



Statement of Environmental Effects
 Seventeen Lot Community Subdivision
 42 Thorncliffe Avenue, Thornton

Thornton Brentwood Pty Ltd

February 2023



Prepared for:

Landlink Property Group



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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared on behalf of Thornton Parks Pty Ltd.

This SEE will accompany a Development Application (DA) seeking consent for a one (1) into seventeen (17) lot Community Title Subdivision of 42 Thorncliffe Ave, Thornton NSW. The proposed development includes sixteen (16) residential allotments, one (1) roadway, roadway extension, associated service infrastructure.

The subject allotment, known as Lot 730 DP 1281813, was subject to development approval by Maitland City Council (MCC) under DA2020/507, while being more broadly considered under DA932-11.

A detailed description of the proposed development is provided in Section 3.0.

The Subdivision Plan is included in Appendix A of this report.

This report has determined that the proposal is generally compliant with the relevant State and various Council Instruments.

2. Site Analysis

2.1 Site Description

The subject site, known as Lot 730 DP 1281813, is located at 42 Thorncliffe Avenue, Thornton. Please see Figure 1 below for an aerial photo of the subject site.

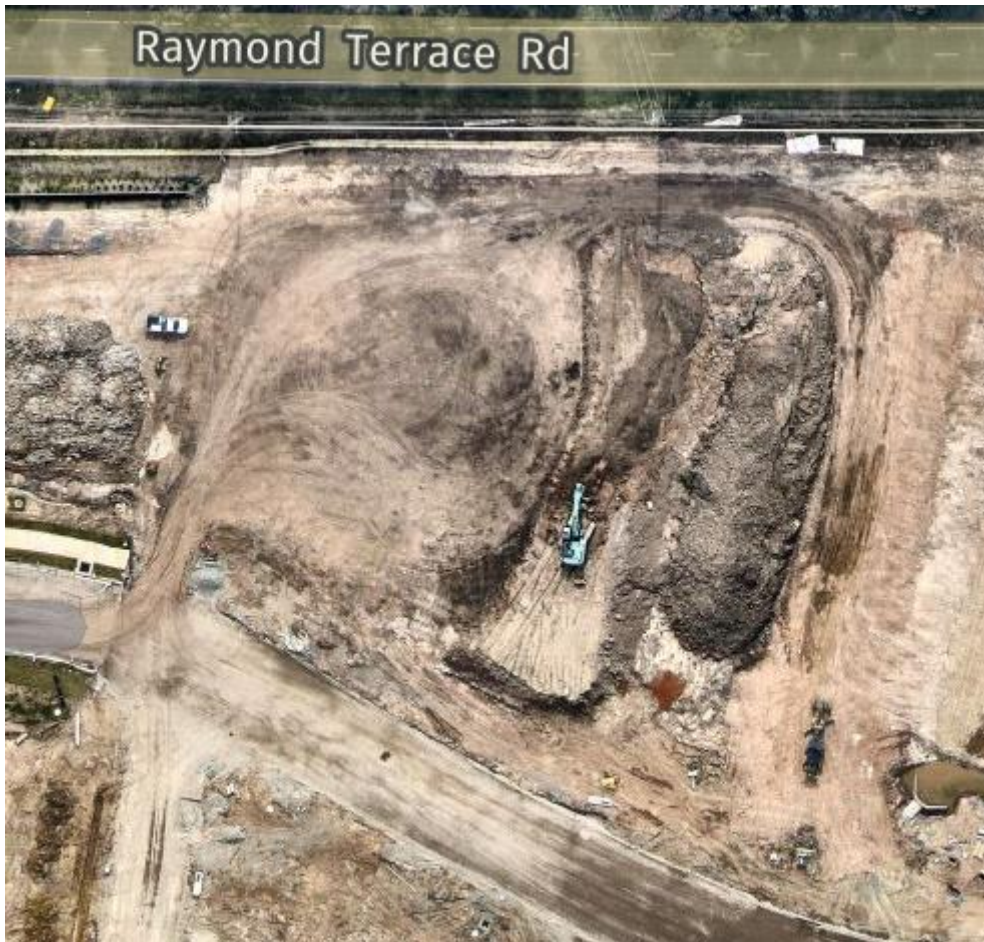


Figure 1 – Aerial Photo of the Subject Site

The site was constructed with approval under DA2020/507, and has been registered by Land Registry Services.

The subject site is approximately 6,327m² in area, with the land sloping gently from north to south, and does not contain any vegetation given it is located within a recently constructed subdivision.

As detailed in the subdivision plan included as Appendix A, the following easements are applied to the subject site from the common boundary with Raymond Terrace Road, being:

- 10m vegetation easement
- Variable width pipeline (stormwater) easement

All of the above-mentioned easements run across the full extent of the northern boundary of the subject site.

Figure 2 below shows a detailed breakdown of the current Deposited Plan for the site.

As mentioned above, the subject lot has been/is to be created by the registration of Stage 3 of the masterplanned subdivision initially approved under DA932-11. As required under the initial consent conditions, a detailed application for Stage 3.3 was tabled and approved by MCC under DA2020/507. Lot 652 falls within the third sub-stage of delivery (being Stage 3.3).

As shown in Figure 1, the site abuts Raymond Terrace Road to the north, and Thorncliffe Avenue to the south. Raymond Terrace Road is a state classified road, and does not provide direct access to the subject site or wider development in which the proposed community title subdivision is located.

Stormwater from the site is captured from the site within the existing stormwater management systems in place for the wider subdivision. As will be noted through this report, the proposed subdivision and subsequent development will not create adverse impacts upon the current stormwater management systems. For further detail, please refer to the Civil Engineering Report in Appendix B of this report.

The site is bordered by:

- Raymond Terrace Road to the north;
- Thorncliffe Avenue and residential development to the south;
- The stormwater basin servicing the Stage 3 subdivision, including the proposal; and
- A proposed childcare centre to the east.

2.2 Locality

Thornton, and more specifically the area in which the subject site is located, is characterised low rise residential land with various housing forms provided. More broadly the Thornton area contains all relevant retail and service land uses, along with local and private transport infrastructure, to support the suburbs recent growth.

The site is bordered by low density residential land uses on all boundaries, and is close proximity to:

- Thornton Shopping Centre;
- Thornton Public School;
- Several parks including a specifically dedicated park at the southern end of Crestwood Road along with A&D Field; and
- Thornton Train Station, along with several bus stops.

The site will be serviced by existing stormwater infrastructure within Thorncliffe Avenue.

2.3 Infrastructure

The site will be serviced by power, water, sewer, recommunication and stormwater infrastructure. However, given the proposed community title subdivision of the subject land, additional stormwater systems are proposed. Please refer to Appendix B for further details.



All services are available for connection to any future residential development are/will be available to be provided to the site via underground connections available in Thorncliffe Avenue

The site is serviced by an extensive bus network, with several stops available within a few hundred metres of the site. Further, Thornton Train Station is located approximately 2.8kms from the site.

3. Proposed Development

3.1 Site Regulations

Please see Table 1 below for a summary of site regulations.

Zoning	R1 General Residential
Minimum Subdivision Lot Size	Clause 4.1A of the LEP applies a 300m ³ minim lot size should a dwelling be constructed on the lot which is created. As noted in this DA, it is proposed to provide the dwelling houses at a later stage. Please refer to Sections 3, 4 & 5 below for further details.
Heritage	The site is located within an existing subdivision and while the previous works were subject to an AHIP (no. 4762), it is unlikely that there are items of Aboriginal heritage significance within the subject site given the extensive ground disturbance that has occurred along with the AHIP being completed.
Bushfire	The site is noted as being bushfire prone. However, since the time of the last bushfire mapping, the site has been cleared during its creation and all bushfire risk removed during works under DA932-11.
Flooding	The site is not considered to be flood prone.
Mine Subsidence	The site is not impacted by underground mining.
Acid Sulfate Soils	The site and overall development area is identified as containing Class 5 acid sulfate soils.
Urban Release Area	The site is considered part of Thornton North Urban Release Area

Table 1 – Summary of Site Regulations

3.2 Proposal Details

This proposal seeks approval for sixteen (16) community title subdivision allotments, and one (1) common accessway road. The relevant lot numbers and sizes are shown in Table 2 below.

As shown within Figure 3 below, all allotments are within the minimum lot size defined under the Maitland Local Environmental Plan (LEP), specifically in relation Clause 4.1A. Further details are included in Section 4 below.

LOT NUMBER	LOT SIZE (m ²)	DWELLING ENVELOPE (m ²)	PRIVATE OPEN SPACE (m ²)
1 (road access)	1,074	-	-
2	346	135	45
3	316.6	155	45
4	309.5	170	65
5	319.7	155	65
6	405.9	162	45
7	368.9	152	65
8	301.6	117	55
9	352.8	145	45
10	301.3	126	45
11	303.2	128	45
12	305	129	45

13	306.9	131	45
14	308.7	132	45
15	310.6	134	45
16	312.5	136	45
17	380.1	155	45

Table 2 – Lot Size, Building Envelope & POS Table

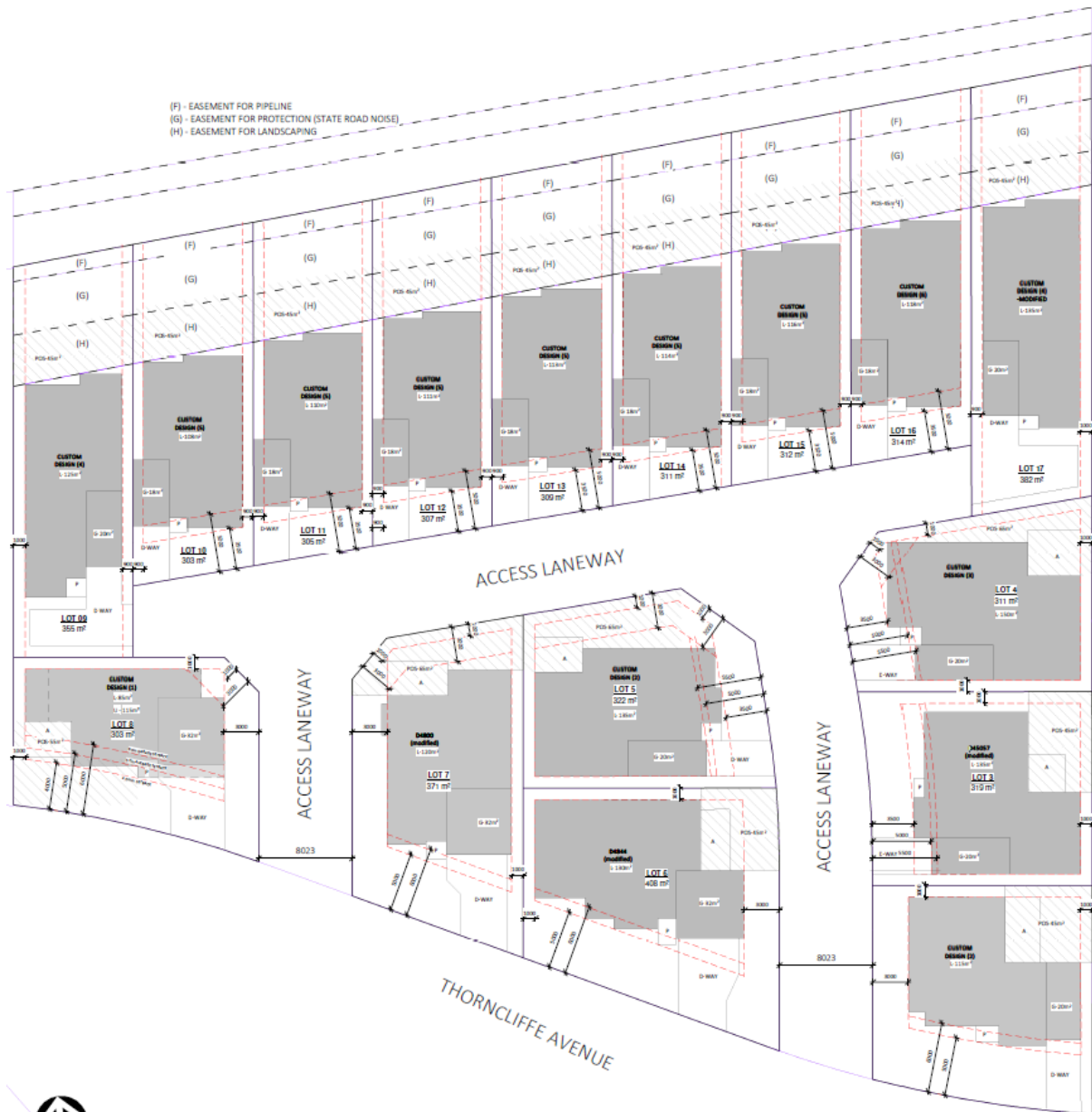


Figure 3 – Building Envelope Plan

As demonstrated in the attached, there is a varied lot size across the proposed subdivision.

3.4 Planning Considerations

Building Envelopes

The detailed assessment of all proposed building envelopes, including their interaction with the access road, Raymond Terrace Road and Thorncliffe Avenue are shown within the Building Envelope Plan. Setbacks of 6m to walls of the proposed dwellings are provided to Lots 2, 6, 7 & 8, all of which have direct road frontages to Thorncliffe Avenue.

All lots demonstrate a setback of between 3.5 and 5.5m from the relevant access road frontages. Lots 2-8 have a 3m setback from the relevant side boundaries that are adjacent to the access road. Furthermore, all easements applying easements from Raymond Terrace Road, which impact proposed lots 9 to 17, are adhered to.

Lots 10-16 seek provision of a garage wall to the boundary of the property. While this is not specifically compliant with the DCP guidelines, it is requested as part of this DA approval to include a covenant in the Section 88b title registration that no windows are allowed to the garage wall that is on the boundary. Given it is only a portion of the building that is located on the side boundary, it will allow suitable solar access, visual and acoustic privacy to the relevant lot and adjacent neighbour.

As will be reviewed in the DCP Assessment in Appendix D, the proposed setbacks mentioned above are generally compliant with MCC's guidelines and will allow suitable construction of dwelling houses to ensure acoustic and visual privacy for the future residents while ensuring open space is provided to the front and rear of the dwellings.

Parking

A minimum of one internal garage car parking space is provided for each proposed dwelling house. Further, it is shown within the Building Envelope Plan that an additional vehicle can be parked within the driveway of each of the proposed dwellings. It is noted that this is generally compliant with Section C8 of the MCC Development Control Plan (DCP) guidelines. Please refer to the DCP Assessment included in Appendix D for further details of the proposed parking arrangements in relation to the MCC guidelines.

Access

As noted in the proposed Subdivision Plan, along with associated Civil Engineering Plan, there is an 8m wide accessway to be provided from the soon to be constructed Thorncliffe Avenue, with entry and exit from the site to be in a forward (left in, left and right out) direct only.

The way in which the proposed access driveway is constructed allows to a 12.5m heavy vehicle to access each of the proposed allotments as demonstrated in the swept paths shown in Figure 5 below.

This accessway is proposed to be constructed as part of this DA should approval be provided.

Earthworks

As demonstrated in the Civil Engineering Report (Appendix B), there is a minimal cut to fill requirement for the site, with approx 25m² being required.

However it is noted this calculation does not include relevant services trenching. Furthermore, no retaining is required for the site given then proposed retaining included as part of the adjacent drainage allotment to the immediate east of the site.

Accordingly, taking into account the above detail, the earthworks required for the proposed community subdivision is likely to have approximately 25m² of imported fill or less, will not create any significant adverse impacts for the site or surrounding properties, and will not create a strain on the local supply industry.

Bushfire

As shown in Figure 4 below, the proposed subdivision is mapped as being bushfire prone land. However, as required under DA932-11, all vegetation was removed from the site, and therefore the bushfire risk was also taken from the subject allotment. As shown in the image included as Figure 1 above, there are no notable bushfire sources nearby to the site, and accordingly, it is considered that there is no bushfire risk to the proposed subdivision or associated dwellings to be provided to the subdivided land.

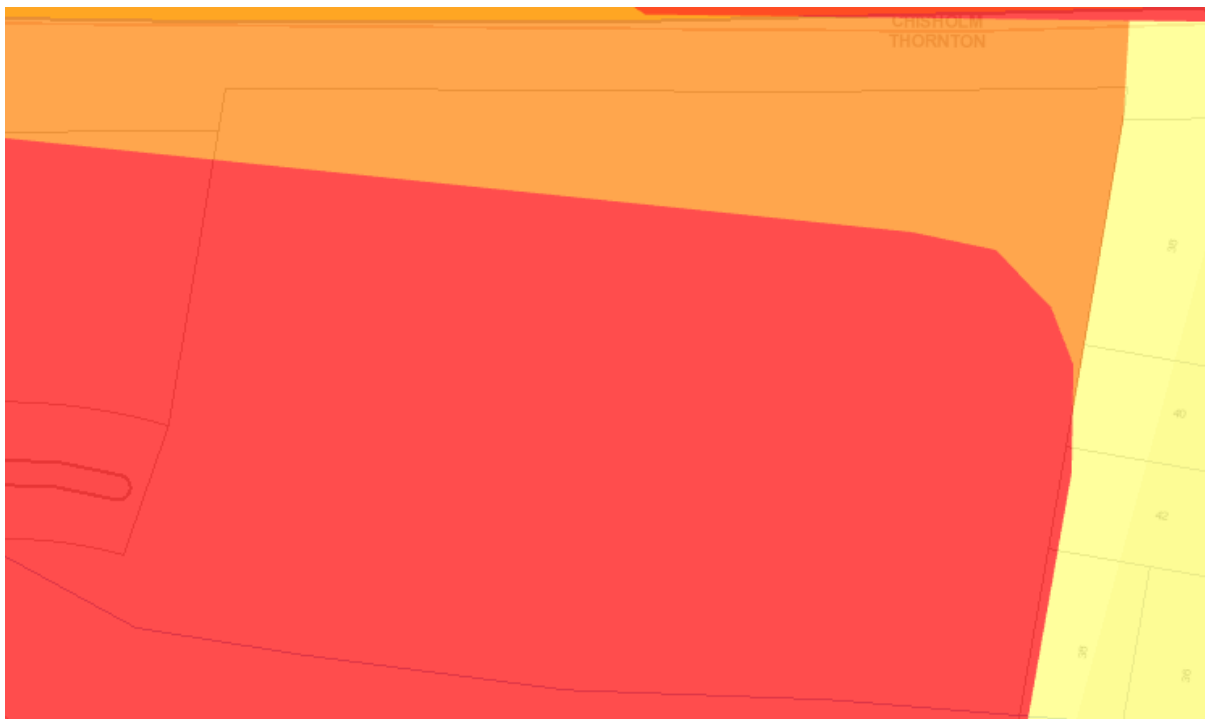


Figure 4 – Extract Bushfire Mapping

Waste Management

While there are no dwellings proposed as part of the community title subdivision that is the subject of this DA, it is noted that the layout of the 8m wide road (being Lot 1 of the subdivision) allows a suitable turning circle for a standard 12m garbage vehicle is shown in Figure 5 and Appendix B.

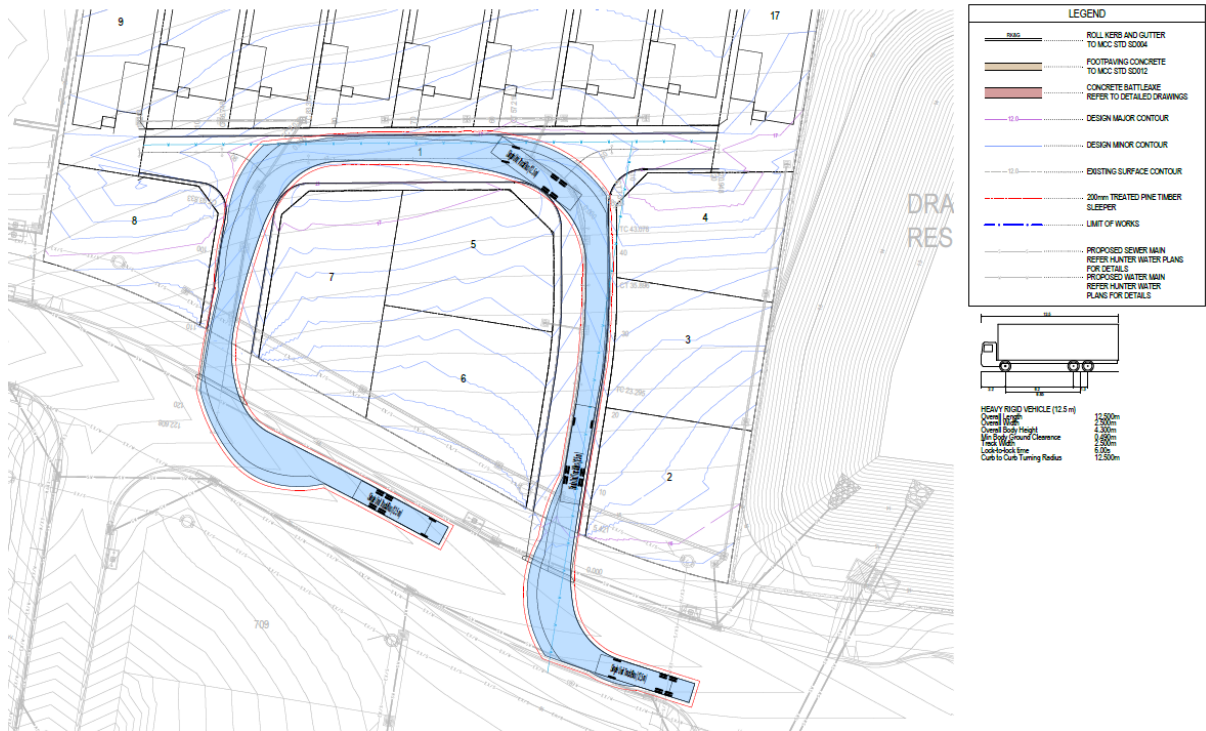


Figure 5 – Swept Path for 12.5m Vehicle

Acoustics

No fencing or acoustic treatment is proposed as part of this DA, however it is shown within the Subdivision Plan (Appendix A) and proposed Building Envelope Plan (Appendix C) that the 10m landscaped setback is applied to the site, and all dwellings within the proposed community title subdivision adhere to the setback.

Accordingly, with the introduction of a 2.1m high solid lapped and capped fencing along the Raymond Terrace Road frontage, as recommended in the attached Acoustic Report (Appendix E) will mitigate any adverse acoustic impacts on the proposed future development of dwelling houses that will be assessed under additional approvals. It is noted that this report applies to a separate site adjacent to the subject allotment however is in a similar position adjacent to Raymond Terrace Road.

Landscaping

As noted in Appendix A, there is a 10m landscaping easement provided in extension to the abovementioned acoustic easement. The purpose of this landscaping easement is to provide further

buffer from Raymond Terrace Road, on top of the acoustic easement, for the future potential dwellings within the proposed subdivision. Any future applications for dwelling houses will require landscaping plans to be provided as part of the submission.

Sewer

The site is proposed to be serviced by reticulated sewer through connection to Thorncliffe Avenue. Each allotment will have a connection suitable for a residential dwelling, with the sewer being installed as part of the approval being sought under this DA.

Stormwater

As noted above, and shown as an extract of the Civil Engineering Plans in Figure 6 below, the proposed stormwater is proposed to be taken to the existing pit at the south eastern corner of the site within the Thorncliffe Ave boundary. From here, the stormwater is proposed to be taken to the nearby stormwater detention basin located to the east of the site.

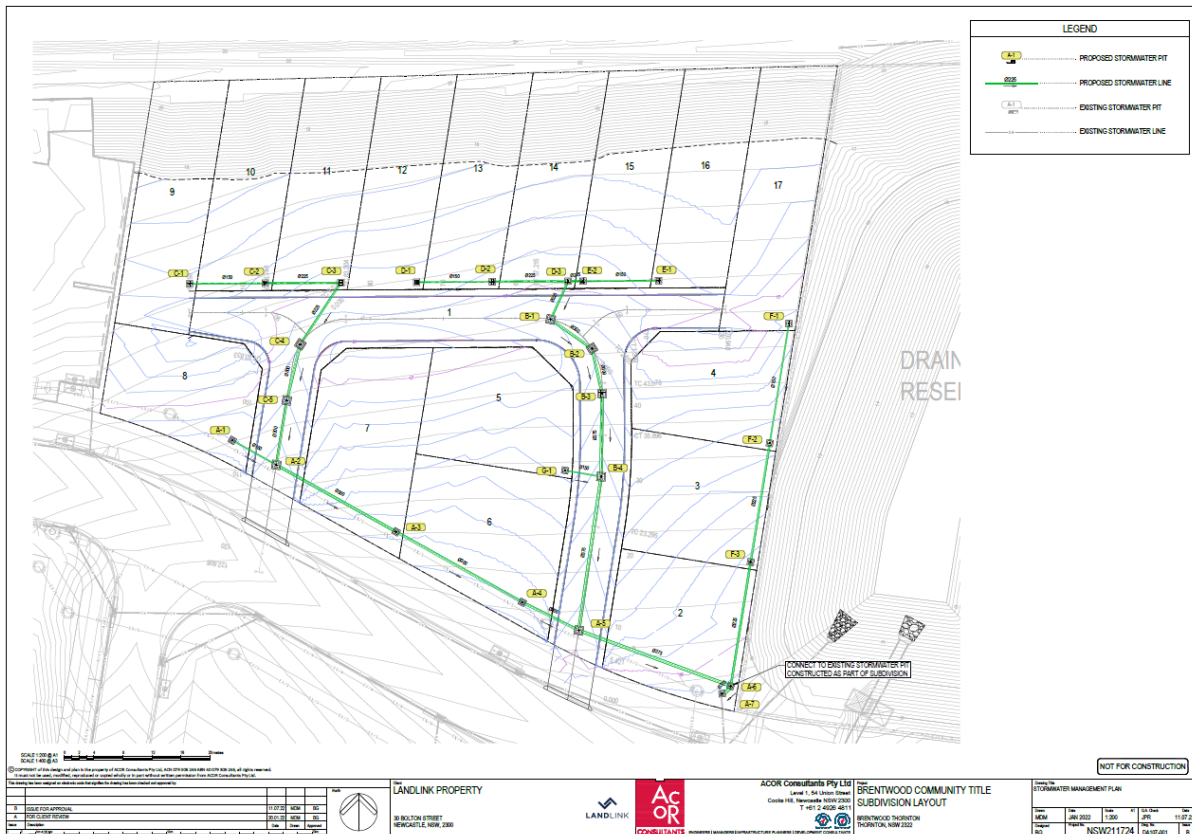


Figure 6 – Proposed Stormwater Services

Electricity & Telecommunications

Electrical and telecommunications (NBN) services will be available from Thorncliffe Avenue.

3.5 Supporting Documentation

Please refer to the below documentation that has been provided to support this SoEE and Development Application:

- Community Title Subdivision Plan – Appendix A
- Civil Engineering Plans – Appendix B
- Proposed Building Envelope Plans – Appendix C
- DCP Assessment – Appendix D
- Acoustic Report – Appendix E

4. Legislative Controls

4.1 Strategic Policies & Plans

The site is identified as being part of a 'Growth Area' as identified within the current Hunter Regional Plan 2036. Within the plan, both Maitland and East Maitland are identified as strategic centres. Overall, the Plan identifies the population will increase to approximately 862,250 by 2036.

Similarly, the Greater Newcastle Metropolitan Plan 2036 calls for the increase in housing stock across the Lower Hunter region and identifies the site as being near the strategic centres of Maitland and East Maitland.

The Maitland 10+ Community Strategic Plan does not specifically reference the subject site however indicates that the strengthening of the Maitland LGA through provision of housing stock around business hubs, such as Thornton, is supported. Generally, the zoning already applied to the site, with a significant portion being R1 General Residential, is designated for residential development.

Noting the above commentary, it is considered that the proposed community title subdivision complies with applicable strategic planning guidelines by providing capacity for additional housing growth within areas closely linked to employment lands.

4.2 State Environmental Planning Policies

4.2.1 SEPP (Industry and Employment) 2021

SEPP (Resilience and Hazards) 2021 has incorporated the general requirements of the release SEPP No. 55. Clause 4.6 of Chapter 4 of the SEPP requires consent authorities to consider whether land is contaminated and if the proposed land use is suitable.

The subject site is considered to be a green field site; with no former land uses indicating any significant contamination would be present on the site. Further it has been zoned for general residential development and the area of the subject site that will not be developed is part of an environmentally managed area. Any minor areas of contamination present within the parent subdivision were required to be remediated under the conditions of consent provided in DA932-11 (for the masterplan) & DA2020/507 (for Stage 3.3 of the masterplan in which this lot is situated).

These remediation techniques will ensure that the land is suitable for future use as residential land.

4.2.2 State Environmental Planning Policy (Exempt and Complying Development Codes) Amendment (Greenfield Housing Code) 2017

This Code sits within the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (State Policy) and aims to:

- simplify the standards in the State Policy for greenfield areas;
- tailor development standards to suit market demand, housing types and lot sizes typically delivered in greenfield areas; and
- increase the take up of complying development to help achieve faster housing approvals.



The Code will apply to greenfield areas across NSW, which applies to the subject site. The Code allows 1 – 2 storey homes, alterations and additions to be carried out under complying development approval pathway.

Regardless, no construction works are proposed under this DA, and any future dwelling homes that are being considered for the site will need to follow the required approval pathways.

4.3 Maitland Local Environmental Plan 2011

Under the provisions of the Maitland Local Environmental Plan (LEP) 2011, the site is zoned R1 General Residential. The zone objectives are:

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

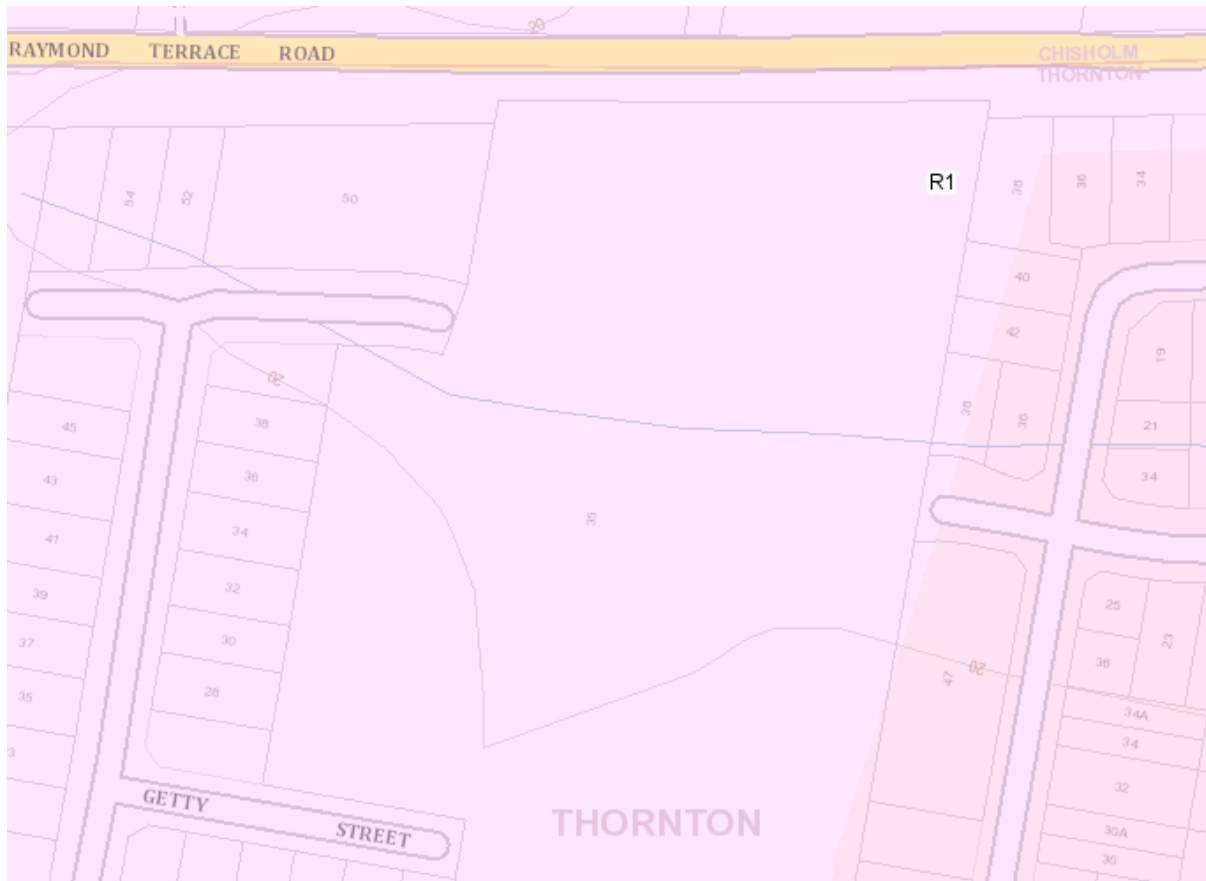


Figure 7 – Land Zoning Map

The proposed subdivision complies with the zone objectives for the following reasons:

- The proposal creates additional housing allotments lots catering for the demand for housing in the community;
- The potential lots provide variety in the types of lot shapes and densities available within the locality; and
- The proposed subdivision provides a logical use of the site and does not inhibit future use of the site for a more logical facility.

The proposed subdivision is permissible and should therefore be supported. Further, the R1 General Residential zone allows for attached dwellings, dwelling houses, group homes, multi dwelling housing and semi-detached dwellings with consent. The proposed subdivision does not seek consent for any construction works relating to these land uses but allows facilitation of these land uses where possible. Any future construction will be subject to the relevant approval processes.

Other Relevant Clauses

PART 4 PRINCIPAL DEVELOPMENT STANDARDS

Clause 4.1 Minimum subdivision lot size

The objectives of Clause 4.1 are as follows:

- (a) to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,
- (b) to prevent the fragmentation of rural land.

The LEP applies a 450m² minimum lot size to the subject site, as shown in Figure 6 below.

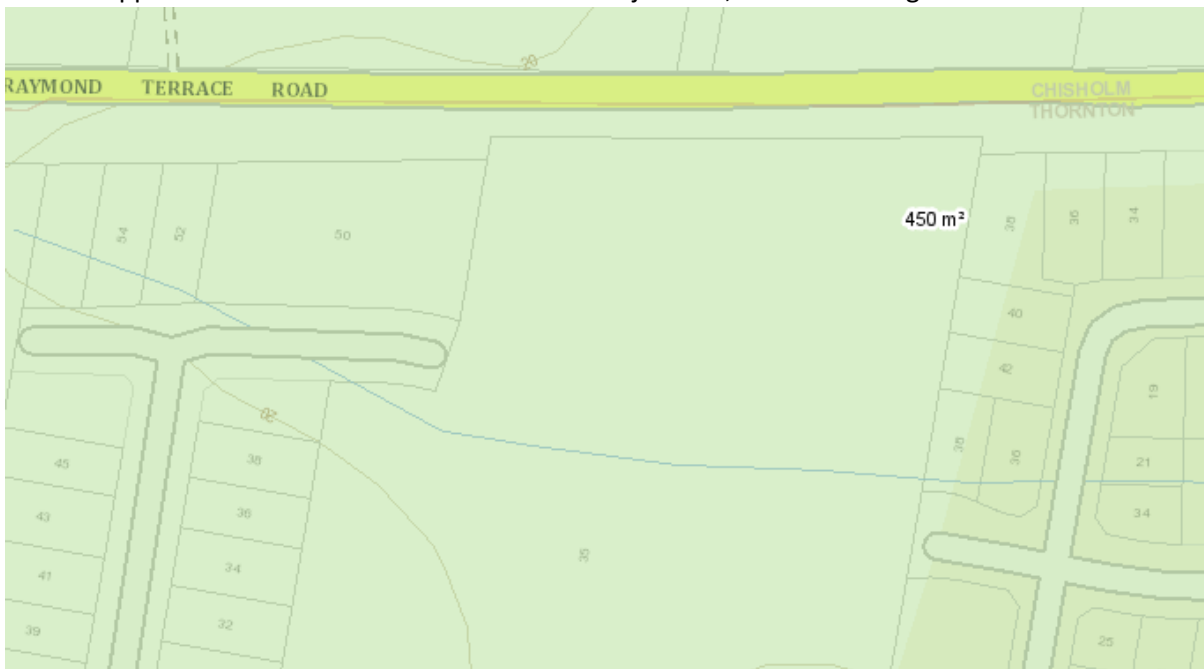


Figure 8 – Minimum Lot Size Map

The proposed lots do not achieve the 450m² minimum lot size applied to the subject site for Torrens Title allotments. However, noting the proposal is a community title subdivision Clause 4.1AA, assessed below, applies to the proposed works.

Clause 4.1AA Minimum subdivision lot size for community title schemes

Clause 4.1AA are as follows:

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that lot sizes are able to accommodate development that is suitable for its purpose and consistent with relevant development controls,*
 - (b) *to prevent the fragmentation of rural land.*
- (2) *This clause applies to a subdivision of any land shown on the Lot Size Map that requires development consent and that is carried out after the commencement of this Plan.*
- (3) *The size of any lot resulting from a subdivision of land to which this clause applies is not to be less than the minimum size shown on the Lot Size Map in relation to that land.*
- (4) *This clause does not apply in relation to the subdivision of any land—*

- (a) by the registration of a strata plan or strata plan of subdivision under the Strata Schemes Development Act 2015, or*
- (b) by any kind of subdivision under the Community Land Development Act 2021.*

The proposed subdivision is compliant with the objectives of Clause 4.1AA(1) in that the proposed lot sizes are demonstrated, through the Building Envelope Plan, that a suitable level of built form and private open space can be accommodated within each newly created allotment. Further, the proposal does not fragment rural land.

As noted in Clause 4.1AA(4), the provision of the minimum lot size is required for community title subdivisions, however further exceptions to the lot sizes permissible in the R1 General Residential zone are applied via Clause 4.1A, detailed below.

Clause 4.1A Exceptions to minimum lot sizes in Zone R1

Clause 4.1AA are as follows:

- (1) The objective of this clause is to encourage housing diversity without adversely impacting on residential amenity.*
- (2) This clause applies to development on land in Zone R1 General Residential.*
- (3) Despite clause 4.1, consent may be granted to development on land to which this clause applies if the development includes both of the following—*
 - (a) the subdivision of land into 2 or more lots equal to or greater than 300 square metres,*
 - (b) the erection of an attached dwelling, a semi-detached dwelling or a dwelling house on each lot resulting from the subdivision.*

The proposal complies with the objective of this clause given it encourages housing diversity without providing development that is out of context with the current of future desired character of the locality. Furthermore, it is considered that the proposed community title subdivision is compliant with the LEP in that the proposal seeks for subdivision into two or more allotments all of which are greater than 300m² and have suitable for provision for the erection of a dwelling house within each allotment.

PART 5 MISCELLANEOUS PROVISIONS

Clause 5.10 Heritage conservation

The site is not identified as having any items of Aboriginal or European heritage. Furthermore, any potential items of Aboriginal heritage significance present at the site were subject to AHIP No 4762, which was required as part of the creation of the subdivision in which the subject site is located.

PART 6 URBAN RELEASE AREAS

Clause 6.1 Arrangements for designated State public infrastructure

The site is identified as being within the Thornton North Urban Release Area, and as such, Clause 6.1, applies. Please see below objective of this Clause:

“The objective of this clause is to require satisfactory arrangements to be made for the provision of designated State public infrastructure before the subdivision of land in an urban release area to satisfy needs that arise from development on the land, but only if the land is developed intensively for urban purposes”.

No designated State public infrastructure is triggered by this development. A Voluntary Planning Agreement has been entered into by Council and the proponent for this subdivision in which the subject site is located. Accordingly, a Satisfactory Arrangement Certificate is not required in this instance.

Clause 6.2 Public utility infrastructure

There will be public utility infrastructure in the area including sewer, water, electricity and NBN available to the lots.

Clause 6.3 Development control plan

The site is considered part of the Thornton North Urban Release Area. Specific assessment of the proposed development in relation to the DCP guidelines is provided in Appendix D.

PART 7 ADDITIONAL LOCAL PROVISIONS

Clause 7.1 Acid Sulfate Soils

The proposed works covered by this DA is considered to have some areas of Class 5 acid sulfate soils. However, given the nature of the proposed development and the exclusion of any physical works within this DA, it is considered that the impacts of acid sulfate soils are minimal. Furthermore, fill is required to be imported to the site, rather than spoil being taken away, further indicating acid sulfate soils will not have an adverse impact on the proposed development or future land uses.



Figure 9 – Acid Sulfate Soils Map

Clause 7.2 Earthworks

Limited earthworks are required to deliver the proposed subdivision. All appropriate measures (including ESCP prepared as part of the attached Civil Engineering documentation) will be implemented during construction to ensure all earthworks are executed in an acceptable manner.

Clause 7.3 Flood planning

The site is considered not to be affected by flooding, therefore this clause does not apply.

Clause 7.4 Riparian land and watercourses

The land within the overall master planned subdivision, to the north of the proposed subdivision that is subject to this DA, is identified as containing Class 1 and 2 streams as identified within the *Water Management (General) Regulation 2018*.

Works are not occurring within 40m of these identified watercourses and a Controlled Activity Statement will not be required through NSW Department of Natural Resources Access Regulator.

4.4 Maitland Development Control Plan 2011

Refer to Appendix D for the DCP Assessment Table. As Council are aware, the DCP is a guideline only, and the proposal should be supported given the general compliance, suitability of the proposal taking into account the constraints of the locality and subject site and overall design performance.

4.5 Other Policies, Strategies & Controls

Water Management Act 2000

Under Part 3 of Chapter 3 a person must obtain a permit for water use approval, water management work approval or activity approval.

Given the proposed development is not within close proximity to a watercourse, concurrence in the form of a Controlled Activity Statement from the NSW Department of Natural Resources Access Regulator is not required.

Rural Fires Act 1997 & Planning for Bushfire Protection 2019

Figure 10 below shows that the subject site is considered to be bushfire prone land, with Vegetation Category 1 & 2 being identified within the development footprint.

However as noted in Figure 1 above, the site and adjacent allotments have been cleared of all vegetation, in turn removing the bushfire risk at the subject site. Furthermore, all relevant Asset Protection Zone (APZ) obligations applied to the master planned subdivision that impact the subject allotment have been carried out and the APZ's extinguished.

Therefore, it is considered that there is a minimal bushfire risk to the site and the land, and surrounding properties given its recent clearing, is not longer bushfire prone and referral to the NSW Rural Fire Service is not required.

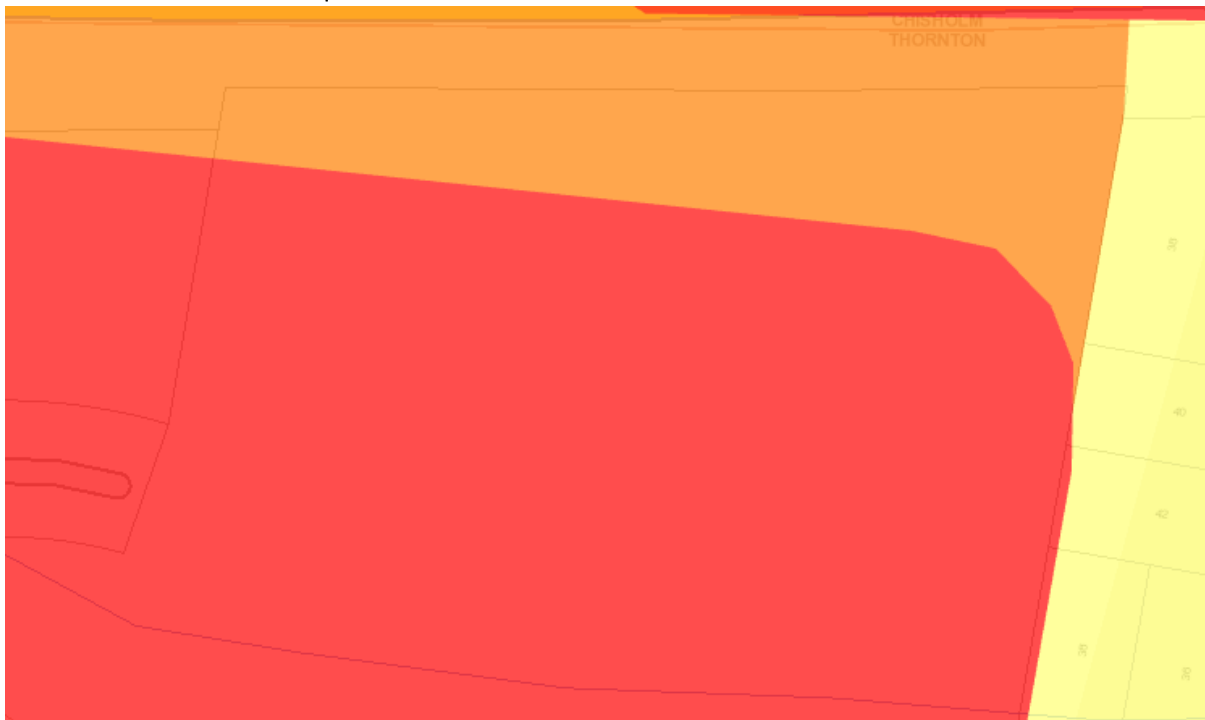


Figure 10 – Bushfire Prone Land Map

Biodiversity Conservation Act 2016

The BC Act aims to conserve biological diversity and promote ecologically sustainable development. This is to be achieved by preventing the extinction and promoting the recovery of threatened species, populations and ecological communities

As detailed above, the site is fully cleared and is not considered to contain any endangered species nor be a site with significant ecological value. Noting this, the proposal does not have any adverse ecological impacts.

Mine Subsidence Compensation Act 1961

The proposed development is not located within Mine Subsidence District and therefore approval from the Mine Subsidence Board is not required.

5. Section 4.15(C) Review

5.1 4.15(C)(a)(i) – The Provisions of any Environmental Planning Instrument

The proposal has been prepared having regard for the relevant environmental planning instruments. Please refer to Section 5 for further details.

5.2 4.15(C)(a)(iii) – The Provisions of any Development Control Plan

The proposal has been prepared having regard for relevant DCP requirements. Please refer to Section 5 and Appendix F for further details.

5.3 (b) – The Likely Impacts of That Development

5.3.1 Environmental Impacts

Ecological Values & Tree Preservation

There are no adverse ecological impacts created by the proposal, and no trees are being sought for removal as part of this DA.

Privacy

As demonstrated in the Building Envelope Plan (Appendix C), the community title subdivision can provide suitable acoustic and visual privacy for any of the future residential developments applied to the lots created under this DA through the provision of suitable setbacks along with the proposed mitigation strategy where garage walls fall on the boundary. It is also considered that 1.8m metal fencing will be provided to the side boundaries of each applicable allotment as part of the future DA application for the dwelling houses, which provides mitigation of any privacy concerns.

Scenic Values

The proposed development does not create any view loss to or from any grand views or vistas.

Acoustic Impact

No adverse acoustic impacts are anticipated to be created by the proposed subdivision. The proposed allotments are set back in alignment with the acoustic easement from Raymond Terrace Road, and noise will be further mitigated through the provision of a lapped and capped timber fence to the northern boundary of the site. Please refer to Appendix E for a copy of the Acoustic Report.

Erosion and Sediment Control

An Erosion and Sediment Control Plan has been prepared for the proposed works (refer to Appendix B).

5.3.2 Social & Economic Impacts

Positive social and economic impacts include:

- Provision of additional, varied housing options for the local community;
- Variety in the housing allotments in the local area;
- Allowance for future dwelling options that can provide considered design, bulk and scale integration into the current and future character locality;
- Short term, construction phase employment; and
- Long term, housing stock within an identified growth area that is close to employment centres.

No adverse social or economic impacts are anticipated.

5.3.3 Heritage

There are no known European or Aboriginal heritage items on or near the site. Suitable strategies are required to be in place for construction works should any items of Aboriginal heritage significance be found.

5.3.4 Infrastructure

The site is serviced by power, telecommunication, sewer, water. Stormwater drainage is to be created to cater for the proposed subdivision and any future development in the lots created under this DA. This infrastructure is considered appropriate for the proposed future use of the site.

5.3.5 Traffic, Parking, Access & Servicing

As demonstrated in the various appendices included as part of this SoEE and DA, larger service vehicles (up to 12.5m in length) can safely move through the proposed subdivision accessway in a forward direction. This will ensure waste collection can occur to service the lots.

Further, the proposed access points are proposed to be one way and have been offset from Kentwood and Getty Streets which are located within the wider subdivision to the south of the subject site.

All allotments created by this proposal have the ability to provide at least one and in some cases two internal garaged parking space, while there are stacked options to provide parking within the driveway spaces.

Therefore it is considered that the proposed traffic and parking arrangements for the proposed community title subdivision are acceptable

5.3.6 Amenity

The proposal delivers similar development to that already existing in the locality. No adverse impacts on the amenity of the site or surrounding properties are anticipated.

5.4 (c) – The Suitability of the Site for the Development

This report has determined that there are no constraints that would restrict the proposed development, and where there may be some adverse impacts there are suitable mitigation measures that allow these impacts to be negated. The site is therefore suitable for the proposed subdivision.

5.4 (e) – Public Interest

The public interest is best served by promoting sustainable development that is rational, orderly and economic. The proposal will generate positive social, environmental and economic benefits. Accordingly, the proposal is considered to be in the public interest.

6. Conclusion

This SEE has been prepared having regards for the requirements and guidelines of Section 4.15C of the Environmental Planning & Assessment Act 1979 and satisfies all relevant planning legislative requirements.

Assessment of the proposal confirms that the development:

- Provides Community Title allotments in line with minimum lot size specified in the Maitland City Council Local Environmental Plan;
- Generally complies with the Development Control Plans guidelines. Where it does not strictly comply, justification is provided;
- Provides a variety of housing opportunities in a close proximity to the Thornton town centre close to employment zones, educational facilities, along with existing and future public transport;
- Provides subdivision of a 'Priority Housing Area' under the Hunter Regional Plan & Greater Newcastle Metropolitan Plan, and is consistent with current and future character of Thornton area; and
- Generates positive social and economic benefits for the community in the short and long term.

The proposal represents rational, orderly, economic and sustainable use of the land and should therefore be supported.

7. Appendices

- Appendix A: Community Title Subdivision Plan
- Appendix B: Civil Engineering Report
- Appendix C: Building Envelope Plan
- Appendix D: DCP Assessment Table
- Appendix E: Acoustic Report



Appendix A

Community Title Subdivision Plan



Appendix B

Civil Engineering Report



Appendix C

Building Envelope Plan



Appendix D

DCP Assessment Table

C 10 SUBDIVISION			
10.2 Title Systems for subdivision			
SECTION	PREFERRED SOLUTION	COMPLIANCE	COMMENT
10.04 Design Elements			
10.04.01 Environmental Considerations (EC) – pre-planning the subdivision design <i>EC.1 Flora Fauna</i>	e) Areas of significant habitat must be protected. f) Design subdivision layout to avoid significant stands of vegetation. Where the subdivision proposal affects significant stands of vegetation, lot layout and lot size must take into account the need to retain the vegetation and the impact of likely future development on the lots, including building envelopes, parking, access and other development requirements such as Asset Protection Zones. g) Retain existing natural drainage lines and watercourses where practicable, vegetate where necessary and incorporate into open space areas (including pedestrian and/or cycle way corridors) or include in common property.	N/A	The subject site does not contain any significant areas of flora or fauna habitat. Therefore it is considered that the proposal will not have any significant ecological impacts on the site or surrounding localities.
	h) Link existing vegetation corridors through open space provision and appropriate planting.	N/A	As above.
	i) Lot boundaries should be located to incorporate the whole of any significant stand of vegetation that is not included in common areas.	N/A	As above.
	j) Land title choices should reflect the need to protect and enhance vegetation.	N/A	As above.
	k) New development is not to result in the removal of remnant vegetation. Subdivision design should incorporate native vegetation into the character of the development.	N/A	As above.
	l) Significant areas of vegetation, existing or proposed vegetation/wildlife corridors, riparian areas, habitat, major drainage lines and land use buffers should desirably be contained in separate environmental buffer allotments	N/A	As above.

	with satisfactory provision made for their ongoing maintenance and management.		
	m) Environmental enhancement may be required in areas that have previously become degraded, or are near areas of special conservation value or significant areas of native vegetation.	N/A	As above.
	n) The location of all-natural drainage lines, wetland areas and significant stands of vegetation are to be mapped. Any vegetation to be removed must be identified and quantified. The subdivision application is required to address appropriate mechanisms for retention and protection of native vegetation. o) Where a subdivision proposal is likely to result in the loss of vegetation, or is likely to impact upon any environmentally sensitive area (such as a watercourse, wetland etc.), it is to be accompanied by a flora and fauna assessment report prepared by a suitably qualified person. This report is to primarily address the 7 Part Test referred to in Section 5A of the Environmental Planning and Assessment Act, 1979, and the requirements of SEPP 44 – Koala Habitat Protection. As a result of this report a subsequent Species Impact Statement may be required.	N/A	As above.
<i>EC.2 Heritage and Archaeology</i>	Where a subdivision proposal affects any listed heritage item, the impact on the curtilage or immediate context of a heritage item must be evaluated in the Statement of Environmental Effects. Part C.4: Heritage Conservation should be considered to determine whether the preparation of a Character Statement or Statement of Heritage Impact is required. Preparation of an Archaeological Assessment may be required where there is no previous	No	Items of Aboriginal heritage significance were found in the nearby area and addressed when the subject site was created under DA2020/507. Suitable conditions of consent will be required for the subdivision construction phase. No items of European heritage are known on the site.

	<p>investigative study, or where such study was so broad that Council is unable to reasonably predict the likelihood of European or Aboriginal sites of significance (such as a site that is the location of an Aboriginal place or relic, within the meaning of the National Parks and Wildlife Act 1974). If in doubt, applicants should consult with the NSW National Parks and Wildlife Service or Council.</p>		
<i>EC.3 Hazards</i>	<p>a) All lots within new residential subdivisions shall have safe access made available in a 1 in 100 year flood event. b) All new residential lots are to be wholly above Council's adopted flood standard (the 1% AEP or 1 in 100 flood event). In exceptional circumstances, and where lot sizes have been increased to provide sufficient flood free area for erection of a dwelling and associated structures, parts of the lot may be permitted below the adopted flood standard.</p>	N/A	The site is not identified as being flood prone.
	<p>e) Proposals in areas subject to bushfire risk must indicate that measures to reduce risk to an acceptable level have been considered and can be achieved (for both the subdivision works and the resultant development) without significant loss of vegetation. The NSW Rural Fire Service publication "Planning for Bushfire Protection" 2006 and related guidelines should be consulted. f) Bushfire protection measures (including setbacks) necessary for the safety of development and firefighters must be contained wholly within the site of the subdivision unless the most extraordinary circumstances apply.</p>	N/A	<p>As detailed in the above body of the SoEE, the site is mapped as being bushfire prone. However, as demonstrated through the provision of various aerial photos in the main body of the report, the site is no longer considered to be bushfire prone due to the removal of all vegetation and that could be considered a bushfire risk. It is highly recommended that Council conduct a site inspection of the subject lot prior to commencing assessment of this DA to achieve the above-mentioned conclusion.</p>
	<p>g) Subdivisions must take account of any hazards identified in the Maitland LEP 2011 (such as acid sulfate soils), this DCP, or otherwise identified by Council</p>	Yes	All hazards, specifically ASS, have been considered in the design and future construction of the proposed subdivision. Please refer

	or by Government gazette (e.g. unhealthy building land).		to the Civil Engineering Report for further details.
	h) A bushfire threat assessment must form part of all development applications for subdivision where the land is identified as 'bush fire prone land' on Council's map. The threat assessment is an integral part of the subdivision design, and affects lot shape, size, orientation and road layout. Bushfire protection measures have the potential to affect vegetation, fauna, views, watercourses, soil erosion, amenity and access.	N/A	As above.
	v) All development applications for subdivision shall provide documentation to satisfy the requirements of State Environmental Planning Policy No. 55 – Remediation of Land. The provisions in SEPP55 will be used by Council to determine if and how land must be remediated. Comments will be sought from the Environment Protection Authority.	N/A	Any area of contamination present at the subject site were required to be remediated as part of the works approved for the creation of Stage 3 of the master planned allotment. Therefore, it is considered that there will be no contamination risk for the proposed works as requested under this DA.
	w) Development applications for subdivision must include relevant assessment and geotechnical investigation regarding the potential for the presence of salinity and acid sulfate soils to determine if any specific measures are required. (Note: The Maitland LEP 2011 includes specific requirements with regard to acid sulfate soils).	N/A	The water table is not anticipated to be impacted by the proposed development, therefore inclusion of a detailed investigation in the geotechnical reporting is not provided.
10.04.02 Design Considerations (DC) – subdivision design <i>DC.1 Lot size dimensions</i>	a) Lot boundaries should follow natural features such as watercourses and ridges (rather than cut across them) to minimize the potential for soil erosion.	Yes	The proposed subdivision provides a logical layout of the site in relation to the land contours.
	b) Lot boundaries should take account of any requirement for screening or buffering from adjoining land uses.	Yes	There are no conflicting land use interfaces experienced at the site or adjacent properties.
	c) Lot size and dimensions are to be suitable for the existing or proposed use, including any		The lot sizes are in line with the minimum requirements specified in the LEP, while allow for suitable

	requirement for building envelopes, ancillary buildings, farm dams, access, parking, landscaping, solar access, provision of services and/or other requirement of any existing Council development consent.		future use for residential purposes.
	e) Subdivision proposals must not conflict with the requirements of any existing approvals.	Yes	The proposed layout generally complies with the masterplan of the approval under DA11-932.
<i>DC.2 Solar Access and Energy Efficiency</i>	<p>a) 80% of new lots are to have 5 star solar access, as defined by an analysis determined from the “Possible Design Solutions – Solar Access” booklet, and the remainder a 3 or 4 star rating.</p> <p>b) Lot sizes are to reflect reasonable consideration of the impact of topography, aspect and other constraints so as to maximize solar access.</p> <p>c) Where possible lots should be oriented to provide one axis within 30 degrees east and 20 degrees east of true solar north.</p> <p>d) Where a northern orientation of the long axis is not possible, lots should be wider to allow private open space on the northern side of the dwelling.</p> <p>e) Proposals for street planting or open space planting are to take account of the potential for shading, provision of adequate solar access to dwellings, and if necessary, protection from winter winds.</p>	Yes	Given the large sizing and orientation of the proposed lots, all future DA’s lodged for housing developments will be able to achieve suitable solar access.
<i>DC.3 Drainage, Water Quality & Soil Erosion</i>	<p>a) Existing topography and natural drainage lines should be incorporated into drainage designs for larger proposals, and enhanced through provision of additional landscaping, detention areas, artificial wetlands and the like.</p> <p>b) Drainage from proposed lots should be consistent with the pre- development storm water patterns. An analysis of the downstream drainage system, to the receiving area or waters, may be required.</p>	Yes	The drainage reserve is consistent with the natural drainage lines. Please refer to the Civil Engineering Report and Plans for further details.

	<p>c) Best management practices should be implemented to control runoff and soil erosion and to trap sediment on the subject land to ensure there is no net impact on down stream water quality. The quality of runoff water from the subject land should be the same or better than the quality of water prior to the subdivision taking place.</p> <p>d) Where possible, design multiple use drainage and treatment systems incorporating gross pollutant traps, constructed wetlands and detention basins.</p>		
	<p>e) The subdivision should be designed so as to minimize disturbance of the subject land especially in circumstances where there are topographical constraints.</p>	Yes	Subdivision provides a logical layout for the subject site.
	<p>f) Adequate provision should be made for implementation of measures during subdivision construction to ensure that the landform is stabilized and erosion controlled.</p>	Yes	Refer to the Erosion and Sediment Control Plan included in Appendix B.
	<p>h) Where the drainage impacts of the subdivision proposal cannot be limited to pre-development storm water levels by retention or other approved methods, drainage easements will be required over all necessary properties and watercourses. In such circumstances, the easement must be the subject of a signed agreement prior to issue of development consent. Such easements shall be created with, or prior to issue of the Subdivision Certificate.</p> <p>i) Where site topography in new residential subdivisions prevents discharge of storm water directly to the street gutter or a Council controlled pipe system, inter allotment drainage should be provided to accept run off from all existing or future parcels of land. The design and construction of the inter</p>	Yes	Drainage from the proposed allotments and associated future buildings will be piped to the nearby stormwater detention basin.

	<p>allotment drainage system should be in accordance with the requirements of Council's Manual of Engineering Standards.</p> <p>j) Where inter-allotment drainage is required, easements having a general minimum width of 1.5 meters are to be identified on plans submitted.</p>		
	<p>k) A soil and water management plan (SWMP) should be prepared by a properly qualified practitioner with the aim of minimizing erosion and maximizing the quality of any water leaving the site. Applicants should refer to Council's Manual of Engineering Standards.</p>	Yes	<p>An Erosion and Sediment Control Plan has been prepared. Refer to Appendix B for further details.</p>
<i>DC.4 Landscape, Streetscape & Visual Impact</i>	<p>Existing landscape and streetscape character should be maintained and enhanced through retention of existing vegetation, provision of additional landscaping and selection of other streetscape items including surface treatments and street furniture.</p>	Yes	<p>A similar style of streetscape and public space treatment present in the wide site locality will be provided as part of the subdivision and associated works. Please refer to the Building Envelope Plan included as Appendix C for further details.</p>
	<p>Submission of a Landscape Plan will be required for residential and rural residential subdivisions, indicating the location of street trees and any other required landscaping</p>	N/A	<p>Landscape Plans will be provided upon the lodgement of future DA's for dwelling houses on the proposed allotments. It is assumed Council's standard conditions for subdivision landscaping will be applied to the Thorncliffe Ave frontage of the subject site, with further details being provided at CC stage.</p>
<i>DC.5 Effluent Disposal</i>	<p>a) All new residential, industrial and commercial lots are to be connected to a reticulated sewerage system (RSS) supplied by the Hunter Water Corporation or other approved supplier.</p> <p>b) The preferred method of effluent disposal for all new lots is by way of reticulated sewerage system. This can include the use of a community package treatment plant if Hunter Water Corporation reticulation is not available.</p>	Yes	<p>All sites created by this proposal will be serviced by reticulated sewage.</p>

<p><i>DC.6 Roads & Access, Pedestrian & Cycle ways General requirements</i></p>	<p>Subdivisions must be designed having regard to network/hierarchy requirements and be designed and constructed to an appropriate standard for their intended use. Road standards will vary between residential, rural residential and industrial /commercial locations.</p>	<p>Yes</p>	<p>Road Construction is to be provided in line with hierarchy requirements.</p>
	<p>Detailed guidelines for design and construction of roads are contained in Council’s Manual of Engineering Standards. However, a guide to minimum road widths for various forms of subdivision is contained in the provide table.</p>	<p>Yes</p>	<p>The road width complies with councils engineering guideline. Refer to Civil documentation included in Appendix B.</p>
<p><i>Performance criteria</i></p>	<p>a) Road design should take account of the location of existing vegetation and other natural features and minimise loss of vegetation and soil disturbance through excessive cut and fill.</p>	<p>Yes</p>	<p>The road position generally complies with this guideline.</p>
	<p>b) All of the components of residential streets (including kerbing, pavement type, and width, street tree planting, footpath paving, lighting, seating and the like) should be considered in an integrated approach to ensure that attractive, safe living environments are created. c) Traffic control devices such as speed humps, thresholds, pavement colour and surface texture are encouraged to reduce traffic speeds in residential streets, but require separate approval from Council’s Traffic Committee. d) Road widths and geometry in all urban subdivisions must accommodate necessary service and emergency vehicles. e) Roads and access to public roads shall be designed and constructed in accordance with Council’s Manual of Engineering Standards.</p>	<p>Yes</p>	<p>The design has been developed in accordance with council and TfNSW standards. Detailed road design including planting, line marking, signing, etc, will be provided to Councils Traffic Committee as part of the Construction Certificate design.</p>
	<p>f) Direct vehicular access to classified roads such as the State highway, or main roads may be prohibited in favour of a separate “service road”, subject to RTA</p>	<p>Yes</p>	<p>Direct vehicular access to the site will not be via any classified roads.</p>

	concurrence. Consultation with the RTA is recommended.		
<i>Specific controls</i>	h) Public road access is required to all new lots in Torrens Title subdivision.	N/A	Public road access is provided to all proposed lots, however this is noted as a proposed Community Title subdivision.
<i>DC.7 Crime Prevention – Safer by Design Objective</i>	e) Lots created should be designed so buildings face outwards towards public and semi-public areas to provide natural surveillance opportunities.	Yes	Natural surveillance can be provided to all future residential development.
	f) Lighting of public places such as public streets, car parks and pedestrian areas should meet the relevant Australian Standards. Effective lighting reduces fear and can increase community activity. The types of lighting should also be considered (different lights are used in different situations).	Yes	Appropriate lighting will be provided to comply with Australian Standards. Details of street lighting will be provide at CC stage.
<i>DC.8 Site Filling General requirements</i>	Earthworks require development consent of Council under the provisions of the Maitland LEP 2011, unless either exempt or complying development. Earthworks including site filling.	Yes	This DA seeks consent for all required earthworks.
<i>DC.9 Reticulated Services</i>	Council requires provision of services to all new lots to a standard appropriate to the future use of the lots and to minimize environmental impacts.	Yes	The proposed allotments will be serviced by appropriate infrastructure for the future residential land use.
<i>Performance criteria</i>	a) Reticulated water and sewer supply is required for all new urban lots (residential, commercial, and industrial) in accordance with the requirements of the Hunter Water Corporation.	Yes	Reticulated water and sewer systems will be provided to all residential lots.
	c) Underground low voltage electricity supply to all new residential lots (including land zoned E4 Environmental Living) to the requirements of Energy Australia or other approved electricity provider, unless Council and provider determine that overhead supply is permitted due to flood liability of land or the land fronts a road supplied by existing overhead electricity reticulation.		Underground electrical supply will be provided to all residential lots.

	f) Pad mounted substations, if and where required, should be placed within pedestrian walkways; behind landscaped screens or otherwise sympathetically treated to reduce visual impact.	TBC	Electrical substation may be provided if required.
	i) Telephone connection to be available to all new lots in accordance with the requirements of Telstra or other approved provider.	Yes	The proposed lots will be serviced by NBN telecommunications.
	j) Submission to Council of a Section 50 Certificate from the Corporation prior to issue of Subdivision Certificate (Endorsed "linen" plan);	Yes	Section 50 Compliance Certificate will provided to council.
	k) Written evidence from the provider that installation of all services is complete and meets requirements must be submitted to Council prior to issue of the Subdivision Certificate;	Yes	Written evidence can be provided when required. It is suggested this information is provided at Subdivision Certificate stage.
<i>IC.1 Entry Features</i>	a) Entry features will only be considered and approved with the development application for subdivision and all details should be included with the detailed landscaping plans.	N/A	No entry features are proposed.
<i>IC.2 Street Names</i>	Proposed street names must be submitted to Council for approval in accordance with Council's policy at the time of lodgment of the development application. Street name signs will be required at the junction of any roads in the subdivision in accordance with Council's Manual of Engineering Standards.	Yes	Road names will be submitted to council traffic committee for acceptance along with all line markings and street/traffic signage at CC Stage.
<i>IC.3 House/Lot Numbering</i>	Council supplies a number for all new urban and rural lots created, and has an adopted policy in this regard. A fee applies for this service.	Yes	Lot/Street numbers will be provided to Council in the future.
PART F – URBAN RELEASE AREAS			
F.1 – General Requirements			
SECTION	PREFERRED SOLUTION	COMPLIANCE	COMMENT
<i>1.4 Relationship with Maitland LEP 2011</i>			
	(a) Satisfactory arrangements to be made for public infrastructure before land in an urban release	Yes	Connection of public infrastructure to the subject land is possible and has been considered under this report.

	area can be subdivided for the proposed urban purpose.		
1.6 Development Control Plan Requirements			
	a) A staging plan for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing,	N/A	The proposal is not sought to be staged.
	(b) An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.	Yes	The proposed development generally complies with the Thornton North Transport hierarchy. Given the relatively small size of the subdivision, no specific transport plan is considered to be required.
	c) An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain.	Yes	As above, it is anticipated that MCC's standard landscaping requirements for subdivisions will be applied to the Thorncliffe Ave frontage. Further details can be provided at CC stage.
	d) A network of passive and active recreational areas.	N/A	The subject allotment is not spatially capable of providing passive or active recreation areas. Furthermore the proposed subdivision is located in close proximity to several passive and active parks located to the southern end of the master planned subdivision.
	e) Storm water and water quality management controls.	Yes	A drainage reserve will be provided.
	f) Amelioration of natural and environmental hazards, including bushfire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected.	Yes	The site has very limited bushfire risk.
	(g) Detailed urban design controls for significant development sites.	N/A	This site is not a significant development site.
	h) Measures to encourage higher density living around transport, open space and service nodes.	N/A	The subdivision is not considered high density, and is not located within close proximity to a transport node.
	i) Measures to accommodate and control appropriate	N/A	No commercial or retail uses are proposed in this DA.

	neighbourhood commercial and retail uses.		
	j) Suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.	Yes	The site is serviced by numerous bus stops, and is within close proximity of the Thornton train station. Further, on site parking will be required to be detailed within any future DA's for the proposed allotments.
<i>F.2 - Residential Urban Release Areas 2.1 Desired Future Outcomes</i>			
02.01.00 Desired Future Outcomes	1. To provide walk-able neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel.	Yes	The subject site is within walking distance of the Thornton CBD, neighbourhood parks, sporting fields, and other community. Further to this, public transport is readily available to enable less dependence on cars.
	2. To foster a sense of community and strong local identity and sense of place in neighbourhoods.	Yes	The one way accessway, and ability for landscaped street presentations for future dwelling homes inherently creates a sense of place.
	3. To provide for access generally by way of an interconnected network of streets and paths which facilitate safe, efficient and pleasant walking, cycling and driving.	Yes	The proposed roadway will connect to existing systems.
	4. To ensure active street-land use interfaces, with building frontages to streets to improve personal safety through increased surveillance and activity.	Yes	The layout of the lots allows for dwellings to face the road and achieve natural surveillance.
	5. To facilitate new development which supports the efficiency of public transport systems, and provides safe, direct access to the system for residents.	Yes	Sufficient access to public transport will be provided to the future residents via a number of existing bus stops being located within close proximity of the site.
	6. To facilitate appropriate mixed-use development which is compatible with residential amenity, capable of adapting over time as the community changes, and which reflects community standards of health, safety and amenity.	N/A	The site is zoned for residential purposes only.
	7. To provide a variety of lot sizes and housing types to cater for the diverse housing needs of the community at a density that can ultimately support the provision of local services.	Yes	The proposed lot layout provides considerable variation in sizing, which allows for a diverse range of future residential housing.

	8. To ensure key environmental areas such as waterways, vegetation, land resources, and areas of cultural significance and scenic value are protected.	Yes	The proposed subdivision seeks maintain and enhance the environmental elements currently present at the site.
	9. To provide for an integrated and sustainable approach to the design and provision of open space and urban water management.	Yes	Urban water management has been proposed, please refer to Appendix B.
	10. To ensure cost-effective and resource efficient development to promote affordable housing.	Yes	The variety of lot sizes encourages the implementation of multi dwelling residential developments in the future, which assists in the provision of housing that is affordable for the wider population. Affordable housing can be provided to a number of the allotments should it be lodged as part of any future DA.
2.2 Design Considerations			
2.2.1 Traffic & Connectivity	D.1 The road pattern for each Area Plan and Precinct Plan should be developed generally in response to the topography, orientation of the land and site constraints to minimise environmental impacts (including acoustic impacts) and earthworks. Detailed survey and subdivision planning should be included in the road design for Precinct Plans. D.2 The road pattern for each Area Plan or Precinct Plan shall provide for logical connections with existing road networks.	Yes	The proposed road to service the allotments is a logical extension of Thorncliffe Avenue.
	D.3 The road design should allow for passive surveillance and access to public open space from adjoining residences.	Yes	The road design allows for the desired surveillance and access.
	D.4 Roads are to be designed to provide flood free access to proposed allotments.	N/A	The area is outside any recorded flood zones.
	D.5 Footpaths and cycle paths are to be provided within subdivisions that link the community, open space, schools and shops to existing and future residential development and constructed in accordance with Council's Manual of Engineering Standards. Shared off-road paths shall be located adjacent to	Yes	It is proposed for the roadway to be a shared path, with vehicle movement restricted to a low speed and traffic calming devices installed. Further details will be provided at CC stage.

	storm water control corridors, open space and the collector road verges (footway). D.6 Cycle ways must be provided for in accordance with the Maitland Bike Plan 2005.		
	D.7 No new future lot shall have direct vehicular access to any classified road (as defined in the Maitland LEP 2011).	N/A	Thornccliffe Ave is not a classified road.
2.2.2 <i>Subdivision Design</i>	D.1 A variety of lot sizes and shapes are to be provided to cater for the housing needs of the community, including opportunities for small lots, small lot housing and medium density in areas with high neighbourhood amenity. Allotment yields should be maximised in response to the constraints of the land.	Yes	As per the proposed Subdivision Plan included in Appendix A, there are a variety of lot sizes, which provides opportunities for a range of housing types while maintaining suitable amenity. The exact siting of the future developments including dwellings, will be required to be clarified in any future DA.
	D.2 Subdivision design must have regard to minimising any adverse visual impacts of development when viewed from public roads and surrounding properties.	Yes	The proposal provides visual consistency with the adjacent locality.
	D.3 Cut and fill should be minimised to fit topography and should absorb the slope on lots within the dwelling footprint rather than on the side boundaries.	Yes	Cut and fill has been limited.
	D.4 Subdivision layout and lot orientation should maximise privacy, private open space areas, solar access and energy efficiency. In this regard, streets should generally be aligned north/south and east/west, subject to constraints such as topography.	Yes	The proposed lot sizes allow for future developments to achieve acceptable privacy, energy efficiency and solar access requirements.
	D.5 Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibration from traffic along adjoining classified roads, nor any other adjoining land uses.	Yes	No classified roads or noise/vibration creating land uses are adjacent to the subject land.
	D.6 Subdivisions must include conveniently located open space areas that complement the broader city wide-open space networks.	No - justified	The surrounding localities includes open areas specifically including A & D Lawrence Oval, and neighbourhood park approved under the

			Master Plan which will be accessible via the E3 Space.
	D.7 Lots are to be designed to have frontage to streets or public open spaces to enhance dwelling presentation, passive surveillance and activation of the public domain.	Yes	All lots have frontage to the proposal street scope and/or public open space.
	D.8 Subdivision designs should incorporate crime prevention strategies and principles to promote personal safety and casual surveillance such as those adopted within Crime Prevention through Environmental Design (CPTED).	Yes	The proposed subdivision layout generally complies with the passive surveillance principles detailed by CPTED.
<i>2.2.4 Visual & Scenic Amenity</i>	D.1 Where practicable, existing vegetation is to be maintained and enhanced (particularly along ridgelines, knolls and the slopes), so as to provide buffers and landscaped visual relief within subdivisions and housing development.	N/A	Vegetation is not present at the site.
	D.2 Where available, subdivision and housing design should take advantage of significant and attractive views overlooking surrounding rural lands by orienting streets and locating public space to capture views.	N/A	No rural lands or grand vistas occur at the site however allotments over look the vegetated E3 area.
<i>2.2.5 Water Cycle Management & Sediment & Erosion Control</i>	D.1 Existing natural drainage lines should form part of a stormwater and runoff drainage management system utilising soil conservation measures (including detention basins and/or wetlands) to alleviate storm water peaks and retain sediments and pollutants. Any water control structures installed on the site are to be used solely for the purpose of sedimentation and pollution control purposes. No harvesting of water from any watercourse may occur without a license issued by the appropriate State government authority. D.2 Storm water controls must comply with the requirements of Council’s Manual of Engineering Standards. S.1 Developers will be required to produce a “Sediment and Erosion Control Plan” in	Yes	The proposed subdivision layout includes stormwater infrastructure. Refer to Appendix B for further details.

	accordance with the NSW Department of Housing guidelines Managing Urban Storm water: Soils and Construction – the “Blue Book” as part of any development application for subdivision. The plan will also include practical measures for mitigating erosion and controlling sediment during construction. Other detailed plans may be required as a condition of any subdivision approval.		
	S.2 A Storm water Drainage Analysis, addressing the water quality and quantity (having regard to all contributing catchments and downstream water bodies), the 1% AEP Hunter River Flood Level (where relevant) and the 1% AEP storm event, is to be submitted with Development Applications for subdivision.	Yes	A Stormwater Management details are included in Appendix B.
<i>2.2.6 Landscaping, Streetscape & Open Space Areas</i>	D.1 Open space areas, footpaths and cycle paths are to be suitably located and designed to provide linkages within the proposed area and to adjoining development in accordance with the relevant Section 94 Contributions Plan. Such areas are to have good surveillance and safety, particularly at nighttime, and are to be easily maintained and appropriately landscaped.	Yes	The proposed subdivision is directly adjacent to A & D Lawrence Oval, while a neighbourhood park has been provide as part of the Master Planned Subdivision.
	D.6 Street tree planting is to be carried out as part of subdivision design and road construction. Street trees are to be planted to provide a physical barrier to traffic, to contribute to traffic calming, provide shade on footpaths and enhance the view of corridors in all subdivision designs and housing developments.	Yes	Tree planting will be provided as per council’s standards for Thorncliffe Avenue.
<i>2.2.7 Noise and Vibration</i>	D.1 Residential subdivision and development is to be located and designed so as to comply with the current standards and criteria for noise and vibration contained within relevant State	Yes	The proposed subdivision is in a residential area and will only further those characteristics.

	Environmental Planning Policies, RTA and DECCW publications.		
F.7 - Thornton North Urban Release Area			
7.1 Development Requirements			
<i>7.1.1 Staging Plan</i>	1. To provide for the timely and efficient release of urban land making provision for necessary infrastructure and sequencing.	Yes	The subject land forms part of an approved master plan and can be easily serviced by existing infrastructure built adjacent to the site.
<i>7.1.2 Transport and Movement</i>	1. To achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists.	Yes	The layout is logical given the existing network.
	2. To provide walk able neighbourhoods with convenient access to neighbourhood shops, community facilities and other services, with less dependence on cars for travel	Yes	The site is nearby numerous parks, primary schools, commercial precincts and provides acceptable access to public transport.
	5. A perimeter road (with development on one side only) shall be provided around the edge of the Thornton North Urban Release Area where it adjoins flood prone land. 6. Perimeter roads should also be used adjacent to open space, and areas of high bushfire risk and visual significance.	Yes	The proposed accessway is a through road, which is connected to Thornccliffe Ave. No perimeter road is required in this instance.
<i>7.1.4 Passive and Active Recreational Areas</i>	1. The network of passive and active recreational areas should be provided generally in accordance with Figure 30 and the associated Section 94 Contributions Plan.	Yes	The subject land is part of an overall master planned site which includes a neighbourhood park, while also doing nearby to A & D Lawrence Oval.
<i>7.1.5 Storm water and Water Quality Management</i>	1. The storm water and water quality management controls shall be consistent with the Thornton North Structure Plan in the use of Water Sensitive Urban Design (WSUD).	Yes	Please refer to the Civil Engineering Report included in Appendix B.
	2. The number and location of WSUD elements should be determined by modeling to develop the WSUD strategy for the site, and be integrated with the overall design.	Yes	Please refer to the Civil Engineering Report included in Appendix B.
<i>7.1.6 Amelioration of Natural and Environmental Hazards Development Controls</i>	1. Subdivision design and lot layout must ensure that any future residential housing will not be adversely affected by noise or vibrations, particularly from quarry operations, the railway line and traffic along	Yes	The site will not be impacted by noise or vibration from Raymond Terrace or Government Roads, nearby quarry operations or the rail line.

	Raymond Terrace Road and Government Road.		
F - THORNTON NORTH – GOVERNMENT ROAD PRECINCT			
7.1 Development Requirements			
7.1.1 Staging Plan	1. All development applications for subdivisions shall include a staged construction plan, where the development is intended to be constructed in stages.	Yes	This DA seeks approval for a subdivision of a residual lot that forms stage 3 of the Master Plan approved under DA11-932.
7.1.2 Transport and Movement	1. The layout, hierarchy and design of major streets within the Precinct should be generally consistent with Figure 36. 2. Pedestrian paths, cycleways and off-road shared pathways are to be provided within the Precinct to link open space and community facilities and to link to adjoining precincts generally as shown on Figure 36.	Yes	The proposed layout of vehicle and pedestrian access to the allotments will tie into the existing network provided to sites adjacent to the subject site.
	5. Subdivision design is to provide for lot frontages addressing streets, reserves, open space and drainage areas. Allotments backing onto reserves, open space and drainage areas are not encouraged. Where this is unavoidable, boundary fencing shall be of an open style and of consistent materials and colour. Fencing shall not form a prominent element in the landscape of this area.	TBC	Fencing can be provided to future dwellings, which back onto the drainage reserve as required.



Appendix E

Acoustic Report