

Statement of Environmental Effects

**Erection of new Commercial Building
(Office Premises) including Clause 4.6
Variation, minor alterations to an existing
building, car parking, associated site works
and strata subdivision
Lot 31 DP 1076333
15 Mitchell Drive East Maitland**

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED COMMERCIAL BUILDING

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CONTENTS

1.	INTRODUCTION.....	1
2.	THE SITE	2
3.	LOCALITY	2
4.	BACKGROUND.....	8
5.	PROPOSED DEVELOPMENT	8
6.	ACCESS AND TRAFFIC.....	9
	6.1. Car Park Calculations	10
	6.2. Manoeuvring of Vehicles and Loading & Unloading Facilities.....	10
	6.3. Conflicts between Vehicles and Pedestrians	10
7.	PRIVACY.....	10
8.	AIR AND NOISE	11
	8.1. Air	11
	8.2. Noise	11
9.	SOIL AND WATER	11
	9.1. Reticulated Supply and Sewer Management.....	11
	9.2. Stormwater.....	11
	9.3. Landscaping	12
	9.4. Erosion and Sediment Control.....	12
10.	HERITAGE	12
11.	WASTE.....	12
12.	HAZARDOUS SUBSTANCES	13
13.	STATUTORY PLANNING PROVISIONS	13
	13.1. State Environment Planning Policies	13

13.1.1.	SEPP (BIODIVERSITY AND CONSERVATION) 2021	13
13.1.2.	SEPP (RESILIENCE AND HAZARDS) 2021	13
13.1.3.	SEPP (INDUSTRY AND EMPLOYMENT) 2021	13
13.1.4.	SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES)	13
13.1.5.	SEPP (RESOURCES AND ENERGY).....	13
13.1.6.	SEPP (TRANSPORT AND INFRASTRUCTURE) 2021	14
13.2.	Integrated Development.....	14
13.3.	Regional Environmental Plan AND MAITLAND STRATEGIES	14
13.4.	Maitland Local Environmental Plan 2011	15
13.5.	Maitland Development Control Plan 2011	20
14.	ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY.....	22
14.1.	Existing Character and Amenity	22
14.2.	Visual Impact	22
14.3.	Access & Traffic.....	23
14.4.	Acoustic Impact.....	23
14.5.	Essential Services	24
14.6.	Flora & Fauna.....	24
14.7.	Bushfire	24
14.8.	Social and Economic Impacts	24
14.9.	Impacts of the proposed development.....	24
15.	CUMULATIVE IMPACTS	24
16.	SUITABILITY OF THE SITE AND THE PUBLIC INTEREST	25
16.1.	Suitability of the site for the proposal	25
16.2.	The Public Interest	25
17.	SUMMARY.....	25

Appendices

APPENDIX A – Waste Management Plan

1. INTRODUCTION

The following Statement of Environmental Effects has been prepared to assist Maitland City Council in the processing of the attached development application for the construction and use of a new commercial building for office premises, minor alterations to an existing building, car parking, associated site works and strata subdivision, including Clause 4.6 variation at Lot 31 DP 1076333, 15 Mitchell Drive East Maitland.

The site is located in the Greenhills retail and commercial district. The site was previously occupied by the Hit and Dip squash courts and gymnasium and a Chinese that were recently demolished.

The new commercial building at the rear of the site will be two (2) storeys in height with a total gross floor area of 1935m². A total of nine (9) office units will be located on site. Sixty-seven (67) car parking spaces will be provided on site.

The remaining building on site will be retained with some minor alterations being undertaken which are also included in this development application.

The site is located on the northern side of Mitchell Drive opposite the Stockland's Greenhills shopping centre. Access to and from the site is proposed via the existing left in/out entry/exit access of Mitchell Drive.

The land is zoned E2 Commercial Centre pursuant to Maitland Local Environmental Plan (LEP) 2011. The proposed development is consistent with Council's objectives as contained within the LEP and the development principles contained within the Maitland Development Control Plan 2011.

The proposal seeks consent from Council for a clause 4.6 variation to the maximum building height permitted under the Maitland LEP 2011. The site is mapped as containing a maximum building height of 8m within the Maitland LEP 2011. The proposal seeks consent for a building height of 9.805m to its highest point from natural ground level which results in a variation of 1.805m to the mapped building height. This variation is exacerbated by the topography of the site and the crossfall in the existing car park.

The proposal complies with the mapped floor space ratio for the site pursuant to Clause 4.4 of Maitland LEP and complies with Maitland Development Control Plan (DCP) 2011.

The site is located opposite the Stocklands Greenhills shopping centre, cinema complex and Maitland Mutual Building and has been architecturally designed to complement the streetscape and minimises visual impacts given its location at the rear of the site. The proposed building for a high-quality contemporary design will not look out of context in this environment and is compatible with the mass and bulk of the surrounding area and adjoining buildings.

This report is structured to facilitate a logical understanding of the proposed development, an identification of the key issues, and a summary assessment of the proposed development including justification to warrant the maximum height variation. The development proposal has taken into account the Environmental Planning and Assessment Act 1979, the Maitland Local Environmental Plan 2011 and the Maitland Development Control Plan 2011.

2. THE SITE

The land is currently known as Lot 31 DP 1076333, 15 Mitchell Drive East Maitland located in the Greenhills retail and commercial district.

The site was previously occupied by Hit and Dip squash courts and gymnasium and a Chinese restaurant which have since been demolished. That area is currently fenced off from the remainder of the site for safety reasons. The site is currently occupied by a commercial building and land utilised for car parking.

The site is located on the northern side of Mitchell Drive opposite the Stockland’s Greenhills shopping centre. Access to the site is proposed via the existing left in entry access at Mitchell Drive and left out exit onto Mitchell Drive.

The total site area is 3817m² in size.

The subject site and surrounding lands are zoned E2 Commercial Centre pursuant to Maitland LEP 2011.

The site is not subject to flooding. There are no known geotechnical hazards associated with this site. The site is not contaminated land.

The site is not located in a Heritage Conservation Area and does not contain an item of Heritage Significance.

The site is not located within a Mine Subsidence District and the proposal does not require referral to the Mine Subsidence Board.

3. LOCALITY



Figure 3.1 – Locality Plan (Source: Six Maps 2023)

The land is located on Mitchell Drive East Maitland, opposite the Stockland's Greenhills Shopping Centre. The site covers an area of 3817m². Access to the site is provided directly from Mitchell Drive, East Maitland. Refer to locality plan above and photos of site and surrounds below.



Figure 3.2 – Existing commercial building and existing entry driveway into the site from Mitchell Drive East Maitland



Figure 3.3 – Existing site and adjoining land on Mitchell Drive East Maitland



Figure 3.4 – Existing site previously occupied by Hit and Dip squash courts and gymnasium and a Chinese restaurant which have since been demolished.



Figure 3.5 – Existing rear of site



Figure 3.6 – Existing car park at rear of site



Figure 3.7 – Existing building on site – minor alterations are proposed.



Figure 3.8 – Stockland’s Greenhills Shopping Centre and Maitland Mutual Building opposite the site.



Figure 3.9 –Recently constructed Maitland Mutual Building diagonally opposite the site.



Figure 3.10 – Entrance to Stockland's Greenhills Shopping Centre opposite the site.



Figure 3.11 – Entrance to Stockland's Greenhills Shopping Centre opposite the site.

4. BACKGROUND

On 11th May 2021 Maitland Council approved DA2020/909 for the Demolition of Existing Building, Construction of New Commercial Building (Office Premises) and Associated Site Works, Carparking and Alterations to Existing Building – Clause 4.6 Variation on Lot 1 DP 867674 and Lot 31 DP 107633 at 13- 15 Mitchell Drive East Maitland being the subject site.

5. PROPOSED DEVELOPMENT

The proposal involves the construction and use of a new commercial building for office premises, minor alterations to an existing building, car parking, associated site works and strata subdivision including Clause 4.6 variation at Lot 31 DP 1076333, 15 Mitchell Drive East Maitland.

The proposed works will include the following:

- Preparatory site works and civil works including retaining walls and stormwater infrastructure;
- Construction and use of new commercial building with two (2) levels of office space with a total gross floor area of 1935m²;
- Minor alterations to existing office building;
- Sixty-seven (67) car parking spaces provided on site;
- New garbage/waste area;
- Landscaping and associated site works; and
- Strata subdivision.

The existing vehicular access to and from the site will be maintained and will be used by this development. Due to the raised central median on Mitchell Drive, access to the site is left in and left out only. The exit driveway is located within the signalised access intersection to the Stockland's Greenhills car park.

The building will contain two (2) levels of office space. Pedestrian access to the new office building will be via the existing walkway from Mitchell Drive. This walkway will be extended to form part of the new building leading to a lobby containing lift and stairwell access to provide access to each level. A lobby will also be available at the car park level.

A total of nine (9) offices are proposed on site consisting of existing and new offices. Office 1, 2 and 3 are located in the existing building on site (former NAB building) with the floor areas as follows:

- Office 1 – 202m²;
- Office 2 – 142m²; and,
- Office 3 - 284m²;

The new office building will contain two (2) levels of office space as follows:

- Office 4 – 143m²;
- Office 5 – 150m²;
- Office 6 – 323m²;
- Office 7 – 171m²;
- Office 8 – 151m²; and
- Office 9 - 280m²

Each office will contain its own amenities and kitchenette. The ground floor units (units 7, 8 and 9) will contain outdoor space including a small garden area.

The total GFA of the proposed building will be 1935m².

The building will be 9805 in height to the top of the roof from natural ground level.

The building will be constructed of a combination of precast concrete and external FC sheet cladding with a painted finish with horizontal blade louvres with aluminium frame windows.

The colours and materials of the proposed building are shown in the plans attached.

Future operating hours are typical operating hours for office premises from 7.00am to 7.00pm Monday to Friday and 8.00am to 4.00pm on Saturday and Sunday.

Deliveries to the site will be made during operating hours with only office supplies to be delivered in a standard sized vehicle. All loading and unloading activities will occur wholly on site.

Sixty-seven (67) car parking spaces will be provided on site including two (2) accessible spaces.

Communal waste bins for the complex will be located on site as shown on the plans attached.

The existing building on the site will be retained with minor alterations proposed including new awning and removal of existing parapet.

Refer to DA plans attached.

Strata Subdivision

The proposal includes the strata subdivision of the site into nine (9) lots.

6. ACCESS AND TRAFFIC

The site is located on the northern side of Mitchell Drive approximately 300 metres south west of the New England Highway and opposite the Stockland's Greenhills shopping centre. The existing vehicular access to the site which will be used by this development. Due to the raised central median on Mitchell Drive, access to the site is left in and left out only. The exit driveway is located within the signalised access intersection to the Stockland's Greenhills car park.

All vehicles will be able to enter and exit in a forward direction.

6.1. CAR PARK CALCULATIONS

The site will contain 67 car parking spaces including two (2) accessible car parking spaces.

The following table gives a calculation of the car park requirement for this development including the existing building on site.

Table 1: Car Parking Calculations

Description	Area	Rate	Car Spaces Required
Office building	1935m ²	1 space per 40m ²	48.375
Total			49 spaces

A total of 49 car parking spaces are required for this proposal. 67 car parking spaces will be provided. Two (2) car parking spaces for disabled persons are provided on site. These car parking spaces are provided in accordance with AS4299 and AS2890.1.

6.2. MANOEUVRING OF VEHICLES AND LOADING & UNLOADING FACILITIES

As a site containing office premises, only office supplies will be delivered with any loading/unloading required to be through the front doors of each building via a small rigid courier vehicle or by staff using their own light vehicles. Both types of vehicles can utilise available car parking in the car park.

Waste collection will involve a Medium Rigid Vehicle. Waste collection will involve the waste vehicle entering the site in a forward direction and proceeding to the waste bin enclosure on site in a front-loading vehicle. Waste collection vehicles will be able to proceed through the car park and exit in a forward direction.

6.3. CONFLICTS BETWEEN VEHICLES AND PEDESTRIANS

No conflicts are expected as a level walkway will be constructed from Mitchell Drive to the new commercial building located at the rear of the site.

7. PRIVACY

This is a commercial development. No visual privacy issues exist.

An increase in traffic noise may be expected from the site as a result of the proposed development. All such impacts have been anticipated in the site’s current zoning, and the layout of the existing established area. All noise will be at an acceptable scale for commercial use. No dwellings are located in the vicinity of the site.

8. AIR AND NOISE

8.1. AIR

There are no existing sources of odour, smoke or fumes that are considered to potentially affect the amenity of the proposal.

8.2. NOISE

Existing noise sources near the site include road noise and noise from nearby commercial uses.

Construction hours	7AM to 6PM Monday to Friday
	8AM to 1PM Saturday
Type of equipment	Pengo drilling rig, crane, trucks as required, excavator, electric power tools
Comment	None of the anticipated activities will adversely affect adjoining properties

No offensive noise is anticipated to be emitted from the site. All such impacts have been anticipated in the site’s current zoning, and the layout of the commercial area. No specific noise reduction measures are considered necessary.

9. SOIL AND WATER

9.1. RETICULATED SUPPLY AND SEWER MANAGEMENT

A Section 50 application has been made for the property and HW will issue the Notice of Requirements for this proposal.

9.2. STORMWATER

Engineering plans for the proposed new building have been prepared by GCA Engineering Solutions and are attached to this Development Application.

The proposed development is located on the site of an existing fully impervious building and car park. Accordingly, runoff from the development will be equal to the predevelopment case and it is not proposed to construct on site detention.

Runoff from the roof of the existing building to be retained is currently picked up in a gutter system and directed around the western side of the building that was recently demolished. It is proposed to collect this drainage in a pipe with a 1% AEP design capacity and direct it to the central collection Pit 8 where it will join the rest of the drainage from the development and be discharged through the same pipe that currently runs through Lot 102 DP 816180. Drainage for the remainder of the site, is to formalise in an underground system. Levels in the lower car park on the northern side of the development site are to be adjusted so the new proposed building does not create a trapped low point susceptible to drainage system failure.

Engineering plans for the proposed new building have been prepared by GCA Engineering Solutions and are attached to this Development Application.

9.3. LANDSCAPING

Landscaping is existing along the front boundary of the site alongside Mitchell Drive. Landscaping is also proposed on site and in the private open space of office 7, 8 and 9. Refer to landscape plans attached.

9.4. EROSION AND SEDIMENT CONTROL

ESCP measures include silt fencing and shaker humps to control the potential stormwater flows off site prior to completion of development works.

10. HERITAGE

The development does not involve any heritage item, either directly or by virtue of streetscape or visual impact. The site is not located in a Heritage Conservation Area.

11. WASTE

The building on site will be used as an office building. A new waste/recycling area is proposed to be located on site with waste, recycling and green waste bins to be placed in a locked enclosure, with a ventilated roof and roller doors. Waste bins will be managed by the occupants on site in accordance with the waste management plan included as Appendix A.

Waste collection will involve a Medium Rigid Vehicle. Waste collection will involve the waste vehicle entering the site in a forward direction and proceeding to the waste bin enclosure. Waste collection vehicles will be able to proceed through the car park and exit in a forward direction.

A Waste Management Plan is attached as **Appendix A**.

12. HAZARDOUS SUBSTANCES

No hazardous substances are proposed to be stored on site.

13. STATUTORY PLANNING PROVISIONS

13.1. STATE ENVIRONMENT PLANNING POLICIES

13.1.1. SEPP (BIODIVERSITY AND CONSERVATION) 2021

This SEPP is not applicable to the subject site.

13.1.2. SEPP (RESILIENCE AND HAZARDS) 2021

Chapter 3 – Hazardous and Offensive Development

No hazardous or offensive development is proposed. Therefore, this chapter is not considered relevant to the proposed development.

Chapter 4 – Remediation of Land

This chapter provides that Council must not consent to the carrying out of any development, unless, it has considered whether the land is contaminated and if so, it must be satisfied that the land is suitable, in its contaminated state or after required remediation, for the purpose for which the development is to be carried out.

The site was previously used as a gym with no indication of potentially contaminating uses having occurred on the property.

Accordingly, no further investigations are considered necessary or warranted.

13.1.3. SEPP (INDUSTRY AND EMPLOYMENT) 2021

Chapter 3 – Advertising and signage

No signage is proposed.

13.1.4. SEPP (EXEMPT AND COMPLYING DEVELOPMENT CODES)

Not considered relevant to the proposed development.

13.1.5. SEPP (RESOURCES AND ENERGY)

Not considered relevant to the proposed development.

13.1.6. SEPP (TRANSPORT AND INFRASTRUCTURE) 2021

The SEPP outlines the requirements for traffic generating development applying to new premises of the relevant size or capacity, or an enlargement or extension of existing premises, being an alteration or addition of the relevant size or capacity. The proposed development is defined as office premises pursuant to Maitland LEP 2011. The size of the proposed office building and its location and proximity to a classified road does not require referral to the Transport of NSW. The proposed development is not identified as a traffic-generating development in accordance with the SEPP. The site is located on the northern side of Mitchell Drive approximately 300 metres southwest of the New England Highway.

Accordingly, it is considered that the proposed development is consistent with the requirements of the SEPPs.

13.2. INTEGRATED DEVELOPMENT

Pursuant to Section 4.46 the EP&A Act 1979, this development application is not integrated development.

13.3. REGIONAL ENVIRONMENTAL PLAN AND MAITLAND STRATEGIES

Hunter Regional Plan 2041

The subject land is included in the Hunter Regional Plan 2041. The proposal seeks consent for redevelopment and refurbishment of the site as new office premises and meets the requirements of the Hunter Regional Plan 2041.

Maitland Strategies

Maitland City Council Activity Centres and Employment Clusters Strategy 2010

The Activity Centres and Employment Clusters Strategy 2010 is based on a set of key principles to strengthen the viability of the activity centres and employment clusters to support the Maitland community.

The site is located within the Greenhills Stand-Alone Shopping Centre and Surrounds Retail Precinct. The proposal for a commercial building will contribute to employment opportunities within the local Maitland Community and the wider regional community.

13.4. MAITLAND LOCAL ENVIRONMENTAL PLAN 2011

The subject site is zoned E2 Commercial Centre pursuant to Maitland LEP 2011. A copy of the zoning map is shown below.



Figure 13.1 - Zoning Map

The objectives of the zone are:

- *To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.*
- *To encourage investment in commercial development that generates employment opportunities and economic growth.*
- *To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.*
- *To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To recognise Council's preferred hierarchy of activity centres and precincts, by ensuring that existing and future development—*
 - (a) at Greenhills—reinforces the regional significance of this retail precinct, and*
 - (b) at Central Maitland—promotes business development to reinforce Central Maitland's significance as a major regional centre.*

The proposal for the construction and use of a new office building is in accordance with the objectives and provisions of the E2 Commercial Centre zone as follows:

- The development proposes a commercial land use to serve the needs of the local and wider community.
- The proposed development will encourage investment and employment opportunities directly opposite the Greenhills Shopping Centre.
- The proposal will contribute to economic growth in Maitland LGA.
- The proposal is located within convenient distances to public transport facilities with high levels of accessibility and amenity, particularly for pedestrians.
- The development is located in close proximity to residential areas to provide service and employment opportunities.
- The proposal is not retail in nature and supports and reinforces Council’s hierarchy of activity centres and precincts by ensuring existing and future development is located opposite the Greenhills main shopping centre district.

The proposal is defined in Maitland LEP 2011 as office premises which means:

a building or place used for the purpose of administrative, clerical, technical, professional or similar activities that do not include dealing with members of the public at the building or place on a direct and regular basis, except where such dealing is a minor activity (by appointment) that is ancillary to the main purpose for which the building or place is used.

Note—

Office premises are a type of commercial premises—see the definition of that term in this Dictionary.

The proposal for office premises on the site is a permissible land use within the zone with Council consent. The use of the site for office premises meets the objectives of the zone.

The following LEP clauses are relevant to the proposal.

Clause 2.6 Subdivision—consent requirements

Clause 2.6 of Maitland LEP

(1) Land to which this Plan applies may be subdivided, but only with development consent.

The proposal includes the strata subdivision of the land into nine (9) lots.

Clause 4.1 Minimum lot size

Clause 4.1 refers to minimum subdivision lot size. Strata subdivision is proposed. The LEP does not contain a minimum lot size for strata subdivision.

Clause 4.3 – Maximum Building Heights

Clause 4.3 of Maitland LEP refers to Maximum Building Heights and is defined as follows:

(1) The objectives of this clause are as follows—

(a) to ensure that the height of buildings complements the streetscape or the rural character of the area in which the buildings are located,

(b) to protect the heritage character and significance of buildings and avoid an adverse effect on the integrity of heritage items,

(c) to ensure that the height of buildings protects the amenity of neighbouring properties in terms of visual bulk, access to sunlight, privacy and views.

(2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The site is mapped on the Height of Buildings Map pursuant to Maitland LEP 2011 as containing a maximum building height of 8m. The proposal seeks consent for a maximum height of 9805 from natural ground level representing an exceedance of 1805 above the maximum building height to the top of the building.

The variation is exacerbated by the crossfall of the existing car park and the topography of the site.

A request to vary the development standard in accordance with Clause 4.6 of the Maitland LEP 2011 is submitted to Council for consideration as attached to this development application.

Clause 4.4 - Floor space ratio

Clause 4.4 of Maitland LEP refers to Floor space ratio and is defined as follows:

(1) The objectives of this clause are as follows—

(a) to ensure development is compatible with the streetscape and character of the area by providing an appropriate correlation between the size of a site and the extent of any development on that site.

(2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.

The site is mapped as containing a Floor Space Ratio (FSR) of 2.0:1. The proposal will result in a FSR of 0.35:1 and therefore complies with this standard. The proposed development being a commercial development is compatible with the streetscape and character of the area by providing an appropriate correlation between the size of the site and the extent of the proposed development on site.

Clause 4.6 – Exceptions to Development Standards

Clause 4.6 of the Maitland LEP 2011 seeks to provide an appropriate degree of flexibility in applying certain development standards to particular development, and to achieve better outcomes for and from development by allowing flexibility in particular circumstances. In determining whether or not Council can support a variation to the development standard contained within the LEP, Council is required to be satisfied that:

- That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- That there are sufficient environmental planning grounds to justify contravening the development standard.
- The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out; and,
- The contravention of the development standard does not raise any matter of significance for State or regional environmental planning and maintains a public benefit.

An application to vary a Development Standard (Maximum Building Height Clause 4.3) pursuant to Clause 4.6 of Maitland LEP 2011 is attached to this application.

It is concluded that the clause 4.6 objection is justified and there are sufficient environmental planning grounds to warrant the variation.

Clause 5.6 - Architectural Roof Features

Clause 5.6 of Maitland LEP refers to Architectural Roof Features and is defined as follows:

(1) The objectives of this clause are as follows—

(a) to enable an innovative and flexible approach to roof design.

(2) Development that includes an architectural roof feature that exceeds, or causes a building to exceed, the height limits set by clause 4.3 may be carried out, but only with development consent.

(3) Development consent must not be granted to any such development unless the consent authority is satisfied that—

(a) the architectural roof feature—

(i) comprises a decorative element on the uppermost portion of a building, and

(ii) is not an advertising structure, and

(iii) does not include floor space area and is not reasonably capable of modification to include floor space area, and

(iv) will cause minimal overshadowing, and

(b) any building identification signage or equipment for servicing the building (such as plant, lift motor rooms, fire stairs and the like) contained in or supported by the roof feature is fully integrated into the design of the roof feature.

This clause allows an architectural roof feature to exceed or cause a building to exceed the height limit set by clause 4.3 of Maitland LEP 2011. No architectural roof features are proposed.

Part 6 Urban release areas

The site is not identified in the Urban Release areas.

7.1 Acid sulfate soils

Clause 7.1 Acid Sulfate Soils states:

- (1) *The objective of this clause is to ensure that development does not disturb, expose or drain acid sulfate soils and cause environmental damage.*
- (2) *Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the Acid Sulfate Soils Map as being of the class specified for those works.*

The site is identified as Class 5 on the Acid Sulfate Map pursuant to Maitland LEP 2011. The proposal will not disturb, expose or drain acid sulfate soils or cause environmental damage.

7.2 Earthworks

Clause 7.2 Earthworks states:

- (1) *The objectives of this clause are as follows—*
 - (a) *to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
 - (b) *to allow earthworks of a minor nature without requiring separate development consent.*
- (2) *Development consent is required for earthworks unless—*
 - (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
 - (b) *the work is ancillary to other development for which development consent has been given.*
- (3) *Before granting development consent for earthworks, the consent authority must consider the following matters—*
 - (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
 - (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
 - (c) *the quality of the fill or the soil to be excavated, or both,*

- (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*
- (e) *the source of any fill material and the destination of any excavated material,*
- (f) *the likelihood of disturbing relics,*
- (g) *the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

Note—

The National Parks and Wildlife Act 1974, particularly section 86, deals with disturbing or excavating land and Aboriginal objects.

Only minor earthworks are proposed as the site is cleared.

The proposal meets the requirements of Maitland LEP 2011.

13.5. MAITLAND DEVELOPMENT CONTROL PLAN 2011

The Maitland Development Control Plan (DCP) 2011 provides all relevant guidelines to enable preparation of a DA for assessment by Council.

Part B Environmental Guidelines

B6 Waste Not – Site Waste Minimisation and Management

A Waste Management and Minimisation Plan has been prepared and is submitted to Council as part of this development application. The proposal will comply with Council's requirements for the management of waste for the demolition, construction and use of the premises. As required by the Development Control Plan Section C.5 Waste Management, a Site Waste Minimisation and Management Plan has been prepared and is included in Appendix A.

Part C1 – Accessible Living

This element of DCP 2011 aims to ensure that developments are designed to be accessible. The proposal meets the relevant standards of the DCP and Australian Standards (AS 1428.1) through the provision of pathways, lifts, accessible car parking spaces and accessible amenities.

Part C10 – Subdivision

Part C.10 of the Maitland DCP 2011 refers to subdivisions and includes Council's requirements to subdivide land in the Maitland LGA. The proposal includes the strata subdivision of the site into nine (9) lots. The proposed subdivision fulfils the objective of the Plan by promoting the efficient use of an increasingly limited land resource in Maitland. The proposal complies with the requirements of the DCP.

Part C11 – Vehicular Access and Car Parking

This chapter outlines Council’s policy for the provision of parking and service delivery facilities in association with development proposals in the City of Maitland. Refer to Section 6 of this report for additional information.

Part E.1 – Centres

This chapter of the DCP 2011 outlines Council’s requirements for centres and contains general requirements for development in centres, additional design considerations for new centres and specific design requirements for particular locations.

Active frontages

The existing active street frontage consists of a commercial building located on the south western boundary of the site with car parking. The building addresses Mitchell Drive with the proposed new office building located considerably setback from the street boundary behind the existing building and car parking area.

A pedestrian access the site via a designated footpath off Mitchell Drive also permits access into the site.

In contrast, the newly developed commercial and retail buildings on the southern side of Mitchell Drive present considerably inactive uses on the ground floor plane. The only pedestrian access is through a single shopping centre entry and lift access and cinema entrance.

The proposed addition to the subject site is situated at the rear of the site behind the existing commercial building that addresses the street. The commercial building around the perimeter of the front car park will be retained, therefore, direct contact will be primarily via the existing building on site.

Building Design

The northern side of Mitchell Drive primarily consists of two storey commercial buildings organised around a front car parking area. The material is dominated by masonry and concrete construction with parapets concealing the roof forms.

The newly developed Stocklands Greenhills is situated on the other side of Mitchell Drive immediately across the subject site. A newly developed 6 storey commercial premises is located at 6 Mitchell Drive utilising three horizontal awnings to reduce scale of its three-storey curtain wall.

The proposed development being two (2) storey in scale is visually consistent with various commercial buildings along the northern side of Mitchell Drive.

Pedestrian Entries and Access

The proposed development will retain the existing pedestrian access into the site, located adjacent to the southwest corner building on Mitchell Drive.

The existing footpath adjacent to the existing car park will be utilised as the main pedestrian route to the proposed office building permitting access to the respective commercial tenancies. This development ensures the existing pedestrian access is retained and pedestrian circulation remains largely unchanged. Car parking is located at the rear of the site where car parking already exists.

Setbacks

The existing commercial building at the front of the site will be retained along with the front parking area. This retains the existing courtyard car park arrangement that is typically prevalent along the northern side of Mitchell Drive. The proposed development is set back from Mitchell Drive behind the existing commercial building. The side and rear setbacks are appropriate being 3 metres from the boundary.

Landscaping and Public Domain

Proposed planting will be introduced around the site including various points throughout the car park. Landscaping is proposed along the front boundary to soften the threshold between the site and the public domain.

Vehicular access and car parking

The proposed development will retain the existing building, the existing vehicular route and entry and exit points to and from the site. As a result, the general location and distribution of car spaces will largely remain as is.

The proposal complies with the requirements of the DCP.

14. ENVIRONMENTAL IMPACTS ON BOTH THE NATURAL AND BUILT ENVIRONMENTS, SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

14.1. EXISTING CHARACTER AND AMENITY

The subject site is located directly opposite the Stockland's Greenhills Shopping Centre. The surrounding area comprises commercial buildings including office premises, business premises and retail premises.

14.2. VISUAL IMPACT

The site previously contained the Hit and Dip Squash Courts and Gymnasium and a Chinese restaurant that were recently demolished. The existing office building on site will be retained.

The proposal will improve the visual impact for this site through construction and use of a new architecturally designed contemporary building. The proposed design represents a distinctive and unique proposal which is considered appropriate in this location. The scale form and massing of the

building is considered appropriate in this location particularly in light of recently redeveloped shopping centres, cinema complex, the new Maitland Mutual building directly opposite the site.

Stocklands Greenhills Shopping Centre, the cinema complex and the recently constructed Maitland Mutual building are new and modern buildings, and this proposal will contribute and enhance the new contemporary buildings that have been constructed in the vicinity of the site.

14.3. ACCESS & TRAFFIC

A Traffic and Parking Assessment was prepared by Intersect Traffic in September 2020 for DA2020/909 for a larger development on the site. That report included the following:

- An outline of the existing situation near the site.
- An assessment of the traffic impacts of the proposed development including the predicted traffic generation and its impact on existing road and intersection capacities.
- Reviews parking, public transport, pedestrian, and cycle way requirements for the proposed development, including assessment against Council, Australian Standards and the NSW Roads and Maritime Services (RMS) standards and requirements; and
- Presentation of conclusions and recommendations.

The report assessed the traffic volumes and the capacity of the road network and found that the local road network has spare capacity to cater for additional development traffic in the area.

That report made the following recommendation:

Having carried out this traffic and parking assessment for the proposed development of a three level commercial building with basement car parking and a total gross floor area of 3213.5m² on Lot 1 DP 867674 and Lot 31 DP 1076333 – 13 – 15 Mitchell Drive East Maitland it is recommended that the proposal can be supported as the development will not adversely impact on the local road network. The development can also comply with all relevant Maitland City Council and Australian Standards requirements regarding traffic, access and parking.

This proposal for two (2) levels of office space, 67 car parking spaces and a total gross floor area of 1935m² is smaller than that considered in the original traffic assessment prepared in September 2020. It is therefore assumed that this smaller proposal can also be supported with no adverse impact on the local road network.

14.4. ACOUSTIC IMPACT

The site is located in an established commercial area with no residential dwellings in the vicinity of the site. The nearest residential dwellings are located some distance from the site and are separated from the area by main roads that provide constant background road noise. As a commercial building, this proposal will have little, if any acoustic impact on the existing noise levels in the area. Noise may be expected during construction of the site, however, that noise will be short term only.

14.5. ESSENTIAL SERVICES

A commercial building currently exists on the site and the land is serviced by power, water, sewer and telecommunications. Hunter Water have stamped the site plan and have issued the Notice of Requirements for the improvements on the site.

14.6. FLORA & FAUNA

The proposal will have no impact on flora and fauna. The site is cleared and developed.

14.7. BUSHFIRE

The site is not located in a bushfire area.

14.8. SOCIAL AND ECONOMIC IMPACTS

The overall social and economic impact of the proposed commercial building is positive during its construction phase and ongoing operation. A commercial building, two (2) storeys in height will be erected on the site which will result in additional business and employment opportunities in the area. The proposal will generate local investment and employment opportunities.

14.9. IMPACTS OF THE PROPOSED DEVELOPMENT

The site is surrounded by commercial, business and retail premises opposite Stockland Greenhills Shopping Centre with excellent transport facilities in the vicinity of the site. New and improved buildings have recently been erected in the surrounding area including the Maitland Mutual building, the Greenhills Shopping Centre and cinema complex. The proposal represents a contemporary and architecturally interesting building which is considered appropriate in this location.

No adverse impacts are expected as a result of this development application.

15. CUMULATIVE IMPACTS

The proposed development and its environmental impacts have been investigated and addressed in this Statement of Environmental Effects. There will be no long term or irreparable impact on the natural environment as a result of this proposal.

Impacts on the natural and built environment are appropriate and acceptable for the nature and scale of this development.

No foreseeable cumulative impacts are expected as a result of the proposed development.

16. SUITABILITY OF THE SITE AND THE PUBLIC INTEREST

16.1. SUITABILITY OF THE SITE FOR THE PROPOSAL

The proposed development is considered to be suitable for the subject site for the following reasons:

- The site is located in the E2 Commercial Centre zone that permits the proposed development;
- The proposal complies with the requirements of Council’s Development Control Plan;
- The proposal is considered suitable for the establishment of a new commercial premises and the variation to the maximum building height is considered appropriate in this location;
- The site is suitability located and consistent with the adjoining development in the immediate area. The proposal is complementary in scale to the recently expanded shopping centre, cinema complex, Maitland Mutual building and Aldi site;
- The development will not have any significant adverse environmental impacts; and,
- The development will not have any adverse impacts on the adjoining area.

The proposal for the construction and use of a new commercial building for office premises, minor alterations to an existing building, car parking, associated site works and strata subdivision at Lot 31 DP 1076333, 15 Mitchell Drive East Maitland for commercial purposes is considered suitable for the subject site.

16.2. THE PUBLIC INTEREST

The proposal satisfies both the provisions of Maitland LEP 2011 and Maitland Citywide DCP 2011 and represents a significant investment in the region with ongoing employment opportunities. The proposal is therefore considered to be in the public interest.

17. SUMMARY

This development application seeks approval for the construction and use of a new commercial building for office premises, minor alterations to an existing building, car parking, associated site works and strata subdivision, including Clause 4.6 variation at Lot 31 DP 1076333, 15 Mitchell Drive East Maitland.

The site is located directly opposite the Stocklands Greenhills Shopping Centre.

The proposed building will have no adverse impacts on the environment, nor will the proposal have any negative effects in the area.

The proposal has been designed to comply with the requirements and fulfil the intentions of the Maitland LEP and Maitland DCP 2011.

It is therefore recommended that Council approve the proposed development application.

APPENDIX A

WASTE MANAGEMENT PLAN

Construction Stage

Materials On-Site		Destination		
		Reuse and Recycling		Disposal
Type of Material	Estimated Volume (m ³) / Weight (t)	On-Site (proposed reuse/recycling method)	Off-Site (contractor / recycling outlet)	Contractor and Landfill Site
Excavation Material	To be determined	Cut and fill will be minimised to reduce excess fill. Any excess fill be used for backfill behind retaining walls where necessary	Excess material will be sold as clean fill or sold to the nearest recycling contractor	Will not be disposed of to landfill
Green Waste (Topsoil and Trees)	N/A	Stockpiled for later reuse in landscaping / mulched	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Weathered Rock / Sandstone	None expected	Stockpiled for later reuse in landscaping	Excess sold to nearest recycling contractor	Will not be disposed of to landfill
Concrete	To be determined	Any excess used for footpaths / minor works	Excess taken to nearest recycling contractor	Will not be disposed of to landfill

Timber Pallets	<10 pallets		To be collected by supplier or recycled	Will not be disposed of to landfill
Timber-other	<20 m ³	Offcuts reused onsite ie formwork	Recycled by waste contractor	Recycled by Thiess where possible
Steel reinforcement	<15 m ³	Order to suit – offcuts reused	Recycled by waste metal recycler	Will not be disposed of to landfill
Scrap metal	<10 m ³		Recycled by waste metal recycler	Will not be disposed of to landfill
Other – mixed waste	<35 m ³			Skip bin will be placed on site – removed by Commercial Contractor to approved landfill site

Use of Premises

Type of Waste Generated	Proposed On-site Storage and Treatment Facilities	Destination
Paper / Cardboard Boxes	Waste storage area / recycled	Recycling (waste contractor)
Mixed waste (kitchen waste, non-recyclables)	Waste storage area / recycled	Disposal (waste contractor)