

## 3.14 Exhibition Homes and Villages

### Amendment history

Version Number	Date Adopted by Council	Commencement Date	Amendment Type
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 within which exhibition home or exhibition village is permissible with consent under Newcastle Local Environmental Plan 2012.

### Development (type/s) to which this section applies

This section applies to all development consisting of exhibition home and exhibition village.

### Applicable environmental planning instruments and legislation

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

- Newcastle Local Environmental Plan 2012
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004.

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: 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:

- 3.02 Single Dwellings
- 7.03 Traffic, Parking and Access
- 7.05 Energy Efficiency
- 7.06 Stormwater
- 7.07 Water Efficiency
- 7.08 Waste Management.

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 bushfire area/zone
- 4.03 Mine Subsidence – within mine subsidence area
- 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
- 6.02 Heritage Conservation Areas - known conservation area

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

- Nil

#### **Additional information**

- Nil

#### **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 ensure due consideration is given to the potential impacts of development for the purpose of exhibition homes.
2. To ensure the existing amenity of the locality is not significantly affected by the development through the provision of inadequate on site parking and landscaping.
3. To ensure the proposed entry and exit to and from the exhibition homes integrates with the existing road hierarchy to maintain efficient functioning of the road system surrounding the site(s).

### **3.14.01 Landuse**

#### ***Objectives***

1. To ensure that the City of Newcastle offers improved housing choice and appropriate development in residential areas, without adversely impacting on nearby residents or the locality generally.

#### ***Controls***

1. An exhibition home/village may contain other associated activities such as house and land sales, materials display, and home financing, as well as associated outbuildings only if they are ancillary to the exhibition home/village.
2. The ancillary uses to the exhibition home/village are contained within the curtilage of the exhibition home/village.
3. The exhibition home/village is only located in areas where Council is of the opinion that the proposed development (including ancillary uses) is unlikely to cause a negative impact on the amenity of the particular locality.
4. The applicant is not to undertake any activity on or adjacent to the subject lands which may constitute a nuisance to neighbouring owners and/or occupiers.

### **3.14.02 Time limits**

#### ***Objectives***

1. Limit the use of a dwelling house(s) for the purpose of an exhibition home/village to a temporary use in order to reflect the long term residential expectations and character of the zone.

#### ***Controls***

1. Development consent for an exhibition home/village will be granted for a maximum operational period of three years. At the conclusion of the three year period, an application can be made to extend the operational period of the exhibition home/village by an additional two years.
2. At the conclusion of this time period the exhibition home(s) is to revert to a residential dwelling house.

### **3.14.03 Hours of operation**

#### ***Objectives***

1. Ensure that the hours of operation of the exhibition home/village do not adversely impact on the amenity of the surrounding neighbourhood and residents.

#### ***Controls***

1. The exhibition home/village is operated only between the hours of 9am and 5pm Monday to Saturday and 10am and 5pm on Sundays.

### **3.14.04 Parking**

#### ***Objectives***

1. Ensure that adequate car parking is provided to minimise the impact of parked vehicles on the amenity of the locality and vehicular access is maintained to residents' properties.

#### ***Controls***

1. Off street car parking is provided to meet the parking demand generated by the exhibition home/village.
2. For an exhibition village, a communal car park may be required.

### **3.14.05 Vehicular movement and access**

#### ***Objectives***

1. Provide for efficient movement of residential traffic and visitor traffic within the locality.
2. Ensure that traffic generated by the development does not adversely impact on the safety of residents in the locality.

#### ***Controls***

1. The exhibition home/village is located adjacent to main roads and accessed from residential collector roads. Exhibition home/village is not within cul-de-sacs or minor roads particularly where there may be interaction and impact on the amenity of existing or future residents.
2. The exhibition home/village is not located in areas which require visitor traffic to access quiet residential streets.
3. Access to the exhibition home/village is via the most direct route available to minimise traffic and associated impacts on the amenity and wellbeing of existing and future residents.