



## CESSNOCK DEVELOPMENT CONTROL PLAN 2010

### *PART E* **SPECIFIC AREAS**



**E.14: AVERYS VILLAGE, HEDDON GRETA**

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## **1.1 INTRODUCTION**

This chapter provides guidelines for the development of land at Heddon Greta generally known as “Averys Village: The land is formally known as:

<b>Lots</b>	<b>DP</b>	<b>Address</b>
12	755231	Averys Lane
13	755231	Averys Lane
8	658094	Averys Lane
2	136425	Averys Lane
200	841560	Averys Lane
201	841560	Averys Lane
12-20	11823	Averys Lane
5	1082569	Averys Lane

The subject land is located to the east of the existing township of Heddon Greta. The land generally runs in a north-south direction and is located off Averys Lane. The site is adjacent to the Kurri Kurri golf course, and is bounded on the east by the Wallis Creek floodplain. The Hunter Expressway is located to the south of the site.

The eastern boundary of the site has a distinct change in level, elevating the subject site from Wallis Creek and its associated floodplain. A significant proportion of the site has been highly modified, extensively cleared and grazed by domestic stock. The south west of the site also contains land of biodiversity significance.

Much of the site is zoned R2 Low Density Residential, to permit low density residential development, with the balance of the land zoned E2 Environmental Conservation.

### ***Objectives:***

The principal objectives of this Chapter are to:

- (a) Facilitate quality residential development at Averys Village;
- (b) Maintain the low scale built character of Heddon Greta;
- (c) Provide a seamless extension to the existing urban area of Heddon Greta;
- (d) Facilitate the efficient provision of infrastructure and services to the release area;
- (e) Avoid and manage natural hazards such as flooding and bushfire;
- (f) Provide an overall structure plan for Averys Village;
- (g) Provide adequate transport networks for vehicles, bicycles and pedestrians;
- (h) Provide for environmentally sustainable and economically affordable water management;
- (i) Provide for adequate open space and protection of biodiversity, and
- (j) Provide other objectives and controls which complement and supplement those of the other chapters of the Cessnock Development Control Plan.

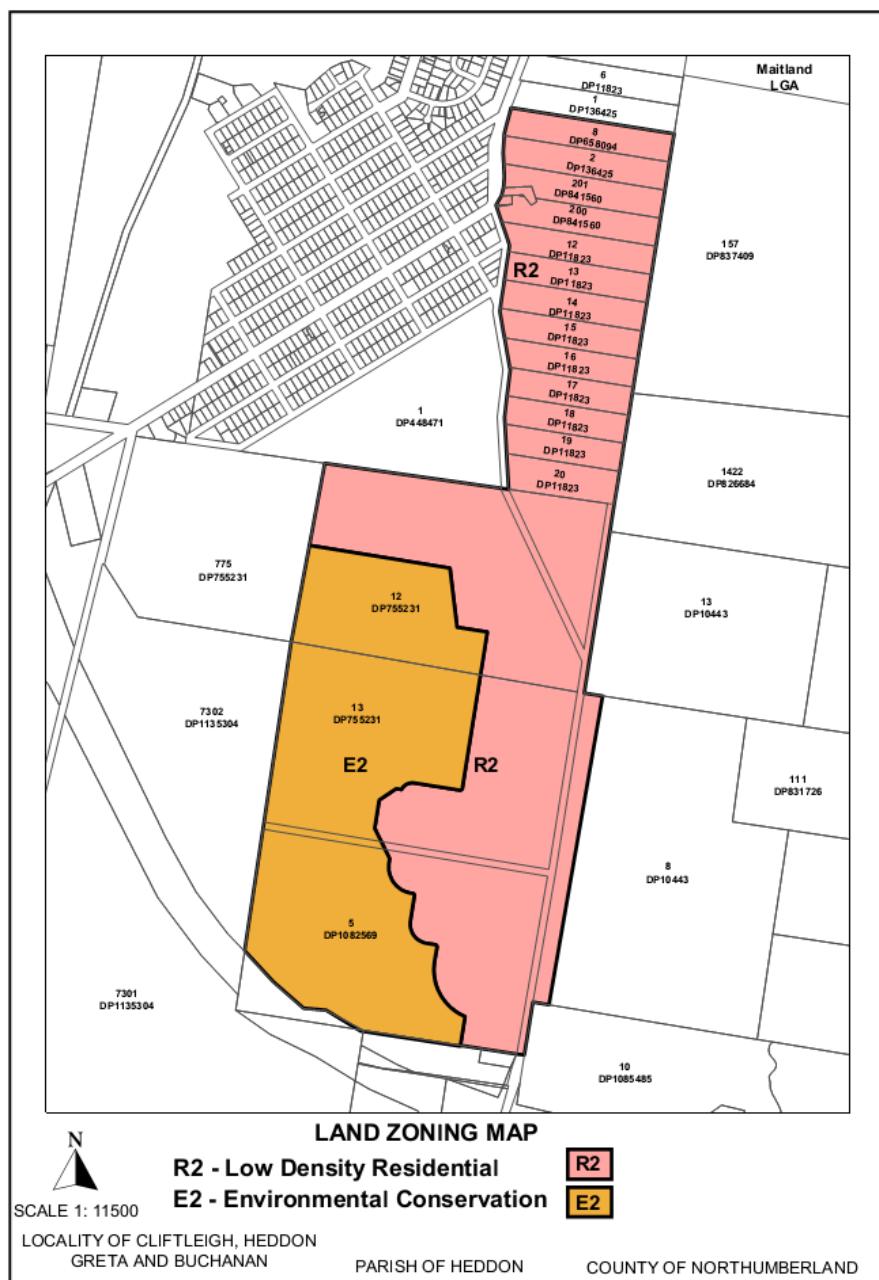
### **13.1.1 Application**

This Plan is called Averys Village and forms part of the Cessnock Development Control Plan 2010. The Plan consists of the written statement and plans referred to in the document.

**Figure 1** details the land to which the Plan applies (shown edged heavy black and zoned R2 Low Density Residential and E2 Environment Conservation).

The land is proposed to be subdivided to permit the development of dwellings. This Plan (chapter) was adopted by Council on 20 March 2013 and will come into force on the date of the New South Wales Government notification of the making of the Local Environmental Plan that applies to the land.

Figure 1: Site and Zoning Plan



### **13.1.2 Purpose of the Plan**

The purpose of the Plan is to give detailed guidance for development within the area. It provides more detailed provisions than those contained in the Cessnock Local Environmental Plan (LEP) 2011 and more locally specific provisions than other chapters of the Cessnock Development Control Plan 2010.

Council will take into account the provisions of this Plan in determining development applications. Council may consent to an application which departs from the provisions. Where applications seek to depart from the provisions of this Plan, they should be accompanied by a written justification.

### **13.1.3 Relationship with other Plans**

Where there is any inconsistency between this Plan and any environmental planning instrument, the provisions of the environmental planning instrument prevail. An environmental planning instrument includes a State Environmental Planning Policy (SEPP), a Regional Environmental Plan (REP) and a Local Environmental Plan (LEP).

This Chapter should be read in conjunction with all chapters and sections of the Cessnock Development Control Plan 2010 and any other relevant Council policies. A number of other Chapters are applicable to the site (e.g. residential subdivision guidelines) and, in some instances, the provisions of those Chapters are supplemented by additional guidelines in this locality specific chapter.

### **13.1.4 Structure Plan**

The Structure Plan at **Figure 2** shows the basic development principles of the site.

It shows the development concept that applies to Averys Village. It provides guidance for individual developments to enable them to contribute to an overall development plan.

All development should demonstrate consistency with, and consideration of, the following development principles.

#### **Objectives**

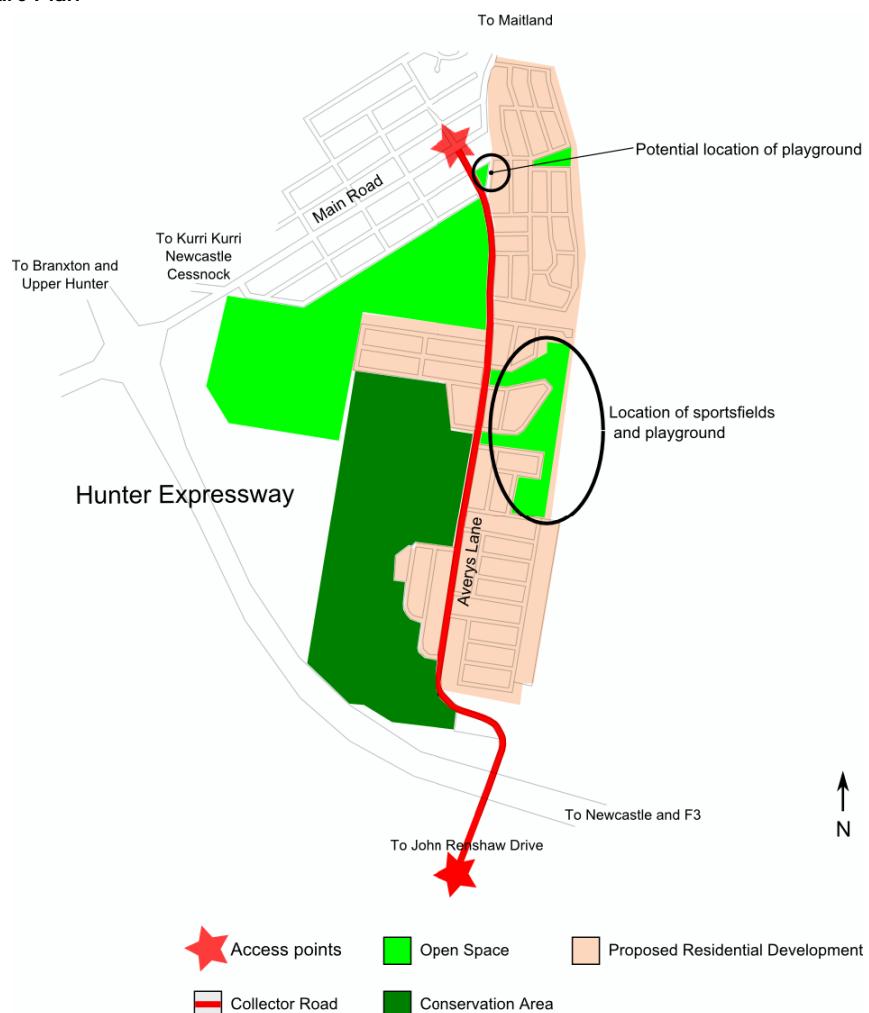
- (a) The development of Averys Village is well co-ordinated and efficient across a number of land parcels and owners.
- (b) Averys Village is a seamless extension of the existing urban area.
- (c) Walkable neighbourhoods provide convenient access to neighbourhood parks, community facilities and other services, with less dependence on cars for travel.
- (d) Neighbourhood structure fosters a sense of community.
- (e) Access is generally provided by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.
- (f) New development supports the efficiency of public transport systems, and provides safe, direct access to the systems for residents.
- (g) A variety of lot sizes and housing types cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.

- (h) Key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are maintained and enhanced.
- (i) An integrated and sustainable approach is expressed in the design and provision of open space and urban water management.
- (j) Cost-effective and resource efficient development promotes housing affordability.

**Requirements:**

- (i) Consent will not be granted for development which is not generally consistent with the Structure Plan at **Figure 2**.
- (ii) Subdivision layout must not prejudice the ability of neighbouring sites to deliver the outcomes sought by this Plan, including infrastructure efficiencies, housing yield, environmental enhancement and connectivity.
- (iii) Suitable legal access is to be provided to all land.
- (iv) All road and drainage works within the site are to be designed and constructed to a standard appropriate for the proposed development and in accordance with Council's Engineering Requirements for Development.

Figure 2: Structure Plan



### **13.1.5 Traffic, Road Design, Pedestrian/Cycleway Networks**

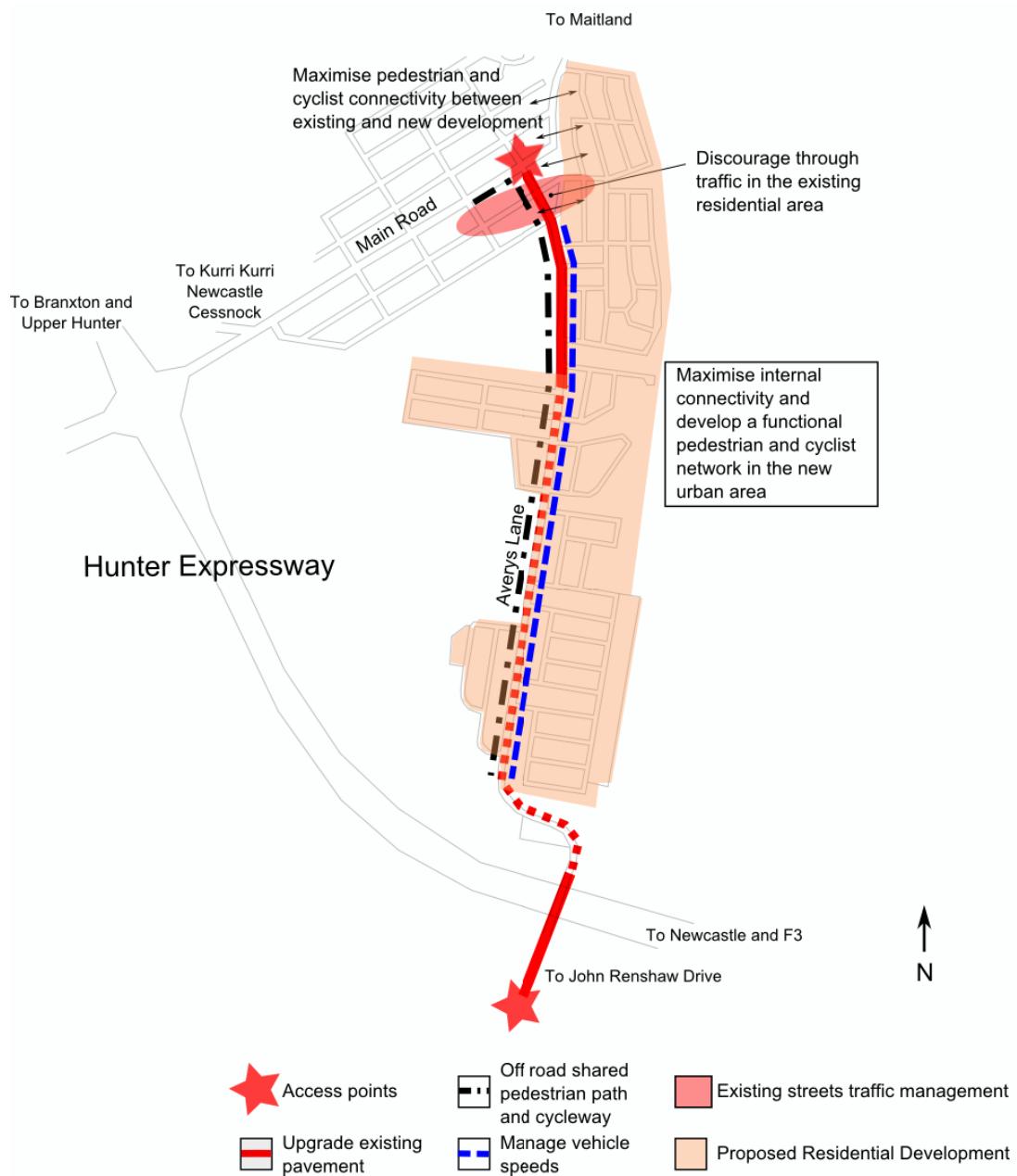
The main road vehicle access routes to the site will be via Averys Lane:

- North to Heddon Street to access the Hunter Expressway, Kurri Kurri, Maitland and Cessnock, and
- South to John Renshaw Drive to access Kurri Kurri, the Hunter Expressway and Newcastle.

Averys Lane runs north-south and will provide the collector route through the release area with local roads forming a grid pattern to the east and west of Averys Lane.

**Figure 3** shows the Transport Concept Plan for Averys Village.

Figure 3: Transport Concept Plan



## **Objectives**

- (a) Residents have safe convenient vehicular, pedestrian and bicycle networks.
- (b) Vehicular, cyclist and pedestrian connectivity is maximised within the Release Area and to other parts of Heddon Greta.
- (c) Low vehicle speeds are encouraged throughout the Release Area.
- (d) Public transport can be provided to the area.
- (e) The impact of development on transport infrastructure outside of the Release Area is considered.
- (f) Transport works arising from the development are supported by conditions of development consent, arrangements with Roads and Marine Services (RMS) and a Section 94 Plan.
- (g) Legal and convenient access is maintained to adjacent rural properties.

## **Requirements**

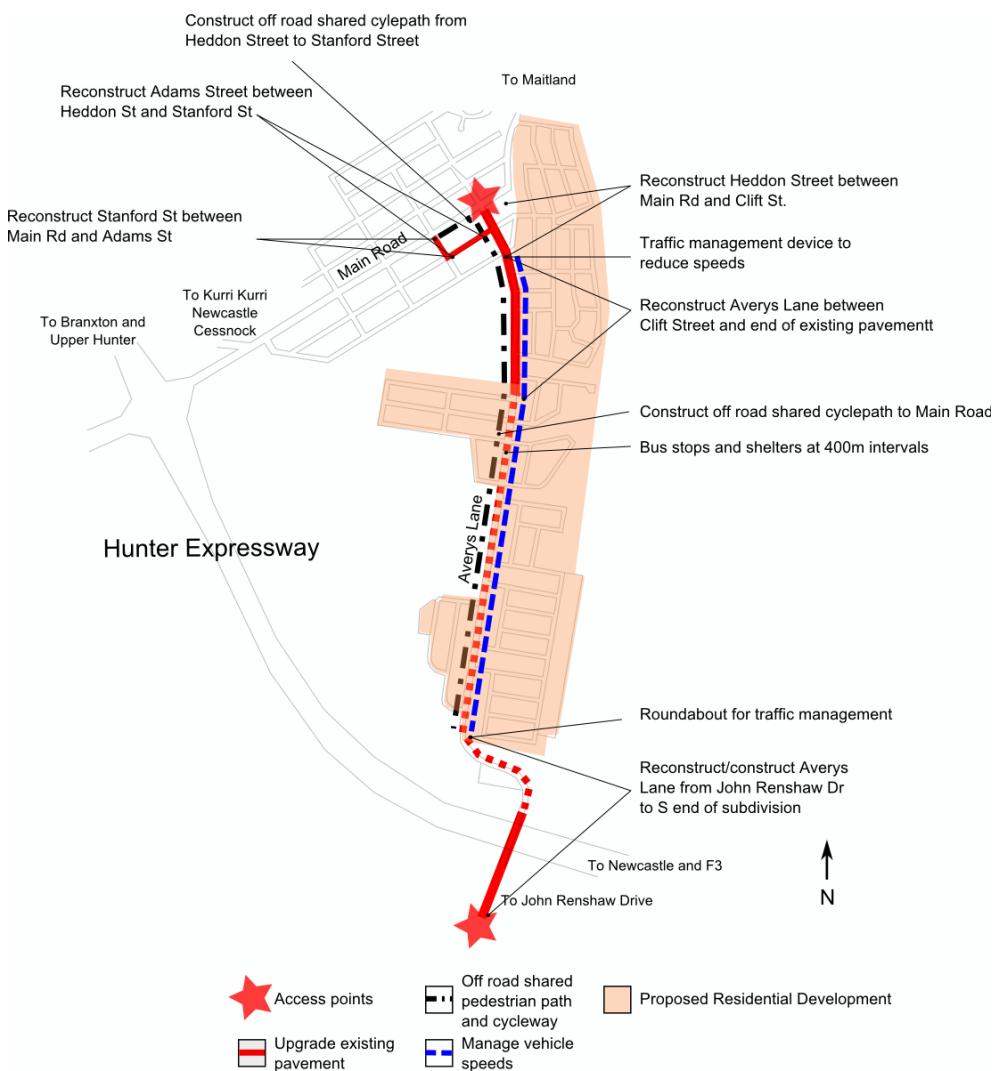
- (i) Consent will not be granted for the subdivision of land unless a Transport Management Plan has been lodged to the satisfaction of the consent authority. The Transport Management Plan should address such matters as traffic volumes, triggers for the provision of infrastructure and upgrades, an assessment of the impact of the development on the road system internal and external to the site and urban release area, pedestrian and cyclist networks, identification of road upgrades, intersection upgrades and the cumulative impact of development on the road network, at a minimum.
- (ii) The road, cycle and pedestrian movement network is to be generally consistent with the concept plan shown in **Figure 4**.
- (iii) The positioning and design of movement networks must give priority to:
  - a facilitating efficient walking, cycling and public transport networks, and
  - b retaining and complementing natural topography, such as views and drainage.
- (iv) Pedestrian and cycle links are to be constructed to link to the existing urban area of Heddon Greta at the same time as the initial development of the land.
- (v) An off road shared pedestrian path/cycleway is to be constructed as shown in **Figure 4** as a stage towards the ultimate objective of connecting to the existing shared off road pedestrian paths/cycleways to the town centre and Kurri Kurri
- (vi) Averys Lane is to be traffic calmed to reduce vehicle speeds.
- (vii) Averys Lane is to be designed to allow its use as a public bus route and/or by school buses, including provision for buses to turn around if a “through route” is not likely.
- (viii) Legal and convenient access to existing lots within or adjacent to the urban release area is to be maintained, unless the relevant landowner consents otherwise.
- (ix) Subdivision road networks should have no dead ends unless unavoidable. The use of low speed “share ways” to connect cul de sac heads and the like is acceptable.
- (x) A number of offsite road, intersection, cycleway and pedestrian networks upgrades will be required in conjunction with the development of the land, such as those shown in **Figure 4**.

- (xi) The following (but not limited to) should be provided in response to the anticipated demand generated by development on the site:
- a Progressive upgrading of the “access point” intersection of Main Road with Heddon Street that ultimately results in traffic control signals (RMS), including:
    - i. Right turn lanes on Main Road Heddon Greta (RMS), and
    - ii. Right turn lanes on Heddon Street at its intersection with Main Road (RMS);
  - b Upgrade of Heddon Street from Main Road to Clift Street to provide a 13m carriageway and associated drainage;
  - c Upgrade of the “urban component” of Averys Lane to Clift Street provide a 13m carriageway and associated drainage;
  - d Upgrade of Adams Street from Heddon Street to Stanford Street to a 9 m carriageway with associated drainage;
  - e Upgrade of Stanford Street from Main Road to Clift Street to provide a 9 m carriageway and associated drainage;
  - f Upgrade of Averys Lane south of the release area to John Renshaw Drive to provide an 11 m carriageway to rural standards;
  - g Upgrade of the “access point” at the intersection of Averys Lane with John Renshaw Drive to incorporate a right turn lane for traffic entering Averys Lane (RMS);
  - h Provide traffic management works at the north connection to the subdivision (traffic calming);
  - i Provide a single lane roundabout at the south connection to the subdivision (traffic calming/ intersection);
  - j An off shared pedestrian path/cycleway along the full length of the “urban” component of Averys Lane and Heddon Street to Main Road, and
  - k An off road shared pedestrian path/cycleway along Main Road Heddon Greta from Heddon Street to Stanford Street.

Note:

1. Also see Clause 13.1.11 Drive In Interface Requirements for additional road design/management requirements, particularly (vi).
2. Also see Clause 13.1.14 Staging Requirements for additional transport related requirements, particularly requirements (iii), (iv) and (v).

**Figure 4: Transport works**



### **13.1.6 Water Management**

#### **Objectives**

- (a) The water balance of Averys Village is to be as close as practical to natural conditions.
- (b) Water management should seek to provide an effective treatment train in the context of minimising Council's long term maintenance requirements. The treatment train should consider source controls, water quality, water volume, on and off site detention, instream treatment measures and the implications for receiving areas.
- (c) Runoff flow rates from low intensity, common rainfall is equivalent to the runoff flow rates from a natural catchment.
- (d) Runoff generated by more intense rainfall causes no downstream property damage or risk to public safety and to mimic the existing flow regime as near as possible.
- (e) Development should not result in more run off than what existed prior to development for the 10 year ARI to 100 year ARI.
- (f) Easements will be required to be negotiated between adjoining landowners if required.

#### **Requirements**

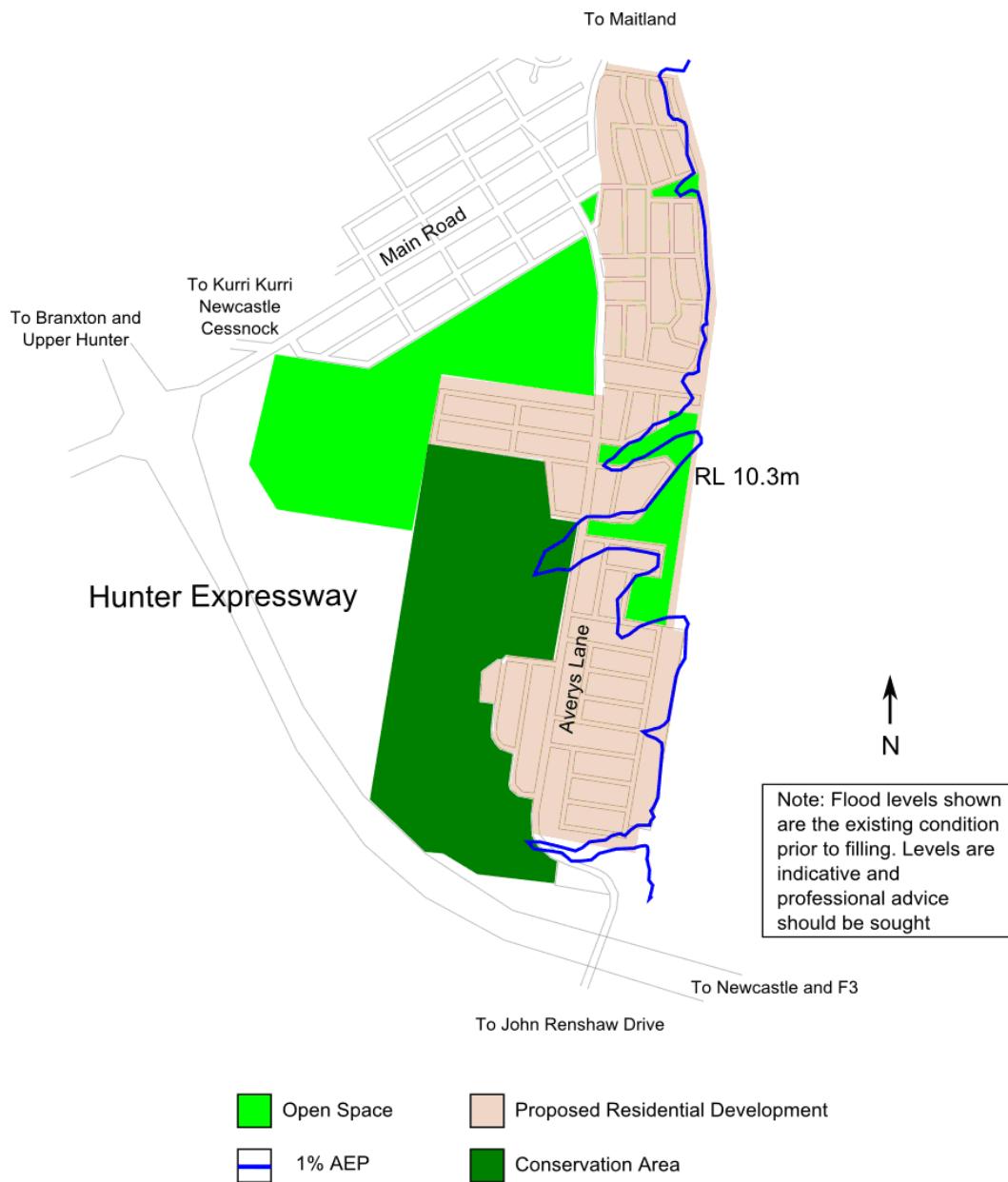
- (i) Consent will not be granted for the subdivision of land unless a Water Management (Stormwater) Strategy has been lodged to the satisfaction of the consent authority, addressing the management of water quality and quantity (having regard to all contributing catchments and downstream water bodies), the 1% AEP Wallis Creek Flood Level, and the 1% AEP storm event.
- (ii) The Water Management Strategy is to include, but is not limited to, water quality treatment measures to protect the quality of downstream receiving waters. These measures may be provided at a subdivision level, allotment level, or a combination. The Strategy is to clearly outline the requirements for any allotment controls that will be required in any development application, including individual buildings.
- (iii) The overall Strategy and its design detail is to consider the context of the site along with upstream and downstream impacts.
- (iv) Water management strategies should aim to achieve a:
  - a. Reduction of erosion;
  - b. Reduction of flow velocity;
  - c. Reduction of runoff volume through at source controls and water quality treatment, and
  - d. Maximum infiltration (note: the nature of the soils at Averys Village may limit infiltration).
- (v) Drainage easements may need to be provided.
- (vi) Development is to comply with the provisions of Section 25 (Stormwater Management) of the Cessnock Development Control Plan 2010.
- (vii) Development of land inconsistent with the Water Management Strategy can occur if the proposed measures are justified by a supporting study, to the satisfaction of the consent authority. The supporting study must be lodged prior to or with the relevant development application.

- (viii) The supporting study is to include (but is not limited to):
  - a. Hydrological and flood analysis of the proposed strategy;
  - b. Impact on the overall Water Management Strategy;
  - c. Impact on other future urban development within Heddon Greta;
  - d. Cost impact on Council (recurrent) and other future urban development (capital);
  - e. Impact on upstream and downstream land and buildings; and
  - f. Environmental impact.
- (ix) The quantity of runoff flow rates of each stage of development is to be equivalent to the pre development state. Council will assist in determining what is defined as a stage for the purposes of this clause.
- (x) The quality of runoff should be in accordance with ARQ guidelines and Council Engineering Standards.
- (xi) The water management strategy for the major watercourses is to be designed to appear as a natural stable stream in a riparian corridor. Existing major natural drainage lines and watercourses are to be retained wherever possible, and preferably rehabilitated through comprehensive re-planting with indigenous plant species, rather than being piped and filled.
- (xii) Easements may need to be created in circumstances where water management infrastructure, such as detention basins, is located on land not included in that development. Easements are to be negotiated between adjoining landowners as required prior to the approval of the construction certificate of the development.
- (xiii) Minimum floor level of any habitable space in a residential dwelling must be above RL 10.8 m to comply with Council's Flood Standard for the locality. (RL 10.3 + 500mm freeboard)
- (xiv) Development Applications for subdivision must demonstrate that suitable flood free access is available to all allotments
- (xv) The design of stormwater management systems is to be undertaken in accordance with Cessnock City Council's engineering requirements for development, unless otherwise varied by the content of this DCP.
- (xvi) Design storms and flow rates shall be determined using the procedure in the current version of Australian Rainfall and Runoff.
- (xvii) An underground piped drainage system is to be constructed within the road alignments to provide sufficient depth for lots to drain and shall be designed to convey the flow rate from the design 10 year Average Recurrence Interval (ARI) event.
- (xviii) Additional piped drainage features (e.g. inter-allotment drainage lines) are permissible for areas other than roads within the development, where required and appropriate.
- (xix) The combination of the pipe drainage network and water within the road reserve is to convey the 100 year ARI event. The depth velocity product of surface water for the 100 year ARI event within the road reserve is to be less than  $0.4\text{m}^2/\text{s}$  unless special safety features are provided.
- (xx) Cross drainage (culverts and bridges) shall be designed to convey the design critical

100 year ARI storm event. The design of subdivision earthworks levels shall consider the potential increase in flood water as a result of the cross drainage structures, including an appropriate allowance for blockage. Concessions may be granted for larger culvert diameters, open span bridges or where additional features (i.e. trash racks) are installed to reduce the likelihood and magnitude of blockage.

- (xxi) Any drainage easements and reserves within the site shall be constructed and dedicated to Council (at no cost) at the subdivision stage or prior to occupation.
- (xxii) Alternative methods and criteria for design of stormwater systems (for example, continuous simulation using rainfall data) may be proposed and considered on merit.

Figure 5: 1% AEP flood level



## ***Landscaping, Streetscape and Open Space Areas***

### ***Objectives***

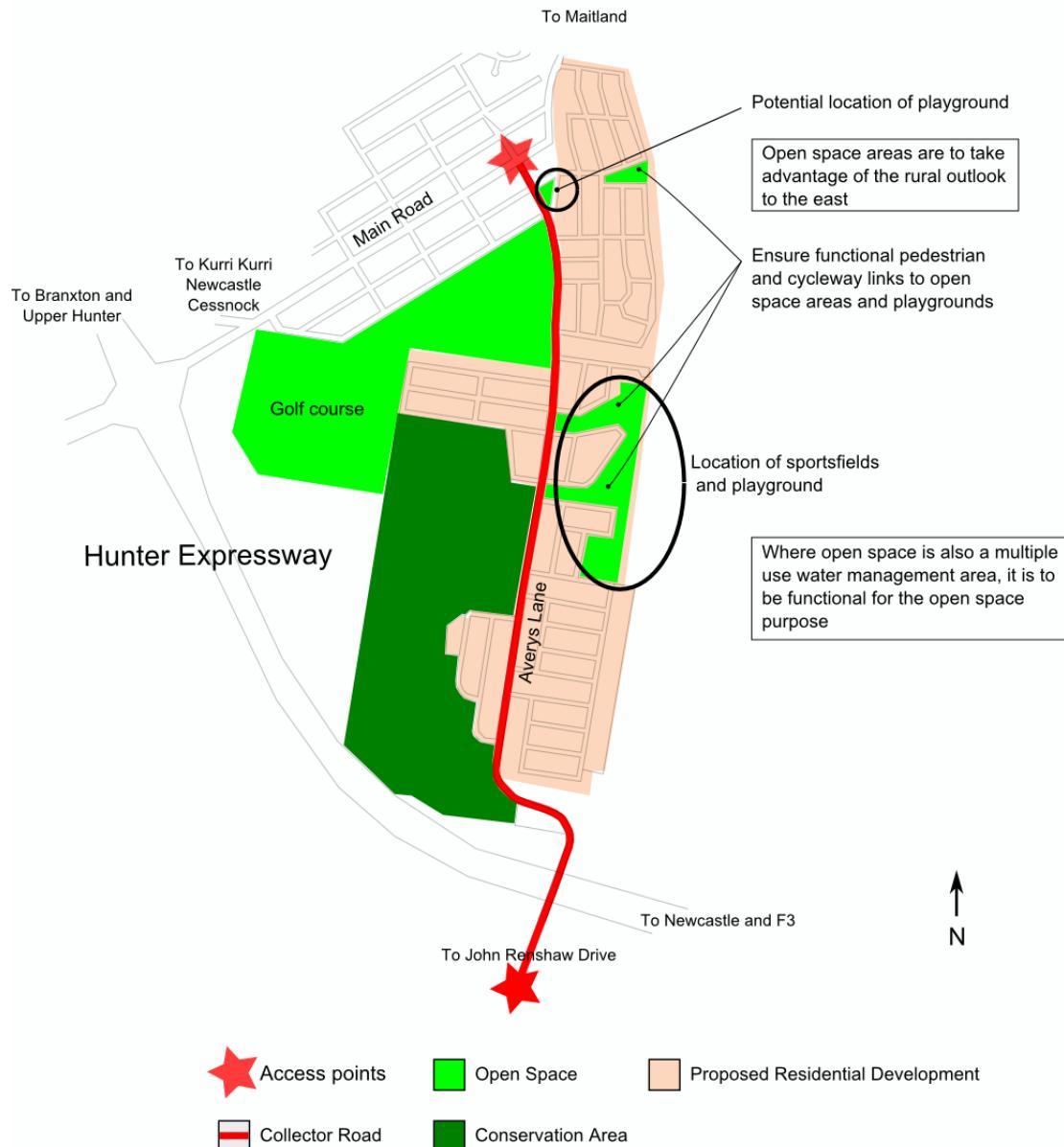
- (a) Open Space caters for a variety of recreational, aesthetic and environmental purposes.
- (b) Open space can be easily maintained and managed.
- (c) Open space should provide informal and formal settings.
- (d) Landscaping responds to the natural topography and rural setting of the land.

### ***Requirements***

- (i) Open space is to be provided generally in accordance with the Open Space Structure Plan at **Figure 6**.
- (ii) Consent shall not be granted for the subdivision of land unless a landscape plan has been lodged to the satisfaction of the consent authority. The landscape plan is to be acceptable to the consent authority, and can be in the form of a concept plan at the development application stage and a detailed Plan at the construction certificate stage (this should be confirmed with the consent authority prior to lodgement of a development application for subdivision).
- (iii) Such landscape plans should include:
  - a. details of the proposed landscaping of the public domain, including streets and open space;
  - b. A schedule of the species and the planting locations;
  - c. Technical details of the planting and initial maintenance regime;
  - d. An assessment of ongoing maintenance requirements;
  - e. Landscape treatments, including paving and street furniture, and
  - f. A guide to landscaping and plant species to be provided to prospective land purchasers.
- (iv) Landscaping should showcase and/or frame the rural vistas to the east, and the wooded conservation area to the west, where possible.
- (v) The natural character of all ridgelines, knolls and hillsides are to be protected by retaining any vegetation or introducing new landscaping to minimise the visual impact of development within and adjacent to the visually sensitive areas.
- (vi) Natural watercourses are to be protected and revegetated where appropriate to enhance the visual amenity, prevent soil erosion, and to protect the quality of receiving waters and to improved connectivity of biodiversity corridors. Riparian vegetation along watercourses is to be re-established using locally occurring native species from locally sourced seed stock.
- (vii) Existing trees are to be retained wherever possible.
- (viii) Street trees are to be planted to:
  - a. Soften the streetscape;
  - b. Act as traffic calming measures through perceived narrowing the road;
  - c. Provide shade to footpaths and roads, and
  - d. Enhance views.

- (viii) Open space areas are to be linked by pedestrian and cycle paths to provide an accessible network of open space.
- (ix) Two local parks each with an area of not less than 0.5ha with various facilities, including a playground should be provided, preferably at the general locations shown in the Open Space Structure Plan
- (x) A sportsfield with an area of not less than 2 ha with various facilities including playfield and amenities block should be provided, preferably at the general location shown in the Open Space Structure Plan (Note: a site assessment should be undertaken prior to finalising the sportsfield location and design).
- (xi) Multiple use open space should remain usable for its intended purpose, and not compromised for extended periods by such matters as wet soils.
- (xii) Where possible, roads or laneways/shareways are to border open space areas in order to provide passive surveillance and access.

Figure 6: Open Space structure plan



### **13.1.7 Biodiversity and Vegetation Clearing**

#### **Objective**

Areas of biodiversity significance, including riparian areas, are managed to conserve their biodiversity values.

#### **Requirements**

- (i) Clearing of native vegetation shall only occur within an approved development footprint to accommodate the proposed development and any required Asset Protection Zones (bushfire).
- (ii) Areas approved for clearing should have vegetation removed from the periphery of vegetated areas before other vegetation is cleared. This is to allow resident fauna to relocate to adjacent areas proposed to be retained intact and zoned for conservation purposes.
- (iii) Any fencing of the Environmental Conservation zone should use “fauna friendly” plain wire fencing to ensure that native fauna are not injured.
- (iv) Nest boxes should be installed if hollow bearing trees are removed, at a ratio of at least 2 boxes per hollow. Nest boxes should be installed in the Environmental Conservation zone.
- (v) Where hollow bearing trees are required to be removed, this should be undertaken in the presence of a suitably qualified ecologist equipped with the appropriate tools and experience in fauna recovery. Where possible within the scope of design and safety issues, hollow-bearing trees should be retained. Hollow loss can to an extent be offset with installation of suitable nest boxes in retained areas.
- (vi) Riparian areas will be revegetated with native species in accordance with Department of water guidelines.
- (vii) Landscaping of the site should enhance retained vegetation. Any future landscaping should aim to utilise locally occurring flowering/fruiting native shrubs that would provide potential foraging resources for threatened species and other native species.

### **13.1.8 Environmental Conservation Area**

#### **Objective**

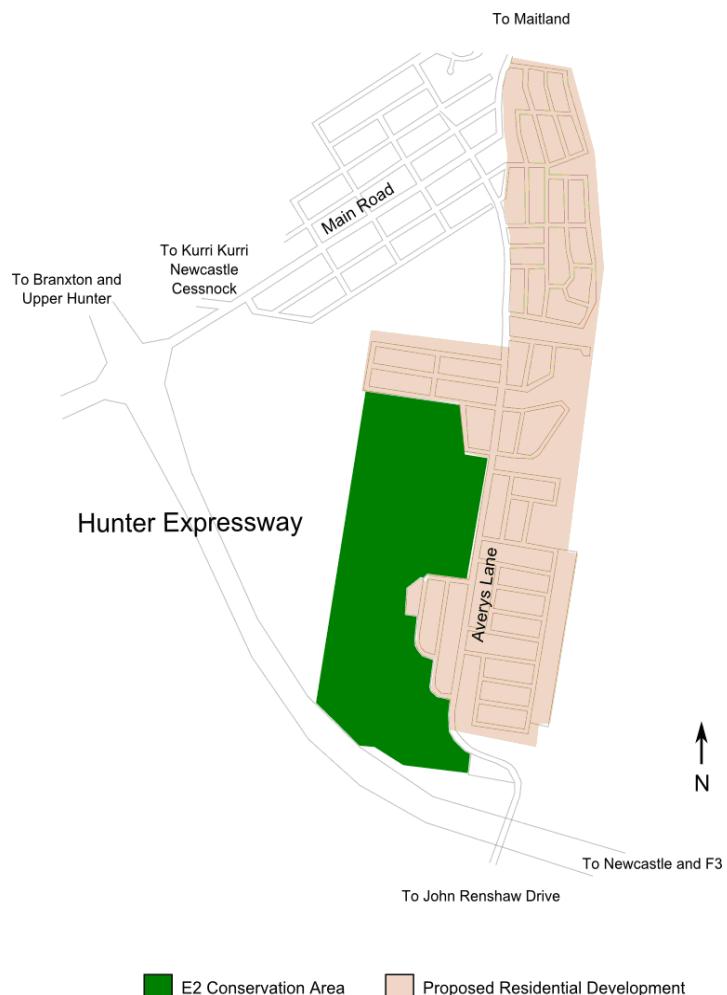
The proposed E2 Environmental Conservation zoned area shown in **Figure 7** is managed appropriately and protected in perpetuity.

#### **Requirements**

- (i) Consent for the subdivision of the land should not occur until a Vegetation Management Plan (VMP) for the E2 Environmental Conservation Zone has been lodged, or an alternative mechanism is implemented to maintain the conservation values of the land in perpetuity (note: a Voluntary Planning Agreement is proposed for this land and may provide such a mechanism), to the satisfaction of Council.
- (ii) The Vegetation Management Plan is to specify:
  - a. All proposed areas of Kurri Sand Swamp Woodland (KSSW) to be retained and connections to proximate areas of similar habitat to be reasonably

- maintained on site;
- b. Controls to protect the KSSW, creekline and any other areas conserved are implemented, including fencing, sediment control devices and appropriate signage;
  - c. Existing trees are to be retained where possible; consideration should be given to locating open space where it results in the retention of groups of existing trees;
  - d. Existing mature and hollow habitat trees should be identified on a plan and should be retained wherever possible;
  - e. Where a habitat tree needs to be removed, a clearing protocol for their removal is to be prepared and included in the Vegetation Management Plan;
  - f. Details of revegetation, restoration and weed control effort including the riparian corridors. Areas affected by degradation, erosion and/or rubbish dumping should be rehabilitated subject to any conditions imposed by the consent authority;
  - g. All asset protection zones and stormwater retention basins are to be located outside the E2 Environmental Conservation zoned area, and
  - h. Fencing shall be installed surrounding the conservation area to control public access, and prevent rubbish dumping and use by recreational vehicles.

Figure 7: Land zoned E2 Environmental Conservation



### **13.1.9 Bushfire Protection**

#### **Objective**

Areas identified as having a bushfire threat are managed to minimise potential risk to people and property.

#### **Requirements**

- (i) All development is to be designed in accordance with the NSW Rural Fire Service (RFS) – Planning for Bushfire Protection (2006).
- (ii) Fire Protection measures must be capable of being maintained by owners and users.
- (iii) Asset protection zones must be contained wholly within the land subject to the relevant development application, unless the consent authority has approved a holistic asset protection strategy which addresses a spatial area that embraces the subject land and the surrounding area.

### **13.1.10 Highway Noise & Vibration**

#### **Objective:**

Future residences and other noise sensitive land uses are not unreasonably affected by highway noise or vibration.

#### **Requirements**

- (i) Acoustic and vibration assessments must be lodged with applications to undertake development that may experience unacceptable noise levels from vehicles using the Hunter Expressway (see (ii), below). The assessment must be to the satisfaction of the consent authority.
- (ii) Consent shall not be granted for the subdivision of land, or for noise sensitive development (including but not limited to dwellings, child care centres, hospitals, and educational establishments) unless the intended development when completed will meet the requirements of AS 3671-1989 Acoustics- Road Traffic Noise Intrusion – Building, Siting and Construction intrusion – Building Siting and Construction, and vibration levels are to the satisfaction of the consent authority.
- (iii) Noise and vibration attenuation measures undertaken to comply with the conditions of development consent for a subdivision may obviate the need for additional noise or vibration assessments and attenuation measures for subsequent developments on the land.

### **13.1.11 Golf Course Interface**

#### **Objectives:**

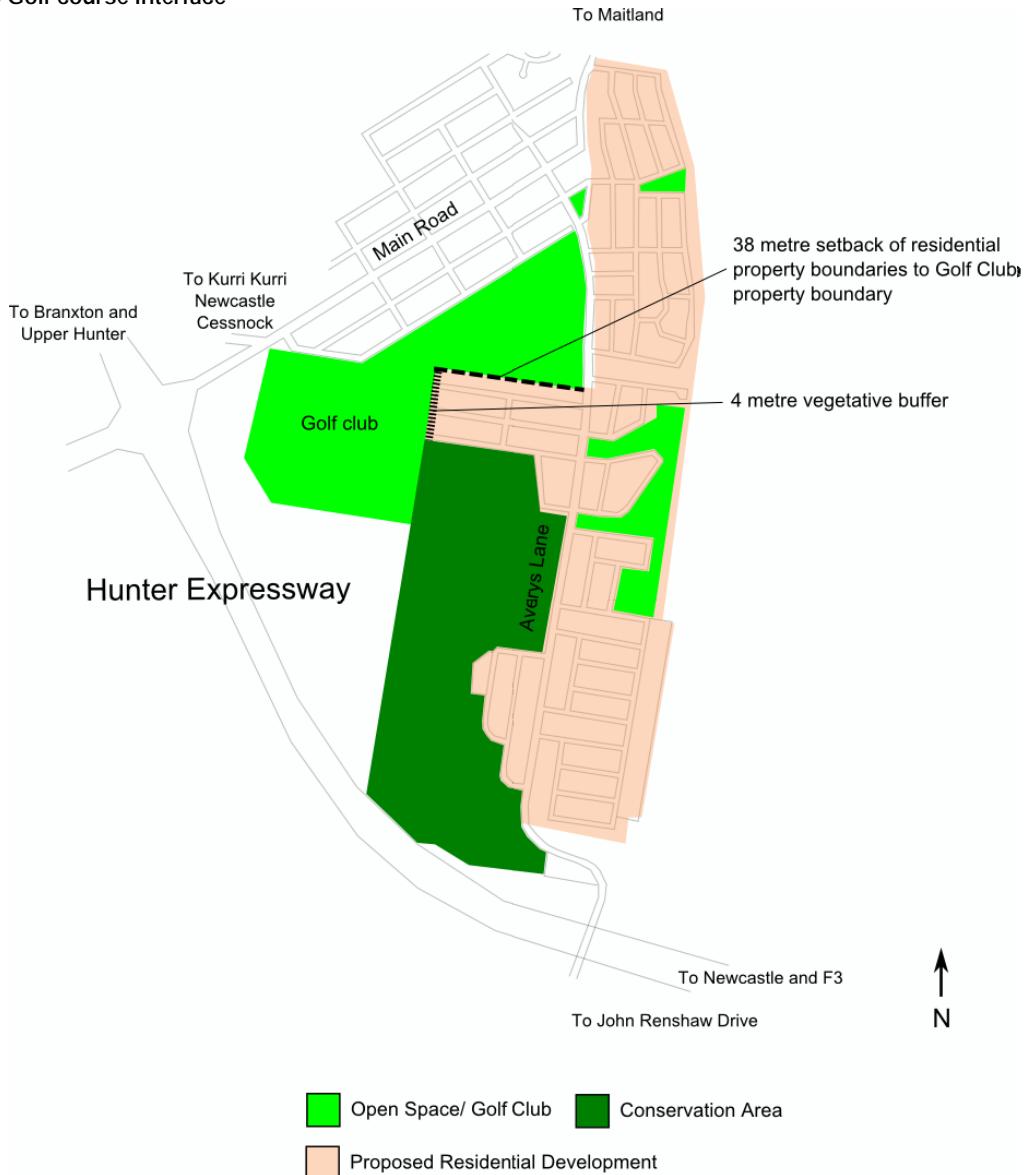
- (a) Future subdivision, allotments, residences and public spaces are to be located and designed to reduce hazards and negative amenity impacts arising from the operation of the Kurri Kurri Golf Course.
- (b) Residential development has a minimal impact on the operation of the Kurri Kurri Golf Course.

- (c) Risks are minimised to people and property from the operation of the Kurri Kurri Golf Course.

## REQUIREMENTS

- (i) Consent will not be granted for the development of land adjacent to the Kurri Kurri Golf Course unless a risk and amenity impact assessment has been undertaken by the proponent and appropriate design and management measures are proposed as part of the development, to the satisfaction of the consent authority.
- (ii) A setback of not less than 38 metres will apply from the boundary of the Kurri Kurri Golf Course to the boundary of any residential lot as shown in **Figure 8**.
- (iii) A vegetative buffer of not less than 4 metres will be provided within the residential zoned land along the boundary of the Kurri Kurri Golf Course as shown in **Figure 8**.
- (iv) The requirements specified in clauses (ii) and (iii) above may be varied if the risk and amenity impact assessment, referred to in clause (i) above, provides justification of an alternative measure to the satisfaction of the consent authority.

Figure 8 Golf course interface



### **13.1.12        *Drive In Theatre Interface***

#### **Objective**

- (a) The ongoing operation of the Drive In is not unreasonably affected by the residential development of the adjacent land.
- (b) Amenity impacts on residential development from the operation of the Drive In are minimised by the design and siting of new development.

#### **Requirements**

- (i) Street lighting and other external lighting in the vicinity of the Drive In is to be designed such as to not reduce the effectiveness of the Drive In screen.
- (ii) Roads are to be designed to reduce the potential for vehicle headlights shining onto the Drive In Screen as much as possible.
- (iii) Urban development surrounding the Drive In is to be designed so as to reduce any negative amenity impacts for residents arising from the operation of the Drive In as much as possible.
- (iv) The upgrade of Averys Lane is designed so as to not reduce the efficiency or egress and ingress from the Drive In.
- (v) Suitable screening is provided surrounding the Drive In (either on adjacent lots or on the Drive In site by agreement) to “disrupt” clear views of the Drive in screen from nearby residential lots or public places, in order to reduce the probability of copyright infringements.
- (vi) There is adequate provision for queuing of vehicles prior to Drive In screenings on Averys Lane between Main Road and the Drive In entrance. This measure could potentially include prohibiting kerbside parking along the upgraded Avery Lane at relevant times.

### **13.1.13        *Heritage***

#### **Requirement**

Archaeological investigations and studies are required at the satisfaction of the consent authority prior to the granting of development consent for subdivision, to determine the extent of any Indigenous archaeological sites, relics or areas of significance, including appropriate management and conservation measures proposed.

### **13.1.14        *Services***

#### **Requirement**

Consent shall not be granted for the subdivision of land unless the completed development will be serviced by connection to telecommunications, reticulated water and sewer supply, underground electricity, and reticulated gas (if available).

### **13.1.15           *Staging***

The development of Averys Village must be efficient and result in cost effective infrastructure and adequate access to services by residents.

#### ***Objectives:***

- (a) To ensure that development of the land is efficient and cost effective.
- (b) To facilitate the logical expansion of urban infrastructure.
- (c) To ensure residents have access to urban infrastructure and services.
- (d) To provide a mechanism for flexibility in the staging of development where this is justified and the timing impacts are mitigated.
- (e) To provide the basis for the equitable sharing of infrastructure costs.

It is noted that Avery Village is in a number of ownerships and that development may not initially proceed from that part of the subject land that is closest to the existing residential area of Heddon Greta. Nonetheless, development should generally proceed in a north south direction, with the closest to John Renshaw Drive developed later than the land further north.

#### ***Requirements***

- (i) Consent shall not be granted for the subdivision of land unless a servicing strategy has been lodged to the satisfaction of the consent authority.
- (ii) Each stage of development may be subdivided into sub stages. Any sub stages should be identified in a report to accompany the development application for subdivision, together with a description of the sub stages and the impact of the sub stage sequence on the provision of infrastructure.
- (iii) The upgrading of the Heddon Road and the northern section of Averys Lane to urban standards is an early objective of the staging plan.
- (iv) Roads and Maritime Services require an additional traffic assessment to be undertaken by the proponent prior to consent being granted for subdivision of the land for urban purposes, in order to assess the timing and staging of the upgraded access to Main Road, including the provision of traffic lights at the intersection with Heddon Street.
- (v) At a minimum, the issues to be addressed in a Servicing Strategy should include:
  - a. Sequence, location and other details of the provision of public utilities;
  - b. Sequencing of transport infrastructure;
  - c. Impacts on the availability of urban services and infrastructure including open space, pedestrian and cyclist to residents;
  - d. Impacts of the development on other land/development stages; and
  - e. Cost impacts on other parties, including servicing authorities.
- (vi) Clause 6.2 of the Cessnock Local Environmental Plan 2011 states that development consent must not be granted for development on land in an urban release area unless the Council is satisfied that essential public utility infrastructure is available, or that adequate arrangements have been made to make that infrastructure available when required. Averys Village is an urban release area and subject to Clause 6.2.
- (vii) All land is to be serviced by water, sewerage and telecommunication services.