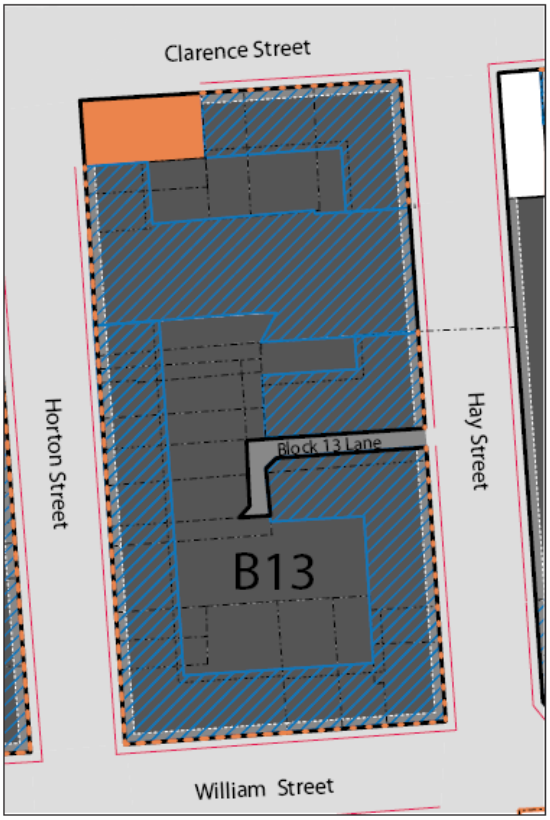
Figure 34: Port Macquarie Town Centre - Block 12 controls

Block 13 Control	Ground	First	Second / Third	Top Floor
Maximum Building Depth				
Port Central	Whole site area	Whole site area	Whole site area	
Others	Whole site area	Whole site area	Maximum 20m from street boundary and east-west section of Block 13 Lane.	
Front Boundary Setback				
	0m, Build to Line	0m, Build to Line	Minimum 0m	Minimum 3m
Rear Boundary Setback				
	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Side Boundary Setback				
	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Façade Enclosure				
	Minimum 60%	Minimum 60%	50%	50%
Front Articulation Zone	0	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	
Rear/Side Articulation	None			
Awnings	Location on Plan			
Pedestrian Entry	From streets. Arcades and future pedestrian bridge			
Vehicle Entry	Off Hay Street and Block 13 Lane. If unavoidable also off William Street.			
New Streets, Laneways and Paths	7m with turning head and connection to mid-block link			
Existing Laneway	Ensure minimum width 7m			
Arcades				
Car Parking	Underground, upper levels of development and some on street			
Landscaping Soft Hard	None			

PART 4 BLOCK CONTROLS

Block 13

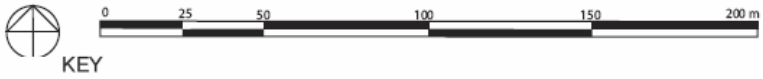
Location map



DIAGRAMMATIC BLOCK PLAN - LONG TERM

INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.



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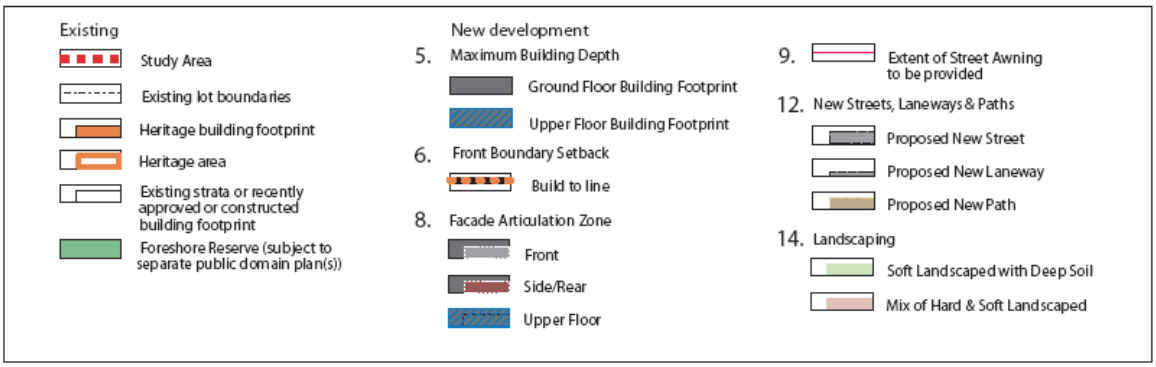


Figure 35: Port Macquarie Town Centre - Block 13 controls

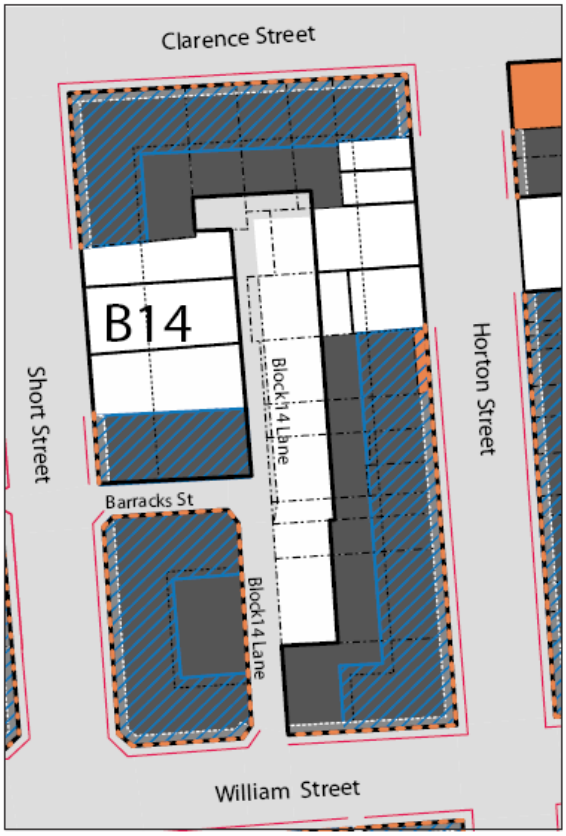
Block 14 Control	Ground	First	Second / Third	Top Floor
Maximum Building Depth				
	Whole site area minus required setbacks	Whole site area minus required setbacks	Maximum 20m from street boundary	Maximum 20m from street boundary
Front Boundary Setback				
Others	0m, Build to Line	0m, Build to Line	0m, Build to Line	3m, build to line
Rear Boundary Setback				
Block 14 Lane East	Minimum 17m	Minimum 17m		
Block 14 Lane West	Minimum 0m	Minimum 0m		
Other	Minimum 0m	Minimum0m		
Side Boundary Setback				
Barracks lane	0m, Build to Line	0m, Build to Line	Minimum 0m	Minimum 0m
Other	0m	0m	0m	0m
Façade Enclosure				
Northern Lots	Minimum 60%	Minimum 60%	50%	50%
Front Articulation Zone	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Rear/Side Articulation	Location on Plan			
Awnings	Location on Plan			
Pedestrian Entry	From streets and arcades			
Vehicle Entry	Off Barracks Street and Block 14 Lane			
New Streets, Laneways and Paths				
Block 14 Lane	Consolidation of existing laneway			
North – South Section	Minimum 7m wide			
East-West Section	Minimum 9m wide			
Arcades				
Car Parking	Centre block at grade, underground or upper levels of development within centre block.			
Landscaping Soft Hard	None			

PART 4 BLOCK CONTROLS

Block 14

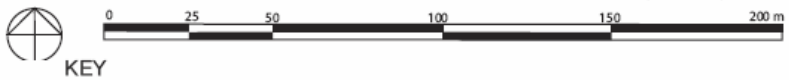
Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM



INTERIM BLOCK PLAN

Incorporating existing strata buildings and newly approved or constructed buildings and buildings significantly taller than current height controls.



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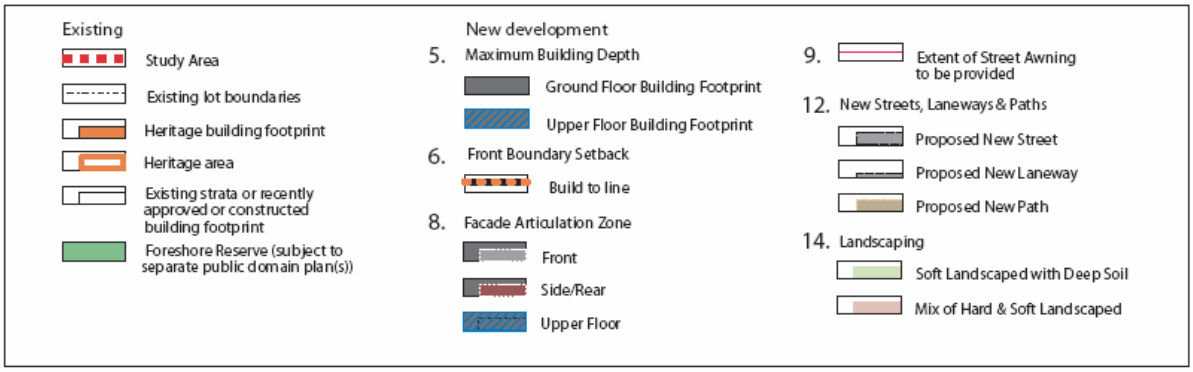


Figure 36: Port Macquarie Town Centre - Block 14 controls

Block 15 Control	Ground	First	Second / Third	Top Floor
Maximum Building Depth				
Northern and Eastern Lots	Whole site area minus required setbacks	Whole site area minus required setbacks	Maximum 20m from street boundary	Maximum 20m from street boundary
Western Lots	Whole site area	Whole site area	Whole site area	Whole site area
Front Boundary Setback				
Others	0m, Build to Line	0m, Build to Line	Minimum 0m	Minimum 3m
Rear Boundary Setback				
East	Minimum 17m	Minimum 17m		
West	Minimum 0m	Minimum 0m	Minimum 0m	
North	Minimum 0m	Minimum 0m	Minimum 0m	
Side Boundary Setback				
Side	Minimum 0m	Minimum 0m	Minimum 0m	Minimum 3m
Other	0m	0m	0m	Minimum 3m
Façade Enclosure				
	Minimum 60%	Minimum 60%	50%	50%
Front Articulation Zone				
Northern and Eastern Lots	0m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
Western Lots	0m	Minimum 1m Maximum 3m	Minimum 1m Maximum 3m	Minimum 1m Maximum 3m
Rear/Side Articulation	Location on Plan			
Awnings	Location on Plan			
Pedestrian Entry	From streets, Lanes and Arcades			
Vehicle Entry	Off block 15 lane 1 and one way off Block 15 Lane 2.			
New Streets, Laneways and Paths	N/a			
Block 15 Laneway 1	Minimum 6m wide, location to align with axial view of St Agnes' and St Thomas' Churches.			
Block 15 Laneway 2	Minimum 7m wide, open to sky			
Existing Laneway	Lane may be closed if Block Plan Option 2 is developed.			
Arcades				
Car Parking	Centre block at grade, underground or upper levels of development within centre block			
Landscaping Soft Hard	None			

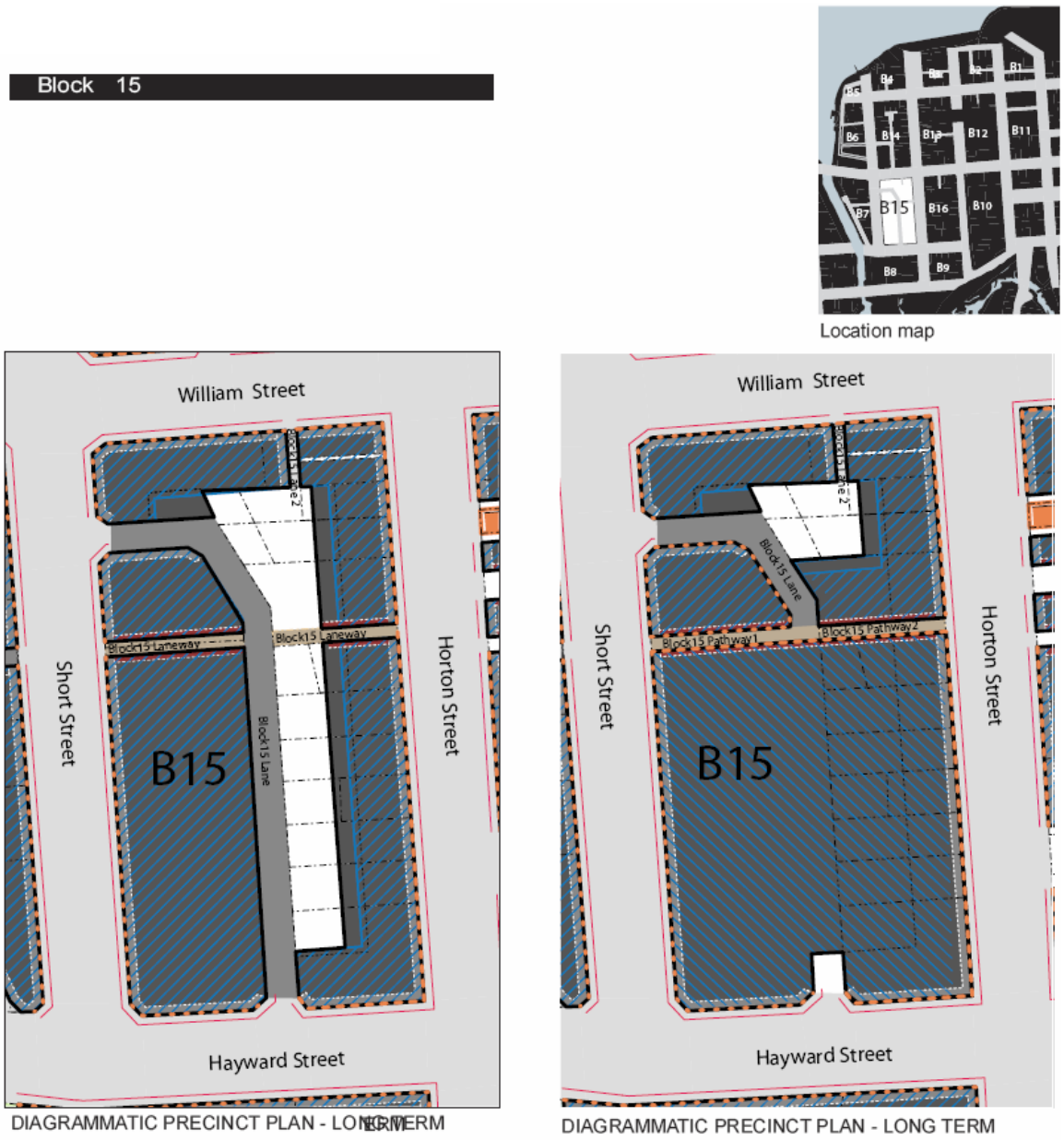


Figure 37: Port Macquarie Town Centre - Block 15 controls

Block 16 Control	Ground	First	Second and above
Maximum Building Depth			
Northern Lots	Whole site area minus required setbacks	Whole site area minus required setbacks	Maximum 20m from street boundary
Others	Maximum 20m	Maximum 20m	Maximum 20m
Front Boundary Setback			
Northern and Western Lots	0m, Build to Line	0m, Build to Line	0m, Build to Line
South eastern lots	Minimum 10m	Minimum 10m	N/a
Rear Boundary Setback			
North Western Lots	Minimum 15m	Minimum 15m	
North Eastern Lots	Minimum 3m	Minimum 3m	
Western Lots			
Gateway Buildings	Minimum 3m	Minimum 3m	Minimum 3m
Rear Development	Minimum 8m	Minimum 8m	N/a
Other	Minimum 12m	Minimum 12m	
South Eastern Lots	Minimum 12m	Minimum 12m	N/a
Side Boundary Setback			
North Western Lots	Minimum 3m	Minimum 3m	Minimum 3m
North Eastern Lots	Minimum 5m for 25m from street boundary, remainder minimum 3m	Minimum 5m for 25m from street boundary, remainder minimum 3m	Minimum 5m for 25m from street boundary, remainder minimum 3m
Block 16 Lane / Other Northern Western Lots / Gateway buildings. North South Rear Development Other Western South Western Lot North East South Eastern Lots West Other	Minimum 0m Minimum 3m Minimum 5m Minimum 3m 0m Minimum 5m Minimum 3m Minimum 10m Minimum 3m	Minimum 0m Minimum 3m Minimum 5m Minimum 3m 0m Minimum 5m Minimum 3m Minimum 10m Minimum 3m	Minimum 0m Minimum 3m Minimum 5m N/a 0m Minimum 5m Minimum 3m N/a N/a

Block 16 Control	Ground	First	Second and above
Façade Enclosure			
Northern and Western Lots	Minimum 60%	Minimum 60%	50%
South Eastern Lots	Flexible	Flexible	N/a
Front Articulation Zone			
Northern & Western Lots	0	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m
South Eastern Lots	Minimum 1.8m Maximum 4m	Minimum 1.8m Maximum 4m	N/a
Rear/Side Articulation	Location on Plan		
Awnings	Location on Plan		
Pedestrian Entry	From streets and pathways/staircase		
Vehicle Entry	Off Hayward Street, Block 16 Laneway and Hayward Street		
New Streets, Laneways and Paths	N/a		
Existing Laneway	Ensure minimum width 7m wide		
Arcades	N/a		
Car Parking			
Northern and Western Lot	Underground, on street or centre block		
Southern Eastern Lots	Underground, on street, some on grade		
Landscaping Soft Hard	Location on Plan		

PART 4 BLOCK CONTROLS

Block 16

Location map

DIAGRAMMATIC BLOCK PLAN - LONG TERM

KEY

Existing
- Study Area
- Existing lot boundaries
- Heritage building footprint
- Heritage area
- Existing strata or recently approved or constructed building footprint
- Foreshore Reserve (subject to separate public domain plan(s))

New development
5. Maximum Building Depth
   - Ground Floor Building Footprint
   - Upper Floor Building Footprint
6. Front Boundary Setback
   - Build to line
8. Facade Articulation Zone
   - Front
   - Side/Rear
   - Upper Floor
9. Extent of Street Awning to be provided
12. New Streets, Laneways & Paths
   - Proposed New Street
   - Proposed New Laneway
   - Proposed New Path
14. Landscaping
   - Soft Landscaped with Deep Soil
   - Mix of Hard & Soft Landscaped

Figure 38: Port Macquarie Town Centre - Block 16 controls

D1.2: SETTLEMENT CITY PRECINCT

Section D1.2 applies to all the land highlighted in Figure 39 below.

Figure 39: Land subject to Part D1.2

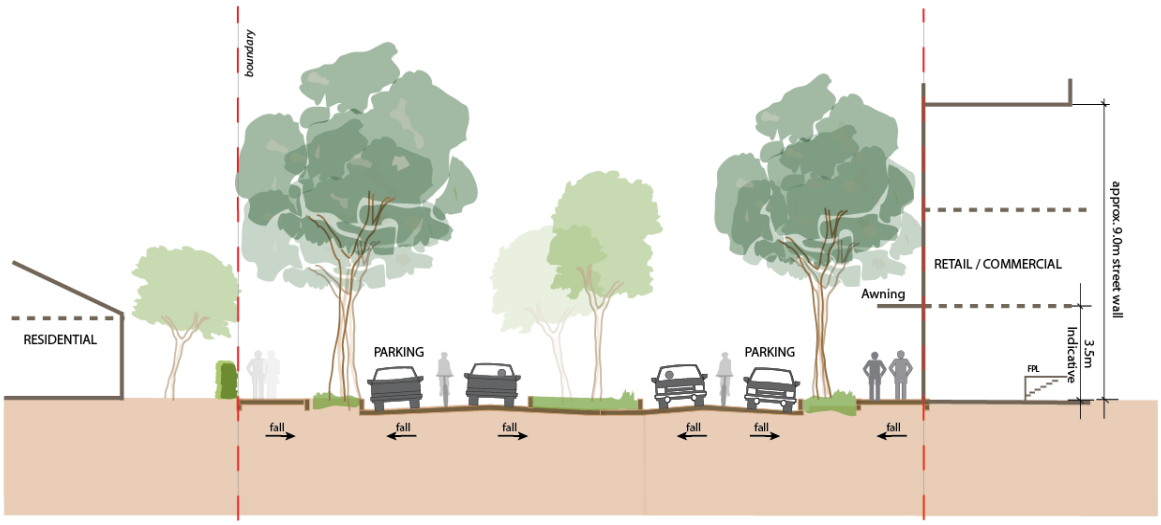
These provisions aim to promote development that contributes to realising the Vision and the desire for a holistic Greater Port Macquarie town centre/place, as described in the Settlement City Precinct Structure Plan 2009. .

Strategic Context

Port Macquarie Hastings Council adopted the Settlement City Precinct Structure Plan on 21 January2009. The Plan established a clear direction for future land use and development within the Settlement City Precinct with the emphasis being on achieving quality design outcomes that are coordinated and responsive to future public needs in the area.

Figure 40: Street hierarchy and movement network map

The recommendations of the Structure Plan aim to see the precinct fulfil its potential as a truly mixed use, vibrant, successful place with strong social, economic and physical ties to the Port Macquarie Town Centre but with a distinctive character that reflects the Vision and Desired Future Character statement defined in the Plan.



TYPICAL SECTION - WARLTERS STREET

TYPICAL PLAN - WARLTERS STREET

Figure 41: Warlters Street Road Plan and Section

Vision

The Vision for future development in the Settlement City Precinct is to create a distinctive and high quality mixed use place reinforcing the role of the Greater Port Macquarie town centre as a holistic place where residents and visitors can live, work or enjoy leisure activities.

Desired Future Character

The desired future character of the precinct is that of a distinctive place, complementary to the Port Macquarie Town Centre and with a broad and inclusive appeal and sense of place which consolidates the role of the Greater Port Macquarie CBD as the primary commercial centre in the region and a major centre on the NSW mid-north coast.

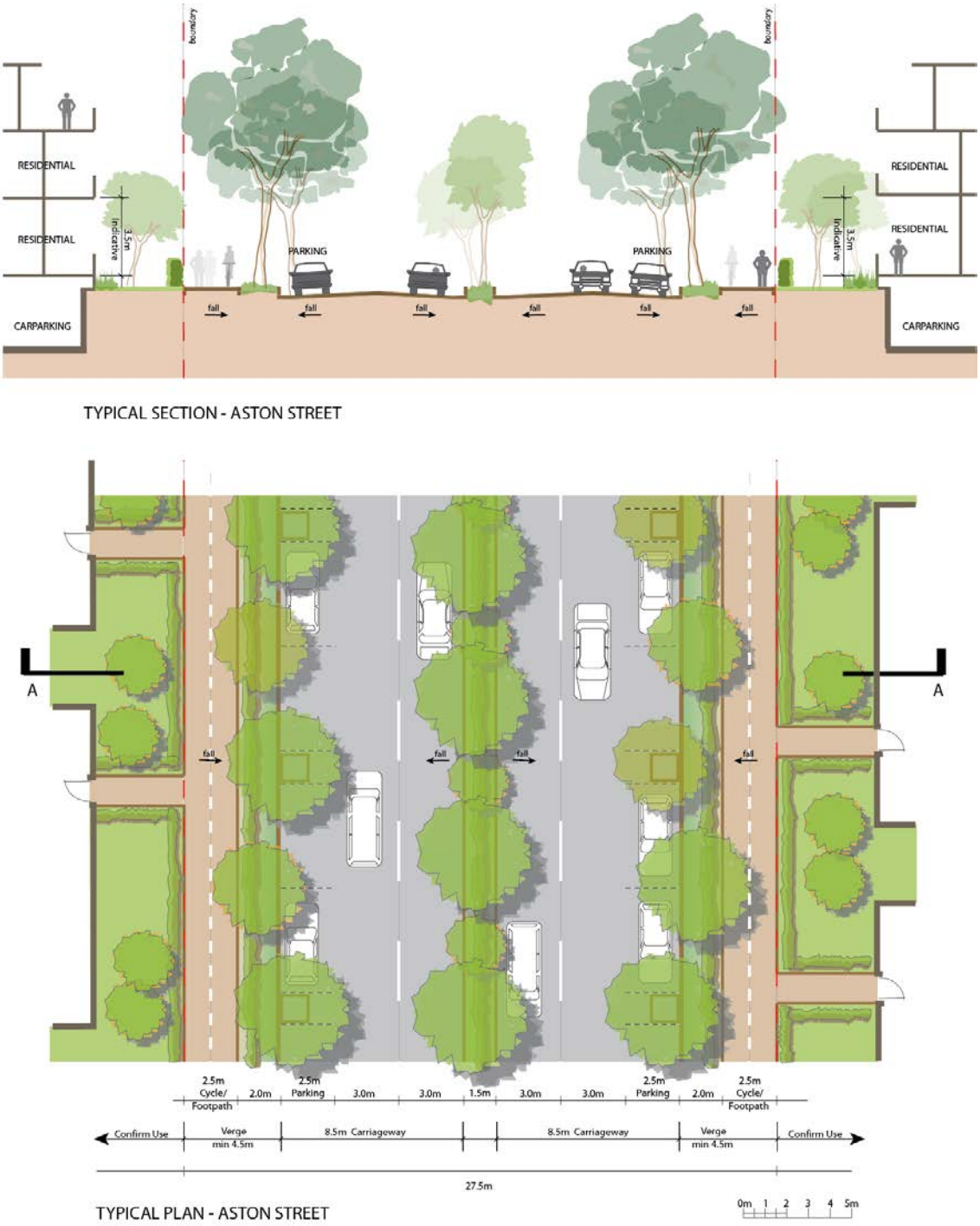


Figure 42: Aston Street Road Plan and Section

The area has a balanced mix of uses that sustain activity throughout the day and evening with a high quality and pedestrian friendly public realm enlivened by retail and commercial uses.

Existing streets are upgraded with generous footpaths, shady trees, on-street parking and awnings. New streets and laneways offer views into the precinct and opportunities to wander through to enjoy pleasant surprises such as urban squares and pocket parks

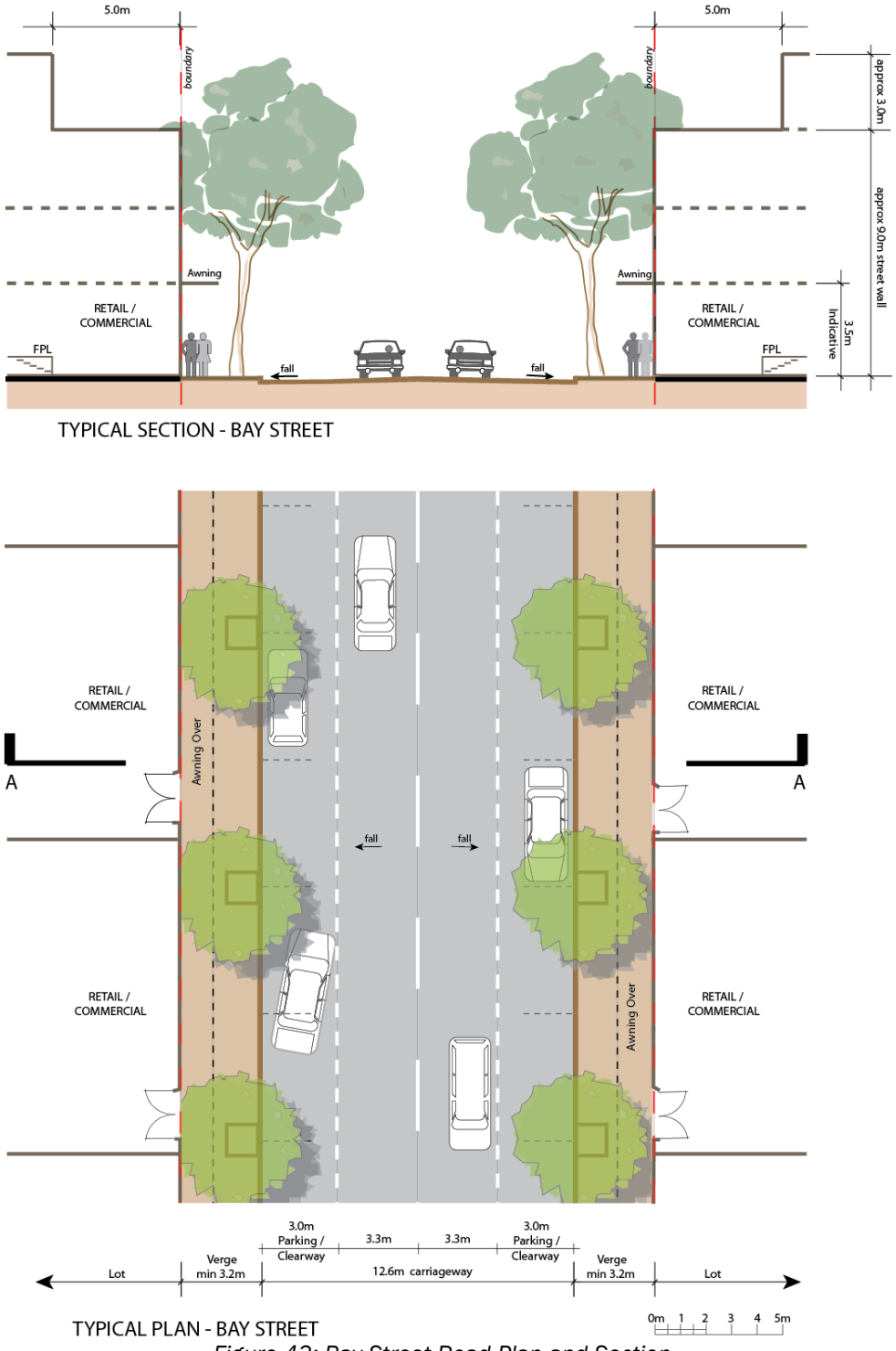


Figure 43: Bay Street Road Plan and Section

Entry points into the precinct are marked with high quality innovative development that visually balances the scale of the Panthers roof and announces entry into the area.

Car parking and service areas within developments are concealed behind active frontages and/or screened by architectural elements; and where appropriate, planting. Decked car parking is concealed from public view and includes active uses along streets and public spaces.

Design Excellence

Development in the Settlement City Precinct, which is recognised as a key area for the long-term growth of the Greater Port Macquarie CBD, requires a special design response. For this reason, the Design Excellence provisions in clause 7.11 A of PMH LEP 2011 applies to all land zoned B3 and SP3 within the Precinct and aims to ensure that future development is designed taking into account a number of urban design considerations.

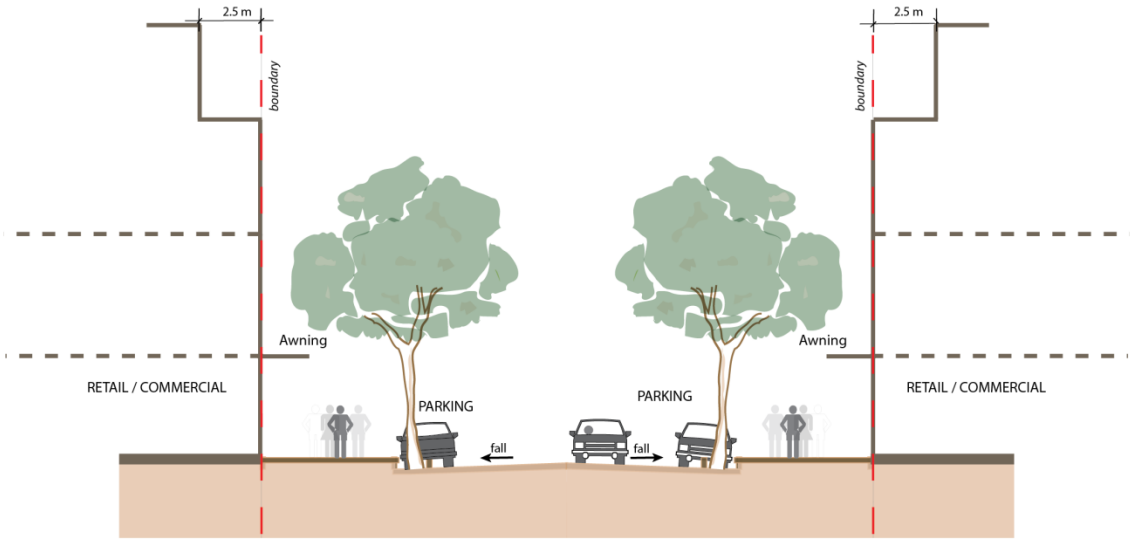
To assist in evaluating the Design Excellence of a proposal, a comparison between different approaches to a site and its context may be required to support a DA. In this regard, a minimum of three (3) sketch options may be required to demonstrate the opportunities and constraints of a site and how competing objectives can best be addressed in different design approaches. These options would be high-level investigations (ie building envelope) that show the potential of different site layouts to address the matters listed in the Design Excellence clause.

This process should occur at pre-lodgement DA stage before too much time and money is spent on developing a preferred design approach.

Objectives

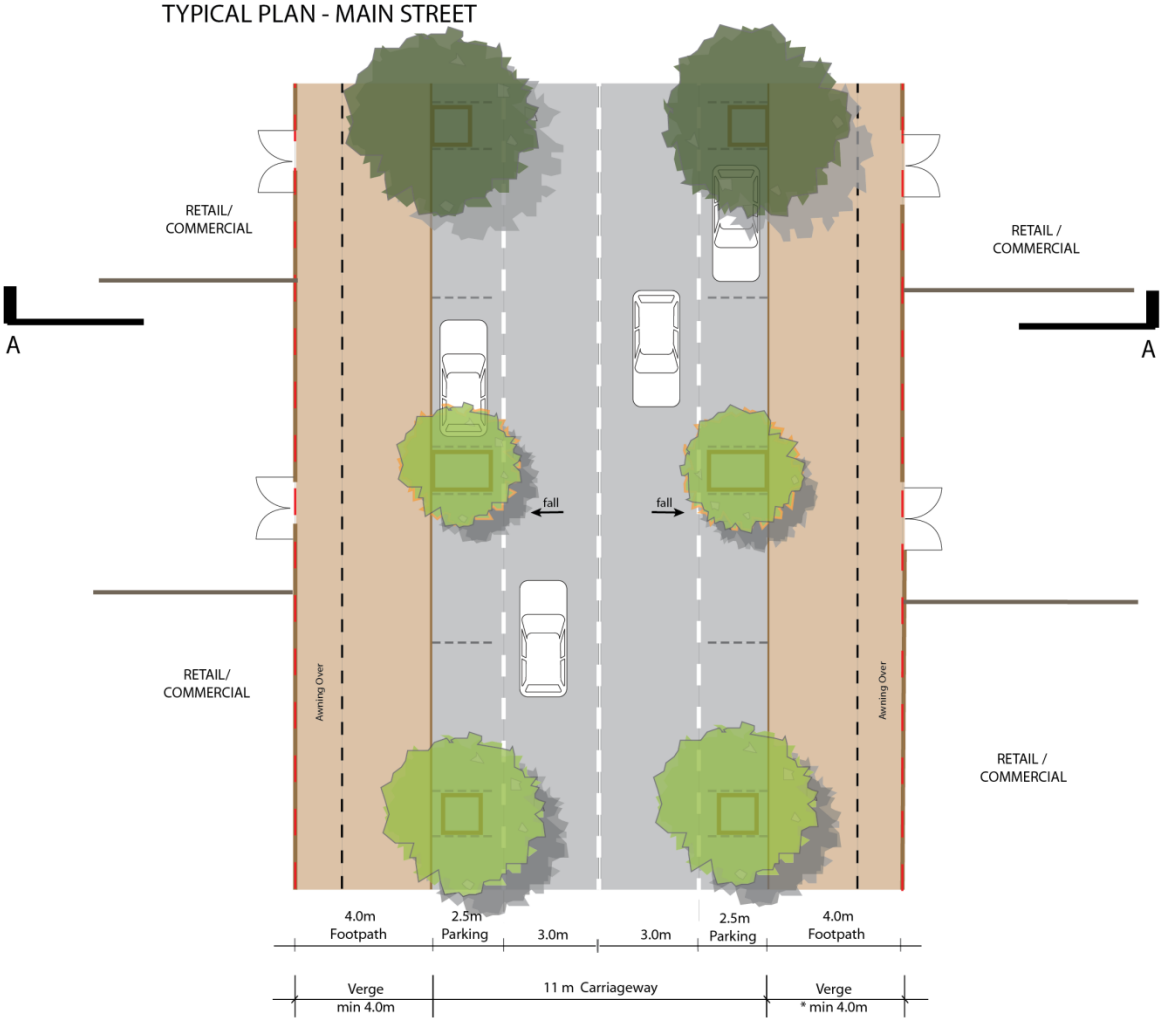
The objectives of these provisions are:

- To revitalise the precinct as a vibrant mixed use area with broad and inclusive appeal to workers, locals and visitors during the day and evening.
- To facilitate high quality, pedestrian friendly, street orientated development and promote the complementary benefit of public transport, bicycles and walking.
- To ensure that building design, including the use of materials and activities at ground floor, creates and improves pedestrian activation of the public domain.
- To create and enhance open spaces to provide for a range of community, recreation and leisure opportunities.
- To promote development that facilitates view corridors along new and existing streets and opportunities for view sharing.
- To ensure that buildings on prominent sites are designed to achieve a high standard of design reflecting the importance of their location and extent of visibility.
- To maintain a satisfactory level of amenity to existing and future residents within and adjoining the precinct.
- To ensure appropriate flooding and stormwater management measures are considered in the design and site layout.
- To ensure Aboriginal archaeological values are respected in the development process.
- To manage koala habitat as development occurs.



TYPICAL SECTION - MAIN STREET

TYPICAL PLAN - MAIN STREET



* Reduced 2.5m footpath width permitted prior to retail/commercial development on the eastern side of the new Main Street.

Figure 44: New Main Street Plan and Section

Development Guide

Transport, Traffic Management, Access and Car Parking

178. Objective

- To improve vehicular and pedestrian linkages and enhance the existing road network to accommodate the expected increase in travel demand

Development Provisions

a) The street hierarchy and movement network, including new retail streets and access laneways, should be provided generally in accordance with the conceptual Street hierarchy and movement network map at Figure 40.

b) The upgrade of Warlters Street, Aston Street, Bay Street (southern extent) and intersection works, are to be carried out in accordance with the requirements of the *PMHC Settlement City Precinct Roads Contribution Plan 2013*; and as appropriate for the proposed development.

c) Along the northern side of Warlters Street, land is to be dedicated to Council for the purpose of road widening to achieve a 27.0m wide road reserve, in addition to land required for a splay corner at the intersection of Warlters and Park Streets.

d) The road standards for each road type are to be in accordance with the following plans and sections and to the requirements of Council:

- Warlters Street - Figure 41
- Aston Street - Figure 42
- Bay Street - Figure 43
- New Main Street (connecting Warlters St to Park St) - Figure 44.

179. Objective

- Reduce the cumulative width of vehicle accesses over footpaths, especially for active street frontages.

Development Provisions

a) Where practicable, adjoining buildings are to share, or amalgamate vehicle access points.

180. Objective

- To provide easy access to public transport and encourage greater use of buses close to connections into the precinct.

Development Provisions

a) Bus stops are to be provided to both sides of Warlters and Park Streets near the intersection with the new Main Street.

Pedestrian Amenity and Permeability

181. Objective

- To assist in achieving a more pedestrian friendly and walkable precinct.

Development Provisions

a) The design of new development is to provide for new pedestrian links, laneways, secondary through-block connections and public promenade generally in the locations shown on Figure 45.

b) The design of the east-west pedestrian link is to provide for the connection to:

- be open to the air and with parts, publicly accessible at all times, with consultation to occur between Council and developers to maximise public access in the short-term;
- have active street frontages;
- be a clear and direct thoroughfare for pedestrians;
- have a minimum width of 8m clear of all obstructions; and
- demonstrate the application of 'safer-by design' principles.

c) New secondary through block connections should provide convenient links to the existing/proposed pedestrian network and are discouraged through car parking bays or along loading docks, in favour of pedestrian access along active building edges and footpaths.

182. Objective

- To provide shelter for public streets where most pedestrian activity occurs.

Development Provisions

a) Continuous street frontage awnings should be provided for all new development along Bay Street, Park Street, the new Main Street and laneways for pedestrian comfort and amenity. Outside these areas, weather protection is to be provided at the main entrance to each building.

183. Objective

- To encourage walking to and through the precinct and provide safe and convenient pedestrian crossing points that link the precinct to the surrounding area.

Development Provisions

a) The intersections of the new Main Street with Warlters Street and the new Main Street with Park Street should feature increased traffic management measures to facilitate pedestrian movement.

184. Objective

- To enable creation of a public promenade foreshore pedestrian network to ensure continuous pedestrian linkage from the town centre CBD to the precinct in addition to activation and surveillance along the water's edge, providing public safety.

Development Provisions

a) As part of any redevelopment, the promenade along the edge of the Hastings River is to be public in order to maximise access to the foreshore. Extension of the public

promenade along the water edge at Port Marina and Sails Resort will be subject to negotiations between Council, State Government and the landowners.

b) The minimum width of the pedestrian promenade at any point is to be 3.0m and designed taking into account the location, adjacent uses and built form design.

c) The pedestrian promenade is to be open 24 hours, 7 days a week through the registration of a public right of way and managed through a Plan of Management, subject to negotiations between Council, the Crown and the landowners.

185. Objective

- To provide some separation between public and private uses on the foreshore and enhance privacy and surveillance.

Development Provisions

a) Tourist accommodation on the foreshore edge and at the level of the public domain is to be setback 4.0m to provide a level change to a raised landscaped terrace (see Figure 46.)

b) Any fencing along the foreshore edge should be setback behind landscaping and comprise a clear glazed open balustrade, or a low palisade style fence.

186. Objective

- To achieve comfortable street environments for pedestrians and provide for a well framed streetscape appropriate to the precinct and pedestrian scale.

Development Provisions

a) Buildings adjoining the Main Street and Town Square are to have a maximum street edge height of 11.5m, with levels above this height set back 2.5m.

b) In other areas of the precinct, the street frontage height of any new building is to be appropriately scaled to complement the streetscape.

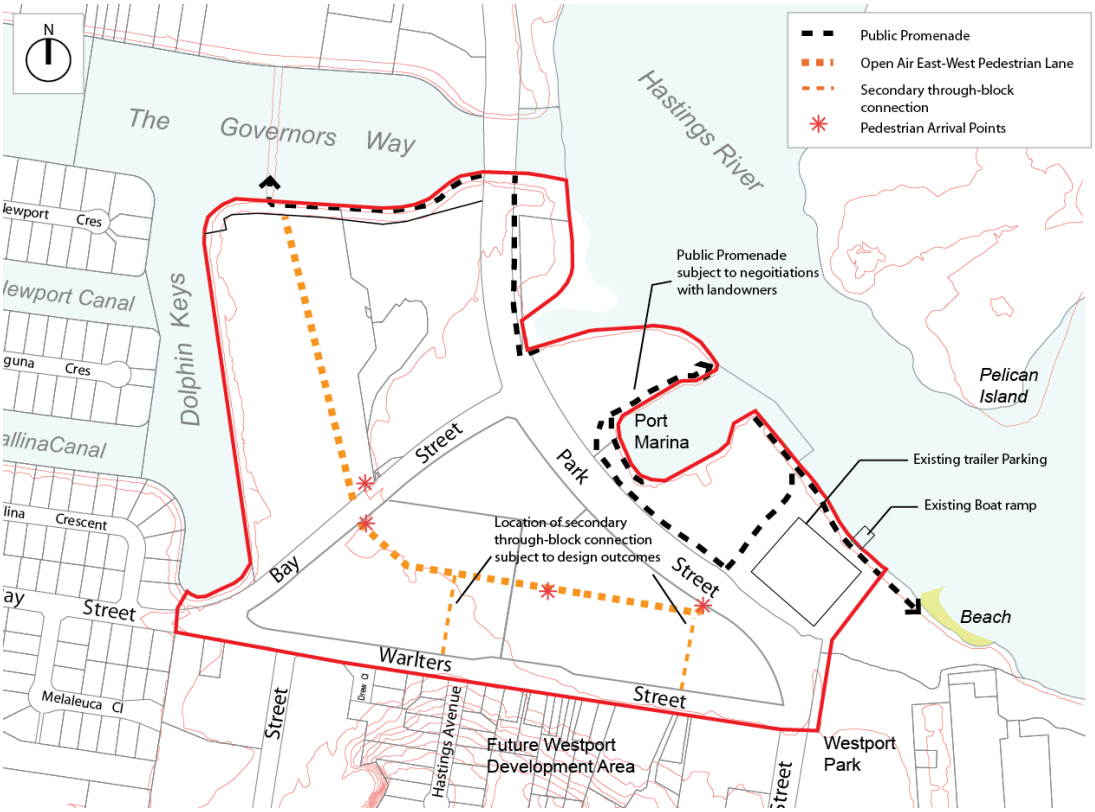


Figure 45: Pedestrian arrival point

Building Facades, Materials and Finishes

187. Objective

- To contribute to the creation of a high vibrant precinct streetscape through appropriate architectural design.

Development Provisions

a) The use of textures, colours and different natural materials is encouraged to create visual interest and variation. Natural materials associated with maritime uses and structures is encouraged.

b) Expression of bold structural elements is encouraged. Portholes and exaggerated maritime elements are not supported.

c) Use of elements such as sails and lightweight timber shading structures is encouraged, particularly along the foreshore.

d) Blank building wall(s) or loading docks along street frontages or visible from streets and other public space is discouraged.

e) Any above ground level decked car parking areas and visible service areas of a building are to be treated as an integral part of the overall design and fully screened from public areas.

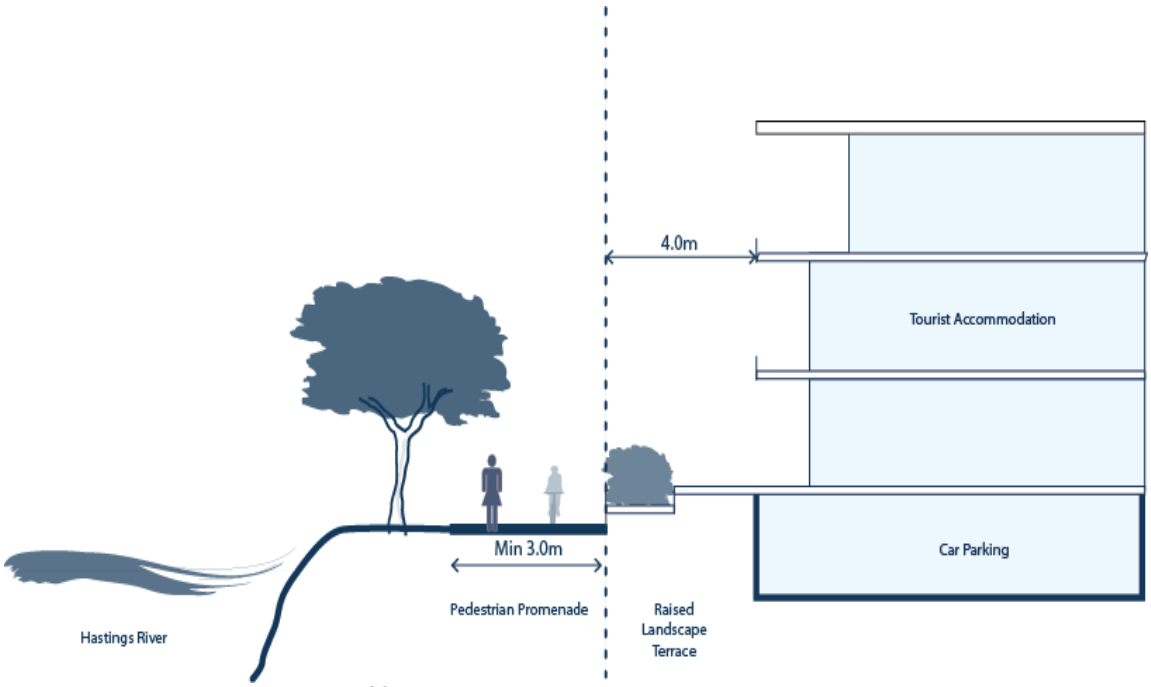


Figure 46: Level change to raised landscape terrace

Adaptable Design

188. Objective

- To encourage building designs that meets the broadest range of occupants' needs possible and which can accommodate whole or partial changes of use.

Development Provisions

a) For all new buildings greater than single-storey, the ground floor should have a minimum floor to ceiling height of 3.4m to provide for flexible tenancy opportunities.

189. Objective

- To facilitate the future conversion of above ground parking to alternative uses.

Development Provisions

a) Decked car parking at and above ground level should provide for appropriate ceiling heights and floor levels to allow for future adaption to other uses.

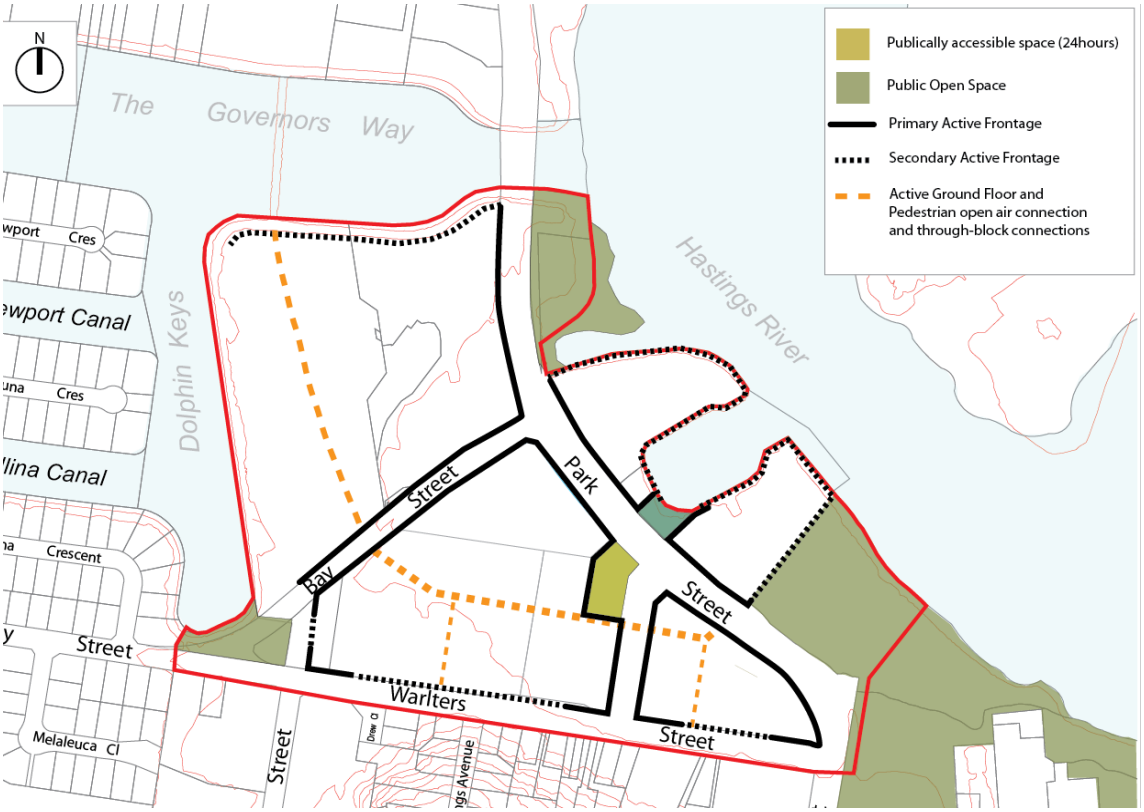


Figure 47: Activation map

Street Edge Activation

190. Objective

- To maximise street edge activation in the Settlement City Precinct to contribute towards creating a dynamic vibrant and interesting place.

  *[**Street edge activation** refers to street frontages where there is active visual engagement between those in the street and those on the ground floors of buildings. The quality is assisted where the front façade of buildings, including the main entrance, faces and opens towards the street].*

Development Provisions

a) New development is to provide for ground floor activation of street edges generally in accordance with Figure 47.

- Primary activation of frontages along the new Main Street, Park Street, Bay Street and street corners
- Primary activation of frontages to the Town Square, Marina Foreshore Plaza, east-west pedestrian laneway and through-block connections; and
- Secondary activation of frontages along the remainder of Warlters Street and foreshore frontages.
- For primary activation, active ground floor uses occupy a minimum 70% of the building frontage.
- Where not activated along a primary frontage, visual impact is to be minimised through high quality design, building articulation and suitable materials.
- For secondary activation, active ground floor uses occupy a minimum 30% of the building frontage.

b) Where not activated along a secondary frontage in Warlters Street, generous landscaped setbacks are to be provided to include a mix of ground covers, mounding and canopy trees to effectively screen and break up the visual appearance of development.

c) Where not activated along a secondary foreshore frontage, the design of development is to address Figure 46.

d) Enclosed malls are not supported.

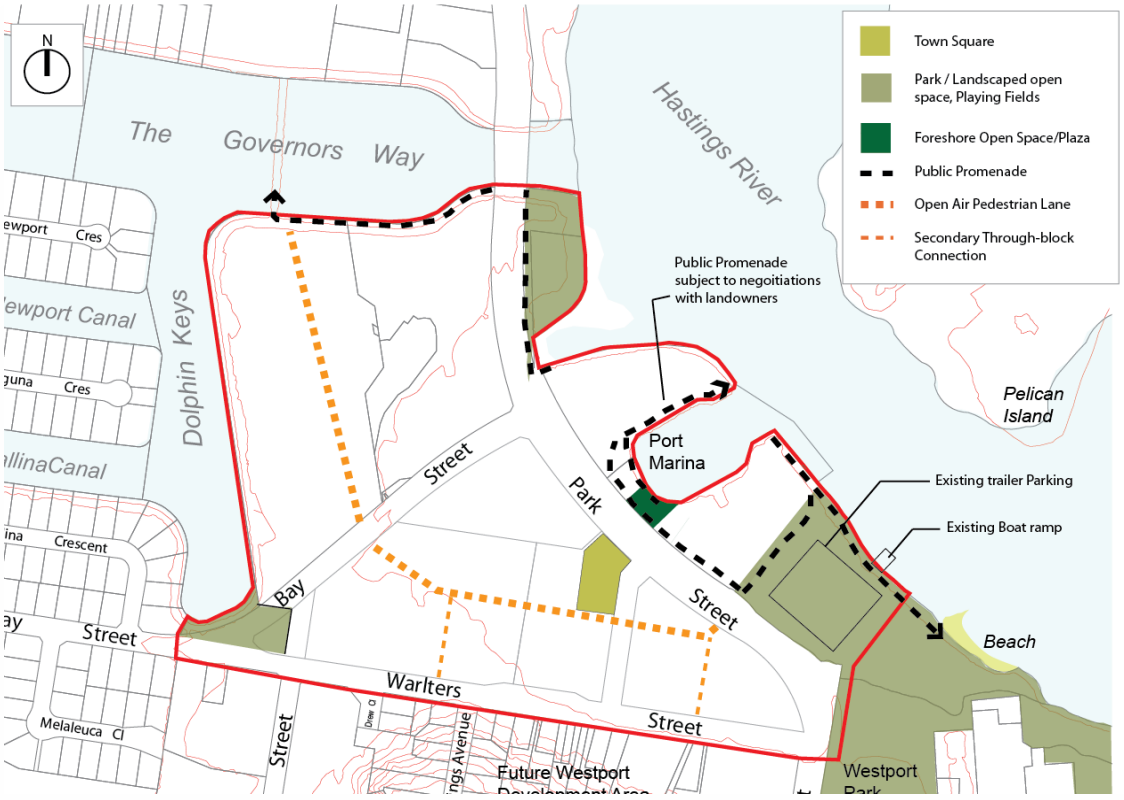


Figure 48: Open space map

Open Space

191. Objective

- To create an inviting public domain and provide a range of active and passive open spaces throughout the precinct that are accessible to residents and visitors alike.

Development Provisions

a) New open spaces, accessible by the public, should be established throughout the precinct generally in the locations shown on Figure 48 as follows:

– A new town square along the new Main Street with a strong visual relationship to the Marina foreshore plaza and connection to the river. The town square is to intersect with the east-west pedestrian link, Park Street and Main Street to ensure a continuous and integrated public realm and pedestrian network. The role of the town square is to create a pedestrian and community meeting place in a landscaped and vibrant public open space. If the town square is to be staged then it should, at a minimum, intersect with Park Street and Main Street and be activated.

– A new Marina foreshore plaza to visually link to the town square, intersect with Park Street and the foreshore and reinforce the view corridor along Main Street to the river. In combination with the town square, the plaza creates a real focus and brings a sense of the river into the precinct.

– A new park space adjacent to Dolphin Keys as part of the reopening of Warlters Street to provide a high quality green space for residents, locals, workers and visitors alike.

b) The proposed town square and foreshore plaza spaces are hard paved open areas with some feature tree planting, public art, pedestrian lighting, seating and demonstrated opportunity for pavement leasing for cafes/restaurants.

c) 24-hour public access into and through the proposed town square and foreshore plaza spaces is encouraged for a range of leisure, recreation and community activities to cater to locals and visitors.

d) The park at the western entrance to the precinct is softer in character with landmark trees and grass for a shaded relaxed environment and facilities for sitting.

192. Objective

- Encourage a high level public domain quality and appearance consistent with the town centre to reinforce a connected and holistic Greater Port Macquarie CBD.

Development Provisions

a) Improve amenity of the public realm through use of a consistent theme of pavement materials, trees and vegetation, tree grates, seating, lighting, bins, bollards and the like consistent with the materials and elements specified in the *Port Macquarie Greater CBD Masterplan 2003.*

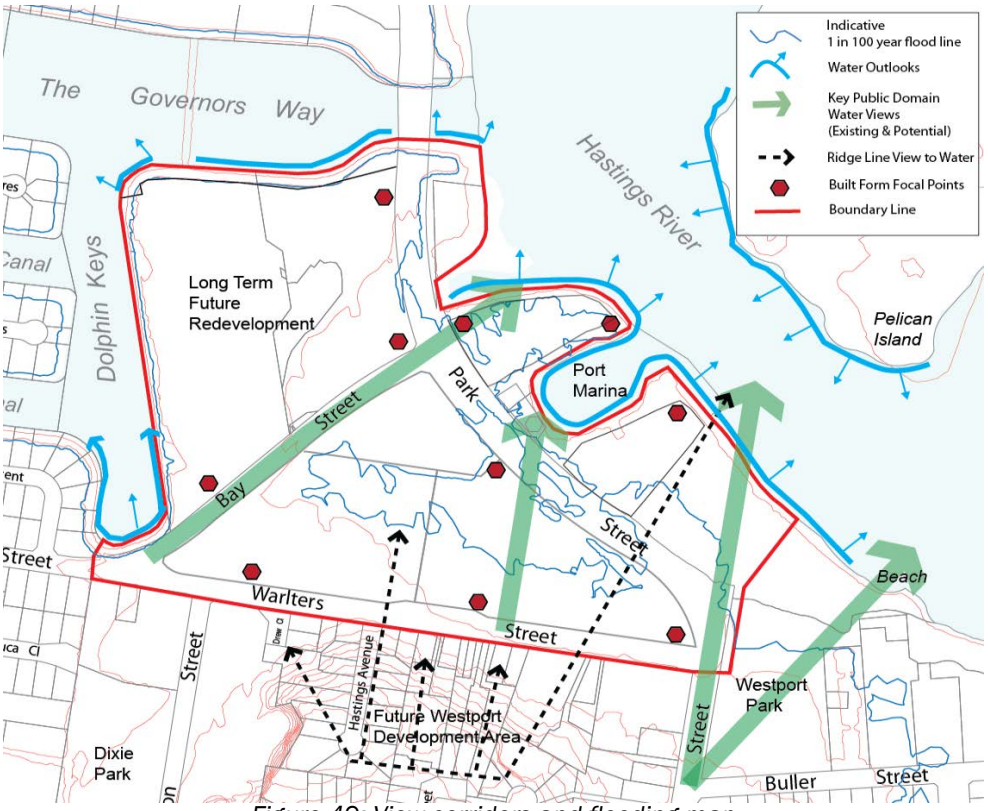


Figure 49: View corridors and flooding map

Views and View Corridors

193. Objective

- To enhance views along new and existing streets, laneways and from the public domain.

Development Provisions

a) Development is designed to maintain or create view corridors as shown in Figure 49.

b) Development is designed to maintain and enhance long street views:

- along Park Street and Hastings Ave north to the water (see Figure 50 and Figure 51;
- to Westport Park along Warlters Street;
- along Bay Street towards the water with potential redevelopment of the Sails Resort to facilitate water and foreshore glimpses from Bay Street at its intersection with Park Street.

c) Development is to create and enhance new views across the Marina Foreshore Plaza and water of the Hastings River along the new Main Street.

d) Pedestrian overpasses and vehicular bridges over streets are not supported.

e) Buildings and works extending over laneways are not encouraged.

194. Objective

- To allow for view sharing and quality of views across the precinct to the foreshore.

Development Provisions

a) Development is designed to create visually pleasing roofscapes when viewed from the south and in profile from the water, foreshore or Westport Park.

b) Development is designed to promote view sharing from the south across the precinct to the water and demonstrated by articulating roof forms and modelling building heights.

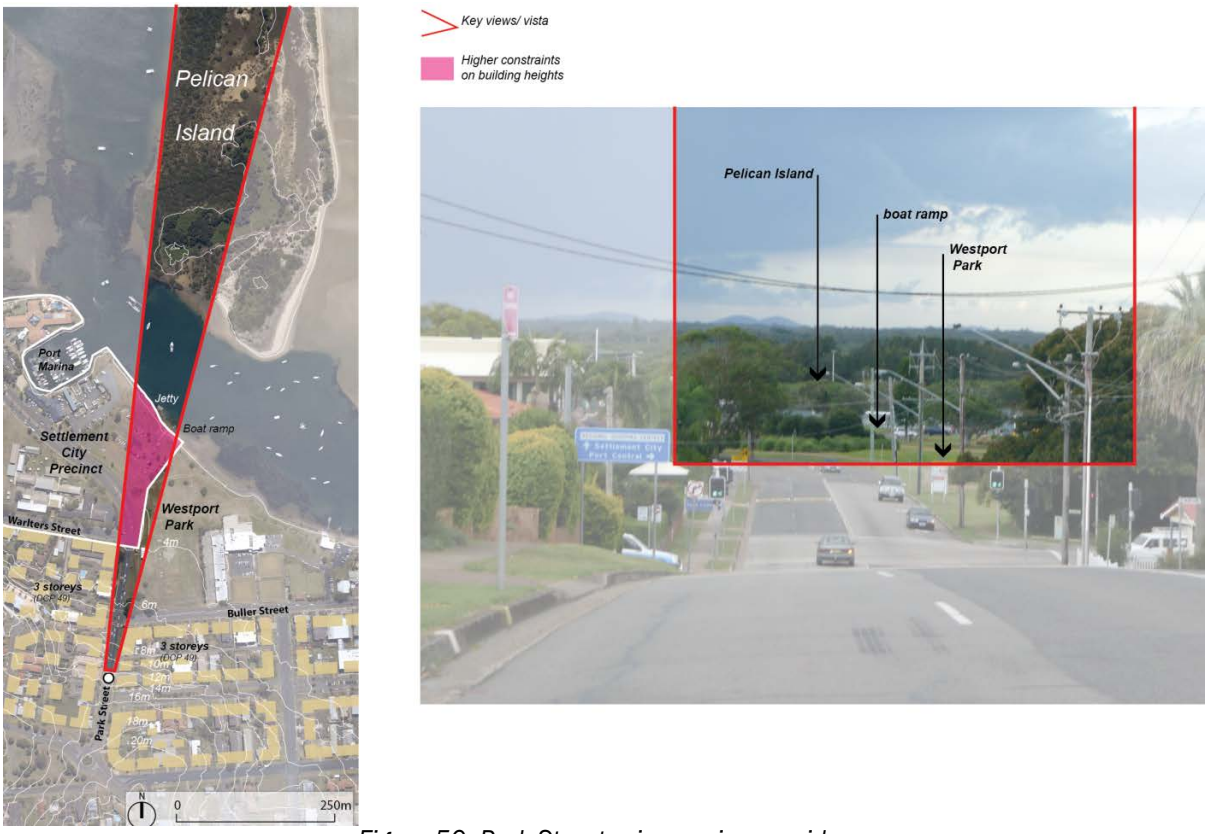


Figure 50: Park Street primary view corridor

Visual and Environmental Amenity

195. Objective

- To minimise the visual impacts of development and to promote the functional and environmental benefits of landscape quality and performance.

Development Provisions

a) Any at grade car/trailer parking areas within or close to view corridors are to be designed using high quality materials such as cobbles, landscaping, lighting and small unit pavers to minimise visual impact and to create the character of a shared zone.

b) Where it is not feasible to provide activation to the street edge in the immediate to short-term and at grade parking is proposed, tree planting should be provided either in car parking bays, at the end of aisles and or between, to provide suitable shade to minimise radiant heat and to assist in managing stormwater run-off from large expanses of at grade car parking.

c) New development is encouraged to retain existing mature trees where feasible and to provide opportunities to enhance the landscape features of the area. In circumstances where a mature tree cannot be replaced on a site, developers are encouraged to incorporate suitable replacement planting in a publicly accessible open space within the precinct (for eg town square, plaza park, Warlters Street pocket park).

d) Canopy tree plantings are to be provided in a centre median in Warlters Street.

Gateways and Landmark Sites

196. Objective

- To recognise the high visibility and contribution of particular corner sites to overall streetscape and 'gateway' design.

Development Provisions

a) New development located at potential landmark sites and gateway locations identified on Figure 49, is to demonstrate how the proposal addresses the landmark or gateway location and how the building has been designed to function as a landmark or gateway structure.

b) Development on the corner of Park/Warlters Street is to be designed as an iconic building with a maximum height of 19m, subject to minimising overshadowing of residential land south of Warlters Street.

c) A shadow diagram is to be submitted to demonstrate that the development will not unduly impede solar access to the living and private open space areas of adjacent residential development to less than 3 hours between 9am and 3pm on June 22.

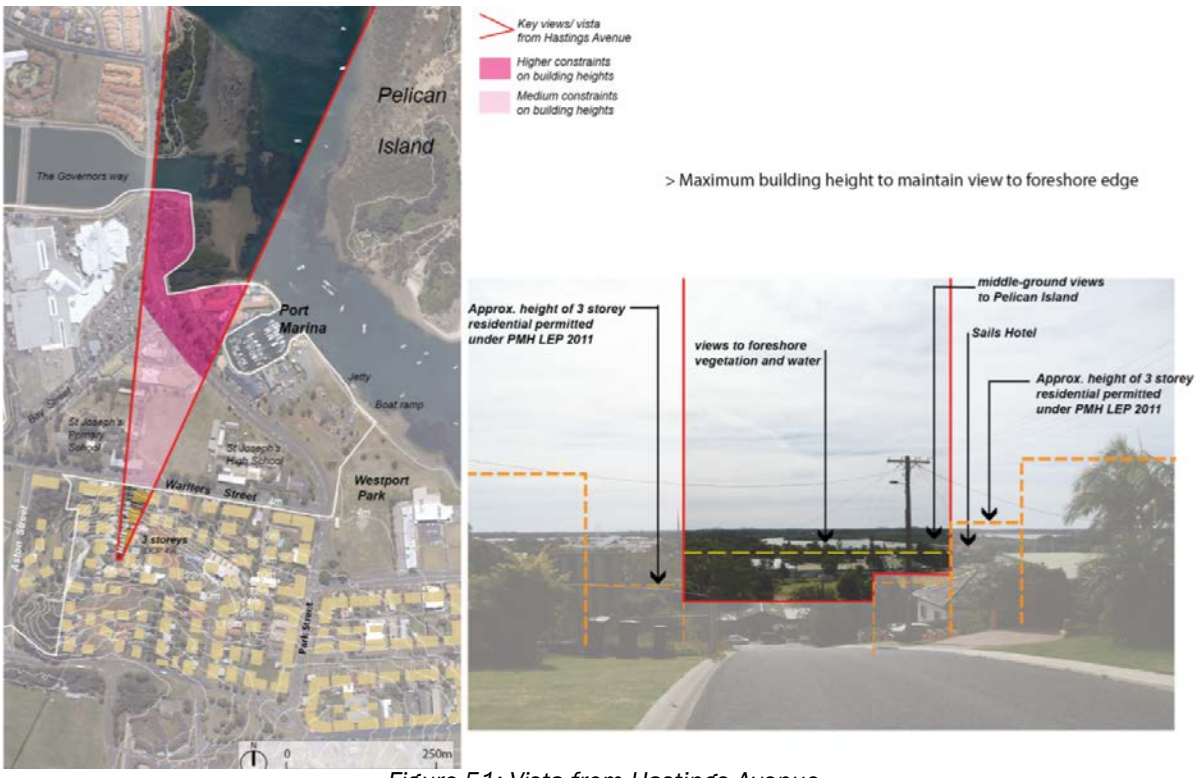


Figure 51: Vista from Hastings Avenue

Flooding

197. Objective

- To identify requirements for permissible developments in the flood liable areas of the precinct.

Development Provisions

a) All buildings need to achieve a level of protection equal to the relevant Flood Planning Level (FPL). Where the transition to an existing street is difficult, Council may consider the use of flood gates/boards. Where there are no transition issues to existing streets, all

floor levels within buildings are to be at the FPL. For the foreshore, the level change is to be accommodated by a series of decks, terraces and boardwalks located at different levels, with no change in level to be more than 1.0m. Where this approach is used, disabled access is to be provided by ramps or other methods integrated into the overall design of the terracing to achieve a high quality visual outcome.

b) Underground car parking areas must have protection to the FPL.

Stormwater

198. Objective

- To mitigate the potential for stormwater flooding in the vicinity of Warlters Street.

Development Provisions

a) A designated overland flow path is to be provided through Lot 2 DP1163062, Warlters Street to mitigate the potential for adverse impacts to upstream land.

The overland flow path should preferably be in the location of the new Main Street.

Where designed to support overland flow, the new Main Street is to be built to the level of existing surrounding streets. If not designed to accommodate overland flow, the new Main Street is to achieve a level of protection equal to the relevant FPL.

An easement is to be created over any piped and overland flow paths through the site.

Figure 52: Mapped koala food trees within St Joseph's Primary School site, Warlters Street

Koala Habitat

199. Objective

- To assist in the short to medium-term management of koala habitat in the area in accordance with the recommendations of the Warlters Street Commercial Lands Local Environmental Study 2010.

Development Provisions

a) All mapped koala food trees within the St Joseph's Primary School site (see Figure 52) are to be retained for the life of the school use.

b) Occupation of the St Joseph's Primary School site by koalas is to be reassessed when the school use terminates, with any koala on-site at that time to be considered for relocation, prior to commencement of any development activity.

c) Council shall prepare a Vegetation Rehabilitation Management Plan (VRMP) for land formerly traversed by Bay Street (to be enacted when realignment of Bay Street is complete), elements of which must identify the need to plant additional Tallowwood trees as landscape elements.

d) The VRMP is to recognise the need to remove some of the existing trees that appear maladapted to the site and replacement of these trees with more suitable species.

Aboriginal and European Heritage and Archaeology

200. Objective

- To determine any specific requirements of local indigenous groups for excavating land fronting Warlters Street in accordance with the Warlters Street Commercial Lands Local Environmental Study, 2010.

Development Provisions

a) Where a DA for land fronting Warlters Street involves excavation works, other than minor works, where in the opinion of the assessing officer there is unlikely to be any adverse impact, Council shall consult with:

- the Birpai Local Aboriginal Land Council;
- the Birpai Traditional Owners; and
- the Bril Bril Traditional Owners.

Such consultation is to occur during the relevant public exhibition period.

D1.3: WESTPORT NEIGHBOURHOOD

Section D1.3 applies to the land highlighted in Figure 53 below.

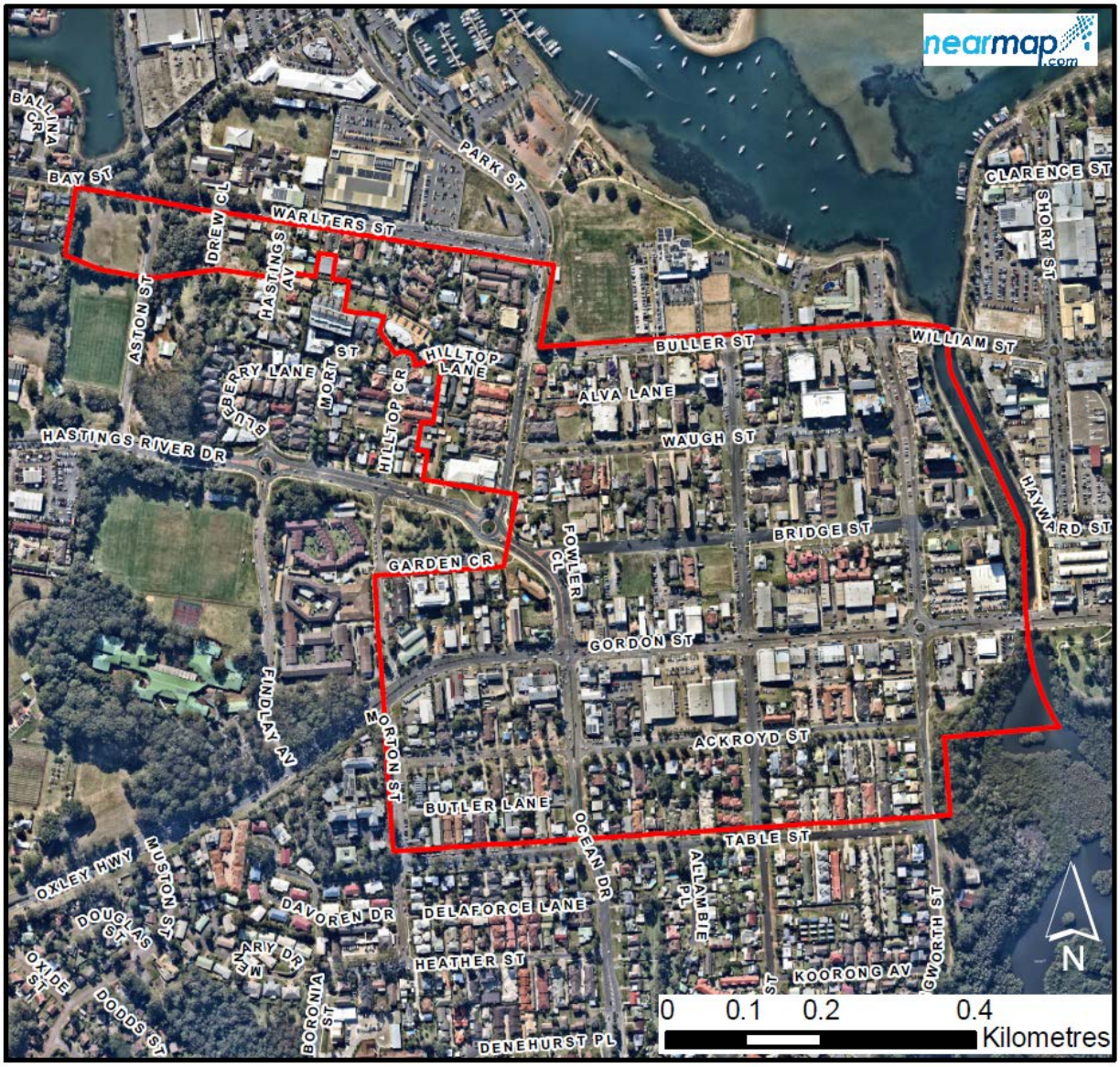


Figure 53: Land subject to Section D1.3

Strategic Context

Westport is located between the Town Centre, Settlement City, the Hastings River foreshore and Kooloonbung Creek. The future vision for Westport is as a vibrant residential neighbourhood which provides quality residential accommodation set within distinctive streetscapes.

Planning and development in Westport has the potential to provide a coordinated approach to development throughout the precinct to improve aspects of the public domain and to improve connection to the important foreshore edges of both the river and the creek.

In 2012, a jointly funded urban design project was undertaken to encourage urban consolidation and regeneration in the Port Macquarie Town Centre Fringe areas, including Westport and Aston Hill. This urban design report included a range of provisions that are now included in the Port Macquarie-Hastings Local Environmental Plan 2011 or have been applied to all residential

development under the development specific provisions of this development control plan. The design analysis remains relevant and should be considered in any development application in the precinct.

The preferred building types provisions provide a sound built form aspiration, however it is considered that the development specific provisions of SEPP65 provide adequate control mechanisms to achieve a high level of design outcome.

The design analysis did highlight two elements that are not covered elsewhere and are therefore appropriate to include as locality specific provisions.

1. New lane ways

   A number of new lane ways have been identified in the precinct to support access, to improve street address and to provide opportunities to maximise the development of deep, narrow lots.

2. Public domain works

   The Westport Precinct is characterised by wide streets that service low levels of traffic. These streets provide a unique opportunity to make significant improvements to the public realm.

Development Guide

New Streets and Laneways

201. Objective

- To improve the service and parking access to Gordon Street retail and commercial uses.
- To improve the public access to parkland for adjacent residents.
- To improve pedestrian access to Gordon Street and to enhance existing links through redevelopment.

Development Provisions

a) New laneways, park edge streets and through site pedestrian links are to be provided as shown in Figure 54.

b) New laneways are to be a minimum 8 metre reserve width for two way traffic with a 1.5 metre wide planting zone along the residential interface.

c) New laneways are to be a minimum 6 metres reserve width for one way traffic and include a 1.5 metre wide planting zone along one side.

d) New park edge streets are to be a minimum 12 metres reserve width with a footpath along the northern side and parallel parking bays along the park edge.

e) New pedestrian through-site links are to be a minimum 2 metres wide.

f) Lighting, paving, street furniture and street tree planting are to be provided in accordance with Council specification.

Lot Size and Frontage

202. Objective

- To ensure that development is carried out on sites that are adequate in size and dimension.
- To maximise the potential of land to achieve the desired floor space and to deliver greater housing capacity within the neighbourhood.
- To enable design quality and adequate amenity within the site and between neighbours.
- To ensure that on-site parking requirements can be adequately met.
- To avoid isolated sites.

Development Provisions

a) A minimum lot frontage of 24 metres at the property line is required for residential flat development.

b) On sites with multiple street frontages, a reduced frontage of 18 metres may be appropriate,

c) Where it is demonstrated that adequate on-site parking, setbacks, separation and deep soil can be achieved.

Note:
Where a minimum street frontage cannot be achieved, the development potential of the site is reduced.

Building Height

203. Objective

- To provide finer grain neighbourhood level guidance in assessment of building heights under the local environmental plan, ensuring development responds to the desired scale and character of the street and local area.
- To provide space within the height control for roof design and articulation.
- To support the use of roofs for communal open space, where appropriate.
- To ensure the ground floor ceiling heights are sufficient to support flexibility in use over the life of the building, where appropriate.

Development Provisions

General

a) Buildings do not exceed the maximum height of buildings shown in the local environmental plan maps.

b) Setbacks and building alignments are to be consistent with those shown in Figure 55.

Bridge Street south-west of Gore Street

c) Where commercial uses are proposed for ground and first floor, a 2 storey wall height is to be built to the front boundary with residential floors above, setback 3 metres.

d) The floor level of the upper-most storey is to be at least 4.5 metres below the maximum permissible building height in metres.

Gore Street, Bridge Street and William Street

e) Ceiling heights for ground and first levels are to be a minimum of 3.3 metres to promote flexibility in use over time.

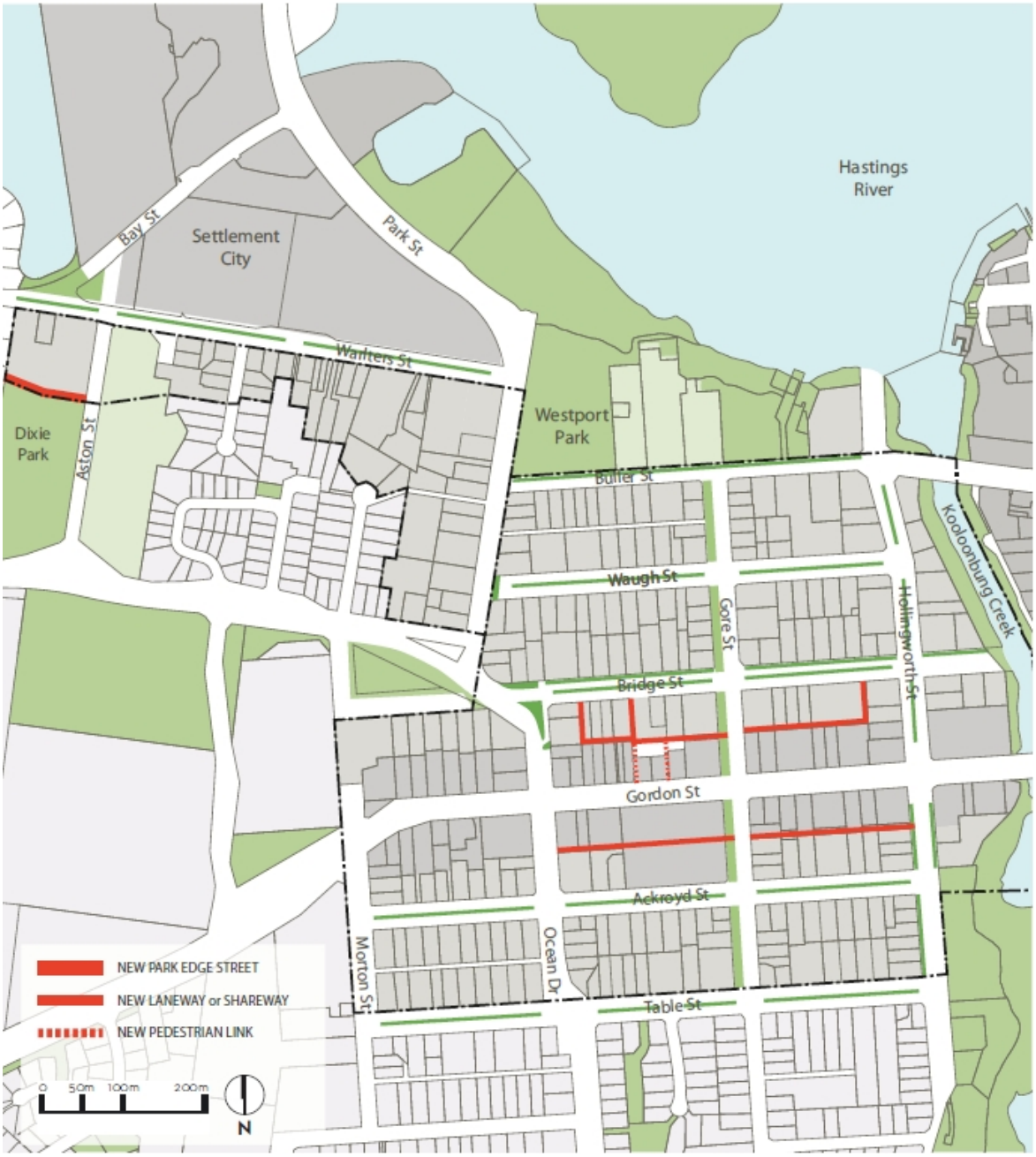


Figure 54: New streets and lane ways

Streetscape and Front Setbacks

204. Objective

- To facilitate redevelopment of a variety of lot depths.
- To reinforce the desired character, building use and spatial definition of the street.
- To promote outlook and surveillance of the street
- To provide private open space for street level units

Development Provisions

a) Setbacks and building alignments are to be consistent with those shown in Figure 55 and Figure 56.

b) Where no setback is shown, buildings are to be setback 3 metres from the street.

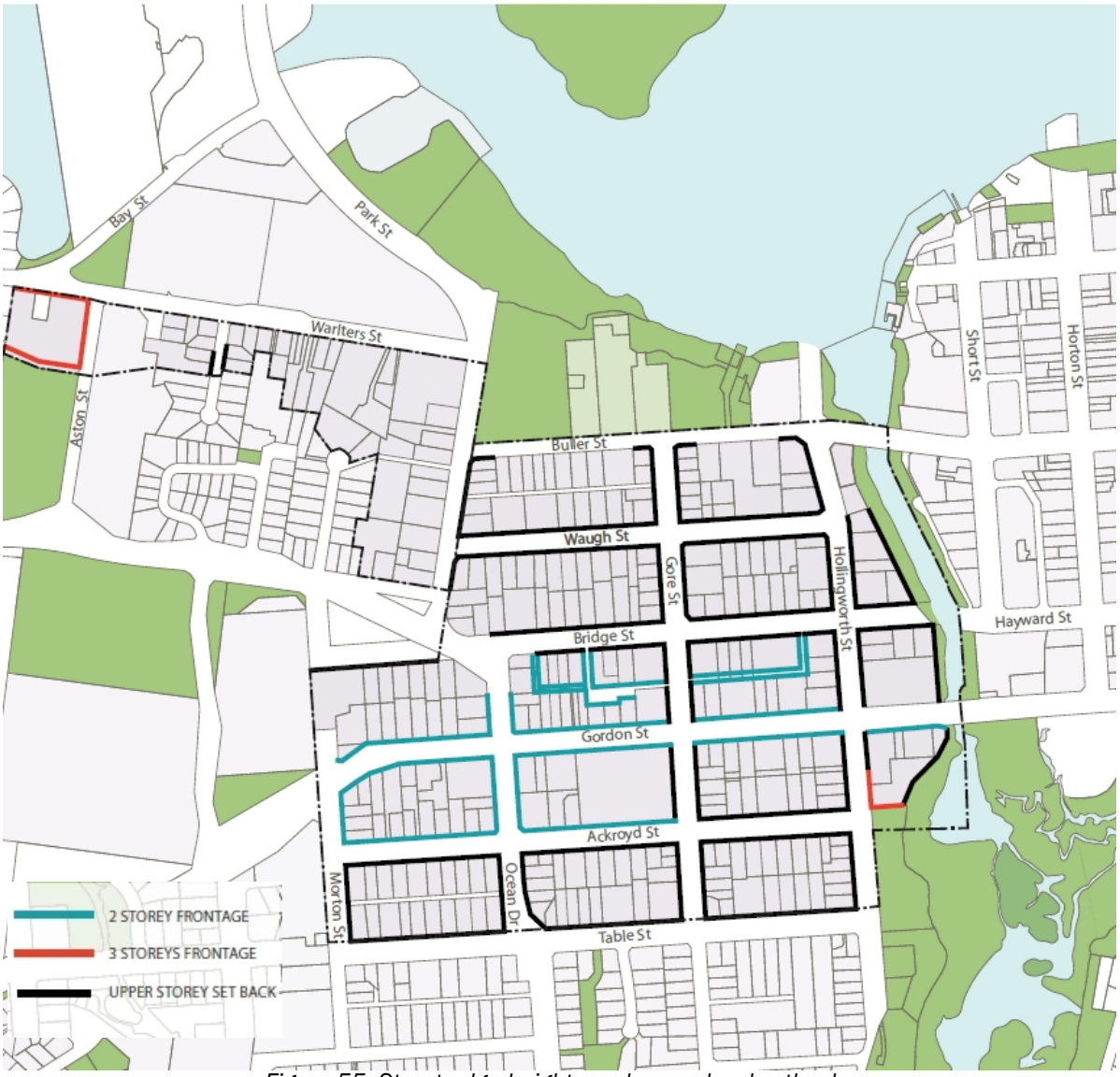


Figure 55: Street edge heights and upper level setbacks

Figure 56: Streetscape and front setback

Side and Rear Setback

205. Objective

- To provide access to light, air and sun, views and outlook within a site and for neighbouring properties.
- To assist in providing adequate privacy between properties.
- To retain or establish a pattern of spaces between buildings that gives character to the streetscape.
- To assist in managing the interface between different densities at zoning boundaries.
- To provide space for soft landscaping detail and deep soil.

Development Provisions

a) Buildings are setback:

- 3 metres from side boundaries, and
- 6 metres from the rear boundary.

b) South of Gordon Street, where existing residential uses are located to the rear, the rear setback is 10 metres (see Figure 58).

c) Party wall development is not appropriate in the precinct.

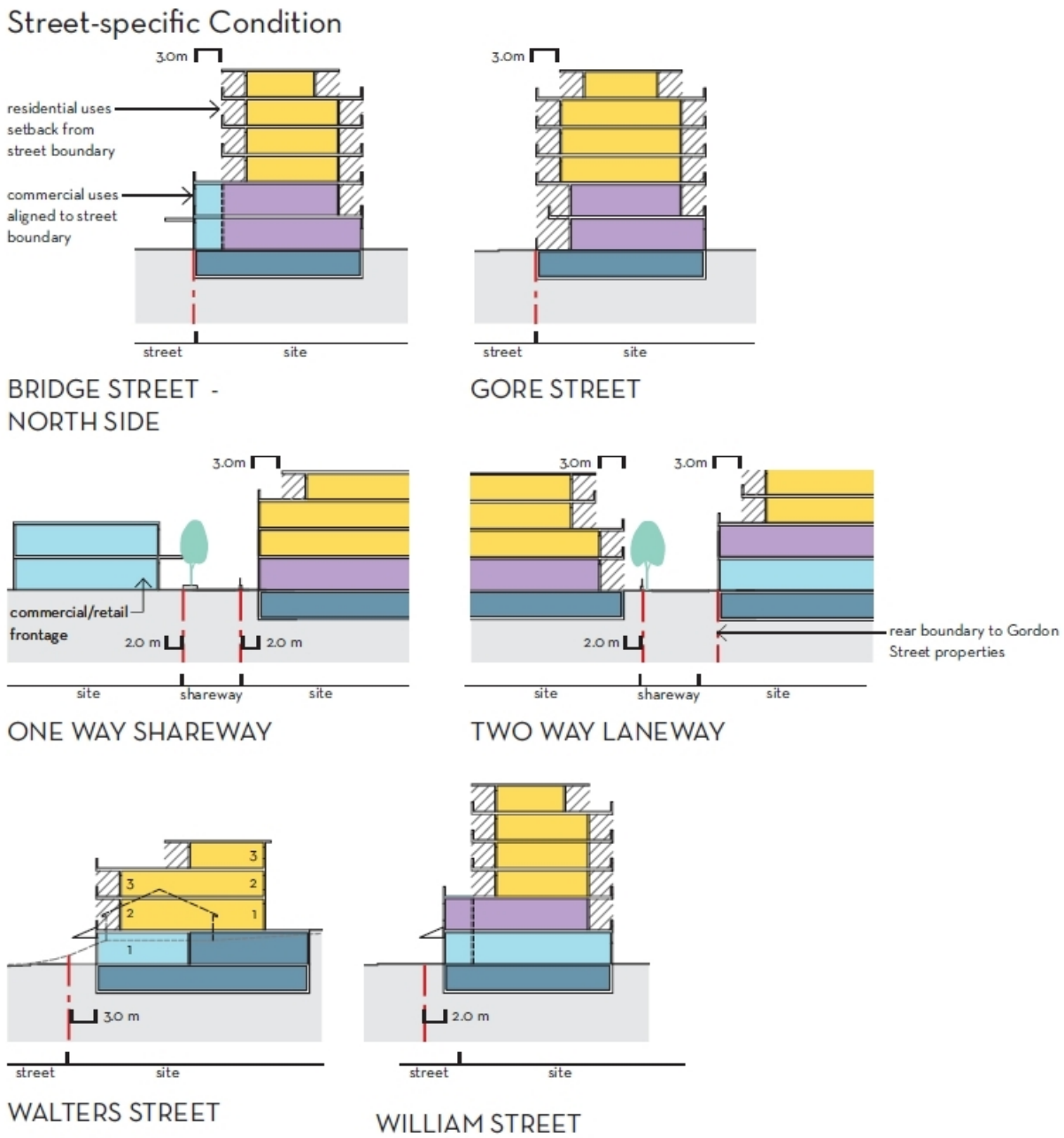


Figure 57: Building envelope sections showing place specific variation to street edge alignment

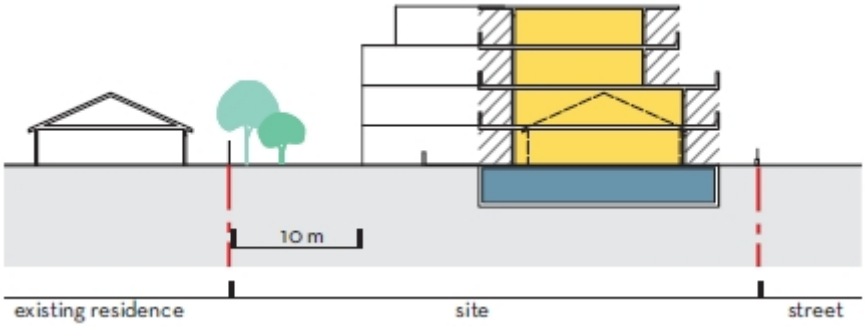


Figure 58: Place specific variation to rear setback south of Gordon Street

Kooloonbung Creek

206. Objective

- To promote the use and safety of the Kooloonbung Creek pedestrian/cycle way.
- To improve the appearance and character of the Kooloonbung Creek corridor.

Development Provisions

a) Where possible, buildings are to address Kooloonbung Creek pedestrian/cycle way with secondary building entries and individual entries to ground floor units.

b) Where topography and flood management limit the ability for units to engage with the pathway, upper level balconies and communal open space are to overlook and contribute to the surveillance of the creek corridor.

Building Separation

207. Objective

- To ensure new development is scaled to support the desired character with appropriate massing and spaces between buildings.
- To assist in providing solar access and natural ventilation within a site and to adjacent neighbours.
- To provide reasonable levels of visual privacy externally and internally, during the day and night.
- To balance the outlook and views from principal rooms and private open spaces with visual privacy.

Development Provisions

a) Side and rear walls are to be articulated to achieve privacy separation with balconies and windows of adjacent buildings. Separation distances are to be measured from the boundary as:

- Up to 4 storeys/12 metres - 6 metres for habitable rooms and balconies, 3 metres for non-habitable rooms
- Between 5 and 8 storeys/up to 25 metres - 9 metres for habitable rooms and balconies, 4.5 metres for non-habitable rooms.

b) Where an existing strata-titled building adjacent to the proposed development site does not provide adequate separation, privacy screens or louvers are to augment the above separation distances.

Communal Open Space

208. Objective

- To provide residents with passive and active communal open space.
- To ensure communal open space is consolidated, configured and designed to be useable and attractive.
- To support site specific responses to the location of communal open space.

Development Provisions

a) Communal open space is to be at least 25 per cent of the site area.

b) Where it is demonstrated that 25 per cent is not achievable due to site size constraints, provide a minimum 5 square metres per dwelling unit as consolidated communal open space.

c) A minimum 2 hours sunlight is provided to the principle portion of communal open space between 9am and 3pm in mid-winter.

d) Requirements for communal open space may be reduced where a development contributes to the enhancement of public open space. In particular, properties along Gore Street may contribute to the linear park in lieu of communal open space.

e) Roof top communal open space is to be setback from building edges and located to minimise overlooking to adjacent properties.

Deep Soil

209. Objective

- To contribute to the amenity and desirability of neighbourhoods.
- To enable the long life span of trees by providing suitable areas for healthy root growth and anchorage.
- To assist with management of the water table and water quality.
- To promote environmental benefits, including reducing local air temperature and improving air quality.

Development Provisions

a) Deep soil is to be provided at the following rates:

Site area	Minimum deep soil zone (% of site area)
Less than 650m2	7%
650 to 1 500m2	10%
Greater than 1 500m2	15%

b) The deep soil zone is to have a minimum dimension of 6 metres. On small sites, where it can be demonstrated that 6 metres is unachievable, a 3 metre minimum may be permitted.

***Note**: As deep soil is typically located along the rear boundary, sites likely to be constrained include sites under 30 metres deep, with lane way access and frontage, or where a new lane way is provided.*

c) Deep soil zones are to be consolidated on a site and where possible, co-located with adjoining deep soil zones.

d) Up to 10 per cent of a deep soil zone may be paved but only where paving is specifically designed to allow for tree root growth. For example, a paving profile of up to 250mm deep or decks with shallow pad footing.

Fences and Retaining Walls

210. Objective

- To contribute to the desired streetscapes of each neighbourhood.
- To facilitate safe and active streets.

Development Provisions

a) Fences within 1 metre of the boundary are to follow the street alignment with a maximum height of 1.2 metres.

b) On sites where the ground floor level is above the ground level at the boundary or in flood affected areas, a secondary higher fence or balustrade may be appropriate setback 1 metre from the boundary and up to 2 metres high above the boundary level.

c) Any fences or retaining walls over 1.2 metres above the boundary level should be 50 per cent transparent above the 1.2 metre datum.

d) Where the site slopes along the street, fencing should be incrementally stepped to reduce its height

D2: PORT MACQUARIE EAST

Application

Section D2 applies to the land highlighted in Figure 59 below.

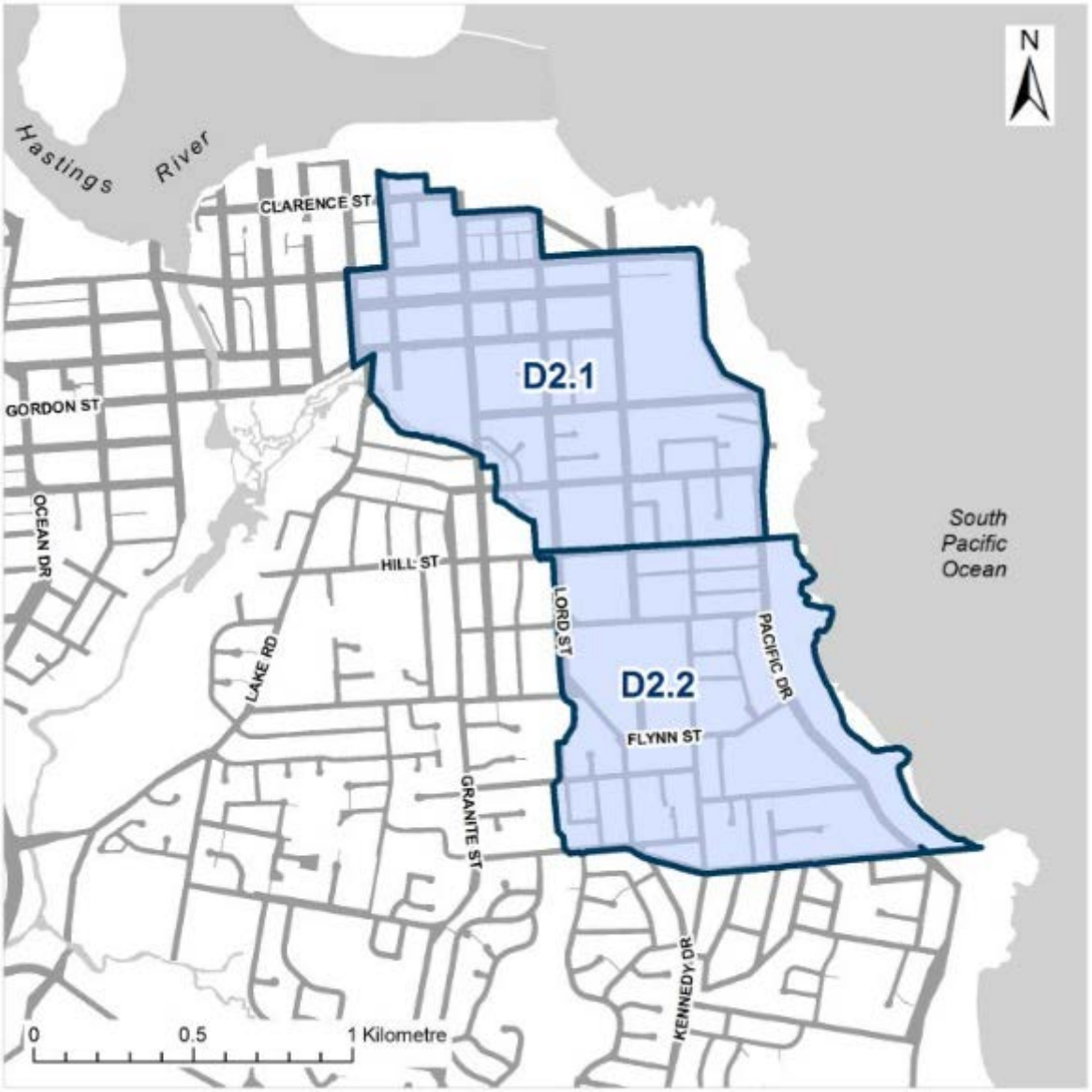


Figure 59: Land subject to Section D2

D2.1: East Port Neighbourhood

Section D2.1 applies to the land highlighted in Figure 60 below.

Figure 60: Land subject to Section D2.1

Strategic Context

East Port extends from the eastern edge of the Town Centre to the northern edge of Flynn's beach, comprising a range of functions and character within the precincts of Town Beach, Oxley Park, Windmill Hill, Lord Street and the Civic Precinct (including Council offices, pool and library).

The following provisions provide guidance on how future development will meet the objectives of the Port Macquarie-Hastings Local Environmental Plan 2011 and add detail or in some cases replace the general provisions of Part C of this DCP.

The following desired future character statements and structure plans for each precinct serve to guide assessment of development applications, Council's contributions planning and future Council or community led projects.

Town Beach

The Town Beach Precinct will continue to evolve into an urban precinct that supports tourist activity with a strong street grid culminating in landscape and foreshore views.

Clarence Street is a transition to the CBD and will continue to develop a mixed use character, retaining a mix of both tourist and permanent residential apartment and hotel/motel buildings, with the north side of Clarence Street predominantly residential in this precinct. Development design will reinforce a clear distinction between the Port Macquarie Town Centre and the Town Beach Precinct, with each having their own discrete character. Shop top housing will increase the residential population adjacent to the CBD.

William Street's mixed use urban characteristics will further develop with retail and commercial uses at ground level. Soft landscaping and the promotion of restaurants and cafes below residential buildings towards the eastern end will serve local and tourist needs.

Church Street will become a higher density residential street with generous street tree planting. The view corridor to St Thomas Anglican Church will be retained and strengthened with building alignments, tree planting and the implementation of night lighting to key features and landmarks.

Owen Street and Grant Street will link the foreshore to the southern precincts, while Munster Street will remain the key link from Town Beach to the Civic Precinct. Soft landscaping and street planting will enhance pedestrian amenity along these routes.

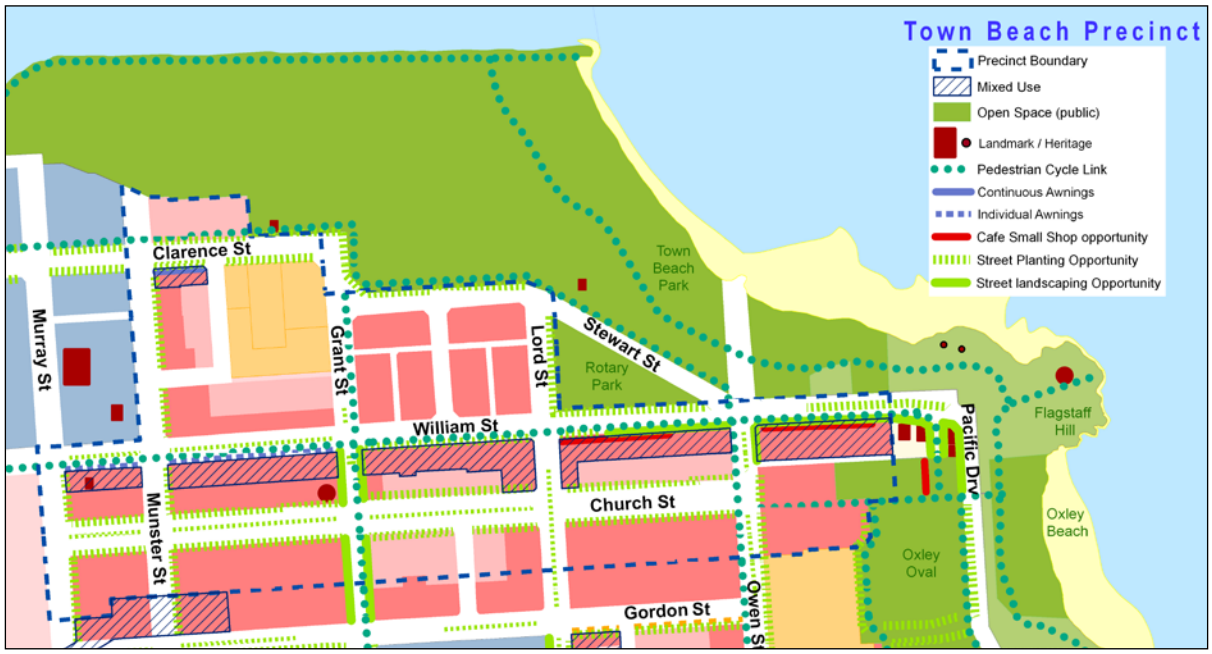


Figure 61: Town Beach Precinct Structure Plan

Oxley Park

The Oxley Park Precinct will remain a key East Port destination for recreational activities and the enjoyment of coastal open space by residents and visitors.

Enhancements to the Maritime Museum grounds will better integrate this historic site with Oxley Oval. Upgrades to amenities at Oxley Oval will strengthen its role as a sports field of regional importance.
Oxley Park will be transformed into an activity-rich, landscape-oriented destination with appeal to visitors and residents of all ages.

Connectivity from east to west will be enhanced with a publicly accessible link from Owen Street to Pacific Drive. Northern foreshore views along Owen Street will be protected, and its function as a major north-south pedestrian link will be enhanced through street tree planting and soft landscaping.

The character of the residential quarter to the west of Owen Street will be retained and enhanced through landscaping and street tree planting along Owen, Burrawan and Gordon Streets.

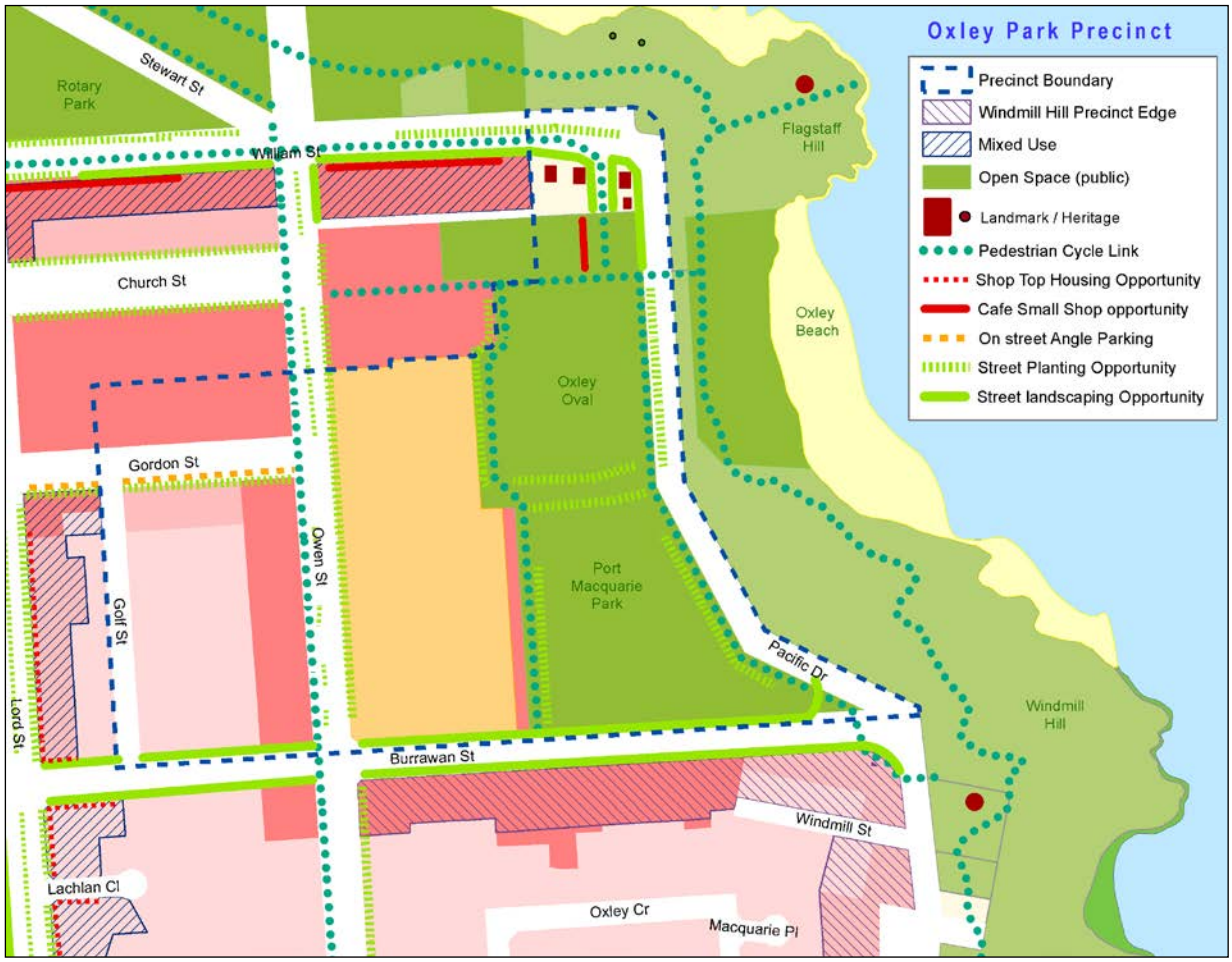


Figure 62: Oxley Park Precinct Structure Plan

Windmill Hill

The Windmill Hill Precinct will continue to evolve as a medium density residential precinct with a diverse range of housing types. Building forms along the northern and eastern edges of the precinct will reflect the higher landform in this area and form a distinct edge to the open space, stepping down in height towards the west.

The eastern end of Burrawan Street and northern end of Pacific Drive will be developed with sensitive building design that reduces their visual impacts on views from the public domain and on open space.
Home Street will link the neighbourhood to the Town Centre and the landscape view corridors to the west will be further enhanced through tree planting and soft landscaping.

Owen Street will be strengthened as the main north-south link through the precinct with tree planting and soft landscaping.

Burrawan Street will have higher densities between Owen Street and Pacific Drive creating a consistent edge to the school and Oxley Park, and could become a green focal point for community activity through the planting of edible streetscaping.

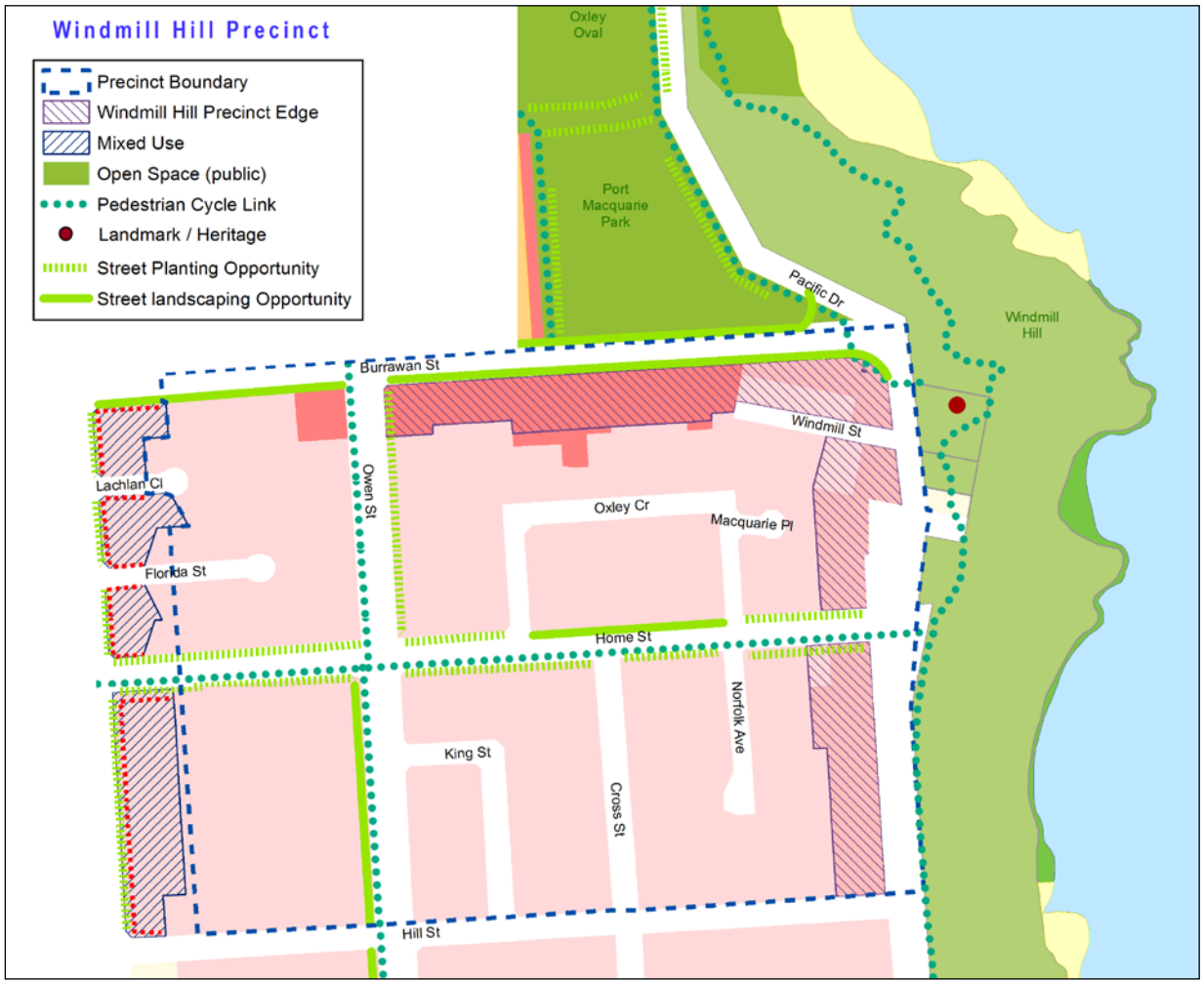


Figure 63: Windmill Hill Precinct Structure Plan

Lord Street

Lord Street will further develop its identity as an important activity corridor for the East Port neighbourhood. Over time Lord Street will see an increase in higher-density building types which should include shop-top dwellings so that lower-level street activation and commercial activity can be further strengthened. This type of housing will retain the street's mixed use character, strengthen its role as an activity corridor and provide a consistent and legible built form edge for Lord Street.

Small pockets of lot amalgamation will occur to promote more useful land parcel sizes that will sustain desired commercial uses into the future. The corridor of taller building height that occurs as Lord Street progresses northwards will be further strengthened through a future increase in building heights between Burrawan and Gordon Streets. This will provide a legible edge between coastal development on the hill, and the hinterland suburbs to the south. Where appropriate, the addition of street trees, landscaping and safe pedestrian crossings will assist in improving the pedestrian experience.

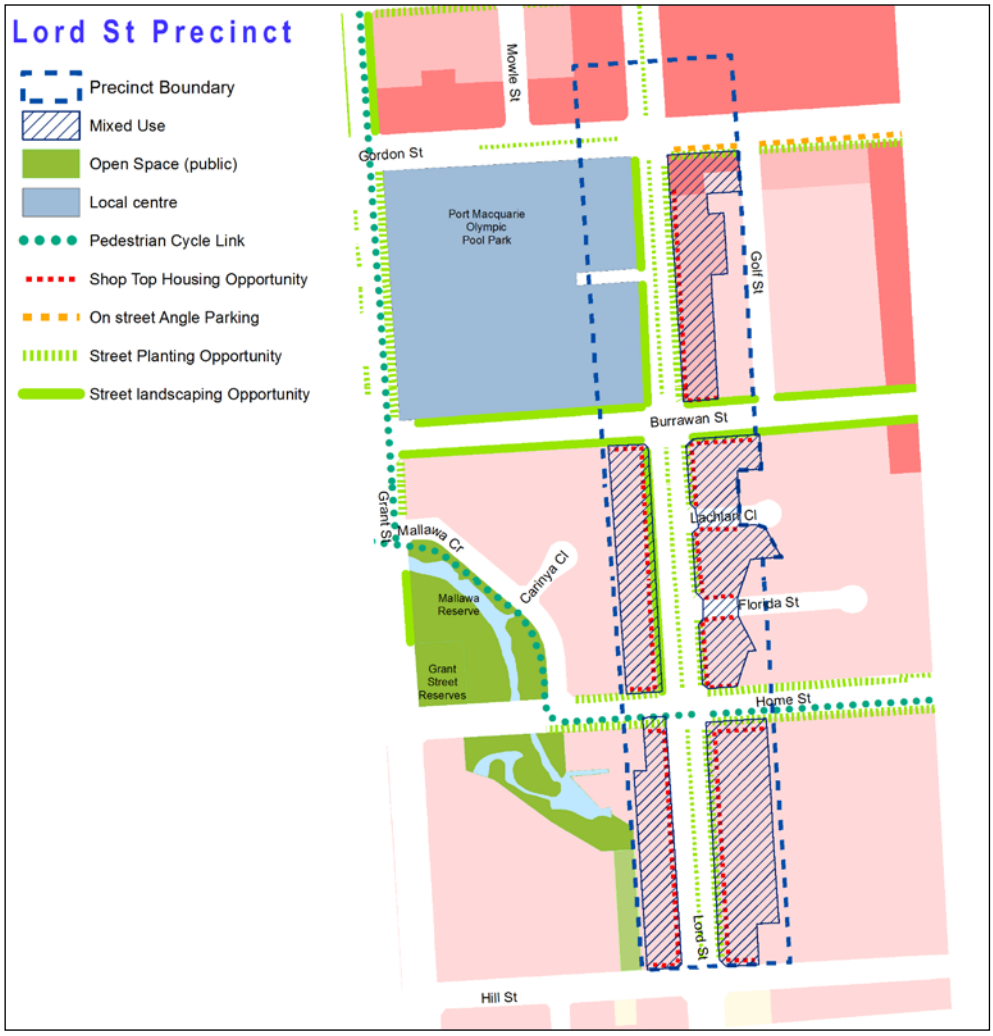


Figure 64: Lord Street Precinct Structure Plan

Wrights Creek

The Wrights Creek Precinct will remain a hinterland residential precinct with a low-density mix of residential types, including houses, villas, town-houses and apartments.

The neighbourhood's parkland setting will be preserved and enhanced, and over time small improvements to the public domain will increase pedestrian penetration through the neighbourhood.

Pedestrian activity will be further enhanced through strengthened landscape connections between Mallawa Crescent, Home Street and Grant Street.

Soft landscaping improvements in the form of edible streetscaping to Burrawan Street and Grant Street could create community focus and activity for the precinct.

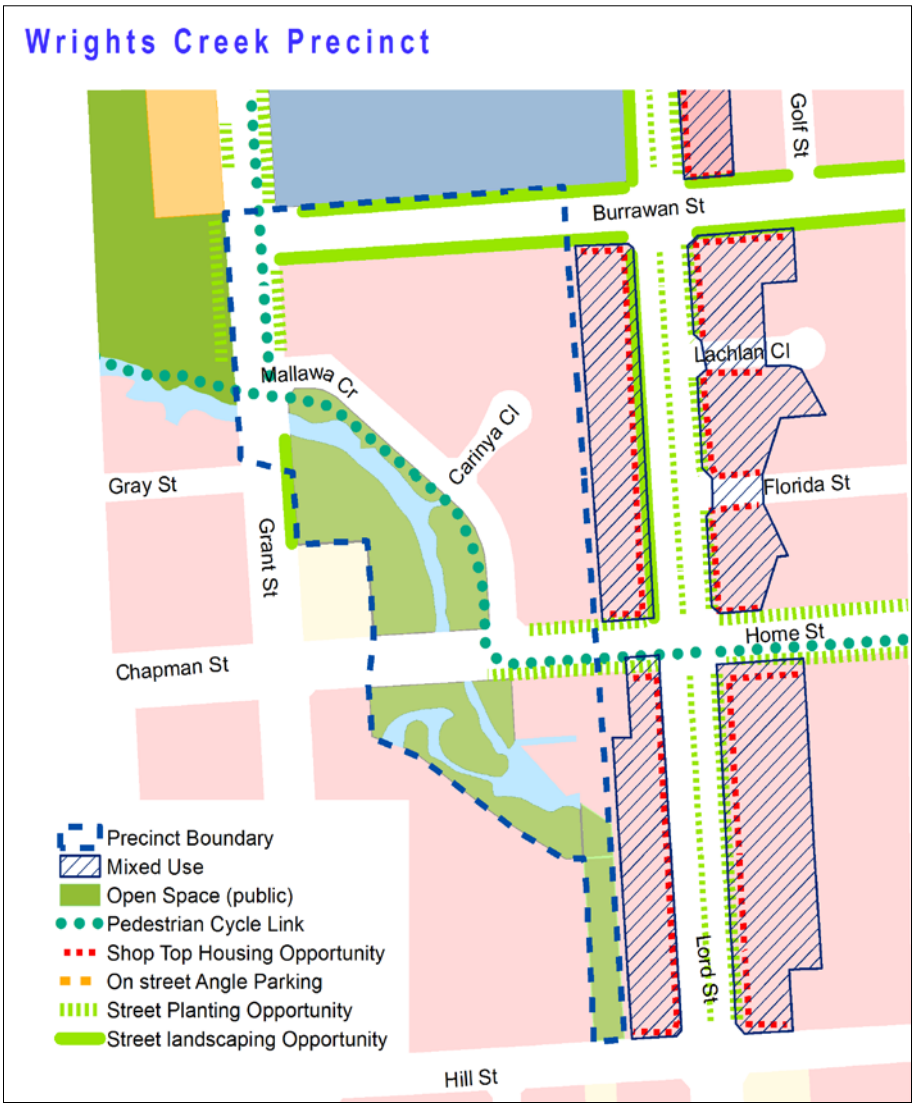


Figure 65: Wrights Creek Precinct Structure Plan

Civic Precinct

The Civic Precinct will evolve into a cohesive, strongly identifiable civic centre for Port Macquarie and the East Port neighbourhood. Consistent and large-scaled street tree planting to Gordon Street will improve Port Macquarie's civic address and define the edge of Macquarie Park.

Taller building heights along Gordon Street will spatially define Gordon Street as an edge between the Town Centre neighbourhood and the Civic Precinct and lower scale residential neighbourhoods to the south.

The Gordon Street local centre will be strengthened over time with new mixed use development, an improved public domain edge along Gordon Street and Munster Street which could include strategically placed safe pedestrian crossings.

The pedestrian experience along Grant Street would be improved by soft landscaping embellishments that could potentially include edible streetscaping, a community-driven feature that would strengthen links between schools, the university and residents in the area.

Figure 66: Civic Precinct Structure Plan

Development Guide

Precinct Structure Plans

211. Objective

- To ensure that development occurs in accordance with the desired future character of the East Port neighbourhood.

Development Provisions

a) Development is generally in accordance with the precinct structure plans shown in the previous section

Lot Size and Frontage

212. Objective

- To ensure that development is carried out on sites that are adequate size and dimension.
- To maximise the potential of land to achieve the desired floor space and to deliver greater housing capacity within the neighbourhood.
- To enable design quality and adequate amenity within the site and between neighbours.
- To ensure that on-site parking requirements can be adequately met.
- To avoid isolated sites.

Development Provisions

a) The minimum lot width for residential apartment buildings is:

18 metres where:

- the proposed building height is not greater than 14.5 metres and minimum side setbacks are satisfied, or
- the site has multiple street frontages, or
- requirements for on-site parking, setbacks, separation and deep soil can be achieved,

OR

22 metres

Note:
Where minimum lot width cannot be achieved, applicants are encouraged to consider amalgamation with an adjoining lot. Where amalgamation is not possible, the maximum height of building and floor space ratio denoted in the local environmental plan may not be achieved.

Building Height

213. Objective

- To provide for finer grain neighbourhood level guidance in assessment of building heights under the local environmental plan, ensuring development responds to the desired scale and character of the street and precinct.
- To reduce the visual impact of buildings on coastal views from the public domain.
- To encourage buildings that are not overbearing on adjacent open space.

Development Provisions

General

a) Buildings do not exceed the maximum height of buildings shown in the local environmental plan maps.

b) Development from 2 to 10 Burrawan Street and from 5 to 9 Pacific Drive

c) Where buildings exceed three storeys, the upper storey is set back from the front facade of the building by three metres.

Streetscape and Front Setbacks

214. Objective

- To ensure a consistent streetscape along key streets.
- To reduce the visual impact of buildings on coastal views from the public domain.
- To ensure buildings are not overbearing on adjacent open space.

Development Provisions

a) Northern side of Clarence Street, east of Munster Street

- Setback to Clarence Street is 3 metres.

b) Southern side of Clarence Street, between Munster and School Streets

- A zero street setback is provided

c) Southern side of William Street, between Murray and Grant Streets

- Setback to William Street is 2 metres.

d) Development from 2 to 10 Burrawan Street

- For lots with dual frontage to Burrawan and Windmill Streets, buildings are to address Burrawan Street as their primary frontage.

e) Development from 5 to 9 Pacific Drive

- Setback to Pacific Drive is a minimum of 6 metres.

Side and Rear Setbacks

215. Objective

- See Objective 61.

Development Provisions

a) Party wall development is to be used along the south side of Clarence Street where within the Town Beach Precinct.

b) Party wall development is not appropriate in other areas within the East Port Neighbourhood.

c) Where there is a zone change at the rear of the site to the R1 General Residential Zone, any storey above 11.5 metres in height is set back a further 3 metres from the rear boundary.

Waste Management

216. Objective

- To minimise the impact of waste management facilities on adjoining properties.

Development Provisions

a) Communal bulk waste facilities are required for residential apartment development where collection is proposed from Windmill Street regardless of number of dwellings.

D2.2: FLYNN'S BEACH PRECINCT

Section D2.2 applies to the land highlighted in Figure 67 below.

Figure 67: Flynn's Beach Precinct and Sub Precinct areas

Strategic Context

The DCP also identifies five precincts within the larger Flynn's Beach Precinct with desired urban outcomes for each of these. Any development proposed in these precincts must demonstrate how it will contribute to achieving the desired future character.

Flynn's Beach Activity Area

Exiting Character
The Flynn's Beach Activity Area is focussed on a small cluster of shops, including a corner store, a video shop, bottle shop and restaurant. It is adjacent to the very popular Flynn's Beach. The Activity Area is located in low area, close to the Wrights Creek Valley open space system. The apartment buildings in the area are of a varied age and condition.

Desired Future Character
Redevelopment in the Flynn's Beach Activity Area is to be stimulated, resulting in a slightly expanded retail strip with shop top housing, both along Pacific Drive and Flynn Street. Redevelopment of non-strata titled sites is desirable, optimising increased heights and density controls.

Pacific Drive

Existing Character
Pacific Drive is presently characterised by a mix of housing and tourist accommodation types. The predominant building type is detached houses. Recently, a number of large detached houses

have been developed just north of Flynn's Beach. To the south of Flynn's Beach there are some inappropriately designed residential/tourist apartment buildings.

Desired Future Character
Pacific Drive shall be developed, clearly defining the eastern extent of Port Macquarie. Slightly increased heights shall be permitted in relation to adjacent blocks to help define this edge, and define the ridgeline.

It is desirable that pedestrian amenity is improved to compliment the likely high quality of design in this precinct.

Rocky Beach

Existing Character
The Rocky Beach Precinct has dramatic topography with extensive views to the west and south west across Port Macquarie. The precinct largely comprises detached housing.

Desired Future Character
The scale of development in Rocky Beach will typically range from town houses to small apartment buildings, responding to the topography and access to views to the west.

Lord Street Mid

Existing Character
The character of the portion of Lord Street, between Roto Park, and Burrawan Street is defined by the relatively low building heights, and its location within the valley. Lord Street is lined by a mixture of detached houses, some villas, and a number of low commercial offices, such as medical centres.

Desired Future Character
It is appropriate that the Lord Street mid precinct allow for some lower ground commercial uses, optimising access and exposure to this main axial road. Relatively lower heights are appropriate in this precinct, responding to the valley condition.

Lord Street South

Existing Character
The Lord Street South Precinct is comprised mostly of detached houses with some apartments. Development is low, generally not extending beyond two storeys in height.

Desired Future Character
It is proposed that the existing character is maintained in this precinct, whilst encouraging a small increase in heights to Lord Street, so as highlight the significance of this road. The local high point, and importance intersection of Lord Street and Yarranabee Road is to be emphasised with a small increase in height.

Development Guide

The large 2000m^2 blocks of Port Macquarie result in deep lots with minimal frontages, and in development such as villas running along lots. These developments are difficult to access, have poor street address, and have privacy issues between dwellings on adjacent sites. Introducing streets into these large blocks is highly desirable to allow for better building types, with improved street address as well as improved pedestrian access.

There are many underdeveloped sites in eastern Port Macquarie with the potential for redevelopment. Many of these sites are adjacent to significant open spaces. It is highly desirable that where a large site is to be developed, that a master plan is prepared, and that where the site is adjacent to open space, that public road is developed adjacent to the open space. This will optimise public access to the open space, and will allow for high quality address to the proposed dwellings opposite, addressing the open space.

Application of Bonuses - Through Block Connections and Park-edge Streets

217. Objective

- New connections in the form of public streets are desirable to permit better quality development and improved access.

Development Provisions

a) Relaxation of one or a number of controls may be considered depending on the merits of the proposal so as to achieve a new public through-block connection and/or park-edge street. Preferred location for site links/roads are identified in Figure 68.

b) Other sites may be considered where it can be demonstrated that higher quality development can be achieved, and where there are clearly demonstrable benefits to the access within, and the quality of the public domain.

Figure 68: Opportunities for through site links/roads

D3: PORT MACQUARIE WEST

Application

Section D3 applies to the land highlighted in Figure 69 below.

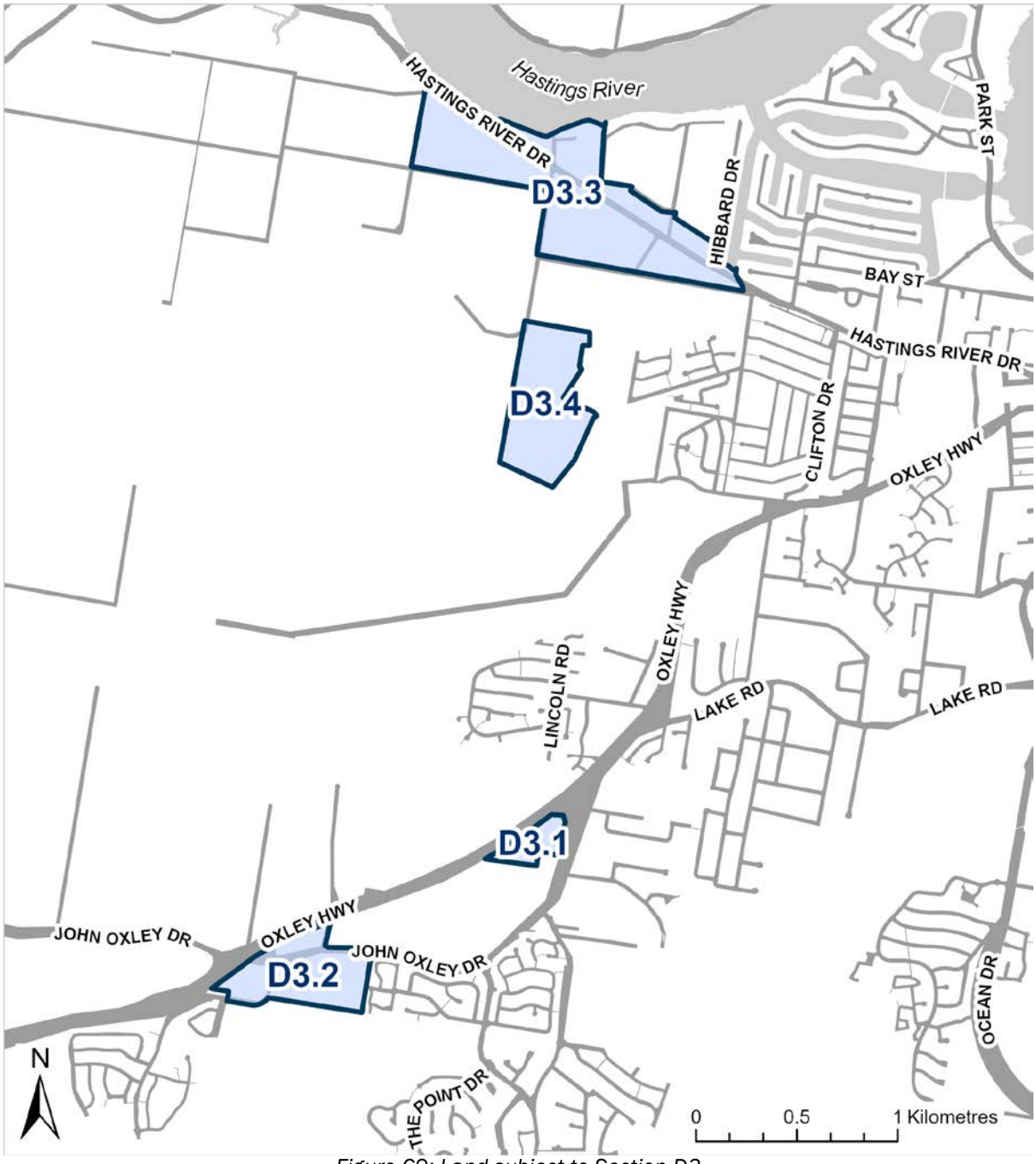


Figure 69: Land subject to Section D3

Relationship to other Sections of the DCP

The following provisions are in addition to the general requirements of Parts A to C of this Development Control Plan. Where they conflict with the requirements of Section A - C, this section prevails.

D3.1: JOHN OXLEY DRIVE EAST

Section D.3.1 applies to the land highlighted in Figure 70 below, for which commercial development is permissible. Due to neighbouring residential development and to high visibility from the Oxley Highway entrance to Port Macquarie, these site-specific provisions apply in conjunction with the provisions of Section C3 Business and Commercial Development, particularly Objective 127.

Figure 70: Land subject to Section D3.1

Development Guide

Commercial Development of 18 John Oxley Drive, Port Macquarie

218. Objective

- To ensure that the amenity of neighbouring residents is not adversely affected by noise emanating from the subject property.

Development Provisions

a) A development application should be accompanied by a Noise Impact Assessment report, which is to be prepared by a professional acoustician in accordance with the Industrial Noise Policy 2000, NSW Environment Protection Authority and with applicable Australian Standards. This requirement may be waived by Council for minor applications or modifications where minimal noise impacts are likely.

219. Objective

- To avoid the potential for significant overshadowing of habitable rooms and key open space areas for adjoining residential properties.

Development Provisions

a) Sunlight to the principal area of ground-level private and other key open space of adjacent residential properties shall not be reduced to less than 3 hours between 9.00am and 3.00pm on June 22.

b) Buildings shall not reduce the sunlight available, to the north-facing windows of living areas in existing adjacent dwellings, to less than the above specification.

220. Objective

- To ensure the visual impact of the development enhances the amenity of:
  - the entrance to Port Macquarie along the Oxley Highway,
  - John Oxley Drive, and
  - the adjoining residents.

Development Provisions

a) The design details for any development application should address mitigation of any adverse impacts of the proposed development, when viewed from outside the site, in relation to:
   - siting and bulk of buildings
   - car parking areas
   - signage.

b) Photomontages could be used to illustrate the visual impacts on the property to the south, and when viewed from east-bound traffic on the Oxley Highway.

c) These requirements may be waived by Council for minor applications or modifications where minimal visual change is proposed.

D3.2: SOUTH LINDFIELD PRECINCT

Section D3.2 applies to the land highlighted in Figure 71 below.

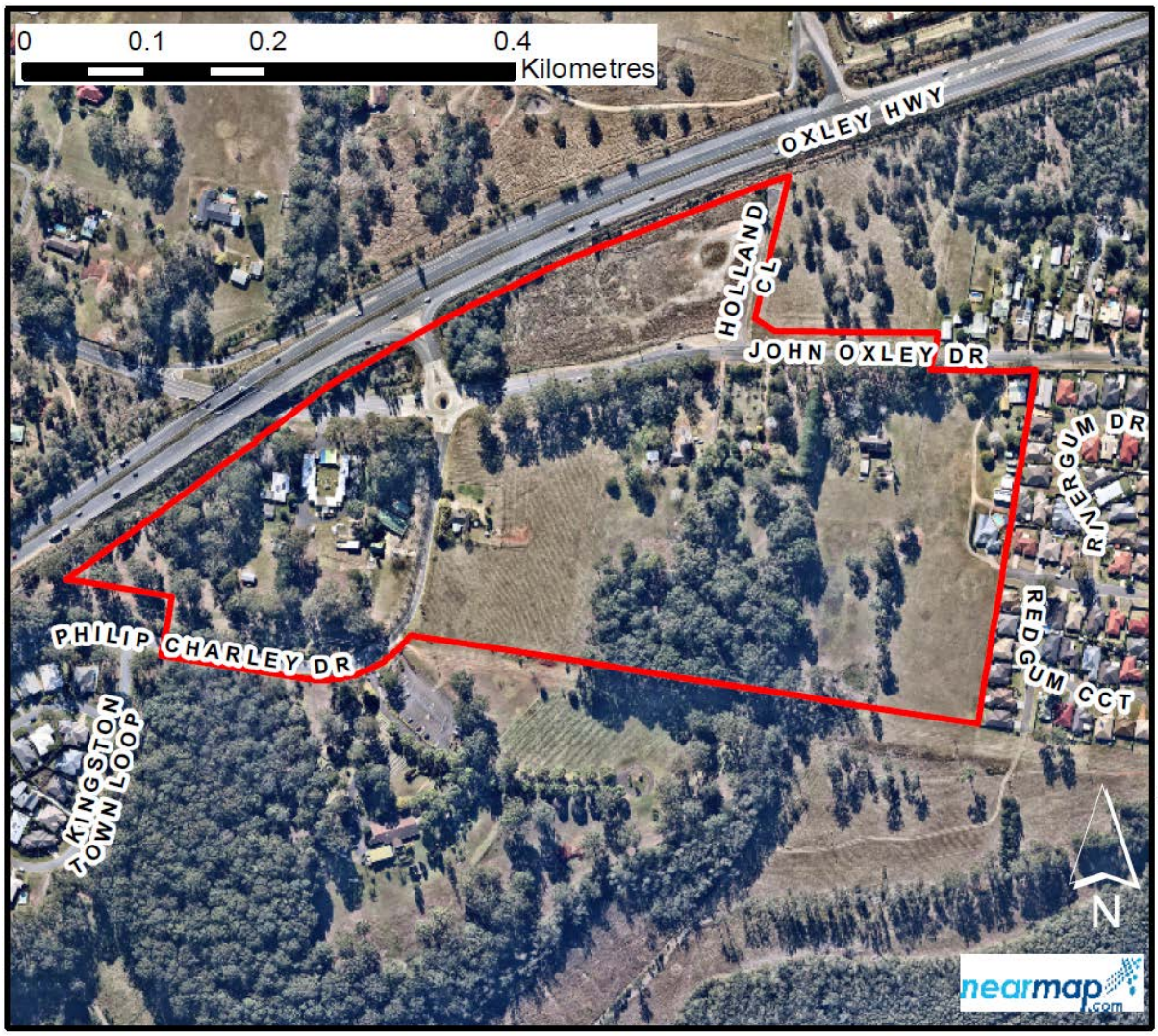


Figure 71: Land subject to Section D3.2

Strategic Context

Characteristics of this precinct include:

- located on the low ridgeline linking Port Macquarie and the Pacific Highway.
- bounded on the northwest by the new Oxley Highway alignment and by Lake Innes Nature Reserve to the southeast.
- part of a larger habitat area for koalas, requiring protection of koala food trees and habitat linkages, and mitigation of any threats.
- south-western end of Port Macquarie (east of Thrumster), which is having its first wave of development at urban densities.
- fragmented land ownership, and requiring greater level of detail for integration of infrastructure, including road linkages, stormwater and sewerage services.
- affected by traffic noise from the Oxley Highway.

- on the western side of the Oxley Highway overpass there is land zoned for a future neighbourhood business centre.

Vision for Precinct

The vision is for a residential neighbourhood that:

- facilitates sustainable conservation of the natural values of the area, including koala habitat,
- is integrated with surrounding land uses, including addressing potential visual and acoustic issues from the Oxley Highway
- has good connectivity
- minimises adverse impacts on other land
- has no land use conflicts with the Zone IN2 Light Industrial land uses on the northern side of John Oxley Drive and residential development on the southern side
- has appropriate infrastructure services.

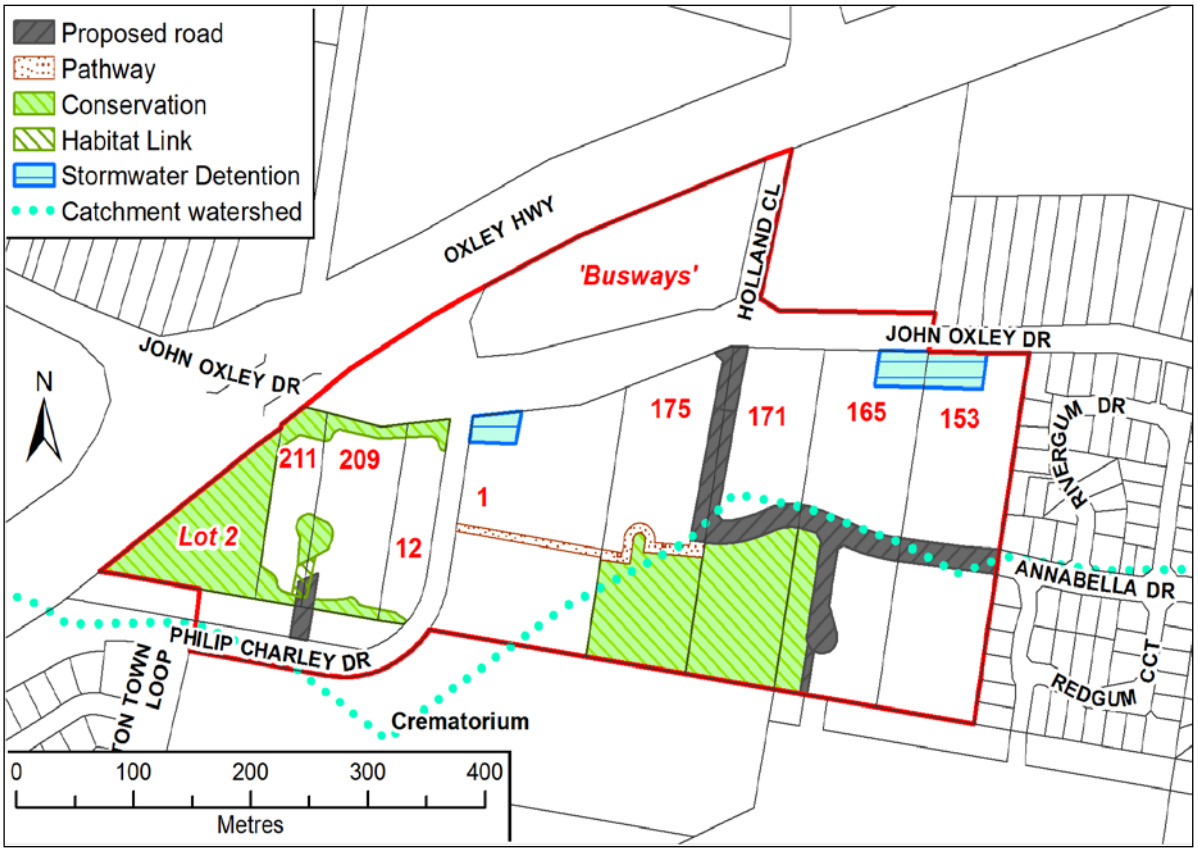


Figure 72: South Lindfield key development components

Development Guide

This Development Guide covers the following topics:

- Road Hierarchy
- Stormwater Management
- Sewerage Services

- Environmental Management
- Oxley Highway Relationship
- Traffic Noise Management
- Western Sub Precinct

In relation to provision of infrastructure the precinct is divided into the sub precincts shown on Figure 73. The Eastern sub precinct is further divided for stormwater and sewerage services in relation to the northern and southern drainage catchments.

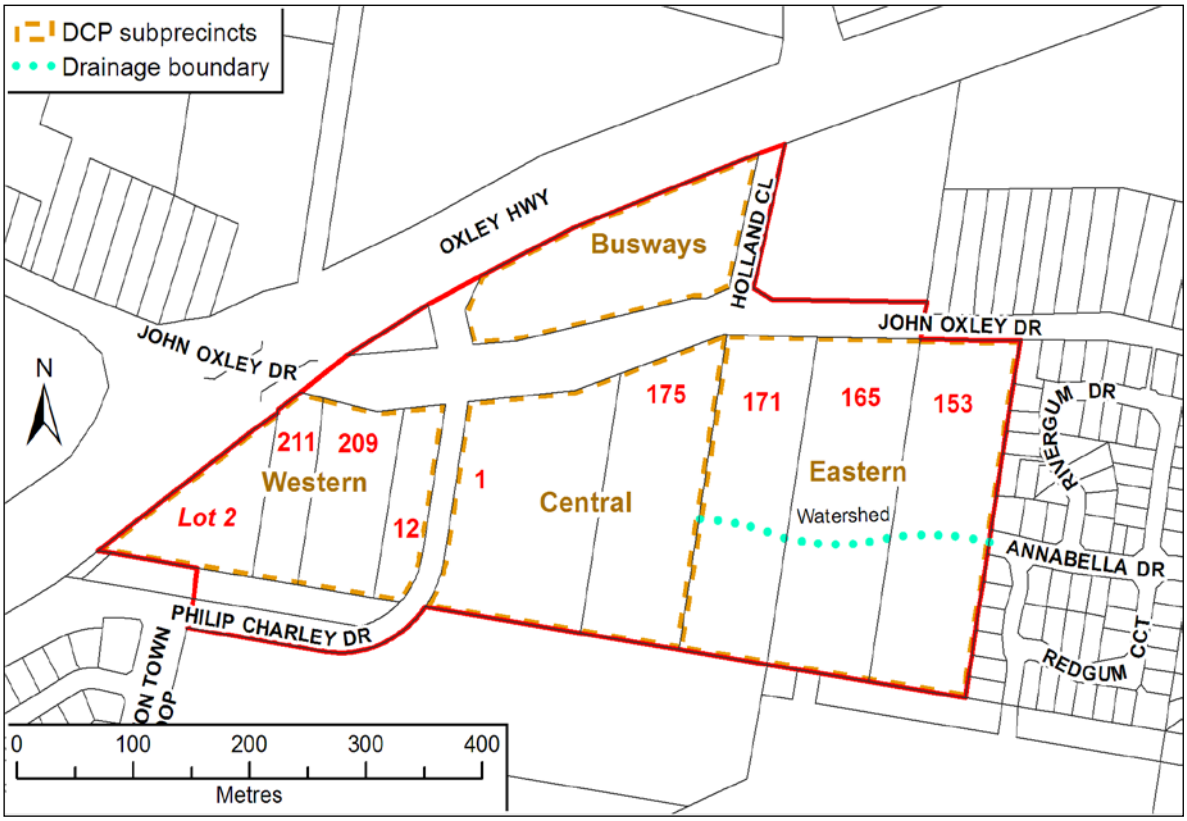


Figure 73: South Lindfield Sub Precincts

Road Hierarchy

221. Objective

- To facilitate a functional and safe road pattern within the precinct that provides efficient connectivity across multiple land parcels.

Development Provisions

a) Subdivision layouts to provide a road network that conforms with the connectivity shown in Figure 72, in relation to intersection locations and inter-property connections, unless otherwise agreed to by Council (in consultation with affected landowners).

b) New development within the western sub precinct has access via a single access from Philip Charley Drive from the south.

222. Objective

- To enhance the role of John Oxley Drive as a sub-arterial road.

Development Provisions

a) No direct vehicular access from John Oxley Drive by new development.

Stormwater Management

The following applies in addition to Section C5 Subdivision - Infrastructure - Stormwater Management, which contains the general objectives and development provisions that need to be satisfied.

For long-term effective and affordable stormwater management within this precinct, the following factors need to be addressed:

- Fragmentation of ownership, with development probably occurring on an individual parcel basis,
- There are two separate drainage catchments, with some properties straddling the watershed.
- Discharge in the northern catchment has to work with changes to drainage arising from construction of the new alignment of the Oxley Highway.
- Life cycle costs to the community are reduced by minimising the number of separate water detention and water quality structures.

A series of options were evaluated for Council by Storm Consulting between 2010 and 2012. The strategy is a composite of the preferred options, relying on shared detention basins as partly shown in Figure 72, to accommodate changed development proposals.

Coordination of stormwater management involves four detention basins for water flow and quality purposes, as described below.

Basin	Properties	Notes
Busways	Busways	Privately managed, involving re-use
Central	175 John Oxley Drive 1 Philip Charley Drive	Shared on common boundary, possibly built in stages
East	153 John Oxley Drive - north, 165 John Oxley Drive - north, 171 John Oxley Drive	Shared on common boundary, possibly built in stages
South	153 John Oxley Drive - south, 165 John Oxley Drive - south	Built within lots, or (with agreement with owner of land to south) on land to the south.
West	12 Philip Charley Drive, 201 John Oxley Drive, 211 John Oxley Drive, Lot 2	To be determined in conjunction with more detailed development concept proposal - refer to specific provisions at the end of this section.

Note:
Implementation of stormwater management as proposed requires provision of stormwater management infrastructure across multiple sites. This will require arrangements for co-ordination and funding beyond this DCP.

223. Objective

- To ensure that any development of the land has a neutral or beneficial effect on water volumes and quality in relation to downstream stormwater capacities and protected wetlands identified in *State Environmental Planning Policy (Coastal Management) 2018*.

Development Provisions

a) All stormwater infrastructure is consistent with the outcomes of the stormwater management strategy summarised in Figure 72.

224. Objective

- To ensure long-term management of facilities serving multiple properties.

Development Provisions

a) All stormwater infrastructure (including access) is to be dedicated to Council, unless:

  – it serves only one property, or
  – suitable alternative arrangements are agreed to by Council.

Sewerage Services

The following applies in addition to the Infrastructure - Sewerage Provisions in Section C.

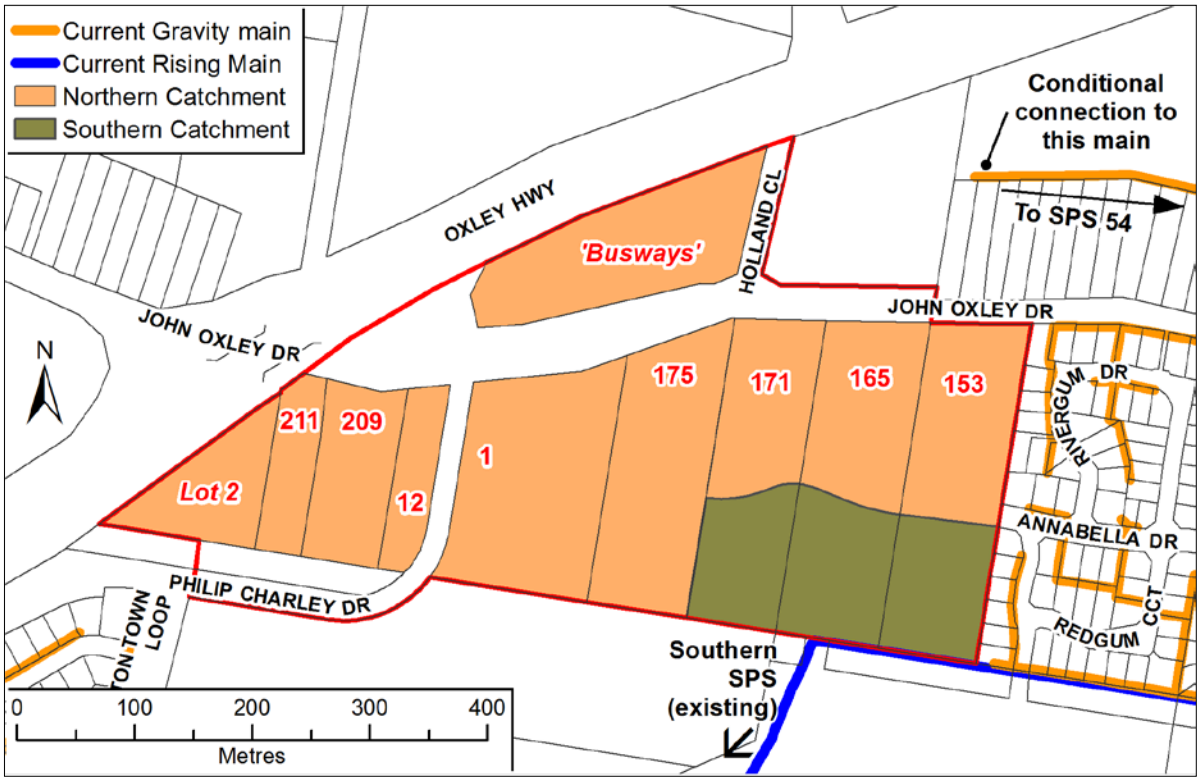


Figure 74: South Lindfield sewer services

The Precinct drains to two catchments, and in both cases connection to the existing sewerage network requires arranging access for gravity main across a property outside this precinct. The southern catchment is served by an existing sewer pumping station 80 (SPS) to the south.

Evaluation of options for the northern catchment has identified that it can be served by connection into an existing gravity main located to the northeast of this precinct, as shown on Figure 73. This is also conditional on:

- Diversion of some of the current and future load for SPS 54 arising in the Kingfisher Road precinct - this is feasible with construction of a new gravity main in the vicinity of the Lake Innes Shopping Centre.
- Alignment of the connecting mains that drains to the existing gravity main should cater for possible extension to the lots west of Philip Charley Drive.
- Council will not be involved in the negotiations or coordinate compensation, access or construction of the required infrastructure, including gravity mains.
- Without upgrade, the existing gravity main has capacity for only 150 equivalent tenements [et], which would be reached with development of the land proposed to be zoned Residential at an average development yield of approximately 16 tenements per developable hectare.

Preliminary planning is underway for provision of a sewer pumping station on the northern side of the Oxley Highway. The date it will be operational is not known at present. However, when operational, it could enable additional et within this precinct.

Sewer connections for both catchments require extensions to the current Scheme (at no cost to Council) and require consent of the relevant owners to allow the augmentation.

225. Objective

- The design of the sewer network is to provide for sewerage services which are efficient, within network capacity and consistent with overall network planning.
- Development densities are not to exceed the operational capacity of the local sewerage network.

Development Provisions

a) Development is to provide an integrated solution for sewerage services with adjoining properties.

b) Development will require approval from relevant landowners for gravity sewerage mains connecting to the existing sewerage network.

c) In the northern catchment:

- the sewer mains are to connect to an existing gravity main connecting to Sewer Pump Station 54, until a sewer pumping station on Lindfield Park Road is operational
- the alignment should cater for possible extension to serve the bulk of the 4 lots west of Philip Charley Drive
- development yields of the land zoned Residential are not to exceed 16 et/ha prior to provision of upgraded local sewerage main capacity.

d) In the southern catchment the sewer mains are to connect to Sewer Pump Station 80 to the south.

Environmental Management

These provisions operate in conjunction with the provisions in Section B2 Environmental Management and contain precinct level details, particularly relating to the adopted *South Lindfield Koala Plan of Management*.

Environmental management is important for the maintenance and enhancement of biodiversity and health of ecosystems, which are significant for the ecological processes upon which human life depends. The cumulative impacts of environmental degradation and losses will have significant long-term costs.

The following provisions were prepared having regard to:

- *Ecological Assessment West Lindfield*, by Biolink Ecological Consultants, 2009
- *South Lindfield KPoM Stage 3: Koala Plan of Management*, by Biodiversity Australia, 2018.

226. Objectives

- Maximise retention of remnant vegetation across the precinct to preserve and enhance habitat for threatened species such as koalas.
- Implement relevant provisions of adopted Koala Plan of Management applying to the land.
- Compliance with PMH LEP 2011 clause 7.5.

Development Provisions

a) Compliance with requirements of the *South Lindfield Koala Plan of Management*.

b) Subject to c) and d) below, the areas shown on Figure 72 for Conservation are to be dedicated to Council for long term management, following embellishment planting of koala food trees:

- in forested areas - within available canopy spaces where the space has a radius of at least 5 m, or
- in cleared areas - at 10 m centres.

c) Alternatively, with Council approval planting in cleared areas can be provided elsewhere in the vicinity at an offset ratio of 4 trees for each koala food tree removed, with trees at 10 m centres.

d) Where land zoned E2 or land containing offset planning is held in private ownership, satisfactory arrangements will be required for ongoing maintenance in perpetuity. If the land is not covered by a Voluntary Planning Agreement, the developer will be responsible for the establishment cost for the first year, and

- if it is to be dedicated - 20 year maintenance cost, or
- otherwise - in perpetuity.

e) Development adjoining the land zoned E2 Environmental Conservation must ensure that the long-term habitat integrity of that E2 land is not compromised by the development activities.

f) Refer to Section B2: Environmental Management – Hollow Bearing Trees, in relation to the hollow bearing trees on the southern side of John Oxley Drive. The approximate location of five identified hollow-bearing trees is shown on Figure 116.

Oxley Highway Relationship

227. Objective

- To maintain and enhance the visual appearance of the Oxley Highway entrance to and from Port Macquarie.

Development Provisions

a) Development visible from the Oxley Highway must contribute to attractive visual amenity when viewed from vehicles travelling along the Oxley Highway. The objectives are not to be met solely through landscaping, and are to include a range of design solutions including:

- Building facades and roofs,
- Use of outdoor areas,
- Signage,
- Fencing and screens, and
- Landscaping.

b) Provision of a viable corridor of trees on land adjoining the south eastern side of the Oxley Highway, including advanced landscaping at commencement.

Traffic Noise Management

Investigations were made into the impact of traffic noise from the next Oxley Highway alignment on adjoining land. The primary report is *West Lindfield Area, Port Macquarie - Noise Impact Assessment*, Renzo Tonin & Associates (NSW) Pty Ltd, July 2010. *Port Macquarie-Hastings Local Environmental Plan 2011* includes an Acoustic Controls Map, which identifies land subject to acoustic controls. Clause 7.9 of the LEP text refers to this map and requires Council to:

- consider the location of the development in relation to the relevant criteria set out in NSW Road Noise Policy,
- be satisfied that the occupants of the development will not be subject to excessive noise, and
- be satisfied that appropriate noise mitigation measures will be incorporated into the development to reduce noise to an acceptable level.

The clause does not prohibit development, but requires assessment of whether noise levels will be acceptable for the intended use. At subdivision stage it may be appropriate to submit an updated assessment, which could simplify subsequent approvals for purchasers.

228. Objective

- To minimise duplication of traffic noise assessments for consents for subdivision and building construction.
- To ensure that any noise attenuation barriers have low visual impact.

Development Provisions

a) Applications for subdivisions should provide site-specific updated traffic noise assessments, with adequate information to simplify subsequent assessment of building proposals.

b) Acoustic mitigation measures should not use high visual barriers.

Western Sub Precinct

Figure 73 shows the four lots in the Western Sub Precinct - they are smaller lots, and require detailed integrated design for any redevelopment.

While the current LEP controls do not permit more intense development, Council is prepared to consider proposals which satisfy the following objectives:

1) Road access: Access to new development (including on No 12 Philip Charley Drive) to be via a single crossing of Council's trunk water mains on the southern side. For traffic safety it is desirable to avoid access off John Oxley Drive and off Philip Charley Drive on the eastern side. There are higher construction costs and potential water main failures for roads over such mains, and the number of such crossings should be kept to a minimum.
2) Stormwater management: The outcome of any development should be that there is no increase on pre-development flows, and there should not be more than one shared stormwater facility for Council to maintain.
3) Wastewater disposal: Any reticulated sewerage is to connect with the sewer line serving the balance of the northern catchment of the South Lindfield precinct.
4) Environmental management: Retention of the koala food trees as identified in the Koala Plan of Management, including on the western lot, and the cluster on the boundary on Nos 209 and 211 John Oxley Drive. A visual screen of trees is to be retained along the John Oxley Drive frontage. Similarly, a band of trees should be retained along the southern boundary. Refer to Figure 72. Offset planting could embellish those two areas where approval is given for removal of isolated koala food trees. Long term ownership or management of the areas to be conserved will be considered having regard to the details of the development proposal.
5) Integrated solution: Satisfaction of all the requirements requires an integrated development concept for all four lots.

Note:
This does not preclude staged development, nor omission of a property from a development application. However, the application must show how all properties can be incorporated in the ultimate development.

It is suggested that an appropriate way for this to be submitted to Council is for a combined rezoning and development application, as provided for under Division 3.5 Planning Instrument amendments and development applications of Part 3 of the *Environmental Planning and Assessment Act 1979*. This allows two approval processes to be combined into one application.

D3.3: HASTINGS RIVER DRIVE

Section D3.3 applies to the land highlighted in Figure 75 below.

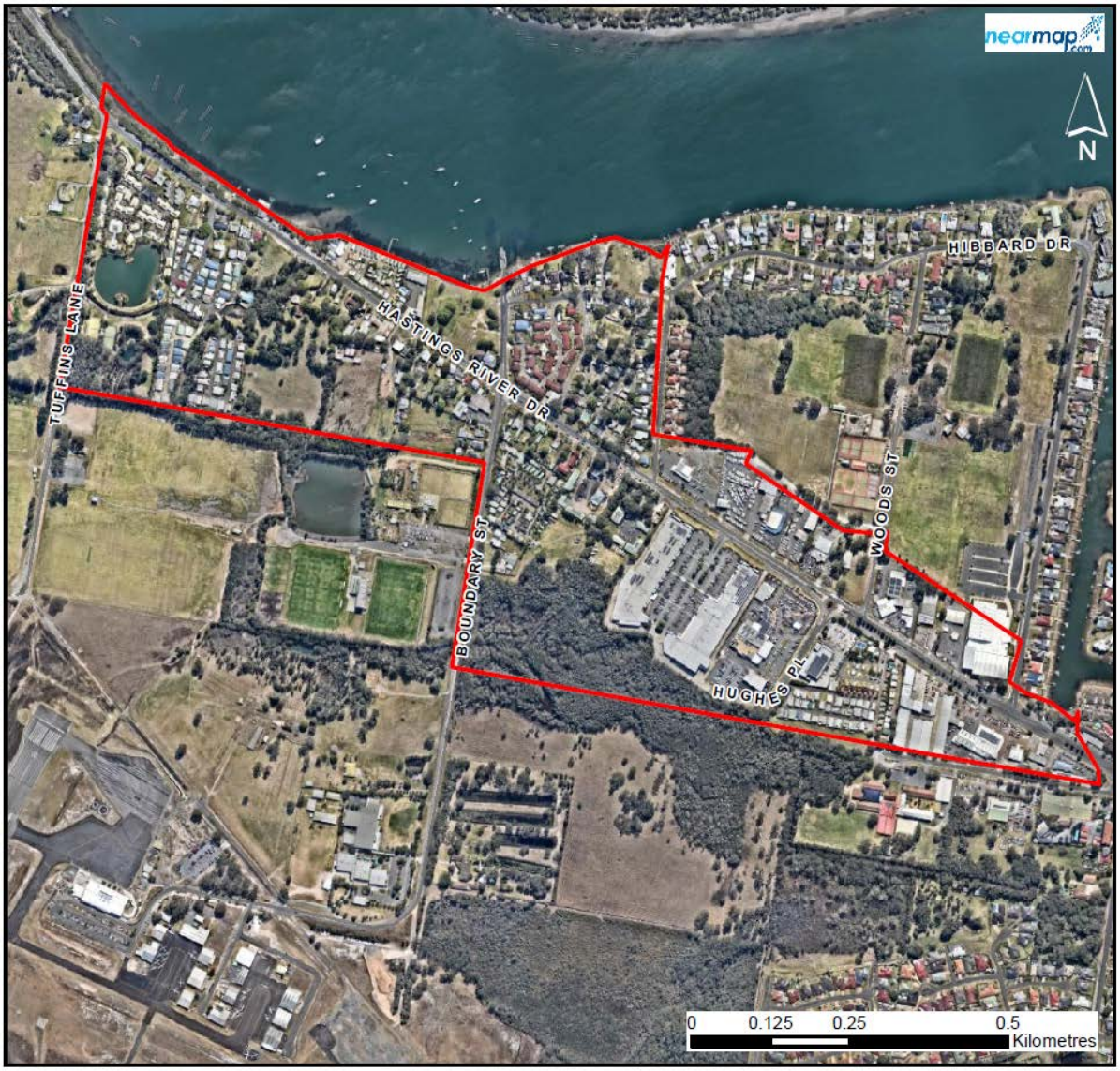


Figure 75: Land subject to Section D3.3

Development Guide

229. Objective

- To provide additional access ways into and through the precinct.

Development Provisions

a) Subdivision design shall incorporate access roads generally in the location shown on Figure 76. New building development shall be located to avoid the proposed access roads and be designed to provide access to them, in preference to Hastings River Drive.

230. Objective

- To establish an attractive gateway into Port Macquarie that is consistent with Council's corridor plan for Hastings River Drive.

Development Provisions

a) All development (including minor works and change of use development) on land fronting Hastings River Drive shall contribute to the improvement of the streetscape of Hastings River Drive, and are required to incorporate landscaping works.

b) Where development involves subdivision, new buildings or major additions, and the development site has a frontage greater than 40m, landscaped blisters shall be provided generally in accordance with Figure 76 and Figure 77 and to the satisfaction of Council's engineers and Parks and Recreation Manager.

c) Land required for road widening is to be dedicated to Council as a condition of consent.

d) Development is to be designed to be operational for both pre and post road widening.

e) Flush wall signs and pole or pylon signs are preferred signs in the precinct. Pylon or pole signs are subject to the following:

- maximum height of 6m;
- one pylon (or pole) sign per property. Multiple signs may be attached to the one pole. Where a property has more than 50m frontage to Hastings River additional pylons may be allowed, provided that there is a minimum separation of 40m between pylons;
- the sign shall not overhang the boundary.

f) For motor showrooms, the application shall demonstrate that consideration has been given to the impact of all signs and advertising techniques utilised on the site (including flags, bunting etc), in respect to visual amenity and reduction of visual clutter, integration of landscaping works, car display and signage.

g) Where multiple car franchises are to operate from the one site, one corporate pole sign per franchise may be allowed, provided the position, height and size of each sign is integrated so that the overall impact is controlled, eg grouping of poles, with differing heights, and different setbacks and stepping of signs. In addition, there should be careful integration with landscaping works and car display. No other pole signs will be allowed on site. If a dealer name identification sign is required, this should appear on the building, or as part of a franchise corporate sign. Directional signs eg visitor parking, customer service, parts etc, should be either attached to a corporate franchise "pylon" style sign, or a small entry way wall sign.

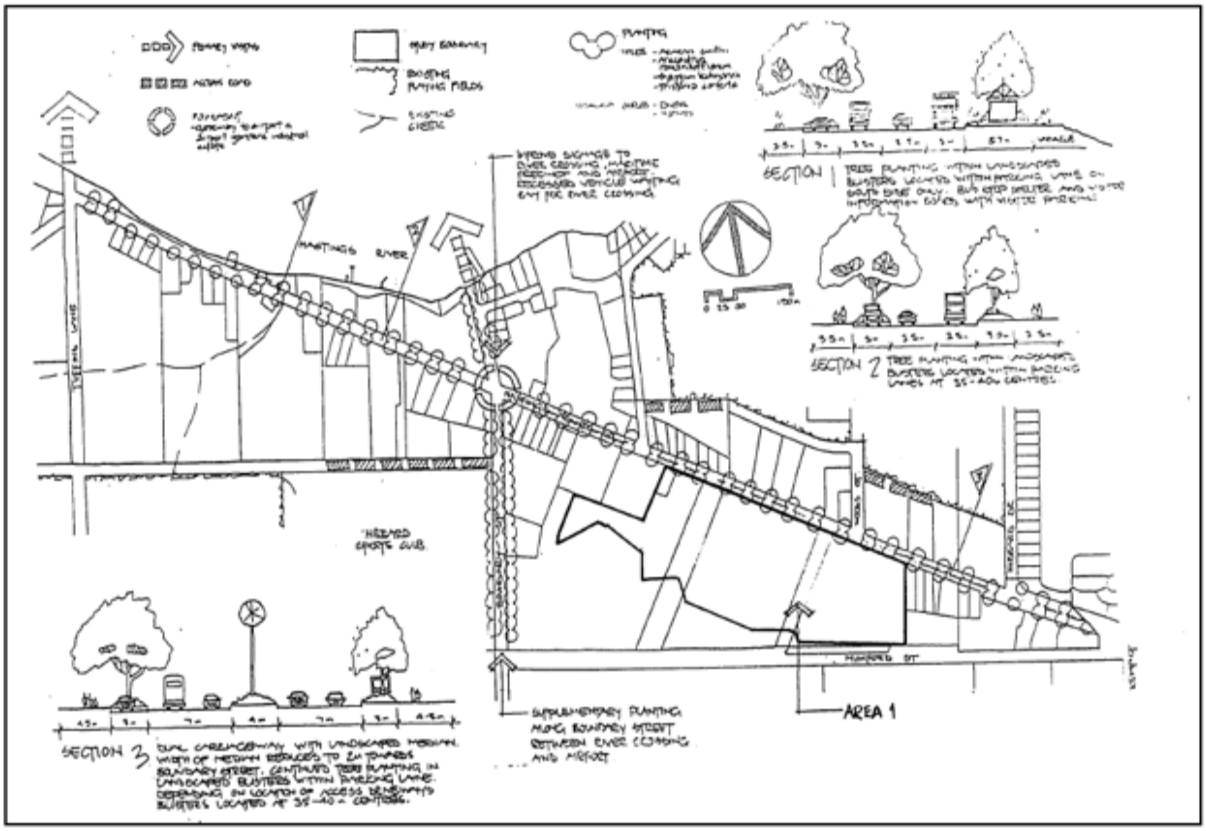


Figure 76: Streetscape works and access roads

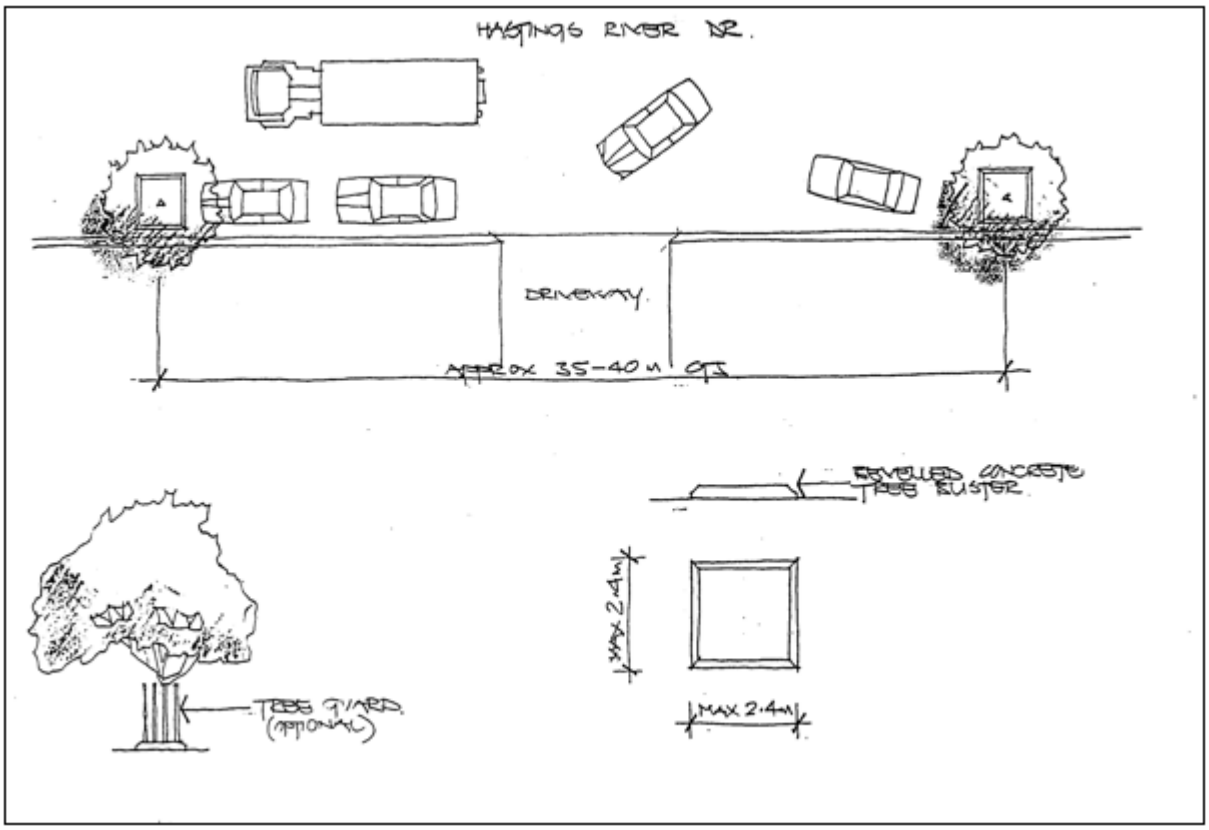


Figure 77: Landscape blister design

D3.4: AIRPORT BUSINESS PARK

Section D3.4 applies to the land highlighted below in Figure 78.

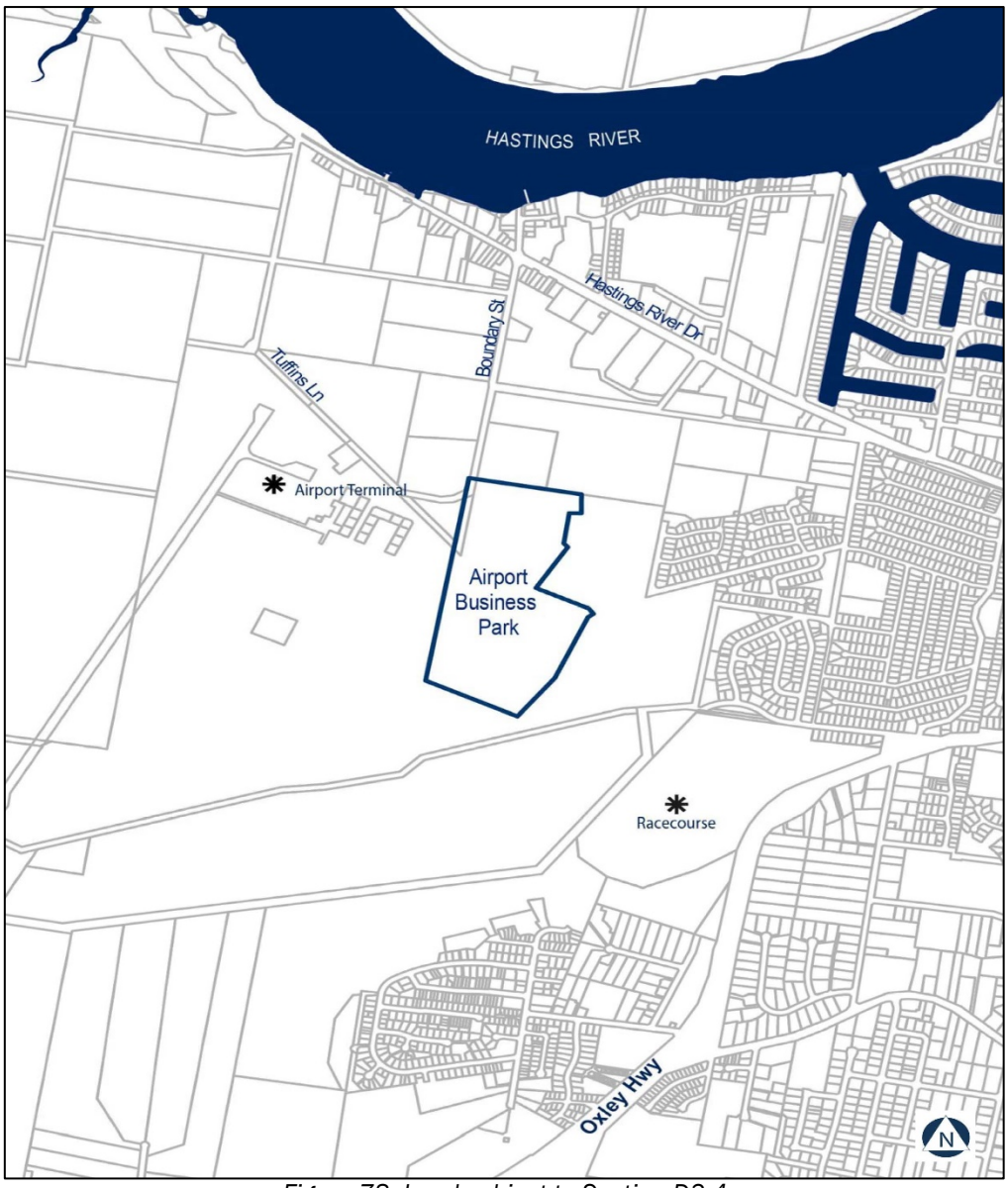


Figure 78: Land subject to Section D3.4

Purpose

The purpose of this Section is to guide coordinated development outcomes across the Airport Business Park in a way that will enhance the function, amenity and overall integration of future development.

The specific aims are:

- To facilitate future business and technology park development that delivers high-value jobs to the local economy and builds on the role of the Port Macquarie Airport as a regional hub and transport Gateway.

- To ensure the precinct will be characterised by a high quality and well-designed built form and streetscape that reflects the Gateway importance of the Airport Business Park and promotes a sense of prestige, arrival and identity.
- To create a network of new streets to provide vehicular, pedestrian and cycle efficiency, safety and permeability that maximises cross connections within the precinct and to surrounding areas.
- To facilitate a high quality environment/amenity for workers and visitors to the precinct.
- To ensure that development does not interfere with the continued and expanded operation of the Port Macquarie Airport.
- To ensure that development minimises potential environmental impacts and is consistent with the biodiversity outcomes of the Order Conferring Biodiversity Certification-Port Macquarie Airport and Surrounding Land, published in the NSW Government Gazette on 7 September 2018.
- To provide for new road infrastructure, stormwater drainage, water supply, sewerage, electrical and telecommunications utilities to service future development.

These provisions supplement the General and the Development Specific Provisions of the Port Macquarie-Hastings DCP 2013. Where there is inconsistency between these Locality Specific Provisions and the provisions in Parts B and C, for the extent of the inconsistency, these Locality Specific Provisions prevail.

In addition, where any inconsistency exists between these Locality Specific Provisions and the figures in this Section, for the extent of the inconsistency, the Locality Specific Provisions prevail.

Strategic Context

Planning for the development of an expanded Business Park at the Port Macquarie Airport to create opportunities for business technology, airport related businesses and service industry is listed as a priority economic development action in the *Port Macquarie-Hastings Urban Growth Management Strategy 2017-2036*, consistent with the *Port Macquarie Airport Masterplan 2010* and *Addendum Report 2013* (Figure 79).

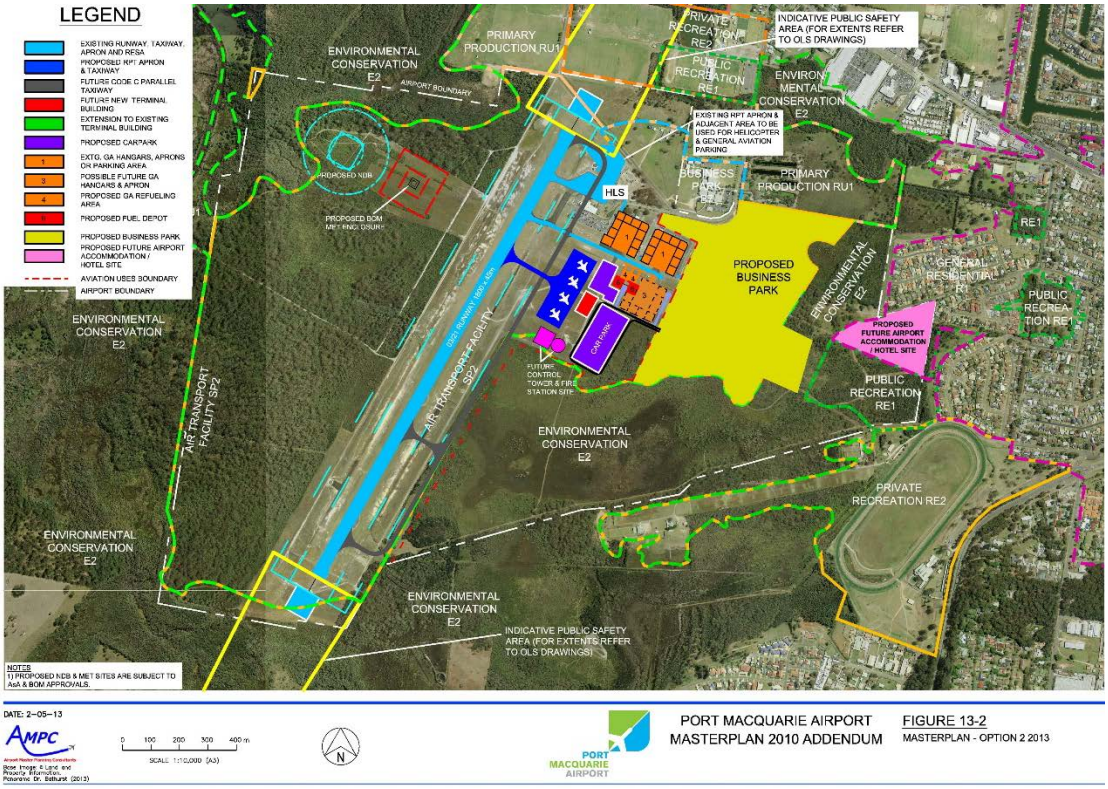


Figure 79: Airport Masterplan Concept

Airport Business Park Vision

The Airport Business Park evolves into a highly successful and attractive employment precinct that provides a range of job opportunities to support the local economy. Strategically located, the Business Park operates as an important employment precinct that builds on the role of the Airport as a regional hub and significant Gateway to Port Macquarie.

Desired Future Character

The desired future character of the Airport Business Park is a distinctive and prestigious hi-tech Gateway to Port Macquarie, with strong and seamless links to the Health and Education Precinct and Central Business District.

The Precinct will contain a mix of aviation-related, high technology, and campus style business park development, supported by new infrastructure including, new roads, accessible public transport, pedestrian and cycleway connections, open space, and high-speed telecommunications.

A pleasant and safe work environment is envisaged through the provision of pedestrian-friendly streets, good landscape design and open spaces, with access to passive recreational opportunities adjoining Conservation Lands, as well as encouraging high-quality built form based on sustainable design principles.

The Airport Business Park contains four development Sub Precincts (see Figure 80) as follows:

1. **The Boulevard** - will accommodate up to three storey 'A-grade' commercial/light industrial buildings that benefit from high visibility and accessibility. This area will be vibrant and pedestrian friendly, focused along the major roads with key active frontages and communal open space at the northern Gateway entry for the enjoyment of workers and visitors. Cafes and restaurants will be encouraged to provide areas for social interaction.

The high-quality design of the buildings and streetscape within The Boulevard will reflect the importance of the major transport connection to Hastings River Drive and future potential access to the Oxley Highway, the Health and Education Precinct, and the Port Macquarie Central Business District.

The Boulevard road reserve will provide for future growth in traffic volumes without compromising the quality of landscaping and the provision of infrastructure for cyclists and pedestrians. The importance of the existing entry to the Port Macquarie Airport will be announced through a combination of urban/building design Gateway controls and treatments.

2. **Business Park North** – will comprise a range of aviation-related, technology, service and business uses, with a component of warehousing, and in some cases a component of research such as, but not limited to, information and communication technology, modern warehousing and distribution industries, advanced manufacturing industries and high-technology uses. Focused along the perimeter of the precinct and internal street network, this area will be activated by display/showrooms and small-scale ancillary convenience uses.

3. **Business Park South** – will feature a diversity of business and industry employment opportunities, including but not limited to, professional services, service trades, technology development and manufacturing, and community facilities, such as child care centres, gymnasiums/indoor recreation facilities.

4. **Recreation** - the periphery of the precinct will provide opportunities for passive recreational open space adjacent to Conservation Lands.

Airport Biodiversity Certification

In accordance with the Order Conferring Biodiversity Certification-Port Macquarie Airport and Surrounding Land, published in the NSW Government Gazette on 7 September 2018, all of the land within the Airport Business Park is biodiversity certified, meaning that development can occur without the need for further assessment under the Biodiversity Conservation Act 2016.

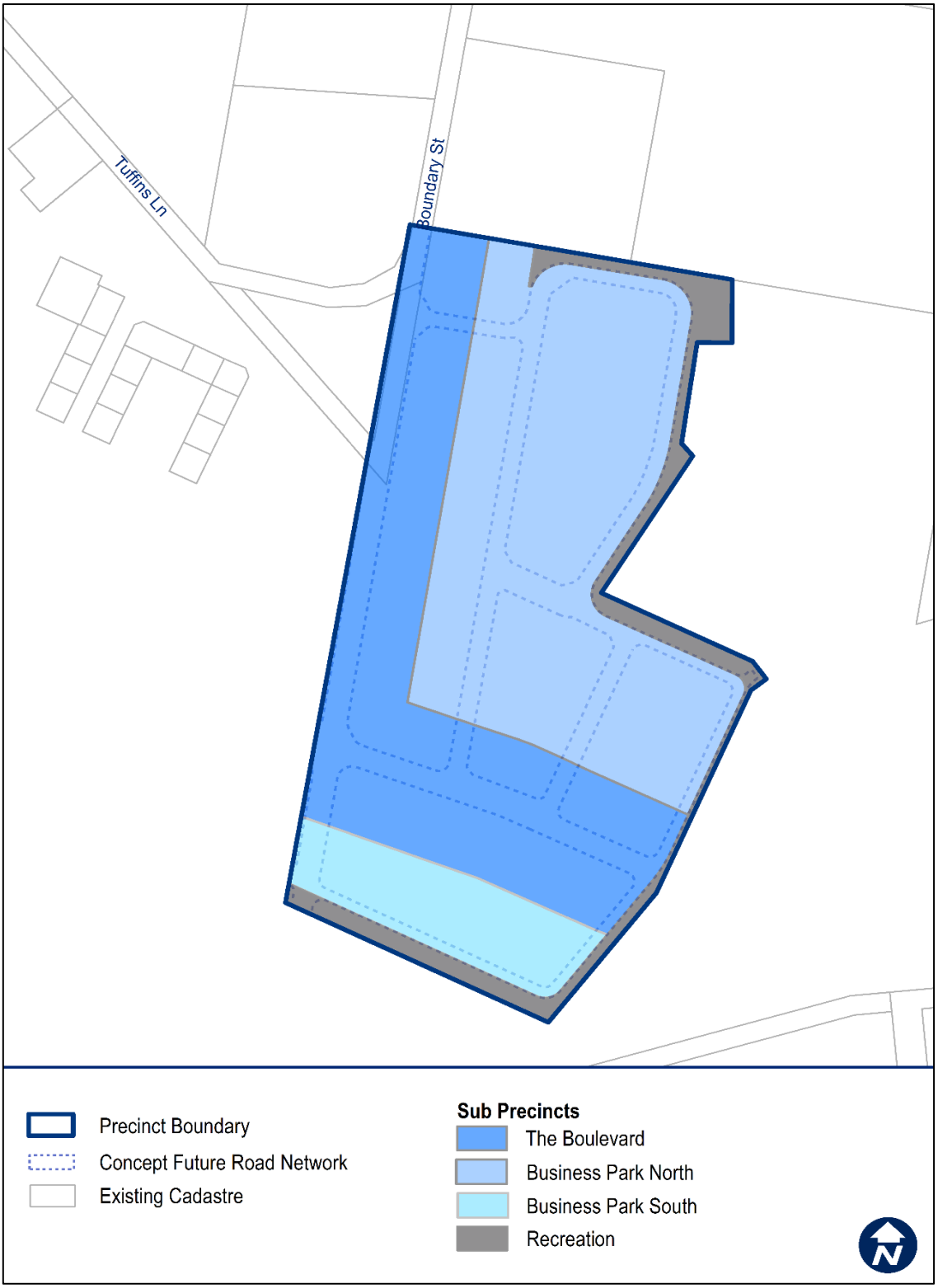


Figure 80: Airport Business Park Development Sub Precincts

Development Guide

Access Network

231. Objective

- Create a road network that enables connectivity to the existing/future surrounding road network and provides a safe and efficient access for all users.
- Accommodate capacity in the road network for future traffic growth.
- Encourage the use of efficient alternate transport including walking, cycling and bus public transport.
- Manage the potential environmental impacts associated with the development interface with adjoining Conservation Lands.
- Minimise the impact of vehicle access points on the quality of the public domain and pedestrian safety.

Development Provisions

a) Provide new public streets, pedestrian connections and shared pedestrian/cycle pathways generally in accordance with Figure 81.

b) The first Development Application for subdivision of the land shall include concept design details and a staging and sequencing plan for the following:

- Connectivity to Boundary Street and potential road linkages to the south and southeast.
- Streets (particularly those providing existing and future access to Port Macquarie Airport and adjoining urban areas) including consideration to future traffic growth, and details of footpath and carriageway widths, bus stops and off-street shared cycle and pedestrian pathways, consistent with the current AUSPEC requirements and generally as indicatively shown on Figure 81 to Figure 83.
- Integration of streetscape/landscape/stormwater drainage treatment components of streets to create a high-quality urban outcome (see Figure 81 to Figure 84).
- Provision for cyclists, on-street car parking and pedestrians (see Figure 81 to Figure 83, Figure 85 and Figure 86).

***Note**: The concept designs in Figure 81 to Figure 86 are indicative only and subject to stormwater design confirmation as part of the DA, and confirmation of carriageway widths as part of the finalisation of the Airport Flood Free Secondary Access.*

c) Perimeter streets are to be designed to manage the interface between future development, proposed shareways and adjoining Conservation Lands (see Figure 81 and Figure 83). All earthworks, services, end-of-line stormwater drainage infrastructure, recreational facilities and bushfire Asset Protection Zones are to be located within the B7 Business Park zoned land.

d) Where trees are proposed within the road reserve, details relating to services provisions and location of future driveway access points are to accompany the Development Application.

e) Bus shelters are to be provided at key bus stops and installed at the subdivision construction stage by the developer. This infrastructure may be provided either within the development site or, subject to consultation with Council, within the adjoining public domain area.

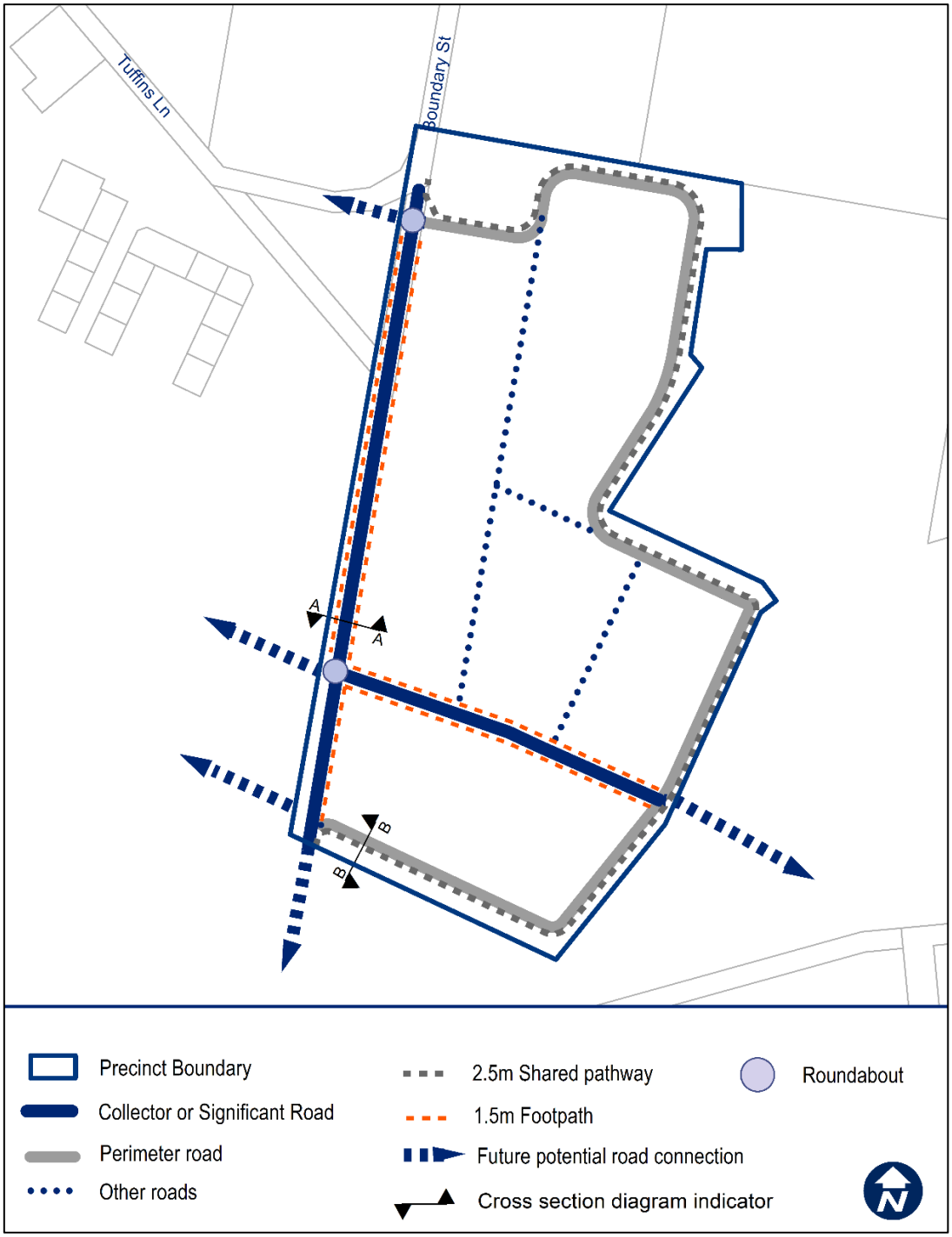


Figure 81: Access Network

Note: *The locations for required pedestrian connections are flexible, subject to Council agreement. Connections should run street to street or connect key points of interest.*

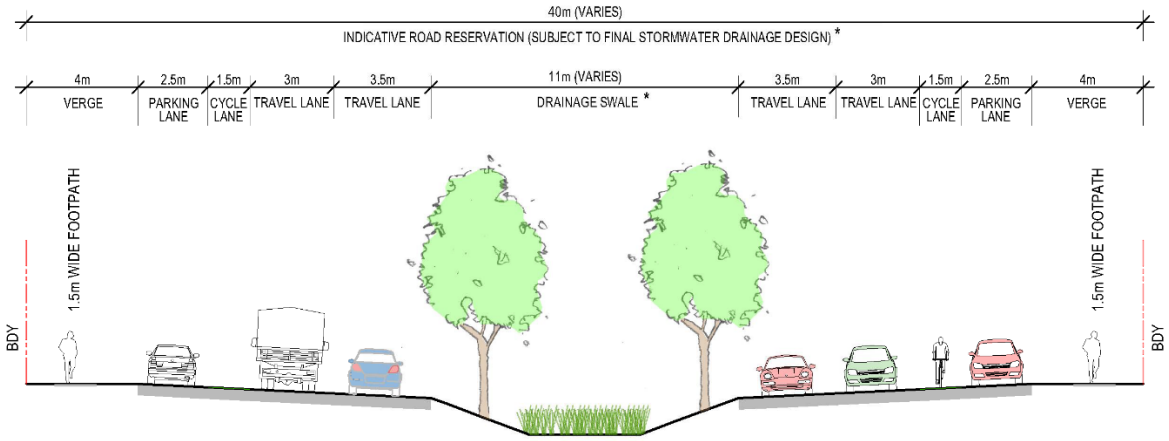


Figure 82: Concept Section A - Boundary Street extension

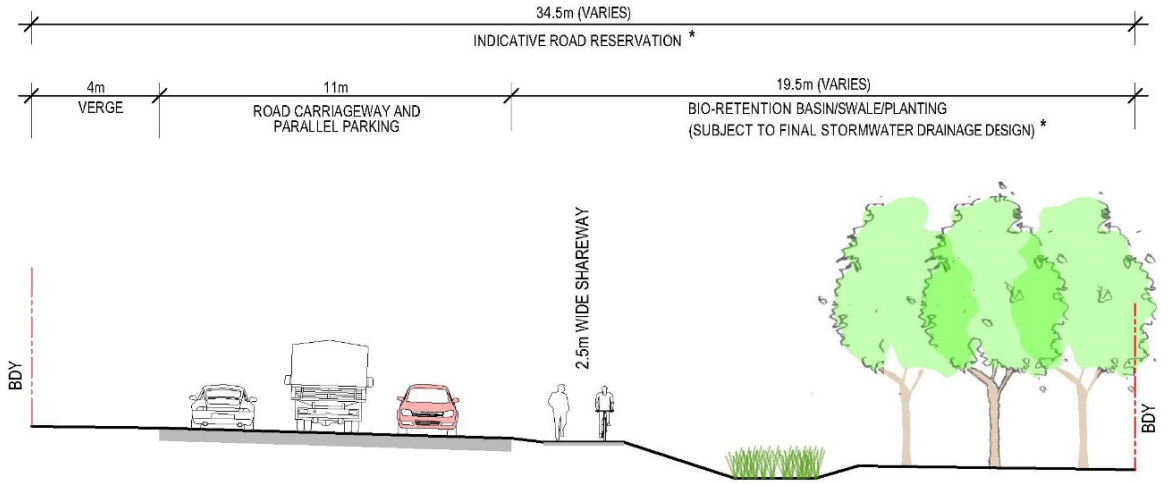


Figure 83: Concept Section B - Perimeter Road

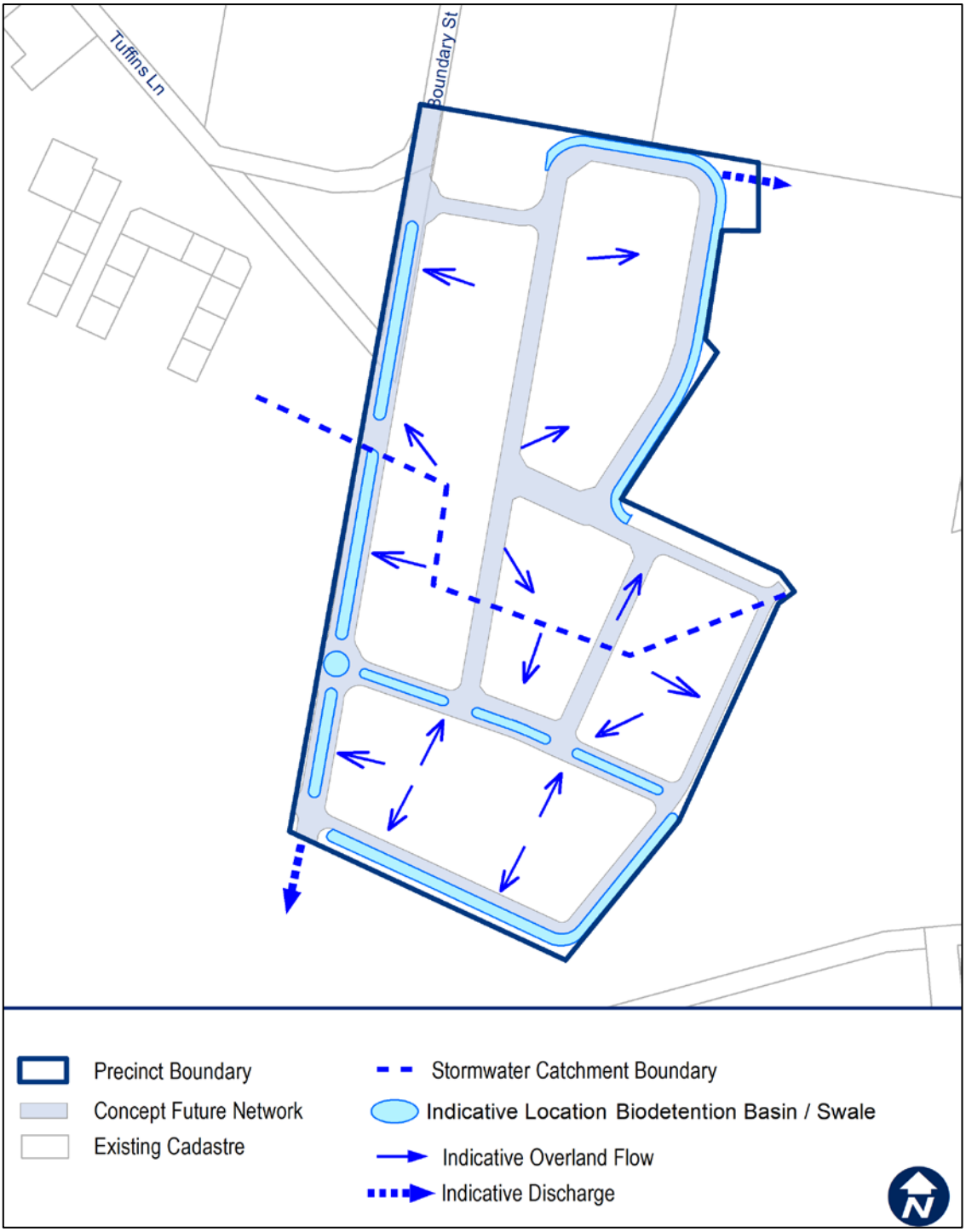


Figure 84: Concept Stormwater Management Plan

Lot Design

232. Objective

- Provide opportunities for lots of varying sizes to satisfy market demand and the needs of the development industry.
- Ensure lots are oriented so buildings appropriately address the street.

Development Provisions

a) Lots are to be regular in shape to meet a range of land uses. Battle-axe lots will not be supported.

b) Lots are to have a minimum 40m width to the street frontage (see Figure 85 and Figure 86) and be orientated and aligned so that buildings can face the street and avoid streetscapes with loading docks and long blank walls.

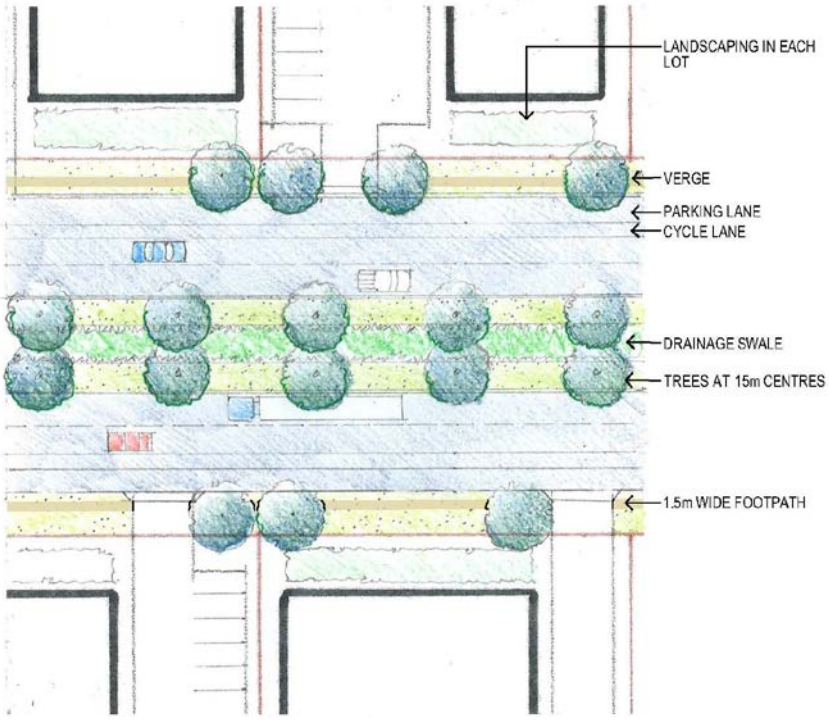


Figure 85: The Boulevard Street Character

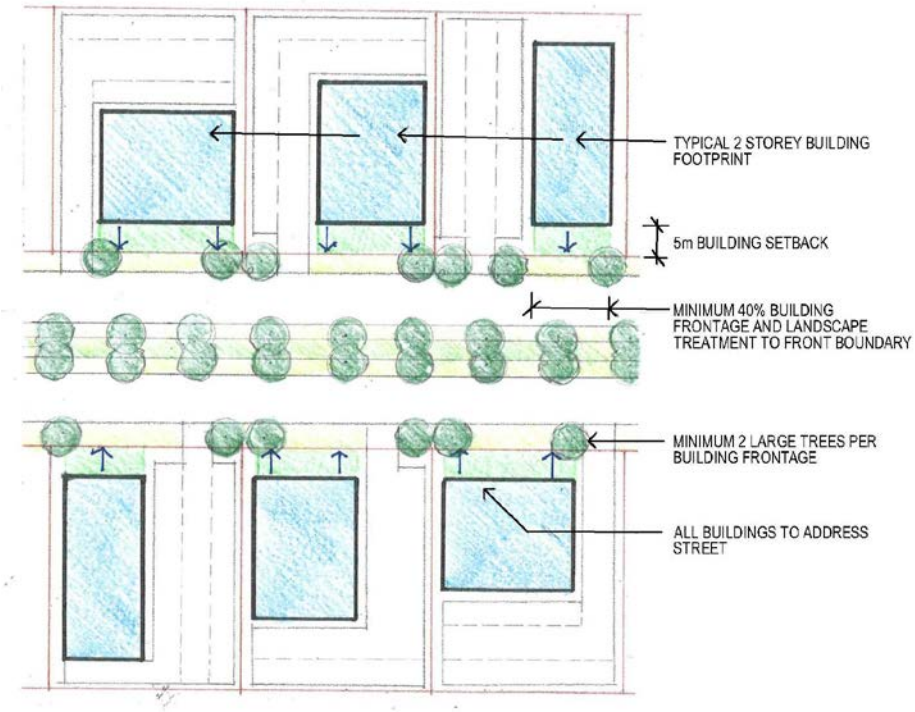


Figure 86: Building Development Controls

Car Parking

233. Objective

- Ensure that development provides parking that is adequate for the land use, without compromising streetscape appearance or traffic safety and function.

Development Provisions

a) All parking areas for developments are to be provided either on-site or in centralised off-road locations.

b) Parking areas must not be located forward of the building.

c) Parking areas are to be located to minimise visual impacts from the street, public domain, and communal open space areas, using site planning and appropriate screen planting or structures.

d) Potential pedestrian/vehicle conflict is to be minimised by limiting the width and number of vehicle access points, ensuring clear sight lines at pedestrian and vehicle crossings, using traffic calming devices, separating and clearly distinguishing between pedestrian and vehicle access ways.

e) Entries to carparks on Gateway corner sites are to be from the secondary road frontage.

Bicycle Facilities

234. Objective

- Encourage bicycle use by providing sufficient number of secure and accessible bicycle parking spaces with new developments.

Development Provisions

a) For commercial developments providing employment for 20 people or more, bicycle parking is to be in secure and accessible locations, and provided with weather protection.

b) The following associated facilities are also to be provided:

- change and shower facilities for cyclists conveniently located close to the bicycle storage areas; and
- where the building is to be strata-titled, the bicycle storage facilities and shower/change facilities are to be located on common property.

Landscape Design

235. Objective

- Achieve a high-quality landscaped streetscape that provides aesthetic and general amenity benefits such as shade.
- Ensure that landscaping offsets the bulk and scale of the large buildings and the visual impact of paved areas.
- Minimise the visual impact of at grade car parking areas.
- Ensure landscape design is compatible with the ongoing operation of the Port Macquarie Airport.
- Contribute to water and stormwater efficiency by integrating landscape design with water and stormwater management.

Development Provisions

a) Development shall include the supply, installation and establishment of at least one advanced clear-trunk tree for every 20m of street frontage (see Figure 85 and Figure 86).

b) Planting centres within median areas, as illustrated in Figure 85 and Figure 86, to be generally 15m.

c) All trees installed shall be advanced stock of at least 100L container size and capable of achieving mature heights in the range of 10 to 15m.

d) All trees installed are to be established and maintained for a minimum period of 24 months. Any failed trees should be replaced immediately.

e) All tree planting is to consider the location of structures, services and footpaths during the design of the landscape and in the selection of plant material, to reduce potential future damage to these features.

f) Street tree planting should be implemented at the subdivision stage to ensure plantings are visually consistent in height, spread and form across the precinct.

g) Landscape design is to demonstrate integration with building, car parking and fencing design.

h) Front setback areas to public roads are to be landscaped and maintained as open areas only to enhance the streetscape appearance. No storage of any kind is to occur in landscaped setback areas.

i) Landscape treatments are to be simple in form and layout and incorporate planting with low-water requirements. Endemic and native plant species are preferred.

j) Landscape design is to demonstrate integration with on-site water quality treatment areas and devices.

k) Deep Soil Zones retained as areas of natural ground, free of artificial structures and with a relatively unmodified soil profile should be provided within lots. Deep Soil Zones are to comprise 10 per cent of the site area and have minimum dimensions of 3m x 3m in order to permit the establishment and growth of large trees, and to promote rainwater infiltration.

l) Development should include supply, installation and maintenance of at least one advance clear trunked broad-canopy tree for every nine at-grade car parking spaces (maximum internals of 25m).

m) Landscaping is to be designed to minimise wildlife hazards to the operation of the Port Macquarie Airport through reference to Australian Airports Association *Managing Bird Strike Risk Species Information Sheets Practice Note 6* and *Wildlife Hazard Management at Airports Practice Note 9*.

Open Space Network

236. Objective

- Meet the recreation needs of workers and visitors to the Airport Business Park.
- Provide additional open space within a network of well-connected green streets.
- Provide well-used pubic space that accommodates a range of passive recreational uses.
- Maximise the accessibility of public open space and to contribute to the pedestrian and cycle network.

Development Provisions

a) The location of public open space is to be integrated with the street network to maximise pedestrian access opportunities.

b) The Boulevard Sub Precinct is to provide a high-quality communal public open space/plaza area for enjoyment by workers and visitors.

c) Pedestrian and cycle share ways, fitness trails and other passive recreational activities shall be located within the Recreation Sub Precinct. Details shall be submitted with the first Development Application for subdivision of the land.

d) Site landscaping in public open space areas shall comprise trees, shrubs and groundcovers. Endemic species are preferred. Alternate species may be considered within open space areas to achieve seasonable landscape features where appropriate.

Stormwater Management

237. Objective

- Control and manage all stormwater drainage generated as a result of development.
- Ensure that development incorporates stormwater drainage quality controls to achieve the stormwater quality outcomes required by AUSPEC D7 and protection of the adjoining Conservation Lands.
- Encourage incorporation of Water Sensitive Urban Design techniques within subdivision, site and building design.

Development Provisions

a) Development Applications for subdivision shall be accompanied by stormwater drainage designs consisting of the provision of bio-retention systems with submerged zones located within or adjoining road corridors or on individual lots generally in accordance with the principles established in the *Concept Stormwater Management Plan, King & Campbell Pty Ltd, Jan 2019* (see Figure 82 to Figure 84).

b) Unless onsite bio-retention systems are approved by Council, the designs for the end-of-line stormwater quality infrastructure referred to above shall be designed to cater for the entire developed contributing catchment as defined in the *Concept Stormwater Management Plan, King & Campbell Pty Ltd, Jan 2019*. All end of line infrastructure is to be located within the B7 zoned lands and shall consider the following design elements:

- Maintenance of groundwater levels in the precinct road corridor widths
- Provision of appropriate measures/controls to prevent accidental vehicular and pedestrian entry into swales.
- Vegetation specification to minimise maintenance requirements, tolerance of saturated soils and periodic exposure to brackish water during flood events within the Hastings River. Local endemic species should be utilised wherever possible.
- Pavement design for the adjoining roads to ensure sufficient vertical separation is provided between the saturated zone and pavement layers. The long-term pavement viability is to be maximized using subsoil drainage and potentially drainage blankets.
- Vegetated stormwater drainage assets shall be located clear of any land specified as a bushfire Asset Protection Zone.

c) Development within each Business Park lot shall include site-specific stormwater quality management systems designed to achieve or better the Suspended Solids, Gross Pollutant, Oil and Grease pollutant load targets and nutrient loadings (unless these have been managed by end-of-line facilities).

d) Each Business Park lot shall include rainwater usage facilities, consisting of a minimum 10kL rainwater tank, plumbed for internal usage in toilets, and site landscape irrigation.

Infrastructure and Services

238. Objective

- Ensure that adequate services are available to facilitate development.
- Ensure the colocation of services where possible.

Development Provisions

a) Development Applications for subdivision are to include:

- A Water Supply Strategy that considers the capacity required for existing and future development within the Precinct
- A reticulated sewerage services strategy. The strategy should have regard to the Concept Sewer Strategy in Figure 87.
- Electricity and telecommunications mains are to be placed underground and services co-located where this is technically feasible.
- Electricity substations are to be located on private land.
- State of the art telecommunications infrastructure is to be provided to enable companies to access broadband services using high speed, high reliability telecommunications.

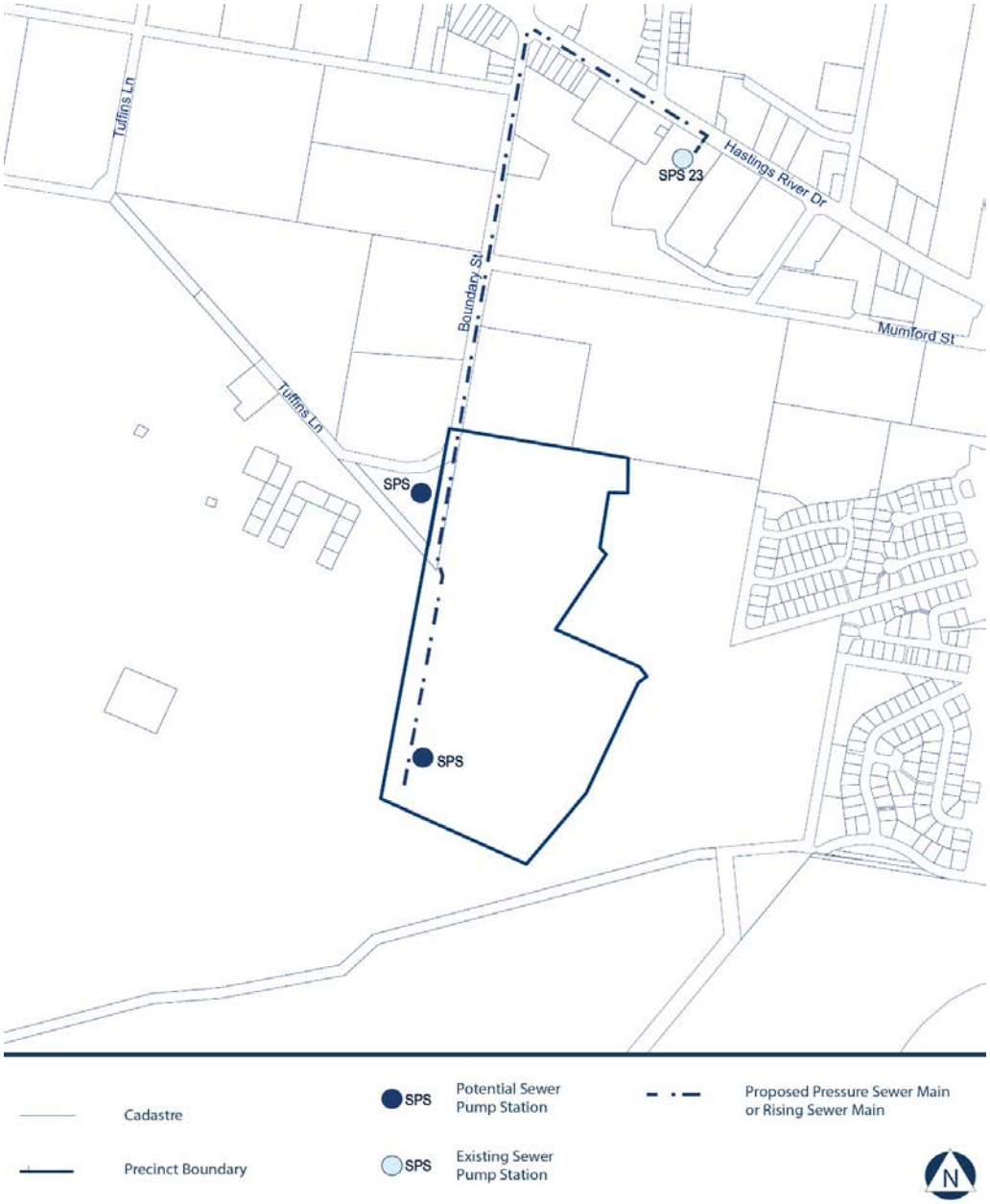


Figure 87: Concept Sewer Strategy (either conventional or low pressure scheme)

Built form design

239. Objective

- Encourage creative and innovative building design of a high architectural standard that reflects the Gateway importance of the Airport Business Park.
- Establish varied and articulated frontages facing or visible from the public domain.
- Minimise perceived scale and mass and prevent monotonous building forms resulting from poor design of walls or rooflines.
- Ensure that new development contributes to the creation of a visually cohesive urban environment.
- Encourage energy efficiency in design of buildings.

Development Provisions

a) Prominent elevations, such as those with a frontage to the street or public reserves or those that are visible from public areas, must present a building form of significant architectural and design merit. The construction of large, blank wall surfaces is not supported.

b) Large unrelieved expanses of wall or building mass will not be supported, and should be broken up by the use of suitable building articulation, fenestration or alternative architectural enhancements.

c) The use of large, uninterrupted areas of metal cladding or untreated concrete surfaces for wall construction is not supported. Applicants shall vary materials or finishes for external walls (e.g. brick, glass, precast exposed aggregates, off-form concrete panels or similar) to provide attractive streetscapes and quality building designs. Council may limit the use of a single construction material to 50% of a wall surface area.

d) Materials used for side and rear walls shall be compatible with materials used for front walls. Zincalume and colourbond external walls will not be supported.

e) All loading areas should be located towards the rear of lots. Where possible, loading areas should be screened from the view of main road frontages through physical and/or vegetation screening.

f) External materials should be selected such that reflectivity is minimised and not adversely affect adjacent development, vehicular traffic and public domain areas.

g) Energy efficient design principles should be employed in all building designs.

h) Part of the cross-section of buildings shall be projected to reduce apparent height and scale of external walls, including:

   - Awnings,
   - Roofs with eaves that project beyond external walls,
   - Colonnades.

i) Architectural features consistent with the overall design of the building should highlight entrances to buildings.

j) Particular care should be taken in designing roof elements and locating plant and mechanical equipment including exhausts, so as to reduce their visual impact from elevated locations and any public areas.

k) Fencing should be designed to be integrated with the building and hard and soft landscaping measures. Pre-painted solid metal fencing and other solid fencing will not be supported, nor will wire mesh for front fences.

l) All signage on buildings should be integrated with the design of the building façade. Above awning or parapet signage design will not be permitted.

Images in Figure 88 provide examples of the types of buildings envisaged for the Airport Business Park.

Figure 88: Examples of building types envisaged for the Airport Business Park

Setbacks

240. Objective

- Achieve attractive streetscapes
- Ensure buildings present an acceptable scale and bulk when viewed from the street and public domain areas.

Development Provisions

a) Front setbacks are to be 5m and the building shall be built on the setback for a minimum length of 40% of the frontage of the lot.

b) Awnings, canopies, balconies, sun shading and screening elements can project forward of the front setback.

Gateway Sites

241. Objective

- The northern entry point into the Airport Business Park is designed to function as a Gateway location that announces entry into the Precinct.

Development Provisions

a) In consultation with Council, develop an appropriate response to the existing entry point to the Port Macquarie Airport that could include specific landscape planting and/or a public art element.

b) Buildings adjacent to this entry point shall be designed to create a distinctive and recognisable Gateway entry to the Precinct.

Port Macquarie Airport Controls

242. Objective

- Ensure that development does not interfere with the continued operation and growth of the Port Macquarie Airport.

Development Provisions

a) Lighting details shall be provided as part of any Development Application and should address the principles of *The National Airports Safeguarding Framework Guideline E: Managing the Risk of Distractions to pilots from Lighting in the Vicinity of Airports*.

b) Development Applications are to demonstrate regard to potential wildlife and bird strike hazards by reference to *The National Airports Safeguarding Framework Guideline C: Managing the Risk of Wildlife Strikes in the Vicinity of Airports*.

D4: THRUMSTER

Application

Section D4 applies to the land highlighted in Figure 89 below.

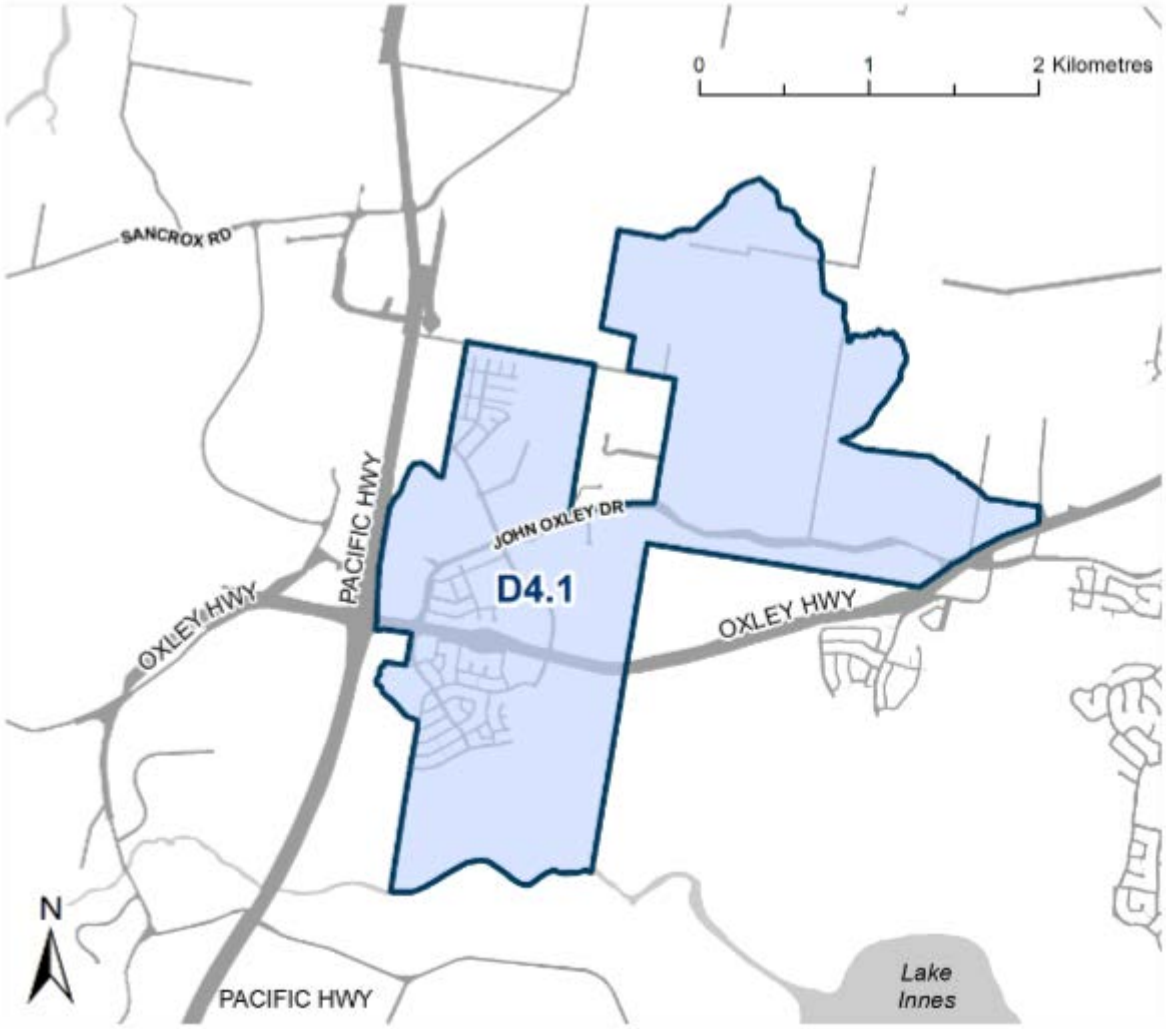


Figure 89: Land subject to Section D4

Relationship to other Sections of the DCP

The following provisions are in addition to the general requirements of Parts A - C of this Development Control Plan. Where they conflict with the requirements of Parts A - C, this plan prevails.

D4.1: THRUMSTER NEIGHBOURHOODS

Section 4.1 applies to the land highlighted in Figure 90 below.

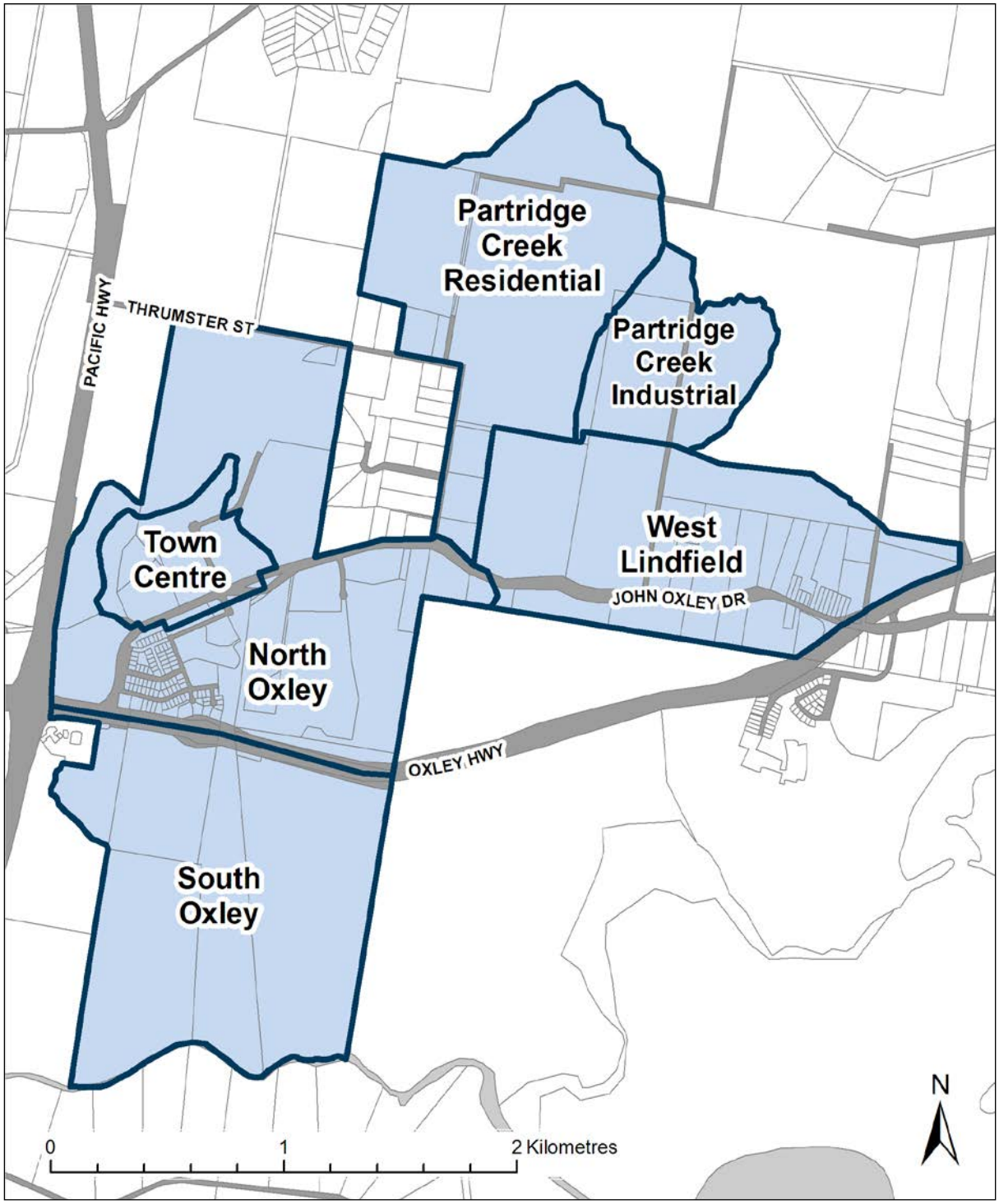


Figure 90: Land subject to Section D4.1

Strategic Context

Thrumster is identified in the Port Macquarie-Hastings Urban Growth Management Strategy 2011-2031 as a key urban release area. Thrumster will play a major role in development of the Port Macquarie-Wauchope Corridor. The Corridor will contain the majority of urban growth and 'higher order' services and facilities needed to serve a catchment population in excess of 100,000 persons. The new Thrumster community will accommodate up to 10,000 people. The Thrumster Town Centre will offer convenience retail services to local residents to strengthen the structure of the corridor.

Vision for Thrumster (Area 13)

Thrumster is to become a diverse but integrated community distinguished by the natural advantages of its setting, yet living in harmony in its unique flora and fauna. It will be a model development for sustainable living in the mid north coast region, containing distinct neighbourhoods defined by the topographic, bush land and other natural features of the location.

Neighbourhoods and Precincts

Thrumster comprises six distinct neighbourhoods, each comprising several precincts. The six Thrumster neighbourhoods are shown in Figure 90. The desired future character for each neighbourhood and precinct is described below.

North Oxley

The North Oxley Neighbourhood (Figure 91) is centrally located and within easy access to the future Thrumster neighbourhoods to the north, south and east. The neighbourhood is bisected by John Oxley Drive. The area generally to the north of John Oxley Drive will form the future Town Centre.

The vision for the North Oxley community builds upon the rationale established in Thrumster DCP and the role that the Town Centre will play within the overall community. The North Oxley vision will also apply to the future planning and design of the South Oxley Neighbourhood.

North Oxley will be a community that will be a:

- Sustainable place that is liveable, competitive and environmentally sensitive,
- Well connected and accessible place that is easy to get to, move through and make contact,
- Creative place that provides opportunity and nurtures innovation and creativity,
- Place designed in response to its setting, climate and the emerging needs of the community,
- Place designed for change, with lasting and adaptable buildings and spaces,
- New neighbourhood with a strong identity and contemporary design character.

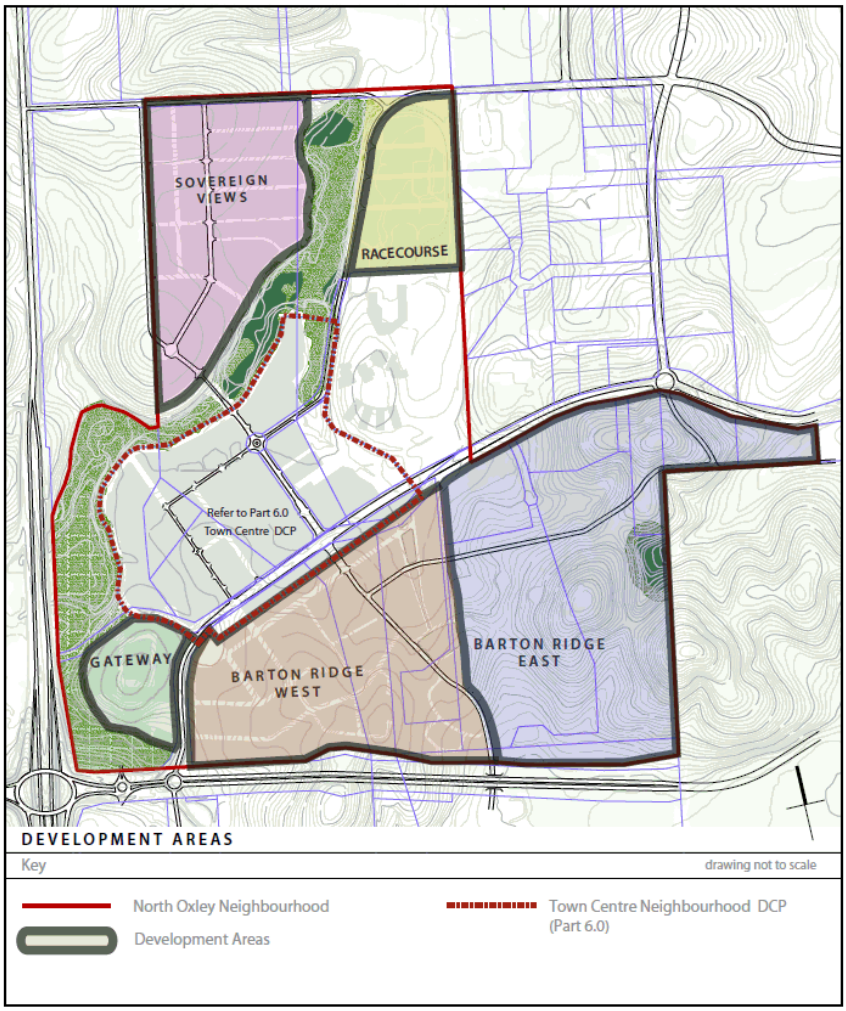


Figure 91: North Oxley Precincts

Partridge Creek Industrial

The Partridge Creek Industrial Neighbourhood (Figure 92) provides an employment 'hub' for the area. The neighbourhood contains a diverse range of employment generating uses. Buildings have been designed to incorporate articulation, as well as a variety in colours, materials and finishes in order to provide a high level of visual amenity when viewed from the public domain and roadways.

All development has been designed and operates so as to minimise impacts on adjacent residential areas in terms of noise, traffic, emissions and bulk and scale. Public transport circulates through the area and connects to other employment areas.

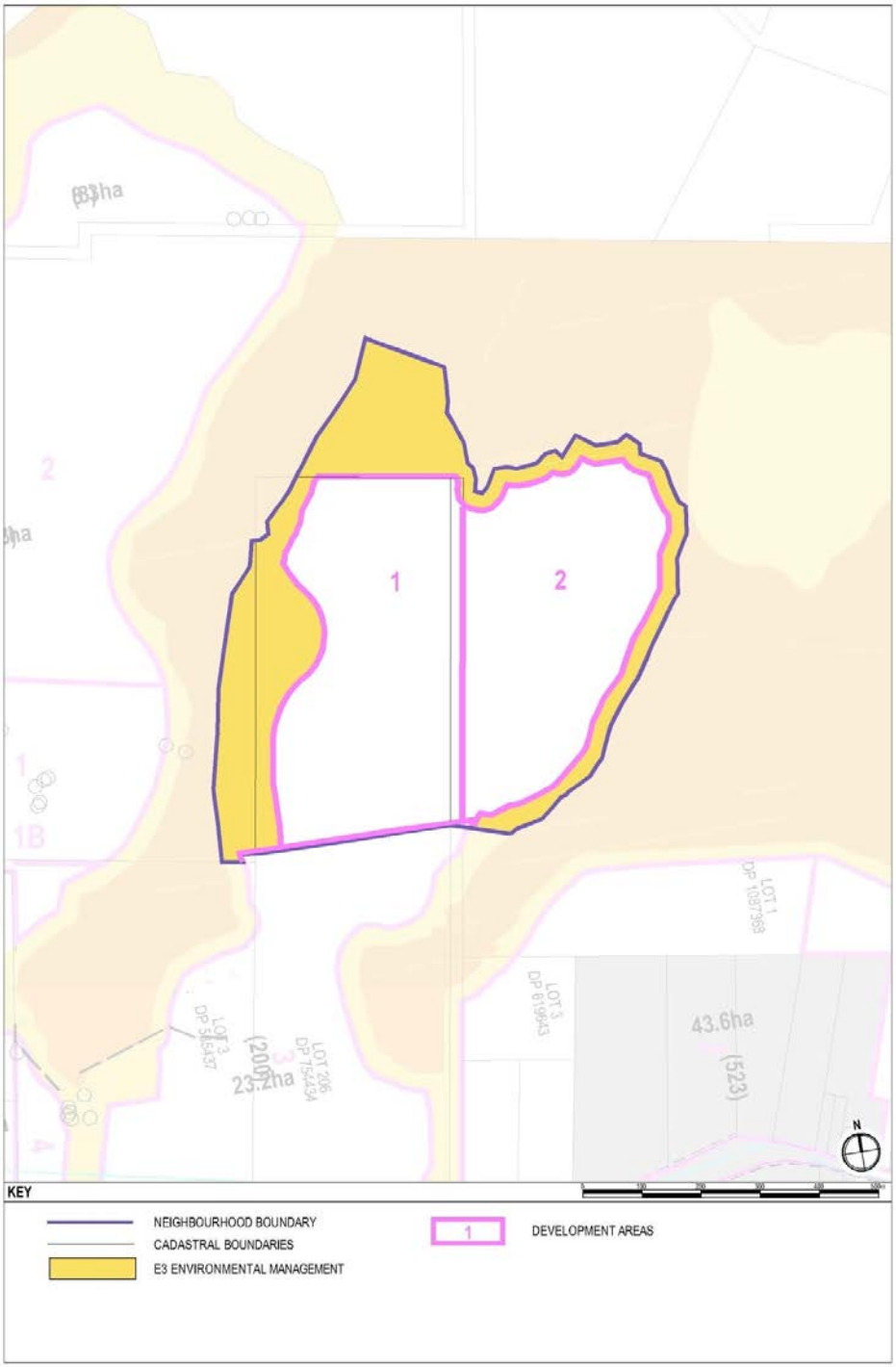


Figure 92: Partridge Creek industrial development area

Partridge Creek Residential

The main objective of this local community is to retain and enhance the existing biodiversity, watercourses and riparian and Koala vegetation. Community groups undertaking bush regeneration and other works have achieved this objective. An old growth hollow bearing tree is a landmark within this community and has been retained in a park setting. This tree is visible from a number of places.

Conventional housing forms have been developed to the north of this rural residential area. This area is clearly defined by the wetlands and riparian corridors that fringe the locality on the northern, eastern and western sides. This provides for a 'sense of place' within this setting.

Streets in the residential area are characterised by landscaped front gardens and consistent front setbacks.

The area is well serviced by public transport. The streets are legible and connectivity to other areas is maximised.

A small neighbourhood (village) centre is the focal point of this community. The village centre provides retail and community focus for the locality, incorporating a mix of uses and housing types. Mixed use buildings have been orientated to the street. Ground floor premises are characterised by shops and commercial uses that encourage street level interaction and contributes to life within the streets and other public spaces. Housing and offices are located on the upper floors. Higher residential density development is located within the immediate area of the village centre and frames the centre.

Building and dwelling designs contribute to the vibrancy and define the streets and public spaces; creating environments that are comfortable, interesting and safe. Streets are characterised by landscaped front gardens and consistent front setbacks.

Local parks are strategically provided, generally within 400 metres walking distance to residents. These parks are well used and safe for families. Dwellings overlook these parks to provide casual surveillance.

Three development areas are shown on Figure 93.

Partridge Creek Village Precinct (Area 1) is the gateway to the Partridge Creek Residential Neighbourhood. The area will become the neighbourhood hub for convenience shopping and services. Residential dwellings will be at a higher density than elsewhere in the neighbourhood to take advantage of the proximity to shops and public transport and may include a mix of detached houses on small lots as well as attached or multi-dwelling housing catering to a variety of residential needs.

A key feature of the area will be an old growth tree, preserved within the landscaped entrance to the village.

Partridge Creek Residential Precinct (Area 2) represents the bulk of the Neighbourhood and is bordered by environmental lands to the north and east. This area forms the core residential area of the neighbourhood and includes two local parks within walking distance from the majority of homes. This area will be predominantly detached dwellings on a mix of lot sizes

John Oxley Drive Precinct (Area 3) stands at the corner of Thrumster Street and John Oxley Drive and is the entrance to the neighbourhood. Residential dwellings will be predominantly detached houses on larger lots and will be responsive to Koala Habitat in the area.

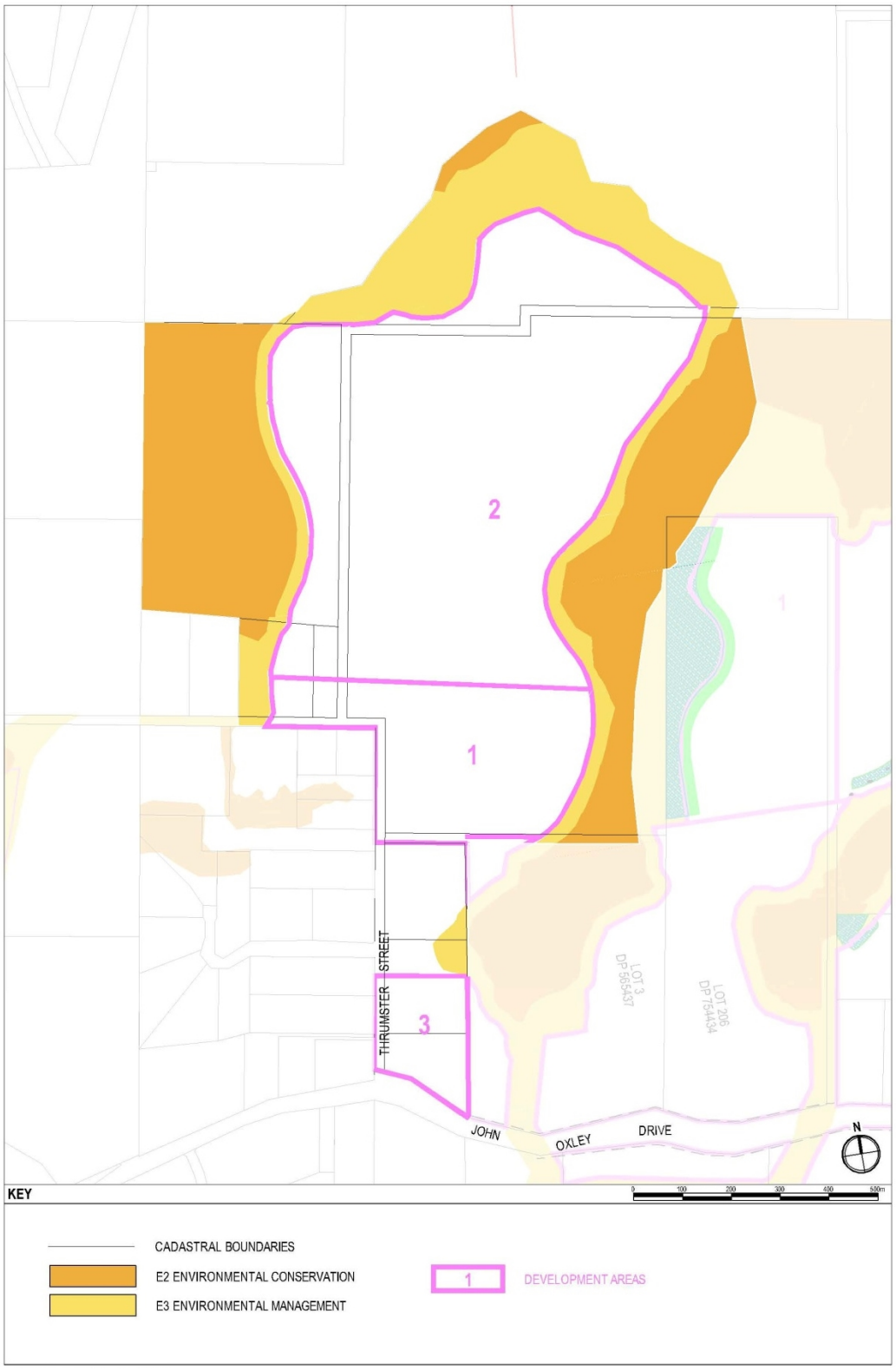


Figure 93: Partridge Creek residential development area

South Oxley. The locality is characterised by residential uses in the form of attached dwellings, detached dwellings and other forms of medium density development. The precinct has easy access to the Town Centre and the various services and facilities.

A small neighbourhood (village) centre is the focal point of this community. The village centre provides retail and community focus for the locality, incorporating a mix of uses and housing

types. Mixed-use building has been orientated to the street. Ground floor premises are characterised by shops and commercial uses that encourages street level interaction and contributes to life within the streets and other public spaces. Housing and offices are located on the upper floors. Higher residential density development is located within the immediate area of the village centre and frames the centre.

Building and dwelling designs contribute to the vibrancy and define streets and public spaces; creating environments that are comfortable, interesting and safe. Streets are characterised by landscaped front gardens and consistent front setbacks.

Local parks are strategically provided, generally within 400 metres walking distance to residents. These parks are well used and safe for families. Dwellings overlook these parks to provide casual surveillance.

Two riparian corridors traverse the locality in an east/west direction. These systems have been preserved and enhanced through appropriate landscaping. Part of the Karikeree Creek system contains items of significance to the local indigenous community. These items have been conserved within a park. A core Koala habitat corridor runs in a north/south direction. The Koala population has increased over the years due to the retention of this and other corridors.

Three Development Areas have been identified within the South Oxley Neighbourhood, as shown on Figure 94.

Area 1 – Gleeson Creek Residential and South Oxley Neighbourhood Village Centre. This area will become the first of the residential land releases for South Oxley establishing the early population necessary to support the future neighbourhood Village Centre.

Development within South Oxley Area 1 will be characterised by gently sloping residential areas overlooking the central water course locally known as Gleeson's Creek, ringed by elevated residential lands and retained vegetation areas designed to protect and complement the environmental values of the precinct.

The habitat link, Tarrokoe Habitat Corridor is to be enhanced and further strengthened by vegetation plantings during the course of development.

The location of the Village Centre on the North side of the Gleeson's Creek Corridor will facilitate a greater degree of connectivity between the 3 Development Areas of South Oxley Neighbourhood and is supported by proximity to key road routes.

This area will be predominantly detached dwellings on a mix of lot sizes, with opportunity for medium density housing close to the Village Centre.

Area 2 – East Oxley Residential and Tarrokoe Environmental Living. This area includes significant tracts of Koala habitat and is bordered to the North and West by Koala habitat corridor.

Steeper lands in the South East corner coincide with potential Koala habitat and the management of these lands is addressed in the Environmental Management Principles Plan

Shareway (pedestrian/cycle) links and strategic road crossings of the Tarrokoe Habitat Corridor will enable residents of the Development Area 2 to engage with and be a part of Village Centre community.

Area 3 - Karikeree Residential. This area forms the Southern residential area of the Neighbourhood.

It will be characterised by the natural environmental setting to the south and east of the development area and focus towards the passive recreational opportunities along Gleeson's Creek Recreational area.

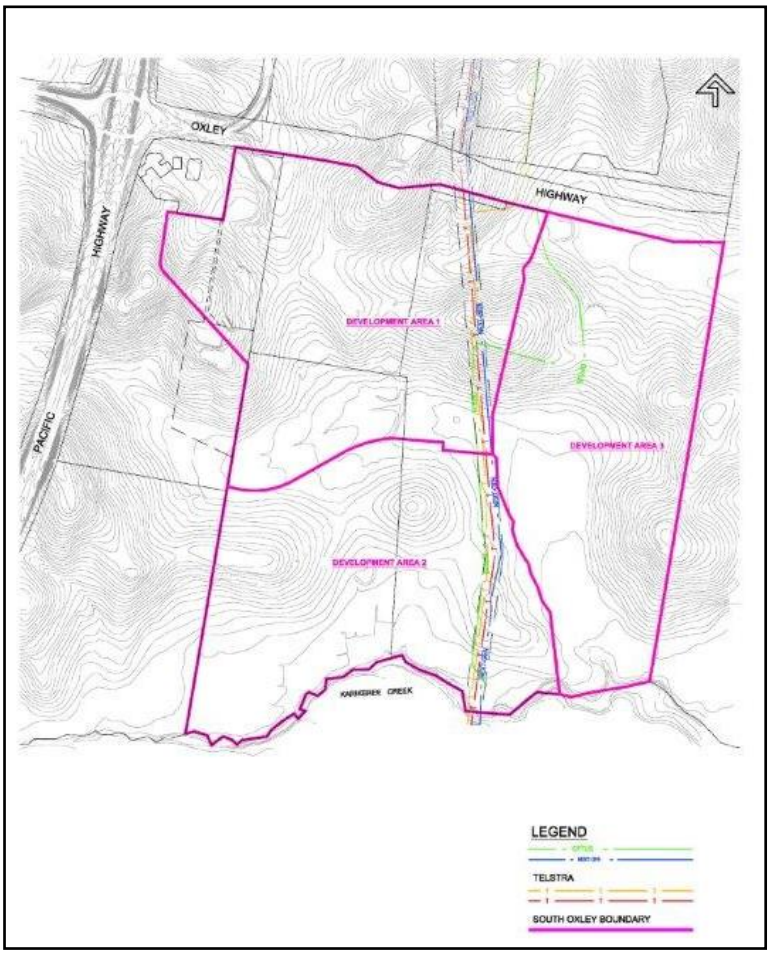


Figure 94: South Oxley development areas

Town Centre

The Town Centre will provide the activity centre and heart of the new community planned for Thrumster. It will be characterised by a diverse mix of land uses and provide an integrated living and working community with the potential for up to 2,000 jobs in a diverse range of businesses.

The Town Centre will complement the hierarchy of centres, both existing and proposed, within Port Macquarie-Hastings, adding to the diversity of retailing, servicing and employment, without detracting from the significance, role and function of other centres.

The Town Centre will provide a range of high quality convenience retail, lifestyle entertainment, commercial uses and service facilities to meet the needs of the local community.

To provide for an active, secure and vital town centre, residential accommodation within the centre is required. A minimum dwelling yield of 180 residential dwellings will be provided; however, depending upon the mix of future land uses in the Town Centre, this yield could increase to over 300 dwellings.

The Town Centre can be defined by five separate Precincts which will all perform different roles and functions but interrelate to cumulatively provide for a viable and vital Town Centre (Figure 95).

The Precincts are:

1. Town Centre Core
2. John Oxley Drive
3. Mid Town
4. Northern Edge
5. West End

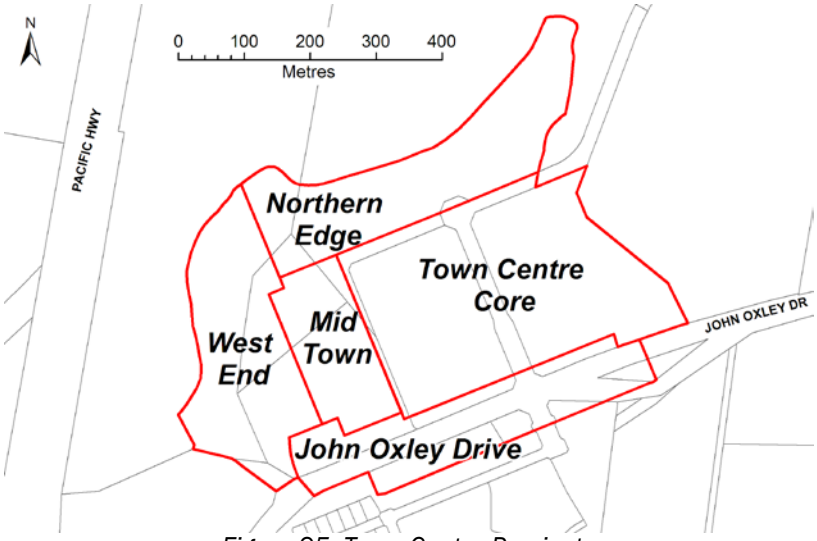


Figure 95: Town Centre Precincts

The **Town Centre Core Precinct** should be the centre of retail, leisure, community and civic activity for the emerging community. It should integrate both physically and visually with the lakes to the east through the provision of east west pedestrian priority areas and activity nodes which link civic open spaces, market places and pedestrian priority zones with active uses at ground level.

'Main Street' (Figure 96) will provide the prime activity spine and the most important street in the Town Centre. When the Town Centre is fully developed, Main Street will be the primary retail street in the Town Centre. From a landscaping perspective, Main Street will be the signature street of the town. It will have a consistent central median for its entire length providing a striking avenue of Norfolk Island Pines and Jacaranda trees.

A 'Main Street' running north-south should provide the main access, but through good design and landscaping, create an identifiable, high quality place which encourages interaction and activity for all people.

The Town Centre should be an aesthetically pleasing place which is safe, vibrant, accessible and economically, environmentally and socially sustainable. A place designed to foster a community where people come to work, live and play.

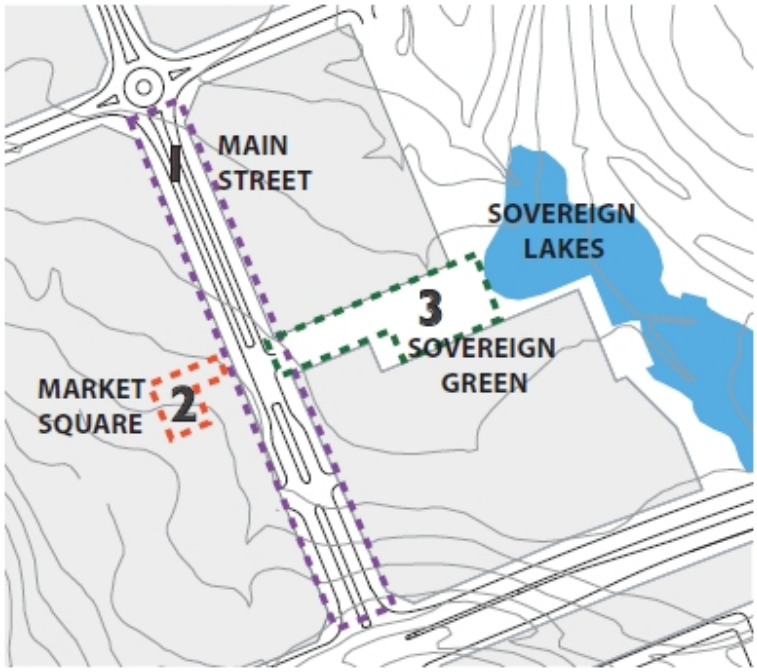


Figure 96: Main Street - key elements of the public domain

The **John Oxley Drive Precinct** defines the southern edge of the Town Centre and incorporates both sides of the road to ensure built form relates to both the main connector road and the Town Centre itself.

It should accommodate a mix of land uses appropriate to a sub-arterial road frontage which may include, but are not limited to: business, showrooms, retail and health/medical centres.

High quality buildings and landscaping should define the gateway to the Town Centre.

Flexibility of future land use is a fundamental requirement for the **Mid Town Precinct**. It should provide a mix of uses which promote a range of live-work, studio/workshop, light industrial and commercial activities contributing to the vitality and diversity of the town. High quality design of buildings and spaces which integrate with the adjoining precincts in form, siting and use is essential. While providing a transition between the retailing hub of the Town Centre Core and the West End, Mid Town development must ensure a coherent urban design structure which enables identification of place.

Housing development within the Mid Town and West End precincts must have a density of 10 dwellings per hectare which equates to approximately 76 dwellings.

The **Northern Edge Precinct** is bound to the north and east by riparian vegetation. It's 'edge of town' location is ideal for the provision of a range of land uses, comprising business (potential Business Technology Park), medium density residential and recreational uses (potential Health and Country Club). The precinct is accessible and provides a high visual amenity while enabling the provision of a defined built edge envelope to the Town Centre.

Housing development within the northern edge precinct must have a density of 12 dwellings per hectare which equates to approximately 104 dwellings.

The **West End Precinct** sits within the view corridor from the Pacific Highway and is bound by the riparian corridor to the north. The amenity offered by the gently sloping land lends itself to medium density residential development interspersed with ancillary mixed uses designed to integrate with the landscape setting and provide an edge to the Town Centre.

Housing development within the West End and Mid Town precincts must have a density of 10 dwellings per hectare which equates to approximately 76 dwellings.

Town Centre Population and Employment Strategy

The greenfield development of a new town needs to allow for the provision of an appropriate balance of land uses to ensure vitality and economic viability over time. Sufficient flexibility is required to ensure demand can be catered for while providing a degree of certainty that the ultimate development will be viable. In this regard, as Thrumster and the Town Centre grows, based upon the overall block structure and land uses proposed, two main employment / residential population scenarios are proposed for the future development of the Town Centre. For the purpose of achieving Town Centre employment and residential population objectives, Scenario Two is preferred.

Scenario One at Figure 97 assumes the development of a moderately sized Business Technology Park of 5 Hectares, as indicated in an expanded Northern Edge Precinct, combined with more extensive medium density residential areas and a higher residential population. In this scenario, dwelling yield may reach in excess of 300 dwellings. This would equate to a density of up to 28 dwellings per hectare.

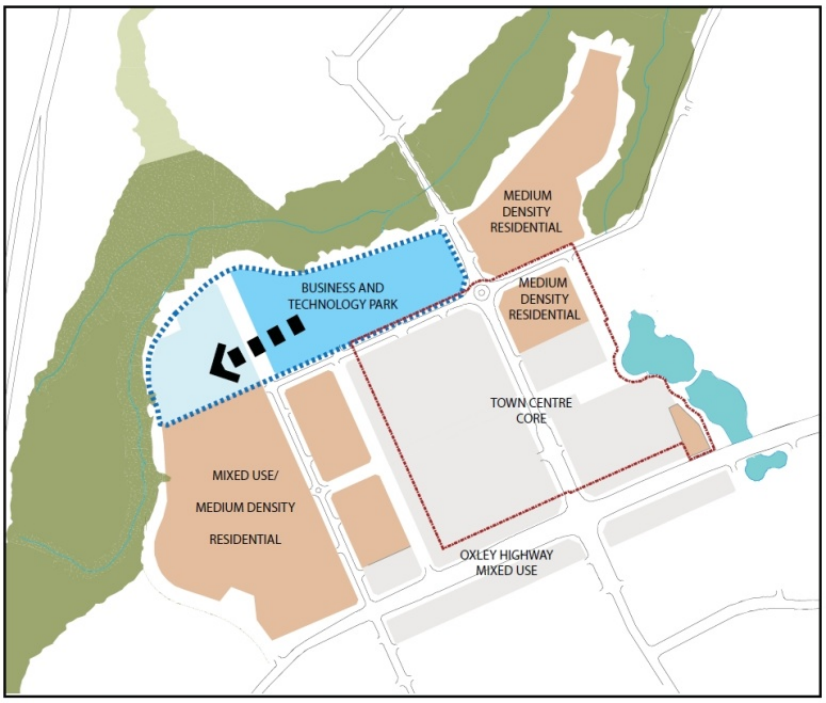


Figure 97: Thrumster Town Centre development Scenario One

Scenario Two at Figure 98, assumes the development of a more successful and extensive Business Technology Park of up to 11 Hectares, occupying the entire Northern Edge, part of Mid Town and part of West End precincts. In this scenario, the dwelling yield will achieve a minimum of 180 dwellings on 6 Hectares. This would equate to a density of up to 30 dwellings per hectare.

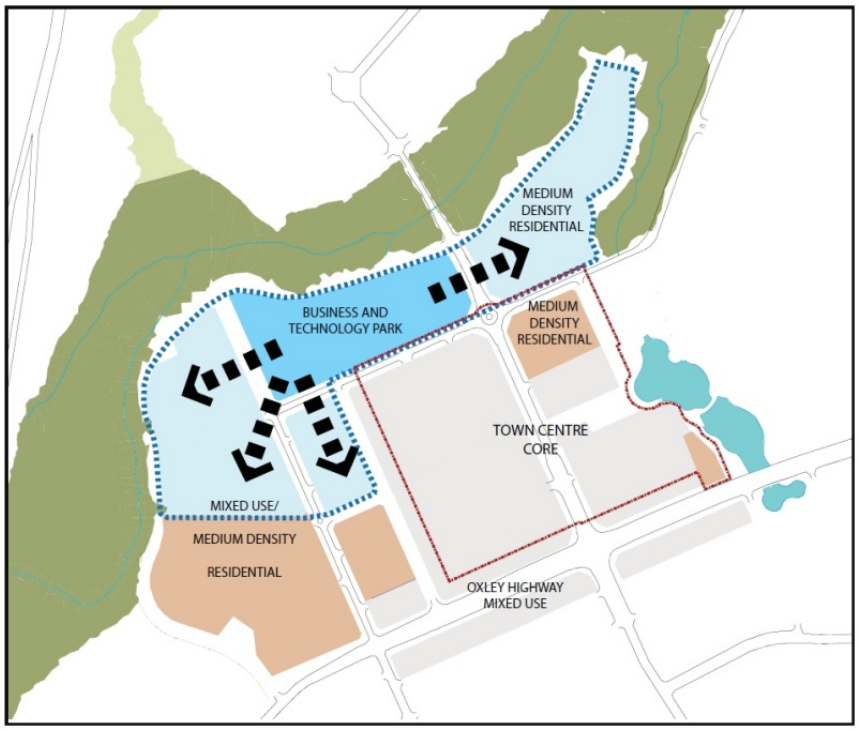


Figure 98: Thrumster Town Centre development Scenario Two

West Lindfield

West Lindfield is a low-density residential locality, with medium density concentrated around the neighbourhood centre. The road system provides for legibility and circulation throughout the precinct. A public transport system (bus) operates and connects to other areas, particularly for employment and shopping.

Building and dwelling designs contribute to the vibrancy and define streets and public spaces; creating environments that are comfortable, interesting and safe. Streets are characterised by landscaped front gardens and consistent front setbacks.

Local parks are strategically provided, generally within 400 metres walking distance to residents. These parks are well used and safe for families. Dwellings overlook these parks to provide casual surveillance.

The two major wildlife linkages running north-south through the neighbourhood are well established and are home to a variety of native species.

An employment area is located on the eastern edge of this neighbourhood. The employment area is compact and provides employment opportunities for residents of the neighbourhood and is within easy walking distance to peoples' place of residence and reduces the need for car dependency.

Three development areas are shown at Figure 99.

West Lindfield neighbourhood centre and Lindfield Park Light Industrial (Area 1) will become the West Lindfield neighbourhood hub for convenience shopping and services and includes the local employment area of the Lindfield Park Light Industrial precinct. Residential dwellings in this area will be at a higher density than elsewhere in West Lindfield to take advantage of the proximity to shops and public transport and may include a mix of detached, attached or multi-dwelling housing catering to a variety of residential needs. Development at the interface between residential and industrial zones will be designed to be harmonious. A corridor of existing and

revegetated Koala habitat will contribute to a visual buffer between industrial and residential areas.

West Lindfield Residential (Area 2) forms the core residential area of the neighbourhood and includes a local park within easy walking distance from the majority of homes. This area will be predominantly detached dwellings on a mix of lot sizes.

West Lindfield Environmental Living (Area 3) includes significant tracts of Koala feed trees and is bordered to the east and west by Koala habitat corridor. Residential dwellings in this area will be designed to protect and contribute to these valuable features. The area will be predominantly detached dwellings on larger lots, retaining significant vegetation in private ownership. The northern edge of the area adjoins the Partridge Creek Industrial Neighbourhood with separation provided by an electricity transmission easement and adjacent collector road.

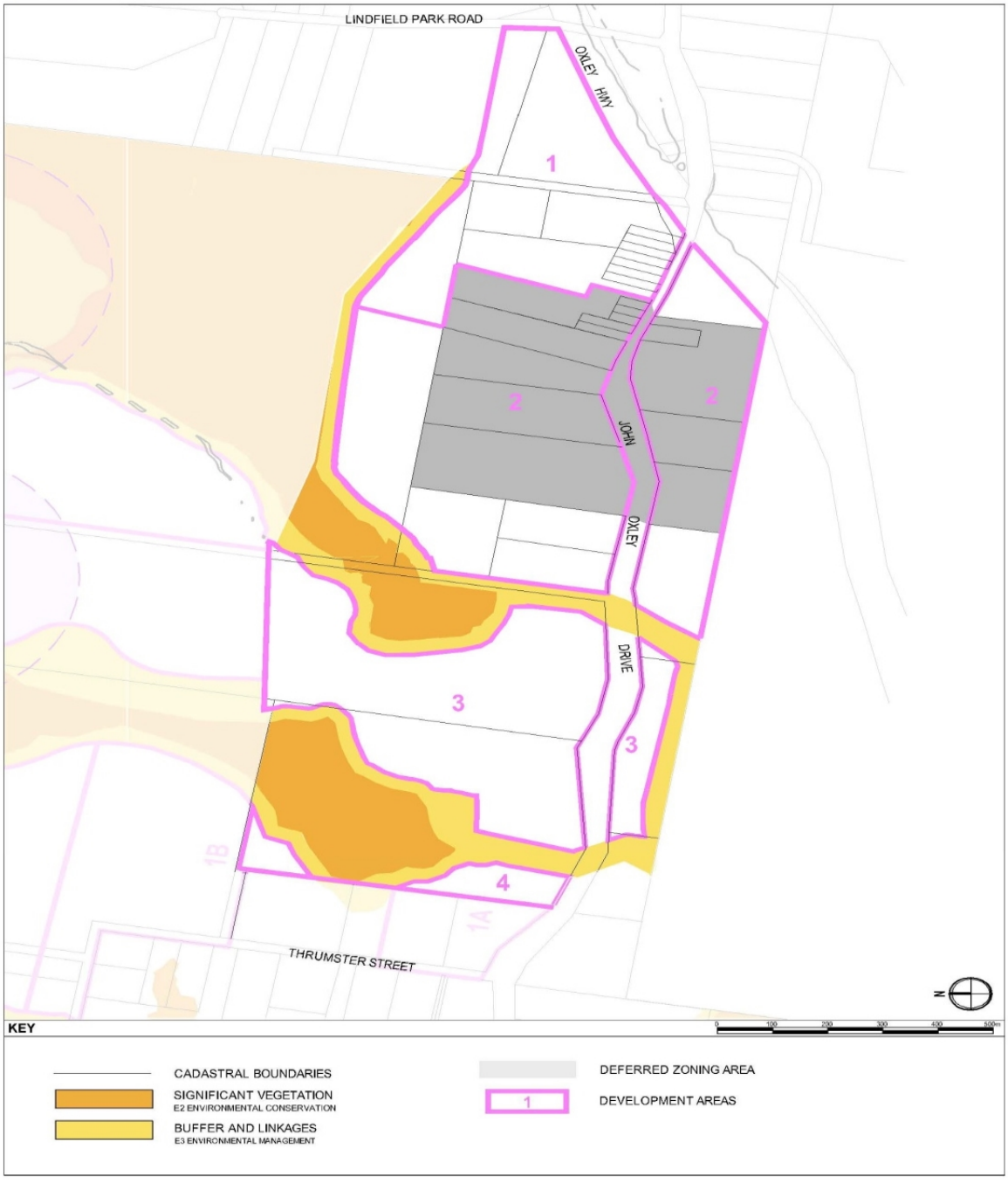


Figure 99: West Lindfield development areas

Development Guide

Environmental Management

Aboriginal heritage and archaeology (guidance to clause 5.10 of the Local Environmental Plan)

243. Objective

- To preserve and manage key areas of Aboriginal heritage and archaeological remains.
- To ensure other areas of Aboriginal heritage and archaeological remains are assessed prior to development proceeding.

Development Provisions

a) General

- Sites 1, 2 and 3 shown in Figure 100 are to be preserved and managed to reflect their significance.
- All development-related surface disturbance works within a 300 metre radius of Sites 1, 2 or 3 are to be monitored by Birpai Sites Officers. The affected areas are shown in Figure 100 as Buffer Area. If any Aboriginal artefacts or a scarred tree are discovered during earthworks, subdivision and or building works, all work in the vicinity of the site is to immediately stop, the area cordoned off and the discovery reported to the relevant Aboriginal stakeholders, a suitably qualified archaeologist and the Department of Industry and Environment, Biodiversity and Conservation Division, in accordance with the provisions of the National Parks and Wildlife Act 1974.
- Development is not to proceed in other areas containing Aboriginal archaeological sites without appropriate consideration and consultation with the relevant local Aboriginal community.
- In areas where development cannot avoid impacting on identified Aboriginal sites, "Consent to Destroy" Permits are to be sought under Section 90 of the *NSW National Parks and Wildlife Act 1974*, and any such application will be Integrated Development.

b) Site 1 (Karikeree 1)

- Prior to any earthworks, clearing works, or excavation works, an inspection of the proposed development site is to be undertaken by an Aboriginal Cultural Sites Officer from the Local Aboriginal Land Council and a report on the site inspection is to be obtained.
- If discovered, artefacts should be moved under an approved Aboriginal Heritage Impact Permit to a location outside the impact area but within South Oxley Neighbourhood in consultation with the relevant Aboriginal stakeholders and Biodiversity and Conservation Division.

c) Site 2

- Watoo 7' (Site 2 on Figure 100) has been assessed to be of high Aboriginal social and moderate to high local scientific significance. The following protection and management measures are required for this site:
- Protection:
    - A buffer area consisting of a 300 metre radius of Watoo 7 is to be delineated within which development related surface disturbance works are to be monitored by Birpai Sites Officers.
    - A sign is to be erected identifying the area as Bush Regeneration Area.

- Fencing is not required.

– Custodianship:

  - While Council will continue to own the site, the Birpai Local Aboriginal Land Council is entrusted with the care and control of the site.
  - The shaded area on Figure 100 is to be allowed to regenerate naturally to bushland.
  - Vegetation management including control of noxious weeds (such as lantana) is the responsibility of the Birpai Local Aboriginal Land Council.
  - Port Macquarie Hastings Council has responsibility for weed management along any roads bounding the site.

d) Site 3 (The Island)

– The buffer area associated with 'The Island' (Site 3 on Figure 100) is partially located within the Partridge Creek Industrial Neighbourhood. The following protection measures are required for this site:

– Protection:

  - A buffer area consisting of a 300 metre radius of The Island is to be delineated within which development-related surface disturbance works are to be monitored by Birpai Sites Officers.

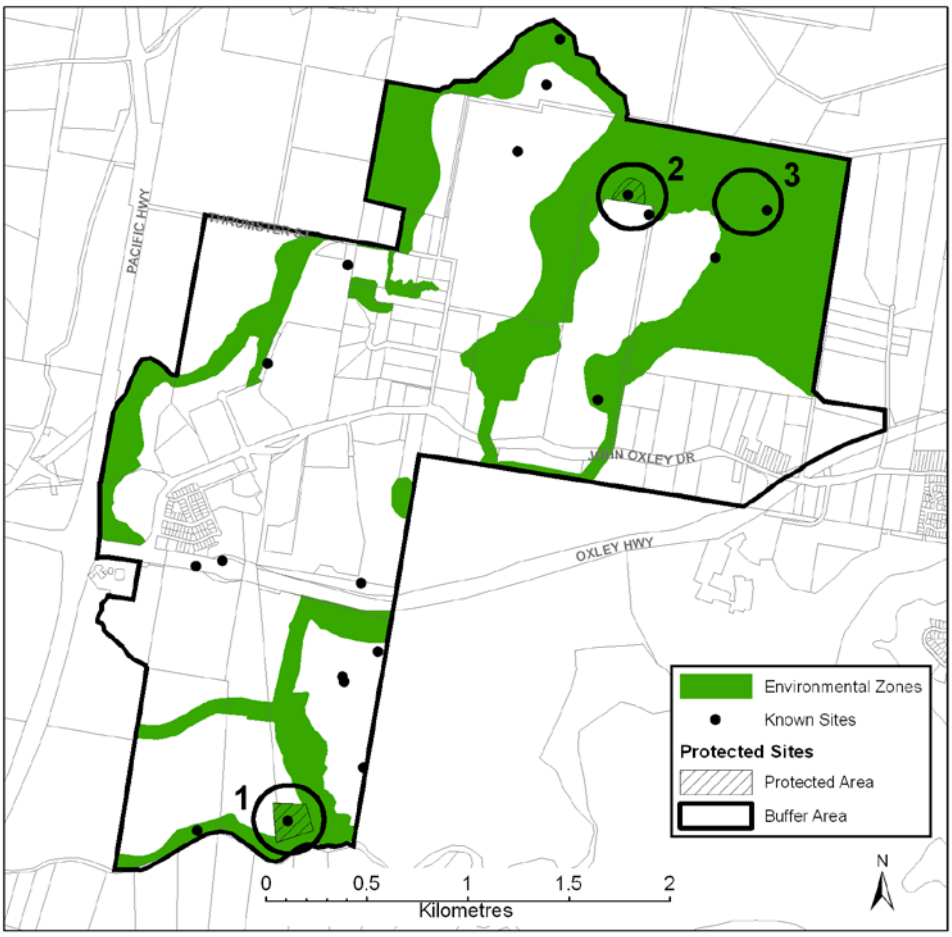


Figure 100: Aboriginal archaeological sites

Environmental Management Areas and Buffers

244. Objective (in addition to Objective 7)

- To coordinate development activity with the rehabilitation and dedication of environmental management areas (E2 Environmental Conservation and E3 Environmental Management Zones).

Development Provisions

a) General

- The first development application within a Development Area is to be accompanied by a Vegetation Management Plan for the Development Area prepared by a suitably qualified person and consistent with Council's Vegetation Management Plan Guidelines. The plan should include, but is not limited to, guidance on the following matters:
    - Environmental Management Areas
    - Hollow-bearing trees
    - Koala habitat
    - Stormwater management
    - Asset Protection Zones
    - Airspace protection (in particular tree heights where affected by the Obstacle Limitation Surface)
- Any additional matters identified in an 'Assessment of Significance' report related to the land
- Relevant planning agreements
- Staging of environmental works, including the co-ordination of clearing or regeneration works within individual development stages, and link these stages to development within the associated stormwater catchment
- The timing of any dedication of land to Council, including the maintenance regime before and after dedication, and the process for certifying completion of works at critical stages
- Relevant neighbourhood-specific matters and plans identified in this section.

Note:
The first subdivision or major development application in a Development Area will usually prepare the Vegetation Management Plan. Subsequent development applications are required to be consistent with the approved plan or prepare a new plan for Council approval.

- Development retains mature vegetation in buffer areas and revegetates existing cleared areas of the E3 Environmental Management Zone as shown in Figure 101.
- Environmental areas are to be publicly managed in accordance with any voluntary planning agreements between landowners and Council, or managed by private land owners in perpetuity in accordance with management plans and enforced through development accompanied consent conditions.
- Development is in accordance with the approved Vegetation Management Plan.

b) North Oxley

- Environmental management works are consistent with the Environmental Management Principles and Works Plans shown at Figure 103 to Figure 105 and staged to occur in conjunction with development of the adjacent residential land generally in accordance with the Staging of Environmental Works Plan shown at Figure 106. Note however, the special requirements for Barton Ridge East detailed later in this section.

c) Partridge Creek Industrial

- Environmental management works are consistent with the Environmental Management Principles Plan at Figure 107 and the Environmental Management Works Plan at Figure 108 and staged to occur in conjunction with development of the adjacent residential land.
- Vegetated swales and bio-retention ponds are to be incorporated within the E3 Environmental Management Zone, as set out on Figure 107.

d) Partridge Creek Residential

- Vegetated swales and bio-retention ponds are to be incorporated within the E3 Environmental Management Zone, as set out on Figure 109.
- Environmental management works are consistent with the Environmental Management Principles Plan at Figure 109 and the Environmental Management Works Plan at Figure 110 and staged to occur in conjunction with development of the adjacent residential land.

e) South Oxley

- The Vegetation Management Plan demonstrates a buffer width of not less than 50 metres to both sides of the centre line of Karikeree Creek and 30 metres to both sides of the centre line of identified watercourses shown in Figure 111.
- Environmental management works are consistent with the Environmental Management Works Plan at Figure 111 and staged to occur in conjunction with development of the adjacent residential land.

f) Town Centre

- Environmental management works are consistent with the Environmental Management Principles Plan at Figure 112 and staged to occur in conjunction with development of the adjacent land as shown by the black arrows.
- The Vegetation Management Plan for each stage of restoration work identified in Figure 113 is to be submitted to Council and approved prior to the issue of consent for development relating to that stage.

g) West Lindfield

- Environmental management works are consistent with the Environmental Management Principles Plan at Figure 114 and with the Environmental Management Works Plan at Figure 115 and staged to occur in conjunction with development of the adjacent residential land.

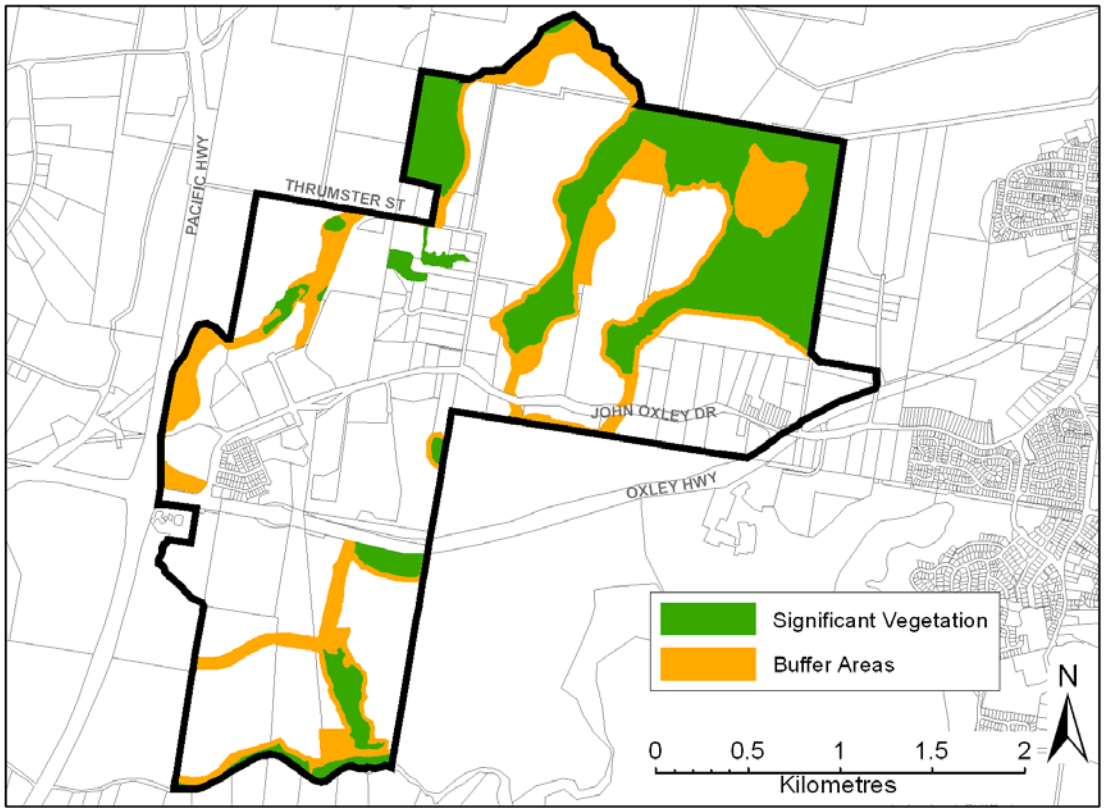


Figure 101: Significant vegetation areas

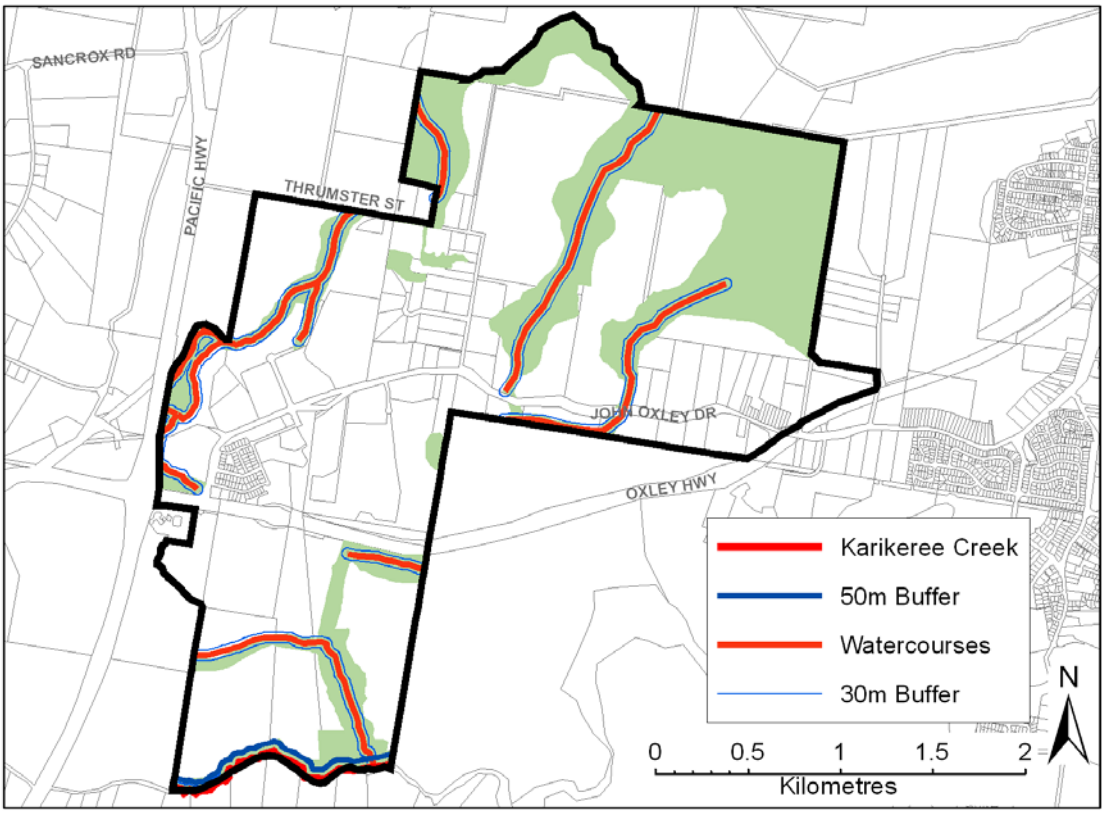


Figure 102: Water courses

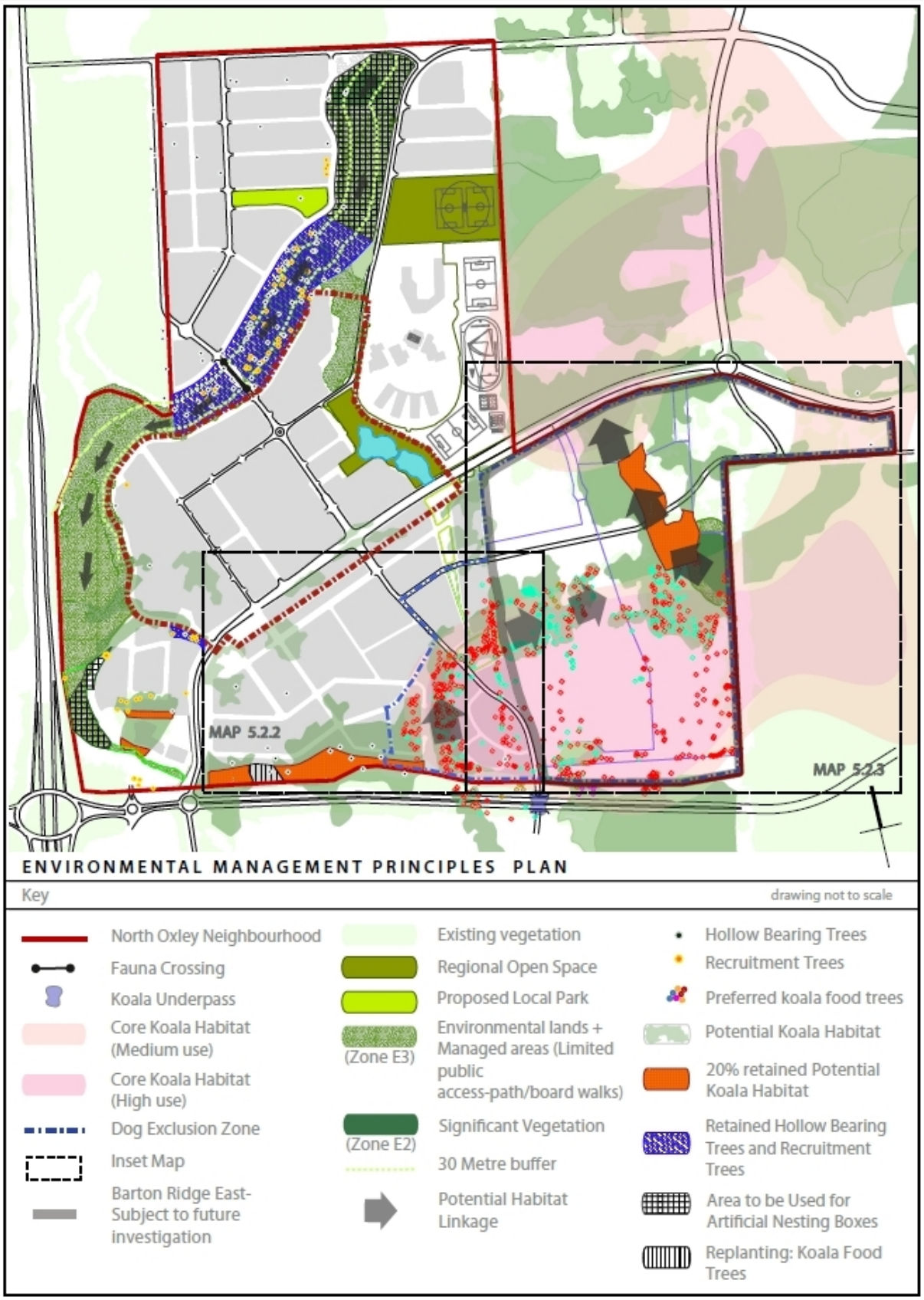


Figure 103: North Oxley - Environmental Management Principles Plan

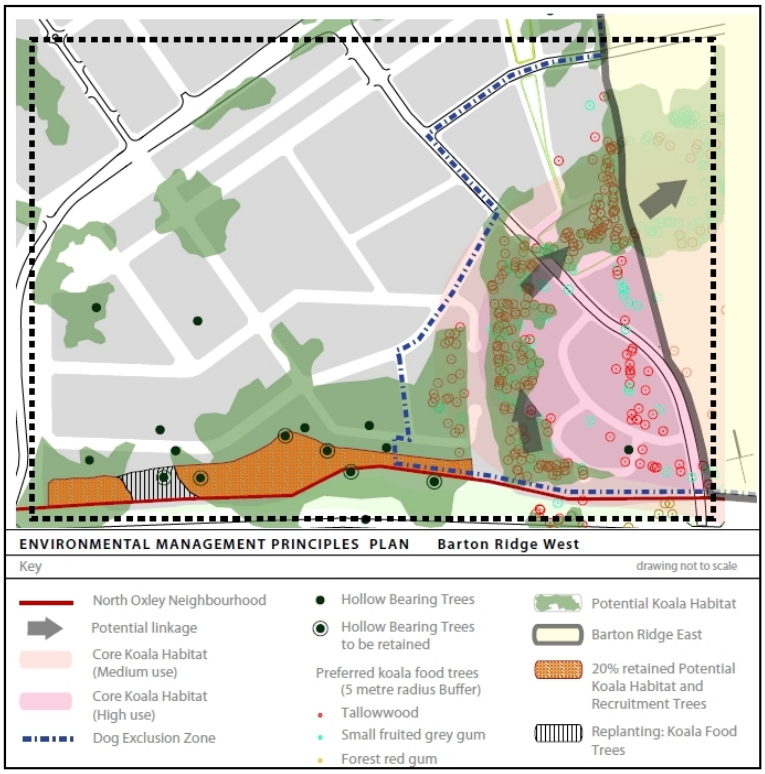


Figure 104: North Oxley - Barton Ridge West Environmental Management Principles Plan

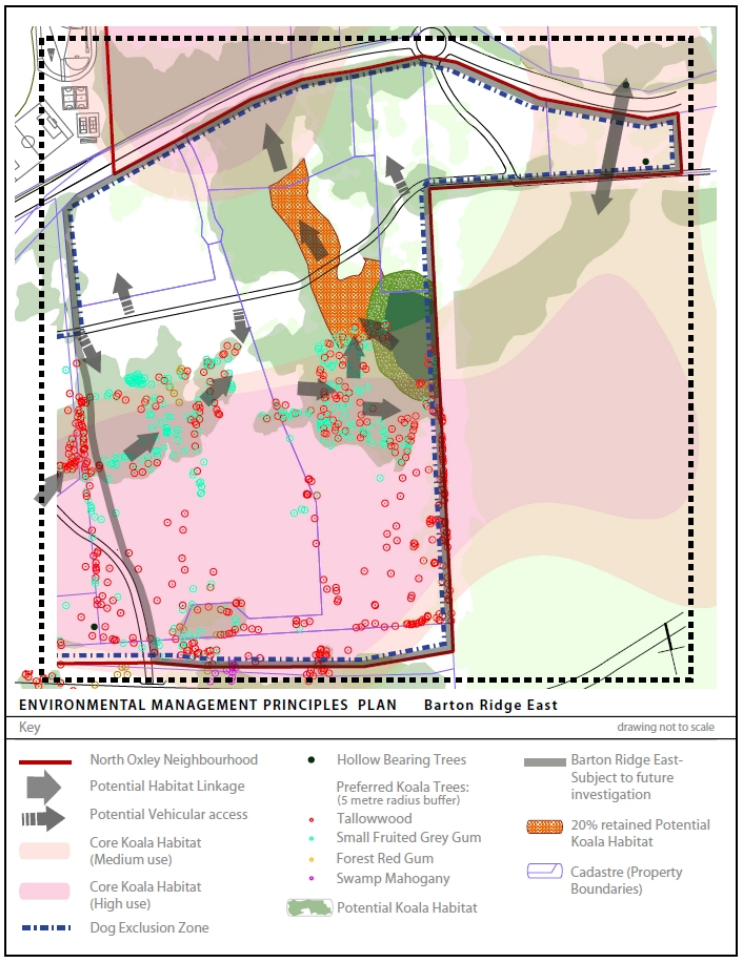


Figure 105: North Oxley - Barton Ridge East Environmental Management Principles Plan

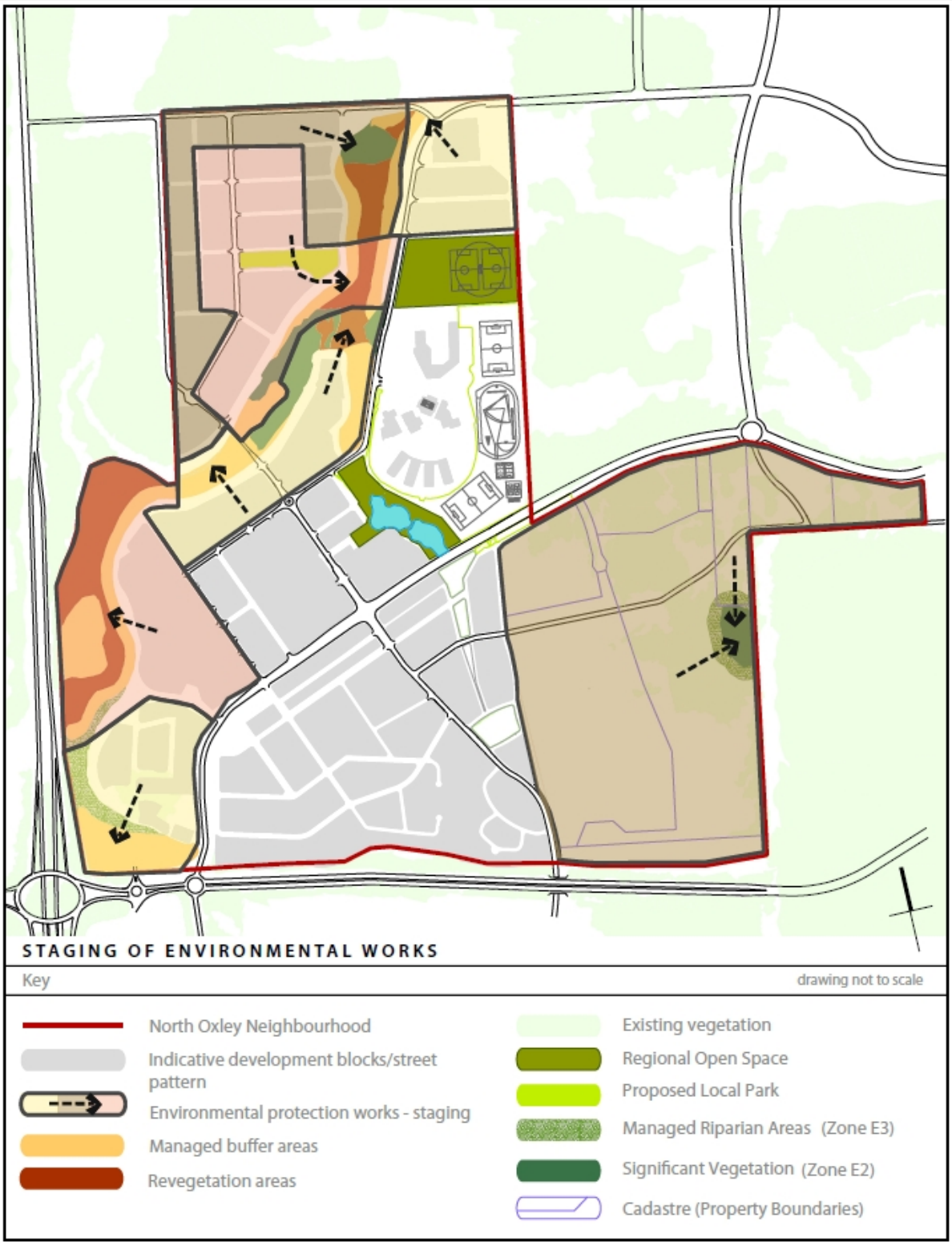


Figure 106: North Oxley - Environmental Management Works Plan

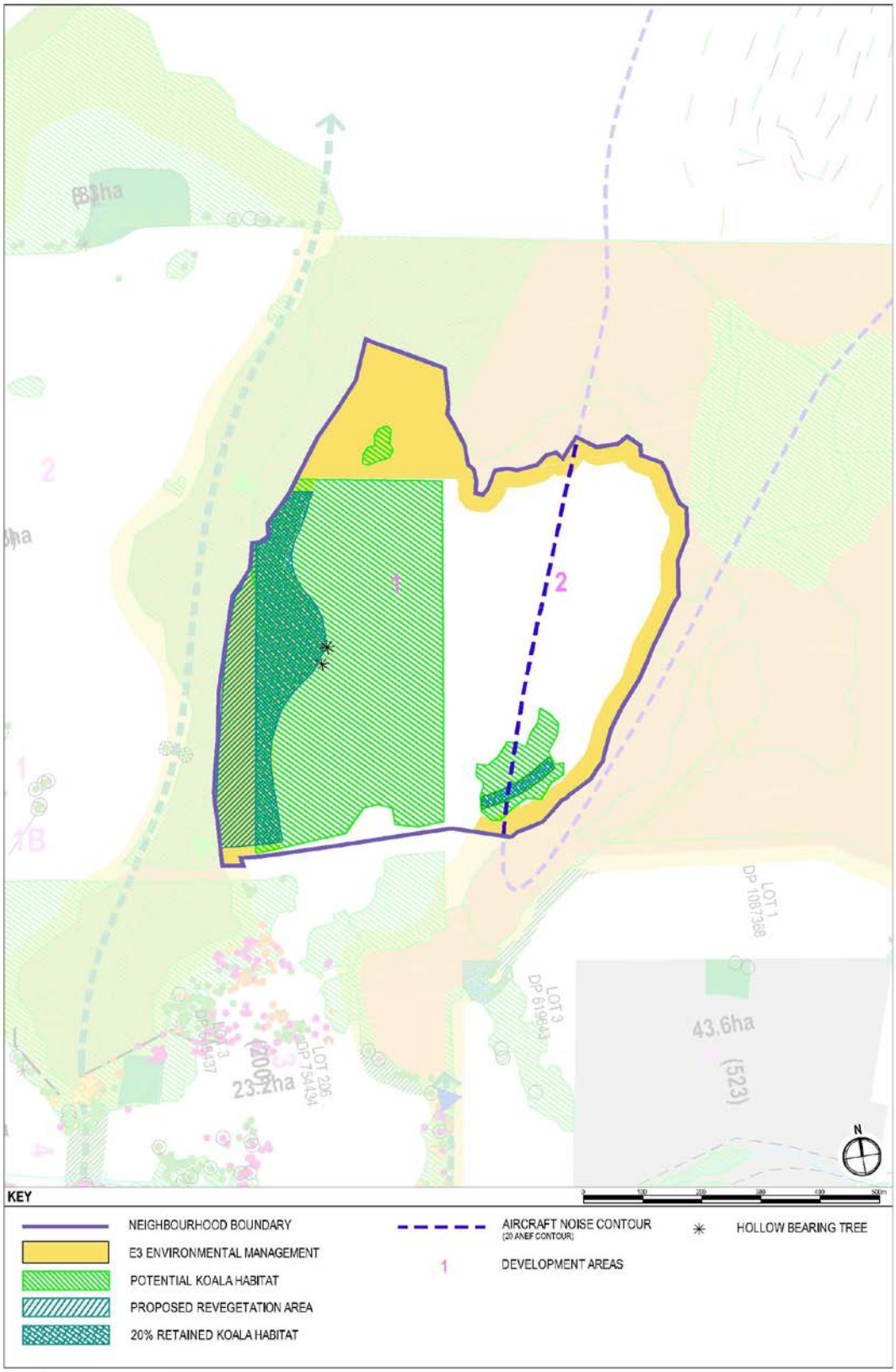


Figure 107: Partridge Creek Industrial - Environmental Management Principles Plan

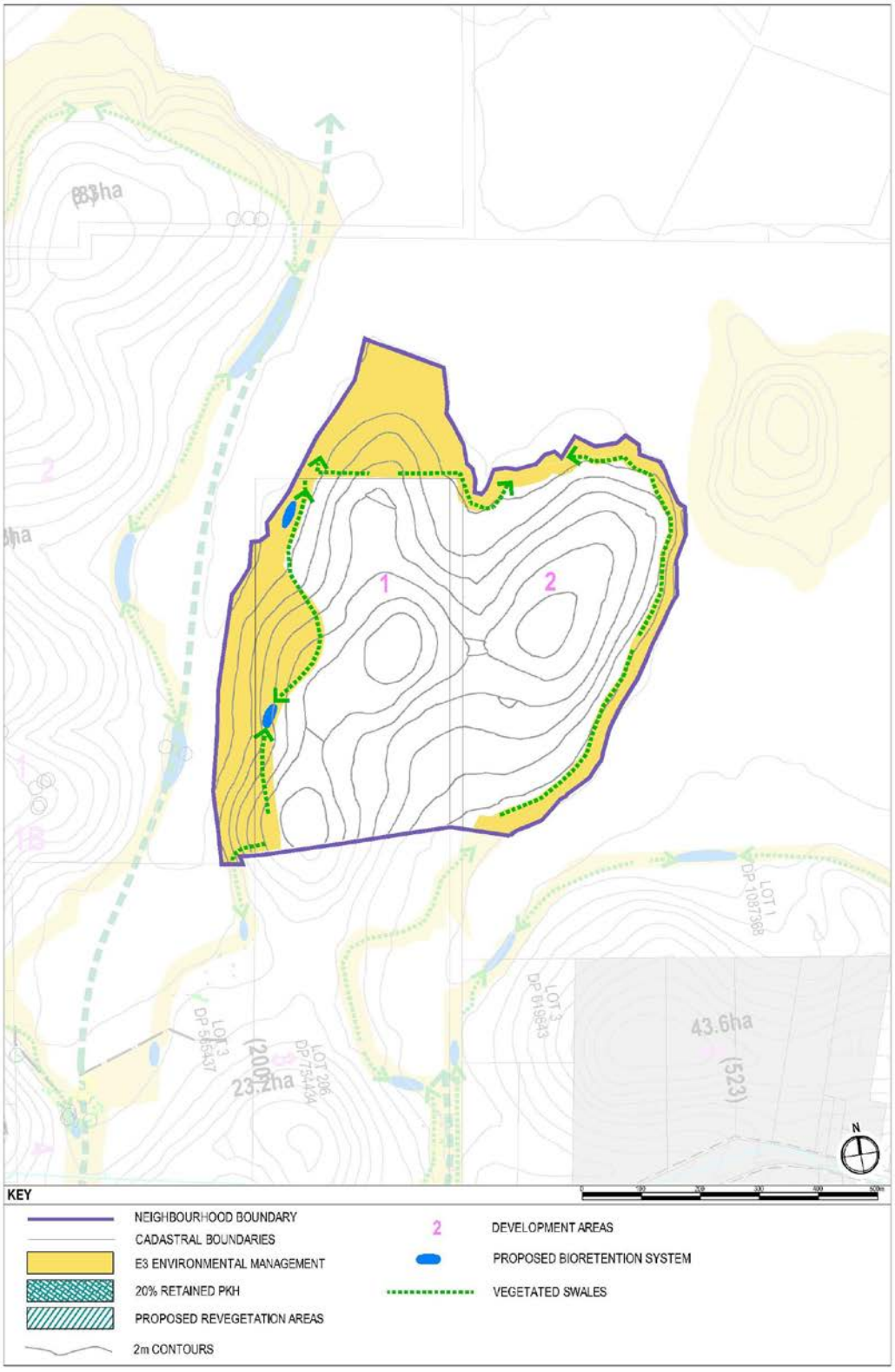


Figure 108: Partridge Creek Industrial - Environmental Management Works Plan

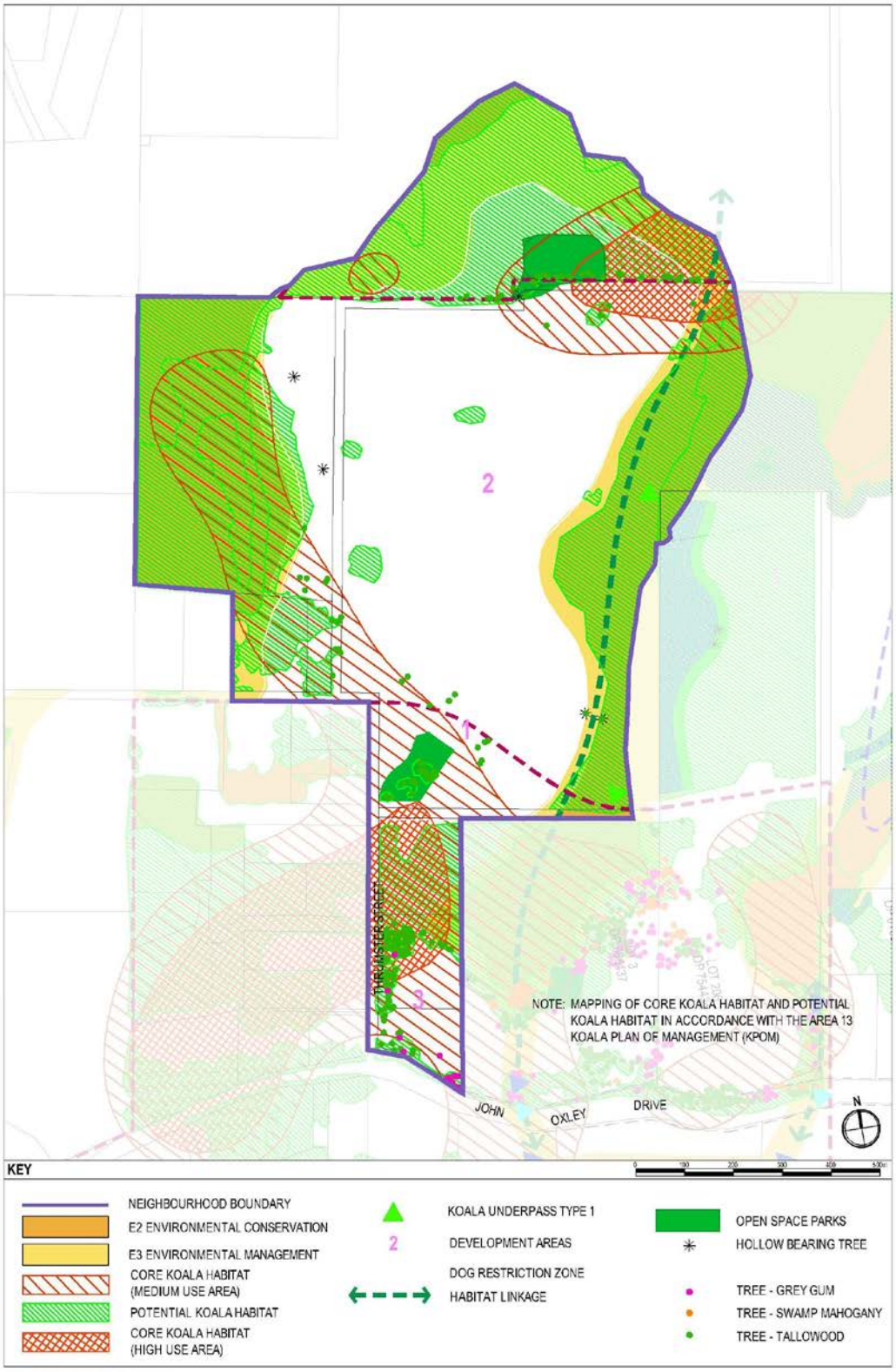


Figure 109: Partridge Creek Residential - Environmental Management Principles Plan

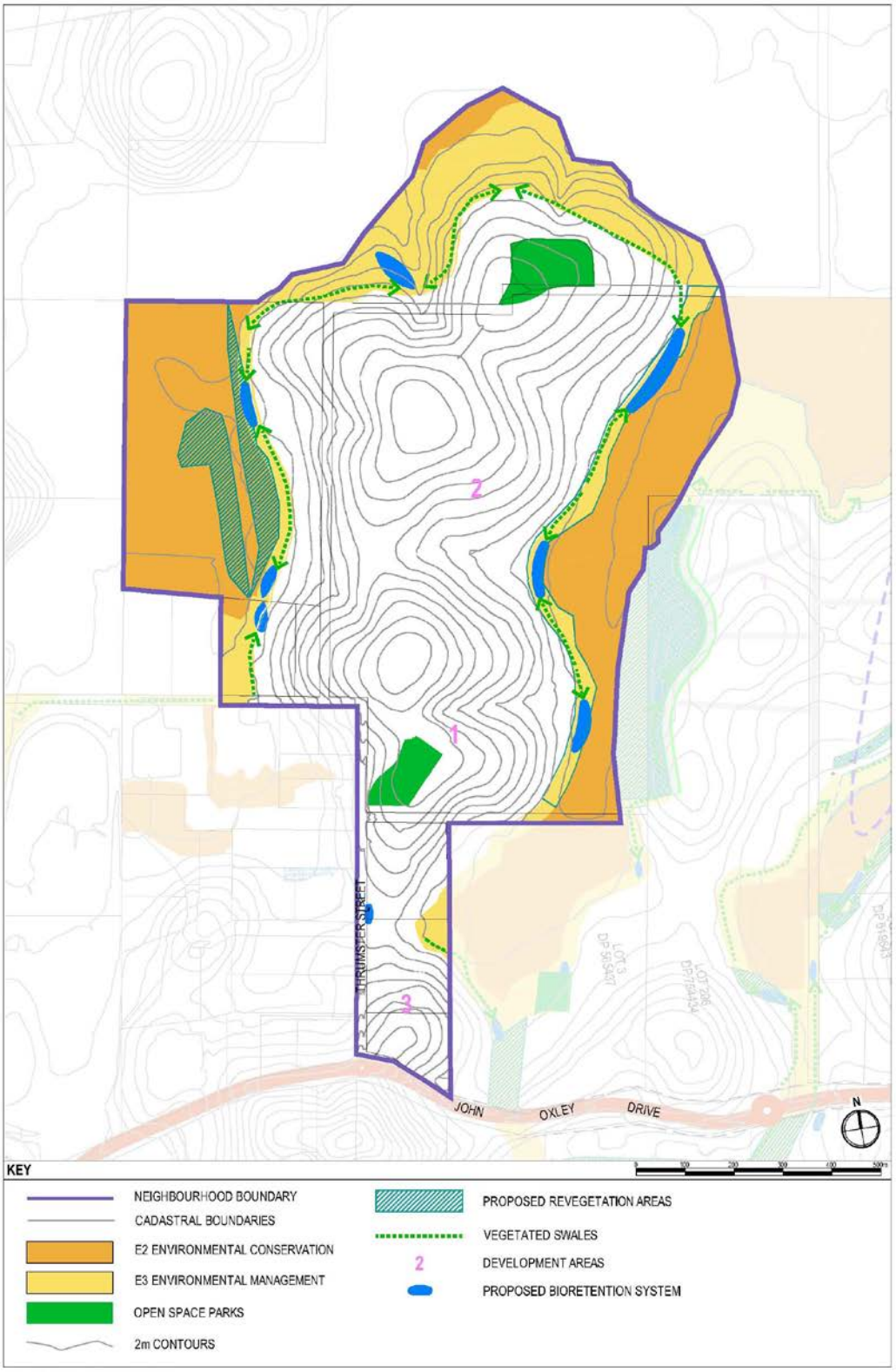


Figure 110: Partridge Creek Residential - Environmental Management Works Plan

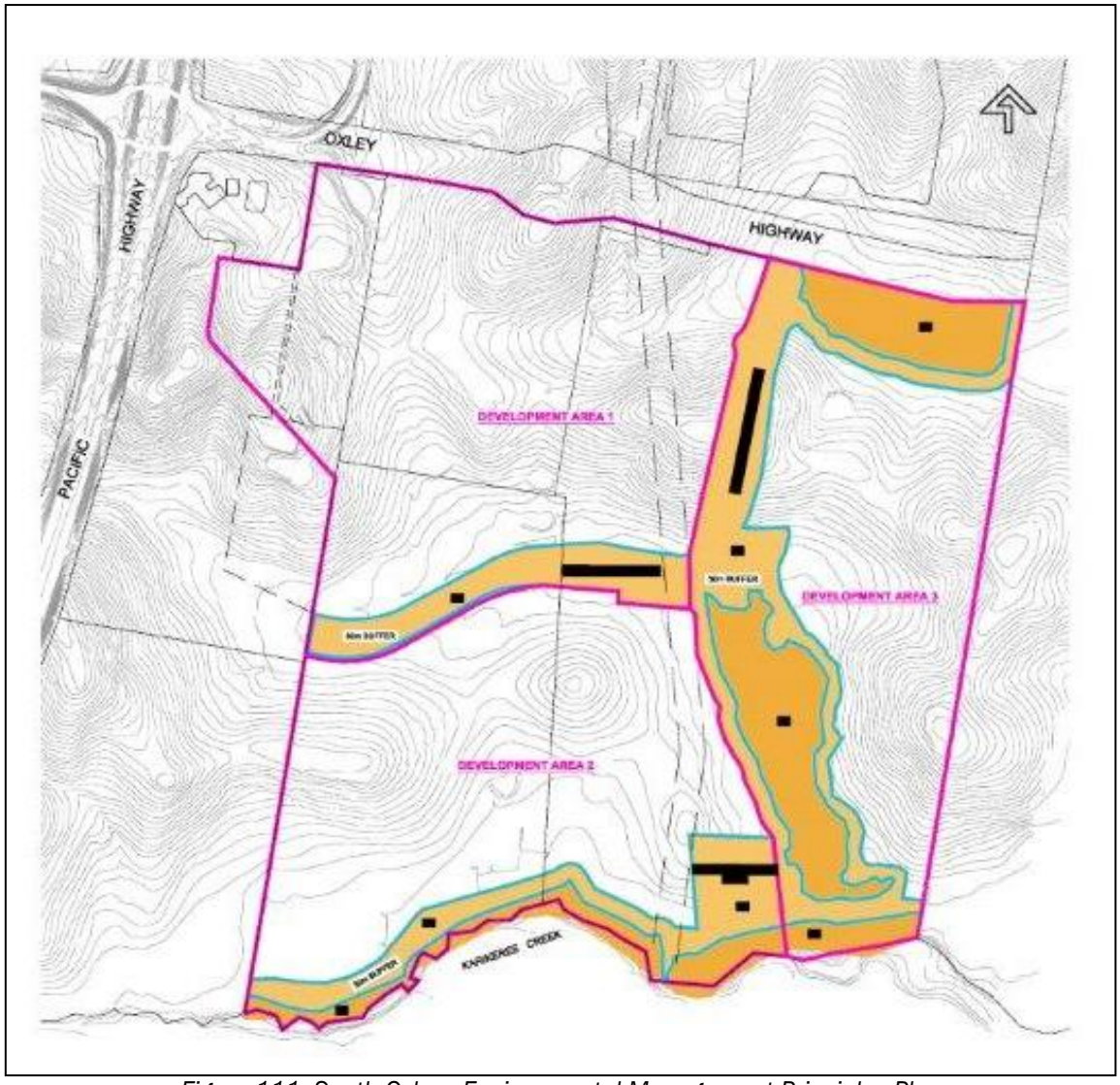


Figure 111: South Oxley - Environmental Management Principles Plan

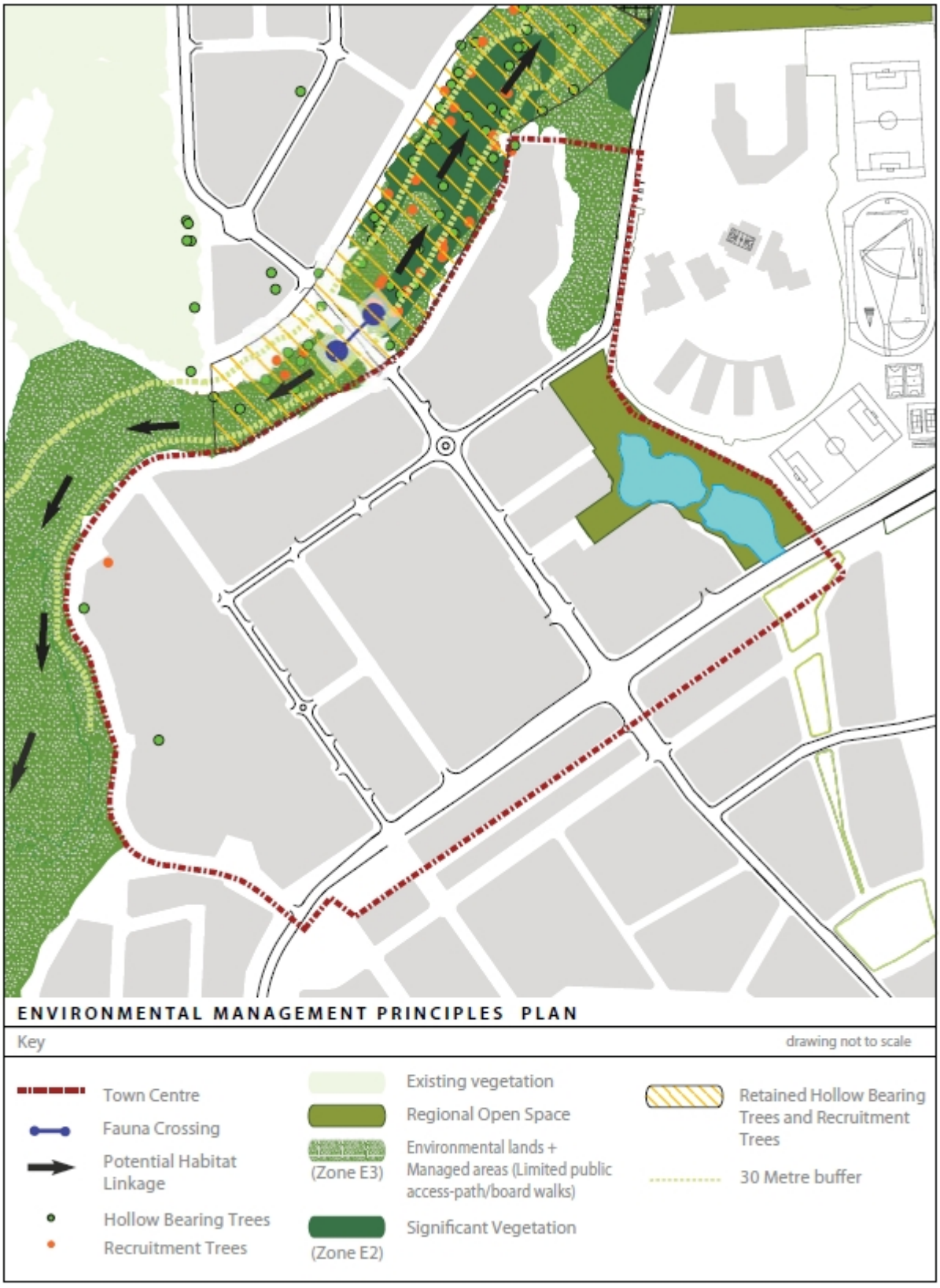


Figure 112: Thrumster Town Centre - Environmental Management Principles Plan

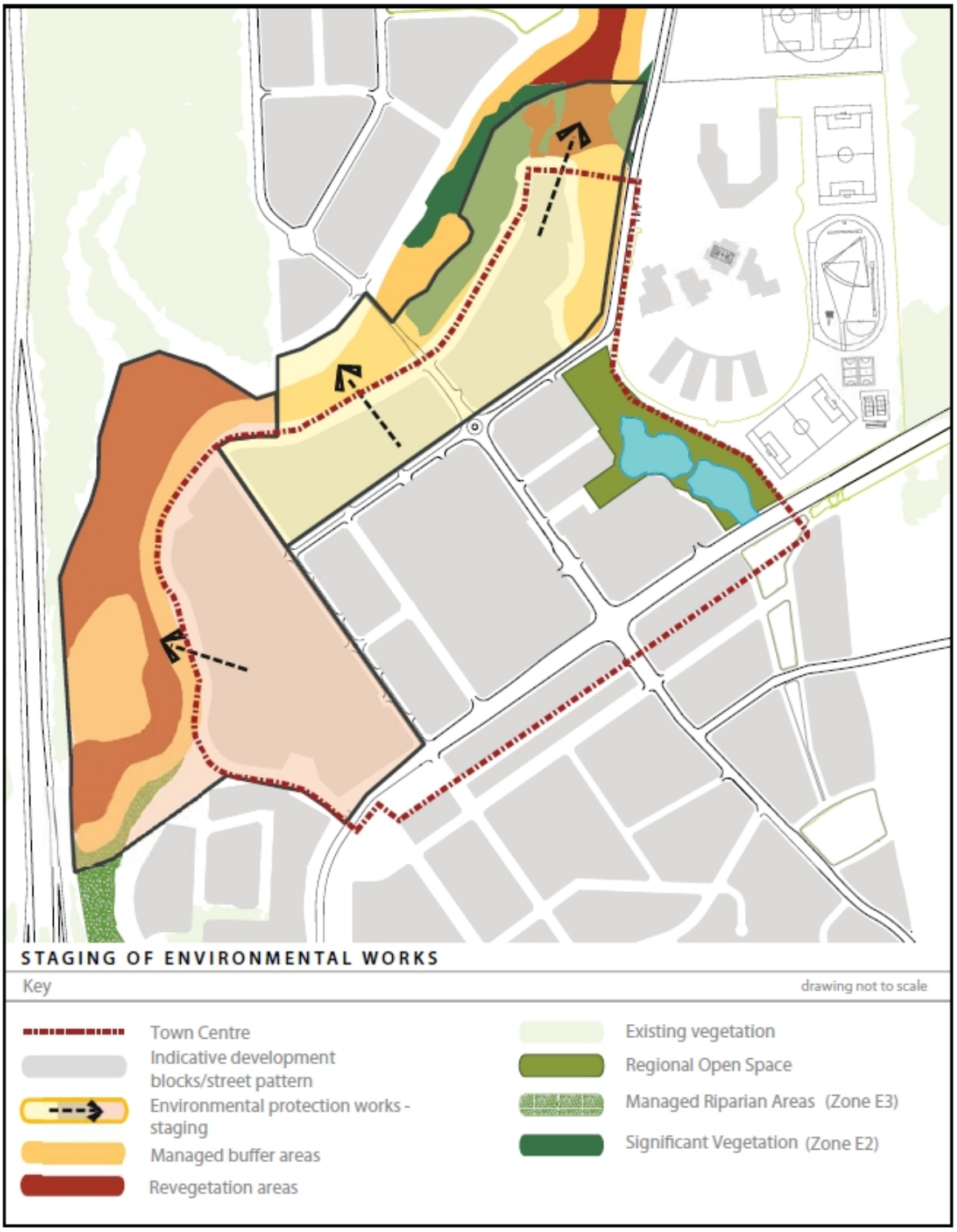


Figure 113: Thrumster Town Centre – Environmental Management Works Plan

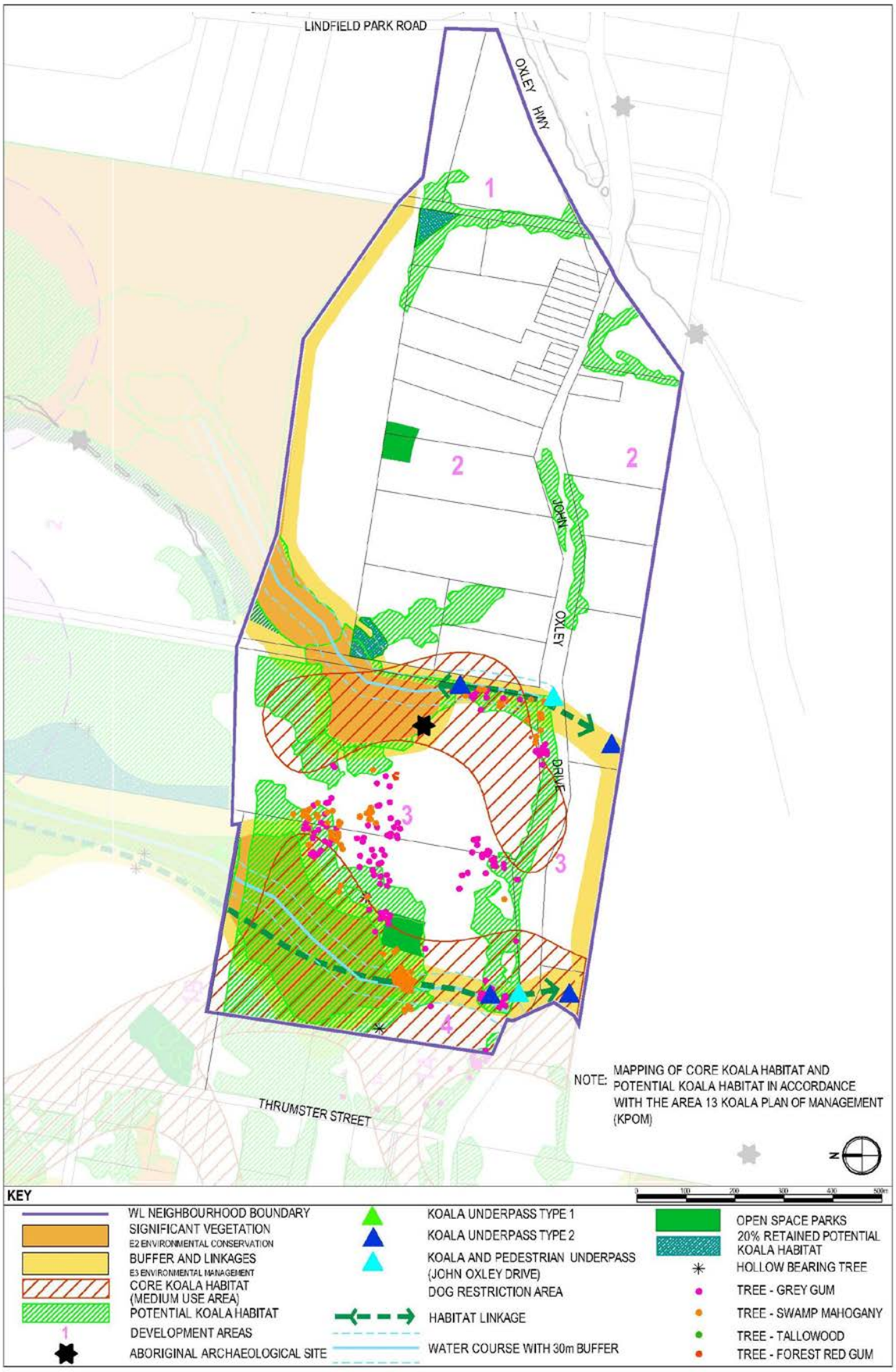


Figure 114: West Lindfield Environmental Management Principles Plan

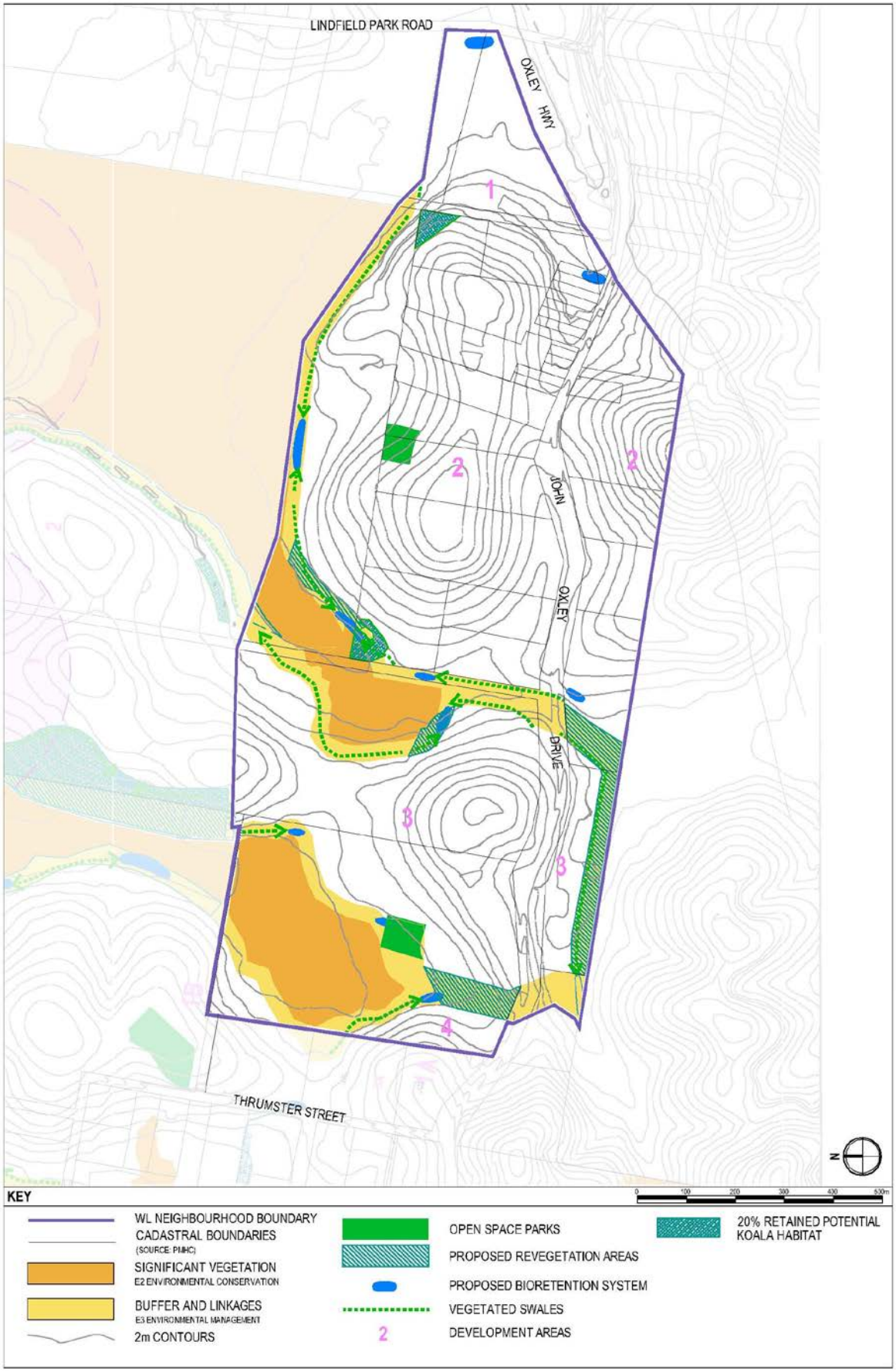


Figure 115: West Lindfield Environmental Management Works Plan

Hollow Bearing Trees

245. Objective

- See Objective 13.

Development Provisions

a) General

- Vegetation Management Plans confirm the hollow-bearing tree locations shown in the relevant neighbourhood maps and provide detailed guidance on their retention or possible removal.

Koala Habitat

246. Objective

- To assist the effective implementation of the Area 13 Urban Investigation Area Koala Plan of Management.

Development Provisions

a) General

- Vegetation Management Plans are to provide necessary guidance to achieve the aims and objectives set out in Part 2 of the *Area 13 Urban Investigation Area Koala Plan of Management* as amended from time to time. This will primarily be achieved through the actions and measures set out in Parts 3 to 8 of the Koala Plan of Management. Key aspects of the Koala Plan of Management are shown on Figure 116.
- No lot is to be created within an area shown as "Dog Restriction Area" in Figure 116. unless there is to be a restriction prohibiting the keeping of domestic dogs attached to the title of the land.
- Development applications for subdivision of land in the Dog Restriction Area are to provide details of signage and information boards to advise prospective purchasers or tenants of the restriction on the keeping of dogs.

***Note**: Council has adopted a Local Orders Policy controlling the bringing of dogs into the area.*

- All restoration works required by the Koala Plan of Management are to be undertaken prior to release of the subdivision certificate.
- Where E3 Environmental Management Zones cannot accommodate Koala feed tree offset plantings, a suitable area is to be identified and be subject to the same conditions as environmental lands as defined in the relevant voluntary planning agreements. Applicant must demonstrate that this additional environmental land is secured and managed in perpetuity to Council's satisfaction.
- A habitat link is to be provided in accordance with Figure 116, which comprises a minimum of 20% of preferred Koala feed trees.

b) Partridge Creek Industrial

- Specifications are to be included in the relevant Vegetation Management Plan for the inclusion of Koala feed tree species within the nearby revegetation area associated with the environmental zone shown at Figure 107.

c) Partridge Creek Residential

- Where development provides for a connection to the Partridge Creek Industrial Neighbourhood, a 'type 1' Koala underpass within the E3 Environmental Management Zone is to be provided generally in the location shown on Figure 116.
- Development provides suitable signage within the northern area to advise of the importance of the area for the Koala and that domestic dogs are prohibited from entering this area.

d) South Oxley

- Type 4 Koala Crossings are to be included in the design for the East West link roads across the habitat corridor between Development Areas 1 and 2. Refer to Road Hierarchy in Figure 142.
- Where additional offset plantings are required they are to be located around the South East corner of Development Area 2 and along the Karikeree Creek Corridor.

e) West Lindfield

- The Development Application for urban development adjoining the western north-south buffer / habitat link will provide for a 'type 2' Koala underpass within the north-south buffer / habitat links as shown on Figure 114.
- The initial Development Application for urban development within Area 4 provides for a 'type 2' Koala underpass within the north-south buffer / habitat link as shown on Figure 114.
- The initial Development Application for urban development within Area 3 provides for a 'type 2' Koala underpass within the eastern and western north-south buffer / habitat links as shown on Figure 114.
- Where development south of John Oxley Drive provides for a connection to either Area 3 (east) or to the west, the Development Application will provide for a 'type 2' Koala underpass within the E3 Environmental Management Zone as shown on Figure 114.
- Where development south of John Oxley Drive provides for connection to Area 3, the Development Application will provide for a 'type 2' Koala underpass within the E3 Environmental Management Zone as shown on Figure 114.

Core Koala Habitat

General

- Dwellings must be located so as to retain preferred Koala feed trees identified on neighbourhood maps.
- Residential allotments containing preferred Koala feed trees of a size specified in Part 6 of the Koala Plan of Management must ensure their protection through an effective restriction on the title of the land.
- High-density subdivision is not supported in the High-Use Core Koala Habitat identified on Figure 116.
- Vegetation Management Plans relating to areas defined as Core Koala Habitat on Figure 116 should demonstrate that any landscaping incorporates preferred Koala feed trees.

South Oxley

- The grassed open area within the mapped Core Koala Habitat of Development Area 2 may be considered for a Neighbourhood Park, where such use can be shown to be compatible with the Koala Plan of Management and not hinder the passage of Koala's across the mapped Core Koala Habitat area. Refer Figure 111.
- Modification to the Koala Plan of Management may be considered prior to determining Development Applications affecting the Core Koala Habitat areas in South Oxley Neighbourhood, where current and suitably rigorous SAT assessments of the Potential Koala Habitat and Core Koala Habitat in South Oxley Neighbourhood demonstrate a better outcome for Koala's and Koala Habitat can be achieved in this neighbourhood.

Potential Koala Habitat

General

- Any proposed lot that contains potential Koala habitat to be retained in private ownership contains an adequate building envelope outside of the vegetation to be retained and any associated Asset Protection Zone. The building envelope is to be identified in an appropriate restriction on the title of each lot.
- The removal of trees within the areas of Potential Koala Habitat are to be compensated by the inclusion of Koala feed tree species within the adjacent Environmental Zone. Specifications are to be included in the relevant Vegetation Management Plan

North Oxley - Barton Ridge West Development Area

- The Vegetation Management Plan is to provide for 20% of the potential Koala habitat within that development area to be retained, generally in the location shown on Figure 104.

South Oxley

- The Koala Plan of Management provisions for retention of 20% of mapped Potential Koala Habitat for Development Areas 1 and 2 may be consolidated into the South East extent of the Potential Koala Habitat in Development Area 2. Refer to the Environmental Principles Plan at Figure 111 and the modified perimeter road alignment in the Road Hierarchy Map Figure 152.

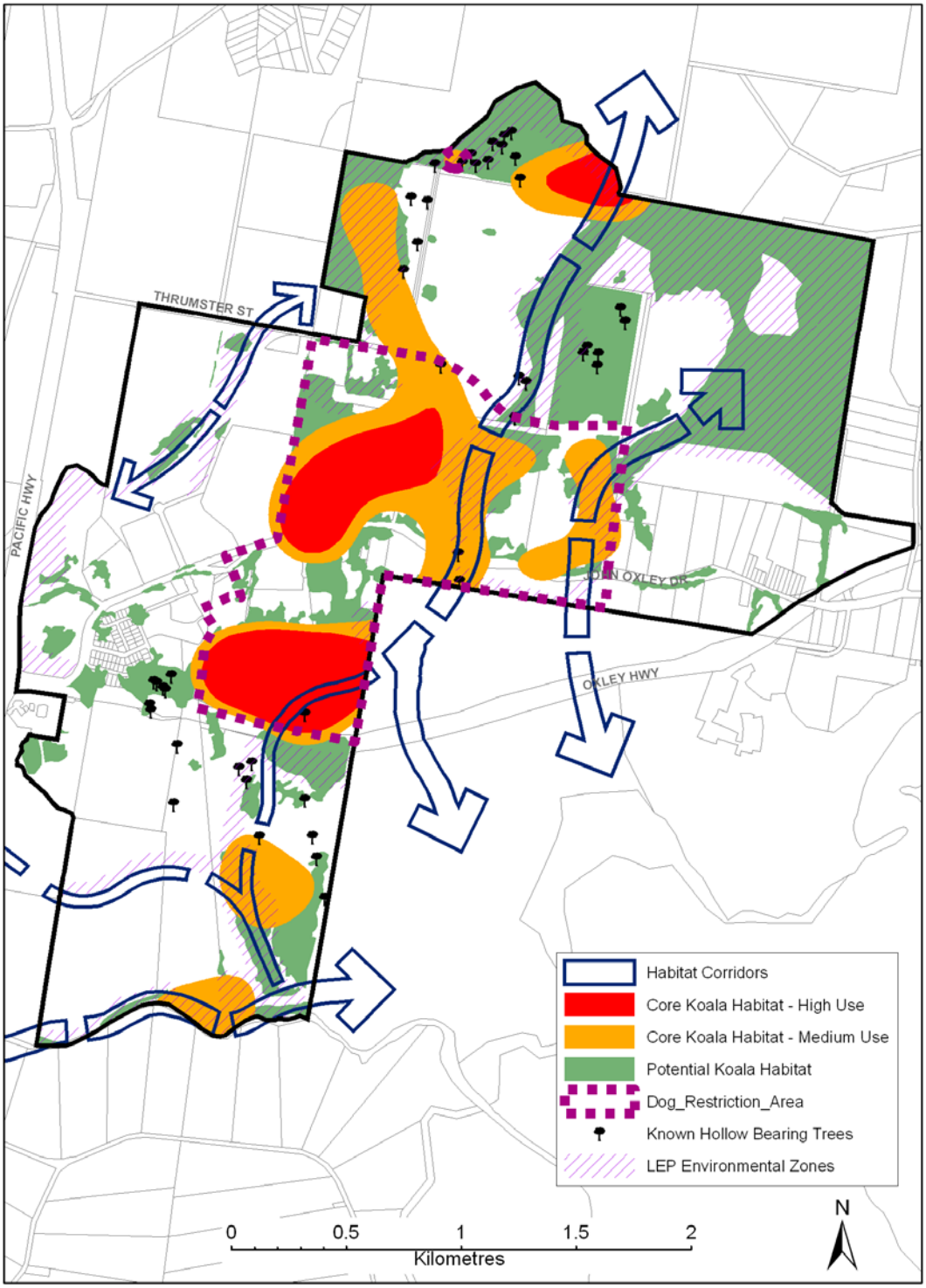


Figure 116: Koala habitat

Stormwater Management

247. Objective (in addition to Objectives 151)

- To protect and enhance the natural water systems and water quality.
- To ensure no net increase in runoff.
- To ensure that stormwater discharge does not degrade the water quality of surface runoff and underground receiving waters.

- To maximise opportunities for local on-site storage where feasible and appropriate.
- To avoid adverse alteration to water balance and the groundwater system.

Development Provisions

General

a) Where development is required to prepare a Stormwater Management Strategy, the strategy is to have regard to the relevant neighbourhood Stormwater Management Strategy and the Thrumster Integrated Water Management Plan Stage 3 Final Report (Maunsell 2007) and incorporates the following design solutions:

   - Bioretention areas ('rain gardens"), which can be integrated into the residential streetscape along local streets. Rain gardens are to be provided at a density of 50 square metres per hectare and will desirably be between 5 metres x 3 metres and 7 metres x 3 metres in size.
   - Grassed swales along all perimeter roads and divided collector roads to collect and treat road runoff.
   - Conventional stormwater piped trunk drainage system extending from the residential bioretention areas to the 'end-of-line' treatment system.
   - End-of-line bioretention treatment systems (off-line) before discharge of stormwater into natural waterways. End-of-line stormwater treatment systems that incorporate standing water (eg wetlands/ponds) are not preferred. It will be the developer's responsibility to ensure the securing of any off-site facilities to achieve the preferred location of end-of-line stormwater treatment infrastructure.
   - Structural water quality management devices, including gross pollutant and sediment traps, oil/water separators (where required) and litter management devices for the Town Centre, neighbourhood centres and light industrial areas.
   - Residential Bioretention Areas for typical low - medium density residential areas (with approximately 60% impervious area), are to be located within the street reserve (as shown in Figure 117) and designed as follows:
     - Desirably be 5 metres x 3 metres to a maximum of 7 metres x 3 metres in size.
     - Maximum ponding depth 300 mm.
     - Maximum ponding time of 24 hours.
     - Filter medium comprising sandy loam with a saturated permeability coefficient between 40 and 180 mm/hr.
     - Minimum filter medium depth of 600 mm.
     - By-pass for flows greater than the design event.

Figure 117: Example of typical bioretention system along roadway

b) Grassed Swales (vegetated depressions that are used for the conveyance and treatment of stormwater runoff from impervious areas, as shown in Figure 117, are to be designed as follows:

- Longitudinal grades between 1% and 6%.
- Bed width minimum of 0.8 metres.

Figure 118: Example of typical grassed swale along roadway

c) End-of-line bio-retention systems are to be designed in accordance with the following:

- A total bio-retention surface area equivalent to 2% of the contributing catchment area.
- A sub-soil filtration surface area (with underlying sub-soil pipes) equivalent to 0.5% of the total contributing catchment area.
- A maximum ponding time of 24 hours.
- Filter medium comprising sandy loam with a saturated permeability coefficient between 40 and 180 mm/h.
- Minimum filter medium depth of 0.6 metres.
- A Maximum ponding depth of 0.3 metres.

d) Flood attenuation to reduce the post-development flows to no greater than the 1:100 year average recurrence interval for pre-development flows.

Figure 119: Example of sand filter with dual purpose

e) Where an alternative water sensitive urban design (WSUD) solution is proposed, it is to:
   - demonstrate compliance with the water quality targets, and
   - include justification for the alternative method, and
   - demonstrate that the overall number of treatment system is not increased, and
   - include suitably detailed documents, plans and computations of the preferred WSUD strategy.

f) Where inconsistent, development applications are to demonstrate attainment of the objectives for this Section and Objective 151.

Additional Neighbourhood Design Considerations

North Oxley

Development within Development Areas should generally be consistent with the strategy at Figure 121.

Note:

Preliminary design investigation for North Oxley residential areas has identified the potential need for an additional end-of-line bio-retention area. The need for such a structure is to be justified during the detailed design phase.

Partridge Creek Industrial

An Indicative Stormwater Management Strategy for the Partridge Creek Industrial Neighbourhood is included at Figure 122.

Partridge Creek Residential

An Indicative Stormwater Management Strategy for the Partridge Creek Residential Neighbourhood is included at Figure 123.

South Oxley

An indicative Stormwater Management Strategy for South Oxley is included at Figure 124.

Town Centre

An indicative Stormwater Management Strategy for the Town Centre is included at Figure 125.

Permeable pavements

- Permeable pavements are to be used in car parking areas to minimise peak stormwater flows.

Grass swales

- Central medians are to be provided to the Main Street and significant neighbourhood avenues (collector roads).
- Development is required to incorporate gently sloping grassed or rock lined swales in appropriate locations.

Traditional detention basins

- Ornamental detention basins in the upper catchments surrounding the Town Centre are to be considered in the design of development.
- Detention basins are to be designed to serve multiple purposes and provide recreational spaces as well as stormwater control.

Gross Pollutant Traps

- Gross Pollutant Traps should be provided to intercept debris or litter before it enters receiving waters, must be considered having regard to upstream land uses and other proposed treatment facilities.

Greenroofs

- Consideration must be given to the incorporation of greenroofs and other forms of roof garden as part of buildings to assist in the detention and utilisation of rainwater, stormwater filtration, storm flow management and promotion of environmentally sustainable design.

West Lindfield

An Indicative Stormwater Management Strategy for the West Lindfield Neighbourhood is included at Figure 126.

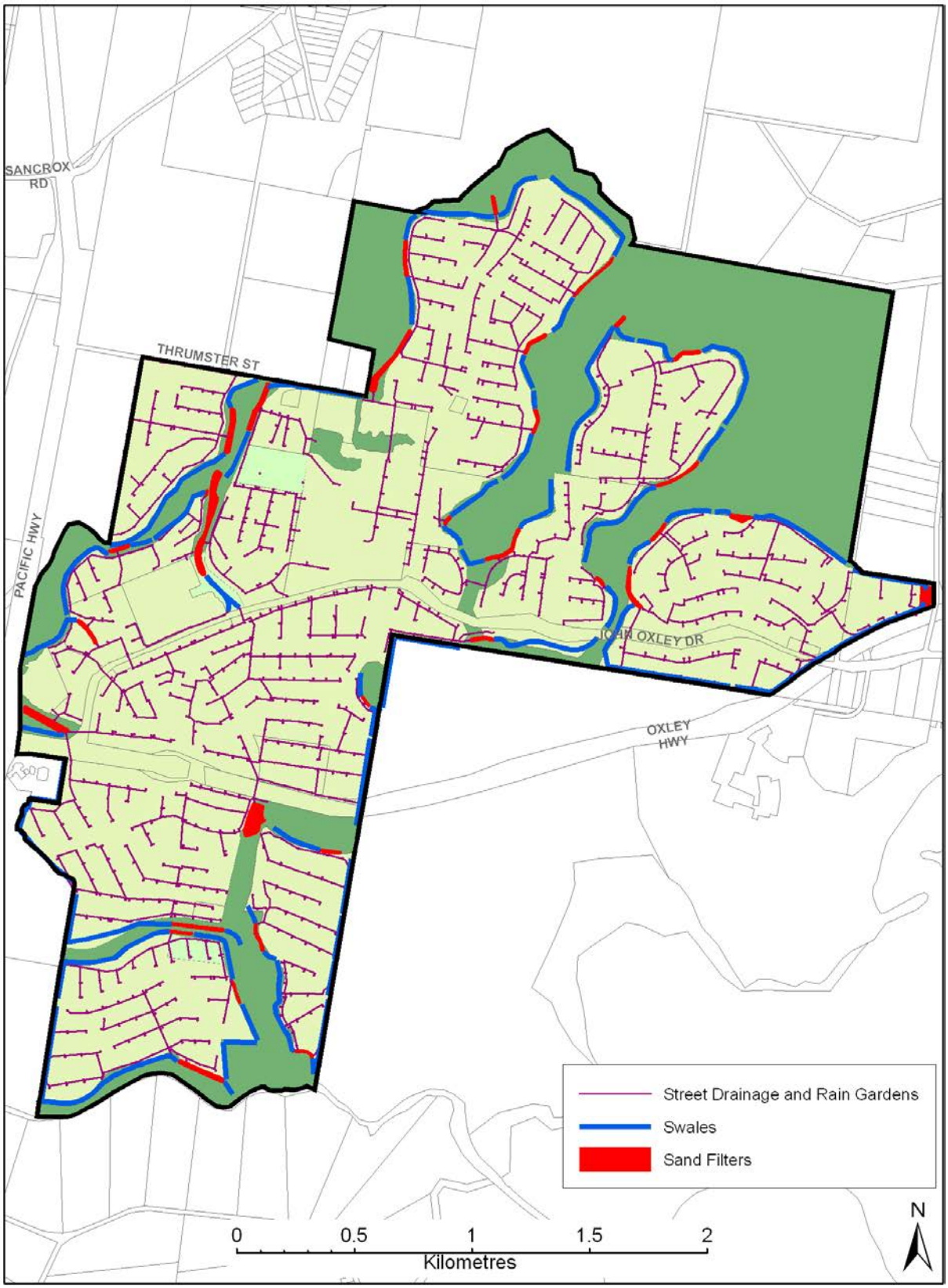


Figure 120: Stormwater Management

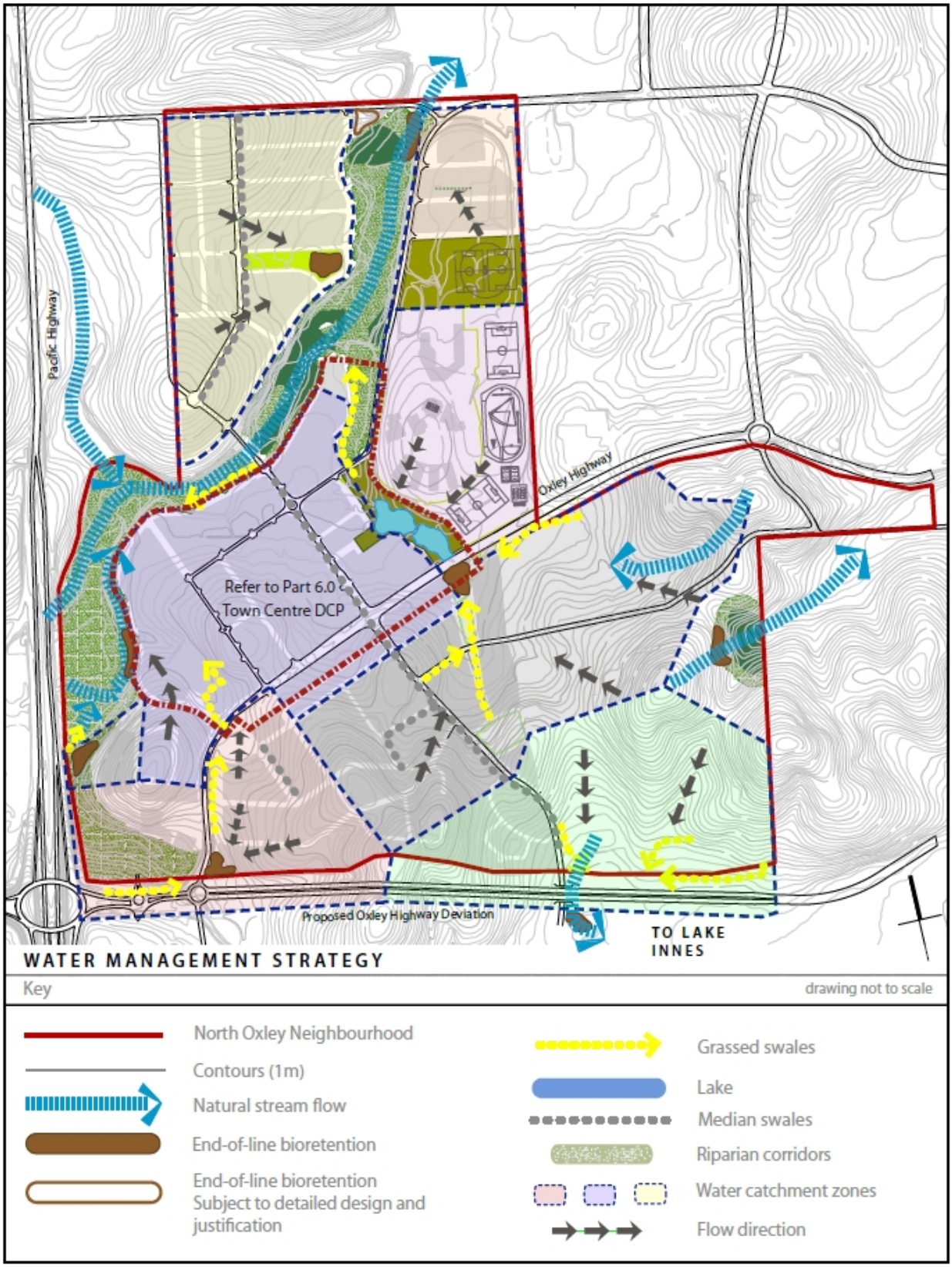


Figure 121: North Oxley Stormwater Management Plan

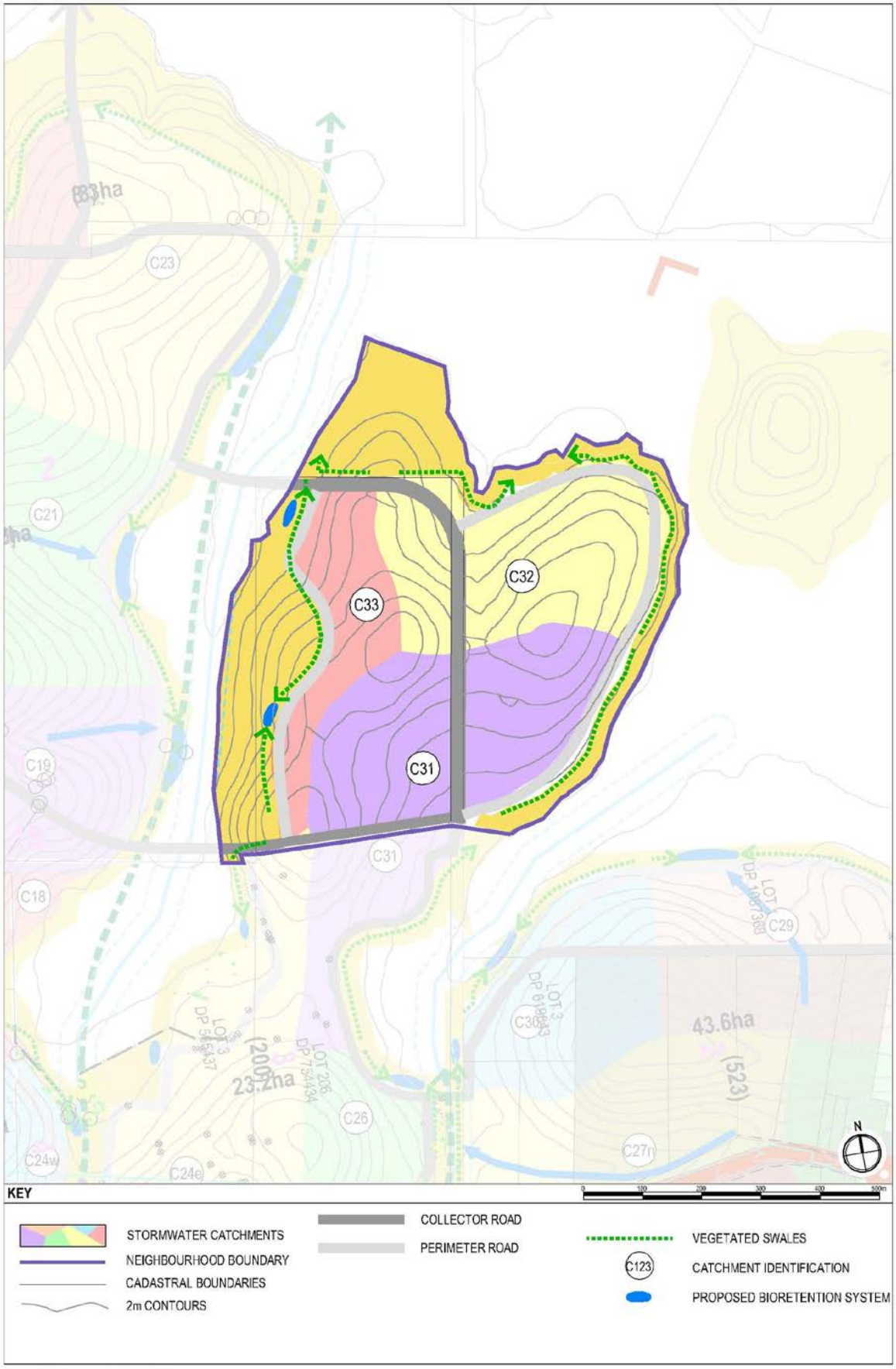


Figure 122: Partridge Creek Industrial Stormwater Management Plan

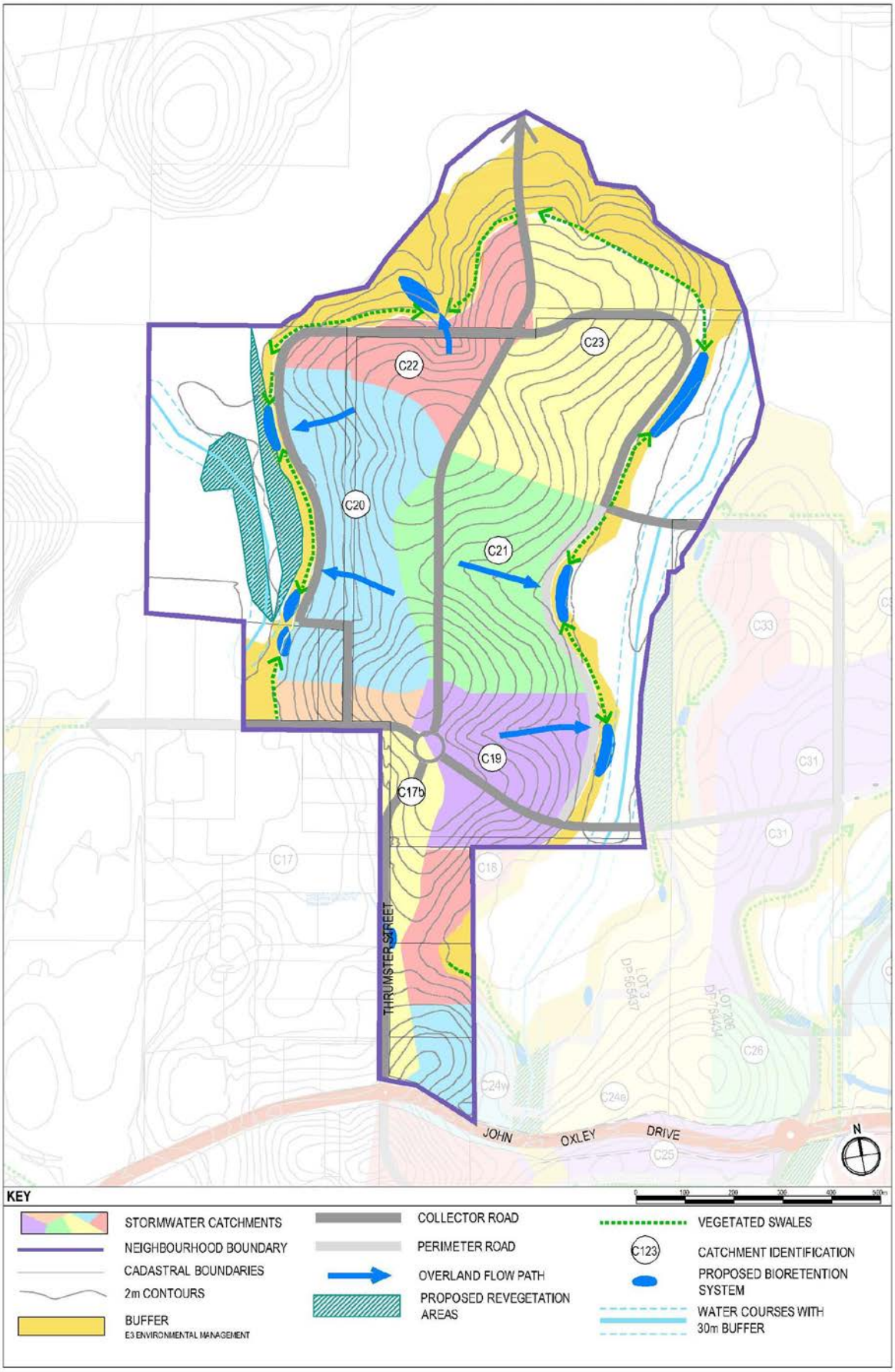


Figure 123: Partridge Creek Residential Stormwater Management Plan

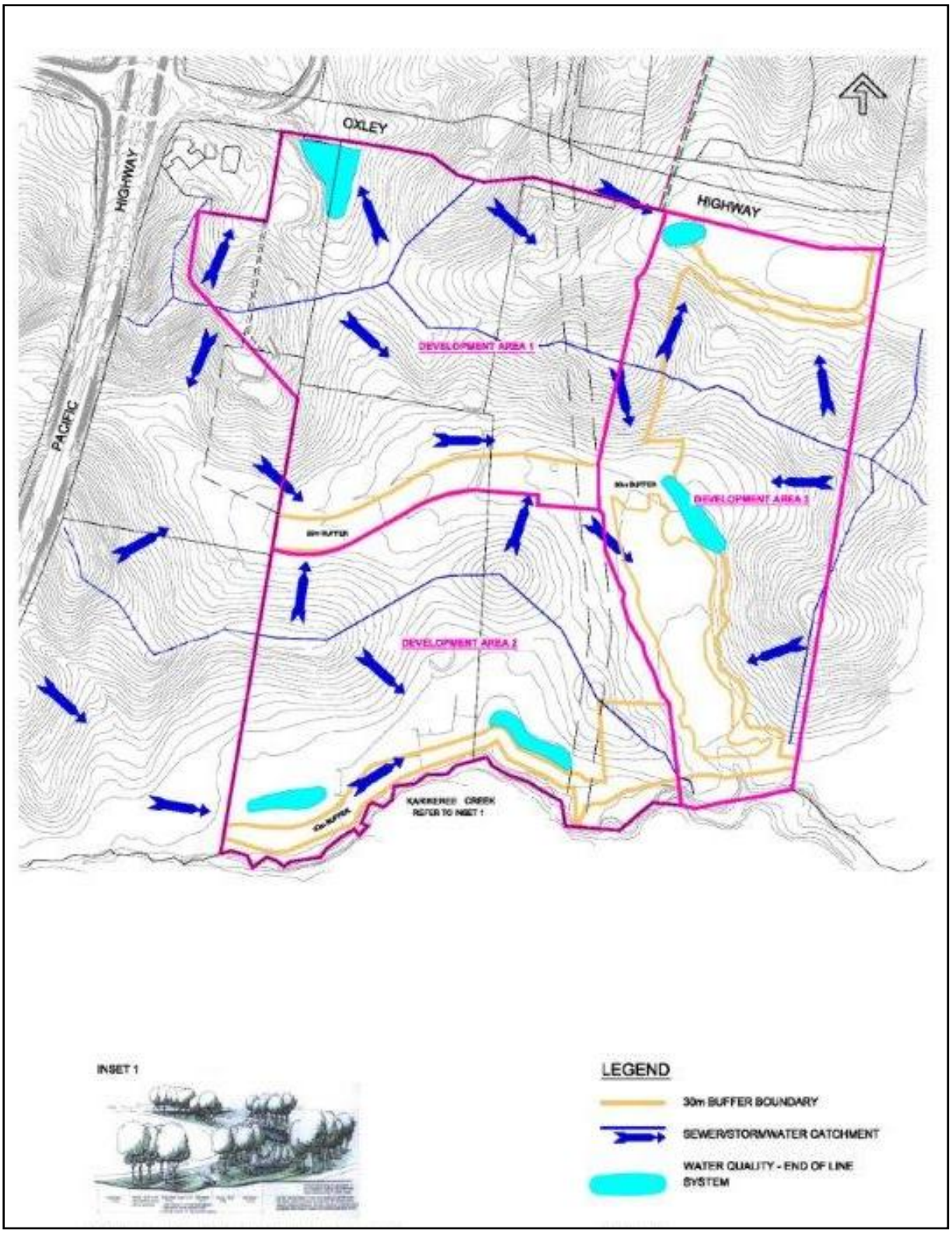


Figure 124: South Oxley Stormwater Management

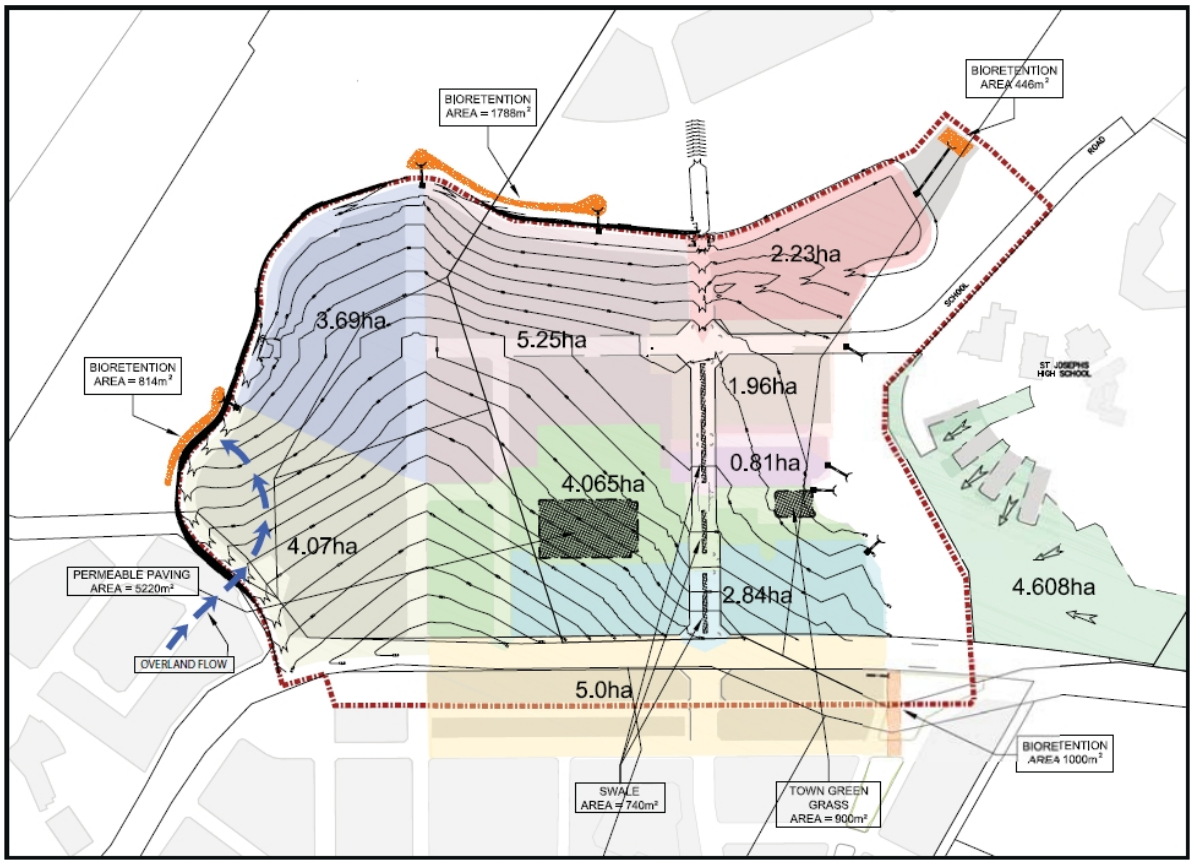


Figure 125: Thrumster Town Centre Stormwater Management Plan

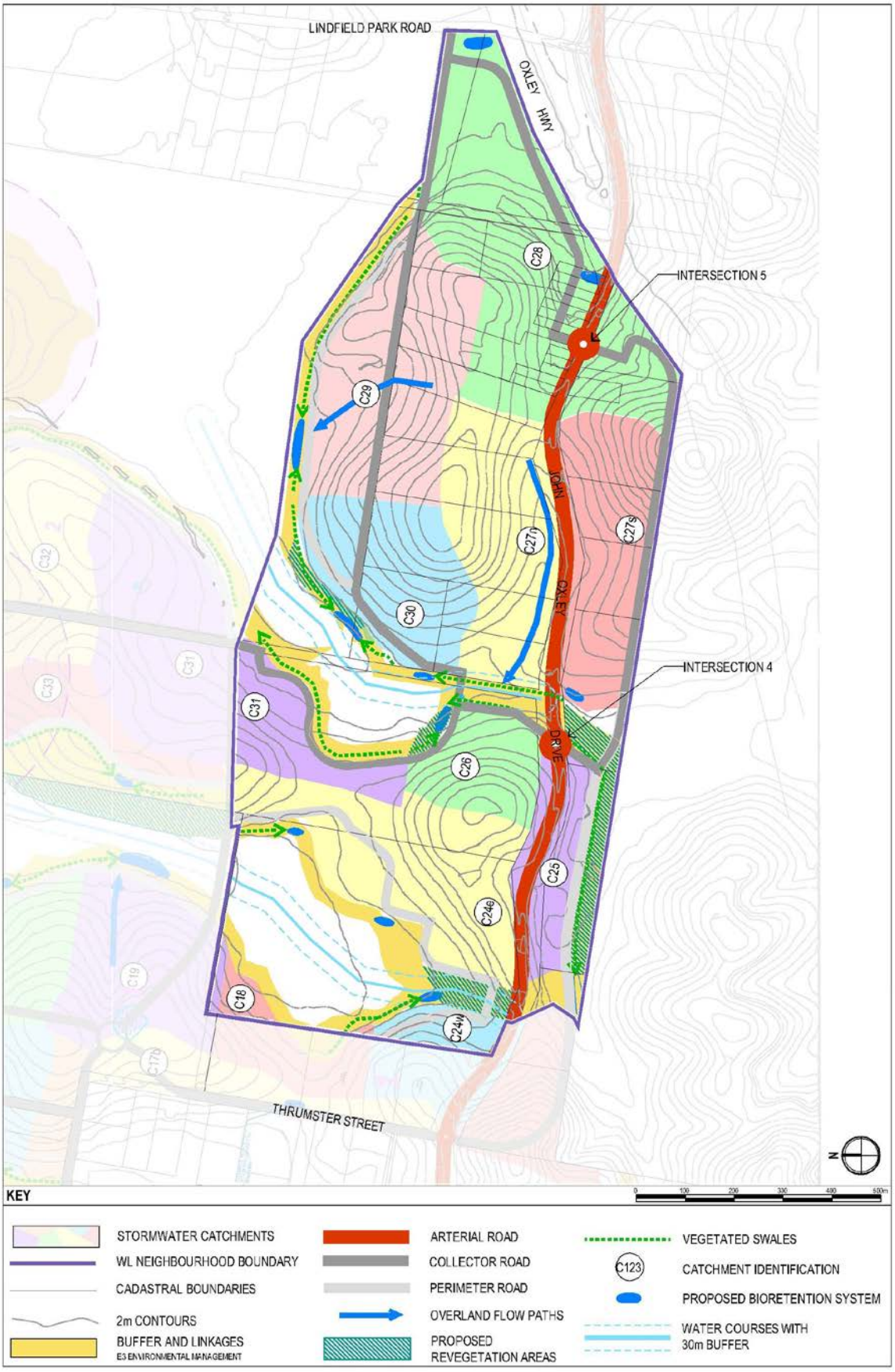


Figure 126: West Lindfield Stormwater Management Plan

Water Supply - Reclaimed Water and Rainwater Tank Supply

248. Objective (in addition to Objectives 153 and 154)

- To minimise the use of potable water where appropriate, minimising the water supply demand from the Hastings River.
- To facilitate the efficient and safe use of reclaimed water as an integrated component of the water supply system of the release area.

Development Provisions

a) General

- Development is to incorporate the provision of a dual reticulated supply of water.
- Development is designed to ensure:
    - Only reclaimed water to supply all toilet cisterns,
    - Only reclaimed cold water or rainwater to supply washing machines
    - Only reclaimed water to be available for outdoor uses except pool filling.
    - Gardens, opens spaces and recreational areas to be planted with drought tolerant plants and irrigated with reclaimed water.
- Commercial developments, public buildings and schools to use reclaimed water or rainwater for toilet flushing and approved outdoor uses.
- All public toilets to be supplied with reclaimed water for toilet flushing. Waterless urinals are to be used where practical.
- Consent may be granted to development that does not incorporate the provision of dual reticulated supply of water if Council is satisfied:
    - It is for additions or alterations to existing development and it would be unreasonable to require dual reticulation, or
    - It is an area that is not proposed to be serviced by dual reticulation
- Rainwater tanks may supply household hot water systems, all laundry cold water and water for pool filling provided that the tank top-up system is not connected to the reclaimed water system.
- Rainwater tanks may supply household hot water systems, all laundry cold water and water for pool filling provided that the tank top-up system is not connected to the reclaimed water system.
- Potable water top-up to rainwater tanks is permitted. The top-up flow rate should not exceed 9 litres per hour (maximum 210 litres per day) and be set to operate only between 25% and 33% of tank capacity. Automated rainwater tank bypass systems are prohibited.

b) Partridge Creek Industrial

- Reclaimed mains are to be constructed along John Oxley Drive in conjunction with water main upgrades and intersection works.
- New reclaimed water mains are to be constructed in conjunction with the north-south arterial road.

c) Partridge Creek Residential

- Reclaimed mains are to be constructed along Thrumster Street to serve development in Areas 1, 2 and 3A.
- Reclaimed mains are to be constructed along John Oxley Drive in conjunction with main upgrades and intersection works (intersection No.3).

d) West Lindfield

- Reclaimed mains are to be constructed along John Oxley Drive in conjunction with main upgrades and intersection works.

Hazards Management

The proper management of hazards is an important issue to ensure that future residents are not subject to hazards from a range of past and present human activities, as well from natural hazards. The objectives and development controls relating to hazards management issues apply to specific land affected by the various hazards across Thrumster including bushfire hazard management, road and aircraft noise, contamination and flood prone land. This section is to be read in conjunction with Section B3 as it provides additional local guidance.

Airspace Protection

249. Objective (in addition to Objectives 15 to 17)

- To restrict the height of development within the vicinity of the airport in accordance with the Obstacle Limitation Surfaces plan.

Development Provisions

a) General

- Development does not result in any structure exceeding the obstacle clearance limitations shown on the Obstacle Limitation Surfaces identified in the Port Macquarie Airport Master Plan current at time of assessment.

Bushfire Hazard Management

250. Objective (in addition to Objective 18)

- To ensure appropriate protection of people and property through the provision of adequate separation of development and the bushfire hazard.

Development Provisions

a) General

- Development is to satisfy the requirements of the Planning for Bushfire Protection Guidelines.
- Council may allow up to 15 metres of the 30 metre buffer width within the Environmental Management Zone to be managed as an Outer Protection Area where the following requirements are met.
    - The 15 metres is provided on the hazard side of a perimeter road.
    - The canopy cover is to be an average of at least 20% to a maximum of 30%.
    - Where existing trees are to be removed to reduce the canopy to 30%, Koala feed trees are to be retained as far as possible where not affected by Airspace Protection provisions.

***Note**: Development applications are to have regard to the planned works to environmental areas in the assessment of bush fire risk and proposed Asset Protection Zones.*

b) North Oxley

- Development applications are to have regard to the Bushfire Management principles shown on Figure 128.

- New lots created requiring management of bushland within areas identified as Managed Woodland Area on Figure 128 within Barton Ridge West and Barton Ridge East must be subject to a restriction on title for the purposes of bushfire hazard management.

c) Partridge Creek Industrial

- Figure 129 illustrates the bushfire prone vegetation within the Partridge Creek Industrial Neighbourhood.

d) Partridge Creek Residential

- Figure 130 illustrates the bushfire prone vegetation within the Partridge Creek Residential Neighbourhood.

e) South Oxley

- Figure 131 illustrates the bushfire prone vegetation within the South Oxley Neighbourhood.

f) Town Centre

- Figure 132 illustrates the indicative bushfire management plan. Development applications are to have regard to the planned works to environmental areas in the assessment of bush fire risk and proposed Asset Protection Zones.

g) West Lindfield

- Figure 133 illustrates the bushfire prone vegetation within and adjacent to the West Lindfield Neighbourhood.

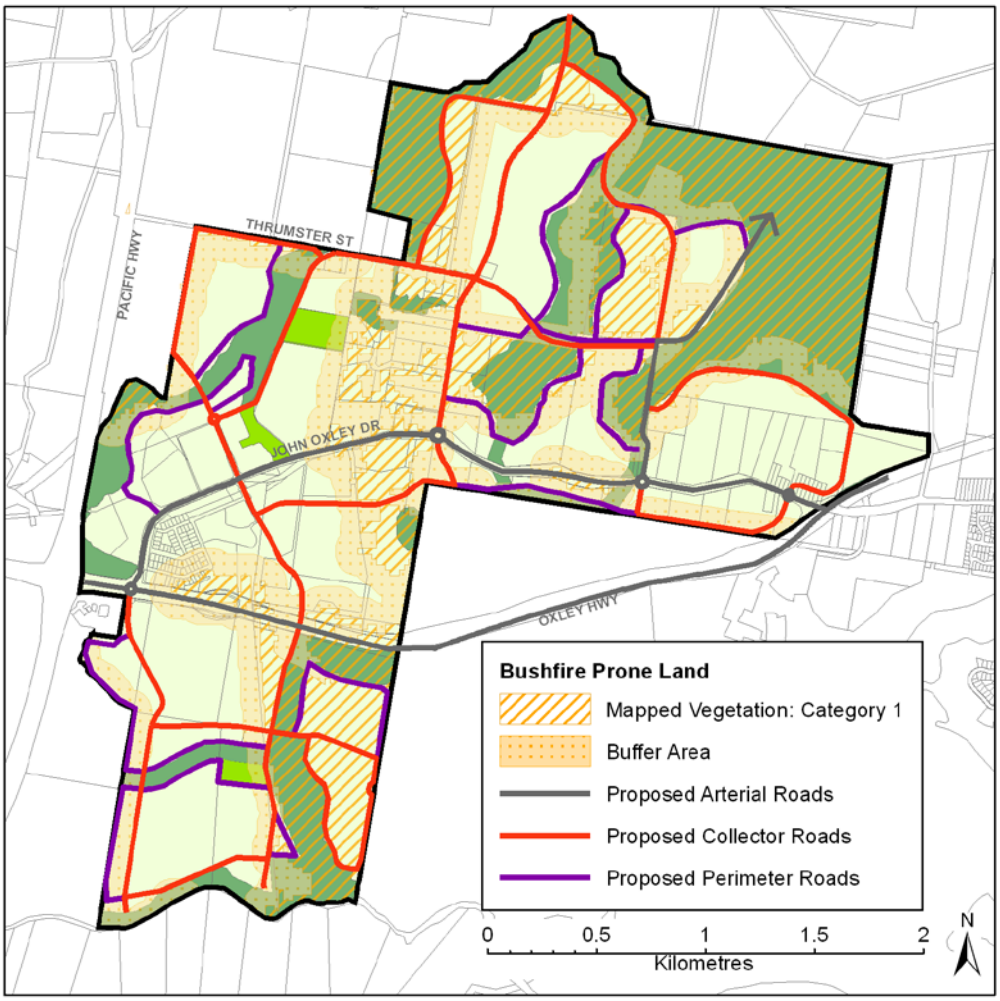
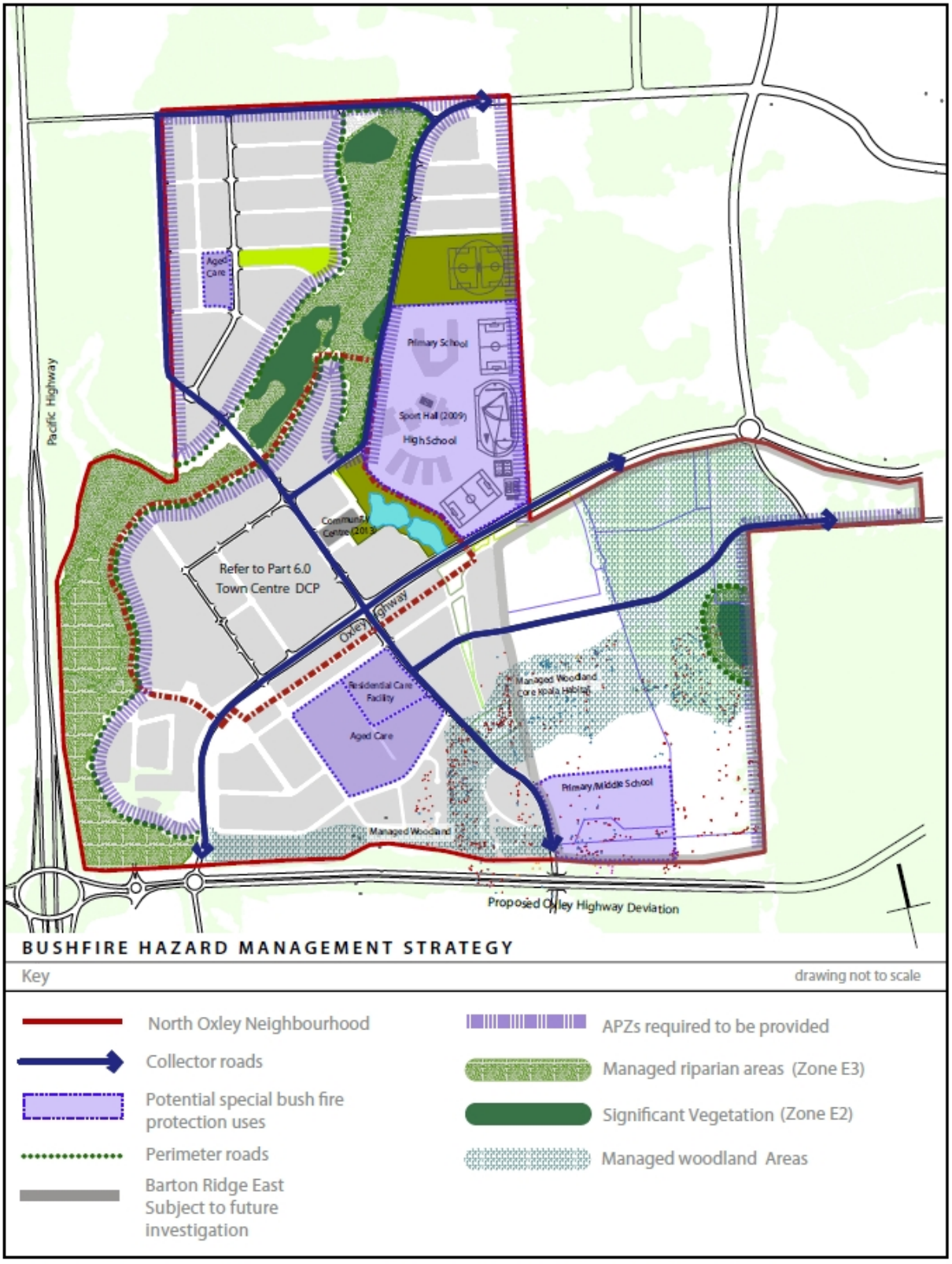


Figure 127: Bushfire prone land



NOTE: The extent and location of managed woodland in Barton Ridge East is to be determined following more detailed investigation.

Figure 128: North Oxley Bushfire Management Plan

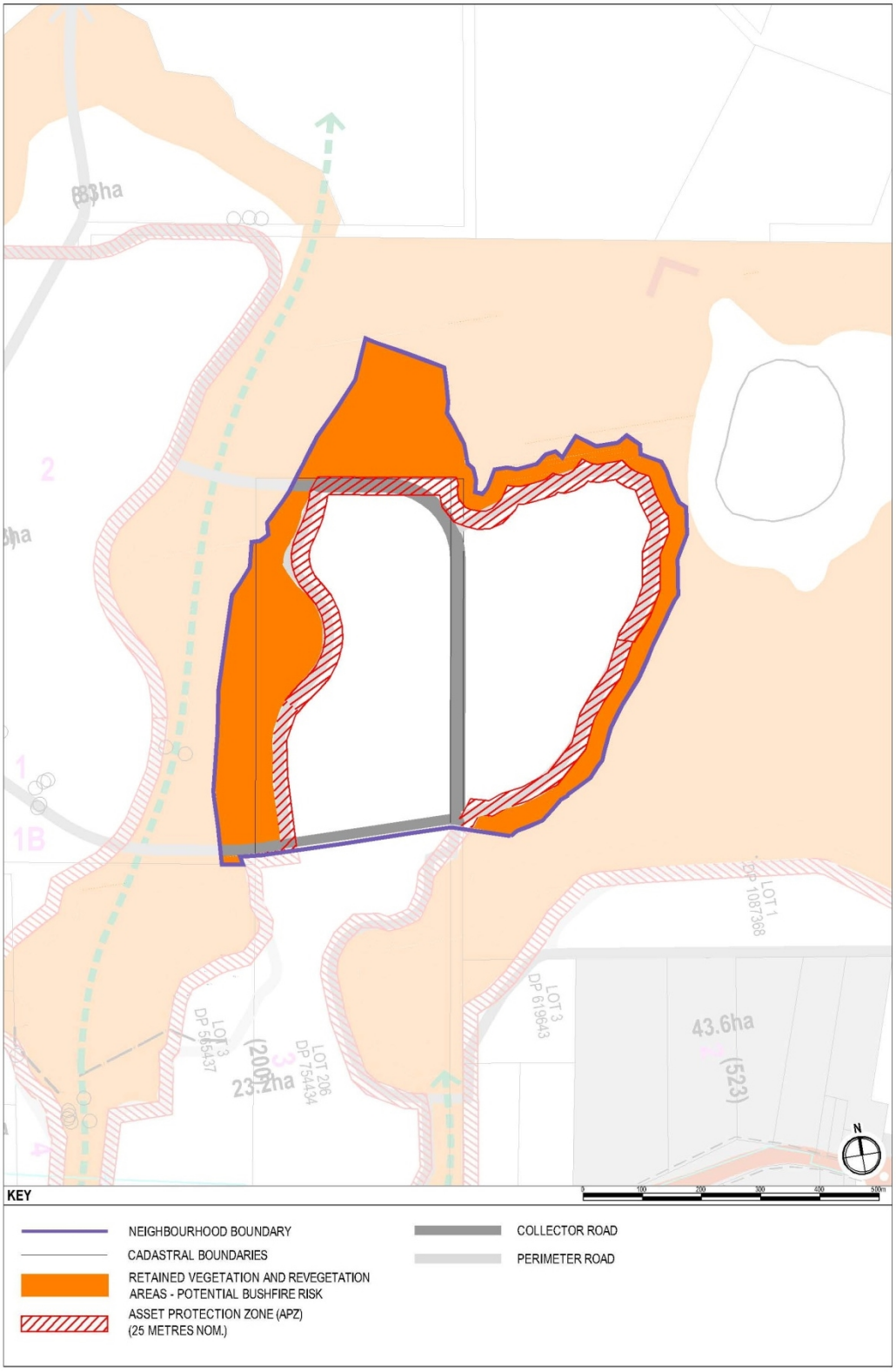


Figure 129: Partridge Creek Industrial Bushfire Management Plan

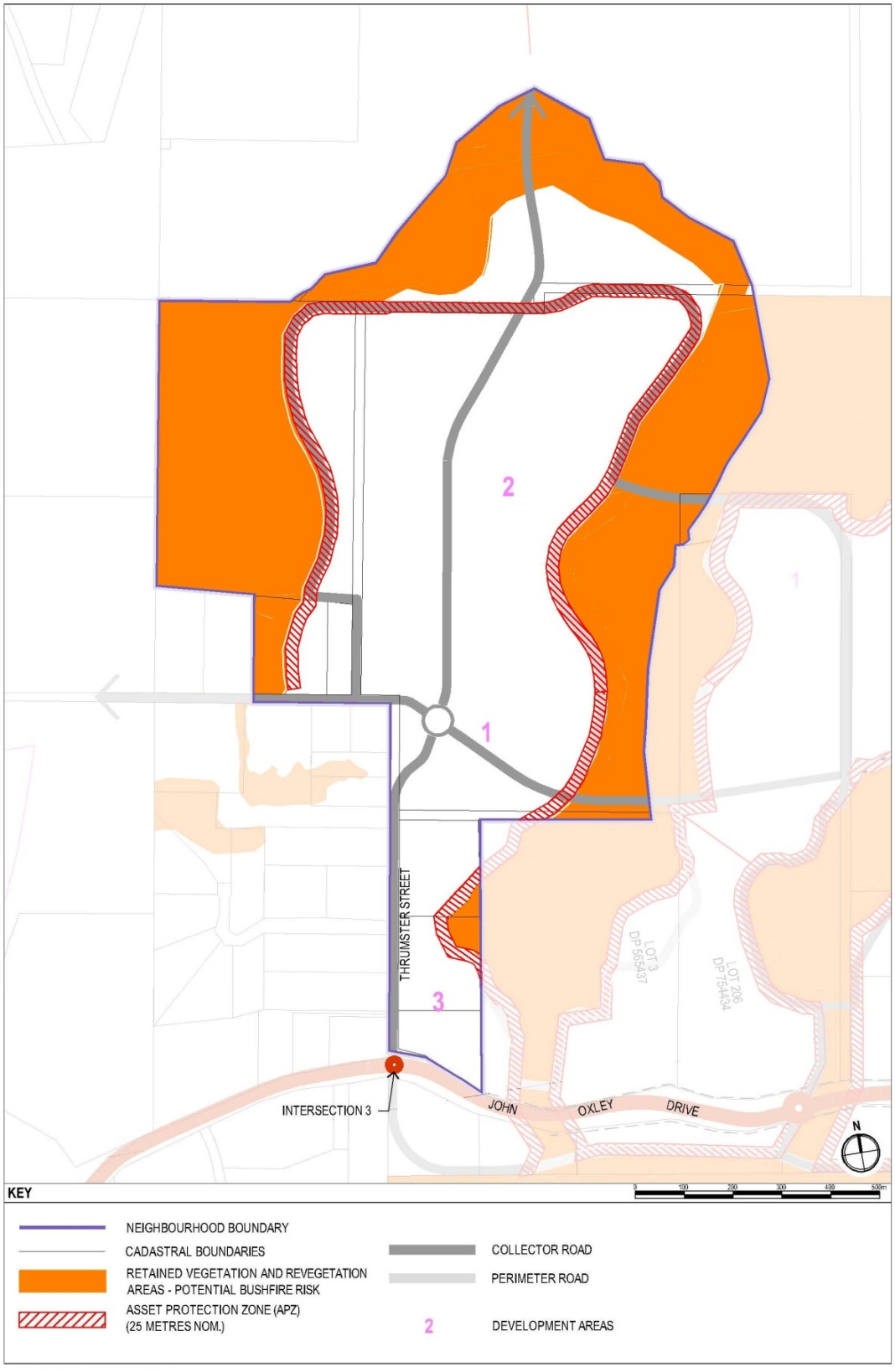


Figure 130: Partridge Creek Residential Bushfire Management Strategy

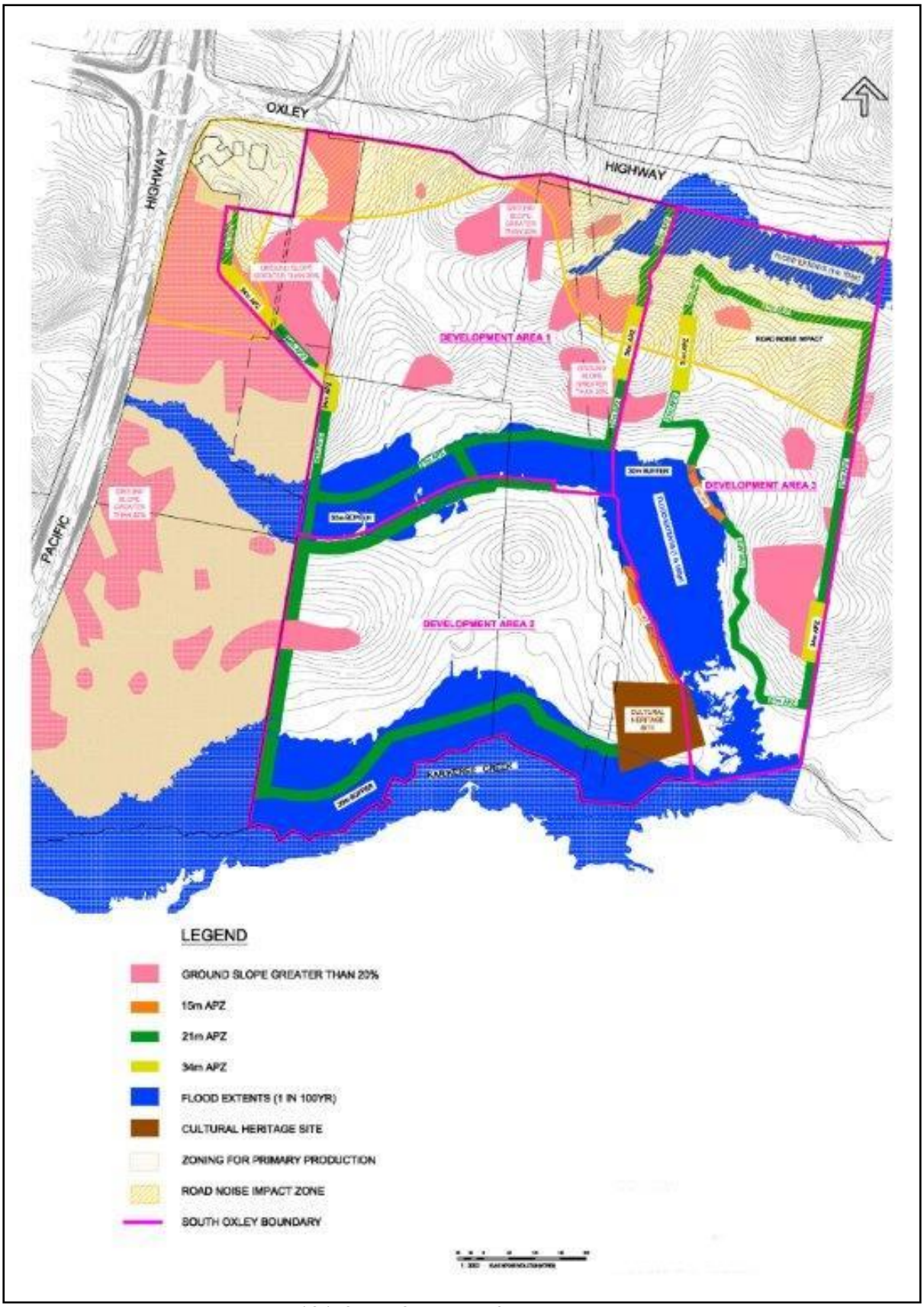


Figure 131: South Oxley Bushfire Management Plan

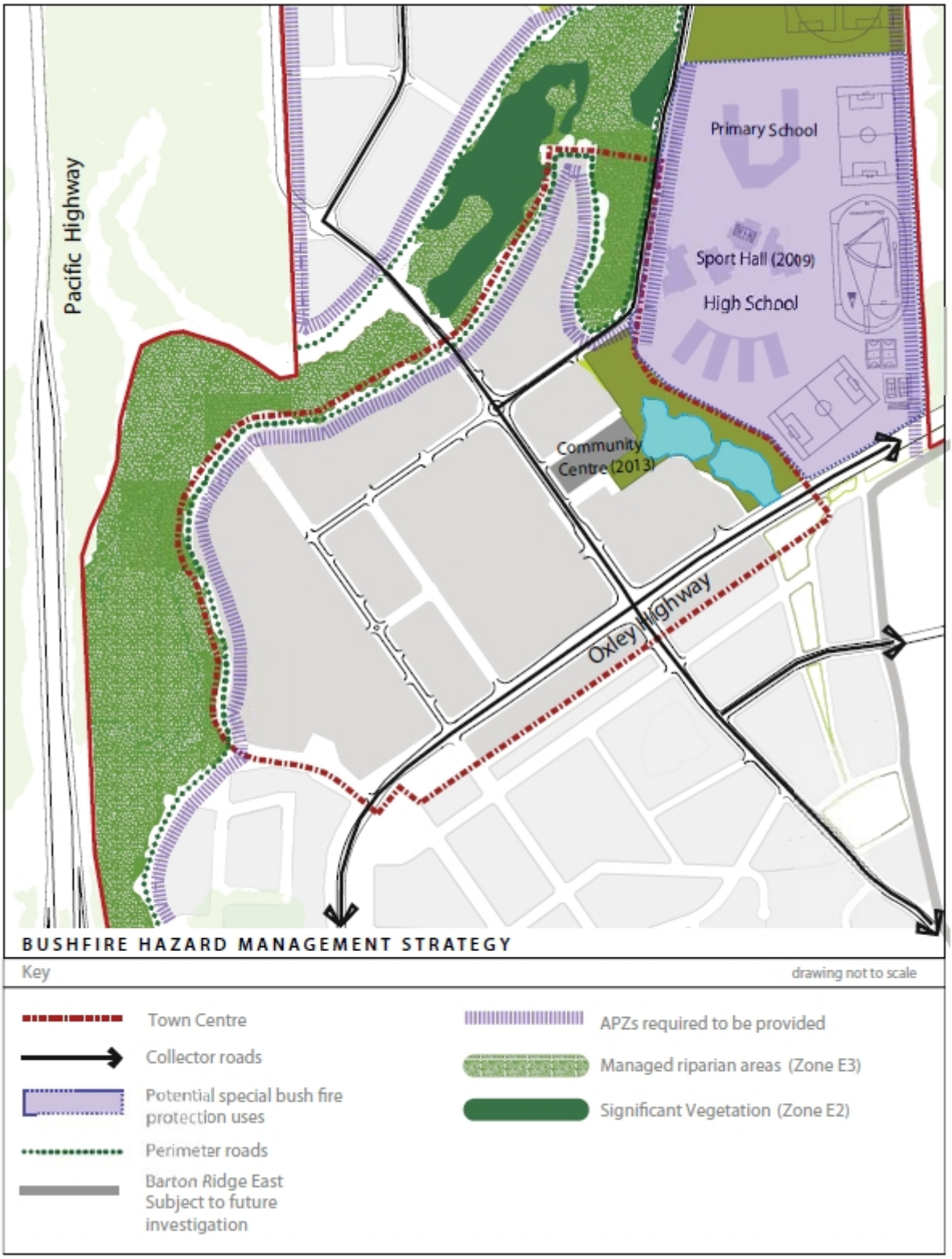


Figure 132: Thrumster Town Centre Bushfire Management Plan

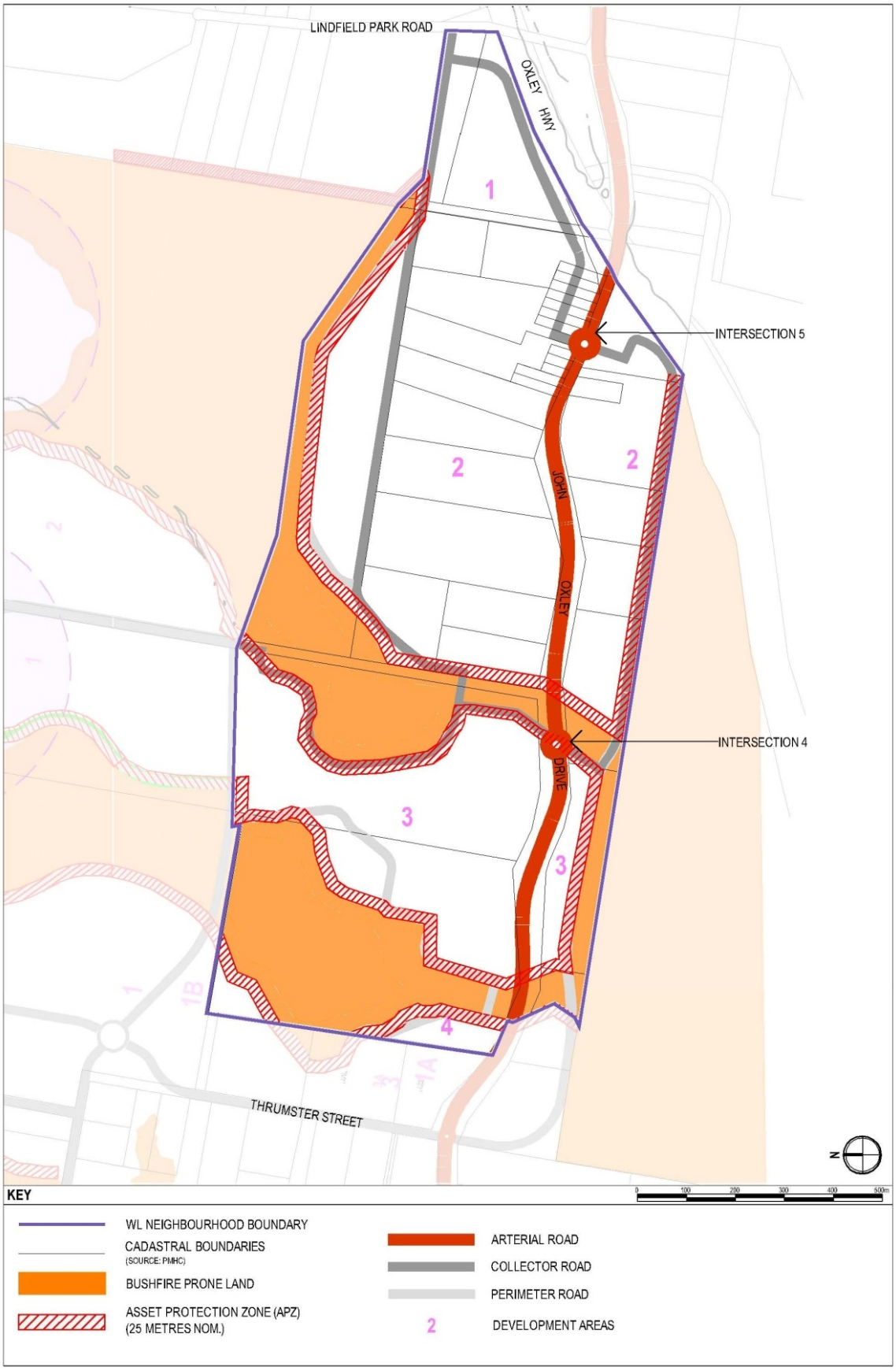


Figure 133: West Lindfield Bushfire Management Plan

Flooding

251. Objective

- See Objective 19.

Development Provisions

a) General

- Submission of survey accurate data is required with the development application showing site layout in relation to flood boundaries and allowed encroachments shown on Figure 134 to demonstrate maintenance of minimum floodway dimensions.
- Design of development and filling is to have regard to the need for overland flow paths and address issues of flood water velocities and potential for scouring. Details of fill and batter slopes and gradients to be provided with the application for Construction Certificate. The extent of batter slopes may be required at Development Application stage if there is the potential to impact on any significant vegetation communities or hollow bearing trees.

b) North Oxley

- The first Development Application for residential development in Sovereign Views, Gateway and racecourse Development Areas, are to be accompanied by a Flood Evacuation Plan for referral to the Emergency Management Committee under the State Emergency and Rescue Management Act 1989. Such plan is to be to Council satisfaction prior to issue of development consent.

c) Partridge Creek Industrial

- Overland flowpaths are to be provided generally as shown on Figure 134 and are to be designed as public reserve or road to a standard acceptable to Council.
- All arterial and collector roads, as shown on Figure 149, are to be constructed above the Probable Maximum Flood event to ensure appropriate evacuation routes.

d) Partridge Creek Residential

- Overland flowpaths are to be provided generally as shown on Figure 123 and are to be designed as public reserve or road to a standard acceptable to Council.
- All arterial and collector roads, as shown on Figure 150 are to be constructed 650mm above the 1:100 flood event to ensure that all residential lands are provided with appropriate evacuation routes.

e) South Oxley

- Overland flowpaths are to be provided generally as shown on Figure 124 and are to be designed as public reserve or road to a standard acceptable to Council.
- The Central Neighbourhood/Collector road, as shown on Figure 152 traversing north-south across Development Areas 1 and 3, is to be constructed above the Probable Maximum Flood event to ensure that all residential lands are provided with appropriate evacuation routes.
- Flood channelization of Gleeson's Creek is to take into account the Karikeree Tributary 1 report by Cardno Willing (October 2005) and planted to enhance local habitat linkages.
- Recreational infrastructure such as bike and pedestrian pathways or local park infrastructure can be incorporated in these areas.

f) West Lindfield

- Overland flowpaths are to be provided generally as shown on Figure 126 and are to be designed as public reserve or road to a standard acceptable to Council.
- All arterial and collector roads, as shown on Figure 154, are to be constructed above the Probable Maximum Flood event to ensure that all residential lands are provided with appropriate evacuation routes.

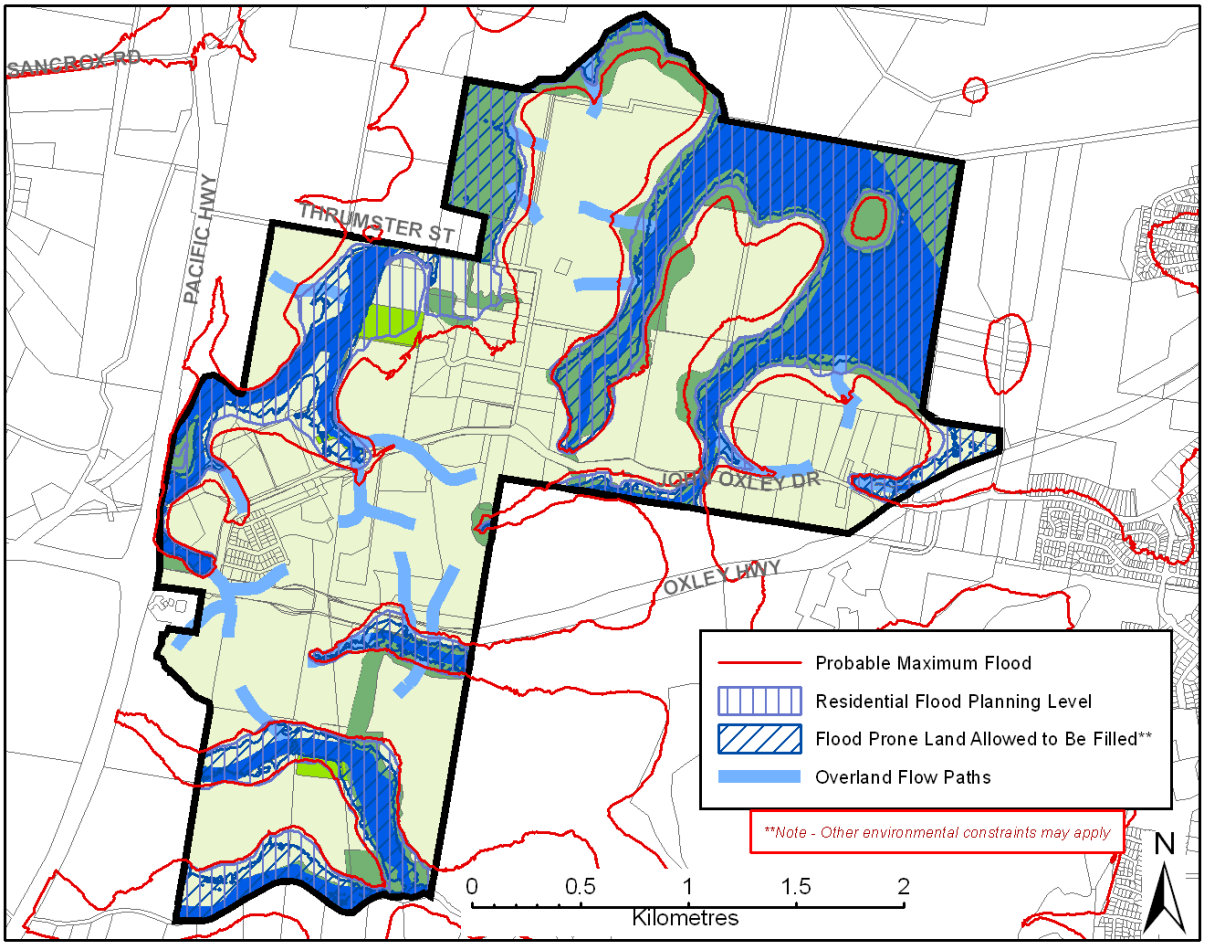


Figure 134: Flooding

Noise - Industrial

252. Objective

- Development is to contribute to the equitable management of noise by preventing exposure of residential dwellings to excessive noise and minimising the risk of noise complaints being made about industrial activities.

Development Provisions

a) General

- Where in an industrial zone, proposed land uses on premises within 100 metres of a residential zone
  - operate only between 7am and 6pm, Monday to Saturday
  - are designed to limit operational activities to within the building or areas on the side of the building away from the residential zone

- Where in a residential zone and development is proposed within 100 metres of an industrial zone:
    - subdivision design responds to the potential for noise from the industrial zone by maximising the distance between future dwellings and the industrial area
    - dwelling design locates noise sensitive areas away from the industrial area
- Where alternative solutions are proposed, development applications must demonstrate that project-specific noise levels have been determined consistent with the methodology set out in the Noise Policy for Industry (2017) and satisfy the acceptable noise level for the relevant amenity criterion.

Noise - Road (guidance in achieving compliance with s7.9 of the Local Environmental Plan)

253. Objective

- To achieve an acceptable residential noise environment while maintaining well-designed and attractive residential streetscapes.
- Ensure that consideration is given to the future traffic volumes on the Pacific Highway, John Oxley Drive and new Oxley Highway.

Development Provisions

a) General

- Development avoids or minimises the number of new dwellings within the area identified in the Local Environmental Plan Acoustic Controls Map.

***Note**: Where noise mitigation measures are constructed at subdivision, council will consider amending the Acoustic Controls Map where supported by a revised noise impact assessment prepared by a suitably qualified person.*

- Development Applications for subdivision relating to land identified as potentially affected by road noise on the Local Environmental Plan Acoustic Controls Map are to be accompanied by acoustic reports that demonstrate that proposed lots and future dwellings will comply with the Environmental Protection Authority's NSW Road Noise Policy.
- Where a proposed subdivision adjoins an arterial road, subdivision design incorporates noise mitigation measures on private land along the road boundary.
- The final design of noise control solutions must consider non-acoustic aspects such as aesthetics, urban planning and urban design, long term maintenance cost and solar access. Landscaped noise mounds or a combination of noise mound and acoustic barrier are preferred noise mitigation measures rather than acoustic barriers alone.
- Construction plans for any proposed acoustic barrier are to be endorsed by an acoustic engineer. The materials proposed for use are to be guaranteed to provide a minimum of ten years of life and are to be maintained by the developer for normal wear and tear.
- Where development adjoins a Core Koala habitat area, noise barriers are to incorporate any wildlife exclusion fencing required under the Koala habitat provisions of this plan or the Local Environmental Plan.
- Where residential lots cannot be designed to achieve an internal noise level less than the recommended maximum specified in AS 2107-2000 Acoustics - Recommended

design sound levels and reverberation times for building interiors, residential dwellings are constructed in accordance with the relevant construction category specified in AS 3671- 1989 Acoustics - Road traffic noise intrusion - Building siting and construction to achieve the required noise level reduction.

- Where the acoustic reports required above identify the need for future dwellings to incorporate building design and construction requirements to achieve required internal noise levels, an appropriate restriction on the title of the lot is to be created ensuring compliance with the requirements.

b) North Oxley

- Cross sections shown in Figure 135 to Figure 139 provide indicative solutions to achieving the development criteria.

North Oxley - Gateway Site - Development Guidelines

The following guidelines should be applied when designing development on the Gateway Site:

- Development of the Gateway Site should incorporate noise barriers as indicated in the indicative cross section illustrated in Figure 140 and confirm the barrier achieves the reduced noise levels shown in Figure 141.
- Mitigation measures for building development on the Gateway Site are to include:
  - Minimising the size and number of windows facing the noise source;
  - Locating noise insensitive areas towards the noise source, for example in a residential dwelling the kitchen, storage areas and laundry;
  - Using construction techniques that focus on ceiling gaps around windows, doors, ceiling spaces etc.;
  - Using thick glass or double glazing;
  - Using solid core doors and appropriate door seals;
  - Replacing a conventional roof design with eaves with a flat roof with parapets (in non-residential);
- Considering site layout where the building structure could be used to shield outdoors areas.

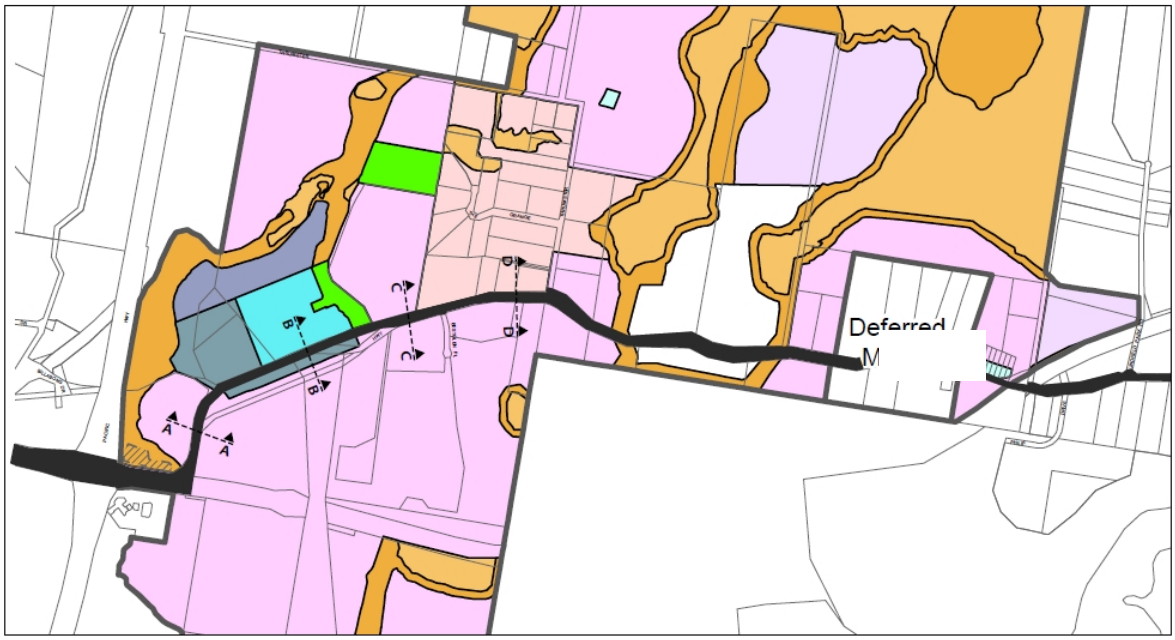


Figure 135: North Oxley cross sections

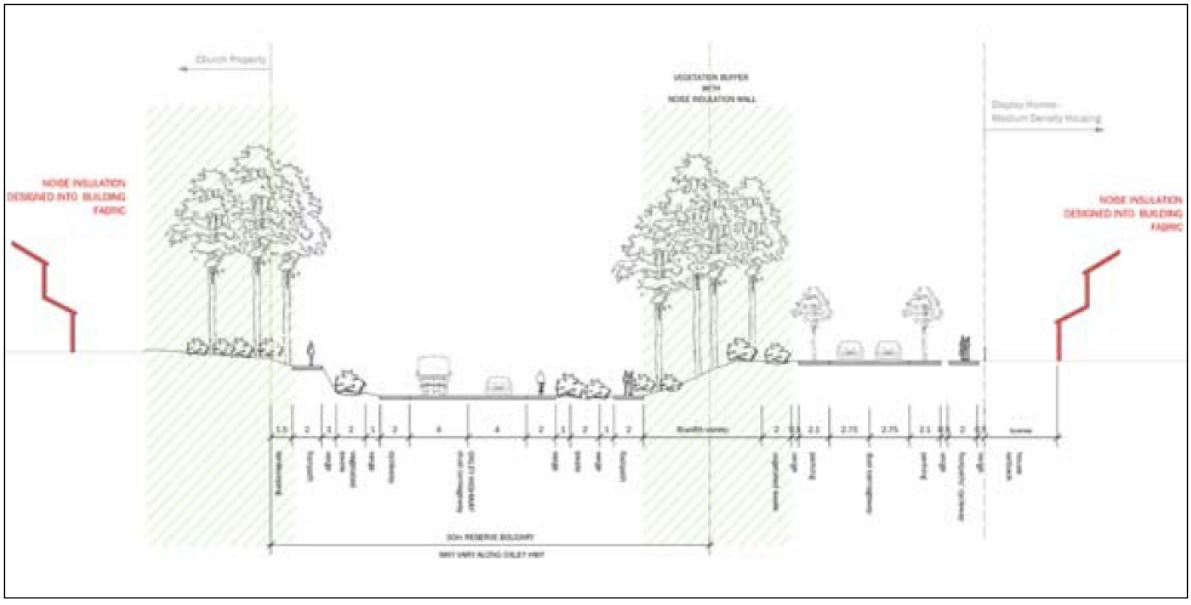


Figure 136: North Oxley Cross Section AA

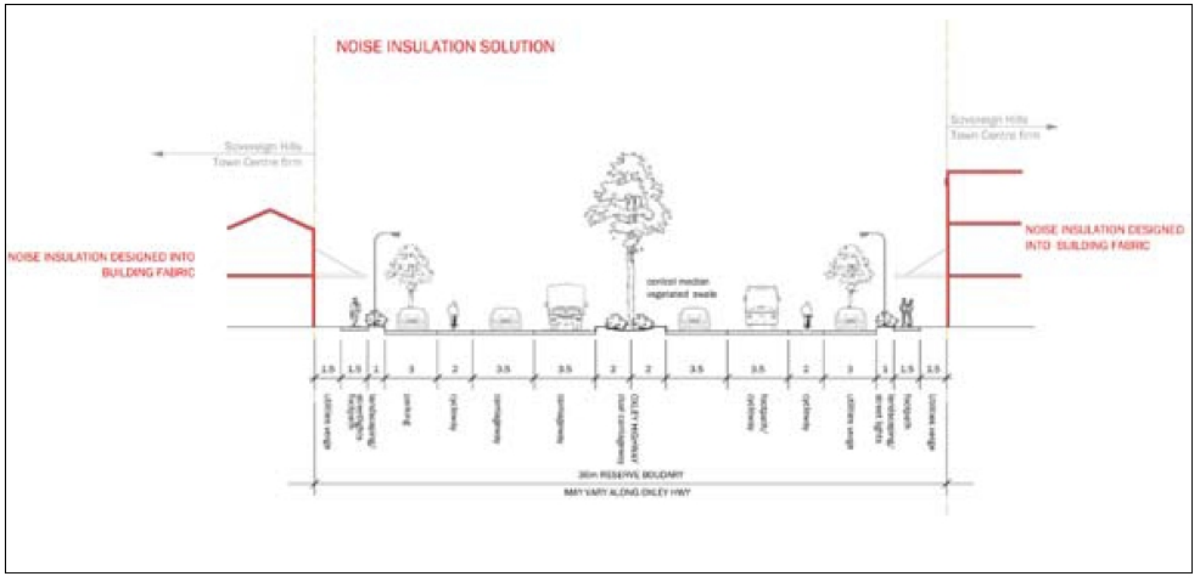


Figure 137: North Oxley Cross Section BB

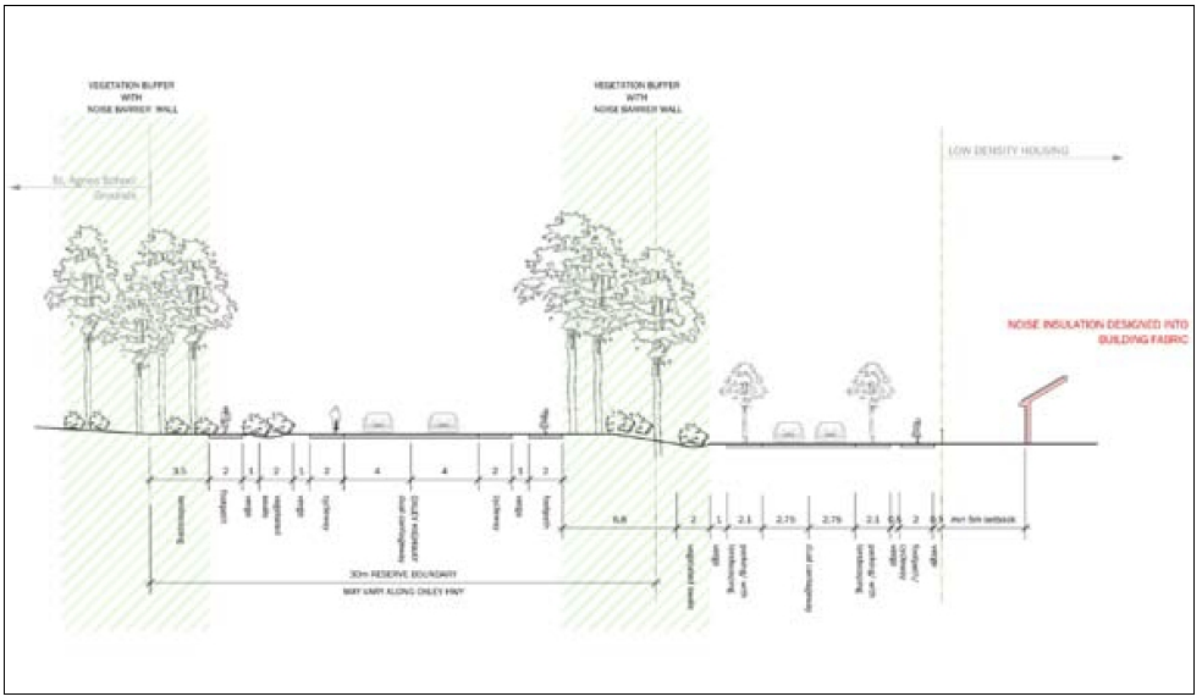


Figure 138: North Oxley Cross Section CC

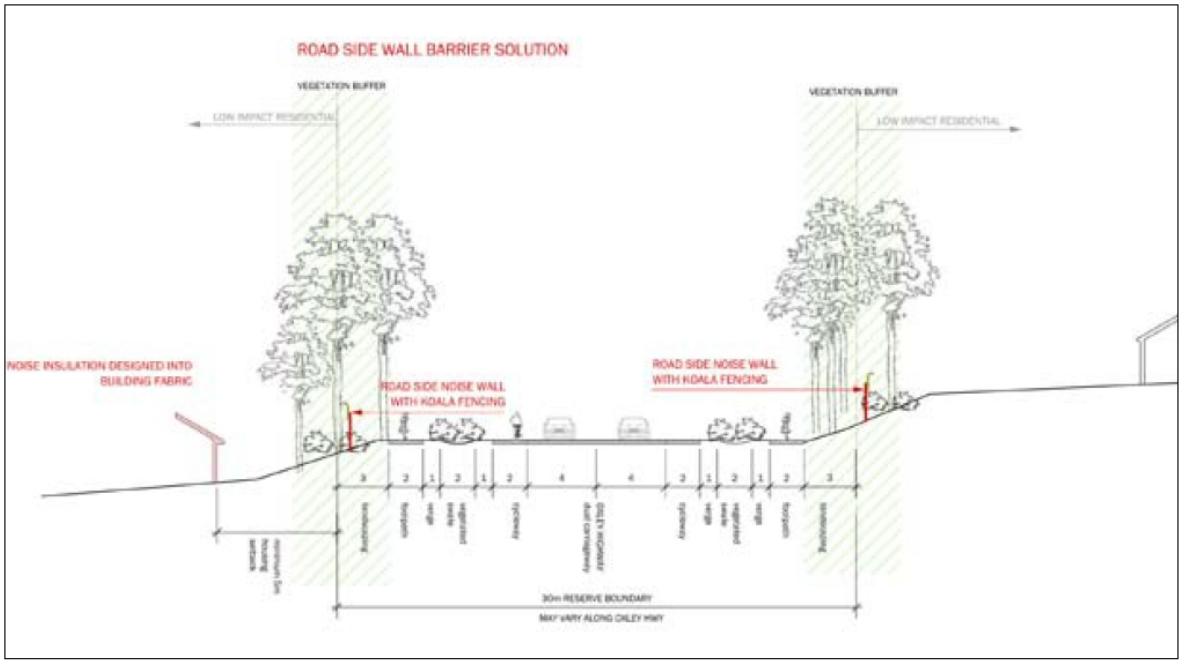


Figure 139: North Oxley Cross Section DD

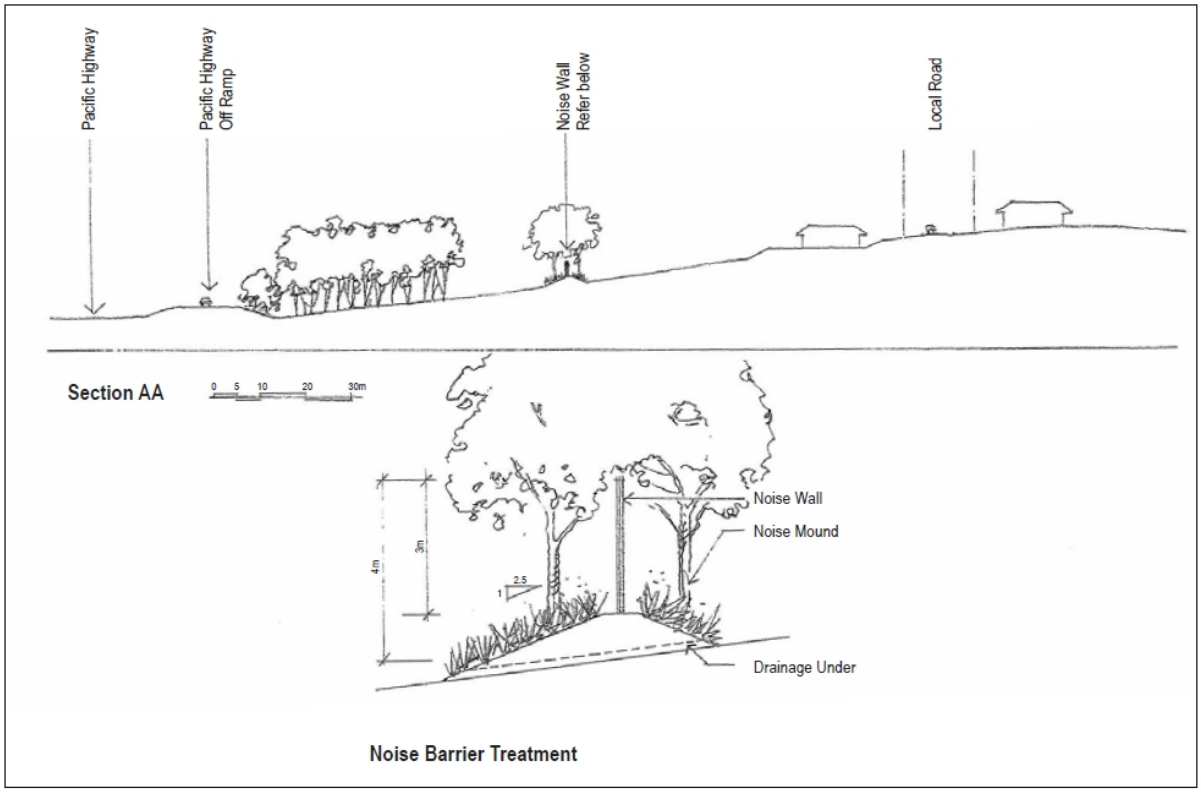


Figure 140: North Oxley Gateway Site - indicative noise barrier treatment

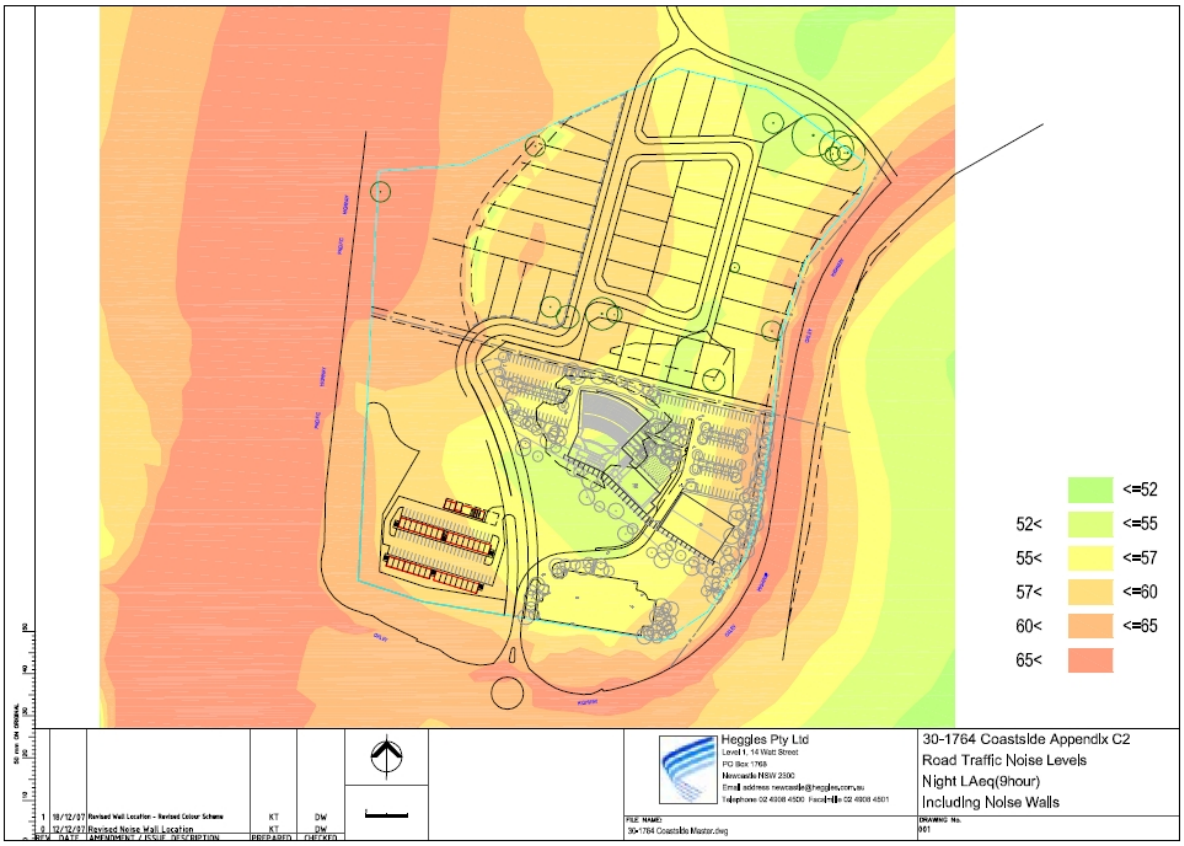


Figure 141: North Oxley Gateway Site - noise levels with barrier treatment

Visual Impacts

254. Objective

- To minimise the potential visual impact of development on views from the Oxley Highway

Development Provisions

a) West Lindfield

- The Development Application for industrial development which includes the southern collector road (adjacent the Oxley Highway) is to include the following visual screen plantings on its southern edge, generally at 5 – 10 metre centres, as shown on the West Lindfield Urban Development Plan:
  - Eucalyptus tereticornis (Forest Red Gum);
  - Eucalyptus microcorys (Tallowwood); and
  - Eucalyptus propinqua (Grey Gum).

Transport Networks

Intersections

255. Objective (in addition to Objectives 22 and 23)

- To provide guidelines for the development of land to enable the effective, efficient and timely provision of transport infrastructure.
- To maintain the Oxley Highway and John Oxley Drive as denied access roads.

- To generally facilitate the planned intersections and underpasses identified at Figure 142.

Development Provisions

a) General

- Vehicular access to and from John Oxley Drive is limited to those shown on Figure 142. Existing vehicular access ways may be retained until redevelopment of the affected property occurs or alternative access is available. Note that the Thrumster Pottery Site is landlocked and relies on an existing access. Development of the site may be permitted subject to an upgraded access to the satisfaction of RTA and Council.

b) North Oxley

- Access to the land on the northern side of the Oxley Highway (known as the Gateway Site) will initially be from the existing roundabout that provides access to the Service Centre. After construction of Intersection 1, the roundabout will be removed, and access will be left in and left out only. Total development will be limited to a maximum of 100 peak hour movements per day. Alternative access must be provided if this is to be exceeded.

c) Partridge Creek Industrial

- Development within Areas 1 and 2 is not to occur until suitable vehicular access is available via a north-south collector road from John Oxley Drive, or from a connection with the Partridge Creek Residential Neighbourhood from Thrumster Street.
- Construction of a north-south collector road will also require the completion of intersection no.4.

d) Partridge Creek Residential

- The Development Application for Partridge Creek Residential and Partridge Creek Gateway precincts will require a Traffic Impact Assessment to determine the timing of future upgrades of the existing intersection of Thrumster Street and John Oxley Drive.

e) South Oxley

- Development of South Oxley is not to occur until after construction of Intersection 1, or via an access road that provides for the future underpass.
- Future development of South Oxley is to generally accommodate the intersections as shown on Figure 152.

Area 1

- Access is to be provided from the existing roundabout at the Western extent of the Oxley Highway (Gateway Link) leading South East centrally through development Area 1.
- Construction of the extension of Carlie Jane Drive South under the Oxley Highway overpass into Development Area 1 is to occur when development reaches 75% of the potential lot yield for Area 1.

Area 2

- Access to Development Area 2 is to be from Carlie Jane Drive and across Tarokoe Habitat Corridor to connect Areas 1 and 3.

Area 3

- Access to Area 3 by continuation of the central Collector Road from Area 1 across Gleeson's Creek.
- Construction of the crossing for Gleeson's Creek is to occur with the first residential land releases in Area 2.

- A second egress form Area 3 for emergency purposes is to be identified as part of the development application for this Area.

f) Town Centre

- All development within the Town Centre Business Zones, fronting John Oxley Drive, is to gain vehicular access from a rear access lane or street.

g) West Lindfield

- Full development of West Lindfield will generally not occur until after construction of the new Intersection 4 and or Intersection 5. Council will consider an interim access for a limited number of lots via Lindfield Park Road, subject to the agreement, and any requirements of, the RTA. Any required works will be at the cost of the developer.
- Future development of West Lindfield is to generally accommodate the intersections as shown on Figure 154.
- Access is to be provided from either Area 3 to the east or through the adjoining Partridge Creek Residential Neighbourhood to the west, via Thrumster Street.
- Should access be available from Lindfield Park Road only, residential development is limited to 200 residential lots
- Further development can be undertaken with the construction of intersection no.5.
- Access is provided from intersection no.4 or from Area 1 if intersection no.5 is constructed.
- Permanent access south of John Oxley Drive is provided from either intersection no.4 or no.5.

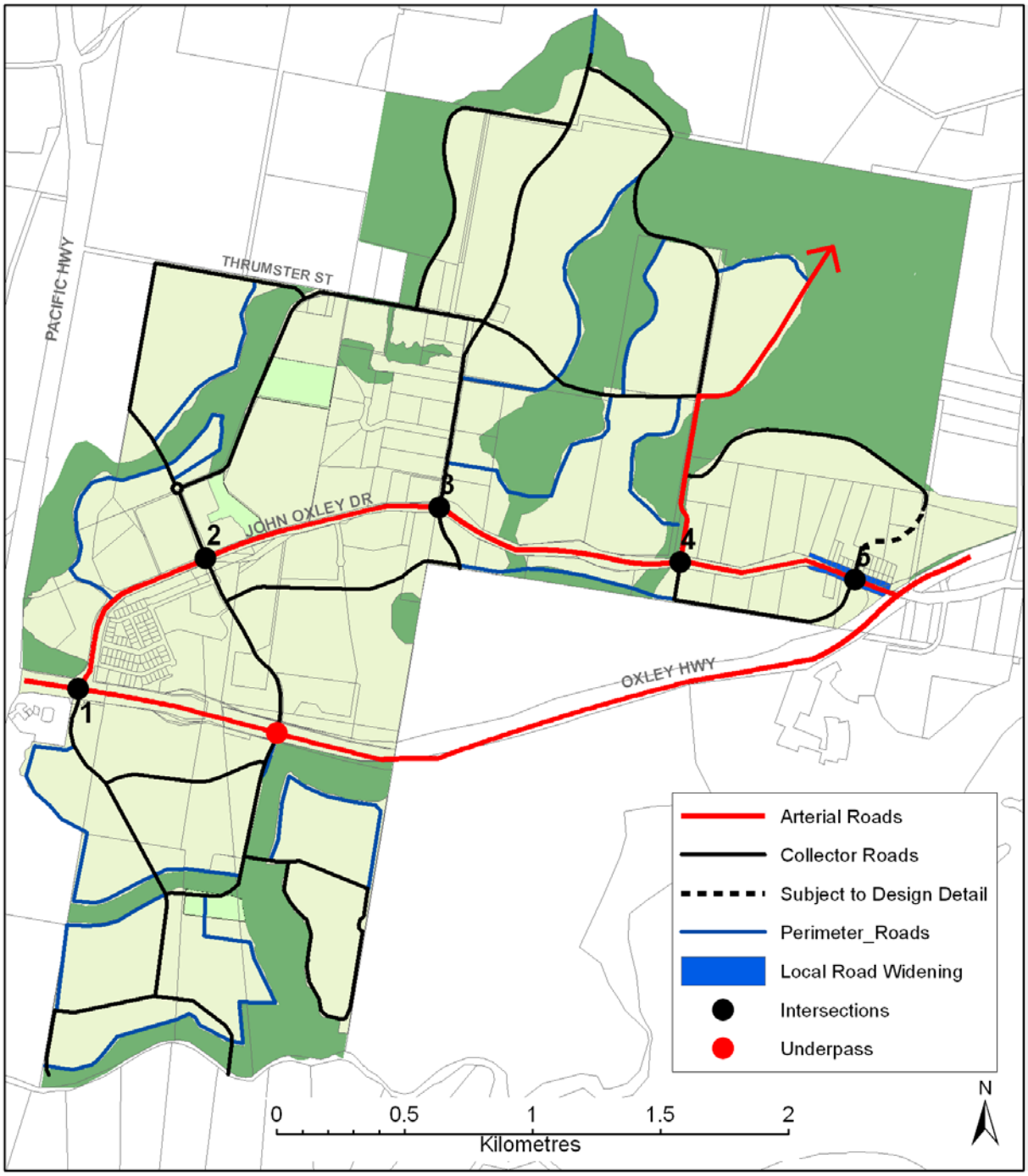


Figure 142: Road hierarchy and intersections

Parking and Servicing

256. Objective (in addition to Objectives 24 and 27)

- Parking demand is facilitated by providing:
  - public parking in accessible and central locations, including on street parking to accommodate the needs of visitors, shoppers and some employees.

Development Provisions

a) Town Centre

- Short stay parking can be provided in publicly accessed car parks within reasonable proximity of the development.
- To reinforce a high quality public domain, servicing functions are to be generally achieved from the rear or centre of development blocks.
- Some limited servicing is allowed to occur directly off the street network.

Pedestrians and Cycleways

257. Objective

- To provide a clear pedestrian and cycle way system that links residential areas; open spaces, schools, social and cultural facilities; and the Town Centre and neighbourhoods and safety for all users.
- To provide a local cycleway network using predominately on street systems, linking to the regional network.
- Ensure the road network accommodates the potential for safe cycleways.

Development Provisions

a) General

- Development is to provide for pedestrian and cycle ways generally in accordance with the relevant neighbourhood maps following this section.
- Development for the subdivision of land or major residential development is to provide footpaths on both sides of all Collector and Arterial Roads.
- Off-road shareways and on road cycleways are to be provided in accordance with the indicative cross sections in Figure 155 to Figure 158.
- Development is to otherwise provide footpaths in accordance with Council's AUS-SPEC design specification.
- Underpasses are to be provided in the locations shown on Figure 143, designed for the passage of pedestrians, cyclists and Koalas.

b) North Oxley

- Provide cycleways generally in accordance with Figure 144.

c) Town Centre

- Provide cycleways generally in accordance with Figure 145, which are in areas of high amenity, alongside creek lines and through environmental areas.

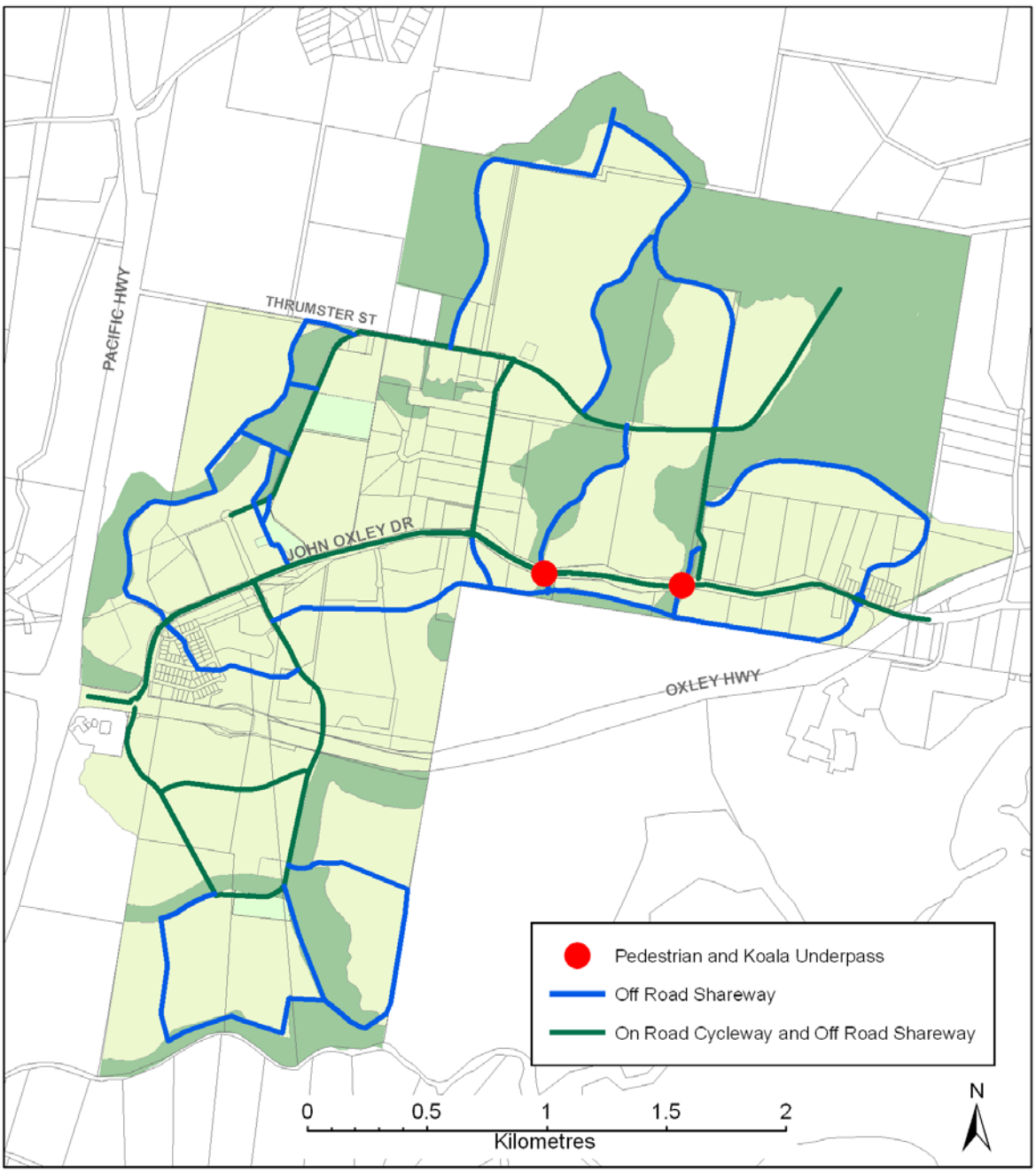


Figure 143: Cycleways

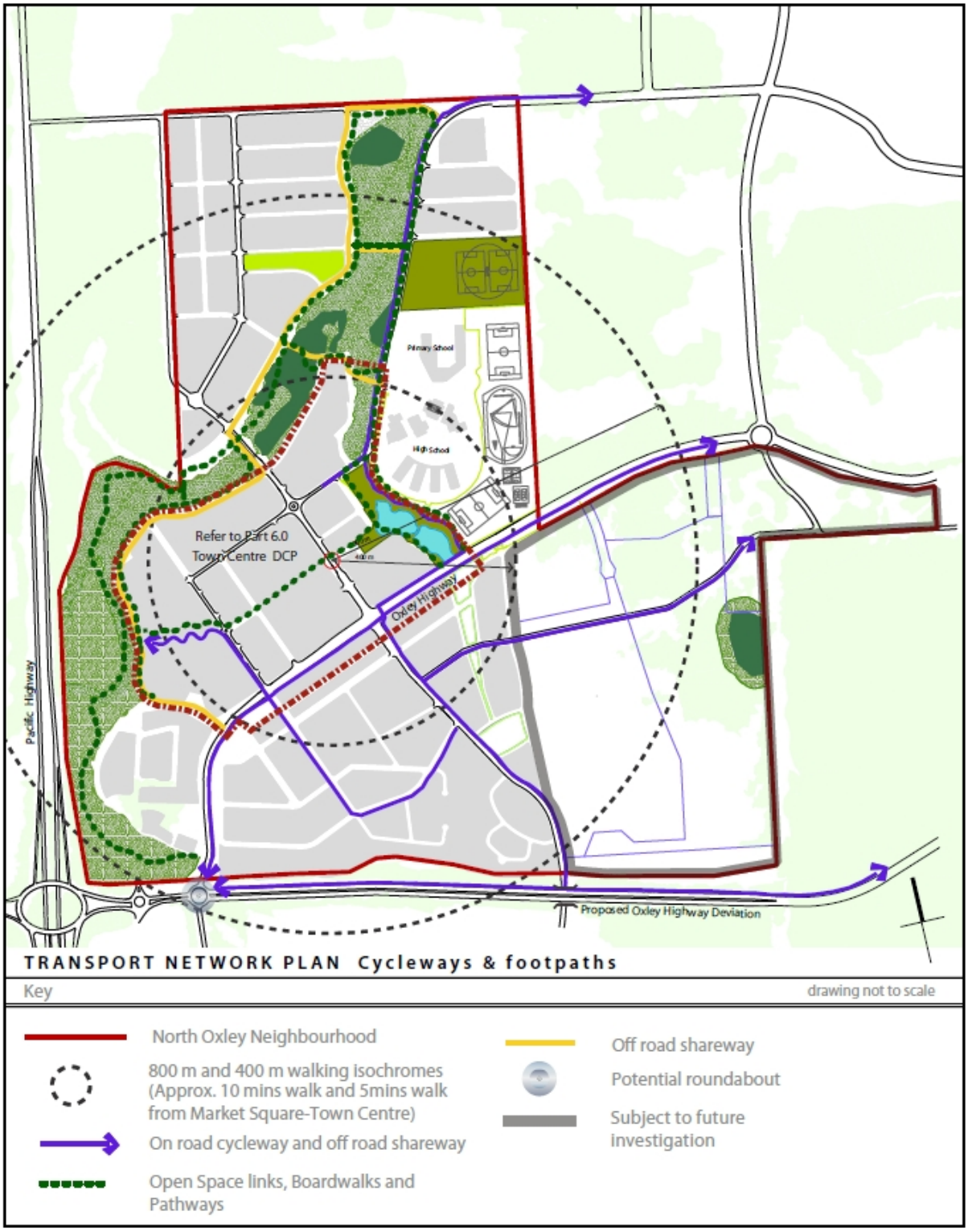


Figure 144: North Oxley cycleways and footpaths

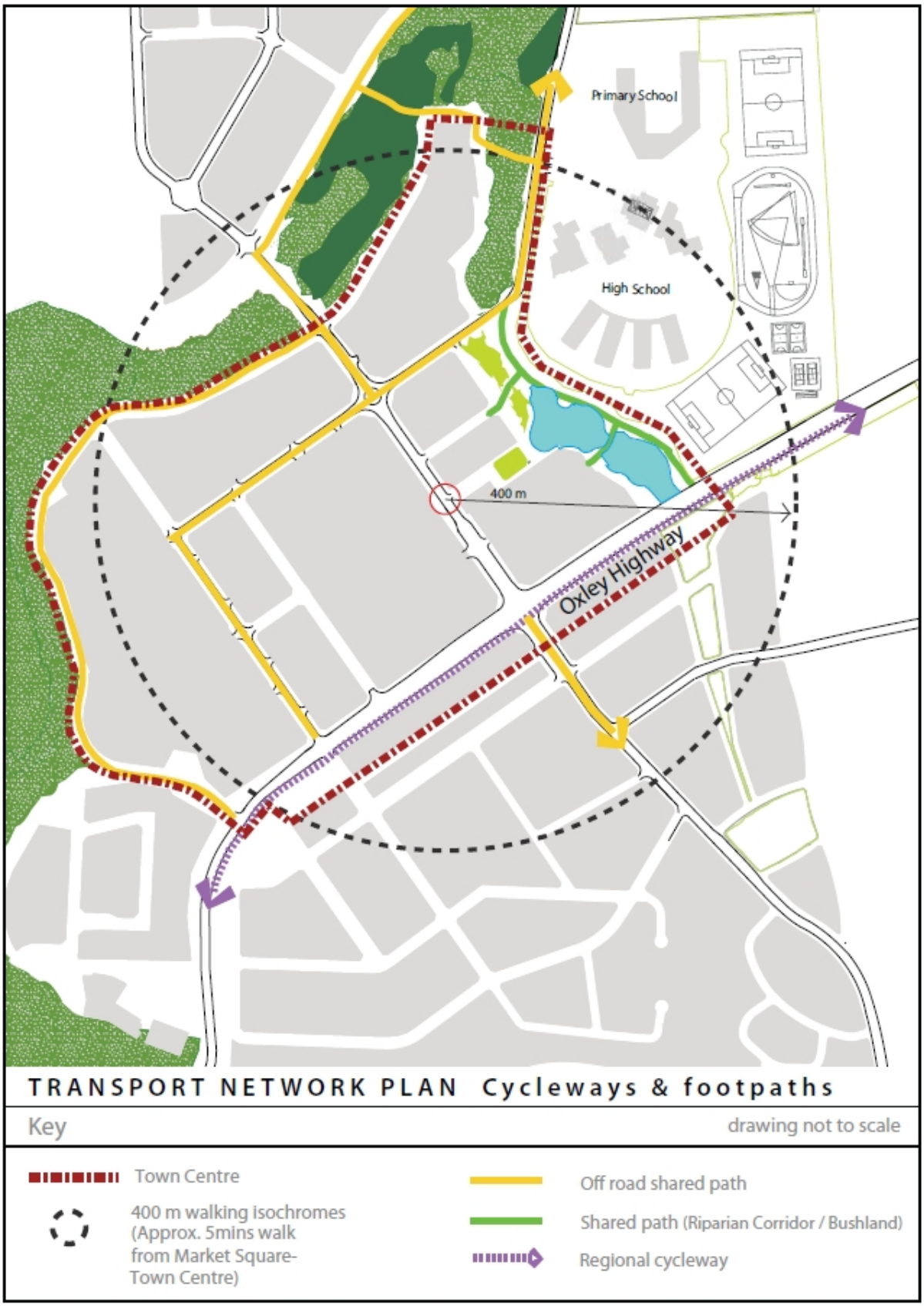


Figure 145: Town Centre indicative cycleway and footpath network

Public Transport

258. Objective

- To ensure development design provides for an effective public transport system to link within and outside of Thrumster.

Development Provisions

a) General

- The design of roads identified for bus routes must comply with the AUSTROADS standards, including design of bus bays and stops.
- Development is to provide the bus stops, including bus bays, and shelters, generally in the locations shown on Figure 146 and the relevant neighbourhood maps and not more than 600 metres apart.

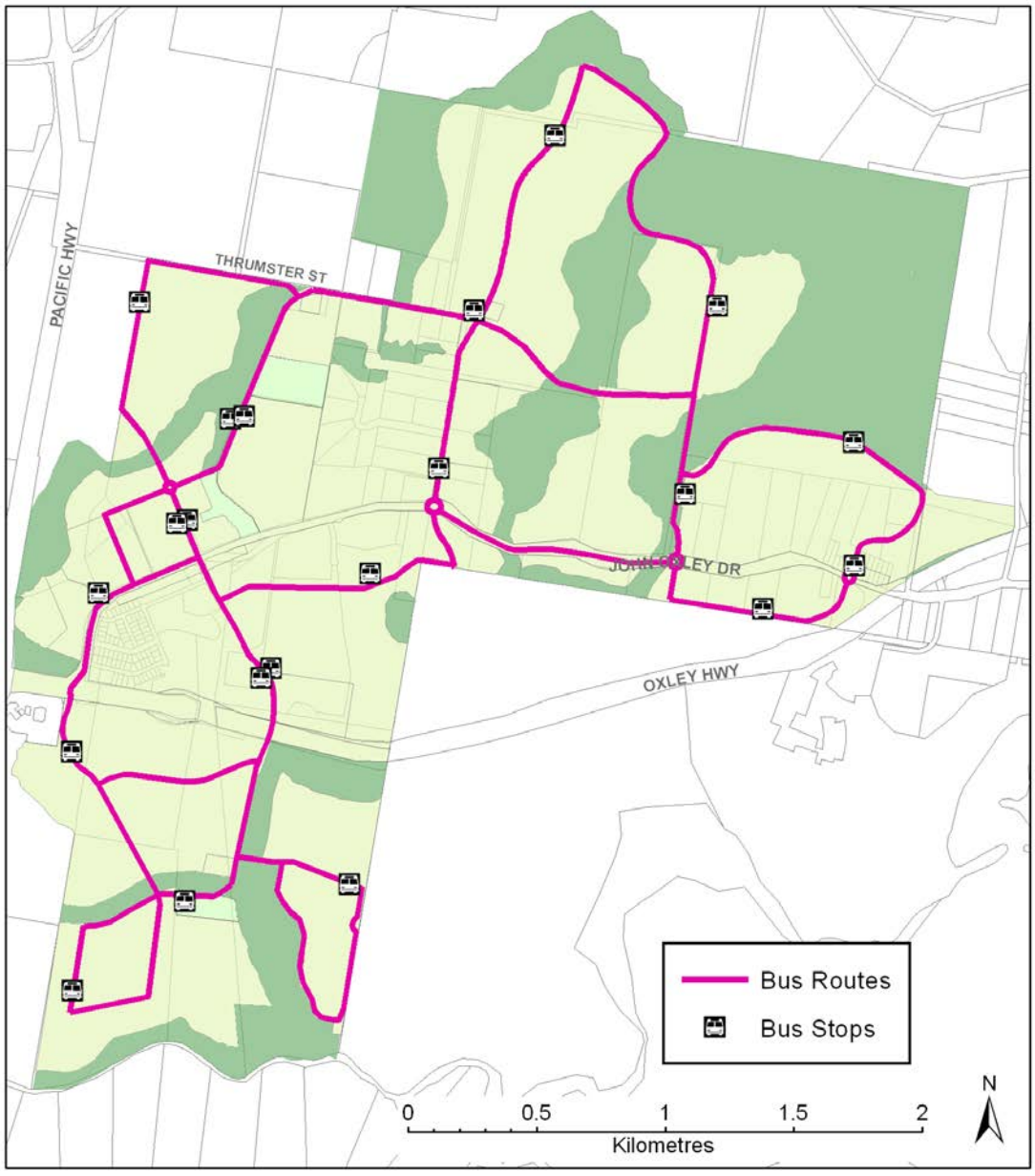


Figure 146: Bus routes

Roads and Fauna Management Corridors

259. Objective

- To ensure the road network is designed to minimise impacts on fauna movement.

Development Provisions

a) General

- Within Core Koala Habitat Areas (Figure 116), road design standards or approved vehicle calming devices must be incorporated into all subdivision designs such that motor vehicles are restricted to a maximum speed of 40 km/h along minor residential streets.
- All collector roads within Koala Habitat Areas (Core and Potential) are to incorporate design measures to reduce traffic speeds to 50 km/h.
- Where new roads cross the wider sections of the main habitat linkages (shown as Type 1), Koala underpasses are to be provided on both sides of the creek line.
- Where new roads crossover the main habitat linkages in other locations (Type 2), a Koala underpass is to be provided on at least one side of the creek line.
- Where new roads cross the secondary habitat linkages (Type 3), road design is to incorporate either fauna underpasses, or features to facilitate fauna crossing the road safely.
- Where new roads cross the habitat linkage in South Oxley (Type 4), road design is to incorporate features to assist Koalas to cross the road safely eg lighting and vehicle slow points.
- The vehicular underpass associated with the Oxley Highway (Type 5), is to incorporate features to facilitate the safe passage of Koalas.
- Wildlife exclusion fencing is to be installed to direct wildlife away from the road for Types 1 and 2. The lower half of the fence must be clad with galvanised tin sheeting (or other approved material) on the outside face. Approved devices must be installed at fence- ends to discourage Koalas from crossing the roads.
- An additional Koala Underpass must be provided under the Oxley Highway in a suitable location in the section shown on Figure 147.
- Koala underpasses are to comprise a minimum of 1.2 metres x 1.0 metre Reinforced Concrete Box Culverts.
- Detailed design for fencing, underpasses and traffic speed measures must be prepared in consultation with a suitably qualified or accredited Koala specialist. General design principles are to be submitted with the development application, and detailed design with the Construction Certificate application. The design is to be certified by the Koala specialist, and is also to be certified upon completion of construction, prior to release of the Subdivision Certificate.

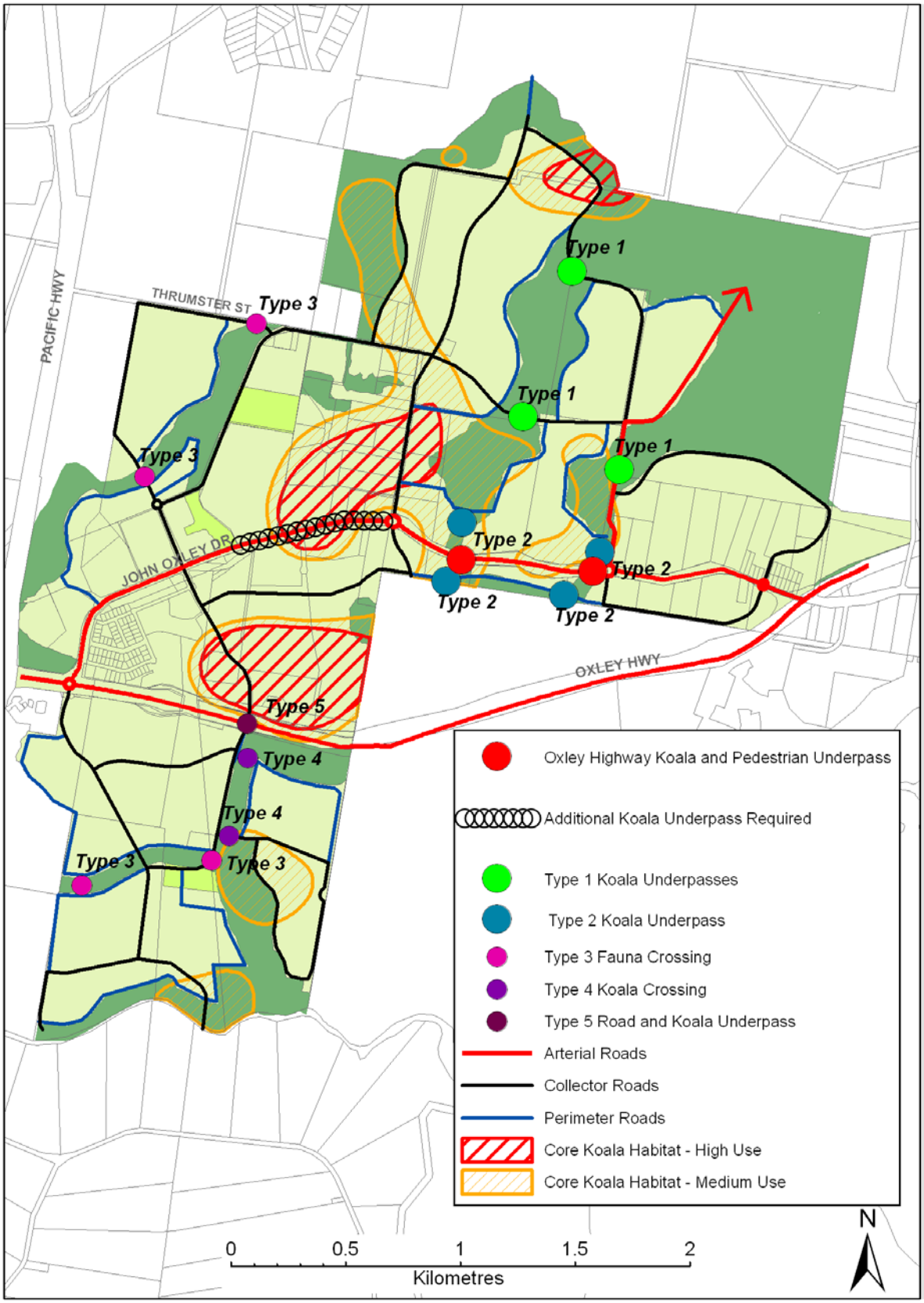


Figure 147: Roads and fauna management corridors

Road Hierarchy

260. Objective

- See Objective 19.

Development Provisions

a) General

- Development is to establish a street network, and hierarchy consistent with the relevant neighbourhood map.

b) North Oxley

- Development is to accommodate the provision of a street network generally in accordance with Figure 149.
- The local road at the western edge of Sovereign Views Development Area may be required to be placed inside the Development Area if consent cannot be obtained to clear the land under the Native Vegetation Act 2003 (NSW).
- Collector Roads identified as Type 1 (Neighbourhood Avenue - Type 1) on Figure 149 are to be designed to provide:
  - 3.5 metre wide traffic lanes to accommodate bus service
  - 2.5 metre wide parking lane each side of the carriageway to allow for future upgrade
  - off-road cycle facilities
  - 4 metre wide footpaths to both sides of the road.
- The Collector Roads (Neighbourhood Avenue) -Type 2 identified on Figure 149 are to be designed to provide:
  - 3.5 metre wide traffic lanes to accommodate bus services
  - 2.1 metre wide tree planting/parking lane on either side of the carriageway
  - a minimum 1.5 metre footpath on both sides of the carriageway.

c) South Oxley

Development Area 1

- The timing of construction of the Carlie Jane Drive link from South Oxley under the Oxley Highway Gateway to the Thrumster Town Centre is to be determined by a Traffic Impact Assessment to accompany the Development Application for Development Area 1

***Note**: It is anticipated that once 75% of allotments in Development Area 1 are released, the Carlie Jane Drive link will need to be constructed to Collector Road/Neighbourhood Avenue standard.*

Development Area 2

- The construction of the roads crossing the North extent of Tarrokoe Habitat Corridor is to include the Fauna Crossing as depicted in Figure 152.

Development Area 3

- The construction of the Collector Road / Neighbourhood Avenue South across Gleeson's Creek is to occur with the first residential land release in Development Area 3 and is to include the Fauna Crossing as depicted in Figure 152.

d) Town Centre

- Establish a street network and hierarchy consistent with the objectives and Figure 153.

- The street network should be based upon a traditional orthogonal grid system of streets and blocks, adjusted to suit the circumstances of the site and the nature of the development proposed.
- Define John Oxley Drive and the Main Street as the two primary roads that establish the primary structure of the Town Centre.
- Establish Main Street as the hub of the neighbourhood connector system.
- To the north, Main Street is to connect with Collector Roads leading to the first residential release of Sovereign Views and to the Partridge Creek Neighbourhood, via the road serving the new Catholic Regional Campus.
- Collector Roads identified as Type 1 on Figure 153 is to be designed to:
  - have 3.5 metre wide traffic lanes to accommodate bus services (3.25 metre acceptable),
  - provide a 2.5 metre wide parking lane each side of the carriageway to allow for future upgrades,
  - provide off-road cycle facilities, and
  - provide 4 metre wide footpaths to both sides of the road.
- The Collector Road -Type 2 identified on Figure 153 as an extension to Main Street (north) is to be designed to provide:
  - 3.5m wide traffic lanes to accommodate bus services,
  - a 2.1m wide tree planting/parking lane on either side of the carriageway,
  - a 2.5m shared path to one side of the carriageway and a minimum 1.5m wide footpath on the other side.
- All other Collector Roads are not required to have dedicated cycle facilities and be designed to provide:
  - 3.5m wide traffic lanes to accommodate bus services,
  - a 2.1m wide parking lane on either side of the carriageway, and
  - a minimum 1.5m footpath on both sides of the carriageway.
- Local Streets are to be single carriageway and designed to provide:
  - 2.7m or 3.0m wide traffic lanes,
  - a 2.1m wide tree planting/ parking lane to one or both sides of the carriageway,
  - a 2.75m wide footpath and 2.75m verge on the other side, if tree planting/parking lanes are provided to both sides of the carriageway, or
  - a 3.0m wide and 3.0m wide verge (of which 1.5m is footpath) on the other side if tree planting/parking lane is provided to one side of the carriageway,
- Located along riparian corridors, bushland and parks, this road type allows for one lane of parking. Traffic calming measures may be introduced to increase amenity and safety.
- Figure 158 provides indicative street profile for Bushland/Riparian Edge Street.
- The width of the shared path will depend on the expected pedestrian and cyclist activity on each street. The minimum width will be 2.15m, widening to up to 3.0m for high use areas.

e) Partridge Creek Residential

- The collector roads will provide access within the neighbourhood and effective links with the adjoining neighbourhoods.

f) Partridge Creek Industrial

- Development is to be designed to prohibit direct access for residential development to the future arterial road that provides access to the Light Industrial area in the Partridge Creek Industrial Neighbourhood.

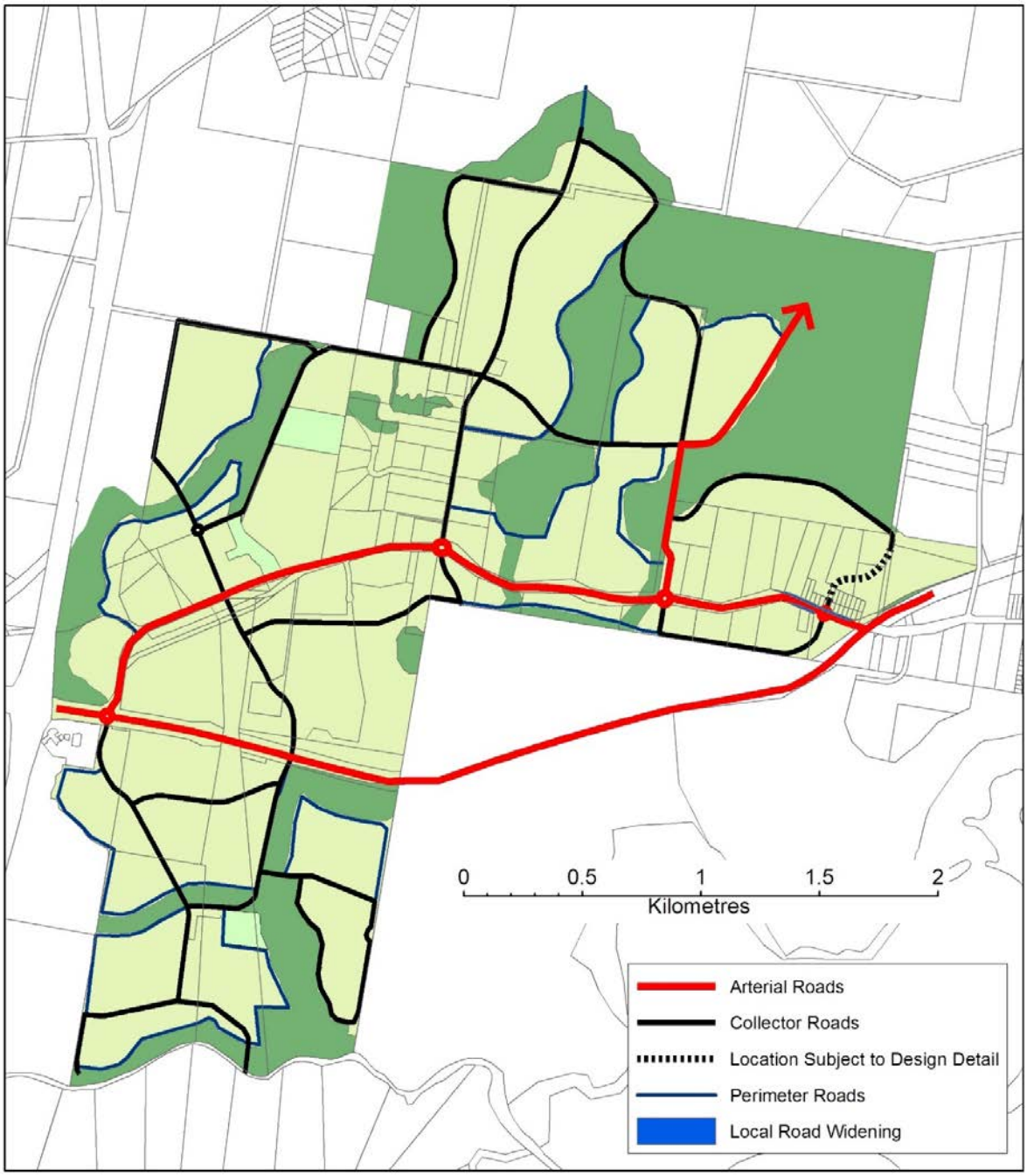


Figure 148: Road hierarchy and intersections

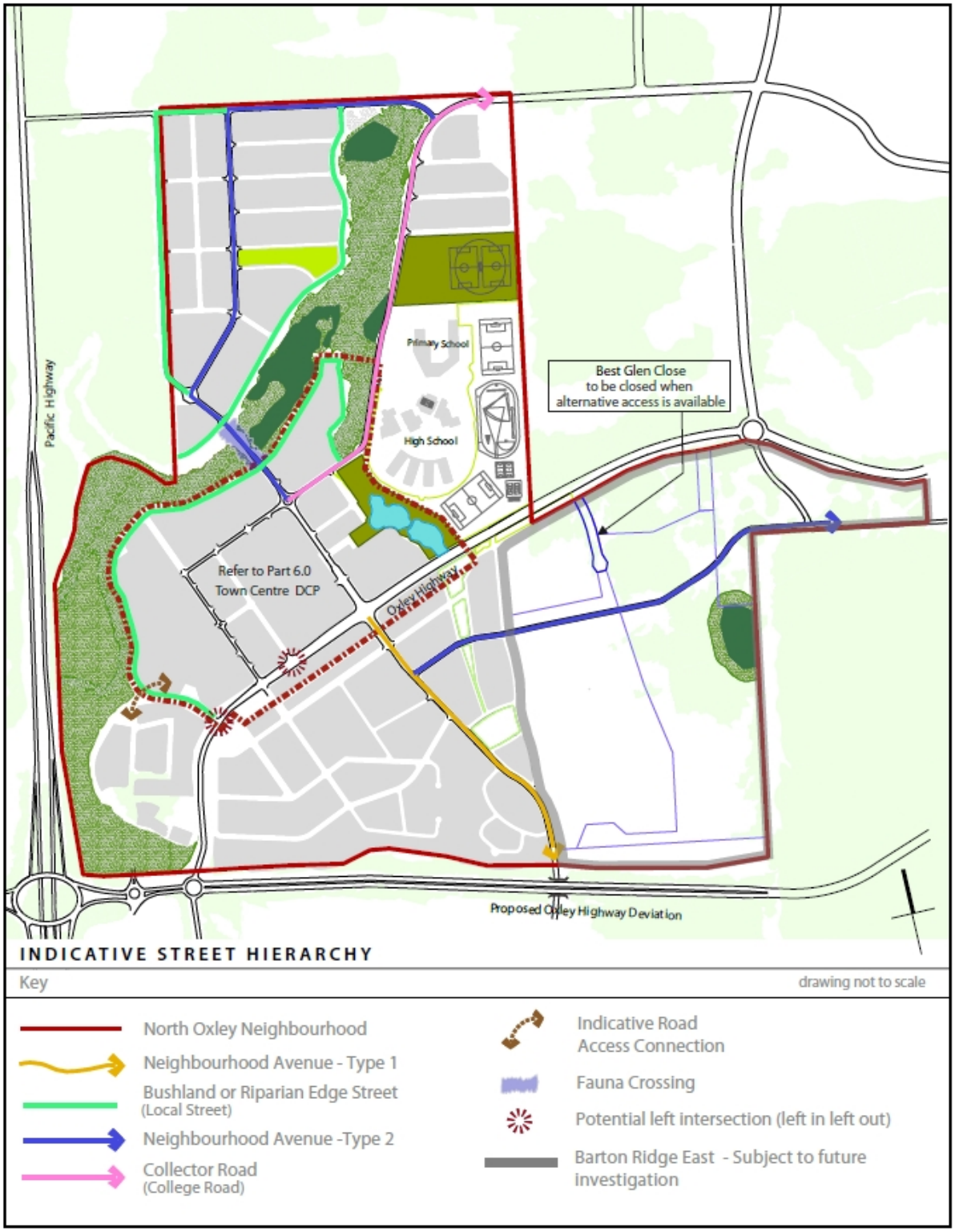


Figure 149: North Oxley road hierarchy

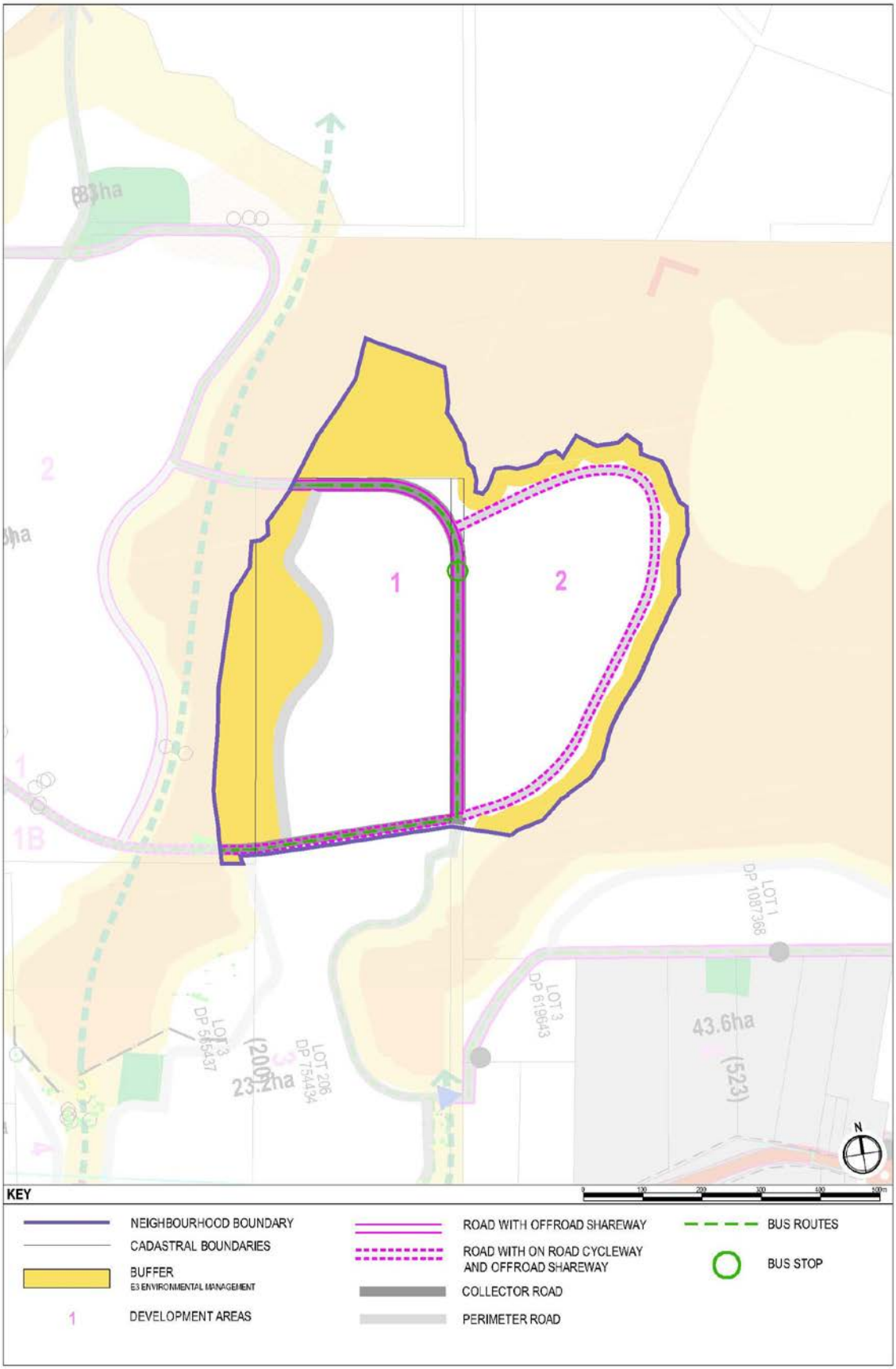


Figure 150: Partridge Creek residential hierarchy

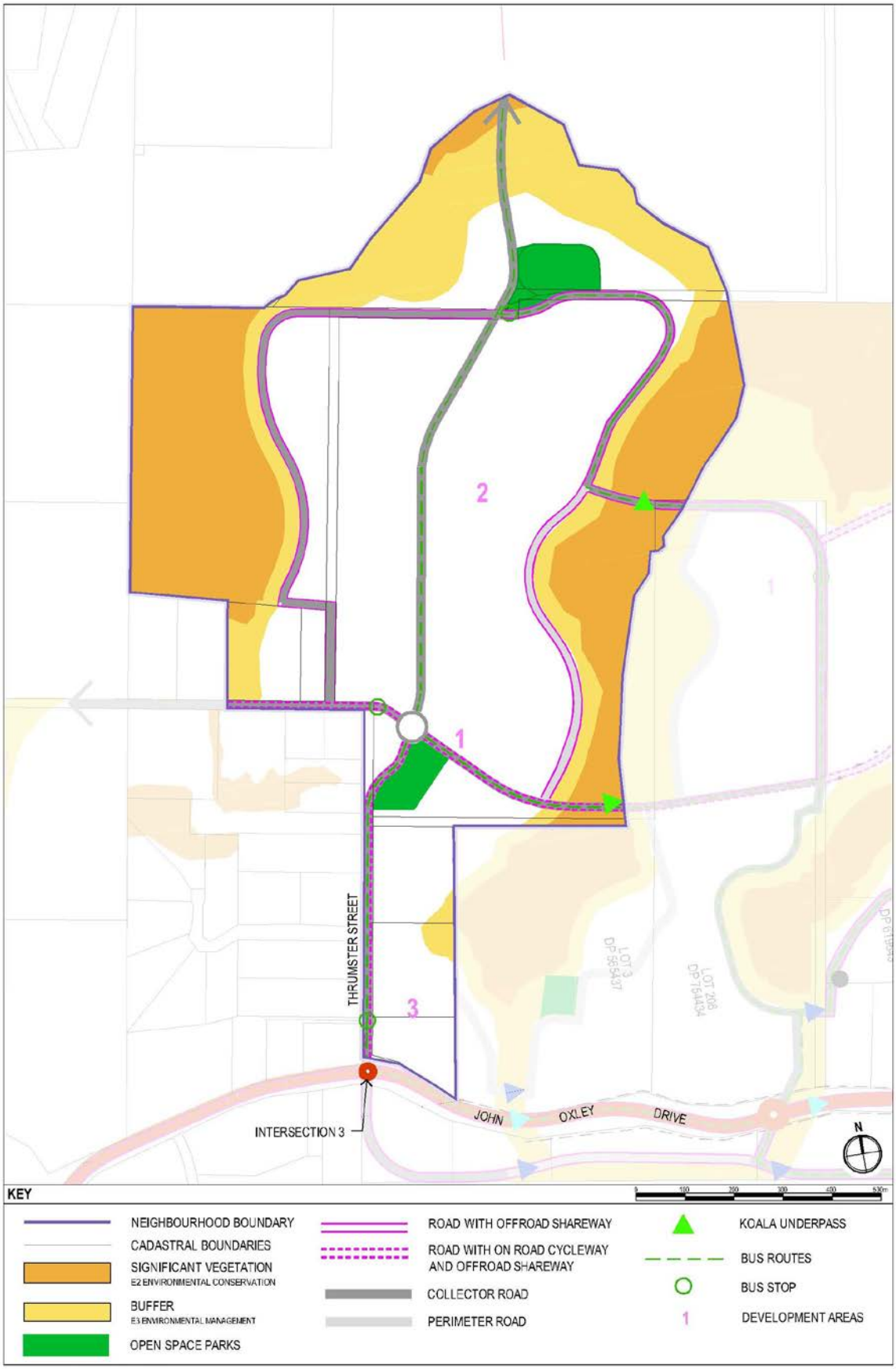


Figure 151: Partridge Creek residential road hierarchy

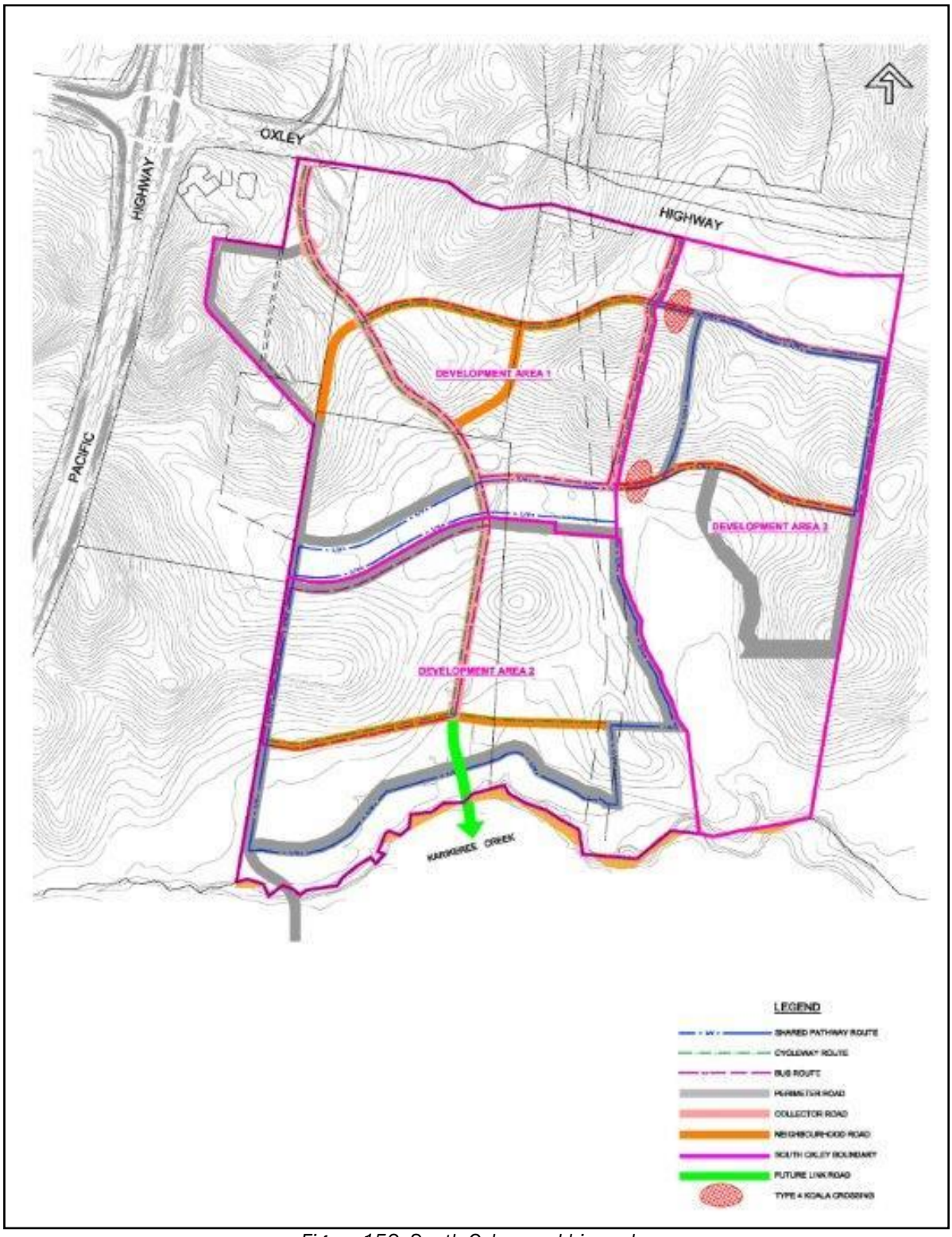


Figure 152: South Oxley road hierarchy

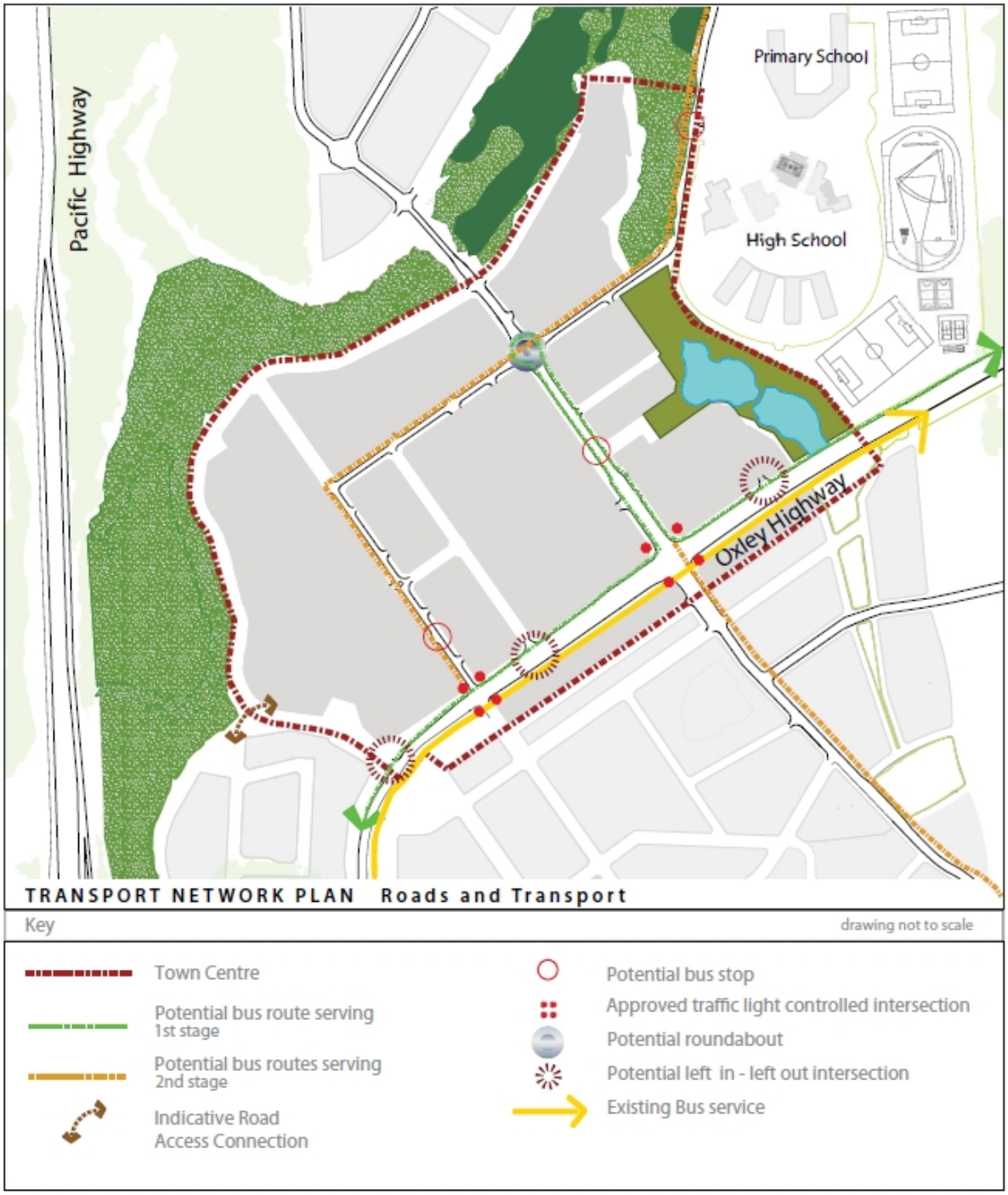


Figure 153: Thrumster Town Centre road hierarchy

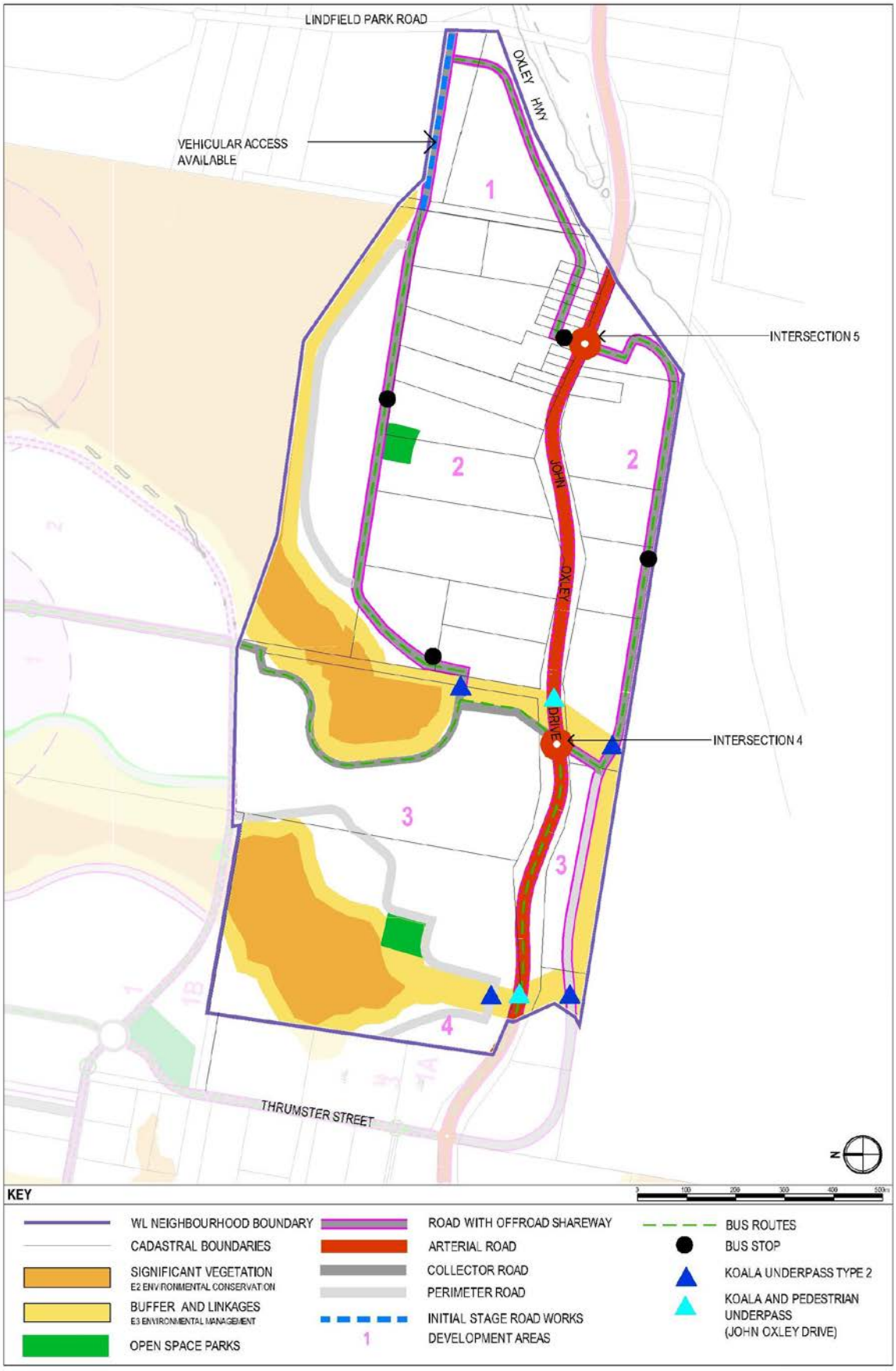


Figure 154: West Lindfield road hierarchy

Street Types

261. Objective

- To enhance visual amenity through good urban (road) design.

Development Provisions

a) General

- The road design for each road type is to be generally in accordance with the following:
  - Collector Roads (Neighbourhood Avenues) – Figure 155, Figure 156, or Figure 157.
  - Perimeter Roads (Bushland or Riparian Edge) –Figure 158.
  - Collector Roads that are Perimeter Roads – Figure 158 modified to accommodate increased widths for Neighbourhood Avenues.
- Landscaping of road reserves is to have regard to the need for the collection of domestic waste from residential properties. In this regard developments will need to take into the consideration requirement and number of waste receptacles to be collected and the type of development proposed in relation to landscaped areas and the need to efficiently and effectively collect waste.

b) West Lindfield

- Areas 2 and 3 are to include perimeter roads generally adjoining Environmental Management areas, adjacent to the power lines infrastructure, as required by Essential Energy and generally as shown on Figure 154.

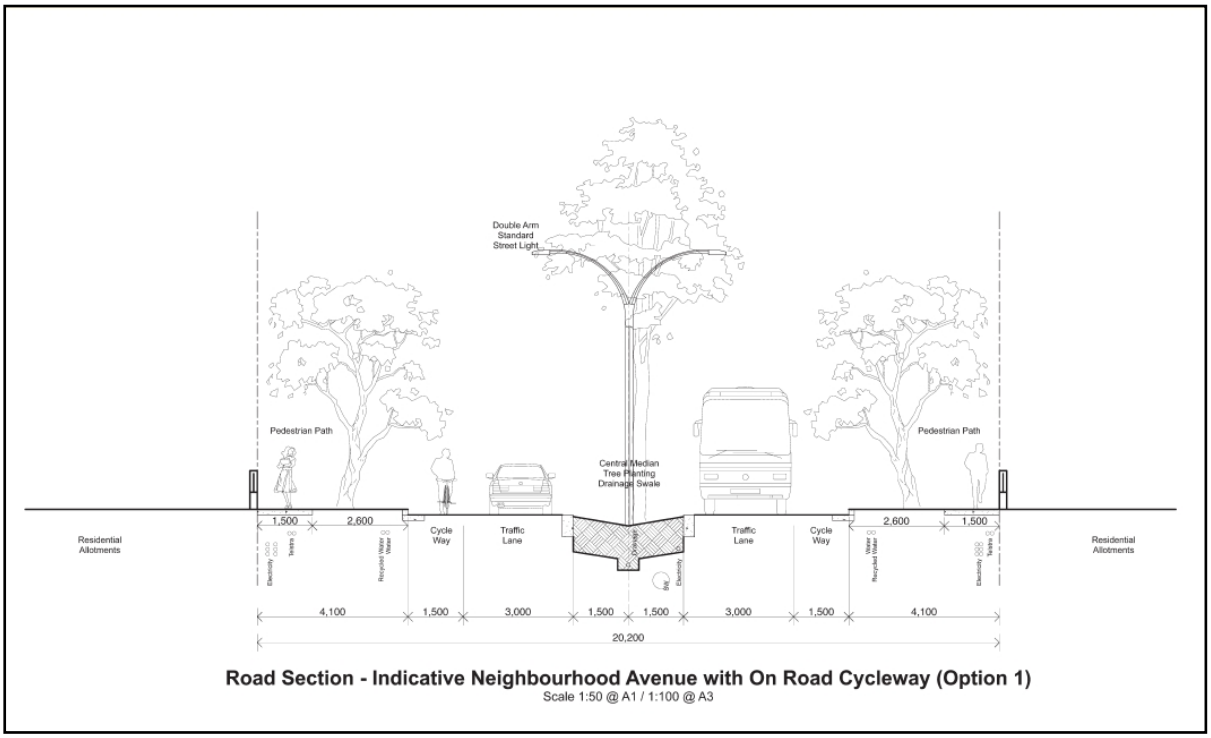


Figure 155: Indicative Neighbourhood Avenue Option 1

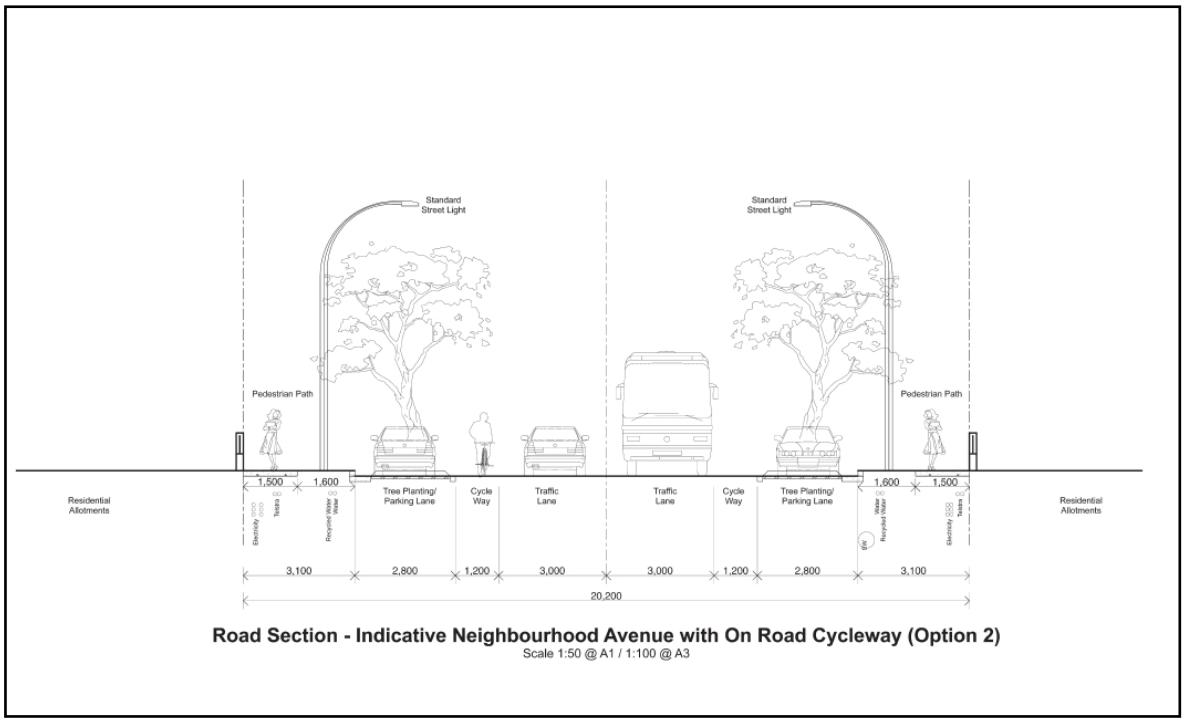


Figure 156: Indicative Neighbourhood Avenue Option 2

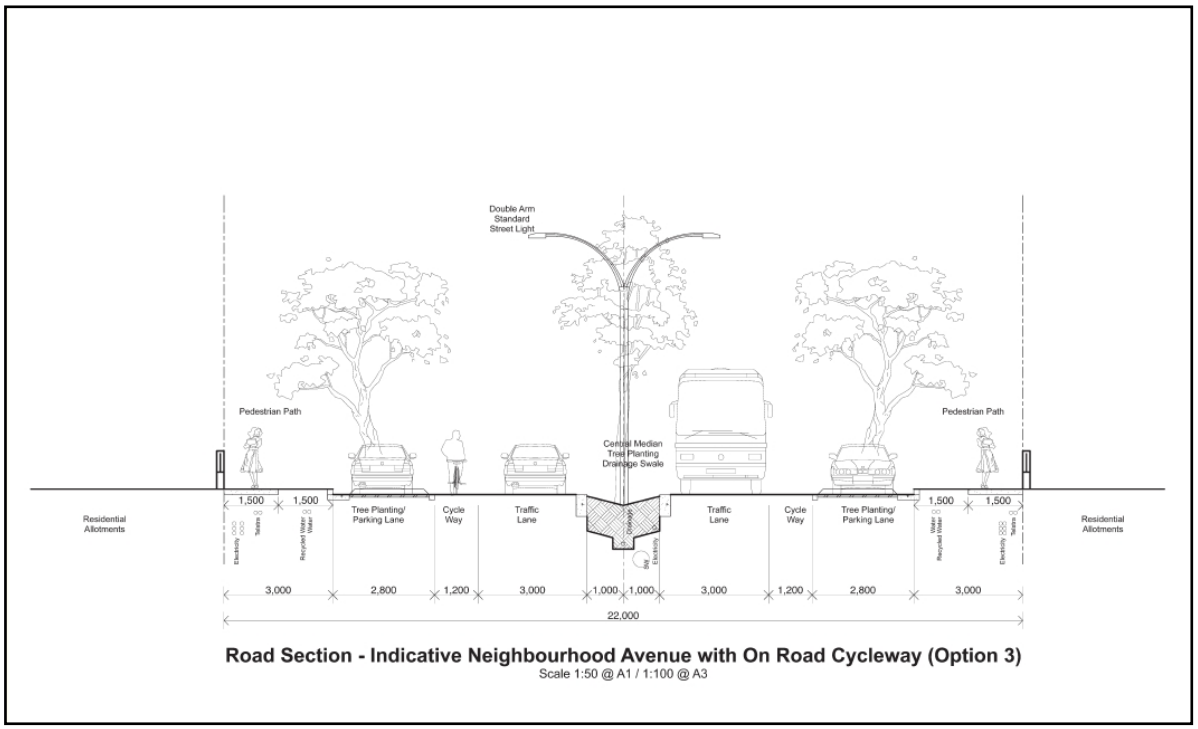


Figure 157: Indicative Neighbourhood Avenue Option 3

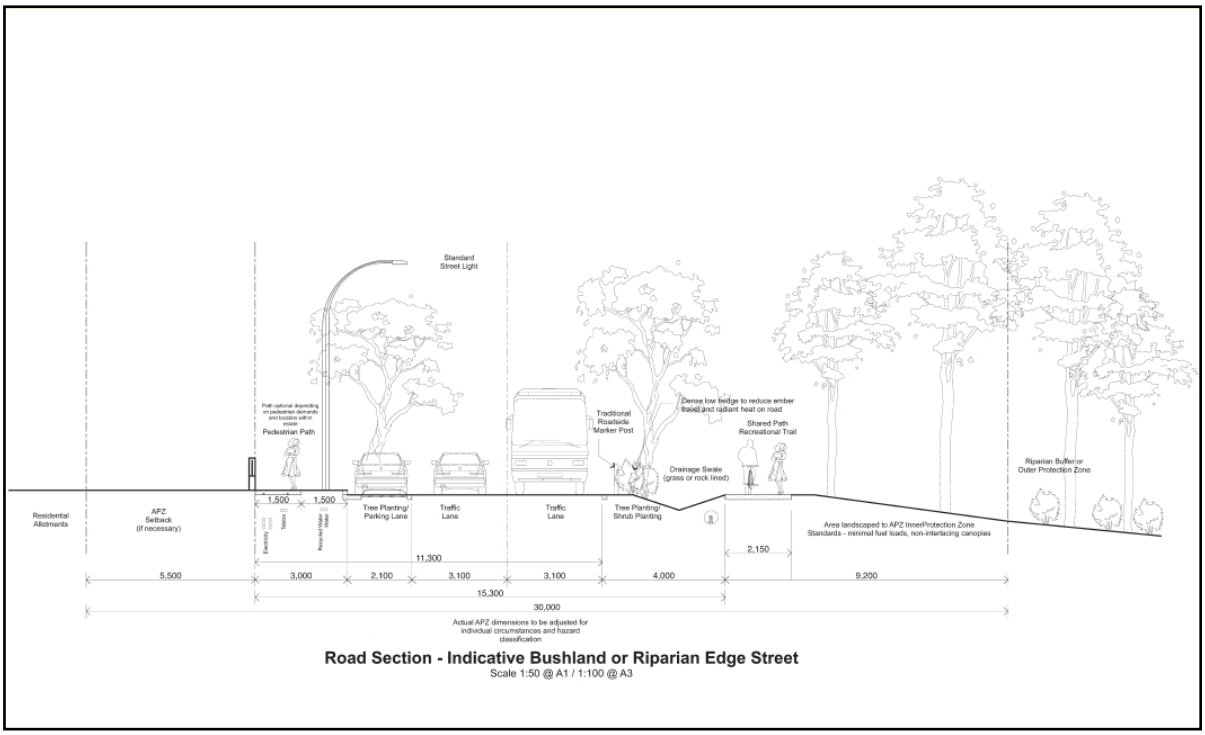


Figure 158: Indicative bushland or riparian edge street

Urban Structure and Service Provision

Development Sequencing Plans

262. Objective

- To provide the indicative staging of Development Areas, having regard to the provision and availability of essential services and infrastructure
- Development proposals have regard to the following neighbourhood development and infrastructure sequencing plans. Refer to Figure 159 and Figure 160.

North Oxley

Infrastructure	Scope of Proposed Works
Water Mains	• The existing 525 mm (Barton Ridge) and 300 mm (John Oxley Drive) trunk water mains pass through North Oxley. • The 300 mm trunk main will be used to gain water supply for development within the neighbourhood. • Sections of the 300 mm main must be replaced when the Town Centre works are undertaken. • Sections of Council's 525 mm main may also require replacement. • Development is to provide adequate land area for a future 600 mm main adjacent to the 525 mm main.

Infrastructure	Scope of Proposed Works
	• Initially the area will be served by the Mill Hill Reservoir (height limit RL 25-28) then supplemented by the existing Sancrox Reservoir (height limit RL 35) as development progresses. • No development should occur above the 35 metre contour until the new Sancrox Reservoir is built in accordance with Council's Servicing Strategy, or the developer funds alternative arrangements.
Sewer Mains	• The sewer main will serve Thrumster, with an interim pumping arrangement prior to ultimately connecting to the new STP to the north. • Council has not scheduled the provision of sewer to Barton Ridge (west) within the first stage of sewer infrastructure provision, and the developer will need to make interim arrangements if development is proposed prior to Council's servicing plan.
Reclaimed Water	• A reclaimed water pipe network will be constructed for all development. • Connection to a new reclaimed water reservoir will be dependent on Council's servicing plan.
Stormwater	• All development areas will generally be serviced by the catchment based end of line sand filter systems which will be constructed by the developer as part of any development within the catchment.

North Oxley - Barton Ridge East

- An Indicative Neighbourhood Design Framework for the Development Area - Barton Ridge East must be lodged with Council prior to determination of development applications within that area, other than for infrastructure indicated in this Development Control Plan.
- The Indicative Neighbourhood Design Framework must demonstrate, through appropriate analysis of flora, fauna, topographical features, hazard management and infrastructure provision, that the urban development of the area is:
  - consistent with the purpose of this section and the vision for North Oxley,
  - consistent with the Environmental Management Principles shown at Figure 105, and
  - can comply with all statutory requirements.

Partridge Creek Industrial

Infrastructure	Location	Scope of Proposed Works
Intersections	North-south collector road and John Oxley Drive - new intersection No. 4	• Intersection to be constructed by adjacent development as part of the initial development stage. • Consideration to be given to the inclusion of this intersection in the Thrumster Local Roads Contribution with the next review of Council's Contributions Plan for Roads.
	Internal intersections	• Intersections within the neighbourhood for local roads are required to be constructed by development as it occurs.
Roads	North-south collector	• To be constructed by Council in accordance with Council's Contribution Plan for Major Roads.

Infrastructure	Location	Scope of Proposed Works
	East-west collector roads	• To be constructed by adjacent development at the time of development or by Council in accordance with its Servicing Strategy. • Consideration to be given to the inclusion of this road in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
	Perimeter roads	• To be constructed by adjacent development at the time of development or by Council in accordance with its Servicing Strategy. • Consideration to be given to the inclusion of this road in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
Water Supply	Existing 300mm water main - John Oxley Drive	• Where adjacent development, road or intersection construction impacts upon this water main, the developer will be required to upgrade that portion of the main to 450mm.
	North-south collector road	• New mains to be constructed by Council in conjunction with the north-south collector road and in accordance with Council's Servicing Strategy.
Sewer	Thrumster SPS No.3	• The adjacent development will be required to construct the 'Thrumster SPS No.3', including associated rising and gravity mains.
Reclaimed water	All areas	• A reclaimed water pipe network is to be constructed in conjunction with all development. • Connection to Council's reservoir is to be in accordance with Council's Development Servicing Plan.
Storm water	All areas	• All development areas are to be serviced by catchment based end of line bio-filtration system constructed by the developer as part of any development.

Partridge Creek Residential

Infrastructure	Location	Scope of Works
Intersections	Thrumster Street and John Oxley Drive – new intersection no.3	• The existing Thrumster Street and John Oxley Drive intersection currently provides for both turning and deceleration lanes. • This intersection is adequate to support the initial stages of development for the Partridge Creek Residential Neighbourhood. • The first Development Application for either the Partridge Creek Residential Precinct or the Partridge Creek Village is to include a Traffic Impact Assessment to determine the timing of any future upgrade to this existing intersection.

Infrastructure	Location	Scope of Works
		• Consideration is to be given to the inclusion of this intersection in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
	Internal Intersections	• Intersections within the neighbourhood for local roads are required to be constructed by development as it occurs.
Roads	Thrumster Street	• The first Development Application for either the Partridge Creek Residential Precinct or the Partridge Creek Village are to include a Traffic Impact Assessment to determine the future form of Thrumster Street and the timing of any future upgrade works and at what stage of development the upgrading of Thrumster Street will be required. • Consideration to be given to the inclusion of the upgrade works in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
	East-west road links	• To be constructed by adjacent development at the time of development. • Consideration to be given to the inclusion of this road in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads
	Perimeter roads	• To be constructed by adjacent development at the time of development. • Consideration to be given to the inclusion of this road in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads
Water Supply	Existing 300mm water main – John Oxley Drive	• Where adjacent development, road or intersection construction impacts upon this water main, the developer will be required to upgrade that portion of the main to 450mm.
	Thrumster St	• Initial development of the Partridge Creek Residential Neighbourhood will be required to upgrade the existing 100mm water main in Thrumster Street.
Sewer	Thrumster SPS No.2	• The adjacent development will be required to construct the 'Thrumster SPS No.2', including associated rising and gravity mains.

South Oxley

- Development sequencing for South Oxley Neighbourhood is anticipated to proceeding from the North West corner as Development Area 1.
- Two locations within development Area 1 are to be sub-stages pending:
  - completion of infrastructure relocations eg the TransGrid line along the East edge of Development Area 1 and Area 3
  - completion of soil investigations and remediation to residential standard the former waste water disposal area of the Highway Service Centre in the West of Development Area 1.

- The sequence proposes to then develop the Northern section of Development Area 2.

- The Southern part of Development Area 2 is constrained by Core Koala Habitat mapping and Potential Koala Habitat mapping over the residential zoned land.
- Options for development of the Development of the Southern half of Development Area 2 is likely to be deferred pending more detailed investigation of the mapped Koala habitat areas.
- Development Area 3 could readily proceed from completion of Development Area 1 by extension of all services and infrastructure Southward across Gleeson's Creek.

Town Centre

See table for North Oxley. Refer to Figure 149. Development of the Town Centre is staged as follows:

Development Precinct	Proposed Use
1. Town Centre Core	Development of Welcome Centre, first commercial building, convenience retail space, early dedication and landscaping of public open space comprising Sovereign Green and Sovereign Lakes.
2. Mid Town	Development of commercial premises to support and complement the Town Centre Core uses.
3. John Oxley Drive	Development of commercial premises to support and complement The Town Centre Core uses. Provision of upgraded infrastructure and landscaping.
4. West End and Northern Edge	Development of precincts together with associated rehabilitation works to the riparian lands will progress in the latter stages and subject to Voluntary Planning Agreements and detailed precinct controls.

West Lindfield

Infrastructure	Location	Scope of works
Intersections	Lindfield Park Road and new collector road	Intersection to be constructed by adjacent development as part of the initial development stage. Consideration to be given to the inclusion of this intersection in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
	Local access to Development Area 2.	Intersection to be constructed by adjacent development as part of the initial development stage.
	John Oxley Drive - new intersection no.5	Intersection to be constructed by adjacent development as part of the initial development stage. Consideration to be given to the inclusion of this intersection in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
	North-south collector road and John Oxley Drive - new intersection no.4.	Intersection to be constructed by adjacent development as part of the initial development stage. Consideration to be given to the inclusion of this intersection in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads.
Roads	John Oxley Drive	To be upgraded by Council in accordance with Council's plan for Major Roads.

Infrastructure	Location	Scope of works
	North-south collector	To be constructed by Council in accordance with Council's Contribution Plan for Major Roads.
	East-west collector roads	To be constructed by adjacent development at the time of development or by Council in accordance with its Servicing Strategy. Consideration to be given to the inclusion of this road in the Area 13 Local Roads Contribution with the next review of Council's Contribution Plan for Roads
Water Supply	Existing 300mm water main - John Oxley Drive	Where adjacent development, road or intersection construction impacts upon this water main, the developer will be required to upgrade that portion of the main to 450mm.
Sewer	Lindfield Park Road	The adjacent development will be required to construct the 'Thrumster SPS No.4', including associated rising and gravity mains. This includes an interim rising main connection to the existing 'SPS No.54'. Further development within the catchment will be required to provide rising and gravity mains within their property as development proceeds. When the load on 'Thrumster SPS No.4' reaches 200 equivalent tenements, a rising main and construction of 'Thrumster SPS No.3' and rising main to existing gravity main in Thrumster Street will be required prior to further development proceeding. Pump Stations 'Thrumster SPS No.4' and 'Thrumster SPS No.3' and associated rising mains should be included in the sewer Development Servicing Plan.
Reclaimed Water	All areas	A reclaimed water pipe network is to be constructed in conjunction with all development. Connection to Council's reservoir should be in accordance with Council's Development Servicing Plan.
Stormwater	All areas	All development areas are to be serviced by catchment based end of line bio-filtration system constructed by the developer as part of any development.

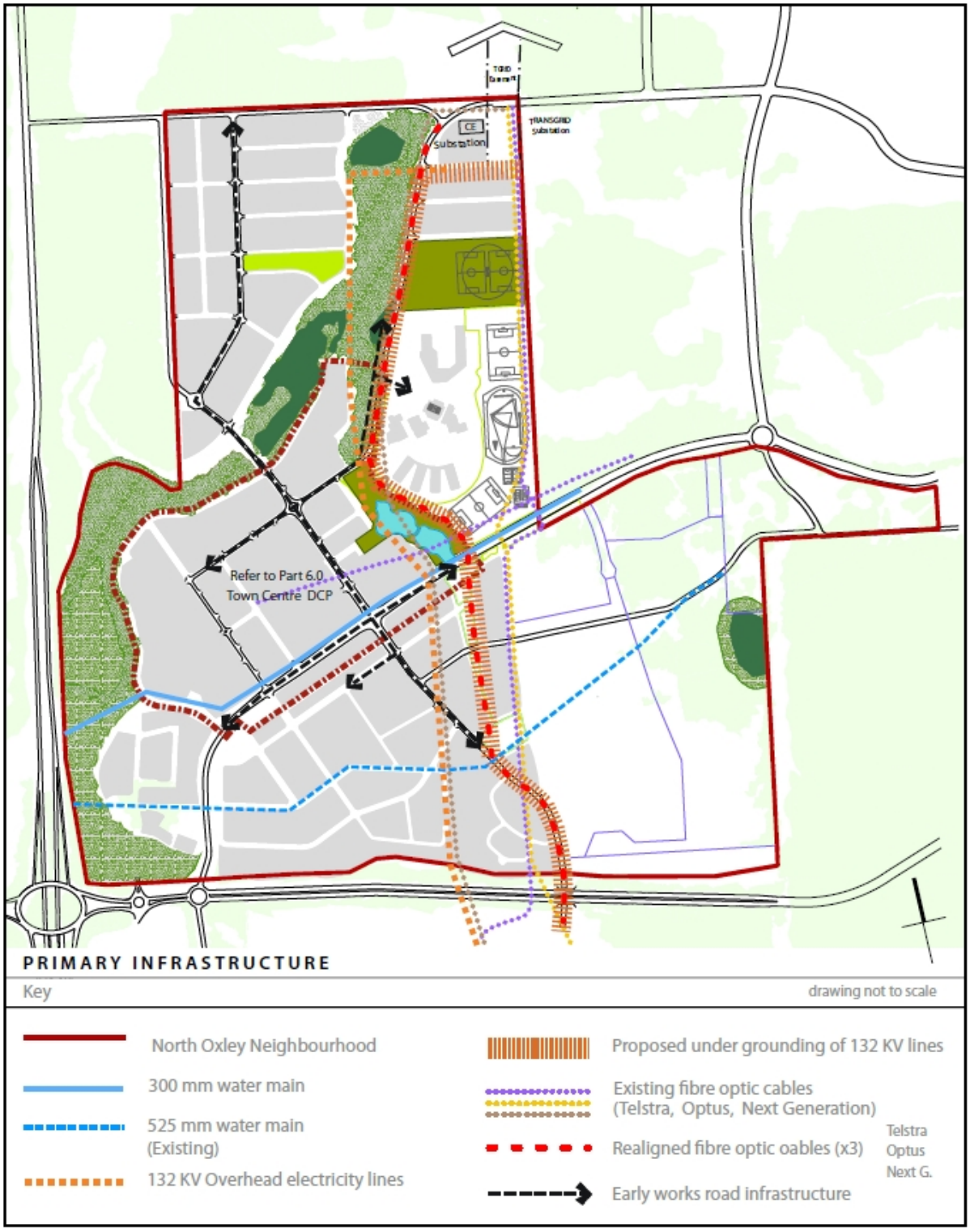


Figure 159: North Oxley Infrastructure Strategy

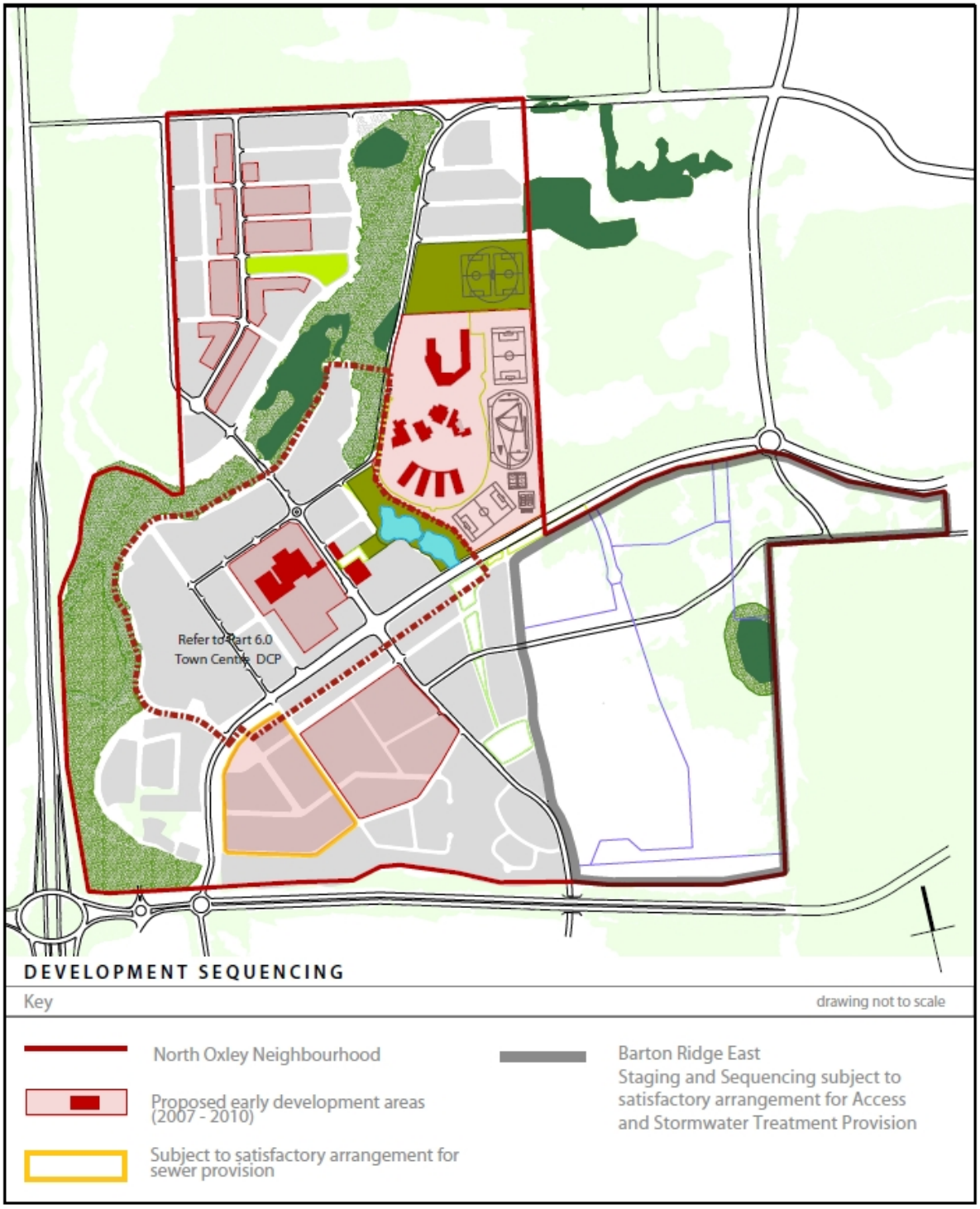


Figure 160: North Oxley Development Sequencing Plan

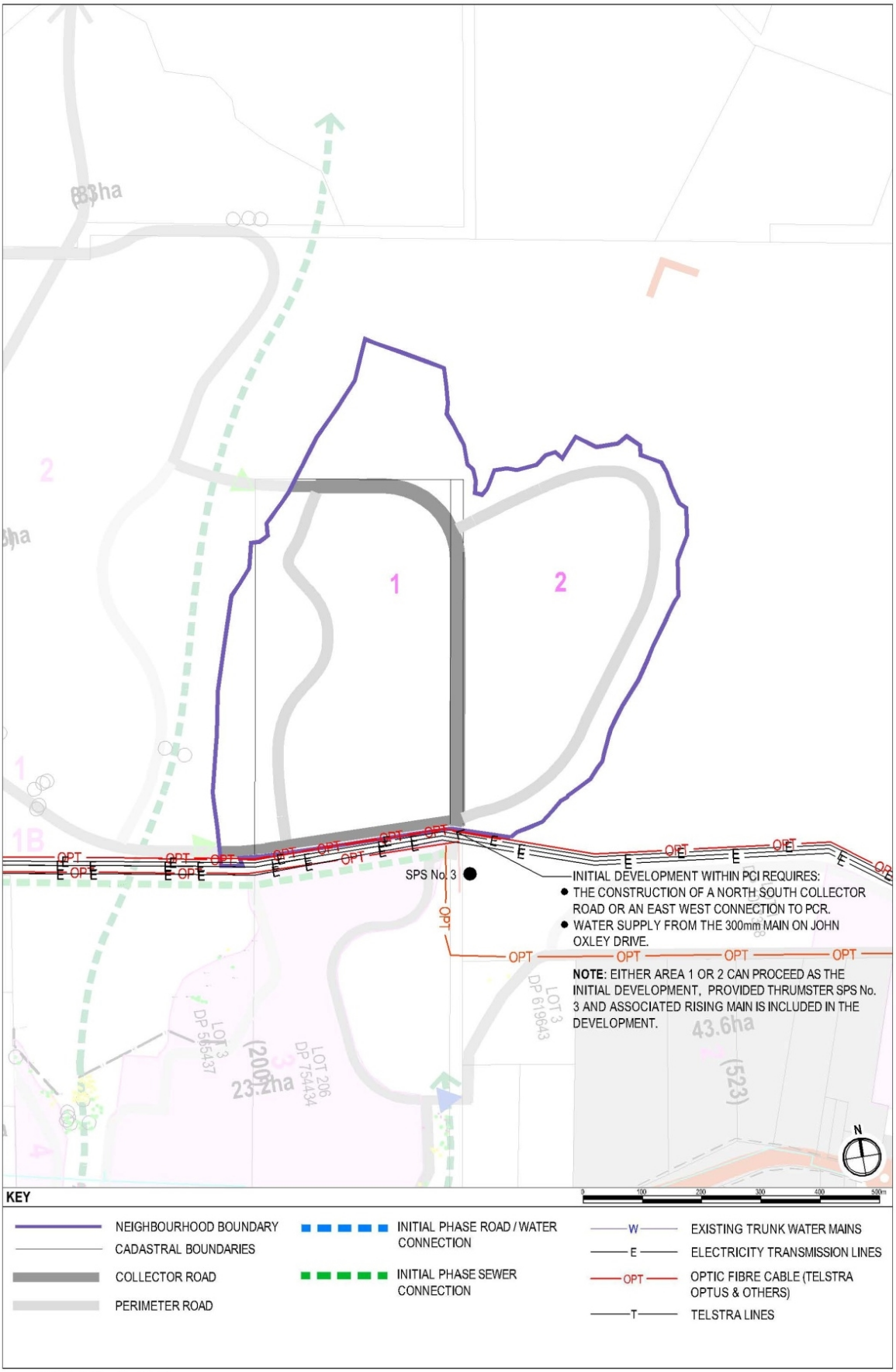


Figure 161: Partridge Creek Development Sequencing Plan

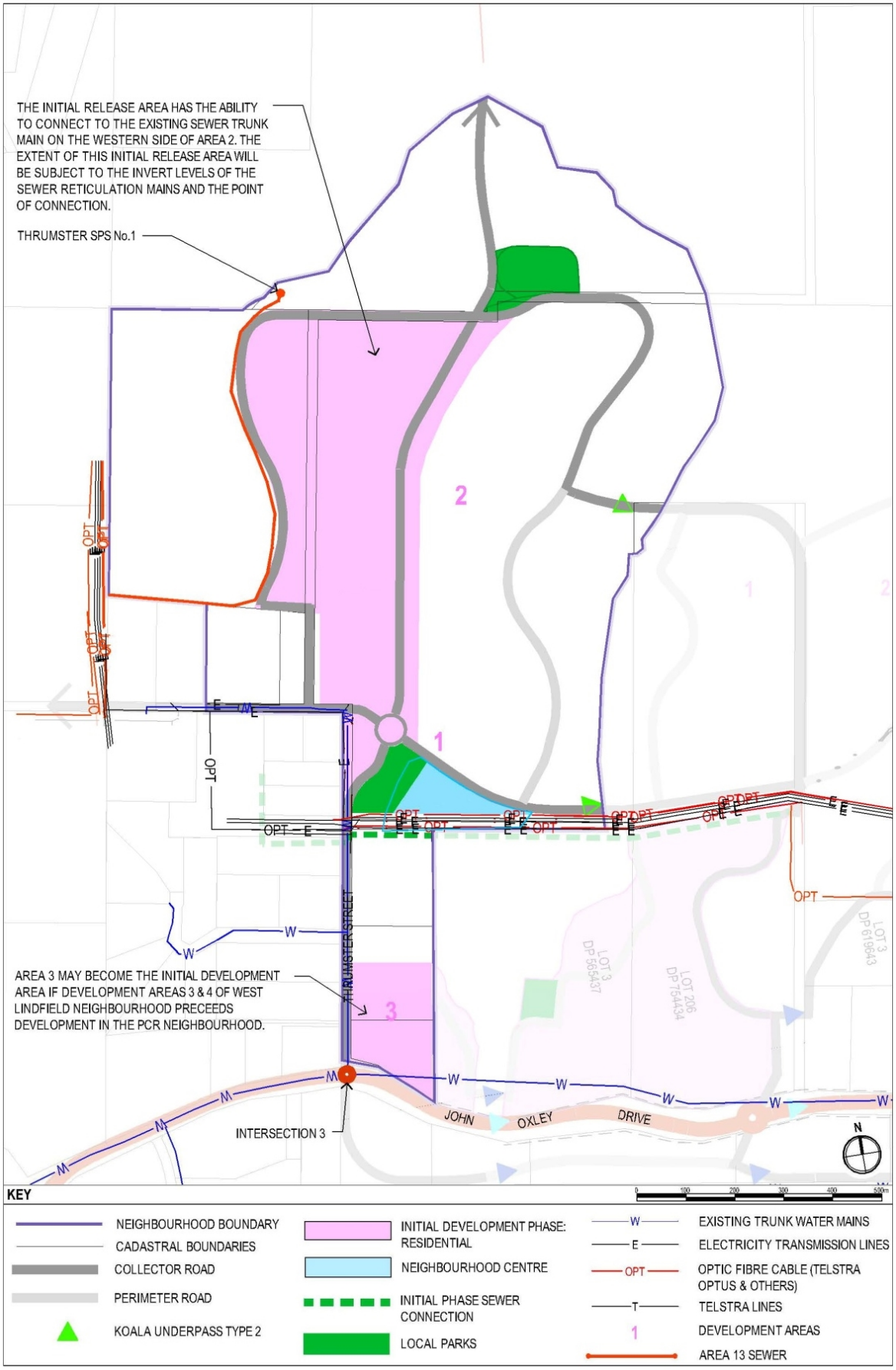


Figure 162: Partridge Creek Residential Development Sequencing Plan

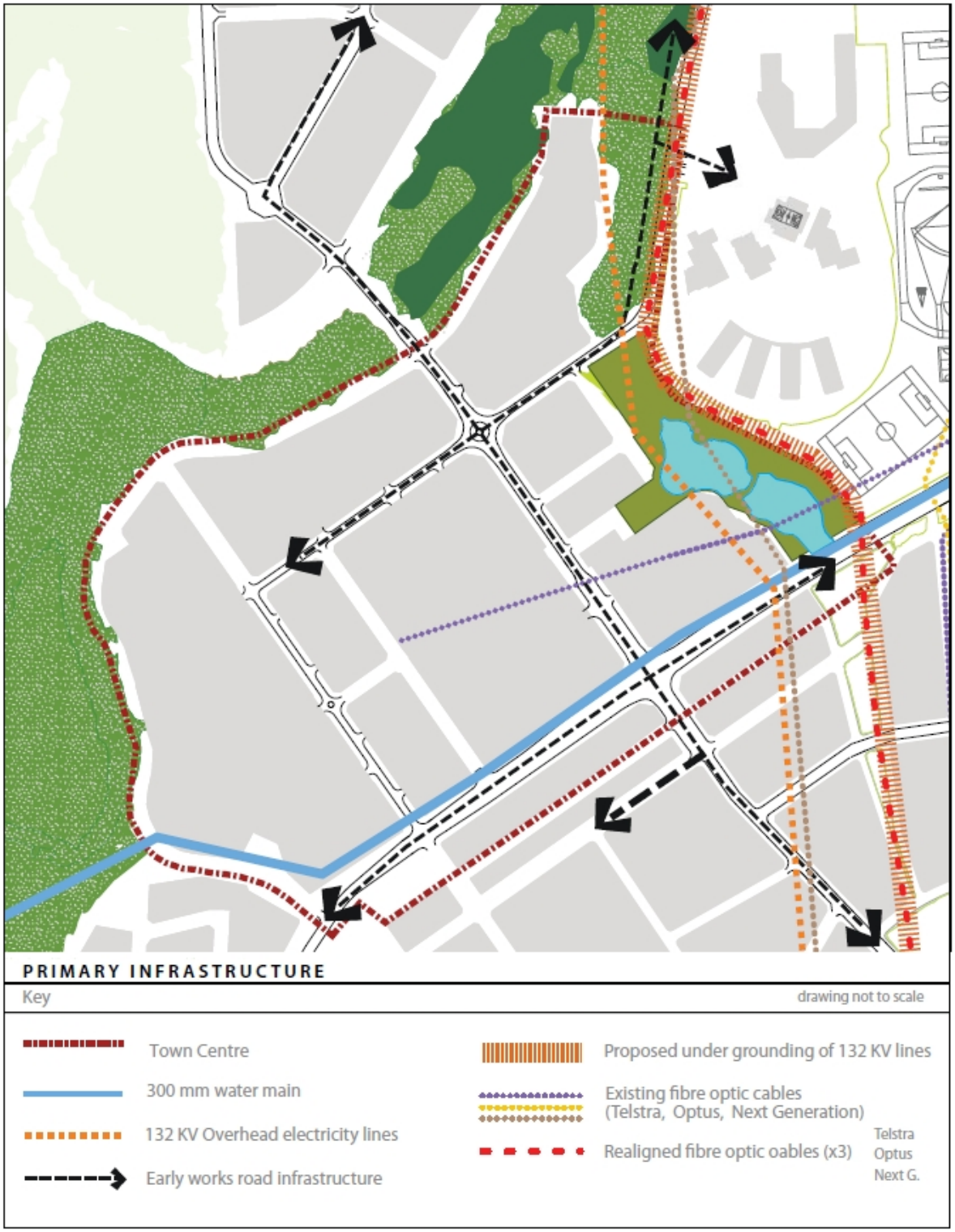


Figure 163: Thrumster Town Centre Infrastructure Sequencing Plan

Sewerage

263. Objective (in addition to Objective 155)

- To provide for effluent management from the Thrumster Sewerage Treatment Plant.

Development Provisions

a) General

- Any Pumping Stations required prior to Council's staging is to be funded by the developer and appropriate arrangements for credit against contributions to be determined in accordance with the Developer Servicing Plan.
- Core infrastructure, services and facilities are to be established at the early stages of development consistent with the Section 94 Contribution Plans and Development Servicing Plans for Thrumster.

b) West Lindfield

- As an interim strategy for Area 1 (200 equivalent tenements), the construction of a new pump station at Lindfield Park Road ('Thrumster SPS No.4') will provide connection to Council's existing network to the east ('SPS No.54').
- When the capacity provided by the interim strategy is reached, the pump station rising main is required to be redirected to the west, to link to the pump station for Area 3 ('Thrumster SPS No.3').
- Development south of John Oxley Drive is dependent upon downstream development occurring first.
- The initial Development Application for urban development in Area 3 will require the construction of pump station 'Thrumster SPS No.3', to pump to Council's existing gravity main near Thrumster Street.
- Development south of John Oxley Drive is dependent upon downstream development occurring first.
- The development of Area 4 is reliant on the provision of sewer through Area 3, for a point of connection.

c) Partridge Creek Residential

- The initial development application for urban development is to include a sewerage design that caters for the entire neighbourhood.
    - The initial Development Application for urban development on the western side of the central ridge line will require a sewer design that connects through the land west of the road reserve, or alternatively extends westward along Thrumster Street to the Carrier main.
    - The initial Development Application for urban development on the eastern side of the central ridge line will require construction of pump station 'Thrumster SPS No.2', to pump to the top of the central ridge line and the construction of a carrier main, via the road network to Thrumster SPS No.1.
    - The development of Area 3A is dependent upon the development of the adjoining Area 2 (and Area 1A) within the West Lindfield Neighbourhood to provide access to 'Thrumster SPS No 3'.

d) Partridge Creek Industrial

- Development can proceed in either Area 1 or 2, subject to the provision of 'Thrumster SPS No.3' and associated rising main as part of the initial stage.
- The initial Development Application for industrial development (Areas 1 and 2) will require construction of pump station 'Thrumster SPS No.3, to pump to Council's existing gravity main near Thrumster Street.

Urban Structure and Lot Layout

264. Objective (in addition to Objective 140)

- To ensure appropriate infrastructure, services and facilities necessary for the proper functioning of Thrumster is provided in an orderly, efficient and timely manner.
- To ensure the staging of development and the release of land occurs in a timely manner.
- To establish a subdivision layout that uses the residential development areas efficiently, maximises the natural attributes of the site and clearly defines and reinforces the public domain.
- To ensure that all residential lots are afforded a high level of amenity in terms of solar access, views, or proximity to public and community facilities.
- To ensure that subdivisions do not detract from the desired future neighbourhood character of the locality.

Development Provisions

a) Town Centre

- Development is required to be generally consistent with the aims and objectives of this Part and the Indicative Neighbourhood Design Framework, guidelines and development criteria set out in this Part.
- Proposed variations from the plans and illustrations contained in this Part are permissible through the preparation of detailed Precinct Master Plans for inclusion in the Development Control Plan, but are required to meet the overall objectives contained in this Part and be prepared to the satisfaction of Council.
- Buildings and structures are to be designed to:
  - Generally, be built to the street alignment and achieve an appropriate sense of street enclosure where strong edges to public spaces and important streets are required.
  - Locate and design buildings to provide informal surveillance of streets and public spaces.
  - Ensure that active uses are provided at ground floor where active street frontages are defined.
  - Provide shelter from the elements along important pedestrian routes particularly those defined as requiring active street frontages.
  - Allow for change over time by designing buildings to be robust and adaptable.
  - Design for ease of access.
  - Locate parking areas, service areas and loading docks in areas not visible from important streets and spaces.
  - Provide high quality public domain lighting and public art in both streets and public spaces in the Town Centre.

Residential Density

265. Objective

- To ensure the cost of necessary service infrastructure is paid for in an efficient and equitable way.
- To achieve the necessary population density to make public transport routes viable.
- To provide for the housing needs of the community within a variety of housing types and densities

Development Provisions

a) General

- The arrangement of dwelling types is to create a desirable urban structure with a transition of density generally decreasing out from the town and neighbourhood centres.
- Height limits will be generally 2-storey in detached dwelling house areas, grading to higher limits in neighbourhood centres, with highest limits within the Town Centre.
- A maximum height limit of 5 storeys will generally apply to the Town Centre. A landscape and scenic impact assessment may be submitted with the Neighbourhood or a Precinct Development Control Plan to justify a greater height limit.
- Mixed use and high density housing is to be located generally within the Town Centre and within the neighbourhood centres.
- Development layout is to demonstrate achievement of the net residential densities shown in the following table.

Zone	Net Residential Density
R1 General Residential	12 to 20 dwellings per hectare
R1 General Residential where identified within the Koala Habitat Area*	6 to 10 dwellings per hectare
R1 General Residential within 200 metres of the B1 Zone and not within the Koala Habitat Area*	More than 15 dwellings per hectare
R3 Medium Density	15 to 25 dwellings per hectare
R3 Medium Density where within 200 metres of the B2 Zone	More than 25 dwellings per hectare
B4 Mixed Use where residential accommodation comprises a part of the development	More than 10 dwellings per hectare
B4 Mixed Use where residential accommodation comprises all of the development	More than 25 dwellings per hectare

Net Residential Density includes the residential component of a development site plus local roads. It does not include non-residential land uses such as parks and schools, regional land uses or non-urbanised land. (Landcom Residential Density Guide 2011)

**As shown in the Local Environmental Plan*

Note: *For the purpose of estimating dwelling yield at subdivision, assume 10% of house lots will result in two dwellings per lot.*

b) Town Centre

- A minimum yield of 180 dwellings is to be provided within the Town Centre.
- Precinct Development Control Provisions should provide details of the proportion of this yield to be accommodated within each precinct.
- The Town Centre Core will provide the majority of retail development and some medium density housing, together with leisure, recreation, service and community/civic uses.
- The Northern Edge, West End and Mid Town Precinct Development Control Provisions is to facilitate the intent of either Scenario 1 or 2 to be pursued at the development application stage.
- The West End precinct is to generally provide residential accommodation.
- Mid Town Precinct is to provide a mix of live/work and mixed uses to balance and complement the residential/employment objectives.
- The John Oxley Drive Precinct is to provide predominantly commercial/retail uses.

c) North Oxley

- Proposals for residential development within North Oxley are to be generally consistent with the strategy at Figure 164.
- The anticipated dwelling yield for Barton Ridge East, as illustrated in Figure 164 shall be justified by further analysis to establish an Indicative Neighbourhood Design Framework for this Development Area.
- Proposals for residential development and subdivision are to:
  - demonstrate that the development is able to provide or adequately contribute to the cumulative attainment of dwelling yield as identified in Figure 164 having regard to the provisions of this Development Control Plan, and
  - comply with the North Oxley Residential Design Guidelines.

d) Partridge Creek Residential

- Proposals for residential development are to be generally consistent with the Urban Development Plan at Figure 167.

e) South Oxley

- Population yields have been refined for the South Oxley Neighbourhood taking into account further detail on Environmental Constraints.
- Population yields for South Oxley Development areas are as follows:
  - Development Area 1: 590 – 610 dwellings
  - Development Area 2: 220 – 250 dwellings
  - Development Area 3 – 430 – 460 dwellings

f) West Lindfield

- Proposals for residential development are to be generally consistent with the Urban Development Plan at Figure 167.

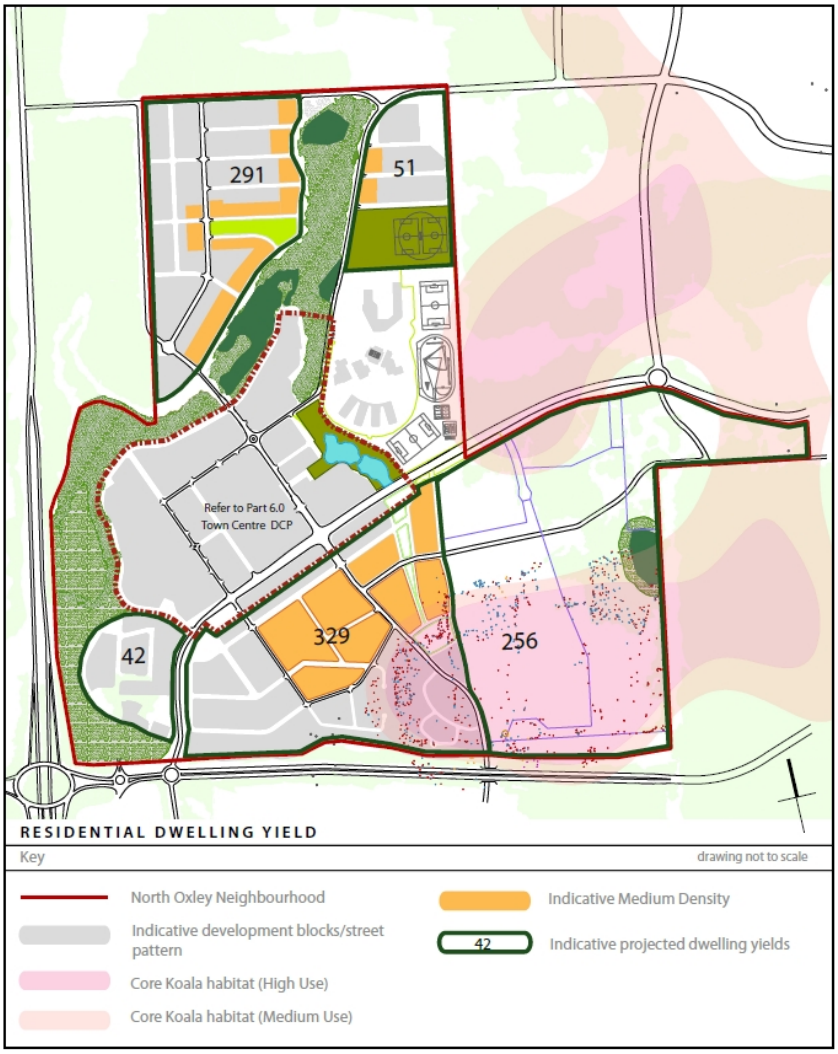


Figure 164: North Oxley Residential Density Strategy

Public open space (passive and active)

266. Objective

- To provide accessible, active and passive open space areas that meet the needs of the population.
- To ensure that open space is of a high quality that is sustainable into the future.
- To develop open space that connects to natural linkages, drainage and wildlife corridors; and that also enhances these natural values through appropriate protective measures and management.
- To provide open space in locations that benefit from casual surveillance to promote user safety.

Development Provisions

a) General

– Neighbourhood parks across Thrumster will provide a range of facilities, which are to be provided through the Thrumster Contributions Plan.

- Neighbourhood parks are to be dedicated as development occurs, and are to include the following:
    - Minimum size of 5,000 square metres.
    - Street frontage to the same standard as adjoining residential areas (i.e. kerb and gutter, or drainage swales where appropriate).
    - Any landform grooming to ensure the park is to a standard to suit Council's maintenance regime.
    - Any drainage works to ensure the functionality of the park.
- Neighbourhood park embellishment is to incorporate:
    - Park furniture including seats with shelters, barriers and any appropriate path and cycleway linkages along desire lines or linking to the cycleway network.
    - Any boardwalks necessary to achieve the required functionality of the park.
    - Works will generally be required to be undertaken prior to dedication to Council.

b) South Oxley

- In relation to Development Areas 1 and 3 of the South Oxley Neighbourhood, development applications are to provide for Open Space and Recreational opportunities along the central East West corridor including shareways along each bank, environmental park land plantings, park furniture/playground equipment and grassed open spaces where suitable.
- A landscape concept plan for the open space corridor is to be prepared to Council's satisfaction addressing the multi-function character of the corridor, in particular:
    - Flooding
    - Habitat corridor
    - Recreation infrastructure

    ***Note**: The Framework for the Integration of Flood and Stormwater Management into Open Space 2011 (Healthy Waterways Limited) provides useful guidance on good practice.*
- The shareway is to link across the North South Habitat corridor (either by boardwalk or by perimeter road) to Development Area 2 connecting to the Neighbourhood Park shown in Figure 94.
- The Neighbourhood park is to be design to fit carefully within the existing open grassed area of the mapped Core Koala Habitat in Development Area 2.

c) Partridge Creek Residential

- The location of the local parks within the Partridge Creek Residential Neighbourhood shall be generally in accordance with Figure 166.
- The Development Application for residential subdivision within which the parks are located shall include the following:
    - An arborist report detailing any necessary works (i.e. pruning etc) to be undertaken to ensure retention of the existing Koala feed trees within an urban environment; and
    - The required tree protection measures, in accordance with AS 4970-2009, Protection of trees on development sites.

d) West Lindfield

- The location of the local parks within Area 2 and Area 3 are to be generally in accordance with Figure 167.

- The Development Application for residential subdivision within which the park is located shall include the following:
- An arborist report detailing any necessary works (i.e. pruning etc) to be undertaken to ensure retention of the existing Tallowwood trees (2) within an urban environment; and
- The required tree protection measures, in accordance with AS 4970-2009 Protection of trees on development sites.

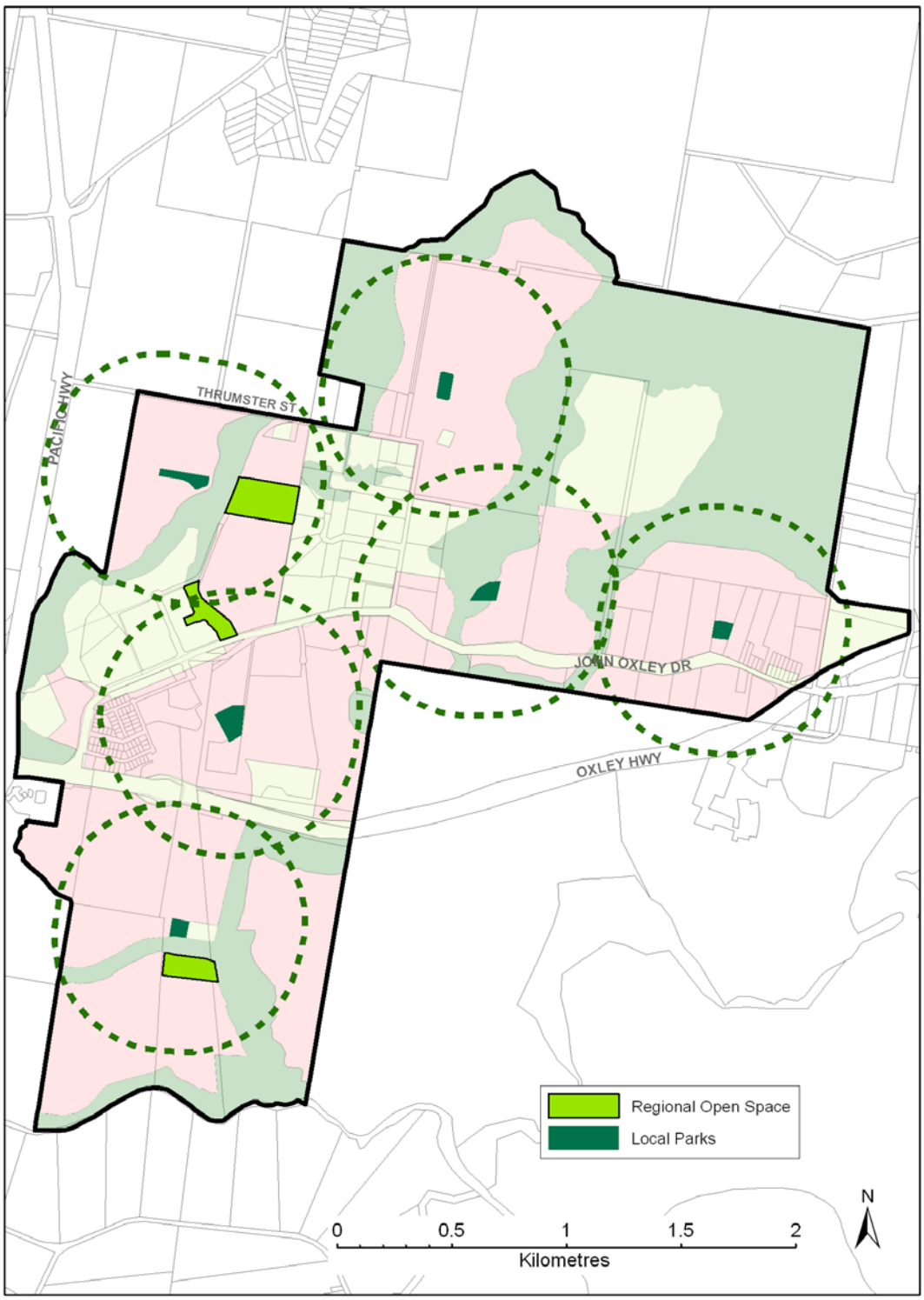


Figure 165: Open space

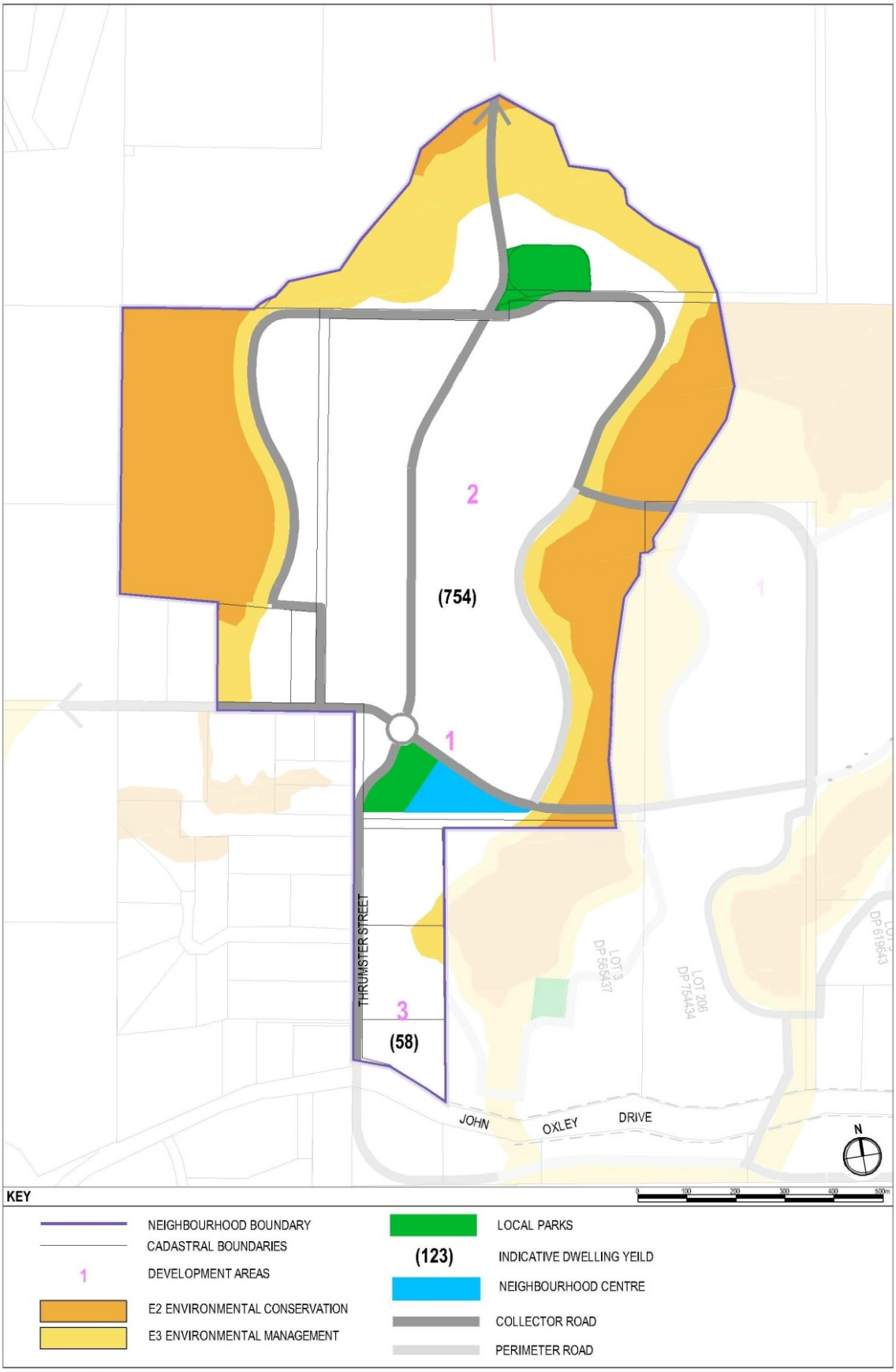


Figure 166: Partridge Creek Residential Urban Development Plan

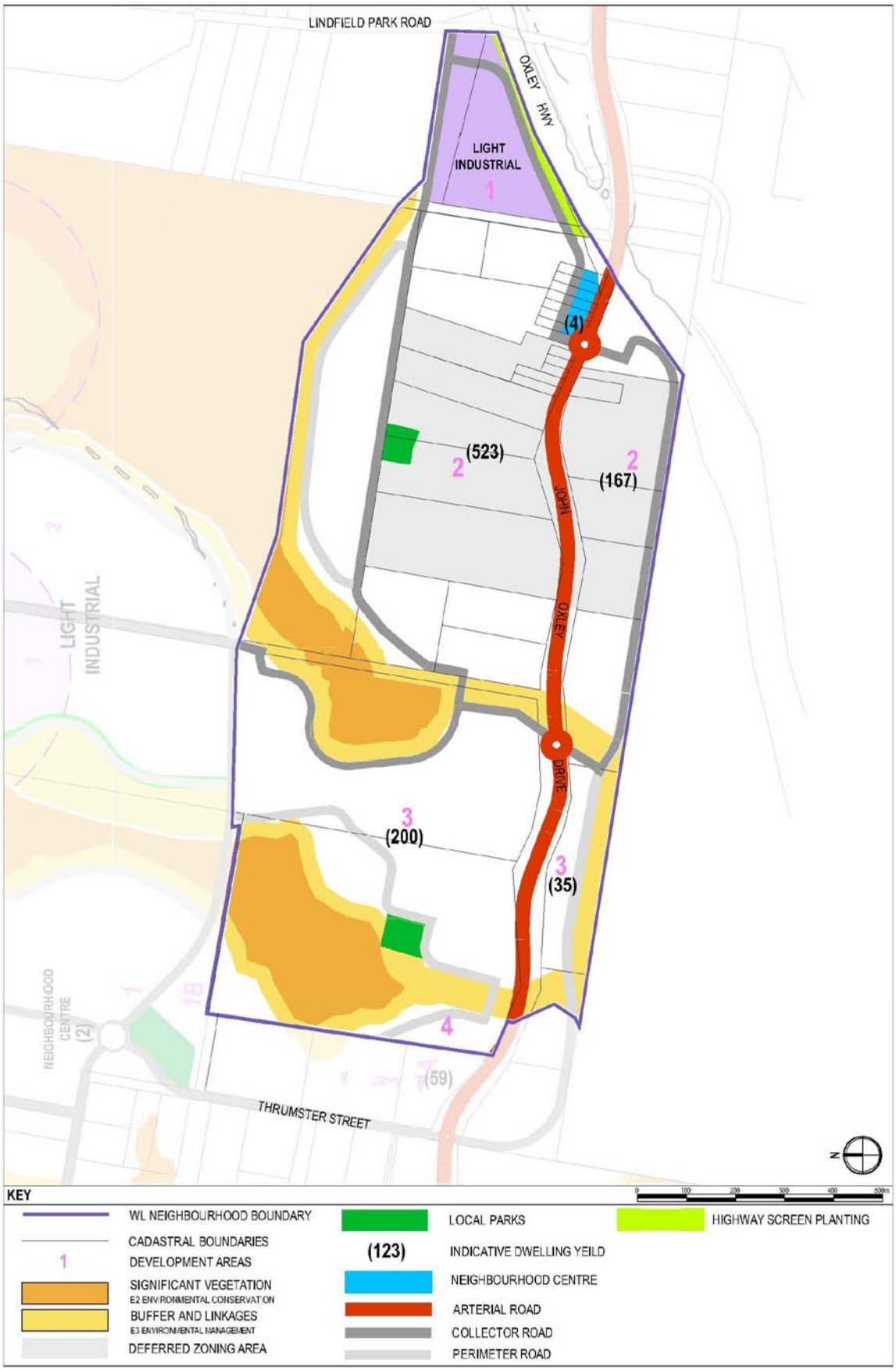


Figure 167: West Lindfield Urban Development Plan

Service Infrastructure

267. Objective

- See Objective 161.

Development Provisions

a) North Oxley

- Power for the North Oxley Neighbourhood should be supplied from the proposed Country Energy sub-station proposed to be constructed at the northern end of the Racecourse, adjacent to the TransGrid Sub Station. Local reticulation to service development areas must be located underground.
- North Oxley (and South Oxley) are served by existing 132 kV overhead power lines. Development must seek to provide these power lines undergrounded as part of the proposed development. The existing overhead alignment and proposed 132 kV undergrounding alignment are illustrated in Figure 163.
- The main East Coast fibre optic cables (Optus, Telstra, NextGen) are aligned through North and South Oxley Neighbourhoods. Development is to seek to provide these fibre optic cables in a common trench, where achievable, running parallel to the undergrounded 132 kV power cables. All residential and commercial areas within North Oxley will have suitable conduits installed ready for fibre optic cabling.

b) Partridge Creek Industrial

- All reticulation is to be taken from the network at points nominated by Essential Energy. All local reticulation to service development must be located underground.
- All development areas are to be serviced by underground fibre optic cables.
- A public frontage is to be created and maintained to the transmission easement. This can be achieved with the provision of either a public road or public open space.
- The existing 300mm main on John Oxley Drive is to be upgraded to a 450mm main as development occurs. The timing for this upgrade is to coincide with the construction of intersection No 4.
- New water mains are to be constructed in conjunction with the north-south arterial road.

c) Partridge Creek Residential

- A public frontage is to be created and maintained to the transmission easement. This can be achieved with the provision of either a public road or public open space.
- The existing 300mm main on John Oxley Drive is to be upgraded to a 450mm main as adjacent development occurs.
- The initial Development Application for urban development in Areas 1, 2 and 3A is to include the upgrading of the existing 100mm main in Thrumster Street.

d) South Oxley

- The urban development of land within or immediately adjacent the TransGrid power easement is to be deferred as a future stage in a development application for urban development of lands in Development Areas 1 and 3, until such time as the TransGrid overhead transmission line is relocated outside the area.
- Other overhead power lines are to be converted to underground supply as part of each subdivision development.

e) **Town Centre**

- Development is required to incorporate AAA rated water saving devices and other water conservation appliances into building design.
- Pavements and other hardstand areas are to link with landscaped areas to maximize passive irrigation and further minimize artificial irrigation requirements.
- Subsurface or surface drip irrigation is to be utilized where practicable and native and other drought tolerant plant species utilized extensively.
- Water features are to be designed to minimise excessive evaporation rates.
- Development is required to minimise water use in the design and operation of landscaping and outdoor water features.

f) **West Lindfield**

- The existing 300mm main on John Oxley Drive is to be upgraded to a 450mm main as development occurs. The timing for this upgrade is to coincide with the construction of intersections 4 and 5 (Area 3A and 3B) or as adjacent development occurs (Area 2).
- A public frontage is created and maintained to the transmission easement. This can be achieved with the provision of either a public road or public open space.

Design Guidelines - North Oxley

Setbacks, Articulation and Streetscape

268. Objective

- To create a clear transition between public and private space.
- To establish the desired spatial proportions of the street and to define the street edge.
- To facilitate active and casual visual interaction and surveillance between the street and dwellings.
- To ensure garages and parking areas do not dominate the streetscape.

Development Provisions

a) A garage, carport or car parking space must:

- be at least 1m behind the building line, where the dwelling(s) has a setback from a road boundary of 4.5m or more, or
- be at least 5.5m from a road boundary, where the dwelling(s) has a setback of less than 4.5m.
- If the door or doors on a garage face a street, the total width of all those door openings must not be more than 6m, and not more than 50 per cent of the width of the building, measured at the building line to the relevant property boundary.

b) Garages are to be visually downplayed by the provision of a pergola, overhang, or verandah in front of the garage.

c) Additional off-street parking areas (other than stack parking in front of garages) are not permitted between the street boundary and the front building façade.

d) Dwelling entries must not be hidden from view and must be easily accessible.

e) Dwellings adjacent to the street are to have an entry door and a window of a habitable room addressing the street.

f) Building walls are to step in and out at least every 12m by a minimum of 500mm.

g) Dwellings, other than dwellings that have a setback from a street of less than 3m, may incorporate an articulation zone to a street frontage. The following building elements are permitted within the articulation zone:

- an entry feature or portico,
- a balcony, deck, patio, pergola, terrace or verandah,
- a window box treatment d. a bay window or similar feature, e. an awning or other feature over a window,
- a sun shading feature. These building elements must not extend above the eave gutter line, other than a pitched roof to an entry feature or portico that has the same pitch as the roof on the dwelling house. The maximum of all building elements within the articulation zone, other than a building element listed in above, must not be more than 25 per cent of the area of the articulation zone, measured through the horizontal plane of the elements.

Privacy, Amenity and Landscaping

269. Objective

- To minimise the impact of development on privacy and outlook for neighbouring properties, including future buildings.
  - To soften the visual impacts of urban development and to enhance the urban environment.
  - To provide an amenable living environment for residents.
  - To ensure that private open space is usable.

Development Provisions

a) Minimum setback to any part of dwelling(s) of 4m from rear boundary. In some instances it will be desirable that the private open space be on the side of the building to allow good solar access to the space and adjoining principle living spaces. In that instance one side setback will be a minimum 4m in width (for an equivalent length of rear boundary, behind building line) and the rear setback may revert to 900mm. In these instances a detailed site analysis is to be provided indicating the impact of the design on adjoining dwellings and open space areas.

b) 24m2 of principle private open space is to be provided for single dwellings. Principle private open space means:

- an area at ground level (existing) that is directly accessible from, and adjacent to, a habitable room, other than a bedroom, and
- is at least 4m wide, and
- is not steeper than 1 in 50 gradient.
- A minimum of 35 per cent of the development site shall comprise soft landscaping with a minimum width of 2.5m. Details of compliance with this requirement shall be provided with the Development Application.

c) A window in a dwelling(s) must have a privacy screen if:

- it is a window in a habitable room, other than a bedroom, that has a floor level of more than 1m above ground level (existing), and
- the wall in which the window is located has a setback of less than 3 m from a side or rear boundary, and
- the window has a sill height of less than 1.5 m.

d) A balcony, deck, patio, pergola, terrace or verandah must have a privacy screen if it:

- has a setback less than 3 m from a side or rear boundary, and
- has a floor area more than 3 m2, and
- has a floor level more than 1 m above ground level (existing).

Design Guidelines - Thrumster Town Centre and Precincts

Urban Design

270. Objective

- Ensure that the Town Centre balances economic, social, cultural and environmental factors.
- Ensure well-designed pedestrian, cycleway and vehicular connections to the proposed residential communities.
- Ensure the provision of a fully integrated high quality community telecommunications network.
- Place an emphasis on a quality work environment, lifestyle, comfort and amenity.
- Create a ladder of workspace premises that will suit the needs of businesses at all stages of growth from home office/workshop to adaptable live-work premises, business incubator and campus business environments.
- Promote safety and security through good urban form and design.
- Promote biodiversity and resource management through environmental design and low maintenance landscaping of the public domain.
- Promote energy efficient and water sensitive building design.
- Ensure the provision of robust and adaptable development blocks capable of accommodating a range of urban uses.
- Allow for change over time by encouraging buildings to be designed which are adaptable and flexible in siting, layout and construction.
- To promote a robust ownership and management framework which defines the public and private realms in a functional and ordered manner.
- To encourage the provision of interconnecting streets and public spaces which promote direct connectivity, wayfinding, ease of use and functionality.
- To promote economic viability, character creation and sustainability by ensuring town blocks are of an appropriate size, shape and location relative to the public domain.
- Promote community interaction through the provision of a civic heart with well designed, functional public open spaces and centrally located community facilities.
- To define the Town Centre as a destination through appropriate urban form and design, distinctive and high quality architecture at strategic ‘gateway’ sites.
- To establish a ‘Market Square’ and civic open space - ‘Sovereign Green’ - centrally within the Town Centre to promote interaction and community activity and recreation opportunities at the hub of the town.
- To promote a pedestrian friendly Town Centre which promotes interaction and is visually interesting, functional and safe.

- To ensure Sovereign Green and Sovereign Lakes provide the focal point for future Town Centre community activities.
- To promote the integration of a dynamic, safe, aesthetically pleasing and multifunctional recreation and leisure space at the heart of the town.
- To establish the Town Centre within a natural setting, through the rehabilitation of riparian vegetation to the north and west and creation of parks and lakes to the east.
- To provide up to 15 ha of high quality publicly owned and accessible environmental lands on the doorstep of the Town Centre, which will link the Town Centre with adjacent development areas through a network of accessible pathways, cycleways and boardwalks.

Development Provisions

a) Thrumster Town Centre

– Development is required to be generally consistent with the aims and objectives of this Part and the Indicative Neighbourhood Design Framework illustrated at Figure 168 guidelines and development criteria set out in this Part.

– Proposed variations from the plans and illustrations contained in this Part are permissible through the preparation of Precinct Development Control Provisions, but are required to meet the overall objectives contained in this Part.

– Buildings and structures are to be designed to generally be built to the street alignment and achieve an appropriate sense of street enclosure where strong edges to public spaces and important streets are required.

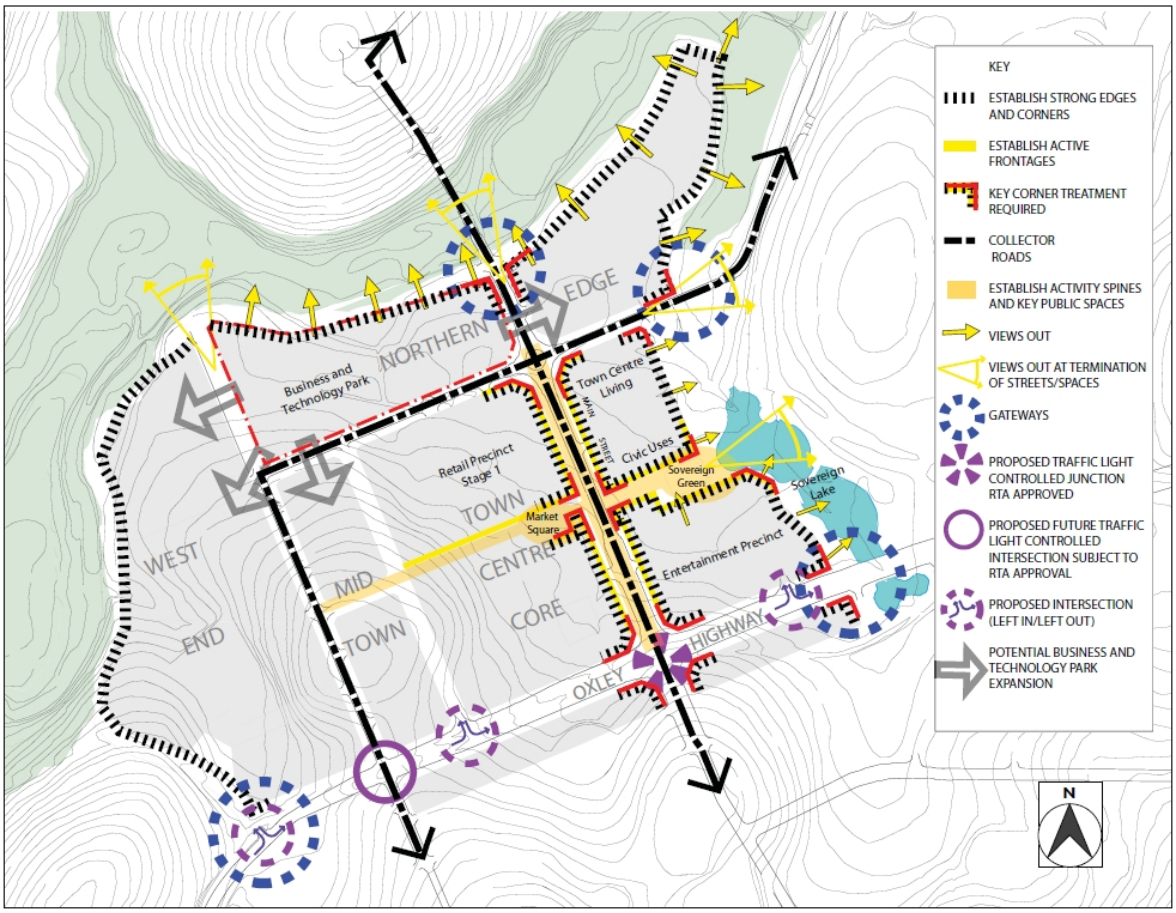


Figure 168: Thrumster Town Centre Neighbourhood Design Framework

- Buildings are located and designed to provide informal surveillance of streets and public spaces.
- Active uses are provided at ground floor where active street frontages are defined.
- Shelter from the elements is provided along important pedestrian routes particularly those defined as requiring active street frontages.
- Building design allows for change over time by designing buildings to be robust and adaptable.
- Buildings and structures are designed for ease of access.
- Parking areas, service areas and loading docks are located in areas not visible from important streets and spaces.
- Provide high quality public domain lighting and public art in both streets and public spaces in the Town Centre.
- Create streets and blocks which follow an orthogonal grid structure.
- Establish a clearly defined street and block structure that promotes connectivity and legibility of the public and private domains.
- Ensure street blocks are of a size, shape and location to be able to be developed in an economically viable manner and contribute to the character of the Town Centre.
- Ensure new development is designed to respect the street and block structure.

b) Town Centre - Main street

- Establish the 'Main Street' as the main activity spine and commercial destination of the Town Centre.
- Locate retail uses on 'Main Street' and ensure active uses are optimised at ground level.
- Provide mature landscaping in the form of Norfolk Island Pines and Jacarandas along Main Street, as a means of defining place.
- Provide a landscaped central median,
- Provide parallel on-street parking.
- Provide a traffic light controlled intersection at Main Street and John Oxley Drive.
- Ensure that the 'Main Street' connects directly with Collector Roads leading north and south into the Thrumster residential neighbourhoods.
- Provide high quality architecture built to the street alignment.
- Clearly define pedestrian and vehicular circulation.
- Design buildings, pavements and roads in a manner that encourages the use of the public domain for outdoor seating in association with ground floor retailing. Provide a consistent central median for its entire length defined by an avenue of Norfolk Island Pines and Jacaranda trees.
- Provide retail uses at ground floor within a mixed use street.
- Ensure variable street widths to manage traffic access and circulation. Main Street should have a minimum width of 30m in the southern section and 23m in the northern section as shown in Figure 169 and Figure 170 below.

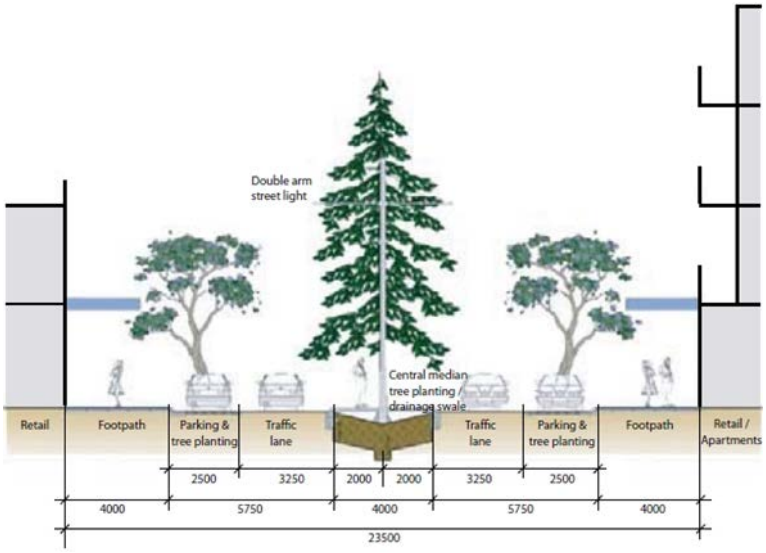


Figure 169: Indicative section of Main Street (northern end)

Figure 170: Indicative view looking north along Main Street

- Buildings at the intersections of Main Street and Market Square and John Oxley Drive should be designed to provide a focal emphasis, with additional height to define the corners and architectural treatment to enable identification of place and way-finding within the centre.
- Provide a central median swale which addresses water sensitive design.
- Provide pedestrian permeability by the provision of bridged paved decks across the Central median swale at regular and strategic locations.
- Provide generous 4m paths on either side of Main Street to cater for the high pedestrian flows and the provision of outdoor seating to cafes.
- Provide parallel parking on both sides of the road, demarcated with contrasting pavement to define the travel lanes and reduce the perceived width of the street.
- Provide Jacarandas to line the side of the street, between parking bays and provide a striking flowering shade tree to the Main Street and provide a landscaped point of reference and visual continuity with the adjoining residential neighbourhoods.

c) Town Centre - Gateways

- Define ‘gateways’ to the town which identify the Town as a destination, provide a focal point and enable ease of orientation and way- finding to and throughout the Town Centre thus promoting a ‘sense of place’.
- Ensure the design of buildings located at identified ‘gateways’ combine urban form and architectural features which provide a focal emphasis consistent with the ‘gateway’ role. Building must provide high quality detailing and materials.

d) Town Centre - Market Square

- Provide an important urban space located on the western side of Main Street and defined by retail, dining and business uses.
- Provide the focal point for Stage 1 supermarket and speciality convenience retail uses.
- Provide greater definition of Corner buildings that define Market Square through the use of additional height and/ or architectural elements to define the space. Market Place to Sovereign Green
- Provide a flush threshold paved treatment across the road at the intersection of Market Square / Main Street to slow traffic and connect ‘Market Square’ with ‘Market Place’.
- Ensure the location and design of bus stops are accommodated on either side of Main Street at Market Square.
- Market Square should be landscaped with a grid of deciduous exotic trees that will provide a shade canopy, thereby allowing cafes and bars to use these spaces for outdoor dining.
- To the east of Market Square, a public space should provide access to the civic and business uses and Sovereign Green beyond. This street can thus be closed to traffic for community and cultural activities or as a regular market, effectively linking Market Square with Sovereign Green.

e) Town Centre - Market Square to Sovereign Green

- Provide a pedestrian oriented, landscaped, high amenity space for use as a Market Square central to the Town Centre and west of the Main Street.
- Provide high amenity, landscaped civic spaces between the Lakes and Main Street.
- Ensure Sovereign Green links visually and physically in a seamless fashion with Sovereign Lakes providing ease of access from the parklands into the Town Centre.
- Ensure that buildings located between Market Square and Sovereign Green contain active retail or other active uses on the ground floor.

f) Town Centre - Strong Edge - Sovereign Lakes

- Provide a system of ornamental lakes to the eastern edge of the Town Centre.
- Design should incorporate a centrally dominant lake which provides visual integration with the public open space, Sovereign Green to the west, enabling water views and a waterside focus in the main public space of the town.
- Provide for buildings located on the lakeside edge to be designed with a strong urban edge character.
- Provide for a minimum 2 storey built form, orientated towards the lakes, with publicly accessible and active uses at ground level.

- Provide publicly accessible foreshore pathways.

g) Town Centre - Environmental Setting

Figure 171: Boardwalk links in the environmental lands to the north and west of the Town Centre

- Provide for buildings located adjacent to the environmental lands to be designed with a strong urban edge character.
- Provide for a minimum 2 storey built form orientated towards the natural lands.
- For all uses, ensure public access in the form of an edge road or public footpath that defines the interface between the Town Centre and the environmental lands.
- Provide for safe, accessible and direct pedestrian access to environmental lands.

h) Town Centre - Market Place to Sovereign Green

- Sovereign Green should be a well landscaped multipurpose public open space providing for community functions, day to day recreation and primary pedestrian circulation. See Figure 172 and Figure 173 for indicative view and plan.
- Design of buildings and spaces should be adaptable and seek to encourage multiplicity of use in both the private and public realm.
- A mix of community, civic and business uses shall define the northern edge of the Sovereign Green.
- A mix of soft and hard landscaping, water features, sculpture and shade structures and civic tree planting shall be incorporated into the design.
- Sovereign Green should interface seamlessly with Sovereign Lakes to the east.
- The surrounding uses and alfresco dining on the southern edge of Sovereign Green should make this an active and lively space day and night.
- Market Place should be a hard surfaced public space, linking Sovereign Green with the Main Street and Market Square, designed as a pedestrian environment that permits limited vehicle access.
- The southern edge of Market Place should have active uses such as cafes and restaurants utilising the pavement space. Market Place can thus be easily closed to vehicles for public events such as markets.

Figure 172: View across the proposed Sovereign Green

Figure 173: Market Square to Sovereign Green indicative layout plan

i) Town Centre - John Oxley Drive

- Development is generally consistent with the indicative design framework at Figure 174.
- Provide a carriageway separated by a central median.
- Intersperse the kerbside land with mature Norfolk Island Pine trees to provide place identity and assist in slowing traffic.
- A shared footpath/cycleway shall be provided to each side of John Oxley Drive to a minimum of 4.5m in width.
- Provide pedestrian connectivity between south John Oxley Drive and north John Oxley Drive through the provision of pedestrian crossings.

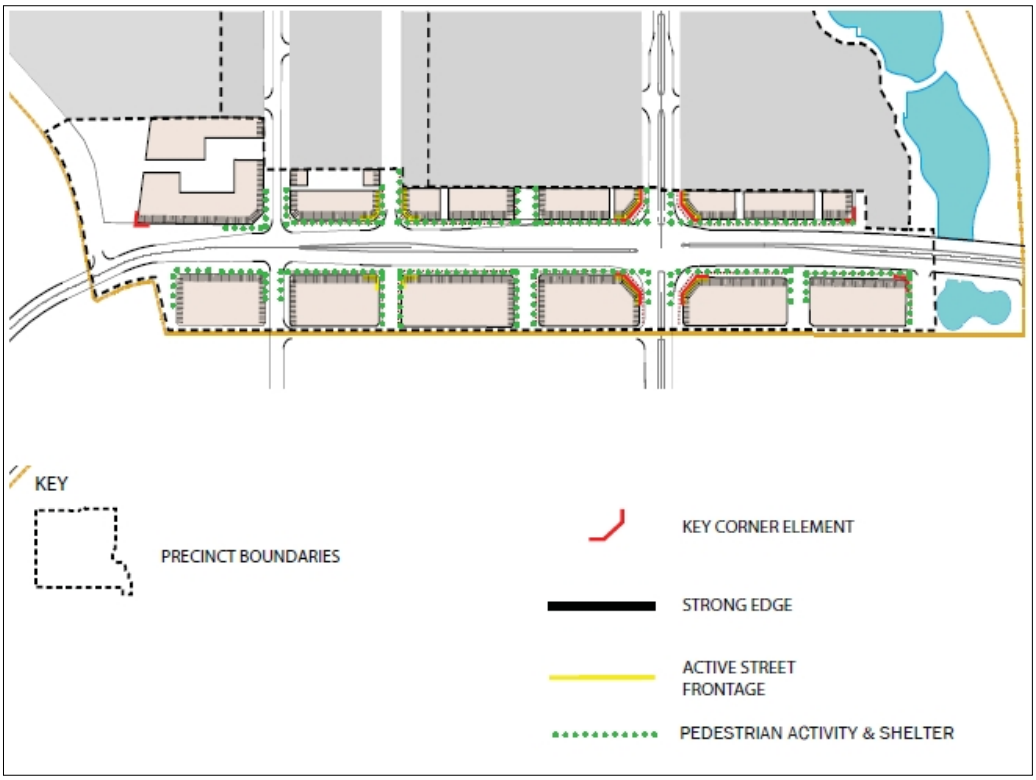


Figure 174: John Oxley Drive indicative urban form

j) Town Centre - Northern Edge

– Development is generally consistent with the indicative design framework at Figure 175.

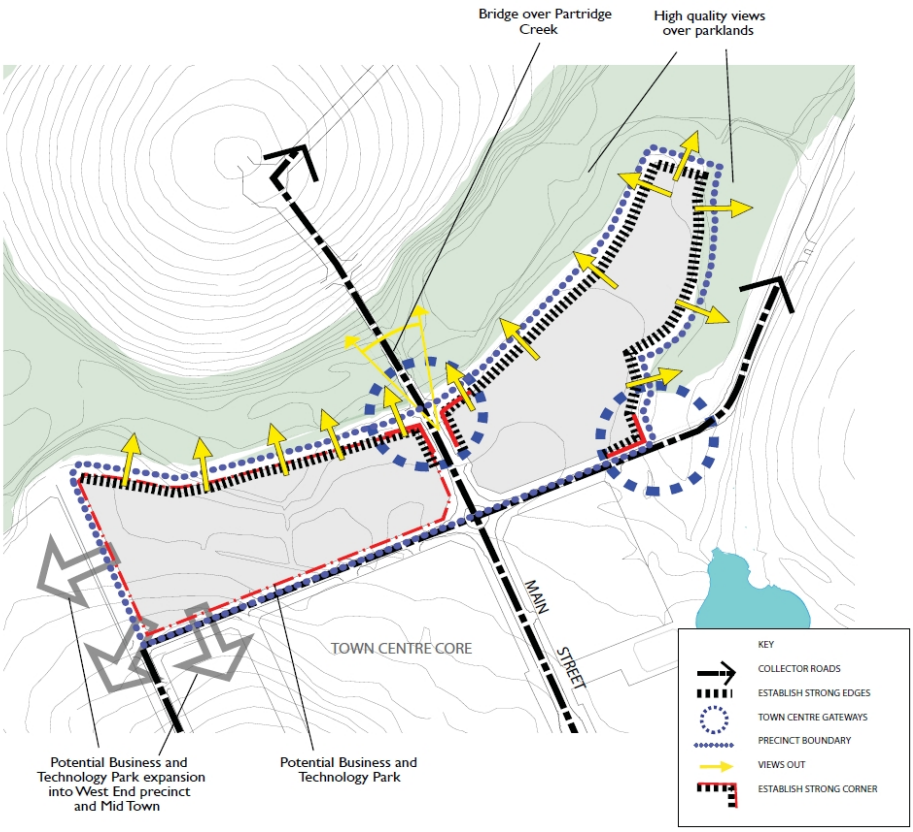


Figure 175: Northern edge indicative urban design

k) Town Centre - Sovereign Lakes

- The future landscape character should be consistent with the indicative design framework shown at Figure 176.

l) Central Lake

- The Central Lake should be designed as the centre piece of the Town Centre. It should project on an axis into Sovereign Green and engage people via a series of gently graded seating steps.
- The provision of a floating central water jet or similar feature element, on Sovereign Green axis, designed and programmed to provide a variety of visual effects and be well lit at night, will enable a sculptural focal point to the Town while respecting WSUD by aerating the water.
- The provision of outdoor seating to any proposed use of buildings positioned at the edge of the lake will enable full advantage to be taken of the Lakes, with views over both the Central and Upper lakes and provide a community hub which enjoys the northern aspect.
- The provision of a generous timber deck projecting over the water will afford public access and views to Sovereign Green, water play area and cascades between the Upper and Central Lake.

Figure 176: Sovereign Lakes indicative design framework

m) Cascades and Upper Lake

- Between the upper and central lake, at a convenient location, the lakes design should provide a bridge crossing a cascade at the terminus of one of the town's cross streets.
- Apartment Living fronting the Lakes, should provide east facing balconies and courtyards overlooking the lakes and a public walkway along the water's edge, completing the lake walkway circuit.

n) Regional Playground

- An intensive urban style playground and picnic facility shall be considered between the 'School Road', Town Centre and Sovereign Lakes. It should be designed to accommodate three discreet areas to cater for different age groups.
- The provision of timber decks overhanging the stream will enable further public interaction with the recreational opportunities provided by this scenic setting. The whole area should be subtly fenced to provide parents with peace-of-mind and prevent children from wandering into the road or creek area.
- The provision of a small amenities block should be provided at the southern end of the regional play area to service the playground, Sovereign Green, water play area and eastern picnic area.

o) Water Play

- The provision of a well shaded urban style water play area should be considered adjacent to the main playground and Sovereign Green to enhance the water theme and provide a fun family focus to the area Sovereign Green area.
- The design of the water play area shall be safe and secure and promote a fun experience with colourful sculptures, interactive pavement jets and toddler wading pools.

Figure 177: Typical 'water play' and landscape features

p) Eastern Picnic Area

- The provision of a small picnic area and BBQ facility should be considered projecting into the central lake, offering a quiet spot on the eastern side to enjoy the lake area.
- The siting of the picnic area shall be easily and readily accessible from the playground and amenities and its design shall consider the provision of a tall sculptural tower, which can be lit at night to provide a vibrant focus and promote the Town Centre while providing a vertical visual terminus to the main Sovereign Green and a useful way-finding device.

Views over Sovereign Lakes, looking west from the picnic area

- The eastern shores of the lakes shall be provided with attractive pathway systems, with regular key crossing points, which weave along the shores linking the playground and tavern and providing excellent access to the Town Centre and a variety of experiences and views around the lake edges.

View of Sovereign Lakes from Sovereign Green

Views over Sovereign Lakes, looking north

Land Use

271. Objective

- Promote an active Town Centre with a full range of complementary uses – retail, business, education, civic, diverse choice of residential accommodation, entertainment, recreation and public open space to serve the needs of the emerging local community.
- Promote easily accessible local convenience shopping for the community.
- Establish the Town Centre as an employment hub for both the local and regional community.

- Promote vitality and viability by encouraging a mix of uses within street blocks and vertically within buildings.
- The John Oxley Drive Precinct should accommodate a mix of land uses appropriate to a sub-arterial road frontage which may include, but are not limited to: business, showrooms, retail and health/medical centres. High quality buildings and landscaping should define the gateway to the Town Centre.
- The Mid Town Precinct should provide a mix of uses which promote a range of live-work, studio/workshop, light industrial and commercial activities contributing to the vitality and diversity of the town. High quality design of buildings and spaces which integrate with the adjoining precincts in form, siting and use is essential. While providing a transition between the retailing hub of the Town Centre Core and the West End, mid town development must ensure a coherent urban design structure which enables identification of place. Housing development within the mid town and west end precincts must have a density of 10 dwellings per ha which equates to approximately 76 dwellings.

Development Provisions

a) Town Centre Core

- A minimum street wall height of 7m should be provided to buildings fronting Main Street, to articulate desired streetscape and neighbourhood character.
- Building design shall incorporate the following features to assist in the achievement of high quality architectural outcomes;
    - Incorporation of appropriate facade treatments that helps the development to properly address the relevant street frontages, key vistas and to add visual interest to the skyline;
    - Incorporation of articulation in walls, variety of roof pitch, architectural features (balconies, columns, porches, colours, materials etc) into the facade of the building;
    - Variation in the planes of exterior walls in depth or direction;
    - Variation in the height of the buildings so that it appears to be divided into distinct massing elements;
    - Articulation of the different parts of a building's facade by appropriate use of facade by appropriate use of colour, arrangement of facade elements, and variation.
- Buildings of up to 6 storeys in height may be appropriate where key corner elements are identified in Figure 178, provided the additional height integrates with the adjoining building form.
- Buildings are to address the public open spaces and streets with active uses at ground level.
- Minor front setbacks or articulated facades maybe incorporated for interest and where they do not impact detrimentally on safety/security and contribute to the visual diversity and appearance of the streetscape.
- Buildings sited to the North of public open space are to minimise overshadowing through appropriate setbacks at upper levels.
- Buildings fronting public streets should be generally a minimum of two storeys.
- Except for Town Centre Core to the west of Main Street, single storey buildings are discouraged.

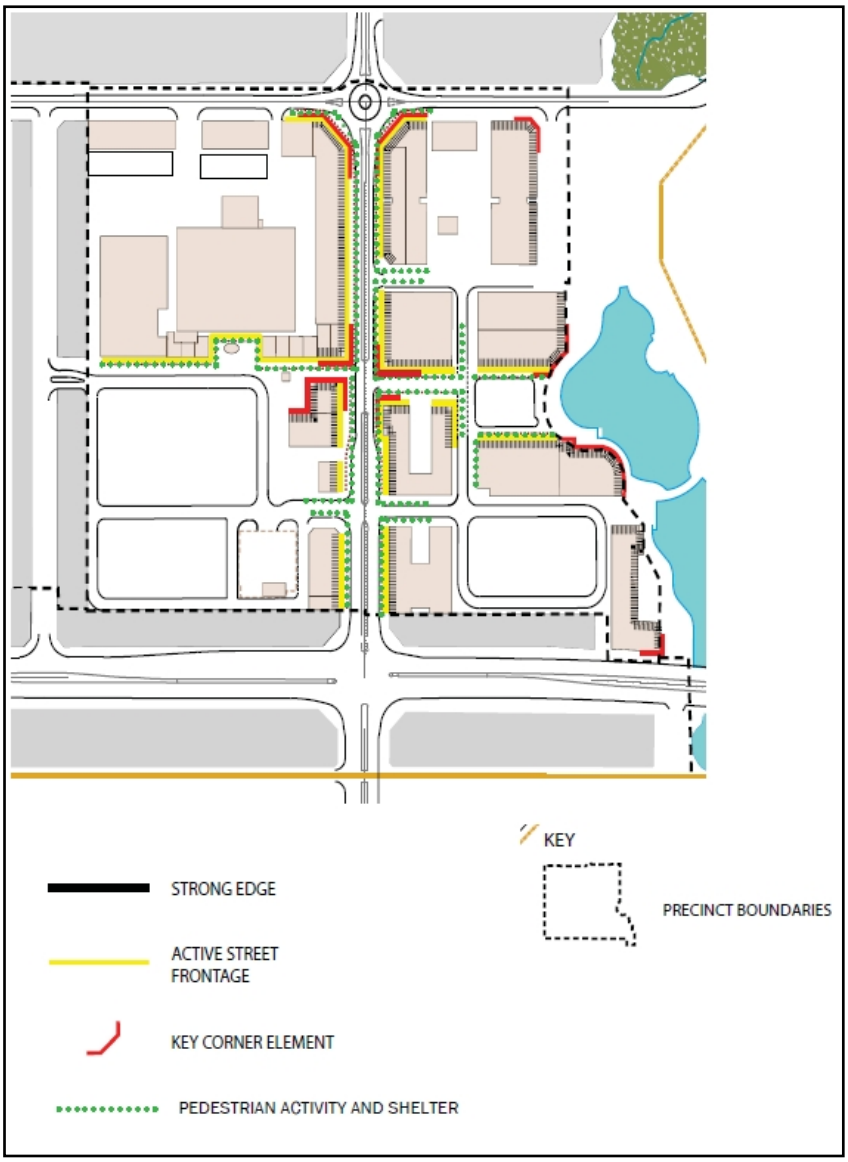


Figure 178: Thrumster Town Centre core - indicative urban form

b) John Oxley Drive

- The John Oxley Drive Precinct should contain uses appropriate to a main road frontage. Such uses would generally not rely on passing foot traffic for business but would be 'destination' uses in their own right such as: medical centres or specialist retailing with a need for large display areas such as vehicle showroom, musical instrument sales rooms or antique salesroom.
- The use of buildings within the John Oxley Drive precinct will be required to provide their main pedestrian access and display frontage addressing John Oxley Drive. Uses that will benefit from this exposure and contribute to the vitality and character of the Gateway to the Town Centre are encouraged.

c) Mid-Town

- The Mid-Town Precinct should accommodate a range of land uses. Generally, the mix of future land uses appropriate for Mid-Town are: business, education, workshop/showrooms, studios, light industry, live-work, and cafes/restaurants However, a number of land-use scenarios could be considered:
    - an extension to the Business Technology Park,

- a Tertiary Education Precinct,
- a media / cultural industry cluster,
- Creative Industries Cluster, comprising workshop/incubator space, live-work premises and commercial studios.

d) Northern Edge

- The Northern Edge Precinct should ideally provide for a Business and Technology Park which will generate essential employment opportunities and create a sense of identity for the Town. Opportunities exist for the provision of medium density residential accommodation located on the 'Peninsula' to the north of Sovereign Lakes, where visual amenity is high and there is ready access to services and employment lands.

e) West End

- Provision of medium density residential development with the potential for the expansion of any Business Technology Park at the north which may result from development of the Northern Edge Precinct.

Building Height and Alignment

272. Objective

- Create the Town Centre as a 'place' by encouraging contemporary design with a readily identifiable community character.

Development Provisions

a) John Oxley Drive

- A minimum and consistent street wall height of 7m should be provided to buildings fronting John Oxley Drive with a maximum 5 storey height.
- Building design shall incorporate the following features to assist in the achievement of high quality architectural outcomes:
  - Incorporation of appropriate facade treatments that helps the development to properly address the relevant street frontages, key vistas and to add visual interest to the skyline;
  - Incorporation of articulation in walls, variety of roof pitch, architectural features (balconies, columns, porches, colours, materials etc) into the facade of the building;
  - Variation in the planes of exterior walls in depth or direction;
  - Variation in the height of the buildings so that it appears to be divided into distinct massing elements;
  - Articulation of the different parts of a building's facade by appropriate use of colour, arrangement of facade elements, and variation.
- Key corner sites identified in Figure 174 must be defined by architectural corner elements higher than the adjoining street wall height.
- Minor setbacks or articulated facades may be incorporated for interest and where they do not impact detrimentally on safety/security and contribute to the visual diversity and appearance of the streetscape.

b) Mid-Town

- Buildings are generally required to be a minimum of 2 storeys and a maximum of 5 storeys in height and integrate with the adjoining precincts in character and form having regard to the topography.
- Buildings located on street corners should turn the corner and be designed to emphasise and define the corner particularly on corners of key streets and/ or collector roads.
- A consistent street wall height of two storeys must be maintained along street frontages identified as having a 'strong edge' as illustrated on Figure 179. Above this height, buildings may be set back having regard to solar access, overshadowing and visual impact.
- Development is generally required to address the street and be built to the street alignment as identified on Figure 179.
- Minor front setbacks or articulated facades may be incorporated for interest and where they do not impact detrimentally on safety/security and contribute to the visual diversity and appearance of the streetscape.
- On other streets where development is designed as work/live or residential development, a front setback consistent with the provision of a front garden space or entry, should be provided.
- Incorporation of appropriate facade treatments that help the development to properly address the relevant street frontages, key vistas, and to add visual interest to the skyline.

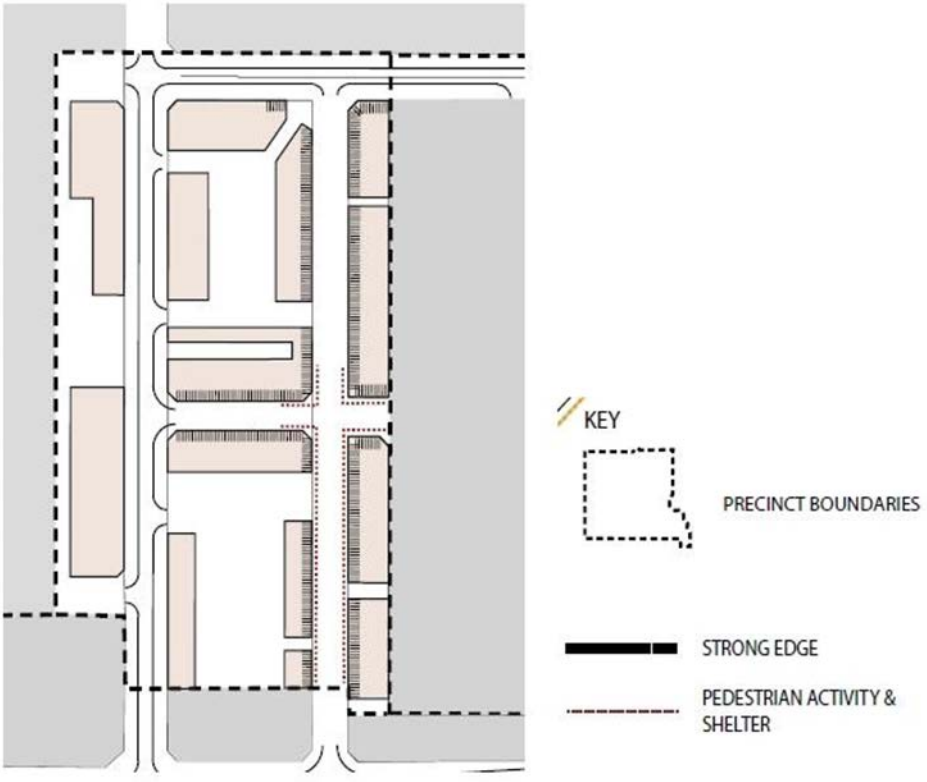


Figure 179: Mid Town indicative urban form

c) Northern Edge

- Buildings are generally required to address the street and be built to the street edge. Buildings fronting Partridge Creek should establish a strong 'urban edge' to the creek.

- Buildings either side of the Main Street, close to Partridge Creek should act as the northern 'gateway' to the Town Centre and be designed appropriately, strongly defining the corners of the blocks. Buildings either side of College Drive will act as the north eastern 'gateway' to the Town Centre.
- Commercial buildings are generally required to be a minimum of 2 storeys 'campus style' designed as an integral part of the Town Centre and maximising the amenity offered by the riparian environmental lands.
- Variations up to a building height of 5 storeys may be appropriate.
- Any residential development should maximise the amenity offered by the riparian border and may be up to 5 storeys depending upon topography and its visual impact.

Figure 180: Examples of typical future business buildings in the Northern Edge Precinct

d) West End

- Buildings are generally required to address the street and be built to the street edge. Buildings fronting Partridge Creek should establish a strong 'urban edge' to the creek.

– Buildings are generally required to be a minimum of 2 storeys with roads and building location enabling glimpses of the Town Centre to be obtained from the Pacific Highway. Variations up to a building height of 5 storeys are permissible.

Figure 181: Examples of typical built form in the West Precinct

Street Frontages

273. Objective (in addition to Objective 104)

- To encourage an active street experience for pedestrians by promoting streets which are evenly edged with high quality and accessible buildings and businesses.
- Provide for active uses which form a 'sleeve' around larger footprint uses and car parking areas to ensure human scale and a finer grain of urban form.
- Provide for active street edges and public spaces within a traditional robust street and block grid.

Development Provisions

a) John Oxley Drive

- Buildings fronting 'active streets' as identified in Figure 174 shall comply with the 'Active frontages' provisions at 104a.

Corner Elements

274. Objective

- See Objective 119.

Development Provisions

a) John Oxley Drive

- Building elements identified on Figure 174 shall incorporate the provisions identified in Part C3, sites'.

b) Mid-Town

- Building elements identified on Figure 179 shall incorporate the provisions identified in 'Gateways and Landmark sites' (page 86).

Awnings

275. Objective

- See Objectives 107-110.

Development Provisions

a) John Oxley Drive

- Continuous awnings are to be provided for the full extent of the street frontage where denoted as pedestrian circulation and shelter on Figure 174.

b) Mid-Town

- Awnings should be provided along streets identified as pedestrian activity and shelter on Figure 179.

Vehicular Access Location and Design

276. Objective

- See Objective 120.

Development Provisions

a) Town Centre Core

- Main access to the precinct should be achieved via John Oxley Drive and Neighbourhood Connectors accessing the Town Centre from both north and south.
- Vehicular access/egress to parking and servicing areas are to be generally provided in the locations identified in Figure 182.

b) West End

- Access to the precinct should be achieved via Collector Roads from the north.

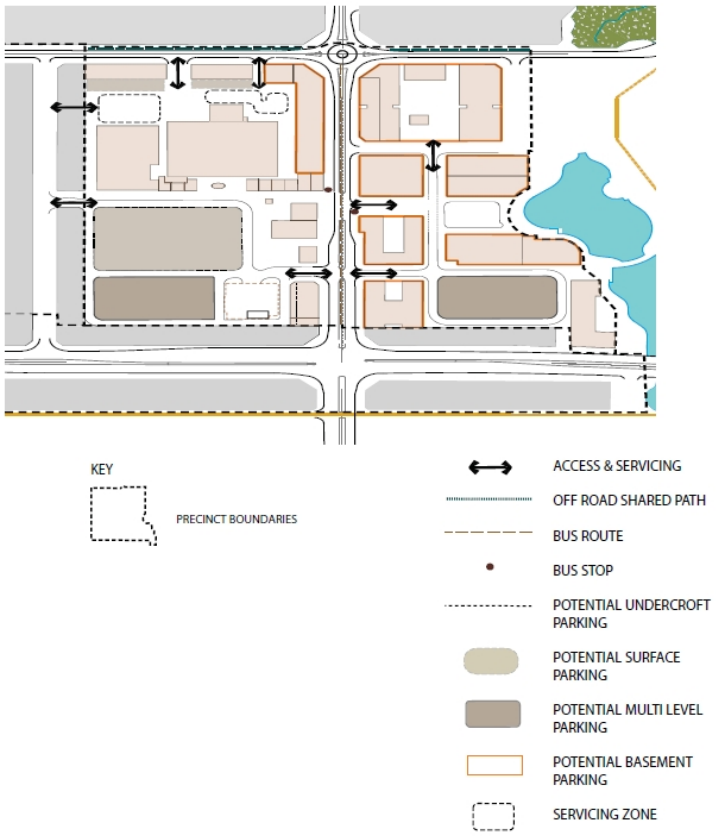


Figure 182: Town Centre Core - indicative car parking, access and servicing

c) Mid-Town

- Main access to the precinct should be achieved via collector roads from both the north and the south. The precinct will offer an alternative access to the main retail car park in the Town Centre Core.
- East-west and north-south roads should be provided to continue the grid network and connectivity within the Town Centre.
- Vehicular access to premises is to be achieved via a combination of street access and rear lane access, depending upon circumstances.
- Vehicular access/egress to parking and servicing areas are to be generally limited to the locations identified on Figure 183.
- Cycleways are to be provided in accordance with Figure 182.

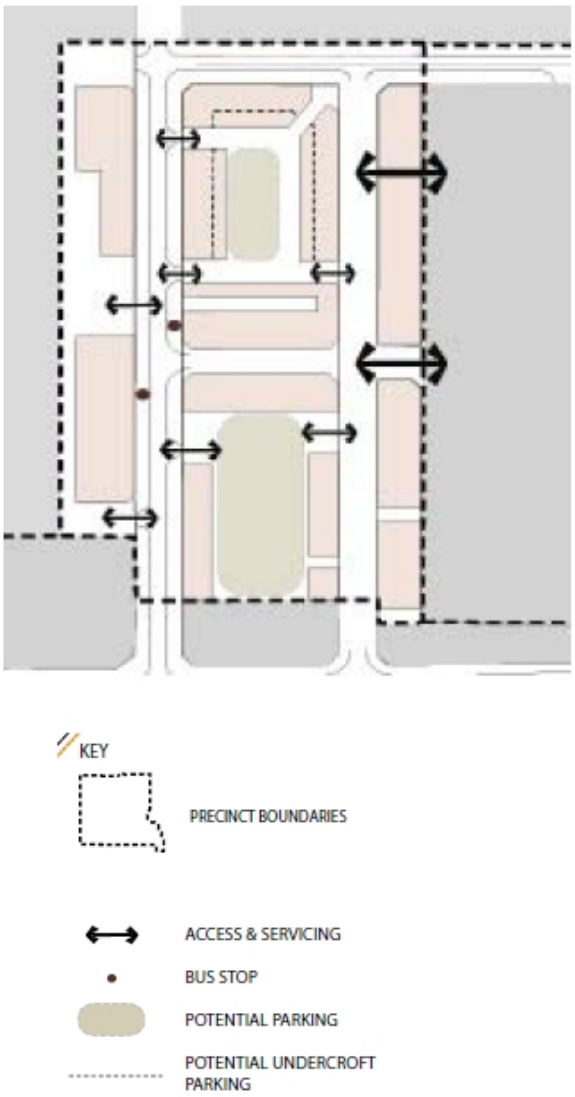


Figure 183: Mid Town indicative parking, access and servicing

d) Northern Edge

- Access to the precinct is achieved via Collector Roads accessing the Town Centre from both north and south.

Public Domain - Public lighting and Public Art

277. Objective

- To promote a pedestrian friendly Town Centre which promotes interaction and is visually interesting, functional and safe.

Development Provisions

a) Thrumster Town Centre

- High quality public domain lighting in both streets and public spaces will be a priority in the Town Centre.
- A Public Art Strategy is to be prepared that defines suitable opportunities for various forms of public art in the Town Centre.

Figure 184: Example of public art appropriate for the Town Centre

Population and Employment

278. Objective

- Promote vitality and economic viability by encouraging the provision of an appropriate balance of employment land and residential accommodation.
- Establish a flexible land use and urban form framework that enables the provision of a mix of commercial, residential, retail, community and open space uses to be developed.
- Establish a strong local employment base of up to 2000 jobs within the Town Centre, serving local and regional populations.
- Establish a residential population within the Town Centre through the provision of at least 180 dwellings in a range of medium density dwelling types of a minimum density of 20 dwellings per hectare.

Development Provisions

a) A minimum yield of 180 dwellings is to be provided within the Town Centre.

b) Precinct Development Control Provisions are to provide details of the proportion of this yield to be accommodated within each precinct.

c) The Town Centre Core will provide the majority of retail development and some medium density housing, together with leisure, recreation, service and community/civic uses.

d) The Northern Edge, West End and Mid Town Precinct Development Control Provisions will facilitate the intent of either Scenario 1 or 2 to be pursued at the development application stage.

e) The West End precinct shall generally provide residential accommodation.

f) Mid Town Precinct shall provide a mix of live/work and mixed uses to balance and complement the residential/employment objectives.

g) The John Oxley Drive Precinct shall provide predominantly commercial/retail uses.

Employment

279. Objective

- To encourage employment-generating uses that can contribute to an economically, socially and environmentally sustainable community.
- To ensure that a wide range of employment-generating uses are permissible within the various land use zones that comprise Thrumster that optimises the investment in infrastructure.
- To encourage a ladder of workspace premises and provide guidelines and controls that enable both flexibility and guidance in the development of employment generating uses.
- To minimise the impact of light industrial activities on surrounding residential uses.

Development Provisions

a) **Business Clusters**

- Business Clusters are to be located within or close to the Town Centre or a Neighbourhood Centre, with good access to public transport and local services.
- The development of a Business Cluster may:
    - Vary building setbacks.
    - Provide private open space requirements
    - Reduce the need for off-street parking through the incorporation of increased on-street angled, 90 degree or centre parking.

b) **Business Incubators**

- The development of a Business Incubator may incorporate specific design provisions that:
    - Vary building setbacks.
    - Reduce the need for off-street parking through the incorporation of increased on-street angled, 90 degree or centre parking.

c) **Light Industrial Uses (in addition to Section C5)**

- In the IN2 Light Industrial Zone, subdivision meets the following requirements:
    - minimum lot size of 1,000 square metres
    - minimum width of 25 metres
    - minimum depth of 40 metres

Building Design in Business Zones (in addition to Section C4)

Active Frontages

280. Objective

- To promote the commercial viability and vitality of local and neighbourhood centres.

Development Provisions

a) Ground floor levels shall not be used for residential purposes in Zone B1 Neighbourhood Centre or in active frontage areas in Zone B2 Local Centre, and will generally have a zero front setback.

b) All ground floor levels in buildings facing active streets, internal and external arcades or pedestrian paths and areas are to incorporate retail, community, commercial or entertainment uses to activate the building frontage and adjoining space.

c) Development along streets and public places shall be designed and sited so that formal entries to the development address the street or public place.

Building Facades, Materials and Finishes

281. Objective (in addition to 100)

- To ensure that building exteriors reinforce the character and continuity of streetscapes.
- To contribute positively to the streetscape by means of high quality architectural design.

Development Provisions

a) General

- Ground floor levels shall not be used for residential purposes in Zone B1 Neighbourhood Centre or in active frontage areas in Zone B2 Local Centre.
- Facades are to be suitably articulated and use a diverse range of materials.
- Materials are to be generally light in colour.
- Avoid expanses of any single material.
- Extensive expanses of solid wall are to be avoided.
- The use of glass, steel and architectural detailing is to be provided to promote articulation, character and interest in the streetscape.
- Balconies and terraces may be provided particularly along Park Edge Streets and to buildings fronting designated open space.
- Facades should be designed to reflect the orientation of the site incorporating environmental control devices as an integrated design feature of the building.
- Apartment buildings shall contain highly articulated façade elements to break down the scale of street wall, clearly expressing a ‘base’, ‘middle’ and ‘top’.

Roof Form

282. Objective (in addition to Objective 99)

- To promote innovation in roof form.
- To ensure the design of the roof integrates successfully with the proportions and composition of the building.

Development Provisions

a) General

- Roof form is to be designed to be an integral part of the building and minimise overshadowing.
- Pitched roofs shall be designed to ensure that the depth of eave overhang is in proportion with the building and contributes to sun shading where required.
- Lift overruns, service ducting and plant and machinery must be integrated into the design of the roof.

– Green roofs shall be incorporated where possible and be designed to enable safe and amenable space for occupants of the buildings without impacting on the residential amenity of any neighbouring occupiers.

Awnings

283. Objective

- See Objective 107.

Development Provisions

a) General

– Awnings should be set back at least 600mm from the kerb line.
– The underside of awnings shall be provided with appropriate lighting.
– Colonnades are not favoured in the Town Centre Core.

Vehicular Access Location and Design

284. Objective

- See Objective 120.

Development Provisions

a) General

– There should be no direct vehicular access to at-grade or basement car parking from the street frontage of neighbourhood centres or from the Main Street in the Town Centre.

– Vehicular access is to be by access lanes, designed and constructed to accommodate the anticipated traffic levels.

– Vehicular entrances and the door treatments are not to dominate facades.

– Doors are to be designed for quiet automated operation.

– Streets or shareways (and public spaces) should not be presented with blank car park walls.

– Car parking structures at street level and where adjoining public places are to present an active frontage to adjoining streets and public spaces and preferably incorporate ground level retail tenancies where appropriate.

– Car parking areas should be visually unobtrusive.

Bicycle and Scooter Parking

285. Objective

- To maximise opportunities for employees of businesses to use alternative transport methods which have less impact on the environment.

Development Provisions

a) General

– All new development is to be provided with facilities for parking or storing bicycles and scooters.

- Large business and commercial development proposals are to include appropriate shower and change room facilities for staff

Mixed Use Development

286. Objective

- To encourage the integration of appropriate retail and commercial uses with residential development.
- To ensure that the design of mixed use developments maintains residential amenity and preserves compatibility between uses.

Development Provisions

a) General

- Ensure that loading bays, garbage collection areas and noise and odour generating aspects of buildings are located away from sensitive receivers (such as residential and some forms of commercial and retail activities).
- Design legible circulation systems, which ensure the safety of users by differentiating between commercial service requirements, such as loading docks, and residential access and primary outlook.
- Locate clearly demarcated residential entries directly from the public street.
- Distinguish commercial and residential entries and vertical access points.
- Provide security entries to all entrances into private areas, including car parks and internal courtyards.
- Avoid the use of blank walls at the ground level.
- Address acoustic requirements for each use by separating residential uses, where possible, from ground floor leisure or retail uses by utilising an intermediate quiet-use barrier, such as offices.
- Design for acoustic privacy from the beginning of the development to ensure that future services, such as air conditioning, do not cause acoustic problems later.

D5: KING CREEK

Application

Section D5 applies to the land highlighted in Figure 185 below.

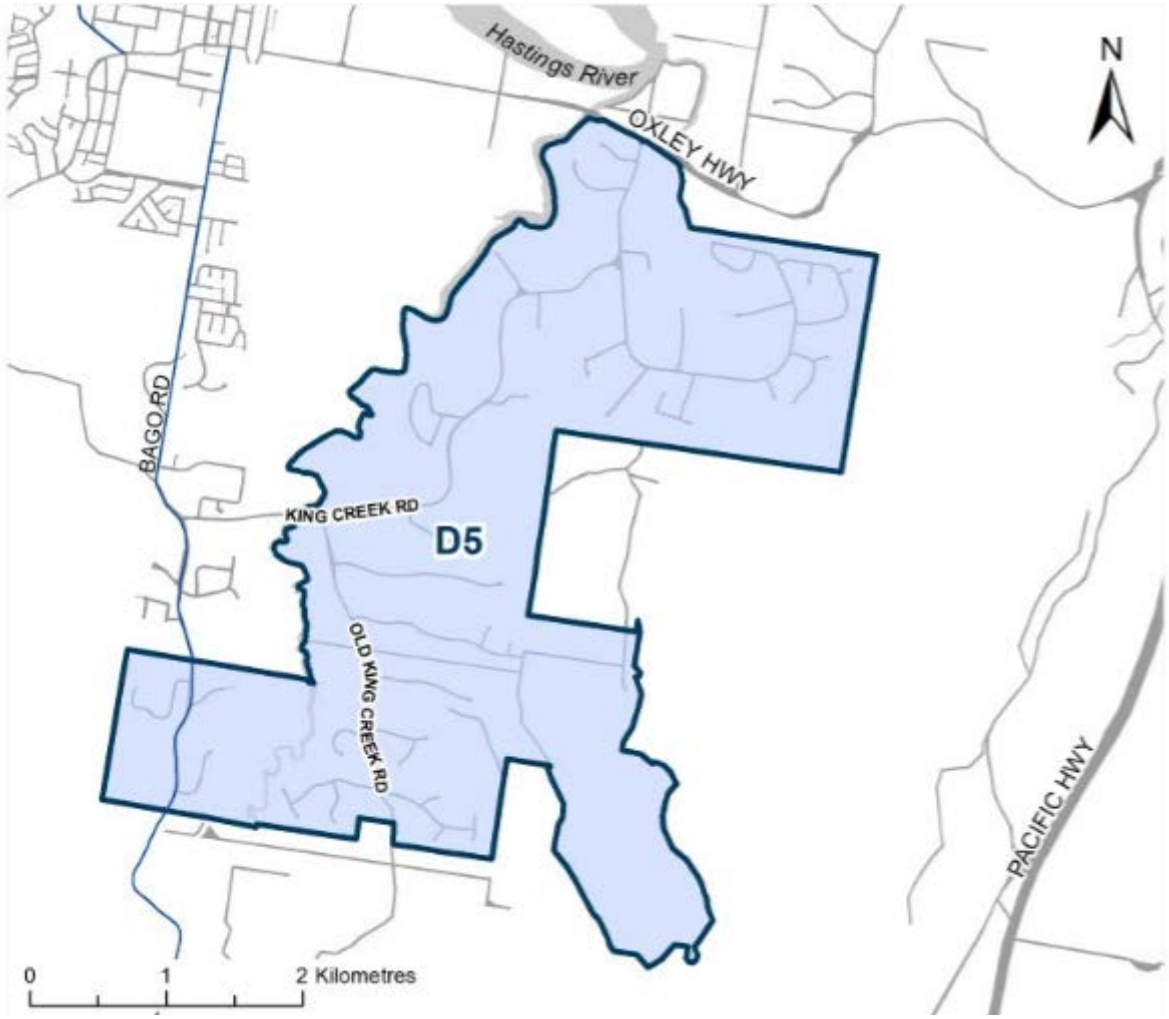


Figure 185: Land subject to Section D5

Strategic Context

The King Creek area has a history of rural residential subdivision but without a village centre, functioning as a dispersed suburb of Wauchope. Council drafted a DCP ("DCP8-Kings Creek") to address a range of development issues, infrastructure and servicing and to establish a unique character in the area.

The following development provisions are those that are considered relevant to future development in the King Creek area.

Development Guide

287. Objective

- To provide suitable land for rural residential development and servicing of those houses.

Development Provisions

a) Dwelling house construction or effluent disposal shall not occur on land with a slope greater than 15 degrees.

288. Objective

- To provide water at acceptable pressures to development.

Development Provisions

a) Proposed lots must have a building envelope designated which is below the 45mAHD contour.

289. Objective

- To limit the number of residences below the dam break probable maximum flood (PMF) level.

Development Provisions

a) A maximum of 60 residences below the dam break PMF is permitted.

Note: *This number of residences is cumulative and approval will be granted on a 'first in' basis.*

290. Objective

- To maintain existing habitat resources to protect existing native flora and fauna.

Development Provisions

a) Where development is proposed on land identified as 'land available for providing habitat' in Figure 186 consent is subject to the maintenance of those areas.

291. Objective

- To supplement existing habitat resources to encourage the expansion of existing populations of native flora and fauna and to mitigate against adverse events such as drought or fire.

Development Provisions

a) Where land, identified as 'land available for providing habitat' in Figure 186 is currently cleared it is to be revegetated with appropriate species (refer KPOM).

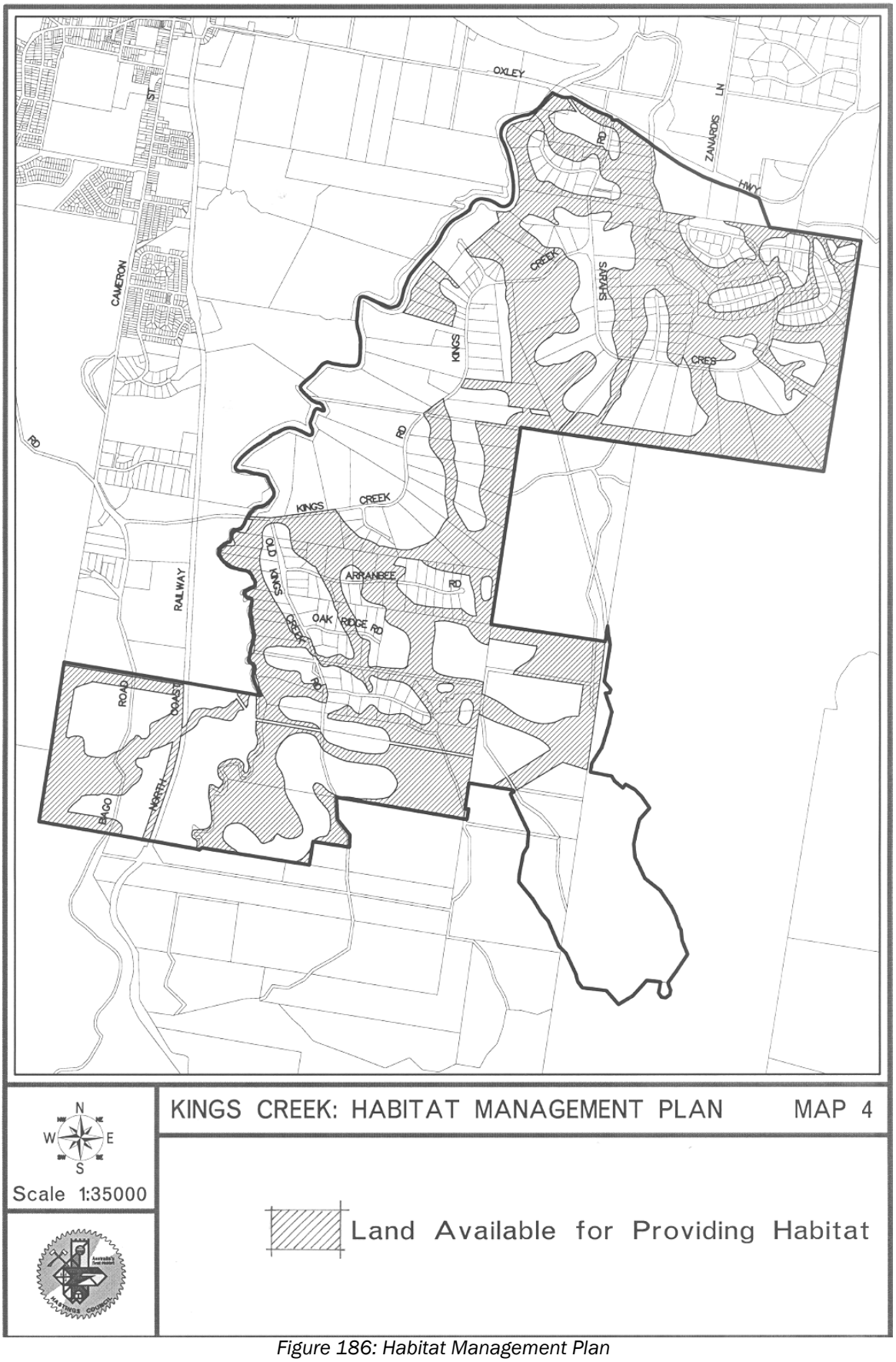


Figure 186: Habitat Management Plan

D6: WAUCHOPE

Application

Section D6 applies to the land highlighted in Figure 187 below.

The Town Centre comprises the core commercial area zoned B2 Local centre, and the adjoining mixed use area zoned B4 Mixed as shown on the map below.

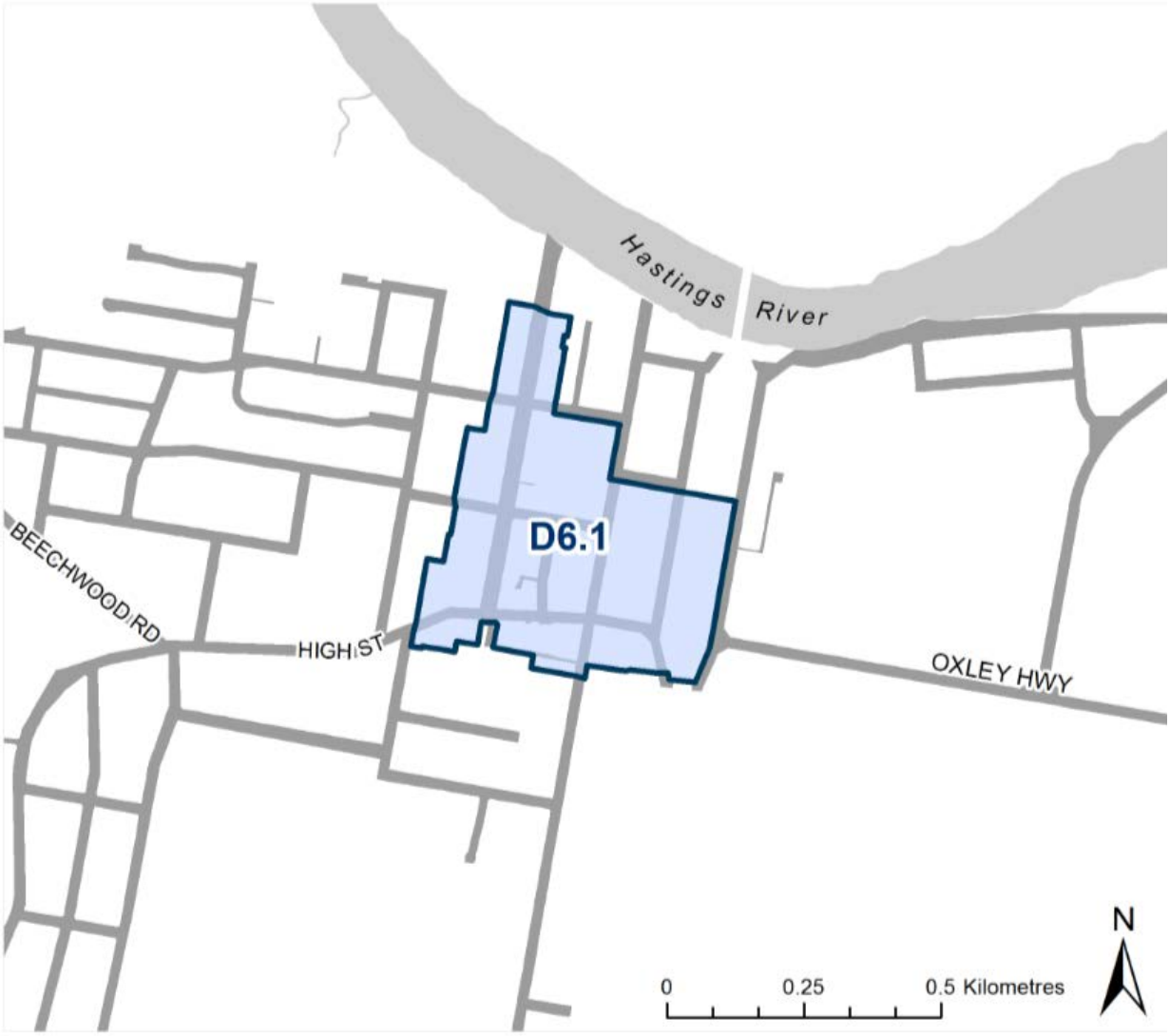


Figure 187: Land subject to Section D6.1

Purpose

The purpose of the Guidelines is to implement urban design outcomes for renewal of the town centre consistent with the *Wauchope Framework Plan - Wauchope Town Centre 2009*. The guidelines reflect the community's shared vision for the Precincts as identified in the Plan and they will be used by landowners, developers and Council when preparing and assessing development applications for redevelopment within the centre.

Applicable Environmental Planning Instruments

1. Port Macquarie-Hastings Local Environmental Plan 2011
2. State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

In the event of any inconsistency between this section of the DCP and the above environmental planning instrument, the planning instrument will prevail.

Relationship to other Sections of the DCP

The following provisions are in addition to the general requirements of Sections A - C of this Development Control Plan. Where they conflict with the requirements of Sections A - C, this plan prevails.

D6.1: WAUCHOPE TOWN CENTRE

This section applies to the land highlighted in Figure 188 below.

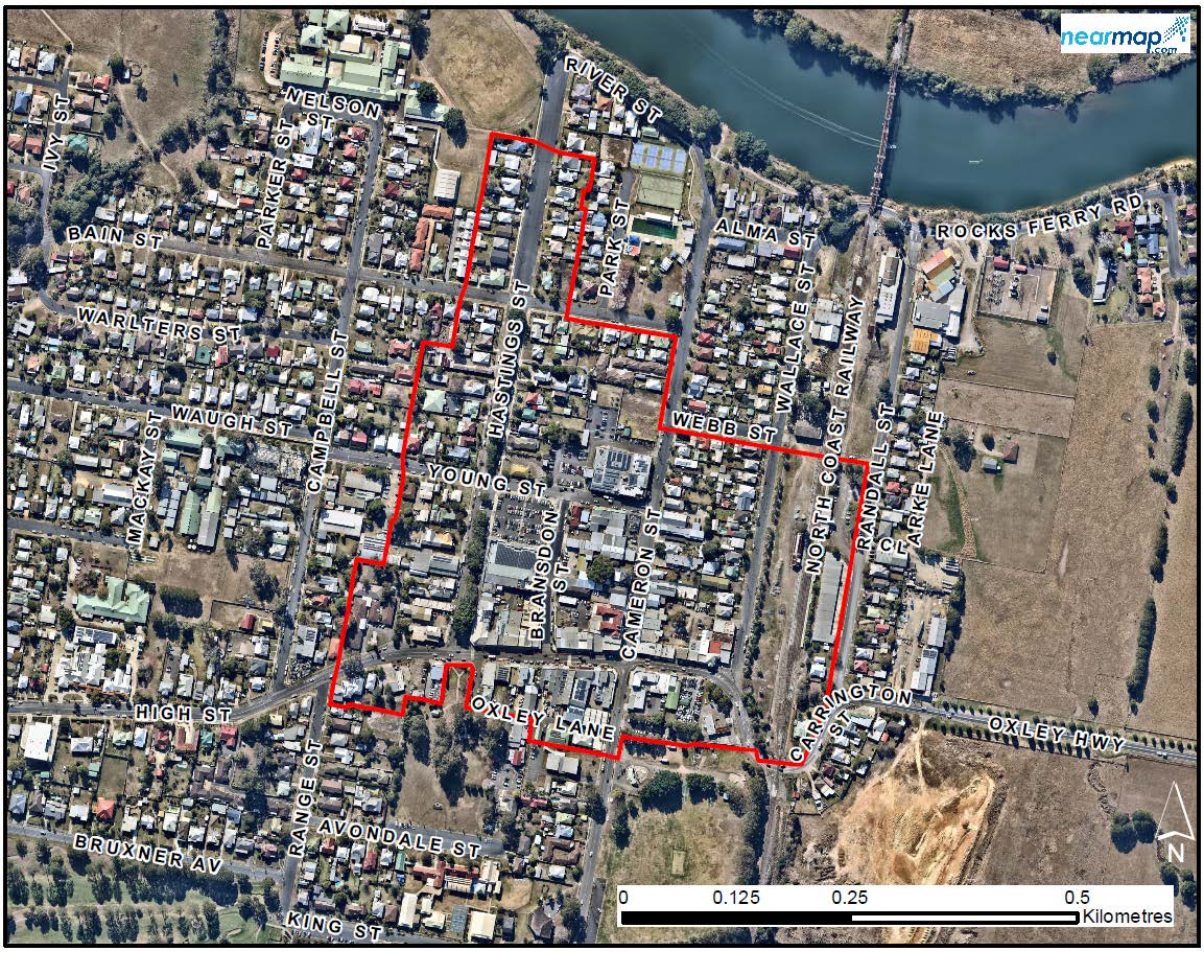


Figure 188: Wauchope Town Centre

Strategic Context

The Port Macquarie-Hastings Urban Growth Management Strategy 2017 - 2036 identifies Wauchope as playing a key role in accommodating projected population growth as part of the Port Macquarie - Wauchope Corridor. The Wauchope Town Centre will continue to offer regional centre support services, convenience retail and commercial activity for local residents and it will be supported by mixed use development to link the CBD with the river precinct.

The amenity of the town is heavily dependent on its natural setting among the surrounding river, rural land, forests, hills and ranges. The town scale and older housing areas provide amenity as well as a point of difference which sets Wauchope apart from other places in the Port Macquarie-Hastings Local Government Area. Renewal of the Town Centre and its elements will reinforce and consolidate High, Cameron and Hastings Streets, and the rail line.

Coordinated landscaping and public domain works consistent with the Wauchope Framework Plan - Wauchope Town Centre 2009, will improve streetscape and public amenity. The Framework Plan is available for viewing on Council's website.

These works will be progressively implemented through the Council's Delivery Program.

This section sets out guidelines for renewal of the Town Centre.

Character Precincts

The Town Centre and Mixed Use Precincts have been identified through community consultation, analysis of land uses and character and consideration of the envisaged future character for the area as identified in the Wauchope Framework Plan - Wauchope Town Centre 2009.

These DCP provisions apply to the Town Centre and Mixed Use areas.

Development Guide

Mixed Use Precinct

Zone B4 Mixed Use is contained between the Wauchope CBD and the Hastings River with its emphasis on Hastings and Cameron Streets. The area comprises predominately single storey residential development, several heritage buildings and a range of additional buildings of architectural and or cultural merit that contribute strongly to the character and appearance of the street.

292. Objective

- To ensure that new development makes a positive contribution to the public domain and streetscape by encouraging low scale and fine grained mix of land use activities within walking distance of the Wauchope Town core/CBD; and together with public domain upgrades, enhance and reinforce connectivity between the town core and the river.

  Note:
  Land use grain is a commonly-used measure of the mixture of land uses, building styles, activity etc in the urban environment (Lynch) or the way in which different land uses in the urban environment are mixed together to create diversity (Jacobs). A fine grain is one in which there is a mix of smaller scale buildings and uses in a single area.

Development Provisions

a) Commercial or edge retail uses should be concentrated along Hastings and Cameron Streets as the main north-south retail streets and primary connectors to the river/recreational precinct.

b) Commercial uses should include live/work business attached to dwellings. Small office, home office and terrace style developments are encouraged to contribute to the character and appearance of the streets.

c) Special care and attention should to be placed on the design of new buildings and/or alterations to existing buildings in order to ensure a compatible relationship with the existing built form and fine grained development pattern of the streetscape.

d) Mixed use development should establish clear sightlines for casual surveillance of the public domain, whilst allowing for suitable privacy for upper storey residential.

e) Simple hanging style signs or projecting small scale wall signs at the main entrance to the building are preferred.

f) Applications in respect of a property within the vicinity of heritage buildings or other buildings of architectural or cultural merit should demonstrate that the architectural quality and appearance of the proposal is compatible with the streetscape and urban character established by the heritage/architectural building.

Town Centre Precinct

The town centre is the primary retail precinct in Wauchope and it is contained within zone B2 Local Centre. This is the shopping heart of Wauchope and it includes the special places of Cameron Street and Hastings Street. High Street is heavily car dominated and there is a lack of soft landscaping, trees or shade. Pedestrian movement is discouraged by intersection design and the street has inconsistent architecture, signage and awnings. It is envisaged that this precinct will capitalise on the outlook and proximity to Bain Park and the pedestrian amenity of Hastings Street and connection to Cameron Street. The role of the retail precinct is to reinforce this part of High Street as the central core of retail and business activity for Wauchope.

293. Objective

- To encourage new development, architectural quality, appearance and a coherent built form to reinforce the role of the Town Centre in the hierarchy of business and retail centres for the Port Macquarie-Hastings Area, and achieve a coordinated streetscape to enhance and strengthen the visual and pedestrian links between core town centre streets consistent with the Wauchope Framework Plan - Wauchope Town Centre 2009.

Development Provisions

a) New development should retain the scale of the main street edge

b) Shop fronts and the architectural profile of buildings should respond in width to the predominant narrow lot frontage.

c) Shop fronts should be predominantly glass for cafes/ restaurants and encouraged to open fully to the street.

d) Building facades, including colour pallets, should respond in a positive manner to the existing historical, cultural and high quality built form within Wauchope.

e) At the street level, building facades, excluding restaurants, cafes and the like, should present a coordinated edge. Second and third level windows should complement the building style above the ground floor retail use with facades terminating by either articulated parapets or over-sailing pitched roofs.

f) All buildings should have continuous, coordinated design and depth of awnings, which respond to the towns architectural qualities and provide shelter for pedestrians and street users. Awnings may be 1-2 storey verandas with posts for upper balconies where practical.

g) Verandah posts are encouraged to be reinstated where possible. Post positions should be buffered from the carriageway to provide for pedestrian and vehicle safety.

h) The use of weatherboards or masonry materials is encouraged.

Figure 189: Articulated parapet

D7: HIGHWAY EMPLOYMENT LANDS

Application

Section D7 applies to land highlighted in Figure 190 below.

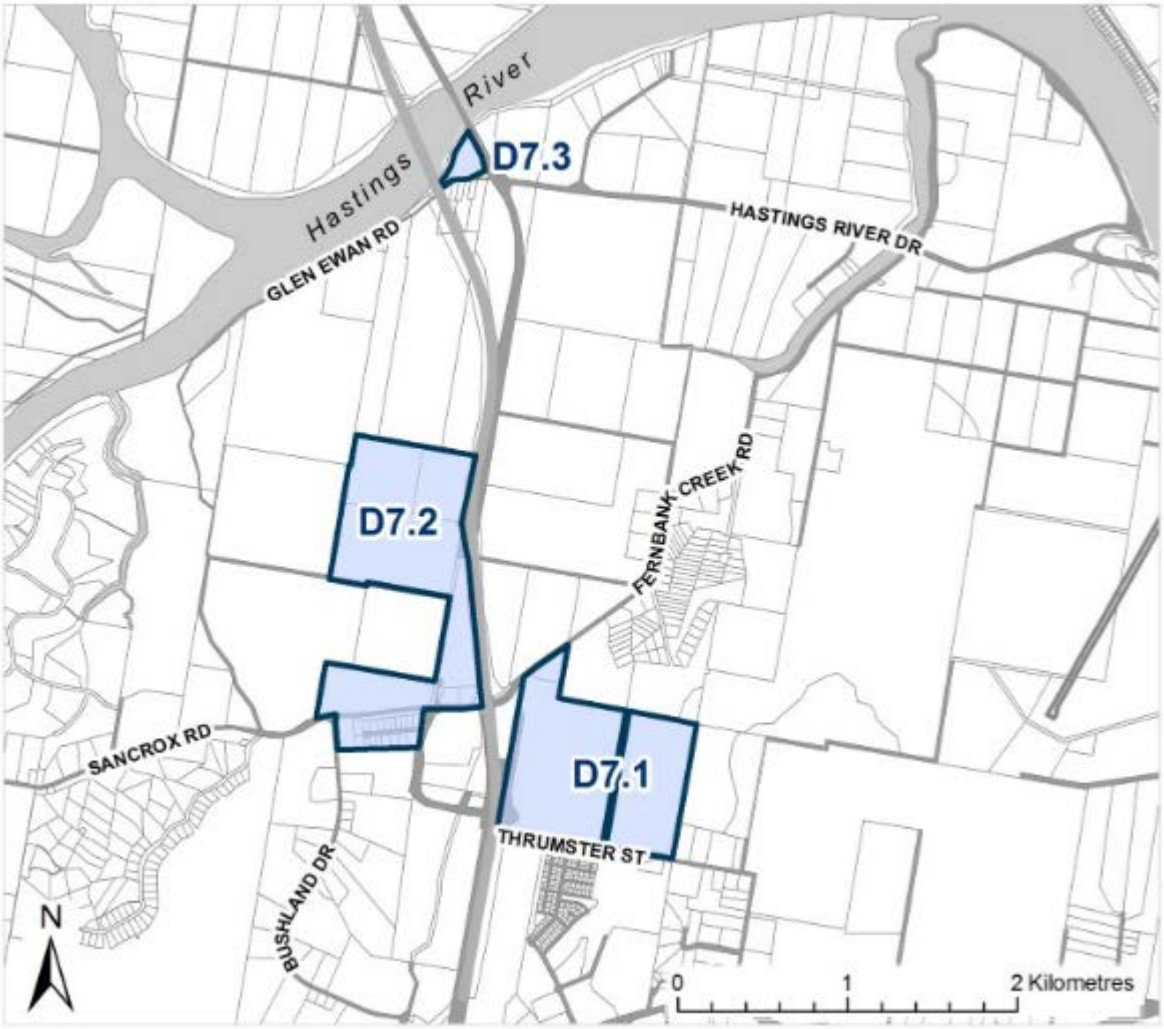


Figure 190: Land subject to Section D7

Purpose

These provisions supplement the General and the Development Specific (Industrial Development) Provisions of Port Macquarie Hastings DCP 2019 by providing additional guidance for development of the subject site.

Applicable Environmental Planning Instruments

Port Macquarie-Hastings Local Environmental Plan 2011.

Contributions Plans

1. Port Macquarie-Hastings Council S7.12 Levy Contributions Plan 2007.
2. Port Macquarie-Hastings Development Servicing Plan: Water Supply Schemes 2006
3. Port Macquarie-Hastings Development Servicing Plan: Sewerage Services 2005

D7.1: FERNBANK PARK EMPLOYMENT LANDS

This section applies to land highlighted below in Figure 191.

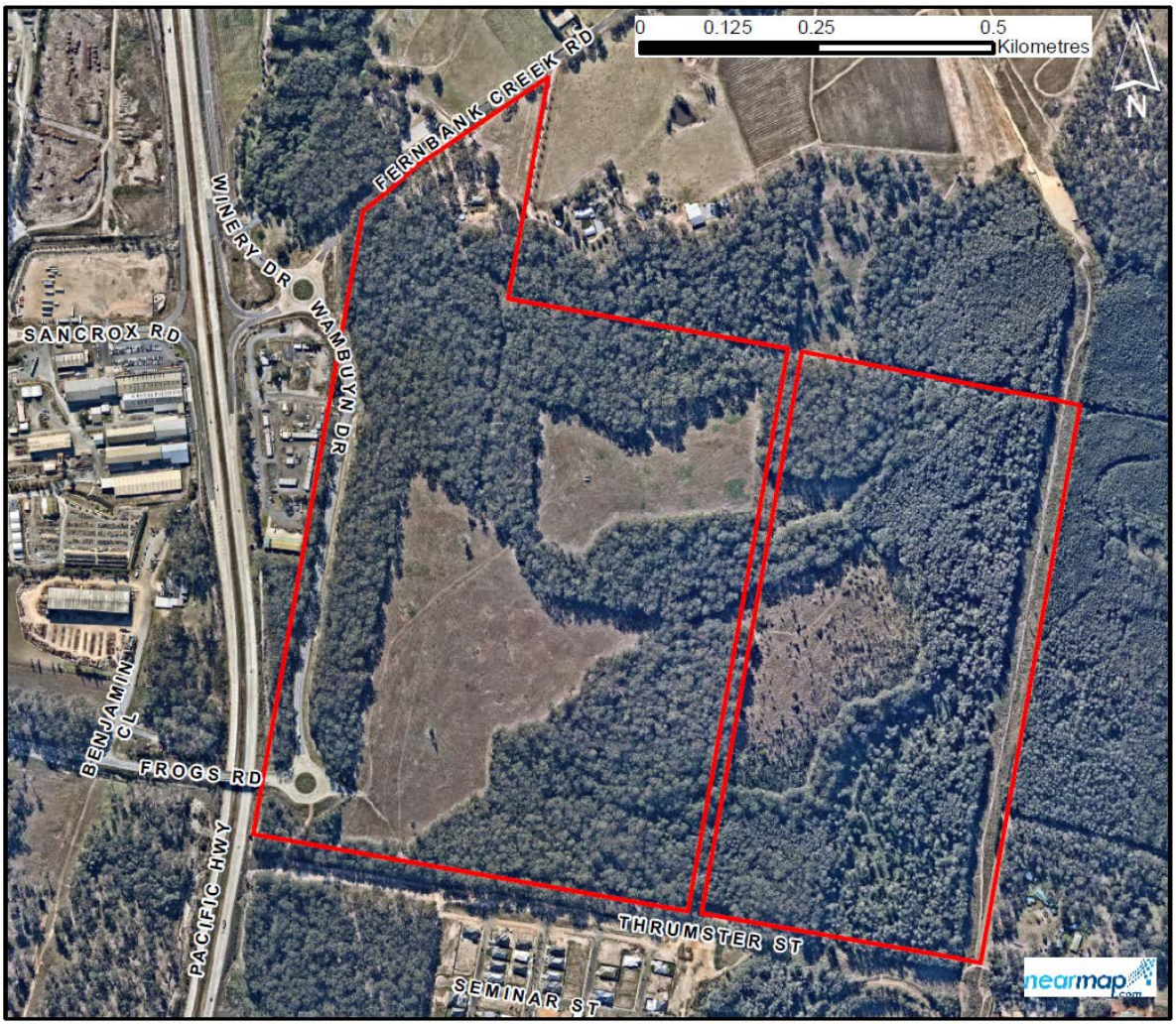


Figure 191: Fernbank Park employment lands

Figure 192: Key site elements

Strategic Context

The zoning of the site provides for approximately 23 hectares of industrial and 50 hectares of environmental lands, including buffers and precinct-scale stormwater management/detention. The zoning was informed by a concept subdivision layout submitted by Hopkins consultants, on behalf of the landowner. A visual representation of the key site elements is shown at Figure 192.

The concept is based on excluding environmental areas from development, together with visual and landscape screening of the industrial footprint from the highway overpass service road to the west; and from Thrumster Street to the south.

An internal perimeter road is provided to allow adequate access by industrial traffic and benefits relating to the management of bushfire hazard and environmental edge effects. Access to all industrial is via the internal road network with no direct access from the overpass service road or Thrumster Street.

The concept provides for landscape screening of industrial lots along Thrumster Street and noise attenuation to the adjoining residential area by appropriate building and site design. Vegetated buffers to the north are maintained in environmental lands.

The concept also provides for on-site stormwater facilities to manage post- development flows from individual lots in addition to precinct-scale facilities to manage runoff from road reserves.

The objectives of these provisions are:

1. To minimise potential for visual and amenity impacts;
2. To provide for appropriate establishment and management of environmental lands;
3. To provide for an appropriate internal road layout.
4. To ensure adequate environmental safeguards to minimise the likelihood of potential for any adverse impact from the development.

Development Guide

Visual and Environmental Amenity

294. Objective

- To identify certain land suited for development as a gateway to the Employment Lands.

Development Provisions

a) Development of land at the intersection of the highway overpass service road and entry to Fernbank Park should be designed to create a distinctive, recognisable gateway entry to the site. Plans for subdivision should include landscaping of the public domain entry and plans for co-ordinated estate signage.

295. Objective

- To minimise the visual impact of industrial development as viewed from the highway overpass service road and Thrumster Street road reserve.

Development Provisions

a) Industrial development is to be screened from the highway overpass service road and Thrumster Street road reserve through landscaped buffers to a minimum depth of 5.0 metres and to include mounding and canopy trees to limit the visual impact of development.

b) Trees are to be selected from those that are indigenous to the area and are to be planted at the time of subdividing the land.

c) Design details to be provided with the DA for approval at the time of subdividing the site, or land use, whichever occurs first.

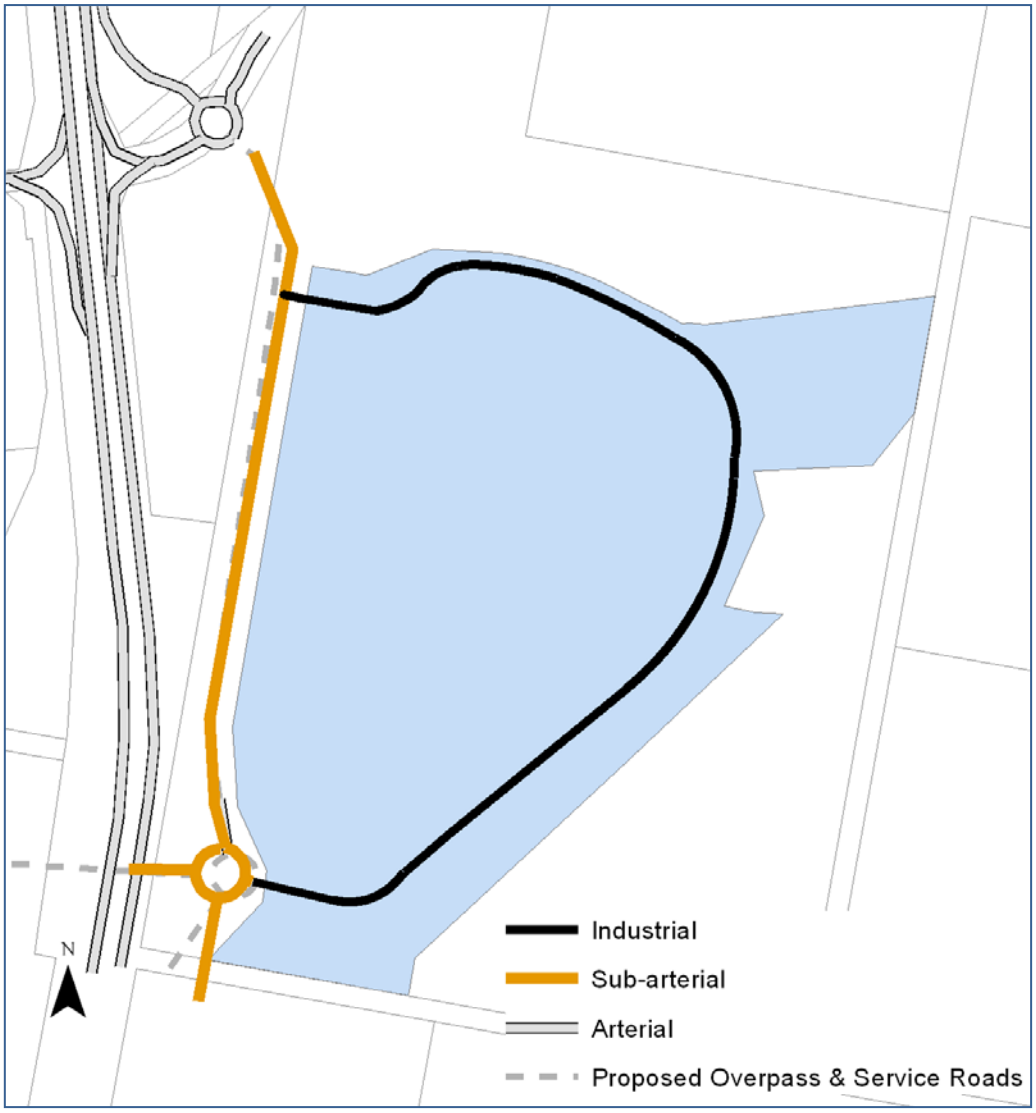


Figure 193: Road hierarchy

Native Vegetation and Habitat Areas

296. Objective

- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors for the purpose of preserving natural habitat and enhancing both the character of the local landscape and the amenity of the developed area.

Development Provisions

a) A Vegetation Management Plan (VMP) is required for all environmental lands for approval prior to issue of a Construction Certificate for earthworks, subdivision and/or building works, whichever occurs first.

b) Approved VMP works are to be completed to Council's satisfaction prior to the issue of the subdivision or building construction certificate.

Roads, Access and Transport

297. Objective

- To provide for an internal road network comprising a safe and convenient system of vehicle, pedestrian and cycleway accesses for all users.

Development Provisions

a) The subdivision design is to reflect the road hierarchy in Figure 193 and cater for an efficient bus route and a combination of on- road and off-road pedestrian and cycleways.

b) Industrial lots are to be designed to obtain access from the internal road network. Direct lot access to the overpass service road and the Thrumster Street road reserve will not be permitted.

298. Objective

- To mitigate against the potential for environmental conflict and degradation at the industrial interface.

Development Provisions

a) The perimeter road between the industrial footprint and environmental lands is to be designed to control the industrial interface to manage potential conflicts of bushfire hazard, stormwater quality and environmental conservation.

Stormwater Management

299. Objective

- To control and manage all stormwater flows generated as a result of development and ensure incorporation of Water Sensitive Urban Design techniques in the development design to minimise reliance on reticulated water.

Development Provisions

a) Industrial development is to incorporate water sensitive urban design (WSUD) elements in the treatment train including:

- Source control via rain gardens and permeable pavements at a minimum size of 2.5% of the gross lot area,
- Conveyance treatment via vegetated swales and bio-retention trenches,
- End of line treatment via gross pollutant traps and bio-retention systems,
- Precinct-scale stormwater treatment systems within SP2 zoned lands to treat runoff from public roads.

b) Detailed design of the WSUD elements is to be undertaken in accordance Council's *Design Development Specification for Stormwater Drainage D5 and D7* and Hopkins, *Water Sensitive Urban Design Strategy, Nov 2012*.

Bushfire Hazard

300. Objective

- To ensure bushfire hazard is adequately managed.

Development Provisions

a) A perimeter road is to be provided generally in accordance with the location in Figure 192 and outside of Zones E2 Environmental Conservation and E3 Environmental Management. Internal road layout to provide for evacuation routes in major bushfire events.

301. Objective

- To ensure Aboriginal archaeological values are respected in the design of development and in the development process.

Development Provisions

a) Prior to any earthworks, clearing works, or excavation works, an inspection of the proposed development site is to be undertaken by an Aboriginal Cultural Sites Officer from the local Aboriginal Land Council and a report on the site inspection is to be obtained.

b) If any Aboriginal artefact(s) are discovered during earthworks, subdivision and or building works, all work in the vicinity of the site is to immediately stop and the discovery reported to the Department of Planning, Industry and Environments Biodiversity and Conservation Division (BCD) in accordance with the provisions of the National Parks and Wildlife Act 1974.

c) If discovered, artefact(s) should be moved under an approved Aboriginal Heritage Impact Permit to a location outside the impact area but within Lot 101 DP1106752, in consultation with the relevant Aboriginal stakeholders and BCD.

d) If a scarred tree is located during site works or development, all works are to immediately stop in the vicinity of the tree, the area cordoned off and contact made with the BCD, a suitably qualified archaeologist and the relevant Aboriginal stakeholders so that the site can be appropriately assessed and managed.

Industrial Land Adjoining Sensitive Land Uses

302. Objective

- To ensure adequate noise attenuation of industrial development, where required, adjoining the southern site boundary.

Development Provisions

a) DAs for industrial development adjoining the southern site boundary are to be accompanied by noise impact assessment carried out by a suitably qualified person to:

  - Determine the noise reduction required to achieve suitable levels for the proposed industry (if any);
  - Design and incorporate any necessary noise mitigation measures to demonstrate achievement of acceptable noise levels at sensitive receivers, including visual detail of how the proposal integrates into the existing locality;
  - Provide justification for any proposed acoustic treatment(s), based on site characteristics and the nature and intensity of the proposed use; an
  - Demonstrate consideration of attenuation strategies of like industries with similar sites and requirements for noise reduction.

Electricity and Telecommunications

303. Objective

- To ensure that satisfactory arrangements are made with servicing authorities.

Development Provisions

a) Arrangements are to be made with local service authorities for the provision of underground power and telecommunications to all industrial lots prior to release of the first subdivision construction certification for development of Lot 101 DP1106752.

D7.2: SANCROX EMPLOYMENT LANDS

This Section applies to the land highlighted in Figure 194 below.

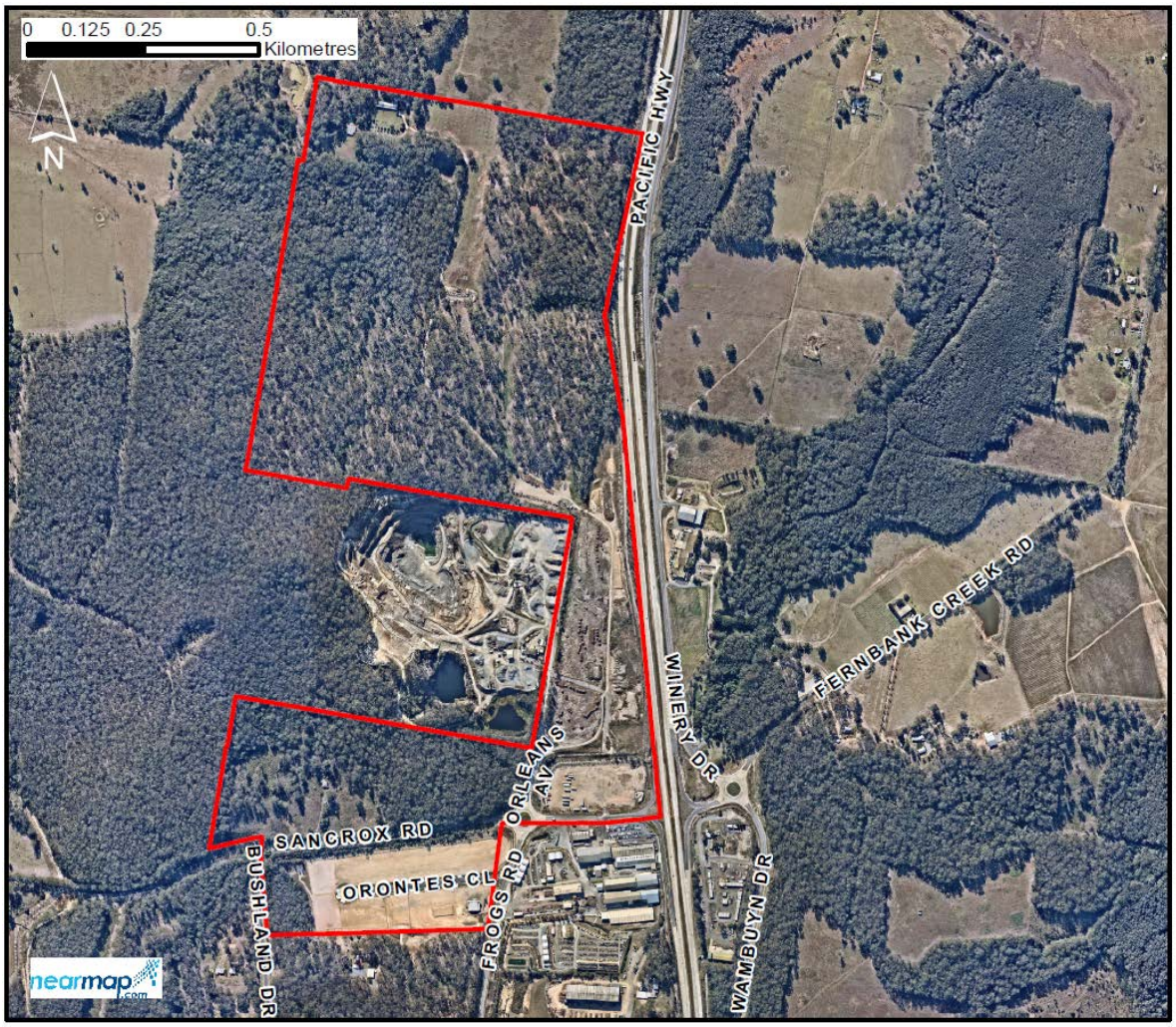


Figure 194: Land subject to Section D7.2

304. Objective

- To establish the role of the Sancrox Employment Lands as an important employment generator to provide for a range of new business and industrial opportunities to meet immediate and longer term employment demand.
- To minimise the potential for any detrimental impact of development of the Employment Lands through careful site planning and the provision of adequate environmental safeguards.
- To maximise retention of endangered ecological communities, potential koala habitat and strategic wildlife corridor links to surrounding populations and forest areas.
- To provide for an appropriate road hierarchy within the site to ensure that development does not adversely affect the function, efficiency and safety of the surrounding road network, particularly Sancrox Road and the Pacific Highway;
- To ensure that development proposed adjacent to the Pacific Highway, Sancrox Road and rural-dwellings is compatible on both visual and operational grounds;
- To ensure the orderly provision of services and infrastructure to meet the needs of future development.

Strategic Context

A Local Environmental Study (LES) for the Sancrox Employment Lands was prepared by Blueprint Planning Consultants having regard to extensive studies of the site and its locality. These studies, together with additional investigations included:

- Road network analysis
- Buffer area assessments to adjoining quarry and rural dwellings;
- Flora and fauna survey
- Precinct land use analysis;
- Archaeological/heritage assessment;
- Flooding and stormwater drainage analysis;
- Land contamination assessment;
- Bushfire hazard risk assessment;
- Geotechnical (land slope) constraints analysis
- Visual analysis;
- Utility strategies for reticulated sewer services and water supply; and
- Consideration to social and economic impacts.

Structure Plan

The LES includes a Structure Plan that provides for approximately 70 hectares of industrial and 30 hectares of environmental lands, including buffers and stormwater drainage. A visual representation of the key elements of the Structure Plan is at Figure 195.

The Structure Plan is based on the concept of excluding environmental areas from development, together with visual and landscape screening along the Pacific Highway, Sancrox Road and rural dwellings to the south and east.

The traffic network is designed to cater for approximately 1,835 workers generating about 2,200 vehicle trips during the afternoon peak. The concept road layout incorporates the RTA's longer-term Pacific Highway overpass access strategy and wherever possible, allows for separation of the industrial footprint from adjoining forest areas.

A flood encroachment study has established that the industrial footprint is able to be filled without significant impact to surrounding properties, subject to on-site detention of stormwater to manage post-development flows in the north; in addition to a drainage reserve in the south, to contain all post development 1% AEP flooding plus Climate Change extents to manage localised flooding.

The concept subdivision layout provides for lots backing onto the Sancrox Quarry to enable screening and noise attenuation by appropriate building design and siting. Internal access roads are located a minimum of 100 metres from the eastern and northern Quarry site boundaries.

A VPA between Council and the landowners has been entered into to ensure that all land affected by the quarry buffer to the north is able to be excluded from industrial development for up to 7+ years to allow for the continued extraction of the resource adjacent to this boundary.

Seven (7) Sub Precincts (see Figure 196) are suggested across the site to facilitate a range of opportunities for colocation of like industry with similar levels of impact. The advantages of clustering businesses and industries with similar impacts relates to reduced likelihood for land use conflict and improved business synergies and efficiencies.

Precincts

The following are the Sub Precincts and the desired future character for each of these:

- Northern General Industrial - for a range of future general industrial uses including heavy industry, manufacturing and construction related industries, being located furthest from rural residential areas.
- North-western Warehousing - for warehousing and non-hazardous storage facilities, given location next to the transport and logistics Sub Precinct 3a and higher level bushfire hazard to the west.
- North-eastern Transport and Logistics - trucking and transport related businesses providing a large relatively flat development site.
- Central General Industry - for a range of general industry and industrial businesses associated with the quarry resource.
- Entrance Light Industry - being highly visible to passing highway traffic, development will require careful and appropriate building, landscape and signage design to ensure an attractive and impressive statement of the Employment Lands.
- Southern Light Industry - this Sub Precinct is the flattest land in the Study Site and only minimal landscape works will be required to establish suitable development sites. Consideration needed to maintaining a satisfactory level of amenity for adjoining rural-dwellings in Bushlands Drive.
- Light Industry and Training Services - containing some of the steepest land in the Study Site, this Sub Precinct is on the entry road to rural-dwellings to the west and most exposed to view from passing traffic. This Sub Precinct will need to be developed with sensitive design and building layout to reflect the constraints of slope and noise minimisation. Appropriate uses are light industry and support services such as workers' personal services/facilities and industry-related training and educational facilities.

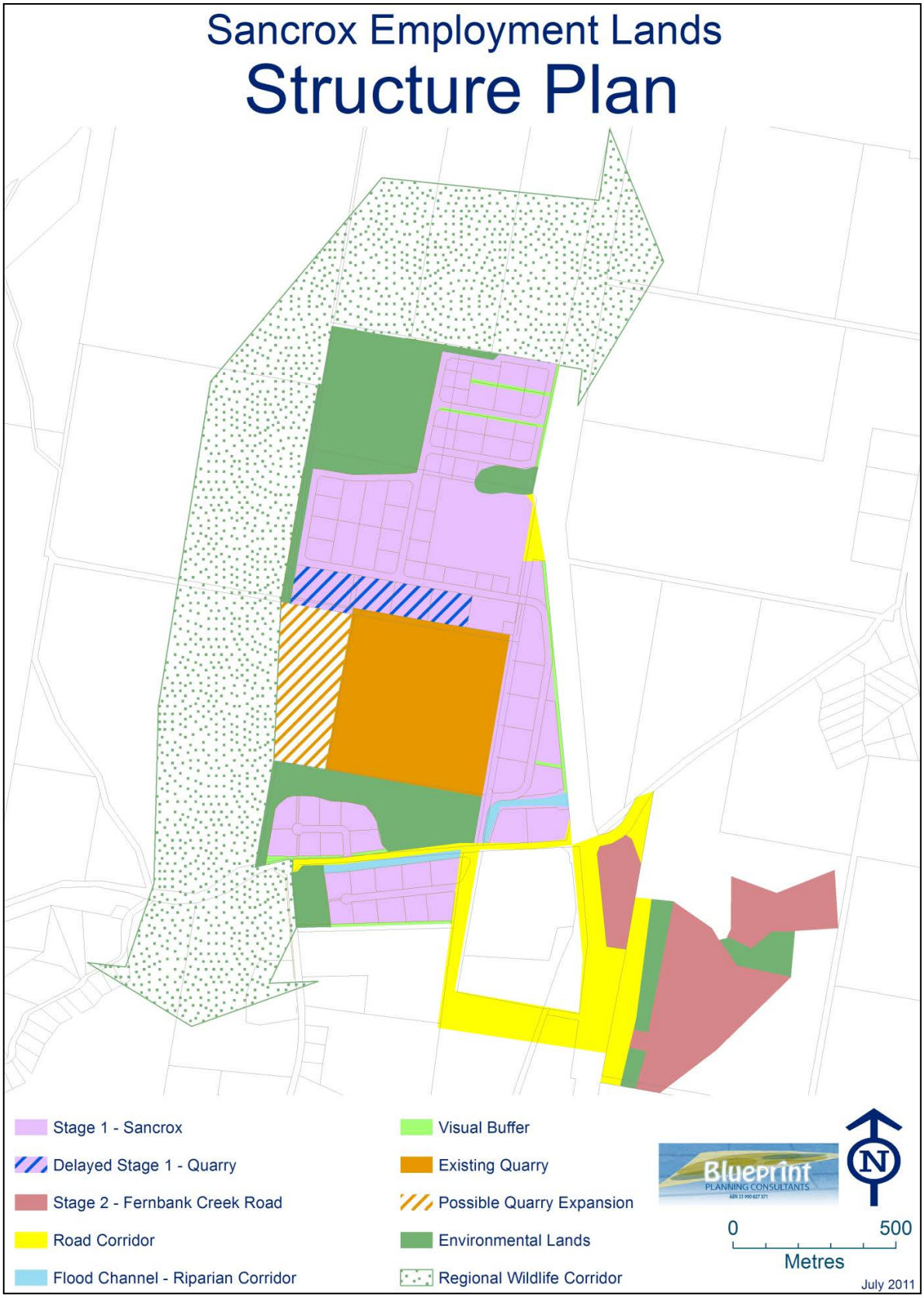


Figure 195: Sancrox Employment Lands Structure Plan

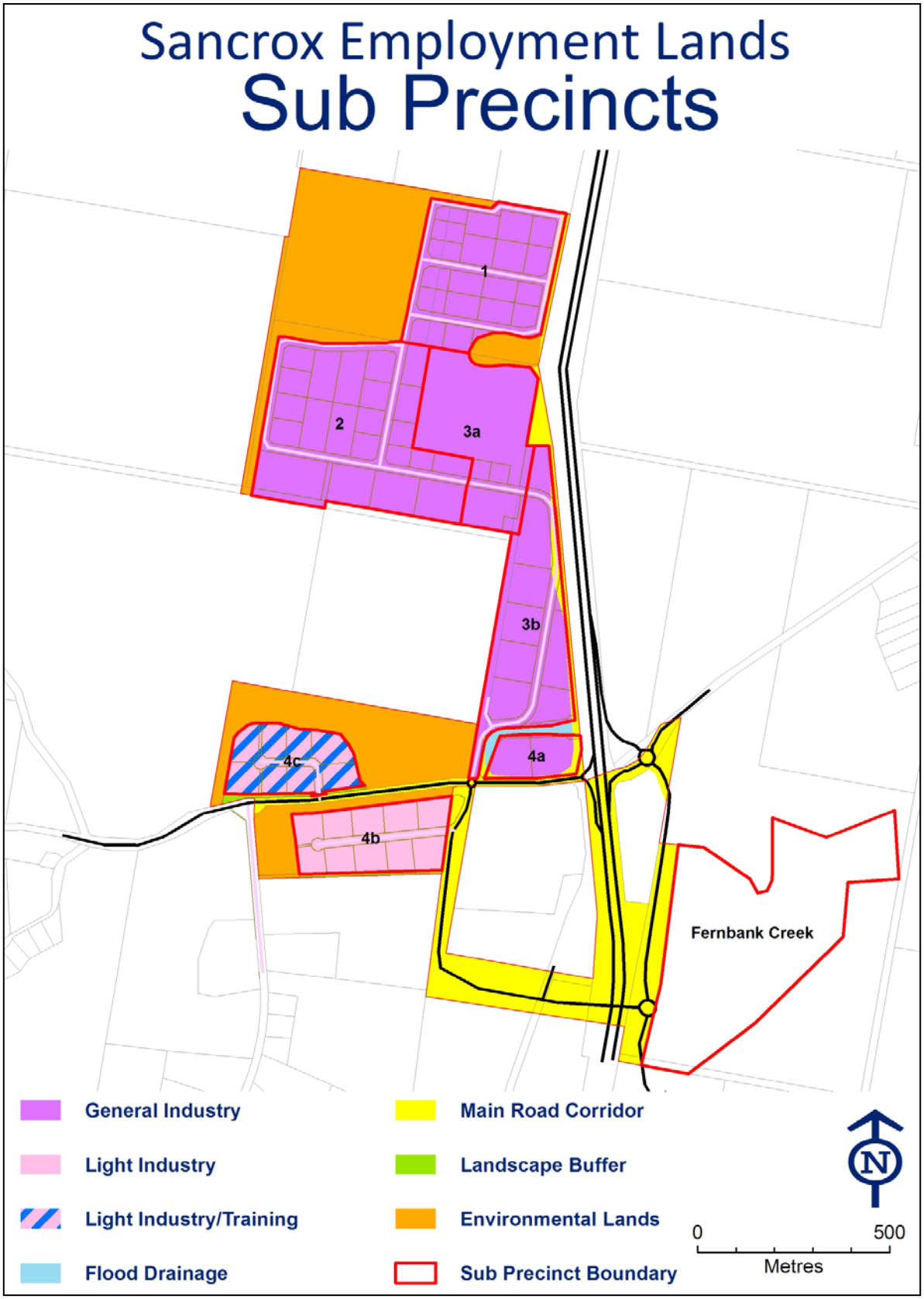


Figure 196: Sancrox Employment Land Sub Precincts

Development Concept Plan and Staging

The development concept is based on a number of fundamental principles that should guide all development of the site. These include:

- Protection and continued operation of the adjoining Sancrox Quarry;
- Exclusion of environmental areas from the development footprint;
- Safe and efficient access to the Pacific Highway and Sancrox Road via an appropriate internal road network;
- Screening of development adjacent to the Pacific Highway and Sancrox Road;
- Protection of a satisfactory level of existing rural amenity for residents of nearby dwellings; and
- Utilisation of existing infrastructure, or staged infrastructure upgrading, to provide the most cost efficient development servicing having regard to demand and take-up rates.

Development is to occur in stages in response to:

- The need to defer development of land adjoining the northern boundary of the adjoining Sancrox Quarry until such time as the quarry resource is fully extracted;
- The need to maintain and establish koala habitat in response to the development;
- The need for the early establishment of highway visual screen buffers, as well as noise mounds and barriers on the southern edge of the Employment Lands.
- The need to enable roads, sewer and water service infrastructure to be progressively developed in a cost efficient and effective manner; and
- The need for stormwater discharge from all stages of the development to meet the prescribed runoff quality/quantity requirements whilst also ensuring that the public stormwater drainage infrastructure is progressively developed in a cost efficient and effective manner in accordance with current industry best practice.

A staging and sequencing plan is to be submitted for Council's approval with the DA for the first stage of subdivision, or building construction (whichever occurs first).

The plan is to assess the capacity of existing water, sewer, stormwater and road infrastructure and provide details of proposed interim arrangements to enable early development of part of the site. Agreement to any staging and sequencing plan will be subject to Council being satisfied that other landowners will not be disadvantaged by the staging proposal.

Development Guide

Ecology

305. Objective

- To promote high quality development and achieve an attractive and viable neighbourhood shopping and tourist precinct, by design guidelines and a development strategy, which includes street landscaping, pedestrian crossovers on Ocean Drive to link the shopping precinct with the foreshore reserve and kerb-side parking and setting a design theme, which will unify and identify the precinct.

Development Provisions

a) All environmental lands that are proposed to be dedicated to Council require lodgement of a Vegetation Management Plan (VMP) with the DA at the subdivision or building stage, whichever occurs first. Establishment of approved VMP works shall be completed to Council's satisfaction prior to the issue of the subdivision or building construction certificate.

b) For all other environmental lands not covered by a VMP, weed control and management is to be carried out by persons suitably qualified in bushland regeneration, or as approved by Council in accordance with a condition of DA consent.

306. Objective

- To encourage movement of koalas from the east to higher value vegetation in the west of the site.

Development Provisions

a) Koala proof fencing and food tree planting is to be provided along the northern boundary. Details to be provided at the time of subdividing the land or building works, whichever occurs first.

307. Objective

- To ensure that development of the site provides for protection and rehabilitation of important habitat areas and maintenance of native vegetation generally.

Development Provisions

a) Threatened species and SEPP 44 assessments are to be undertaken at the subdivision or building DA stage, whichever occurs first, to assess the impact of the development and any proposal to clear native vegetation including old growth trees and any trees with hollows.

b) Landscape plantings and street trees are to be in accordance with Council's Street Planting List and AUS-SPEC Design Specifications.

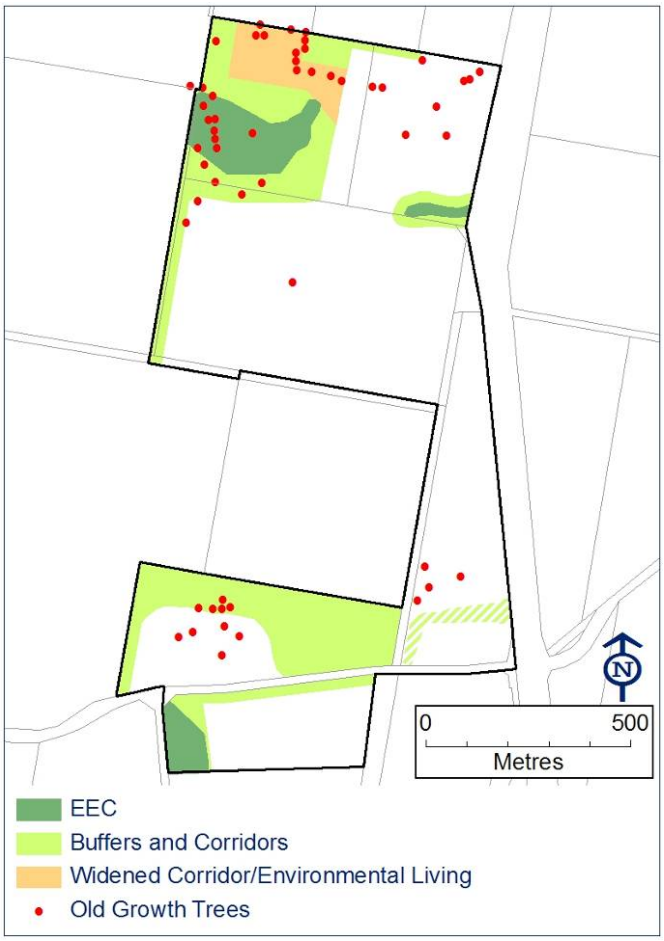


Figure 197: EECs, old growth trees and wildlife corridors

Water Quality

308. Objective

- To ensure that water quality enhancement systems are designed and constructed in accordance with relevant legislation.

Development Provisions

a) A Stormwater Management Strategy prepared by a certified practicing engineer in accordance with Council's AUS-SPEC Design Specifications and Martens Concept Water Cycle Management Strategy (Apr 2010) at Appendix 3 to the Sancrox Employment Lands LES, is to be submitted with any DA for subdivision or building works, whichever occurs first.

309. Objective

- To control and manage all stormwater generated as a result of land development.

Development Provisions

a) All industrial lots are to be provided with on-site stormwater detention facilities compliant with the volume and discharge recommendations of the Martens Concept Water Cycle Management Strategy.

310. Objective

- To ensure incorporation of Water Sensitive Urban Design techniques on site and building design to minimise reliance of reticulated water.

Development Provisions

a) All industrial lots are to be provided with on-site rain gardens at a minimum size of 2.5% of the gross lot area. Rain gardens shall be designed and constructed as per Council's AUS-SPEC Design Specifications and Martens Concept Water Cycle Management Strategy.

b) All industrial lots are to be provided with a minimum 10 KL rainwater tank. All roof water shall be directed to the rainwater tank and tank overflows directed to the lot rain garden.

c) All site discharge, including hardstand areas and outflows from the on-site rain garden is to be directed to the on-site detention.

d) Water quality treatment devices are to be located upstream of EECs to ensure water quality targets are achieved for water entering these areas.

e) All road pit and pipe drainage is to be designed to drain to trash racks followed by bio-retention swales sized at 5% of pavement catchment area contributing to flow at the point of discharge. Swale locations and design detail to be provided at the subdivision DA stage.

f) End of line bio-filtration systems designed to treat stormwater runoff from the road reserves are to be provided prior to discharge to local watercourses generally in accordance with the locations shown in Figure 198.

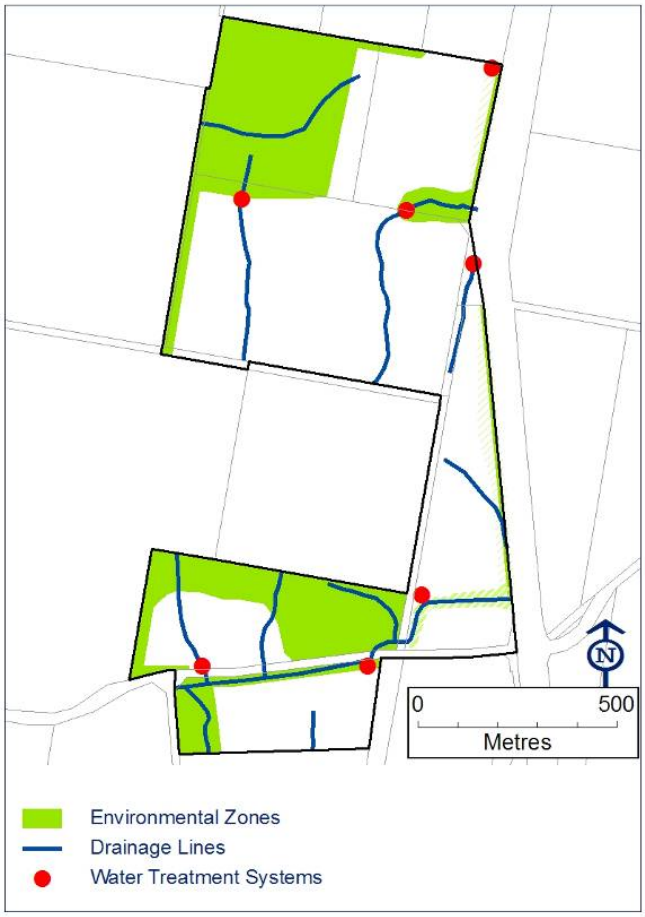


Figure 198: Recommended water treatment locations

Flood Liable Land

311. Objective

- To guide the development of flood prone land within the Employment Lands

Development Provisions

a) All development is to be located outside of the 1% AEP flood extent plus climate change flood level, except for land at the Sancrox Road/Pacific Highway intersection which has been assessed as capable of being filled for industrial development without significant adverse impact.

b) A minimum width riparian/stormwater drainage corridor is to be provided for riparian function and to accommodate flood flows and access for future maintenance, generally in the location shown in Figure 199 (indicative cross section at Figure 200), with detailed design to be submitted at the subdivision or land use DA stage, whichever occurs first.

c) The riparian/stormwater drainage corridor is to include replating to Council's satisfaction to provide some riparian function to the channel. Details to be submitted at the subdivision or land use DA stage, whichever occurs first.

312. Objective

- To set aside appropriate areas to convey and/or store flood waters.

Development Provisions

a) The subdivision design is to incorporate drainage reserves to accommodate overland flow paths.

***Note**: All roads are to be designed to the 1% AEP plus climate change flood level.*

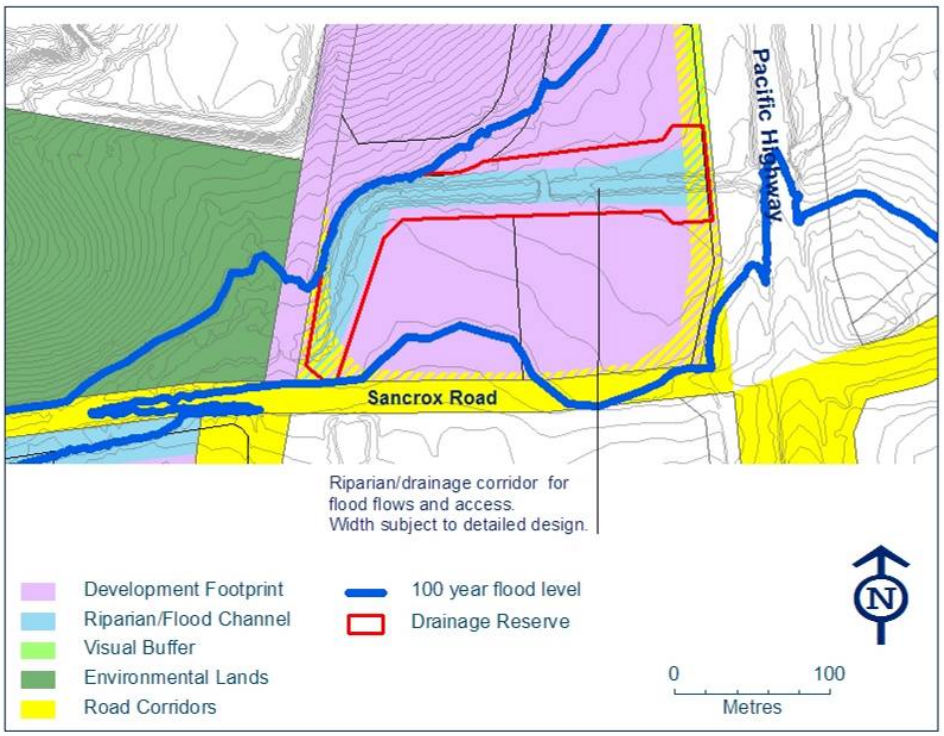


Figure 199: Land capable of being filled and indicative riparian/stormwater drainage corridor

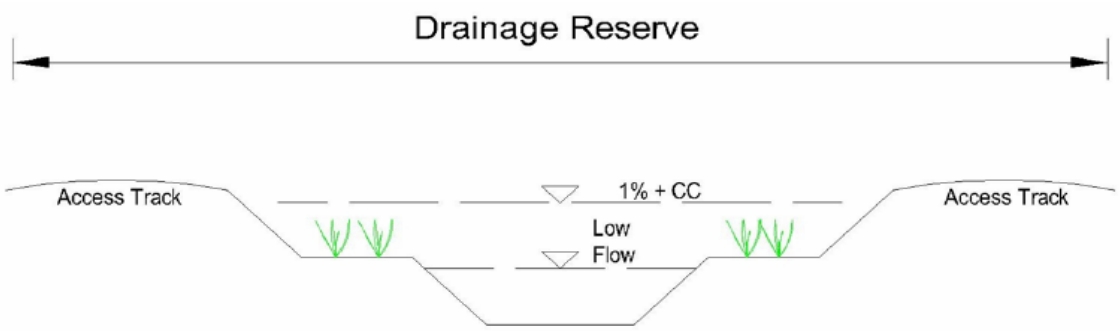


Figure 200: Indicative cross section for riparian/stormwater drainage corridor

Land Stability and Soils

313. Objective

- To set aside appropriate areas to convey and/or store flood waters.

Development Provisions

a) Investigations to determine groundwater levels are to be undertaken for the lower elevations on the southern side of Sancrox Road to determine any limitations for development and associated roadwork, excavations, water quality control facilities, or other infrastructure construction.

b) Fill in excess of 0.5m is to be suitably engineered to ensure good stability, compaction and water exclusion and/or drainage. Placement of fill is to be in accordance with Council AUS-SPEC guideline C213-Earthworks and Australian Standard 3798 Guidelines on Earthworks for Commercial and Residential Developments 1996.

c) Where cut and fill is proposed to exceed 1.0m for land mapped as "Medium Land Hazard Risk" in Figure 201 below, specific slope instability assessment and sub-surface investigations are to be undertaken.

d) Development requiring excavation is to include batter slope design based on assessment of excavated rock and careful design of drainage behind retaining structures and under roads. As a guide refer to the Preliminary Geotechnical Constraints Assessment undertaken by Martens (Oct 2009) at Appendix 5 to the Sancrox Employment Lands LES.

e) Retaining structures greater than 0.75m high are to be designed and inspected by a suitably qualified engineer.

f) Top soil is to be stripped and stockpiled for future landscaping purposes. If subsoils are to be reused as engineered fill, laboratory analysis is to be undertaken to determine suitability for re-use.

g) Plans indicating the existing and final landform are to be submitted at the building DA stage.

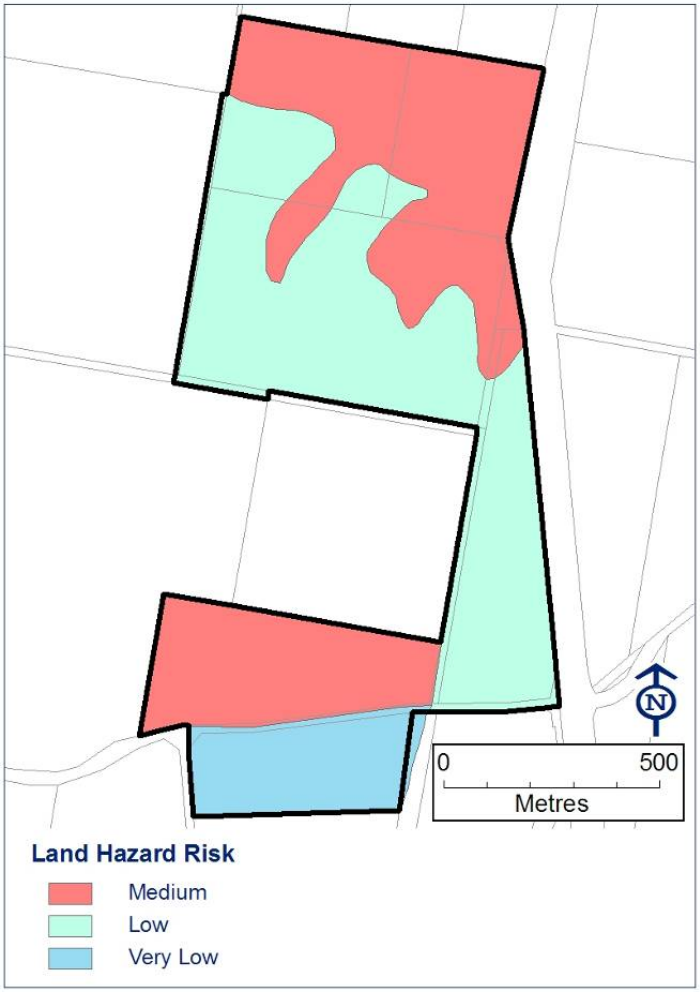


Figure 201: Land hazard risk zones

Land Contamination

314. Objective

- To implement measures to mitigate against the potential for risk posed by contaminated land to human health and the environment.

Development Provisions

a) When bitumen tanks and or stored spare parts are removed from Lot 30 and part Lot 31 DP 255774, a preliminary site investigation is to be carried out by a suitably qualified person to determine if any remediation works are required in accordance with Council's *Contaminated Land Policy and SEPP 55 – Remediation of Land.*

Quarry Operational Impacts

315. Objective

- To ensure the long-term life of the Sancrox Quarry will not be compromised by development of industrial sites on adjoining land.

Development Provisions

a) Development of land shown as "subject to acoustic controls" on the Acoustic Controls LEP Map, is to comply with clause 7.9 of PMH LEP 2011.

316. Objective

- To allow for the operators of the Sancrox Quarry to continue blasting operations adjacent to the northern quarry boundary until such time as the resource is extracted.

Development Provisions

a) Development within the 125dB(L) overpressure contour or within the 25mm/s vibration contour from the existing Sancrox Quarry, as shown in Figure 202 is not permitted for a period of 5 to 7+ years in accordance with the Sancrox Employment Land and Quarry Agreement.

317. Objective

- To ensure appropriate noise attenuation measures are incorporated into building design and site layout for industrial development adjoining the Sancrox Quarry.

Development Provisions

a) A noise impact assessment of development proposals for non-industrial proposals affected by the 70dB(A) contour and all development proposals affected by the 75dB(A) contour from the existing Sancrox Quarry and crushing plant, is to be provided with the DA to demonstrate suitable building design and siting to achieve acceptable noise levels within and without the industrial development to the noise source. Such to be prepared by a suitably qualified acoustic engineer.

318. Objective

- To enable adequate screening and noise attenuation of industrial development adjoining the Sancrox Quarry by appropriate lot layout, building siting and design

Development Provisions

a) All new internal access roads (as described over page) are to be sited a minimum distance of 100 metres from the eastern and northern Quarry site boundaries

b) Development, including car parking and staff recreation areas, are to be oriented to address the street, with solid barriers (eg high walls of buildings) to be located adjacent to the Quarry site boundaries to assist in noise reduction.

319. Objective

- To minimise the potential for future land use conflict

Development Provisions

a) Dust sensitive land uses (eg spray painting workshops, photographic studios, fabric manufacturing, carwash premises) are not to locate on land adjoining the Sancrox Quarry.

320. Objective

- To maximise opportunity to win extractive resources.

Development Provisions

a) Prior to industrial development of land, consider the ability to win any extractive resource within industrial zoned land.

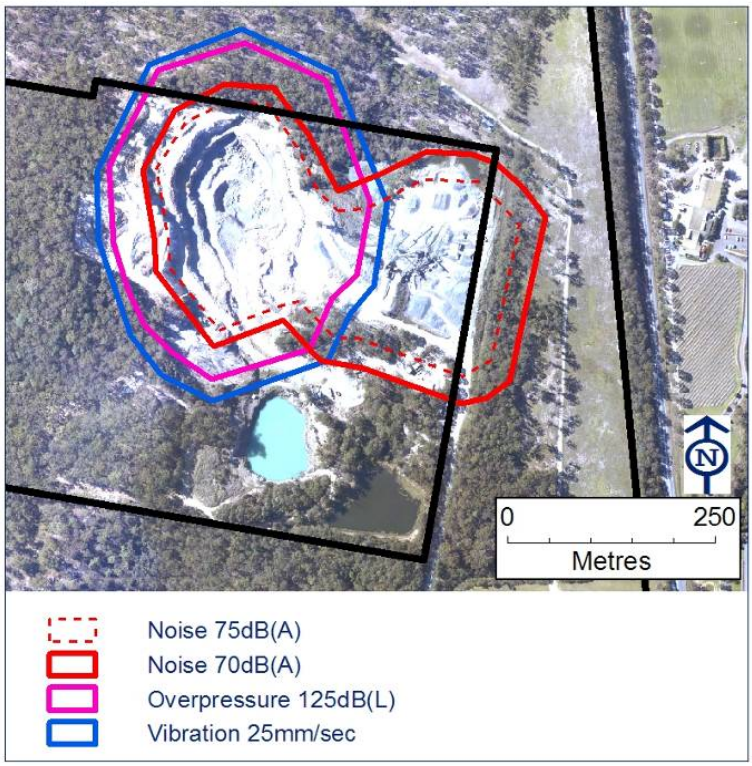


Figure 202: Quarry buffers (noise, blasting and vibration)

Roads, Access and Transport

321. Objective

- To ensure appropriate noise attenuation measures are incorporated into building design and site layout for industrial development adjoining the Sancrox Quarry.

Development Provisions

a) The subdivision design is to reflect the road hierarchy in Figure 203 and cater for an efficient bus route and a combination of on-road and off-road pedestrian and cycleways.

b) All new internal access roads that will revert to public road reserve, are to be designed in accordance Figure 205 and Figure 206.

c) Where industrial land fronts onto Sancrox Road, an internal access road is to be provided. Direct lot access to Sancrox Road will not be permitted.

322. Objective

- To mitigate against the potential for environmental conflict and degradation at the industrial interface.

Development Provisions

a) Perimeter roads between the development footprint and environmental lands are designed to control the industrial interface to manage potential conflicts of bushfire hazard, stormwater quality and environmental conservation.

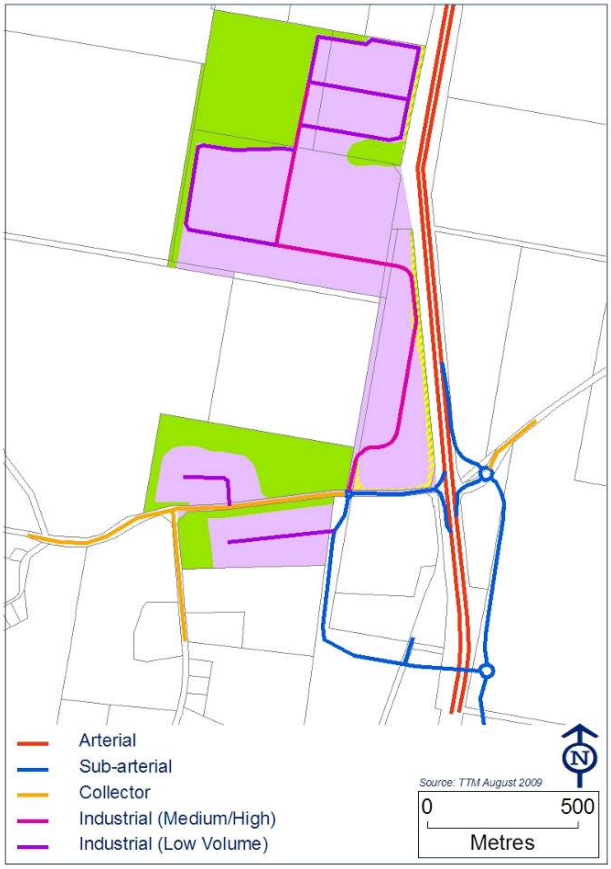


Figure 203: Road hierarchy

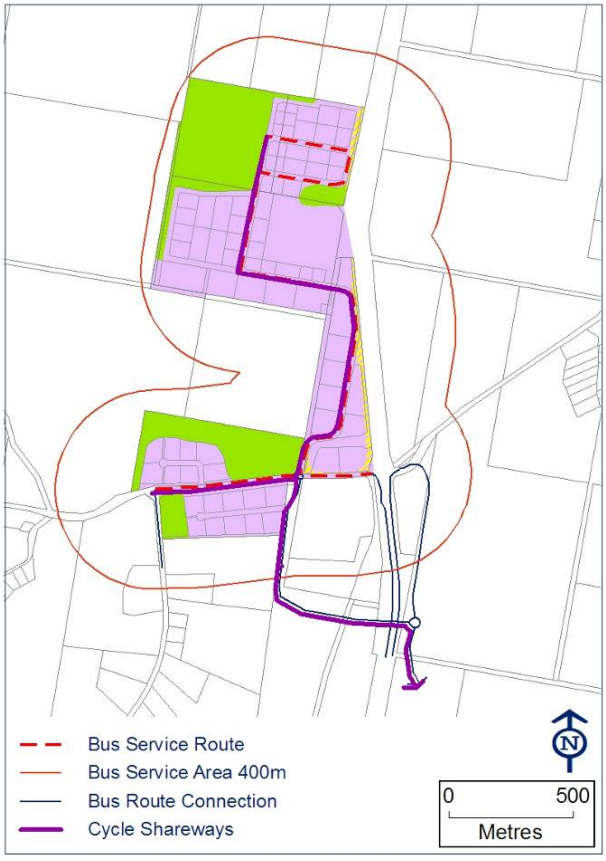


Figure 204: Transport networks

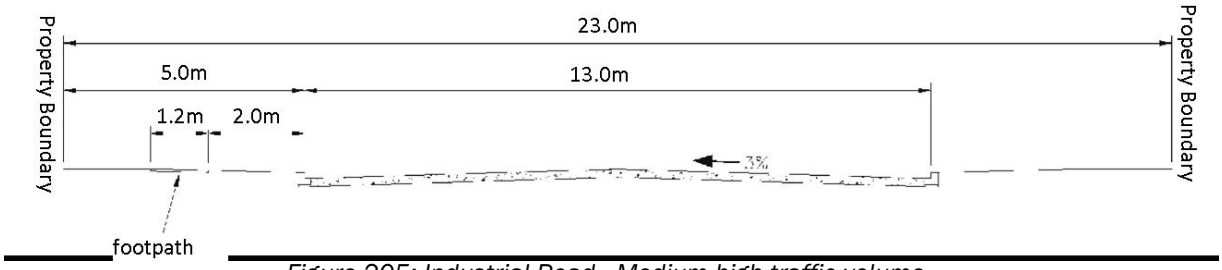


Figure 205: Industrial Road - Medium high traffic volume

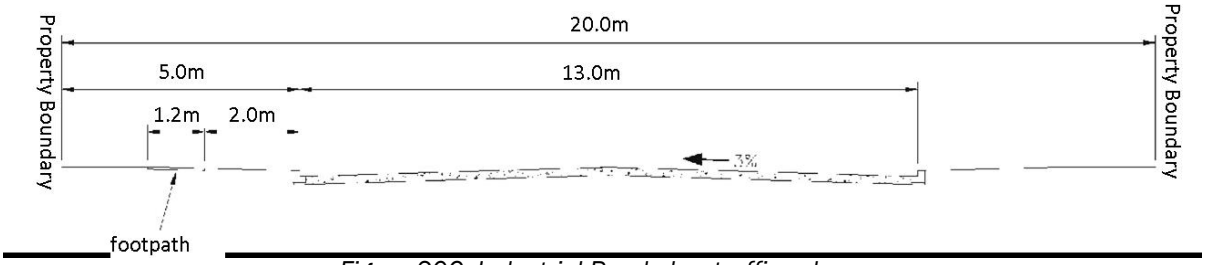
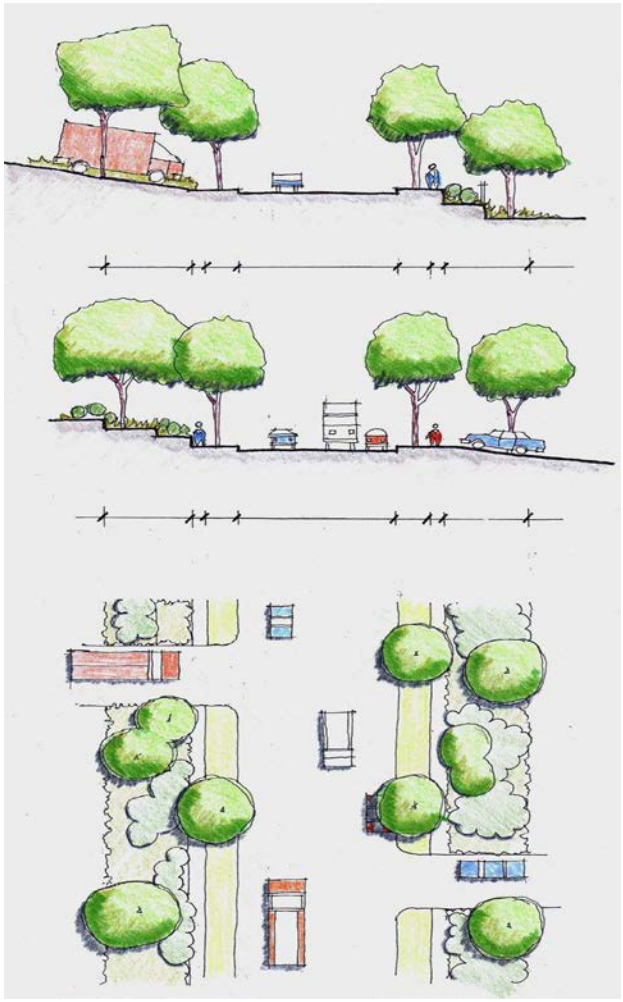


Figure 206: Industrial Road - low traffic volume



To provide large level industrial sites, the slope of the land will require careful road design and benching of sites at the time of subdivision.

Cross Section 1

Access to the high side of the road is at reasonable grade. The low side industrial lot is cut into the slope and terraced. Street trees and front setbacks provide shade and landscaped softening of the industrial area.

Cross Section 2

As the road level falls along its length, the high side is terraced and access to the low side becomes achievable at reasonable grade.

Plan View

Street trees frame the public domain, together with a minimum 7m setback containing terraced landscaped areas. Fences are setback behind the landscaped areas. Accesses are offset to account for the fall of the land.

Note: Final design also to incorporate bio-retention swales sized at 5% of pavement catchment area (refer to previously specified Water Quality provisions).

Figure 207: Urban design treatment of industrial roads

Visual Amenity

323. Objective

- To identify certain land suited for development as a gateway to the Employment Lands.

Development Provisions

a) Buildings on future lots at the Pacific Highway/Sancrox Road intersection shall be designed by a suitably qualified architect to create a distinctive and recognisable gateway entry to the Employment Lands. Detailed design plans, including proposed colours for buildings and signage are to accompany the DA for approval.

324. Objective

- To minimise the visual impact of industrial development as viewed from the southern visual catchment.

Development Provisions

a) Buildings adjoining the northern site boundary are to be designed to incorporate appropriate architectural features in order to provide variation to the façade and reduce the visual bulk and scale of the building in the landscape. A visual impact assessment is to be submitted with the DA.

b) The northern boundary is to be screened from adjoining properties. Design details to be provided with the DA for approval at the time of subdividing the site, or land use, whichever occurs first.

325. Objective

- To minimise the visual impact of industrial development as viewed from the southern visual catchment.

Development Provisions

a) Site landscaping of industrial development in the north facing and elevated areas of the Employment Lands is to include horizontal landscaped strips in the locations indicated in Figure 209. In these areas of the site, plantings are to be in scale with the height and bulk of industrial development. Alternative solutions may be considered on merit where consistent with the corresponding objective and based on detailed assessment at DA stage.

b) The 10m wide strip of E3 zoned land adjacent to the Pacific Highway is to be densely vegetated or regenerated which-ever is applicable and fenced to provide a robust natural buffer to screen buildings, parking areas, loading areas and any other associated uses of the site from the adjoining Highway. Trees are to be selected from those that are indigenous to the area and are to be planted at the time of subdividing the land.

326. Objective

- To minimise the visual impact of industrial development as viewed from the southern visual catchment.

Development Provisions

a) Landscaped buffers to a minimum depth of 5 metres are to be provided along both sides of Sancrox Road between the intersection of the Pacific Highway overpass link road and Bushlands Drive.

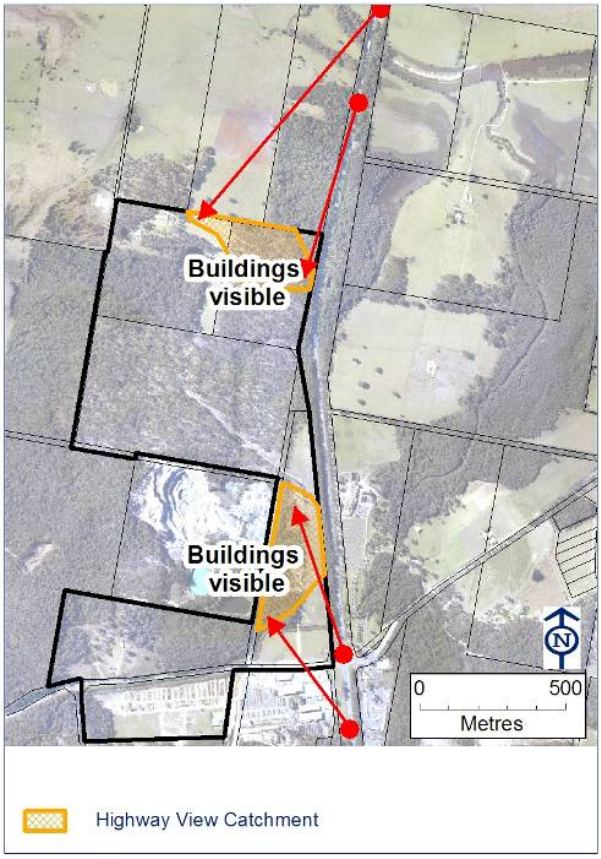


Figure 208: Highway view catchment

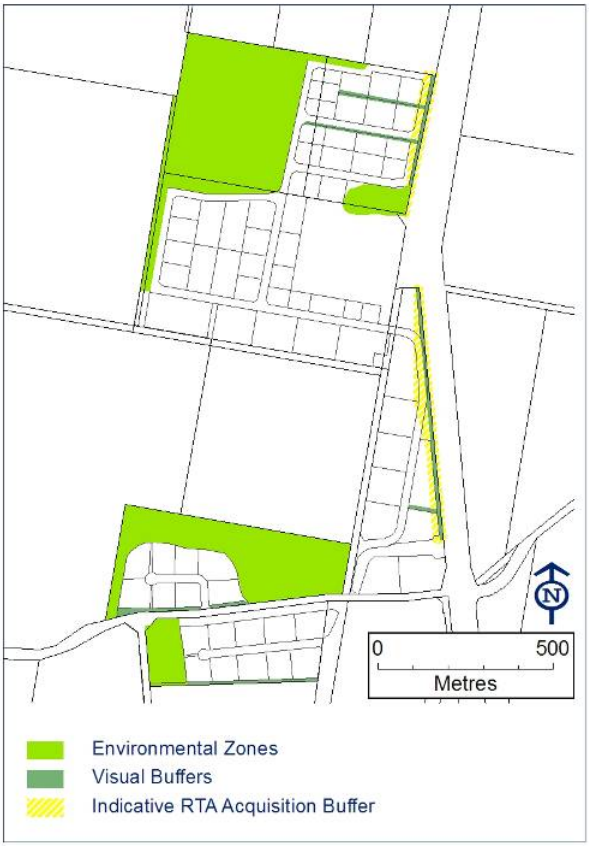


Figure 209: Visual buffers and environmental zones

Southern Site Boundary Treatment

327. Objective

- To ensure development maintains a satisfactory level of existing amenity to residents of rural-dwellings in Bushlands Drive to the south.

Development Provisions

a) At the time of subdividing land to the south of Sancrox Road (i.e. Lot 30 DP 255774), an acoustic treatment of the southern site boundary is to be provided in the location indicated at Figure 210 and in accordance with the design detail illustrated at Figure 211 and Figure 212.

b) DAs for building works adjoining the southern site boundary are to be accompanied by noise impact assessment modelling to:

- Determine the noise reduction required to achieve suitable levels for the proposed industry (if any).
- Provide justification for any proposed acoustic treatment(s), based on site characteristics and the nature and intensity of the proposed use.
- Include reference to demonstrate consideration of attenuation strategies of like industries with similar sites and requirements for noise reduction.
- Design and incorporate noise mitigation measures to demonstrate achievement of acceptable noise levels at sensitive receivers, including visual detail of how the proposal integrates into the existing locality.

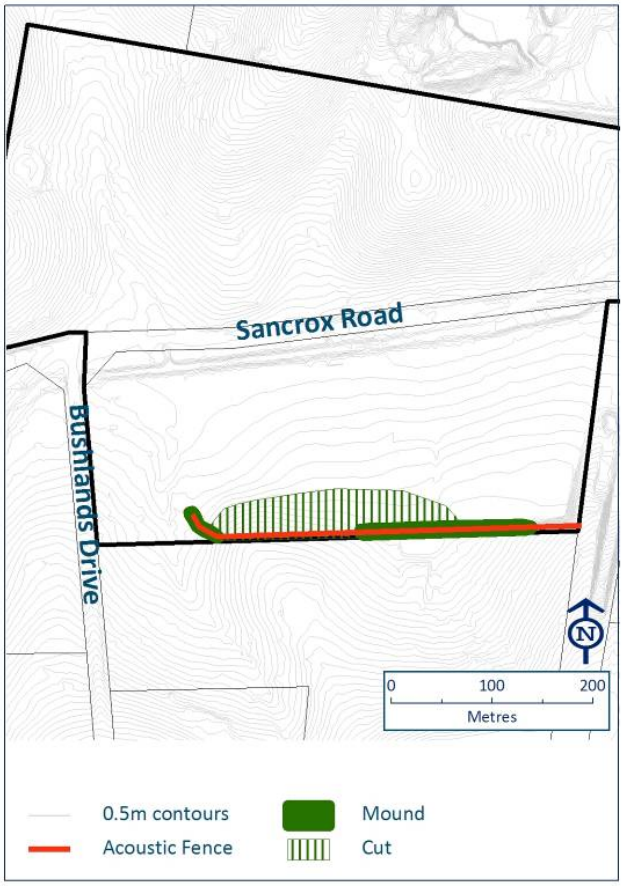


Figure 210: Acoustic fence location

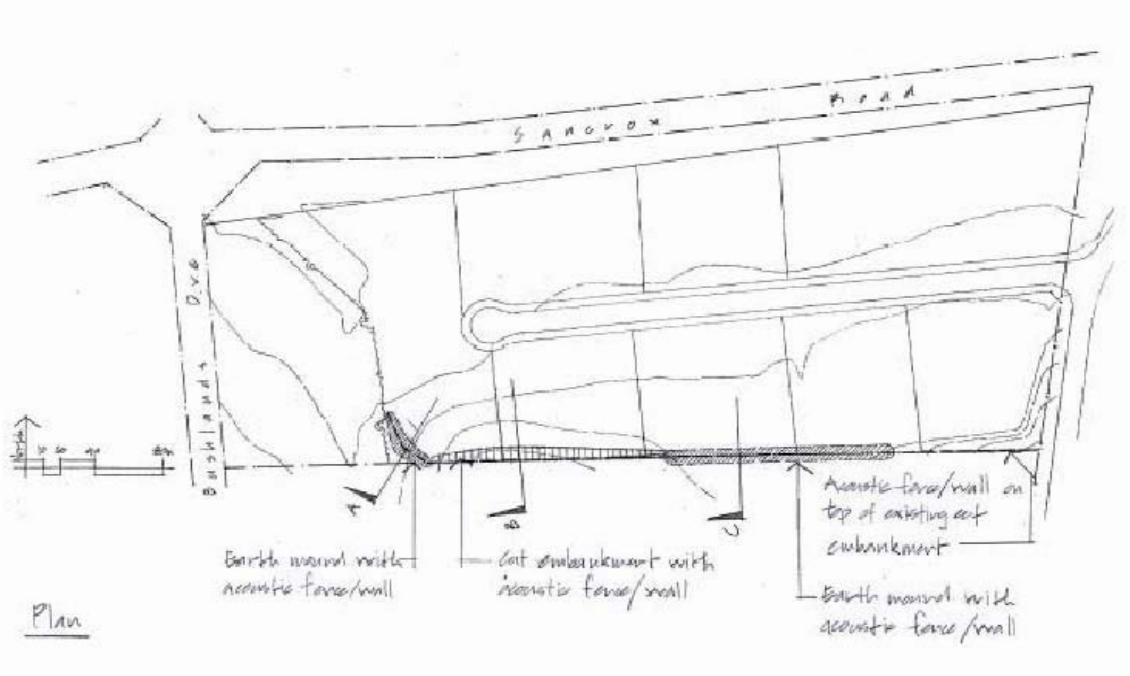


Figure 211: Acoustic fence landscaping and treatment

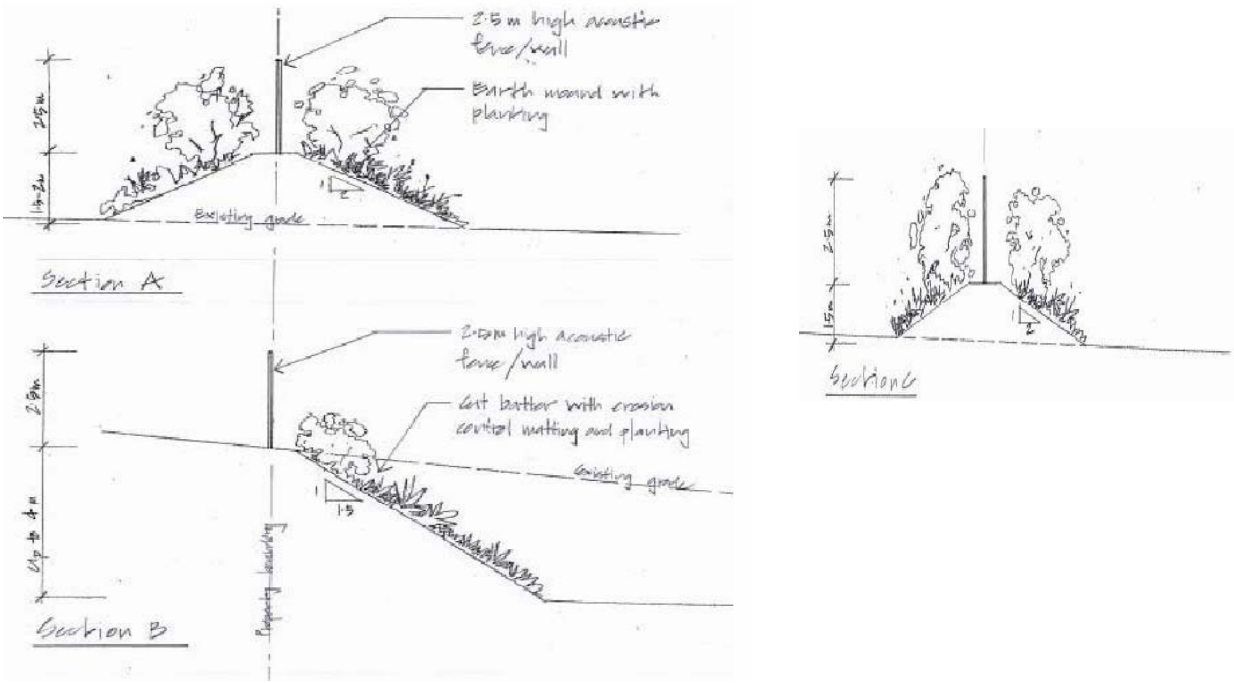


Figure 212: Acoustic fence landscaping and treatment

Cultural Heritage

328. Objective

- To ensure development maintains a satisfactory level of existing amenity to residents of rural-dwellings in Bushlands Drive to the south.

Development Provisions

a) If an Aboriginal site or relic is unearthed or discovered during excavation, all work in the vicinity of the site/relic is to be stopped and the find immediately reported to the

Department of Planning, Industry and Environments Biodiversity and Conservation Division in accordance with the provisions of the *National Parks and Wildlife Act 1974.*

Sewer, Water, Electricity and Telecommunications

329. Objective

- To ensure development maintains a satisfactory level of existing amenity to residents of rural-dwellings in Bushlands Drive to the south.

Development Provisions

a) All lots must be connected to essential services (water, sewer, electricity and telecommunications) with capacity to accommodate the demands generated by proposed industrial development. Any proposal that requires a greater service capacity than is currently provided will need to be upgraded, at the expense of the developer, prior to the issue of a Subdivision Certificate.

330. Objective

- To ensure that satisfactory arrangements are made with servicing authorities.

Development Provisions

a) Arrangements are to be made with local service authorities for the provision of underground power and telecommunications to all industrial development.

D7.3: BIRDON MARINE WEST

This Section applies to the land highlighted in Figure 213 below.

Figure 213: Land subject to Section D7.3

Strategic Context

The zoning of the site provides for approximately 3.7 hectares of working waterfront industrial and 2,100 sqm of rural transition lands for buffers and screening to adjacent rural-dwellings in Glen Ewan Road. The zoning was informed by a concept plan submitted by Land Dynamics consultants, on behalf of the landowner.

The concept provides for landscape screening along Glen Ewan Road, as well as vegetated areas to the north, east and west to screen development from the Pacific Highway corridor (existing & proposed), as well as the Hastings River.

An existing internal access road provides connection to the waterfront on land adjoining to the east.

The landowners have entered into a Planning Agreement with Council to ensure that no development of the site occurs before construction of the new Pacific Highway upgrade to the west, or otherwise, upgrade of the existing Pacific Highway/Glen Ewan Road intersection.

The concept also provides for on-site stormwater facilities to manage post-development flows and runoff from the internal road network.

The objectives of these provisions are:

1. To minimise potential for visual and amenity impacts
2. To ensure adequate measures are in place to minimise the likelihood of potential for any adverse impacts from the development to adjoining/adjacent residents, and
3. To provide for direct access to the waterfront from the subject land.

Development Guide

Visual Amenity

331. Objective

- To minimise the visual impact of working waterfront industrial development as viewed from the existing and future upgraded Pacific Highway, the Hastings River and Glen Ewan Road.

Development Provisions

a) Working waterfront industrial development is to be screened from the existing and future upgraded Pacific Highway and the Hastings River through landscaped buffers to a minimum depth of 5m. Such to include mounding and canopy trees to limit the visual impact of development.

- Trees are to be selected from those that are indigenous to the area and are to be planted at the time of developing the land.
- Design details to be provided with the DA for approval prior to issue of a Construction Certificate for earthworks, subdivision and/or building works, whichever occurs first.

b) The strip of RU6 Transition zoned land (generally 10m wide) adjacent to Glen Ewan Road is to be densely vegetated or regenerated, whichever is applicable; and fenced to provide a robust natural buffer to screen buildings, parking areas, loading areas and any other associated uses of the site from adjoining rural dwellings.

- Approved screen planting works are to be completed to Council's satisfaction prior to the issue of the subdivision or building occupation certificate.

c) Acoustic fences or noise barriers are not to be used in visually prominent areas of the site, with noise attenuation to be achieved through building design measures.

d) Landscaping of flood mounds adjacent to the existing Pacific Highway is to be designed and assessed at regrading and fill stage; and established prior to issuing of subsequent approvals for any subdivision, buildings and or structures.

e) Landscape treatment required in (a) and (b) above should be devoid of signage.

332. Objective

- To minimise the visual impact of working waterfront industrial development as viewed by the travelling public from the existing and future upgraded Pacific Highway.

Development Provisions

a) Buildings adjoining the Hastings River are to be oriented and designed using appropriate materials and colours to limit any visual impact from public land and waters surrounding the site. A visual impact assessment is to be submitted with the DA.

Working Waterfront Industrial Land Adjoining Sensitive Land Uses

333. Objective

- To ensure adequate noise, air quality and external lighting attenuation of working waterfront industrial development to adjoining and adjacent rural-dwellings.

Development Provisions

a) DAs for working waterfront industrial development are to be accompanied by noise impact assessment carried out by a suitably qualified and experienced person to:

   – Determine the noise reduction required to achieve reasonable levels for the proposed industry (if any) in accordance with the provisions of the NSW Industrial Noise Policy, Environment Protection Authority 2000;
   – Design and incorporate any necessary noise mitigation measures to demonstrate achievement of acceptable noise levels at sensitive receivers, including visual detail of how the proposal integrates into the existing locality;
   – Provide justification for any proposed acoustic treatment(s), based on site characteristics and the nature and intensity of the proposed use; and
   – Demonstrate consideration of attenuation strategies of like industries with similar sites and requirements for noise reduction.

b) Windows, doors and other wall openings should be arranged to minimise noise impacts on adjoining/adjacent rural-dwellings.

c) External plant such as generators, air conditioning plant and the like should be enclosed to minimise noise nuisance and located away from adjoining/adjacent rural-dwellings.

d) Prior to carrying out any development on the site, an air quality assessment is to be prepared by a suitably qualified and experienced person with reference to relevant legislation and guidelines, to demonstrate that development will be carried out in a way that prevents and/or mitigates any air pollution generated by the development and that all practicable measures are implemented to minimise any off-site odours and emissions generated by the development.

e) External and security lighting should be directed and shielded to avoid light spillage to adjoining/adjacent rural-dwellings.

f) Driveways should be arranged or screened to avoid headlight glare on windows of adjoining/adjacent rural-dwellings.

Waterfront Access

334. Objective

- To ensure direct waterfront access for development.

Development Provisions

a) Vehicular access arrangements are to be in place to guarantee access to the Hastings River via the adjoining land to the east (Lot 1 DP 225413) for any industry that requires direct waterfront access.

   – Such arrangements to be in place prior to issue of a Construction Certificate for earthworks, subdivision and/or building works, whichever occurs first.

D8: HIGHWAYS GATEWAY SITES

Application

Section D8 applies to the land highlighted in Figure 214 below.

Figure 214: Land subject to Section D8

Strategic Context

Council strategy identifies the gateway sites on the western side of the interchange of the Pacific and Oxley Highways as key sites at the main road entry to Port Macquarie and Wauchope.

State government policy also identifies that a Highway Service Centre may be suitable on one of the Gateway sites.

The following development controls have been informed by a visual impact assessment and urban design analysis prepared on behalf of Council by Envisage Consulting Pty Ltd (Nov 2018) to guide the form and visual presentation of future development on the Highway Gateway Sites.

Purpose

The purpose of these provisions is to ensure that new development respects the visual prominence of these sites at an important Gateway entry to Port Macquarie (to the east) and Wauchope (to the west). The intent is that future development provides good urban design and visual amenity outcomes for the community, visitors and the travelling public alike.

These provisions supplement the relevant provisions in Parts B and C of the Port Macquarie Development Control Plan. Where there is inconsistency between the Locality Specific Provisions in this Part, for the extent of the inconsistency these Locality Specific Provisions prevail.

***Note**: The figures shown in this plan are conceptual, not to scale and show indicative locations only.*

Development Guide

Documentation

335. Objective

b) To ensure that any proposed development responds to the context of the site.

c) To ensure a high quality of documentation is provided that is clear, accurate and can be easily understood by the general public.

Development Provisions

a) Documentation submitted with the Development Application should include:

- A formal urban design/landscape analysis with a set of architectural diagrams explaining the design, and how it responds to the site context. The site analysis is also to include an evaluation of existing trees for protection and retention.
- Detailed cross-sections through the entire site, including through the location of main access points and across the highway boundaries. The cross-sections are to be of a scale that can be clearly read and indicate:
    - The existing and proposed landform in separate colours and line form (e.g. use a dashed line for proposed)
    - Areas of cut and fill
    - Reduced Levels (RLs) of main features and heights of any buildings and structures such as signs
    - Location of existing and proposed vegetation, defining where any vegetation is proposed for removal.

b) Photomontages to illustrate the development proposal as accurately as possible and produced in accordance with the NSW Land and Environment Court's Use of Photomontages document as available on their website. In addition, the photomontages are to:

- Be approximately from the following locations indicated in Figure 215 (viewpoints B and D applicable to the southern site and viewpoints E and G applicable to the northern site). In addition, a photomontage is to be included from wherever the main access will be from the Oxley Highway, looking into the site.
- Photomontages are to include an image of the development immediately following construction (i.e. with any new landscaping shown as immature) and at approximately 5-7 years post construction (i.e. showing new landscaping with estimated growth likely to be achieved in that timeframe).

Vehicular Access (also refer DCP Section B4)

336. Objective

- To plan and locate access so that the Southern Site and the Northern Site are both considered and that the arrangement does not negatively constrain future development options or lead to an unfair burden in terms of cost.

Development Provisions

a) In consultation with Council and the Roads and Maritime Services, a four-way intersection will need to be provided at the intersection of the Oxley Highway with Billabong Drive to service the likely future needs of development to the north and south of the Oxley Highway. The intersection design will need to be approved by the NSW Roads and Maritime Services, and Council.

b) Prior to development of the Southern Gateway Site, provide detailed information demonstrating that the 'Access Land Dedication Land' referred to in the Highway Service Centre Planning Agreement is appropriately located and can be constructed to current AUS SPEC standards.

Site Layout and Boundary Treatment

337. Objective

- To achieve a well-considered layout that nestles the built elements and any parking areas within a generously landscaped environment.
- To ensure an attractive site boundary is achieved which balances a commercial need for highway exposure with a public expectation of a 'gateway' that is of high scenic quality and retains the most desired elements of the existing landscape character.

Development Provisions

a) Locate car and truck parking areas so that extensive areas of hard pavement are broken-up and articulated with landscaping, different materials/colours and level changes and sites buildings so as to contribute to screening views of car parking from outside views.

b) Provide a 40m minimum setback to all buildings from the Pacific Highway frontage, and 20m from the Oxley Highway frontage.

- The general requirements for this setback in terms of landscaping and the siting of hard surface areas is shown diagrammatically in Figure 216 and Figure 217.
- If it can be shown that the Roads and Maritime Services can guarantee the retention of the majority of large trees within the existing road reserves along the highway boundaries in the long term (over 20 years) then consideration could be given to reducing the requirement for the Pacific Highway boundary setback to 20m, including a reduced landscape buffer to 10m. Such a scenario and its implications would need to be negotiated with Council.

c) In consultation with Council and the Roads and Maritime Services, road access points from either the Pacific Highway or Oxley Highway are to be designed, as far as possible, to maintain the natural integrity of existing landform, vegetation and drainage systems. Structural drainage elements should be used in preference to mass fill embankments.

Landform Considerations (also refer DCP Section B2)

338. Objective

- To ensure that any development responds sensitively to the existing landform of the site and seeks to minimise visual impacts as far as possible.

Development Provisions

a) Any batters and retaining walls must be treated to reduce visual impacts and stabilise the landform.

b) As a general rule, batters should be kept to a maximum gradient of 1V:2.5H (i.e. 1m vertical to 2.5m horizontal) and terraced so as to avoid a high single batter and allow trees of at least 5m mature height to be established on the terraces and base of the batter. Total maximum vertical height of any batter to be 8m.

c) Excessive retaining walls are to be avoided, with a maximum height of 8m permitted.

d) Alternative batter and retaining wall treatments may be considered providing that it is clearly shown that the objective of this provision is achieved.

Landscape Works (also refer DCP Section C4)

339. Objective

- To achieve a final landscape that is attractive, has generous areas of landscape planting and provides aesthetic and general amenity benefits such as shade.
- To create parking areas that are as attractive as possible and provide shade.

Development Provisions

a) Within the setback along the Pacific Highway and Oxley Highway boundaries design for a corridor of vegetation along the boundary of at least 15m wide (at ground level) for the Pacific Highway frontage and 10m wide for the Oxley Highway frontage.

b) The corridor is to apply to at least 60% of the length of the boundary with coverage of at least one plant per m2.

c) Design for a mix of: 20% canopy trees (with a mature height over 20m); 30% mid-storey shrubs/small trees (mature heights 3–10m); and a 50% understorey of small shrubs/groundcovers (mature heights under 3m).

d) Canopy trees are to be relatively evenly spread; yet mid-storey shrubs/small trees may be grouped as appropriate if a glimpse through vegetation from highways is desired.

e) Once plants are well-established, if increased highway exposure is desired it should be achieved by:

- Selective pruning of lower tree limbs up to a maximum height of 6m
- Ongoing management of existing and new vegetation.

f) Design for a mix of garden areas, tree groups (of 10-20m in mature height) and open grassed areas that combined, produce pleasant spaces for public seating and use, shade, separation of different use areas and variety.

g) Any proposal for a highway service centre should include consideration of opportunities for public recreation facilities in conjunction with the highway service centre use.

h) Select plant species that are suitable for the growing environment and relatively low maintenance. The majority of plant species are to be locally native species. Exotic species may be suitable in certain locations, particularly those with some cultural

relationship to the local area that can be used to draw attention to parts of the site, or for playgrounds and public seating areas.

i) Within parking areas, development should include supply, installation and maintenance of at least one advanced (minimum height of 2m at planting) clear trunked broad canopy tree (with a minimum mature height of approx. 10m) for every eight at-grade car parking spaces and one for every three truck parking spaces.

j) Each landscape planting area should include at least one medium to large tree species with suitable ground covers or low shrubs below and have a minimum width of 3m and include measures to protect trees from vehicle damage.

Built Form

340. Objective

- Achieve a high-quality built form design with demonstrated architectural merit and attention to detail.
- Ensure that the height of buildings does not cause negative visual impact or overly dominate the surrounding character of the local landscape.
- Ensure signage achieves a balance between providing appropriate directions and notification to travellers yet does not overly dominate the surrounding character of the local landscape.
- Provide for a high quality of amenity for site users.
- Provide for an integrated and site appropriate lighting scheme.
- Avoid the dominance of fencing and create an attractive site.

Development Provisions

a) Design a suite of buildings and structures with a complementary visual relationship that are of a high-quality architectural design.

b) Consider the roof form, particularly when viewed from the Pacific Highway and Oxley Highway. Design a roof form that is aesthetically pleasing and of elegant form.

c) Consider building articulation, architectural features and the presentation of the façade. Buildings with minimal articulation will not be accepted.

d) The location of loading bays, garbage storage and collection should be such that these cannot be seen from the Pacific or Oxley Highways.

e) Buildings should not be visible above the dominant existing and future tree-line (i.e. approx. 20m) when viewed from the locations indicated in Figure 215 (viewpoints B, D and H applicable to the southern site and Viewpoints E, F and G applicable to the northern site).

f) Signage is required to satisfy State Environmental Planning Policy 64 - Advertising and Signage.

   – In addition, proposed signage should be shown in the photomontages and be demonstrated to achieve the objectives of this area based DCP.

g) In general, signs should not be visible above the dominant existing tree-line (evident at the time of this DCP commencing, i.e. mature trees in place alongside highway boundaries) when viewed from the locations indicated in Figure 215 (viewpoints B and D applicable to the southern site and viewpoints E and G applicable to the northern site). If the majority of trees within the highway reserve are removed, then a maximum permitted height of 15m applies.

h) Balance the type and level of lighting to address the safety and needs of users, the potential for negative visual impact to surrounding viewpoints and any desire for highway exposure.

i) Sensitively designed lighting could be used to enhance the gateway role of the sites, particularly along the highway edges, yet the effect and potential visual impact would need to be demonstrated to be aesthetically pleasing and have a public benefit.

j) Avoid fencing where unnecessary; and where unavoidable, use aesthetically pleasing alternatives in terms of materials, colours, lower heights and integrated landscaping such as planting and mounding.

Public Art

341. Objective

- To make a positive contribution to the built environment of the Port Macquarie-Hastings region and promote the inclusion and integration of public art work that responds to and reflects the local culture and character, including the area's indigenous cultural history and traditions, European heritage and contemporary culture, as well as the area's unique natural environment.
- Ensure any new intersection along the Oxley Highway is attractive and consider the potential to create a design that acknowledges this location as part of the approach to Wauchope.

Development Provisions

a) The development should provide quality artwork(s) in publicly accessible location(s) and take into account links and connections between the development and the area's natural and cultural heritage.

b) The public art is to be 1% of the total cost of the development to provide works of art for appreciation from the public domain, including the Pacific Highway and/or the Oxley Highway (NSW Roads and Maritime Services approval may be required).

c) Specifically designed lighting may be appropriate as either an integral part of any public art or to highlight it.

d) In consultation with Council, develop an appropriate response to the Oxley Highway intersection that could include specific landscape planting and/or a public art element.

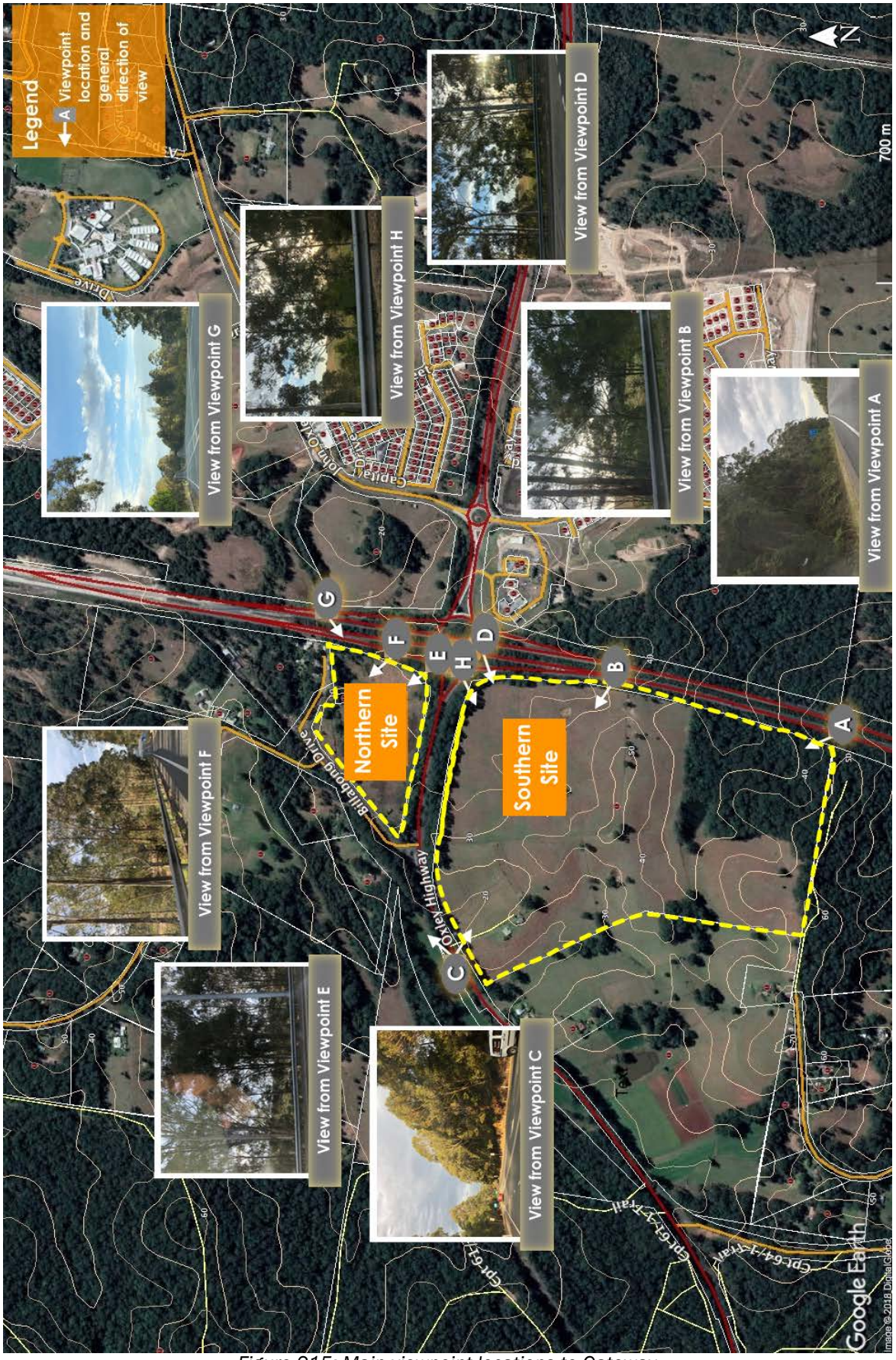


Figure 215: Main viewpoint locations to Gateway

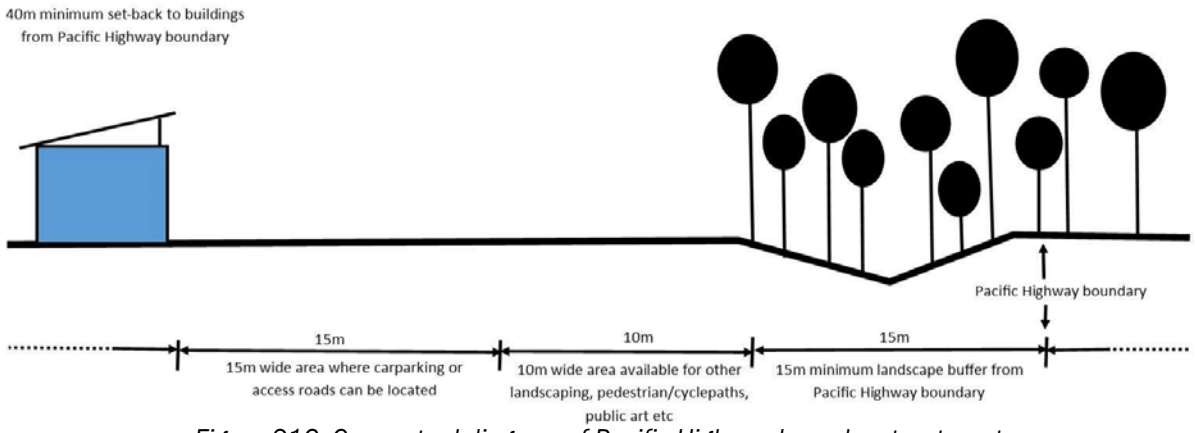


Figure 216: Conceptual diagram of Pacific Highway boundary treatment

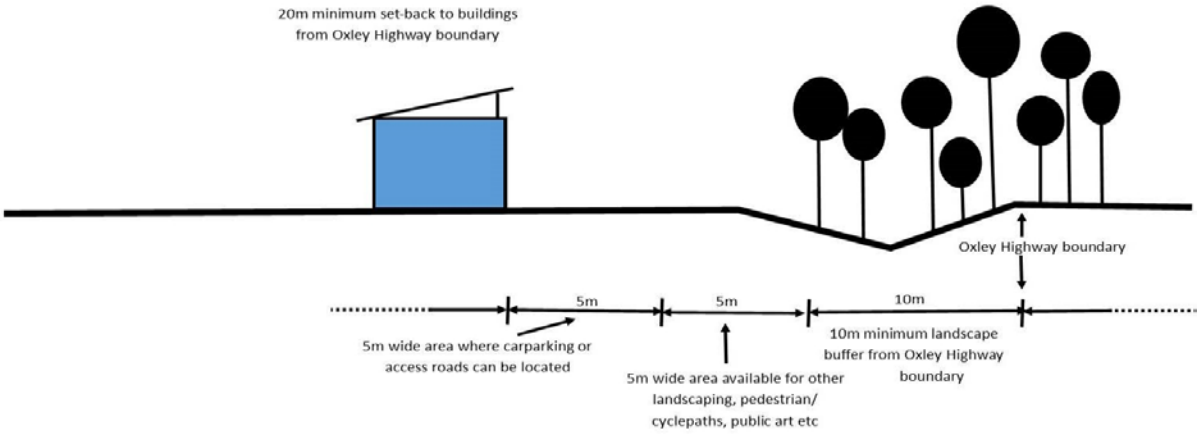


Figure 217: Conceptual diagram of Oxley Highway bondary treatment

D9: LAKE CATHIE - BONNY HILLS

Application

Section D9 applies to the land highlighted in Figure 218 below.

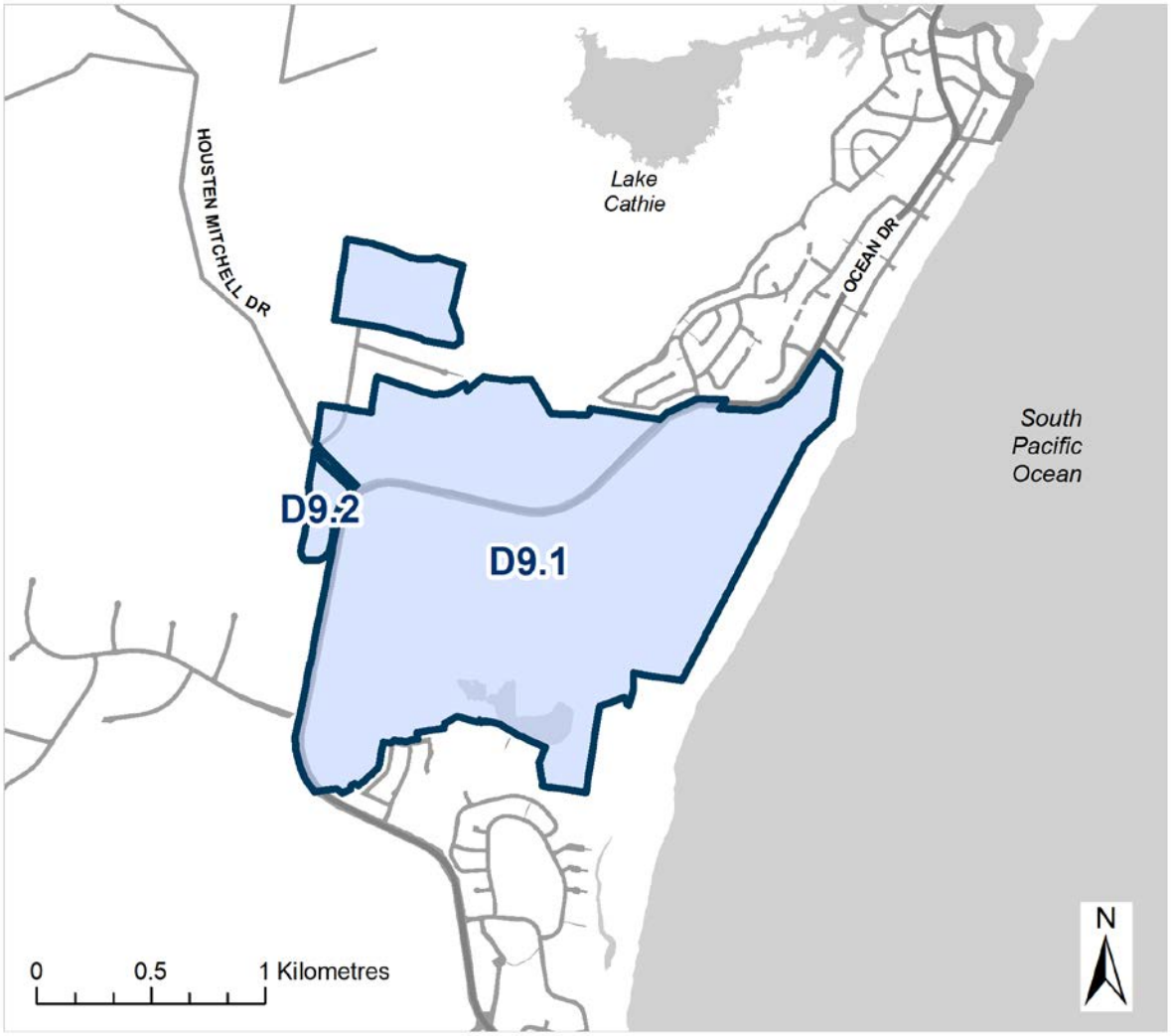


Figure 218: Land subject to Section D9

D9.1: RAINBOW BEACH

Section D9.1 applies to the land highlighted in Figure 219 below.

Figure 219: Land subject to Section D9.1

Strategic Context

Rainbow Beach, also known as 'Area 14' or the Lake Cathie – Bonny Hills Growth Area, is located between the existing villages of Lake Cathie and Bonny Hills.

Three precincts are identified – Precinct A, B and C. There are 'General Provisions' that apply to all Precincts and specific provisions where relevant for each Precinct.

Purpose

The purpose of the Rainbow Beach locality specific provisions is to facilitate coordinated development outcomes across the entire plan area, and to guide the site-specific development approvals described further below.

In particular, the Development Provisions aim to:

- Facilitate development that accommodates population growth of around 2,000 new dwellings while maintaining a coastal village feel,
- Protect and enhance the environmental values of the area,
- Achieve residential densities sufficient to support:
    - business and mixed use centres
    - public transport provision, and
    - infrastructure investment,
- Facilitate a mix of housing types and encourage higher residential densities in areas close to retail or community activities and public transport nodes,
- Encourage an urban form that clearly defines the new centres,
- Ensure a high level of amenity for future residents and visitors, and
- Ensure a high level of visual and acoustic amenity along the Ocean Drive Corridor.

Precinct Objectives

Precinct A is the area that is bounded by Ocean Drive, Houston Mitchell Drive, Lake Innes Nature Reserve and the existing residential development along Explorers Way.

Fully developed, Precinct A is anticipated to provide about 500 new dwellings, predominantly manufactured homes and detached houses providing for about 1,200 residents.

The desired outcomes for the precinct are:

- Habitat linkages through the precinct are maintained and improved,
- The viability and health of the area's koala populations are maintained and improved,
- Provide an attractive interface to Ocean Drive.
- The existing amenity of the rural residential estate on Forest Parkway is adequately protected.

Precinct B is bounded by the Littoral Rainforest No: 116, Ocean Drive and Precinct C.

Fully developed, Precinct B is anticipated to provide about 500 new dwellings, predominantly detached houses, providing for about 900 residents. The Hilltop Village will include a mix of permanent residential accommodation and about 100 tourist accommodation apartments

The desired outcomes for the precinct are:

- The littoral rainforest is protected, maintained and improved,
- Duchess Creek is protected and improved,
- A vibrant mixed use precinct is established with a focus on tourism,
- The coastal cycle and walkway is extended through the site,
- Development provides a variety of housing types including medium density.

Precinct C is the land that is bound to the north and west by Ocean Drive. The mid-eastern boundary of has frontage of approximately 350 metres to a crown beach reserve, and the south-eastern boundary adjoins the Lake Cathie – Bonny Hills sewage treatment plant. The southern boundary of the subject land is the existing Rainbow Beach residential estate. This estate is now fully developed.

Fully developed, Precinct C is anticipated to provide about 1,000 new dwellings, predominantly detached houses but also with medium density residential dwelling units or townhouses adjacent to the new Village Centre.

The desired outcomes for the precinct are:

- A new village centre is established as the primary retail, commercial and community focus of the precinct,
- Development provides a mix of living options with higher density residential areas within walking distance to the village centre,
- Development provides an attractive residential interface to Ocean Drive,
- The littoral rainforest is protected, maintained and improved,
- Habitat linkages through the precinct are maintained and improved.

Note: *Development applications including subdivision must also address the relevant provisions in Parts B and C of the Port Macquarie-Hastings Development Control Plan.*

Where the sections in the following Development Guide correspond to the same section in Part C. of the Port Macquarie-Hastings Development Control Plan, the provisions in the Development Guide are to be read in addition to the objectives and provisions in Part C.

Where there is inconsistency between these Locality Specific Provisions in this Part, for the extent of the inconsistency these Locality Specific Provisions prevail.

These area based provisions do not apply to the extent they are inconsistent with the State Government approvals described further below.

The maps shown in this plan are not to scale and show indicative locations only. The maps should not be relied on for detailed analysis.

Environmental Planning and Assessment Act 1979 Part 3A approvals

Precincts B and C are subject to the following Concept and Project Approvals under the repealed *Part 3A of the Environmental Planning and Assessment Act 1979* (Part 3A). The following are generalised summaries of each approval.

Precinct B

07_0010 Residential, Commercial and Tourist Development (Concept Plan) being an approval for:

- Residential uses for about 217 low density dwellings and about 82 medium density dwellings
- A 'Hill-Top Village' neighbourhood centre, including tourist and residential uses of about 160 apartments
- Environmental works associated with the Littoral Rainforest and Duchess Creek
- Provision of perimeter road, pedestrian, cycle paths and opens space and access to Rainbow Beach
- Provision of associated infrastructure including stormwater, drainage and utilities

07_0010 Residential, Commercial and Tourist Development (Project Application). Dealing with:

- Environmental works including establishment of regeneration area, erection of temporary fencing and construction of a timber boardwalk.

Precinct C

06_0085 Rainbow Beach Estate, Bonny Hills (Concept Plan). Dealing with:

- Limits of residential subdivision
- Location of three adopted intersections with Ocean Drive and the location of an additional intersection with Ocean Drive currently under investigation by council
- The extent of future school sites
- The general location of the Greater Lake Cathie Bonny Hills Village Centre
- The delineation of the development area of Lot 5 DP 25886
- The delineation of the central corridor

07_0001 Rainbow Beach Estate, Bonny Hills (Project Application). Dealing with:

- Construction of a 75.2 hectare environmental corridor
- Excavation of 415,800 m^3 of soil to create an artificial wetland and provide fill for future development
- Works for district sporting fields
- Formalised access way to Rainbow Beach

These site-specific approvals are subject to conditions and further requirements issued by the Department of Planning and Infrastructure as well as statements of commitment made by the proponents and are supported by various technical studies, reports, and approved plans.

These documents can be viewed by request from Council.

Development Guide

Urban Structure and Lot Layout

342. Objective

- To establish a clear urban structure that maximises the sense of neighbourhood and encourages walking and cycling.
- To ensure development in each precinct is delivered in an orderly and efficient manner.
- To facilitate the efficient use of land that accommodates the area's predicted population growth.
- To achieve housing choice and residential densities sufficient to support:
    - Business and mixed use centres
    - Public transport provision
    - Infrastructure investment
    - To encourage compact urban form and clearly define the new town centre

Development Provisions

a) General

- Road layout, open space and location of commercial and residential uses are generally in accordance with Figure 220 to Figure 222.

  OR
- Site layout is consistent with a current Part 3A approval.
- The first development application in each precinct provides an indicative precinct staging plan to the satisfaction of Council. The proposed precinct staging plan should indicate the extent of Ocean Drive road intersection upgrades required at each stage and is provided in addition to the Infrastructure Servicing Plan required at DP3.1.

  OR
- Development stages are in accordance with a current Part 3A approval.

  OR
- Where an indicative stage plan is approved, development is consistent with this plan.
- Dwelling yields are achieved by:
    - A minimum site density of 15 dwellings per hectare in the R1 General Residential Zone
    - A minimum site density of 30 dwellings per hectare in the R3 Medium Density Residential Zone

      ***Note**: Site density is calculated by dividing the site area (defined in the Port Macquarie-Hastings LEP) by the number of proposed dwellings or lots.*
- Lot layout provides opportunities for housing choice by considering future provision of:
    - Duplex or triplex dwelling forms by providing larger corner lots throughout the R1 General Residential Zone
    - Shop top housing in the business zone by considering future residential access and parking location
    - Low rise, medium density dwelling types such as attached dwellings, multi-dwelling housing, manor homes or row apartments in the R3 Medium Density Residential Zone by providing lot shapes and dimensions suitable for these building types

- Creation of smaller lots under clause 4.1A of the Port Macquarie-Hasting LEP in the R1 General Residential Zone by providing lot shapes and dimensions suitable for future subdivision.

– Housing choice is encouraged through:

- Provision of low rise, medium density housing types as referred to above in or adjacent to the R3 Medium Density Residential Zone or in the R1 General Residential Zone where fronting open space
- Incorporation of a residential component to commercial development in the business zones.

b) Precinct C

– Lot layout facilitates a high quality landscaped entrance to the Village Main Street from Ocean Drive.

Infrastructure and Service Provision

343. Objective

- To ensure that development can be adequately serviced by infrastructure
- To ensure that the infrastructure required to service a development is funded by the development and is provided in a logical manner
- To ensure that the possible impacts of providing such infrastructure are considered at the development application stage

Development Provisions

a) General

– Development applications that include staging must include an Infrastructure Servicing Plan prepared by a suitably qualified person that identifies servicing requirements necessary for the development and upgrades proposed to the existing system.

OR

– Development is consistent with an endorsed planning agreement.

Road Design and Construction

344. Objective

- To provide for the safe and functional movement of all modes of transport along Ocean Drive.
- To provide equal access to all mobility groups along Ocean Drive, including public transport, pedestrian, mobility assistance vehicles and cycling.
- To allow for the movement of wildlife through the landscape.
- To ensure gateway sites contribute to a safe public environment by providing clear wayfinding cues.
- To ensure gateway sites contribute to a safe public environment by avoiding traffic movements from parking or site access and egress close to the intersection.

Development Provisions

a) General

- Signalised and roundabout intersections are to be provided in accordance with Figure 220 and the Area 14 Paramics Modelling Report P0483v001 (Roadnet Pty Ltd June 2009).
- Any variations to the modelling report are to be approved by Council on the basis of a traffic report prepared by a person with suitable traffic engineering qualifications and experience.
- Ocean Drive is to be designed in accordance with Figure X 0-78. Elements such as road carriageways, median islands and shared cycleway/walkways shall be provided generally in accordance with the dimensions shown in the typical cross section shown in Figure X 0-79.

***Note**: A concept road design has been prepared by King & Campbell (Ocean Drive Corridor Plans Rev. E dated 07/06/2012). Where this plan is not used as a basis for detailed design, final road reserve and buffer zone widths and utility service corridors shall be subject to conceptual and detailed design development undertaken for each development application and construction certificate application respectively and approved by Council.*

b) Precinct B

- Road layout is consistent with Figure 220 and provides:
    - an east west main street road as part of the Hilltop Village,
    - a public perimeter road, incorporating walking and cycle park for the full frontage of the rainforest,
    - a public car park and local park adjoining the beach access path,
    - a shared pathway link to the existing formed pathway along Ocean Drive, and
    - a road connection to Precinct C.

c) Precinct C

- For village centre, sites on the corner of Main Street and Ocean Drive:
    - Access is not provided from Ocean Drive
    - No parking spaces are provided on Ocean Drive or Main Street where adjacent to village entry corner sites

Figure 220: Rainbow Beach transport and movement

Figure 221: Ocean Drive Corridor Plan

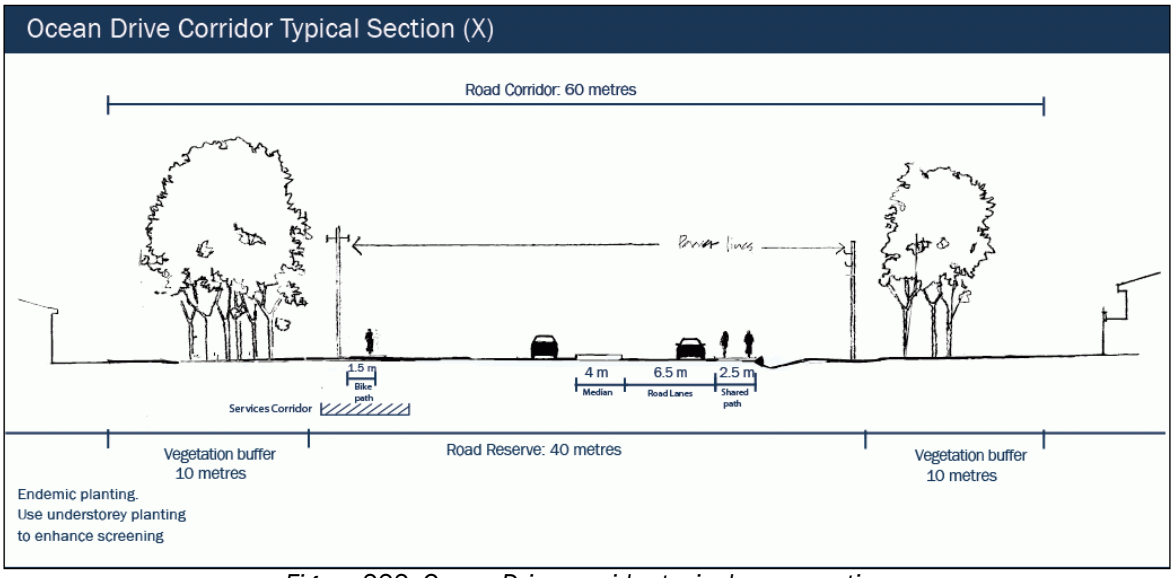


Figure 222: Ocean Drive corridor typical cross section

Parking Provision

345. Objective

- Parking design serves the needs of people who live in, work in and visit the local area by ensuring maximum access, activity and convenience to local shopping in the 'Main Street'

Development Provisions

a) Precinct C

- Short and medium term car parking, bicycle parking and disabled parking spaces are provided in the main street.
- Parking for the village centre is provided in a centre parking configuration (parking in middle of street and parallel parking on street edges) in the main street or otherwise sleeved behind shops.
- Shade is to be provided to the longer term parking area using shade trees or shade structures. Shade tree species are to be selected from Council's Indigenous Species Planting List.

  ***Note**: this is in addition to the landscaping of parking areas objective in Part B Section B4.*
- The central parking area is connected to the Main Street Activity Area by a minimum 4.5 metre wide pedestrian walkway provided mid-block.
- Where enclosed by buildings, this walkway is to be activated by commercial frontages along at least 50% of its enclosed length.
- Where the walkway is open to the sky, shade is provided for at least 70% of its exposed length.
- Where car parking for commercial uses cannot be provided on street, parking areas are to be sleeved behind buildings and not have direct frontage to a road.

Pedestrians and Cycleways

346. Objective

- To provide a clear and safe pedestrian and cycleway system that links residential areas, open spaces, schools, social and cultural facilities, town centres and neighbourhoods.

Development Provisions

a) **General**

– Cycleways, shareways and other pedestrian facilities shall be provided generally in accordance with Figure 224.

b) **Precinct C**

– Provide a pedestrian link path generally in the location shown on Figure 224. The pedestrian link is to:

  - Provide a connection between Rainbow Beach Drive and the new shareway network
  - Only accommodate cyclists, pedestrians and mobility scooters
  - Be constructed at or above the 20 year Annual Recurrence Interval
  - Be lit in accordance with AS 1158 Road Lighting.

Figure 223: Public open space and pedestrian movement

Koala Habitat

347. Objective

- To assist the effective implementation of the Area 14 Koala Plan of Management (KPoM), in particular:
  - to provide a functional habitat link between Lake Innes Nature Reserve and the Queens Lake State Forest,
  - to retain preferred koala food trees
- To provide access and servicing infrastructure sufficient to service the residential lots without adversely impacting on visual significance and the ecological functioning of the vegetation within the E4 Environmental Living zone.
- To maintain and improve ecological corridors through the site and between the coast, Lake Innes Nature Reserve and Queens Lake State Forest and State Conservation Area.
- To minimise adverse impacts of development on the amenity of existing and future low and very low density residential dwellings.
- To integrate the preservation of neighbourhood amenity with koala habitat protection
- Subdivision adjoining the R2 Low Density Residential and E4 Environmental Living zones is designed to avoid adverse amenity impacts by measures including landscaping with koala food trees to buffer areas of differing density.

Development Provisions

a) Precinct A

- Any development in the E4 Environmental Living zone must demonstrate the implementation of the Management Provisions of the Area 14 KPoM and have regard to Australian Standard 4970-2009 Protection of trees on development sites (AS4970-2009).
- Any application to subdivide land in the E4 Environmental Living Zone or part thereof must include a plan showing building envelopes of sufficient size to accommodate a dwelling, its associated outbuildings, and structures and parking areas that avoid the removal of koala food and habitat trees.
- Development applications must demonstrate site design, including layout of services, has been carried out having regard to AS4970-2009. In particular:
  - showing a development layout that has been influenced by a preliminary arboricultural report, and
  - providing an aboricultural impact assessment report and tree protection plan.
- North south oriented streets are to be provided generally in accordance with Figure 224.
- A minimum 20 metre wide habitat link is to be provided generally in accordance with Figure 224. The habitat link is to be planted with Forest Red Gum Eucalyptus tereticornis, Swamp Mahogany E. Robusta or Tallowwood E. Microcorys.
- A habitat link in the form of a 30 metre road reserve, planted with street trees at a density of 1 per 20 metres and of the species Forest Red Gum Eucalyptus tereticornis, Swamp Mahogany E. Robusta or Tallowwood E. Microcorys is to be provided through Lot 1 DP255923 and Lot 2 DP706357 as shown in Figure 224.
- Site analysis for subdivision has regard to the existing rural residential area and the associated KPoM requirement to establish a minor linkage between Lake Innes Nature Reserve and Houston Mitchell Drive.

– Subdivision adjoining the R2 Low Density Residential and E4 Environmental Living zones is designed to avoid adverse amenity impacts by measures including landscaping with koala food trees to buffer areas of differing density.

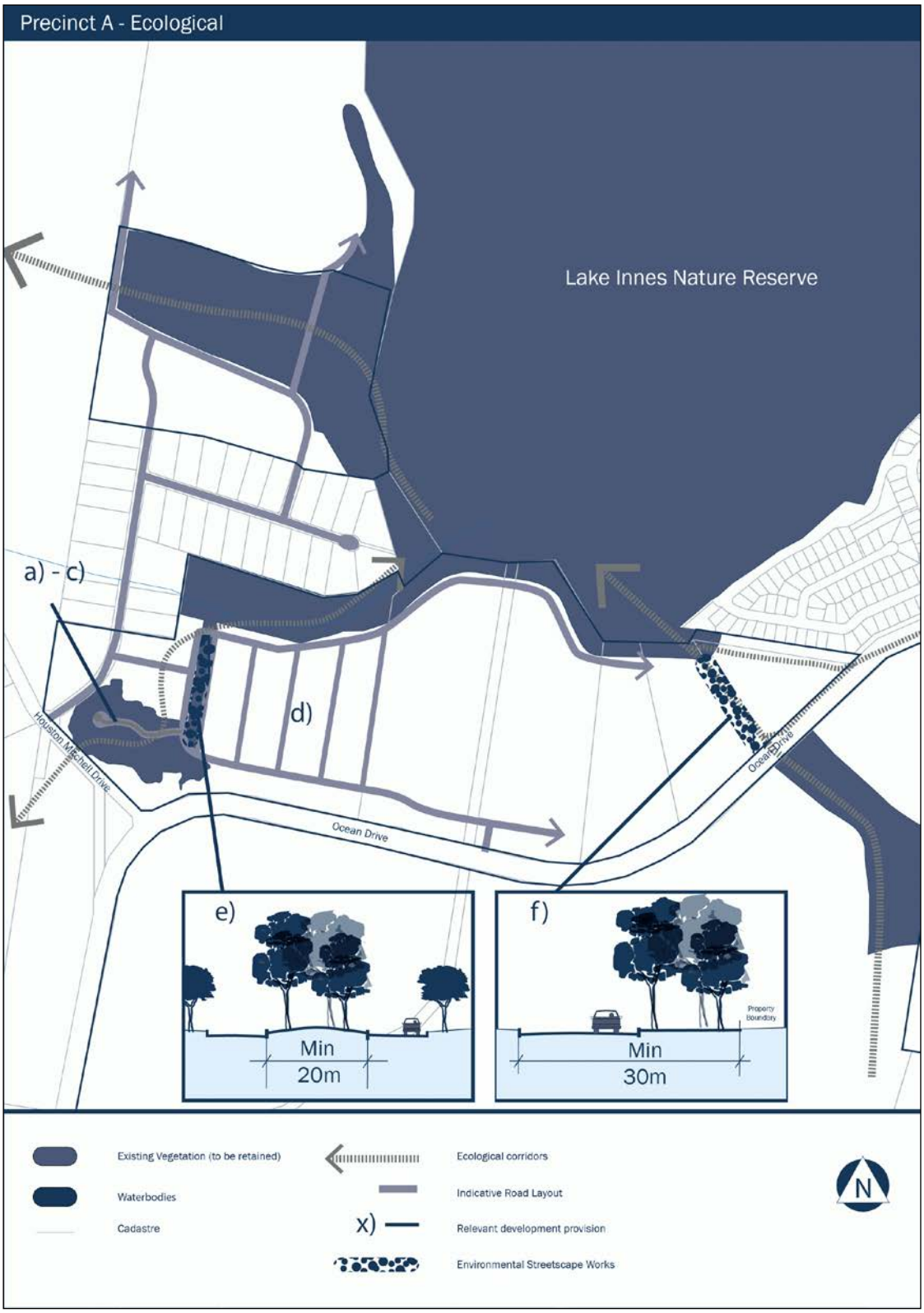


Figure 224: Ecological requirements for Precinct A

Environmental Management Areas and Buffers - Littoral Rainforest

348. Objective

- To conserve biological diversity and protect the habitat of threatened species, populations and ecological communities by protecting the littoral rainforest from human intrusion and discouraging impacts from human activities such as rubbish dumping.
- To ensure the materials and design of the fence positively contributes to the streetscape and minimises opportunities for vandalism.
- To prevent native animal entrapment within the rainforest while discouraging domestic animal intrusion into the rainforest.
- To provide an opportunity to educate the public on the importance of the littoral rainforest in this location.
  - To provide pedestrian access to Rainbow Beach in a manner that:
  - protects the littoral rainforest
  - discourages unauthorised access from the boardwalk
  - maintains the integrity of the dunal system
  - allows for the movement of fauna under the walkway.

Development Provisions

a) Precincts B and C

- Provide elevated pedestrian access boardwalks to Rainbow Beach designed generally in accordance with Figure 225 and at the locations shown on Figure 227.
- An appropriate fence generally consistent with Figure 226 must be provided along the full length of the littoral rainforest, incorporating educational signage at suitable locations. Note: where an alternative fence design is approved under Part 3A, that design prevails.
- Detail design for the fence, beach access boardwalks and educational signage must be to satisfaction of Council's ecologist. General design principles are to be submitted with the development application, and detailed design with the Construction Certificate application. The constructed fence or boardwalk is to be inspected and endorsed by Council's ecologist prior to release of the Subdivision Certificate.
- Development applications that include the fence or boardwalk adjacent to or through the SEPP (Coastal Management) 2018 must be accompanied by a Construction Management Plan demonstrating all affected trees within the rainforest are to be suitably protected during construction of the project.

Figure 225: Pedestrian boardwalk to Rainbow Beach

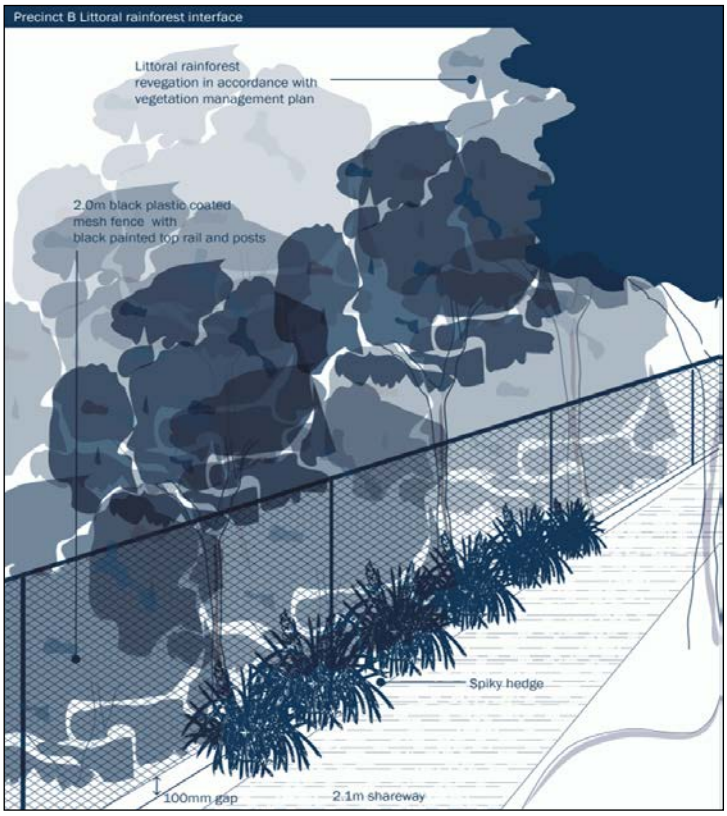


Figure 226: Indicative littoral rainforest/development edge treatment

Figure 227: Ecological corridors

Environmental Management Areas and Buffers - Duchess Creek

349. Objective

- To protect and maintain:
  - water quality within waterways
  - stability of the bed and banks of waterways
  - aquatic and riparian habitats
  - ecological process within the waterways and riparian areas.

Development Provisions

a) Precinct B

- Subdivision applications adjoining Duchess Creek shall include a detailed Vegetation Management Plan (VMP) prepared by a suitably qualified person(s). The VMP is to:
  - Be generally in accordance with Figure 227 to Figure 230.
  - Demonstrate to council's satisfaction that the development objectives can be achieved
  - Have regard to the Stormwater Quality Criteria for Area 14 set out in the Area 14 Integrated Water Cycle Management Plan 2006.

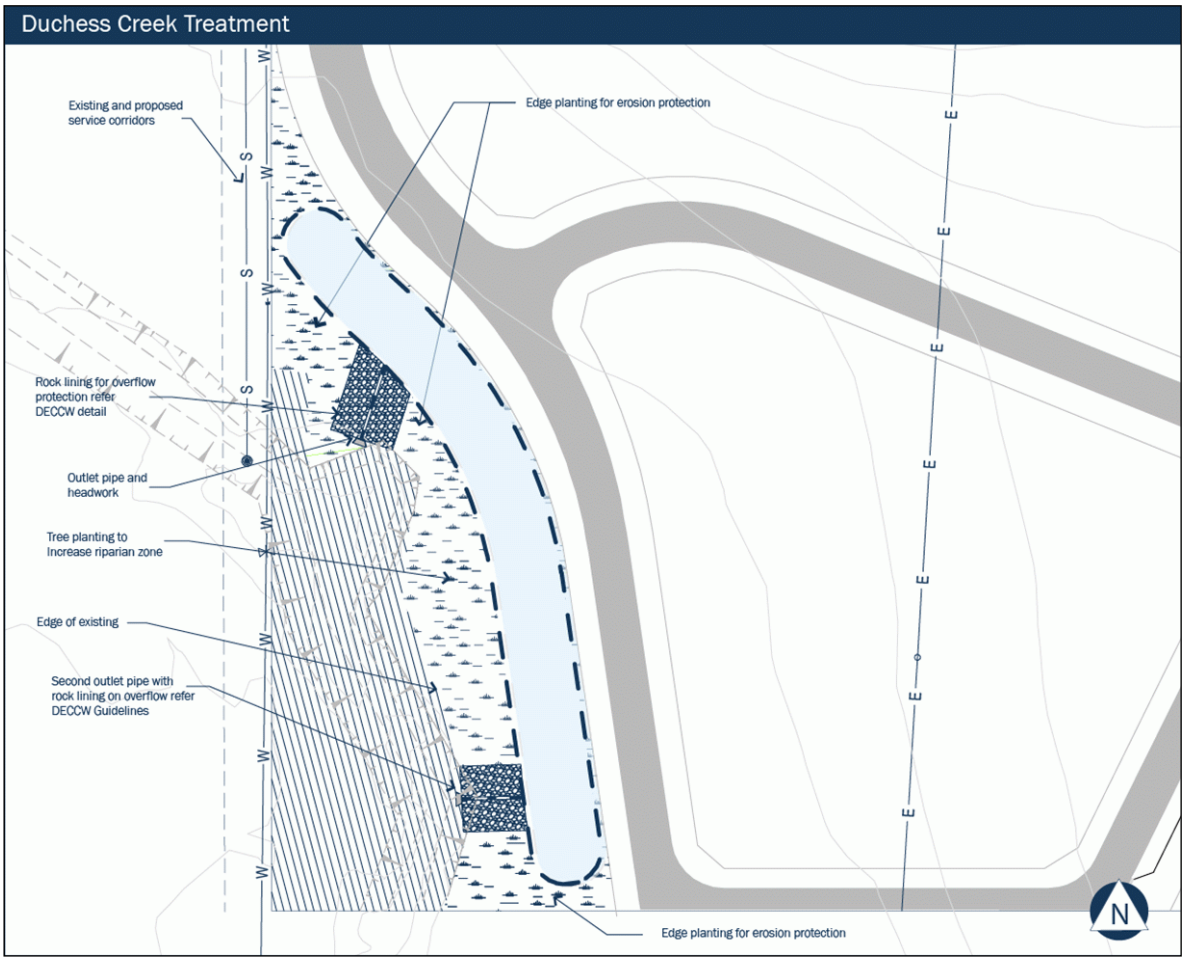


Figure 228: Duchess Creek treatment

Development Subject to Acoustic Controls in the Port Macquarie-Hastings LEP

350. Objective

- To achieve adequate noise attenuation for residential areas and tourism accommodation.
- To maintain a high level of visual amenity that considers the Ocean Drive tourist route designation and retains vistas to surrounding ridges and hilltops including North Brother and Jolly Nose.
- To ensure the rear of commercial and residential properties are not viewable from Ocean Drive.
- To avoid the construction of high maintenance structures burdening Council and future landowners.
- To ensure fences along Ocean Drive are consistent in design, provide visual continuity, do not obstruct views to the key landscape features of North Brother and Jolly Nose and are at an appropriate residential scale.

Development Provisions

a) General

- Development subject to acoustic controls as identified in the Port Macquarie-Hasting LEP 2011 is to comply with AS3671 Acoustics - Road traffic noise intrusion - Building siting and construction. In particular,
    - Minimising the number of windows and openings which directly face the potential noise source
    - Locating noise insensitive areas such as kitchens, storage areas, laundry and garage, toward potential noise sources
    - Incorporating courtyard walls and boundary fences as barriers to potential noise sources
- Subdivision layout avoids the need for acoustic fencing or noise barriers and is designed to minimise noise impacts by:
    - Using natural topography to prevent line of sight
    - Locating non-sensitive activities as a buffer to residential areas
    - Orienting dwellings away from noise sources
    - Identifying areas where new dwellings will need to incorporate noise mitigation measures
- Acoustic fencing shall generally be constructed only for the areas adjacent to Ocean Drive and shall:
    - Be continuous for their full length, with a nominal mass not less than 15 kilograms per square metre
    - Incorporate wildlife exclusion fencing for areas adjoining Core Koala Habitat
    - Be located within or on the boundary of private property
- Acoustic fences or noise barriers are not used on significant corner sites with noise attenuation achieved through building design measures.
- The first subdivision application adjoining Ocean Drive must provide a plan for an integrated fence solution for residential and noise attenuation fencing along the entire precinct boundary to Ocean Drive for the relevant precinct (precinct fencing plan).
- Subsequent subdivision applications demonstrate compliance with the approved precinct fencing plan.

- Fences and associated landscaping adjoining Ocean Drive, other than in the Special Treatment Area or on Significant Corner Lots:
    - Are designed and assessed at subdivision stage
    - Are constructed prior to issuing the subdivision certificate
    - Provide a consistent and unobtrusive design within the Ocean Drive corridor
    - Are located only on private property
    - Are a maximum height of 1.8 metres above ground level (finished).
- A landscape buffer of 10 metres depth is provided in the areas indicated on Figure 221 to provide visual screening to the rear of residential and commercial property from Ocean Drive.

  Note: *In cases where 10 metres depth is not achievable due to physical site constraints, the application must demonstrate how the objective regarding visual screening of property is achieved.*

Flooding

351. Objective

- To effectively manage flooding, including compliance with any future climate change and sea level rise scenarios.

Development Provisions

a) Precinct A

- Development in the Flood Planning Area shown on the Flood Planning Map of the Port Macquarie-Hastings LEP 2011 must achieve a Flood Planning Level of 4.0 metres AHD.

  Note: *The existing levels have been set by a flood study for Lake Cathie Lake Innes prepared in 1984. The study does not consider the effect of climate change, associated sea level rise (SLR) and the impacts SLR will have on the interaction with the berm at the lake entrance / ocean interface.*
- *In the absence of a comprehensive, updated flood study Council has agreed to an alternative approach to ensuring flood immunity for future development and infrastructure. The alternative assumes a closed lake with a berm height of 2.6 metres AHD and adds 900mm allowance for SLR in accordance with NSW government policy benchmarks for sea level rise. This results in a 100 year flood level of 3.5 metres AHD. A freeboard level of 500mm will result in a FPL of 4.0 metres AHD.*
- Variation of the Flood Planning Level will only be considered where supported by a comprehensive, updated flood study for the Lake Cathie Lake Innes System.

Water Cycle Management

352. Objective

- To ensure that surface water is allowed to rapidly enter the local groundwater table without excessively saturating surface soils except during extreme rainfall conditions.
- To ensure that groundwater conditions are maintained or improved as a result of the urbanisation of the adjoining catchments.
- To provide a mechanism to supply additional water supplies to the littoral rainforest as a response to reduced annual rainfall caused by climate change.

- To prevent the intersection of groundwater by excavation associated with development or subdivisions.
- To minimise the impact of trenching for services on groundwater recharge and flow directions.
- To minimise nutrient loads draining to wetlands and waterways and protect and improve surface and subsurface water quality and groundwater infiltration characteristics during all phases of development.

Development Provisions

a) Precinct B

- A groundwater management and monitoring plan shall be prepared to the satisfaction of Council having regard to Council's Area 14 Integrated Water Cycle Management Plan (Storm Consulting 2006) or later studies as approved by Council.
- In particular, monitoring and assessment is required where works potentially affect groundwater levels or are proposed below the groundwater table.
- The management plan should also identify areas where plant roots have potential to intersect with groundwater tables and prepare a planting schedule of salt tolerant plants for these areas.

Stormwater Management

353. Objective

- To ensure that the post development water quality and quantity satisfy best practice guidelines.

Development Provisions

a) Precinct B

- Development applications for each stage shall include a detailed Stormwater Management Plan that:
    - Is generally in accordance with Figure 228.
    - Addresses impacts on the surrounding environment, ground water and water quality controls for the relevant sub-catchment at construction, maintenance and operational stages
    - Uses MUSIC modelling, or equivalent to demonstrate water quality targets set out in Council's Area 14 Integrated Water Cycle Management Plan 2006 will be achieved
- includes a detailed design layout plan for the preferred stormwater treatment train showing location, size and key functional elements of each part of the system
- North-western sub-catchment (Lake Cathie):
    - The stormwater biofiltration and detention basin for the NW sub catchment is to be located generally in accordance with Figure 228
    - Detailed modelling and design shall be undertaken in accordance with the aims of the Area 14 Integrated Water Cycle Management Plan (Storm Consulting 2006) and Council's AUS-SPEC-1 D07-Stormwater Management.
    - The facility shall be designed with sufficient capacity to ensure post development flows are attenuated to pre-development levels for all storm events up to and including the 100 year ARI flood event, and

- The top of water level within the basin is located below the road surface level in Ocean Drive (with allowance for freeboard).

– South-western sub-catchment (Duchess Creek):

- A groundwater management plan and monitoring plan for the proposal must be prepared to the satisfaction of DPI Water.
- The biofiltration basin, erosion controls and riparian revegetation for the SW sub-catchment is to be located generally in accordance with Figure 228
- Detailed modelling and design of the biofiltration basin shall be undertaken in accordance with the aims of the Area 14 Integrated Water Catchment Management Plan (Storm Consulting 2006) and Council's AUS-SPEC 1 D07-Stormwater Management.
- The riparian revegetation works shall be undertaken in the areas specified on Figure 228.

– All stormwater and groundwater works are to be undertaken in accordance with the recommendations in the Total Water Cycle Management Plan dated July 2012 prepared by King and Campbell

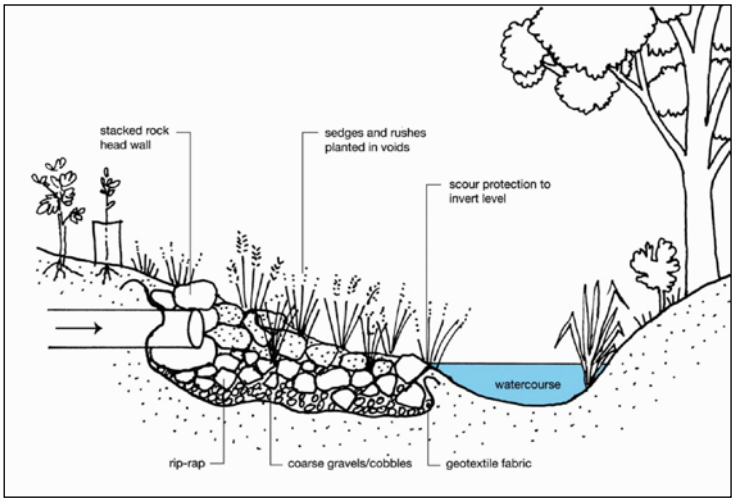


Figure 229: Indicative outlet detail (from Guidelines for Outlet Structure, NSW Office of Water, July 2012)

Figure 230: Constructed bioretention basin

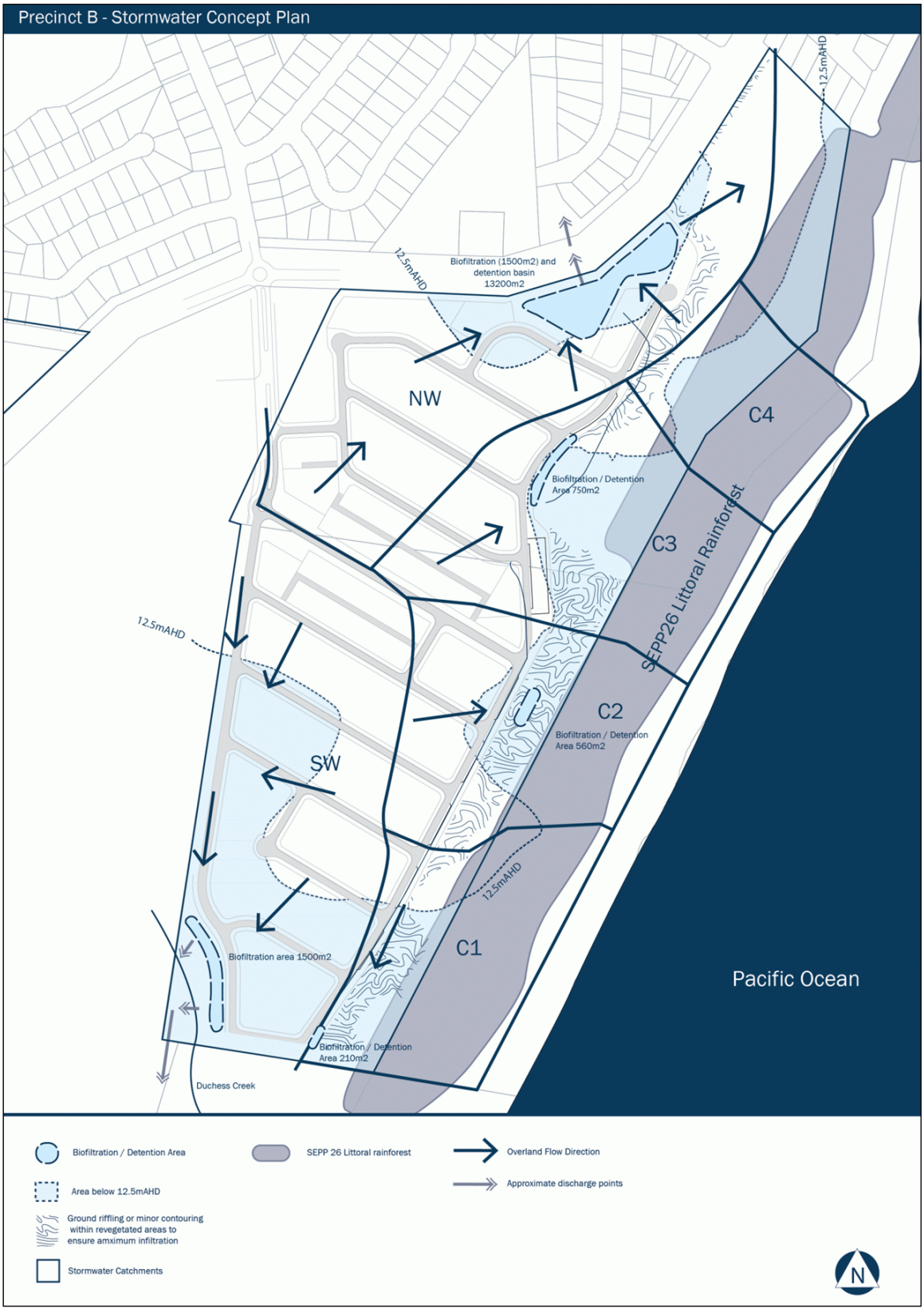


Figure 231: Stormwater Concept Plan for Precinct B

Urban Design

354. Objectives

- To ensure streets and neighbourhoods have a clear purpose, assist wayfinding and facilitate the achievement of a sense of place.
- To ensure that the streetscape is coordinated throughout the growth area's business zones, does not create clutter and obstacles in the public realm, and promotes a high quality urban environment that emphasises the unique character of the area.
- To provide attractive gateways to residential estates.
- To avoid extended blank walls facing Ocean Drive.
- To encourage a high quality streetscape for Houston Mitchell Drive where adjoining the growth area.
- To provide a safe and attractive streetscape to encourage walking and cycling.
- To create an urban environment that has a unique character and identity.
- To encourage dwell-time in the mixed use precinct.
- To provide opportunities for resting and passive enjoyment of the precinct.
- To provide street tree-planting and green spaces for shade and character.

Development Provisions

a) General

- Development applications that include the first stage of development in either business zone (that is the Village Centre or Hilltop Village) must be accompanied by a Streetscape Strategy that establishes a suitable theme relevant to the locality.
- The Streetscape Strategy should address but is not limited to, elements such as;
    - Pedestrian pavement details
    - Landscape planting
    - Public artwork
    - Seating
    - Lighting and signage
    - Bus shelters
    - Bike racks
- Where an approved streetscape strategy exists, development must provide streetscape elements in accordance with that strategy.
- Development on significant corners identified in Figure 221, other than Houston Mitchell Drive, must address Ocean Drive as well as the primary street. Including:
    - having consistent materials, finishes and fencing to both frontages
    - providing verandahs, balconies, awnings and other building articulation to both frontages (see Figure 235 and Figure 236).
    - where in a residential zone, fences are in accordance with Figure 235.
- Landscaping is provided on and in the road reserve adjacent to significant corner lots. Landscape treatment should:
    - be designed to reduce the visual impact of the road infrastructure at these locations
    - facilitate pedestrian movement between Ocean Drive and the secondary street network
    - incorporate gateway signage

- clearly delineate the entrances to each area.

b) **Precinct A**

- The Houston Mitchell Drive interface shall be treated generally in accordance with Figure 232.
- Fencing along Houston Mitchell Drive must be consistent in material and design and be fully screened by vegetation. Solid steel panel fencing is not supported.
- A 2.1 metre wide, sealed, shareway is to be provided along Houston Mitchell Drive between Ocean Drive and Forest Parkway.

c) **Precinct B**

- A 'village' square is to be provided generally in accordance with Figure 233 and be:
  - Approximately 2750 square metres in area
  - incorporate street furniture in accordance with an approved Streetscape Strategy.
- A pocket park of a minimum 900 square metres shall be provided generally in accordance with Figure 234.
- Land uses are mixed either vertically within the same building or horizontally on adjacent sites.

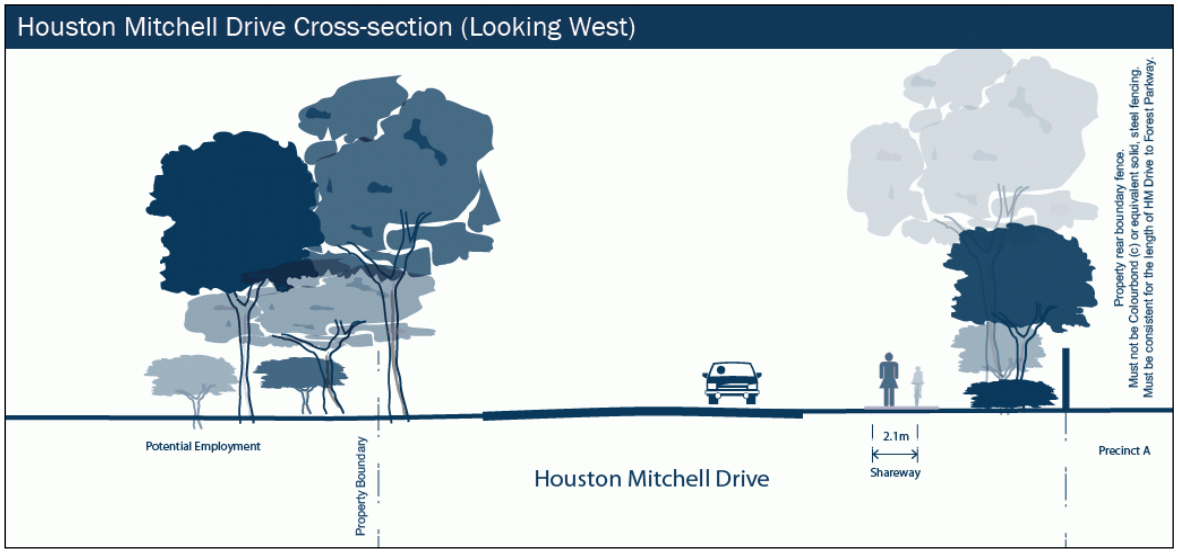


Figure 232: Houston Mitchell Drive cross section looking West

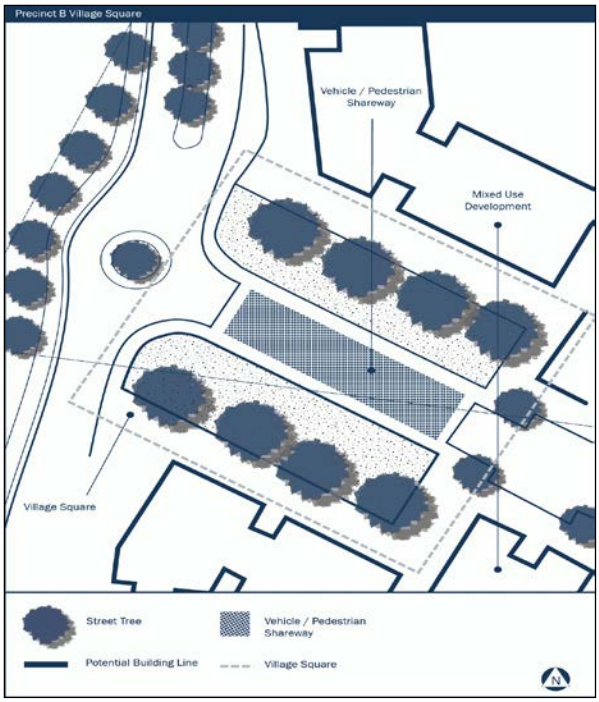


Figure 233: Indicative Hilltop Village Square layout

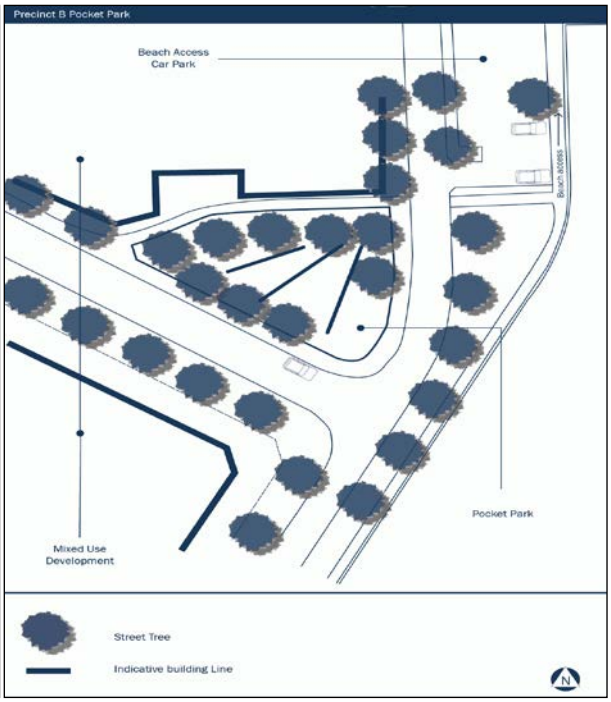


Figure 234: Indicative Pocket Park layout

Urban Design - Village Centre

355. Objectives

- Development makes a positive contribution to the streetscape by creating a sense of arrival from Ocean Drive to the village centre
- Development design makes a positive contribution to the streetscape and a safe public environment by providing village identity, character and wayfinding
- Development of the village entry corner sites makes a positive contribution to the streetscape and wayfinding by ensuring Main Street and the village centre are easily seen from Ocean Drive
- Development in the main street makes a positive contribution to creating an active streetscape with a focus on pedestrian movement. Key features include:
  - Active shop fronts with no blank walls
  - Generous footpath widths to allow outside dining, passive seating and landscape features
  - Awnings to provide shade
- Parking is provided in a central median on main street or otherwise sleeved behind shops
- Development contributes to the public domain by providing an attractive interface to the open space reserve east of the village.
- Development contributes to a safe public environment by providing passive surveillance of the open space reserve

- Development provides a central, landscaped open space area that serves the needs of people who live in, work in and visit the local area by incorporating:
  - A predominantly non-commercial focal point for the village
  - A place for public gatherings
  - Opportunities to rest
  - Interpretive signage about the area, local history and features
  - Public art that encourages children's play
- Development encourages walking and cycling by providing:
  - Mid block pedestrian connections
  - Bicycle parking in secure and convenient locations in the main street
  - Clear wayfinding mechanisms
  - Wide pedestrian pathways on the main street
- Development maximises public transport patronage by providing:
  - Public transport stops close to the Main Street Activity Area
  - Shaded waiting areas at all public transport stops.

Development Provisions

a) Precinct C

- Building design, landscaping, public art and fencing of village entry corner sites create a high quality landscaped entrance to the village
- Entry signage is provided to identify the village centre from Ocean Drive
- Setbacks to Main Street on village entry corner sites are 6 metres
- Fencing is not provided to the Ocean Drive or Main Street frontage of village entry corner sites
- Landscaping on the Ocean Drive and Main Street frontage of village entry corner sites does not obscure views to the village and Main Street from Ocean Drive
- In the main street business zone:
  - Land uses which generate higher visitation rates and provide surveillance to the street are encouraged
  - Buildings are built to the front and side boundaries.
  - Blank walls longer than 5 metres are avoided
  - Footpaths are a minimum of 4.5m wide and encourage outdoor eating areas to be established. Avenue trees can be located in the footpath adjacent to the parallel parking.
  - Cantilevered awnings are provided to all premises.
- Development of the commercial centre is designed to ensure 'back of house' operations such as servicing and waste bins are not predominantly visible from public roads.
- Development, including orientation of parking spaces, provides passive surveillance to the open space reserve.
- Development design of the western side of the main street business zone, incorporates a suitably sized area of paved open space, ideally located mid block and with direct frontage to Main Street. The open space may also incorporate entry to the community facilities.
- A landscape concept plan to Council's satisfaction for the open space is to be provided and should address:

    - Shaded seating areas, both formal and informal
    - Play space/public art
    - Varied pavement types that reduce reflection and heat
    - Interpretive signage and wayfinding assistance
    - An uncluttered open space area suitable for a variety of public activities
    - Opportunity for a small cafe on premises adjacent to the open space
  - Mid block pedestrian connections are provided east-west between the adjoining residential areas to the west, the central open space, the central parking area and the open space reserve to the east.
  - Bicycle parking structures are provided in at least two locations in the main street activity area.
  - At least one of each inbound and outbound public transport stops are provided within 50 metres of the Main Street Activity Area.
  - Shade is provided to all public transport stops either by awning from an adjacent building, a specific shade structure or shade tree planting.

Urban Design - Ocean Drive Special Treatment Area

356. Objective

- To encourage design elements on Ocean Drive that:
  - Ensure residential development faces Ocean Drive
  - Create visual interest
  - Announce the approach to the Village Centre along Ocean Drive
  - Avoid a sense of containment created by acoustic fences, walls or landscaping
  - Promote pedestrian activity along Ocean Drive
  - Provide passive surveillance to Ocean Drive

Development Provisions

a) General

- Where in the Special Treatment Area in Figure 221, development provides formal tree planting along a central traffic median and formal landscaping in the road verge to create a boulevard along Ocean Drive associated with the village centre. Development within the Special Treatment Area in Figure 221 with a primary or secondary frontage to Ocean Drive:
    - has a maximum setback from Ocean Drive of 6 metres if residential or is built to boundary if non-residential
    - does not provide lot access for vehicles directly from Ocean Drive
    - residential development provides fences that:
        - are not greater than 1.2 metres high
        - include variation in alignment and materials
- provides a minimum of one window from a habitable room in each dwelling or tenancy that overlooks the adjacent Ocean Drive footpath.

Figure 235: Example of corner lot design

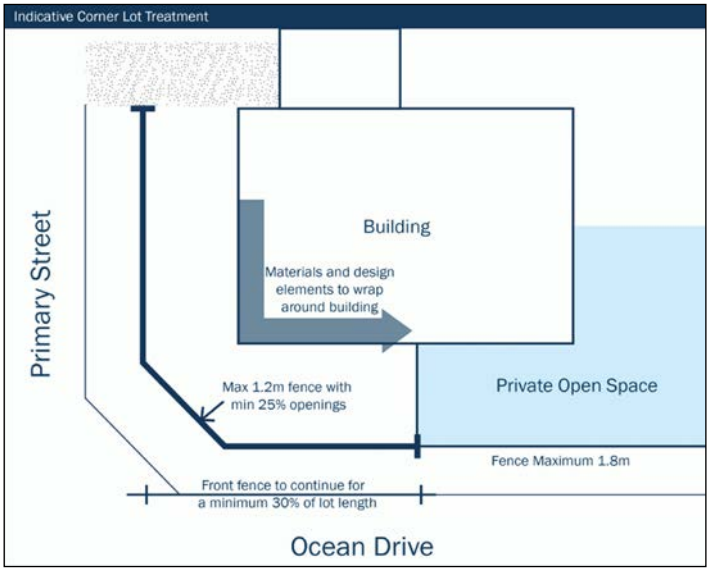


Figure 236: Typical corner lot and fence design

9.2: Houston Mitchell Drive Employment Lands

Section 9.2 applies to the land highlighted in Figure 237 below.

Figure 237: Land subject to Section D9.2

Strategic Context

The site is recognised in Council's Urban Growth Management Strategy 2017 - 2036 as being a suitable investigation area for light industry. It is centrally located in terms of access to planned development in Lake Cathie and Bonny Hills Urban Release Area.

The site has the capacity to provide approximately 5.5ha of the land required to meet the projected demand from Lake Cathie and Bonny Hills communities for service industry by 2036. The Bonny Hills community has expressed (through the Bonny Hills Community Plan 2018) a strong desire for any industrial development on the site to be buffered from Ocean Drive and for access to be from Houston Mitchell Drive, not Ocean Drive.

The following development controls are predominantly designed to reduce the visibility of future light industrial development from Ocean Drive through the provision of a landscaped buffer.

Purpose

The purpose of these provisions is to minimise the potential for visual and amenity impacts as a result of future development and to provide for an internal perimeter road layout.

These provisions supplement the relevant provisions in Parts 2 and 3 of the Port Macquarie Development Control Plan. Where there is inconsistency between these Area Based Provisions and the provisions in Parts 2 and 3, for the extent of the inconsistency these Area Based Provisions prevail.

Note: *The figures in this plan are conceptual, not to scale and show indicative locations only.*

Development Guide

Visual Amenity

357. Objective

- To screen industrial development as viewed by the travelling public along Ocean Drive and Houston Mitchell Drive.
- To ensure an attractive site boundary is achieved that retains the landscape character of the area and is of high scenic quality.
- To provide a fauna fence which moulds into the vegetated landscape.

Development Provisions

a) Landscaping within the site and along Houston Mitchell Drive is to include plantings which are in scale with the height and bulk of industrial development.

b) A minimum 5m wide strip of E2 Environmental Conservation zoned land adjacent to Ocean Drive and Houston Mitchell Drive is to be provided and densely vegetated and fenced to provide a robust natural buffer to screen buildings, parking areas, loading areas and any other associated uses of the site from the adjoining street frontages. Refer to Figure 238 for details.

- Trees are to be selected from those that are on Council's Indigenous Street and Open Space Planting list and be planted at the time development approval is given to subdivide the land or approval to use the land, whichever occurs first.
- Each 10 metre buffered section should comprise:
- Four medium trees (5-15m high and 25 litre stock)
- Eight large shrubs (2-4m high and 200mm stock)

- 24 medium shrubs (1-2m high and 140mm stock)
- 60 groundcovers (tube stock)

Planting notes:

- The buffer to be planted should be cultivated to a 300mm depth with a 300mm mound of topsoil and 100mm forest mulch.
- Allow breaks in mounding for overland drainage.
- Provide at least three species of each plant for tree, large shrub, and groundcover in alternating groupings.
- Maintenance during the establishment period to include watering during dry periods, periodical weeding and replacement of failed stock.

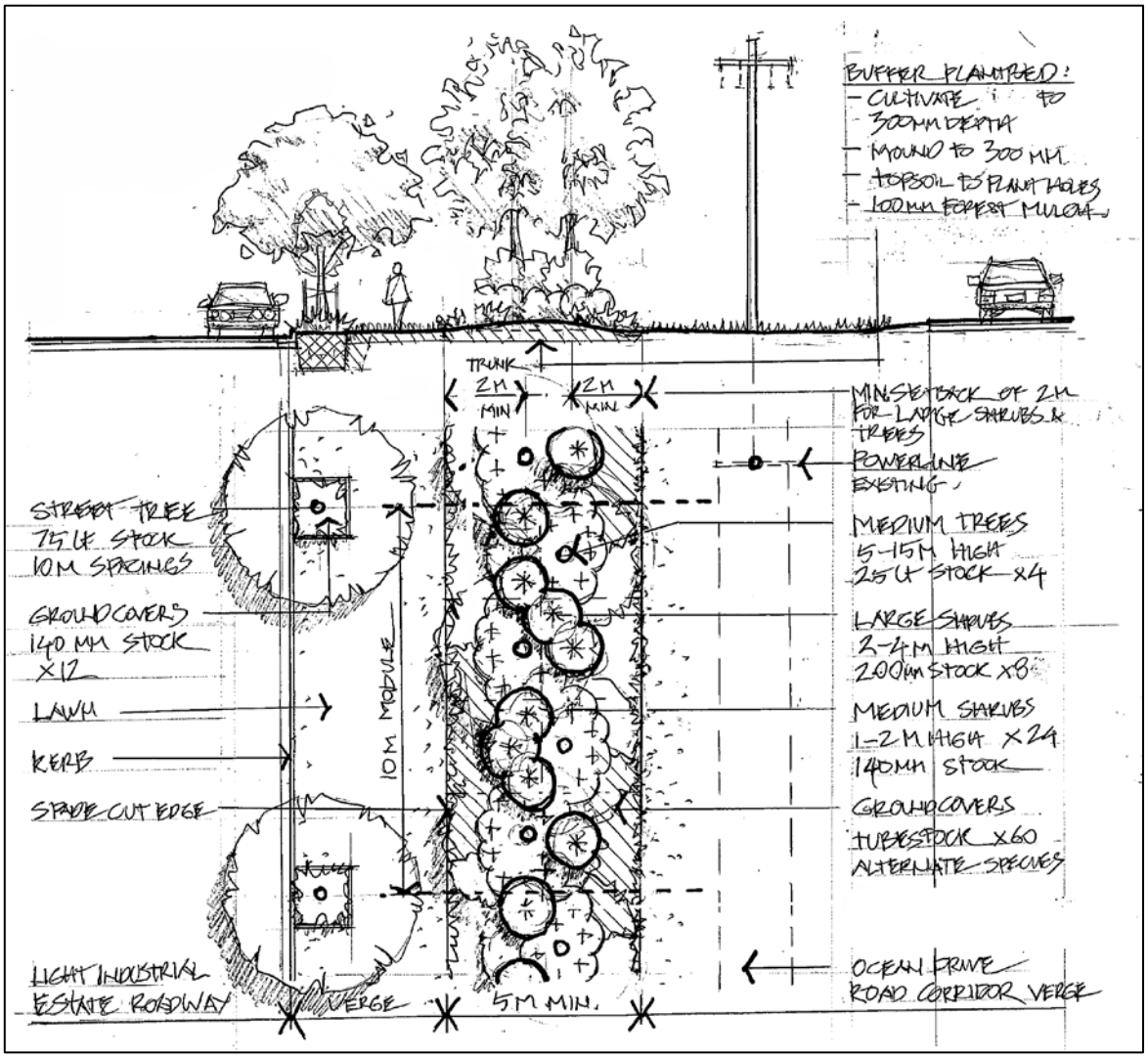


Figure 238: Landscape buffer to Ocean Drive frontage

Koala Protection

358. Objective

- To discourage Koalas from crossing Houston Mitchell Drive and Ocean Drive.
- To exclude fauna from the industrial development and provide a buffer to the adjoining Queens Lake State Conservation Area.

Development Provisions

a) Provide a fauna fence which moulds into the vegetated landscape. The fence should not be visually intrusive. The indicative location of this fence is provided in Figure 239.
Note: *The fauna fence must provide access to the environmental lands in the south to enable its future management and allow fauna to use the existing culverts under Ocean Drive to move between environmental land in the east and west.*

b) The fauna fence should be offset from the Queens Lake State Conservation Area boundary by a minimum of 5 metres and include access gates at suitable intervals to allow for maintenance. Refer to Figure 239 below.

Figure 239: Indicative location of fauna exclusion fence

Roads, Access and Transport

359. Objective

- To mitigate against the potential for environmental conflict and degradation at the industrial interface.
- To ensure safe access to the site and appropriate separation of intersections on Houston Mitchell Drive.

Development Provisions

a) A perimeter road between the industrial footprint and environmental lands is to be designed to control the industrial interface and manage potential conflicts of bushfire hazard and environmental conservation.

b) All access is to be provided from Houston Mitchell Drive via a roundabout at Forest Parkway. Access is not permitted via Ocean Drive, other than pedestrian or cycleway access.

Water Quality

360. Objective

- To control and manage all stormwater generated as a result of land development.

Development Provisions

a) Each individual industrial lot is to be provided with on-site stormwater detention facilities. Sufficient detention storage must be provided within each lot to ensure that peak flow rates and/or flood levels at any point within the downstream drainage system do not increase as a result of the development from the 50% Annual Exceedance Probability (AEP) storm to the 1% AEP storm events (for all relevant storm durations).

b) For modelling purposes, pre-development conditions shall be assumed to be 'greenfields'.

361. Objective

- To ensure incorporation of Water Sensitive Urban Design techniques on-site and building design to minimise reliance on reticulated water.

Development Provisions

a) All industrial lots are to be provided with on-site stormwater water quality control facilities designed and constructed to achieve the pollutant reduction targets specified within Council's Aus-Spec D7 specification.

b) All public road pit and pipe drainage is to be designed to drain to trash racks followed by a vegetated water quality control facility sized to achieve the pollutant reduction targets specified within Council's Aus-Spec D7 specification.

c) End-of-line water quality controls designed to treat stormwater runoff from the road reserves are to be provided prior to discharge.

D10: THE CAMDEN HAVEN WEST

Application

Section D10 applies to the land highlighted in Figure 240 below

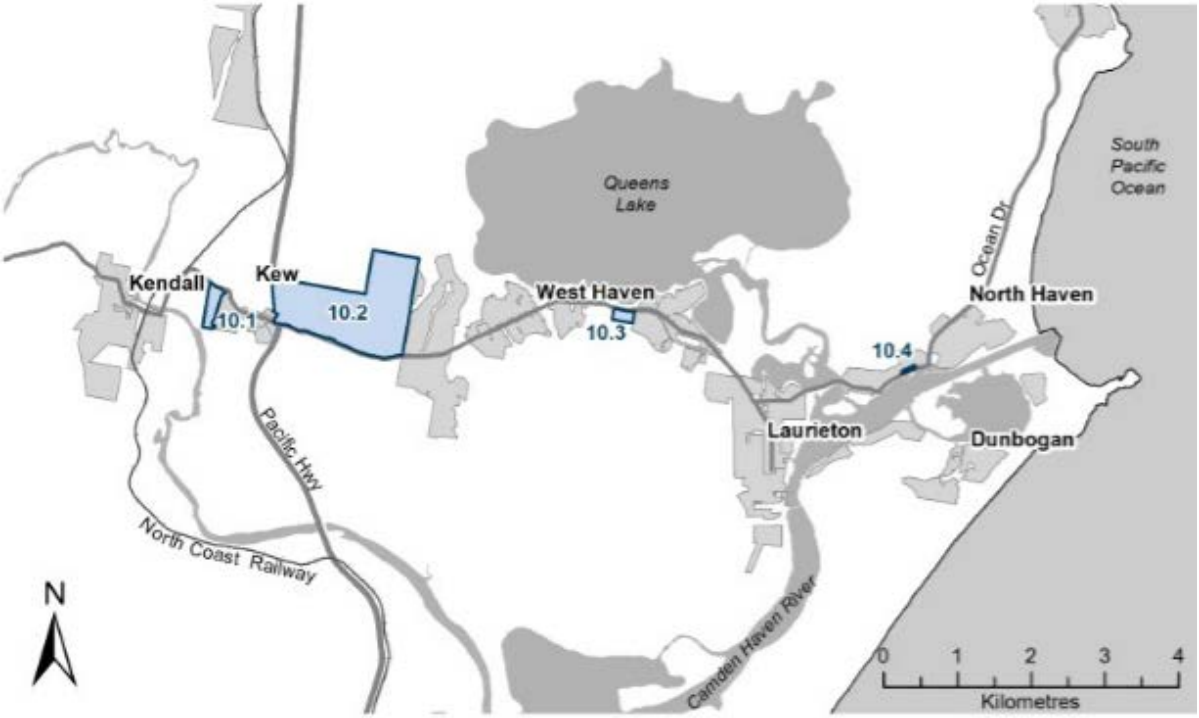


Figure 240: Land subject to Section D10

D10.1: HOMEDALE ROAD - KEW

Section D10.1 applies to the land highlighted in Figure 241 below.

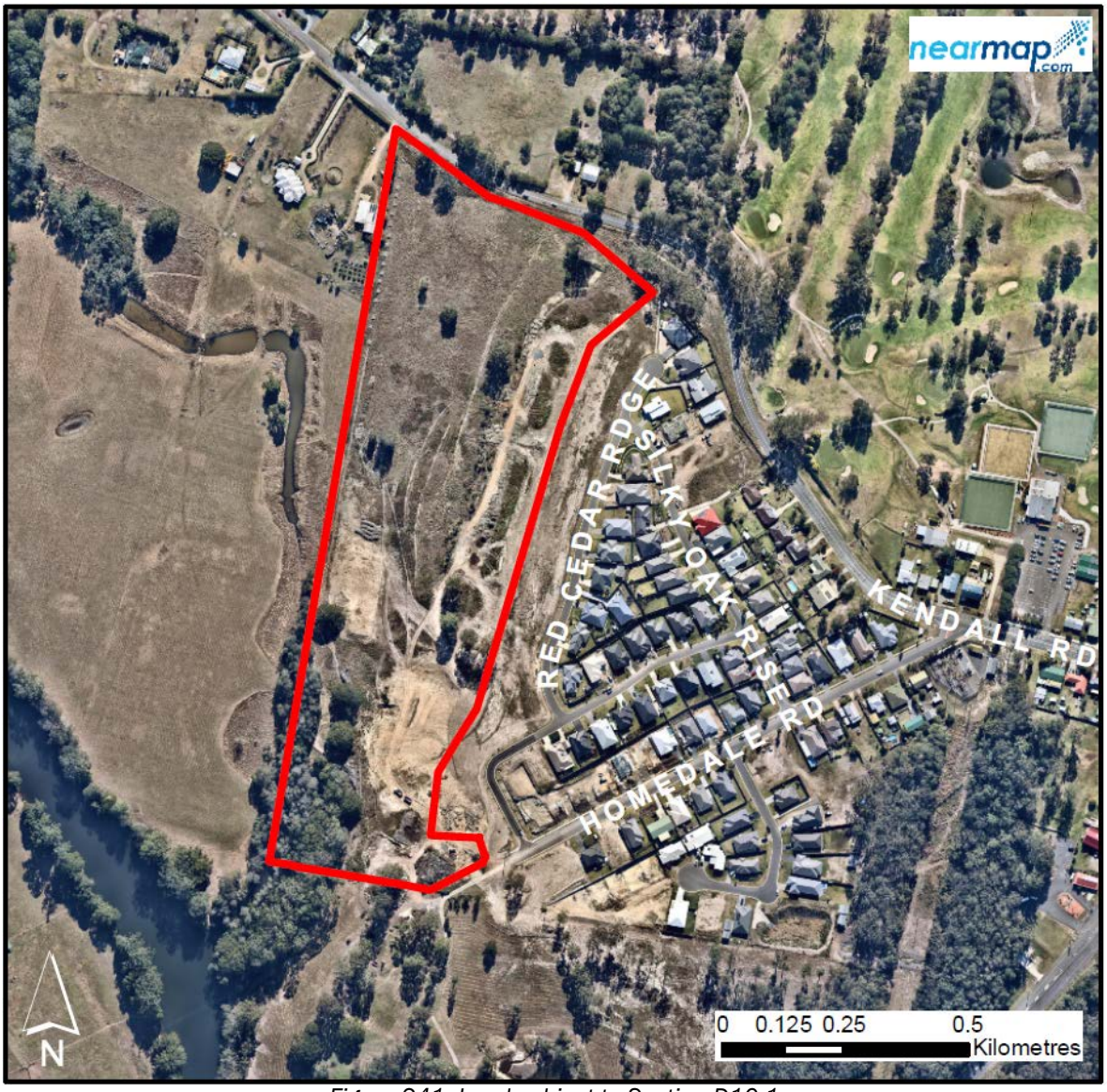


Figure 241: Land subject to Section D10.1

Strategic Context

The site specific rezoning was informed by a concept plan submitted by GEM Planning consultants, on behalf of the landowner, and provides development potential for approximately 45 residential lots and an environmental residue lot. The environmental residue comprises significant vegetation, area for stormwater detention and a 50m wide separation buffer to Regionally Significant Farmland on the neighbouring rural property to the west.

The concept road layout allows for internal connectivity to the Links Residential Estate to the east and a 22m separation buffer to an approved bulk storage (temporary fencing) business operating on the Kendall Road frontage of the neighbouring rural property.

Purpose

The purpose of these provisions are:

1. To minimise the potential for land use conflict as a result of adverse noise impacts.
2. To provide for internal road connectivity.
3. To ensure adequate measures to minimise the potential for adverse impacts to indigenous heritage significance.

These provisions supplement the relevant provisions in Parts B and C of the Port Macquarie Development Control Plan. Where there is inconsistency between the Locality Specific Provisions in this Part, for the extent of the inconsistency the Locality Specific Provisions prevail.

The maps shown in this plan are not to scale and show indicative locations only.

Development Guide

Noise Attenuation

362. Objective

- To mitigate the potential for adverse noise impacts on residents in proximity to the neighbouring bulk storage development.

Development Provisions

a) The first subdivision adjoining Kendall Road must provide a minimum 1.8m high acoustic fence for noise attenuation extending along the north-west boundary generally in the location shown on Figure 242.

b) The fence is to:

- Be constructed of concrete, lapped and capped timber, or other suitable materials.
- Be located within, or on the boundary of private property.
- Be constructed prior to issuing a Subdivision Certificate.

c) The development application must demonstrate the suitability of the barrier design and material to achieve the required relevant noise criteria at the time of noise barrier installation.

Road Network Connectivity

363. Objective

- To ensure an appropriate road network that links to adjoining residential areas.

Development Provisions

a) The subdivision design is to provide a connecting road through the site that links to the adjoining residential Estate, generally in accordance with Figure 243.

Aboriginal Cultural Heritage

364. Objective

- To ensure Aboriginal archaeological values are respected in the design of development and in the development process.

Development Provisions

a) A cultural site officer from the Bunyah Local Aboriginal Land Council must be present during any proposed diggings or disturbance of the potential archaeology site identified in Figure 244.

b) If any Aboriginal artefacts are discovered, all works are to immediately stop in the vicinity of the site, the area cordoned off and contact made with the NSW Department of Planning, Industry and Environments Biodiversity and Conservation Division so that the site can be appropriately assessed and managed.

Figure 242: Indicative location for acoustic barrier

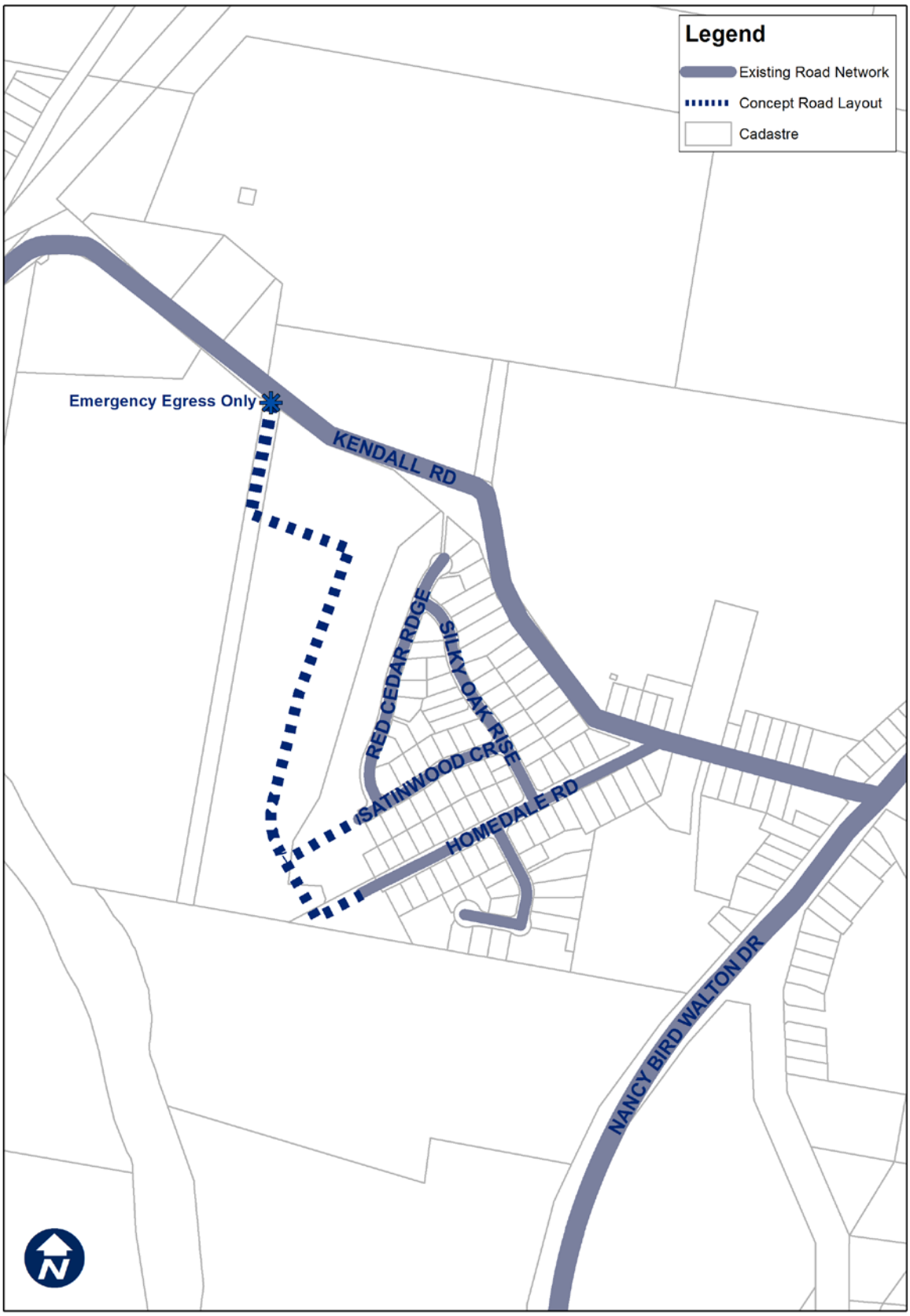


Figure 243: Concept road layout

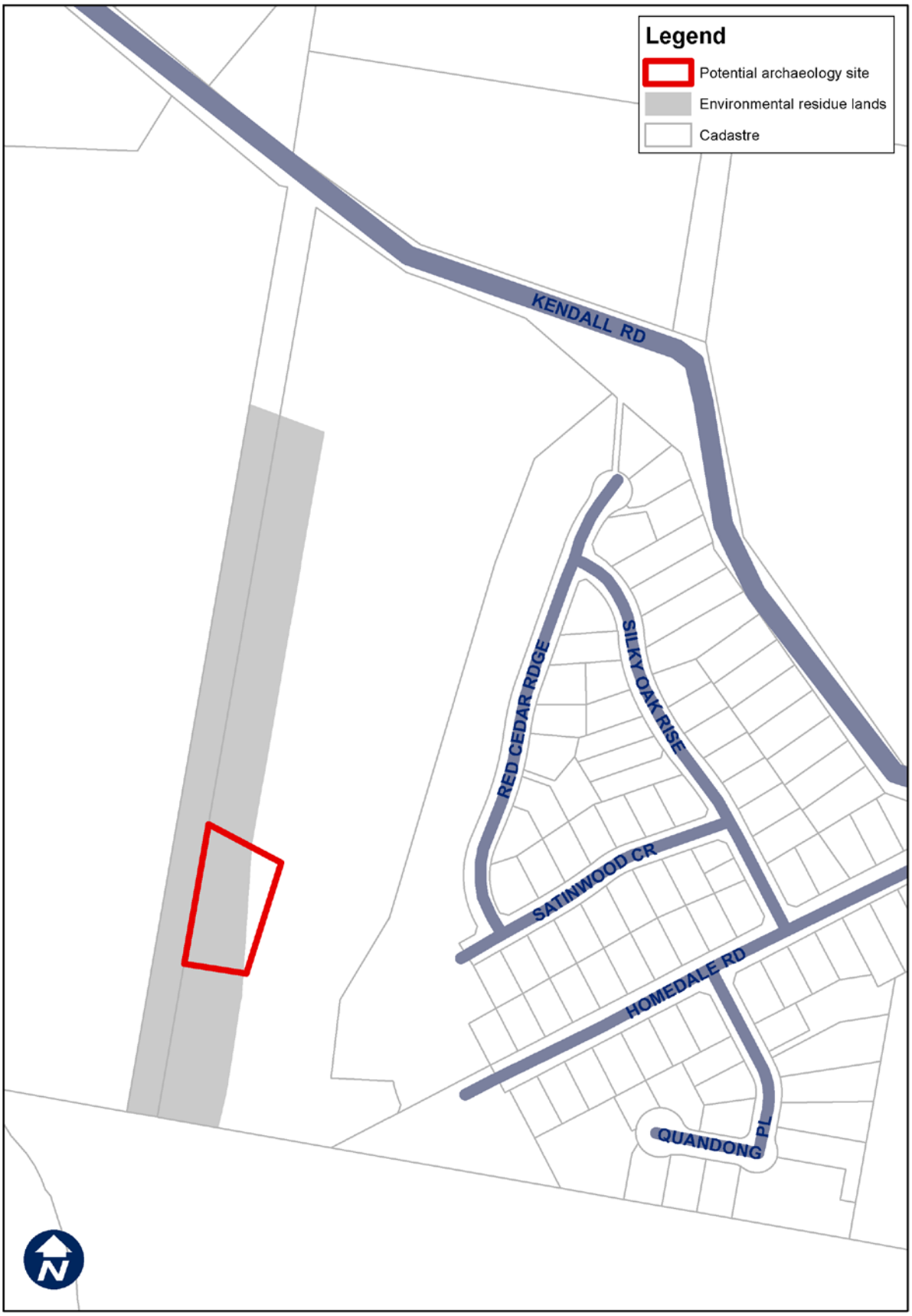


Figure 244: Potential archaeology site

D10.2: AREA 15 CAMDEN HAVEN

Section D10.2 applies to the land highlighted in Figure 245 below.

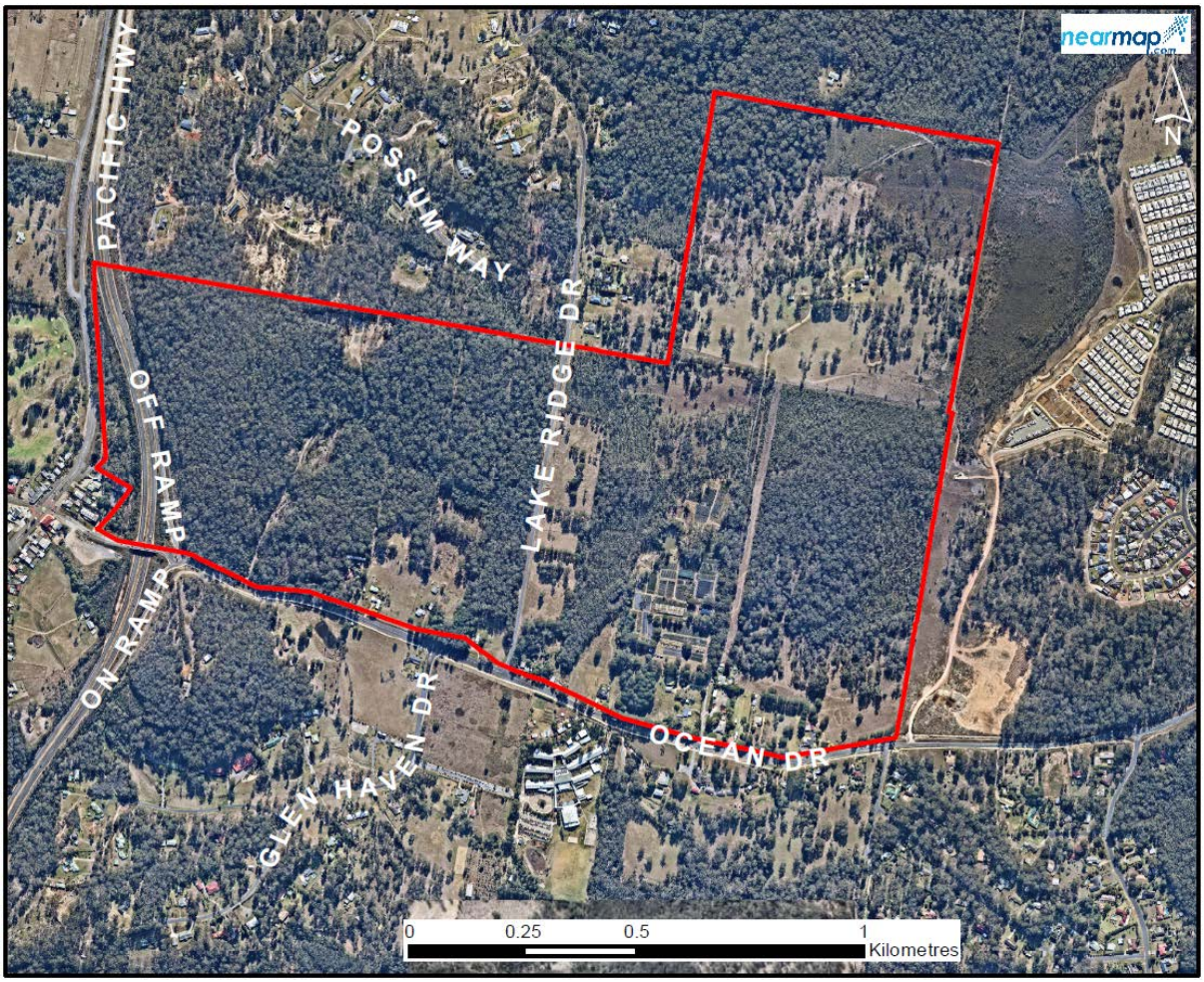


Figure 245: Land subject to Section D10.2

The objectives of these provisions are:

- To provide and plan for an efficient urban release area that will maximise the opportunities for urban development in a socially, economically and environmentally sustainable manner.
- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors,
- To protect and maintain water quality in local streams and in downstream receiving waters of Queenslake,
- To ensure environmental hazards are avoided and adequately managed,
- To ensure Aboriginal archaeological values are respected in the design of development and in the development process,
- To ensure adequate access and connectivity is provided to the future community of Area 15,
- To ensure future residents have adequate access to services and facilities,
- To enhance the character and liveability of future urban development.
- To create opportunities for local employment,

- To ensure retail development strengthens the hierarchy of retail centres,
- To ensure infrastructure is able to be provided at reasonable cost, and in time to serve growth,
- To ensure the provisions of infrastructure and services by Council do not place an unreasonable burden on the existing community.

Strategic Context

Local Environmental Study

A Local Environmental Study (LES) for Area 15 Camden Haven was prepared by Blueprint Planning Consultants having regard to extensive studies of the site and its locality. These studies, together with additional investigations included the following:

- Ecological Study, Impact Assessment and Offset Strategy
- Flood Study and Impact Assessment
- Land Capability Assessment
- Contamination Assessment
- Aboriginal Cultural and Archaeological Assessment
- Structure Planning Report
- Stormwater Management Plan
- Sewer Servicing Strategy
- Traffic Study
- Traffic Noise Study.

Structure Plan 2010

The LES includes an adopted Structure Plan that provides for:

- 78ha of residential zone,
- 0.3ha neighbourhood business zone,
- 2.4ha light industrial zone,
- 10ha special purposes zone, and
- 77.7ha environmental zones (64.4ha of Zone E2 Environmental Conservation, 13.3ha of Zone E3 Environmental Management).

Significant vegetation communities, habitat areas and wildlife corridors are protected, and intended to be enhanced. Some areas of vegetation will be removed as development proceeds. The loss of vegetation is to be offset by retention and enhancement of environmental zone areas within Area 15 and the dedication of land as an addition to Dooragan National Park. Water quality is to be protected through retention of vegetation along creeklines and the installation of treatment facilities as development proceeds. Perimeter roads (permitted within the E3 Environmental Management zone) provide the preferred practice for managing bushfire threat and separating development areas from environmental areas. The development footprint retains adequate flood paths through the site. Steep land and low lying land is generally excluded from the development footprint. No significant contamination issues effect the development potential of land.

The only recorded cultural heritage item within Area 15 is to be contained within an environmental zone. The road network will provide efficient internal traffic movement and proposed intersections on Ocean Drive will provide safe access onto the regional network. Efficient bus routes are provided by the proposed road network. Pedestrian and cycle paths connect residents to the Camden Haven high school and the Lakewood shopping centre, as well

as linking local parks and recreation routes along environmental corridors. Quality urban design and landscaping is afforded through the interface between development areas and environmental corridors. Traffic noise impacts on residential areas is controlled through landscaped acoustic barriers along Ocean Drive.

Local opportunities for employment are provided in the neighbourhood business and light industrial zones. The small neighbourhood business zone will not impact on the Council's adopted retail hierarchy. Design factors aimed at minimising developer contribution rates, while maintaining acceptable standards include minimising the number of Ocean Drive intersections, the lengths of roads to be constructed by local infrastructure contribution funds, optimising the size, location and number of local parks The cost of infrastructure provision is to be funded by the developer with arrangements negotiated through voluntary planning agreements to reduce council's risks in forward funding of the infrastructure.

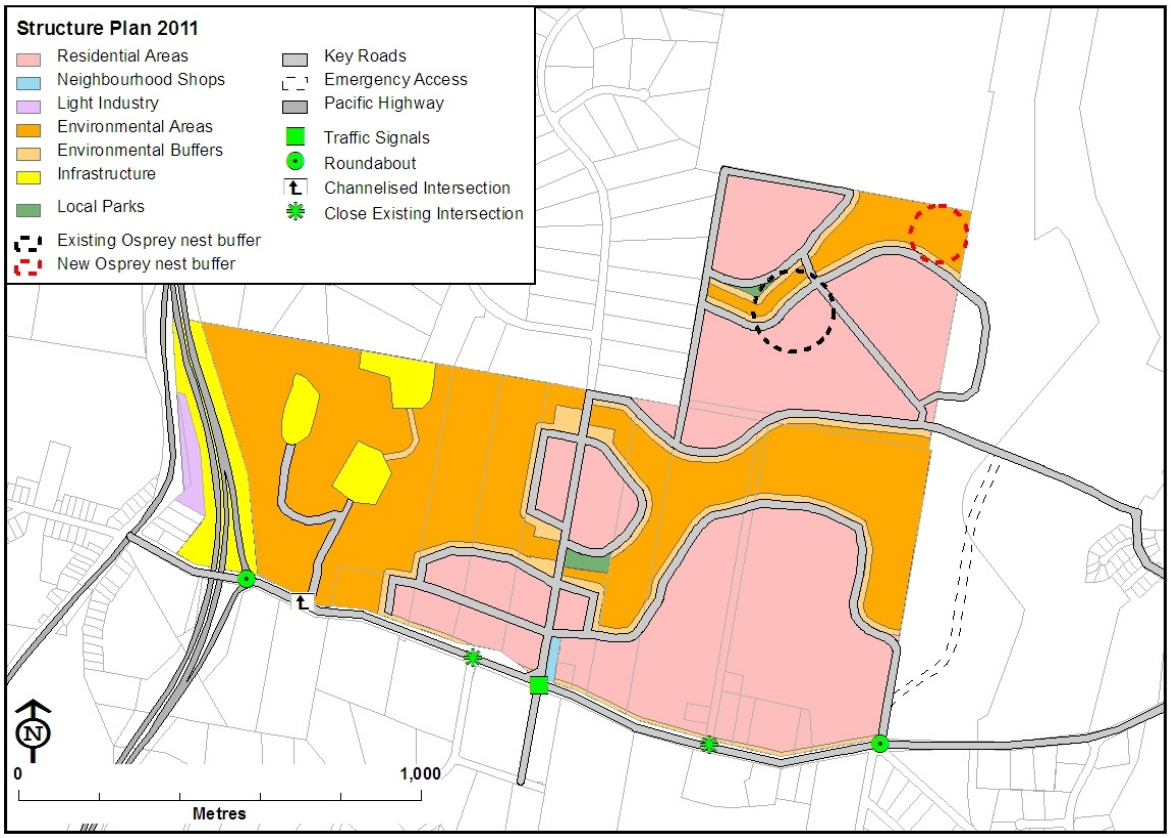


Figure 246: Area 15 Camden Haven Structure Plan

Development Principles and Staging

Development Principles

Development proposals are to be consistent with the Structure Plan and the following Development Principles, and have regard to the identified staging.

The Structure Plan is based on a number of fundamental principles that should guide all development in Area 15:

- Retention, enhancement, restoration and ongoing management of environmental zones,
- Separation of development areas from environmental areas with perimeter roads,

- Retention and protection of Osprey nest tree buffer until successful Osprey nest relocation, and/or abandonment of current nest tree,
- Provision of treatment train stormwater quality measures,
- Filling of land to ensure residential floor levels are above flood planning level,
- Road layout and levels to achieve safe flood evacuation routes,
- Provision of internal access to remove all existing accesses on to Ocean Drive, and provision of safe access at controlled intersections,
- Internal road connections to Lakewood shops,
- Efficient bus, cycle and pedestrian routes,
- Attractive and safe streetscapes, and
- Screening and acoustic treatment along Ocean Drive.

Development Staging

Development is to occur in stages in response to:

- Dedication of vegetation loss off set land,
- Provision of all new infrastructure in accordance with the Area 15 Planning Agreement,
- The initial provision of reticulated sewerage,
- The progressive restoration and management establishment works of environmental areas and dedication of land proportionate to the subdivision of residential land,
- Progressive upgrade of Ocean Drive intersections consistent with identified development thresholds,
- The timing of implementation of stormwater drainage infrastructure to minimise downstream impacts of each development stage and to ensure specified water quality targets can be achieved,
- Progressive provision of internal road and sewer reticulation connections, and
- Availability of a new water supply reservoir after 800 residential lots.

Development Guide

Ecology

365. Objective (previously in OB1)

- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors.

Development Provisions

a) The required VMP to be submitted with the DA at the subdivision stage (or land development stage if subdivision is not proposed) is to be consistent with the measures shown in Figure 247 and Table 7. The VMP is to be specify:

   – Full revegetation of E3 Environmental Management zone buffers to EEC areas,

- progressive dedication of environmental land and linked to proportionate stages of the development,
- the maintenance regime prior to and following dedication; and
- the process for certifying completion of works at critical stages of the process.

b) Development applications for the first stage of development on any land is to include a specific site survey to identify and accurately locate all (proposed to be retained and proposed to be removed) hollow bearing trees on the land. The number and size of hollows is to be recorded for each tree. Where development in Zone R1 General Residential or IN2 Light Industrial requires the removal of hollow bearing trees, an assessment of the impact is to be submitted with the development application, including the identification of ameliorative measures and guidelines for the management of the process of removal during the construction phase. Ameliorative measures are to include the provision of appropriate size and number of artificial nesting boxes within the E2 Environmental Conservation zone. Nest boxes are to be erected prior to release of the first subdivision construction certificate to maximise the potential of uptake prior to removal of hollow bearing trees.

c) Prior to release of the first subdivision construction certificate for development of the land parcel containing the Osprey nest, a suitable artificial nesting pole is to be approved and installed on the land to provide an offset for the eventual loss of the Osprey nest tree. Development consent shall not be granted for development on land within the Osprey nest tree buffer unless Council is satisfied that the Osprey nest has been abandoned, based on 2 full breeding cycles.

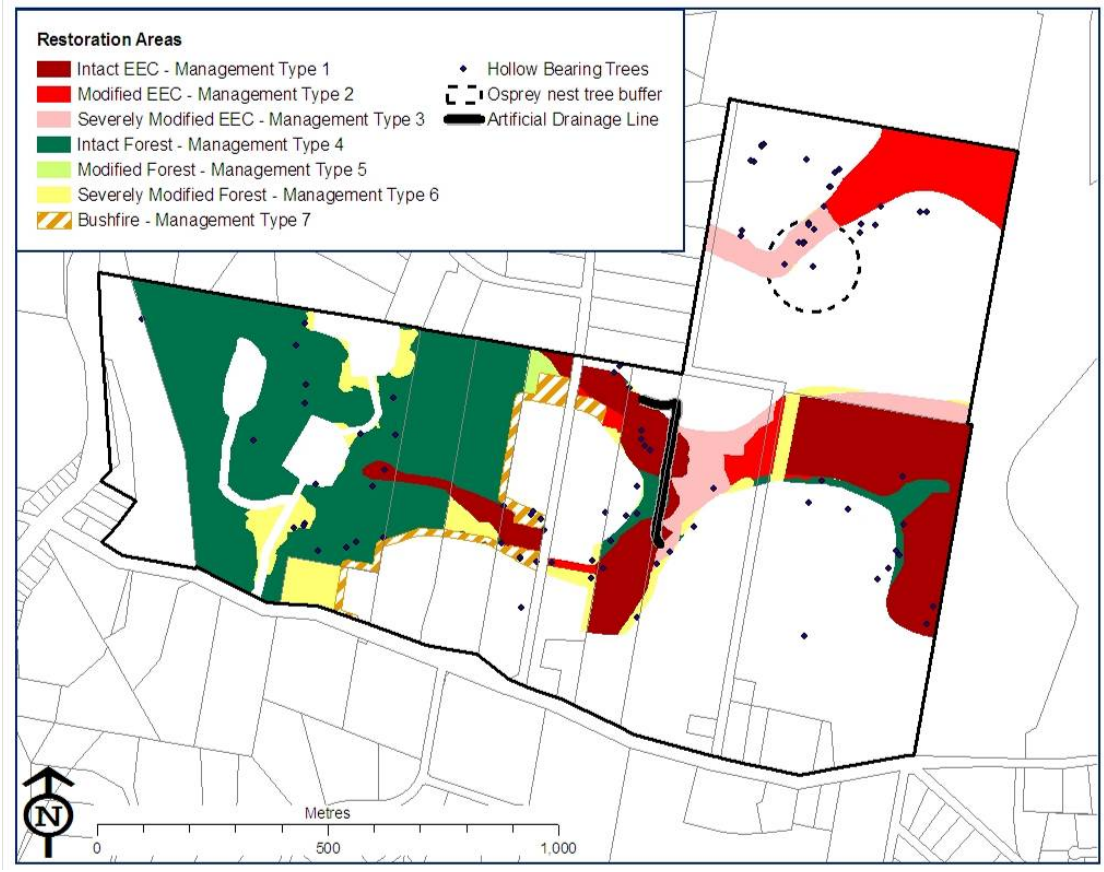


Figure 247: Ecological Management

Table 7: Management Activities

Management Types	Management Activities
Management Type 1 and 4	• Weed Removal • Restrict Access
Management Type 2 and 5	• Discontinue current land management practices • Assist natural regeneration • Monitor natural regeneration • Undertake additional rehabilitation measures where monitoring identifies need • Weed Removal • Restrict Access
Management Type 3 and 6	• Discontinue current land management practices • Undertake extensive replanting and restoration activities • Monitor restoration works and undertake additional works where required • Weed Removal • Restrict Access
Management Type 7	• Manage vegetation to the minimum necessary to achieve bushfire safety prescriptions
Artificial Drainage Line	• The artificial drainage is to be decommissioned to assist recovery of the vegetation community.
All areas	• Ecological burn management prescriptions • Erection and maintenance of artificial nesting boxes

Stormwater Management

366. Objective

- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors.

Development Provisions

a) The Stormwater Management Strategy must demonstrate achievement of the water quality targets for discharge to Queens Lake identified in the Area 15 Stormwater Management Plan (Worley Parsons, May 2010) and be designed in accordance with that plan, as generally shown in Figure 248. The strategy shall incorporate water sensitive urban design (WSUD) features in the treatment train including:

- Source control via rain gardens and permeable pavements,
- Conveyance treatment via vegetated swales and bioretention trenches, and
- End of line treatment via gross pollutant traps and bioretention systems.
- Stormwater treatment devices shall not be located within the revegetated E3 Environmental Management buffer to EEC areas.

b) Rain gardens are required at the rate of 170m2 per hectare of developed area, incorporated into individual allotments or the streetscape. If these locations are unsuitable, bioretention trenches or an end of line sand filter may be used to replicate rain garden functionality. An end of line sand filter may only be used where rain gardens/biofiltration trenches are unsuitable on technical grounds and that the provision of an end of line system will decrease Council's ongoing maintenance liabilities.

c) Permeable pavements are to be considered in the neighbourhood business and light industrial areas where sustainable in terms of initial capital and ongoing maintenance costs.

d) Bioretention trenches are to be provided along the full length of perimeter roads adjoining the environmental zone side, along the length of Lakeridge Road adjoining any development frontage on the high side and along a proportion of internal roads. Vegetated swales may be used in place of bioretention trenches where access requirements and maintenance issues permit. Gross pollutant traps have been identified as likely to be required to treat run off from the neighbourhood business centre and the residential area in the south east of Area 15.

e) Council does not support the use of wetland ponds where ongoing maintenance is required to be carried out by council.

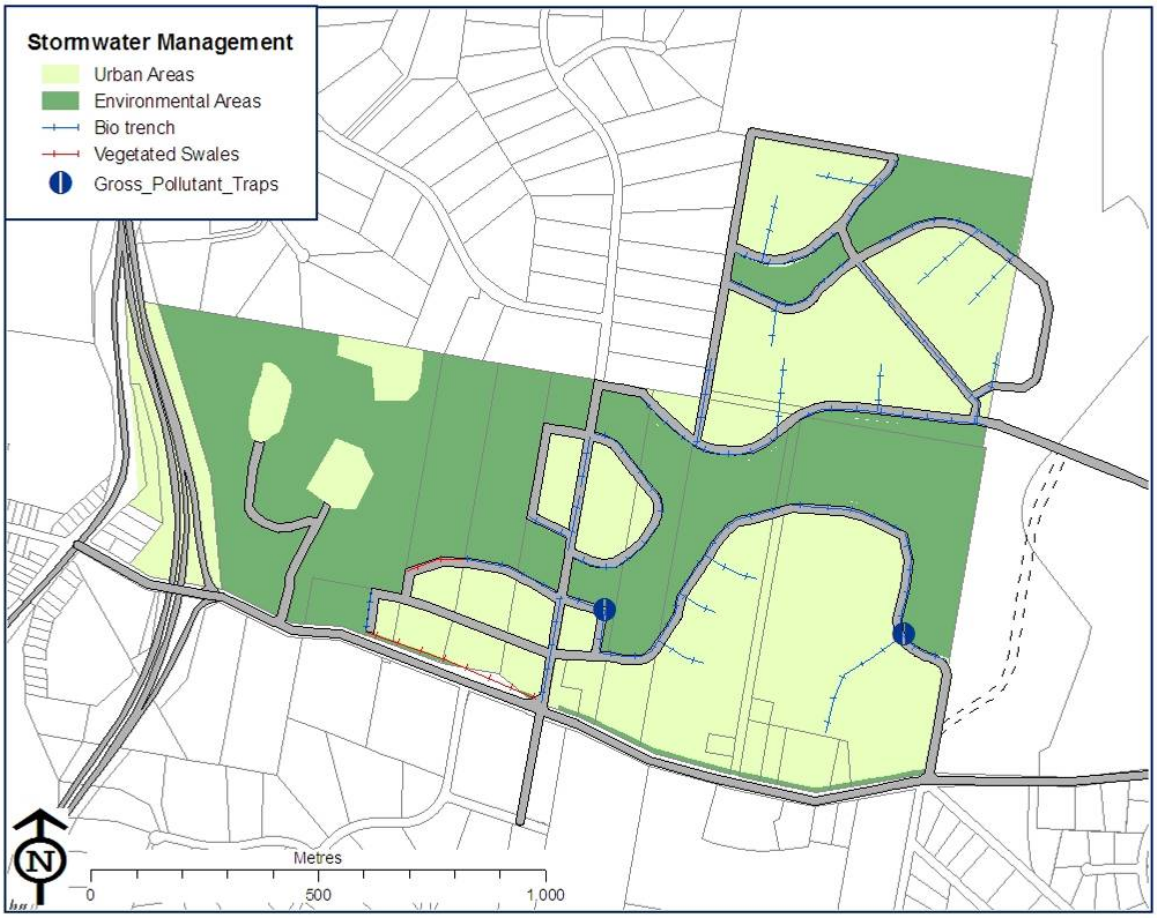


Figure 248: Stormwater Management

Bushfire

367. Objective

- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors.

Development Provisions

a) Perimeter roads are to be provided in accordance with Figure 249. Perimeter roads are to be located outside of Zones E2 Environmental Conservation and E3 Environmental Management. Road layout is to provide evacuation routes in major bushfire events.

b) Subdivision proposals that rely on access through Lakeridge Drive is to be assessed for safe evacuation routes. Figure 249 provides an indication of vegetated areas to be managed for this purpose. The first application for subdivision or major residential development is to include an Emergency Evacuation Report prepared in consultation with the Emergency Planning Committee.

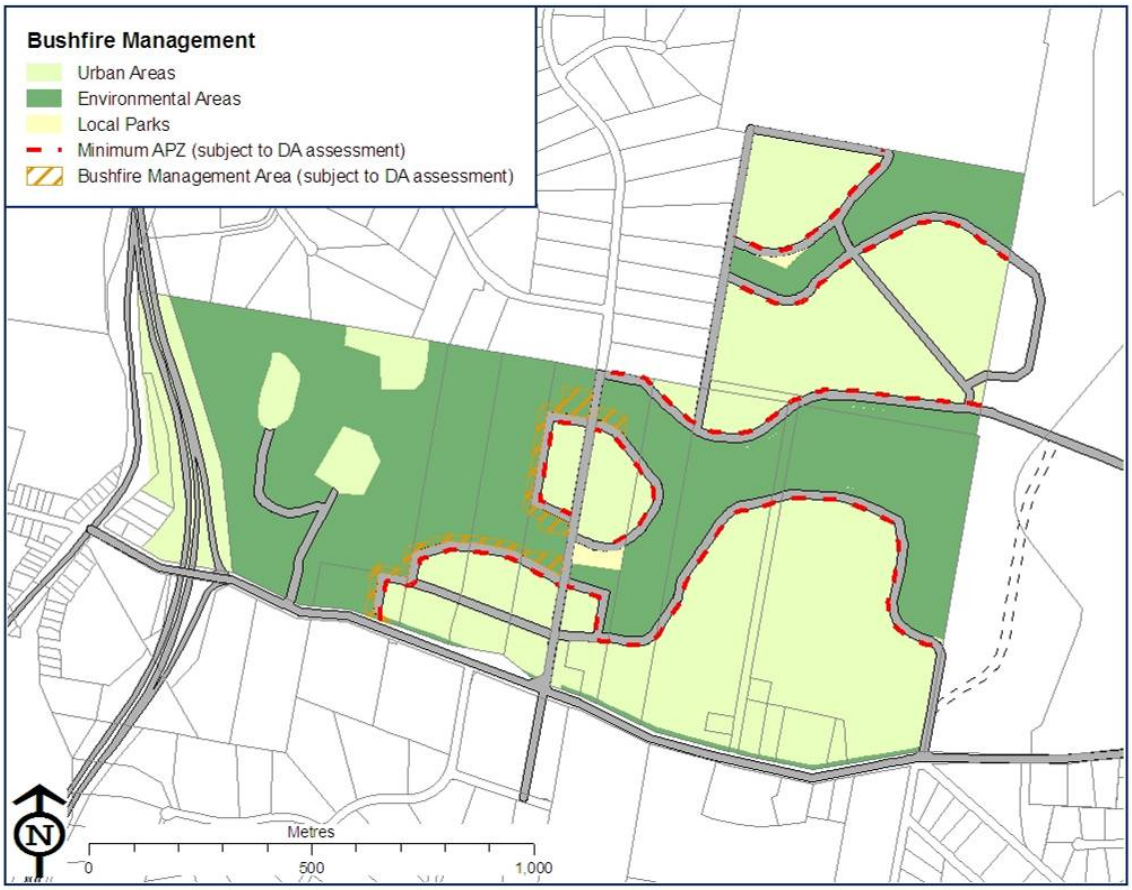


Figure 249: Bushfire Management Plan Principles

Flooding

368. Objective

- To protect, maintain and enhance significant vegetation communities, habitat areas and wildlife corridors.

Development Provisions

a) Development areas are to be filled to post development flood levels (including climate change scenario) identified in the Floodplain Encroachment Assessment (Worley Parsons, June 2009 and Supplementary Report May 2011).

b) The Flood Planning Level is set at the PMF level north of the main flood corridor through the site, to avoid the need for flood evacuation in rare events.

c) Development design is to cater for overland flow paths shown in Figure 250. Prior to the first development for subdivision or major residential development proceeding a Flood Evacuation Report is to be adopted by the Emergency Planning Committee.

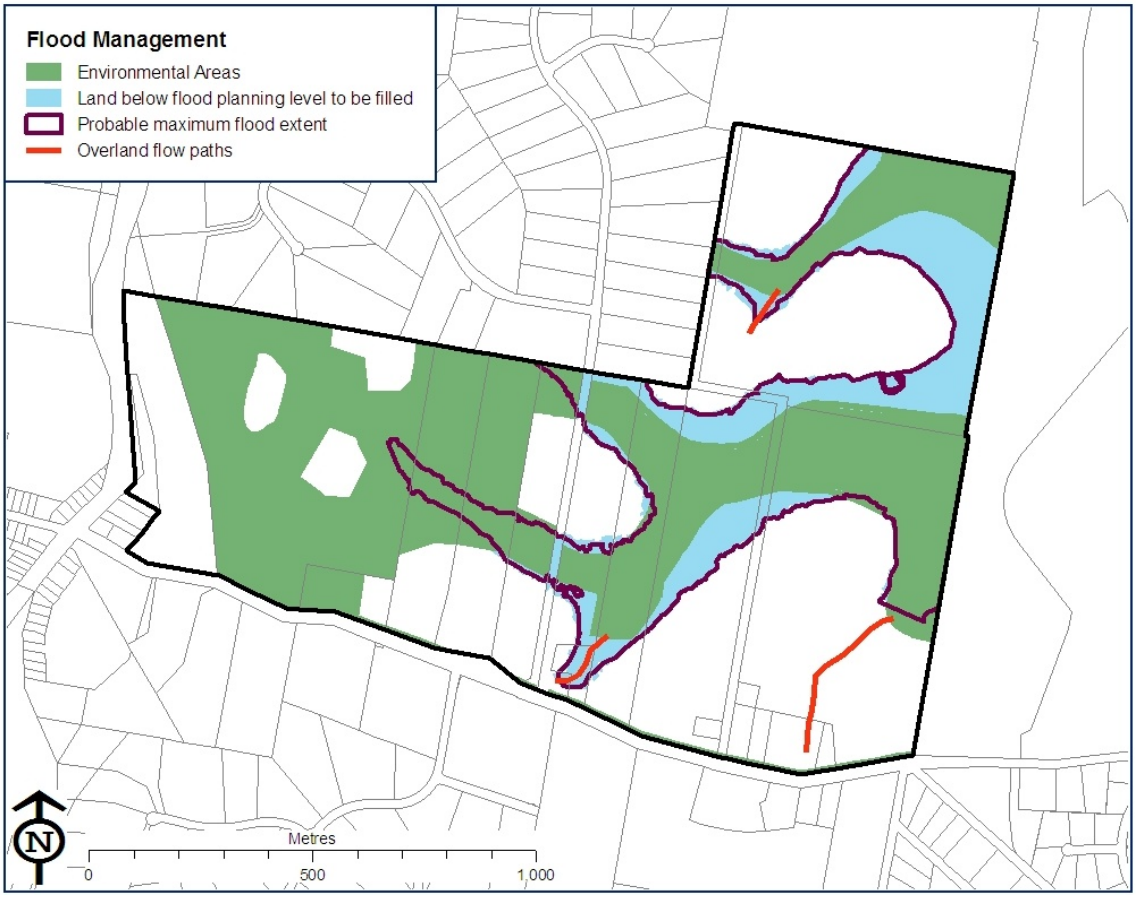


Figure 250: Flood Management Plan Principles

Soils

369. Objective

- To ensure land capability limitations are adequately managed.

Development Provisions

a) Acid sulphate soil assessment is to be undertaken in accordance with the provisions of the LEP.

b) Proposed excavations in Terrain Unit C and adjoining areas are to be assessed for potential impacts on groundwater and ensure reactive and sodic soils are managed during, and post, development phases.

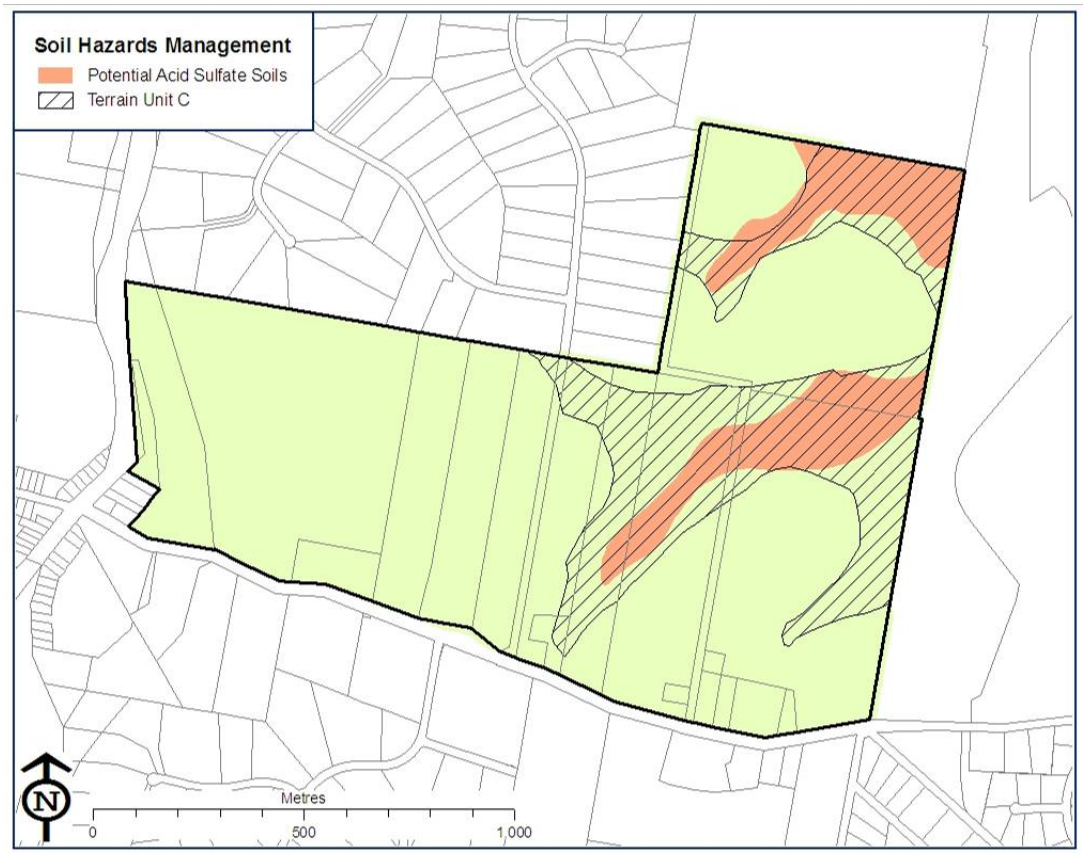


Figure 251: Soils Hazards Management

Contamination

370. Objective

- To ensure potential land contamination risks are adequately managed

Development Provisions

a) A site contamination assessment report is to be prepared and submitted with the first application for development of Lot 2 DP 594388.

b) Soil testing is to target potential contaminants and locations identified in the report Preliminary Site Investigation for Lots 1 & 2 DP 594388 by King and Campbell October 2009.

c) Any required remediation is to be undertaken in accordance with the approved remediation action plan prior to development of the land.

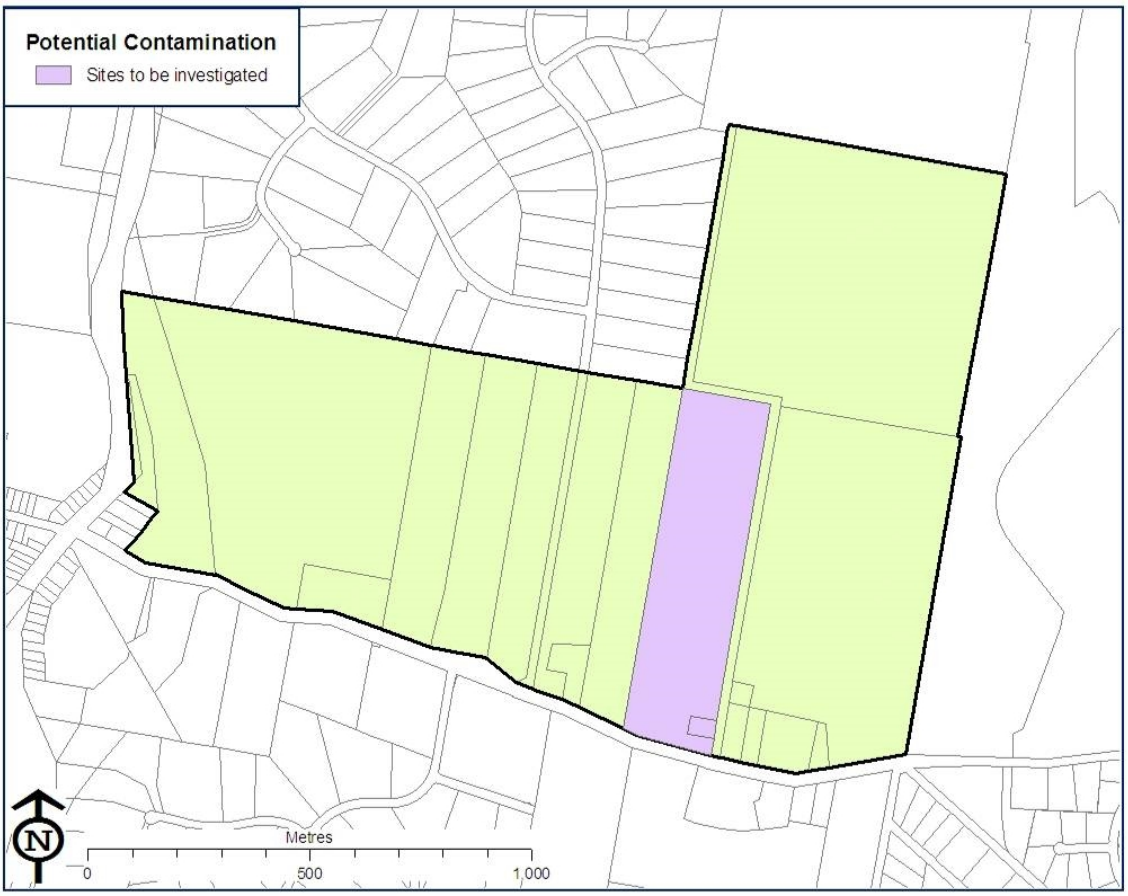


Figure 252: Potential contamination sites

Heritage Assessment

371. Objective

- To ensure Aboriginal archaeological values are respected in the design of development

Development Provisions

a) Development applications for subdivision or major development on Lot 11 DP 585667, Lot 1 DP 1090424 and Lot 5 DP 602511 are to be accompanied by a site specific Aboriginal archaeological assessment.

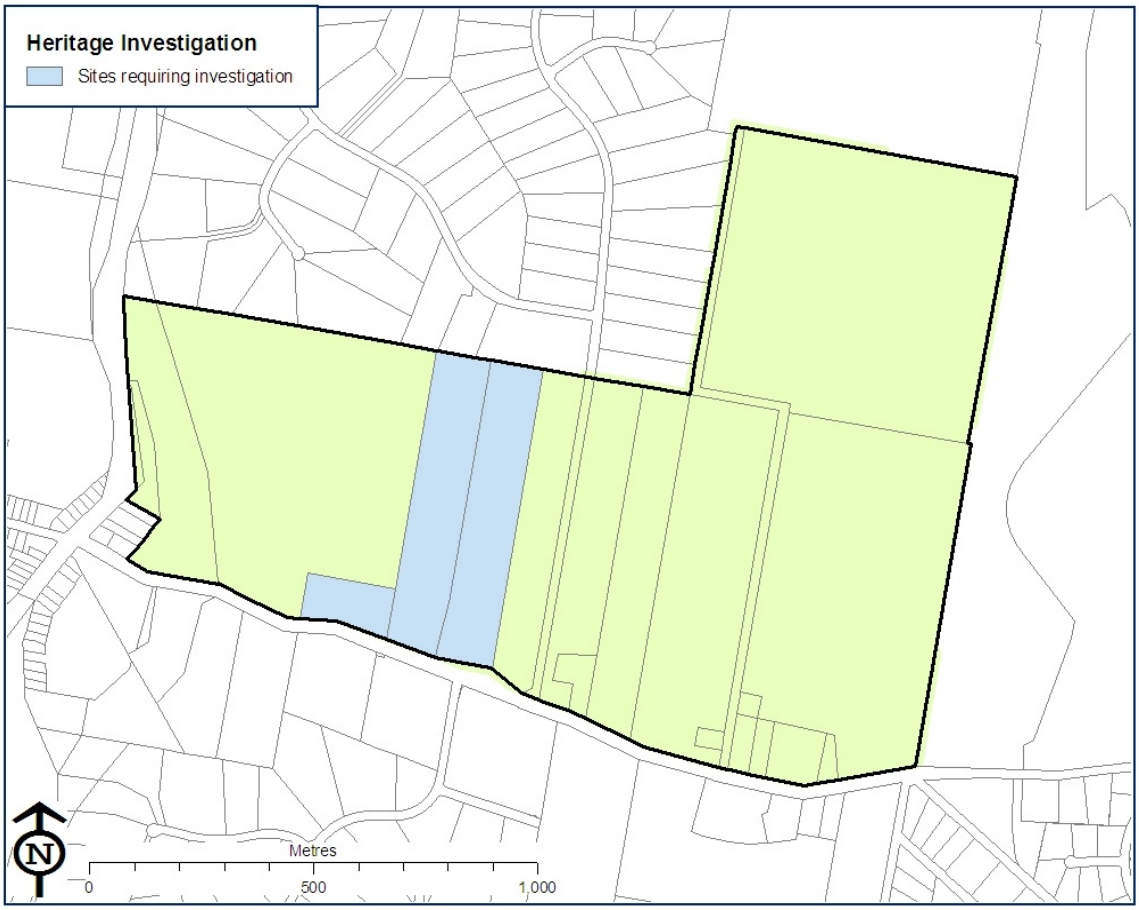


Figure 253: Potential Aboriginal archaeological site investigation

Access

372. Objective

- To ensure adequate access and connectivity is provided to the future community of Area 15.

Development Provisions

a) The subdivision design is to reflect the road hierarchy shown in Figure 254.

b) Timing of the upgrade of the Lake Ridge Drive and the Mountain View Road DP8.3 Intersections is to be in accordance with the Area 15 Planning Agreement.

c) The Crown road access from Ocean drive may be retained as a left in/left out intersection serving the corner allotment until the site redevelops for residential purposes.

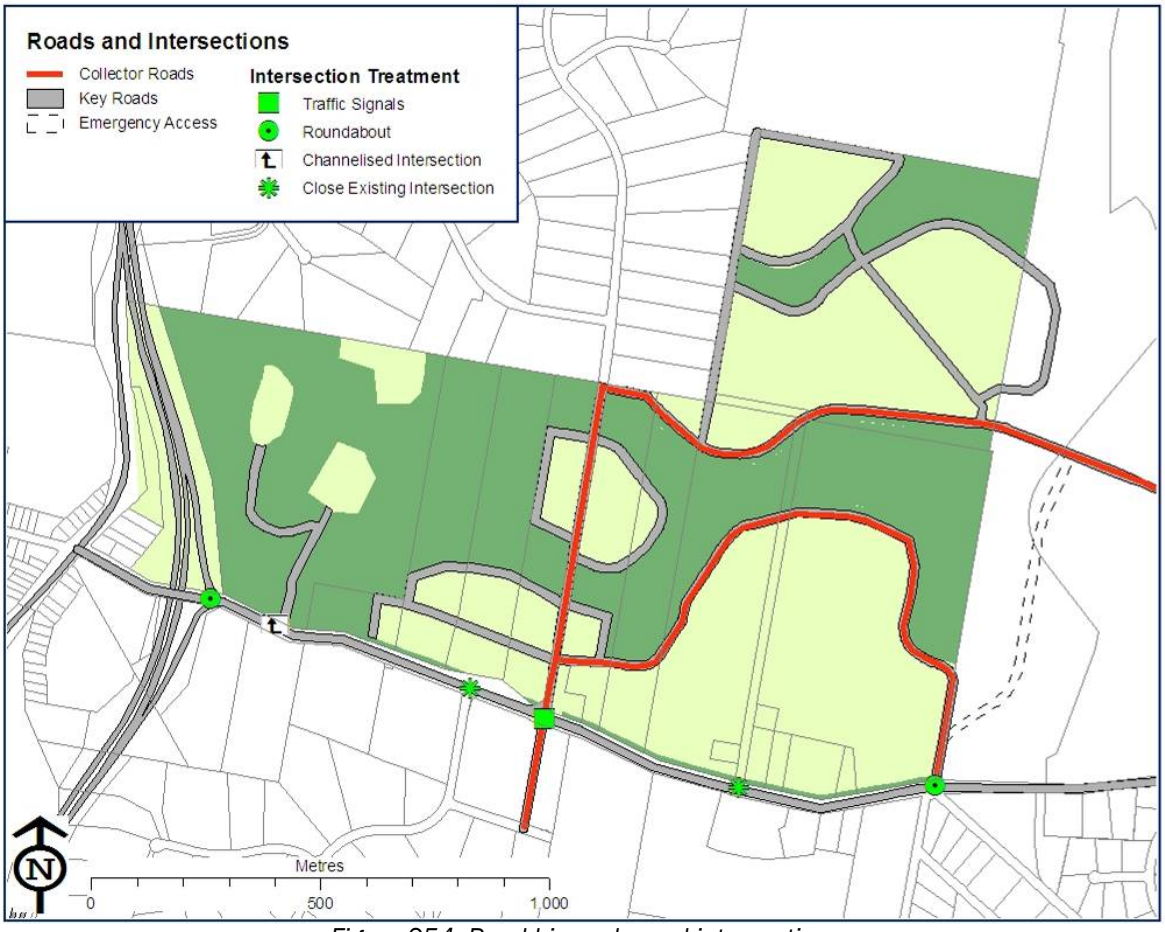


Figure 254: Road hierarchy and intersection

Services and Facilities

373. Objective

- To ensure adequate access and connectivity is provided to the future community of Area 15.

Development Provisions

a) Local parks are to be provided in the locations shown in Figure 255 and linked to the cycleway and pedestrian network.

b) The south western park is to have a minimum area of 4,000m2 and the north eastern park a minimum area of 1,500m2.

c) Pedestrian and cycleways are to be linked to a signalised intersection on the Ocean Drive/ Lakeridge and to Camden Haven High School, and identified regional cycling routes.

d) Roads to be designed to cater for the bus routes shown in Figure 255.

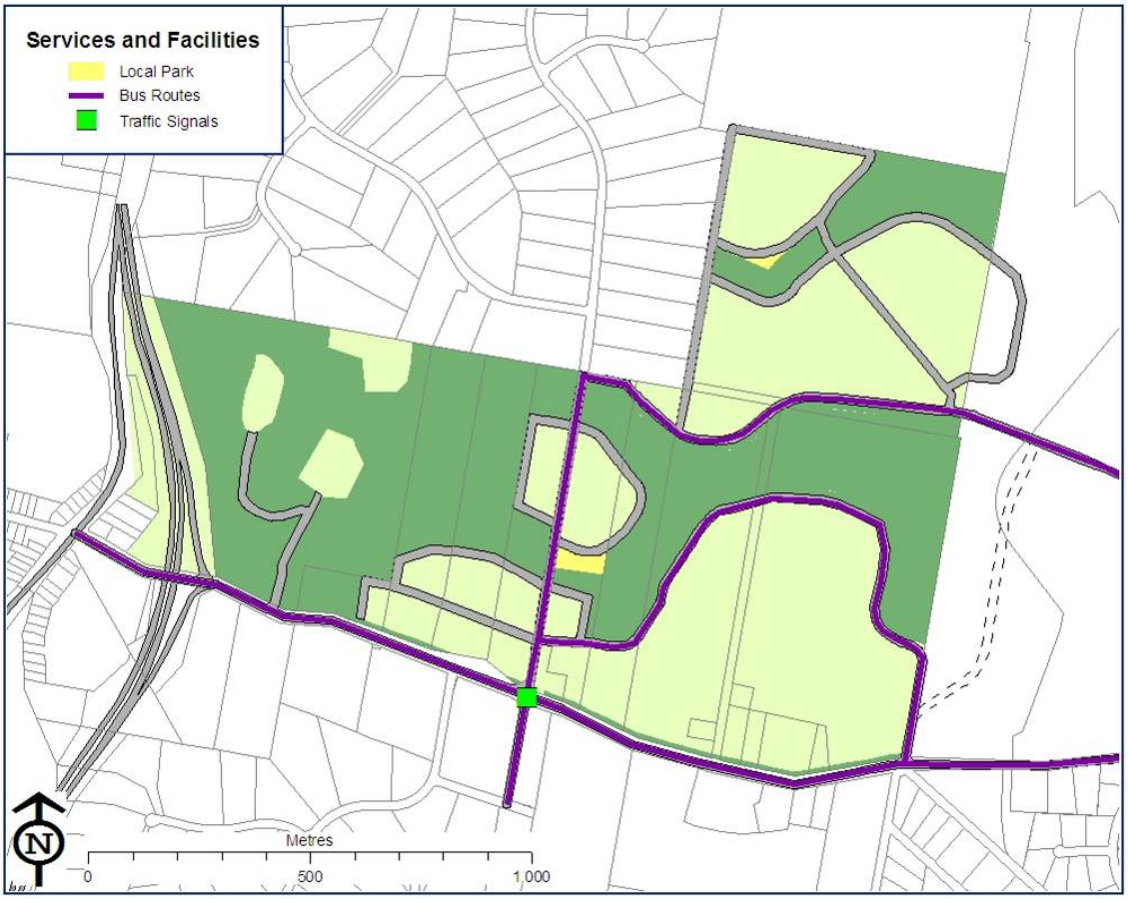


Figure 255: Services and facilities

Amenity

374. Objective

- To ensure adequate access and connectivity is provided to the future community of Area 15.

Development Provisions

a) Development applications for subdivision or major residential proposals are to:

- provide mounding, acoustic barriers and landscaping of Ocean Drive frontage generally as indicated in Figure 256;
- provide internal access arrangements for properties with frontage to Ocean Drive.

b) Subdivision of land adjoining the existing nursery and landscape supply businesses shall incorporate adequate separation and screening of the nursery from future dwellings.

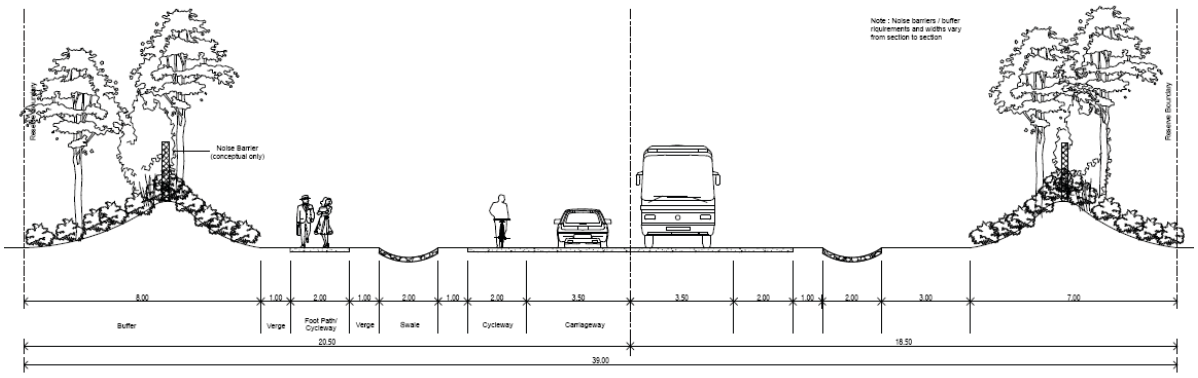


Figure 256: Ocean Drive landscape and acoustic treatment

Employment

375. Objective

- To ensure adequate access and connectivity is provided to the future community of Area 15.

Development Provisions

a) All new residential areas are to make provision for fibre optic cable to be installed, to promote the establishment of home based businesses.

b) Development in the neighbourhood business zone is to incorporate opportunities for a range of small business, office and commercial premises.

Infrastructure

376. Objective

- To ensure infrastructure is able to be provided at reasonable cost, and in time to serve growth.
- To ensure the provisions of infrastructure and services by Council do not place an unreasonable burden on the existing community.

Development Provisions

a) Development applications for subdivision or major residential development are to consider the timing and staging of infrastructure provision including:

- Demonstration that water and sewerage reticulation is able to be provided having regard to the existing water mains and the Area 15 Sewer Servicing Strategy,
- Forward funding of any infrastructure headworks ahead of Council's program of works.

377. Objective

- Ensure the protection of public health through appropriate use of potable water and reclaimed water.

Development Provisions

a) Development shall be designed to ensure the dual reticulation of water supply.

D10.3: WEST HAVEN

Section D10.3 applies to land highlighted in Figure 257 below, at 370 Ocean Drive, West Haven described as Lot 2 DP1184342.

Figure 257: Land subject to Section D10.3

The site is affected by slope and presents geotechnical challenges for any subdivision and development. A geotechnical report accompanied the application to rezone the site. The rezoning of the land was only supported on the basis that the recommendations of the report are carried out in full. Development provisions apply at both the subdivision and development stages.

Development Guide

Geotechnical

378. Objective

- To ensure that subdivision layout responds to the gradient of the land and does not;
  - result in lots that require excessive cut and fill to achieve development areas;
  - create a land slip risk;
  - result in soil creep or slip;
  - result in adverse drainage conditions;
  - reduce the life of water, sewer, drainage or road infrastructure; and
  - result in unusable private open space.

b) To ensure that adequate boulder protection mechanisms are established on the site as part of the subdivision application.

Development Provisions

a) The subdivision is undertaken in accordance with the recommendations of the report titled "Geotechnical Investigations: Proposed Rezoning and Subdivision of Lot 1 DP827937, Ocean Drive Laurieton, NSW. No: P0401030JR04V01" prepared by Martens Consulting Engineers and dated March 2010.

379. Objective

- To ensure that any development responds to the gradient and drainage conditions of the site and does not:
  - create a land slip risk
  - result in soil creep or slip
  - result in adverse drainage conditions
  - reduce the life of water, sewer, drainage or road infrastructure; and
  - result in unusable private open space.

Development Provisions

a) The development is undertaken in accordance with the recommendations of the report titled "Geotechnical Investigations: Proposed Rezoning and Subdivision of Lot 1 DP827937, Ocean Drive Laurieton, NSW. No: P0401030JR04V01" prepared by Martens Consulting Engineers and dated March 2010.

Environmental Management Areas and Buffers

380. Objective

- To conserve biological diversity and promote ecologically sustainable development.
- To prevent the extinction and promote the recovery of threatened species, populations and ecological communities.
- To protect the habitat of threatened species, populations and ecological communities
- To eliminate or manage processes that threaten the survival or evolutionary development of threatened species, populations and ecological communities.
- To ensure that the impact of any action affecting threatened species, populations and ecological communities is properly assessed.
- To encourage the conservation of threatened species, populations and ecological communities by the adoption of measures involving co-operative management.
- To mitigate against Key Threatening Process to Threatened Species and their Habitat.

Development Provisions

a) No additional vegetated buffer to the E2 Environmental Conservation zone is required.

381. Objective

- To protect and maintain:
  - water quality within waterways;
  - stability of the bed and banks of waterways;
  - aquatic and riparian habitats, and
  - ecological process within the waterways and riparian areas.

Development Provisions

a) All infrastructure, including stormwater management and quality facilities and road infrastructure are to be located outside the E2 Environmental Conservation zone

b) Any asset protection zone must be provided by the road reserve or on private land.

D10.4: North Haven Shopping Precinct

Section D10.4 applies to the land highlighted in Figure 258 below, being the B1 Neighbourhood Centre land fronting Ocean Drive, between Pioneer and Vine Streets, North Haven.

Figure 258: Land subject to Section D10.4

Development Guide

382. Objective

- To promote high quality development and achieve an attractive and viable neighbourhood shopping and tourist precinct, by design guidelines and a development strategy, which includes street landscaping, pedestrian crossovers on Ocean Drive to link the shopping precinct with the foreshore reserve and kerb-side parking and setting a design theme, which will unify and identify the precinct.

Development Provisions

a) Parking shall be provided at a rate of 1 space per 25 m² of gross floor area of non-residential floor space, plus one space for any dwelling. In addition, one space per 50 m² of any outdoor eating area shall be provided.

b) Parking shall be provided as follows:

- 50% of parking required for non-residential gross floor area and outdoor eating areas shall be provided on site, at the rear of the development, (plus, if a dwelling is proposed, one parking space).
- 50% of parking required for non-residential gross floor area will require contribution in lieu of provision, at the rate applicable at time of payment of the cash contribution.

- The figure calculated in (i) shall be rounded down to the nearest whole number and the amount of rounding added to the figure calculated in (ii), so that total parking requirements are met.
- Council will not accept total on-site provision.

c) Where additions or alterations are proposed which generate additional parking demand, the total additional parking demand will require contribution in lieu of provision, unless existing on-site provision is less than that required. In such cases, Council will allow on-site provision up to the amount calculated for the whole site.

d) All new buildings and additions shall observe a 6 metre setback from the Ocean Drive frontage, which shall be landscaped in accordance with Council's landscape plan for the precinct.

e) The 6.0m setback area may be used for outdoor seating.

f) Consents for new building and additions to existing buildings shall be subject to paving of the public footpath for the full frontage with the selected paver for the precinct.

g) The setback area shall contain pedestrian access designed to provide gradual transition between existing ground levels and the required floor levels.

h) Council may allow light framed structures within the setback area which contribute to the architectural merit of the building and which enhances the building design theme for the precinct.

End of DCP 2013