

**DEVELOPMENT
CONTROL
PLAN
NO. 132**



**LOTS 10-14 SEC G DP 2350
PACIFIC HWY NIAGARA PARK**

4 Operation of Plan

This plan has been prepared in accordance with Section 72 of the Environmental Planning and Assessment Act, 1979, and accompanying Regulation. This plan will come into effect upon gazettal of the amending Local Environmental Plan.

5 Application of Plan

Where a development application is lodged which relates to land to which this plan applies, Council shall take the provisions of this plan into consideration in determining that application.

Compliance with the provisions of this plan does not necessarily imply that Council will consent to any application. Council must also take into consideration those matters listed under Section 79C of the Environmental Planning and Assessment Act, 1979.

6 Objectives of the Plan

The objectives of this Development Control Plan are as follows:

- a To identify land for the purpose of road widening;
- b To provide a safe traffic system upon development;
- c To reduce potential noise levels within the property boundaries and future dwellings;
- d To ensure the future dwellings are not affected by vibration from trains;
- e To ensure that the lots are flood free and that they do not adversely contribute to the downstream flood situation;
- f To address nutrient control;
- g To ensure the site is adequately serviced by water and sewer.

7 Specific Requirements of the Development Control Plan

7.1 Transport

- 7.1.1 An area of land fronting the Pacific Highway is to be dedicated to Council for the purpose of road widening.
- 7.1.2 The area on Lot 14 Sec G DP 2350 identified as road widening is to be dedicated to Council upon development consent being issued for a more intense usage of the land and not before.
- 7.1.3 All vehicular access is to be via Iranda Avenue. Should lots 10-13 be developed first the development is to provide a means for Lot 14 to gain access to Iranda Avenue which complies with Council's DCP for Residential Subdivision.
- 7.1.4 A restriction-as-to-user prohibiting direct vehicular access to the Pacific Highway is to be imposed on any future lots adjoining the Highway.
- 7.1.5 Provision of a pathway from the proposed road to the western boundary to facilitate pedestrian access under the railway line.

- 7.1.6 The right turn from Lenna Street onto the Pacific Highway is prohibited under the RTA Safety Improvement Plan. Once this plan is completed all traffic from the subject land would be required to travel via Karina Drive and Argyle Avenue for right turn onto the Pacific Highway.

Iranda Avenue is formed as a staggered intersection with Karina Drive, offset by approximately 25m. Due to the increased vehicle movements generated by the proposed development it is recommended that painted centre medians and rumble bars with raised reflective pavement markers be provided at the entrance to both roads to ensure the safety of motorists.

Provision of a painted centre median of five (5) metres long including rumble bars with raised reflective pavement markers to be provided at the entrance to both Iranda Avenue and Karina Drive at their intersection with Lenna Street.

7.2 *Drainage*

- 7.2.1 The western portion of the site that is flood affected is able to be filled above the 1% AEP flood level provided there is compensatory excavation works. The design of these works is not to increase the existing 1% AEP flood level in the vicinity by more than 10mm. Details of these works are to be compiled by a suitably qualified engineer and submitted with the development application for subdivision.
- 7.2.2 An area within the future subdivision is to be set aside for the purpose of nutrient control. Best practice management techniques must be used and the details are to be submitted with the development application for subdivision. This area may have to be located within a suitable easement so that access can be obtained for maintenance purposes by the owners.
- 7.2.3 All stormwater drainage is to be directed to Council's drainage system in Iranda Avenue.

7.3 *Water and Sewer*

- 7.3.1 Payment of the current water and sewer headworks and augmentation contributions in accordance with Council's policy.
- 7.3.2 The developer is to be responsible for the design and construction of water and sewer reticulation within the DCP area.
- 7.3.3 The developer is to be responsible for the full cost of connection to the existing water and sewer system.
- 7.3.4 The compensatory excavation above the existing sewer pipe along the western boundary is to be no lower than 12m AHD.
- 7.3.5 The compensatory excavation is not to adversely affect the stability of the railway line. Certification by a suitably qualified engineer is to be submitted with the development application for subdivision indicating that the railway will not be destabilised as a result of any excavation.

7.4 *Noise and Vibration*

7.4.1 Noise levels within the site boundary is to comply with the following criteria:

LAeq(15 hr) not greater than 60dBA
LAeq(9hr) not greater than 55dBA

An acoustic report is to be submitted with the development application for subdivision indicating that the proposed development is able to satisfy the above acoustic criteria. In order to comply with this acoustic criteria, it may be necessary to construct a brick or masonry fence along the eastern boundary and atop any future cut/fill batter in proximity to the western site boundary. The walls may have to be returned along the northern and southern site boundaries. The visual impact of these measures must be satisfactorily addressed at the development application stage.

7.4.2 A restriction-as-to-user is to be placed on any future development consent for subdivision that requires the noise levels within all subsequent dwellings to comply with the following criteria:

LAeq(15hr) not greater than 50dBA
LAeq(9hr) not greater than 45dBA

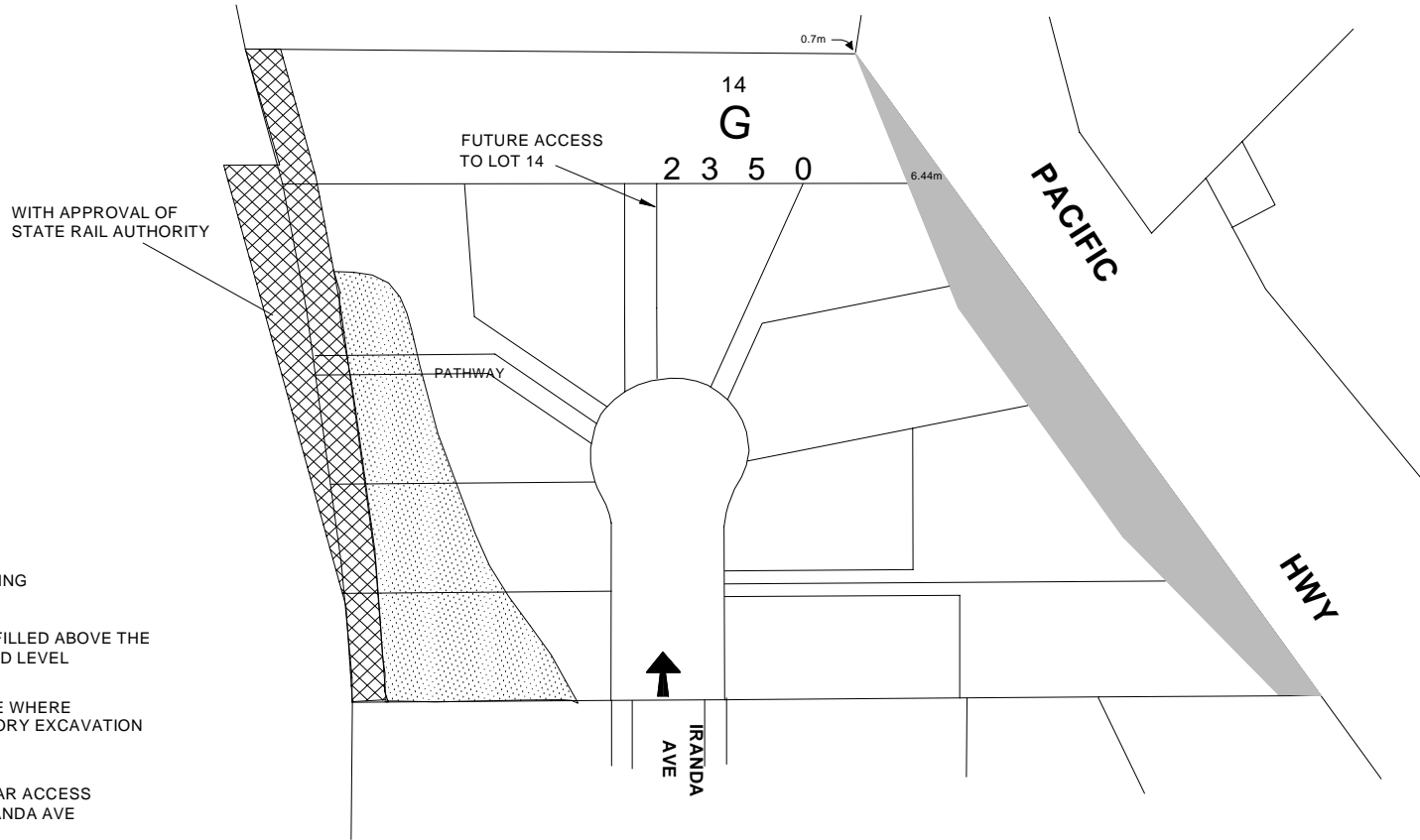
An acoustic report is to be submitted with each development application for a dwelling indicating that the proposed structure is able to satisfy the above acoustic criteria. Such building solutions may include:

- double glazing of windows,
- brick veneer dwelling construction,
- orientation of windows and bedrooms away from the Pacific Highway and railway line.





7.4.3 Buildings are to be constructed to standards that will ensure they are not adversely affected by vibration caused by freight trains. Certification by a suitably qualified engineer is to be submitted with each development application for a dwelling indicating that the proposed structure will not be affected by rail vibration.

Adopted 28 November 2000 – Minute No 265/2000.

PLAN REFERENCE: \\ENVIRON\URBAN\DRAWING\DCP\RA1998-43.DWG



LEGEND

-  ROAD WIDENING
-  AREA TO BE FILLED ABOVE THE 1% AEP FLOOD LEVEL
-  AREA ON SITE WHERE COMPENSATORY EXCAVATION IS TO OCCUR
-  ALL VEHICULAR ACCESS TO BE VIA IRANDA AVE

COUNCIL FILE No.: RA 1998.43
 RELATED TO LOCAL ENVIRONMENTAL PLAN No. ---
 THIS PLAN COMES INTO EFFECT FROM --- TO THE EXTENT TO WHICH IT IS CONSISTENT WITH ALL OTHER LOCAL ENVIRONMENTAL PLANS.

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 AND REGULATIONS, AS AMENDED.
 FOR COUNCIL DATE

SCALE 1:1000
 LOCALITY: NIAGARA PARK

REVISION DETAILS	DATE



GOSFORD
DEVELOPMENT CONTROL PLAN No. 132

