



Draft Caerleon Development Control Plan

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Contents

1.	INTRODUCTION	3
1.1	Land to which this DCP Applies	3
1.2	Purpose of this DCP	4
1.3	Relationship to other Plans	4
1.4	Structure of this DCP	5
2.	VISION	6
2.1	Vision and Principles	6
2.2	Indicative Concept Plan	7
2.4	Character Areas	9
3.	ACCESS AND MOVEMENT	11
3.1	Street Network and Design	11
3.2	Pedestrian and Cycle Network	15
4.	OPEN SPACE AND PUBLIC DOMAIN	17
4.1	Public Open Space	17
4.2	Street Trees and Landscaping	17
5.	RESIDENTIAL DEVELOPMENT	19
5.1	Subdivision	19
5.2	Building Design	21
5.3	Additional Controls for Development on Steep Slopes	24
6.	NEIGHBOURHOOD CENTRE	25
6.1	Land Use	25
6.2	Built Form and Streetscape	25
6.3	Public Domain	25
6.4	Parking and Access	25
7.	ENVIRONMENTAL MANAGEMENT	26
7.1	Stormwater Management	26
7.2	Biodiversity	28
7.3	Bushfire	28
7.4	Odour	30
7.5	Contamination	30
7.6	Aboriginal Heritage	32
8.	UTILITIES	34
8.1	Water Supply	34
8.2	Waste Water	34
8.3	Electricity and Telecommunications	34
9.	TORRENS, STRATA AND COMMUNITY TITLE SUBDIVISION	35
	APPENDIX A	36
	Land to which this DCP Applies	36

1. Introduction

1.1 Land to which this DCP Applies

This DCP contains the vision, principles and site specific development controls for the land known as the Caerleon site ('the land'), shown in **Figure 1**.

Appendix A contains a description of each land parcel affected by this DCP (i.e. Lot and Deposited Plan number).

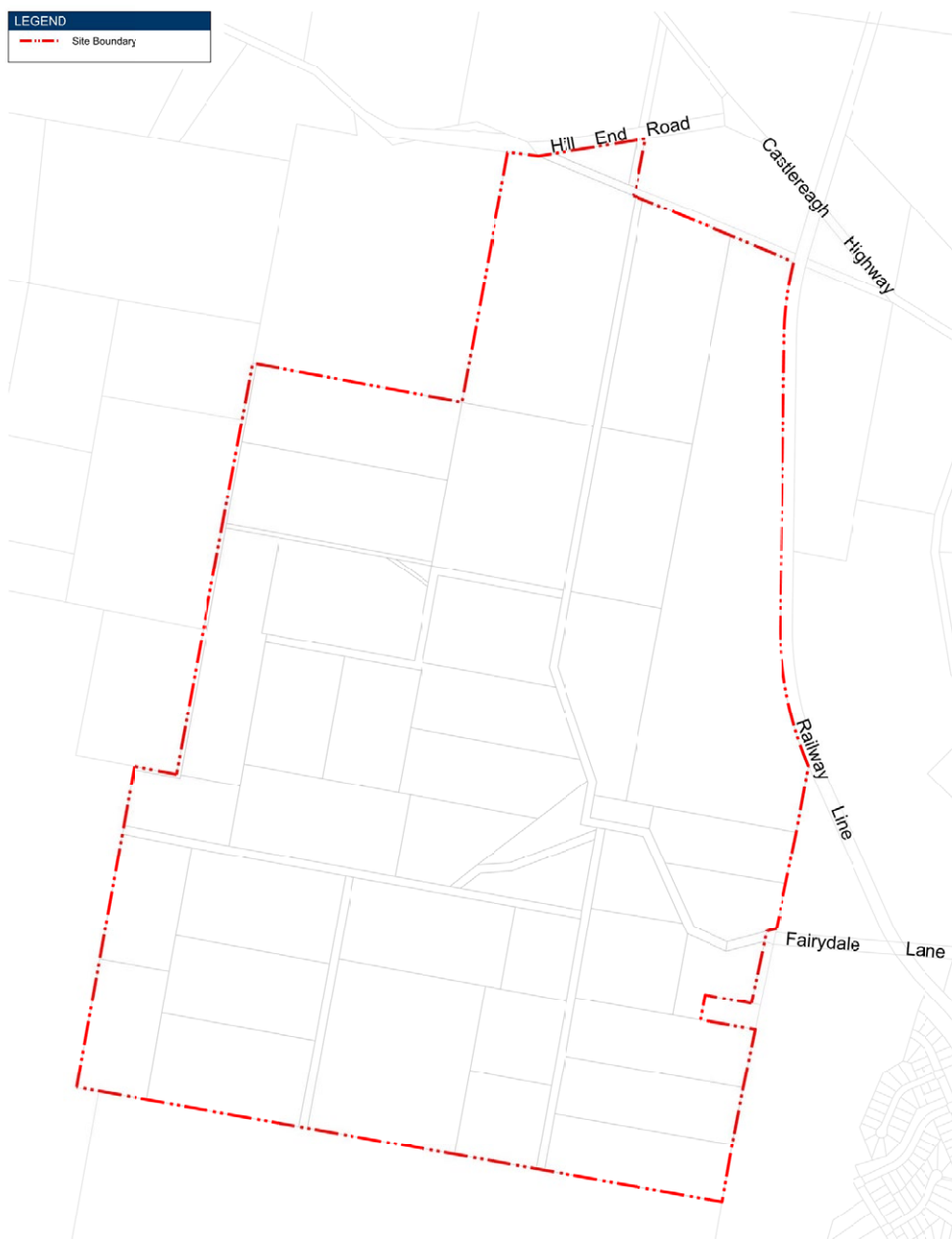


Figure 1. Land to which this DCP Applies

1.2 Purpose of this DCP

The purpose of this DCP is to:

- » Communicate the site-specific planning, design and environmental controls against which Council will assess future Development Applications for the land;
- » Establish controls for the land that vary from general controls in the *Mid-Western Regional Council Development Control Plan – Residential Development (amended 2009)* and other Council Policies and Plans;
- » Provide a development framework that ensures a connected, well-designed and sustainable extension to the Mudgee urban area;
- » Ensure the orderly, efficient and environmentally sensitive development of the land;
- » Promote high quality urban design outcomes that are integrated with the landscape features and topography of the land;
- » Ensure satisfactory measures are incorporated to ameliorate any impacts arising from the proposed development of the land.

1.3 Relationship to other Plans

This DCP contains development controls relating to the Caerleon land, which are 'deemed to satisfy' controls. Where there is any inconsistency between this DCP and any other DCP or Policy of Council, this DCP shall prevail.

This DCP should be read in conjunction with the following Plans and Policies:

- » DCP - Advertising Signs
- » DCP - Brothels and Sex Premises
- » DCP - Car Parking
- » DCP - Complying Development Conditions
- » DCP - Design for Accessibility
- » DCP - Footpath Restaurants Management of Obstruction on Footpaths
- » DCP - Managing Flood Risks
- » DCP - Notifications
- » DCP - Residential
- » DCP - Temporary Workers Accommodation
- » Bushfire Prevention Policy
- » Street Tree Policy.

1.4 Structure of this DCP

This DCP is structured as follows:

Section 1 Introduction

sets out the administrative provisions of the DCP.

Section 2 Vision

relates to the overall layout and vision for the future development of the land as well as the controls for character areas.

Section 3 Access and Movement

relates to the street network and sets out a street hierarchy, including road design standards, and the pedestrian and cycleway network.

Section 4 Open Space and Public Domain

relates to the open space system which includes all aspect of the public realm including parks, street planting and the like.

Section 5 Residential Development

relates to subdivision, built form and other controls associated with residential development.

Section 6 Neighbourhood Centre

relates to specific design, land use and public domain controls for the B4 Mixed Use Zone.

Section 7 Environmental Management

relates to general environmental issues that apply across the land including stormwater management, Aboriginal heritage, bushfire hazard management, biodiversity protection, and odour.

Section 8 Utilities

relates to the provision of primary utilities to the land.

Section 9 Torrens, Strata and Community Title Subdivision

relates to the subdivision of land.

Appendix Appendix A – Description of Lot and DPs to which this DCP Applies

2. Vision

2.1 Vision and Principles

The Vision for Caerleon is to create a well-connected residential community of approximately 1,000 – 1,400 homes on the edge of Mudgee CBD that provides for urban living and simultaneously responds to the natural environment. Caerleon will provide a full range of high quality housing and lifestyle options for its residents – an active ‘urban’ precinct, traditional suburban setting or a natural rural-residential context.

The principles that underpin the planning and future development of Caerleon are:

- » Sensitive areas developed with a ‘rural’ character to protect the ridgelines and hilltops which characterise the land and are a valued landscape feature of Mudgee.
- » A range of residential Character Areas linked through a safe and connected street network with dedicated pedestrian and cycle paths and tree-lined streets, to promote a healthy and active lifestyle.
- » A street network designed to encourage walking, cycling and safe vehicle movements, and provide connections to the Mudgee CBD without relying on the Castlereagh Highway for access;
- » Public open space designed for social activity, entertainment, recreation and conservation, and distributed so that all residents are close to a park or green space.
- » A balanced mix and distribution of land uses with predominantly residential housing, but also providing for natural and formal recreation, small-scale retail and commercial activity, and community uses.
- » A variety of housing types and sizes to support the changing demographic needs of the community, including smaller housing – such as townhouses and cottages – in key locations around the neighbourhood centre, transitioning to larger, rural-style housing on steeper land.
- » A neighbourhood centre at heart of the general residential area providing opportunities for small-scale retail, such as a café and neighbourhood shops, as well as a child care centre, to allow residents to meet their daily needs. The neighbourhood centre recognises the existing commercial hierarchy within Mudgee, and is located within 400m of the majority of homes within the ‘urban’ area in the northern portion of the site so that residents are encouraged to walk and increase their physical activity.
- » Retention of important environmental and cultural features of the site such as valuable biodiversity, drainage corridors and Aboriginal heritage items.

2.2 Indicative Concept Plan

The Indicative Concept Plan shown in **Figure 2** illustrates the broad level development outcomes for the Caerleon land.

The Indicative Concept Plan shows the development footprint and land uses, and the location of a local neighbourhood centre, open space, major easements, key transport linkages, and drainage corridors and buffers.

- » All development is to be undertaken generally in accordance with the Indicative Concept Plan at **Figure 2** and must comply with the development controls set out in this DCP.
- » The neighbourhood layout in the Indicative Concept Plan is preliminary and subject to detailed design at Subdivision and Development Application stage. Where variation from the Indicative Concept Plan is proposed, development must remain consistent with the Vision and Principles for the land set out in Section 2.1 of this DCP and other relevant controls in this DCP.

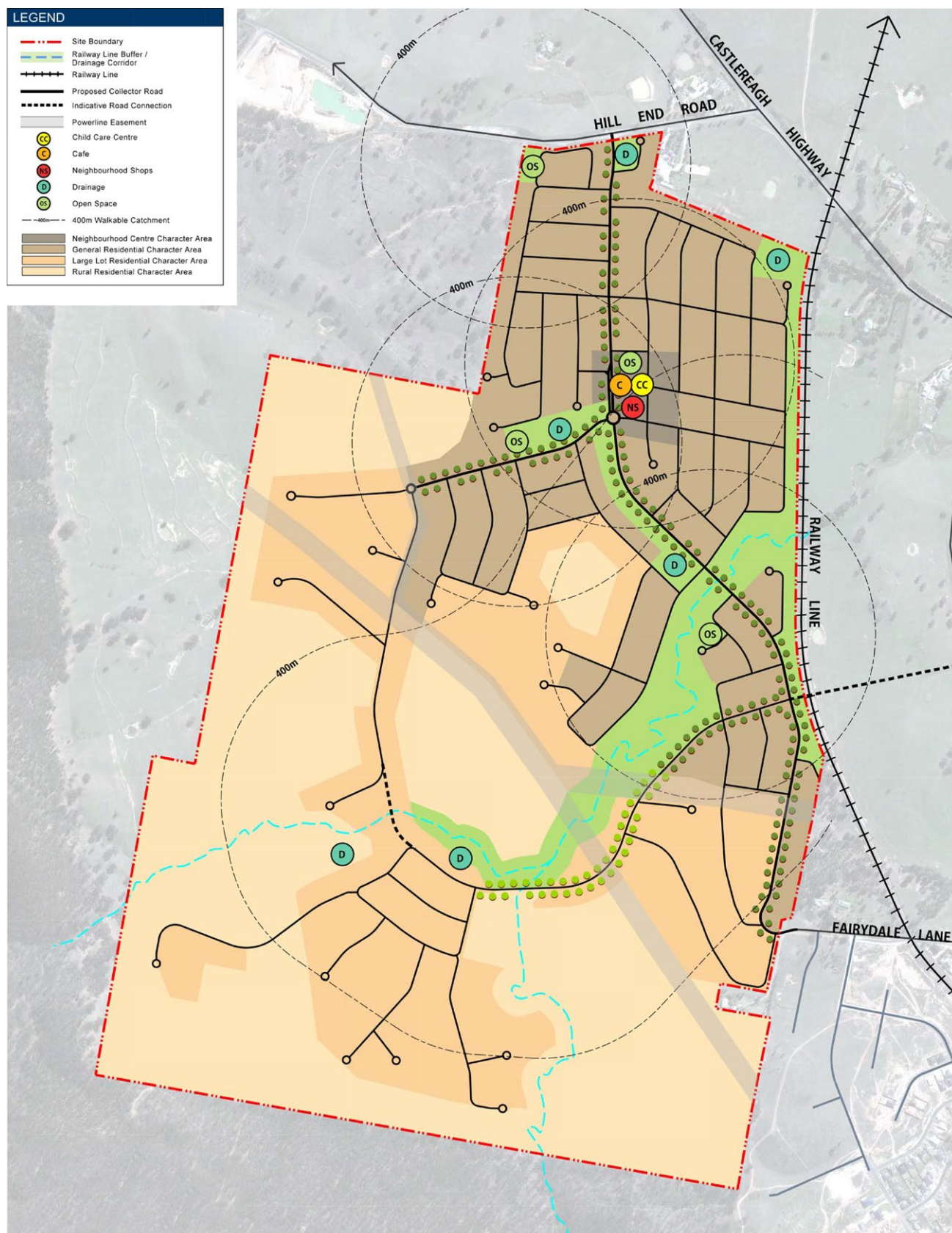


Figure 2. Indicative Concept Plan

2.3 Character Areas

Character Areas reflect the desired built form and landscape character of Caerleon based on the physical and visual qualities of the natural landscape. Character Areas aim to give a distinct identity and 'sense of place' for different areas within Caerleon through specific lot size, built form, landscape and public domain controls.

There are four Character Areas within Caerleon, shown in **Figure 2**. They are:

- » Neighbourhood Centre
- » General Residential
- » Large Lot Residential
- » Rural Residential.

2.3.1 NEIGHBOURHOOD CENTRE CHARACTER AREA

The Neighbourhood Centre is located on the main collector road in the northern portion of Caerleon. Positioned in a central location, the Neighbourhood Centre shall be 'urban' in character, and provide a community hub with a small-scale retail focus for the future community. The Neighbourhood Centre is well located in the northern part of the site to allow houses to be within 400m and even 800m, to gain easy walking or cycling access.

The Neighbourhood Centre will service the local community and shall contain a mix of local retail, commercial, residential, community and recreational uses. It is envisaged that the types of uses within the Neighbourhood Centre will include small-scale retail – such as a café, neighbourhood shop or small grocery store, a child care centre and home-offices.

Positioned on either side of the main collector road, the Neighbourhood Centre shall contain active retail or commercial uses along the road frontage. Residential uses are encouraged above the commercial and retail uses, with a maximum height of 2 storeys. A limited range of medium-density housing is also encouraged within this area. Medium-density housing in the Neighbourhood Centre, such as villas, townhouses, shop top housing or smaller detached housing, will contribute to creating a 'sense of place' that has a more 'urban' and 'active' character.

Reduced lot size and setback requirements accommodate this type of housing in the Neighbourhood Centre.

A small park shall be provided within or directly adjacent to the Neighbourhood Centre. Located close to the retail and community uses (i.e. child care centre), the park shall provide play and passive recreation opportunities, and could form a 'local town square' for the community to congregate.

2.3.2 GENERAL RESIDENTIAL CHARACTER AREA

The General Residential Character Area surrounds the Neighbourhood Centre Character Area and provides a more 'urban' residential environment on the central and northern part of the site.

A range of residential densities within the General Residential Character Area provide housing options for a wide variety of demographic and socio-economic groups, whilst complementing the traditional housing character in Mudgee.

Small lot housing (from 450m² to 600m²) shall be located within close proximity to open space, around the Neighbourhood Centre and along main roads. It is envisaged that small lot housing will be 'salt and peppered' in areas that are in close proximity to open space, around the Neighbourhood Centre and along main roads, in order to create diversity and interest in the streetscape.

The balance of General Residential Character Area will contain 'traditional' detached dwellings on lots of 600m² – 800m² or more.

Caerleon will be set apart by its high-quality streetscapes and housing design. Streets in the General Residential Character Area shall be tree-lined, house frontages articulated and fences made of durable and high-quality materials.

2.3.3 LARGE LOT RESIDENTIAL CHARACTER AREA

The Large Lot Residential Character Area is characterised by larger-style residential development that responds to the undulating nature of the land. This area provides a transition between general residential development on flatter, northern parts of the site and rural-style housing in the R5 Large Lot Residential Zone on steeper land, and the natural hilltops above.

This natural progression to larger lots provides an appropriate transition to the Rural Residential Character Area.

Densities in this Character Area vary depending on the topography and physical characteristics of the land. More traditional residential lots, generally to a minimum of 600m², are located on flatter areas that are more easily serviced by a collector road. These areas occur generally to the north of the power easement.

Slightly steeper land in this Character Area that is closer to, but still below, the 520m contour line shall have larger lots of 1,200m² or more. Positioned between two prominent hilltops, houses on these larger lots shall be placed in the natural landscape so that they do not feature prominently in the landscape, particularly when viewed from Mudgee CBD. These steeper areas where a minimum lot size of 1,200m² is provided, occur generally to the south of the power easement.

2.3.4 RURAL RESIDENTIAL CHARACTER AREA

The Rural Residential Character Area is located on land with steeper slopes. Generally, this area will be characterised by large lots within the natural landscape, as well as existing vegetation on the ridges that define the western side of Mudgee.

Residential subdivision in this Character Area is to be in the form of large lots to reflect the rural character of the hilltops. Residential development will only be permissible on large residential lots (4,000m² and above), and should consist of one or two storey detached dwellings with generous setbacks that complement the rural setting.

The majority of the Rural Residential Character Area will consist of existing vegetation on upper slopes and ridgelines. Any development above the 520m contour line shall be set in the landscape of the existing vegetation and significant trees, provide generous landscaping with appropriate endemic species, and be sited on the lowest part of a lot.

3. Access and Movement

3.1 Street Network and Design

- » The street network is to be generally in accordance with the Indicative Street Hierarchy illustrated in **Figure 3, Table 1** and **Table 2**.
- » Primary access to the site is to be via Hill End Road to the north and Fairydale Lane to the south-east.
- » A potential future road connection across the Gwabegar railway line is incorporated within the Indicative Concept Plan, in order to allow for additional connectivity east to Salesyard Lane toward the Mudgee CBD. If the future road connection is proposed, the applicant is to demonstrate that the street hierarchy will be maintained, and any Development Application shall be subject to detailed traffic investigations.
- » Road design is to be generally in accordance with the standards outlined in **Table 2**.
- » Cul-de-sac roads are permitted within Caerleon.
- » Verges abutting open space and riparian areas may be reduced to 1m in width providing no servicing infrastructure is installed on the non-residential side of the road.
- » 60° angled rear-to-kerb parking bays are to be provided within, and on both sides of, the carriageway of the Neighbourhood Centre Road.
- » The Residential Collector Road between Hill End Road and Fairydale Lane is proposed to be constructed in the early stages of development, or as outlined in a condition of Development Consent or Voluntary Planning Agreement.
- » A low scale, low impact linkage (such as a causeway) is located across the drainage line in the Indicative Street Hierarchy Plan in **Figure 3**. Such a linkage, if proposed by the Applicant, should be investigated and considered for inclusion at the Development Application stage for that section of road.

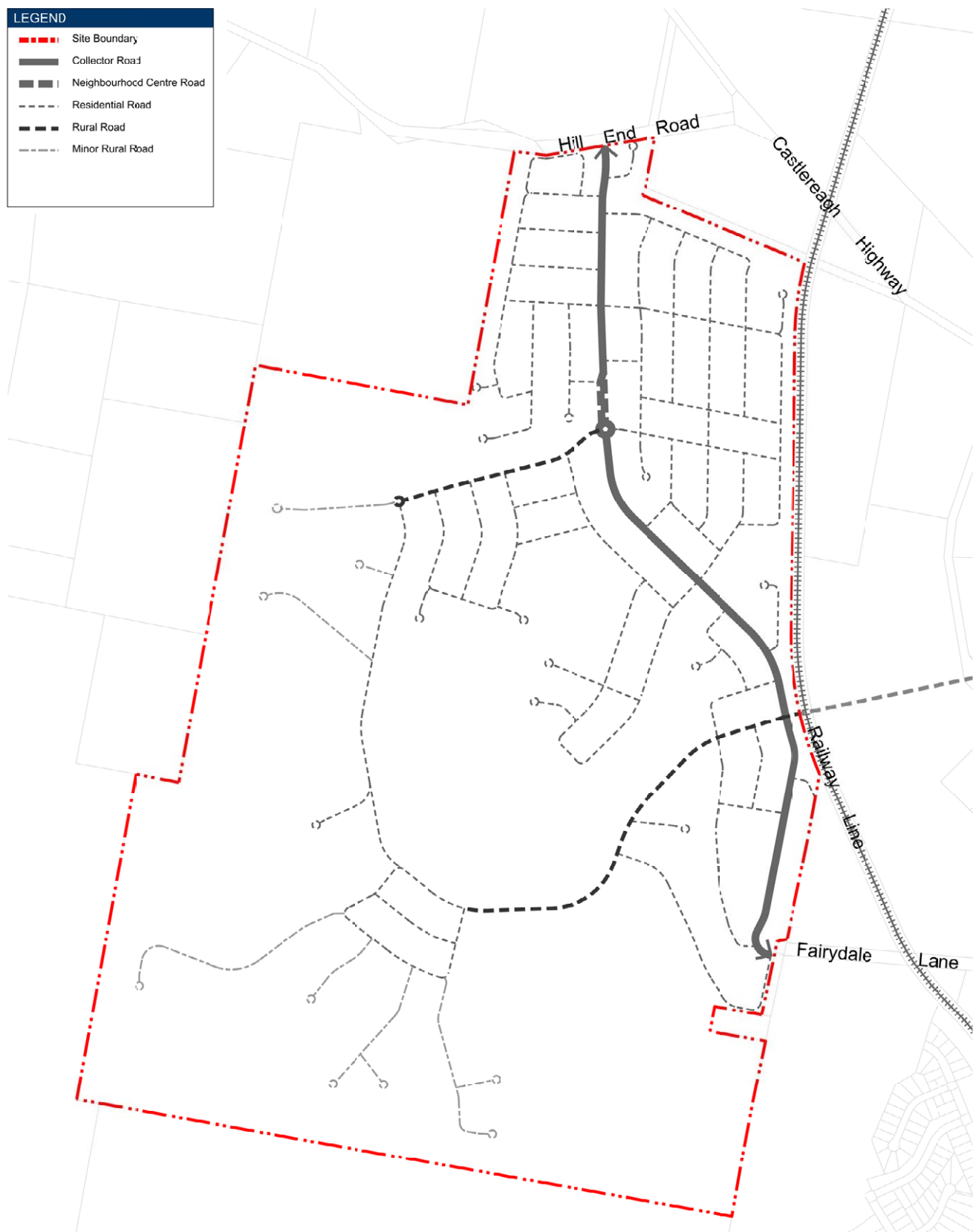


Figure 3. Indicative Street Hierarchy

Table 1. Street Types

Street Type	Description
Laneway	Laneways can be used to provide access to developments fronting collector roads in the Neighbourhood Centre Character Area and any medium density developments. Rear lanes will provide access for car parking and servicing.
Minor Access Street - Cul-de-sac	A road with local residential use where traffic volumes are very low and there is low parking demand (i.e. where only a few dwellings need to access the road). Cul-de-sac's are used sparingly throughout the estate.
Minor Access Street - Cul-de-sac (longer than 100m)	Cul-de-sacs which are greater than 100m in length are provided with a wider carriageway to accommodate the additional traffic, as more housing is located on longer streets.
Residential Local Street	This is the predominant street type used in Caerleon, primarily for access to residential properties in the General Residential Character Area. These streets are designed to slow residential traffic and give priority to pedestrians and cyclists. Amenity and safety is to be maintained by controlling the width of the road and introducing various traffic calming measures.
Residential Collector Street	Collects traffic from local streets and carries a higher volume of traffic, linking the site to the surrounding street network to the north and south-east. The Neighbourhood Centre is located along the main collector route at a four-way intersection, to enable a continuous path of travel for pedestrians and provide visual continuity of the streetscape. Footpaths are provided on at least one side of the street.
Residential Collector Street with Median	This part of the Residential Collector Street provides a wider road reserve to accommodate a median, so as to ensure safety at the intersection with Hill End Road.
Neighbourhood Centre Road	<p>The section of the Residential Collector Road traverses the Neighbourhood Centre and is specially designed to create a comfortable and safe pedestrian environment. Footpaths are provided on both sides of the Neighbourhood Centre Road.</p> <p>Parking bays are provided as angle parking at 60° rear to kerb on both sides of the street to encourage public activity and use of the retail, commercial and recreational land--uses and provide convenient access to the Neighbourhood Centre. Upright kerbs are used to clearly define the boundary between the pedestrian and vehicle zone.</p>
Rural Road	Provides an east-west connection between the main Residential Collector Road for access to large lots and rural residential dwellings.
Minor Rural Access Street - Cul-de-sac	These minor rural streets feed off the rural road and provide access to residential properties in the Larger Lot and Rural Residential Character Areas. The road will have a rural character in-keeping with the area it is serving.

Table 2. Road Cross Sections

Road Type	Road Reserve	Carriageway	Nature Strip (Verge)	Footpath	Parking	Median	Kerb Type
Laneway	8.0m	6.0m	2 x 1.0m	N/A	Not permitted	N/A	Barrier
Minor Access Street - Cul-de-sac	15.0m	7.0m	2 x 4.0m	N/A	Carriageway	N/A	Roll
Minor Access Street - Cul-de-sac (longer than 100m)	15.0m	7.0m	2 x 4.0m	N/A	Carriageway	N/A	Roll
Residential Local Street	15.5m	7.5m	2 x 4.0m	1 x 1.2m	Carriageway	N/A	Roll
Residential Collector Street	18.0m	11.0m	2 x 3.5m	2 x 1.2m or 1 x 2.0m shared cycle/path way	Carriageway	N/A	Roll
Residential Collector Street with Median	21.0m	5.5m for both directions	2 x 3.5m	2 x 1.2m or 1 x 2.0m shared cycle/path way	Carriageway	3.0m	Roll
Neighbourhood Centre Road	31.4m	10.7m both directions*	2 x 3.5m	2 x 1.2m	Parking bays**	3.0m	Barrier
Minor Rural Access Street - Cul-de-sac	16.0m	6.0m	2 x 5.0m	N/A	Carriageway	N/A	Flush or Roll***
Rural Road	18.0m	8.0m	2 x 5.0m	N/A	Carriageway	N/A	Flush or Roll***

* The Neighbourhood Centre Road carriageway incorporates 5.7m car parking bays + 5.0m travel lanes.

** Parking bays are to be provided as 60° rear to kerb. Parking bay dimensions equate to 5.7m in length parallel to the kerb and 2.75m in width.

*** Only where it can be demonstrated in conjunction with WSUD.

3.2 Pedestrian and Cycle Network

- » Pedestrian and cycle routes shall be in accordance with the Indicative Pedestrian and Cycle Network Plan in **Figure 4**.
- » On-road cycle paths are to be provided on all Collector Roads, Neighbourhood Centre Roads and Residential Roads in accordance with the road design controls in **Table 2**.
- » Off-road shared pedestrian and/or cycle paths are to be provided along the railway line corridor and drainage corridor. There is to be safe access between the off-road and on-road paths where they intersect.
- » Off-road shared pedestrian and/or cycle paths are to be no wider than 2.5m. Path/cycle ways in the drainage corridor should be located in the outer 50 per cent of the corridor. Refer to Section 7.1 of this DCP for further detail on drainage corridor width.
- » Conceptual design followed by detailed designs for pedestrian and cycle paths are to be submitted as part of a Development and Construction Certificate Application respectively. As a minimum, concept approval will be required at DA stage as part of the infrastructure works for each residential stage of development, for pedestrian and cycle paths.
- » Pedestrian pathways at the head of cul-de-sac street types are not required.
- » All footpaths are to be a minimum of 1.2m wide.

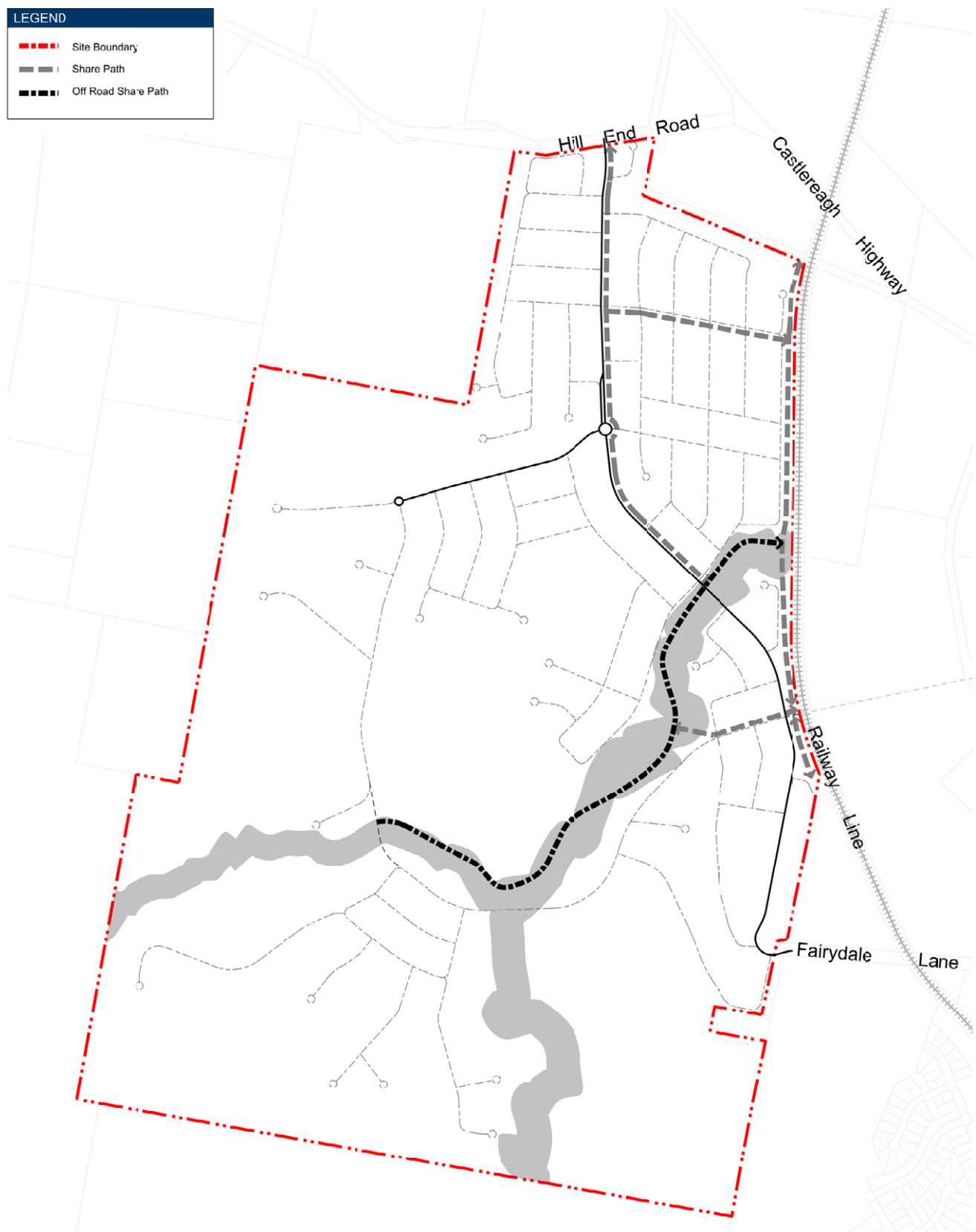


Figure 4. Indicative Pedestrian and Cycle Network

4. Open Space and Public Domain

4.1 Public Open Space

- » Public open space in the form of local parks, pocket parks and 'green buffers' is to be located generally in accordance with the Indicative Open Space Plan in **Figure 5**, so that the majority of housing in the General Residential Character Area is within 400m of public open space.
- » Open space is to be provided within, or adjacent to, the Neighbourhood Centre so that it is:
 - co-located with active uses, preferably directly adjacent to a child care, local retail or community land use; and
 - highly accessible; and
 - linked to a pedestrian and/or cycle path.
- » Dwellings are to be oriented towards public open space for increased surveillance opportunities.
- » Small lot housing is encouraged around local parks.
- » A 40m-wide open space buffer (measured from the railway line) is to be provided along the railway line and may incorporate road reserve, open space, drainage, landscaping and underground services. Housing adjacent to the buffer is to be oriented towards the street/buffer, where possible, for increased surveillance opportunities.
- » Drainage corridors, and vegetation within the drainage corridors, are to be retained. Drainage corridors should provide opportunities for appropriately located pedestrian and cycle paths, walking trails and additional open space in a manner that maintains the environmental significance and drainage function of the corridors.
- » Subdivision Applications that propose to incorporate part of a drainage corridor (as shown in **Figure 7**) within a private residential lot are to comply with the requirements of the *Water Management Act 2000* and obtain controlled activity approval.

Note. Under the *Water Management Act 2000*, a controlled activity includes the carrying out of any work (including subdivision) on water front land, which is defined as land within 40m of a river banks, lake shore or estuary mean high water mark.

4.2 Street Trees and Landscaping

- » Street trees and landscaping is to be provided to increase the amenity of the land, and encourage pedestrian use and walkability.
- » Street tree planting is to be provided to all streets with an average of one tree per lot frontage. Corner lots are to have a minimum of two street trees on the secondary frontage. The location of street trees must complement proposed driveway locations and other elements in the public domain (i.e. light poles); maintain adequate lines of sight for vehicles and pedestrians, especially around driveways and street corners; provide appropriate shade; and provide an attractive and interesting landscape character.
- » Street trees are generally to be 1.5 – 2m in height when planted.
- » A Landscape Plan is to be prepared by a qualified landscape architect, and lodged with a Development Application that creates public open space, which shall provide details on elements, including:
 - design philosophy;
 - furniture and play equipment;
 - plant species and sizes (with consideration for bush fire risks and asset protection zones);
 - hard and soft landscaping treatments;
 - signage;
 - any entry statements;
 - waste facilities;
 - linkages to adjacent areas, streets and dwellings;
 - any other embellishment.

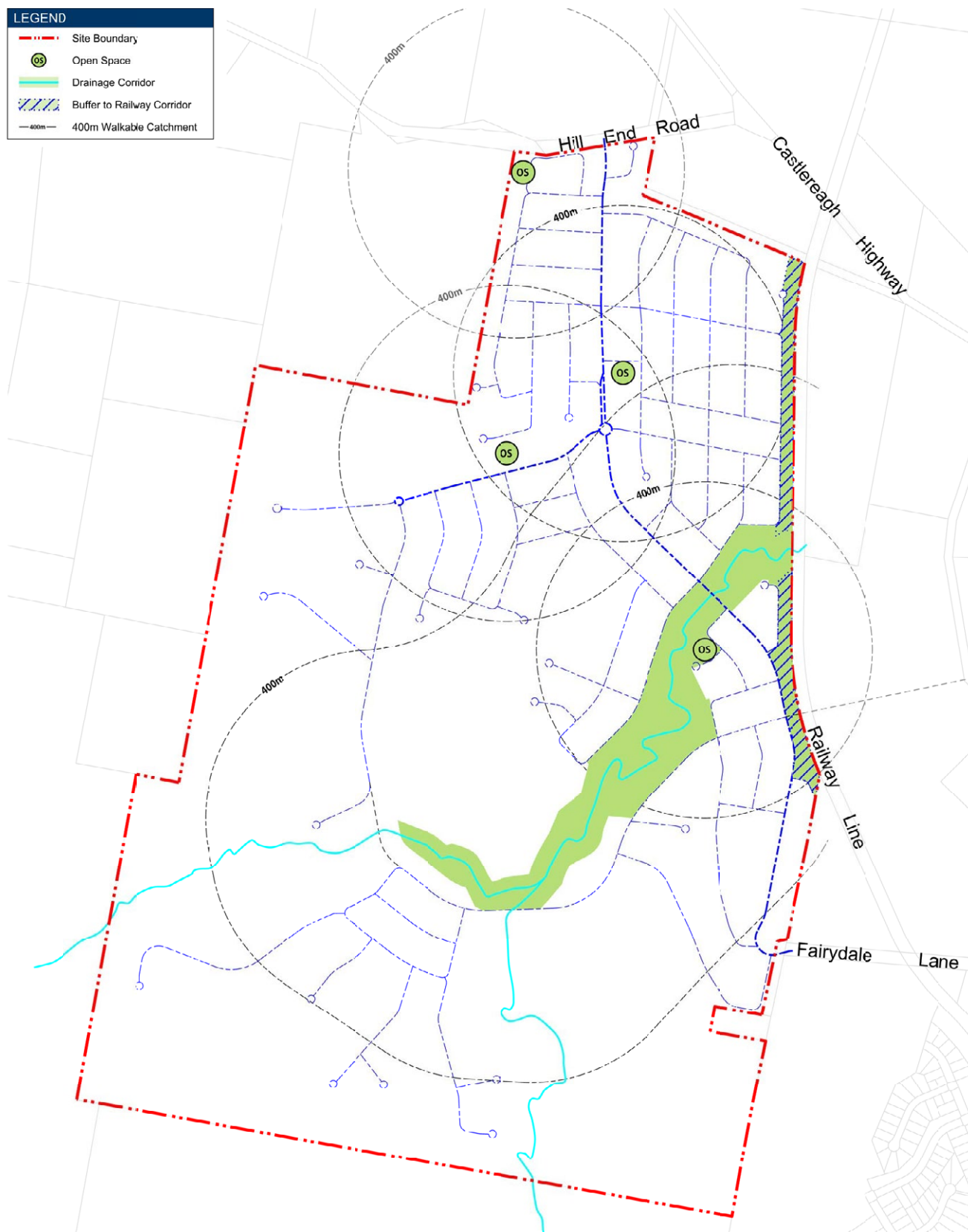


Figure 5. Indicative Open Space Plan

5. Residential Development

5.1 Subdivision

5.1.1 DENSITY AND LOT SIZE

R1 General Residential Zone

- » The minimum lot size for any development within the R1 General Residential Zone is determined by the Minimum Lot Size controls in the *Mid-Western Regional Local Environmental Plan 2012*.
- » Small lot housing to a minimum of 450m² is to be located adjacent to areas of high amenity, such as public open space or along major streets, as illustrated in the Indicative Density Allocation Plan in **Figure 6**.
- » Refer to Section 5.2 of this DCP for building design controls for small lot housing.
- » Subdivision of a single lot that contains a dual occupancy development or is proposed to contain a dual occupancy development into two lots, is only encouraged where each of the resulting lots is $\geq 600\text{m}^2$.

B4 Mixed Use Zone

- » Residential development in the form of medium-density housing (such as townhouses and terraces), shop top housing and mixed-use development is encouraged in the B4 Mixed Use Zone.
- » Smaller lot sizes ($< 450\text{m}^2$) may be created in the B4 Mixed Use Zone where the applicant can demonstrate the lot is consistent with, and helps to achieve the objectives of, the Neighbourhood Centre Character Area.
- » Smaller lot sizes ($< 450\text{m}^2$) may be created in the shaded area surrounding the B4 Mixed Use Zone, as illustrated in the Indicative Density Allocation Plan in **Figure 6**.

R5 Large Lot Residential Zone

- » All buildings must be sited in an accessible and practical location suitable for residential building construction.
- » On sloping sites at or above the 520m contour line, all buildings must be sited such that they cannot be viewed, or have minimum visibility, from any urban area of Mudgee.
- » Refer to Section 5.3 of this DCP for additional built form controls relating to development on steep slopes.

5.1.2 MINIMUM LOT WIDTH

- » All residential lots within the R1 General Residential Zone (except land in the shaded area surrounding the B4 Mixed Use Zone, as illustrated in the Indicative Density Allocation Plan in **Figure 6**), must have a minimum lot width of 12.5m at the building line, and are to be generally rectangular in shape.
- » Residential lots in cul-de-sac streets must be designed to create as regular lot shape as possible around the cul-de-sac head.
- » All residential lots within the R5 Large Lot Residential Zone must have a minimum lot width of 25m at the building line.

5.1.3 SUBDIVISION EARTHWORKS

- » Land forming in association with subdivision works is permitted where it contributes to the overall design quality of the development.

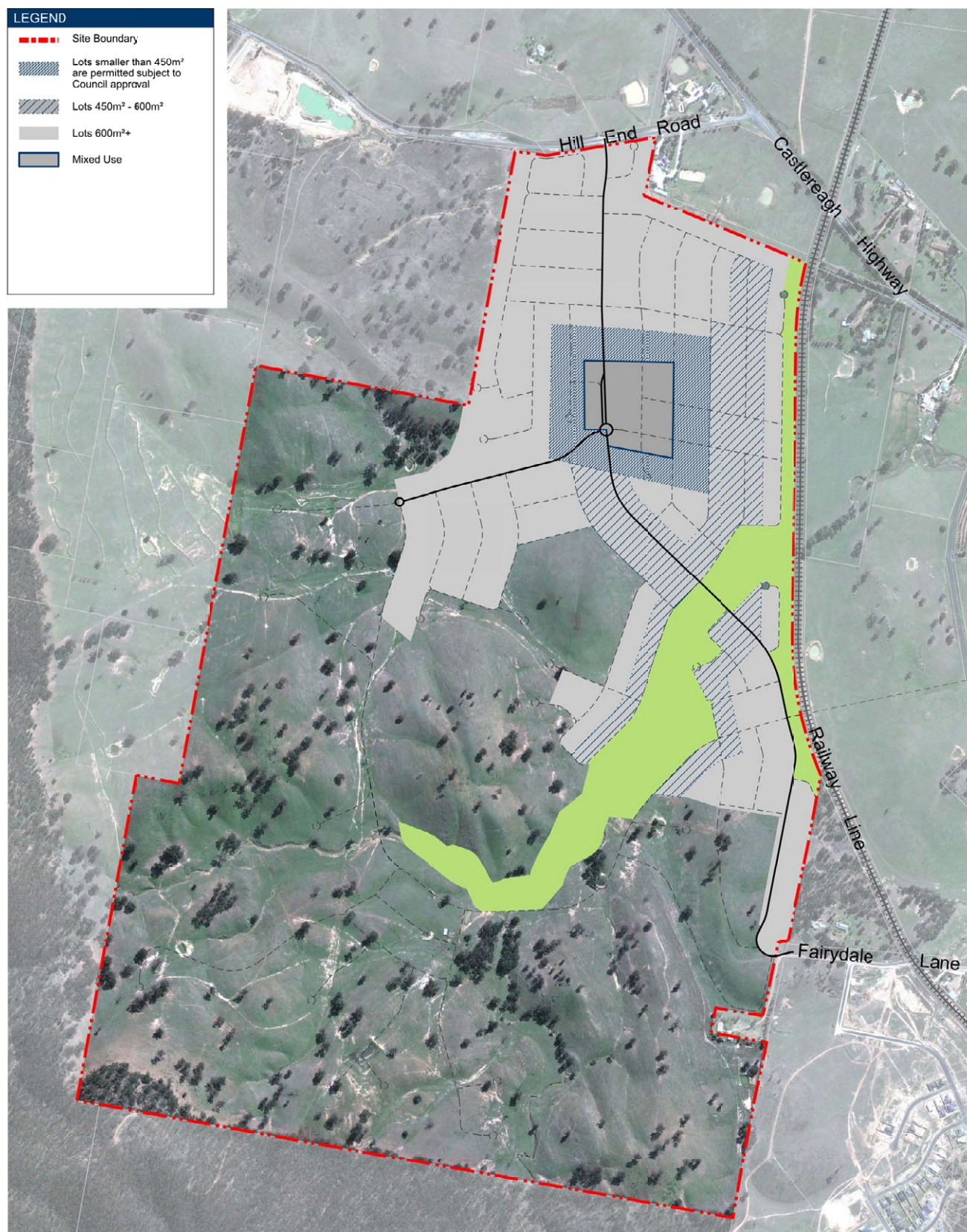


Figure 6. Indicative Density Allocation Plan

5.2 Building Design

5.2.1 STREETScape

- » Streetscapes are to be designed to promote attractive residential environments.
- » All development is to be sited and designed to achieve the desired neighbourhood character of the Character Area in which it is located. Refer to Section 2.3 of this DCP for a description of each Character Areas.
- » Building colours, materials and finishes are to be from a predominantly neutral palette of colours, except for architectural features. Where fencing is provided, it should complement the colours, materials and finishes of the building and be of high quality.
- » Dwellings on corner lots are to be designed to address both street frontages, in order to promote a strong and legible streetscape character and support surveillance of the street.

5.2.2 HOUSING TYPES

A variety of housing types are permissible within Caerleon, ranging from traditional detached housing; small dwellings such as terraces/townhouses, cottages, zero lot housing and semi-attached dwellings in certain areas; shop-top housing in the mixed use zone; traditional detached housing on larger lots and rural-style housing on higher slopes.

- » A mix of housing types is encouraged in order to increase the range of housing choice in Caerleon.
- » When determining the type of housing, applicants must ensure the housing type is consistent with the objectives of the Character Area so to maintain a desired streetscape.
- » Dual occupancy development in Caerleon, in particular battle-axe style development, will not be supported.

5.2.3 BUILT FORM AND BUILDING ENVELOPE

- » Dwellings are to be consistent with the minimum front, side and rear setback controls in **Table 3**.
- » For corner allotments, the setback controls to corner truncations shall be treated as if the lot did not have a truncation.
- » Front, side and rear setbacks for dwellings on lots with an area > 1,000m² are to be generally consistent with

Table 3, but may be varied if the variation is necessary to respond to the landscape features or topography of the land.

- » Projections that are permitted into side and rear setbacks include eaves, sun hoods, gutters, down pipes flues, light fittings and electricity or gas meters, rainwater tanks and hot water units.
- » Pergolas and other landscape features/structures are permitted to encroach into the rear setback.
- » Building facades within the articulation zone and secondary frontage elements shall consist of a mix of the following elements:
 - articulation or steps;
 - entry features;
 - awnings;
 - eaves and sun shading;
 - window to habitable space;
 - balcony or window box treatment;
 - recessing or projecting architectural elements;
 - verandahs;
 - bay windows or similar features.
- » Zero lot dwellings are permitted within the R1 General Residential Zone provided that:
 - any wall that adjoins the boundary has a maximum length of 20m or 35% of the length of the boundary, whichever is greater;
 - there are no openings in the wall that adjoins the boundary;
 - the Development Application demonstrates there will be no adverse impacts on the adjoining property in terms of solar access and overshadowing.

Note. Zero lot dwelling means those that have one or more walls abutting the boundary with the next lot.

- » For attached and semi-detached housing, the side setback control only applies to the end of a row of attached housing, or to the non-zero lot line side of a semi-detached house.
- » Refer to Section 6 for additional built form controls applying to development in the Neighbourhood Centre.

Table 3. Setback and Built Form Controls

Lot Size		≤ 300m ² *	301m ² – 649m ² *	650m ² – 999m ²	≥ 1,000m ² – 1,999m ² #	≥ 2,000m ² #
Front Setback	Building Line	3.0m	4.5m	5.5m	6.0m	10.0m
	Articulation Zone**	1.0m	1.0m	1.0m	1.0m	1.0m
	Garage Line	5.5m or 0m to Laneway	5.5m	6.5m	7.0m	11.5m
Secondary Frontage Setback		2.0m	2.0m	3.0m	4.0m	5.0m
Side/Rear Setback	Side Setback	0m / 0.9m	0.9m	0.9m	0.9m	5.0m
	Rear Setback (Excludes Garages)	3.0m	3.0m	3.0m	3.0m	5.0m

Refer to control 5.2.3 (3).

* Residential lots < 450m² may only be located in the B4 Mixed Use Zone or in the shaded area surrounding the B4 Mixed Use Zone, as illustrated in the Indicative Density Allocation Plan in **Figure 6**.

** The articulation zone is measured forward of the building line.

5.2.4 LANDSCAPING AND PRIVATE OPEN SPACE

- » Each dwelling is to have quality, useable private open space behind the primary building line to allow outdoor recreational and clothes drying areas.
- » Residential dwellings on lots ≤ 600m² are required to provide a minimum of 15% of Private Open Space.
- » Residential dwellings on lots > 600m² are required to provide a minimum of 20% of Private Open Space.

5.2.5 VEHICLE ACCESS, CAR PARKING AND GARAGE DESIGN

- » The minimum width of a driveway is 3m.
 - » Driveways are generally to be offset by 1m from the side boundary for all residential development.
 - » Landscaping is encouraged within setbacks between driveways and boundaries.
 - » The garage shall not comprise more than 50% of the front building elevation.
 - » For smaller lot housing on lots ≤ 450m², driveways may have zero setback to the side boundary.
- Note.** Smaller lot housing can only be located in the B4 Mixed Use Zone.
- » Rear access may to be provided to residential development on lots ≤ 450m² within the Neighbourhood Centre, in order to reduce the visual impact of garaging when viewed from the main street.

5.2.6 FENCING

R1 General Residential Zone

- » Front fencing is limited to a maximum height of 1m.
- » Front and side fencing forward of the building line must be constructed of visually permeable material. At least 50% of the fence structure should be visually permeable material.
- » Boundary fencing forward of the building line shall be a maximum height of 1m.
- » Solid fencing above 1m is not permitted adjacent to open space or drainage land.
- » All other fencing on the boundary is limited to a maximum height of 1.8m from natural ground level.
- » Fencing over 1m in height along the secondary frontage lot boundary is not to exceed more than 50% of the length of the lot.
- » Continuous landscaping must be provided on the street side of the fence where it comprises of solid sheet steel material and the fence is adjacent to, or visible from, the public domain.
- » Fencing is to be consistent in design and style with the dwelling in terms of style, colour, materials, textures, openings and finishes.

Note. Blank walls disrupt established fencing patterns and should be avoided.

R5 Large Lot Residential Zone

- » In the R5 Large Lot Residential Zone, open style post and rail, or post and wire fence types, are required.

5.2.7 WASTE DISPOSAL

- » Waste storage areas/bins are to be concealed from public view and stored on individual properties.

5.2.8 RESIDENTIAL EARTHWORKS

- » Development consent is required to place fill on the land in excess of 100mm topdressing, unless the development is exempt and complying development for the purposes of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.
- » A maximum of 600mm cut or fill below or above ground level (existing) is permitted.
- » Cut and fill must be at least 900mm from each lot boundary.
- » Development must provide adequate drainage lines to ensure surface water is disposed of without causing a nuisance to adjoining owners, and must not redirect the flow of surface water onto an adjoining lot.
- » Cut and fill must be located at least 1m from any registered easement, sewer main or water main.
- » If the fill is more than 150mm deep it must not occupy more than 50% of the landscaped area.
- » Refer to Section 5.3.4 of this DCP for cut and fill controls for Development on Steep Slopes.

5.3 Additional Controls for Development on Steep Slopes

This section refers to development on steep slopes which are defined for the purposes of this DCP as slopes in excess of 15°.

5.3.1 SITING AND VISUAL IMPACT

- » The visual impact of dwelling houses on steep slopes, in particular dwellings at or above the 520m contour, is to be minimised through appropriate siting, landscaping, and the use of materials and colours which are sympathetic to a rural character of the land. Generally, dwellings are to be sited on the flattest section of each site and where possible, on the lowest contour of site.
- » Dwellings are not to be located within 40m of the Avisford Nature Reserve.
- » A Subdivision Application for land with steep slopes shall identify the general building envelope within the proposed lot, which will require preliminary input from qualified geotechnical and civil consultants.

5.3.2 BUILDING HEIGHT

- » Development must reflect the landform and dwellings, and must step down the block to follow the topography of the land.
- » Dwellings are limited to a maximum height of 8.5m in the *Mid-Western Regional Local Environmental Plan 2012*. Dwellings on sloping land shall demonstrate that a building height plane of 8.5m is generally achieved.

Note. Building height plane means a plane projected at an angle of 45° over the actual land to be built upon from a vertical distance (of 8.5m) above ground level at the side boundaries of the site.

5.3.3 SHEDS, OUTBUILDINGS AND DETACHED GARAGES

- » Sheds, outbuildings, detached garages and any other ancillary structures are to be located behind or adjacent to the dwelling, to protect the major ridgelines.
- » Landscaping must be provided around dwellings where the dwelling is visible from the public domain, in order to minimise its visibility.

5.3.4 CUT AND FILL

- » An appropriate construction methodology is to be outlined in the Development Application for building construction, and may include raised floor construction or stepped construction requiring cutting. Applicants must provide a detailed report and/or plans from qualified geotechnical and structural consultants with a Construction Certificate Application to demonstrate safety and avoid areas of land slip.

6. Neighbourhood Centre

6.1 Land Use

- » The Neighbourhood Centre Character Area is to incorporate a range of local retail, commercial, community and open space land uses to serve the everyday needs of the local community. These uses may spill into adjacent R1 General Residential land.
- » The Neighbourhood Centre Character Area is to incorporate higher intensity development, including medium-density housing and mixed-use development.
- » The Neighbourhood Centre Character Area is to be differentiated through varying and 'active' uses, which should be focused along, and front, a main street.
- » Development must have regard to, and maintain, the commercial hierarchy of Mudgee.
- » Retail and commercial uses at ground level within the B4 Mixed Use Zone must have a maximum Gross Floor Area of 1,280m² per unit or tenancy.
- » The Neighbourhood Centre Character Area and B4 Mixed Use Zone is to be a maximum of 2 Ha in area (excluding roads, road reserves, child care centres, community facilities, car parking, drainage and open space).

6.2 Built Form and Streetscape

- » Retail and commercial uses at ground level must have their entrance directly from the main street frontage.
- » Buildings with a retail function at ground level, whether part of a mixed-use building or stand-alone shop, shall be built with a zero or minimal front and side setbacks.
- » Zero setbacks are encouraged for buildings in the B4 Mixed Use Zone. Buildings should generally be built to the street edge.
- » The frontage of retail or mixed use buildings is to have substantial glazing at ground level and no large expanses of blank facade facing the street.
- » Where appropriate, an awning or posted verandah should be provided over the public footpath. If an awning or posted verandah is provided, it is to be cantilevered or suspended over the adjoining footpath within the road reserve.
- » Awnings must be designed to allow street tree planting to be provided at regular intervals.
- » Front fencing shall generally be provided for residential development in the B4 Mixed Use Zone.
- » Shop top housing must provide a street address and direct pedestrian access from street frontages and associated car parking areas. The access must be separate from the entry areas for other building uses.

6.3 Public Domain

- » Provide a high quality landscape design including planting, street furniture and lighting that enhances the character of the neighbourhood centre.
- » Provide street tree and planting that is of an appropriate height or permeability to maintain views and establishes shade for pedestrians.
- » Details of street furniture, lighting and plantings (including species selection, size of beds and irrigation provision), are to be provided with the Landscape Plan submitted to Council for approval with the Development Application.
- » An open space area should adjoin the Neighbourhood Centre Character Area in a prominent location, and should be designed to accommodate activities such as outdoor eating, pedestrian movement or seating areas.

6.4 Parking and Access

- » Locate at grade parking areas generally behind building lines and screened from the Residential Collector Road.
- » Shared car parking provision for complementary uses within the Neighbourhood Centre is supported.
- » On-street car parking is to be provided as 60° rear to kerb parking along the Neighbourhood Centre Road to contribute to street life and surveillance. Refer to **Table 2** for parking bay dimensions.
- » Laneways may be used to provide access to parking areas and waste collection areas. Laneways are to be designed to accommodate heavy vehicles, where access to the rear of shops (for deliveries) and waste collection is required.
- » Loading bays are not required on-site. Provision for loading/unloading can be made at the rear of an allotment where a laneway is proposed.
- » Shade trees shall be provided along the footpath adjacent any on-street rear-to-kerb car parking, at a rate of 1 tree for every 8 car parking spaces.
- » Where the need for a bus stop at the site is identified by Council, details of the location and design of the bus stop are to be provided with the development plans submitted to Council for approval.

7. Environmental Management

7.1 Stormwater Management

- » The two main watercourses that drain the majority of the land are shown in **Figure 7**. These two watercourses are identified as 3rd and 4th order streams and shall be retained for drainage functions. Buffers are to be provided along the drainage lines in accordance with the Strahler-based methodology (NSW Office of Water, July, 2012).
- » Natural regeneration is encouraged in vegetated riparian zones (VRZs) within the Riparian Corridors.
- » Stormwater from the site will be managed through on-site detention basins in the indicative locations shown in **Figure 7**.
- » Stormwater management within the northern section of the land can be designed to include natural water flow as well as an engineered solution.
- » The remaining lower order streams on the site (1st and 2nd order streams) can be:
 - removed and/or piped and integrated into an engineered approach to drainage; or
 - maintained as open channels.
- » The principles of Water Sensitive Urban Design (WSUD) should be incorporated across the site.
- » During the construction phase of development, the relevant stormwater management objectives for new development as set out in the most up to date revision of *Managing Urban Stormwater: Soils and Construction* (NSW Department of Housing) must be complied with.
- » Development Applications must demonstrate that any potential impacts on groundwater and salinity can be managed to mitigate environmental impact.
- » Where there is potential for soil erosion to occur, erosion and sediment control measures are to be implemented and regularly maintained during construction. Sediment trapping devices are to be located at all points where stormwater runoff can enter inlets to stormwater systems, or where runoff may leave the site, during construction. Details of erosion and sediment control measures are to be provided with Development Applications where there is potential for soil erosion to occur.
- » Driveways on steep slopes are to be designed to minimise erosion.

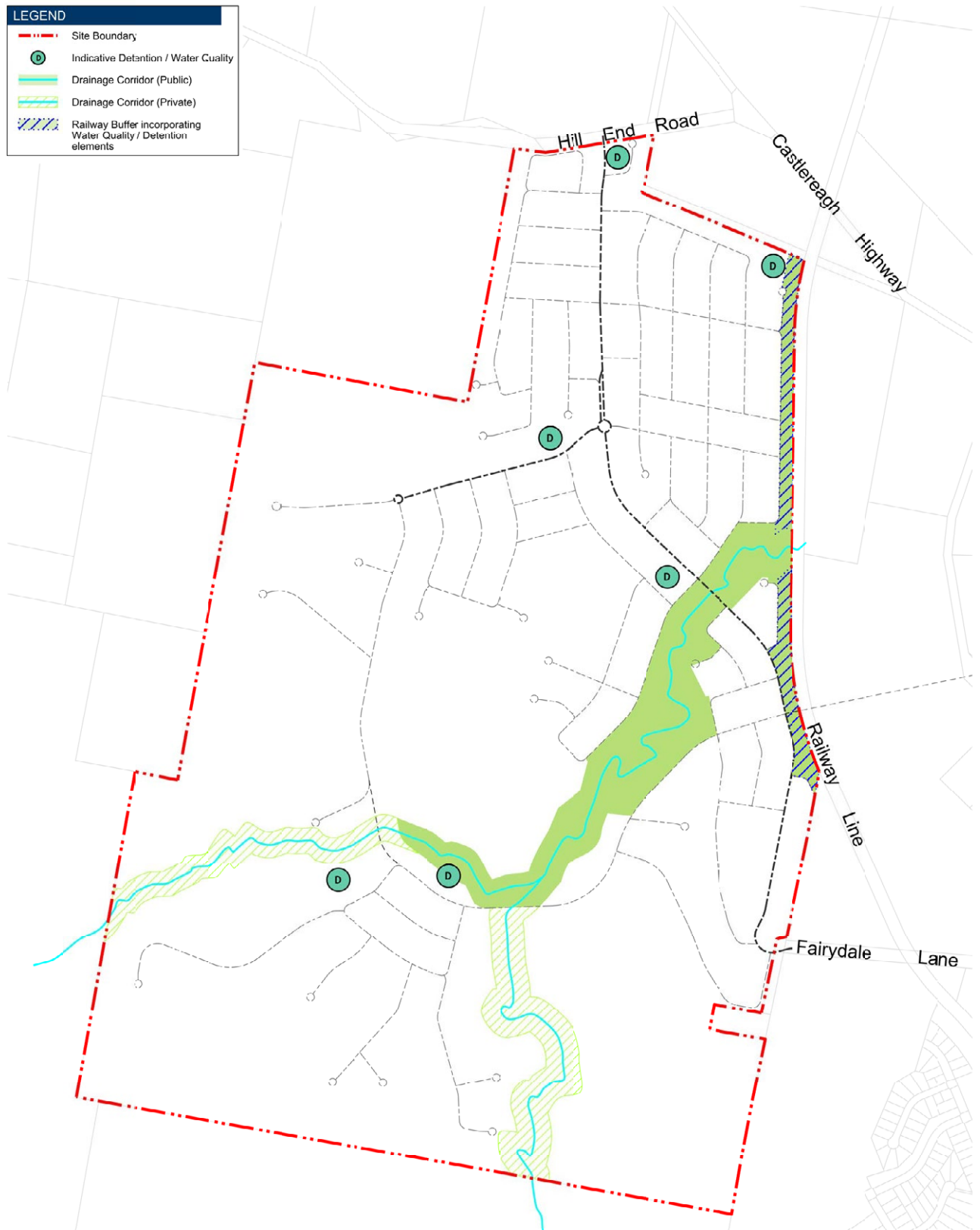


Figure 7. Indicative Drainage Plan

7.2 Biodiversity

- » Native vegetation and remnant trees in areas of high ecological constraint are to be retained and protected in large lots on land with steeper slopes. Any development within the Large Residential Character Area and Rural Residential Character Area shall be positioned to avoid the removal of remnant trees.

Note. Areas of high ecological constraint include the riparian corridors and areas containing Endangered Ecological Communities, and are mapped in the 'Caerleon Property Rezoning Investigations Flora and Fauna, Riparian and Bushfire Study' (July, 2012) and shown in **Figure 8**.

- » Development that affects areas of high ecological constraint, including the VRZs, must have regard to a Vegetation Management Plan (VMP) that sets out the methods to be used to encourage natural regeneration. A VMP shall be prepared with any Subdivision Application affecting areas of high ecological constraint shown in **Figure 8**.
- » An environmental buffer area of 40m shall be retained along the southern boundary of the land, wherein no dwelling shall be developed.

7.3 Bushfire

- » All Subdivision and Development Applications will be assessed under section 100B of the *Rural Fires Act 1997* and, if necessary, will require a Bush Fire Safety Authority (BFSA) to be obtained from the NSW Rural Fire Service at subdivision and/or Development Application stage. Detailed bushfire assessment shall be undertaken for future development and address the bushfire protection measures of *Planning for Bushfire Protection 2006*.

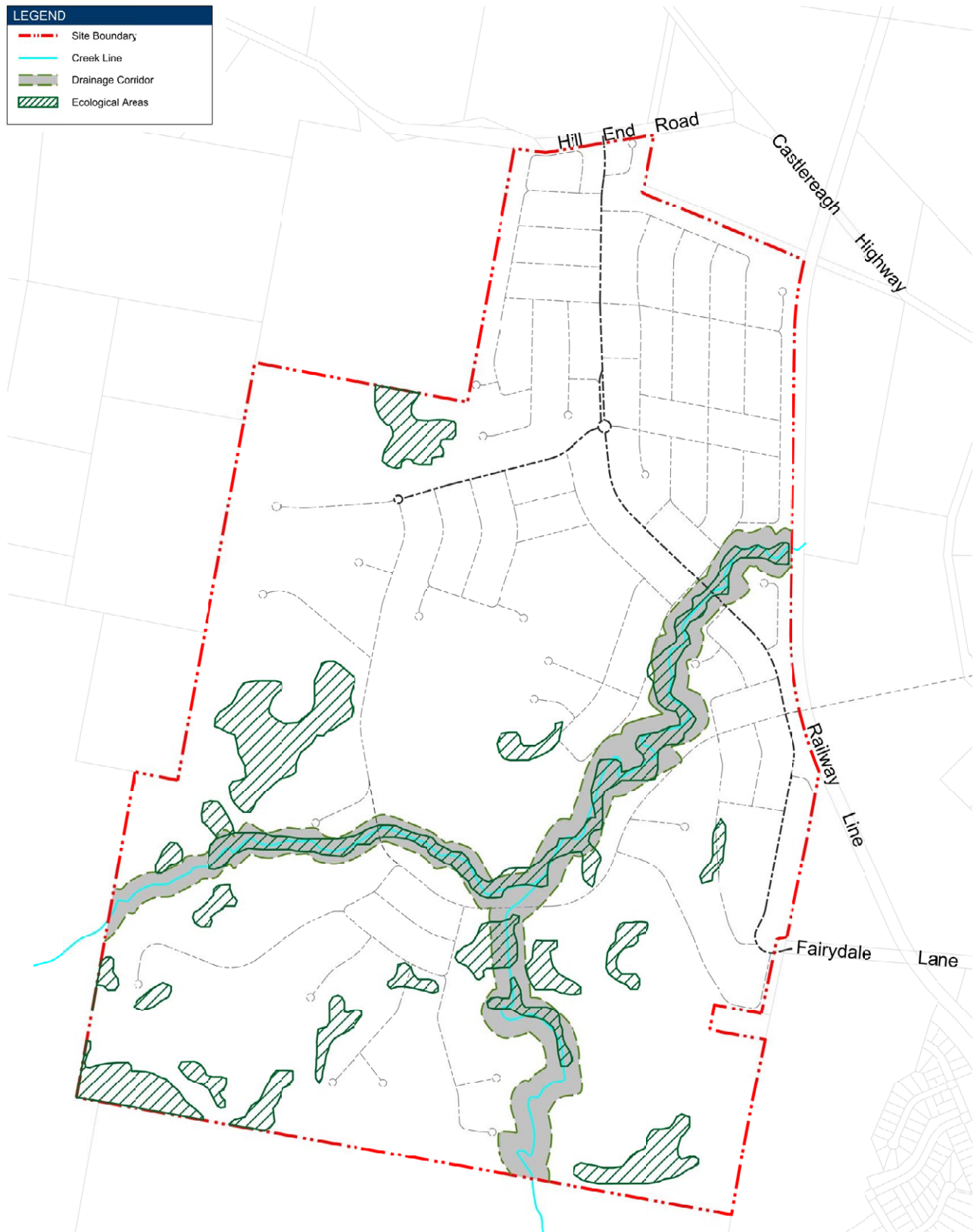


Figure 8. Indicative Conservation Plan

7.4 Odour

- » There is to be no development within the 1 odour unit contour, as shown in the Indicative Odour Plan in **Figure 9**, until such time as a revised odour assessment is undertaken after the Mudgee Sewerage Treatment Plant (STP) is commissioned.

Note. The developer is to commission a qualified odour consultant to undertake an odour assessment within 6 months from the time the Mudgee Sewerage Treatment Plant (STP) is commissioned. The odour study shall determine the minimum odour contour from the Mudgee STP and the minimum buffer from the landfill site.

7.5 Contamination

- » Further investigation at the Machinery Shed and Sheep Dip sites must be undertaken prior to development, in accordance with the contaminated land management planning guidelines *State Environmental Planning Policy No. 55*.

Note. The location of the Machinery Shed and Sheep Dip sites is mapped in '*Preliminary contamination assessment – Caerleon Hill End Road, Mudgee NSW*' (20 July 2012).

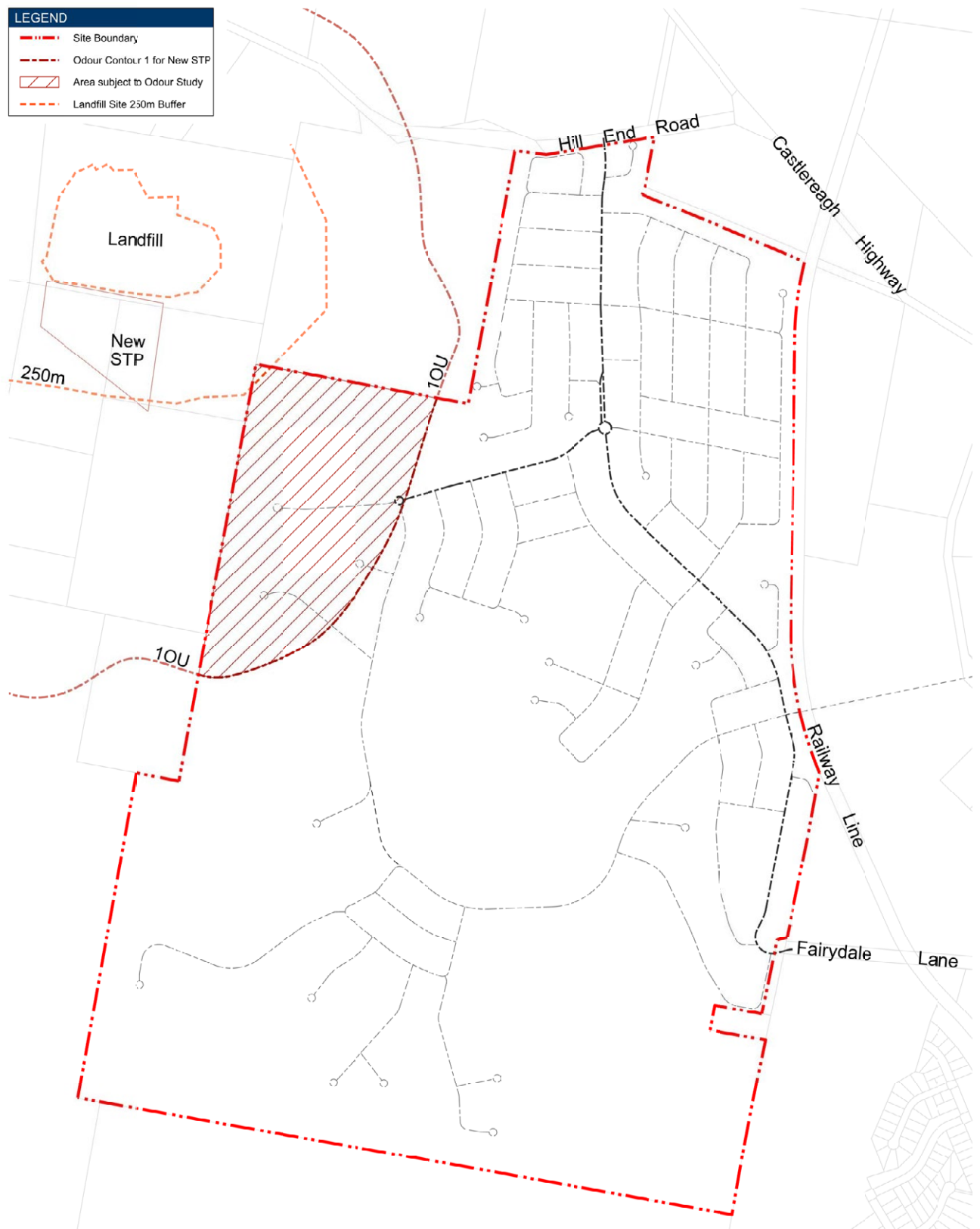


Figure 9. Indicative Odour Plan

7.6 Aboriginal Heritage

- » The location of sites where Aboriginal objects have been identified during Aboriginal Heritage investigations, are mapped in the *'Mudgee Residential Rezoning Aboriginal Heritage Due Diligence Assessment- Preliminary investigation'* (July, 2012) and shown in **Figure 10**.
- » All sites of Aboriginal objects should be avoided in the future development of the land, unless resolved through controls 3 and 4 below.
- » Where avoidance of an Aboriginal object site (or a site of potential archaeological sensitivity) cannot be achieved and there is potential for disturbance of the site, further investigations and impact assessment is to be undertaken in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales*. An Aboriginal heritage impact permit (AHIP) will be required for any activity which may harm an Aboriginal object.
- » Aboriginal consultation shall be undertaken prior to, and with, the Subdivision Application process where an AHIP application is required. The consultation process with Aboriginal stakeholders shall be undertaken in accordance with the *National Parks and Wildlife Regulation 2009* and *Aboriginal cultural heritage consultation requirements for proponents 2010: Part 6 National Parks and Wildlife Act 1974*.

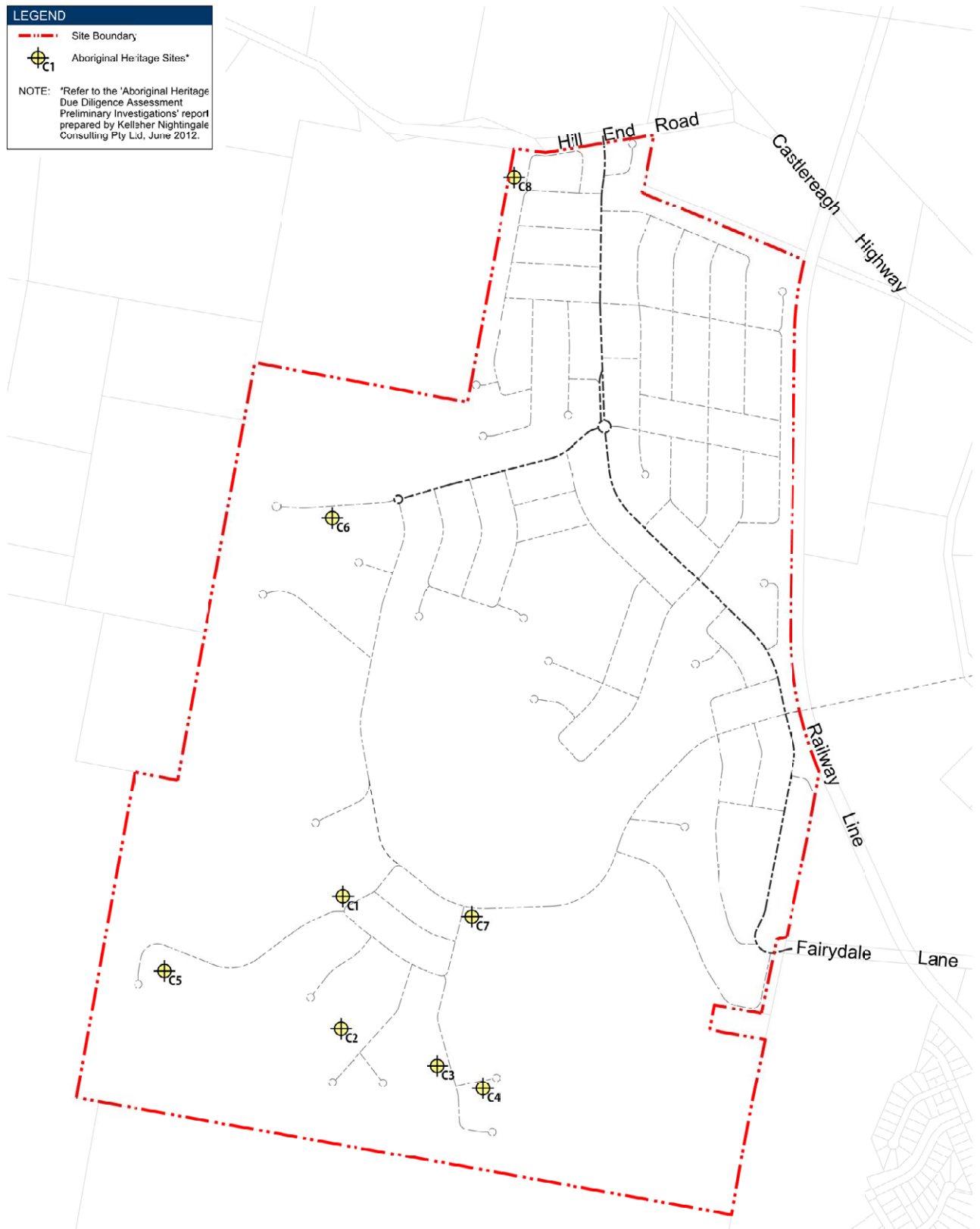


Figure 10. Indicative Aboriginal Heritage Plan

8. Utilities

8.1 Water Supply

- » Potable water is to be supplied from the existing water treatment facility in Mudgee. Initial stages of the development are proposed to be served from the existing potable water reticulation system located adjacent to the southern boundary of the site.
- » A new 5ML reservoir will be constructed by Mid-Western Regional Council to serve the development.

8.2 Waste Water

- » The new Waste Water Treatment Plant (WWTP) being constructed adjacent to the western area of the site is sized to cater for waste water treatment from all future development in Caerleon.
- » A new Sewage Pump Station (SPS) will be required to serve the site, with waste water being pumped from the SPS via a new rising main to the WWTP.

8.3 Electricity and Telecommunications

- » Primary utilities such as electricity and telecommunications must be made available to serve any future development.

9. Torrens, Strata and Community Title Subdivision

- » Allotments where free standing dwelling houses, dual occupancy dwellings or multiple dwellings (such as terraces that share a boundary wall) are proposed or exist may be Torrens Title.
- » Where buildings are attached or share common areas, such as driveways, entry foyers, car parking facilities or structural and non-structural building components that overlap, allotments may be Torrens Title or be subdivided under a Community or Strata Scheme.
- » Proposed Torrens Title allotments that are attached or share common areas must provide easements for right of way (where relevant) registered as a right of way on a survey or registered on title.

Note: To ensure Subdivision Applications can be subdivided in an appropriate manner it is recommended that you consult an appropriately qualified professional, such as a Land Surveyor at the outset of your project.

Appendix A

Land to which this DCP Applies

Lot 1 DP 1146227	Lot 223 DP 756894
Lot 1 DP 132086	Lot 224 DP 756894
Lot 10 DP 132086	Lot 225 DP 756894
Lot 129A DP 756894	Lot 226 DP 756894
Lot 130 DP 756894	Lot 227 DP 756894
Lot 131 DP 756894	Lot 228 DP 756894
Lot 1321 DP 1113075	Lot 229 DP 756894
Lot 1322 DP 1113075	Lot 230 DP 756894
Lot 1323 DP 1113075	Lot 231 DP 756894
Lot 133 DP 756894	Lot 232 DP 756894
Lot 134 DP 756894	Lot 233 DP 756894
Lot 135A DP 756894	Lot 234 DP 756894
Lot 136 DP 756894	Lot 235 DP 756894
Lot 137 DP 756894	Lot 236 DP 756894
Lot 139 DP 756894	Lot 237 DP 756894
Lot 140 DP 756894	Lot 3 DP 132086
Lot 141 DP 756894	Lot 341 DP 756894
Lot 151 DP 756894	Lot 4 DP 132086
Lot 189 DP 756894	Lot 5 DP 132086
Lot 19 DP 1113002	Lot 6 DP 132086
Lot 2 DP 132086	Lot 7 DP 132086
Lot 218 DP 756894	Lot 8 DP 132086
Lot 219 DP 756894	Lot 9 DP 132086
Lot 220 DP 756894	
Lot 221 DP 756894	
Lot 222 DP 756894	

