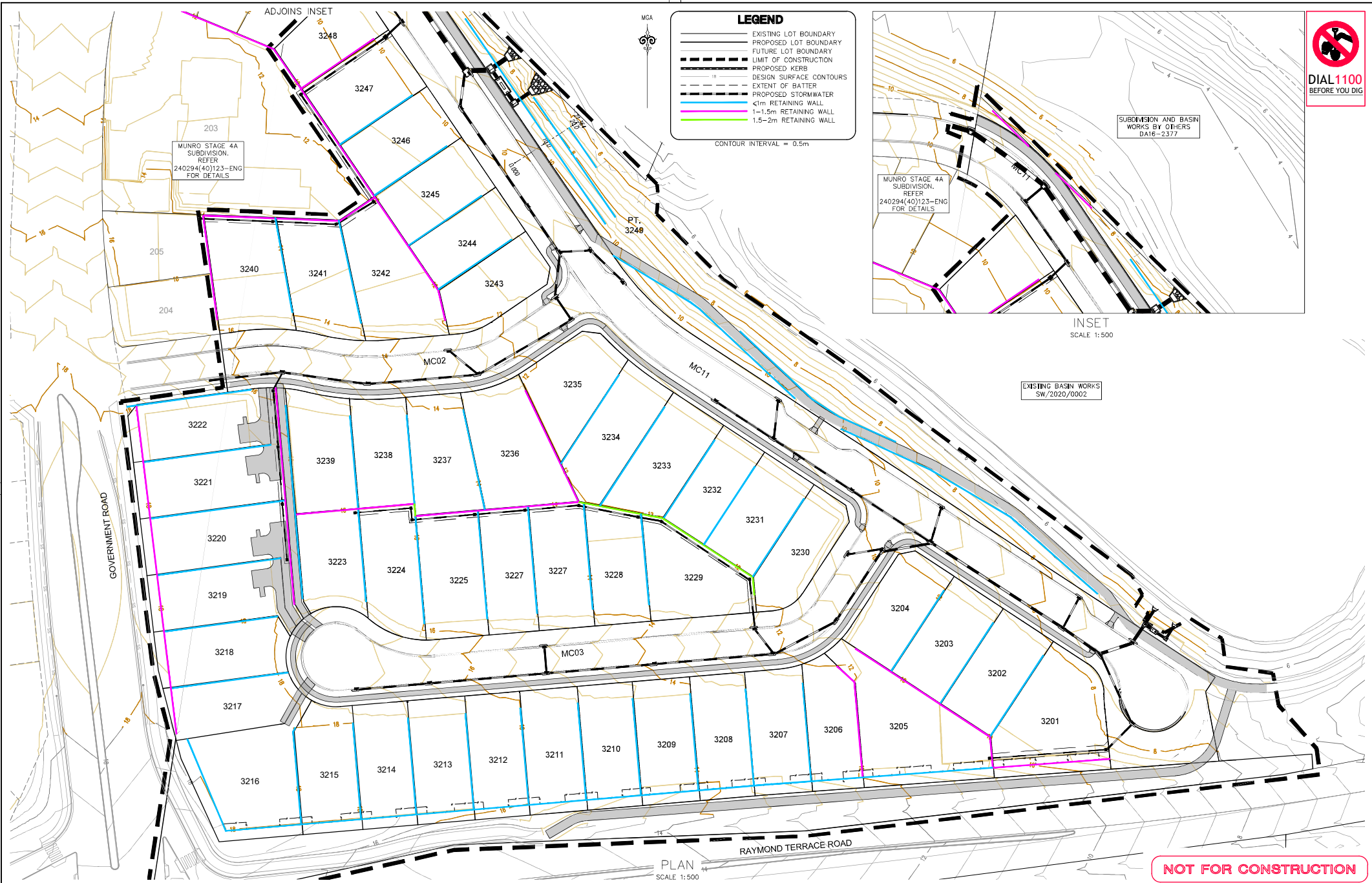


190205(3B)-CENG-103(H)

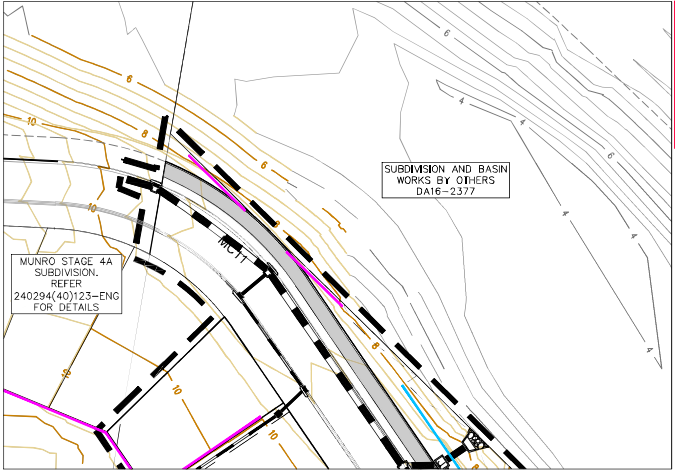
100mm AT FULL SIZE  
This plan includes coloured information. If you have a black and white copy you do not have all of the information. This note is coloured RED.



**LEGEND**

- EXISTING LOT BOUNDARY
- - - PROPOSED LOT BOUNDARY
- - - FUTURE LOT BOUNDARY
- - - LIMIT OF CONSTRUCTION
- - - PROPOSED KERB
- - - DESIGN SURFACE CONTOURS
- - - EXTENT OF BATTER
- - - PROPOSED STORMWATER
- <1m RETAINING WALL
- 1-1.5m RETAINING WALL
- 1.5-2m RETAINING WALL

CONTOUR INTERVAL = 0.5m



INSET  
SCALE 1:500

EXISTING BASIN WORKS  
SW/2020/0002



PLAN  
SCALE 1:500

**NOT FOR CONSTRUCTION**

REV.	DATE	AMENDMENT	DRAWN	CHECK	DESIGN	VERIFY
A	13.12.2016	INITIAL ISSUE	Z.J.	M.A.	M.A.	L.G.
B	14.01.2021	COUNCIL COMMENTS	T.S.	A.L.	A.L.	L.G.
C	17.08.2021	COUNCIL COMMENTS	A.M.	A.L.	A.L.	L.G.
D	30.09.2021	COUNCIL COMMENTS	A.M.	A.L.	A.L.	L.G.
E	12.10.2021	HOUSING UPDATE	C.S.	A.L.	A.L.	L.G.
F	17.02.2023	REVISED ISSUE	J.C.	A.L.	A.L.	L.G.
G	28.04.2023	RETAINING WALL LOTS 3201 TO 3216	J.C.	A.L.	A.L.	L.G.
H	01.09.2023	RETAINING WALL LOTS 3217 TO 3222	J.C.	A.L.	A.L.	L.G.

SCALE	0	10	20	A1 / A3
	1:500 / 1:1000			

ALL DIMENSIONS ARE IN METRES U.N.G. DO NOT SCALE

**adw Johnson**

Hunter Office  
Unit 7/335 Hillsborough Rd  
Warners Bay N.S.W. 2282  
Phone: (02) 4978 5100  
Fax: (02) 4978 5199  
email: hunter@adwjohnson.com.au  
www.adwjohnson.com.au  
ABN 62 129 445 398

CLIENT

**ALLAM PROPERTY GROUP**

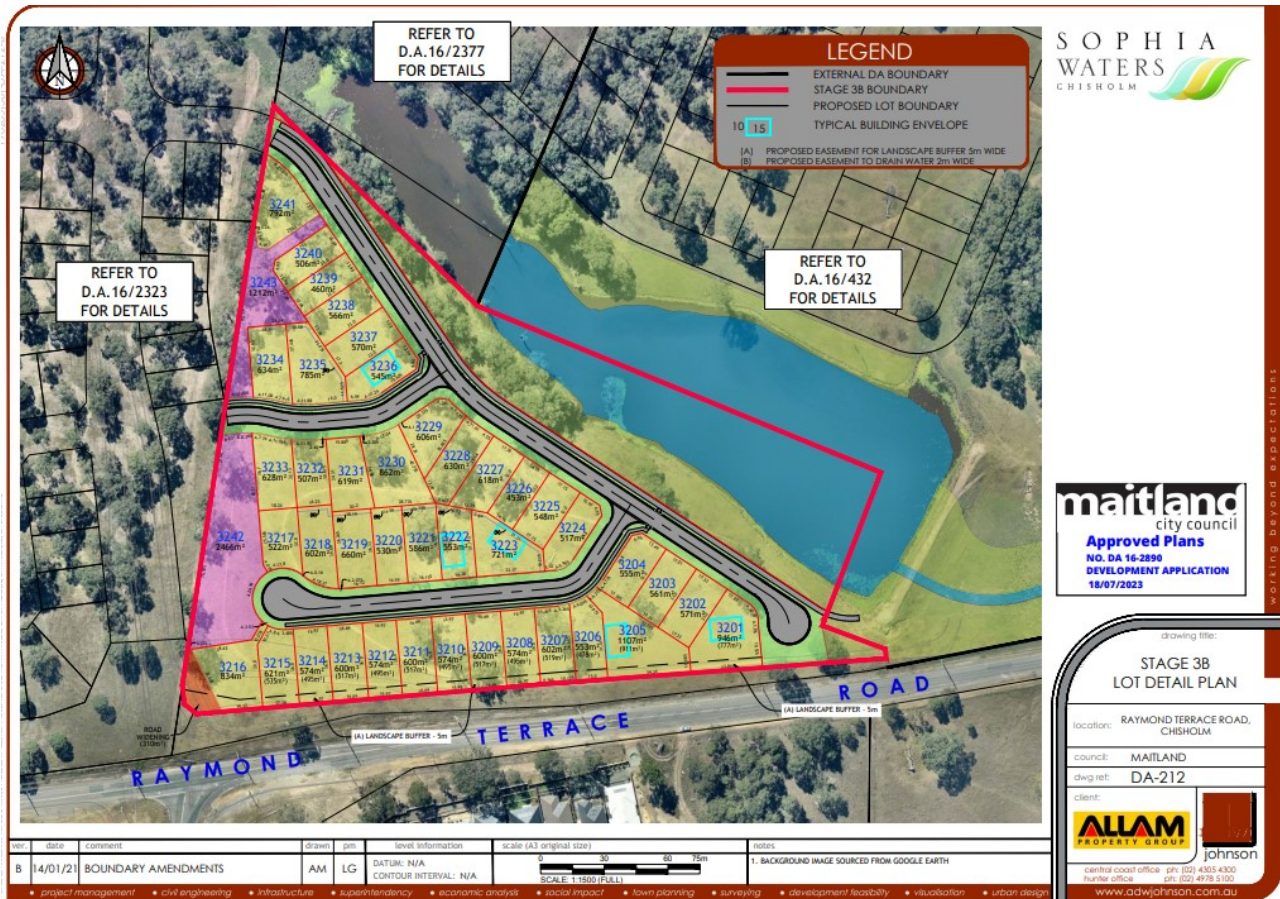
PROPERTY DESCRIPTION		CLIENT	
SOPHIA WATERS STAGE 3B SUBDIVISION LOT 2135 DP1256564 RAYMOND TERRACE ROAD, CHISHOLM		SOPHIA WATERS - STAGE 3B	
SURVEYED ADW Johnson		DATUM GD94 M.G.A. ZONE 56 A.H.D.	

PROJECT				DISCIPLINE			
SOPHIA WATERS - STAGE 3B				RETAINING WALL PLAN			
PLAN TITLE				PROJECT No. 190205(3B) - CENG - 103			
DISCIPLINE				NUMBER			
190205(3B) - CENG - 103				REV. H			

## 2.0 BACKGROUND

Development Consent DA/2016/2890 was granted by Maitland City Council on 18 July 2023 and provides consent for a 42 lot Torrens title subdivision, including associated vegetation clearing, earthworks and construction.

The Notice of Determination and approved plans are enclosed at **Attachment A. Figure 1** below shows the approved subdivision plan.



**Figure 1: Approved Subdivision Layout Plan**

## 3.0 PROPOSED AMENDMENTS

The proposed amendments are discussed further below:

### Development Description

The development description is currently set out as follows:

*Subdivision of 1 Lot into 42 lots, Associated Vegetation Clearing, Earthworks and Construction*

It is proposed to amend the development description to the following:

*Subdivision of 1 Lot into **48** residential lots, Associated Vegetation Clearing, Earthworks and Construction.*

## Justification

The current development description should refer to 40 residential lots (not 42) and two residue lots. As part of this modification, it is proposed to delete the two residue lots, Lot 3242 and Lot 3243 to be replaced by an additional 8 residential lots, resulting in 48 residential lots in total. Amending the development description will more accurately reflect the proposed number of residential lots and resolve the residual land between this development and the development to the west (DA/2019/652:2).

## Condition 1

Condition 1 is set out as follows:

### **APPROVED PLANS AND DOCUMENTATION**

- The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions of this consent or as shown in red colour on the plans:*

<b>Plan Reference</b>	<b>Sheet No</b>	<b>Revision</b>	<b>Date</b>	<b>Prepared by: (consultant)</b>
Subdivision detail plan	210	B	14/01/2021	ADW Johnson
Subdivision services plan	211	B	14/01/2021	ADW Johnson
Lot detail plan	212	B	14/01/2021	ADW Johnson
Erosion and sediment control plan	221	B	14/01/2021	ADW Johnson
Subdivision works detail plan, 190205(3B)	101	G	28/04/2023	ADW Johnson
Earthworks levels plan, 190205(3B)	102	G	28/04/2023	ADW Johnson
Retaining wall plan, 190205(3B)	103	G	28/04/2023	ADW Johnson
Road longitudinal section MC02, 190205(3B)	201	G	28/04/2023	ADW Johnson
Road longitudinal section MC03, 190205(3B)	202	G	28/04/2023	ADW Johnson
Road longitudinal section MC11 (sheet 1), 190205(3B)	203	G	28/04/2023	ADW Johnson
Road longitudinal section MC11 (sheet 2), 190205(3B)	204	G	28/04/2023	ADW Johnson
Typical road cross sections, 190205(3B)	211	G	28/04/2023	ADW Johnson
Site regrade plan, 190205(3B)	501	G	28/04/2023	ADW Johnson
Tree removal and erosion and sediment control plan, 190205(3B)	801	G	28/04/2023	ADW Johnson
Erosion and sediment control details, 190205(3B)	802	G	28/04/2023	ADW Johnson
Landscaping plan, 11069.5	L101	B	23/12/2020	Terras Landscape

				Architecture
Road buffer planting and fencing detail, 11069.5	L701	A	23/12/2020	Terras Landscape Architecture
Planting schedule, 110969.5	L702	A	23/12/2020	Terras Landscape Architecture
Noise assessment, 151079	1-18	-	January 2021	Spectrum Acoustics
Acoustic advice (fence return north along proposed lot 3201 and road MC11)	1-2	-	09/08/2021	Spectrum Acoustics
Bushfire assessment report, 2163	-	3	25/10/2021	Bushfire Planning Australia
Bushfire Attack Level plan, 221218	-	-	18/12/2022	Bushfire Planning Australia
Preliminary contamination assessment report, CGS2721	1-16	1	19/02/2016	Cardno

It is proposed to delete condition 1 to be replaced with the following:

1. *The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions of this consent or as shown in red colour on the plans:*

<b>Plan Reference</b>	<b>Sheet No</b>	<b>Revision</b>	<b>Date</b>	<b>Prepared by: (consultant)</b>
Subdivision detail plan	210	B C	14/01/2021	ADW Johnson
Subdivision services plan	211	B C	14/01/2021	ADW Johnson
Lot detail plan	212	B C	14/01/2021	ADW Johnson
Erosion and sediment control plan	221	B C	14/01/2021	ADW Johnson
Subdivision works detail plan, 190205(3B)	101	G	28/04/2023	ADW Johnson
Earthworks levels plan, 190205(3B)	102	G	28/04/2023	ADW Johnson
Retaining wall plan, 190205(3B)	103	G H	<del>28/04/2023</del> 04/09/2023	ADW Johnson
Road longitudinal section MC02, 190205(3B)	201	G	28/04/2023	ADW Johnson
Road longitudinal section MC03, 190205(3B)	202	G	28/04/2023	ADW Johnson
Road longitudinal section MC11 (sheet 1), 190205(3B)	203	G	28/04/2023	ADW Johnson
Road longitudinal section MC11 (sheet 2), 190205(3B)	204	G	28/04/2023	ADW Johnson
Typical road cross sections, 190205(3B)	211	G	28/04/2023	ADW Johnson
Site regrade plan, 190205(3B)	501	G	28/04/2023	ADW Johnson

Tree removal and erosion and sediment control plan, 190205(3B)	801	G	28/04/2023	ADW Johnson
Erosion and sediment control details, 190205(3B)	802	G	28/04/2023	ADW Johnson
Landscaping plan, 11069.5	L101	B	23/12/2020	Terras Landscape Architecture
Road buffer planting and fencing detail, 11069.5	L701	A	23/12/2020	Terras Landscape Architecture
Planting schedule, 110969.5	L702	A	23/12/2020	Terras Landscape Architecture
Noise assessment, 151079	1-18	-	January 2021	Spectrum Acoustics
Acoustic advice (fence return north along proposed lot 3201 and road MC11)	1-2	-	09/08/2021	Spectrum Acoustics
Bushfire assessment report, 2163	-	3	25/10/2021	Bushfire Planning Australia
Bushfire Attack Level plan, 221218	-	-	18/12/2022	Bushfire Planning Australia
Preliminary contamination assessment report, CGS2721	1-16	1	19/02/2016	Cardno

## Justification

The current approval includes two residue lots, Lot 3242 (2466m<sup>2</sup>) and Lot 3243 (1212m<sup>2</sup>) which align with the residual land within the approved development to the west (DA/2019/652). The residue lots were designed to ensure that an efficient and logical lot layout could be established, subject to a agreements between the adjoining land holder and subject to future applications.

Both the subject lot - Lot 1 DP 1288624 (DA/2016/2890) and Lot 2 DP 1284512 (DA/2019/652) – adjoining to the west are owned by different entities within Allam Property Group being;

- Lot 2 DP 1284512 – Allam Land No. 4 Pty Ltd and;
- Lot 1 DP 1288624 – Thornton Waters Pty Ltd.

The proposed modification will result in the deletion of the two residue lots, Lot 3242 and Lot 3243 to be replaced by an additional 8 residential lots, resulting in 48 residential lots in total. In addition, residential Lots 3234 – 3241 have slightly been reconfigured. – refer **Figure 2** below and **Attachment B**.

During the assessment process, ADW Johnson provided a proposed subdivision layout for the residual lands between 651 and 581 Raymond Terrace Road. The subdivision layout was agreed to prior to the consent being granted to ensure the approved layout was satisfactory to facilitate efficient use of the residual land. This agreed strategy for residue land between MC02 & MC03 is shown in **Attachment C**.

The proposed boundary alignment north of MC02 facilitates a subdivision layout for residential lots and a proposed childcare lot (DA to be applied for under separate cover).

This layout has developed over time and was shown to MCC officers at a meeting on 29<sup>th</sup> June 2023.

The proposed boundary alignment and access arrangement includes 4 new battle-axe lots accessed from MC02 & MC03 which are consistent with the adopted residue strategy that was agreed with MCC's Planning assessor in December 2021.

Revised retaining is required to deliver the abovementioned changes to the layout. Please Refer **Attachment D** for these changes.

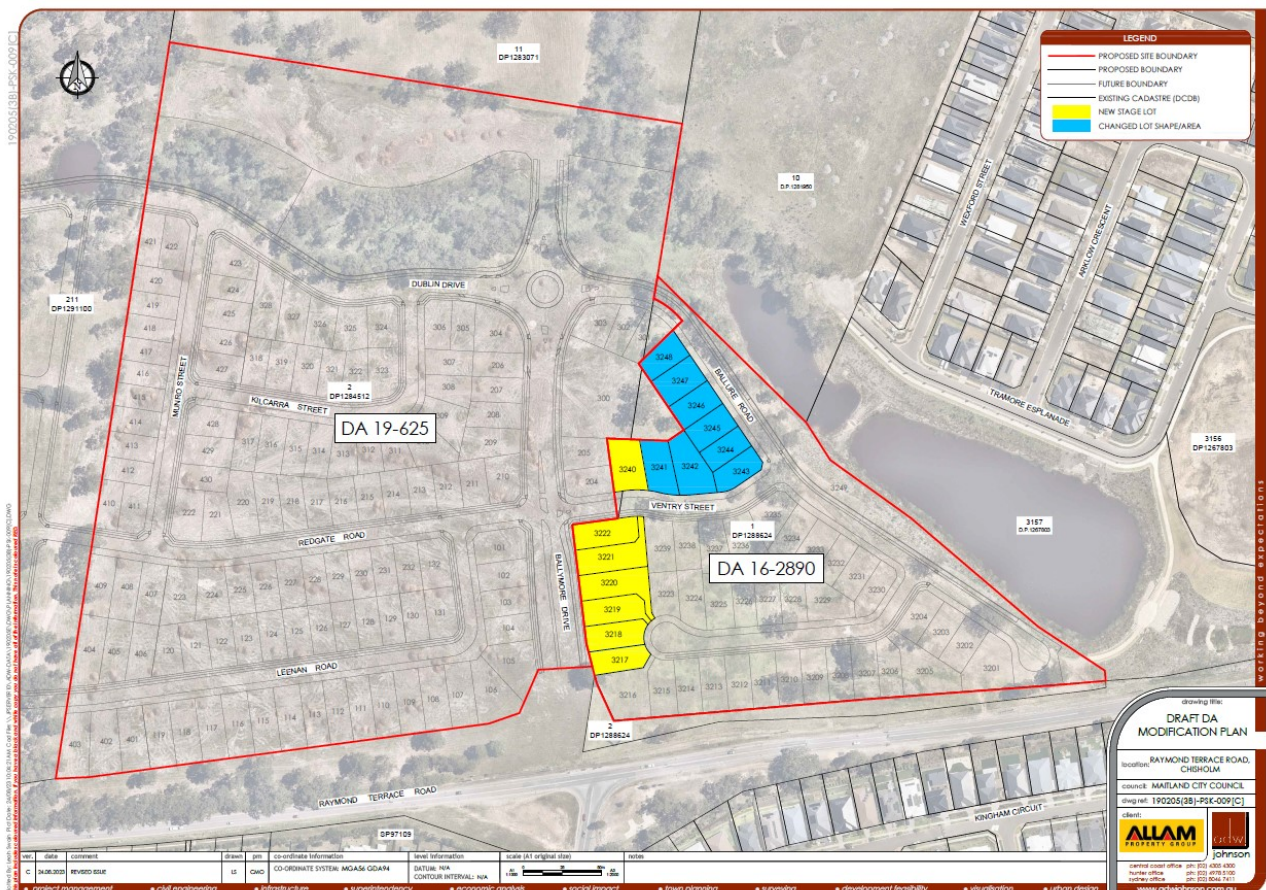


Figure 2: Amended subdivision layout plan

## Condition 2

Condition 2 is set out as follows:

### **CONTRIBUTIONS AND FEES**

2. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979 the Thornton North Development Contributions Plan 2008 and the Maitland City Wide Development Contributions Plan 2016, a contribution of \$1,025,171 shall be paid to the Council.

The contribution is calculated from Council's adopted Development Contributions Plans in the following manner:

Facility	Per Lot	Total
	1	42
TN Rec & Open Space	\$5,437.00	\$228,354.00
TN Road & Traffic	\$17,068.00	\$716,856.00
Offset for Land Dedication Part TN39	\$5,589.16	\$234,744.68
Revised Road & Traffic Contributions	\$11,478.84	\$482,111.32
TN Community Facilities	\$1,724.00	\$72,408.00
TN Cycleways/Shared Paths	\$188.00	\$7,896.00
TN Management/Admin	\$443.00	\$18,606.00
CW Aquatics	\$928.00	\$38,976.00
CW Library Floor Space	\$588.00	\$24,696.00
CW Road & Traffic	\$3,074.00	\$129,108.00
CW Cycleways/Shared Paths	\$548.00	\$23,016.00
<b>TOTAL Less Offset</b>	<b>\$24,408.84</b>	<b>\$1,025,171.32</b>

It is proposed to delete condition 2 to be replaced with the following:

2. Pursuant to Section 7.11 of the Environmental Planning and Assessment Act 1979 the Thornton North Development Contributions Plan 2008 and the Maitland City Wide Development Contributions Plan 2016, a contribution of \$1,025,171 shall be paid to the Council.

The contribution is calculated from Council's adopted Development Contributions Plans in the following manner:

Facility	Per Lot	Total
	1	48
TN Rec & Open Space	\$5,437.00	\$260,976.00
TN Road & Traffic	\$17,068.00	\$819,264.00
Offset for Land Dedication Part TN39	\$4,890.51	\$234,744.68
Revised Road & Traffic Contributions	\$10,043.99	\$482,111.32
TN Community Facilities	\$1,724.00	\$82,752.00
TN Cycleways/Shared Paths	\$188.00	\$9,024.00

TN Management/Admin	\$443.00	\$21,264.00
CW Aquatics	\$928.00	\$44,544.00
CW Library Floor Space	\$588.00	\$28,224.00
CW Road & Traffic	\$3,074.00	\$147,552.00
CW Cycleways/Shared Paths	\$548.00	\$26,304.00
<b>TOTAL Less Offset</b>	<b>\$22,973.99</b>	<b>\$1,102,751.32</b>

### Justification

The amendment to condition 2 reflects the increase in the number of residential lots from 40 to 48. The previous table issued with the consent incorrectly applied the contributions to the residual lots.

### Condition 32

32. Retaining walls on common boundaries shall be in accordance with the approved retaining plan. No walls shall exceed the maximum height of 1.5m.

It is proposed to delete condition 2 to be replaced with the following:

32. Retaining walls on common boundaries shall be in accordance with the approved retaining plan. No walls shall exceed the maximum effective height of 1.5m.

### Justification

Allam Property Group intend to leave wall heights several hundred millimetres above the pad level. This additional height is not acting as a retaining structure and should not be included in the measurement of maximum height. SWC plans will be submitted showing the difference between the top of wall and the "effective top of wall" to show what is acting as retaining.

### Condition 42

42. Prior to the issue of a Subdivision Works Certificate ~~for subdivision works~~ a Bulk Earthworks Management Plan (BEMP) is required to be submitted to Council for approval. The BEMP must include a report from a suitably qualified engineer that examines and determines:

It is proposed to delete condition 2 to be replaced with the following:

42. Prior to commencement of Bulk Earthworks ~~the issue of a Subdivision Works Certificate for subdivision works~~ a Bulk Earthworks Management Plan (BEMP) is required to be submitted to Council for approval. The BEMP must include a report from a suitably qualified engineer that examines and determines:

### Justification

This condition is not conducive to the desirable procurement process and requires engagement of a contractor prior to SWC. The BEMP is provided by the civil contractor. It is desirable to engage a civil contract with SWC certified plans. It is better placed as a precursor to commencement of works being granted.