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**CCL 27/09/22 - ADOPTION OF AMENDMENTS TO THE NEWCASTLE  
DEVELOPMENT CONTROL PLAN 2012**

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**ITEM-73**      **Attachment A:**      Section 4.02 Bush Fire Protection – Newcastle  
Development Control Plan 2012

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## 4.02 Bush Fire Protection

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	27/10/2020	02/11/2020	Amended
3	TBA	TBA	Amended

### Introduction

Bush fire prone land is an area of land that can support a bush fire or is likely to be subject to bush fire attack. The *Environmental Planning and Assessment Act 1979* requires councils to map bush fire prone land within their local government area.

The bush fire prone land map for the Newcastle Local Government Area (LGA) has been prepared using the NSW Rural Fire Service's (NSW RFS) 'Guide for Bush Fire Prone Land Mapping'.

Mapping of bush fire prone land provides a trigger for assessment of development.

Development on land that has been mapped as bush fire prone land must meet the requirements of the NSW RFS 'Planning for Bush Fire Protection, 2019' (as amended). *'Planning for Bush Fire Protection, 2019'* requires certain protective measures be provided in order to make a building less susceptible to damage or destruction from bush fire.

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This section applies to all development, including subdivision, on bush fire prone land within the Newcastle Local Government Area.

Note 1: Bush fire prone land is formally defined by the EP&A Act 1979 and NSW Rural Fire Service (RFS) publication *Planning for Bush Fire Protection 2019*, being land recorded as bush fire prone land on a relevant map, prepared in accordance with NSW RFS requirements, certified by the Commissioner of the NSW Rural Fire Service.

### Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s and legislation also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- The Rural Fires Act 1997

In the event of any inconsistency between this section and the applicable environmental planning instruments and legislation, the environmental planning instrument and/or legislation will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Note 3: This section refers to materials which are produced and/or legislated by a third party. Where referenced materials are superseded by updated versions, the version current at the time of lodgement of the Development Application shall apply.

Note 4: The NSW Government has provided a pathway for streamlined assessment to occur for development on new lots created in Urban Release Areas (URAs) and are located on Bush Fire Prone Land. For more information on the application of URAs, visit [planning.nsw.gov.au](http://planning.nsw.gov.au).

### Associated technical manual/s

- Nil

### Additional information

- Planning for Bush Fire Protection 2019, NSW Rural Fire Service (as amended).
- Building in Bush Fire Prone Areas Single Dwelling Application Kit 2020, NSW Rural Fire Service.
- Australian Standard 3959: 2018 – Construction of buildings in bush-fire prone areas.
- *Guide for Bush Fire Prone Land Mapping*, 2015, NSW Rural Fire Service.

### Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to in this section are defined within Part 9.00 - Glossary, of this plan, and include:

- **Bush fire prone land** has the same meaning as in the Act.

Note 1: The term is defined, in relation to an area, as land recorded for the time being as bush fire prone land on a map for the area certified as referred to in section 10.3 (2) of the Act.

Note 2: In general, bush fire prone land identifies a range of vegetation types and associated buffer zones. Bush fire prone land is described as Category 1, Category 2, Category 3 or associated vegetation buffer. Factors that determine the level of bush fire threat include elevation, slope, orientation, the vegetation type and distance to or proximity to the subject property.

- **Bush fire prone mapping** – identifies a property's potential to be threatened by bush fire and to initiate an assessment under the NSW Rural Fire Service *Guideline Bush Fire Prone Land Mapping*, 2015 to determine whether land management and building construction measures need to be adopted to help safeguard a development from bush fire.

Note: Detailed Bush Fire Prone Land maps for specific parts of the Newcastle Local Government Area are available for viewing on Council's web site or at its Customer Enquiry Centre.

- **Category 1 vegetation** - appears as red on the Bush Fire Prone Land Map and represents forests, woodlands, heathlands, pine plantations and wetlands. Land within 100m of this

category (indicated by the Vegetation Buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bush fire attack.

- **Category 2 vegetation** - appears as light orange on the Bush Fire Prone Land Map and represents grasslands, scrublands, rainforests, open woodlands and mallee. The land within 30m of Category 2 vegetation (ie as indicated by the Vegetation Buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bush fire attack.
- **Category 3 vegetation** - appears as yellow on the Bush Fire Prone Land Map and represents grasslands, freshwater wetlands, semi-arid woodlands, alpine complex and arid shrublands. The land within 30m of Category 3 vegetation (i.e. as indicated by the Vegetation Buffer on the map) is also captured by the Bush Fire Prone Land Map due to the likelihood of bush fire attack.
- **Residential Infill Development** - refers to the development of land by the erection of, alteration or addition to, a dwelling which does not require the spatial extension of services including public roads, electricity, water or sewerage and is within an existing lot.
- **Special Fire Protection Purpose development** - is one which is occupied by people who are considered to be at risk members of the community. In a bush fire event, these occupants may be more susceptible to the impacts of bush fire. Evacuating at risk members of the community is more challenging because they may be physically or psychologically less able to relocate themselves or are unfamiliar with their surroundings.
- **Suitably qualified consultant** – a consultant providing bush fire assessments and BAL Certificates who has been accredited by a recognised accreditation scheme.

### **Aims of this section**

1. To specify guidelines for development on land classified as being bush fire prone land within the Newcastle Local Government Area.
2. To consider climate change in hazard and risk assessment for development on bush fire prone land.

## **4.02.01 Bush Fire Protection**

### **Objectives**

1. Ensure risks associated with bush fire, including projected increase in the occurrence and severity of hazards as a result of climate change, are appropriately and successfully managed through effective and innovative design, as well as in connection with the preservation of the ecological values of the site and adjoining lands.

### **Controls**

The following controls apply for all development, including subdivision

1. All development on, or subdivision of, land identified as being bush fire prone land must provide a bush fire assessment report completed by a suitably qualified consultant that:

- a) establishes the requirements for construction under the Australian Standard AS 3959:2018 – Construction of buildings in bush-fire prone areas (as amended or replaced); and
- b) demonstrates compliance with the requirements of the NSW Rural Fire Service publication: *Planning for Bush Fire Protection*, 2019 (as amended or replaced).

A bush fire assessment report is required regardless of the extent to which the hazard projects into the property, even if only partially.

Note 1: The NSW Rural Fire Service requirements can be met if evidence is provided that demonstrates the proposed development conforms to the specifications and requirements of *Planning for Bush Fire Protection* 2019 (as amended or replaced); or

Note 2: For more complex applications or performance-based solutions (as defined in *Planning for Bush Fire Protection*, 2019), a recognised consultant should be engaged to prepare a bush fire assessment report and Bush Fire Management Plan. Search <http://www.fpaa.com.au/bpad> for a list of Accredited Practitioners.

Note 3: The NSW Rural Fire Service provides a pre-DA advice service for proponents of development to seek information and obtain clarity about the NSW Rural Fire Service position on a proposal before a formal DA is lodged with the consent authority. Further information on the pre-DA advice service can be found online at NSW Rural Fire Service website.

2. Bush fire protection measures, including Asset Protection Zones (APZs), are placed wholly within the development site.
3. Asset Protection Zones are to be located outside of areas of environmental significance, including:
  - a) Endangered Ecological Communities;
  - b) Inner Vegetated Riparian Zones for all mapped creeks; and
  - c) other vegetation to be retained or protected due to environmental constraints as assessed by Council.
4. Where development proposes fire trails and/or APZs, the fire trail and APZ spatial data, including associated metadata that references the relevant assessments and management plans are provided to Council in a format as requested.

#### Additional controls apply to subdivision

Note: An Asset Protection Zone imposed by a development consent condition must be maintained for the lifetime of the development, unless modified by a subsequent consent.

5. Fire trails, if required, are not accepted on existing Council owned land or any land proposed to be dedicated to Council through the subdivision.
6. In any instance where the NSW Rural Fire Service requires Asset Protection Zones or fire trails to be the subject of an easement, restriction, or covenant registered against the title of existing or future lots pursuant to section 88 of the Conveyancing Act 1919, Council is not to be identified as a Prescribed Body having benefit of such an easement, restriction, or covenant. However, Council shall be noted as a party whose consent is needed to release, vary or modify the easement, restriction, or covenant.
7. Applications for subdivision that are proposed to be constructed in stages should demonstrate how effective bush fire protection measures can be temporarily established, maintained and then released when future stages are completed, and those temporary



measures are made redundant. Temporary Asset Protection Zones should not conflict with the environmental protection criteria set out in the controls above.

The following controls apply for Integrated Development

8. The bush fire assessment report outlines the proposed development's consistency with the NSW Rural Fire Service's guidelines *Planning for Bush Fire Protection, 2019* (as amended or replaced) and *Australian Standard AS3959:2018 – Construction of buildings in bush-fire prone areas* (as amended or replaced), and any other relevant documents that have been adopted by NSW Rural Fire Service.
9. All Integrated Development Applications on bush fire prone land will be referred to the Rural Fire Service Headquarters for appropriate review and determination as to whether a Bush Fire Safety Authority will be authorised.

Note 1: The following types of development are considered Integrated Development under s4.46 of the *Environmental Planning and Assessment Act 1979* and require a Bush Fire Safety Authority from the NSW Rural Fire Service under s100B of the *Rural Fires Act 1997*:

- a) subdivision of land that could be used for residential or rural residential purposes.
- b) development of bush fire prone land for a Special Fire Protection Purpose (including but not limited to educational establishments, tourist and visitor accommodation, seniors housing or group home).

Note 2: Search <http://www.fpa.com.au/bpad> for a list of Accredited Practitioners.

Note 3: Where the NSW Rural Fire Service refuses to grant a Bush Fire Safety Authority, Council cannot approve the Integrated Development Application.

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**ITEM-73**      **Attachment B:**      Section 4.03 Mine Subsidence – Newcastle  
Development Control Plan 2012

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## 4.03 Mine Subsidence

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	TBA	TBA	Amended

### Introduction

Mine subsidence is the movement of the ground that can occur after underground mining. Parts of the Newcastle LGA have been subject to underground coal mine workings or are located within the zone of influence to old mine workings.

Subsidence Advisory NSW administers the *Coal Mine Subsidence Compensation Act 2017*. Subsidence Advisory NSW regulates building and subdivision works within districts to ensure new homes, buildings and structures are built to an appropriate standard that reduces the risk of damage should subsidence occur.

Mine subsidence must be considered in the preliminary design of all development and approval from Subsidence Advisory NSW is sought prior to the lodgement of development applications with the Council.

Note 1: Applicants can contact Subsidence Advisory NSW or Council to find out if a site is located within a proclaimed mine subsidence district. The [NSW ePlanning Spatial Viewer](#) can also be used to check if a site is located within a declared mine subsidence district. Search for the property by using the address or Lot and DP. The '*Mine Subsidence Development*' heading in the '*Search Results*' heading on the right of the map will show which [Subsidence Advisory NSW Development Guideline](#) applies to development on the site.

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This section applies to all development consisting of a new building or structure, extension or structural alteration, or subdivision located on land within a proclaimed mine subsidence district subject to the *Coal Mine Subsidence Compensation Act 2017* (as amended or replaced).

Note 1: Subsidence Advisory NSW offers deemed approval for some minor construction works. Visit the Subsidence Advisory NSW website or contact Subsidence Advisory NSW to confirm if your development is subject to a deemed approval. Subsidence Advisory NSW: <https://www.nsw.gov.au/subsidence-advisory/contact>

### Applicable environmental planning instruments

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012.

In the event of any inconsistency between this section and the above environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

### **Associated technical manual/s**

- Nil

### **Additional information**

- Subsidence Advisory NSW Development Guideline (as amended or replaced)

### **Definitions**

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Part 9.00 – Glossary, of this plan, and include:

- **Subsidence** - due to:
  - (a) the extraction of coal or shale
  - (b) the prospecting for coal or shale carried out within a colliery holding by the proprietor of the holding

and includes all vibrations or other movements of the ground related to any such extraction or prospecting (whether or not the movements result in actual subsidence), but does not include vibrations or other movements of the ground that are due to blasting operations in an open cut mine and that do not result in actual subsidence.

### **Aims of this section**

1. Ensure that development is appropriately designed to respond to the potential mine subsidence hazard.

## **4.03.01 Mines Subsidence**

### **Objectives**

1. Ensure that all development proposed within a declared mine subsidence district is designed in accordance with the Subsidence Advisory NSW Development Guideline (as amended or replaced) including obtaining any the relevant approval/s.

## Controls

1. Development is designed in accordance with relevant Subsidence Advisory NSW Development Guideline (as amended or replaced). Documentation must include appropriate notes and detail to confirm compliance with the Development Guideline.
2. Where required development plans are submitted to Subsidence Advisory NSW for assessment and determination prior to the lodgement of a development application. Endorsed plans stamped by Subsidence Advisory NSW are to be submitted with the development application. Where required applications for subdivision are lodged to Subsidence Advisory NSW for assessment and determination prior to the lodgement of a development application. Endorsed plans stamped by Subsidence Advisory NSW are to be submitted with the development application.

Note 1: Subsidence Advisory NSW has set Development Guidelines to help landowners building within a mine subsidence district. The guidelines set out the requirements for building on a property based on potential subsidence risks.

The guidelines can be different in districts and include requirements related to the nature and class of any development on a property, the size, height and location of new structures, and the use of certain building materials and construction methods.

Copies of the Development Guidelines can be accessed from the Subsidence Advisory NSW website: <https://www.nsw.gov.au/subsidence-advisory>.

Note 2: Proposals that are inconsistent with the Development Guidelines will require a merit assessment by Subsidence Advisory NSW.

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**ITEM-73**      **Attachment C:**      Section 4.04 Safety and Security – Newcastle  
Development Control Plan 2012

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## 4.04 Safety and Security

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	27/09/2016	24/10/2016	Amended
3	28/11/2017	11/12/2017	Amended
4	TBA	TBA	Amended

### Introduction

Council is committed to providing a safe physical and social environment for the community by applying the concept of Crime Prevention Through Environmental Design (CPTED) in considering new development. CPTED involves designing buildings and spaces in a way that applies four principles: surveillance, access control, territorial reinforcement and space management. Those principles form the basis of this section.

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This Section applies to all development.

Note: Contact Council to discuss level of detail required for a particular development type.

### Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012.

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

### Associated technical manual/s

- Nil

## Additional information

- Development Applications may be referred to the NSW Police for Crime Prevention Through Environmental Design (CPTED) Assessment.

## Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 - Glossary, of this plan, and include:

- **Licensed premises** means premises licensed under the *Liquor Act 2007*.
- **Plan of management** means a document that provides a framework for the management of a particular development / event.

## Aims of this section

1. To ensure safety and security is considered as a component of the site planning process and reflects the zone, scale, density and context of development, as well as its surroundings.
2. To reduce community vulnerability to crime through good urban design and the incorporation of Crime Prevention Through Environmental Design (CPTED) principles in development.
3. To ensure development incorporates features that enhance safety and security.
4. Provide safe environments and minimise opportunities for criminal and anti-social behaviour.

## 4.04.01 General principles

### *Performance criteria*

1. Potential criminal and/or anti-social behaviour risks for development are identified and addressed.
2. The design and layout of the development:
  - a) is integrated into the wider public realm enhancing the potential for natural surveillance, access control, territorial reinforcement and space management;
  - b) reduces temptations for vandalism and graffiti without detracting from the façade; and
  - c) minimises or prevents opportunities for crime and risks to public safety while maintaining neighbourhood amenity and the character of the streetscape.
3. Development is designed to:
  - a) maximise opportunities for effective natural and/or technical surveillance;
  - b) encourage active street environments as they enhance public safety;

- c) provide unimpeded sight lines, particularly along pedestrian pathways; and
  - d) improve natural surveillance through increased legitimate use of spaces.
4. Development considers areas that will be utilised at night and incorporates appropriate levels of lighting and/or visibility to improve safety and security and deter illegitimate activity.
  5. To create a sense of safety through greater knowledge of location and direction.

### **Acceptable solutions**

1. A Crime Risk Assessment in accordance with Table 1 is supplied for development that is considered to:
  - a) create a risk of crime;
  - b) involve an increased threat to public safety; and/or
  - c) include a component to serve, sell or supply alcohol.

<b>Table 1 Information to be included in a Crime Risk Assessment</b>	
Introduction	<ul style="list-style-type: none"> <li>• Describe the proposed development.</li> </ul>
Site Analysis	<ul style="list-style-type: none"> <li>• Describe the topography of the site and its physical surrounds.</li> </ul>
Crime Risk and Opportunity	<ul style="list-style-type: none"> <li>• Identify existing and possible crime risks.</li> <li>• Analyse the types of crime that may be prevalent in the area, and to which the development may be susceptible.</li> </ul>
CPTED	<ul style="list-style-type: none"> <li>• Describe how the proposed development addresses each of the CPTED principles.</li> </ul>
Specific Uses	<ul style="list-style-type: none"> <li>• Where applicable, outline how the proposal addresses any development specific criteria that is identified within this DCP Section.</li> </ul>
Recommendations and Mitigation Measures	<ul style="list-style-type: none"> <li>• Outline whether the proposed development will have an impact on crime and safety, and why.</li> <li>• Describe risk assessment recommendations and mitigation measures to be implemented as part of the development.</li> </ul>

Note 1: A Crime Risk Assessment is a systematic evaluation of the potential for crime in an area. It provides an indication of both the likely magnitude of crime and likely crime type. The consideration of these elements (crime amount and type) will determine the choice and appropriate mix of CPTED strategies.

Note 2: Types of development that may involve the preparation of a Crime Risk Assessment include, but is not limited to:

- Amusement centres
- Car parks
- Centre-based child care facilities
- Community facilities
- Educational establishments
- Entertainment facilities

- Food and drink premises
- Function centres
- Health service facilities
- Industrial developments
- Markets
- Place of public worship
- Recreation facility (indoor, major and outdoor)
- Registered clubs
- Residential accommodation (excluding single dwellings, secondary dwellings, semi-detached dwellings and dual occupancies)
- Residential care facility
- Restricted premises
- Service stations
- Sex service premises
- Tourist and visitor accommodation

Note 3: Council will exercise discretion, under the *Environmental Planning and Assessment Act 1979*, in respect to the requirement for a Crime Risk Assessment.

Note 4: A Crime Risk Assessment is to be prepared by a suitably qualified person who has completed the NSW Police Safer by Design Course.

Note 5: For further information on preparing a Crime Risk Assessment refer to *Crime Prevention and the Assessment of Development Applications: Guidelines* published by NSW Department of Urban Affairs and Planning, 2001 (or as updated or amended)

## 2. Design and layout

- (a) Buildings are to be designed to allow casual surveillance of the street, for example by:
- (i) maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved;
  - (ii) providing openings of an adequate size in the upper levels to maximise opportunities for surveillance;
  - (iii) locating high use rooms to maximise casual surveillance;
  - (iv) clearly displaying the street number on the front of the building in pedestrian view; and
  - (v) ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters.
- (b) Casual surveillance of loading areas is to be improved by:
- (i) providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and

- (ii) providing adequate day and night lighting which will reduce the risk of undesirable activity.
- (c) Design entrances to buildings from public streets so that:
- (i) building entrances are clearly identifiable, defined, lit and visible;
  - (ii) the residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development;
  - (iii) main entrances are clearly identifiable;
  - (iv) pavement surfaces and signage direct pedestrian movements; and
  - (v) potential conflict between pedestrians and vehicles is avoided.

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**ITEM-73**      **Attachment D:**      Section 7.03 Traffic, Parking and Access –  
Newcastle Development Control Plan 2012

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## 7.03 Traffic, Parking and Access

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	17/07/2012	30/07/2012	Amended
3	27/06/2017	10/07/2017	Amended
4	27/10/2020	02/11/2020	Amended
5	TBA	TBA	Amended

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This section applies to all development:

- involving a change of use
- generating an increase in gross floor area of a building
- related to an activity generating a demand for parking.

### Related sections

The following sections of this DCP may also apply to development to which this section applies:

- Section 7.04 Movement Networks

### Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Transport and Infrastructure) 2021

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.



Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Note 3: This section refers to materials which are produced and/or legislated by a third party. Applicants are advised to verify that they are accessing the most current version of these materials, as they may be updated from time to time. Where referenced materials are superseded by updated versions, the version current at the time of lodgement of the Development Application shall apply.

### Associated technical manuals

- Australian Standard 2890 - *Parking facilities* – series
- Austroads, 2019, *Guide to Traffic Management*
- RMS Technical direction TDT 2004/02, Motor Bike Parking
- Austroads, *Cycling Aspects of Austroads Guides*
- NSW Electric and Hybrid Vehicle Plan, Future Transport 2056
- CN Parking Plan 2021 - Newcastle Parking Management Framework

### Additional information

- Roads and Traffic Authority NSW, 2002, *Guide to Traffic Generating Developments*
- Building Code of Australia
- Roads and Maritime Services, 2018, *Traffic Control at Work Sites*

### Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 – Glossary, of this plan, and include:

- **Car pooling** - (also known as ride-sharing or lift-sharing) is a system by which participants coordinate their trips (for example, trips to work) so that they can travel in a single car, thereby reducing the volume of traffic on the roads and associated impacts.
- **Car sharing** - allows a member of the car sharing scheme (such as an individual or a business) to access a fleet of shared vehicles, as needed, paying a usage fee each time. Characteristics of a typical car sharing scheme include a provider with a centralised system for booking and billing, clients (individuals/organisations), a fleet of vehicles, and parking spaces at key locations within a defined catchment area.
- **City Centre** - area defined on the Newcastle City Centre map of the Newcastle Local Environmental Plan 2012
- **EV Distribution Board** - is a distribution board dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods. This will ensure that the impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard. The distribution board must provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable the body corporate to measure individual EV usage in the future.
- **EV Load Management System** - is to be capable of:

- (a) reading real time current and energy from the electric vehicle chargers under management;
  - (b) determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are fully recharged; and
  - (c) scale to include additional chargers as they are added to the site over time.
- **Green Travel Plan** - a Green Travel Plan is a package of initiatives aimed at reducing car travel, particularly single occupant car trips. A Green Travel Plan encourages greater use of public transport, walking and cycling by residents, employees and visitors.
  - **Historic parking deficiency** - the historic parking deficiency is determined by calculating the number of parking spaces required under the provisions of this DCP for an existing building or use and subtracting the number of spaces currently provided for that building or use.
  - **Travel demand management** - travel demand management is intervention (excluding the provision of major infrastructure) to modify travel decisions so that more desirable transport, social, economic and/or environmental objectives can be achieved, and the adverse impacts of travel can be reduced.
  - **Unbundled car parking** - car parking spaces are separately titled from dwellings.

### **Aims of this section**

1. To ensure that parking and service provision is adequate relative to the demand.
2. To encourage measures to reduce motor vehicle dependency and increase the use of public transport, walking and cycling.
3. To ensure that the design of parking, access and servicing areas is in accordance with best practice standards.
4. To provide adequate and safe vehicle access to sites without compromising pedestrian access and streetscape qualities.

## **7.03.01 Traffic studies and plans**

### **A. Traffic impact study**

#### ***Objectives***

1. Provide adequate information to assess the traffic impacts of the proposed development.
2. Justify any departure from the parking rates set out in Table 1 or Table 3.

#### ***Controls***

##### Controls applying to all development to which this section applies

1. The Statement of Environmental Effects addresses the following issues:
  - (a) parking facilities provided, with details of calculations, types, number and arrangement
  - (b) proposed access arrangements and their compliance with design standards outlined in this Section

- (c) identification of public transport services, stops and shelters in the vicinity of the development
  - (d) traffic generation, impacts expected and proposed traffic management measures.
2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.
  3. Issues addressed in the Traffic Impact Study include:
    - (a) review of the existing and proposed traffic network, traffic operating conditions and flows
    - (b) likely car parking supply and demand, as well as servicing requirements
    - (c) estimates of trip generation of the development
    - (d) public transport services in the vicinity of the proposed development
    - (e) impacts of generated traffic on the surrounding road network and the locality
    - (f) safety of access between the site and the adjacent road network
    - (g) pedestrian infrastructure, generation and movements
    - (h) recommended improvement works
    - (i) linkages with existing and proposed bicycle and pedestrian routes.
  4. Further to (3) above, the Traffic Impact Study also includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.

Controls applying to all development listed in State Environmental Planning Policy (*Infrastructure*) 2007 Schedule 3 Traffic Generating Development to be referred to Transport for NSW.

5. A Traffic Impact Study, prepared by a suitably qualified and experienced transport professional, is submitted with the Development Application.
6. The Traffic Impact Study is prepared in accordance with the *RTA Guide to Traffic Generating Developments* (2002), or subsequent versions. The Traffic Impact Study includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport for NSW is to be provided.

Note 1: Issues to be addressed in a Traffic Impact Study are detailed in section 2.3 of *Guide to Traffic Generating Developments* (RTA, 2002), or subsequent versions.

## **B. Construction traffic management plan**

### ***Objectives***

1. Detail traffic management measures for the construction phase of the project, to minimise adverse impacts on traffic movement, pedestrians and/or parking.

### **Controls**

#### Controls applying to all development to which this section applies

1. Council requires submission of a draft Construction Traffic Management Plan, where it is likely that the demolition and construction phases of a development will significantly impact traffic movement, pedestrians and/or parking.
2. The draft Construction Traffic Management Plan is prepared in accordance with Australian Standard 1742.3 by a Transport for NSW qualified person as defined under the RMS publication *Traffic Control at Work Sites*.
3. The draft Construction Traffic Management Plan clearly sets out:
  - a) traffic generation associated with demolition and construction
  - b) heavy vehicle routes
  - c) impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures
  - d) proposed hours of operation in demolition and construction phases.
4. Provision is made for safe, continuous movement of traffic and pedestrians on public roads and for the erection of traffic warning signs conforming to the RTA's *General Specifications* (maintained by Transport for NSW). Traffic control is carried out only by traffic controllers with certification of training in accordance with Australian Standard 1742.3.
5. The conditions of consent for development outline requirements of the Construction Management Plan.

## **7.03.02 Parking provision**

### **A. Parking rates**

#### **Objectives**

1. Ensure an appropriate level and mix of parking provision within the development, having regard to the demand and the impacts of over/undersupply of parking.
2. Establish an appropriate parking standard for the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone that recognises its locational advantages, public transport access and active transport connections to facilitate an increase in the use of public and active transport modes.

### **Controls**

The following controls apply only to the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone

1. Car parking rates for all development in these areas are established based on a car parking assessment submitted with the development application which addresses the following criteria:
  - (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (b) the proportion of staff, visitors or patrons likely to arrive by car
  - (c) the availability and level of service of public transport relative to the site and the probable transport mode of staff, visitors or patrons of the development
  - (d) the number of employees and their likely spread of work hours
  - (e) the hours of operation
  - (f) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities
  - (g) the number of occasions during the year when the proposed development is likely to be fully utilised
  - (h) the availability of public parking within a reasonable distance of the proposed development
  - (i) the availability of additional parking facilities to cover peak demands
  - (j) the impacts of providing on-site parking
  - (k) anticipated impacts of not providing adequate on-site car parking ensuring no significant impact on public on-street parking provision in the area in context to the CN Parking Plan 2021 - Newcastle Parking Management Framework.

Note 1: The B2 Local Centre zone name will change to E1 Local Centre zone in 2022 as part of the NSW government's employment zones reform. The zone name reference will be amended after the employment zones are made and gazetted by the Minister.

2. Residential development as listed in Table 3 must provide no more than the number of car parking spaces specified.
3. For residential development, the proposed provision of car parking within this maximum car parking rate does not prevent the reallocation of car parking through unbundling.
4. For residential development, visitor car parking spaces are not to be unbundled and are to be nominated as common property in a strata subdivision.

The following controls apply only to Attached Dwellings, Multiple Dwelling Housing and Residential Flat Buildings as defined within Newcastle Local Environmental Plan 2012

5. Visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.

The following controls apply only to Mixed Use Development

6. The total number of parking spaces for a mixed-use development is generally calculated on the basis of the sum of the required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur.
7. The total number of spaces to be provided for each type of use of parking is rounded to the nearest whole number.

Controls applying to all development to which this section applies

8. Car parking is provided in accordance with the rates set out in Table 1 – Parking rates, except for car parking for development in the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone. Council may vary the rates within these areas, subject to merit assessment of the proposal.
9. Unbundled car parking is only permitted in accordance with, and for land uses and locations specified in Table 3.
10. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to:
  - (a) likely peak usage times
  - (b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations
  - (c) the likely use of public transport.
11. Excluding the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone, parking provision for developments not listed in Table 1 is assessed having regard to Transport for NSW guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria:
  - (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (b) the proportion of staff, visitors or patrons likely to arrive by car
  - (c) the availability and level of service of public transport relative to the site and the probable transport mode of staff, visitors or patrons of the development
  - (d) the number of employees and their likely spread of work hours
  - (e) the hours of operation
  - (f) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities
  - (g) the number of occasions during the year when the proposed development is likely to be fully utilised
  - (h) the availability of public parking within a reasonable distance of the proposed development
  - (i) the availability of additional parking facilities to cover peak demands

- (j) anticipated impacts of not providing adequate on-site car parking ensuring no significant impact on public on-street parking provision in the area in context to the CN Parking Plan 2021 - Newcastle Parking Management Framework.
12. Provision of car parking and associated internal vehicular access and manoeuvring areas above the maximum rates nominated in Table 1 and Table 3 are included in the gross floor area for the purpose of calculating floor space ratio, except where provided in association with controls 13 and/or 14.
  13. Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed by Council. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation. Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future development application for a change of use.
  14. Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), Council may require for such spaces to be replaced on site.
  15. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.
  16. Service vehicle parking, courier facilities and loading and unloading facilities are provided on site in a manner that is conveniently accessible for all developments likely to generate a need for such facilities. The submitted plans clearly indicate that the proposed facilities will be adequate, having regard to:
    - (a) intended use of the site
    - (b) frequency of deliveries and collections
    - (c) size and bulk of goods
    - (d) size of vehicles
    - (e) ease of access.
  17. Table 2 shows indicative standards for provision of service vehicles for various types of development.
  18. Council may require the provision of taxi, private vehicle and bus/coach drop off/set down areas where warranted by the proposed development. Specifically, bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000m<sup>2</sup>, convention and exhibition centres, and other development as deemed appropriate by Council.

## **B. Variations to parking rates**

### ***Objectives***

1. Allow variations to on site provision of parking.

## **Controls**

### Controls applying to all development to which this section applies

1. Applicants comprehensively justify any departure from the parking rates set out in Table 1 or Table 3 in the Statement of Environmental Effects or Traffic Impact Study.
2. Council has regard to the following when considering any departures from the parking rates set out in Table 1 or Table 3:
  - (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (b) the applicability of other Council policies
  - (c) the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand
  - (d) results of any comprehensive parking survey submitted in support of the application
  - (e) whether a Green Travel Plan has been provided and a written agreement between Council and the owner/occupier is established for implementation of the Green Travel Plan
  - (f) whether a car sharing scheme is proposed to be implemented
  - (g) access to public transport services and the probable transport mode of staff and patrons or customers of the development
  - (h) availability and accessibility of public parking facilities in the vicinity of the proposed development
  - (i) the availability of kerb-side parking opportunities in the vicinity of the proposed development
  - (j) continuity, streetscape and heritage significance
  - (k) existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety
  - (l) the impacts of providing on-site parking
  - (m) anticipated impacts of not providing for adequate on-site car parking.
3. For alterations, additions or change of use of an existing building, a departure from the rates set out in Table 1 or Table 3 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site.

## **C. Bike parking**

### **Objectives**

1. Encourage trips by cycling, through the provision of conveniently located bike parking facilities.



## **Controls**

### Controls applying to all development to which this section applies

1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking.
2. Bicycle parking complies with the relevant Australian Standard (AS2890).
3. Bicycle parking is clearly marked and signposted.
4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.
5. Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided.
6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development.
7. Where shower facilities and change rooms are provided for cyclists, convenient access to such facilities is to be considered in the siting of bicycle parking.
8. Access to bicycle parking is provided in accordance with the Austroads, *Cycling Aspects of Austroads Guides*, which reference *Austroads Guide to Traffic Engineering Practice*. Slotted drainage grates, longitudinal joint cracks and sharp gradient transitions, which provide hazards to riders, are avoided.
9. Table 1 describes the type of bicycle parking facility to be provided. Bicycle parking is categorised as Security Level B and Security Level C, which references Section 4.1 of the Austroads publication – *Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management*.

## **D. Motorbike parking**

### **Objectives**

1. Provide motorbike parking to meet likely demand.

### **Controls**

#### Controls applying to all development to which this section applies

1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances.
2. Motorbike parking complies with the relevant Australian Standard (AS2890) and RMS Technical *direction TDT 2004/02, Motor Bike Parking*.

## **E. Parking for people with a disability**

## **Objectives**

1. Ensure adequate provision of parking for people with a disability.
2. Provide conveniently located and signposted parking for people with a disability.

## **Controls**

1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia.
2. Parking for people with a disability is designed and constructed in accordance with current relevant Australian Standards (AS2890 and AS1428), and the Building Code of Australia.
3. Parking spaces for people with a disability are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park.
4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts.
5. A continuous accessible path of travel is provided from each parking space for people with a disability to the closest accessible public entrance.
6. The minimum floor to ceiling clearance above parking spaces for people with a disability is 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m.
7. The applicant is required to demonstrate, to the satisfaction of Council, how parking restrictions are enforced. Council may enter into an agreement with the owner/operator of the premises to allow Council's Compliance Officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent.

## **F. Electric vehicle parking**

### **Objectives**

1. To encourage and support increased usage and demand for electric vehicles.

### **Controls**

Note 1: Charging standards are defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056.

The following controls apply to new development that involves car parking, excluding residential alterations and additions with an estimated cost of equal to or less than \$200,000

Note 2: Controls under this heading will lead to a development being electric vehicle ready (EV Ready). Being EV Ready involves ensuring the installation of appropriate electrical circuitry to allow for future electric vehicle charging points, by pre-wiring. These controls do not require the installation of a charging point but are encouraged

1. Electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This must include:
  - (a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and
  - (b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space (see Figure 1 and Figure 2).

Figure 1 Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using cable tray system

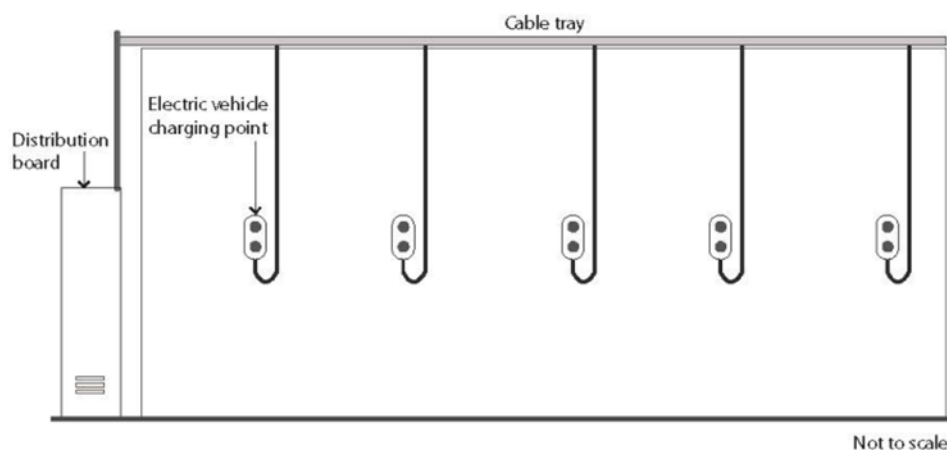
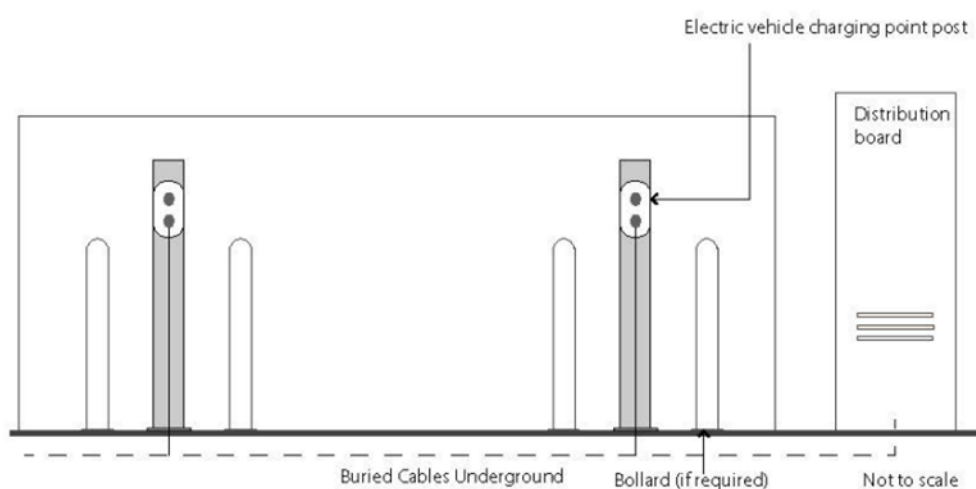


Figure 2 Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using buried underground cable system



2. Minimum electric circuitry for a 'Level 2' electric vehicle charging point, if provided, is required to be:
  - (a) Privately available spaces: 'Level 2' slow – single phase with 7kW power or higher standard; and
  - (b) Shared spaces: 'Level 2' fast – three-phase with 11-22kW power or higher standard.
3. In addition to EV Ready, the installation of electric circuitry for a 'Level 2' or higher standard electric vehicle charging point is encouraged for new dwelling houses, semi-detached dwellings or dual occupancies.
4. A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will be EV Ready. This report should also include an accurate electrical plan, specifications for any off-street car parking and any electric kiosk requirements.

The following controls apply to new residential accommodation development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies

Note 3: Controls under this heading will lead to a development being electric vehicle ready (EV Ready).

5. Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready connections.
6. Locate EV Distribution Board(s) so that no future EV Ready connection will require a cable of more than 50 metres from the parking bay to connect.
7. Identify on the plans submitted with the development application, the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that are provided a Future EV connection, with confirmation of adequacy from a suitably qualified person (such as an electrical engineer). Spatial allowances are to be made for cables trays and EV Distribution Board(s) when designing in other services.

The following controls also apply to new development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies

8. Development must provide 1 car parking space or 5% of all car parking spaces – whichever is greater - to have a 'Level 2' or higher standard electric vehicle charging point installed. A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will provide the specified electric vehicle charging point(s). This report should also include an accurate electrical plan, specifications for any off-street car parking and any electric kiosk requirements.

**Table 1 – Parking rates**

Note1: Parking rates listed below are subject to variation, as outlined in section 7.03.02 (B). In instances where the applicant has not demonstrated a variation to these rates is appropriate, the rates below shall apply.

Note 2: Bicycle parking is categorised as Security Level B or C, which references Section 4.1 of the Austroads publication – Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management.

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p><b>CENTRE-BASED CHILD CARE FACILITY</b></p> <p>Note: Additional parking may be required for those centres which have a high ratio of staff to children in care.</p> <p>Note: Council may vary the parking standard depending on location. Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.</p>	<p>1 space for every 4 children in attendance</p> <p>PLUS</p> <p>1 pick-up/set-down bay per 10 childcare places, with minimum dimensions of 2.6m x 6m to allow loading/unloading of prams and courier deliveries. For centres with less than 10 childcare places, no pick-up / set-down bay is required.</p>	<p>1 space per 10 staff (Security Level B)</p>	

Land Use	Car Parking	Bike Parking	Motorbike Parking
<b>COMMERCIAL (BUSINESS, OFFICE, RETAIL)</b>			
<b>Office premises</b>	1 space per 50m <sup>2</sup> GFA	1 space per 200m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces
<b>Retail</b>			
Specialised retail premises	1 space per 60m <sup>2</sup> GFA	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>Food and Drink Premises</b>			
<ul style="list-style-type: none"> <li>Pub and Club (registered club)</li> </ul> <p>Note: Car parking rate is provided as a guide only. Survey based assessment should be undertaken and comparisons drawn with similar developments. Additional parking required for dining etc. Parking requirements to be based on activity mix.</p>	1 space per 2 staff plus 1 space per 15m <sup>2</sup> of licensed floor area (bar, lounge) for visitors	<p>1 space per 20 accommodation rooms plus 1 space per 25m<sup>2</sup> bar area plus 1 space per 100m<sup>2</sup> lounge, beer garden (Security Level B) for staff</p> <p>1 space per 25m<sup>2</sup> bar area plus 1 space per 100m<sup>2</sup> lounge, beer garden (Security Level C) for visitors</p>	1 space per 20 car spaces
<ul style="list-style-type: none"> <li>Restaurant or Cafe</li> </ul>	1 space per 10m <sup>2</sup> GFA or 1 space per 5 seats	1 space per 100m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<ul style="list-style-type: none"> <li>Take Away Food and Drink Premises</li> </ul>	<p>Developments with no on-site seating - 6 spaces per 100m<sup>2</sup> GFA</p> <p>Developments with on-site seating but no drive through: 6 spaces per 100m<sup>2</sup> GFA <u>or greater of:</u> 1 space per 10 seats (internal and external), or 1 space per 4 seats (internal)</p> <p>Developments with on-site seating and drive through facilities: <u>greater of:</u> 1 space per 4 seats (internal), or 1 space per 6 seats (internal and external) plus queuing area for 5 to 12 cars</p>	<p>1 space per 100m<sup>2</sup> GFA (Security Level B) for staff</p> <p>1 space per 50m<sup>2</sup> GFA (Security Level C) for visitors</p>	<p>1 space per 20 car spaces</p>
Roadside Stall	No Design Criteria, assessed on merit against the Performance Criteria.		1 space per 20 car spaces
Shop	1 space per 40m <sup>2</sup> GLFA	1 space per 200m <sup>2</sup> GFA (50% Security Level B, 50% Security Level C)	1 space per 20 car spaces
Shopping Centres	<p>0-10,000m<sup>2</sup> GLFA - 6.1 spaces per 100m<sup>2</sup> GLFA</p> <p>10,000-20,000m<sup>2</sup> GLFA - 5.6 spaces per 100m<sup>2</sup> GLFA</p> <p>20,000-30,000m<sup>2</sup> GLFA - 4.3 spaces per 100m<sup>2</sup> GLFA</p> <p>Over 30,000m<sup>2</sup> GLFA - 4.1 spaces per 100m<sup>2</sup> GLFA</p>	1 space per 200m <sup>2</sup> GFA (50% Security Level B, 50% Security Level C)	1 space per 20 car spaces



Land Use	Car Parking	Bike Parking	Motorbike Parking
Vehicle Sales or Hire Premises	1 space per 130m <sup>2</sup> gross display area plus additional parking for workshop or service bay	1 space per 20 staff	
<b>EDUCATIONAL ESTABLISHMENTS</b>			
School Note: Council may vary the parking standard depending on location and will require the provision of additional parking where a school auditorium is proposed. Council may require preparation of a Traffic Impact Study to support the proposal.	1 space per 2 staff plus 1 space per 8 senior students  1 space per 100 students for visitors	1 space per 10 staff (Security Level B)  1 space per 10 students (Security Level C)	1 space per 20 car spaces.
University or TAFE establishment	1 space per staff plus 1 space per 3 students	1 space per 20 staff (Security Level B)  1 space per 20 students (Security Level C)	1 space per 20 car spaces
<b>ENTERTAINMENT FACILITY</b>			
Entertainment Facility Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required. As a guide, 1 space per 3 seats	1 space per 20 staff (Security Level B)  1 space per 20 visitors (Security Level C)	1 space per 20 car spaces
<b>HEALTH SERVICES FACILITY</b>			
Health Consulting Rooms  Note: Council may require a parking assessment with survey of similar developments.	1 space per practitioner plus 1 space per 2 other staff  2 spaces per practitioner for visitors	1 space per 10 practitioners (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p>Hospital</p> <p>Note: Council may vary the parking standard depending on location. Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments. Ambulance parking facilities are to be provided.</p>	<p>1 space per 2 staff</p> <p>1 space per 3 beds for visitors</p>	<p>1 space per 10 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C) for visitors</p>	<p>1 space per 10 car spaces</p>
<p><b>HOME BUSINESS OR HOME INDUSTRY</b></p> <p>Note: Parking requirements will be based on the proposed use and operational details.</p>	<p>At minimum, parking requirements for applicable residential accommodation, are to be satisfied, with additional on-site parking for staff at a rate of 1 space per 2 staff and customer parking as appropriate.</p>		
<b>INDUSTRIAL ACTIVITY</b>			
Artisan food and drink	0.4 space per patron or 1 space per 40 m <sup>2</sup> GFA, whichever is the greater	1 space per 100m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces
All other industrial activity	1 space per 100m <sup>2</sup> GFA or 1 space per 2 staff, whichever is the greater	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>MARINA</b>	No Design Criteria, assessed on merit against the Performance Criteria.	<p>1 space per 20 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C)</p>	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<b>PLACE OF PUBLIC WORSHIP</b> Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required. As a guide, 1 space per 4 seats.	1 space per 20 staff (Security Level B)  1 space per 20 visitors (Security Level C)	1 space per 20 car spaces
<b>COMMUNITY FACILITY (INDOORS)</b>	1 space per staff plus 1 space per 3 visitors	1 space per 20 staff (Security Level B)  1 space per 20 students (Security Level C)	1 space per 20 car spaces
<b>WAREHOUSE OR DISTRIBUTION CENTRE</b>	1 space per 200m <sup>2</sup> GFA or 1 space per 2 staff (whichever is greater)	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>RECREATIONAL FACILITIES</b>			
Bowling alleys	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Bowling greens	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Gymnasium	Minimum 4.5 spaces per 100m <sup>2</sup>	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
Squash courts	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B) 1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Tennis courts	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B) 1 space per 10 staff (Security Level C)	1 space per 20 car spaces
<b>RESIDENTIAL ACCOMMODATION</b>			
Attached dwellings, Dual occupancies, Multi dwelling housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	<u>City wide (excluding Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone):</u>  Minimum of 1 space per dwelling.  Minimum 1 space for the first 5 dwellings (excluding dual occupancies) plus 1 space for every 5 thereafter or part thereof for visitors.	Bike parking of 1 space per dwelling is required unless separate storage is provided (Council determine the required security level)  1 space per 10 dwellings (Security Level C) for visitors	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
Boarding House	1 space plus 1 space per 2 bedrooms	1 space per 10 bedrooms (Security Level B) for staff/residents  1 space per 20 bedrooms (Security Level C) for visitors	1 space per 20 car spaces
Dwelling House	1 space per dwelling < 125m <sup>2</sup>  2 spaces per dwelling > 125m <sup>2</sup>		

Land Use	Car Parking	Bike Parking	Motorbike Parking
Group Home	1 space plus 1 space per 2 bedrooms	1 space per 10 bedrooms (Security Level B) for staff/residents  1 space per 20 bedrooms (Security Level C) for visitors	1 space per 20 car spaces
Seniors housing or People with a Disability	Refer to SEPP (Housing) 2021	Refer to SEPP (Housing) 2021	Refer to SEPP (Housing) 2021
<b>RESTRICTED PREMISES</b>			
Sexual Entertainment Establishment Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required.		1 space per 20 car spaces
<b>TOURIST AND VISITOR ACCOMMODATION</b>			
Bed and Breakfast Accommodation	1 space per dwelling < 125m <sup>2</sup> or 2 spaces per dwelling > 125m <sup>2</sup>  1 space per 2 guest bedrooms for visitors		1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p>Hotel, Motel or Serviced Apartment Accommodation</p> <p>Note: Council may vary the parking requirement depending on the location.</p>	<p>1 space per 2 staff plus minimum 0.5 spaces per unit</p>	<p><u>Hotel or Motel:</u></p> <p>1 space per 20 units (Security Level B)</p> <p><u>Serviced Apartment:</u></p> <p>1 space per 5 apartments (Security Level B)</p> <p>1 space per 20 apartments (Security Level C) for visitors</p>	<p>1 space per 20 car spaces</p>
<p><b>SERVICE STATION AND VEHICLE REPAIR STATION</b></p>	<p>6 spaces per work bay plus 1 space per 20m<sup>2</sup> GFA of any ancillary convenience store.</p> <p>Additional parking required if development includes restaurant or take-away food outlet.</p>	<p>1 space per 20 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C) for visitors</p>	
<p><b>VETERINARY HOSPITAL</b></p>	<p>1 space per practitioner plus 1 space per two other staff</p> <p>1 space per practitioner for visitors</p>	<p>1 space per 10 practitioners (Security Level B)</p> <p>1 space per 10 staff for visitors</p>	<p>1 space per 20 car spaces</p>

**Table 2 – Requirements for delivery and service vehicles**

Land Use	Requirements for Delivery and Service Vehicles
Commercial premises (50% of spaces adequate for trucks)	<20,000m <sup>2</sup> GFA 1 space per 4,000m <sup>2</sup> GFA >20,000m <sup>2</sup> GFA 5 + 1 space per 8,000m <sup>2</sup> over 20,000m <sup>2</sup>
Department stores (all spaces adequate for trucks)	<6,000m <sup>2</sup> GFA 1 space per 1,500m <sup>2</sup> GFA >6,000m <sup>2</sup> GFA 4 + 1 space per 3,000m <sup>2</sup> over 6,000m <sup>2</sup>
Supermarkets, shops and restaurants (all spaces adequate for trucks)	<2,000m <sup>2</sup> GFA 1 space per 400m <sup>2</sup> GFA >2,000m <sup>2</sup> 5 + 1 space per 1,000m <sup>2</sup> over 2,000m <sup>2</sup>
Wholesale, industrial (all spaces adequate for trucks)	<8,000m <sup>2</sup> GFA 1 space per 800m <sup>2</sup> >8,000m <sup>2</sup> 10 + 1 space per 1,000m <sup>2</sup> over 8,000m <sup>2</sup>
Hotels and Motels (50% of spaces adequate for trucks)	<200 bedrooms or bedroom suites 1 space per 50 bedrooms plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant  >200 bedrooms or bedroom suites 4 + 1 per 100 bedrooms over 200 plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant
Residential flat buildings (50% of spaces adequate for trucks)	<200 flats or home units 1 space per 50 flats or home units >200 flats or home units 4 + 1 per 100 units over 200
Other uses (50% of spaces adequate for trucks)	1 space per 2,000m <sup>2</sup>

**Table 3 – Residential development parking rates applying to the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone**

Land Use	Car parking
<b>RESIDENTIAL ACCOMMODATION</b>	Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone
Attached Dwellings, Dual occupancy, Multi Dwelling Housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	Small (<75m <sup>2</sup> or 1 bedroom) – maximum average of one space per dwelling
	Medium (75m <sup>2</sup> - 100m <sup>2</sup> or 2 bedrooms) – maximum average of one space per dwelling
	Large (>100m <sup>2</sup> or 3 bedrooms) – maximum average of two spaces per dwelling
	Visitor parking – no minimum or maximum rate



### 7.03.03 Travel demand management

#### A. Public transport

##### **Objectives**

1. Facilitate increased modal share to public transport.
2. Encourage consideration of alternatives to private vehicle ownership, use and parking.

##### **Controls**

The following controls apply to major development, as identified

1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community health service facilities, entertainment facilities seniors housing or other development deemed appropriate by Council, a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400m of an existing bus stop with shelter. Alternatively, Council may accept a monetary contribution in lieu of provision of a bus stop with shelter, through a voluntary planning agreement.
2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements.
3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath.
4. Signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.

#### B. Green Travel Plan

##### **Objectives**

1. Encourage alternatives to private vehicle use for trips.
2. Ensure that within the development, allowance for suitable allocation of transport options away from vehicle dependency addresses the nominated transport modal split.

##### **Controls**

The following controls apply only to major development, as defined in this DCP

1. A Green Travel Plan is prepared and submitted to Council in support of applications for major new development. Components/strategies of a Green Travel Plan will likely vary according to the nature of the development, but may include:
  - (a) identification and promotion of public transport options to access the site (for example, on a web site and/or business cards)
  - (b) preparation of a Transport Access Guide (TAG) for the site/venue
  - (c) encouragement of a car pool system for employees

- (d) encouragement of cycling and walking to the workplace through provision of bicycle parking, showers and lockers
- (e) incentive schemes to encourage employees to commute using sustainable transport modes (such as provision of public transport vouchers/subsidised public transport tickets)
- (f) allocation of designated parking spaces for a car sharing scheme, and/or
- (g) prominent display of a large map of cycling routes (for example, in the foyer of a residential complex).

The undertakings made in the submitted Green Travel Plan will be included as conditions of consent to the development.

## **C. End of trip facilities**

### ***Objectives***

1. Encourage trips by walking and cycling through adequate provision of end of trip facilities.

### ***Controls***

The following controls apply only to development with an estimated cost of more than \$250,000, involving employment of staff.

1. For new development that has an estimated cost of more than \$250,000, “end of trip” facilities for employees are provided at the following rates:
  - (a) one personal secure locker for each bicycle parking space
  - (b) one shower cubicle, with ancillary change rooms, per 12 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility.
2. Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking. Facilities may be unisex.

Note: Provision of facilities to store belongings, shower and change may encourage people to walk and cycle more. These facilities will also benefit employees who choose to exercise during meal breaks.

## **D. Parking permit schemes**

### ***Objectives***

1. Inform proponents of their lack of eligibility for participation in Council's Resident and Residents Visitors Parking Schemes.

## **Controls**

### The following controls apply to residential development

1. Resident and Visitor Parking Permits are not issued to occupants of new residential developments, including dwelling houses, that have been approved by Council in accordance with this DCP, irrespective of the amount of provision of on-site parking. Similarly, permits are not issued to occupants of new development approved by any other determining authority.
2. All intending owners, tenants and occupiers of new developments are notified by the owners of the building or individual units (once on-sold) that residents are ineligible for participation in a Council on-street parking scheme, prior to entering a purchasing, lease or occupancy agreement.
3. Signage with words to the effect that all owners, tenants and occupiers are ineligible to obtain an on-street parking permit from Council is displayed prominently, in such a way that it can be easily observed by persons entering the building. Signage is erected within the completed buildings prior to the release of an occupancy certificate or issue of strata subdivision approval, whichever occurs first, and is maintained in good order.

## **7.03.04 Design and layout of parking and access**

### **A. Siting**

#### **Objectives**

1. Ensure that car parking areas and/or structures are well-sited and designed as an integrated component of the total development.

#### **Controls**

##### Controls applying to all development to which this section applies

1. Parking facilities are sited and designed to be properly integrated within the overall development/building to minimise their visual impact and any adverse impact on the continuity and amenity of street frontages.
2. Parking is located so that it is within a reasonable distance of access to the premises it serves.
3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.
4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation.

The following controls apply only to Residential Accommodation as defined within the Newcastle Local Environmental Plan 2012, where not complying development

5. Generally, car parking structures are set back a minimum distance of 5.5m from the street frontage providing access to the car parking space.

## **B. Parking areas and structures**

### ***Objectives***

1. Ensure that parking and vehicular access do not dominate the streetscape or detract from the character of the area.
2. Ensure that parking does not detract from the overall appearance or the continuity of streetscapes or streetscape elements, including street tree planting.
3. Ensure parking areas and structures are designed to be easily and safely negotiated by vehicles and pedestrians.

### ***Controls***

Controls applying to all development to which this section applies

1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.
2. Wherever possible, car parking structures such as multi-level car parks, enclosed half-basement or single-storey car parks, incorporate active uses along the ground level frontage.
3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6m at the ground level and 3.3m for the next two floors above, to enable it being adapted to an alternative use in future.
4. The facade of an above ground parking structure is:
  - (a) designed and finished to complement the architecture of the building and visually pleasing.
  - (b) designed to avoid domination of ramps or strong horizontal and/or vertical features.
5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.
6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.
7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.
8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.

9. Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.

### **C. Access**

#### **Objectives**

1. Maintain the pedestrian amenity of streets.
2. Protect the significance of heritage conservation areas.
3. Ensure that vehicular access is appropriately located.

#### **Controls**

1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.
2. Vehicular crossings are located having regard to driver and pedestrian safety and impacts on traffic movement. Vehicular crossings are avoided in the following areas:
  - (a) in areas of high pedestrian movement
  - (b) on major roads
  - (c) close to intersections
  - (d) where the use of the driveway may significantly obstruct through traffic or the operation of bus stops.
3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.
4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Transport for NSW pursuant to s138 of the *Roads Act* 1993.
5. Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).
6. Access ways and structures are designed so that vehicles are able to enter or exit in a single turning movement in a forward direction.
7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.

8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.
9. No additional vehicular crossings (other than from rear lanes) are provided in heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.

Note 1: A separate approval must be obtained from Council for all works within the public road reserve pursuant to section 138 of the *Roads Act 1993*.

Note 2: Transport for NSW is the consent authority for traffic control signals, under section 87 of the *Roads Act 1993*, should this form of intersection control be considered necessary for access to a development.

**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**CCL 27/09/22 - ADOPTION OF AMENDMENTS TO THE NEWCASTLE  
DEVELOPMENT CONTROL PLAN 2012**

**ITEM-73**      **Attachment E:**      Markup Section 7.03 Traffic, Parking and Access  
– Newcastle Development Control Plan 2012

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## 7.03 Traffic, Parking and Access

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
1	15/11/2011	15/06/2012	New
2	17/07/2012	30/07/2012	Amended
3	27/06/2017	10/07/2017	Amended
4	27/10/2020	02/11/2020	Amended
5	TBA	TBA	Amended

### Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined as though the provisions of this section did not apply.

### Development to which this section applies

This section applies to all development:

- involving a change of use
- generating an increase in gross floor area of a building
- related to an activity generating a demand for parking.

### Related sections

The following sections of this DCP may also apply to development to which this section applies:

- Section 7.04 Movement Networks

### Applicable environmental planning instruments and legislation

The provisions of the following listed environmental planning instrument/s also apply to development applications to which this section applies:

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Transport and Infrastructure) 2021

In the event of any inconsistency between this section and the above listed environmental planning instrument, the environmental planning instrument will prevail to the extent of the inconsistency.

Note 1: Additional environmental planning instruments may also apply in addition to those listed above.

Note 2: The *Environmental Planning and Assessment Act 1979* enables an environmental planning instrument to exclude or modify the application of this DCP in whole or part.

Note 3: This section refers to materials which are produced and/or legislated by a third party. Applicants are advised to verify that they are accessing the most current version of these materials, as they may be updated from time to time. Where referenced materials are superseded by updated versions, the version current at the time of lodgement of the Development Application shall apply.

## Associated technical manuals

- Australian Standard 2890 - Parking facilities – series ~~Australian Standard 2890.1 2004, Parking facilities – Off-street car parking~~
- ~~Australian Standard 2890.2 2018 – Parking facilities – Part 2: Off-street commercial vehicle facilities~~
- ~~Australian Standard 2890.3 – Parking facilities – Bicycle parking facilities~~
- ~~Australian Standard 2890.5 – Parking facilities – On-street parking~~
- ~~Austroads, 2019, Guide to Traffic Management~~
- RMS Technical direction TDT 2004/02, Motor Bike Parking
- Austroads, Cycling Aspects of Austroads Guides
- NSW Electric and Hybrid Vehicle Plan, Future Transport 2056
- [CN Parking Plan 2021 - Newcastle Parking Management Framework](#)

## Additional information

- Roads and Traffic Authority NSW, 2002, *Guide to Traffic Generating Developments*
- Building Code of Australia
- Roads and Maritime Services, 2018, *Traffic Control at Work Sites*

## Definitions

A word or expression used in this development control plan has the same meaning as it has in Newcastle Local Environmental Plan 2012, unless it is otherwise defined in this development control plan.

Other words and expressions referred to within this section are defined within Section 9.00 – Glossary, of this plan, and include:

- **Car pooling** - ~~car pooling~~ (also known as ride-sharing or lift-sharing) is a system by which participants coordinate their trips (for example, trips to work) so that they can travel in a single car, thereby reducing the volume of traffic on the roads and associated impacts.
- **Car sharing** - ~~car sharing~~ allows a member of the car sharing scheme (such as an individual or a business) to access a fleet of shared vehicles, as needed, paying a usage fee each time. Characteristics of a typical car sharing scheme include a provider with a centralised system for booking and billing, clients (individuals/organisations), a fleet of vehicles, and parking spaces at key locations within a defined catchment area.
- **City Centre** - area defined on the Newcastle City Centre map of the Newcastle Local Environmental Plan 2012
- **EV Distribution Board** - is a distribution board dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods. This will ensure that the impacts of maximum demand

are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard. The distribution board must provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable the body corporate to measure individual EV usage in the future.

- **EV Load Management System** - is to be capable of:
  - (a) reading real time current and energy from the electric vehicle chargers under management;
  - (b) determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are fully recharged; and
  - (c) scale to include additional chargers as they are added to the site over time.
- **Green Travel Plan** - a Green Travel Plan is a package of initiatives aimed at reducing car travel, particularly single occupant car trips. A Green Travel Plan encourages greater use of public transport, walking and cycling by residents, employees and visitors.
- **Historic parking deficiency** - the historic parking deficiency is determined by calculating the number of parking spaces required under the provisions of this DCP for an existing building or use and subtracting the number of spaces currently provided for that building or use.
- **Travel demand management** - travel demand management is intervention (excluding the provision of major infrastructure) to modify travel decisions so that more desirable transport, social, economic and/or environmental objectives can be achieved, and the adverse impacts of travel can be reduced.
- **Unbundled car parking** - car parking spaces are separately titled from dwellings.

### Aims of this section

1. To ensure that parking and service provision is adequate relative to the **likely** demand.
2. To encourage measures to reduce motor vehicle dependency and increase the use of public transport, walking and cycling.
3. To ensure that the design of parking, access and servicing areas is in accordance with best practice standards.
4. To provide adequate and safe vehicle access to sites without compromising pedestrian access and streetscape qualities.

## 7.03.01 Traffic studies and plans

### A. Traffic impact study

#### *Objectives*

1. Provide adequate information to assess the traffic impacts of the proposed development.
2. Justify any departure from the parking rates set out in Table 1 or Table 3.

#### *Controls*

#### Controls applying to all development to which this section applies

1. The Statement of Environmental Effects addresses the following issues:
  - (a) parking facilities provided, with details of calculations, types, number and arrangement
  - (b) proposed access arrangements and their compliance with design standards outlined in this Section
  - (c) identification of public transport services, stops and shelters in the vicinity of the development
  - (d) traffic generation, impacts expected and proposed traffic management measures.
2. Development proposals which, in the opinion of Council, may cause significant impacts on the surrounding movement network, are supported by a Traffic Impact Study, prepared by a suitably qualified and experienced transport professional. The requirement for a Traffic Impact Study should be discussed with Council pre-lodgement.
3. Issues addressed in the Traffic Impact Study include:
  - (a) review of the existing and proposed traffic network, traffic operating conditions and flows
  - (b) likely car parking supply and demand, as well as servicing requirements
  - (c) estimates of trip generation of the development
  - (d) public transport services in the vicinity of the proposed development
  - (e) impacts of generated traffic on the surrounding road network and the locality
  - (f) safety of access between the site and the adjacent road network
  - (g) pedestrian infrastructure, generation and movements
  - (h) recommended improvement works
  - (i) linkages with existing and proposed bicycle and pedestrian routes.
4. Further to (3) above, the Traffic Impact Study also includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport NSW is provided.

Controls applying to all development listed in State Environmental Planning Policy (*Infrastructure*) 2007 Schedule 3 Traffic Generating Development to be referred to Transport for NSW.

5. A Traffic Impact Study, prepared by a suitably qualified and experienced transport professional, is submitted with the Development Application.
6. The Traffic Impact Study is prepared in accordance with the *RTA Guide to Traffic Generating Developments* (2002), or subsequent versions. The Traffic Impact Study includes details of public transport services and stops, and measures proposed to increase mode share to public transport and improve access to services. Evidence of liaison with public transport service providers and Transport for NSW is to be provided.

Note 1: Issues to be addressed in a Traffic Impact Study are detailed in section 2.3 of *Guide to Traffic Generating Developments* (RTA, 2002), or subsequent versions.

## B. Construction traffic management plan

### Objectives

1. Detail traffic management measures for the construction phase of the project, to minimise adverse impacts on traffic movement, pedestrians and/or parking.

### Controls

#### Controls applying to all development to which this section applies

1. Council requires submission of a draft Construction Traffic Management Plan, where it is likely that the demolition and construction phases of a development will significantly impact traffic movement, pedestrians and/or parking.
2. The draft Construction Traffic Management Plan is prepared in accordance with Australian Standard 1742.3 by a Transport for NSW qualified person as defined under the RMS publication *Traffic Control at Work Sites*.
3. The draft Construction Traffic Management Plan clearly sets out:
  - a) traffic generation associated with demolition and construction
  - b) heavy vehicle routes
  - c) impacts on road networks, cycle routes, pedestrian paths and parking, including frequency and duration of closures, and associated control measures
  - d) proposed hours of operation in demolition and construction phases.
4. Provision is made for safe, continuous movement of traffic and pedestrians on public roads and for the erection of traffic warning signs conforming to the RTA's *General Specifications* (maintained by Transport for NSW). Traffic control is carried out only by traffic controllers with certification of training in accordance with Australian Standard 1742.3.
5. The conditions of consent for development outline requirements of the Construction Management Plan.

## 7.03.02 Parking provision

### A. Parking rates

#### Objectives

1. Ensure an appropriate level and mix of parking provision **within the development**, having regard to the **likely** demand and the impacts of over/undersupply of parking.
2. Establish an appropriate parking standard for the **Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone** that recognises its locational advantages **in relation to** public transport access **and active transport connections to facilitate an increase in the use of public and active transport modes**.

#### Controls

The following controls apply only to the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone

14. Car parking rates for all ~~other~~ development in these areas are established based on a car parking assessment submitted with the development application which addresses the following criteria:
- (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (b) the proportion of staff, visitors or patrons likely to arrive by car
  - (c) the availability and level of service of public transport relative to the site and the probable transport mode of staff ~~and~~, visitors or patrons ~~or customers~~ of the development
  - (d) the number of employees and their likely spread of work hours
  - (e) the hours of operation
  - (f) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities
  - (g) the number of occasions during the year when the proposed development is likely to be fully utilised
  - (h) the availability of public parking within a reasonable distance of the proposed development
  - (i) the availability of additional parking facilities to cover peak demands
  - (j) the impacts of providing on-site parking
  - (k) anticipated impacts of not providing adequate on-site car parking [ensuring no significant impact on public on-street parking provision in the area in context to the CN Parking Plan 2021 - Newcastle Parking Management Framework.](#)

Note 1: The B2 Local Centre zone name will change to E1 Local Centre zone in 2022 as part of the NSW government's employment zones reform. The zone name reference will be amended after the employment zones are made and gazetted by the Minister.

24. Residential development [as listed in Table 3](#) must provide no more than the number of car parking spaces [specified set-out in Table 3.](#)
32. For residential development, the proposed provision of car parking within this maximum car parking rate does not prevent the reallocation of car parking through unbundling.
43. For residential development, visitor car parking spaces are not to be unbundled and are to be nominated as common property in a strata subdivision.

The following controls apply only to Attached Dwellings, Multiple Dwelling Housing and Residential Flat Buildings as defined within Newcastle Local Environmental Plan 2012

5. Visitor parking is allocated, marked out on the pavement surface, clearly signposted and designated as common property on any Strata Plan.

The following controls apply only to Mixed Use Development

6. The total number of parking spaces for a mixed-use development is generally calculated on the basis of the sum of the required car parking spaces in respect of each use, unless it is demonstrated that an overlap of car parking demand is likely to occur.
7. The total number of spaces to be provided for each type of use of parking is rounded to the nearest whole number.

Controls applying to all development to which this section applies

8. Car parking is provided in accordance with the rates set out in Table 1 – Parking rates, except for car parking for development in the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone. Council may vary the rates within these areas, subject to merit assessment of the proposal.
9. Unbundled car parking is only permitted in accordance with, and for land uses and locations specified, in Table 3 ~~Control 4~~.
10. Parking provision for major traffic generating development in Newcastle is assessed on merit, with particular reference to:
  - (a) likely peak usage times
  - (b) the extent to which development will attract additional patronage, as opposed to drawing on existing visitations
  - (c) the likely use of public transport.
11. ~~In~~ the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone, parking provision for developments not listed in Table 1 is assessed having regard to Transport for NSW guidelines, and/or demonstration of parking requirements from surveys of comparable establishments and the following criteria:
  - (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (~~ba~~) the proportion of staff, visitors or patrons likely to arrive by car
  - (~~cb~~) the availability and level of service of public transport relative to the site and the probable transport mode of staff, visitors or patrons of the development
  - (~~ce~~) the number of employees and their likely spread of work hours
  - (~~ee~~) the hours of operation
  - (~~fe~~) the location of the premises, particularly in relation to schools, local services, and employment, retail and recreational facilities
  - (~~gf~~) the number of occasions during the year when the proposed development is likely to be fully utilised
  - (~~hg~~) the availability ~~and affordability~~ of public parking within a reasonable distance of the proposed development

- (i) the availability of additional parking facilities to cover peak demands.
  - (j) anticipated impacts of not providing adequate on-site car parking ensuring no significant impact on public on-street parking provision in the area in context to the CN Parking Plan 2021 - Newcastle Parking Management Framework.
12. Provision of car parking and associated internal vehicular access and manoeuvring areas above the maximum rates nominated in Table 1 and Table 3 are included in the gross floor area for the purpose of calculating floor space ratio, except where provided in association with controls 13 and/or 14.
  13. Where a development proposal involves alterations or additions to an existing building, a change in use or an intensification of use, the required on-site parking provision is based on the likely demand arising from the additions or the intensification of use, as assessed by Council. The possibility of a future change of use is also considered when preparing a development proposal and, if appropriate, due allowance made for provision of supplementary parking spaces. This applies particularly to premises being constructed for leasing or renting or in those premises where the type of occupation could be subject to variation. Failure to provide adequate parking spaces under these circumstances could result in the refusal of a future development application for a change of use.
  14. Where development/redevelopment is proposed that will result in a loss of on-street spaces (arising from the construction of access, loading facilities etc.), Council may require for such spaces to be replaced on site.
  15. Stack parking, including mechanical devices, occurs only where it can be demonstrated that it will be operationally efficient and not cause unreasonable obstruction.
  16. Service vehicle parking, courier facilities and loading and unloading facilities are provided on site in a manner that is conveniently accessible for all developments likely to generate a need for such facilities. The submitted plans clearly indicate that the proposed facilities will be adequate, having regard to:
    - (a) intended use of the site
    - (b) frequency of deliveries and collections
    - (c) size and bulk of goods
    - (d) size of vehicles
    - (e) ease of access.
  17. Table 2 shows indicative standards for provision of service vehicles for various types of development.
  18. Council may require the provision of taxi, private vehicle and bus/coach drop off/set down areas where warranted by the proposed development. Specifically, bus set down facilities are provided, in close proximity to the main pedestrian access, for education establishments, shopping centre developments or commercial premises of more than 10,000m<sup>2</sup>, convention and exhibition centres, and other development as deemed appropriate by Council.

## **B. Variations to parking rates**

### **Objectives**



1. Allow variations to on site provision of parking.

## **Controls**

### Controls applying to all development to which this section applies

1. Applicants comprehensively justify any departure from the parking rates set out in Table 1 or Table 3 in the Statement of Environmental Effects or Traffic Impact Study.
2. Council has regard to the following when considering any departures from the parking rates set out in Table 1 or Table 3:
  - (a) the size and nature of the development, including any change of use proposed, the amount of additional floor area relative to the existing floor area and the increased parking demand likely to be generated
  - (b) the applicability of other Council policies
  - (c) the mix of uses, the hours of operation and timing of peak demand for each use, including any overlap of parking demand
  - (d) results of any comprehensive parking survey submitted in support of the application
  - (e) whether a Green Travel Plan has been provided and a written agreement between Council and the owner/occupier is established for implementation of the Green Travel Plan
  - (f) whether a car sharing scheme is proposed to be implemented
  - (g) access to public transport services and the probable transport mode of staff and patrons or customers of the development
  - (h) availability and accessibility of public parking facilities in the vicinity of the proposed development
  - (i) the availability of kerb-side parking opportunities in the vicinity of the proposed development
  - (j) continuity, streetscape and heritage significance
  - (k) existing and likely future traffic volumes on the surrounding road network, traffic circulation and safety
  - (l) the impacts of providing on-site parking
  - (m) anticipated impacts of not providing for adequate on-site car parking.
3. For alterations, additions or change of use of an existing building, a departure from the rates set out in Table 1 or Table 3 may be considered if a historic parking deficiency applies. However, a historic parking deficiency does not apply in the case of total redevelopment of a site.
- ~~4. In certain circumstances, Council may consider entering into a voluntary planning agreement to accept a monetary contribution in lieu of on-site car parking provision. A monetary contribution in lieu of on-site provision will not be accepted for bicycle parking/storage.~~

~~Note: Parking is one of many matters for consideration in the assessment of a development proposal. There may be situations where it is impracticable or undesirable to provide parking on site at the rate nominated in this section, but the benefits of the proposal are significant. It is the responsibility of the applicant to show that the proposed level of parking is appropriate, or that overall, the benefits outweigh concerns regarding the level of parking provision.~~

~~In some cases, Council may accept a monetary contribution in lieu of on-site parking provision through a voluntary planning agreement. However, Council may refuse to enter into a voluntary planning agreement for provision of a monetary contribution in lieu of parking provision if it does not intend to provide a public facility in close proximity to the proposed development within a reasonable timeframe.~~

## C. Bike parking

### Objectives

1. Encourage trips by cycling, through the provision of conveniently located bike parking facilities.

### Controls

#### Controls applying to all development to which this section applies

1. Secure and conveniently accessible bicycle parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of bicycle parking than indicated if warranted in particular circumstances. Historic parking deficiency does not apply to the provision of bike parking.
2. Bicycle parking complies with the relevant Australian Standard (AS2890-3).
3. Bicycle parking is clearly marked and signposted.
4. Where bicycle parking is provided within a car parking area, adequate sight lines are provided to ensure safety of users.
5. Where bicycle parking for tenants is provided in a basement car park, it is located on the uppermost level, close to entry/exit points. A well-lit, marked path of travel from the bicycle parking area to entry/exit points is provided.
6. Bicycle parking for visitors/shoppers is provided at grade near key access points to the development.
7. Where shower facilities and change rooms are provided for cyclists, convenient access to such facilities is to be considered in the siting of bicycle parking.
8. Access to bicycle parking is provided in accordance with the Austroads, Cycling Aspects of Austroads Guides, which reference Austroads *Guide to Traffic Engineering Practice*. Slotted drainage grates, longitudinal joint cracks and sharp gradient transitions, which provide hazards to riders, are avoided.
9. Table 1 describes the type of bicycle parking facility to be provided. Bicycle parking is categorised as Security Level B and Security Level C, which references Section 4.1 of the Austroads publication – *Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management*.

## D. Motorbike parking

## **Objectives**

1. Provide motorbike parking to meet likely demand.

## **Controls**

### Controls applying to all development to which this section applies

1. Motorbike parking for new development is provided in accordance with the rates set out in Table 1. Council may require a greater provision of motorbike parking than indicated where warranted in the particular circumstances.
2. Motorbike parking complies with the relevant Australian Standard (AS2890-5) and RMS Technical *direction TDT 2004/02, Motor Bike Parking*.

## **E. Parking for people with a disability**

### **Objectives**

1. Ensure adequate provision of parking for people with a disability.
2. Provide conveniently located and signposted parking for people with a disability.

### **Controls**

1. A proportion of parking spaces is designed and designated by appropriate pavement marking and signposting as parking for people with a disability. Minimum rates are in accordance with the Building Code of Australia.
2. Parking for people with a disability is designed and constructed in accordance with current relevant Australian Standards (AS2890 and AS1428), and the Building Code of Australia.
3. Parking spaces for people with a disability are identified by a sign incorporating the appropriate international symbol. The signage and indicative directions are visible from a vehicle at the entrance to the car park.
4. Parking spaces for people with a disability are located close to wheelchair accessible entrances or lifts.
5. A continuous accessible path of travel is provided from each parking space for people with a disability to the closest accessible public entrance.
6. The minimum floor to ceiling clearance above parking spaces for people with a disability is 2.5m and the minimum floor to ceiling height clearance throughout the accessible path of travel is 2.3m.
7. The applicant is required to demonstrate, to the satisfaction of Council, how parking restrictions are enforced. Council may enter into an agreement with the owner/operator of the premises to allow Council's Compliance Officers to enter the site to enforce parking restrictions. Should such an arrangement be mutually agreed, it will be included as a condition of consent.

## **F. Electric vehicle parking**

### **Objectives**

1. To encourage and support increased usage of and demand for electric vehicles.

### Controls

Note 1: Charging standards are defined by the NSW Electric and Hybrid Vehicle Plan, Future Transport 2056.

The following controls apply to new development that involves car parking, excluding residential alterations and additions with an estimated cost of equal to or less than \$200,000

Note 2: Controls under this heading will lead to a development being electric vehicle ready (EV Ready). Being EV Ready involves ensuring the installation of appropriate electrical circuitry to allow for future electric vehicle charging points, by pre-wiring. These controls do not require the installation of a charging point but are encouraged.

1. Electric circuitry to accommodate 'Level 2' or higher standard electric vehicle charging points must be integrated into all off-street car parking of new residential and non-residential development to ensure that 100% of car spaces can install electric vehicle charging points in the future. This must include:
  - (a) Ensuring adequate electrical capacity and infrastructure (cable size, distribution board size etc.) for the electric vehicle charging point system; and
  - (b) Providing either buried cables underground or cable trays sufficient to accommodate electric circuitry to each car space (see Figure 1 and Figure 2).

Figure 1 Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using cable tray system

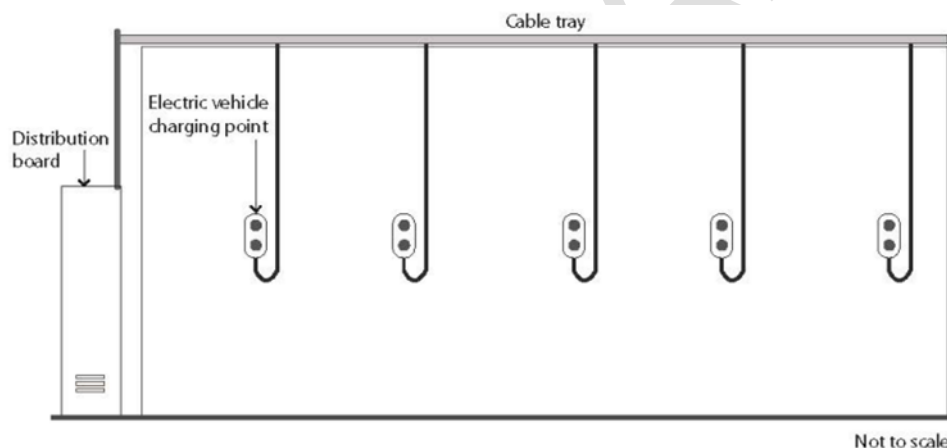
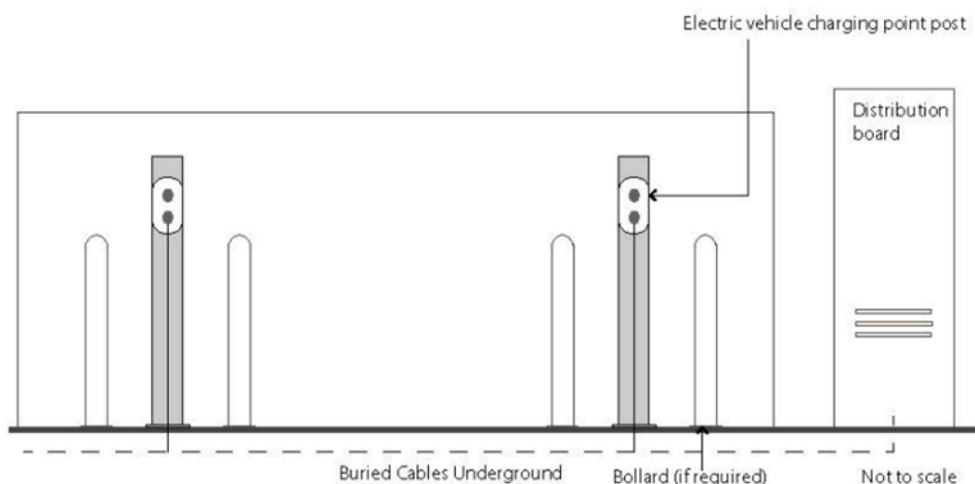


Figure 2 Electric vehicle charging points and electric circuitry provision in development with multiple car spaces using buried underground cable system



2. Minimum electric circuitry for a 'Level 2' electric vehicle charging point, if provided, is required to be:
  - (a) Privately available spaces: 'Level 2' slow – single phase with 7kW power or higher standard; and
  - (b) ~~Shared~~**Publicly available** spaces: 'Level 2' fast – three-phase with 11-22kW power or higher standard.
3. [In addition to EV Ready](#), the installation of electric circuitry for a 'Level 2' or higher standard electric vehicle charging point is encouraged for new dwelling houses, semi-detached dwellings or dual occupancies.
4. A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will be EV Ready. This report should also include an accurate electrical plan, specifications for any off-street car parking and any electric kiosk requirements.

The following controls apply to new residential accommodation development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies

Note 3: Controls under this heading will lead to a development being electric vehicle ready (EV Ready).

5. Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready connections.
6. Locate EV Distribution Board(s) so that no future EV Ready connection will require a cable of more than 50 metres from the parking bay to connect.
7. Identify on the plans submitted with the development application, the future installation location of the cable trays from the EV Distribution Board to the car spaces allocated to each dwelling that are provided a Future EV connection, with confirmation of adequacy from a suitably qualified person (such as an electrical engineer). Spatial allowances are to be made for cables trays and EV Distribution Board(s) when designing in other services.

The following controls also apply to new development that involves car parking, excluding dwelling houses, semi-detached dwellings, secondary dwellings or dual occupancies

84. Development must provide 1 car parking space or 5% of all car parking spaces – whichever is greater - to have a 'Level 2' or higher standard electric vehicle charging point installed. A Development Application is accompanied by a report prepared by a suitably qualified and experienced person (such as an electrical engineer) demonstrating how the development will provide the specified electric vehicle charging point(s). This report should also include an accurate electrical plan, specifications for all off-street car parking and any electric kiosk requirements.

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**Table 1 – Parking rates**

Note1: Parking rates listed below are subject to variation, as outlined in section 7.03.02 (B). In instances where the applicant has not demonstrated a variation to these rates is appropriate, the rates below shall apply.

Note 2: Bicycle parking is categorised as Security Level B or C, which references Section 4.1 of the Austroads publication – Bicycle Parking Facilities: Updating the Austroads Guide to Traffic Management.

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p><b>CENTRE-BASED CHILD CARE FACILITY</b></p> <p>Note: Additional parking may be required for those centres which have a high ratio of staff to children in care.</p> <p>Note: Council may vary the parking standard depending on location. Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.</p>	<p>1 space for every 4 children in attendance</p> <p>PLUS</p> <p>1 pick-up/set-down bay per 10 childcare places, with minimum dimensions of 2.6m x 6m to allow loading/unloading of prams and courier deliveries. For centres with less than 10 childcare places, no pick-up / set-down bay is required.</p>	<p>1 space per 10 staff (Security Level B)</p>	

Land Use	Car Parking	Bike Parking	Motorbike Parking
<b>COMMERCIAL (BUSINESS, OFFICE, RETAIL)</b>			
<b>Office premises</b>	1 space per 50m <sup>2</sup> GFA	1 space per 200m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces
<b>Retail</b>			
Specialised retail premises	1 space per 60m <sup>2</sup> GFA	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>Food and Drink Premises</b>			
<ul style="list-style-type: none"> <li>Pub and Club (registered club)</li> </ul> <p>Note: Car parking rate is provided as a guide only. Survey based assessment should be undertaken and comparisons drawn with similar developments. Additional parking required for dining etc. Parking requirements to be based on activity mix.</p>	1 space per 2 staff plus 1 space per 15m <sup>2</sup> of licensed floor area (bar, lounge) for visitors	1 space per 20 accommodation rooms plus 1 space per 25m <sup>2</sup> bar area plus 1 space per 100m <sup>2</sup> lounge, beer garden (Security Level B) for staff  1 space per 25m <sup>2</sup> bar area plus 1 space per 100m <sup>2</sup> lounge, beer garden (Security Level C) for visitors	1 space per 20 car spaces
<ul style="list-style-type: none"> <li>Restaurant or Cafe</li> </ul>	1 space per 10m <sup>2</sup> GFA or 1 space per 5 seats	1 space per 100m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces



Land Use	Car Parking	Bike Parking	Motorbike Parking
<ul style="list-style-type: none"> <li>Take Away Food and Drink Premises</li> </ul>	<p>Developments with no on-site seating - 6 spaces per 100m<sup>2</sup> GFA</p> <p>Developments with on-site seating but no drive through: 6 spaces per 100m<sup>2</sup> GFA <u>or greater of:</u> 1 space per 10 seats (internal and external), or 1 space per 4 seats (internal)</p> <p>Developments with on-site seating and drive through facilities: <u>greater of:</u> 1 space per 4 seats (internal), or 1 space per 6 seats (internal and external) plus queuing area for 5 to 12 cars</p>	<p>1 space per 100m<sup>2</sup> GFA (Security Level B) for staff</p> <p>1 space per 50m<sup>2</sup> GFA (Security Level C) for visitors</p>	<p>1 space per 20 car spaces</p>
Roadside Stall	No Design Criteria, assessed on merit against the Performance Criteria.		1 space per 20 car spaces
Shop	1 space per 40m <sup>2</sup> GLFA	1 space per 200m <sup>2</sup> GFA (50% Security Level B, 50% Security Level C)	1 space per 20 car spaces
Shopping Centres	<p>0-10,000m<sup>2</sup> GLFA - 6.1 spaces per 100m<sup>2</sup> GLFA</p> <p>10,000-20,000m<sup>2</sup> GLFA - 5.6 spaces per 100m<sup>2</sup> GLFA</p> <p>20,000-30,000m<sup>2</sup> GLFA - 4.3 spaces per 100m<sup>2</sup> GLFA</p> <p>Over 30,000m<sup>2</sup> GLFA - 4.1 spaces per 100m<sup>2</sup> GLFA</p>	1 space per 200m <sup>2</sup> GFA (50% Security Level B, 50% Security Level C)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
Vehicle Sales or Hire Premises	1 space per 130m <sup>2</sup> gross display area plus additional parking for workshop or service bay	1 space per 20 staff	
<b>EDUCATIONAL ESTABLISHMENTS</b>			
School Note: Council may vary the parking standard depending on location and will require the provision of additional parking where a school auditorium is proposed. Council may require preparation of a Traffic Impact Study to support the proposal.	1 space per 2 staff plus 1 space per 8 senior students  1 space per 100 students for visitors	1 space per 10 staff (Security Level B)  1 space per 10 students (Security Level C)	1 space per 20 car spaces.
University or TAFE establishment	1 space per staff plus 1 space per 3 students	1 space per 20 staff (Security Level B)  1 space per 20 students (Security Level C)	1 space per 20 car spaces
<b>ENTERTAINMENT FACILITY</b>			
Entertainment Facility Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required. As a guide, 1 space per 3 seats	1 space per 20 staff (Security Level B)  1 space per 20 visitors (Security Level C)	1 space per 20 car spaces
<b>HEALTH SERVICES FACILITY</b>			
Health Consulting Rooms  Note: Council may require a parking assessment with survey of similar developments.	1 space per practitioner plus 1 space per 2 other staff  2 spaces per practitioner for visitors	1 space per 10 practitioners (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p>Hospital</p> <p>Note: Council may vary the parking standard depending on location. Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments. Ambulance parking facilities are to be provided.</p>	<p>1 space per 2 staff</p> <p>1 space per 3 beds for visitors</p>	<p>1 space per 10 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C) for visitors</p>	<p>1 space per 10 car spaces</p>
<p><b>HOME BUSINESS OR HOME INDUSTRY</b></p> <p>Note: Parking requirements will be based on the proposed use and operational details.</p>	<p>At minimum, parking requirements for applicable residential accommodation, are to be satisfied, with additional on-site parking for staff at a rate of 1 space per 2 staff and customer parking as appropriate.</p>		
<b>INDUSTRIAL ACTIVITY</b>			
Artisan food and drink	0.4 space per patron or 1 space per 40 m <sup>2</sup> GFA, whichever is the greater	1 space per 100m <sup>2</sup> GFA (Security Level B)	1 space per 20 car spaces
All other industrial activity	1 space per 100m <sup>2</sup> GFA or 1 space per 2 staff, whichever is the greater	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>MARINA</b>	No Design Criteria, assessed on merit against the Performance Criteria.	<p>1 space per 20 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C)</p>	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<b>PLACE OF PUBLIC WORSHIP</b> Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required. As a guide, 1 space per 4 seats.	1 space per 20 staff (Security Level B)  1 space per 20 visitors (Security Level C)	1 space per 20 car spaces
<b>COMMUNITY FACILITY (INDOORS)</b>	1 space per staff plus 1 space per 3 visitors	1 space per 20 staff (Security Level B)  1 space per 20 students (Security Level C)	1 space per 20 car spaces
<b>WAREHOUSE OR DISTRIBUTION CENTRE</b>	1 space per 200m <sup>2</sup> GFA or 1 space per 2 staff (whichever is greater)	1 space per 20 staff (Security Level B)	1 space per 20 car spaces
<b>RECREATIONAL FACILITIES</b>			
Bowling alleys	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Bowling greens	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Gymnasium	Minimum 4.5 spaces per 100m <sup>2</sup>	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
Squash courts	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
Tennis courts	No Design Criteria, assessed on merit against the Performance Criteria.	1 space per 20 staff (Security Level B)  1 space per 10 staff (Security Level C)	1 space per 20 car spaces
<b>RESIDENTIAL ACCOMMODATION</b>			
Attached dwellings, Dual occupancies, Multi dwelling housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	<u>City wide (excluding Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone):</u>  Minimum of 1 space per dwelling.  Minimum 1 space for the first 5 dwellings (excluding dual occupancies) plus 1 space for every 5 thereafter or part thereof for visitors.	Bike parking of 1 space per dwelling is required unless separate storage is provided (Council determine the required security level)  1 space per 10 dwellings (Security Level C) for visitors	1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
Boarding House	1 space plus 1 space per 2 bedrooms	1 space per 10 bedrooms (Security Level B) for staff/residents  1 space per 20 bedrooms (Security Level C) for visitors	1 space per 20 car spaces
Dwelling House	1 space per dwelling < 125m <sup>2</sup>  2 spaces per dwelling > 125m <sup>2</sup>		

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Land Use	Car Parking	Bike Parking	Motorbike Parking
Group Home	1 space plus 1 space per 2 bedrooms	1 space per 10 bedrooms (Security Level B) for staff/residents  1 space per 20 bedrooms (Security Level C) for visitors	1 space per 20 car spaces
Seniors housing or People with a Disability	Refer to SEPP (Housing <del>for Seniors or People with a Disability</del> ) 2021/2004	Refer to SEPP (Housing <del>for Seniors or People with a Disability</del> ) 2021/2004	Refer to SEPP (Housing <del>for Seniors or People with a Disability</del> ) 2021/2004
<b>RESTRICTED PREMISES</b>			
Sexual Entertainment Establishment Note: Council may require preparation of a Traffic Impact Study to support the proposal, including a parking assessment with survey of similar developments.	Survey required.		1 space per 20 car spaces
<b>TOURIST AND VISITOR ACCOMMODATION</b>			
Bed and Breakfast Accommodation	1 space per dwelling < 125m <sup>2</sup> or 2 spaces per dwelling > 125m <sup>2</sup>  1 space per 2 guest bedrooms for visitors		1 space per 20 car spaces

Land Use	Car Parking	Bike Parking	Motorbike Parking
<p>Hotel, Motel or Serviced Apartment Accommodation</p> <p>Note: Council may vary the parking requirement depending on the location.</p>	<p>1 space per 2 staff plus minimum 0.5 spaces per unit</p>	<p><u>Hotel or Motel:</u></p> <p>1 space per 20 units (Security Level B)</p> <p><u>Serviced Apartment:</u></p> <p>1 space per 5 apartments (Security Level B)</p> <p>1 space per 20 apartments (Security Level C) for visitors</p>	<p>1 space per 20 car spaces</p>
<p><b>SERVICE STATION AND VEHICLE REPAIR STATION</b></p>	<p>6 spaces per work bay plus 1 space per 20m<sup>2</sup> GFA of any ancillary convenience store.</p> <p>Additional parking required if development includes restaurant or take-away food outlet.</p>	<p>1 space per 20 staff (Security Level B)</p> <p>1 space per 10 staff (Security Level C) for visitors</p>	
<p><b>VETERINARY HOSPITAL</b></p>	<p>1 space per practitioner plus 1 space per two other staff</p> <p>1 space per practitioner for visitors</p>	<p>1 space per 10 practitioners (Security Level B)</p> <p>1 space per 10 staff for visitors</p>	<p>1 space per 20 car spaces</p>



**Table 2 – Requirements for delivery and service vehicles**

Land Use	Requirements for Delivery and Service Vehicles
Commercial premises (50% of spaces adequate for trucks)	<20,000m <sup>2</sup> GFA 1 space per 4,000m <sup>2</sup> GFA >20,000m <sup>2</sup> GFA 5 + 1 space per 8,000m <sup>2</sup> over 20,000m <sup>2</sup>
Department stores (all spaces adequate for trucks)	<6,000m <sup>2</sup> GFA 1 space per 1,500m <sup>2</sup> GFA >6,000m <sup>2</sup> GFA 4 + 1 space per 3,000m <sup>2</sup> over 6,000m <sup>2</sup>
Supermarkets, shops and restaurants (all spaces adequate for trucks)	<2,000m <sup>2</sup> GFA 1 space per 400m <sup>2</sup> GFA >2,000m <sup>2</sup> 5 + 1 space per 1,000m <sup>2</sup> over 2,000m <sup>2</sup>
Wholesale, industrial (all spaces adequate for trucks)	<8,000m <sup>2</sup> GFA 1 space per 800m <sup>2</sup> >8,000m <sup>2</sup> 10 + 1 space per 1,000m <sup>2</sup> over 8,000m <sup>2</sup>
Hotels and Motels (50% of spaces adequate for trucks)	<200 bedrooms or bedroom suites 1 space per 50 bedrooms plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant >200 bedrooms or bedroom suites 4 + 1 per 100 bedrooms over 200 plus 1 space per 1,000m <sup>2</sup> of public area set aside for bar, tavern, lounge and restaurant
Residential flat buildings (50% of spaces adequate for trucks)	<200 flats or home units 1 space per 50 flats or home units >200 flats or home units 4 + 1 per 100 units over 200
Other uses (50% of spaces adequate for trucks)	1 space per 2,000m <sup>2</sup>

**Table 3 – Residential development parking rates applying to the Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone**

Land Use	Car parking
<b>RESIDENTIAL ACCOMMODATION</b>	Newcastle City Centre, Renewal Corridors, The Junction and Hamilton B2 Local Centre zone and Darby Street Mixed Use zone
Attached Dwellings, Dual occupancy, Multi Dwelling Housing, Residential Flat Buildings, Semi-detached dwellings, Shop Top Housing	Small (<75m <sup>2</sup> or 1 bedroom) – maximum average of one space per dwelling
	Medium (75m <sup>2</sup> - 100m <sup>2</sup> or 2 bedrooms) – maximum average of one space per dwelling
	Large (>100m <sup>2</sup> or 3 bedrooms) – maximum average of two spaces per dwelling
	Visitor parking – no minimum or maximum rate

### 7.03.03 Travel demand management

#### A. Public transport

##### **Objectives**

1. Facilitate increased modal share to public transport.
2. Encourage consideration of alternatives to private vehicle ownership, use and parking.

##### **Controls**

The following controls apply to major development, as identified

1. For major development, resulting in more than 50 dwellings, recreation facilities, hospitals, community health service facilities, entertainment facilities seniors housing or other development deemed appropriate by Council, a bus stop and shelter are provided, except where the pedestrian entrance to the proposed development is located within 400m of an existing bus stop with shelter. Alternatively, Council may accept a monetary contribution in lieu of provision of a bus stop with shelter, through a voluntary planning agreement.
2. For major developments, defined above, the applicant will liaise with public transport service providers and Transport NSW regarding the adequacy of current services and potential improvements.
3. The bus shelters are directly connected to the entry to the development by a conveniently accessible footpath.
4. Signage is installed directing patrons to public transport stops facilities, with timetable information displayed in a prominent location.

#### B. Green Travel Plan

##### **Objectives**

1. Encourage alternatives to private vehicle use for trips.
2. Ensure that within the development, allowance for suitable allocation of transport options away from vehicle dependency addresses the nominated transport modal split.

##### **Controls**

The following controls apply only to major development, as defined in this DCP

1. A Green Travel Plan is prepared and submitted to Council in support of applications for major new development. Components/strategies of a Green Travel Plan will likely vary according to the nature of the development, but may include:
  - (a) identification and promotion of public transport options to access the site (for example, on a web site and/or business cards)
  - (b) preparation of a Transport Access Guide (TAG) for the site/venue
  - (c) encouragement of a car pool system for employees

- (d) encouragement of cycling and walking to the workplace through provision of bicycle parking, showers and lockers
- (e) incentive schemes to encourage employees to commute using sustainable transport modes (such as provision of public transport vouchers/subsidised public transport tickets)
- (f) allocation of designated parking spaces for a car sharing scheme, and/or
- (g) prominent display of a large map of cycling routes (for example, in the foyer of a residential complex).

The undertakings made in the submitted Green Travel Plan will be included as conditions of consent to the development.

## **C. End of trip facilities**

### **Objectives**

1. Encourage trips by walking and cycling through adequate provision of end of trip facilities.

### **Controls**

The following controls apply only to development with an estimated cost of more than \$250,000, involving employment of staff.

1. For new development that has an estimated cost of more than \$250,000, “end of trip” facilities for employees are provided at the following rates:
  - (a) one personal secure locker for each bicycle parking space
  - (b) one shower cubicle, with ancillary change rooms, per 12 bicycle spaces (or part thereof over four spaces) with a minimum of one shower and change facility.
2. Facilities are secure, with controlled access, and located in well-lit areas, as close as practicable to bicycle parking. Facilities may be unisex.

Note: Provision of facilities to store belongings, shower and change may encourage people to walk and cycle more. These facilities will also benefit employees who choose to exercise during meal breaks.

## **D. Parking permit schemes**

### **Objectives**

1. Inform proponents of their lack of eligibility for participation in Council’s Resident and Residents Visitors Parking Schemes.

## **Controls**

### The following controls apply to residential development

1. Resident and Visitor Parking Permits are not issued to occupants of new residential developments, including dwelling houses, that have been approved by Council in accordance with this DCP, irrespective of the amount of provision of on-site parking. Similarly, permits are not issued to occupants of new development approved by any other determining authority.
2. All intending owners, tenants and occupiers of new developments are notified by the owners of the building or individual units (once on-sold) that residents are ineligible for participation in a Council on-street parking scheme, prior to entering a purchasing, lease or occupancy agreement.
3. Signage with words to the effect that all owners, tenants and occupiers are ineligible to obtain an on-street parking permit from Council is displayed prominently, in such a way that it can be easily observed by persons entering the building. Signage is erected within the completed buildings prior to the release of an occupancy certificate or issue of strata subdivision approval, whichever occurs first, and is maintained in good order.

## **7.03.04 Design and layout of parking and access**

### **A. Siting**

#### **Objectives**

1. Ensure that car parking areas and/or structures are well-sited and designed as an integrated component of the total development.

#### **Controls**

##### Controls applying to all development to which this section applies

1. Parking facilities are sited and designed to be properly integrated within the overall development/building to minimise their visual impact and any adverse impact on the continuity and amenity of street frontages.
2. Parking is located so that it is within a reasonable distance of access to the premises it serves.
3. Parking spaces are not positioned so as to obstruct access to the premises by pedestrians or cyclists.
4. Loading areas are situated so that when in use, they do not interfere with pedestrian, cyclist or vehicular circulation.

The following controls apply only to Residential Accommodation as defined within the Newcastle Local Environmental Plan 2012, where not complying development

5. Generally, car parking structures are set back a minimum distance of 5.5m from the street frontage providing access to the car parking space.

## **B. Parking areas and structures**

### **Objectives**

1. Ensure that parking and vehicular access do not dominate the streetscape or detract from the character of the area.
2. Ensure that parking does not detract from the overall appearance or the continuity of streetscapes or streetscape elements, including street tree planting.
3. Ensure parking areas and structures are designed to be easily and safely negotiated by vehicles and pedestrians.

### **Controls**

Controls applying to all development to which this section applies

1. Design and construction of parking, set down areas and loading facilities comply with the provisions of AS2890 Parking facilities.
2. Wherever possible, car parking structures such as multi-level car parks, enclosed half-basement or single-storey car parks, incorporate active uses along the ground level frontage.
3. Car parking provided at or above ground level has horizontal flooring and a minimum floor to ceiling height of 3.6m at the ground level and 3.3m for the next two floors above, to enable it being adapted to an alternative use in future.
4. The facade of an above ground parking structure is:
  - (a) designed and finished to complement the architecture of the building and **visually pleasing**.
  - (b) designed to avoid domination of ramps or strong horizontal and/or vertical features.
5. Covered or enclosed parking areas have adequate provision of lighting and ventilation. Natural lighting is preferred.
6. Parking layout facilitates efficient parking search patterns. Dead-end aisles are avoided.
7. Clear signage and pavement markings are provided on site to manage traffic movements, driver behaviour and provide warning of potential safety hazards.
8. Where development is expected to generate vehicle movements during hours of darkness, self-illuminated and/or reflective signage and pavement markings are provided.

9. Within parking areas of larger than ten car spaces, segregated routes for pedestrian and bicycle movements are created, using line marking, pedestrian crossings, signage and/or speed bumps.

### **C. Access**

#### **Objectives**

1. Maintain the pedestrian amenity of streets.
2. Protect the significance of heritage conservation areas.
3. Ensure that vehicular access is appropriately located.

#### **Controls**

1. Vehicular crossings are designed and located in accordance with the current relevant Australian Standard (AS2890 Parking facilities) and Council's requirements.
2. Vehicular crossings are located having regard to driver and pedestrian safety and impacts on traffic movement. Vehicular crossings are avoided in the following areas:
  - (a) in areas of high pedestrian movement
  - (b) on major roads
  - (c) close to intersections
  - (d) where the use of the driveway may significantly obstruct through traffic or the operation of bus stops.
3. Direct vehicle access to a classified road is not provided wherever alternate access is available. Refer to SEPP (Infrastructure) 2007.
4. Direct access (vehicle or pedestrian) to a classified road requires the separate approval of the Transport for NSW pursuant to s138 of the *Roads Act* 1993.
5. Vehicular crossings are located to provide adequate sight distance to traffic on the frontage road and to pedestrians on the frontage road footpath. Sight distances are in accordance with Australian Standards (AS2890 Parking facilities).
6. Access ways and structures are designed so that vehicles are able to enter or exit in a single turning movement in a forward direction.
7. Vehicular crossings are positioned so as to maximise on-street parking and so that there are whole car parks between access points.

8. Where rear lane access to residential development is achievable, car parking is accessed from the rear lane only.
9. No additional vehicular crossings (other than from rear lanes) are provided in heritage conservation areas where these may adversely impact on streetscape continuity, the character of the built form or landscape setting.

Note 1: A separate approval must be obtained from Council for all works within the public road reserve pursuant to section 138 of the *Roads Act 1993*.

Note 2: Transport for NSW is the consent authority for traffic control signals, under section 87 of the *Roads Act 1993*, should this form of intersection control be considered necessary for access to a development.

DRAFT

**ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER**

**CCL 27/09/22 - ADOPTION OF AMENDMENTS TO THE NEWCASTLE  
DEVELOPMENT CONTROL PLAN 2012**

**ITEM-73**      **Attachment F:**      Submissions table

**DISTRIBUTED UNDER SEPARATE COVER**





## ATTACHMENT F – SUBMISSIONS TABLE – DRAFT NEWCASTLE DEVELOPMENT CONTROL PLAN 2012 AMENDMENTS

The table below captures key matters raised during public exhibition of the proposed amendments to the draft Newcastle Development Control Plan 2012 (NDCP). The draft NDCP was exhibited from Monday **16 May 2022 to Sunday 12 June 2022**. CN received **six submissions** during the exhibition period and **two late submissions**. These represented the views of community members, the Cooks Hill Community Group, a business owner and industry groups (Urban Development Institute of Australia and Property Council).

Theme/issue	Key matters raised	Council response
<b>In principle support</b>	Support for development delivered installation of recharging facilities for those who have electric vehicles - EV Ready.	Comment noted.
	EV Ready will add to the saleability of new developments.	Comment noted.
	EV Ready supports sustainable development.	Comment noted.
<b>On street parking in the Darby Street commercial area</b>	<p>Retain FREE 2 hour parking for customer retention reasons.</p> <p>Issue with current residents (who live above retail spaces) parking their vehicles here all day everyday without any concerns that compliance officers will fine them for overstaying.</p> <p>Those with utes park all day everyday in loading zones which disrupts the flow of traffic. Couriers scramble to find appropriate spots so they can supply the cafes and shops with stock.</p> <p>Impact Darby Street businesses, the amenity of the surrounding residential area.</p>	As a parking authority, City of Newcastle (CN) can establish and operate parking schemes, including resident permit parking schemes and define and enforce restricted parking areas. The CN Parking Plan 2021 Strategy includes a policy framework for parking decisions alongside a supporting Parking Implementation Plan. These mechanisms will continue to address and manage reasonable overspill of development based demand for on street car parking in the public domain. CN will continue to manage development to improve the amenity of our streets, support the accessibility of centres, and encourage a shift to public and active transport.
<b>Removal of minimum parking requirements for “denser urban</b>	Residents continue to own vehicles despite active and public transport alternatives. Increase in state vehicle registrations.	Noted. CN and state level transport/parking strategies and plans, have a strong and clear vision for a more sustainable transport future that involves tangible shifts in travel choice to non car modes such as public transport, walking and cycling for all types of trips. The strategic documents recognise the inherent relationship between car parking provision and car ownership/ driving; i.e. the supply of a parking space will attract driving trips. CN's

Theme/issue	Key matters raised	Council response
<b>areas” including the Darby Street mixed use zone and the Newcastle City Centre zone</b>	<p>No evidence provided to show the current minimum parking requirements for new developments have prevented residents from choosing other transport options should they so desire.</p> <p>Council should develop an access to the city strategy that includes all forms of transport, including vehicles.</p>	<p>strategic direction is to examine how status quo parking policies may support driving and the extent of their impacts on the uptake of other transport modes, such as the CN Parking Plan 2021. For instance, existing policies in the NDCP that set a minimum rate of parking can increase parking provision irrespective of demand, making it more convenient to drive instead of using other modes, which is contrary to CN's and state level strategic directions. CN's existing NDCP has sufficient development led bicycle parking controls that set minimum rates, which in turn support greater cycling activity across Newcastle. CN continues to work with the NSW State Government to plan for and deliver on improved public transport for Newcastle as identified under the <i>Greater Newcastle Future Transport Plan 2056</i>.</p>
	<p>Existing deficiency of parking for visitors.</p>	<p>Visitor parking is proposed under the draft NDCP to not be subject to a defined parking rate. This allows development industry to decide on the provision of visitor parking using knowledge and experience of market conditions and expectations in city centre locations. Residential visitor parking usually occurs outside periods when parking demand in the city centre is peaking. This approach is consistent with CN's strategies and plans and will have benefits for sustainability and housing affordability.</p>
	<p>Current minimum parking requirements have not impacted development feasibility and stopped development from occurring.</p>	<p>There are significant advantages to the community in removing minimum parking requirements for developments in accessible locations. Evidence strongly suggests that for high-density apartment development, a reduction in car parking, alongside guidance on how to integrate and adapt spaces for other uses is needed for the long-term sustainability of urban development in general. For non-residential development, not setting minimums provides greater flexibility for market demand to determine the minimum amount of parking rather than regulation. This reduces development cost and improves affordability by building fewer parking spaces for developments that can reasonably operate at lower parking levels in highly accessible locations, improving land use flexibility.</p>
<b>Maximum parking rates for the nominated “denser urban areas”</b>	<p>Unnecessary and over-prescriptive.</p> <p>Council objective to remove more car movements in the city this cannot be done in the absence of a regular and reliable public transport system to other LGAs.</p>	<p>Advantages of adopting maximum parking rates instead of minimum rates is that it reduces development cost and improves affordability by building fewer parking spaces where it is the market trend and allows more compact development, including adaptive reuse. Maximums assist to limit peak trips which causes excessive trip generation and congestion. Maximum parking rates supports CN's sustainable transport goals by not mandating car ownership or driving and encouraging the use of alternate modes of transport that currently exist (such as public and active transport). These transport goals are supported for continual accessibility improvement under Council's vision as well as improve affordability to occupiers.</p>

Theme/issue	Key matters raised	Council response
	<p>Observation that it is very uncommon to see any residential or mixed use development proposals with car parking in excess of the current DCP requirements.</p>	<p>Noted. The Newcastle Local Environmental Plan 2012 definition of <i>gross floor area</i> limits parking being included where exceeding NDCP requirements. <i>Gross floor area</i> is a consideration of <i>floor space ratio</i>, therefore, exceeding the NDCP parking requirements can limit the use of floor space ratio for other aspects of a development such as floor space within units. Exceeding the parking controls of the NDCP can therefore potentially impact development viability. There are instances where applications seek higher rates of parking in the city centre and growth areas.</p>
	<p>Set the maximum average parking rate for a Medium / 2-bedroom apartment at 1.4 spaces instead of 1 to provide greater flexibility to meet known market demand.</p>	<p>The maximum rate specified in Table 3 of the draft NDCP for a Medium / 2-bedroom apartment is 1 space per dwelling. This rate is suitable when assessed against the local Newcastle context, benchmarking of other cities (City of Parramatta and North Sydney Council) and CN's objectives of its policies, plans and strategies.</p>
<b>4.02 Bushfire Protection</b>	<p>This gives no consideration to the size of the site or the distance from the bushfire encroachment into the site. Sites can be very large and therefore the development proposed can be located a considerable distance from any bushfire hazard. We suggest that there should be a prescribed distance from the bushfire map hazard for which development is allowed without requiring a bushfire assessment report.</p>	<p>A bush fire assessment report is the tool to demonstrate compliance with Planning for Bushfire Protection 2019. Proposed amendments expand on the requirements to demonstrate compliance. Nominating a distance for assessment is not suitable because of site variability, embers and radiant heat whilst ensuring the control is robust to reflect any future updated policy.</p>
<b>4.04 Safety and Security</b>	<p>Section 2.(i) Proscribes to maximise glazed shopfront on the ground level for views in and out of the shops. While we appreciate what is trying to be achieved here we caution about specifically listing this requirement as applying to all development as there are a number of retail developments that were listed in the current dcp where this should not apply, such as retail medical clinics, adult shops, etc.</p> <p>Section 2.(v) asks to ensure shop fronts are not obscured by planting, signage, awnings or roller shutter. Again, we appreciate the principle of providing greater security but this specific requirement does limit design options</p>	<p>CN's Safe City Plan seeks to improve crime prevention through environmental design. Controls seek to establish and maintain interaction, pedestrian activity and casual surveillance through appropriate land uses and building design where adjoining the street frontage. These updated controls compliment the controls of the current Chapter 3.00 Landuse Specific Provisions and Chapter 6.00 Locality Specific Provisions. Controls encourage an applicant to investigate and provide a design solution to the alternate being an obscured frontage.</p>

Theme/issue	Key matters raised	Council response
	that could otherwise incorporate biophilic design elements that add to the appeal and connectiveness of a development. There are many examples of where shop fronts incorporate the use of plants very effectively.	
<b>Disabled parking</b>	Lack of disabled parking in the inner-city area limiting visitation.	Not relevant to the proposed amendments to the draft NDCP Section 7.03 Traffic, Parking and Access for this suite of amendments. Section 7.03.02 E. Parking for people with a disability in the existing NDCP includes controls for development delivered off street disability parking. CN will continue to review and monitor the effectiveness of controls in the NDCP over time for disability parking. There is no change proposed as the Building Code of Australia and Australian standard also captures rates for disabled parking, which CN is consistent with.
<b>Accessibility</b>	Council should design streets to have safe, accessible carriageway widths, including for cars parked on either side of the street.	Not relevant to this proposed suite of amendments to the draft NDCP. CN will continue to review and monitor the effectiveness of controls in the NDCP for movement networks and the public domain.
<b>Electric Vehicle charging</b>	<p>A notable omission here is that the DCP does not specify whether the upline reticulation should (1) be sized assuming continuous charging at all spaces, or (2) it can be sized to recognise that EV charging typically occurs spread over a portion of the time that the EV is connected.</p> <p>Controls should focus on a demand-based system, to avoid unnecessary additional substations. Council should adopt the Definition of EV Distribution Board in the draft Parramatta City Centre DCP with the exception of the line "and that increases to electrical feed sizes are not required".</p> <p>Controls should consider a lower rate of provision for EV charging points where installation costs would reduce development feasibility.</p>	CN officers have considered this submission and had discussions with key and relevant stakeholders regarding the implementation of EV controls. Further benchmarking of the controls has occurred against the City of Parramatta and work undertaken in drafting the NSW State Governments draft Design and Place SEPP (no longer proceeding). Officers recommend an electrical distribution and load management system be included for higher density residential development, consistent with these government entities recommendations and advice from stakeholders.