

3.11 Community Services

Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Details
1	15/11/2011	15/06/2012	New

Savings provisions

Any development application lodged but not determined prior to this section coming into effect will be determined taking into consideration the provisions of this section.

Land to which this section applies

This section applies to all land to which the Newcastle Local Environmental Plan 2012 applies.

Development (type/s) to which this section applies

This section applies to all development consisting:

- child care facilities
- community facilities
- correctional centres
- educational establishments
- health service facilities
- information and education facilities
- places of public worship
- public administration building
- research station.

Applicable environmental planning instruments and legislation

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

- Newcastle Local Environmental Plan 2012
- *Community Services Regulation 2004*
- *Children's Services Regulation 2004*
- *Children and Young Persons (Care and Protection) Amendment (Out of School Hours Care Services) Regulation 2007*
- *Children and Young Persons (Care and Protection) Act 1998*
- State Environmental Planning Policy (Infrastructure) 2007.

In the event of any inconsistency between this section and the above listed environmental planning instruments, 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: Section 74E (3) of 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.

Related sections

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

- 4.04 Safety and Security
- 7.01 Building Design Criteria
- 7.02 Landscaping, Open Space and Visual Amenity
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management
- 7.09 Outdoor Advertising and Signage.

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

- 4.01 Flood Management – all land which is identified as flood prone land under the Newcastle Flood Policy or within a PMF or area likely to flood
- 4.02 Bush Fire Protection – within mapped bush fire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 4.05 Social Impact – where required under ‘Social Impact Assessment Policy for Development Applications’, 1999
- 5.01 Soil Management – works resulting in any disturbance of soil and/or cut and fill
- 5.02 Land Contamination – land on register/where risk from previous use
- 5.03 Tree Management – trees within 5m of a development footprint or those trees likely to be affected by a development
- 5.04 Aboriginal Heritage – known/likely Aboriginal Heritage item/site and/or potential soil disturbance
- 5.05 Heritage Items – known heritage item or in proximity to a heritage item
- 5.06 Archaeological Management – known/likely archaeological site or potential soil disturbance
- 5.07 Heritage Conservation Areas -- known conservation area
- 6.01 Newcastle City Centre - East - if proposed development is located in this precinct
- 6.02 Newcastle City Centre - West - if proposed development is located in this precinct
- 6.03 Wickham - if proposed development is located in this precinct
- 6.04 Islington Renewal Corridor - if proposed development is located in this precinct
- 6.05 Mayfield Renewal Corridor - if proposed development is located in this precinct
- 6.06 Hamilton Renewal Corridor - if proposed development is located in this precinct
- 6.07 Broadmeadow Renewal Corridor - if proposed development is located in this precinct
- 6.08 Adamstown Renewal Corridor - if proposed development is located in this precinct
- 6.09 Darby Street, Cooks Hill - if proposed development is located in this precinct
- 6.10 Beaumont Street, Hamilton - if proposed development is located in this precinct
- 6.11 Royal Newcastle Hospital Site - if proposed development is located in this precinct
- 6.12 Minmi - if proposed development is located in this precinct
- 7.04 Movement Networks – where new roads, pedestrian or cycle paths are required.

Associated technical manual/s

- Nil

Additional information

- New South Wales Department of Family and Community Services webpage
www.community.nsw.gov.au

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.

Aims of this section

1. To maintain the streetscape, amenity and character of areas surrounding community services.
2. To ensure community services are accessible, convenient and appropriately located.
3. To encourage social connections, community participation and promote health and wellbeing.

3.11.01 Building design

Objectives

1. Ensure community facilities integrate with the surrounding environment and built form.

Controls

General controls applying to all development to which this section applies

1. When designing and siting community facilities consideration is given to, but not limited to:
 - (a) location and use of surrounding buildings
 - (b) views to and from the site
 - (c) access to the site
 - (d) existing vegetation and topography of the site.

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